



Minutes
Greenville City Planning Commission
Webex Virtual Meeting
4:00 PM, December 17, 2020
Meeting Notice Posted December 11, 2020

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 4, 2019 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 Jordan Harris

Commissioners Present

Jeff Randolph, Diane Eldridge, David Keller, Trey Gardner, Mike Martinez, Shontavia Johnson, and Meg Terry

Staff Present

Kevin Howard, Courtney Powell, Jay Graham, Austin Rutherford, Ross Zelenske, Edward Kinney, Mike Pitts, Shannon Lavrin.

Call to Order

Chairman David Keller called the meeting to order at 4:00 PM. Chairman Keller begins normal beginning procedures for commission meeting. He explained the agenda of the Planning Commission, outlined the rules for procedure, and invited the other commissioners to introduce themselves.

Approval of Previous Meeting Minutes

Minutes from the following meeting was approved with revisions.

- November 19, 2020 Public Hearing

Call for Affidavits from Applicants

Staff reported that the required public notice affidavits were received from all applicants, except V-20-616.

Acceptance of Agenda

The agenda was approved as presented with the amendment to defer application V-20-616 and Z-13-2020 by Chairman Keller.

Conflicts of Interest

- None

OLD BUSINESS

- A. V-20-616 Application deferred under Acceptance of Agenda.**

Application by Robert Julian for a **STORMWATER MANAGEMENT VARIANCE** 1.14 acres located at **30 HALL Street** (TM#s 0201000102701, 0201000102702)

B. Z-13-2020 Application deferred under Acceptance of Agenda.

Application by Saint Capital, LLC. for a **REZONE** of 4.51 acres located on **ACADEMY STREET, PERRY AVENUE, CALHOUN STREET, WARE STREET** from RM-2 and RDV to PD PLANNED DEVELOPMENT (TM#s 0079000201900, 0079000202500, 0079000202600, 0079000202800, 0079000202700, 0079000202501, 0079000203500, 0079000203510, 0079000203509, 0079000203508, 0079000203507, 0079000203506, 0079000201100, 0079000201200, 0079000201300, 0079000201400)

Kevin Howard noted that an informal review between the applicant and two members of the Planning Commission was scheduled for December 21, 2020 at 4:00 pm.

NEW BUSINESS

A. SD 20-707

Application by Josiah Pott for a **SUBDIVISION** of 2.074 acres located at **410 BIRNIE ST** from **1 LOT to 6 LOTS** (TM#s 0055000301500)

Staff report presented by Kevin Howard

- Application is a request to subdivide a parcel for urban residential usage adjacent to the West Greenville neighborhood. There was a neighborhood meeting to discuss the details for the project and usage for the remainder of the property. Staff is recommending approval of application with staff comments and conditions.

Commission Questions to Staff

- None

Application Presentation

- Josiah Pott presented to the commission about details and intentions for the preliminary subdivision plot.

Public comments in support of application

- None

Public comments opposed to application

- None

Commission Discussion

- None

***Motion: Commissioner Gardner moved to approve the application with staff comments and conditions. Seconded by Commissioner Eldridge. The motion passed by a vote of 7-0.**

B. SN 20-732

Application by the City of Greenville for a **STREET NAME CHANGE** from **BRADSHAW ST** to **THEO W. MITCHELL ST**

Staff report presented by Kevin Howard

- Application is for a street name change and is seeking final action from Planning Commission. Staff is recommending approval. However, the applicant has requested a deferral.

Commission Questions to Staff

- None

***Motion: Commissioner Randolph moved to accept the deferral request. Seconded by Commissioner Eldridge. The motion passed by a vote of 7-0.**

C. Z-14-2020

Application by the City of Greenville for a **TEXT AMENDMENT** to **Section(s) 19-6.2 & 19-6.3** of the City's Land Management Ordinance to revise Landscape, Buffering, and Screening, and Tree Protection regulations.

Staff report presented by Kevin Howard & Edward Kinney

- Application is a request for approval of a text amendment of the City's Land Management Ordinance to revise Landscape, Buffering, and Screening, and Tree Protection.

Commission Questions to Staff

- Commissioner Randolph inquired as to the total number of single-family dwelling units in the city and how many of properties transfer ownership annually? Senior Landscape Architect Edward Kinney stated he was not sure of the exact numbers but believe between 16,000 to 20,000 single family dwelling units in the city.
- The Commission inquired about how tall a six inch caliper tree would typically be. Edward Kinney replied it would depend on the tree species.
- The Commission inquired about the permitting requirements to remove a 4-inch caliper tree on residential property. Edward Kinney clarified that no permits are required at this time to remove a tree on residential property.
- The Commission inquired about a scenario involving tree removal on a vacant lot. Edward Kinney clarified that a vacant lot would be subject to mitigation requirements,
- The Commission inquired about a number of questions and scenarios related to heritage trees as well as infill ordinance requirements.
- Commissioner Shontavia Johnson asked a question about how the terms dangerous and deteriorated are interpreted and who determines such. Edward Kinney explained the certification process and how qualified individuals are able to evaluate if a tree is dangerous or deteriorated. Commissioner Johnson also asked why the ordinance doesn't clearly define who is qualified to determine if a tree is dangerous. Edward Kinney stated he would evaluate the wording in the ordinance.
- The Commission then asked questions about removing a healthy heritage tree and penalties. Edward Kinney explained the tree variance process.
- Commissioner Randolph then inquired about exempting subdivisions of three lots or less and if staff had considered that. Edward Kinney stated that had not be considered and that the Planning Commission could make a recommendation to City Council for such.
- The Commission also asked for about the money from fee in lieu payments in relation to the ordinance changes.
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Application Presentation

- None

Public comments in support of application

- Andrea Cooper, Executive Director of Upstate Forever, spoke about the mission of her organization, the loss of trees in the Upstate, and the need for even stronger regulations than what have been proposed. She spoke about the regulations that Summerville, South Carolina that require permits for the removal of health trees on private, residential property. She also mentioned concerns related to affordable housing and tree planting requirements, recommending a provision be added to ordinance to reduce the burden on affordable housing builders.

Public comments opposed to application

- Joe Frazier, Airport Director of the Greenville Downtown Airport on Tower Drive, spoke about concerns related to the proposed ordinance requirements and the airport. He discussed FAA regulations and how trees can be obstructions that make it harder to land at the airport. He asked for a broader exemption for the airport allowing removal of trees. He also discussed a recent landscaping for an airport parking lot that the city required. He noted that these trees will likely become a problem over the next few decades that require them to be cut down and are an unnecessary expense.

Commission Discussion

- Commissioner Diane Eldridge asked questions about soil volume and suggested that an amendment could be made to ensure only trees with the expectation of survival over the long term should be placed in those restricted areas, like parking lots.
- The Commission discussed an amendment to recommend low-volume species for planting areas less than 135 square feet.
- ***Motion: Commissioner Eldridge moved to recommend an amendment to the proposed text amendment. Seconded by Commissioner Terry. The motion passed by a vote of 7-0.**
- The Commission discussed an amendment to exempt minor subdivisions in residential areas.
- ***Motion: Commissioner Gardner moved to recommend an amendment to the proposed text amendment. Seconded by Commissioner Eldridge. The motion passed by a vote of 4-3 with Commissioners Keller, Eldridge, Martinez, and Gardner voting “yes” and Commissioners Johnson, Terry, and Randolph voting “no.”**
- The Commission discussed affordable housing and what amendments should be considered. Edward Kinney provided an overview of past discussions regarding affordable housing and why it was not included in the draft amendment. Jay Graham commented that affordable housing and the tree ordinance were two separate matters. He recommended that the Commission make a recommendation to City Council regarding affordable housing independently of the text amendment changes.
- ***Motion: Commissioner Terry moved to recommend that City Council adopt a policy addressing the mitigation of development for affordable housing, including those that might be associated with tree mitigation that does not minimum design standards. Seconded by Commissioner Martinez. The motion passed by a vote of 7-0.**
- The Commission discussed clarifying the proposed language as to who gets to determine that a tree is ‘dangerous.’ Edward Kinney read through the most recent iteration of the ordinance. The Commission felt that was adequate.
- The Commission briefly discussed a need to address the Greenville Downtown Airport’s concerns. Mike Pitts stated that he thought they were sufficiently covered through the ordinance.
***Motion: Commissioner Terry moved to recommend approval of the text amendment with staff comments, two Commission amendments, and Commission recommendations. Seconded by Commissioner Martinez. The motion passed by a vote of 7-0.**

D. Z-15-2020

Application by the City of Greenville for adoption of the Swamp Rabbit Trail Extension Master Plan and Design Review Guidelines.

Staff report presented by Kevin Howard

- Application is for the adoption of the Swamp Rabbit Trail Extension Master Plan and Design Guidelines.

Commission Questions to Staff

- None

Application Presentation

- Craig Lewis presented the details and information of the new Swamp Rabbit Trail plan and the objectives and strategies of the project moving forward.

Public comments in support of application

- None

Public comments opposed to application

- None

Commission Discussion

- None

***Motion: Commissioner Randolph moved to approve the application. Seconded by Commissioner Terry. The motion passed by a vote of 7-0.**

E. Z-16-2020

Application by the City of Greenville for a **TEXT AMENDMENT** to **Section 19-6.9** of the City's Land Management Ordinance to Single-Family Residential Infill Standards.

Staff report presented by Kevin Howard

- Application is aiming to amend infill standards that pertain to ensuring the compatibility of size and configuration for newly created subdivision lots with existing, predominant characteristics of the neighborhood.

Commission Questions to Staff

- Planning Director Jay Graham explained in depth the reason and methodology behind the amendment change. This amendment is a stopgap until a larger amendment formed by staff and the Infill Committee comes before the Commission soon. This committee has spent months reviewing specifics of new single-family residential infill construction.

Application Presentation

- Jay Graham is the presented further details resulting from further questions and concerns raised by the Commission.

Public comments in support of application

- None

Public comments opposed to application

- None

Commission Discussion

- None

***Motion: Commissioner Martinez moved to approve the application. Seconded by Commissioner Terry. The motion to approve failed by a vote of 3-4 with Commissioners Keller, Martinez, and Gardner voting "yes" and Commissioners Eldridge, Johnson, Terry, and Randolph voting "no." The application will reach City Council noting that the motion failed to pass Planning Commission.**

Other Business

A. Comp Plan Update

- Courtney Powell provided an update for GVL 2040. A January 5th, 2021 Planning Commission Workshop and a January 12th, 2021 Special Comprehensive Plan (GVL2040) meeting will be held in efforts for preparing the plan for future adoption.

Adjourned at 6:25 PM