



MINUTES
GREENVILLE CITY PLANNING COMMISSION
10th floor Council Chambers
January 17, 2019
4:00 PM
Meeting Notice Posted January 2, 2019

Minutes prepared by Michael Frixen

Members Present: Jason Tankersley, Catherine Smith, Jonathan Pait, David Keller, Diane Eldridge, Meg Terry, Trey Gardner

Members Absent: None

Staff Present: Jonathan Graham, Planning & Development Manager
Shannon Lavrin, Assistant Planning & Development Manager
Brennan Williams, Development Planner
Courtney Powell, Senior Planner
Michael Frixen, Development Planner
Chad Hall, Development Planner
Calin Owens, Development Planner
Michael Pitts, City Attorney
Dwayne Cooper, Engineering Services Manager
Clint Link, Civil Engineer
Tracy Ramseur, Sr. Economic Development Project Manager
Edward Kinney, Parks & Recreation
Drew Smith, Parks & Recreation

NOTICE OF MEETING: Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Commission's Meetings was provided on April 4, 2018 via the Greenville City Website. In addition, the Agenda for this Meeting was posted outside the meeting place (City Council Chambers in City Hall) and was emailed to all persons, organizations, and news media requesting notice. Notice for the public hearings was published in the *Greenville News*, posted on the properties subject of public hearing(s), mailed to all surrounding property owners, and emailed to all persons, organizations, and news media requesting notice pursuant to Section 6-29-760 of the S.C. Code of Laws and Section 19-2.2.9 of the Code of the City of Greenville.

CALL TO ORDER: Chairman Jason Tankersley called the meeting to order at 4:01 PM. He explained the purpose of the planning commission, outlined the rules for procedure, and invited the Commissioners to introduce themselves.

APPROVAL OF MINUTES: The December 20, 2018, minutes were approved as presented.

ACCEPTANCE OF AGENDA: Agenda approved as posted on January 16, 2019, with the following items deferred to the February 21, 2019, meeting: Z-26-2018, SD 18-033, SD 18-035, MD 18-005, Z-28-2018.

CONFLICTS OF INTEREST: Jason Tankersly on agenda item SD 18-036.

OLD BUSINESS

A. SD 18-027

Application by Jay Martin for a **SUBDIVISION** of 1.86 acres located at **808 MCDANIEL AV** from 1 LOT to 6 LOTS (TM# 0217000500700)

Staff Report presented by Jay Graham

- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Approve with staff comments and conditions**

Applicant presentation by Jay Martin, 401 N Main St.

- Discussed difference between original and revised proposal
- Answered board questions about the stormwater plan and whether the development will increase or decrease the amount of impervious surface.

Public comments in support of application:

- None

Public comments opposed to application:

- Sam Outten, 809 McDaniel Ave – developer seeking to maximize profit; proposal does not fit intent of infill standards; developer refuses to reduce number of lots
- Bob Sowinski, 640 McDaniel Ave – angry about traffic calming “death bumpers” on McDaniel Ave; traffic concerns; increased impervious surface
- Tom Snyder, 7 Camille Ave – concerns about lot width and compatibility with neighborhood; wants 2 lots on McDaniel and 2 lots on Jones
- Albert Fitzgerald, 516 Cleveland St – issues with removing canopy trees; concern about air quality; proposed drainage system will cause root rot and damage magnolia tree
- Charles Warren, 802 McDaniel Ave – concern about stormwater pond aesthetics and impacts on magnolia tree; potential increase in mosquitoes from standing water; arrogance and greed of developer; developer getting a tax write-off from the conservation lot; says 4 lots is more acceptable
- David Einstein, 223 Camille Ave – traffic and safety concerns from increased curb cuts; showed picture of backed up traffic at August St
- Susan Lind, 417 Jones Ave – concerned about stormwater flowing onto property; wants developer to put a berm to separate their properties; make developer add storm drains on first block of Jones Ave; concern about impacts to root systems of trees on adjacent properties
- John Lind, 417 Jones Ave – PC should weigh concerns of neighbors who have to live in the neighborhood; protect character of neighborhood from developer profits
- Connie McDowell, 7 Camille Ave – protect identity of the Alta Vista neighborhood; concern about precedent for other infill subdivisions in community; don’t approve just because it meets the ordinance
- John Mills, 411 Belmont Ave – says tour buses visit Alta Vista neighborhood; PC has made Alta Vista a jewel of Greenville
- Kelly Warren, 802 McDaniel Ave – concern about HOA maintenance of stormwater system

Applicant rebuttal by Jay Martin

- Responded to comments stated during public hearing. Assured they would work with city staff to ensure tree is protected and ordinances are followed.

Board discussion

- Clarification of stormwater detention facilities
- Received assurance that developer would work with arborists to minimize impacts to trees on other properties
- Question about whether staff had searched for an original plat of the neighborhood
 - Staff did not research historical plats of the neighborhood
- Question of whether this is in a historic district
 - It is not
- Question of whether the ordinance allows the PC any latitude regarding neighborhood compatibility
 - There are some specific requirements for measuring compatibility. Staff does take into account the surrounding neighborhood.
- Staff showed slides with surrounding lot widths and stated calculated averages. Board members also calculated average lot widths. Commissioner Gardner calculated the proposed lot width to be 30% less than the average existing lots along McDaniel. There was discussion about the different calculation methodologies used by the public speakers, board members, and staff. Director Graham stated he included the proposed conservation lot when calculating the average.
- Difficult because proposal appears to meet ordinance requirements, but there are concerns about compatibility.
- DOT would have to approve the curb cuts

***Motion: Commissioner Pait moved to approve with staff comments and conditions. Commissioner Keller seconded the motion. The motion failed by a vote of 0-7, with all members voting against the motion.**

B. Z-26-2018

Application by Dan Bruce for a **REZONE** of 19.4 acres located at **HAYWOOD RD and PELHAM RD** from R-6, Single-Family Residential District to PD, Planned Development District (TM#s 0278000200300, 0278000200301)

Deferred to February 21, 2019, meeting as requested by applicant.

C. MD 18-004 (MFD 18-978)

Application by W. Norman Hamilton for a **MULTI-FAMILY DEVELOPMENT** on 3.7 acres located at **254 S PLEASANTBURG DR** (TM#s 0266000130100, 0266000130101)

Staff Report presented by Chad Hall

- Michael Frixen provided additional information about an easement along the adjoining property line, which required changes to site plan including removal of the sidewalk along the rear of the building, modification of the proposed landscape plan and buffer, and removal of the proposed garden planters in the rear of the building. The modified site plan also included a marked pedestrian path through the parking lot to the sidewalk and bus station along Frederick Street. Michael further explained that the developer was to send these changes to the adjacent owner for their consideration and approval.
- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Approve with staff comments and conditions**

Applicant presentation by Charlie Irick, Flatiron Partners

- Discussed tax credit requirements and how that impacts the architecture
- Believed they had reached an agreement with the adjacent property owner regarding the landscape island, lights, and joint easement.
- The low-income tax credit puts the project on a strict timeline where they have to meet certain milestones to keep their funding.

Public comments in support of application:

- Cecil Nelson, Attorney representing adjacent property owner, Gunn Murphy, at 260 S Pleasantburg Dr – said they had resolved the outstanding easement issues and they would be providing a signed agreement to the City Of Greenville
- Sylvia Palmer, Nicholtown Neighborhood Assn president – verified they met with developer and they support affordable senior housing in the Nicholtown community; wishes the neighborhood meeting location had been conducted within the community instead of the Augusta Road public library

Public comments opposed to application:

- None

Board discussion

- Commissioner Smith stated that the architecture does not fit in with the surrounding area

***Motion: Commissioner Keller moved to approve with staff comments and conditions. Commissioner Eldridge seconded the motion. The motion was approved by a vote of 6-1, with Commissioner Smith voting “no” over architectural concerns.**

NEW BUSINESS

A. SD 18-032

Application by Arbor Engineering for a **SUBDIVISION** of 1.38 acres located at **607, 611, and 617 N MAIN ST** from 3 LOTS to 25 LOTS (TM#s 0004000102100, 0004000101800, 0004000101900)

Staff Report presented by Calin Owens

- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Approve with staff comments and conditions**

Applicant presentation by Michael Redmon and Jay Martin, Arbor Engineering

- Clarified which properties are included in the development; there is a scrivener’s error showing the developer owns parcel 0004000102200 (619 N Main St); this parcel is not included in the project.
- Addressed concerns about density and parking
- The proposal includes new on-street spaces for public parking.

Public comments in support of application:

- None

Public comments opposed to application:

- Robert Gasperik, 623 N Main St #8 – says he is speaking on behalf of other owners in his subdivision; concerned about loss of green space; concern about bump-outs on Main St; believes density should be reduced
- Eileen Coco, 623 N Main St #4 – believes the development would disrupt the harmony and character of the block
- Van Matthews, 623 N Main St – objects to the proposed density; concerns about parking; believes a study should be done on the alleyway
- Tim Coco, 623 N Main St – believes 3-foot buffer is unsatisfactory; says Main & Stone complex “fits beautifully in downtown Moscow” but not Greenville; concerned about Greenville turning into Atlanta
- Ben Wakely, 129 Ridgecrest Dr – concerns about density, parking, and landscaping; issues with buffer and landscaping exemptions for townhouse developments vs. other commercial developments; remove on-street parking spaces

Board discussion

- Received clarification from Engineering on alley ownership
- Discussed removing bump-outs on Main St; developer agreed to alter parking configuration along N Main St
- Staff received clarification on the revised parking and bump-outs. The one near the driveway would be removed while the other would be saved or expanded.

***Motion: Commissioner Smith moved to approve with staff comments and conditions, and with the adjustments of the parking as agreed to during the meeting with the objective of preserving tree coverage along the street as possible. Commissioner Terry seconded the motion. The motion was approved by a vote of 7-0.**

B. SD 18-033

Application by John Lattimore for a **SUBDIVISION** 0.705 acre located at **ZORA DR and WEBSTER RD** from 1 LOT to 4 LOTS (TM# 0199030100104)
Deferred to February 21, 2019, meeting as requested by applicant.

C. SD 18-034

Application by Blue Bridge Properties LLC for a **SUBDIVISION** 0.15 acre located at **W PARK AV** from 1 LOT to 3 LOTS (TM# 0004000101500)

Staff Report presented by Courtney Powell

- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Approve with staff comments and conditions**

Applicant presentation by Michael Redmon

Public comments in support of application:

- None

Public comments opposed to application:

- None

Board discussion

- Received clarification from Engineering on alley ownership. All issues with the alley must be resolved before the permitting phase.

***Motion: Commissioner Smith moved to approve with staff comments and conditions. Commissioner Keller seconded the motion. The motion was approved by a vote of 7-0.**

D. SD 18-035

Application by Integras - Dallas Rd, LLC for a **SUBDIVISION** of 81.12 acres located at **DALLAS RD** from 1 LOT to 65 LOTS (TM# M010020101500)
Deferred to February 21, 2019, meeting as requested by applicant.

E. SD 18-036

Application by CAP Camperdown LLC for a **SUBDIVISION** of 1.022 acres located at **S MAIN ST, FALLS ST, E BROAD ST, and JAPANESE DOGWOOD LN** from 1 LOT to 4 LOTS (TM# 0061000304101)

Chairman Tankersly left the meeting chambers due to a conflict of interest on this item. Vice-Chairman Keller took over the meeting.

Staff Report presented by Michael Frixen

- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Approve with staff comments and conditions**

Applicant presentation

- None

Public comments in support of application:

- None

Public comments opposed to application:

- None

Board discussion

- Received clarification from city attorney that final approval is subject to passage of an ordinance by city council approving the property exchange.

***Motion: Commissioner Terry moved to approve with staff comments and conditions. Commissioner Pait seconded the motion. The motion was approved by a vote of 6-0, with Chairman Tankersley recusing himself.**

Chairman Tankersly returned to the meeting at the conclusion of this item.

F. MD 18-005 (MFD 18-979)

Application by Arbor Engineering for a **MULTI-FAMILY DEVELOPMENT** on 1.32 acres located at **317 WILKINS ST** (TM#s 0095000800500; 0106000200300)

Deferred to February 21, 2019, meeting as requested by applicant.

G. SN 18-992

Application by Reid Hipp for a **STREET NAME CHANGE** to change BLISS WAY to JOSEPH MATHIS WAY in subdivision SD 18-021 located at **SUMLAR DR** (TM# 0201000101803)

Staff Report presented by Michael Frixen

- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Approve**

Applicant presentation

- None

Public comments in support of application:

- Sylvia Palmer, Nicholtown Neighborhood Association president – clarified some statements from the staff report; said NNA supports the change to Joseph Mathis Way

Public comments opposed to application:

- Karla Elrod, 210 Nichol St – said the street should be named after Adam Walker, a former slave and mansion house porter who bought 12 acres of land in 1870, including the property on which subdivision SD 18-021. She explained the importance of his actions to the historic Nicholtown community.

Board discussion

- Commissioner Eldridge said she thought it was a great idea to name a street after someone important in their community. They have the application for Joseph Mathis Way before them tonight, but she should get with the Nicholtown community and consider renaming a street after him.
- If they deny the application tonight, that simply prevents the current application from coming back for a year.
- The applicant was not present.
- Sylvia Palmer suggested renaming Layman Drive after Adam Walker.

- Karla Elrod stated she wants the primary road named after Adam Walker.
- Chairman Tankersly said the commission will table the application and requested the speakers to work with the applicant on revising the proposal to address both road names.

***Motion: Commissioner Keller moved to table this item until the February 21, 2019, meeting. Commissioner Smith seconded the motion. The motion was approved by a vote of 7-0.**

H. A 18-1035

Application by John Batson Jr. for an **APPEAL** located at **103 MORNINGDALE DR** from Sec. 19-6.9 Single-family residential infill standards (TM# 0180000200400)

Staff Report presented by Courtney Powell

- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Uphold Administrator’s Decision**

The city attorney clarified that the question before the planning commission is to determine whether the administrator interpreted the ordinance correctly.

There was discussion about the meaning of “predominant.”

Hearing from Appellant, Chip Batson, and his engineer, John Darrohn

- Discussed difficulties and problems with current driveway; explained why they are requesting the circular drive.
- Stated that permit was issued previously but expired.
- Explained significant engineering challenges of this site.

Public testimony -- Chairman Tankersly asked if the commission takes public comments for an Appeal. City Attorney Pitts stated that if the speaker has evidence relevant to the appeal, they could be heard.

- Mike Keish, neighbor, expressed support for the applicant receiving a circular driveway. It is needed to help with parking on this site. The house has a large setback. Asked for certain conditions be attached to any approval, including use of brick or stone for any retaining walls.

Board Discussion

- Whether the hardship was created due to a renovation or change in landscaping.
- Comments that the site is challenging and has unique physical constraints.
- Commissioner Smith asked why they let the permit lapse. Mr. Batson said they did not know the approval would expire.
- Discussion about the predominant development pattern along the block and the fact that both adjacent properties have circular driveways. Included additional discussion about the meaning of “predominant.”
- Concerns about materials of any retaining walls that may be required, if approved.

***Motion: Commissioner Keller moved to grant the appeal with the condition that, before issuing the permit, the engineer work with planning staff to resolve issues of grade, materials, and landscaping. Commissioner Pait seconded the motion. After some additional discussion, the motion was approved by a vote of 6-1, with Chairman Tankersly voting “no.”**

Commissioner Eldridge asked Chairman Tankersly for clarification on his vote. Chairman Tankersly stated he thought staff interpreted the ordinance correctly. Commissioner Smith said she thinks they interpreted it correctly, but there are extenuating circumstances.

City Attorney Pitts stated that they might need to revisit the vote because the sole question before the board is whether the administrator interpreted the ordinance correctly. This is not a variance request.

Commissioner Smith said then the board needs to revisit the vote. Additional discussion followed.

***Motion to reconsider: Commissioner Eldridge moved to reconsider the vote. Commissioner Keller seconded the motion. The motion was approved 7-0.**

Staff read the definition for a “block” from the Land Management Ordinance. The question is regarding the predominant pattern of the block.

Staff rebuttal

- Director Graham stated that the difficulty that staff has is the question before the commission. It’s not that staff does not have compassion or sympathy; staff understands the difficulties that people face. However, it is staff’s responsibility to enforce the laws of the city. Staff has to interpret the zoning ordinance. If the board thinks staff did not enforce the ordinance correctly, staff would seek guidance from the commission as to the proper interpretation. He stated that what the commission is saying, staff can’t enforce. Cities must deal with the public at large, not individuals. It’s a legal issue. Staff has to make hard decisions in the trenches every day. If the board approves the appeal, the commission’s direction to staff would be that circular drives can be approved even when they are not the predominant pattern on the block. He stated that he feels sorry for the applicant in this particular instance, but staff cannot enforce the ordinance based on the issues they’ve raised.

The board asked for additional clarification. Can they rule whether staff interpreted the ordinance correctly, but make an exception for this applicant? Staff explained that was not permitted; they are only reviewing staff’s interpretation of the ordinance.

Commissioner Pait stated that the definition of “block” was helpful, and therefore believes that the development pattern is not predominant for that block.

***Motion: Commissioner Smith moved to uphold the administrator’s decision. Commissioner Eldridge seconded the motion. The motion was approved by a vote of 4-3, with Commissioners Terry, Gardner, and Keller voting “no.”**

I. **Z-25-2018**

Application by City of Greenville for a **STRATEGIC PLAN** to adopt the **WADE HAMPTON BOULEVARD STRATEGIC PLAN** for properties on BEVERLY LA, BROOKSIDE CIR, BUENA VISTA AV, CHICK SPRINGS RD, DUPONT DR, E STONE AV, GAY ST, ITASCA DR, MT ZION AV, MOHAWK DR, N CHURCH ST, N PLEASANTBURG DR, SPARTANBURG ST, STAG ST, TYTAN CT, WADE HAMPTON BLVD, and WELLINGTON AV (see project documents for TM#s)

Staff Report presented by Michael Frixen

- Note: Full staff report is on file at the Planning Office
- **Staff Recommendation: Approve**

Applicant presentation by Tripp Muldrow

- Presented an overview of the strategic plan

Public comments in support of application:

- Steve Hall, 61 Lotus Court, member of steering committee for project
- Ben Wakely, 129 Ridgecrest Dr – with added comment that the neighborhood is “Vista Hills” but the development in the plan is titled “Vista View;” some concern about

townhomes being considered lower-density housing, which is inconsistent with surrounding single-family neighborhoods; says his neighborhood association was not consulted about plan; however, supports project

- Courtney Tolley, 529 Barns Hollow Dr, Simpsonville, representing Wade Hampton Square Shopping Center – in support of beautification and planning; have concern about back of their shopping center where Bob Jones abuts their property; showed pictures of trash and storage containers behind their property which is visible from WH Blvd; affects their ability to recruit new tenants; says they were not consulted about the plan; concerns about their nonconforming pylon sign; says they've put a lot of effort into beautifying their property
- Rick Altizer, 307 Bradley Blvd – supports recommendations and improvements in strategic plan
- Michael Wood, 74 Lake Forest Dr – in favor of plan; great potential; made some suggestions for implementations; wants to ensure that not only the corridor going into town is beautiful, but that the neighborhoods and areas along Wade Hampton are improved and made safe
- Kathy Dodson, 108 Lakecrest Dr – in favor of plan; want to see more greenspace and trees; consider safety of children

Public comments opposed to application:

- Larry Thompson, 106 Alpine Way – concern about impacts to White Oak Baptist Church if parking spaces are removed; these are the only place they can conduct funerals at their church
- Ashley Sutter, 45 Primrose Ln – request approval but with comments from the commission; excited about many proposals in plan, but concerned about proposed trail and gateway into Timmons Park. Current trail going to Timmons Park crosses directly through their property. Concerns about traffic and safety along their street if a trail is put in.
- George Clemmons, 44 Primrose Ln – in favor of plan, but concerned about “aging motel” on other side of Timmons Park; wants plan to address Regal Inn as part of the Timmons Park redevelopment
- Debbie Allen, White Oak Drive – opposed to bikeway proposal on White Oak Drive and Campbell Drive due to concerns about danger to elementary children; should utilize other existing bikeways

Board discussion

- Existing property owners should be considered when implementing plan
- Safety of pedestrians and cyclists should be considered
- This is a strategic plan, a framework for what could happen – no property will be taken
- Plan is a “toolbox” – future development proposals must come back through city and, for some projects, the planning commission

***Motion: Commissioner Smith moved recommend approval of the Strategic Plan to the city council with the additional commentary provided during the planning commission public hearing. The motion was approved by a vote of 7-0.**

J. Z-28-2018

Application by NAI Earle Furman, LLC for a **REZONE** of 63.69 acres located at **200 FAIRFOREST WAY** from I-1, Industrial District and S-1, Service District to S-1, Service District (TM# M011010100307)

Deferred to February 21, 2019, meeting.

***Motion: Due to the extreme length of the meeting, Commissioner Keller moved to table the remaining agenda items and make them the first items at the next month's meeting. Commissioner Terry seconded the motion. The motion was approved by a vote of 7-0.**

K. Z-30-2018

Application by City of Greenville for a **TEXT AMENDMENT** to Section(s) 19-3.2.2(O) RDV: Redevelopment district deleting part (3) buffer and parking exemptions for mixed-use developments

Tabled to February 21, 2019, meeting.

OTHER BUSINESS:

A. Monthly Comp Plan Update Tabled to February 21, 2019, meeting.

B. Election of Planning Commission Officers Tabled to February 21, 2019, meeting.

a. Chairperson: _____

b. Vice-Chairperson: _____

ADJOURNMENT: The meeting was adjourned at 7:54 P.M.