

Planning Commission Meeting Minutes
October 21, 2021 @ 5:30 PM
City Hall Council Chambers

Board Members Present: Dr. Phillip Stone, Mr. Reed Cunningham, Ms. Lekesa Whitner, Mr. Jemar Brown, Mr. Jared Wilson and Mr. Warrick Spencer. Mr. Mike Epps was absent. City Staff present: Martin Livingston, Community Development Director; Nan Zhou, Planner I; Tia Keitt, Planner II; and Julie Roland Admin. Assistant.

Roll Call

Dr. Stone said I am the Chair, and I'm calling this meeting to order of the Commission, and will preside over these proceedings this Thursday, October 21, 2021. Please note the notice of this meeting was posted and provided to the media 24 hours in advance as required by the Freedom of Information Act.

Dr. Stone: Let the record reflect that six members of the seven-member commission are here and therefore we do have a quorum and can proceed with the business before this body. I would like to ask each commissioner to say his or her name so that the recording will pick it up and be able to identify you. And again, I'm Phillip Stone and I'll start to my right.

So the first item will be the approval of this evening's Agenda for October 21, 2021.

It is moved by Mr. Wilson, seconded by Mr. Cunningham to approve the agenda for the October 21, 2021 meeting and was seconded by Mr. Cunningham. The motion was approved by a vote of 6 to 0.

Disposition of the Minutes of the September 16, 2021 Meeting

Ms. Whitner moved and Dr. Stone second approval of the September 16, 2021 Meeting minutes. The motion was approved by a vote of 5-0-1; with Mr. Spencer abstained from the vote since he was not present at that meeting.

Old Business: No Old business.

New Business:

The Planning Commission has received a rezoning request for a property located at 1097 Union Street (TMS: 7-17-05-106.00); from zone I-1, Light Industrial District to a zoning of B-3, General Business District for the purpose of redevelopment of the property from a vacant industrial building to multifamily residential housing from Applicant Mark Miller, Lat Purser and Associates Inc. on behalf of Landowner Lat Purser and Associates, Inc.

Mr. Livingston, Community Development Director came forward and was sworn; and he submitted the Meeting Packets the Commission received previously via email; tonight's presentation and slides into Evidence as Exhibit A. Mr. Livingston said this property is currently zoned as I-1 (Light Industrial District). The proposed project site is consistent with the commercial uses across Union Street and across the Mary Black Rail Trail. The properties adjacent to the project site are all zoned I-1, Light Industrial Use (on the left-side of the project site is a one-story structure of a General Warehouse, on the right-side of the project site is a one-story car wash service store).

Union Street contains a mixture of residential uses and numerous homes converted into offices or businesses, creating a patchwork of land uses and zoning classifications along the corridor. Pine and Union Streets run parallel on either side of a Southern Rail Line track to a point south of the city limits. Quality, stable, single family neighborhoods are adjacent to the corridor. Homes, commercial businesses and light industrial operations are interspersed. For the area between Pine and Union Streets, Forest Avenue serves as a division line. To the south, the area between Pine Street and Old Glendale Road is established as a General Activity Center. Between Old Glendale Road and Union Street, the corridor is classified as Industrial Compatible. The area south of Park Avenue is designated as Industrial Compatible between Pine Street and the rail line. To the west of the rail line a General Activity Center classification is given. The street pattern and terrain between the two roads does not effectively support industrial development; however, those types of activities are most consistent with existing uses and the rail line. Industrial uses also place less traffic on the small streets present in the area than would commercial development.

The landowner/applicant, Lat Purser & Associates, Inc., would like to redevelop the site and obtain a zone designation of B-3 (General Business District) in order to convert a vacant industrial building to multifamily housing.

REQUIRED FINDINGS

Historically, the City of Spartanburg has required rezoning applications to meet certain criteria and the Planning Commission must take the following findings of reasonable conformance in order to recommend a change of zoning:

Staff offers the following analysis relating to each of these required findings:

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

- 1) *Consistency (or lack thereof) with the Comprehensive Plan* – The 2004 Comprehensive Plan Future Land Use Map has the subject parcel listed as General Activity Center. The Future Land Use map and the Comprehensive Plan are consistent in its determination on the future use of the property for General Activity Center uses. Thus, the proposed use would be consistent with the Comprehensive Plan and the Future Land Use Map.
- 2) *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The present characters of the adjacent properties are light industrial uses in nature. The proposed zoning will be conforming to the commercial uses across Union Street and Mary Black Rail Trail but noncompliant to the industrial characters of the proposed site's adjacent properties.

B-3 (General Business District) serve several functions. The designated General Business Districts provide central concentrations of goods and services for more than one neighborhood. They provide comparison shopper's goods, convenience goods and services, specialty goods, amusements and numerous services for less than a city-wide market. They also provide locations for small businessmen with a city-wide market who cannot operate in the downtown areas. The predominant purpose of all these functions is retail trade.

- 3) *Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment* – If the zone change is granted, the proposed use would require a Site Plan review process prior to any construction and commencement of use. This process allows City staff to provide feedback on the proposal site plan, ensuring that all site requirements are met (setbacks, landscaping and buffering, parking, etc.).
- 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 would likely increase with the zoning change for the proposed use of multi-family development. The proposed zoning change will allow for commercial uses, office/institutional uses, and residential uses.
- 5) *Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site. The site will be reviewed by City staff during the Site Plan review process including, Planning, Building, Water, Streets and Stormwater, for compliance with applicable regulations.

STAFF'S ANALYSIS & RECOMMENDATION

According to Section I Adoption and Interpretation of the City Of Spartanburg Zoning Ordinance, § 105 Purpose, "The purpose of the zoning ordinance is to implement the land use element of the comprehensive plan for those purposes set forth in S.C. Code § 6-29-710." This S.C. Code section states that the "Zoning ordinance must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare" of properties inside the City Limits.

One of the reasons for the Comprehensive Plan and City Zoning Ordinance is to have zoning classifications that allow certain uses in conjunction with adjacent properties that may be considered "less intense" uses. For this reason, the purpose is to protect the less intense uses from adverse impacts on their property with regard, but not limited to, noise and/or light pollution, traffic congestion, and any other adverse impact that a higher intense use could cause on a surrounding less intense use.

Based on the above findings, staff recommends the proposed property be rezoned from I-1, Light Industrial District to B-3, General Business District to accommodate the development.

WRITTEN PUBLIC COMMENTS

Notices were sent to property owners within a 400 ft. radius of subject properties. 28 Notices were sent regular mail and 2 were mailed certified mail. A community meeting was held on Thursday, October 14, 2021 at 5:30 PM at the City Council Chamber to discuss the rezoning request, comments, and concerns.

FUTURE PROCESS

Under State law, if the Planning Commission recommends approval of this application, staff will schedule the matter for another public hearing and First Reading of Ordinance by City Council on Monday, November 8, 2021. If the matter receives first reading approval, it will then go before the City Council for a Second and Final Reading on Monday November 22, 2021. The public hearings will be publicly noticed.

If the Planning Commission recommends against the application, the negative recommendation will be forwarded to the City Council. In this case, a public hearing before the City Council will be conducted only if the applicant submits a written request within a two week period following the Planning Commission's action.

On October 21, 2021 the Planning Commission may act to support or oppose the application, with or without changes to the proposal. The Commission could also continue the matter if additional information, testimony or dialogue is deemed necessary.

Mr. Livingston said so today we'll be reviewing the application for rezoning of 1097 Union Street.; and we have a PowerPoint presentation to share with the Board.

Mr. Cunningham asked at your meeting, October 14th; was there many people in attendance.

Mr. Livingston: There was no one in attendance.

Dr. Stone: Okay. That was going to be my question as well.

Mr. Livingston: We have the 1097 Union Street PowerPoint presentation. Again, this is a schedule and process. We had a Planning, Informational Meeting, and Planning Commission meeting, City Council Meeting for another Public Hearing and First Reading of Ordinance on November 8th and then Second Reading would be on November 22nd. The five categories that staff reviews to determine compatibility and the requirements. The zoning Future Land Use Map. So this area is general activity area. This is the main road. This is primarily Union Street, so most of this is industrial.

Mr. Livingston: Across the street is general activity area and commercial across the street. Here again, B-3 across the street. Both of these are commercial, smaller commercial buildings. Smaller commercial and these are large industrial buildings. Former grocery store near Lucerne Drive and Union Street. This is the location of the property. To the north, the owner owns both of these properties, so the larger portion and this portion.

Mr. Livingston: This is the Rail Trail. This is the Rail Trail Park. This is the BMX bike location. Here's a photo of the location, and again, mostly commercial, smaller residential or commercial buildings converted into commercial buildings. Large warehouse location nearby, the Rail Trail Park to the rear. This is photos of the existing property, rear of the property. Residential property nearby, a carwash down the street. I will answer any questions the Planning Commission may have regarding the request.

Planning Commission Questions for Staff:

Dr. Stone: Does anyone have a question for Mr. Livingston.

Ms. Whitner: So my question is, do you know if this new development will affect the Rail Trail at all.

Mr. Livingston: It should not affect the Rail Trail at all. Majority of the development will occur on site and will not expand into the Rail Trail. There may be access to the Rail Trail so residents can walk from their location onto the Rail Trail, which is typical of these kinds of developments near Rail Trails. And there's another example of residential and commercial connects further north of the site.

Ms. Whitner: Was there a traffic study completed for this development.

Mr. Livingston: The city ordinance does not include traffic studies. The SCDOT may require a traffic study depending on the number of units developed.

Dr. Stone: What would be the maximum number of units if this were all residential. What would be the maximum number of units allowed.

Mr. Livingston: I don't know that number, hold on. Let me see. I might be able to quickly calculate that for you. Can give you a rough number.

Dr. Stone: Rough number is probably fine.

Mr. Livingston: Rough number based on the size of the property...

Mr. Cunningham: You mean assuming it goes to B-3.

Dr. Stone: Assuming it goes to B-3, because there can't be anything in I-1. I'm assuming you there's no residential allowed in I-1.

Mr. Livingston: About a hundred units. No residential is allowed in the Industrial zones.

Dr. Stone: About a hundred units. Any other questions. I actually had one and I can't remember what it was now.

Mr. Brown: If this is changed to B-3, this property next door, has he shared new plans regarding that particular [inaudible].

Mr. Livingston: This property to the north of this site.

Mr. Brown: Yes sir.

Mr. Livingston: This developer is the same developer that completed the Kennedy Apartments downtown. They have been clear about sharing information with the surrounding communities. They have met with the Maxwell Hill Neighborhood, which is close to the Lucerne Drive entrance. They've attempted to meet with the Duncan Park Neighborhood and Forest Hill and others. They have met with the business community in Spartanburg. They have met with several neighborhood presidents, I believe. And I think they attempted to meet in some other neighborhoods surrounding this area. They have shared their plans for this major area, these adjacent warehouses, for business development right now the I-1 one zoning allows for the developer to provide businesses in that location without changing the zoning. So they don't have to go to a B-3 and B-4 in order to provide commercial services in that district.

Mr. Livingston: A lot of the businesses that they're proposing, well, there's a multiple mix of businesses in this building and the residential will help to support those businesses along that corridor. We believe that the entire corridor would probably trend to more business and residential. Further up the corridor on Fretwell Street, there's another commercial development. A restaurant that's in that I-1 zoning location. They do not have to rezone as well in order to provide the commercial development. And they're hoping to expand to convert... They will probably be coming before the city to take a look at some residential as well. But none of the industrial properties can support residential. [inaudible]. So

they have been sharing their plans with anyone who was willing to listen about what they're trying to accomplish for this area.

Ms. Whitner: So are they projecting to do both sites if this does get resolved about the same time. Do they have a time frame.

Mr. Livingston: Both of the sites.

Dr. Stone: Simultaneous.

Mr. Cunningham: Sorry. Both sites will be developed at the same time.

Mr. Livingston: This commercial warehouses development here and the residential at the same time.

Mr. Cunningham: Okay. So the larger warehouse requires no rezoning.

Mr. Livingston: No. It does not for the intended commercial development; not for the intended uses.

Mr. Spencer: Even though it has a required bearing or impact here, there's nothing that I recall from the draft comprehensive plan that is inconsistent with what is contemplated or here with regard to this rezoning, that I recall.

Mr. Livingston: That is correct. As we shared the draft comprehensive plan with the developers as well and they took a look at that and made some decisions and then decided to share their information with the public and surrounding communities.

Mr. Spencer: Thank you.

Mr. Livingston: They're trying to be as consistent with the future comprehensive plan. It hasn't been approved yet as well.

Dr. Stone said so this would be a significant upgrade to this property.

Mr. Livingston: Yes.

Dr. Stone said any other questions. Is the applicant here. Do they wish to make a statement.

Mr. Livingston: Yes, the applicant is here to answer any questions.

Dr. Stone: Unless anyone has other questions for Mr. Livingston, I think it's appropriate that we hear from the applicant if they wish to offer some comments.

Mark Miller: Do I come up to talk.

Dr. Stone: You can come on up; and I will swear you in.

Mark Miller: My name's Mark Miller, Lat Purser and Associates out of Charlotte, NC.

Dr. Stone: And do you swear to tell the truth.

Mark Miller: I do.

Dr. Stone: Thank you.

Mark Miller: Thank you for having me. I'm just going to introduce myself. I've worked for Lat Purser and Associates for 15 years. We have another associate, a colleague of mine who is spearheading the Ferguson Apartment development. That's not my deal. This one is the one I've been spearheading. And we're excited... Someone made a comment about the multifamily supporting the business uses that we're contemplating here.

Mark Miller: Those business uses, to be more specific, are restaurants, retail, creative office. And so we think that what you guys have done with the trail and park is tremendous. We're trying to play off some of that energy. We do think we're pioneering a little bit. So having multifamily, we think, will be another selling point to the businesses that choose to come down here. So we think it'll be a great... each use will be supportive to each other because I think multifamily users would like to know that there could be a coffee shop or a restaurant just walking distance away.

Mark Miller: And we're encouraged by other developments - restaurants that has done so well down in Pine Street. So we think it's exciting. The site has site challenges like any project does, but Martin did a great job summarizing what we're trying to do with the 1097 Union Street. Do you have any other questions.

Dr. Stone: Does anyone have a question for the applicant.

Mr. Cunningham: Based on the comment concerning a hundred units, is that where you're... It is difficult for us to conceptualize maybe what you're doing without some designs.

Mr. Cunningham: Can you describe how the development would be oriented towards the Rail Trail.

Mark Miller: Sure.

Mr. Cunningham: Is the entrance on Union. How many apartments. Is it a mixed-use retail.

Mark Miller: I'll do the best I can. We're still in formation of the phase. The goal is to put the multifamily building at grade with the Rail Trail, such that each unit that's at grade would have a stoop, maybe a couple of feet up, you could walk down and walk right onto the trail. I don't want to get in too much of the detail. There's some elevation issues that we're going to have to accommodate for, but we would've parking between Union Street, the building and then the trail. Does that make sense.

Mark Miller: We're trying to get to a 120 units, a 125 units, if we can. There's a parking requirement here that's pretty strict. So that's going to be our biggest limiting factor, also detention where that goes. So it all affects the efficiency of our parking. Parking is going to be the limiting factor of how many units we can get. But we have engaged SeamonWhiteside here in Spartanburg who's assisting us with that. And that's part of the formation phase. We're still trying to figure out what the number is going to be.

Ms. Whitner: There's currently a fitness center in that warehouse. Have you all spoken with them.

Mark Miller: Yes.

Ms. Whitner: Now, let me say this. I'm excited to see the development because we've walked that trail at 5:00 AM and it's a scary building, but it really is. You'll hear one sound and would just...

Mark Miller: Yeah.

Ms. Whitner: ... but have you spoken with them.

Mark Miller: Absolutely. They've got a good following too. They're great owners. Have gotten to know them pretty well, met with them a couple times. They know that they will have first dibs on any future play. The challenge is, one we've got to redevelop the whole site in its entirety, so they'd have to find a temporary location. But the great thing about their use is that it doesn't require a huge changes. It doesn't require kitchen equipment, big utilities. So we can give them the bottom dollar rate. We hope it works out but they've got to make some business decisions too. Did I answer your question.

Ms. Whitner: Yes you did.

Dr. Stone: He's talking about the CrossFit place.

Ms. Whitner: It's a CrossFit gym there. And it's good to see you again, Mark. I was just wondering, are y'all looking for letters of intent for the rest of the business.

Mark Miller: Absolutely. The multifamily we feel pretty good about. Again, the trail, the park, the area is... We think there'll probably be more residential requests down in the future. The commercial gives us a little bit of angst right now. We're early. We're not marketing yet. We're still in the formation, as I said, but I am talking to as many people as possible to network and get to know the community and see if this is going to be a good fit for certain businesses [inaudible], restaurant, retail.

Mark Miller: We'd love to talk to anyone. And pre-leasing, someone asked about project start, the commercial side does... A bank requires a certain amount of pre-leasing before they'll give you the loan. So we will need to lock in a few tenants just to prove the market. That's a pretty important part to the commercial part of this.

Mr. Brown: I would like first to begin thanking you for reaching out to the community. That matters. And I look forward to the development of the project. It's great for the city and to see this building redeveloped future project next to it, I think that will serve the community well.

Mark Miller: Well, thank you for saying that. It goes both ways. It takes a village sometimes for these projects and you guys know what this project needs. We've actually gotten that from some of our neighborhood meetings, that they know what they need and what they want to see. And then we use that when we go talk to the tenants, say, "This is what they want." So it's self-serving too, a little bit, but no, it's important to know the neighbors. And this can't be a Charlotte project. It needs to be a Spartanburg project.

Dr. Stone said and this is going to be apartments, not condos or town halls.

Mark Miller: That's correct.

Dr. Stone said: So rental property.

Mark Miller: That's right.

Dr. Stone: Okay. Anyone else. Any other questions.

Mr. Wilson: Just high level answers, obviously know you're still in preliminary stages, general unit, ones, twos and threes.

Mark Miller: Ones and twos.

Mr. Wilson: Ones and twos. Okay. Based on the density and size of the site, probably three or four stories.

Mark Miller: Correct.

Mr. Wilson: And any kind of idea for onsite amenities that you have for your residents.

Mark Miller: Yeah. We're going to push for the pool. We want to have a stronger amenity presence here than we did for other projects. Just again, this is a little bit further down.

Mr. Wilson said: Further down. Yes.

Mark Miller: Next layer out, if you will. We haven't narrowed down the exact community package, but we hope that it'll be pretty impressive to attract the owners.

Mr. Wilson said: thank you.

Dr. Stone: Any other questions.

Ms. Whitner: I just want to say, that Rail Trail is a bonus.

Mark Miller: It's huge.

Ms. Whitner: A great place right there and walking distance to downtown.

Mark Miller: We all did a great job with it and hopefully this is some of the projects you were hoping to see with that investment.

Ms. Whitner said I will say just, I used to be on the Partners for Active Living board and I was on that board when the rail yard was being developed. And this is certainly something I think we've all hoped for years that making that investment on the Rail Trail would begin to see dividends. I think a couple of economic downturns, whatever, it may have delayed some of that, but I'm also like my colleagues, glad to see this moving forward.

Mark Miller: Great. Thank you guys.

Ms. Whitner: My last statement or question, so there were some trees planted by different organizations. Will those trees be moved.

Mark Miller: I've talked with her; she's part of Partners for Active Living. Her name is- Laura Ringo. I've talked to her about those trees. We asked that question. We don't think we're going to interfere with them. They're really close to the trail. We may be coming close to them, but we don't think we're going to interfere if we are, there may be a couple that we relocate, but we're coordinating with Laura on that. So we'll keep the trees.

Ms. Whitner said thank you.

Dr. Stone: All right. I think at this point I will open a public hearing to allow any comments from the public. If anyone would like to speak about this project for or against. I'm hearing no questions. In that case, I guess we can close the public hearing and then move to board deliberation. Although I think we've actually already started deliberating. Any comments or other observations. Am I skipping anything. There being no further questions or comments; we will move into Deliberation.

Planning Commission Deliberation:

Ms. Whitner: Only that I'm super excited to see this happen. If you do decide, if you can get a unanimous vote, just that those empty buildings are truly terrifying if you're walking that trail alone. So I definitely want improvements for this location.

Dr. Stone: I will echo everything that Commissioner Whitner observed. I understand why this has been zoned I-1 for so many years because it backed up on what used to be a rail line. And so the Rail Trail was the original... here's your history lesson for the day, the original rail line that came into Spartanburg in 1859. And it runs right along the watershed between the Lawson's Fork on one side and Fairforest Creek on the other. This property's on the Fairforest Creek side of it, but this is what I've just said. This is something I think we've been hoping forward to see some redevelopment along the Union Street corridor that takes advantage of the city's investment and Mary Black Foundation's investment in the Rail Trail. For me, this is a no-brainer. B-3, I'm guessing, it really does look like the appropriate zoning because B-1, I think we'd have a question about spot zoning and B-1 probably wouldn't allow them the density that they would need. So B-3 seems appropriate based on what we've experienced recently. This adds to the taxable wealth of the city. It provides more housing for the city. We probably need more. I mean, I'm glad to know that there's a business component, restaurant, other-use component on the adjoining property. This is not hard.

Mr. Wilson: I think this is going to be a great project and I'd like to move that we approve the request as submitted; and he was seconded by Mr. Cunningham. The motion was approved by a vote of 6 to 0.

Dr. Stone: Alright; nobody opposed. And we are recommending to City Council that this property at 1097 Union Street, and I am not going to read the tax map number out, be rezoned to B-3. And with thanks to the applicant.

Site and Landscape Plans Approved (FYI) since the September 16, 2021 Meeting.

Mr. Livingston went over the one plan on the Agenda for the Comet Apartments on 121 Garner Road.

City Council Updates since the September 16, 2021 Meeting:

- 10-25-2021 Second/Final Reading Approval re 1631 John B. White Sr. Blvd., TMS#6-21-13-056.00 from Zone R-15 to B-1; Owner; James V. Smith.

- 10-25-2021 Public Hearing & First Reading re 577 N. Church St., TMS#7-12-01-249.00 from R-8/B-3 to B-3; Owner CBC Investments, LLC ***(Applicant pulled off Agenda prior to this meeting)**
- 11-8-2021 Public Hearing & First Reading re 1097 Union St., TMS#7-17-05-106.00 from I-1 to B-3; Lat Purser & Assoc.). **** (Applicant pulled off Agenda prior to meeting).**

Staff Announcements:

Mr. Livingston: Yes. First I'd like to introduce Tia Keitt. She's the new Planner with the city and she's our Planner II. She joined our staff in September. Ms. Keitt will be working with us on the comprehensive plan and other projects related to Planning Commission.

Dr. Stone: Welcome.

Mr. Livingston: The Comprehensive Plan, we held our MiniPlanaPalooza, the weekend of the 7th, the 8th and the 9th. It was just slightly affected by rain, but we did have good attendance in a lot of the neighborhood meetings. We had some online attendance as well. We're hoping to plan on some additional events so we can have some more community participation in the process.

Mr. Livingston: We're also hoping to create a couple of table topics so that folks can have conversations in neighborhoods, as well as shared information. We're hoping to have all comments submitted to the city by October 29th, but we may extend the deadline to get additional comments. So we'll extend the deadline for another 15 days after that, 16 days after that.

Dr. Stone: Anybody have any questions about the process.

Mr. Spencer asked how has the reaction been.

Mr. Livingston: So it's been mixed. First, there's some questions about engagement and trying to increase engagement, lots of minority participation, but we're not getting a lot of participation from the east side or the west side of the town. And so we may need to figure out how to do that, to address that. We think that can probably be addressed by table topics and we'll probably need to reach out to a couple of other groups as well. So positives was, folks liked the format and the look of it.

It reads more like a magazine than a boring document or a public document. It's a beautiful document and it's extremely well organized, so you could find information easily. It's categorized by different areas like land uses, cultural services, landscaping requirements. And all the recommendations are also the same color, so you can see once you get to the recommendations they're the same format. So format extends throughout the document. They did include the focus areas so that folks could see what that is.

Mr. Livingston: We have been taking those focus area information, as you can see, sharing with developers. So we've shared that information with at least three or four developers over the last couple of months, six months, and those developers have either taken our comments or not taken our comments.

Mr. Livingston: TPUDC received comments and incorporated and reflected in the revised draft. So the feedback will be taken by staff. Staff will combine the feedback and provide recommendations for changes to TPUDC. And then TPUDC will provide us with a final document, hopefully in January or February, to share with the Planning Commission, the general public and the council for their approval.

Member: And from the time that final draft or proposal is shared with City, what does the process look like then and the timeline for approval and then implementation and whatever zoning changes would need to be made.

Mr. Cunningham asked who is the approval authority on that plan.

Mr. Livingston: So the Planning Commission is the approval authority. You have to review it and approve it. City Council then approves the Comprehensive Plan. So it's usually, let's say we get it January 1st, we can bring to Planning Commission probably in February or March. And then the next month would be City Council approval. And then implementation will begin after the City Council approval.

Mr. Livingston said one of the other recommendations is a zoning ordinance change. That is where we can have conversations about zoning changes because the zone ordinance change will also possibly lead to some discussions about areas that need be resolved.

Mr. Spencer asked will those conversations about zoning changes be led exclusively by your department, Martin, or will you look to enlist help from someone like a TBUDC or someone who specializes in drafting or revamping zoning ordinances too. How will that work.

Mr. Livingston: More than likely we'd find help with a consultant to help us with the zoning changes. One of the big challenges with zoning changes is... one example is the changing from Euclidian zoning, which is what we have, to form-based zoning, which is in the downtown and northside. That needs to be coordinated if we're going to go through something like that throughout the City, the Design Review Board has advocated that for the corridors. And so what does that look like on the corridors. As you can see the discussion on 577 North Church Street, that's not an easy topic.

Mr. Spencer asked will your office begin to do some sort of RFP process to identify other resources similar to TBUDC and go ahead and be able to line those up in advance of the expected approval of the comprehensive plan so that once that approval is in place, we can get going.

Mr. Livingston: Yes, we will need approval from Council first and then we will take direction from the City Manager after approval.

Dr. Stone said So a rewriting of the zoning ordinance. I think my understanding is zoning ordinance is basically the combination of the map and the land use map. If we're talking about considerable work on the zoning ordinance, would we be talking about... well, if you're talking about going to form-based in a broader section, that is obviously something that's different. And that's going to require some thought. I can certainly see where on a lot of our corridors, maybe, that it's not a bad idea, but this would be a chance where we could both recommend changes to what's allowable in a B-1 versus a B-3 or a DT-5 versus a DT-4. And also where you can recommend that this corridor, which is currently zoned this, we should blanket rezone all of these to B-1 or whatever. Are we talking about all of that at the same time.

Mr. Livingston: Yes.

Dr. Stone: That's a lot of information, but this is, I think, kind of a once in a 10 to 20 year opportunity to either fix some things or look to the future at what. I mean to put into practice, the comprehensive plan that we're going to approve.

Mr. Livingston: We are making history.

Dr. Stone: And this is where... I mean, like our 577 North Church, I have a suspicion, and I have no evidence of this, that the fact that the front half of those two lots are zoned differently than the back half, probably came in something like this, where somebody just went through and said, "Everything 200 feet off of North Church Street is going to be D-3." And that may not have been the right answer. Well, I will just say I have been way behind in a lot of things and I have not read our draft nearly like I should have, but that is on my plan for the next few days. And I would encourage all of us to find some time, if you haven't already, to spend with that document. If you haven't gotten a link to it yet, I suspect you can send it or you can look [inaudible] spartanburg.com website. I have fallen short on my responsibility, but it hasn't come before us officially yet, but I definitely need to read it. And we all really need to become familiar with it.

Dr. Stone: It's a long plan, but I promise I'm going to spend a lot of time with it. Any other questions about comprehensive planning.

Ms. Whitner: I would like to just make a statement. So Martin, I think I overheard you say that there was a lack of participation on the east side and west side. I know here in the past we did some focus groups. Maybe re-engaging those people and just sharing with those that [inaudible] in those focus groups. And then even putting up at the popup shops they have downtown, having that information out there. I don't know, maybe having a computer that's just running with that information, inviting people over, giving away some swag from the city, it may encourage people to participate more. Because I know there was a pretty big turnout in one downtown or even at the [inaudible] just having a table there where the people... you're going to the people and the people are not coming to you, it may be a way to get more people involved.

Mr. Livingston: Yes. One of the things that we did last year that we didn't do this year is exactly what you just said. We provided prizes. We did that last year. We got more participation. We may need to revisit that idea. But the popup idea is a good one and just pouring out and sharing information is also good. We're going to reach out to a couple of neighborhood groups to see if they will be willing to meet with us, but we do need to figure out ways to get out there and share the information.

Ms. Whitner: Thank you.

Mr. Spencer said just one other point. The fact that there may not have been the level of participation on the east side or the west side that you would've liked in this latest round in the MiniplanaPalooza doesn't minimize the fact that there was a great deal of participation on the front end. And this may simply be a reflection of people who are very pleased with the plan as it came out. And so we shouldn't necessarily read anything negative into that.

Mr. Livingston: I've heard that as well, but we do want to make sure that we cover all the bases. One of the ideas that we're hoping to implement is, we still have a mailer. We have the addresses for... 60,000 addresses for the city. And so we may for the final presentation of the plan in December or January, we're trying to come up with a format to get the mailer out to all the addresses, and that may help with that process as well, so that we make sure that we notify as many residents as possible.

Ms. Whitner: And will it have language inclusive.

Mr. Livingston: Yes. We have an executive summary that we've requested from the consultants and we're going to convert that into Spanish, so we may actually convert the mailer to Spanish as well and

send that out. We haven't figured out how to do the mailer in Spanish in the locations where those will be effective.

Dr. Stone: The only criticism that I have kind of heard from some people I work with is that they didn't think there was enough about sustainability in the plan. And I have no personal position on that right now. It's one of those things that, we did ask for certain things in this plan and sort of coming back at the end and saying, "But you didn't talk about this." We may not have asked them to talk about that.

Mr. Livingston: Yes, there are some special interest groups that formed and put their recommendations together and got them to city staff, so you may see their recommendations in the plan. A couple of those groups have submitted their information. I haven't seen responses from them. One group actually prepared an updated recommendation for our landscape ordinance, which we have saved and we'll be sharing when the ordinance is at the point where it needs to be rewritten. We'll actually share that recommendation with the consultants to include in the ordinance.

Dr. Stone: Okay.

Mr. Spencer said Y'all have done a phenomenal job and the group that you hired and the city hired appears to me, having spent the time to read the document and it is long, but it is very thorough and you all deserve a great deal of thanks and gratitude. Thank you.

Dr. Stone: Any updates on continuing Ed training.

Mrs. Roland said there were some Members of Boards attending the Jeff Shacker Continued Ed Training in Greenville on the 27th.

Jemar Brown is going through the New Board training-on that day as well at a different time/location.

Mr. Brown: Yes ma'am.

Dr. Stone: All right. Is there any further business to come before the Planning Commission.

Mr. Brown said I would like to take the opportunity to thank each of you for welcoming me to this board. I've enjoyed it so far. Tonight was very exciting. I want to thank Mr. Livingston and Julie for just coaching me through at this point, and I look forward to serving out my turn in the future.

There being no further business the meeting adjourned at 6:25 P.M.


Dr. Phillip Stone, Chair

Minutes edited by Julie Roland