



GREENVILLE COUNTY COUNCIL

Minutes

Regular Meeting

January 23, 2018

6:07 p.m.

County Square – Council Chambers

Council Members

Mr. Butch Kirven, Chairman
Mr. Willis Meadows, Vice Chairman
Mrs. Xanthene Norris, Chairman Pro Tem
Mr. Joe Dill
Mr. Mike Barnes
Mr. Sid Cates
Mr. Rick Roberts
Mr. Bob Taylor
Mrs. Liz Seman
Mr. Ennis Fant, Sr.
Mr. Lynn Ballard
Mr. Fred Payne

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the County Square and made available to the newspapers, radio stations, television stations and concerned Citizens.

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Dean Campbell, Deputy County Attorney
Jeffrey Wile, Assistant County Attorney
John Hansley, Deputy County Administrator
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Paula Gucker, Assistant County Administrator, Public Works
John Vandermosten, Assistant County Administrator, Public Safety
Bob Mihalic, Governmental Relations Officer
Shannon Herman, Assistant County Administrator
Sarah Holt, Subdivision Administrator
Hesha Gamble, County Engineer
Judy Wortkoetter, County Engineer

OTHERS PRESENT

None

CALL TO ORDER

Chairman Butch Kirven

INVOCATION

Surenda Jain
Indian Vedic Center, Mauldin

PLEDGE OF ALLEGIANCE

Item (4) APPROVAL OF MINUTES

ACTION: Councilor Seman moved to approve the minutes of the January 9, 2018, Regular Council Meeting.

Motion carried unanimously.

Item (5) PUBLIC HEARINGS

(a) Greenville County Land Development Regulations Amendments

A public hearing was held for the purpose of receiving comments from the public regarding an ordinance to approve amendments to the Greenville County Land Development Regulations for the County of Greenville, South Carolina, as last amended by Ordinance No. 4852, in accordance with the provisions of the South Carolina Planning Enabling Act of 1994, S.C. Code Ann. Title 6, Chapter 29.

- **John Cook**, 322 Shelton Road, Travelers Rest – appeared in favor of the proposed
- **James Moore**, 359 Hillside Church Road, Fountain Inn – appeared in favor of the proposed
- **Barbara “Faith” Martzen**, 332 D Hillside Church Road, Fountain Inn – appeared in favor of the proposed
- **Jill Joines**, 3 Weycroft Court, Simpsonville – appeared in favor of the proposed
- **Jonelle Phillips**, 400 Phillips McCall Road, Greer – appeared in favor of the proposed
- **Darien Lewandowski**, 602 Pawleys Drive, Simpsonville – appeared in favor of the proposed
- **Bruce Chambers**, 301 Woodbridge Way, Simpsonville – appeared in favor of the proposed
- **Lynne Donehoo**, 116 Coker Road, Fountain Inn – appeared in favor of the proposed
- **Alvin Cannaday**, 134 Shannon Lake Circle, Greenville – appeared in favor of the proposed
- **Steven Cron**, 525 McKinney Road, Simpsonville – appeared in favor of the proposed
- **Anthony “Tony” Gilliard**, 527 Valley Creek Drive, Greer – appeared in opposition to the proposed
- **Michael Dey**, 136 Creekwood Road, Chapin – appeared in opposition to the proposed
- **James McCutcheon**, 1 Rubaiyat Court, Greer – appeared in opposition to the proposed
- **Jeffrey Randolph**, 6 Drexel Avenue, Greenville – appeared in opposition to the proposed

There being no other speakers, Councilor Taylor declared the public hearing closed.

Item (6) APPEARANCES – current agenda items

None

Item (7) CONSENT AGENDA

- (a) Waterline Application – Old Cleveland Road**
- (b) Waterline Application – Sandy Springs Road**
- (c) Waterline Application – Bordeaux Drive / Marseille Drive**

ACTION: Councilor Norris moved for approval the Consent Agenda Items.

Motion carried unanimously.

Item (8) ORDINANCES – THIRD READING

- (a) Greenville County Land Development Regulations Amendments**

ACTION: Councilor Ballard moved for adoption at third reading an ordinance to approve amendments to the Greenville County Land Development Regulations for the County of Greenville, South Carolina, as last amended by Ordinance No. 4852, in accordance with the provisions of the South Carolina Planning Enabling Act of 1994, S.C. Code Ann. Title 6, Chapter 29.

Vice-Chairman Meadows stated there were 21 sections in the LDR but only 7 sections were impacted by the proposed amendments. He stated he visited a new subdivision in his district recently, and spoke with the developer on duty about the price for the homes. The developer stated the homes were considered “affordable housing” and were priced from \$186,000 to \$205,000. Mr. Meadows stated he was not sure people seeking affordable housing could actually afford one of the homes. He asked if a buffer was planned and the developer stated one would be put in later, along with sidewalks. Mr. Meadows asked what those items would add to cost and was told there would be no additional costs. The developer told Mr. Meadows the same house could be built on any lot in any subdivision in Greenville County and the price for building the house would be the same; the selling price was dictated by the cost of the house as well as the development of the land. Mr. Meadows inquired about the monetary impact the proposed amendments would have on current regulations. Would the proposed amendments add to the cost of building a house, or, lower the price? He added the homebuilders had very legitimate questions and stated he opposed passing the amendments and revisiting them later as needed.

ACTION: Vice-Chairman Meadows moved to return the Land Development Regulations to the Planning Commission for review and for the commission to inform Council of the monetary impact these regulations would have on housing and, more specifically, affordable housing.

Councilor Payne commended the speakers and stated he was very impressed with their openness and suggestions.

Councilor Ballard stated when the current LDR was presented for a public hearing and third reading, several of the evening’s speakers were in attendance and many of those originally opposed what they were now in favor of and vice versa. The proposed amendments had passed through the required process and there had been no outpouring of concerns until now. He suggested Council pass the ordinance and if there were any problems, they could be addressed as needed. He stated it was the same process Council followed with the original LDR.

Chairman Kirven stated there was a motion on the floor to send the item back to the Planning Commission because the building community had indicated they did not get a chance to participate in developing the amendments. If the item was returned, the developers would tailor it to meet their needs with no input from the citizens. Council members were elected to represent everybody and to build sustainable communities the County's citizens would be proud to call home. He stated he was not sure that was true of all the subdivisions being built in the County and added that the LDR's were changed periodically by amendment; seldom were they replaced in total. He stated the LDR was a "living document" and could be adjusted as needed. Mr. Kirven stated there was no way to create a LDR that would cover every situation or every development and that people had to use judgement in applying the regulations. A good faith effort had been made to listen to the citizens as well as the development community and to move forward. He stated there were some very good aspects to the amendments and some that may need revision. Mr. Kirven stated he would vote to defeat the motion to return the item to the Planning Commission.

Vice-Chairman Meadows stated he did not make the motion because the homebuilders pressured him; he made the motion as he had questions about the proposed amendments. Mr. Meadows stated it was wrong to impinge the integrity of the Planning Commission by saying they could be bullied and it was wrong to say the homebuilders would bully the commission. The Planning Commission was a cross-section of citizens from many walks of life and Council should not question its faith in the commission.

Chairman Kirven stated he did not say the homebuilders would bully the Planning Commission. The homebuilders had months to be involved in the process and had only come forward at third reading.

Councilor Cates stated he was concerned as one of the speakers stated he had no input. Mr. Cates stated there appeared to be a few things that needed to be ironed out and he would like to see the item returned to the Planning Commission; that it would be easier to make the changes sooner rather than later. He stated he thought one of the speakers stated some of the proposed amendments had already been put into place. If that were the case, staff should not be implementing any changes without Council's approval. In the past, the builders worked with the Planning Commission and staff in working out their differences. Mr. Cates stated Greenville County needed more regulations regarding land development.

Councilor Roberts stated the County faced many issues such as the overabundance of car lots and now faced the issue of mismanagement of growth. He added some of the speakers from the Homebuilders' Association acted as if they had no influence on the LDR but actually did. Mr. Roberts stated it would be easier to go along with the homebuilders and vote to return the item, but, he ran for Council to represent District 21. Growth was killing his district and land regulations were greatly needed. Mr. Roberts stated he had met with members of the Planning Commission on several different occasions and many of them had expressed a feeling of having their hands tied. They were given a checklist and if all the requirements were met, they felt compelled to approve a request. Mr. Roberts stated more improvements were needed but the proposed amendments were a step in the right direction. He urged his colleagues to approve the item.

Councilor Dill stated many of the arguments presented by the speakers had convinced him there was a need to return the item to the Planning Commission. He stated it should be correct before it was implemented. Mr. Dill stated he was not that concerned about a developer; any additional costs associated with the requirements would be passed along in the cost of a house. He was more concerned with private individuals building a home and the costs involved in order to meet the County's requirements. There were several items in the proposed amendments that he liked but he was still in favor of sending the item back. He added in order to provide affordable housing, the County had to stop and look at the

regulations now.

Councilor Seman thanked everyone in the audience for attending the meeting and stated it was great, regardless of which side they supported, to hear the public's opinions as it gave Council a sense of what was happening in the community. She thanked the Homebuilders' Association for their input to staff and reminded her colleagues that the planning staff was comprised of highly trained professionals. The proposed LDR was not perfect but the County had to start somewhere and she urged her colleagues to move forward.

Councilor Barnes thanked the Planning Commission for all their hard work and the standards they had set. He asked what was 30-40 days if the item could be returned to the Planning Commission and have the needed corrections made. He felt it would satisfy more people instead of having so many differences of opinion.

Councilor Fant stated he had talked to people on both sides of the issue. He stated he understood the importance of regulation and managing growth and the County had not been doing a good job with that in recent years. Until recently, practically every new subdivision was rubber stamped with approval. He stated out of the 3000 new jobs that would be created this year in Greenville County, 30% would pay \$15.00 - \$25.00 per hour with an average of \$22.00 per hour. Mr. Fant stated the County needed affordable housing but was doing nothing to ensure a niche was carved out for it.

Councilor Payne stated he was opposed to returning the item back to the Planning Commission for three reasons: the process used was open as well as ongoing, professionals have reviewed the LDR to include the Planning Commission as well as the planning staff and a plan was in place to review the LDR in the very near future and make suggestions for change.

Councilor Taylor stated he agreed with Councilor Payne and would like to see some of the proposed amendments re-examined and possibly changed immediately. Mr. Taylor stated moving forward would send the message that even though the LDR was not perfect, Council was listening and changes would be made.

ACTION: Councilor Ballard called for the question.

Without objection, the question was called.

Motion to return the item to the Planning Commission was denied by a roll call vote of four (Dill, Barnes, Meadows and Cates) in favor and eight (Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Payne) in opposition.

Chairman Kirven stated when changes were needed to the LDR, they would be made expeditiously. He added that everyone wanted to work with the homebuilders' community and the citizens in making refinements to the LDR.

Councilor Fant stated he wanted to go on record as saying he would vote in favor of the amendment but not because he was pleased. He stated the Affordable Housing Committee would be working with staff on exceptions to some of the regulations in order to make progress in regards to affordable housing.

Councilor Dill stated he was unable to support the amendment as it was not a complete document. He stated he would be willing to amend the motion and send the item back to the Planning Commission with recommended changes to be presented to Council in one month.

Councilor Cates stated he could support that amendment as the proposed regulations were needed but he was concerned by some of the homebuilders claiming they were not part of the process. He stated he supported the planning staff implicitly and if they had agreed to work with the builders and citizens on possible changes, he would have to assume that would take place.

Chairman Kirven stated all county ordinances were subject to change as life evolved. Council would always have to review ordinances and make changes as deemed necessary.

Motion as presented carried by a roll call vote of nine (Cates, Roberts, Taylor, Norris, Seman, Fant, Ballard, Kirven and Payne) in favor and three (Dill, Barnes and Meadows) in opposition.

Item (9) ORDINANCES – SECOND READING

(b) Clear Spring Fire and Rescue District / Method of Board Appointments

ACTION: Councilor Seman moved for approval at second reading an ordinance to increase the membership of the Clear Spring Fire and Rescue District, and to provide that the members shall be appointed by Greenville County Council.

Chairman Kirven stated passage of the ordinance would increase the membership from five to seven.

Motion carried unanimously.

Item (10) COMMITTEE REPORTS

No reports

Item (11) APPEARANCES BY CITIZENS

- **Ed Paxton**, 1 York Circle, Greenville – appeared regarding obfuscating
- **Jack Logan**, 5061 Old Augusta Road, Apt. C, Greenville – appeared regarding spending by Council Members
- **Efia Nwangaza**, 202 Lavinia Avenue, Greenville – appeared regarding disrespect of abused women
- **David McCraw**, 9 Baronne Court, Greer – appeared regarding honesty, integrity and accountability
- **Nick Hollingshad**, 4 Portofino Court, Greenville – appeared regarding the VITA Program

Item (12) ADMINISTRATOR’S REPORT

No report

Item (13) REQUESTS AND MOTIONS BY COUNCIL MEMBERS

(a) Motion to Reconsider Zoning Docket CZ-2017-60

ACTION: Per notice given in the Council agenda packet, Councilor Ballard moved to reconsider the vote taken on January 9, 2018, that denied Zoning Docket CZ-2017-60, property of V Go Holdings, LLC located at 1335 Cedar Lane Road in Council District 19.

Motion carried unanimously.

ACTION: Councilor Ballard moved for adoption at third reading Zoning Docket CZ-2017-60, Property of V Go Holdings, LLC located on 1335 Cedar Lane Road, requesting rezoning from C-3 and R-10 to S-1.

Councilor Ballard stated the Planning Commission and the Committee recommended denial. He stated eight votes were needed in order to pass the ordinance.

Vice-Chairman Meadows stated the property was located in his district and there was no opposition to the request. He urged his colleagues to support the request.

Motion as presented carried unanimously.

REQUESTS AND MOTIONS BY COUNCIL MEMBERS con't

- Councilor Seman stated that SCTAC wanted to salute tenant Urban Seas Aquaculture - an indoor, environmentally sustainable shrimp farm - on their recent recognition in The Greenville News. She stated Urban Seas Aquaculture fit perfectly with SCTAC's desire to serve a wide diversity of innovative businesses within the manufacturing, engineering, technology, and research industries.
- Councilor Fant stated Vision 25 held its first quarterly meeting on January 20 at Upstate Circle of Friends. He added that Vision 25 had a number of great things planned for 2018 and he then recognized the members of Vision 25 who were in attendance. Councilor Fant stated that he, along with Councilors Ballard and Roberts, had put together three major objectives for 2018 and would be sharing those in the near future. He challenged Council to look toward to the future with great anticipation and not remain in the past.
- Councilor Payne stated he agreed with Councilor Fant and would like to share his own priorities for the future at a later date. He added Greenville County was on the cutting edge of many innovative changes in regards to housing, education and transportation.
- Councilor Dill stated he had never voted against Sunday alcohol sales and simply wanted to set the record straight.
- Councilor Dill stated he held no grudge against any of his colleagues for their vote on the Land Development Regulations. Councilor Dill stated he wanted a completed document and felt developers, builders and the public deserved that as well.
- Councilor Cates stated he was concerned about the fact that the public hearing for the amended Land Development Regulations was held just minutes before Council voted and asked if that was normal procedure.
- Councilor Cates stated Mr. Carl Blair, a great man and very talented artist, passed away on Monday.

- Councilor Cates reminded his colleagues about the luncheon with GTA to be held Thursday at 11:30 a.m. He also invited everyone to a new building dedication for Hidden Treasures School on April 8.
- Councilor Norris stated Myrtle Hall Smith, a graduate of Sterling High School and The Julliard School of Music, recently passed away. She added Ms. Hall, a resident of District 23, was a very talented artist.
- Councilor Roberts thanked the speakers for their input in regards to the Land Development Regulations. He added the County needed to adapt to its growth issue and thanked his colleagues for their support.
- Councilor Taylor wished Mr. Payne a Happy Birthday.

Item (14)

ADJOURNMENT

ACTION:

Councilor Taylor moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 8:14 p.m.

Respectfully submitted:

Regina G. McCaskill, Clerk to Council