Planning Commission  
November 3, 2016

CITY OF CONWAY  
PLANNING COMMISSION MEETING  
THURSDAY, NOVEMBER 3, 2016  
CITY HALL CONFERENCE ROOM – 229 MAIN STREET – 5:30 P.M.

Present:  Jim Young, Brantley Green, David Jordan, Chris Sansbury, Chris Guidera,  
Wren McMeekin, Brian O'Neil, Gloria Robinson-Cooper, Kendall Brown

Absent:  N/A

Staff:  Adam Emrick, Planning Director; Barbara Tessier, Secretary

Others:  Ben Burroughs, Jeffrey Solan, Steve Strickland, Harry Dill, Betty Huntley,  
Jeremiah Huntley, Arnold Johnson, Jamie Collins

I.  CALL TO ORDER

Chairman Green called the meeting to order at 5:32 p.m.

II.  APPROVAL OF THE SEPTEMBER 1, 2016 PLANNING COMMISSION MINUTES

Guidera made a motion, seconded by McMeekin, to approve the September 1, 2016 meeting minutes as written. The vote in favor was unanimous. The motion carried.

III.  REZONING/ANNEXATIONS

A.  Request by Lakeview Villas, LLC and Ocean 7, Inc. to amend the existing  
Carsens Ferry Planned District (TMS# 122-00-04-079/PIN# 33704030020,  
TMS# 122-00-04-080/PIN# 33704030022, TMS# 122-00-04-075/PIN# 33704030023,  
TMS# 122-00-04-082/PIN# 33704030024, TMS# 122-00-04-083/PIN# 33704030025) to allow for the building of single family residences.

Emrick quickly went over the background of this Planned District. He said in 2007, the Rivertown Landing Planned District was approved by City Council. He said it was to be a mixed use development that contained 28.55 acres of land and included multiple-family condominium units, single-family attached residential units, office and retail spaces and civic use space.
Emrick said that Rivertown Landing had been known for some time as Carsens Ferry. He said since the approval of the development, no development had occurred.

Emrick said in July 2016, staff had received amended plans for Carsens Ferry, removing all commercial and multi-family from the rear most parcels and instead planning 50 small lot single-family houses. He said these lots would be smaller than most typical lots allowed in straight-zoned neighborhoods. He said they would be between 3,000 and 4,000 square foot lots.

Emrick said the existing road infrastructure would be used with all houses fronting on public streets with private alleys running behind some houses, which would have rear-loading garages. Emrick also noted that some of the public streets would be narrower than City standards, which requires 24’ wide streets. He said that this was acceptable.

Emrick said that the amendment request was acceptable to staff.

Jordan made a motion, seconded by Brown, to approve the amending request to allow for single-family lots as presented. The vote in favor was unanimous. The motion carried.

B. Request by Jamestown Baptist Church to rezone the property located at 2913 Ninth Avenue (TMS# 136-00-05-002 / PIN# 36808030005) from Low Density Residential (R-1) to Planned District to allow for the development of a Church and related amenities.

Emrick said that an application for a rezoning of the Jamestown Baptist Church property for 2913 Ninth Avenue had been received by staff. He said it was a 10.4 - acre lot that spanned the entire area between Ninth Avenue and Fourth Avenue.

Emrick said that any religious use utilizing property of over 3 acres must rezone to Planned Development under the requirements of the UDO. He said this was because a religious use over 3 acres typically included uses beyond just a church or parsonage.

Emrick said the church planned to construct a church, fellowship hall, classrooms, a parsonage and athletic fields. He said access would be off Ninth and Fourth Avenues. He said the private maintenance road that ran along one side of the lot would not be used by any of this development.

Emrick said that currently only a site plan had been submitted, but prior to any construction, development plans would be required and review and approval form the Technical Review Committee.

Jordan said he remembered Terry Watson, a member of the church, having come to the meeting several years ago when they church wanted to rezone. Emrick said that was correct, but that the UDO was not in place at that time. He
said at that time, the property would not have been required to be a PD. Emrick said that rezoning request had been withdrawn prior to going to City Council.

Strickland, the engineer for the project, said this development had been a long term goal for the church. He said they had a growing congregation and this plan made sense for them.

Strickland said there would be a landscape buffer between the church property and residential areas. Green asked Strickland about the stormwater. Strickland said it was adequate. He said they would have a large pond at the front of the property. He said it would have good outfall.

Strickland said they would have paved and gravel/grass parking.

Ms. Huntley, a concerned neighbor residing at 503 Perry Street, said the waste water pipe had broken twice and had run across her property.

Green asked Strickland if they had SCDOT approval. Strickland said they were working on it.

Jordan asked if the structure that had been on the lot was still there. Strickland said the structure was no longer on the property.

McMeekin asked Strickland when they planned to start developing. Strickland said it would be 1-2 years before all the construction plans would be completed, and approximately another 18-24 months for construction.

Emrick said although not insurmountable, the SDCOT might have some traffic concerns. Strickland said there was enough flexibility for them to shift the entrance if need be.

Green asked if the drive lanes would be paved. Emrick said the city required the drive lanes to be paved. Strickland said just the overflow parking would be pavers or grass.

Green asked if the parking lot would be lighted. Strickland said they would have a lighting designer work on that.

Young asked what type of buffer would be required between the church and the residential areas. Emrick said some combination of a type A and type B buffer. Strickland said they were looking at Magnolias, Live Oaks and Crape Myrtles.

Green asked if the fields would be lighted. Strickland said they would not as the use of the fields would only be during daylight hours. He said the Rec Center had fields for nighttime use.

Green asked who owned the service road beside the property. Strickland said the church had no control over the road. Green asked if the city maintained it. Emrick said they did not.
Ms. Huntley said that Mr. Quattlebaum had given the road to the community several years ago. She said they used to have trash pick-up, but not anymore. Emrick said the city did not go onto private roads.

Ms. Huntley said the waste water did not stay on church property. Strickland went through all the stormwater engineering. He said that there would be weekly inspections to be sure they were following the regulations.

Ms. Huntley went on to mention all the things that the church had done in the past with the lot that was not respectful to the homeowners. Strickland said all he could do was apologize for what might have happened before. He assured them that a land disturbance permit was thorough and checked weekly.

Ms. Huntley said there was a small wetland on the property. Strickland said he did not have any documentation that showed wetlands on the property. Green said in order to be a wetland, it had to meet certain criteria and would be labeled.

Ms. Huntley said there was a danger of open fields. Green said the police department would be the ones for them to contact if there were concerned about people being in the fields. He said a church built on the property with services twice a week would bring a change to the area. Ms. Huntley did not agree.

Sansbury addressed the pastor asking him if he would be living on the property. The pastor said a parsonage would be built at some point in time. Pastor Collins said they were a very active church and there were people in and out of the church all the time not just twice a week.

McMeekin said building the church would be bringing something positive to the area. Green said the parking lot lights would discourage people loitering.

Ms. Huntley said she did not think the church would do anything that they were supposed to do. Green said the land belonged to the church and what they were proposing was within their rights to do so. He said it was time for the Board to move on to the next agenda item.

Jordan made a motion, seconded by Sansbury, to recommend approval for the requested rezoning as presented. The vote in favor was unanimous. The motion carried.

IV. TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE

A. Consideration of an amendment to the Unified Development Ordinance Article 5 to remove the prohibition on the storage of vehicles at mini-storage facilities and establish standards for such storage

Emrick said in August 2016 City Council approved a revision to the UDO prohibiting the parking of commercial vehicles on public streets. During the
discussion, Council voiced their concern that these vehicles had no alternative parking areas.

At the same time, Council reviewed an amendment to the UDO regarding the parking and storage of recreational vehicles. Council again voiced concern about where these vehicles could be parked when lot sizes did not offer adequate space in which to park them.

Emrick said the issue was discussed at the September 1, 2016 Planning Commission meeting and the Planning Commission had asked for more time to consider the amendment.

Emrick said the most common location for the storage of vehicles when there was not enough space at the residence was off-site, typically at a mini-storage facility. He said the proposed amendment would allow for this parking and storage of all vehicles at mini-storage facilities provided they met the landscaping requirements added to the ordinance.

Emrick said to have vehicles parked at a mini-storage facility, the owner of the facility must install a 6’ high opaque fence with a 15’ landscaped buffer outside of the fence to adequately screen the storage facility. He said chain link fencing and barbed wire would not be permitted.

Emrick said City Council had asked that the Planning Commission review the ordinance changes and to make suggestions to them on buffer standards and other requirements.

Jordan asked if the current mini-storage facilities in the city had the room for the landscape buffering. Emrick said they did not.

Green asked if someone had approached the city on this issue, but Emrick said this was based on Council’s concern as to where the vehicles would be permitted to park.

Jordan thought 6’ for the fence was good. Green said that along the Ocean Lakes area you could not see the RVs because of the buffer. Looking at the area on Google Maps showed that the landscape buffer at that location was more than 15’. After discussion, it was also determined that it most likely took years for the vegetation to grow to its current maturity.

Jordan made a motion, recommend approval of the amendment with a 6’ opaque fence with a 15’ buffer, with double the landscaping materials using screening vegetative materials, rather than the usual combination of trees and bushes. The vote in favor was unanimous. The motion carried.

B. Consideration of an amendment to the Unified Development Ordinance Table 8.3 of Article 8 to increase the parking maximums for commercial developments

Emrick said in recent months, the maximum parking limitations have been the subject of multiple variance requests to the Board of Zoning Appeals. This had
caused staff to consider whether amendments should be made to the maximum parking limits that currently exist.

Emrick said that Aspen Dental was permitted by the UDO to have 18 parking spaces. However, 10 of those spaces were taken by employees with the other 8 available for the patient rooms, but allowed none for waiting room clients. They required a variance to add 10 parking spaces.

Emrick said that both of the new Aldi stores required a variance to add parking spaces based on the numbers their parking studies they had shown would be needed for them to be viable.

Emrick said the purpose of limiting the total number of parking spaces was to reduce the effect of a "sea of asphalt" that some large commercial developments might have. He said, however, that commercial development continued to grow in the city, and a review of the parking maximum limitations pertaining to commercial uses should be done.

Emrick said City Council had reviewed the issue at their October 1, 2016 meeting and asked that the Planning Commission look at a 25% increase to the maximum limits for commercial parking for certain uses.

Emrick said this increase in parking would not be for hotels, car sales, funeral homes or marinas.

All the Board members thought this was a valid concern with Sansbury making a motion, seconded by Jordan, to recommend the approval of a 25% increase in commercial parking as presented. The vote in favor was unanimous. The motion carried.

C. Consideration of an amendment to the Unified Development Ordinance Table 6.2 of Article 6 relating to building height

Emrick said the current maximum building height for the Central Business District (CBD) was 45’. The maximum building height for the Waccamaw River District (WRD) was 35’. He said with the current interest in developing the Riverfront area and plans for potential hotel development, the current height limitations might prevent new development from occurring. He said potential was there for new hotels and residential buildings to exceed the current standards and so a review of the maximum heights was needed.

Emrick said that all buildings in the CBD and WRD would still require the review and approval of the Community Appearance Board. He added that any buildings considered to be out of scale could be rejected by the CAB regardless of the height limits permitted.

Emrick said City Council had reviewed this issue at their October 1, 2016 and expressed interest in a 75' as the maximum building height in those zoning districts.
Ben Burroughs asked to address the Board. He said in the late 1980’s and early 1990’s, there was a desire to make the riverfront a first class location. He said it was just as much for the city residents as it was to attract tourists.

Burroughs said hotels, for example, would be out of scale in the historic district and downtown. He said the districts would be ruined if new buildings were not kept to the current scale.

Burroughs said once a taller building was constructed, there was no going back to the quaintness that people liked about Conway. He said the Cypress Inn followed the rules. He mentioned that he did not think they were always booked. He said there was not going to be a five-star hotel building in these districts. Jordan mentioned that the study that had been done said that a hotel of just 60 rooms could not be supported.

McMeekin said he thought a chain hotel might be able to be built on the perimeter of these districts.

Burroughs suggested the city purchase the land and build a park to anchor both ends of the Riverwalk. He said that would preserve the river and the view of the town.

O’Neil said he chose to live in Conway rather than the beach because it was not like the beach.

Robinson-Cooper mentioned the Best Western in Conway and how flooded it got and how the badly the riverfront had also flooded.

Sansbury made a motion to table the item until the Master Plan can be completed, but with no second, he retracted the motion.

Young made a motion, seconded by Guidera, to recommend not approving the increase in building heights for the CDB and WRD districts and recommended that the Master Plan Consultant at least consider what building height changes could look like. The vote in favor was unanimous. The motion carried.

D. Consideration of an amendment to the Unified Development Ordinance Article 2 to amend the definition of setbacks, to measure setbacks from the building foundation rather than protrusions

Emrick said Article 2, Section 2.1.2 General Definitions of the Unified Development Ordinance sets forth what the city required as a minimum setback.

That definition reads, “The required minimum distance between the nearest portion of a structure (including roof overhangs) and the nearest property line or portion thereof. Structures or portions thereof which do not exceed twelve (12”) inches in height and removable mechanical equipment shall not be considered part of the structure for the purposes of determining minimum setback requirements.”
Emrick said setback requirements were generally determined by the local municipality or local government. He said today's definition in the UDO is the same one that was in Zoning Ordinance when it was adopted in 1999. Emrick said because the setback requirements are set at a local level, they could be amended.

Emrick said Horry County permitted the overhang to encroach 18” into the setback, meaning that they measure the setback from the structure’s foundation to the property line.

Emrick said the definition to allow the setbacks to be measured from the foundation rather than overhangs and other architectural projections was appropriate. He said this amendment would allow for ease in determining setbacks prior to construction. Eaves, overhangs, and other architectural projections would be permitted to extend 24” beyond the foundation.

Emrick said City Council was introduced to this proposal at their October 17, 2016 meeting. He said Council asked that the Planning Commission review the ordinance changes and make a recommendation to them.

Sansbury made a motion, seconded by Jordan, to recommend the amendment to the setback requirements as presented. The vote in favor was unanimous. The motion carried.

E. Consideration of an amendment to Article 4 to add a permitted use for Doggie Daycares and Dog Spa

Emrick said the city recently received a request to open a doggie daycare/spa at 902 Buck Street. Emrick said this use was not articulated in Article 4, nor were there any similar uses that staff could interpret to have been intended as a permitted use. Emrick said this property was zoned Professional (P) and according to the UDO, this specific use would not be permitted at this location.

Emrick said after evaluating the intent of the Professional Zoning District, staff believed that a doggie day care/spa would be appropriate. Emrick said this use should also be permitted in the much broader Highway Commercial, Light Industrial and Heavy Industrial zoning districts.

Emrick stated that this use should be conditioned upon the fact that no overnight boarding be permitted, that no noise be allowed to permeate the exterior of the exterior of the site, and no outdoor facilities be permitted with the use except for walking of the dogs on a leash. Emrick said the conditions would be articulated in a new section of the UDO, specifically Section 5.1.31.

Emrick said parking for this use should also be included in Article 8, and should be a minimum of one parking space per 500 square feet and a maximum of 1 space per 300 square feet.

Guidera made a motion, seconded by O’Neal, to approve the request as presented. The vote in favor was unanimous. The motion carried.
V. LETTERS OF CREDIT

A. Letter of Credit renewal and reduction request – Midtown Village

Emrick said the current letter of credit was in the amount of $135,534.15 and was authorized to be reduced at the September 3, 2015 Planning Commission meeting. Emrick said the letter of credit was due to expire on October 13, 2016. He said because of Hurricane Matthew, the October Planning Commission meeting had been canceled. He said the Letter of Credit had been renewed without approval from the Planning Commission. He said they would now have to decide if the letter of credit should be permitted to be extended and if the reduction was appropriate.

Emrick said the outstanding work was for sidewalks and street trees. He said 57% of the single-family units had been built, and 57% of the townhomes had been built. He said the last permit had been issued on July 22, 2016. Emrick said he did not think they would need to have a letter of credit after this coming year.

Emrick said staff recommended extending the letter of credit for another year amount of $135,534.15.

Sansbury made a motion, seconded by Jordan, to approve the extension and reduction of the Midtown Village letter of credit. The vote in favor was unanimous. The motion carried.

B. Letter of Credit reduction request – Oak Glen

Emrick said that the letter of credit for Phase 1 was accepted by the city for $421,000.00 in May 2016. This letter of credit covered roads, sidewalks and street trees.

Emrick said the city received a letter from DN Engineering on October 3, 2016 requesting the letter of credit be reduced to $223,338.00 to reflect only the items that remained to be completed.

Emrick said staff recommended, based on review and approval by the Public Works Director, to approve the reduction to the Oak Glen Phase 1 letter of credit.

Jordan asked if they could ask for a reduction even though the letter of credit was not yet up for renewal. Emrick said they could ask for a reduction at this time.

Guidera made a motion, seconded by Jordan, to approve the reduction in the Oak Glen Phase 1 letter of credit from $421,000.00 to $232,338.00. The vote in favor was unanimous. The motion carried.

VI. COMPREHENSIVE PLAN ELEMENT
A. Review and consideration of adoption of the Population Element of the Comprehensive Plan

Emrick said this was for review and consideration of the adoption of the Population Element of the Comprehensive Plan.

Emrick said under South Carolina law, a planning commission must establish and maintain a planning process which will result in the systematic preparation and continual evaluation and updating of the elements of the comprehensive plan. He said in order to provide continual updating, staff planned to rewrite each of the elements of the Comprehensive Plan on a continual basis, updating one or two elements each year.

Emrick said there were 9 elements and the Population Element was the foundation on which many of the other elements were based. He said the Population Element was required to evaluate trends and projections in population. He said it must also include information on the size and characteristics of households, educational information, race, sex, and other factors related to the health of its population.

Emrick said the current estimated population of the city, using an internal matrix was greater than 25,000. He said the Census’ estimate by comparison was 21,053 (2015 Population Estimates US Census Bureau). He said he believed the difference to be the Census undercounted the college students and faster than anticipated residential growth.

Emrick said the updated the Population Element to be easier to read with graphs and charts and using actual data.

Emrick said it was staff’s recommendation to review the Population Element and make a recommendation to City Council for the adoption of the Planning Element of the Comprehensive after Public Hearing.

Jordan made a motion, seconded by Sansbury, to recommend the adoption of the updated Population Element as presented. The vote in favor was unanimous. The motion carried.

VII. APPROVAL OF 2017 MEETING SCHEDULE

Emrick said staff recommended the approval of the 2017 meeting schedule.

Sansbury made a motion, seconded by Jordan, to approve the 2017 Planning Commission meeting schedule. The vote in favor was unanimous. The motion carried.

VIII. PUBLIC INPUT

There was none.
IX. ADJOURN

There being no further business to come before the Board, the meeting adjourned at 7:00 p.m.

Approved and signed this ______ day of Dec__________, 2016.

Brantley Green, Chairman