CITY OF CONWAY
PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 3, 2015
CITY HALL CONFERENCE ROOM – 229 MAIN STREET – 5:30 P.M.

Present: Tammy Hughes, Chris Guidera, Brantley Green, Larry Foye, James Young
Absent: Wren McMeekin, David Jordan, Howard Henry
Staff: Adam Emrick, Planning Director; Barbara Tessier, Secretary
Others: Lynn Stevens, Cam Smith

I. CALL TO ORDER

Chairman Green called the meeting to order at 5:30 p.m.

II. APPROVAL OF MINUTES

Young made a motion, seconded by Hughes, to approve the August 6, 2015 meeting minutes as written. The vote in favor was unanimous. The motion carried.

III. REZONINGS

A. Request by Ridgeway Capital, LLC and the McNair Law Firm, P.A. on behalf of Virginia Buck, Susan Ryan, and Laurie Hooks to rezone approximately 2.15 acres of property located at the corner of 16th Avenue and Church Street in the Buckwood Subdivision (TMS# 123-13-06-004 PIN 33811040001, TMS# 123-13-06-005 PIN 33811040002, TMS# 123-13-06-006 PIN 33811040003, TMS# 123-13-06-007 PIN 33811040004, TMS# 123-13-06-008 PIN 33811040005, TMS# 123-13-06-009 PIN 33811040006) from existing Low Density Residential (R-1) to Highway Commercial (HC) for the purposes of commercial redevelopment

Emrick said this 2.15 acres of property consisted of 6 parcels. He said the parcels were included in the Buckwood subdivision, which had been designed in 1950. He said the majority of the lots in Buckwood were restricted to residential use when developed, but five of the six lots that comprised this rezoning were specifically exempted from that restriction. He said the property owners wished to rezone the parcels to accommodate commercial development.
Emrick said the other three sides of this intersection were zoned Highway Commercial (HC) housing a fast food chain restaurant, a gas station and a pharmacy.

Emrick said the parcels had previously been requested for rezoning in December 2005, but given the building constraints of the Mixed Used District the request was withdrawn prior to going before the Planning Commission.

Emrick said the Future Land Use Map designated this property as mixed use, but it might not be the best use for this property.

He said there were no formal plans submitted yet for any commercial projects at this time.

Emrick said the only call he received was from another property owner who said he might ask for a rezoning, too.

Emrick said staff recommended approving the rezoning as the character of the area was consistent with this request.

Lynn Stevens of McNair Law Firm spoke as the owner’s representative. She said the area was in a major gateway and they were trying to use the property in keeping what was already at the intersection. Stevens said the residential lot owners would have been made aware via the covenants that these lots were not intended to be used for residential purposes. She gave the Board a copy of the covenants. She said a residential use would be difficult as there were no interior roads. She said facing homes along Sixteenth Avenue or Church Street was impractical if not impossible from a SCDOT standpoint.

Stevens had a property draft site plan, which she showed to the Board of potential commercial uses. She said the buffers and setbacks had been complied with. She said the existing trees might be enough to meet requirements, but if not, the developer would comply with adding additional trees. She said a retention pond would be put on lot 8, since it was a residential lot to act as a buffer. She said they lined up, at the request of staff, the entrance on Sixteenth Avenue with the one going into Walgreen’s. She said SCDOT would have to approve an entrance off Church Street.

There was no public to comment on the matter.

Young made a motion, seconded by Guidera, to approve the rezoning request as presented. The vote in favor was unanimous. The motion carried.
IV. AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE

B. Consideration of an amendment to Article 5 of the Unified Development Ordinance to add a prohibition on parking commercial vehicles in residentially zoned areas.

Emrick said both the Planning and Police Departments have had a rising number of complaints about commercial vehicles being parked in residential neighborhoods. He said on one occasion, three tractor-trailers were parked on a single stretch of roadway in a newly developing residential subdivision. He said there was not currently any restriction on commercial vehicle parking of any kind within a residential neighborhood. Emrick said at the July 20, 2015 City Council meeting, Council directed staff to look at different types of commercial vehicles to determine what types of vehicles should be prohibited from parking on city streets or in the right-of-ways.

Emrick said commercial vehicles parked on residential streets, especially tractor-trailers could be seen as a detriment to the character of the street. He said it could affect the marketability of new homes and the market value of existing homes. In addition, he said larger vehicles blocked the view of and from homes.

Emrick said when large commercial vehicles park in a common area, the use of the property was altered from residential to commercial parking. He said enforcing it from a zoning perspective would be very difficult.

Emrick said a brief, concise ordinance placing limitations on what types of vehicles could be parked in residential subdivisions would allow the police or zoning to prevent this sort of encroachment into residential neighborhoods.

Emrick said staff and City Police had reviewed other municipal ordinances to determine the best way to handle this. He said the consensus would be to look at vehicle length and weight of the vehicle. He said this would be the most effective way to address Conway’s situation. Emrick said other cities limited commercial vehicle parking in residential neighborhoods to twenty (20) feet and 10,000 pounds. He said this would restrict the tractor trailers and other large vehicles, but not overly restrict smaller commercial vehicles.

Emrick said it was staff’s recommendation to amend the UDO to include a prohibition on parking commercial vehicles in residentially zoned neighborhoods that exceeded twenty (20) feet in length and 10,000 pounds.
Sansbury made a motion, seconded by Foye, to approve the request to prohibit the parking of commercial vehicles over twenty (20) feet in length and weighing 10,000 lbs. from parking in residential neighborhoods on city streets or in the right-of-way. The vote in favor was unanimous. The motion carried.

V. LETTERS OF CREDIT

C. Consideration of the renewal and reduction of a Letter of Credit for Midtown Village subdivision.

Emrick said the current letter of credit covered the uncompleted sidewalks and street trees. This letter of credit was in the amount of $180,220.38 and would expire on October 17, 2015.

Emrick said the developer had requested to reduce the letter of credit by $44,685.23 for a total secured amount of $135,534.15. He said the basis for the reduction was the amount of sidewalks and street trees that had been installed since their last review. He said nine houses had been permitted in Midtown Village since June 30, 2015.

Emrick said staff recommended accepting the reduction in the letter of credit and extending it for another year.

Young made a motion, seconded by Foye, to approve the reduction in the Midtown Village letter of credit and to extend the letter of credit for an additional year. The vote in favor was unanimous. The motion carried.

D. Consideration of the renewal of a Letter of Credit for The Fairways @ Wild Wing subdivision.

Emrick said there had been no permits issued in the Fairways multi-family section of Wild Wing since 2010. He said staff recommended approving the letter of credit for an addition year in the same amount.

Emrick said with the recent CCU sports announcement regarding going to the new conference, perhaps that would spur more activity.

Guidera made a motion, seconded by Hughes, to approve the extension of the Fairways letter of credit for an additional year. The vote in favor was unanimous. The motion carried.
VI. SUBDIVISION PRELIMINARY REVIEW

E. David Norris on behalf of St. Johns Ridge, LLC, requests preliminary approval of Phase 3 of the proposed St. John’s Ridge subdivision consisting of 29 lots currently zoned R-1 located on Dunn Shortcut Road (TMS# 122-00-05-191 / PIN 33600000016)

Emrick said the TRC had not reviewed the plans yet, however, the request for preliminary review was to allow for Phase 3 roads to be installed at the same time as the final lift of asphalt was installed in Phase 2. Emrick said some of the road infrastructure for Phase 3 had been installed when Phase 1 was developed.

Emrick also said the open space required for St. John’s Ridge was considered at the outset of the development and was to be provided in Phase 3.

Emrick said staff recommended approval of the preliminary plan contingent upon the final review of the TRC.

Emrick said half the lots in Phase 2 had been sold, but no road had been put in. He said there was an issue with Phase 2 in that there was no secondary access at Dunn Shortcut. He said SCDOT had not given approval yet. He told the Board the city had issued some permits in Phase 2, but would not be issuing any more until the road access was installed.

Emrick said the traffic for Phase 3 would be using Leatherman Road.

Sansbury made a motion, seconded by Guidera, to approve the preliminary plan for St. John’s Ridge Phase 3 as presented. The vote in favor was unanimous. The motion carried.

VII. PUBLIC INPUT

There was none.

However, Young asked Emrick if there had been any word from Council on the recreational vehicles and boats amendment. Emrick said it had not gone to Council as of yet. Emrick said he had written eight letters today regarding illegally parked vehicles/boats. Green asked if it was all complaint driven. Emrick said it started with a complaint and then when he went to investigate, he would see more illegally parked vehicles/boats.
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Guidera asked once a subdivision was turned over, were the street trees then the city’s to maintain. Emrick said the city did not maintain or replace street trees. He said if they were a hazard, the city would trim or remove them.

Guidera asked if Cypress trees were permitted as street trees. Emrick said certain kinds of Cypress trees were permitted. Emrick said he would not be surprised to see a revisit of the tree ordinance for various reasons.

There was a brief discussion about temporary commercial signs along the road. Emrick said they were illegal. He said there were no temporary signs permitted on 701, 501 or 378 and no signs were permitted in the right-of-way.

VIII. ADJOURN

There being no further business to come before the Board, the meeting adjourned at 6:00 p.m.

Approved and signed this 10 day of ____________, 2015.

Brantley Green, Chairman