

MINUTES
Planning Commission
July 13, 2004

Members Present: Whit Kennedy
Marion Gramling
Doug Brackett
Phillip Lawson
Shelia Bailey
John Campbell
David Burnett
Purnell Morris

Members Absent: Jerry Gaines

Staff Present: Emory Price
Joan Holliday
Sherry Dull
Harriett Montgomery

1. Call to Order

Whit Kennedy called the meeting to order.

2. Approval of Minutes of June 8, 2004

The minutes of the June 8th meeting were presented for approval. John Campbell made a motion to approve the minutes. Phillip Lawson seconded the motion and the vote carried unanimously. Whit Kennedy mentioned to Emory that the minutes from the breakfast meeting was needed.

3. Old Business

None

4. Discussion Item

A. Public Hearings

1. Old Petrie Place

Emory Price presented the case to the board. Mr. Kennedy asked council to explain what the state law says about variances. Edwin Haskell explained the enabling act. Mr. Kennedy opened the public hearing. Mr. Cecil said that he would explain how he meets criteria that the county would prohibit more entrances on Old Petrie, there is a wandering stream that splits property, and there are duplexes next door. Mr. Cecil stated that this was not for profit.

Purnell Morris was concerned about emergency entrance access and parking.

Glen Brown spoke and stated that Old Petrie Place would be similar to The Townes at Country Club.

Whit Kennedy made a motion to go back to the drawing board to resolve issues. Doug Brackett made a motion to carry over to the August Meeting and Purnell Morris seconded the motion. The vote carried unanimously.

2. Moore Family Property

Emory presented the case to the board. Edwin explained reciprocal easement and that whoever bought the land would have the right to use 60 ft easement.

Debbie Moore was sworn in. She explained that she had met with a surveyor and that they had divided the property into 3 separate lots. Debbie Moore stated she did not want to construct a new road.

Doug Brackett made a motion to accept the County Attorneys recommendation

Of reciprocal easement

Emory Price gave a brief explanation of the variance being requested, which is to subdivide a tract of land without proper road frontage. Mr. Price indicated that both father and son-in-law were present to answer any questions the commission might have.

Whit Kennedy addressed the family and audience, stating the summary of the scenario, according to his understanding, and what the variance is they were seeking. He then opened the public hearing to take information regarding the variance request.

The first speaker was sworn in as Diane Johnson-Lawson. She handed out a plat to the Planning Commissioners before beginning to speak. She stated that the plat shows a right-of-way on the W.D. Mitchell plat and stated that it's a county road, giving a brief history of her understanding of it. Mr. Whit Kennedy stated there were several such roads that are not maintained by the county.

Mr. Emory Price explained that there are several roads throughout the county that were cleared and graveled for people, but when the subdivision regulations were established in 1974, the road names had to officially be put into the road maintenance list.

With there being no other person to come forth to speak, the Chairman closed the public hearing. There was some discussion among the planning commissioners and staff.

Marion Gramling mentioned that the 15,000 sq ft for the lot would be too small according to DHEC, and if the current septic tank should fail there won't be enough room for a second tank.

Whit Kennedy and Marion Gramling stated it would not be wise to grant this variance as asked for but that the owners can work it out by using the Family Property to pass title on to the daughter.

Marion Gramling made a motion to grant approval of the split if the parcel has a minimum of 25,000 sq ft and if the owners submit under the Family Property and meet all those requirements. Phillip Lawson seconded the motion and the vote carried unanimously.

1. The Estates at Lake Blalock

Mr. Emory Price gave a summary, stating that the variance is against the road design standards, which Mike McGrath of the Public Works, Engineering Division reviews. This set of variances is for relief from the minimum horizontal curve radius.

Chairman Whit Kennedy opened the public hearing. The first speaker was Mike McGrath. He stated that the minimum radius is 150 ft and that the developer was requesting less radius footage; the roads are to remain privately maintained; the variance, after speaking with the engineer, is now to be for four (4) curves instead of the originally requested six (6); and he would require the

Fire Marshal to review it to be sure the fire trucks will be able to make the proposed turning radii.

Mr. Whit Kennedy stated that the County will not accept the roads into their maintenance unless they are brought up to the county road standards. Doug Brackett restated this to be sure the project representative understood that.

The second person to speak was Mr. Don Worley, the engineer representing the project. He displayed a rendered plan of the overall site to the Commissioners. He stated that there would be only 4 radii curves needing the variance.

Marion Gramling said he had a problem with roads on dams. Don Worley said there will be cul-de-sacs and that the through road is not part of the road design at this point. Whit Kennedy said that is not part of the variance.

With no one else to speak concerning the variance, Whit Kennedy closed the public hearing.

The Planning Commissioners reviewed the plat amongst themselves.

A motion was made by Marion Gramling that the variance be granted upon the conditions that the Fire Marshall approve the radius curves and that the roads not be accepted into the County until they meet the county road standards. Doug Brackett seconded the motion, and the vote carried unanimously.

5. Discussion Items

a. Easton Park Master Plan

Mr. Emory Price introduced Mr. Dennis Avery and Mr. Josh Tumbleson to the Commissioners as being the developers of the Easton Park project. He then gave the

floor to them to comment about the project.

Josh Tumbleson spoke first, saying the land has been in his family for a long time.

Dennis Avery then spoke about the project, saying it will be a private mixed use development modeled after the traditional neighborhood. They intend to have two different types of housing in the back section of the property and various types of commercial parcels at the front of the property. He commented about the amenities for life-style, such as linear parks, green space, walking trail system, sidewalks, and the use of a series of roundabouts used in other traffic calming projects.

Within the residential portion they are looking at the right-of-way widths, alley ways for rear-entry garages for the townhouses and possible setback modifications. There was mention of traffic signals to be obtained at Highway 9 intersection(s) for ease of traffic flow.

At the end of the discussion the commissioners thanked them for the presentation on the project. Emory Price explained that staff will soon be looking at Planned Unit Developments (PUD's) and Mixed Use Developments (MUD's) for incorporation into the ULMO.

6. Subdivision Regulations Ordinance #429

A. Final Plats *

None

B. Preliminary Extension Requests

None

7. Unified Land Management Ordinance #0-99-015

A. Subdivisions

1. Major (Preliminary Plats)

a. Berry Shoals Crossing

Emory Price gave a summary of the project. Mike McGrath spoke to the commission about the road grade, saying that the developer knows to

either redesign the slope or get on the next agenda for a variance. His plans did not show a detention plan, either, and the drainage plans will probably need to be redesigned as well.

Staff recommended that Berry Shoals Crossing be granted conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division, Addressing/911 and SCDOT.

Marion Gramling made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division, Addressing/911, and SCDOT. Shelia Bailey seconded the motion and the vote carried unanimously.

b. Corie Crest, Section 1

Mr. Emory Price gave a summary of the project and recommended that Corie Crest, Section 1 be granted conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division, Addressing/911 and DHEC.

Doug Brackett made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division, Addressing/911 and DHEC. John Campbell seconded the motion and Marion Gramling abstained. The vote carried unanimously.

c. Magnolia Park Estates

Staff recommended that Magnolia Park Estates be granted conditional preliminary approval subject to review and approval from SWS Water Company and Addressing/911.

Marion Gramling made a motion to grant conditional preliminary approval subject to review and approval from SWS Water Company and Addressing/911. Doug Brackett seconded the motion and the vote carried unanimously.

d. Cottages at Turtle Creek

Mr. Emory Price gave a summary of the project to Planning Commission members. This project had previously been submitted as Seay Road

Subdivision and received conditional preliminary approval in 2002. The developer is resubmitting the project under a new name, Cottages at Turtle Creek, and they are redesigning the road layout.

Mr. James Dorchak, representing the development, got up to expound upon the project, stating that the neighborhood would have walking trails and a swimming pool that the residents could use year-round in the Recreation Area, and an additional Open Area where the creek runs through. Both of these lots will be given to the Home Owners Association.

Marion Gramling made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division and Addressing/911. Phillip Lawson seconded the motion. The vote carried unanimously.

e. Triple Creek Farm

Mr. Emory Price gave a summary of the project, citing from the Review Sheet.

Mr. Whit Kennedy asked if any improvements to Parris Bridge Road were going on. Mr. John Belue, the property owner, got up to answer questions of the commissioners. He said yes, the improvements were being worked on with SCDOT now.

The commissioners looked at a scaled plat of the project, particularly at the traffic in and out patterns. Whit Kennedy made a comment about the future homeowner of lot 2 and the traffic they will have to wait on. The commissioners asked John Belue and Johnathon Smith, surveyor with Sinclair & Associates, if there was any way they can put in a second entrance to alleviate traffic problems. They said they can look at the design to see if they could. They also stated that the turn lane from the next subdivision will be extended.

Emory Price then proceeded, saying staff recommended that Triple Creek Farm be granted conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division and Addressing/911. Mr. Price also mentioned that if this (traffic congestion) continues to be a problem, then he suggests taking a look at what other communities do about the number of entrances vs. the number of lots in a development, and amending the Unified Land Management

Ordinance.

Marion Gramling made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division and Addressing/911. Phillip Lawson seconded the motion and the vote carried unanimously.

f. Tyger Point

Mr. Emory Price gave a summary of the project, which was carried over from the May 4th meeting. Chad Hicks let the commissioners know that this was the one where the lot acreages were questionable, referring to the 8,000 sq ft, and that it's all squared away now. They are being submitted as regular lots, not patio homes. Staff recommended that Tyger Point be granted conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division and SCDOT.

Phillip Lawson made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works Engineering Division and SCDOT. Doug Brackett seconded the motion and the vote carried unanimously.

g. The Estates of Lake Blalock, Phase 1

Mr. Emory Price stated that the variance is approved and now they come for preliminary approval on the first phase. He recommended that The Estates of Lake Blalock, Phase 1 be granted conditional preliminary approval subject to review and approval from DHEC, Spartanburg County Public Works, Engineering Division, Addressing/911, LCF Water Company and SCDOT.

Mr. Whit Kennedy explained that this is the project that was just given a variance. Doug Brackett made a motion to grant conditional preliminary approval subject to review and approval from DHEC, Spartanburg County Public Works, Engineering Division, Addressing/911, LCF Water Company and SCDOT. John Campbell seconded the motion and the vote carried unanimously.

2. Major (Final Plats) *

a. Rogers Mill, Phase I, Section III

Emory Price stated that staff recommends Rogers Mill, Phase I, Section III be read into the record as approved.

Phillip Lawson made a motion to read Rogers Mill, Phase I, Section III be read into the record as approved. Doug Brackett seconded the motion and the vote carried unanimously, with Marion Gramling abstaining.

- b. Stillpointe, Phase 2
- c. Shadow Oaks, Phase 2, Section 2

Emory Price stated that staff recommends Stillpointe, Phase 2 and Shadow Oaks, Phase 2, Section 2 be read into the record as approved.

John Campbell made a motion to read Stillpointe, Phase 2 and Shadow Oaks, Phase 2, Section 2 be read into the record as approved. Phillip Lawson seconded the motion and the vote carried unanimously

3. Minor (Summary Plats) *

- a. Carolina Wren
- b. Terry G. Langford
- c. Penny Bennett Farms, Section 2
- d. Snoddy Acres

Emory Price made a recommendation that Carolina Wren, Terry G. Langford, Penny Bennett Farms, Section 2 and Snoddy Acres be read into the record as approved.

John Campbell made a motion to read Carolina Wren, Terry G. Langford, Penny Bennett Farms, Section 2 and Snoddy Acres into the record as approved. Marion Gramling seconded the motion and vote carried unanimously.

4. Minor (Private Road Developments) *

None

5. Minor (Family Property) *

a. Morrow Family Property

Emory Price recommended that Morrow Family Property be read into the record as approved.

Doug Brackett made a motion to read Morrow Family Property into the record as approved. John Campbell seconded the motion and it carried unanimously.

6. Preliminary Extension Request

a. Evanwood, Section 3

Mr. Emory Price gave a summary of the project from the Staff Review Sheet. The preliminary was approved December 4, 2002 and had an expiration date of June 4, 2004. The storm water approval doesn't expire until November 25, 2007.

The developer is requesting an 18-month preliminary approval extension. If granted, the new expiration date will be November 4, 2005.

Staff recommended granting the request.

Phillip Lawson made a motion to grant Evanwood, Section 3 a preliminary approval extension with a new expiration date of November 4, 2005. Shelia Bailey seconded the motion, and the vote carried unanimously, with one abstention by Marion Gramling.

B. Land Development

1. Major (Preliminary Plats)

a. Anderson Mill Chase (Patio Homes)

Mr. Emory Price gave a summary of the project and recommended that it be conditionally approved subject to approvals from SCDOT, Addressing /911 and Spartanburg County Public Works, Engineering Division.

Whit Kennedy made an observance to the developer and to Mike

McGrath that he will need to redesign the entrance to include one lane in and two lanes out since the development has more than 100 lots.

Marion Gramling made a motion to grant conditional preliminary approval subject to review and approval from SCDOT, Addressing/911 and Spartanburg County Public Works, Engineering Division. John Campbell seconded the motion and the vote carried unanimously.

b. Campus North Apartments (Multi-Family)

Emory Price referred to Chad Hicks, staff planner for the project. Chad referred to Roger Nutt, who's representing the developer. Mr. Nutt

presented the project to the planning commissioners.

Staff recommended that Campus North Apartments be granted conditional preliminary approval subject to review and approval from Metro Water & Sewer, Addressing/911 and Public Works, Engineering Division.

Doug Barnett made a motion to grant conditional preliminary approval subject to review and approval from Metro Water & Sewer, Addressing /911 and Public Works, Engineering Division. Marion Gramling abstained. Phillip Lawson seconded the motion and the vote carried unanimously, with one abstention.

c. Old Anderson Mill Subdivision (Patio Homes)

Mr. Emory Price gave a summary of the project. He recommended that the preliminary plat for Old Anderson Mill Subdivision be granted conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division, Addressing/911 and SCDOT.

Phillip Lawson made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works, Engineering Division, Addressing/911 and SCDOT. John Campbell seconded the motion and the vote carried unanimously.

d. Spartanburg-Cherokee Industrial Park

Emory Price introduced the project to the commissioners, adding that this project received variances on the road design several months ago.

Mr. Ron Kirby was present to speak on behalf of the development, which is a joint venture between the Spartanburg and Cherokee Counties to enhance economic development. Mr. Kirby stated that the Spartanburg Water has added a water tank and they will extend water lines to the project and Spartanburg Sanitary Sewer is providing a lift station to the project as well. Piedmont Gas will be the gas provider. CTC funds will bring in about \$120,000 to help with the project.

After some discussion, Phillip Lawson made a motion to conditionally approve the preliminary plat subject to review and approval from

SSSD, SWS, Spartanburg County Public Works, Engineering Division and Addressing/911. Doug Brackett seconded the motion. The vote carried unanimously, with Marion Gramling abstaining.

2. Major (Preliminary Site Plans)

a. Kirby Korners (Commercial, Multi-Buildings)

Emory Price gave a summary of the project and stated that this is one of the rare developments that comes before the planning commission in that it is classified as a Multiple Occupancy Building Project, where there are several buildings on one parcel. Don Worley of Matrix Engineering was there to represent the developer.

There was a motion by Shelia Bailey that recommended the project be conditionally approved subject to approvals from the Spartanburg County Planning Department staff. Marion Gramling seconded the motion and the vote carried unanimously.

3. Major (Final Plats) *

a. Stonewood Crossing, Section 1

Emory Price recommended that Stonewood Crossing, Section 1 be read into the record as approved.

Marion Gramling made a motion to read Stonewood Crossing, Section 1 into the record as approved. Doug Brackett seconded the motion and it carried unanimously.

4. Major (Summary) *

None

5. Preliminary Extension Request

a. Draymont Ridge

Emory Price gave a briefing of the project history, stating that the preliminary plat was approved on September 13, 2002 and it has expired. The storm water expiration is July 25, 2007. The Upstate Homeless Coalition comes to planning commission to ask for a preliminary plat

approval extension. If granted, the new expiration would be September 18, 2005.

Doug Brackett made a motion to grant the preliminary approval extension to September 18, 2005. Phillip Lawson seconded the motion and it carried unanimously.

8. Other Business

a. Emory Price stated he had one item for other business. He told the planning commissioners that staff has prepared 31 new amendments which have been approved by the Land Use Committee and Subcommittee. These amendments will soon be brought to the planning commission and a public hearing will be held.

9. Adjournment

Doug Brackett made a motion to adjourn, seconded by Phillip Lawson. The vote carried unanimously.

*** These items require no action other than being read into the minutes.**

Respectfully Submitted,

By: _____
Doug Brackett, Planning Commission Secretary

Prepared by:
Sherry Dull
Planning Department Staff