



Minutes
Greenville City Planning Commission
Webex Virtual Meeting
12:00 PM, May 24, 2021
Meeting Notice Posted May 21, 2021 at 10:49 AM

NOTICE OF MEETING: Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Commission's Meetings was provided on December 31, 2020 via the Greenville City Website. In addition, the Agenda for this Meeting was posted outside the meeting place (City Council Chambers in City Hall) and was emailed to all persons, organizations, and news media requesting notice. Notice for the public hearings was published in the Greenville News, posted on the properties subject of public hearing(s), mailed to all surrounding property owners, and emailed to all persons, organizations, and news media requesting notice pursuant to Section 6-29-760 of the S.C. Code of Laws and Section 19-2.2.9 of the Code of the City of Greenville.

Minutes prepared by Sharon Key and Ross Zelenske

Commissioners Present

Diane Eldridge, Mike Martinez, Jeff Randolph, Derek Enderlin, and Meg Terry

Commissioners Absent

Trey Gardner

Staff Present

Planning Administrator Courtney Powell, City Attorney Mike Pitts, Development Planner Ross Zelenske, Development Planner Austin Rutherford, Senior Landscape Architect Edward Kinney, Landscape Architect Hannah Slyce, Planning and Development Services Director Jonathan B. Graham, Senior Development Planner Kristopher Kurjiaka, Public Engagement Manager Leslie Fletcher, Assistant to the City Manager Michael Frixen, Strategic Communications Administrator MJ Simpson, and Assistant City Manager Shannon Lavrin

Public Present

Chris Stover, Debbie Wallace, Dorothy Dowe, Eric Graben, Sam Davis, Sherry Barrett, Susan Cyr, Tad Mallory

Call to Order

Chairwoman Meg Terry called the meeting to order at 12:01 PM. Chairwoman Terry provided normal beginning procedures for commission meeting. She explained the agenda of the Planning Commission, outlined the rules for procedure, and invited the other Commissioners to introduce themselves.

NEW BUSINESS

A. Z-11-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Sections 19-6.5.7 and 19-6.5.8.9 in order to limit orientation of outdoor dining and other outdoor activities adjacent to residential uses.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- The Commission discusses outdoor dining. Clarified single family detached use only.
- Staff reminds this is being a temporary measure.
- Commissioner Meg Terry asks about undue hardship.
 - Staff responds that his being addressed under a new amendment.

B. Z-12-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Sections 19-6.5.7 and 19-6.5.8.9 to prohibit commercial dumpsters between building and adjacent residential use.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- The Commission discusses refusing containers, above ground container language, options, single family detached clarification, and added drawings.
- Commissioner Mike Martinez asks about gate requirement
 - Staff states that the gate requirement still applies.

C. Z-13-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Sections 19-1.11; 19-4.3; 19-6.4; 19-6.6; and 19-6.8.9 to provide maximum lighting levels at property lines; to require reduction of lighting levels after business hours; to require additional setbacks for drive-through menu boards adjacent to residential uses and to provide menu board illumination and speaker system standards.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- The Commission discuss exterior lighting. Clarified language about apply to commercial and multifamily.

D. Z-14-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Section 19-2.3.14 in order to provide requirement for a notarized affidavit be received from the project architect or engineer to certify exterior of structures and site work comply with approved plans.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- The Commission discusses affidavits; added definition for substantial compliance; changed requirement for affidavit to be submitted by owner.
- Commissioner Mike Martinez supports affidavit being signed by owner.
- Commissioner Jeff Randolph expresses concerns about application that has been approved by Planning Commission. Make sure that all conditions Commission included with building permit application. He asks why do we have to have this at all? Aren't there multiple site inspections?

- Staff responds that the City has had projects get built and inspections not called for and then getting to the end of the process and there are issues. This process is intended to be a collaborative effort.
- Commissioner Meg Terry asks if affidavit is falsified what happens?
 - Staff responds the penalty of perjury.
- Commissioner Diane Eldridge asks what is the downside of having this?
- Commissioner Derek Enderlin responds who is at fault if a contractor messes up?
 - Planning Director Jay Graham responds everyone is on the hook. How much responsibility varies. He understanding is that under state law the owner is responsible.
- Commissioner Jeff Randolph is the city on the hook with this as well? When does the affidavit get signed?
 - Chairwoman Terry responds at the end most likely.
- Commissioner Diane Eldridge asks Commissioner Jeff Randolph what is the downside of having this amendment?
 - Commissioner Randolph provides an example. He feels that the city inspector should also be held accountable.
- Commissioner Derek Enderlin questioned the perjury language.

E. Z-15-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Sections 19-4.3.3; 19-6.2.2; Table 19-6.2-1; 19-6.2.3; 19-6.5.7; 19-6.8.9; Figure 19-6.8.11; and Figure 19-6.5.14 in order to amend existing buffering and screening requirements for all nonresidential or multi-family developments that abut single-family uses.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- The Commission discusses landscape screening, added definition to masonry wall, clarified single family detached uses, clarified all non-residential commercial, clarified solid masonry wall located at the property line

F. Z-16-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Sections 19-4.3; 19-5.1-1; 19-5.2; Table 19-5.1-1; Table 19-4.3-1; 19-6.8.9 in order to provide. a maximum building height and introduces a step-back provision for any nonresidential or multifamily or single-family attached structure adjacent to single-family uses or zoning districts (excluding C-4).

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- Commission discusses building height, two different approaches applicant can take, clarified commercial and multifamily; single family detached, added image; explained approaches.
- Commissioner Mike Martinez asks about screen walls for mechanical units.
 - Planning Administrator Courtney Powell responds that screening walls are separate and are not subject to this provision.

G. Z-17-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Sections 19-5.1 and Table 19-5.1-1 in order to modify maximum impervious coverage for all non-residential zoning districts, except for C-4, for projects adjacent to single-family uses.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- The Commission discusses revised definition of abut/abuts/abutting; excludes rights of ways, clarified language on commercial.
- Commissioner Derek Enderlin asks about commercial example that would no longer be permitted.
 - Planning Director Jay Graham replies this is a stop gap measure and that the focus is on protecting residential, with less focus on commercial.

H. Z-18-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Sections 19-6.5.7; 19-6.8.9; and Table 19-4.1-2 in order to provide nonresidential and multifamily buffer zone standards for projects adjacent to single-family uses.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- Changes clarified single family detached uses.

I. Z-19-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Tables 2.60; 2.70; 2.80; 2.90; and 5.60 of the Unity Park Neighborhood District Code to remove maximum lot width and depth requirements.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- There were no changes and no questions from the Commission.

J. Z-20-2021

Application by City of Greenville for a **TEXT AMENDMENT** to Section 19-2.3.18 in order to provide a process to adjudicate undue hardships for properties adjacent to single-family detached uses.

- Planning Administrator Courtney Powell presents an overview of the text amendment.
- The Commission discusses new amendment
- The Planning Director Jay Graham added that this was an opportunity for a developer to present an alternative design.
- This provision would be limited to projects that abut detached single family residential.
- Criteria for the hardship exemption included consistency with intent of the applicable text amendment, neighborhood compatibility, access, intent, safety, services, and affordable housing. Not eligible for exemption would be land use and stormwater.

- Procedure includes submitting application, hosting a neighborhood meeting, and then having a decision made by the reviewing board.
- Not sure who the reviewing board will be, likely the Board of Zoning Appeals, but staff is still evaluating recommended language.
- Future consideration includes staff level review, explore long term adoption of these standards as part of new Land Management Ordinance.
- Commissioner Derek Enderlin expresses concerns about language and making sure that it is not a constitutional taking.
- Commissioner Jeff Randolph and Chairwoman Meg Terry supported a provision for staff to approve minor works.
- The Commission asks when will these amendments be heard.
 - The meeting will be June 9, 2021.

Adjourned at 1:03 PM