



The City of Spartanburg Planning Commission

AGENDA

August 15, 2024, at 5:15 P.M.

**Spartanburg County Council Chambers
366 N. Church Street – Spartanburg, SC 29303**

(Please Note: Items as they appear on the Docket may or may not be considered in the order as they are presented. The Chairman will announce any changes after the roll call)

- I. Call To Order.**
- II. Roll Call.**
- III. Freedom of Information Act Compliance –** Public notification of the Planning Commission meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Requirements of the City of Spartanburg Zoning Ordinance.
- IV. Approval of Agenda.**
- V. Disposition of Meeting Minutes from the April 18, 2024, Meeting.**
- VI. Old Business: None.**
- VII. New Business:**
 - 1. PCON-24-001-00056: The City of Spartanburg’s Planning Commission has received a request for conditional use of the property for property located at 840 E. Main St (TMS: 7-12-08-097.00); with a zoning designation of LOD (Limited Commercial District). Owner: KLA Realty, Inc / Applicant: Grace Law.
- VIII. Election of new Chair and Vice Chair for the Board.**
- IX. Staff Announcements:**
- X. Adjournment.**

For more information, please contact the Planning Department, at (864) 580-5269 or by email at planning@cityofspartanburg.org.

**Planning Commission Meeting Minutes
April 18th, 2024, at 5:30 PM
Spartanburg County Council Chambers**

Board Members Present: **Dr. Phillip Stone, Lekesa Whitner, Santiago Mariani, Reed Cunningham, Kevin DeMark and Jemar Brown.** City Staff Present: **Martin Livingston, Community Development Director, Nan Zhou, City Planner II and Oksana Holbrooks, Administrative Assistant.**

Rolls

Dr. Stone: Phillip Stone.
Mr. Mariani: Santiago Mariani, Commissioner.
Ms. Whitner: Lekesa Whitner, Commissioner.
Mr. Cunningham: Reed Cunningham, Commissioner
Mr. Brown: Jemar Brown, Commissioner.
Mr. DeMark: Kevin DeMark, Commissioner.

Dr. Stone: Alright. The Freedom of Information Act Compliance public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the requirements of the City of Spartanburg Zoning Ordinance.

Approval of meeting agenda

On a motion by Ms. Whitner seconded by Mr. Brown, the agenda for the meeting was approved, by a vote of 6 to 0.

Ms. Whitner: I make a motion to approve the agenda.
Mr. Brown: Second.
Dr. Stone: Moved by Ms. Whitner and seconded by Mr. Brown to approve the agenda. All in favor say aye.
Attendees: Aye.

Dr. Stone: Any opposed? And the agenda is approved. We have minutes from previous meeting. Do I hear any motions regarding the minutes of the meeting? I will then note that Mr. Warwick Spencer's name needs to be corrected. Correct those.

Approval of Meeting Minutes for March 21, 2024

On a motion by Mr. Cunningham seconded by Mr. Brown the minutes of the meeting of March 21st, 2024, was approved by a vote of 6 to 0.

Mr. Warwick: I move that we accept it as written with the corrections noted.
Ms. Brown: Second
Dr. Stone: Moved by Mr. Cunningham seconded by Mr. Brown. All in favor say aye.
Attendees: Aye.
Dr. Stone: Any opposed? The those are approved.

Old Business: None.

New Business:

The Planning Commission received a request for the Final Development Plan Approval – Oakwood Avenue Townhomes Development located at 153 Oakwood Avenue (TMS: 7-12-08-074.00) originally zoned GID, General Institutional District and rezoned to R-6/PDD Residential Infill Planned Development District. Applicant/Owner: VanRock Holdings LLC / Agent: Site Design Inc.

SUMMARY: The project site is an approximately 1.29 acre property at 153 Oakwood Avenue. The purpose of the rezoning request is for the development of a 21 unit townhome development. Staff worked with the property owners, developers, and civil engineers to review the site plan and discussed the final site plan requirements for the development.

The history of this project is as follows:

- **January 21, 2021:** The Planning Commission recommended zoning approval to City Council.
- **February 8, 2021:** Public hearing with approval at first reading at City Council.
- **February 22, 2021:** Public hearing with approval at second reading by City Council.
- **August 19, 2021:** Planning Commission approval of a request for an extension.
- **May 9, 2023:** Purchase of the property by new owners.
- **January 7, 2023:** Preliminary Site Plan Review meeting with Site Plan Review Committee.
- **October 5, 2023:** Final Plan Approval of the site and potential development.

In accordance with Section 507 of the City of Spartanburg Zoning Ordinance, Planned Development Districts, after the first and second readings of the Ordinance, the City Council shall approve, deny, table or approve with modifications the plan in concept and the rezoning petition, subject to the submission of a Final Development Plan to be reviewed by the Planning Commission at a hearing. This request is for the Planning Commission to review and approve the Final Development Plan.

NEXT STEPS: Within a maximum of three weeks following the date Final Approval by the Planning Commission of the Final Development Plan, the applicant shall submit three stamped and sealed plats/survey of the approved Final Development Plan to the Planning Department who, at the expense of the developer shall record said Final Plan in the Office of the Register of Mesne Conveyance. The plat shall be in conformance with Section 507G.(1-8) of the City of Spartanburg Planned Development District Ordinance and shall show all applicable items.

STAFF RECOMMENDATION: Approve the applicant's request for approval of the Final Development Plan subject to the attached Conditions of Approval.

Applicant:

VanRock Holdings LLC

Public Comments:

Barbara Airhart, 137 Avant.

Discussion:

Anything that brings 21 decent quality houses that could potentially become homeownership is a plus for the city. Also the density is appropriate for the area and should be considered in other areas of the city.

A motion was made by Mr. DeMark, seconded Ms. Whitner the request for rezoning for the proposed project was approved to with a vote of 6-0.

Site and Landscape Plans Approved since the March 21, 2024, Meeting:

Site Plan Approval – Caulder Avenue Duplexes – Caulder Avenue

Site Plan Approval – Jesse Bobo Elementary School Addition – 495 Powell Mill Road

Site Plan Approval – Spartanburg Baseball Stadium – 300 W. Henry Street

City Council Updates since the March 21, 2024, Meeting: None.

Staff Updates:

The new Planning Director Ms. Fredalyn Frasier is scheduled to start on Monday April 22nd. Also, the next Planning Commission meeting in May, will be scheduled at Spartanburg County Council Chambers.

The meeting was adjourned at 5:52 PM.

Dr. Phillip Stone, II, Chairman

TO: The Planning Commission

RE: Property Conditional Use Request 24-001-00056 for 840 E. Main St. (TMS # 7-12-08-097.00). The City has received a conditional use request for the property located at 840 E. Main St to accommodate a Live Work Unit. The property is currently zoned LOD (Limited Office District).

Owner: KLA Realty Inc.

Applicant: Grace Law

Date: August 15, 2024

Project Description

The site is comprised of a 15,360 SF lot that contains one single story building with a zoning designation of LOD, Limited Office District. The property abuts E. Main St. to its south boundary.

The applicant/Business Owner of Key 2 Fitness is proposing to add a partial second level to the existing one-story building to serve as a residential space as part of a live work unit.

Per the current City of Spartanburg Zoning Ordinance, the proposed addition meets the intent and application of R-6 Live/Work District and regulations regarding Residential Character, Landscaping, Parking and Signs in Live/Work District:

Section 302.55 R-6 Live/Work District

Intent: **R-6 Live/Work District** zoning designation is designed to provide for employment opportunities in conjunction with a dwelling which are more extensive than home occupations, and which create a mixed-use neighborhood predominately residential in character. Live/Work neighborhoods are also designed to provide a transition between more intensive office and commercial areas and low-density residential neighborhoods. Live/Work is defined as a place designed to be used by the occupant as both a dwelling place and a place of work.

Application:

- a. The R-6 Live/Work District applies to the following District and DT-4, DT-5, or DT-6 Downtown Urban District, where in addition to other uses permitted in LOD and DT-4, DT-5, and DT-6, live/work uses as defined by this Section are permitted as conditional uses subject to a finding by the Planning Commission.
- b. Properties within the City may be rezoned to the R-6 Live/Work District subject to a finding by the Planning Commission and City Council that such uses meet the following criteria:
 - I. Are of an appropriate scale for the transitional nature of the property;
 - II. Are compatible with the character of the area;

- III. Do not generate excessive evening activity;
- IV. Do not generate excessive traffic, noise or odor;
- V. Do not negatively impact adjoining or abutting residential properties.

4. Uses Permitted by Right:

- a. Single-family, single family patio homes, duplexes and townhouses are permitted in the Live/Work District.
- b. All uses permitted as home occupations in Section 302.63 Home Occupation Permitted Uses are permitted in the Live/Work District. Living or working spaces shall not be rented or sold separately.

5. Residential Character:

The design of the live/work units shall reflect a residential character as defined by the following criteria:

- a.) Individual live/work units shall contain no more than 3,000 square feet of gross floor area;
- b.) No more than 49% of the total gross floor area of the unit may be used for uses other than residential;
- c.) The minimum lot area, height, site coverage, setback, side and rear yard requirements in R-6 shall apply to live/work units.

6. Landscaping:

Landscaping for all live/work units shall meet the requirements of Section 505.64.B.11, Buffer Landscaping and Other Landscaping for Patio Homes and Condominiums.

7. Parking:

A total of three (3) off street parking spaces shall be required for each live/work unit. One of these spaces may be a “valet” space; in other words, its access to a driveway or public street may be obstructed by the second space as long as it meets the size requirements for a parking space under Section 504, Parking and Loading.

8. Signs:

All signs for sites governed by this Section shall meet the provisions of Section 503, Sign Regulations, except that: A total of eight (8) square feet of sign area may be attributed to each live/work unit. The signs shall be located on the building wall no higher than the first floor. Signs shall not be internally illuminated.

In addition, if the contract amount of site renovation and/or building improvements filed with the Building Official for which a building permit is required is **50% or more** of the current appraised value of a property as ascertained from the County Accessors records, then all portions of an existing property shall be retrofitted to meet the requirement of the current Zoning Ordinance.

Submitted by:

Nan Zhou

Nan Zhou, AICP
City Planner II
City of Spartanburg Planning Department

Attachments:
Conditions of Approval
Photo
Application

**CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY LOCATED
AT:**

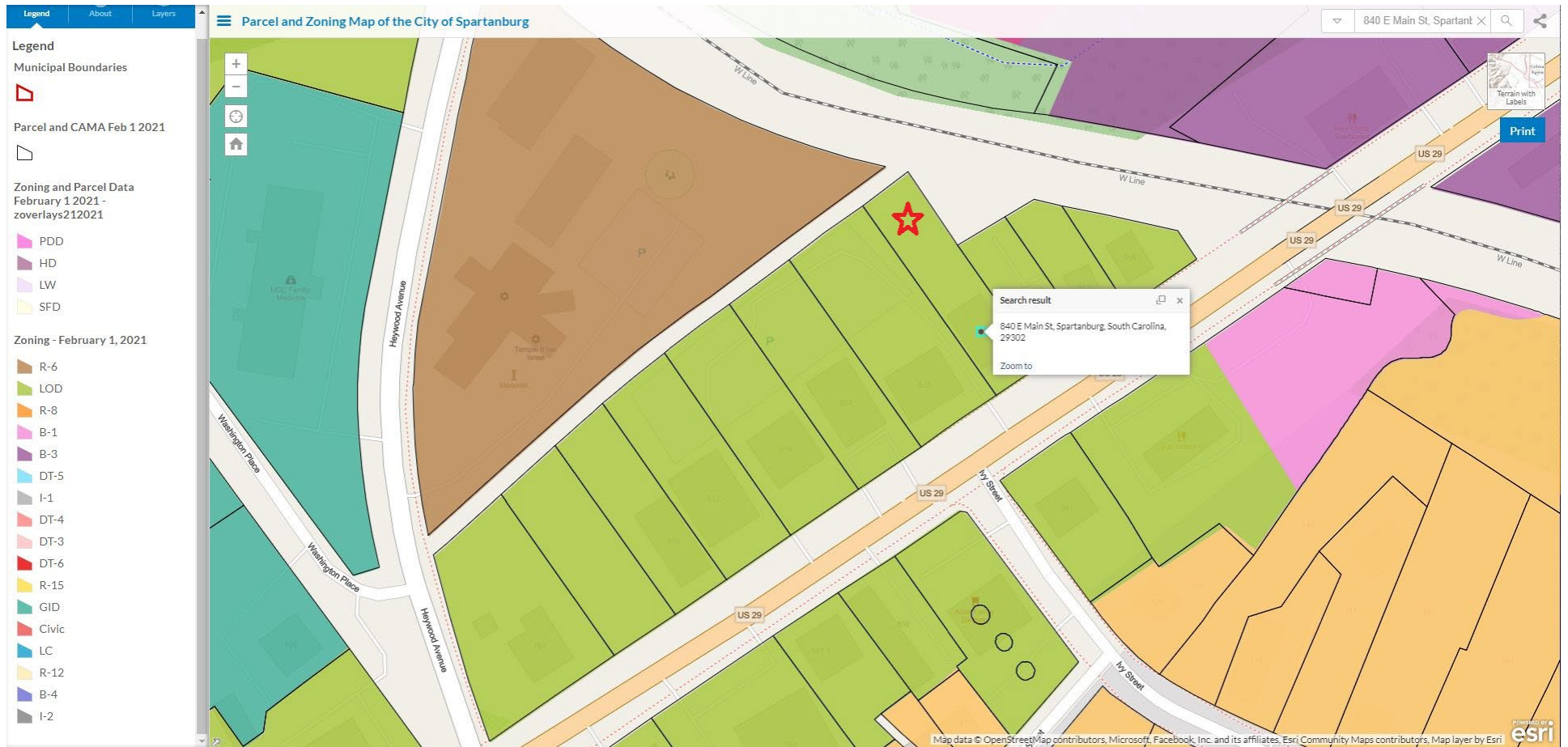
840 E. Main Street (TMS # 7-12-08-097.00)

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. The use shall meet the standards and shall be developed within the limits established by Chapter 501.10 of the Spartanburg Municipal code as to the emission of noise, odor, smoke, dust, vibration, waste, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
3. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation if any approval or permits issues in connection therewith.
4. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Spartanburg City Planning Department. All aspects of construction must be completed prior to use. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
5. All requirements of the Building, Fire, Water and Streets and Stormwater Departments shall be completed prior to building occupancy permit issuance and continuously maintained thereafter.

SITE MAP – 840 E. Main St.



ZONING MAP – 840 E. Main St.



Site Photos – Store Front



Site Photos – Store Left Side



Site Photos – Store Right Side



Site Photos – Property to the Right Side of the Project Site



Site Photos – Property to the Left Side of the Project Site



Site Photos – Properties Across from the Project Site



Site Photos – Properties Across from the Project Site



Site Photos – Properties Across from the Project Site





Planning Department

PO Box 1749 • Spartanburg, SC 29304 • phone: (864) 596-2068 • email: planning@cityofspartanburg.org
website: www.cityofspartanburg.org

General Application

Name of Development: Key2fitness

Street Address: 840 East Main st

Zoning District: LDD Overlay: _____ Tax Map Number: 7-12-08-097.00

Owner: KLA Realty Inc

Phone: 864-590-1514

Address: 1691 Little Mountain Rd

Email: gracielaw65@gmail.com

City: Inman

State: SC

Zip: 29349

Applicant: Grace law

Phone: 864-590-1514

Address: 1691 Little Mountain Rd

Email: gracielaw65@gmail.com

City: Inman

State: Sc

Zip: 29349

Agent: _____

Phone: _____

Address: _____

Email: _____

City: _____

State: _____

Zip: _____

Please select the activity requested / also, please attach the required Supplemental Form:

- ☐ Annexations
- ☐ Special Exceptions
- ☐ Zoning - Appeals
- ☐ Zoning - Map Amendment

- ☐ Planned Development Districts (PDD)
- ☐ Zoning - Conditional Use
- ☒ Zoning - Variance

Fees and Payments can be made using the Permit Number and the [City of Spartanburg Payment Portal](#).

To the best of my knowledge, the information on this application and all additional documentation is true, factual and complete. I hereby agree to abide by all conditions of any approvals granted by the City of Spartanburg. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I hereby authorize the staff of the Planning Department to inspect the premises of the above-described property.

Applicant / Owner Signature: G. Law

Date: 7/24/24

Staff Use Only / Received by: _____

Date Received: _____

Time: _____

Permit Number: _____