CITY OF CONWAY
CITY COUNCIL WORKSHOP
229 MAIN STREET
MONDAY, FEBRUARY 17, 2020—4:00 P.M.

PRESENT: Mayor Barbara Jo Blain-Bellamy, Shane Hubbard, Mayor Pro Tem, and Council Members William Goldfinch, Alex Hyman, Justin Jordan, Jean Times, and Larry White

STAFF: Adam Emrick, City Administrator; Mary Catherine Hyman, Deputy Administrator/Planning & Development Director; John Rogers, Deputy Administrator/Grants & Special Projects Director; Jessica Hucks, Planner; Kym Wilkerson, Zoning Administrator, Robert Cooper, Building Official, Katie Dennis, Property Maintenance Inspector; Roseanne Dates, Grants Coordinator, Dale Long, Police Chief; Taylor Newell, Public Information Officer; and Barbara Tessier, City Clerk

OTHERS: Devin Parks, Rikin Patel, Dale Grunsky, and media representatives

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order.

The requirements for posting notice of this meeting under South Carolina’s Freedom of Information Act (FOIA) were met.

APPROVAL OF AGENDA: Motion: Goldfinch made a motion, seconded by Hyman, to approve the February 17, 2020 Workshop meeting agenda. Vote: Unanimous. Motion carried.

ITEMS FOR DISCUSSION

A. Discussion on request to rezone approximately 0.13 of an acre of property located at 1616 Sixth Avenue (TMS 137-01-34-011 | PIN 368-03-02-0045) from City of Conway Medium Density Residential (R2) to Highway Commercial (HC). Hyman informed Council that request was to allow for the combination of this parcel with that at 604 Church Street, which is zoned HC, to be used for an addition of the existing gas station/convenience store. The applicant intends expand the building to add a “beer cave.” Hyman noted that the gas station/convenience store was currently closed and that to reopen, the applicant would have to bring the property up the requirements of the UDO. The required upgrades would be substantial.

Discussion followed with concern for a church being in the near vicinity, but the law only pertains to establishments where liquor is sold. Patel, the applicant, told Council that he had already had a conversation with the church, and there were no objections. Council also
noted there was a residential neighborhood in close proximity with elderly residents that they would not want disturbed by any nuisance issues stemming from this location.

The fact that businesses formerly at this location were deemed a nuisance was mentioned. Chief Long advised Council that the owner would have to intensely oversee what went on at this property to be sure that it did not happen again. Long was asked what might be a reason why some of the convenience stores had nuisance issues and he replied it might be the amount of foot traffic, which leads to the temptation of beer being opened on premise when purchased. Long said the owner appears to be a willing partner and help the police. Patel further explained that there would be security cameras as well.

Patel was asked what the outcome would be for the business if the rezoning was not approved. He informed Council that having the property rezoned was essential for the business to survive.

Blain-Bellamy asked Long what could be done about a business, by virtue of its customers and perhaps by negligence of the owner, becomes known as a nuisance. Long commented, if the nuisance outside was consistent, a public nuisance civil action could be brought against the owner.

Goldfinch commented it would erase the blight of that corner. Patel noted that Exxon has already approved the location.

M. Hyman informed Council that this request had already been heard by the Planning Commission with their recommendation to approve, and that the Public Hearing and First Reading would be at the March 16, 2020 Council meeting and second reading on April 6, 2020.

B. **Discussion on request to rezone approximately 5.32 acres of property located at 198 Long Ave (TMS: 123-10-33-007 | PIN: 339-08-01-0003) from City of Conway Residential (R1) to Planned Development District (PD).** Hyman noted the church has been vacant since suffering flood damage from Hurricane Florence and was intending to not only make renovations, but to expand the footprint of the building. The UDO requires any parcel used for a religious use that is over 3 acres be zoned as Planned District.

The Planning Commission at its February 6, 2020 meeting gave unanimous approval to the rezoning request. The request is scheduled for Public Hearing and First Reading on March 16m 2020 followed by second reading on April 6, 2020.

C. **Discussion on closure of Pinewood Circle Alley between Silvia and Joshua Hudson (PIN 338-11-01-0060) and Rebekah and Andrew Cooke (PIN 338-11-01-0057).** Hyman informed Council that the alley runs between the properties owned by the applicants who are seeking to have the unimproved private alley declared closed with the alley then being split between the two property owners. The applicants will comply with all the City and State advertising notice and signage requirements. The Planning Commission, at their February 6, 2020 meeting, gave unanimous approval to the alley closing. This request will require two reading at Council at a future date.
D. Discussion on an update to the Flood Damage Prevention Ordinance to include the 2019 FIRM (Flood Insurance Rate Map). Cooper advised Council that the devastation caused by flooding in recent years has prompted staff to spend countless hours to discuss what the City can do to reduce the flood risk impacts to the community.

Cooper explained that prior to 2017, the UDO required the building area of all lots must be at 2 feet above the 100-year flood elevation as provided for in the City’s Flood Damage Prevention Ordinance. The requirement was amended to be 2 feet above the high water mark from Hurricane Matthew or the FEMA delineated flood zone, whichever is higher.

In 2019, FEMA updated the FIRM maps making the new elevation higher than the Matthew high water mark. The FEMA preliminary maps were updated on August 19, 2019 making them the most current data, thus making the Matthew high water and preliminary maps currently in effect by the City ordinance obsolete.

In order to reduce inconsistencies, staff recommends that the City adopt the 2019 FIRM maps, and absolve the recorded high water marks from Hurricane Matthew.

The request is scheduled for Public Hearing and First Reading on March 16, 2020 followed by second reading on April 6, 2020.

ADJOURNMENT: Motion: White made a motion, seconded by Goldfinch, to adjourn the meeting. Vote: Unanimous. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this __ day of April, 2020.

Barbara A. Tessier, City Clerk