

**Planning Commission Meeting Minutes**  
**May 18<sup>th</sup>, 2023 @ 5:30 PM**  
**City Hall Council Chambers**

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

Dr. Stone: All right. All right. It is 5:30, and I'm going to call this meeting of the Planning Commission to order. Today is May 18<sup>th</sup>, 2023. My name is Phillip Stone. I'm the chair of the Planning Commission and I will preside over these proceedings. Let the record indicate that we have four members of the commission present. Three are not here. And we have quorum and are able to conduct business. Let me ask each commission member to state his name for the records, so the transcription can pick it up, starting with Mr. Spencer.

**Rolls**

Mr. Spencer: Warrick Spencer. Commissioner.

Mr. Wilson: Jared Wilson. Commissioner.

Dr. Stone: Phillip Stone.

Mr. Cunningham: Reed Cunningham. Commissioner.

Dr. Stone: All right. Freedom of Information Act is in 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 as far as zoning ordinance. Do I hear a motion regarding the agenda for tonight's meeting?

**Approval of meeting agenda**

**On a motion by Mr. Spencer seconded by Mr. Cunningham, the agenda for the meeting was approved, by a vote of 4 to 0.**

Mr. Spencer So moved?

Mr. Cunningham: Seconded.

Dr. Stone: Moved by Mr. Spencer. Seconded by Mr. Cunningham to approve the agenda. All in favor say "aye."

Attendees: Aye.

Dr. Stone: Aye. Any opposed? The agenda is approved. Item five, disposition of the minutes of the April 20<sup>th</sup>, 2023 meeting, I have one correction on page seven that I've already shared that, just for editorial correction, that I said something that Mr. Brown got credited with saying, and we've already noted that. Aside from that, do I hear any ... Oh, that's last minutes, I need these minutes. Do I hear any motion regarding the minutes?

**Approval of Meeting Minutes for April 20<sup>th</sup>, 2023**

**On a motion by Mr. Cunningham seconded by Mr. Wilson, the minutes of the meeting of April 20<sup>th</sup>, 2023, was approved with corrections by a vote of 4 to 0.**

Mr. Cunningham: We accept the minutes.

Mr. Wilson: Second.

Dr. Stone: Moved by Mr. Cunningham, seconded by Mr. Wilson to approve the minutes.

Attendees: All in favor say "aye."

Dr. Stone: Any opposed? And they are approved. There is no old business, and so we have two items of new business. The first is that we have received a request to rezone a property located at 113 Oakwood Avenue, tax map 7-12.08-086.00, currently zoned R-8, General Residential District, to be assigned a zoning designation of LOD, Limited Office District.

**Old Business: None.**

**New Business:**

Ms. Zhou: Good evening.

Dr. Stone: Good evening.

**Property Rezoning Request RZ – 23-011-00001 – Planning Commission has received a request to rezone a property located at 131 Oakwood Avenue (TMS # 7-12-08-086) from the current zoning R-8 (General Residential District) to be assigned a zoning designation of LOD (Limited Office District) to accommodate the development of a Counseling Office. Owner/Applicant: David E. Butts.**

### **Project Description and History**

The project site is an approximately 16,634 square foot lot located at 131 Oakwood Ave. with Oakwood Ave being the south boundary. Currently, the land has one residential building sitting on the lot. The site is currently sitting in the City jurisdiction and surrounded by LOD, Limited Office District, on both sides of the project site and across from the project site., GID, General Institution District to the back of the project site, and R-6, PDD Multifamily Development (Converse Townhomes) across from Oakwood Ave. Oakwood Ave. sits on the Northern Planning Division of the City. The character of the Northern Planning Division is dominated by commercial and institutional uses. Specifically, Oakwood Ave. belongs to North Converse Heights Neighborhood. The neighborhood is a stable, well-established residential neighborhood located to the north of East Main Street and to the east of North Fairview Avenue, with Converse College located immediately to the west of the North Converse Heights neighborhood.

The Applicant. Mr. David E. Butts is requesting to change the current zoning designation from R-8, General Residential District to LOD, Limited Office District to accommodate his wife's counseling practice at this property.

### **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 change of zoning: Staff offers the following analysis relating to each of these required findings:

### **Analysis of Required Findings**

The Zoning Ordinance enables the 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 (of lack thereof) with the Comprehensive Plan –***

The 2004 Comprehensive Plan Future Land Use Map has the project site and its surroundings listed as Institutional between Oakwood Ave. and Heywood Ave. The 2004 Comprehensive Plan and the Future Land Use are consistent in the determination on designating the Converse Heights neighborhood to the north and east of the college as Institutional, extending to the rail line and Heywood Road, to support future needs of the college. In 2004 Comprehensive Plan, it does notes the fact that a number of non-residential activities in the area and it is currently affected by development pressures not associated with the college.

In addition, the 2023 City of Spartanburg Final Draft Comprehensive Plan lists east of Oakwood Ave. area as G-5: Center Infill Growth Sector. Center Infill Growth Sectors include the City's historic downtown as well as some of its larger suburban centers, including the existing mall site. These centers of activity are mostly or fully built-out but still have vacant or underutilized land. Downtown is defined by a traditional historic downtown development pattern, though there are gaps in the streetscape and opportunities for infill. Other Infill Centers are characterized by conventional, auto-oriented suburban development patterns or primarily commercial development. Additional growth and development in these areas is desirable due to the presence of existing infrastructure. These areas represent the greatest opportunity for complete mixed use, walkable centers and character-based zoning. The plan envisions that most residential and non-residential development over the next ten years will occur in this growth sector.

**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 properties to the north and south of the project site are zoned for LOD, Limited Office District. Properties across from the project site are zoned for R-6 PDD, Plan Development District General Residential District, and LOD, Limited Office District. The proposed zoning designation will be conforming to the Limited Office District to the north and south side and across from Oakwood Ave.

**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 proposed amendment of the zoning classification from R-8, General Residential District to LOD, Limited Office District is granted, it will accommodate the proposed use as a counseling practice, allowing the applicant's wife to see her clients on site. The proposed use may not require a Site Plan review process if the business owner decides to remain the property as is with some interior renovations. However, if the interior renovations exceed 50% of the current market value based on the Spartanburg County Tax Assessor's record, a Site Plan review process is needed and required. This process allows City staff to provide feedback on the proposal site plan, ensuring that all site requirements are met (setbacks, landscaping and buffering, parking, etc.). However, with the change of use from R-8, General Residential District, to LOD, Limited Office District, the office street parking for the proposed use needs to be in compliance with the City of Spartanburg Section 504 Off-Street Parking and Loading Requirement, which is ***Office – One space per 750 sq. ft of gross floor space.*** and ADA handicap parking requirements.

**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 change of use for the proposed development.

**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 (if needed) including, Planning, Building, Water, Streets and Stormwater, for compliance with applicable regulations.

Ms. Zhou: Chairman. Good evening, board members. My name is Nan Zhou and I swear to tell the truth, and I work with the Planning Department. So tonight, we are looking at a rezoning request from the property owner of 131 Oakwood Avenue. So the request from the applicant is requesting to change the current zoning designation from R-8, General Residential District, to LOD, Limited Office District, to accommodate his wife's counseling practice at this point. We are looking at five criteria tonight to make a determination about whether you're going to approve this rezoning request or not. So the first one is consistency or lack thereof with a comprehensive plan. So as staff doing the research ... let me show you the ... So this is the 2004 future land use map. So, the 2004 comprehensive plan future land use map has the subject parcel in its surrounding listed as institutional, so actually the parcel is right there, at this corner. And the future land use map and the comprehensive plan are consistent in its determination of the future use of the area for institutional uses.

And for some detailed description of this neighborhood for Converse Heights and how at that time it was designed to expand a canvas to its surrounding neighborhood, as you can read from the staff report. Within our '23 City of Spartanburg final draft, a comprehensive plan, this area is listed as G5, center infill growth sector. It is actually here ... Sorry, I should just let you know to zoom in this area. So this area has, if you want to read closely, in summary, in this area, it says that these area, I mean the center infill growth sector, represent the greatest opportunity for complete mixed use, walkable centers and character based zoning. So, the plan and vision is that mostly residential and non-residential development over the next 10 years will occur in this growth sector. So that's the summary of what this sector means along these E Main St. And then this is the first criteria that we are looking at, the consistency.

The second one, compatibility with the present zoning and the conforming uses of nearby property with the character of the neighborhood. So for this one, we need to look at the current zoning map, oops. So the current zoning map listed with this parcel is, I would say, the only left that zone for R-8. I believe this is an error, that it should be R-6, PDD. So this should be all pink color, so as you can see, its surroundings it's to the left and to the right, they're all LOD, and then this parcel is zone four, GID, and across from the street, we have limited office uses by the corner, where Oakwood Avenue intercept with this eastern main street. And then in the back here is the multifamily development. So the proposed zoning designation will be conforming to the limited office district to the north and south side and across from Oakwood Avenue. That means here, here and here.

The next criteria is suitability of the property affected by the amendment for uses permitted by the district that will be made applicable by the proposed amendment. So for this one, my research will be if the proposed amendment of the zoning classification from R-8, General Residential District, to LOD, Limited Office District, is granted, it will accommodate the

proposed use as a counseling practice, allowing the applicant's wife to see her clients on site. But propose the use may not require a site plan review process if the business owner decides to remain the property as is with some interior renovations. However, if the interior renovations exceed 50% of the current market value based on the Spartanburg County tax assessor's record, then a site plan review process is needed and required. This process will allow city staff including planting, building stormwater everyone involved to ensure that all sites requirements are met.

But here, I really want to point one thing that we need to take ... I want to make the applicants aware is ... I'm going to go back to the pictures. So, it's with the change of the use from R-8, General Residential, to LOD, Limited Office District, the off-street parking for the proposed use needs to be in compliance with the City of Spartanburg section 504, off-street parking, the loading requirement and ADA parking requirements, which based on the current zoning ordinance it requires the office is one space per 750 square foot of gross floor space. So, that is the only thing that the applicant may need to be aware of.

And the fourth criteria we're looking at, is the marketability of the property affected by the amendment for uses permitted by the district applicable to the party at this time of the proposed amendment. So the marketability of this property would likely increase with the change of the use for the proposed development. And the last one is the availability of sewer water and the stormwater facilities generally suitable and adequate for the proposed use. So as I stated earlier, if a site plan is not needed, then we're not going to look at this. But I would assume that sewer, stormwater should be available on the site.

So, that is the five criteria as we've already gone through this, this is an aerial photo of this site, and this is the multifamily development across from the street. So this is the front of the property, this is the left side and this is the right side of the property. This is the adjacent property to the right, which is also LOD this is to the left is also LOD zoned. And these are the new multifamily development across from the street. And this is the Oakwood Street view. It kind of give you a view from Oakwood Street, and then from here ... standing here and looking at eastern Main Street, so this is the street and this is the parking requirement. Are there any questions for me?

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

Mr. Cunningham: Is this facility currently operating as a business or is it a residence?

Ms. Zhou: No. It's residential. It's people who live ...

Mr. Cunningham: It's a house, but is it occupied as a residence?

Ms. Zhou: Mm-hmm.

Mr. Wilson: Do we know the gross square footage by any chance, just so we can understand how much parking they would need?

Ms. Zhou: You can ask the applicant.

Dr. Stone: Other questions? I think we can hear from the applicant now if they wish to come forward and say anything, if they wish. And I'll ask you to state your name for the record, and I'll swear you in.

Mr. Butts: Hi. My name is David Butts.

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

Mr. Butts: I do.

Dr. Stone: Thank you.

Mr. Butts: The property is in my name because the house was built by my great-grandfather in '45. It's never been sold except to family members. We haven't lived in that house in two years. So, our plan is to just use it as a counseling facility. But now for the client so one client at a time. That's about as much as we can afford to renovate right now, anyway, because it needs a lot of work on the inside. The outside is pretty solid. The square footage ... there's three levels and a full basement in the ground level. I want to say the gross square footage is in the neighborhood of 2,500. Yeah, I believe that's gross, and then heated square footage is a little less than 2,000.

Dr. Stone: Any questions for the applicant? My math would be that's somewhere between three and four parking spaces, depending on how the city counts heated versus unheated square footage.

Mr. Butts: Yes, sir. There's a lot that's coming in terms of accommodating parking and ADA requirements and that sort of thing. We're aware of all that and this is the initial stages. We don't really foresee using it for probably another six months, at least, while we're trying to find contractors and but I guess a-

Dr. Stone: Permitting process.

Mr. Butts: There we go. I was trying to say "license," but I knew it wasn't the right word.

Mr. Cunningham: I have a question. And this is going to be used for counseling, if I understand correctly? Is your counseling business already in existence and functioning and you're going to relocate it, or will this, once renovated, you will start the commercial activity?

Ms. Kay: Right. Right now, I've been working at two different places. So I've been working at the Tyger Community Center as one, and then I've started my LLC, but I'm going to take the summer off and then start in fall.

Mr. Butts: So the entity was formed, I guess about a year ago, but she operates under a limited basis out of a spare room in my office. I run a dental practice in Spartanburg, and so she's been using our staff lounge for the last year or so. But it's basically a relocation of the existing and hopefully expention.

Mr. Cunningham: I didn't know if you were going to have to start two things at once or ... I mean, getting the physical plant rehab is going to be challenging enough, I'm sure.

Mr. Butts: Right.

Dr. Stone: Thank you.

Mr. Butts: Okay. Thank you.

Dr. Stone: Thank you. All right. At this time, I will declare a public hearing. If anyone wishes to speak about this, you're welcome to come up and you have a couple of minutes. Anybody wish to speak for or against this rezoning request?

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

Dr. Stone: Moved by Mr. Spencer, seconded by Mr. Cunningham to close the public hearing. All in favor say "aye."

Attendees: Aye.

Dr. Stone: Any opposed? It is done. So we are at board deliberation unless anyone has a follow-up question for staff? For me, it makes sense. Everything around it is already LOD. It fits within our future land use plan. It's a good use of the property.

Mr. Spencer: I agree. It's exciting for Dr. and Dr. Betts.

Dr. Stone: Yes.

**On a motion by Mr. Wilson seconded by Mr. Spencer, the site plan was approved by a vote of 4 to 0**

Mr. Wilson: I move that we approve the request to rezone from R-8, General Residential District, to LOD, Limited Office District, as submitted.

Mr. Spencer: Seconded.

Dr. Stone: It's moved by Mr. Wilson, seconded by Mr. Spencer to approve the request.

Dr. Stone: All in favor say "aye."

Attendees: Aye.

Dr. Stone : Any opposed? And it is done. And good luck. All right. Second item of business is the Planning ... I'm not going to read all these tax map numbers, but the Planning Commission has received a request to rezone properties located at 808 to 836 John B White Sr Blvd, currently zoned either R-12, General Residential, or LOD, Limited Office District, all into general institutional district to accommodate Hatcher Gardens and Woodland Preserve, owner Spartanburg Real Holdings LLC. Good evening.

**RE: Property Rezoning – The Planning Commission has received a request to rezone properties located at 808 – 836 John B. White Sr., Blvd. Hatcher Gardens (TMS: 6-21-11-036.00; 6-21-11-037.00; 7-15-11-001.00; 7-15-12-004.00; 7-15-12-006.00; 7-15-12-007.00) from R-12 (General Residential) and LOD (Limited Office District) to be assigned a zoning designation of GID (General Institution District) to accommodate the Hatcher Gardens & Woodland Preserve, Inc., site. Owner: Spartanburg Real Holdings, LLC / Applicant: Bert D. Barre, Spartanburg Real Holdings, LLC / Agent: Howard Kinard, Esq.**

## **APPLICATION SUMMARY**

Hatcher Gardens, a 10 acre *botanical garden & woodland preserve*, is a combination of several parcels, six (6) of which do not match the GID zoning designation that is assigned to 820 John B. White Sr., Blvd. The present garden keepers (onsite staff) and property owners, Spartanburg Real Holding, LLC would like to rezone all abutting parcels to match the GID designation and ultimately, combine the parcels into a single lot. The rezoning brings the entire Hatcher Garden campus into zoning consistency and combining lots will allow the Hatcher Gardens staff to conserve and develop the site as a large garden. Robin Rupe, Executive Director of Hatcher Gardens and their attorney, Howard Kinard of Johnson, Smith, Hibbard & Wildman, submitted the Zoning Map Amendment application.

## REQUIRED FINDINGS

Historically, the City of Spartanburg has required rezoning applications to meet certain criteria 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 –***

The 2004 Comprehensive Plan labels the Hatcher Garden site as Open Space/Recreation and the adjacent parcels along the John B. White Sr. Blvd. corridor as Limited Activity Center (LAC). Expansion of the GID zoning contrasts the LAC, however, the GID zoning designation does not limit the site's potential. Moreover, the GID zoning designation was not a zoning district in the original 1999 Comprehensive Plan, that was updated in 2004.

The 2023 Comprehensive Plan's Growth and Conservation Map, (currently before City Council), identifies this area as a Neighborhood Controlled Growth Sector. With the expansion of Hatcher Gardens as a GID zoning district, this area should be recognized by Planning Staff as a C-1 Preserved Conservation Sector. The owner's and community's commitment to preserving Hatcher Gardens confirms a desire to conserve urban greenspace.

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

John B. White Sr. Blvd. has evolved over the years and use to be lined with residences leading to Reidville Rd. As the city grew so did the local economy, allowing the surrounding single detached homes to become low density office buildings that house local businesses. Hatcher Gardens is located across from several of these businesses and situated between a senior living housing community and a small law firm, and surrounded by neighborhoods and a school. The garden is a welcome land use and offers a respite for all visitors.

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

Hatcher Gardens has evolved over the years, but in the 1980s was open to the public. A visitor to the gardens cannot see property lines, but they can appreciate the convenient parking, the additional path through the gardens or a stop by the visitor's center. As a visitor we get to experience the site as one campus. Therefore, the properties affected by the zoning map amendment contribute to the site's viability, increasing the opportunity to erect a greenhouse, improve landscaping and any future decisions necessary for the preservation of the garden.

#### ***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 –***

Bringing all of the Hatcher Garden properties under one zoning district strengthens its Marketability and allows the garden keepers to envision the site as a whole. The site is a testament to land conservation and can be viewed as positively impacting surrounding properties.



Hatcher Gardens strengthens the City of Spartanburg’s marketability by providing local residents with immediate access to, to nature, outdoor educational resources, and free parking!

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

Sewer, water & storm water facilities are established on each individual property. As the property transitions to one large parcel of land, the Hatcher Garden staff is hoping to reduce the sewer, water and storm water fees in the longer term. Currently, they pay fees for each individual property, but have been working with the County & City to think about how best to reduce costs.

**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 adjacent parcels to match the General Institution Zoning District of Hatcher Gardens.

**WRITTEN PUBLIC COMMENTS**

Notices were sent to property owners within a 400 ft. radius of subject properties. 60 Notices were sent regular mail. A Planning Informational meeting was held on Wednesday, May 10, 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, June 12, 2023**. If the matter receives first reading approval, it will then go before the City Council for a **Second and Final Reading on Monday, June 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 May 18, 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.

Ms. Keitt: Good evening. I'm Tia Keitt

Dr. Stone: Do you swear to tell the truth?

Ms. Keitt: I do.

Dr. Stone: Thank you.

Ms. Keitt: So this is for a rezoning request, 808 to 836 John B White Sr Blvd, also known as the Hatcher Gardens. So, this is just an outline of the process. Last week, we had the Planning Information meeting and tonight's Planning Commission. And if approved, it will go before city council. So Hatcher Gardens, a 10 acre botanical garden, and Woodland Preserve is a combination of several parcels, six of which do not match the current GID zoning. That's General Institution District. The present garden keepers, as I call them, on-site staff and the property owners, Spartanburg Real Holdings LLC, or Spartanburg County Foundation, would like to rezone all the abutting properties to match the GID designation and ultimately combine the parcels into a single lot. The rezoning grants the entire Hatcher Garden campus into zoning consistency, and combining lots will allow Hatcher Garden to conserve and develop the site as a large garden or to create a unified vision. The current executive director, Robin Ruth, I hope I'm saying that correctly, and their attorney, Mr. Howard Kinard of Johnson, Smith, Hibbard & Wildman, submitted the zoning map amendment application.

So as they planning for the request of rezoning is Nan Zhou said address these five findings. And as outlined in the report, this is... So the 2004 comprehensive plan labels the Hatcher Gardens site as open space recreation and the adjacent parcels along the John B White Sr Blvd corridor as limited activity center. Expansion of the GID zoning contrasts with the LAC, however, the GID zoning designation does not limit the site's potential. Moreover, the GID zoning designation was not zoning district in the original 1999 comprehensive plan that was updated in 2004. But the 2023 comprehensive plan, or the conservation map, currently before city council identifies this area as a neighborhood-controlled growth center. With the expansion of Hatcher Gardens as a GID, general institution district, zoning district, this area should be recognized by planning staff as potentially a C-1 preserve conservation center. The owners and the community's commitment to preserving Hatcher Gardens confirms a desire to conserve urban greenspace.

So these are the parcels here. And of course, this right here is considered split zoning, and this right here also is R-12. This is a sitemap, and this is just part of the Gardens. But as you can see, which this is R-12, this is a parking lot now. This is, I believe, was recently acquired, but this site here is also ... I think property, so it's part of the site anyway. This is what I'm saying, but it's all just several parcels. And that's pretty much what I was trying to convey in the staff report. It's just parceled out at this point. So this is the growth and conservation map and, next slide, it's this specific area here. But the school is labeled "preserved conservation," which is great, actually. This is the map of the 2004 comprehensive plan, which this area here. And we see the pink here along John B White, so as a new person to the city it's nice to see how the city evolved over time, but to also learn the history of the Hatchers as well, which is on their website.

So when you're walking down John B White, this is so gorgeous but you get a chance to of course be covered by trees, but this landscaping is amazing. This is the nursery here, well, I think it's the nursery. This is on site. This is I believe 828 address here. But as you can see again, very much part of Hatcher Gardens but parceled out. Again, just walking along John B White sign posted about the rezoning request. This is 808 John B White residential right next to the property zone R-12. And but this is just right next to 808 here. Bringing all the Hatcher Garden properties under one zoning district strengthens its marketability and allows the Garden people to envision

the site as a whole. This site is a testament to land preservation and can be viewed as positively impacting the surrounding properties. Hatcher Gardens strength, strengths the sit, the City of Spartanburg's marketability by providing local residents with immediate access to nature, outdoor education resources and free parking.

A local resident gave me a tour of this area and identified the original house that the Hatchers lived in and gave a history of the property. It was just on the other side on Briarwood so but just knowing that they were able to create such a beautiful space along the street is not something that you see today or probably won't see tomorrow and that is nice. And that is it. Are there any questions?

Dr. Stone: Any questions?

Mr. Cunningham: Actually, if you would go back to the overview, early in the presentation, where you had the segments where we had requested the rezoning before this, that ... I see the three properties that fronting down John B White, that one and those two. And then the turquoise, is that the main Hatcher property now?

Ms. Keitt: Yes.

Mr. Cunningham: Okay. What about this strip that is in green, that one right there, is that owned by the Garden?

Ms. Keitt: Yes, that is 828, I believe, John B White.

Mr. Cunningham: Okay. So if we adjust these four or five parcels where we have one zoning for the entire property?

Ms. Keitt: Yes. And the rear of this property here that's ... so there's split zoning, so they got under the radar with that one. And it needs to be one color.

Dr. Stone: Well, one zoning district. We've got, as Mr. Livingston would know, we've got split zone situations all around the city that we, in the next few years, need to try resolve those as we get the opportunity. Other questions? All right. We can certainly hear from the applicant or applicant's representative if they wish to come forward and speak. You don't have to.

Applicant/Audience: I think we're good. We'll be her to answer any questions.

Dr. Stone: Okay. All right. Then we need to have a public hearing, unless anyone has a question for staff? We can also ask questions after the public hearing. So I'm going to open to public hearing if anyone wishes to speak either in favor or opposed to this rezoning petition. You're welcome to come up and sign in and tell us what you think. I declare a public hearing.

Mr. Wilson: Mr. Chairman, I move that we close the public portion of the hearing.

Mr. Cunningham: Second.

Dr. Stone: Mr. Wilson moves, Mr. Cunningham seconds that we close the public hearing.

Dr. Stone: All in favor?

Attendees: Aye.

Dr. Stone: Any opposed? Any other questions of staff for board deliberation? I mean, again, eliminating split zoning is important. I got my zoning ordinance out last night and read what allowable in LOD versus GID. GID seems to make sense. It is designed for institutions like this. It does preserve open park space. I Guess, since the colleges, I think, both have general

institutional and hospital ... a lot of churches have that zoning. I may have a question for Mr. Livingston, having that zoning wouldn't prohibit them from having a gift shop or from selling plants at various times of the year, wouldn't have any limit on them being able to do that, right?

Mr. Livingston: Not that I'm aware of. Wofford College, Converse College, all GID, they have stores and facilities, which may need a business license but they are able to do so in the GID, because as long as the entire site remains institutional and in the control of the organizations that provide those services.

Dr. Stone: And we can tweak the future land use map a little bit to indicate that is maybe a conservation or reserve conservation sector, if we need to do that, I guess, at some point. Because that also seems like it makes sense. Honestly, when I looked at our future land use map and I saw that green section, I thought it was Hatcher Gardens. I didn't realize that it was the school down the street. Unless anybody else has anything they want to add?

**On a motion by Mr. Wilson seconded by Mr. Cunningham, the site plan was approved by a vote of 4 to 0**

Mr. Wilson: I move that we approve the rezoning request as submitted.

Mr. Cunningham: Second.

Dr. Stone: Moved by Mr. Wilson, seconded by Mr. Cunningham to recommend to city council the zoning change, from split zoned R-12 and LOD, GID to all GID, General Institutional District.

Dr. Stone: All in favor say "aye."

Attendees: Aye.

Dr. Stone: Any opposed? And we'll recommend to city council that that zoning be consolidated into one district, and that will happen. No sight in landscape plans approved since the last meeting, no city council updates since the last meeting. Any update on comprehensive planning since that's a standing agenda item?

Mr. Livingston : Mr. Chairman, we did receive the revisions back from the consultants preparing a comprehensive plan were working on getting information out and posting it back to the city website, and hopefully we'll be able to do that by next week. And then the staff has had discussions about what an approval process looks like for review of the implementation plan, so we're still discussing what that process will look like. We have talked with one consultant that has offered to do that process for us.

Dr. Stone: You mean like the implementation matrix type?

Mr. Livingston : Yes.

Dr. Stone: Okay. Any other questions about this or any other sort of related topics?

Mr. Cunningham: Any update on the location of a wonderful record operations to the Planning Department.

Mr. Livingston : So we did also have a conversation about that. We are looking at another consultant that may be able to do some research for us. We've made contact with that consultant.

Mr. Cunningham: There's no active candidate at the moment?

Mr. Livingston : Not at this time.

Dr. Stone: Any other questions, or any other thing that anyone wants to bring up?

Mr. Livingston : We have a couple of other announcements, Mr. Chairman. You have before you the signup sheet for our continuing education for any Planning Commission members. That is August 24th. And if you sign up, if you like to complete that form and provide it to us today, we'll hold a spot for you for the August 24th orientation that will take place. We do have orientation for new board members that will be taking place in June, about 29th, also at T.K. Gregg. Those are for new board members that joined sometime this year. City council is working on finding new planning commissioners in June.

Dr. Stone: We have one term out. Sorry to see you go.

Mr. Spencer: Or no.

Mr. Livingston: And then finally, the project 1017 Florida Avenue, Project Mayer, may be coming back to the Planning Commission next month, so I wanted you to be aware of that.

Dr. Stone: They want to make some changes?

Mr. Livingston: Yes.

Dr. Stone: Okay. So we will see if they get that in by the deadline to have a hearing, to come back to us on June 15th? Yeah, that'd be about June 15th, four weeks from today.

Dr. Stone: Yep. It's the third Thursday.

Mr. Spencer: Mr. Chairman, I did have one question. I believe that there was some mention last meeting or a couple meetings ago, Martin, about maybe a joint working session or some sort with city council? Any news on that front?

Mr. Livingston: We're hoping that that will be all part of the implementation matrix process, where if city council does have a workshop, we would have Planning Commission members there as well. So still waiting on city manager to provide some direction.

Mr. Spencer: The other question I had actually follows on a conversation I had with Mr. Coler earlier today about some training for this commission above and beyond what you've already described as "is coming along" just on some things that Mr. Coler had mentioned he was going to be reviewing with us. The context of the question was ... I recently had occasion to send an email, and it occurred to me that I wasn't quite sure what all the rules were with regard to FOIA and everything else and communications with fellow board members or members of the city government. And those issues along with issues surrounding social media use and that sort of thing had come up, and so I asked him about that and he indicated that he would be getting with you soon and with our chairman about that, if that's all right? Thank you.

Dr. Stone: Thank you. Any other questions or items to come before the body?

Mr. Cunningham: I move that we adjourn.

Mr. Cunningham: Your turn, Spencer.

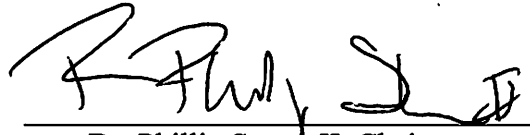
Mr. Spencer: Seconded.

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

Attendance: Aye.

Dr. Stone: Any opposed? And we are adjourned. That was very speedy. Thank you all for being here tonight as well.

**Meeting adjourned at 6:07 PM.**



---

Dr. Phillip Stone, II, Chairman