

MINUTES
Planning Commission
December 7, 2004

Members

Present:

Whit Kennedy, Chairman
David Burnett, Vice-Chairman
Doug Brackett, Secretary
Shelia Bailey
John Campbell
Purnell Morris
Marion Gramling
Jerry Gaines
Phillip Lawson

Staff

Present:

Emory Price, Planning and Development Director
Joan Holliday
Sherry Dull
Allison Ezell
Winston Anderson
Savannah Sabo
Mike McGrath

1. Call to Order

Whit Kennedy called the meeting to order.

2. Approval of Minutes of November 9, 2004

David Burnett made a motion to approve the November 9, 2004 minutes. Doug Brackett seconded the motion. The vote carried unanimously.

The Commission unanimously agreed to skip over to item 7A-1 thru 3 on the agenda due to the absence of the transcriptionist. The Change would allow the preliminary extension and variance request/public hearing to be recorded via staff tape recorder.

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

A. Subdivisions

1. Major (Preliminary Plats)

a. Spring Valley

Allison Ezell gave a summary of Spring Valley and recommended conditional preliminary approval subject to review and approval from Addressing/ 911 and Public Works/Engineering Division.

Marion Gramling made a motion to grant conditional preliminary approval subject to review and approval from Addressing/ 911 and Public Works/ Engineering Division. Shelia Bailey seconded the motion. The vote carried unanimously with David Burnett abstaining from the vote.

b. 417 Estates

Winston Anderson gave a summary of 417 Estates and recommended conditional preliminary approval subject to review and approval from Addressing/ 911, Public Works/Engineering Division, Startex JacksonWellford Duncan water system, and the Department of Health and Environmental Control.

Steven K. Angel, Owner and Developer, agreed to voluntarily pull back the property line of the rear lots instead of the middle of the road, which will extend the road right-of-way to 50-feet on West Road.

Phillip Lawson made a motion to grant conditional preliminary approval subject to review and approval from Addressing/911, Public Works Engineering Division, Startex Jackson Wellford Duncan water system, and the Department of Health and Environmental Control. Jerry Gaines seconded the motion. The vote carried unanimously with Marion Gramling abstaining from the vote.

2. Major (Final Plats)

None

3. Minor (Summary Plats)

- a. Regina Perry, Tammy Cole & C. Wood
- b. Chandelle Estates II, Section 3

Sherry Dull recommended that Regina Perry, Tammy Cole & C. Wood and Chandelle Estates II, Section 3 be read into the record as approved.

David Burnett made a motion to read Regina Perry, Tammy Cole & C. Wood and Chandelle Estates II, Section 3 into the record as approved. Jerry Gaines seconded the motion. The vote carried unanimously.

4. Minor (Private Road Developments)

- a. Turkey Creek Estates

Sherry Dull recommended that Turkey Creek Estates be read into the record as approved.

Phillip Lawson made a motion to read Turkey Creek Estates into the record as approved. Marion Gramling seconded the motion. The vote carried unanimously.

5. Minor (Family Property)

- a. Virginia A. Willis Family Property

Sherry Dull recommended that the Virginia A. Willis Family Property be read into the record as approved.

Shelia Bailey made a motion to read the Virginia A. Willis Family Property into the record as approved. John Campbell seconded the motion. The vote carried unanimously.

6. Preliminary Extension Request

None

3. Old Business

a. Candlewood, Phase 1, Section 3- Preliminary Extension

Sherry Dull reintroduced this project, carried over from last month's meeting on November 9, 2004. Randy L. Sexton, Lennar's Vice President, is requesting an 18-month preliminary extension. If granted the new extension date would be June 6, 2006.

Randy Sexton could not be present at the meeting, but Jeremy Ritchie with Gray Engineering was present at the meeting to represent Lennar Homes. He stated that there were approximately 100 lots along the western side of the site within Phase 1, Section 3 that remain to be developed. Lennar Homes plans to begin construction on the final phase in the spring of 2005. They are approximately 30 days out from finalizing and two weeks to get the work done.

Discussion took place regarding Phase 1, Section 3A. Whit Kennedy questioned where the edges of the slope are on this property. Jeremy Ritchie replied the property line is at the top of the slope, 11½-feet from the back of the curb and the edge of the right of way. Mike McGrath with the Spartanburg County Engineering Division stated that he would continue to do inspections on this property until it is finalized.

David Burnett made a motion to extend preliminary approval to Section 1, Phase 3 for 18 months until June 7, 2006. This approval is with the exception that Phase 1, Section 3 A shown on the original plat, which expired April, 17, 2003 will have to be resubmitted to the Planning Department. Purnell Morris seconded the motion. The vote carried unanimously. There was no discussion.

4. Discussion Items

None

5. Public Hearings

A. Variance Requests – Unified Land Management Ordinance #0-99-015

1. Highway 290 Medical Park (Road Radius)

Whit Kennedy opened the Public Hearing.

Sherry Dull presented the case to the commission. The Developer is requesting a variance against Section 2.05-2 (11) Curves of the Unified Land Management Ordinance. The Developer desired to keep the road alignment as shown on the preliminary plan. Mrs. Dull stated that Mike McGrath and David Hall were present at the meeting for any questions.

David Hall, the Engineer representing the Highway 290 Medical Park, was sworn in and stated that this road would be used for less than 1400 trips per day. He stated that the use of a larger horizontal radius would place the road closer to the adjacent residential properties since there is limited frontage off Powell Road.

Doug Brackett asked what the reason was for the requirements in the Unified Land Management Ordinance to be 450 feet. Mike McGrath of the Spartanburg County Engineering Division stated that it was for use by tractor trailer trucks (18-wheelers) traveling at good speeds. He stated the county does not have any commercial road standards. David Hall read the definition of a minor road for commercial use with less than 1400 trips per day. He stated the 150 foot radius would not be a problem, since the speed is very minimal. David Burnett stated that the definition he read was for classifying the road, not the requirements. Also, the developer would be locking himself into any future use of the land.

David Burnett stated that this road right-of-way was not being dedicated and would be a private road. Mr. Burnett requested to see where the lot line had been drawn on the layout. The Commission referred to page 9 and 10 of the packet, showing how the number of lots would change depending on the variance. David Hall stated that if the variance is not granted, the Developers would work with smaller lots.

Whit Kennedy closed the public hearing and opened the meeting for discussion among the Commissioners.

Mike McGrath stated that the minimum road radius allowed was 450 feet. David Burnett stated that if the Commission were to approve the road radius for Howell Road, then other non-medical businesses could come in with heavy industrial traffic. David Burnett referred to the section in the Ordinance on Commercial traffic on a minor road. David Burnett stated that they could not

grant this variance without knowing that industry could not come in with heavy traffic.

David Hall stated that they could meet the 150-foot road radius. Mr. Hall also stated that the Ordinance needed to be changed on Minor Road for Commercial Use.

David Burnett made a motion to deny the variance from the required 450-foot radius for Industrial/Commercial Streets. Purnell Morris seconded the motion, with Marion Gramling abstaining from the vote. The Commissioners that voted to deny the variance were David Burnett, Doug Brackett, Sheila Bailey, John Campbell, Purnell Morris, and Phillip Lawson. Jerry Gaines voted against the denial of the variance. There was no discussion.

6. Subdivision Regulations Ordinance #429

A. Final Plats

None

B. Preliminary Extension Requests

None

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

B. Land Development

1. Major (Preliminary Plats)

a. Spartan Exchange Village

Winston Anderson gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Addressing/911, Public Works Engineering Division and the South Carolina Department of Transportation. This will be mixed commercial and Residential.

J P Baehr with BVI Development explained the layout of the site. He stated that all commercial uses would remain in the front of the development, and residential housing would be beyond that. They are looking at putting in a Stop Light and providing three lanes out of the development.

Whit Kennedy stated his concern with the buffers on future developments on the master plan.

J P Baehr stated that they would have restrictions for commercial buffers against residential properties.

David Burnett made a motion to grant conditional preliminary approval subject to review and approval from Addressing/911, Public Works Engineering Division and the South Carolina Department of Transportation, and if any future development is done, it should be done in a way to buffer against existing and future residential properties. Philip Lawson seconded the motion. The vote carried unanimously.

b. Bordeaux (Revised Preliminary –Patio Homes)

Allison Ezell gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Addressing/911, Public Works Engineering Division, Woodruff and Roebuck Water System, City of Spartanburg Sewer, and the South Carolina Department of Transportation.

The Developers have added 8 new lots as well as re-located the side entrance of the development on Brice Road with a 125 foot offset.

John Campbell made a motion to grant conditional preliminary approval subject to review and approval from addressing/911, Public Works Engineering Division, Woodruff and Roebuck Water System, City of Spartanburg Sewer, and the South Carolina Department of Transportation. Doug Brackett seconded the motion. The vote carried unanimously with Marion Gramling abstaining.

2. Major (Preliminary Site Plans)

None

3. Major (Final Plats)

a. Rogers Mill, Phase III, Section I

Sherry Dull recommended that Rogers Mill, Phase III, Section 1 be read into the record as approved.

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

- a. James Creek, Phase 1
- b. Glenlake, Phase 1 & 3A

Sherry Dull recommended that James Creek, Phase 1 and Glenlake, Phase 1 and 3A be read into the record as approved.

Marion Gramling made a motion to read James Creek, Phase 1 and Glenlake, Phase 1 and 3A into the record as approved. Doug Brackett seconded the motion. The vote carried unanimously.

4. Minor (Summary) *

None

5. Preliminary Extension Request

None

8. Other Business

A. Hand out Monthly Report for Subdivision Activity for November.

Sherry Dull handed out the Monthly Report for Subdivision Activity for November. There was no discussion.

B. Unified Land Management Ordinance Amendment Update.

Emory Price stated that the Unified Land Management Ordinance Amendment

Update was still in committee and Digital Plats were still in phase. There was no discussion.

9. Adjournment

Marion Gramling made a motion to adjourn. Shelia Bailey seconded the motion. The vote carried unanimously. The meeting was adjourned at 5:53 p.m.

By: _____
Doug Brackett, Planning Commission Secretary

Prepared by:
Planning Department Staff