

MINUTES
Planning Commission
August 5, 2008

Members

Present: Doug Brackett, Secretary
David Burnett
Phillip Lawson
Donna Turner Williams
E Kent Miller
Les Green
John Campbell
Whit Kennedy

Members

Absent: Jerry Gaines

Staff

Present: Joan Holliday
Chris Story
Sherry Dull
Mike McGrath
Allison Ezell
Karri Isaac
Savannah Sabo
Edwin Haskell
Freelance Reporting Services, Transcriptionist

1. Call to Order

Whit Kennedy called the meeting to order.

2. Approval of Minutes of July 1, 2008

Phillip Lawson made a motion to approve the July 1, 2008 minutes as submitted. Donna Turner Williams seconded the motion. The vote carried unanimously.

3. Old Business

None

4. Public Hearings

a. Bristol Apartments

Karri Isaac presented background information on the project to the Board. She stated that Bill McDaniel was here to answer any questions.

Whit Kennedy opened the public hearing.

Jeff Harmon, adjoining property owner, was sworn in. He stated that when the road was put in it was originally designed as a 4 lane road with a divided median with landscape. He stated that the original Planning Commission meeting on Autumn Park Apartments in 2001 stated that they were voting on density for Hidden Creek and Autumn Park at the time and did not include any new projects. He stated that he was opposed to future development that would be allowed to use the same density as the two apartment complexes. This road is not sized for this type of multifamily development.

Ralph Griffin, who was present to represent the current property owners for the new development, was sworn in. He stated that on the property marked as vacant next to the new proposed project, there was an easement that gave access through the parking lot of Ingles to enter the new proposed project. There was a third access to the property. A cross easement through to the development by the former owners of the development. There is an existing drainage line to the rear of the car wash on the Ingles parking lot.

Cynthia Mullinax, adjoining property owner, was sworn in and stated that she was against the new proposed multifamily development because of the increased traffic flow through the area.

Whit Kennedy closed the public hearing.

Chris Story stated that the density would be 12 units per acre if Commerce Point Boulevard was the only access, and an unlimited number of units if were able to access off of Highway 176. He stated that staff could develop a professional opinion on whether increased traffic through this area would create a problem. Mr. Story stated that he was not sure of SCDOT's decision on whether a curb cut would be possible off of this area of Highway 176. They would like more research as to whether this would be possible.

The Planning Commission looked at the density for the Autumn Park multifamily development that was next to the new proposed development.

Whit Kennedy asked staff if the developer had made an application with SCDOT to allow for curb cuts off of Highway 176. Karri Isaac stated that they were waiting on a letter from SCDOT.

John Campbell made a motion to table action until the September 9th Planning Commission meeting to allow for more information on access and curb cuts from SCDOT. Donna Turner Williams seconded the motion.

There was discussion after the vote.

Chris Story stated he needed to research more access information for that portion of Highway 176.

The vote was five to two in favor of the motion to table the action on the variance request until the September 9th Planning Commission Meeting. The members in favor of the motion were Doug Brackett, Donna Turner Williams, Phillip Lawson, Les Green and John Campbell. The members against the motion were David Burnett and E Kent Miller. The motion carried to table the action until the September 9th Planning Commission meeting.

b. Middleton Place (Townhomes)

Whit Kennedy opened the public hearing.

Debra Boyter, 3583 Moore Duncan Highway, was sworn in. She stated that the developers were already building on the property.

Karri Isaac explained that the applicant came into the office and took out a letter of credit on the project before they applied for the variance request. She stated that a stop work order had been placed on the property. There was one unit that encroached into the 20 foot setback.

Ruth Mundy, property owner at corner of Highway 417 and Highway 290, was sworn in. She asked for more detailed information on the variance request.

Whit Kennedy stated that there is a 20 foot front setback from the street right-of-way for town homes.

He stated that Middleton Place would like to have two car garages which will place the building 15 feet off of the right- of -way. They are asking for a five foot variance against the front setback requirement.

Ruth Mundy asked the Planning Commission if there would be a buffer yard against her property line.

Karri Isaac stated that there would not be a buffer yard installed against that vacant property.

Whit Kennedy explained that the ordinance did not require a residential multifamily development to buffer against vacant property.

Debra Thelen, 114 Miller Springs Road, was sworn in. She was told when the project was first developed that there would be a buffer yard installed. She stated that there was an existing berm against the property. She stated that they had been given several stop work orders on the property due to water issues.

Karri Isaac stated that a buffer yard 2 would be placed against Mrs. Thelens's property.

Mr. Kent Shull, representing the Developer, was sworn in and stated that they would leave the existing pine trees between her property and the new development. In addition, there would be an open common space between her property and the new development. There would not be a building against her property. He stated that they had installed the berm, will add vegetation to the top of it and would maintain it until the new owners would take it over. He used the example of the West Hampton development in the area as an example of a well maintained buffer yard.

Whit Kennedy closed the public hearing.

E. Kent Miller made a motion to approve the variance for the lots affected by the two car garages. Phillip Lawson seconded the motion. The vote carried unanimously.

5. Discussion Items

None

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

A. Subdivisions

1. Major (Preliminary Plats)

a. Pierce Point

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

Doug Brackett made a motion to grant conditional preliminary approval subject to review and approval from Spartanburg Water Systems, Addressing, DHEC (application) and Public Works, Engineering Division. Les Green seconded the motion. The vote carried unanimously.

2. Major (Final Plats)*

None

3. Minor (Summary Plats)*

None

4. Minor (Private Road Developments)*

None

5. Minor (Family Property)

B. Land Development

1. Major (Preliminary Plats)

a. Draymont Ridge, Phase 5A

Allison Ezell gave a summary of the project and recommended preliminary approval subject to reviews from Public Works and Engineering Division, Spartanburg Water System and Spartanburg Sanitary Sewer District.

The Planning Commission members agreed that the project met the requirements for condominiums and for the developer to resubmit the project as a condominium project.

Phillip Lawson made a motion to table the project until the September meeting and to have the developer resubmit the project as a condominium project. E. Kent Miller seconded the motion. The vote carried unanimously.

b. Bristol Apartments

The Planning Commission made a motion in the Public Hearing to table action until the September 9th Planning Commission meeting to allow for more information on access and curb cuts from SCDOT.

2. Major (Final Plats) *

None

3. Major (Site Plans)

None

4. Minor (Summary Plats) *

None

5. Major (Summary Plats)*

None

6. Preliminary Extension Request

None

7. Other Business

None

8. Adjournment

Les Green made a motion to adjourn. E. Kent Miller seconded the motion. The vote carried unanimously. The meeting adjourned at 6:02 p.m.

By: _____
Doug Brackett, Planning Commission Secretary

Prepared by:

Planning Department Staff