

***Spartanburg City Planning Commission Meeting Minutes
Thursday, December 20, 2018***

***City Hall Council Chambers
Spartanburg, South Carolina***

The City Planning Commission met in City Hall Council Chambers on Thursday, December 20, 2018 at 5:00 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Dr. Phillip Stone, Reed Cunningham and Mike Epps. Howard Kinard, Bob Pitts, and William "Luke" Quillen were absent. Representing the Planning Department were Natalia Rosario, Planner III. and Julie Roland, Administrative Assistant. City Manager, Chris Story, and City Attorney Robert Coler 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 four Planning Commissioners were present, constituting a quorum; and he went over the rules and procedures for conducting a public hearing. [Editor's Note: Mr. Wilson noted that Mr. Pitts had come to the meeting but had to leave for the emergency room for a medical emergency; and for everyone to keep him in their prayers.]

Dr. Stone moved approval of the Agenda for tonight's meeting; and he was seconded by Mr. Epps. The motion was approved by a vote of 4 to 0.

Disposition of the Minutes from the October 18, 2018 meeting of the Spartanburg City Planning Commission.

Dr. Stone moved the Minutes from the October 18, 2018 Meeting be approved as presented; and he was seconded by Mr. Cunningham. The minutes were unanimously approved by a vote of 4 to 0.

Old Business – None.

New Business

1. New Upcoming Comprehensive Plan

Ms. Rosario and City Manager Story briefed the Planning Commissioners on the upcoming update to the 2004 Comprehensive Plan regarding the importance of a new plan, as well as the key points, and the importance of a new plan. They explained the Planning Commissioners role regarding the upcoming proposed plan; and there would be a lot of public input meetings; a consultant would be hired and it would probably take 18 to 24 months before the new plan would be ready for approval by the Planning Commission and then moved on to Council for approval.

2. Zoning Classification re Annexation – The Planning Department has received a request to consider zoning classification for an annexation petition submitted by Rick Thoennes, Applicant on behalf of Susan Yeomans and Deanne Yeomans, Trustees, Property Owners. The property is located at 110 & 0 Franklin Avenue and are further identified on Spartanburg County Tax Map Sheets #6-20-03, Parcels 090.00 & 089.00. The parcels are currently un-zoned, and the requested zone is R-6 PDD, General Residential Planned Development District.

Ms. Natalia Rosario, Senior Planner came forward and was sworn, and she submitted the meeting packets the Board Members had previously received via email, as well as tonight's presentation, and slides into evidence as Exhibit A. Ms. Rosario explained to the Planning Commissioners this was the same presentation, slides and meeting packets that had come before them in February, 2018, that the Planning Commission had recommended favorably to the Mayor and City Council; and she said the previous developer had pulled back from the project and had pulled the request out right before it had gone to Council. She said the property owners were the same, and a new developer had decided to take up the request and did not intend to make any changes from what had previously been proposed, but wanted the Planning Commission to hear the request in order to make sure he was following all the rules. Ms. Rosario said under South Carolina State Law relating to annexations, the Planning Commission must "sign off" on the zoning of the properties that are proposed to be annexed into the City of Spartanburg. The City has

received a 100% annexation petition from Rick Thoennes, developer, on behalf of the Trustees/Property Owners, a multi-family apartment development consisting of twelve, three-story buildings totaling 288 units. The property is requested to be annexed and developed under the R-6; PDD code, which permits the development of the property at an approximately 16.6 units per acre, whereas the Spartanburg County Land Development Codes will only permit the development of the site at 8 units per acre. This property is not contemplated by the 2004 Comprehensive Plan, and is adjacent to single-family homes as well as being bounded by I-26 to the East. She explained the “original” developers had a Transportation Impact Analysis (attached) conducted for the property if developed as proposed (that was originally requested by the County), with the results of the study as follows: the total of trips per day are expected to reach 1,869 with 142 trips in the AM peak and 176 trips in the PM peak. The analysis found that additional auxiliary turn lanes or improvements were not needed, and that at peak levels of service remain in the “A” and “B” categories of traffic conditions. In terms of delay at intersections, the highest expected amount of delay is 10.4 seconds at Franklin Avenue and Azalea Court. Ms. Rosario said Staff is satisfied that the use of the property and those allowed under the R-6, PDD (flex multi-family residential and accompanying uses) are appropriate for this zone. The lot was currently vacant, and the developer has provided preliminary civil site plans, and intends to meet or exceed City of Spartanburg buffer standards (this is not required when adjacent to unincorporated properties, but the developer wishes to provide said buffer to existing property owners and residents, as well as for the security of the property. Ms. Rosario said as she mentioned earlier, this item came before the Planning Commission in February of 2018, and was voted to recommend favorably to City Council. At that time the original developer rescinded his application and the project has not moved forward until now. The minutes from the February 2018 Planning Commission meeting were also included in the meeting packets the Commissioners had received regarding this meeting.

Board Questions/Comments:

- Mr. Wilson said he appreciated all the information Staff had sent regarding the previous meeting and minutes.
- Mr. Cunningham said if he read everything correctly the main focus regarding the traffic study was related to Azalea Court behind Hobby Lobby; and there were additional streets behind that one. He asked how the people that conducted these studies determine where people were going to turn.
- Ms. Rosario said the first part of the answer was the streets that were looked at were requested by Spartanburg County Public Works; and she said the second part of the answer was the main entrance (and the one that would get the most use) was closer to Azalea Court. She referenced a slide and pointed out which would be mainly used by emergency vehicles if need be.
- Mr. Cunningham said if a person was going to I-85; he felt they would probably turn on Franklin; and he referenced the February, 2018 Meeting Minutes where there were concerns regarding Highway 29 and Franklin; and he asked had there been any additional traffic studies done regarding that area.
- Ms. Rosario said no; and she explained those were SCDOT roads and were controlled by the SCDOT. She explained if that intersection was causing a lot of wrecks or problems the SCDOT would do their own analysis.
- Mr. Cunningham asked would the SCDOT see this proposal.
- Ms. Rosario explained that they would.
- Dr. Stone asked Ms. Rosario if the Police or Fire Departments had any issue with being able to service the proposed properties if approved.
- Ms. Rosario said Staff sends all annexation requests out to Spartanburg Water System; Fire Department, Police Department, and basically any department that would be impacted by it; and the Fire Department believed they have an excellent response time with their Camelot Fire Station. The Police Department did not see any issues with being able to get out there if need be in a hurry.
- Dr. Stone asked that the Apartment Complex itself would be responsible for taking care of their own trash removal.

- Ms. Rosario said that was correct.

Mr. Wilson asked the applicant if they would like to come forward and add anything to Staff's report.

Mr. Mark Thoennes with Hotchkiss Development Group, Greenville, S.C. came forward and he was sworn. He informed the Planning Commissioner's it would be a 288 unit apartment complex, and create a lot of housing for the area; and he felt it was a great area; and he said there would be plenty of buffer behind the complex so it would not be a nuisance to nearby property owners. He said there would mainly be a combination of two bedroom units, and a total of twelve buildings, twenty-four units per building; and it should generate $\frac{3}{4}$ of a million dollars in tax base for the City. They would love to start construction around May/June if approved and it would probably take a total of between 18 to 24 months to build.

Board Questions:

- Mr. Wilson asked Mr. Thoennes if the landscape buffer that would be provided to help shield the development from the surrounding neighborhood would be a fifteen foot landscape buffer and a six foot tall wood privacy fence.
- Mr. Thoennes said that was correct.
- Dr. Stone referenced a slide of the site plan regarding some of the buildings; and he asked approximately how many feet were they from the property line.
- Mr. Thoennes explained and said probably about 75 to 80 feet. He said there were also two storm water management locations on the proposed site as well, and they would have their own trash compaction on site.
- Mr. Cunningham asked regarding the six foot wood privacy fence – would there be any landscaping on the exterior side of that.
- Mr. Thoennes said he was not sure yet how that landscaping design was going to be, but he was sure they would probably put Leland Cypress on the inside or outside of that, but that there would be some sort of buffer.
- Mr. Cunningham asked regarding the two stormwater management areas he had talked about; he thought obviously would be maintained to spec during the construction phase; and he asked after that what were the requirements for the maintenance of those areas regarding who would be required to maintain those areas.
- Mr. Thoennes said he was not exactly sure about that, he would need to check with his engineers, but it would either be maintained by the management company that would manage the property.

Mr. Wilson opened the public hearing and asked anyone who wished to speak regarding the request to come forward and state their name and address for the record.

- A gentleman came forward (I could not understand his name) from 115 Franklin Avenue; and said he had attended the previous Planning Commission Meeting on February 15, 2018; and the question was brought up as to the fact that a traffic study needed to be performed for Franklin Avenue and Highway 29. He said they also needed to include Blackstock Road intersection with Highway 29 in a traffic study. Regarding Azalea Court and that area traffic was already backed up very badly at peak travel times and was a real disaster.
- Mr. Richard Scott of 109 Franklin Avenue came forward and said traffic concern was a very big issue to him as well. He lived just about across from the area and he was concerned because right now the speed limit posted was 25 mph and the cars traveled a lot faster than that in the area and posed a real danger. They already had way too big of a traffic problem as it is without the apartments.
- Ms. Rebecca Bersaglia of 123 Franklin Avenue came forward and said she had lived there for 58 years, and had seen the neighborhood go through a lot of changes. She explained how the area used to be a quiet neighborhood and area; and she explained it had now turned into a race track. She said people also cut through their area to avoid traffic light changes; they were also now having to deal with gangs coming through the area and writing graffiti in particular at the Hobby Lobby area. She said also there

were a lot of people who lived in the neighborhood who were sick and elderly. Ms. Bersaglia said when cars go up and down the roads there on the weekend at 2:00 to 4:00 AM in the mornings blasting their radios and sound systems, which would wake her up as well as other folks. People traveling in these cars also threw out a lot of trash into the neighborhood owners' yards which they had to pick up. She said the traffic was horrendous in the area. She asked the Planning Commission to please have compassion on the residents.

- A lady from 115 Franklin Avenue came forward (and I could not understand her name) and said again the traffic was horrible in the area; and that the traffic study that had been provided was terribly inadequate. She personally invited all of the Planning Commissioners to go out and sit in the Hobby Lobby parking lot and just watch all of the traffic in the area to see what it currently looked like before a 288 unit apartment complex was added to the mix.
- Ms. Patricia Sargent of 134 Franklin Avenue came forward and said she had moved from Greenville, SC a little over a year or so ago; and one of the reasons she had moved there at the time it had seemed like a quiet area; and the property line backed up to what was just woods right now with a lot of habitat which she enjoyed. She was concerned if they put 288 apartments back there she would lose her sense of privacy she currently enjoyed along with her state of wellbeing. She asked the Planning Commissioners to please think about all of the residents that already had all the traffic problems and concerns, as well as the elderly people. Ms. Sargent also said that a 6' fence would not offer her any privacy.

Mr. Wilson asked was there anyone else that wished to speak to come forward. No one else came forward. Mr. Wilson closed the public hearing.

Mr. Wilson asked the applicant to come forward again to address some concerns. He asked Mr. Thoennes if there would be a limit to the number of parking spaces allotted to each apartment unit.

Mr. Thoennes said he was not exactly sure, and that may be a question for his engineer.

Dr. Stone asked Staff about the requirement.

Ms. Rosario said there would be two parking spaces required per unit. She also said the 176 figure would be extra traffic trips added during peak hours only, with a total of 1860 trips per day.

Mr. Wilson asked were there any plans for traffic control at the entrance of the proposed development.

Mr. Thoennes said not at this time; that they had not seen a need for that.

Board Questions:

- Mr. Cunningham said there had been a comment made about the six foot wooden fence perhaps being inadequate; and he asked the applicant if they would be willing to change that any.
- Mr. Thoennes said they would; and once they got in there with the topo, survey, and the engineers that it would help them dictate if they needed to remedy that better.
- Dr. Stone said looking at one of the map slides which he referenced, that it looked like the buildings were lower in grade than the houses along Franklin.
- Mr. Thoennes said that was correct.

Board Deliberation:

- Mr. Wilson said the Board Members appreciated, emphasized, and understood the concerns of the property owners, but looking at the traffic study that had been requested by the County it met the requirements. He said as Staff pointed out the SCDOT would certainly have review regarding their roads regarding their portion during a full site plan review of the project, as well as Police, Fire, etc. if the request was approved.
- Dr. Stone said although additional traffic would be a concern; that what used to be there was a Walmart that would create even a lot more traffic; and as the proposed property stood currently un-zoned and in

the county; that apartments could be built there as it sat. Dr. Stone said he thought it would be a good move for the City.

- Mr. Wilson agreed, and said their role was also to consider the findings and recommendations of Staff, as well as the professional consultants and engineers, as long as it complied with the requirements. He said he did have compassion regarding the concerns and he had rode out to the area and sat and watched at each of the locations.

Dr. Stone moved approval of the request as presented and he was seconded by Mr. Epps. The motion was approved by a vote of 4 to 0.

Mr. Wilson explained this request would go to the Mayor and City Council for another Public Hearing and First Reading of Ordinance on Monday, January 14, 2019; and if approved on First Reading it would then need to go before them for a Second/Final Reading on Monday, January 28, 2019.

Review and Approval of Proposed 2019 Planning Commission Meeting Schedule.

Mr. Wilson moved to approve the 2019 Meeting Schedule and he was seconded by Dr. Stone. The vote was approved by a vote of 4 to 0.

Site and Landscape Plans Approved (information purposes only) since the October 18, 2018 Meeting.

- Dr. T.K. Gregg Community Center – 650 Howard Street.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on October 18, 2018 Meeting.

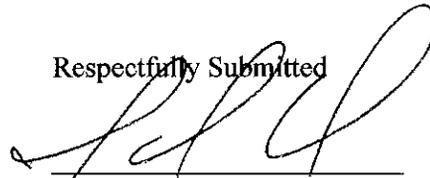
Ms. Rosario went over the updates that were listed on the Agenda.

Staff Announcements

- Mr. Wilson said again they all wished Board Member Pitts the best of luck in his recovery and for Staff to let them know how he was doing.

The meeting adjourned at 6:15 P.M.

Respectfully Submitted



Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant