

Spartanburg City Planning Commission Meeting Minutes
Thursday, December 19, 2019

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, December 19, 2019 at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Bob Pitts, Dr. Phillip Stone, Reed Cunningham and Mike Epps. No Planning Commissioners were absent. Representing the Planning Department were Natalia Rosario, AICP, Planner III; and Julie Roland, Administrative Assistant. City Manager Chris Story also attended the meeting.

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 six Planning Commissioners of the current six member Board were present, constituting a quorum; and he went over the rules and procedures for conducting a public hearing.

Dr. Stone moved the Agenda be amended to switch the order of the new business items since most of the audience had attended regarding the second business item regarding the rezoning request; and he was seconded by Mr. Epps. The motion was unanimously approved regarding the amended agenda by a vote of 6 to 0.

No Meeting Minutes were ready for approval.

Old Business – None.

New Business

1. Rezoning Request to consider amending the City of Spartanburg Zoning Ordinance and Comprehensive Plan Land Use Element, by amending Section 206, changes to District Boundaries, of thirteen parcels, Specifically Parcels #7-12-09-111.00; 113.00; 114.00; 119.00; 120.00; 130.00; 131.00; 141.00; 142.00; 143.00; 143.01; 143.02 & 169.00 that are located on various vacant properties on Wofford St., Hines St., Pilgrim St. & N. Thompson St. that are currently zoned I-1, Light Industrial District/and/or R-6, General Residential to Zone R-6 PDD regarding the Norris Ridge Relocation Project, Phase 1 to construct Phase 1 of the Wofford Street Site; from Ralph Settle, Colliers Brokerage, Agent and Applicant, as well as Matt Summers, AMS Construction, Applicant/Developer, on behalf of the City of Spartanburg, Property Owner.

Ms. Rosario, Senior Planner came forward and was sworn; and she submitted the case into evidence that included the report the Planning Commissioners had previously received in their meeting packets, tonight's presentation and slides for this case as Exhibit A. She showed an aerial slide and location map slide of the properties and said this was an application to rezone thirteen parcels within the red outline of the location map, which were all owned by the City of Spartanburg. The parcels were currently zoned R-6, General Residential and/or I-1, Light Industrial District; and the proposal was to rezone all of the thirteen properties to Zone R-6 PDD, General Residential Planned Development District which would allow the development for this property for 190 units of apartments, ranging from one bedroom to five bedrooms, all meeting the HUD standards for affordable housing developments. Ms. Rosario said the 190 units was a phase one; and maybe at a later date there could be a phase two. The property had a required 3.3 acres of accessible open space for the 190 units under this zoning category; and she said they were well under their permissible 265 units under the same zoning category. Ms. Rosario informed the Planning Commissioners some important aspects of the site which she imagined the applicant would go over shortly, were that it did meet all HUD livability requirements; a portion of The Dan would run along the southern edge of the property, (which was the Spartanburg Trail System) that would provide the future residents of this area with first class amenity as well as pedestrian connectivity to other parts of the City, which was lacking at the current Norris Ridge. Ms. Rosario said if the Planning Commission should recommend approval at tonight's meeting, the request would then go for another Public Hearing and First Reading of Ordinance before the Mayor and City Council on January 13, 2020; and if it was approved at

that meeting, it would then go for a Second/Final Reading of City Council on January 27, 2020. She explained they had been working very closely, as the City currently owned the properties, with the civil engineers and the developers to get as close as they could regarding the guiding principles which were: eyes on the street, pedestrian connectivity, and on-street parking. She said for the amount of parking on the site, they felt like they had got what they asked for. In closing, Ms. Rosario said they felt this was a good candidate for R-6 PDD, and felt good about the project; and they would like a favorable recommendation from the Planning Commission for City Council if possible; and she would be happy to answer any questions. The applicants/development team were also present.

Planning Commission Questions for Ms. Rosario:

- Mr. Kinard asked Ms. Rosario on the application summary in the third paragraph, that it mentioned R-8 PDD; and he asked should it read R-6 PDD.
- Ms. Rosario apologized and said it should read R-6 PDD.

There were no other questions for Staff at this time.

Mr. Wilson asked whomever wished to speak from the applicant/developer to come forward.

Ralph Settle of 1105 Partridge Road, Spartanburg, SC came forward and was sworn. Mr. Settle informed the Planning Commission this was kind of a multi-faceted approach, and he and the development team were purchasing Norris Ridge beside the Beacon Restaurant which had 190 units; and they were going to relocate the 190 units to the proposed rezoned parcel (Midtowne Heights) when it was completed. He explained they had the census breakdown of the families that were in the existing Norris Ridge which was representative of the mix of one, two, three, four and five bedroom units in the current Norris Ridge location. He said their idea was to close on Norris Ridge; and shortly thereafter begin development of the new project where they would be able to move the existing Norris Ridge residents. Hopefully within that time the Highland Community Master Plan will have kind of come together, which was community driven; and they would understand what the old Norris Ridge site needed to be. He said as they could see on the slide it would be a handful of buildings that represented the 190 units. Mr. Settle said all units would meet the 2020 HUD guidelines relative to square footage, all the way down to the linear square foot of counter space that HUD required in each unit. The site would be ADA compliant, 2% across the whole polled site. The parking may seem heavy, which it was, but was required by HUD to have that amount of parking for the site. As it relates to trying to keep to the urban form, they were doing parallel parking on the lower spine road, and diagonal parking (horseshoe) to try and minimize as many parking lots as they could. He said they tried to make them not be the focal point, aside from which anchored both sides of the community center and bottom of the plan. Mr. Settle said they had coordinated with PAL to have a 10-foot strip of The Dan run through the site, so it could connect all the way down to Wofford Street. There would be green spaces, tot lots, some playgrounds, and the standard things you would see in a development. These were townhome styles, and he showed a conceptual rendering of the townhomes. Mr. Settle closed his presentation and said they tried to keep it as close to the style and look of the model block over on the north side, to keep that craftsman style look and feel. He said overall, they were pretty pleased with where they were right now. He said he would be happy to answer any questions.

Planning Commission Questions for Applicant:

- Mr. Wilson asked about the current number of units they were looking to replace.
- Mr. Settle said 190. He explained what they did that was a little different, which HUD had allowed, that it was not the exact same unit mix as the existing Norris Ridge. They used the census data within the residents at Norris Ridge; and he said there might be a family that needed a three-bedroom that was currently living in a two-bedroom. They had taken that into consideration and were able to add a third bedroom, versus trying to cram more people into a two bedroom, etc.
- Dr. Stone asked about the timeline for the project.
- Mr. Settle explained depending upon how the approvals went, they were looking to start breaking the ground in April or May, 2020; and he thought they would deliver this product on-line June of 2021. He said they were going with a modular build, so it's a little bit more of a controlled environment, and they

think it's a better quality. It did not save them any money, but they liked the way it worked out. They have been in conversations with the builder and architect to make sure that they could get all their QAP in 2020 from HUD.

- Mr. Epps asked if this was being opened up to the current residents at Norris Ridge first, and they would get first rights.
- Mr. Settle said yes; and when they took ownership of the existing Norris Ridge location, any existing tenants at Norris Ridge that were in lease compliance and had the desire to relocate, they would relocate them.
- Mr. Kinard referenced an overview slide; and he asked about the parcels that were kind of jutting in from the road.
- Mr. Settle said those were owned properties, one of which was a church. He said they were not in the business of uprooting a church. He said they had been in conversation with them about the little triangle portion of their property that you can't see on the slide very well. They had talked with Reverend Cheek who was no longer at the church. Mr. Settle said he and Councilman Rice were having a conversation with the new leadership at the church. He said it was about 0.103 acres, and it was just a very odd configuration into the lot what would help round them off. He said there were a few rental houses, and one of them he thought was an owner-occupied; and they were pretty nice houses; and they would be happy to have them in the neighborhood.
- Mr. Kinard asked about a vacant parcel on the right on the slide.
- Mr. Settle said it was going to be green space. He said they did not have any plans for this in Phase 1; and they may look at a Phase two at a later date.
- Mr. Epps asked where the 265 number came in.
- Ms. Rosario said that was if you calculated the required acreage per unit for this.
- Mr. Epps said the density would allow for 265, and they were doing 190 in Phase 1. He asked was there a potential for a Phase II.
- Mr. Settle said there would be, he was not necessarily sure which direction it would go yet. Their sole purpose had been on the relocation.
- Mr. Epps referenced the slide and said the first U on the left that it was two parcels, and it kind of divided the house in the middle. He said he thought the City owned one, and he was not sure how that would play out.
- Mr. Settle said they were not trying to get that, and they did not need it.
- Mr. Cunningham asked Mr. Settle to clarify for him where the current residents were, and would the construction be adjacent to where they lived now.
- Mr. Settle explained if you were looking at the Beacon, it was up and to the right.
- Mr. Cunningham asked was the proposed property contiguous.
- Mr. Settle said it was less than a half mile away.
- Mr. Kinard asked about there being two entrances, one on Wofford; and he asked about the other entrance.
- Mr. Settle referenced a slide and explained there was an entrance on Wofford Street and Thompson Street. He referenced where a railroad track was and said you could get to it from the Saint John Street side.
- Mr. Kinard asked would there be stop signs at the intersections.
- Mr. Settle said yes.

- Mr. Epps asked had the City looked at the traffic flow or anything like that regarding the old iron bridge that was there, and now that it would have more traffic going across it, what were their thoughts on that.
- City Manager, Chris Story came forward and said the traffic light at the intersection of Wofford and West Saint John Street was going to be signalized as part of some other activity. He said right now that was a stop sign; and they were going to reconfigure it to be able to move folks onto Saint John Street more easily, which was maybe a third of a mile east of the site. He said they do not envision any limitations associated with the old metal bridge coming into play because there would be a convenient alternate for that.
- Dr. Stone had a question regarding the scope of the rezoning; and asked that they were not just rezoning the immediate project; but it looked like they were being asked to rezone what looked like the entire area circled in red on the slide; and thought it looked like they were sort of anticipating the next portion as well, and asked was he correct.
- Mr. Epps said it looked like the entire football looking shape on the picture they had.
- Ms. Rosario said she could speak to the ordinance portion regarding this; and she said a PDD had to be associated with a site plan; which was why they were not bringing the rest of the properties that could be a potential Phase II. She said as of right now the only ones they were concerned with were the 13 parcels.

Mr. Wilson asked if there were any more questions from the Board Members for the applicant at this time. There being none; Mr. Wilson opened the public hearing portion; and he asked anyone in the audience who wished to speak one way or the other; or if there were any that just had questions to please come to the podium and state their names and address for the record.

- Mr. Brian Murphy of 515 Belmont Street came forward and said he owned a lot that was kind of adjacent to the proposed property, and Ms. Rosario had mentioned the City pretty much owned all of the properties outlined in red on the map slide; and he asked did they have access to all that property right now.
- Ms. Rosario said yes.
- Mr. Murphy asked was it all vacant land.
- Ms. Rosario said yes; it had been vacant for about ten years.
- Mr. Murphy asked if this was Phase 1; what would more likely be a Phase II. He asked would they go further on the other sides pretty much where Rice Street was.
- Ms. Rosario said heading out in an easterly direction; and she thought what they had talked about so far had been some form of market rate development just to balance out the rental, ownership, mixed income, and community.
- Mr. Murphy asked then it would be more commercial.
- Ms. Rosario said no sir, it would be residential.
- Mr. Murphy asked if that would go out more towards the Thompson Street area.
- Ms. Rosario explained on the map past Thompson Street where the City also owned.
- Mr. Murphy asked did the City plan on doing anything below there, like the Rice Street or Stevens Street area, in the near future.
- Mr. Wilson said that had not been determined right now.
- Mr. Murphy asked how would that affect taxes of people who lived there right now in the Rice Street and Stevens Street, once they were finished in 2021.

- City Manager, Chris Story said it should not directly affect property taxes. He said for the properties across the railroad tracks it may make that area more desirable for redevelopment; but the tax value for tax purposes would only change when the property changed hands.
- Mr. Murphy said the market value.
- City Manager Story said that was correct.
- Mr. Murphy said the taxes would go up.
- City Manager Story said yes.
- Mr. Murphy said that answered some of his questions; and he thanked them for their time.
- Mr. Wilson asked if anyone else had questions, etc. to feel free to come forward; and he said just as a point of order that he forgot to mention earlier which he apologized for; to please address any questions to the Board; and then they would allow for responses to be made for the record, so it was less conversational.
- Mr. Kenneth Barnes came forward and said he owned the property on St. John Street, and N. Thompson Street; and asked what they were talking about now was the first phase.
- Mr. Wilson said yes.
- Mr. Barnes asked was that for the residents.
- Mr. Wilson said yes; it was for the 190 units.
- Mr. Barnes said Ms. Rosario had mentioned something about the fire department.
- Ms. Rosario said the City had purchased the old Integral Solutions building; and they would be transitioning that into the Main Fire Station.
- Mr. Barnes asked what phase that would be.
- Dr. Stone said he thought Mr. Story wanted to say something; but that City Council had already approved that; and that was not a part of this development.
- Mr. Wilson, the Chair said he thought the inclusion in the language of a Phase 1 was creating a little bit of confusion. He said there were no plans currently being anticipated for a Phase II. He said all they had before them tonight was what were shown for the 190 units.
- Ms. Rosario said if there ever was to be a Phase II, the City would go through this same process, and advertise in the paper, send out letters, and come back before the Planning Commission.
- Mr. Barnes thanked them; and said he thought that was all he wanted to know.

Mr. Wilson asked if there was anyone else who would like the opportunity to speak.

- Dr. Stone informed the Chair he would like to ask a question since he saw a number of City Senior Staff in the audience; and asked had there been any outreach in the neighborhood around this project besides the official notice that Planning Staff sent out regarding community outreach to the neighborhood about what was going on.
- Assistant City Manager, Mitch Kennedy came forward and said as it pertained to this project, no; and he said there were very few occupied residents in this area. He said in the area south of the railroad, there had been some previous engagement through the years with the residents that lived there. The Assistant City Manager said prior to this project, there were two public development projects where it required community engagement in advance of a public meeting (HUD projects) which were supported by the residents that were south. He further explained there were probably less than five occupied households that resided in that area; and there were some preliminary discussions with them, but nothing formal. He said they had several outreach efforts over the years, and this project was previously presented as Midtown Heights by the Housing Authority and the City.

Mr. Wilson asked if there were any more Planning Commission questions for Staff or the applicant. There being no more questions, he closed the public hearing; and said they would now begin Board Deliberation.

Board Deliberation:

- Dr. Stone said he thought about this earlier today; and even though the City owned the proposed properties; the City still had to petition a City Commission for a change in order to change the ordinance. He said the City could not just do whatever they wanted; and the City had to follow its own processes; and he felt that was a positive thing. Dr. Stone said they all knew that affordable housing in the City was a priority right now; and this would bring 190 units of good affordable housing. It looked like the quality would be good, and much better than what it was replacing. Dr. Stone said as a former member of the Partners for Active Living, he was very happy to see the incorporation of the community's trails network into this property; and he always liked to see those types of amenities in all types of neighborhoods – market and affordable; and he applauded that inclusion and supported that. He felt it was a better and higher use of the land, and to the downtown. He also felt it was a good focus on the western gateway to the City, and he felt the PDD would be an appropriate zoning.
- Mr. Cunningham asked the approximate age of Norris Ridge apartments.
- Mr. Settle said it was built around 1950.
- Mr. Cunningham asked were they currently owned by the City.
- Mr. Settle said they were owned by a private owner out of North Carolina.
- Mr. Wilson said he could not recall the entity but he met them at one of the planning sessions for the redevelopment of the Norris Ridge area, which obviously in order to proceed forward they had to be a location to relocate the residents now.
- Mr. Kinard felt it was a good thing to replace every tenant that was over there now, and felt it would definitely upgrade their living situation. He said he had been going to make the point that once it was vacated; they would need to do something with it; but now it would be private.
- Dr. Stone said they were going to own that right.
- Mr. Settle said that was correct.
- Mr. Kinard said so that would open it up for possible additional development.
- Dr. Stone said the Highland Master Plan.
- Mr. Epps said he was good with the request.

Mr. Wilson moved the rezoning request be recommended favorably to City Council as submitted; and he was seconded by Dr. Stone. The motion was unanimously approved by a vote of 6 to 0.

City Manager Story said if anyone in the audience had any questions about specific properties that brought them here tonight; that Mr. Kennedy, Mr. Livingston and himself would be glad to go down the hall and talk about any of those. He said they had a map down the hall; and they would be happy to answer any of their further questions.

Mr. Wilson said for everyone's information if anyone wished to attend; Staff would schedule this matter for another Public Hearing and First Reading of Ordinance before the Mayor and City Council that would be held on January 13, 2020; and if approved on First Reading, would then go for a Second/Final Reading on January 27, 2020.

Text Amendment Change to City of Spartanburg Zoning Ordinance to amend Section 507, Planned Development Districts (PDD) to consider enabling small-lot infill redevelopment standards.

Ms. Rosario came forward again, and said this item could be an informal discussion; and if possible for the record, they would keep it one person speaking at a time. She said this was a proposal by the Planning Department to include in the PDD Ordinance language some specifications that would allow for infill development. Infill development essentially takes advantage of existing infrastructure. Generally smaller lots, and making good use of those lots, #1 in a financial sense, and #2 in terms of urban design principles.

Ms. Rosario said this had come up because there were several parcels that could be developed for housing, but at the current time, none of our ordinances allowed for their development in a way that was feasible for the developers; and she said the Planning Department had been tasked to explore this topic. Ms. Rosario said she had a lengthy presentation, and she could go through each and every proposed edit if they wished her to; but she thought the basic portions that were the most important to discuss were the actual specifications as to what happened when you review these, and how this process would function differently than the current PDD. The current PDD Ordinance called for a minimum of 3 acres for a Planned Development District; and so anything under 3 acres can't be done as a PDD and had to be developed under the regular zoning categories, which were more restrictive generally than a PDD. The proposal was to allow for planned development districts on properties that were from 1 to 3 acres in size. She referenced a slide and said it was not in their packets; but there were about 182 vacant properties in the City that were sized between 1 and 3 acres; and some of those were undevelopable due to the topography and infrastructure. There were 889 parcels that were already developed, but in the future could potentially take advantage of infill PDD redevelopment. Ms. Rosario pointed out on the slide the approximately 182 parcels that could be developed were currently vacant. She referenced on the slide the ones that were developed in purple color, and the ones that were not, in orange color.

Ms. Rosario explained she had done a little bit of GIS analysis and some research and looked at other areas Best Practices; and she said Greenville had an active infill ordinance; and in Staff's opinion that enabled them to get some more creative, higher-quality developments in areas that were not in their downtown core. As far as special consideration of architectural design and compatibility, which she referenced p. 195 portion of the Ordinance; and said she had just put that in; but there weren't any specifications as of right now as to what would meet that special consideration. She looked at the Zoning Practice Guide from the APA; and some of what other cities had done was require some design elements that she thought the Planning Commission generally does not review right now; but there was no reason they would not be able to. She said some examples were requiring the front door and front windows to be oriented to face the primary access street. She said that was for a specific location, but no more than one ground level entrance per street-facing façade. Front facades must have a certain amount of windows, breaks, recesses or projections in the horizontal plane of any front façade, bearing roof lines, parking located in the rear, as well as allowing for some creating spacing, and the number of units that would be permitted.

Mr. Cunningham said she had referenced the APA on the minor edits; but on the 1 to 3 acre reference, she mentioned Green Build. He asked what the APA said about acreage for types of PDD classifications.

Ms. Rosario said they don't have any specific guidance on what the appropriate size was, but generally infill lots were smaller and already located within a developed area; but conditions changed in terms of what's profitable and what's possible. She said essentially it's an attempt to bring these smaller properties online with developments that were economically feasible, in a way that matched and was cohesive with any existing development around it. So it had to fit in to work, which was why there's extra steps of review for the Planning Commission as well on those. Ms. Rosario said you could potentially do less than 1 acre sites; but the reason she had it at 1 acre, was that less than an acre was really small. Their current ordinance limited the smallest category for commercial planning; and she would not recommend going any smaller than that. She did not think that we had density right now to necessitate very small lot infill.

Dr. Stone said if they were talking about something that was already downtown, the downtown code would apply to that anyway.

Ms. Rosario said that was right.

Dr. Stone said so even if there was a half-acre lot somewhere, it would already have the regulatory framework to deal with that in the Downtown Code.

Ms. Rosario said the form-based code that applied to downtown basically enabled this kind of development to build into that. Whereas the other portions of our ordinance were Euclidean, and had a lot of setbacks and density requirements; and so the PDD was an overlay that we would put on it. She said there were some specifications for required lot sizes even within the PDD required open space. She said yes, it was to get a higher valued product in a smaller lot in a way that worked for that specific area, similar to how they did developments downtown.

Dr. Stone said it needed to be compatible with what was around it.

Ms. Rosario said that was correct.

Mr. Stone said so it was not suddenly; and there was just a weird thing in the middle of what's already an area that may be zoned R-15 all around it; and then you had an acre and a half that you still had to do something with – that he assumed they still would want to do something that was compatible more or less, even if it was a touch more dense.

Ms. Rosario said that was correct; and it captured the intent of this in a nutshell really. She said the added layers of review, which she had included but they don't do right now, but maybe they could recommend this for other types of PDDs.

Ms. Rosario said Dr. Stone had asked earlier in the meeting during the rezoning request, if the City had done any early outreach to the surrounding community. If approved, the infill projects very specifically would be required to go through a community review prior to even being submitted to us; just to make sure that we got as much input and reflection from the existing neighborhoods as possible.

Dr. Stone said this probably didn't exactly prompt this ordinance review; but they all remembered last January or February that some of that might have been addressed by some neighborhood outreach. He said the neighborhood outreach had took place on NextDoor. He said it was fine, but not sufficient.

Ms. Rosario agreed.

Ms. Rosario referenced Section 507.7 on page 197 again; and said she would rely on the Planning Commissioners to give her a little feedback in terms of what they thought was appropriate.

Ms. Rosario said for minimum lot area requirements for R-15 and R-12; she was suggesting bringing it down from 15,000 square feet on R-15 to 10,000 square feet. Essentially if you kept the 15,000 sq. ft. requirement in R-15 you would not be doing anything to R-15, and it would then be the same standard as the base zone. She said that would allow for a little more density, but not so much as to be so disturbing to the nearby character of the neighborhood, as putting an apartment next to single-family homes.

Ms. Rosario said similarly with R-8 PDD going from 5000 square feet to 4000 for infill only; and R-6 going from 2500 to 2000 sq. ft. of lot area required.

Ms. Rosario referenced page 198, Target Density Bonuses; which she could use their feedback on; and said she was suggesting a 10% density allowance for distinctiveness and excellence in design and landscaping for qualifying infill projects.

Dr. Stone asked what was considered excellence, who decided, and did they decide what was excellent.

Ms. Rosario said yes, the Planning Commission would decide. She felt under this section they needed to include some type of design standard, which she was happy to do in initial review and bring it to them for the things that the community... it's been advertised, but people don't really come out for text amendments. Ms. Rosario said it would be design aspects the Planning Commission would feel comfortable with approving.

Mr. Wilson said that could be the opportunity of layering with one of the aspects being its cohesiveness and compatibility with the surrounding architecture.

Mr. Cunningham said with these adjustments, they increased literally the density of development on the property; was there data or negative impact on traffic flow and congestion issues.

Ms. Rosario said she would say potentially, but because of the sizes of these properties, she would think it would be a maximum of adding 30 more trips to whatever road it was on. And as part of that they could include a requirement for a traffic study to make sure they all understood what the actual changes would be. She said as of right now, she did not think any of the ordinances that applied to them mentioned traffic studies. She felt that would need to be assessed on an individual basis, and they would need professional traffic engineers.

Mr. Cunningham said it came up in some of the public hearings as an emotional issue, for sure. He said whether or not it was driven by data, they did not know.

Ms. Rosario said correct.

Dr. Stone asked were there any R-12 or R-15 PDDs in the City now. He knew they had approved some in R-8 and R-6.

Ms. Rosario felt that White's Mill was actually an R-12 PDD; and it might be the only one.

She said generally how PDDs were applied, they should be overlaid on an existing zone, or they should meet the character of the zoning nearby. She said you don't want to introduce a completely different zone and overlay; and she did not think that would be a great practice. She said regarding White's Mill, her assumption was the area was already zone R-12, but to maybe get more creative was why they had come up for a PDD to do the project.

Dr. Stone wondered if there was even a need for R-15 PDD; but he guessed it would be better to have it in case you needed it.

Ms. Rosario said correct. She did not think they would see a whole lot of those, because most of the R-15 zones were already built out of single-family neighborhoods; and she said you were not going to find a whole lot of vacant properties of this size in those areas. She said this would be a separate discussion and a separate ordinance altogether; but they received frequent requests about accessory dwelling units in R-15. R-15 was a single-family district neighborhood only; so you could not by law have more than one unit on a property. So no mother-in-law suites, no accessory dwelling units; which would in Staff's opinion general planning practice, having ADUs allowed for additional density at a manageable rate. She said you could put in the ordinance where maybe the property owner had to live at the property if there was going to be an accessory dwelling unit, and that sort of thing. But as to property value, smaller units of additional affordable housing were always useful, even if it's just for a family member to live there.

Mr. Stone felt that was a conversation they needed to find some time to have regarding accessory dwelling units.

Ms. Rosario said it was the same case in Hampton Heights and Converse Heights. She said some of the properties were grandfathered in, and they already had their accessory dwelling units; and she explained Staff had problems when they had to tell people they could not add them anymore because by law they did not allow it.

Ms. Rosario said continuing with Section 507.8 Perimeter Setback Requirements:

Ms. Rosario said infill developments shall match the existing front yard setbacks of surrounding dwellings, and she said she would skip to #3 and then come back to #2.

Corner lot infill projects shall have a side street setback within the maximum and minimum of front setbacks for dwelling units within 500 feet on both sides of the street in either direction, and within 10 feet of the front setback for the nearest adjoining dwelling unit as the street facing side to side. She said essentially what that meant was, coming within 10 feet of your adjacent properties, and also being within the average front setback of the properties within 500 feet; and that was so that they don't have incongruent developments that maybe were either too far forward or too far back, and stick out essentially – because they're not in the same rhythm and cadence as the rest of what might be in the area.

Mr. Cunningham asked why they would want to give a developer the discretion on side setbacks.

Ms. Rosario said that was a general practice from what she had seen in those; and one of the aspects that kept them from being able to develop those properties in the current zones was the side setback in their current PDD had to match the side setback of adjacent properties. She said that essentially prevented you from utilizing the lot as well as you might otherwise. She said a part of that was landscape and screening requirements.

Mr. Cunningham said he was not clear on that; and asked if essentially with the PDD classification adjustment, the builder could move as close as he wanted to the property line; or did a building permit ordinance come into play.

Ms. Rosario said yes. She said anywhere you developed, the closest you could get to a property line was five feet; and if there was another structure nearby within 10 feet, there had to be at least 10 feet of clearance between the two structures, regardless of what zone you were in regarding fire safety.

Mr. Cunningham said so this did not overtake that.

Ms. Rosario said no; that nothing overtook the Building Code. She said she had been thinking in terms of allowing side setbacks to be determined by the developer which they would review; and she said Section 507.14 Screening Requirements, page 203C which she had added as follows: Where infill developments featured interior side setbacks less than equal to the side setbacks of adjacent residential properties, a developer must provide neighborhood-specific, contextually appropriate screening, which was for the Planning Commission's judgment to make. Landscape plans for these developments shall reference the immediately adjacent residential properties for context, and must show how the site screening at the time of construction and planting shall limit the existing screening and/or landscaped character. Ms. Rosario said that did not go into as much detail as their buffer standards, but they could feed off of the buffer standards, and they could add new standards for these specific infill projects. She did not want to neglect buffering other properties appropriately just because there might be the potential for maybe having slightly different sized setbacks. They wanted to make sure they protected everyone, and have something that fits in well; but they also wanted to provide flexibility to enable some of these projects to move forward.

Ms. Rosario referenced page 204, Pre-Application Conference:

Ms. Rosario said all infill development projects also required at least one early outreach meeting with residents and property owners in the surrounding project area prior to submittal. She said if they wanted, they could add specifics of what would qualify as the surrounding project area. She said the way they advertised for meetings like this currently was to owners within a 400 foot radius; but some people did not always feel that was adequate. A neighborhood was more than 400 feet; so she would leave that up to the Board. Ms. Rosario said nothing else about what would be submitted in the rest of the process would change, and the rest would be just updating some of the language in terms of how we referred to plats in our own department as of today, because the current ordinance was confusing in its language.

Ms. Rosario said those were the major changes; and so it was currently a bit vague; and she would love their direction, comments, and/or questions.

Dr. Stone asked if she was looking to pass the text amendment tonight.

Ms. Rosario said no; that it would be nice because she knew there were people waiting in the wings.

Dr. Stone said to that point; he noticed they had the same two gentlemen in the audience that were at the last meeting that had sat through the entire meeting, when the Board had voted to move the text amendment item to the next meeting due to time; and he knew this was not a public hearing but he would be interested in hearing what they had to say regarding the proposed amendment.

Mr. Wilson said he would go ahead and open up the public comment period and they could bring Staff back up afterwards; and he opened the public meeting proceedings up for any public questions or comments; and he asked if anyone wished to come forward to please state their names and addresses for the record.

- Mr. Danny Balon of Seamon Whiteside, 1802 Drayton Rd., came forward and said they were civil engineers and land planners. They had several clients who had brought them potential unique projects they had talked with Ms. Rosario about that they could not do per the Code, mainly because they were less than 3 acres required for a PDD, and the lot size requirements. Mr. Balon said as engineers here in town, they supported this text amendment.
- Mr. Tom Croft of 77 Woodvill Avenue, Greenville, SC came forward and said he had been developing in Greenville, SC since the late 1990s. He said specifically in the downtown area he had found infill site had been a good way of improving properties that otherwise could not be done. He explained all his developments had been residential; and he did not do any commercial development; but he said he had done several small project infills in the downtown Greenville area that had been very successful.

Mr. Croft felt Spartanburg had a lot to offer; and he had looked at some potential sites that could be helped by the proposed changes; and he would love the opportunity to do work in Spartanburg.

Mr. Wilson said he would now close the public meeting portion of the meeting.

Board Questions for Staff:

- Mr. Kinard informed Ms. Rosario he was confused at her definition of infill development; and what in layman's terms were they talking about here.
- Ms. Rosario said they could vary, but they were generally smaller properties that were in areas that were already developed.
- Mr. Kinard asked about existing infrastructure; and asked that they were not talking about acreage at a certain point.
- Ms. Rosario said existing infrastructure and land costs were high; so essentially it was more economically feasible and profitable to do a little bit higher densities on some of these properties than what would otherwise be allowed by the existing zoning. She said infill was kind of what it sounded like; that they would be filling in something which was just sitting there, and can't really be developed feasibly as it was.
- Mr. Kinard felt they wanted to be able to know if someone came in and said they had an infill project; it would be clear for the Board to know that it was an infill project.
- Ms. Rosario said those were good questions and felt they could limit them to the 180-something properties she had referenced that met the requirements from 1 to 3 acres there were currently undeveloped.
- Mr. Cunningham said O.K. so 1 to 3 acres, and weren't there some more specific issues or opportunities with that acreage that would put it into the infill category; and he asked her wasn't there three other things it had to meet she had spoken about earlier.
- Mr. Kinard said that was where he was confused; and he asked how would it quality for them to put the PDD on it.
- Ms. Rosario said they should talk about what the Planning Commission would think made sense, because it was different for every community.
- Mr. Kinard felt the definition they had was very broad; and they needed to tailor it and narrow it down a little; and then use that as a capitalized defined term throughout the document; because right now it was just infill development; and that was used interchangeably with infill lots, infill development, and infill projects.
- Ms. Rosario said she guessed what she was thinking as infill lots being vacant lots that could be developed for residential that were near residential because the ordinance only applied for residential construction, and not commercial.
- Mr. Kinard said so they were only talking about residential.
- Ms. Rosario said correct.
- Dr. Stone referenced the map Ms. Rosario had on the screen with the different colors on it.
- Ms. Rosario said all of the purple area had already been developed, and the orange was not developed; and those were all the properties in the City from 1 to 3 acres.
- Mr. Kinard asked Ms. Rosario about the projects that Mr. Balon had spoken about in the public comment period that he brought to her to discuss that were less than 3 acres.
- Ms. Rosario said they were less than 3 acres. She said they could be feasible, but currently there was no legal way for them to bring those forward.
- Mr. Cunningham asked Ms. Rosario that the purple colors on the map were 1 to 3 acres.

- Ms. Rosario said yes; all the purple was 1 to 3 acres and they were all already developed.
- Mr. Cunningham asked if those had gone through a process to get developed.
- Ms. Rosario said yes; and those could be residential or commercial zones; and they were not PDD developments.
- Dr. Stone said they were just parcels of land.
- Ms. Rosario said parcels of land.
- Dr. Stone said they were one large parcel that's 100,000 square feet, and he asked Ms. Rosario wasn't 43,000 square feet roughly an acre.
- Ms. Rosario said yes.
- Dr. Stone said the hard thing for him was you had to do this in the abstract, because you did not want to design an ordinance around a specific plan; but said it did not hurt for them to be able to understand it, in order to know what it would actually look like in an example or two in the context of Spartanburg.
- Ms. Rosario said she did not have those files with her; and she said like Mr. Balon had mentioned, she and he had reviewed some and she was happy to show it to them for an example to know what could happen. She informed the Planning Commission what the two had discussed so far were preserving specific structures on one part of a property, and utilizing them for housing, and then potentially adding more court-style apartments, townhomes, and they could be for sale or rent. Essentially they would center around the internal portion of the lot, with the parking in the back; and again, enabling some more urban style development where appropriate.
- Mr. Cunningham said he felt they were all for it. He said to a previous point; why should they have to start the interpretation at each meeting with each case to decide whether they thought it qualified for this type of infill classification or not. He felt it would protect them if there were some bullet points as what to go by, or was there an exception they might need to take under review. Mr. Cunningham felt they needed to have a broader base as to be clear, since they were consistently acting on behalf of the City.
- Ms. Rosario said that made sense. So far she had they needed to be from 1 to 3 acres, and had to be for Residential PDD; and she asked them what other aspects they felt was needed to define this.
- Dr. Stone asked what other things they needed.
- Ms. Rosario said she would be happy to do more research; and that she had not come across an ordinance that listed the terms.
- Mr. Cunningham asked did it need to be in the similar theme of the surrounding properties.
- Ms. Rosario said it would.
- Dr. Stone said you would not want to take something that might be zoned industrially and put an R-6 PDD in the middle.
- Ms. Rosario said it would be pretty specific to that case, and something that other ordinances did, it was not necessarily in the definition of infill development, but the requirements for the design of the site was buildings that were built on the specific development were not to exceed the heights of the buildings surrounding them.

Mr. Cunningham said something like that.

Ms. Rosario said in her mind that would classify as design characteristics; so it would be required as part of the planning development for infill lots. She said she would look and see kind of what worked in other jurisdictions, and bring those back before the Commissioners to get their feedback on what they thought would be appropriate on this.

Mr. Cunningham felt two or three examples would be all they would need; and then the developer or whomever could present why the project should be classified and approved under that particular zoning classification that might be petitioned for.

Dr. Stone asked Mr. Balon what areas of the City he had looked at regarding these.

Mr. Balon said there had been different spots, not necessarily concentrated in one area. They all had been residential; and some were townhome setups. Some were smaller single-family, that were not looking to have a yard; basically smaller – that type of thing.

Ms. Rosario said she was almost wondering if they could include language to differentiate these types of developments from multi-family or apartment style. She said it might not be necessary, but for the most part, from what she had read and seen, these sort of infill PDDs allowed for basically just some tighter spacing in the structures themselves; so they could be single-family.

Dr. Stone asked Ms. Rosario if someone wanted to build an apartment complex in the City now; what zoning would be used for that.

Ms. Rosario said it was usually an R6 PDD; and she zoomed in on a slide of Converse Heights. She said that was why it might need some differentiation between what qualified as an apartment PDD; and she didn't know if that was just for her sake, or if it would be informative to the reader and the developer. She said generally apartments were going to be more than three acres. Ms. Rosario said most of Converse Heights was built forever ago, and it was not under our current code. She said you couldn't build Converse Heights today under our current code anywhere in the City. She said that was kind of a retrofit of our ordinance to allow for something that would fit in like a quad-plex, that sort of thing, on a property, in an area like that. And of course additional review was for the Board to make that decision as to whether or not it would be appropriate in those areas.

Ms. Rosario referenced a slide of a city-owned parcel right outside of Hampton Heights, that was not really connected with that neighborhood; and she said it was just shy of 3 acres. She said they had some previous proposals for that property, but none that were possible.

Ms. Rosario showed another parcel, and said it would not be developed due to floodplains, and other reasons. She said there were not a whole lot of properties, the way she had pulled them and described so far that would be very feasible for this; but the ones that were could not currently be done.

Dr. Stone said perhaps along Spring Street and the south side of Spartanburg there may be a property or so; and he would kind of like to see row-house connected townhomes. He also said there was some places where he thought that would actually fit in, and would not be incongruous with the neighborhood, because they had some quadraplexes, two over two, in various places. He said if you did the right kind of design and it fits. He said they have got the historic overlay plus; so that added a little work to it.

Ms. Rosario said to Dr. Stone's point, there probably were some large parcels that didn't get pulled because they were over 3 acres, but that could perhaps be carved out to do a specific project like this. Ms. Rosario said one concern might be that they did not want to do something that would then encourage people to take out existing housing, especially affordable housing, in order to amass a site to do something like this. She said it was meant to fit into a neighborhood, not to replace what was there; and she would need to check with the City Attorney regarding what language would be appropriate regarding that concern.

Mr. Cunningham said based on their recent experiences, when you go into an established neighborhood, and they were going to change something by adding a non-traditional housing opportunity, that people normally showed up to say if they thought it would wreck the neighborhood.

Ms. Rosario said that was why she thought having a preliminary meeting with the neighborhood to talk to them and introduce them to the concept would be important; because sometimes she believed people felt blind-sided when they just received a letter from our department saying this is what was happening, come to City Hall – they thought it was already a done deal. So part of it would be communicating better with residents; and that you can't always help what people thought, but we could point to successful examples and how they were trying to emulate them.

Ms. Rosario said that was what she had regarding the text amendment and she was open to all suggestions. She said if they could not think of anything else right now; they could send her their thoughts by email. She would keep doing research on the points they had discussed, and bring them back to them at their next meeting regarding this matter.

Mr. Cunningham said he thought they should do the amendment; as did the other Planning Commissioners.

Mr. Cunningham felt the better forethought they had on the matter and how they put into it; they could better address any proposals they might receive. He said if they approved one in a particular area; and did not in another area; they needed to be ready to say why they would approve one and not another.

Dr. Stone explained after they came up with something, and then Council approved it; they also needed to be open to the fact they may need to come back and tweak the ordinance if needed.

Ms. Rosario agreed; and said it should be a living document; and she felt too often it stagnated. She felt they had kind of reached that spot with multiple portions of the ordinance; and it was a good thing that the comprehensive plan was happening, because they could talk about what updates the zoning code needed as a whole.

Dr. Stone said they had a model to follow, since they already had a PDD ordinance, he thought in some ways it would be applying their PDD to smaller parcels. He would be interested to hear what the City Attorney said about how you put in restrictions about not compiling, or not amassing eight existing R-8 properties, and it would get you an acre. Dr. Stone said he was thinking about the block he lived on that had 12 R-8 properties.

Ms. Rosario said you would want to build in some protections, because there were areas that would be rife for development under this ordinance that could very easily, for lack of a better word, be gentrified too quickly. She said gentrification happened, but that doing it too quickly could destabilize an area and the people who lived there. She said she would email the City Attorney to see what he thought.

Mr. Cunningham asked could they have some suggested changes somewhat in advance of a meeting that they could call to do this if it was holding up developments that would be productive.

Ms. Rosario said they could; and they could do emailing. She said obviously the work had to be done before they got to that point.

Dr. Stone said since they never took this item off the table tonight, he guessed they did not need to re-table the item.

Ms. Rosario said it was still on the table, and throughout the next month she would be emailing them some working drafts; and she said any feedback they could get from the development community would be very helpful.

Mr. Balon and Mr. Croft said they thought this was a very good meeting in the right direction.

Review and Approval of the 2020 Proposed Planning Commission Meeting Schedule.

Mr. Wilson said the proposed February meeting year needed to be amended to say 2020. Dr. Stone moved the schedule be amended as was typographically corrected; and he was seconded by Mr. Wilson. The motion was unanimously approved by a vote of 6 to 0.

Site and Landscape Plans Approved (information purposes only) since the November 21, 2019 Meeting:

There were none.

City Council Updates (FYI) since the last Planning Commission Meeting on November 21, 2019.

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

Staff Announcements:

Ms. Rosario said at the January 13, 2020 City Council Meeting, which had now been moved to be held at County Council Chambers; TPADC, Town Planning and Urban Design Collaborative, out of Franklin, Tennessee, the comprehensive planners the Selection Committee felt would be the best fit regarding the

new Comprehensive Plan would give their presentation; and hopefully City Council would approve that funding; after which time they would get started on it immediately. She said at their next visit after that, they would like to sit down with as many of the Planning Commissioners they could, on a one on one basis in order to get their feedback regarding things. Their Sub-Consultant was Spire Green, out of Washington DC regarding equity aspects that they had discussed. Also Toole Design, here in Spartanburg was a Sub-Consultant as well. She invited all of the Planning Commissioners that wanted to attend the Council Meeting to be held at County Council Chambers to please attend January 13th at 5:30 P.M.

Ms. Rosario said some of the HARB Board Members were still in need of their 2019 Continued Education training credits; and Mrs. Sarah Love, HARB Chair had recommended one regarding Windows regarding Historic Preservation for an approved training; and she would be happy to look through the MASC or APA websites for the Planning Commissioners that needed credits, if they did not wish to attend the one for HARB.

The Planning Commissioners said they would be fine with windows.

Mr. Cunningham asked exactly how many credits they needed per year of Continued Ed.

Mrs. Roland said 3 hours.

Ms. Rosario said she was thinking perhaps trying to schedule a time in January for the training.

Mr. Wilson said he would like for them to take a moment to recognize and thank Mr. Pitts for all of his service on the Planning Commission; and they would definitely miss him on the Board. He said there would now be two vacant Planning Commission spots.

Mrs. Rosario told Mr. Pitts they hated to lose him; but hoped he would still be around regarding the Comprehensive Plan process.

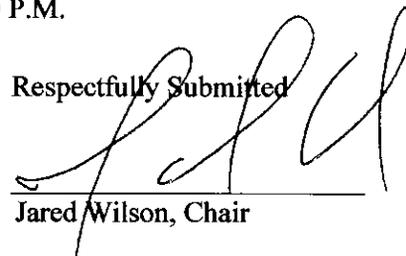
Mr. Epps asked had they had any applications for new members.

Ms. Rosario explained she had two people that submitted applications to be considered.

Mr. Pitts said he also had a good prospect, and he would send Staff a resume shortly.

There being no other business, the meeting was adjourned at 7:00 P.M.

Respectfully Submitted



Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant