

**CITY OF CONWAY**  
**COMMUNITY APPEARANCE BOARD MEETING**  
**WEDNESDAY, May 24, 2023**  
**Planning & Building Dept. Conference Room – 196 Laurel Street**

Present: Jacqueline Kurlowski, Duc Watts, McKenzie Jordan, Autry Benton, Troy Roehm, Gerry Wallace

Absent: Jamie McLain

Staff: Jessica Hucks, Planning Director; Marcus Cohen, IT; Marquiez Carter, Planning Intern; Wanda Lilly, Arborist; Anne Bessant, Planning Assistant

Other: Hillary Howard, Kathy Ropp, Kaitlyn Weimer, Tripp Nealy, Scott Benson

**I. CALL TO ORDER**

Chairperson Kurlowski called the meeting to order at approximately 4:01 p.m.

**II. APPROVAL OF MINUTES**

Benton made a motion to accept the minutes as written and it was seconded by Watts to approve the May 10, 2023 minutes. The vote in favor was unanimous. The motion carried.

**III. CERTIFICATES OF APPROPRIATENESS**

- A. 975 Second Ave (Cowboys):** The applicant, Tripp Nealy, requests final review and approval of revisions to a previously approved restaurant, to be constructed at 975 Second Ave (PIN 367-01-01-0054).

Hucks stated that the board gave final review and approval to a proposed restaurant, then proposed to be called “Under the Bridge Seafood, Steaks and Spirits”, at 975 Second Ave, originally in March 2019. At that time, the main tenant space was proposed to be a restaurant and the smaller tenant space was proposed to be a real estate office. This board approved revisions to the previously approved structure in February 2021, which at the time, included changes in the entry for the second tenant, additional entrances, increase in vertical siding to screen coolers and mechanical equipment, changes to the access stairs and ramp, and adjustments to the canopy on the left side. This Board approved the proposed revisions on the condition that the river side of the building be clear glass and that the entrance/take out doors come back to CAB for approval since the final (door) design had not yet been decided on.

Following that approval, in June 2021, the applicant submitted a survey revising the proposed lot layout to include enough property to expand the footprint of the proposed structure.

During TRC review, also in June 2021, it was also discovered that a portion of the rear of the proposed structure encroached into the Riverwalk easement area, which could not be permitted, and staff requested that the building footprint match the survey/footprint that had been submitted for review. Additionally, the footprint submitted for TRC review included a 2,351 sq. ft. building expansion not previously reviewed by CAB.

To staffs' knowledge, and according to Horry County Land Records, the plat staff approved (for recording) in 2021 that included enough of a building footprint to include the proposed expansion has never been recorded.

Renderings of what was approved in 2019 and 2021 were included in the packet for review, as well as the most recent submittal (September 2022), which includes revised architectural elevations.

The applicant now proposes for both tenant spaces to be restaurants, with one of them being "Cowboys". A copy of the floor plan was also provided in the packet.

Staff recommends that a material list be provided to staff due to the number of submittals that have been considered for this project to ensure that all approved materials are included on the architectural plans when submitted for permit review. Additionally, staff recommends the following:

- The applicant obtains all applicable permits;
- Any deviations from what is approved requires CAB review and approval

Tripp Nealy, applicant was present to answer any questions.

Wallace made a motion to approve the request as presented with the condition to make the shutters flat against the siding. Benton seconded the motion and the motion carried unanimously.

#### IV. DISCUSSION

- A. Discussion of Ordinance #ZA2023-06-05 (C), to amend *Article 11 – Signage*, of the City of Conway Unified Development Ordinance (UDO), regarding Electronic Message Centers (EMC's) and Light-Emitting Diodes (LED's) with digital and/or animated display.

Hucks stated that City Council gave first reading of a proposed iconic sign ordinance in September of last year. Due to the complexities of the proposed ordinance, staff has not put the item back on an agenda for final reading. In addition to it being in conflict with the design guidelines for the Historic Design Review Districts (HDRD's), it is too complicated and may be unenforceable or too difficult of an ordinance for someone seeking to utilize to be able to comply with. The intent of that ordinance was to allow a historic business on Main Street, located in the commercial HDRD, to update their signage to a digital (animated) display because it is becoming increasingly impossible to find the materials needed to update the message center and staff is unable to change the message center any longer.

Instead of an "iconic sign" ordinance, staff proposes to amend Article 11 of the UDO, relative to EMC's / LED's with digital (animated) displays, which would narrowly tailor the ordinance so that it applies only to the type of business that is seeking the change. In this amendment, theaters on property zoned for such use and those located within a Historic Design Review District (HDRD), regardless of the zoning district, would be permitted to have an LED/EMC sign with digital (animated) display. If located within an HDRD, the Community Appearance Board (CAB) would also have to approve.

While not included in this amendment, Horry County Schools has requested, in the past, that educational facilities within the City limits be permitted to have LED/EMC signage with digital/animated displays;

however, due to the zoning of the properties where the schools are located (Residential, R-1), animated / digital signage is not permitted, and the schools are located in close proximity to residences. Additionally, the City's Sports & Fitness Center has inquired about having digital / animated signs; however, the zoning of the Sports & Fitness Center nor its location permits such signage. The amendment, as currently written, does not include language to allow these types of signs for schools in the City limits or the City's Sports & Fitness Center.

City council discussed the proposed amendments to Article 11 regarding LED / EMC signage with digital display at their May 1, 2023 meeting during a workshop. Council asked that the amendment include specific language regarding theaters to clarify what type of theater the ordinance would apply to. Staff has included language to clarify.

Planning Commission held the required public hearing at their May 4, 2023 meeting. There was no public input. Planning Commission recommended approval of the request, as was currently presented in the ordinance; however, the recommendation did not include any considerations for the school district or the Sports and Fitness Center.

City Council deferred First Reading of the ordinance to give staff an opportunity to amend the language proposed in the amendment to include provisions for Horry County Schools, as well as the Sports and Fitness Center on Mill Pond Rd. Staff is currently in the process of drafting that language; however, it will not affect the areas located within a Historic Design Review District (HDRD), as the only property that would qualify for an EMC/LED with digital/animated display would be the Main Street Theater.

An amendment to the CAB Guidelines may be needed in order to permit such sign in the Commercial Historic Design Review District (HDRD), in which the Main Street Theater is located; particularly Section C, Chapter 5: 5.3. Sign and Architectural Lighting.

Article 14, Section 14.1.3 (J) of the UDO contains additional information regarding variances for undue hardship by the CAB.

This is a discussion item only.

The board and staff discussed in length.

**V. PUBLIC INPUT**

None

**VI. BOARD INPUT**

None

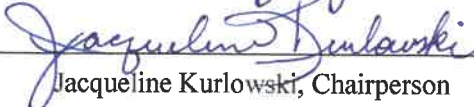
**VII. STAFF INPUT**

Hucks gave an update on Crooked Oak's sidewalk bricking concerns from the board at the previous meeting.

**VIII. ADJOURN**

There being no further business to come before the board, a motion was made and seconded to adjourn the meeting at 4:35 pm. The vote in favor was unanimous and the motion carried.

Approved and signed this 26 day of July, 2023.

  
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Jacqueline Kurlofski, Chairperson