



The City of Spartanburg Planning Commission

AGENDA

July 20, 2023, at 5:30 P.M.
City Hall Council Chambers
145 W. Broad Street – Spartanburg, SC 29306

(Please Note: Items as they appear on the docket may or may not be considered in the order as they are presented. The Chair 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 Minutes of the June 15, 2023, Meeting.**
- VI. Old Business: NONE.**
- VII. New Business:**
RZPD-23-011-00003 – The Planning Commission has received a request for rezoning of property located at Barritt Avenue (TMS: 6-21-02-115.00) currently zoned R-6 Live Work (General Residential – Live Work District) to be assigned a new zoning designation of R6-PDD (General Residential – Planned Development District) to accommodate the El Dorado Townes development on the site. Owner: Marclar Investments Inc. / Applicant: Gordon Ray; Piedmont Construction / Agent: Erik Horton; BlueLine Consulting.
- VIII. Site and Landscape Plans Approved since the June 15, 2023, Meeting:**
Site Plan Approval – Hanger Z – Spartanburg Municipal Airport – 500 Ammons Road
Site Plan Approval – Scrubby’s Car Wash – 507 E. Main Street
Site Plan Approval – Coffee Shop – 202 Cedar Spring Road
Site Plan Approval – Northside Townhomes Phase II – Milan, Vernon, and Ridge Streets
Site Plan Approval – Whataburger – 1941 E. Main Street
Site Plan Approval – Big Dan's Car Wash - 1617 John B White Sr. Blvd.
- IX. City Council Updates since the June 15, 2023, Meeting:**
City Council Rezoning Approval – Counseling Office – 131 Oakwood Avenue
City Council Rezoning Approval – Hatcher Gardens – 808-836 John B. White Sr. Blvd
- X. Staff Announcements.**
Comprehensive Plan Update
- XI. Adjournment.**

For more information, please call Martin L. Livingston, Jr., AICP, CPM, Community Development Director at (864) 580-5323 or by email at mlivingston@cityofspartanburg.org.

Planning Commission Meeting Minutes
June 15th, 2023 @ 5:30 PM
City Hall Council Chambers

Board Members Present: Dr. Phillip Stone, Reed Cunningham, Warwick Spencer, Santiago Mariani and Lekesa Whitner. City Staff Present: Nan Zhou, City Planner I; Tia Keitt, City Planner II, Martin Livingston, Community Development Director; Oksana Holbrooks, Administrative Assistant.

Dr. Stone: Close enough. All right. It is almost 5:30 and it is today is June 15th. No. Yeah, today is June 15th, 2023. And I'm going to call this meeting with the Planning Commission for June 15th, 2023 to order. My name is Phillip Stone, I'm the chair of the Planning Commission and I will preside over these proceedings. Freedom of Information Act compliance, public notification. This meeting has been published, posted, and mailed in accordance with the Freedom of Information Act and the City of Spartanburg Zoning Ordinance. Let the record note that five members of the Commission are present, two are absent, therefore we have a quorum and are able to proceed with the business. And I'm going to ask everyone to say his or her name for the record. Starting with Ms. Whitner.

Rolls

Ms. Whitner: Oh, Lekesa Whitner, commissioner.
Mr. Mariani: Santiago Mariani, commissioner.
Mr. Cunningham: Creed Cunningham, commissioner.
Dr. Stone: Phillip Stone.
Mr. Spencer: Warwick Spencer, commissioner.

Dr. Stone: All right. Do I hear a motion regarding the agenda for tonight's meeting?

Approval of meeting agenda

On a motion by Mr. Spencer seconded by Ms. Whitner, the agenda for the meeting was approved, by a vote of 5 to 0.

Mr. Spencer: So moved.
Ms. Whitner: Second.
Dr. Stone: Moved by Mr. Spencer, seconded by Ms. Whitner to approve the agenda. All in favor say aye.
Attendees: Aye.

Dr. Stone: Any opposed? The agenda is approved. We have minutes from the May 18th, 2023 meeting. Do I hear a motion? Did anybody notice any corrections?

Approval of Meeting Minutes for May 18th, 2023

On a motion by Mr. Spencer seconded by Mr. Wilson, the minutes of the meeting of May 18th, 2023, was approved with corrections by a vote of 5 to 0.

Mr. Spencer: So moved.
Dr. Stone: All right. I heard this Mr. Spencer moved.
Ms. Whitner: Second

Dr. Phillip: Seconded to approve the minutes. All in favor say aye.

Attendees: Aye.

Old Business: None.

New Business:

Dr. Stone: Any opposed? Minutes are approved. We have no old business, so we are on item seven it looks like. New business. We have received a request for Annexation, rezoning designation of property at 1017 Florida Avenue Tax map 7-08-09-086.00, currently unzoned and I guess not actually completely in the city, to be assigned a zoning designation of R-8, PDD, plan development district to accommodate a mixed use development on the site. Ms. Zhou. How are you? Do you swear to tell the truth?

The Planning Commission has received a request for annexation and zoning designation of property located at 1017 Florida Avenue (TMS: 7-08-09-086.00) currently un-zoned to be designated a zone of R-8 - PDD, General Residential District – Planned Development District with a 10% reduction in density to accommodate a mixed-use development on the site. Owner: Stan Gendlin; VanRock Holdings, LLC / Applicant: Jenny Reyes; VanRock Holdings, LLC.

APPLICATION SUMMARY

The project site is an approximately 9.05 acre parcel located at 1017 Florida Avenue near the Spartanburg Regional Medical Campus near N Church Street in an unzoned unincorporated area of Spartanburg County. The site is surrounded by Florida Avenue and Dakota Street to the North, Little Chinquapin Creek to the south, N Church Street to the east, and W Wood Street to the west. Currently the property is unzoned and the applicant has requested approval for annexation and a zoning designation to allow for a mixed use of 86 townhomes and commercial development (restaurant) on the site, creating a dynamic and cohesive community that enhances the surrounding area while meeting the needs of the City's growing population and workforce.

Properties to the north, west, and east are un-zoned and are located in the unincorporated areas of the county. Properties to the south near the creek are zoned LOD – Limited Office District and across the street is the Spartanburg Regional healthcare system main campus.

REQUIRED FINDINGS

Historically, the City of Spartanburg has required rezoning applications to meet certain criteria and the Planning Commission must take the following findings of reasonable conformance in order to recommend a selection or designation of zoning:

Staff offers the following analysis relating to each of these required findings:

ANALYSIS OF REQUIRED FINDINGS

The Zoning Ordinance enables Council to change the Zoning Ordinance or Map following public notice and hearing. The Planning Commission reviews and recommends action on proposed zoning changes at its regularly scheduled meetings. The following comments are based on established criteria:

1. **Consistency (or lack thereof) with the Comprehensive Plan** – The 2004 Comprehensive Plan Future Land Use Map has this portion of the N Church Street as a corridor as a General Activity Center. The 2004 Comprehensive Plan states that “Most of the land use issues within the Northern Planning Division concern the accommodation of institutional activities. As the Spartanburg Regional Medical Center, Converse College, and Wofford College have grown over time, they have developed a need to expand. In all three cases, the most likely area for expansion is into a residential neighborhood. Goals included in this Land Use Plan should be balanced. The preservation of existing residential areas and the accommodation of institutions located in the City are both desired. Recommendations thus involve consideration of these competing values. The needs of the institutions are balanced against impacts on the surrounding communities.” Thus, the proposed use for this parcel can be interpreted as consistent with the Comprehensive Plan and the Future Land Use Map with a R-8 PDD, General Residential District – Planned Development District Zoning Request.

The 2022 City of Spartanburg Final Draft Comprehensive Plan lists this portion of North Church Street as the Campus Special District because of the Spartanburg regional Healthcare Campus and the Wofford Campus. According to the draft document “The Campus Special District is assigned to the campuses of Spartanburg Medical Center, Wofford College, VCOM-Carolinas, and Converse College. Because of the large, detached building sizes, buildings that face onto internal greens, extensive parking, and other hospital and college/university characteristics, a unique set of standards are needed for these areas, including minimizing surface parking lots visible from public thoroughfares.” Due to the special nature of these areas it is recommended that large developments limit the impact on the surrounding single-family residential areas.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood** – The present character of the adjacent surrounding properties is primarily single-family residential. Currently there is a metal recycling facility located in the unincorporated area of the neighborhood which is not compatible with the other surrounding residential and institutional uses. The proposed zoning designation of R-8-PDD would be consistent with other adjacent properties and uses while more intensive in use as a mixed use development with office use on the main corridor of N. Church Street.

The zoning ordinance considers R-8 General Residential District as “....districts exist for the protection of areas that have been and are being developed predominately for medium-density single family dwellings but in which two family and multi-family dwellings occur. Accordingly, the use of land and buildings within these areas is limited in general to dwellings at a density of around seven dwellings units per acre and to such nonresidential uses as generally support and harmonize with a medium-density residential area.”

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment** – If the property is annexed into the city and the zoning designation approved, the proposed development would require a Site Plan review. This site plan review process allows City staff and other entities such as Spartanburg water and sewer subdistrict to provide feedback on the proposal development, ensuring that all site requirements are met (sewer, water, stormwater, setbacks, landscaping and buffering, parking, etc.).

Section 507.9 Usable Open Space Requirements further states that "...In residential planned development district zones usable open space shall be provided in whole or in part to any residential use as set forth below and conveniently located to all residents of the planned development district. Such usable open space shall be provided at ground level. Thus, for R-8 PDD – Usable open space of not less than one thousand (1,000) square feet per dwelling unit or seven hundred fifty (750) square feet per dwelling unit for infill development projects.

4. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment** –

The marketability of the property would likely increase with the annexation and zoning change for the proposed residential mixed-use development. The proposed zoning change will allow for substandard residential structures on the property to be demolished and developed into a coordinated 86 townhomes featuring both two-and three-story designs with 1 and 2 car garage providing convenient and secure parking options for residents.

5. **Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use** – Both water and sanitary sewer services are available to this site. The site will be reviewed by City staff during the Site Plan review process including, Planning, Building, Water, Streets and Stormwater, for compliance with applicable regulations. The applicant is required to submit an application for site plan review.

STAFF'S ANALYSIS & RECOMMENDATION

According to Section I Adoption and Interpretation of the City Of Spartanburg Zoning Ordinance, § 105 Purpose, "The purpose of the zoning ordinance is to implement the land use element of the comprehensive plan for those purposes set forth in S.C. Code § 6-29-710." This S.C. Code section states that the "Zoning ordinance must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare" of properties inside the City Limits.

One of the reasons for the Comprehensive Plan and City Zoning Ordinance is to have zoning classifications that allow certain uses in conjunction with adjacent properties that may be considered "less intense" uses. For this reason, the purpose is to protect the less intense uses from adverse impacts on their property with regard, but not limited to, noise and/or light pollution, traffic congestion, and any other adverse impact that a higher intense use could cause on a surrounding less intense use.

Based on the above findings, staff recommends that should the Planning Commission approve this request that the property be annexed and assign a zoning designation of R-8, PDD, (General Residential District – Planned Development District) with 10% reduction in density. The zoning designation would be conforming to the existing land use patterns and uses.

WRITTEN PUBLIC COMMENTS

Notices were sent to property owners within a 400 ft. radius of subject properties. A total of 63 Notices were sent to property owners of which 5 were mailed certified mail. A Planning Informational meeting was held on Wednesday, June 7, 2023, at 5:30 PM at the City Council Chamber to discuss the zoning designation request and to address any comments and concerns.

FUTURE PROCESS

Under State law, if the Planning Commission recommends approval of this application, staff will schedule the matter for another public hearing and First Reading of Ordinance by City Council on Monday, July 10, 2023. If the matter receives first reading approval, it will then go before the City Council for a Second and Final Reading on Monday, July 24, 2023. The public hearings will be publicly noticed.

If the Planning Commission recommends against the application, the negative recommendation will be forwarded to the City Council. In this case, a public hearing before the City Council will be conducted only if the applicant submits a written request within a two week period following the Planning Commission's action.

On June 15th, 2023, the Planning Commission may act to support or oppose the application, with or without changes to the proposal. The Commission could also continue the matter if additional information, testimony or dialogue is deemed necessary. If the application of annexation and zoning is approved at the Planning Commission and City Council, the applicant will be required to provide a Final Development Plan **within six-months** approval. The applicant may also request a six-month extension to allow time to complete the Final Development Plan.

Ms. Zhou: Yes, I swear. Good evening, board member. My name is Nan Zhou and I work with the city Planning Department. So tonight I'm presenting this annexation and zoning designation request for 1017 Florida Avenue for a misuse of development. And today is June the 15th. So I wanted to mention that in the letter of public notice, we state that the for zoning designation of R-8, PDD, but when I wrote the letter, because I saw the request is R-6, PDD, but staff still recommend R-8, PDD. So thereafter, just to change the R-6, PDD, in the staff report to R-8, PDD. So let's go over the PowerPoint. So we scheduled a planning information meeting on Wednesday, June the 7th, 2023 at 5:30 PM and today is the planning commission meeting, which is Thursday, June 15th in 2023, 5:30 PM. So the next two meetings will be city council.

First the reading scheduled on July 10th, 2023, 5:30 PM and then the second meeting for July 24th, 2023, 5:30 PM. So again, this was brought up to the planning commission back in March or April. So the reason they brought up back again is because the design has changed. Previously they wanted to design that as apartments, but right now they changed the plan to 86 town homes. So what they were requesting is they wanted to annexation, annex this land... Sorry, they wanted to annex this piece of land into the city and then give it a zoning designation to allow for a mixed use of 86 town homes in a commercial development on the site, creating a dynamic and a cohesive community that enhances the surrounding area while meeting the needs of the city's growing population in the workforce.

So we are looking at five criteria to make a determination about this request. The first one is consistency or lack thereof with the comprehensive plan. So we first look at the 2004 comprehensive plan future land use map. So this map has this portion of the North Church Street as a corridor, as a general activity center. So this is where that piece of property is that being requested right here. The 2004 comprehensive plan states that most of the land use issues within the Northern Planning Division concern the accommodation of institutional activities. As the Spartanburg Regional Medical Center, Commerce College, and Wofford College have grown over time, they have developed a need to expand. In all three cases, the most likely area for extension is into a residential neighborhood. Those included in this land use plan should be balanced. The preservation of existing residential areas and the recommendation of institutions located in the city are both desired.

Recommendations that involve consideration of these competing values, the needs of the institutions are balanced against the impacts on the surrounding communities. Therefore, the proposed use for this parcel can be integrated as consistent with the comprehensive plan and the future land use map with a R-8, PDD, General Residential District, Planned Development District zoning request. So later, earlier last year, we have our 2022 sales of Spartanburg final draft comprehensive plan. So within this plan, this portion of North Church Street, see it's right here... As the campus special district because of this Farmborough Regional Healthcare Campus and the Lawford Campus. According to the draft document, the campus special district is assigned to the campuses of Spartanburg Medical Center, Wofford College, VCOM Carolinas, and the Commerce College. Because of the large detached building sizes, building that face onto internal grains, extensive parking in other hospital and college or university characteristics, a unique set of standards are needed for these areas, including minimizing service parking lots invisible from public thoroughfares.

Due to the special nature of these areas, it is recommended that a large development limit the impact on the surrounding single family residential, residential areas. And then the second, well let me go, the second criteria we are looking at is the compatibility with the present zoning and the conforming uses of nearby property and with the character of the neighborhood. So if you look at the zoning map of the surrounding areas, so this site is surrounded by LLD, R-8, and here and B-1 here and institutional pieces here. So the present character of the adjacent surrounding properties is primarily single family residential. Currently, there is a metal recycling facility located in the unincorporated area, which is this area. Located in the unincorporated area of the neighborhood, which is not compatible with the other surrounding residential and institutional uses. The proposed zoning designation of R-8, PDD, would be consistent with other adjacent properties and uses while more intensive in use as a misuse development with office views on the main corridor of North Church Street.

I'm going to skip the next definition because this definition is to change to R-8, not R-6. And the third criteria is the suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment. So if the property is annexed into the city and the zoning designation approved, that the proposed development would require a site plan review. The site plan review process allows city staff and other entities such as Spartanburg Water and sewer sub-district to provide feedback on the proposal development ensuring that all site requirements are met. So for example, the storm water setbacks landscape and the buffering parking section. In the further section 507.9, usable open space requirements states that in residential planned development district zones, usable open space shall be provided in whole or in part to any residential use as set forth below and conveniently located to all residents of the planning development district. So based on the requirement, it requires certain square foot for the zoning designation that is being requested.

And the next criteria is marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment. For this one, the marketability of the property will likely increase with the annexation and zoning change for the proposed residential mixed use development. The proposed zoning change will allow for substandard residential structures on the property to be demolished and developed into a coordinated 86 town homes featuring both two and a three-story designs with one and two car garage, providing convenient and secure parking options for residence.

And the last one is availability of sewer water and the storm water facilities generally suitable and adequate for the proposed use. So both the water and the sanitary sewer services are available to

this site. The site will be reviewed by city staff during the site plan review process including planning, building, waters, streets and stormwater for compliance with the applicable regulations. The applicant is required to submit an application for site plan review. So let me go through. So this is the latest of design. If you recall last time that there are parking decks and large apartment complexes. So they changed that to 80, 86 town homes with a street going through.

So this is the aerial photo of the site. This is the zoning map, currently is un-zoned and it is not in the city. This is the 2004 plan. This is the roof map, which is the one over. So this is some site photos that is currently there. So based on the above analysis, staff recommends that should the Planning Commission approve this request that the property be annexed and assigned a zoning designation of R-8, PDD, General Residential District Planning Development District, the zoning designation will be conflicting to the existing land use pattern and users.

Also staff missed the information meeting. Sorry, because we don't know whether there was people who come but we didn't receive any phone calls from this request. So for this request we sent out a letter within 400 ft of the subject of properties. So a total of 63 notices were sent out to property owners, of which five were mailed certified mail. So if under this state law, if the Planning Commission recommends approval of this application, staff will schedule the matter for another public hearing in a first reading of ordinance by city council on July the 10th, 2023. If the matter receives a first reading approval then it will go before the city council for a second and final reading on Monday, July 24th, 2023. The public hearings will be publicly noticed.

If the funding commission recommends against this application, the negative recommendation will be forwarded to the city council, in this case a probably hearing before the city council will be conducted. Only if the applicant submits a written request within the two-week period following the final commission action. So on today, June 15th, the Planning Commission may act to support or oppose the application with or without changes to the proposal. And I do wanted to mention that if the application of annexation and zoning is approved at the Planning Commission and the City Council, the applicant will be required to provide a final development plan within six months approval. The applicant may also request a six-month extension to allow time to complete the final development plan. Thank you.

Dr. Stone: Does anyone have questions for Ms. Zhou at this point?

Ms. Zhou: So the commercial use will be residential.

Dr. Stone: Okay.

Ms. Zhou: Yeah, if you look at this. So this will be a resident.

Dr. Stone: Okay. Is that allowed in an R-8, PDD? Okay, I'm seeing nods of yes for the record.

Mr. Spencer: So I do have a question.

Dr. Stone: Yes.

Mr. Spencer: When this came before us before and there was a public information meeting, I don't recall how it was received there and what feedback you got on the previous apartment concept. Do you recall?

Ms. Zhou: Previously there were some residents who concerned about the recycling business that is across the street and whether their property value will be impacted and Mr. Bill, he's concerned about his property, whether his property will be annexed and how long are the sidewalks. That's the concern for the previous meeting.

Mr. Spencer: And Mr. Bill, if I'm pronouncing it correctly, has the carve out in the top right corner of that display?

Ms. Zhou: Yeah, his property is right here.

Dr. Stone: I think he's here.

Mr. Spencer: Okay. And one other question, I noticed in number three under the analysis of required findings there is some mention of Spartanburg Water and sewers sub-district providing feedback. Will the DOT be providing any feedback here on the traffic patterns or anything that may be impacted by this?

Ms. Zhou: I believe if they decided to submit a site plan, as yet there is not formal site plan. So if DOT require a traffic study then they will submit a traffic study.

Mr. Spencer: Good. The thought just came to me as I was waiting in a long line of traffic while an accident backed up a major artery recently in the city and just occurred to me that it might be helpful if they weighed in on some of these things before the development occurred rather than after. Just a thought. Thank you.

Dr. Stone: Any other questions?

Mr. Cunningham: No.

Dr. Stone: We'll have a chance again if anyone has wanted to say, so if anything comes to mind. If not, I will offer the developer, the petitioner a chance to come forward and speak. And I'll ask you to state your name for the record and I will swear you in.

Mr. De Bruin: Brian De Bruin.

Dr. Stone: And do you swear to tell the truth?

Mr. De Bruin: I do.

Dr. Stone: Thank you sir.

Mr. De Bruin: I appreciate everybody for taking the time to listen to us again. Staff had mentioned that we had changed this since the last time we're here and that is true. Unfortunately costs haven't really come down when it comes to multifamily. As much as we would love to develop that multifamily site, infrastructure costs, parking structure made it a little bit unfeasible. This project is similar to a couple of other projects we're currently developing throughout Spartanburg and Greenville County, sort of fits in with a pretty good understanding of what that cost looks like, which is why we made the change. So the net changes is less density, I think depending on where you are on that. For us it's a little bit more manageable in site and in an environment where costs are pretty volatile.

Dr. Stone: Does anyone have a question?

Mr. Mariani: I saw in the package that there is a possibility perhaps in the future for renters to own the units. Can you say a little bit more about that?

Mr. De Bruin: Yeah, and I appreciate you asking that. The plan is to design them in such a way that they would meet city ordinance and code as far as right of way and roads. So that if there's a possibility in the future for these to become a few simple lots that we could do so. In the past, if you think of heavy density, we have the back alley accessing a town, it becomes really difficult for city to maintain that and it becomes an issue as can you ever sell those lots? So our plan is we have enough acreage that we're exploring it at this point in time to meet city right of way infrastructure requirements as far as setbacks as well. Initially this will be a hundred percent rental community but some of our other communities it seems that hopefully in the future those become ownership as well.

Mr. Spencer: I did have one question, Mr. Chairman, for Mr. De Bruin. Does the R-8 designation versus the R-6 designation cause you any concerns or heartburn in any way?

Mr. De Bruin: To be honest, I'm not aware of the differences right now. My thinking is that it might have just been a typo and that some of the... Making sure that the commercial use fits when we come in, we don't want to have to come back and do this again. Because density, I think this is a pretty light density, all things consider for a city site. But just making sure that commercial, I think, speaking in terms, I assume that that's probably just a typo.

Dr. Stone: Yeah, I do want to make sure we give you what you really need because we don't want to have to do this a third time.

Mr. De Bruin: Sure.

Dr. Stone: And delay you another month or two months on anything. And I would also say even if we recommend it to city council at R-8, PDD, that could change at city council. City council could change what we recommend, honestly. So I think you would get another bite at that apple without having to come back to us because I've seen that happen. I think, and I probably ought to let the professional planner answer this, the R-8 versus R-6 is just a matter of lot size and density and what's allowable. I'm happy to offer to recommend whatever it is you need to make this work myself. Any other questions?

Mr. Spencer: No, it's exciting.

Dr. Stone: Oh, I agree.

Mr. Mariani: No pool this time?

Mr. De Bruin: I'm sorry.

Mr. Mariani: No pool this time for this design?

Mr. De Bruin: No, unfortunately not as well. But individual parking garage rather than shared parking garage I think is a nice amenity. Especially as much as people spend on self-storage.

Dr. Stone: Sure. No I think in some ways this, there's some positives to this plan, I think.

Sometimes I've heard the expression forward fumble. It may be that.

Mr. De Bruin: I'll take that.

Dr. Stone: Being able to sell individual lots and I have some questions about that that I'm probably going to end up asking him. But yeah, I think... And I see detention ponds back there it looks like. Is that... What is that?

Mr. De Bruin: So the green is the detention pond and then-

Dr. Stone: The blue is...

Mr. De Bruin: It's the actual wetlands delineated there and then the gray is the proposed walking path.

Dr. Stone: Okay. You have to have a repairing buffer down there in around the wetlands.

Dr. Stone: Yeah, that's probably a site plan review question as well. Are there other questions? All things considered, if you get our approval and counsel annexes and approves this, how long do you think, what's your timeframe?

Mr. De Bruin: I would like to mobilize, if we were approved today, in three months we would be on site with permits in hand. So we have this one and then will be back here in a couple months, hopefully another one in the city.

Dr. Stone: Good.

Mr. De Bruin: So those two I think would be nice.

Dr. Stone: And we love having people who want to be in the city and so I appreciate your interest in developing a plot in the city.

Mr. De Bruin: Absolutely.

Dr. Stone: All right, let's see. I think at this point we can have a public hearing and so the way this works, if we will open this to a public comment, anyone has the right to come up and speak for three, five minutes. Tell us what you think about this project, whether you're in favor of it or against it. We'll ask you to state your name and address and I believe there's a sign-in sheet there for the record. So we will have that in our record. So I'm going to declare the public hearing open so anyone is welcome to come speak.

Mr. Dillard: Hello sir.

Dr. Stone: Hello sir.

Mr. Dillard: I am Bill Dillard. I would like to testify.

Dr. Stone: You don't have to swear. Public comment is not sworn testimony.

Mr. Dillard: All Right. I understand that the majority of the street that's running out Florida Avenue is going be on my side. My question to you is if I'm paying taxes on the entire road, how come it's not split? Equal width on each side of the road?

Dr. Stone: I don't understand your question.

Mr. Dillard: My question. Well I thought I made it simple. I'm sorry. I live in the house, on Florida. All right, I understand that they're going to be taking part of the yard to get what they need, road wise.

Dr. Stone: Yeah, I can see that.

Mr. Dillard: And my question to you, they're going to be using the entire street which is fine and I'm always glad to see the government, county, to see whatever... But the majority according to these prints is going to get on my front. So my question is real simple. If I'm paying taxes on the entire road, which I am, how come the road's not split where the party on the opposite side will take as much as I take?

Dr. Stone: Let's make a note of that question and I will get Mr. Livingston to answer it when we come out of public comment. We'll work on this question in a minute because I want to make sure we all understand this. If-

Mr. Cunningham: Are you referring to the frontage of your property on the-

Mr. Dillard: Front of the property.

Dr. Stone: That's what I was thinking too. I know the last time you talked you wanted them to build a sidewalk in front of your house.

Mr. Dillard: Yes sir.

Dr. Stone: I don't know if this does that.

Mr. Dillard: Well if you don't that's fine. I don't have a problem either way. But when you go cutting my... I'm on the elevation. 11 foot 9 inches from the front of my house to where the elevation starts. We got about a nine-foot six elevation that goes up then it levels out to about 18 inches. You really don't have a 20-foot street across that.

Dr. Stone: What I'm assuming, and again we'll let the proper people respond to this, is they can't just build a sidewalk on your property. If they're building anything, they're building it in the public right of way.

Mr. Dillard: Well I'm going to cooperate.

Dr. Stone: I understand that and I don't want them... I don't think they're going to plant, put something on your property without either acquiring it from you or getting some kind of easement. And I see Mr. Livingston nodding.

Mr. Dillard: This gentleman, Martin, he's been very nice here in explaining some of the details. I was an inspector of Spartanburg County for about 20 years and I was a project manager for Florida Bank prior to going to the county. So I'm going be talking with Martin I hope later on to get a complete setbacks from property line. Two sides of the river. The city is going to be involved in the front side.

Dr. Stone: As I understand it, the city is not annexing the street in front of your house.

Mr. Dillard: That's correct.

Dr. Stone: And so if they're doing a sidewalk, somebody's doing it out of... Either the developer's going to do that or... But I suspect the city can't do is build a sidewalk on something that it's not-

Mr. Dillard: I understand. What I'm referring to is your setback according to the prints that I have, according to prints are 15 feet from the house out. The city has to have that much clearance. Well I've only got nine foot six and then I start up a mountain, I roll an elevation of about a 9 in 12 pitch going up. So if that is widened out to get this 20 foot road or street, whatever you prefer to call, it's widened out then it's going to come on out here in my yard where the elevation is.

Ms. Zhou: I think probably he's referring to, I think he probably is referring to his house sitting lower while the surrounding property is elevated so that any water or run-off will go into his property.

Mr. Dillard: I get... Didn't mean to interrupt you. I'm getting enough water as it is from the opposite side because of the scrap yard and when those trucks coming in loading it, I found all kinds of trash. It's had a tendency to loose the compaction up under the pavement. Now my water meter where I

cut my water off and anything if I have a problem, it's done moved down about one foot six. So as most trucks come around this curve, loaded down, it has a tendency to shift the compaction over a period of time, which is already... Its time factor is already started. So that means, what that does is the crown of the road is coming my way according to my transit, my elevations. And I'm not here to raise a fuss, so please don't misunderstand it. I just got some problems that needs to be addressed.

Dr. Stone: And our problem is that scrap yard is not in the city and probably wouldn't even be allowed in the city and the street's not in the city. And so this body here, or Mr. Livingston for that matter, probably has no jurisdiction to do a whole lot to help it.

Mr. Dillard: I understand. But if you attach the street my way, even though that'll be in the city, but yet you got road in the city, you got road in the county.

Dr. Stone: Well I don't know if the road in front of your house is going to be in the city.

Mr. Dillard: Well I'm just going with what I was told.

Dr. Stone: And we're going to have to ask that question because it's a little bit hard to annex that if it's not adjacent. Any other comments?

Mr. Dillard: Well yes.

Dr. Stone: All right.

Mr. Dillard: Talking about the road, primarily the width and if he has to build these, so many spaces, so many apartments here, they're going to be people going in and out both ways are coming in both ways. So they're not going to have enough road there to have that scrap yard plus the people that's going to lease perhaps-

Mr. Dillard: I hope so.

Dr. Stone: Mr. Livingston, pull back out just a little bit. The exited entrance to this is on... Is that Westwood Street and what's the other side street?

Mr. Livingston: It's Dakota.

Dr. Stone: Dakota. So-

Mr. Livingston: East from Florida. But their access would be off the private road.

Dr. Stone: So we're not adding traffic to Florida?

Mr. Livingston: Not according to this.

Dr. Stone: Not according to this. Okay.

Mr. Dillard: Well there'll be a traffic to come to Florida off of Highway 9.

Mr. Cunningham: But the entrance to the development will be at two areas you just referenced and not from Florida. Is that correct?

Mr. Dillard: But you got a direct line that is coming from Highway 9 up Florida around the curve out to the scrap yard, which we are on the right-hand side. Describe that reality. It's not supposed to be there. In fact, it's there because the federal law states that it's got to be a thousand feet away from any residential piece of property that is presently occupied.

Dr. Stone: Okay.

Mr. Dillard: Now I got one other question.

Dr. Stone: Okay.

Mr. Dillard: The integrated dumpster.

Mr. Spencer: I'm sorry, the what?

Dr. Stone: Are they going to have a dumpster?

Mr. Dillard: It's on foot prints.

Mr. Livingston: Not on these.

Dr. Stone: Not on these because if they... We'll ask about that because if it's a town home they might actually get some other... We'll ask about it.

Mr. Dillard: Well I appreciate it.

Mr. Livingston: The previous plan had an entry point I believe from Florida.

Dr. Stone: I believe that's correct.

Mr. Livingston: So maybe that's causing the confusion whereas the new one doesn't. So when we had apartments back in the last plan there was had some kind of midpoint with Florida and entrance.

Dr. Stone: There's the plan right now.

Mr. Dillard: I understand, I have fix that so. I'm not against the city. Let me clarify the records. The reason I primarily didn't sell the house, I don't mind telling you, she's had five hips put in the same leg. Almost lost her life on Friday night. May have a Spartanburg Regional man here, I don't know. But the fact of the matter is, it was pathetic, it was poor surgery. Now she has lost 60% of her daily routine. No walking. 13... She asked to push, she's on her 13th and I would've sold but the fact of the matter is she needs to be close to the hospital. She was in the hospital last week and going to another doctor again Monday 10:15.

Dr. Stone: Look, I remember. We understand from the previous meeting that you want to be close to the hospital.

Mr. Dillard: Yes sir. In reality I'd like to get away from the scrap yard. I asked permission to do the inspections on it and I was turned down. The federal law says it's got to be 1000 feet away from a residential piece of property. Now how you got in there? Well you figure it out.

Mr. Spencer: Thank you.

Mr. Dillard: Trouble at night, midnight loading, hauling out, Saturdays part-time, pictures falling off your wall, water taking your driveway away. Well this is my one time to speak with representing counsel here and I've got some photographs if you'd like to see them. I'd be happy for you to take a look at, show you what I'm confronting even though it's county. But if I don't get enough, all probability I have a sole prints on the fence. Like middle of the road, they put curved gutter out there.

Mr. Spencer: Thank you.

Dr. Stone: Thank you sir.

Mr. Dillard: Thank you sir.

Mr. Spencer: We appreciate it.

Mr. Dillard: Good to see all of you. It's not over until it's over.

Dr. Stone: Does anyone else wish to offer public comment? Going once, going twice.

Mr. Spencer: Mr. Chairman, I move that the public comment portion of the meeting be closed.

Ms. Whitner: Second.

Dr. Stone: Moved by Mr. Spencer. Seconded by Ms. Whitner, to close public comment. All in favor say aye.

Attendees: Aye.

Dr. Stone: Any opposed? All right. I think we might have some questions for Mr. Livingston or Ms. Zhou. So what is, or it may... And this actually may be for the developer as well. Garbage collection, as town homes, will the city do this or will-

Mr. Livingston: Yes.

Dr. Stone: The city will be the garbage collecting?

Mr. Livingston: It'll be individual cans, provided by the sanitation department for the city. They'll pick up on city streets.

Dr. Stone: Okay.

Mr. Livingston: They'll pick up on Florida Avenue and New Street. They'll not pick up on the back alley, private street that's running behind those houses on Florida Ave.

Dr. Stone: Yes sir.

Mr. Cunningham: Along those lines, can you clarify for me in this annexation effort, whether the frontage or the street referred to as Florida will become part of the city?

Mr. Livingston: Yes. Florida Avenue will become part of the city. The question that is unanswered is whether the Florida Avenue in front of Mr. Dillard's house would become part of the city. So that's a question we need to approach with the Public Works Director, the streets and stormwater manager. We can talk to him about sidewalks in front of Mr. Dillard's house, curbing the gutters in front of the house. That's who we have a conversation with.

Mr. Cunningham: Technically it would begin at the property line of the development and stop at the corner prior to this gentleman's home?

Mr. Livingston: Yes. So sidewalks are required all along here and all along here.

Mr. Cunningham: Okay.

Mr. Livingston: I think there's sidewalks here. New sidewalk there. Sidewalks will need to be in on this street as well, all along here. Those are all city streets where sidewalks will be.

Mr. Cunningham: Tell me the definition of the city street and does it go across the crown of the road requiring sidewalks on the other side?

Mr. Livingston: It does not require sidewalks on the other side from what I understand. As the city streets, we typically take the entire street, the entire width of the street. So the street will need to be widened. Florida Avenue will need to be widened to meet the city standards according to the previous city engineer, which is now Jay Squires.

Mr. Cunningham: And the widening will be done equally?

Mr. Livingston: Typically it is done equally, yes.

Dr. Stone: Now the question that he had about setbacks, setbacks is more for new construction. So if somebody's currently existing, it's not like they would have to do anything to meet any setback requirement.

Mr. Livingston: So let me rethink that. The street widening typically is on... I'll need to check with Jay, but I think it's typically on the side where the properties are making improvements.

Dr. Stone: Okay.

Mr. Livingston: So they'll be making the improvements on their side of the property.

Dr. Stone: Okay.

Mr. Livingston: So going back to your question-

Mr. Cunningham: So if it's 15, it needs to go to 20, the five incremental will come towards the development not 50 from the north side and 50% from south.

Mr. Livingston: And it would also depend on how wide that right of way is. And I think there's some room for on the other side to widen the street. I think there's some room there based on what I'm seeing in the drawings and the street layouts. But again, that will need to be worked out during a site plan review and we would have a conversation with Mr. Dillard as well once we have a response from Jay Squires. And that's the question.

Dr. Stone: I don't know what it was. Oh, well since he's in the county, setbacks are kind of not really an issue but...

Mr. Livingston: That is correct. Typically, with setbacks the PDD requirements require you to take a look at adjacent properties setbacks.

Dr. Stone: Okay.

Mr. Livingston: And there are no setbacks related to un-zoned properties. So the developers have a 15-foot setback around this area, which should be landscaped. They can't put a fence along here and then landscape all along here. Landscape plan will be required.

Dr. Stone: This might be a question for the developer, but the houses that are on the Florida Avenue side, are those going to front on the Florida Avenue and would have curb cuts on that side or are they going to front on that new street that's running through the property.

Mr. Livingston: So they're fronting on Florida Avenue where garage access to the rear.

Dr. Stone: Okay. So that's kind of a nice, almost kind of an urban design then. The question I had, another question I had for you about... This may be a Bob Coler question honestly, but developing this as a one owner plot property, is it going to be possible to sell those individual plots at a later point? And is that going to fit in with the zoning classification?

Mr. Livingston: Yes, it meets the PDD requirements either way.

Dr. Stone: Okay.

Mr. Livingston: If it's single family or multifamily. Whether it's single family or multifamily zoning requirements they have, I did check the PDD requirements and wrote down a couple things that you need to be aware of Planning Commission.

Dr. Stone: All right.

Mr. Livingston: But it does fit for a single family as well as for multifamily apartments.

Dr. Stone: And-

Mr. Livingston: PDD typically do not make a distinction.

Dr. Stone: All right. And R-8, the staff's professional opinion is R-8 is suitable and will do what they need it to do.

Mr. Livingston: Yes. If you take a look at their design, it says that their minimum to... A couple of things in the PDD they requested R-6, but they also requested a density bonus so their number of the lots per unit is 4,500 square feet.

Dr. Stone: Okay.

Mr. Livingston: So the R-8 is 5,000 square feet per unit.

Dr. Stone: Okay.

Mr. Livingston: The density bonus brings it down to 4,500 square feet.

Dr. Stone: I was actually... I'm glad, I have this underlined to ask. In the letter we kind of requested 10% density reduction for the project. Is that granted at staff level or?

Mr. Livingston: That is granted at the planning commission and they're allowed to have it per section 507.71. In order to attract developers to utilize this section, the applicant may be eligible for 10% density reduction upon application for PDD zone change. So that is before you today.

Dr. Stone: So we need to make sure that that's incorporated in what we approve.

Dr. Stone: Does staff have any objection to that?

Mr. Livingston: No objection.

Dr. Stone: I honestly don't know the difference.

Dr. Stone: And that would be a question for all of us. Is there any reason not to do that from our perspective? I would think that there would be none. None for me.

Mr. Mariani: Out of curiosity, what is the planned use for, there's an empty space between the town home, the middle row of town homes, between that and the top street. Is that just going to be green space or... That space right there?

Mr. Livingston: Green space is required in the requirements and landscape planning is required for setback. Required. One of the amenities on the site is a walking trail. Hopefully long term will connect to the Dan if it gets there.

Ms. Whitner: If there's a dog park there.

Mr. Livingston: I don't think so. One other point about the PDD, our PDD requirements include non-residential uses are allowed in residential areas. Our PDD requires that it be designated for the residents of the development.

Dr. Stone: Okay.

Mr. Livingston: However, the location of this restaurant is on the main Church Street which will attract residents beyond just the site itself. And they're requesting that that be allowed and staff has no objections.

Dr. Stone: So does that... This is going to be a complicated motion?

Mr. Spencer: Yes it is.

Dr. Stone: I don't even know if somebody might need to write it down. So it needs to... So if we want to allow them to have a restaurant that is open beyond the use of the 86 town hall units, which obviously we do, that needs to be somehow noted in our record that that's okay by us.

Mr. Livingston: And that is according to section 507.62. And it says here restaurants not of the drive-in types. But that's going to be located in the main area and it's not going to be on any residential street.

Dr. Stone: Right.

Mr. Livingston: Staff does not have any objections to doing so.

Dr. Stone: I mean I think that's a win-win for me. I mean again, an extra dining option on that corridor can serve a lot of areas. Like I said, as long as it's not a drive-in.

Mr. Livingston: A couple other comments regarding Mr. Dillard's questions about the... Again, staff's comments and concerns have been the metal scrap yard across the street. It's going to be a challenge.

Dr. Stone: Yeah.

Mr. Livingston: It's going to be a challenge from a noise standpoint and we don't really know how to address that yet. So we might get answers during the site plan review process and there may need to be some noise mitigation. But again that's going to be on the developer to make that determination, if we need to make any noise mitigation for buildings facing the metal scrap.

Dr. Stone: What would that involve? That'd either different kind of glass in the windows or tree-

Mr. Livingston: Sheet rock.

Dr. Stone: Okay.

Mr. Livingston: Because it's pretty loud. And then the street is pretty substandard as Mr. Dillard mentioned, and that will need to be addressed. We need to figure that out and have more conversations with our streets and stormwater manager, Mr. Jay Squires.

Mr. Cunningham: Might I understand if-

Dr. Stone: Any other questions.

Mr. Cunningham: Might I understand if this scrap yard process facility, or whatever it's called, is out of compliance within the statute is the county's issue and how do we advise the county?

Mr. Livingston: I don't know what we can do on our end to make the Planning Department there aware of the issues and the concerns. During this site plan review process, we could have a conversation with the Planning Department and air out the concerns. We could do that as an option. But I'd like to get more information from our streets and stormwater manager regarding the streets and building official. And then the streets and storm water manager is also in contact with the head on a regular basis. So you might be able to provide some additional information.

Mr. Cunningham: Yeah, I think such a facility and its operating practices is detrimental to us as the city expanding and growing for attracting investment. There should be some avenue where we can at least raise...

Mr. Spencer: Mr. Chairman, I do have a question for Mr. Livingston. Is there an exact description of the request which we would need to move for approval today that incorporates all of the fine changes that have, have been made and the finer points that you've discussed with regard to the restaurant and the absence of any objections there? And this 10% density waiver thing, is that written down anywhere or-

Mr. Livingston: Yes.

Mr. Spencer: Or could someone do that?

Mr. Livingston: There is nothing written down, not that I can point to. What I would recommend is a motion to approve the R-8 zoning annexation and R-8 zoning designation with a 10% density reduction and a restaurant use beyond existing residential current residents.

Dr. Stone: Restaurant. Say that last thing again? Restaurant...

Mr. Livingston: Existing use of a restaurant with uses-

Dr. Stone: Availability beyond-

Mr. Livingston: Availability beyond current residents or proposed residents.

Mr. Spencer: And would you describe that as a restaurant use exemption beyond the normal restrictions?

Ms. Whitner: Or can it come back later as a drive-in?

Mr. Livingston: No, it couldn't come back later as a dry cleaner, and it could come back as one of these uses that identifies here.

Mr. Spencer: That would be on the normal restrictions.

Dr. Stone: That would potentially need Planning Commission approval if it warranted some alternate use.

Mr. Livingston: Yeah, if there was an alternate use that would be listed here, then yes, we'd have to come back to the Planning Commission. And the development of the building itself may have to come back before the Planning Commission because we don't have a final design for that building yet. But I'm not sure it's going to be done when the residential site plan comes back before you.

Dr. Stone: Gotcha.

Mr. Spencer: So just to restate it, Mr. Chairman, if I understood Martin. So what the staff and you would ask us to do is to move that the request for R-8 zoning and annexation with a 10% density reduction and a restaurant use exemption beyond the normal restrictions placed upon an R-8, PDD restaurant use be granted?

Dr. Stone: And when you say that first R-8, PDD, I said we'd have some other questions too.

Ms. Cunningham: Pertaining to the restaurant. Is the restaurant going to be under the management or direction of the current developer or owner.

Mr. Livingston: So I don't know if it's going to be under the management of the current developer. That's a question you should them..

Mr. De Bruin: We'll manage the building, but we wouldn't manage the restaurant. We would lease it out.

Dr. Stone: Any other questions for anybody?

Ms. Whitner: So it is going to be a one side building, not like suites within that space?

Mr. Livingston: From the Builders, that's my understanding. But again, that hasn't come back before you at this time.

Ms. Whitner: Right.

Dr. Stone: And Mr. De Bruin, I didn't give you an option to respond to anything that you'd heard, but you get a chance to follow up with anything if you have any other comments.

Mr. De Bruin: No. No comments.

Dr. Stone: Okay. Any other questions for staff? At which point we are in board deliberation, which we have already, I think, probably been doing a little bit, but that's the way it happens sometimes.

Ms. Whitner: No, I'm excited to see the additional retail space, entrepreneurship. That's what we need.

Dr. Stone: Yep.

Mr. Mariani: Additionally, the prospect of people being able to own properties I think is a major improvement from last planned yield for this, which was already admirable considering the

topology. So that old building to become a restaurant, to have that going and be replaced by something that can be put to use to the community will only bring good.

Dr. Stone: I mean for me it ticks all of my... It's taxable investment in the city. More properties, more people in the city. I also thought the last plan was good. I think this is in some ways better, even if it is less dense. And I am generally on our corridor as a proponent of density. I think this is, it's still denser than what's there. So I'm all right with it. I think any other issues that are involving the neighboring areas can be resolved in the site plan review.

Mr. Spencer: Mr. Chairman, I agree. I appreciate hearing the public comment about the challenges and the surrounding neighborhood and it's helpful to all of us, particularly the staff so that we can begin to work with the county on some of those issues. But it's an exciting opportunity.

Dr. Stone: Do you want to say anything or do you-

Ms. Cunningham: It's a great area for investment development and annexation in the city is possible.

Dr. Stone: So I'm going to let Mr. Spencer make a motion, I think, since I think he wrote it down.

On a motion by Mr. Spencer seconded by Mr. Mariani, Annexation and Rezoning with 10% density bonus and a restaurant exemption as outlined was approved by a vote of 5 to 0

Mr. Spencer: Well, thank you Mr. Chairman. I'll give it my best effort. I move that the application for annexation and zoning designation of property located at 1017 Florida Avenue, currently unzoned, to be designated a zone of R-8, PDD with a 10% density reduction and a restaurant use exemption beyond the normal restrictions upon a restaurant use in an R-8, PDD.

Dr. Stone: Do I hear a second?

Mr. Mariani: Second.

Dr. Stone: Moved by Mr. Spencer. Seconded by Mr. Mariani, and I am not going to try to recite that, but R-8, PDD annexation with a 10% density bonus and a restaurant exemption as outlined in that motion. All in favor of the annexation and the rezoning request, say aye.

Attendees Aye.

Dr. Stone: Any opposed? And it is done and it will go to City Council on July 10th for first reading and another public hearing before City Council. Thank you very much. All right, let me find where we are next. So site and landscape plans approved since the May 18th meeting. We have site plan approval of the Whataburger on W O Ezell Boulevard. Anything else from staff?

Dr. Stone: You have a... Yeah, so we'll hear about those later.

Ms. Zhou: We'll hear another or one of our offices.

Dr. Stone: On the east side.

Mr. Cunningham: I am pleased to hear that Whataburger franchise from Texas is finally here.

Dr. Stone: All right.

Mr. Spencer: Maybe we'll get a Bucky's next.

Dr. Stone: I went to my first Bucky's last Wednesday in Big Flo, in Florence, and I spent \$45 in there on what is next to nothing. Buying a t-shirt and a bunch of snacks because I don't know when I'll ever go back to one.

Mr. Spencer: And the restaurants are really phenomenal. I mean, the restrooms. Aren't they? Something.

Dr. Stone: It was quite amazing. We'll sort of be in standing recess here for a second while Mr. Livingston does some business.

Mr. Cunningham: They also have barbecue .

Mr. Spencer: It's delicious.

Mr. Spencer: It's really incredible.

Dr. Stone: All right. Back in session on item nine, city council update since May 18th. It says none, but I will add that at the three hour and 22 minutes City Council meeting on Monday night, they did approve the rezonings request at first reading, we sent them for Hatcher Gardens and for the counseling practice on Oakland Avenue.

Mr. Livingston: I believe those were both approved.

Dr. Stone: And two items that our sister board, the Board of Architectural Design and Historic Review sent to them were carried over for another meeting because it was a long meeting. And anything else from city council?

Mr. Livingston: I don't remember anything else.

Mr. Spencer: Are we getting together anytime soon to turn that draft into a final?

Dr. Stone: I see comp plan as well. And I also see that apparently we need to elect somebody to be the chair and vice chair for the next year. So this is your chance to get rid of me if you want to.

Mr. Livingston: So Mr. Chairman, members of the board, you have two options. You can select the chair and vice chair or you can select to keep the current chair and vice chair. You need to make that decision.

Dr. Stone: I'm willing to continue.

Mr. Spencer: I am willing to have you, Mr. Chairman.

Mr. Mariani: Yeah, I think so.

Mr. Cunningham: I have no objection.

Mr. Spencer: I'm anxious for Mr. Cunningham to continue. Shall we put that to-

Mr. Cunningham: I will attend my last meeting.

Dr. Stone: Somebody need to make that as a motion.

Mr. Spencer: I would move that the current chair and current vice chair of this commission continue in these positions for the next assigned period of time, whatever that may be. One year.

Dr. Stone: Is there a second?

Mr. Whitner: Second.

Dr. Stone: Moved and seconded for the chair and vice chair to continue for another year. All in favor say aye.

Attendees: Aye.

Dr. Stone: Any opposed? All right. You missed your chance. I promise to continue to rule with a velvet hammer. All right, any other... We have staff announcements about the comprehensive plan and anything else.

Mr. Livingston: So comprehensive plan again, at the last meeting I mentioned that we do have the document back with some changes. I just need to review those changes and get it on the website. And second, at the council meeting on Monday, the maritime council meeting, there was some discussion about the comprehensive plan and taking a look at historic properties. So there was a request from the HARB to take a look at demolitions and historic properties. So council will need to do that as well.

And then finally, on the planning director front, we did meet with a consultant today. So talk about recruitment for planning director and developing a strategy. So that's a manager, human resource director, myself and a consultant to take on that process. So hopefully we'll get that started soon.

Mr. Cunningham: Does this consultant specialize in this area or is it just a-

Mr. Livingston: No, I've worked with this consultant to find CEO's, COOs for nonprofit and other organizations. This probably will be her first attempt, but I was truly. I was really impressed with her process. She is a really good go getter and she'll work with you until she finds what you're looking for.

Dr. Stone: Okay.

Mr. Livingston: But she has a really clear process. I really like the process.

Mr. Cunningham: Good.

Mr. Livingston: We'll find it.

Mr. Spencer: Very good.

Dr. Stone: You all have received notices, several notices about training opportunities. I know that I am on the schedule for the one in August because I got a calendar invite from Jennifer Visage at ACOG. So I think I'm on the schedule, but let me encourage all of you since it's in town, if you haven't signed up, please do so. And you've sent other opportunities as well?

Mr. Cunningham: I did not know what that was and I could not open it. So I deleted it. Just wouldn't open. But I have tried to register and sign up at least twice, if not three times. I just want to go once, hopefully I'll try to resurrect that and see if I do.

Mr. Livingston: If not, let me know and I can send it out as a PDF, fillable PDF.

Mr. Spencer: Otherwise we may have to reconsider our vote for the vice chair.

Mr. Cunningham: I'll do my best to open it.

Dr. Stone: Any other questions for Mr. Livingston or anybody else tonight? Or any other items of business anybody wants to raise?

Mr. Spencer: I move that the meeting be adjourned.

Ms. Whitner: Seconded.

Dr. Stone: Moved and seconded to adjourn. All in favor say aye.

Attendees: Aye.

Dr. Stone: Any opposed? And probably see you on July 16th? 17th?

Mr. Spencer: In July.

Dr. Stone: On July 20th, which would be the third week of July.

Mr. Spencer: Thank you.

Meeting adjourned at 6:35 PM.

Dr. Phillip Stone, II, Chairman



City of Spartanburg Planning Department

Application for Rezoning Designation

RZC 23-0110003

<u>LANDOWNER</u>	<u>APPLICANT</u>	<u>AGENT</u>
Marclar Investments 150 Conway Black Rd. Spartanburg, SC 29307	Gordon Ray 233 Giles Dr. Boiling Springs, SC 29307	Erik Horton, Blue Line Consulting <i>Civil Engineering & Construction Mgmt.</i> 108 Ridge Rd. Landrum, SC 29356

<u>PARCEL DATA</u>	
▪ Tax Map ID / Address / Zoning District 6-21-02-115.00 / Barritt Ave. ▪ Current Zoning District: R-6 Live/Work ▪ Proposed: R-6 PDD	Overlay District: ▪ n/a

APPLICATION SUMMARY

Developer, Gordon Ray, has hired a civil engineering firm to develop a site plan to include 33 townhomes. The site is currently zoned R-6 Live/Work, which requires a minimum lot width of 50 ft., both on and not on the radius of a Cul-De-Sac¹. The site is approximately $\pm 5.75^2$ acres, but only ± 3.6 acres will be disturbed, as the eastern / lowest portion of the site is in a flood zone, making this part of the site undevelopable and should not be disturbed.



¹ See section 302.55(5)(c)

² Spartanburg County Tax Assessors states the site is 6.28 acres

In order to increase the number of housing units, the developer has decided to apply for the R-6 PDD – Planned Development District. As a PDD, the developer will have flexibility in determining the lot size and can be creative in designing the future subdivision with a challenging topography characterized by steep slopes and flood zones.

REQUIRED FINDINGS

507.4 Rezoning and Standards Necessary for Project Approval.

The Planning Commission shall consider the proposed planned development district in the same manner they review zone changes. In addition they shall review the submitted plans to determine conformity with the standards established by this Section, so as to achieve a maximum of coordination between the proposed development and the surrounding uses, the conservation of woodlands and the protection of water courses from erosion, siltation and pollution as required in Section V, 501.12 of this Ordinance. To these ends the Planning Commission and City Council shall consider the location of buildings, parking areas and other features with respect to the topography of the area and existing features such as streams and large trees; the efficiency, adequacy, and safety of the proposed layout of internal streets and driveways; the adequacy and location of usable open space provided; the adequacy, location and screening where required; if the planned development district is consistent with the Comprehensive Plan; if the planned development district can be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site, and such other matters as the Planning Commission and the City Council may find to have a material bearing upon the standards of this Section and the objectives of the Planned Development District Zone Regulations.

The City of Spartanburg requires Rezoning applications to meet criteria outlined in the Zoning Ordinance and the Planning Commission must make the following findings of reasonable conformance in order to recommend a change of zoning. Staff offers the following analysis relating to each of these required findings:

ANALYSIS OF REQUIRED FINDINGS

The Zoning Ordinance enables Council to change the Zoning Ordinance or Map following public notice and hearing. The Planning Commission reviews and recommends action on proposed zoning changes at its regularly scheduled meetings. The following comments are based on established criteria:

1. Consistency (or lack thereof) with the Comprehensive Plan –

This parcel cautiously borders designated greenspace, and the engineer is making sure to avoid encroaching upon existing floodzones. The 2004 Comp. Plan FLUM- Future Land Use Map (image enclosed) defines this area as **Low Density Residential** and identifies housing types surrounding W.O. Ezell Blvd. and Blackstock Rd:

The protection of stable residential neighborhoods is a primary goal of the plan...Spartanburg has not been successful at attracting middle income households over the past several years. Between 1990 and 2000, the population of the City has declined while the county has grown by 12%. More specifically, the growth in the county has been in single family and mid to upper income households, meaning that the City is becoming increasingly the place of residence of lower income families and apartment dwellers. While the accommodation of these groups is seen as a responsibility of the City, the [2004 Comp Plan] lists the attraction and retention of a wide spectrum of household types as desirable.³

The not yet approved 2023 Draft Comprehensive Plan – Growth & Conservation Map identifies this area as **G-2 Neighborhood Infill Growth Sector**. Neighborhood Controlled Growth Sectors are areas that are developed with low- to medium-density neighborhoods that should remain “as is”. These neighborhoods are defined by conventional suburban development patterns of primarily detached single-family houses, with a limited number of multi-family, commercial, and civic uses. There may be some limited opportunities for infill in this Sector, which should be at a scale and character compatible with surrounding development.⁴

The proposed residential development is consistent with the 2004 & Draft 2023 Comprehensive Plan.

³ 2004 City of Spartanburg Comprehensive Plan – Land Use Element – Western Planning Division

⁴ Find the latest Comp Plan on our website: <https://www.cityofspartanburg.org/434/2023-Comprehensive-Plan---Update>

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood –**

The present zoning of the site is residential as a Live/Work Zoning District. This district allows for the expansion of the Home Occupation to not exceed 50%, whereas, per Section 302.6 Home Occupations, the floor area used for the home occupation shall not exceed 20%. The parcel is surrounded by a mix of uses, flood zones, B-1 Neighborhood Shopping District, R-15 single family zoning, as well as the Girl Scouts of the Piedmont, Camp Mary Elizabeth Lodge, which is just over 56 acres of greenspace. The proposed development would be situated behind the W.O. Ezell corridor, and nestled between the rear of the Texas Roadhouse restaurant and the northern portion of the Girl Scout's property.

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment –**

The developer is concentrating the development towards the western portion / higher elevation of the site and considers the site suitable for development. The preliminary site plan follows the the zoning setback requirements and meets the the 50' right-of-way street guidelines. In the Site Plan Review process, City Departments will have the opportunity to review the site plans in depth to determine site suitability. Per Section 507: Planned Development Districts, the developer will be required to meet minimum lot requirements, setback and parking, greenspace, bufferyard and pedestrain circulation. Also, Spartanburg Sewer & Water (SSW) will be a part of the site plan review process. The developer and engineer may have already begun working with SSW.

4. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment –**

Currently, as a vacant lot this parcel is undeveloped land with a residential zoning district. Giving the topography and site limitations, even an eager housing developer would shy away from the potential this location has to offer (which Staff has witnessed). The R-6 Live/Work zoning designation would allow for a creative housing stock, but the property owner / housing developer would like a site layout the garners the highest use of the site, therefore, fitting in the maximum number of dwellings on the site. As an R-6 PDD well developed site with a quality housing stock, the marketability of the property could increase dramatically with the prosed 33 units.

5. **Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use –**

During the pre-application meeting the Public Works Director was able to provide the engineer and developer some history of the site, including grading challenges met by previous owners / contractors. Given that the property is in the city (as opposed to being annexed into the city) and surrounded by city parcels, sewer, water and storm water facilities are available and suitable for the proposed development.

STAFF'S ANALYSIS & RECOMMENDATION

According to Section I Adoption and Interpretation of the City Of Spartanburg Zoning Ordinance, § 105 Purpose, "The purpose of the zoning ordinance is to implement the land use element of the comprehensive plan for those purposes set forth in S.C. Code § 6-29-710." This S.C. Code section states that the "Zoning ordinance must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare" of properties inside the City Limits.

One of the reasons for the Comprehensive Plan and City Zoning Ordinance is to have zoning classifications that allow certain uses in conjunction with adjacent properties that may be considered "less intense" uses. For this reason, the purpose is to protect the less intense uses from adverse impacts on their property with regard, but not limited to, noise and/or light pollution, traffic congestion, and any other adverse impact that a higher intense use could cause on a surrounding less intense use.

Based on the above findings, staff recommends approval to rezone the parcels to an R-6 PDD zoning district.

WRITTEN PUBLIC COMMENTS

44 Public Notices were sent to property owners within a 400 ft. radius of subject properties. A Planning Informational meeting was held on Wednesday, July 12, 2023, at 5:30 PM at the City Council Chamber to discuss the zoning designation request and to address any comments and concerns. No one from the community came to the meeting. At the time of this Staff Report, only one person has called to inquire about the rezoning request.

FUTURE PROCESS

Under State law, if the Planning Commission recommends approval of this application, staff will schedule the matter for another public hearing and **First Reading of Ordinance by City Council on Monday, August 14, 2023.** If the matter receives first reading approval, it will then go before the City Council for **a Second and Final Reading on Monday, August 26, 2023.** The public hearings will be publicly noticed.

If the Planning Commission recommends against the application, the negative recommendation will be forwarded to the City Council. In this case, a public hearing before the City Council will be conducted only if the applicant submits a written request within a two week period following the Planning Commission's action.

On July 20, 2023, the Planning Commission may act to support or oppose the application, with or without changes to the proposal. The Commission could also continue the matter if additional information, testimony or dialogue is deemed necessary.

ATTACHMENTS:

- 1)APPLICATION
- 2)CASE PHOTOS
- 3)ZONING MAP / SITE MAP

PREPARED BY:

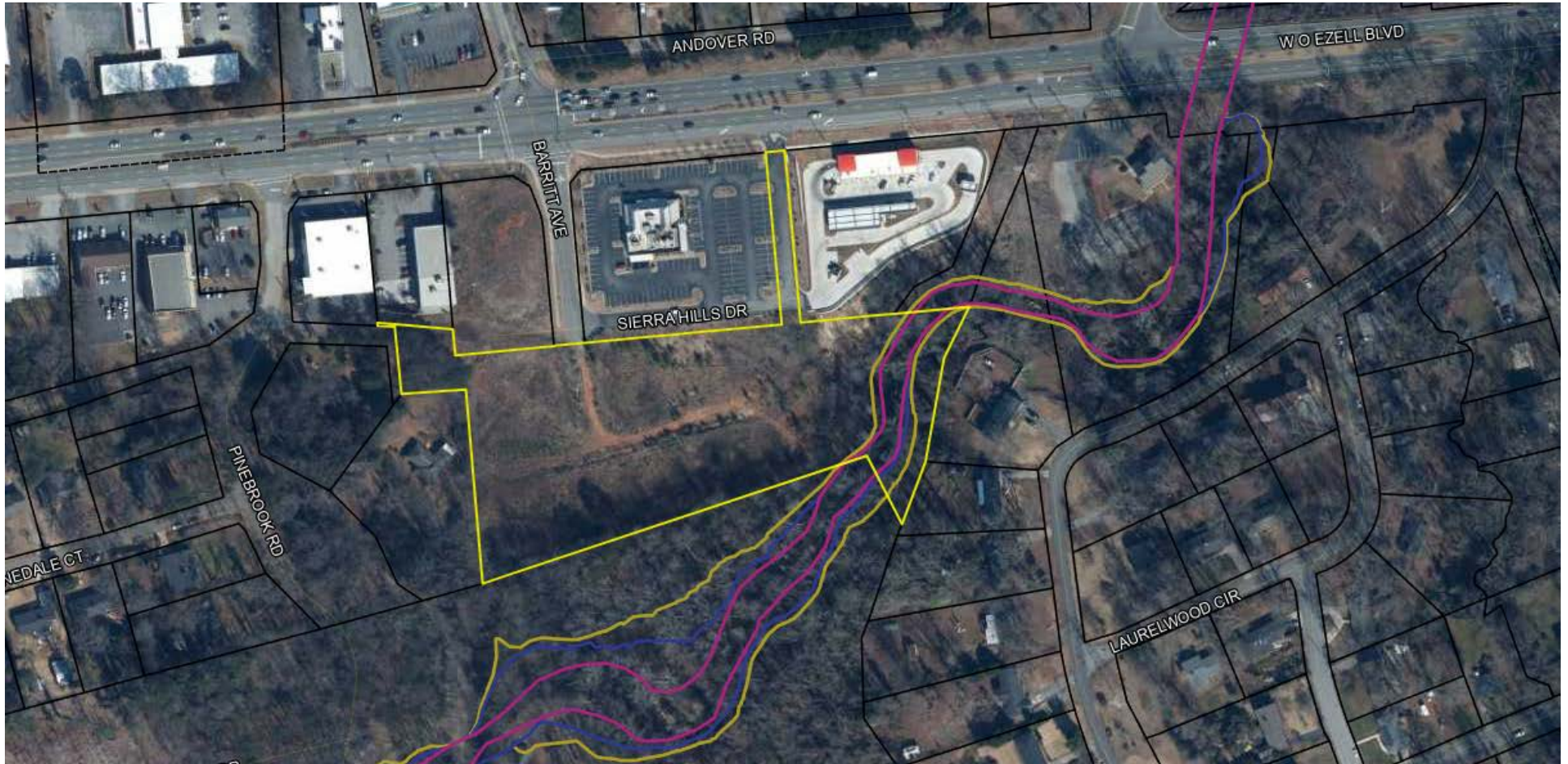
Tia Keitt

Tia Keitt, AICP
Planning Staff

July 14, 2023

DATE

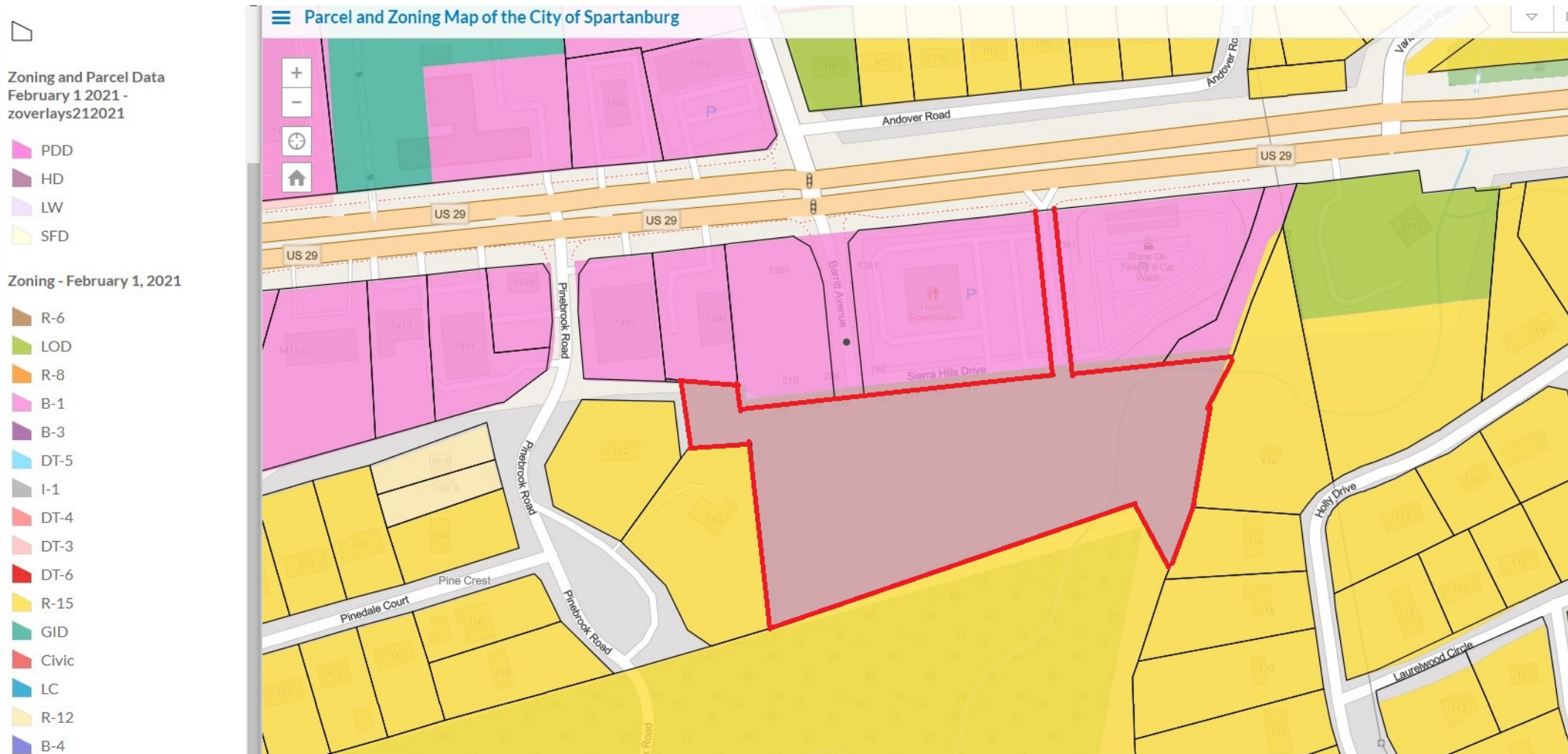
PROJECT SITE MAP



PROJECT SITE MAP – Expanded View

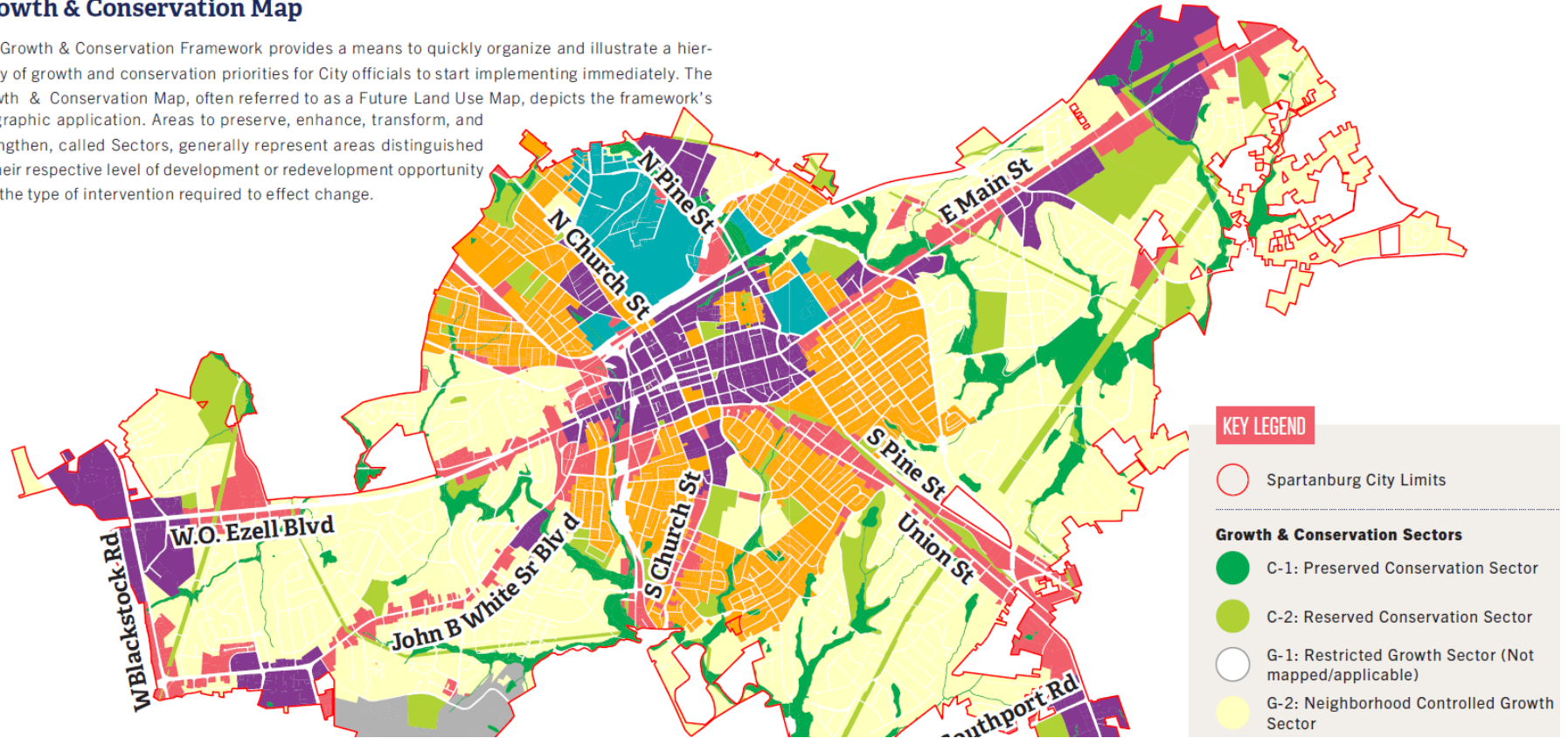


ZONING MAP – Current R-6 Live/Work

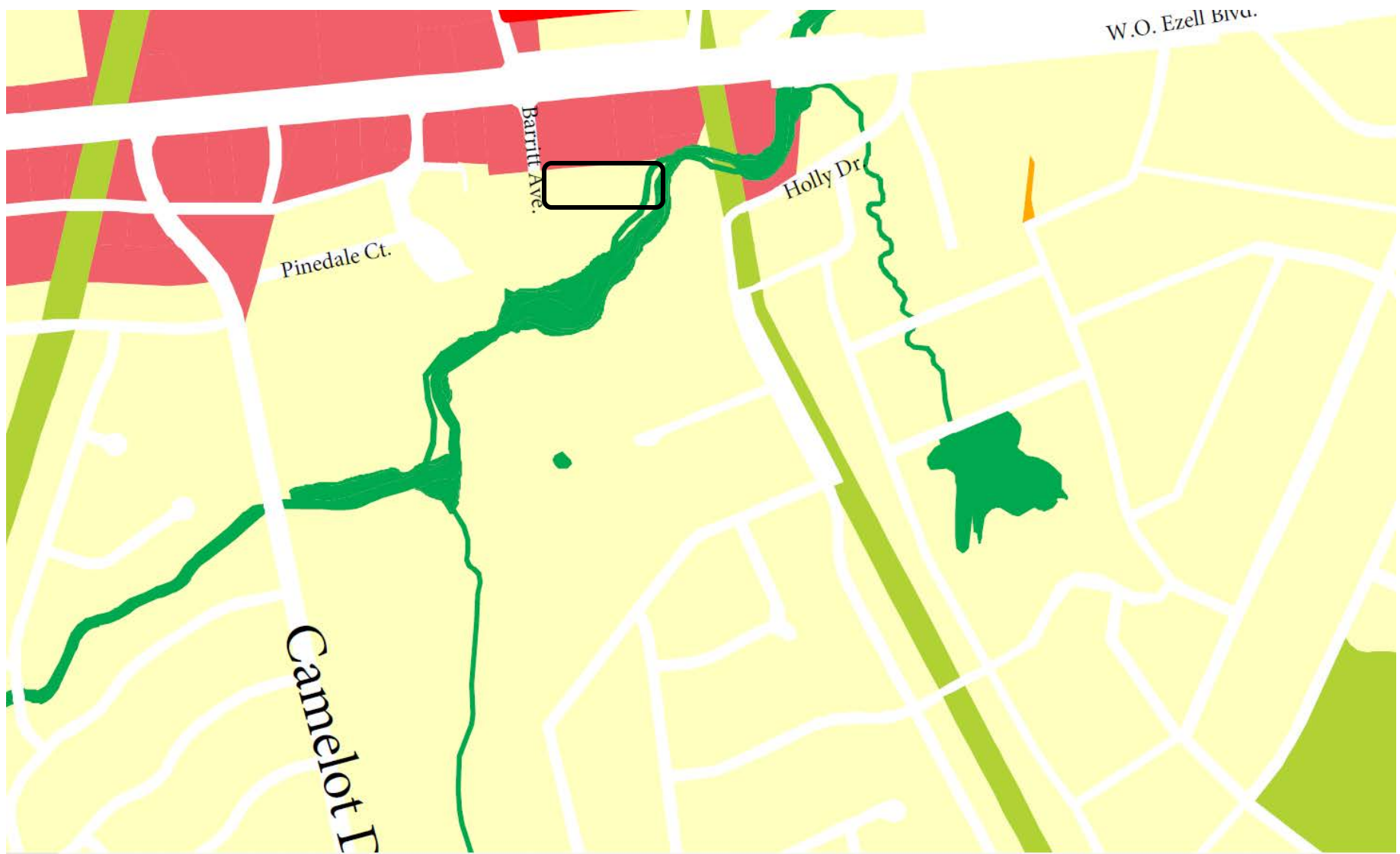


Growth & Conservation Map

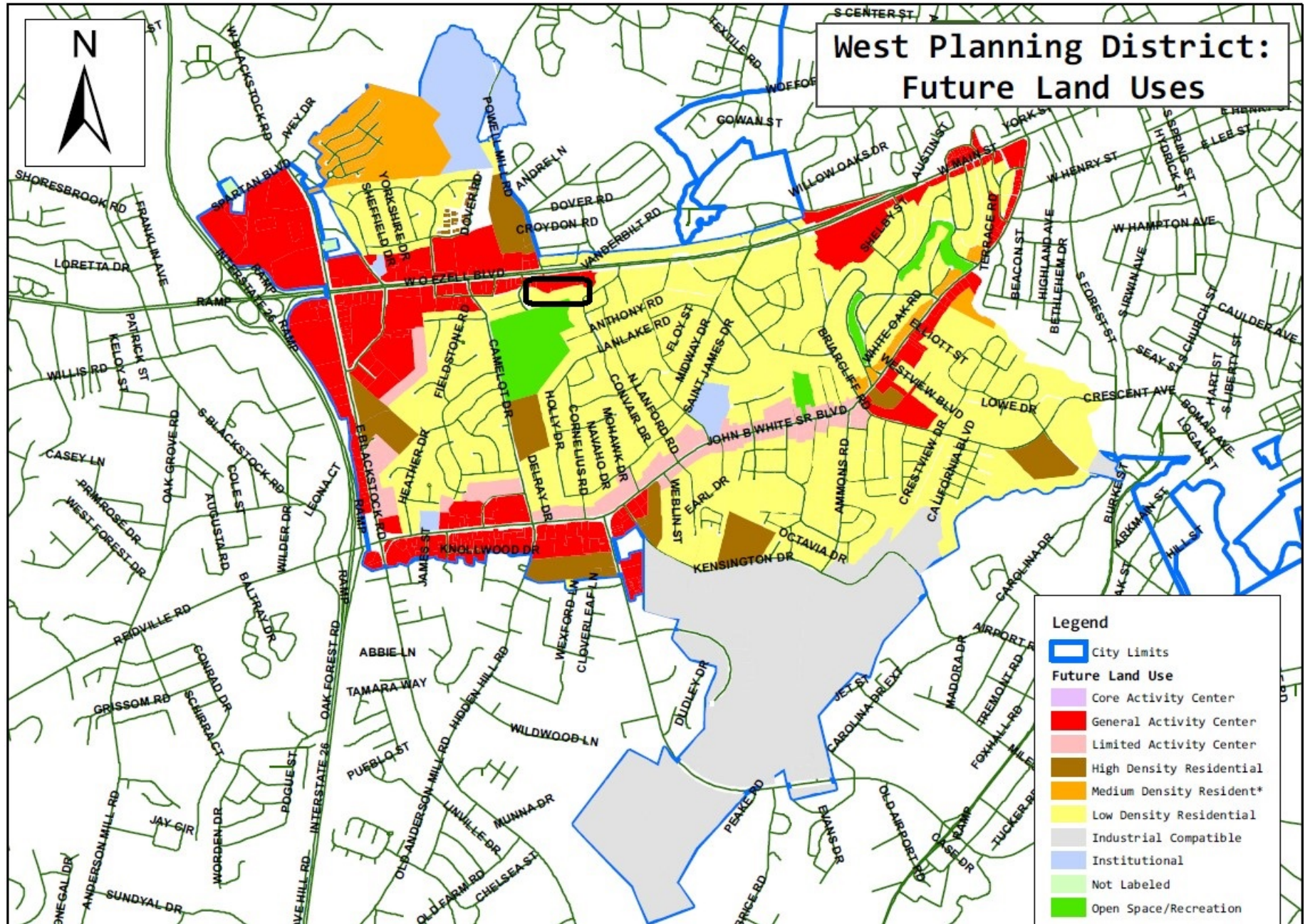
The Growth & Conservation Framework provides a means to quickly organize and illustrate a hierarchy of growth and conservation priorities for City officials to start implementing immediately. The Growth & Conservation Map, often referred to as a Future Land Use Map, depicts the framework's geographic application. Areas to preserve, enhance, transform, and strengthen, called Sectors, generally represent areas distinguished by their respective level of development or redevelopment opportunity and the type of intervention required to effect change.



GROWTH & CONSERVATION MAP – UP CLOSE



2004 COMPREHENSIVE PLAN MAP



Site Photos



On Barritt Ave looking towards site



On Barritt Ave looking towards WO Ezell Blvd. —



On Sierra Dr. looking west



Looking at Sierra Dr. above. Property line/ future bufferyard (right).
Looking at site from Sierra Dr. below



Looking at site Sierra Dr. below





Peeking at the site from Scout Dr.





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: El Dorado Townes

Street Address: Barritt Ave.

Zoning District: R-6 Live/Work Overlay: _____ Tax Map Number: 6-21-02-115.00

Owner: Marclar Investments Phone: 864-542-4756

Address: 150 Conway Black Rd. Email: clary@claryhood.com

City: Spartanburg State: SC Zip: 29307

Applicant: Gordon Ray Phone: 864-809-8309

Address: 233 Giles Dr. Email: gordon@piedmontconstructionsc.com

City: Boiling Springs State: SC Zip: 29316

Agent: Erik Horton Phone: 864-884-2158

Address: 108 Ridge Rd. Email: erik-blc@outlook.com

City: Landrum State: SC Zip: 29356

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

- | | |
|---|---|
| ☐ Annexations | ☒ Planned Development Districts (PDD) |
| ☐ Special Exceptions | ☐ Zoning - Conditional Use |
| ☐ Zoning - Appeals | ☐ Zoning - Variance |
| ☐ Zoning - Map Amendment | |

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: *Cathy Paul* Date: 6-28-23

Staff Use Only / Received by: *Nan / O'Connor*
 Date Received: 6/28/23 Time: _____ Permit Number: RZPD-23-0110003

**ZONING MAP AMENDMENT
SUPPLEMENTAL APPLICATION FORM**

Name of Development: El Dorado Townes
Location of Development: Barritt Ave.
Current Zoning District: R-6 Live/Work
Zoning District Requested: PDD

ALL OF THE FOLLOWING ITEMS MUST BE ATTACHED for this application to be complete.

- ☒ Narrative addressing reasons for rezoning; and
- ☒ A boundary map of subject property prepared and sealed by a registered land surveyor. A reproducible copy of this map, no larger than 11" x 17", along with a PDF format on a CD must also be submitted; and
- ☒ Certification of owner(s) consent, if applicable; and
- ☒ **Filing Fee:**
 - \$100.00 – Single-Family Rezoning Request
 - \$150.00 – Multi-Family Rezoning Request
 - \$150.00 – Business / Commercial Rezoning Request
 - \$200.00 – PDD Rezoning Request
 - No Fee – Annexation Request

Date Received: _____

Staff Use Only / Received by: Tia Keith

Time: _____

Permit Number: 23-0110003

Acting Agent Authorization Form

If you are the acting agent for the property owner, we need written documentation granting you the authority to do so. Please have the Property Owner fill out the following form.

Date: 6-28-2023

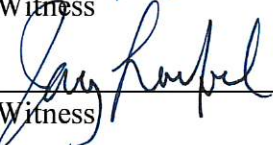
I, Clary Hood, am the owner of property in Spartanburg County,
located at address Barritt Ave.,
being part of Subdivision or Development _____,
Phase or Section 1 and having Tax Map # 6-21-02-115.00.

I hereby authorize:

<u>Gordon Ray</u>	<u>Developer</u>	
	(Relationship)	
<u>Erik Horton</u>	<u>Engineer</u>	
	(Relationship)	
_____	_____	
	(Relationship)	
_____	_____	
	(Relationship)	

to act as my agent for the above mentioned property.


(Property Owner Signature)
Clary Hood 864-542-4756
(Printed Name and Telephone Number)


Witness

Witness



June 28, 2023

City of Spartanburg Planning
P.O. Box 1749
Spartanburg, SC 29304

RE: El Dorado Townes
PDD Map Amendment

Mr. Livingston,

My Client, Gordon Ray, is applying for a zoning map change for the property located at the end of Barritt Ave. noted by tax map number 6-21-02-115.00. This is a ± 5.8 acres parcel that was previously a part of the commercial subdivision that created the Texas Roadhouse restaurant and adjacent businesses. The site had previous infrastructure work done during the original development, which is still in place, however, no above ground structures were constructed.

The Client's intent is to construct a 33-unit townhome project to be served by public roads and the existing infrastructure to the maximum extent possible. The current zoning of the parcel is R-6 Live/Work. Since this development will not provide work opportunities, the Client will be taking the advice given in our preliminary meeting to obtain a zoning map change to PDD.

Please call me if you have any questions, or if you need anything else.

Sincerely,

Erik Horton, PE

108 Ridge Rd. : Landrum, SC 29356
864-884-2158
erik-blc@outlook.com

TRANSMITTAL SHEET

TO: Planning	FROM: Erik Horton
COMPANY: City of Spartanburg	DATE: 6-28-2023
RE: El Dorado Townes	SENDER'S REFERENCE NUMBER: 22060

INCLUDED:

Number	Item
1	Preliminary Plans
1	PDD request narrative
1	Zoning amendment application
1	Copy of survey
1	Owner consent
1	Filing fee

Attached is a submittal for a Zoning Map Amendment for a PDD. Digital files will be emailed.

Thanks,

Erik

Site Development Plans for

El Dorado Townes

Barritt Ave.

Spartanburg, South Carolina 29301

DESCRIPTION
TITLE SHEET
PRELIMINARY SITE PLAN
EXISTING CONDITIONS PLAN
PRELIMINARY UTILITY PLAN

OWNER
MARICAR INVESTMENTS, INC.
150 CONWAY BLACK RD.
SPARTANBURG, SC 29307
tel: 864-880-3490
864-880-3490

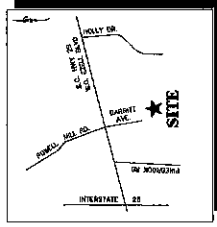
DEVELOPER
GORDON RAY
R&I PROPERTIES, LLC
233 CLES DR.
SPARTANBURG, SC 29316
tel: 864-880-6309
864-880-6309

ARCHITECT
TODD SINGLAR
DRE HOMES
50 PATEWOOD DR.
SPARTANBURG, SC 29315
tel: 864-214-7440
864-214-7440

LANDSCAPE ARCHITECT
TRITON FITTS, ASLA
LANDART DESIGN GROUP, INC.
108 RIDGE RD.
SPARTANBURG, SC 29302
tel: 864-585-7500
864-585-7500

INDEX

SHEET
T-1
CV-1
CV-2
CV-3



SITE LOCATION MAP
NTS

SITE ANALYSIS

NOTES:
PARCEL NUMBERS 6-21-02-115.00
SITE ADDRESSES BARITT AVE.
COMMUNITY SPARTANBURG 29301
OWNER MARICAR INVESTMENTS, INC.
150 CONWAY BLACK RD.
SPARTANBURG, SC 29307
LEGAL REFERENCE DB 701 p. 379
PARCEL AREA 44.75 ACRES
DISTURBED AREA 23.6 ACRES
PROPOSED 32-UNIT TOWNHOME DEVELOPMENT
PROPOSED 5.7 UNITS PER ACRE
CURRENT ZONING R-6 LIVE/WORK
SETBACKS: 15' FRONT
30' SIDE/REAR
A PORTION OF THE PROPERTY IS LOCATED WITHIN AN
EXISTING FEMA FLOOD PLAIN PER PANEL NO.
45053C-0281 E.

BLUE LINE
CONSULTING, LLC
108 RIDGE RD.
LANDRUM, SC 29356
(864) 884-2158

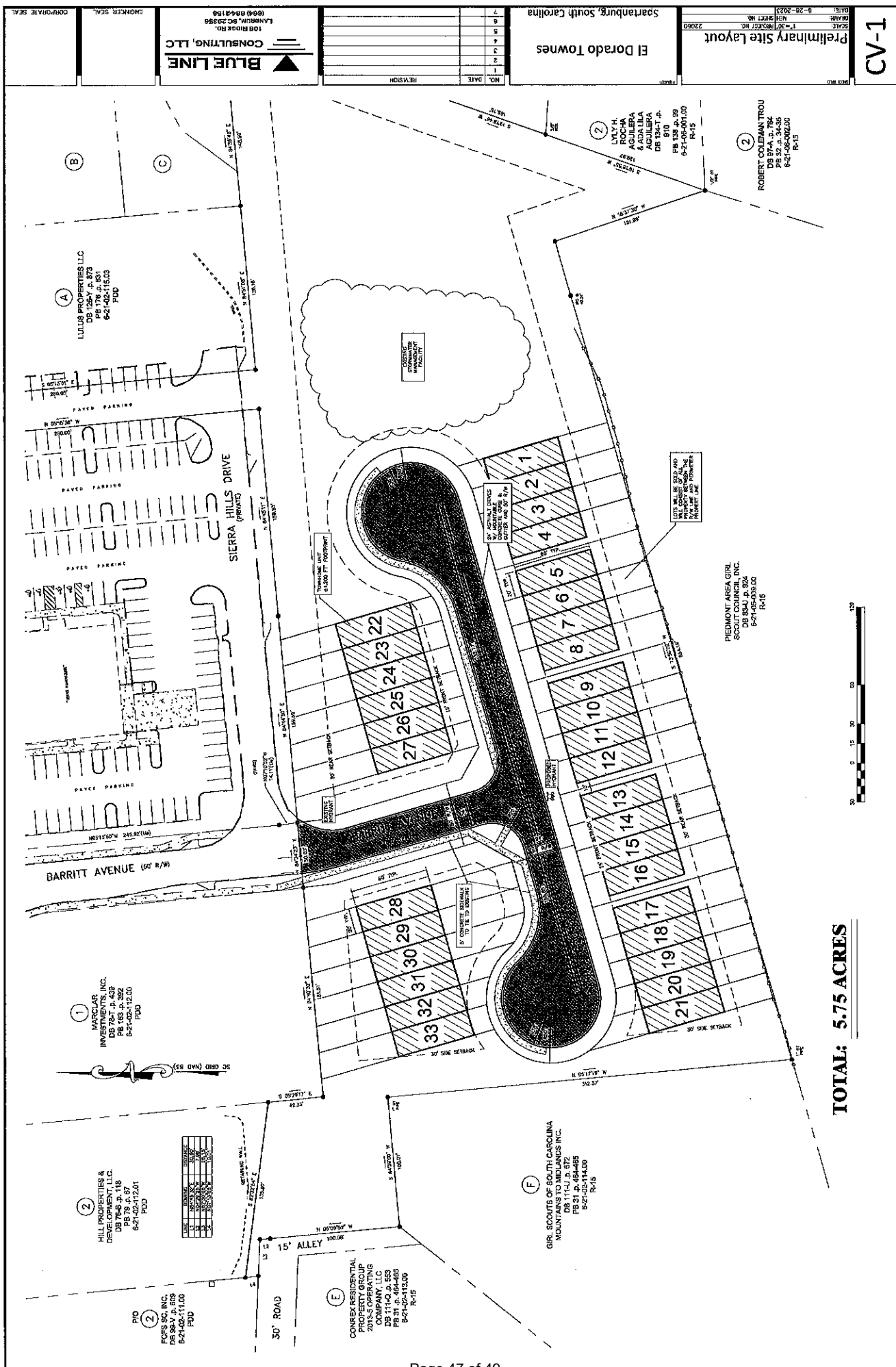
El Dorado Townes
Spartanburg, South Carolina

Title Sheet
1"=50' PROJECT NO.
220022

T-1

BLUE LINE  **CONSULTING, LLC**

ENGINEER SEAL	CORPORATE SEAL
---------------	----------------



TOTAL: 5.75 ACRES

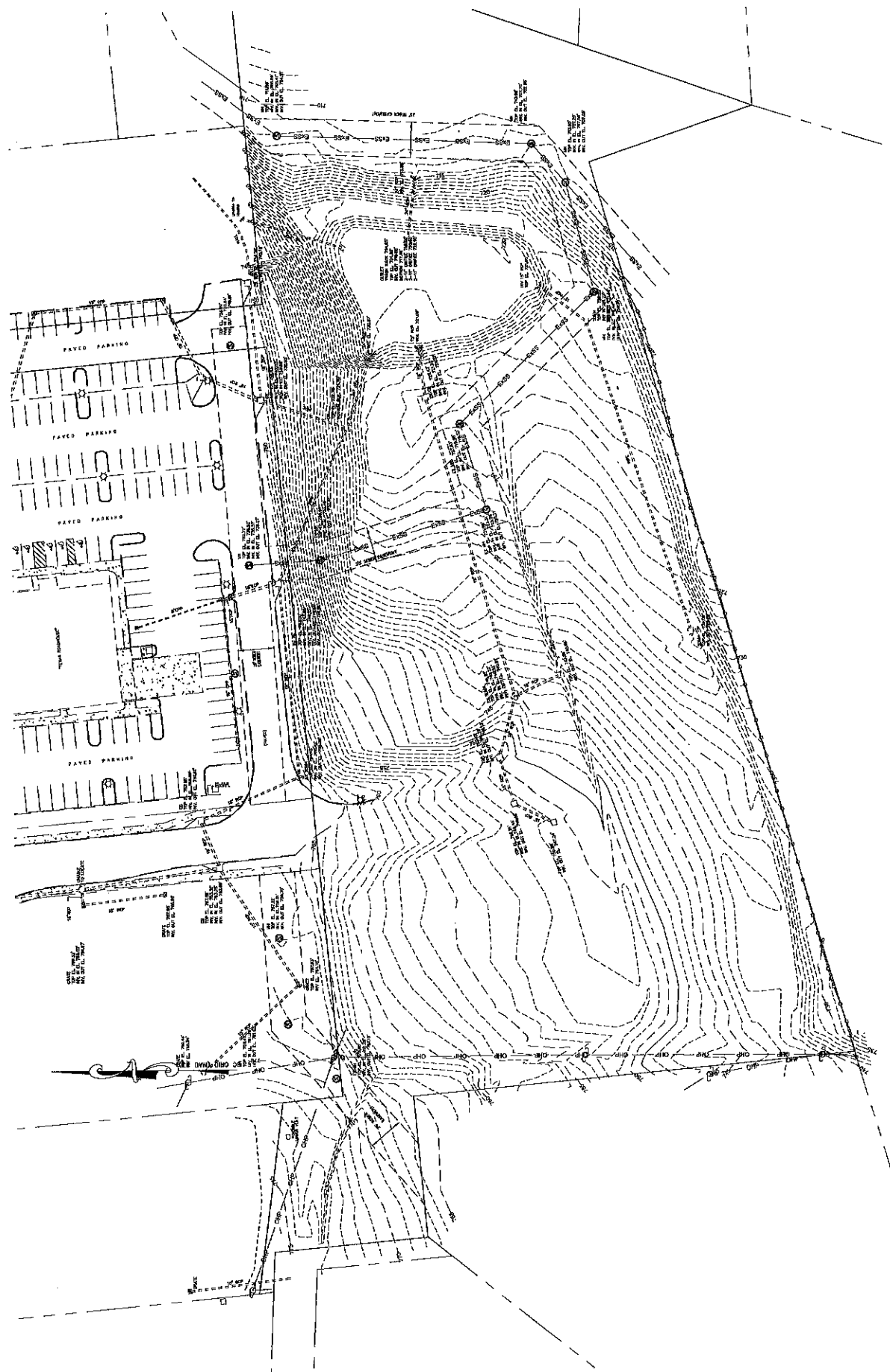
CV-2

Existing Conditions
Scale: 1"=30' (PROJECT NO. 20050)
DATE: 8-28-2003

El Dorado Townes
Spartanburg, South Carolina

BLUE LINE
CONSULTING, LLC
100 RIVER RD.
LAWRENCE, SC 29056
(803) 884-2158

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		



TOTAL: 5.75 ACRES



POWELL
MILL
ROAD

JULIUS PROPERTIES LLC

THESE SHALL BE A CROSS-EASEMENT BETWEEN LOTS 2, 3, 4 AND 5 FOR TRAFFIC ACCESS TO BARRETT AVE AND N.O. EZZELL BLVD. THIS ACCESS WILL BE A PAVED SURFACE WITH A LAYOUT TO BE DETERMINED AT THE TIME OF THE SPECIFIC SITE DESIGN FOR EACH LOT.

44H
TOP EL. 710.06'
NV. IN EL. 703.11'
NV. OLD EL. 702.85'

ASSANDRA GRAYSON
DB 89-E .P. 870
PB 110 .P. 46

(2)
LY H. ROCHA AGUILERA
& ADA ULA AGUILERA
DB 134-T .p. 910
PB 138 .p. 99
6-71-05-001.00

②
BERT COLEMAN TROUP
CB 97-A -D- 764
PB 32 -A- 34-35
6-21-06-002-00

TOTAL: 5.75 ACRES

FOR: MH TOP EL 215.15' FOUNDATION PLAT

INVESTMENT ADVISOR FOR:
GORDON RAY
 IN SPARTANBURG COUNTY, SOUTH CAROLINA

LEGAL REFERENCE: DB 70-U .p. 339
DB 7A 0 84B

TAX MAP REFERENCE: 6-21-02-115.00
20 MARCH 2023

20 MARCH 2023

WEDMONT AREA GIRL
SCOUT COUNCIL, INC.
DB 83-U .p. 924
S-21-05-009.00

(NEW) EX. MANHOLE
STA 5 + 48.38
TOP EL.
INV. IN EL.
INV. IN EL.
INV. OUT EL.

① MARCLAR INVESTMENTS, INC.
08 78-T-A-42
08 163-P-392

2
ALL PROPERTIES &
DEVELOPMENT, LLC.
B 76-B .p. 118

P/O
(2)
FCPS SC, INC.
08 99-V .P. 609
6-21-02-11:00

(E)
CONREX RESIDENTIAL PROPERTY GROUP
2013-5 OPERATING COMPANY, LLC
DB 111-Q -p. 563
PB 31 -p. 464-465
6-21-02-113.00

ERL SCOUTS OF SOUTH CAROLINA
MOUNTAINS TO MIDLANDS INC.
(F) DB 111-U P. 972
PB 31 P. 484-485
5-21-02-114.00

A handy note that to the best of my knowledge, information, and good belief the survey shown herein was made in accordance with the requirements of the minimum standards imposed for the registration of land surveying in South Carolina, and means or exceeds the requirements for a Class B Survey as specified therein; that there are no visible encroachments or projections.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL & SIGNATURE OF SURVEYOR.

CHECK ALL RIGHTS-OF-WAY AND SUBTENDANCES BEFORE CONSTRUCTION.

THIS PROPERTY IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD AND NOT OF RECORD.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR.

ALL UNDERGROUND UTILITIES ARE NOT SHOWN AND THEIR LOCATIONS ARE UNKNOWN TO ME.

THIS SURVEY IS FOR THE PARTY TO WHOM
IT IS FURNISHED, IS NOT TRANSFERABLE
AND MAY NOT BE USED BY ANY OTHER
PERSON OR ENTITY WITHOUT THE PROOF
WRITTEN CONSENT OF SOUTHERN LAND
SURVEYING.

LINE	BEARING	DISTANCE
L1	N 86° 45' 52" E	30.50'
L2	N 06° 29' 55" W	7.38'
L3	N 87° 10' 01" W	28.15'
L4	N 07° 13' 05" W	10.01'

LEADS	
☒ 72 REBAR FOUND (RD) ☐ 73 REBAR SET (PS) ☐ 74 MAIL POLES IN ROAD ☐ 75 MAIL SET IN ROAD ☐ CROWDER POLE ☒ LIGHT POLE ☐ SANITARY SEWER MANHOLE ☐ FIRE HYDRANT ☐ CONCRETE ☐ FITTING ☐ CONCRETE PIER	NOTES: ALL FIND ARE 1/8" BELOW OR MADE ADDED IN ROAD UNLESS SPECIMEN NOTED.