



**Greenwood City/County
Joint Planning Commission Minutes
Greenwood County Library
600 S Main Street
Greenwood, South Carolina 29646
November 26, 2019**

Agenda Item 1: Called to Order

The Planning Commission met on November 26, 2019, in the Veteran's Auditorium of the Greenwood County Library, Greenwood, South Carolina. A quorum was established. Chairman Eddie Bartless called the meeting to order at 5:30 PM.

Members Present:

Eddie Bartless, Chairman
William Booker
Curtis Coffey
Janice Coffey
Calvin Culbertson
Jason Dunton
Cecil Hill, Vice-Chairman
Wayne Kelley
Felicia Kinard-Hull
John Lamb
Shelia Reynolds
Bryan Tupper

Members Absent:

Todd Calhoun
Alton Gantt
Kathy Nave-Felder

Planning Department Staff Present:

Phil Lindler, Planning Director
Tracy Moore, Administrative Assistant

Agenda Item 2: Approval of Minutes

The October 22, 2019 minutes were motioned for approval by Wayne Kelley, seconded by Bryan Tupper and were approved unanimously.

Chairman Eddie Bartless read the rules of procedure.

Agenda Item 3: Old Business – None

Agenda Item 4: New Business

Request number R-19-11-01 (Ward 6) by R.T. Bailey Construction. This request is to rezone a 2.7 acre tract of land, bounded by Chace Av, Cross St, Lowe Av and Atkins St (G-Pin #6854-278-838) from R4 (Medium Density Residential) to R7 (Medium Density Residential).

Chairman Bartess called for an overview of the request, which was provided by Phil Lindler, Director of Planning.

This is a request by R.T. Bailey Construction, as agent, to rezone one parcel of land, approximately 2.7 acres, located at 701 Chace Avenue, in the City of Greenwood, from R4 (Medium Density Residential) to R7 (Medium Density Residential). The intent is to develop the property for residential uses.

Surrounding zoning includes R7 (Medium Density Residential) to the north, R4 (Medium Density Residential) to the east and south and I-2 (Industrial Development) to the west. Surrounding land uses include residential to the north and south, public uses to the east and vacant property to the west.

The Comprehensive Plan denotes this area as High Density Residential. Land areas that include all types of residential uses, including single-family detached and attached homes, townhomes, multi-family housing, duplexes, and manufactured homes. Much of the area in this future land use category is located in some of the older areas of the City of Greenwood that were developed before World War II. New development should include affordable infill projects that are compatible with, and enhance the character of, the neighborhood. Density should not exceed 10 dwelling units per acre – or one unit per 4,450 square feet. Incentives such as density bonuses up to 20 units per acre should be available for the incorporation of open space and other community enhancements. New construction should replicate front yard setbacks of existing development in the area and should not substantially alter the natural roadway grid pattern.

	Under R4 Current Zoning	Under R7 Proposed Zoning
Units Per Acre	4	7
Total Number of Units	10	18

Chairman Bartless opened the public hearing.

The following spoke in favor of the request:

None

The following spoke in opposition of the request:

None

Chairman Bartless closed the public hearing portion of the meeting.

Chairman Bartless called for recommendations.

Staff: Recommends approval of the request.

Zoning Committee: Recommends approval of the request.

Chairman Bartless called for discussion from the Commission.

Chairman Bartless called for a motion.

Action Taken:

Wayne Kelley made a motion to approve the request, seconded by Shelia Reynolds. The motion was approved unanimously 11-0, with the Chair not voting. The recommendation of approval will go to City Council.

Request R-19-11-01 Motion to Approve from R-4 to R-7 (11 - 0 vote)			
PC Member	In Favor	Opposed	Abstain
William Booker	√		
Curtis Coffey	√		
Janice Coffey	√		
Calvin Culbertson	√		
Jason Dunton	√		
Cecil Hill, Vice Chair	√		
Wayne Kelley	√		
Felicia Kinard-Hull	√		
John Lamb	√		
Shelia Reynolds	√		
Bryan Tupper	√		

Agenda Item 5: New Business

Request number R-19-11-02 (Ward 2) by Beattie Development. This request is rezone an 18-acre tract of land, located at Chancellor Ct, Frampton Ct, and Claussen Dr (G-Pin #6865-255-915) from R3 (Medium Density Residential) to R4 (Medium Density Residential).

Chairman Eddie Bartless recused himself from this portion of the meeting, stating he works with this developer. Therefore, Vice Chairman Hill called for an overview of the request, which was provided by Mr. Lindler.

This is a request by Beattie Development, the property owner, to rezone one parcel of land, approximately 16.78 acres, located at 104 Claussen Drive, in the City of Greenwood, from R3 (Medium Density Residential) to R4 (Medium Density Residential). The intent is to develop the property for residential uses. This development has been approved for residential uses, has been idle for some time, and is being improved for individual residential lot sales based on the originally approved development plan.

The reason for the zoning change is to have the zoning conform to the lot sizes previously approved by the Planning Commission.

Surrounding zoning includes City R3 (Medium Density Residential) to the north, south and west and County R-2 (Single Family Residential) to the east and west. Surrounding land uses include residential to the north and south, public uses to the east and vacant property to the west.

The Comprehensive Plan denotes this area as Low Density Residential. This category is characterized by large lots with densities no greater than one single-family, detached residence for every ¾ acre or 32,670 square feet of lot area. Most areas designated as low density residential either already have access to water and sewer service or plans are in place to provide these services within the next 20 years. Included in this use category are detached, single-family, site-built homes and modular or manufactured homes on individual parcels. The location of modular and manufactured homes in these areas must meet conditions to ensure compatibility with other single-family, detached housing in the area.

The existing lot sizes in the approved development known as ‘The Cottages at Emerald Farm’, previously known as ‘Linwood’, range from 10,295 square feet to 36,590 square feet. The average lot size is 15,644 square feet. There are 26 lots that are below the current 14,520 square feet lot minimum for R3. Therefore, a change in zoning would make these lots conforming, yet maintain the average lot size above the minimum square footage of the R3 zoning.

	R3 Zoning	R4 Zoning
Units Per Acre	3	4
Minimum Square Footage	14,520	10,000

Vice Chairman Hill opened the public hearing.

The following spoke in favor of the request:

Chip Funderburk, 123 Country Club Drive stated the attempt at this hearing is to make the lots as conforming to the zoning classification that the City currently has in place as R3. Everything is approved and the intention is to build as originally approved, not making any changes to the lot layout. The lots have been pinned, the utility connections are in, and this request is to simply clean up the zoning, nothing more and nothing less. If they do not get the zoning change approved, the intention is to still build as planned.

The following spoke in opposition of the request:

Paul Zahn, 409 Emerald Farm Road, said a group of neighbors/residents spoke in opposition at a public hearing some years ago on the zoning. He said this development was divided into lots that did not conform to the zoning that was previously approved. He is curious as to why it is being presented again if it was not approved before.

Jack Collins, 316 Emerald Farm Road, said he wished to reiterate Mr. Zahn’s comments, that this item was voted on in 2004 and denied by City Council. The biggest concern with this development is the traffic that will be created on a two lane East Cambridge Ave. and what will be picked up with Woodland Way. He has had little difficulty obtaining 59 signatures of neighbors protesting this rezoning. He said another concern is the biggest concentration of homes is the Woodfields Subdivision, ¾ of the lots are an acre or more, the others are nearly an acre and in reality, should be a R1 designation and certainly a lot are R2. There are large tracts of wooded acreage on both sides of E. Cambridge Ave. so the whole area has been tranquil and low density. Our hope is to minimize how many homes can go into this area.

Donald L. Lomax, Sr., 2209 Cambridge Ave., said he is one of the first homeowners to purchase in the neighborhood over 26 years ago. He said he was at the public hearing 15 years ago about this same property and it was voted down because Mr. Funderburk wanted to build whatever he wanted to. He further stated that his understanding was that these houses are to be single family dwelling homes. He doesn’t understand how they can build homes with the required square footage for single family dwelling on these lots. Also, Cambridge Avenue is overcrowded with traffic, speeders, motorcycles, etc...and the City will not send anyone to patrol this area. At one time, Mr. Funderburk was going to use Lomax’s driveway at one time and then he fenced off the back, saying he would install a privacy fence, which Mr. Lomax would like to see done.

Jane Rowland, 607 Emerald Farm Road, said that she is distressed that this item is up for discussion again when it was denied years ago. Her question to the City of Greenwood is, “How has this been approved?” She plans to retire on her property and her immediate and extended family has plans of living there as well. Her property backs up to Parkland Place Apartments and they are constantly getting children off their property, out of the ponds from fishing and swimming, these kids cut the fences, riding their four wheelers and steal the deer stands...”this is what happens when you increase the density, they have no places to go and no places to park”. We have fought this for so long. The more the City builds Uptown, the more negative effects on our creeks and property. As a citizen, she wants protection from the fallout of higher density zoning. She said she doesn’t want to look at this development and there is no other way to her property than to go right by it. Ms. Rowland asks, “How did this get approved and who paid for the infrastructure”?

Planning Director, Phil Linder said, “This development came to the City of Greenwood prior to June 2004. In June of 2004, the City of Greenwood decided they were going to change all their zoning designations, so nothing prior to that date was exactly the same as it was going forward. When the City created the new zones, they had to put zones on those individual properties as close to what was there as possible. When that occurred, many developments, not just this one,

were caught in that gap so to speak when they were developing under the previous rules and the rules changed on them and so we have developments similar to this where had the City not changed their zoning, this neighborhood would have conformed to that zoning. When the zoning did change in 2004, it was soon after when the recession hit and many developments just stopped in their tracks and this development is one of those that remained idle for some time and because of that they are trying to bring this development back up to the current standard of what was previously approved prior to the change in 2004. This is why we are here today, and had they not come in to apply for rezoning, they would still be under construction per this plan that was approved by the Planning Commission.

Debra Robinson, 112 Woodland Way, chose this as her home nine years ago because of the large lots, the wooded areas, the brick homes, beauty and privacy. Emerald Farm Road is a place of natural beauty, safety, solitude, a paradise for her. Emerald Farm is a lovely place that needs to be protected. County Farm Road has heavy traffic already with numerous accidents and a lot of speeding. Her sister's car was totaled on this road in front of the development area. It is a curvy and hilly two lane road with low speeds, no passing zones and no sidewalks. Cut through traffic is already a problem on Woodland Way. She stated a crime happened in their neighborhood last November when someone stole an SUV from a home in the area and cut through Woodland Way driving too fast and crashed directly into the power line directly across from her home, ripping the power lines from her home. She asks the Commission to consider all these issues before voting.

Janice Arnett, 518 Emerald Farm Road, said she is not a contractor or a developer, but the picture on the screen says to her that the density is so high that it will have a negative impact on the neighborhood, the wildlife, Emerald Farm, and all the children that come there for field trips, etc.

Sandra Hackett Alston, 102 and 106 Emerald Farm Road, said her family has lived on Emerald Farm Road for 80 to 90 years, and she is mostly concerned with traffic. The developer is planning on building a cul-de-sac which will congest Emerald Farm Rd. The roads are already deteriorating and the construction trucks are only adding to the problem, as they are constantly coming in and out. She is concerned about the safety in the neighborhood. She reiterated these statements from the 2035 City/County Comprehensive Plan: The land use element is the most important component of the Comprehensive Plan. The Plan will protect the property values of residents. The goals, objectives, implementation plan and strategies is to enhance and preserve the community character and protect natural resources. "In essence, this plan is saying we should protect this community from rezoning."

Sandy Collins, 316 Emerald Farm Road, said she came to the public hearing in 2004 with concerns about rezoning this property and the Planning Commission listened to her concerns and voted unanimously against Mr. Funderburk's request. She said the problems that arise with this low cost building project is increased traffic congestion and danger, loss of feeling safe and secure, as well as the peace and quiet in their neighborhood. She said we come to you again in 2019 and the concerns remain the same. She said Mr. Funderburk has never stood in the public hearing to explain his intentions for this area. She stated, "a picture of a plat just doesn't cut it. We need an architectural drawing or something to show what the finished project should look like, it is the least he could do. Unfortunately, Mr. Funderburk has a long held reputation for saying one thing and doing another. Mr. Funderburk says this isn't about changing the density of the area, but in 2004, Mayor Nicholson made it very plain it had to do with how many houses he could crowd onto one acre of property. Mr. Funderburk wishes us to believe he is a victim of a clerical error, an honest mistake, but that's not true. Mr. Funderburk was failing to mind his own shop while zoning changes were being determined and now he wants to put the burden of his negligence, of his error, on the backs of the little people, as he obviously sees us. But this is not his only reason for wanting the property rezoned. He puts profit above all else. The more houses he can cram into this small piece of land, with the least restrictions, the more money he can derive from the sales. We, the little people, stand in his way. Mr. Funderburk has no regard for the environment either. When a portion of this land proved difficult to sewer, he had his men gauge out a 300ft long ravine with 20ft high embankments along an old creek bed to be used for dumping industrial waste. He had no regard for the health, the safety, or the environment of the neighboring areas. Mr. James Wakefield, stood before you in 2004 to make a poignant plea...to be careful about a natural spring that existed on the properties of his brothers, that was right next door. Mr. Funderburk dismissed his concerns as unfounded rather than say to him, I will have it looked into for you Mr. Wakefield so your mind can be put at ease. She said she has spent the last ten days trying to read the City's comprehensive plan, and that is all the notice they were given was ten days, and tiny

signs to alert us that this was happening. In 2004, there was a discussion for Greenwood's need for low cost affordable housing. At the time, one of the objectives stated was the following: to promote clustering and increase densities, to reduce the cost of development, to reduce the cost of housing and to reduce the cost of infrastructure. A few paragraphs down, however, it is stated developers are able to maximize their profits with higher densities." She said, No doubt, the guiding force of Mr. Funderburk's objectives. The objective to provide more affordable housing is understandable, but there are dangerous pitfalls when seeing this only in terms of the initial upfront costs and to think that a developers profits should outweigh the safety and sanctity of an established community is hard to swallow. If this neighborhood is developed in such a way, that it starts out looking light a blighted and neglected neighborhood, this helps no one and it hurts everyone. If this neighborhood is developed with profit above of people in mind, it will be devastating. The question is not whether there should be development in this area, I think everyone is okay with development. The question is, what will be the quality, the safety, and the esthetics considered in the development process. Will this development be an enhancement to this community or will it be a detriment to this community, leading to the degradation of the entire area. I fear, in this developers hands, with the reputation that he has, that we are about to become another one of his hit and run, drive by efforts, to make a buck off the back of people he looks down upon. In 2004, the City's Comprehensive Development Plan included these words: Property values of residential neighborhoods need to be protected at all costs and to ensure that the investment of property owners are not depreciated. It further encouraged neighborhoods to develop deed restrictions, outlawing junk cars and dilapidated structures. It stated neighborhood property owners should be guaranteed the benefits of increased property values without the economic burden of a legal battle. Today, in 2019, I can no longer find those exact words in the more current version of the City's Comprehensive Development Plan and that is very worrisome. I hope that taxpaying property owners have not ceased to be of importance in your plan, because taxpaying property owners that feel ignored can pull up and leave others can't. I would just say this, you should not allow someone to develop in such a way that it will inevitably become what I just described: dilapidated, overgrown, lacking enforcement mechanisms. At its inception, Linwood Estates was promised to be a very well thought out community but very quickly, the light went out on that promise. Three houses in, a new developer took over. Each developer has left their mark, deviating from the original plan, ignoring its covenants and restrictions, building homes that are of different building materials, qualities, and styles. All of which makes it difficult for Linwood Estates to be seen as a harmonious neighborhood. This isn't the fault of the homeowner, it is the fault of the developer and the City Council leaders that have turned a blind eye. We are asking that you hold to the higher standards that you held in 2004 and that you speak of still in your 2019 Comprehensive Plan to provide adequate light, air, and open space. Looking at this drawing, there is no place for children to play, they will be playing in the streets. To prevent overcrowding of the land, to avoid undue population and to lessen congestion in the streets. To continue quoting the Comprehensive Plan, "neighborhoods are akin to antiques, appreciate with time, if maintained properly, properties and neighborhoods increase with value and are an asset to the community. Therefore it is necessary to identify residential areas in need of revitalization, in this way existing neighborhoods are redeveloped while new developments should be designed to minimize adverse impacts to existing neighborhoods." Woodfields was and I believe is still such a neighborhood, with 130ft wide lots, some are over an acre, they are a harmonious neighborhood of caring people, people of faith, and low crime statistics. Emerald Farm is another and Linwood Estates can also be if given a chance to go in the right direction.

Vice Chairman Hill asked that everyone keep their comments to five minutes or less, he said Mrs. Collins went over the time limit, but he did not want to cut her off.

Delores Warren, 112 Emerald Farm Road, said she is against what Mr. Funderburk is doing because of the way her home and driveway is located, the traffic will be very congested for her.

Johanna Bishop, 2213 E. Cambridge Ave. said she is in support of all her neighbors. Mr. Funderburk does not care for the little person and he has tried to push some of us around. She said she knows Greenwood needs more residential areas while doing what is best for every area. She said their community was one of the best in Greenwood and she wants to keep it that way.

Vice Chairman Hill closed the public hearing portion of the meeting.

Vice-Chairman Hill called for recommendations.

Staff: Recommends approval of the request.

Zoning Committee: Recommends denial of the request.

Vice-Chairman Hill called for discussion from the Commission.

Wayne Kelley and John Lamb asked for clarification as to whether the Commission votes to approve or deny the request for rezoning, Mr. Funderburk may still move forward with plans to build.

Planning Director, Phil Lindler verified this development has been approved by the Planning Commission, it was approved prior to the City of Greenwood's zoning changes in 2004, where the most appropriate zoning was put on this area. This development was caught up in this change.

Mr. Lamb further asked, "If the commission votes for a change, can Mr. Funderburk redesign the plans and move forward with the development?"

Planning Director, Phil Lindler verified that if the zoning is changed and Mr. Funderburk wishes to redesign the plans, those changes would have to come back to the commission under land development to be reviewed for approval.

Mr. Lamb further asked, "26 units are currently undersized based on current zoning, how many total are out there"?

Planning Director, Phil Lindler verified the total as 48, not including those already created along East Cambridge.

Mr. Lamb further asked, "If I owned one of these undersized lots and in the future, I couldn't sell it, is that what I heard someone say"?

Planning Director, Phil Lindler verified the undersized lots could be sold and there could be a potential issue with a bank at a later time of why the lot is less than the minimum square footage for the zoning district. This would be what we consider as non-conforming, but legal non-conforming lots of record.

Bryan Tupper asked, "Why did staff recommend approval of this request?"

Planning Director, Phil Lindler answered, "staff recommended approval to make the lots conforming to what was previously approved by the Planning Commission.

Bryan Tupper asked, "What happens if the zoning changes don't go through? Are there penalties for this and if so, who pays the penalty?"

Planning Director, Phil Lindler answered, "there are no penalties. They would still be issued building permits for those individual lots based on the existing layout".

Janice Coffey asked why Mr. Funderburk was allowed to create a plat where roughly half of the units are undersized for what was originally acceptable.

Planning Director, Phil Lindler said he would restate the history again. This development has been approved by the Planning Commission. It was approved prior to the City of Greenwood's zoning changes in 2004, where the most appropriate zoning was put on this area. This development was caught up in this change.

Janice Coffey expressed her concern for traffic movement through the neighborhood with only one road in and out.

Mr. Culbertson requested to go on record that he doesn't understand why this is even before the Commission if it has already been approved and can be built no matter what. Ultimately, the approval or denial of the request is the City's decision.

Wayne Kelley asked if Section 8 housing could be placed on this property.

Planning Director, Phil Lindler verified that Section 8 is a program that can be used wherever they choose to. The City and County do not stipulate housing prices, rent prices or leasing arrangements between individuals and the local governments are not involved.

Vice-Chairman Hill called for a motion.

Action Taken:

Calvin Culbertson made a motion to deny the request, seconded by Felicia Kinard-Hull. The motion was approved to deny the request 10-2 abstentions, with the Chairman not voting. The recommendation of approval will go to City Council.

Request R-19-11-02 Motion to Deny from R-3 to R-4 (10 - 3 vote)			
PC Member	In Favor	Opposed	Abstain
William Booker	√		
Curtis Coffey	√		
Janice Coffey	√		
Calvin Culbertson	√		
Jason Dunton	√		
Cecil Hill, Vice Chair			√
Wayne Kelley	√		
Felicia Kinard-Hull	√		
John Lamb			√
Shelia Reynolds	√		
Bryan Tupper	√		

Agenda Item 6: New Business

Request number R-19-11-03 (Ward 6) by City of Greenwood. This request is to rezone a 3.52 acre tract of land, located at 314 Jackson Av (G-Pin #6845-581-972) from R10 (High Density Residential) to R4 (Medium Density Residential).

Chairman Bartless called for an overview of the request, which was provided by Phil Lindler, Director of Planning.

This is a request by the City of Greenwood to rezone one parcel of land, approximately 3.52 acres, located at 314 Jackson Avenue. This request previously came before the Commission in May and June of 2019 for rezoning from R4 to R10 in order to redevelop the on-site historic structure into a four-unit apartment building.

This property has sat idle for many years with the land under the control of the Greenwood County Forfeited Land Commission for nonpayment of taxes. The City issued a condemnation order on the property and had secured grant funding from the State of South Carolina to tear down the structure. A historic preservationist from Greenville approached the City about acquiring the property and redeveloping the site to retain the historic significance of the structure. The City voted to turn down the state's grant in order to allow the developer to save the structure and voted to rezone the site to R10.

After the rezoning occurred, the property owner paid the back taxes on the property before the developer could pay the County. Therefore, the current owner has legal rights to the site and the developer has since moved on.

The City is requesting to rezone the property to the original zoning to conform with the surrounding area.

Surrounding zoning includes R4 to the north, west and east; and LIW to the south. Surrounding land uses includes residential to the east and west, a church to the north and vacant industrial property to the south.

The Comprehensive Plan denotes this area as High Density Residential on the Future Land Use Map. High Density Residential is identified for areas around the Greenwood City Center. The current R4 designation is comparable to the existing lot sizes within the Greenwood Mill Village. The Greenwood Mill Village contains single family residential units and duplexes.

The following spoke in favor of the request:

None

The following spoke in opposition of the request:

None

Chairman Bartless closed the public hearing portion of the meeting.

Chairman Bartless called for recommendations.

Staff: Recommends approval of the request.

Zoning Committee: Recommends approval of the request.

Chairman Bartless called for discussion from the Commission.

Chairman Bartless called for a motion.

Action Taken:

Calvin Culbertson made a motion to approve the request, seconded by Janice Coffey. The motion was approved 10-1, one abstention, with the Chairman not voting. The recommendation of approval will go to City Council.

Request R-19-11-03 Motion to Approve from R-10 to R-4 (10 - 1 vote)			
PC Member	In Favor	Opposed	Abstain
William Booker	√		
Curtis Coffey	√		
Janice Coffey	√		
Calvin Culbertson	√		
Jason Dunton	√		
Cecil Hill, Vice Chair	√		
Wayne Kelley			√
Felicia Kinard-Hull	√		
John Lamb	√		
Shelia Reynolds	√		
Bryan Tupper	√		

Agenda Item 7: Land Development Review

None

Agenda Item 8: Council Actions

Greenwood County Council – None

Greenwood City Council – None

Agenda Item 9: Commercial Development

- Stop-A-Minut, remodel; 1400 South Main Street
- Food Lion Plaza, New Addition; 2302 Bypass 25SE
- Autozone, New Build; 311 Bypass 72 NW

Agenda Item 10: Committee Reports

Chairman Bartless stated that Mr. Alton Gantt has agreed to Chair the Nominating Committee. Chairman Bartless invited Mr. Culberton and Mr. Tupper to serve on the committee and they agreed.

Planning Director announced there would be no meeting in December and wished everyone a terrific Thanksgiving, a Merry Christmas, and a Happy New Year.

He also recognized and thanked Mr. William Booker for his 30 years of service to the Planning Commission.

Agenda Item 11: Adjournment

Vice Chairman Hill asked for any other business. Seeing none, Mr. Hill adjourned the meeting at 6:52 P.M.

Submitted by Administrative Assistant, Tracy T. Moore