

**MINUTES**  
**Planning Commission**  
**April 10, 2007**

**Members**

**Present:**

Whit Kennedy, Chairman  
Doug Brackett, Secretary  
David Burnett  
John Campbell  
Phillip Lawson  
Donna Turner Williams  
E Kent Miller  
Jerry Gaines

**Members**

**Absent:**

Marion Gramling

**Staff**

**Present:**

David Rutherford, Planning Director  
Joan Holliday  
Sherry Dull  
Allison Ezell  
Savannah Sabo  
Karri Isaac  
Harriett Montgomery  
Edwin Haskell  
Mike McGrath  
Freelance Reporting Services, Transcriptionist

**1. Call to Order**

Whit Kennedy called the meeting to order.

**2. Approval of Minutes of March 6, 2007**

David Burnett made a motion to approve the February 13, 2007 minutes as amended, Section 5a. Discussion Items. Doug Brackett seconded the motion. The vote carried unanimously.

### **3. Old Business**

None

### **4. Public Hearings**

#### **A. Road Name Changes**

1. Moore St, Enoree petitioned to be Ralph Dawkins St., Enoree

Harriett Montgomery presented the information to the Commission on the road name change.

It is the intent to rename Moore Street, Enoree to Ralph Dawkins St, Enoree. Moore St was petitioned by the residents on the road and was signed by 98% of the residences. Moore St runs from Railroad St, Enoree to a dead end.

The Planning Department staff notified all residents and property owners of the petition to change the road name on March 1, 2007. There are 16 residences and one very large vacant parcel of land. Two residences did not sign the petition and no response has been received from the notification letters sent.

A legal notice announcing this public hearing ran in the Spartanburg Herald Journal on March 25, 2007. The Planning Department staff recommends that the road name be changed to RALPH DAWKINS ST.

Whit Kennedy opened the public hearing.

There was no one present to speak for or against the public hearing.

Whit Kennedy closed the public hearing.

John Campbell made a motion to change the road name from Moore St, Enoree to Ralph Dawkins St, Enoree. Donna Turner Williams seconded the motion. The vote carried unanimously.

2. Davis Chapel Rd, Spartanburg to Dewberry Rd, Spartanburg
3. Portion of Sha Ln, Spartanburg to Dewberry Rd, Spartanburg

Harriett Montgomery presented the information to the Commission on the road name change.

SCDOT has reworked Davis Chapel Road and a portion of Sha Lane, Spartanburg, so that it runs into Dewberry Road, Cowpens as one street, making these two roads run from Gossett Road, Spartanburg to Battleground Road, Cowpens.

It has become necessary because the road designation has changed causing confusion with the naming and addressing. The road now called Davis Chapel Road begins at the intersection with Gossett Road and stops at Sha Lane. Sha Lane is a frontage road beginning at Chesnee Highway, following Interstate 85-Business to Gossett Road. It restarts off Davis Chapel Road at Davis Chapel Baptist Church, curving Southward then eastward following Interstate 85-Business to a stop sign. It then restarts at this intersection and runs parallel with interstate 85-Business crossing the Pacolet River and connecting with Dewberry Road, Cowpens.

Renaming notices went to all residents, businesses and the other vacant property owners. Road naming input was received from one resident and two business owners. None of the notices returned undelivered.

A legal notice announcing this public hearing ran in the Spartanburg Herald Journal on March 25, 2007. The Planning Department staff recommends that the road name be changed to DEWBERRY ROAD, SPARTANBURG.

Whit Kennedy opened the public hearing.

There was no one present to speak for or against the public hearing.

Whit Kennedy closed the public hearing.

Jerry Gaines made a motion to change the road name from Davis Chapel Rd, Spartanburg to Dewberry Rd, Spartanburg. Donna Turner Williams seconded the motion. The vote carried unanimously.

4. Portion of Sha Ln, Spartanburg to Vintage Dr, Spartanburg

Harriett Montgomery presented the information to the Commission on the road name change.

SCDOT has reworked this portion of Sha lane, Spartanburg, so that it runs from Davis Chapel Road, Spartanburg to a stop sign where it meets back with Davis Chapel Road and another portion of Sha Lane, Spartanburg.

It has become necessary to name this portion of Sha Lane due to the road designation change. This Change is causing confusion with naming and addressing. The road now called Davis Chapel Road use to begin at the intersection with Gossett Road and stopped at Sha Lane. Sha Lane is a frontage road beginning at Chesnee Highway, following Interstate 85-Business to Gossett Road. It restarts off Davis Chapel Road at Davis Chapel Baptist Church, curving Southward then eastward following Interstate 85-Business to a stop sign. It then restarts at this intersection and runs parallel with Interstate 85-Business crossing the Pacolet River and connecting with Dewberry Road, Cowpens.

A renaming request became necessary when one of the structures formerly addressed off Gossett Road requested a new address for mail delivery and E-9-1-1 purposes, since she now comes off what is now Sha Lane. Upon field checking, the restructuring of the roads in the area, the need for the renaming and renumbering on the above-mentioned streets became very apparent.

Renaming notices went out to all residents, businesses and the other owners of vacant property. Road naming input was received from one resident and two business owners. None of the notices returned undeliverable.

A legal notice announcing this public hearing ran in the Spartanburg Herald Journal on March 25, 2007. The Planning Department staff recommends that the road name be changed to VINTAGE DRIVE.

Whit Kennedy opened the public hearing.

There was no one present to speak for or against the public hearing.

Whit Kennedy closed the public hearing.

Doug Brackett made a motion to change the road name from a portion of Sha Ln, Spartanburg to Vintage Dr, Spartanburg. Philip Lawson seconded the motion. The vote carried unanimously.

5. Portion of Mobile Dr, Spartanburg to North Town Dr, Spartanburg

Harriett Montgomery presented the information to the Commission on the road name change.

The course of Mobile Drive, Spartanburg which previously ran parallel to Interstate 85 Business between Hearon Circle and Graham Road has been changed. Mobile Drive now connects with North Town Drive that runs between its intersection with North Town Drive and Graham Road now acts as a natural continuation of North Town Drive.

It is the recommendation of the Planning Staff that the portion of Mobile Drive running from its intersection with North Town Drive to its intersection with Graham Road be renamed North Town Drive. There are no residences or businesses currently addressed on this strip of road. The North Town Apartments have a drive that comes off this portion of road. However, the apartment addresses are not affected by this change.

A legal notice announcing this public hearing ran in the Spartanburg Herald Journal on March 25, 2007. The Planning Department staff recommends that the road name be changed to NORTH TOWN DRIVE.

Harriett Montgomery presented the information to the Commission on the road name change.

Whit Kennedy opened the public hearing.

There was no one present to speak for or against the public hearing.

Whit Kennedy closed the public hearing.

Phillip Lawson made a motion to change the road name from a Portion of

Mobile Dr, Spartanburg to North Town Dr, Spartanburg. Donna Turner Williams seconded the motion. The vote carried unanimously.

6. Graham Rd, Spartanburg to North Town Dr, Spartanburg

Harriett Montgomery presented the information to the Commission on the road name change.

The request to rename Graham Road to North Town Dr is being rescinded. There were multiple oppositions to the change as well as road designation issues.

Therefore, the Spartanburg County Planning Department staff requests Graham Road does not change to North Town Dr but will remain Graham Rd.

This public hearing was withdrawn from the Planning Commission agenda.

**B. Variance Request – Unified Land Management Ordinance #0-99-015**

1. W.J. Burrow (Private Road Development-Design)

Allison Ezell presented to the Commission the background information on W. J. Burrow. She stated that the owner was requesting a variance on the Private Road Standards. The property narrows @ a point crossing over Timberlake. The ULMO requires a 40' right of way and a 16' road width for the Private Road Development Standard. In this case the owner/developer requests a variance on the center of the property where the road narrows over the lake.

Whit Kennedy opened the public hearing.

William Burrow, property owner, was sworn in. He presented to the Commission a survey of the property.

Mark Packer, owner of adjacent property to the Borrowers, was sworn in. He wanted clarification and the purpose of the variance request. He stated that debris had been pushed onto their property line once the Burrow's began to develop the private gravel drive. The Packer's wanted to know if further development on this private road would impact on their property and how many homes would be placed on the property. In addition, Mr. Packer stated that he was concerned with erosion and the environmental

impact on the property. The Burrow's private drive that exists now is close to his property line.

Whit Kennedy explained to Mr. Burrow if the variance were granted, the Burrow's would have to have an engineered drawing showing on the plat where the road was going. In addition, the road would have to be built to private road development standards.

Mr. Burrow stated that he would not encroach on the Packers property and would show it on a survey. He also stated that they would like to place five nice quality homes on the property.

William T. McDowell, adjoining property owner, was sworn in. He was under the impression that the private drive would be for the Mr. Burrow's personal home and not a small subdivision. He felt that several vehicles using this drive would cause water runoff and build up onto other surrounding properties. He was against the variance request.

Whit Kennedy closed the public hearing.

The Planning Commission and Mike McGrath discussed the variance request. Mr. McGrath stated that the road width due to the topography of the property would be a problem. The Planning Commission agreed that one house could be placed on the property with the existing private drive. There was not enough land to build a private road development

Phillip Lawson made a motion to deny the variance request. John Campbell seconded the motion. The vote carried unanimously with Donna Turner Williams recusing herself from the vote.

**5. Discussion Items**

None

**6. Unified Land Management Ordinance #0-99-015**

**A. Subdivisions**

**1. Major (Preliminary Plats)**

**a. Flats @ Fairview**

Allison Ezell gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Spartanburg County Public Works/ Engineering Division and SWS Water.

E. Kent Miller made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works/ Engineering Division and SWS Water. Jerry Gaines seconded the motion. The vote carried unanimously.

b. Chase Meadows

Allison Ezell gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Spartanburg County Public Works/ Engineering Division.

E. Kent Miller made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg County Public Works/ Engineering Division. Jerry Gaines seconded the motion. The vote carried unanimously.

c. Landrum Mill Estates

Allison Ezell gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Public Works/ Engineering Division and DHEC (application).

Doug Brackett made a motion to grant conditional preliminary approval subject to review and approval from Public Works/ Engineering Division and DHEC (application). E. Kent Miller seconded the motion. The vote carried unanimously.

d. Grandview

Karri Isaac gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Public Works/ Engineering Division.

E. Kent Miller made a motion to grant conditional preliminary approval subject to review and approval from Public Works/ Engineering Division. Jerry Gaines seconded the motion. The vote carried unanimously.

e. Plantation Grove (Revised)

Karri Isaac gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Public Works/ Engineering Division, DHEC (application) and SCDOT (application).

John Campbell made a motion to grant conditional preliminary approval subject to review and approval from Public Works/ Engineering Division, DHEC (application) and SCDOT (application). E. Kent Miller seconded the motion. The vote carried unanimously.

f. Bishop Commons

Karri Isaac gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Public Works/ Engineering Division and the City of Inman.

Phillip Lawson made a motion to grant conditional preliminary approval subject to review and approval from Public Works/ Engineering Division and the City of Inman. E. Kent Miller seconded the motion. The vote carried unanimously.

**2. Major (Final Plats)**

- a. Cobbs Creek, Phase 1A
- b. Cobbs Creek, Phase 1B
- c. Hummingbird Estates, Phase 3
- d. Wynbrook, Phase 2
- e. Russell Place, Phase 1
- f. Russell Place, Phase 2

Sherry Dull recommended that Cobbs Creek, Phase 1A, Cobbs Creek, Phase 1B, Hummingbird Estates, Phase 3, Wynbrook, Phase 2, Russell Place, Phase 1 and Russell Place, Phase 2 be read into the record as approved.

Phillip Lawson made a motion to read Cobbs Creek, Phase 1A, Cobbs Creek, Phase 1B, Hummingbird Estates, Phase 3, Wynbrook, Phase 2, Russell Place, Phase 1 and Russell Place, Phase 2 into the record as approved. David Burnett seconded the motion. The vote carried unanimously.

**3. Minor (Summary Plats)\***

- a. Lilyan Place
- b. Shady Grove Hills, Phase 1, Section 5
- c. Allene Cooley Estates
- d. Ryan L. Phillips

Sherry Dull recommended that Lilyan Place, Shady Grove Hills, Phase 1, Section 5, Allene Cooley Estates and Ryan L. Phillips be read into the record as approved.

Doug Brackett made a motion to read Lilyan Place, Shady Grove Hills, Phase 1, Section 5, Allene Cooley Estates and Ryan L. Phillips into the record as approved. E. Kent Miller seconded the motion. The vote carried unanimously.

**4. Minor (Private Road Developments)\***

- a. James & Anna Ownby

Sherry Dull recommended that James & Anna Ownby be read into the record as approved.

Phillip Lawson made a motion to read James & Anna Ownby into the record as approved. E. Kent Miller seconded the motion. The vote carried unanimously.

**5. Minor (Family Property)**

None

**6. Preliminary Extension Request**

None

**B. Land Development**

**1. Major (Preliminary Plats)**

- a. Berry Shoals Industrial Park

Karri Isaac gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Public Works, Engineering Division.

John Campbell motion to grant conditional preliminary approval subject to

review and approval from Public Works, Engineering Division. Donna Turner Williams seconded the motion. The vote carried unanimously..

**2. Major (Final Plats) \***

a. Wynbrook, Phase 1A (Town home)

Sherry Dull recommended that Wynbrook, Phase 1A be read into the record as approved.

Jerry Gaines made a motion to read Wynbrook, Phase 1A into the record as approved. E. Kent Miller seconded the motion. The vote carried unanimously.

**3. Major (Site Plans)**

a. Olive Branch Partners LLC

Sherry Dull gave a summary of the project and recommended conditional preliminary approval subject to review and approval from SJWD (water), SSSD (sewer), SCDOT Encroachment Permit Application and Public Works Engineering Division.

The Developers and adjoining property owners came to an agreement after the pre meeting. The Developer agreed to extend the buffer yard further down, they agreed to do a traffic study, and would improve state highways around the business. They also have agreed to try to relocate the entrance of the employee parking at building #3, which was located directly across from a residential home.

David Windburn and Jamie Frost with Alliance Consulting Engineers stated that they did agree to try to relocate the entrance of the employee parking for building #3. They would also extend the buffer further down. They would stop buffering where the natural buffer began. There do exist vegetative buffers along Cedar Crest that they would like to leave. The buildings would be built down approximately 10 to 15 feet below where the existing property is now. Therefore, off Cedar Crest Road, the buildings will be about 20 to 25 feet below.

John Campbell made a motion to grant conditional preliminary approval subject to review and approval from SJWD (water), SSSD (sewer), SCDOT Encroachment Permit Application and Public Works Engineering Division. Donna Turner Williams seconded the motion. The vote carried unanimously.

**4. Major (Summary Plats) \***

None

**5. Preliminary Extension Request**

None

**7. Other Business**

a. Proposed Amendments to the ULMO

1. Spacing between buildings on the same lot
2. Temporary Signs in right-of-way
3. Billboards near residential dwellings/Definition for permanently maintained business.

David Rutherford gave a summary of the revised amendments with the suggestions from the Planning Commission on the Major and Minor Site Plan Review. Mr. Rutherford recommended for staff and the Planning Commission to have a public hearing in May with the proposed revised amendments.

Whit Kennedy suggested for the Planning Commission to vote on each proposed amendment separately.

1. Spacing between buildings on the same lot

Phillip Lawson made a motion to forward the proposed amendments on Spacing between buildings on the same lot on to County Council. E. Kent seconded the motion. The vote carried unanimously.

2. Temporary Signs in right-of-way

Doug Brackett made a motion to forward the proposed amendments on Temporary Signs in right-of-way on to County Council. Jerry Gaines seconded the motion. The vote carried unanimously.

3. Billboards near residential dwellings/Definition for permanently maintained business.

Donna Turner Williams made a motion to forward the proposed amendments on Billboards near residential dwellings/Definition for permanently maintained business on to County Council. Doug Brackett seconded the motion. The motion carried six to one in favor of the proposed amendment change. The members in favor of the motion were Doug Brackett, E. Kent Miller, John Campbell, Jerry Gaines, Donna Turner Williams and David Burnett. The member against the motion was Phillip Lawson.

b. Report from Nominating Committee/Nominations

Chairman Whit Kennedy opened the floor.

Phillip Lawson reported that the nominating committee recommended the re-election of the current slate of officers: Whit Kennedy as Chairman, David Burnett as Vice Chairman and Doug Brackett as Secretary.

Jerry Gaines made a motion to approve the nominating committee slate as submitted. Donna Turner Williams seconded the motion. The vote was unanimous.

**Adjournment**

E. Kent Miller made a motion to adjourn. Jerry Gaines seconded the motion. The vote carried unanimously. The meeting was adjourned at 6: 25 p.m.

By: \_\_\_\_\_  
Doug Brackett, Planning Commission Secretary

Prepared by:  
Planning Department Staff