

**CITY OF CONWAY
PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 2, 2023**

Planning & Building Dept. Conference Room – 196 Laurel Street

- Present:** Julie Hardwick, David Sligh, Brian O’Neil, Jessica Wise, Danny Hardee, Samantha Miller, Ellen Watkins
- Absent:** Kendall Brown, Chris Guidera
- Staff:** Jessica Hucks, Planning Director; Brent Gerald, Planner; Anne Bessant, Planning Assistant; Jeff Leveille, IT
- Others:** Jeff Stathes, Tina Harbin, Kent Hendrick, Michael Beatty, Aubrey Strickland, Donna Strickland, Stephanie Carroll, Don Dickens, Barbara Dickens, Roscoe McDowell, Johnathan Guiles, Sonya Guiles, Darren Watts, Shonte Jordan

I. CALL TO ORDER

Chairman O’Neil called the meeting to order at 5:30 p.m.

II. APPROVAL OF MINUTES

Sligh made a motion, seconded by Hardwick to approve the January 5, 2023 minutes as written. The vote in favor was unanimous. The motion carried.

III. SUBDIVISIONS

A. HAINER PLACE– Street Names (*revision from previously approved street names*)

Hucks stated that Hainer Place is a proposed single-family development located on Hwy 65, Hwy 813 and Lite Rd. The development will consist of 53 single-family lots. City Council approved the renaming of the proposed development (formerly known as “Homewood Estates”) at their December 5, 2022 meeting.

Staff received a revised preliminary plan set on January 10th and is currently being reviewed by the City’s Technical Review Committee (TRC). Staff intends to submit the preliminary plans to Planning Commission for approval at March 2nd Planning Commission meeting.

At the January PC meeting, the street names “Homewood Estates Drive”, “Cherry Sunburst Drive”, and “High Valley Drive” were approved. However, the name of the development changed a couple of months ago and their latest submittal (submitted January 10th), shows different street names on their preliminary plat than what had previously been approved. Horry County Addressing has reserved these names for this development as well.

**Hainer Place Drive
Logan Street
Mountaineer Lane**

Staff recommends that Planning Commission consider approving the requested street names.

Sligh made a motion to approve the request as presented. Wise seconded the motion and the motion carried unanimously.

IV. PUBLIC HEARINGS

A. ANNEXATION/REZONING REQUESTS

1. Request to annex approximately 4.04 acres of property located at 3550 Hwy 701 South (PIN 381-01-04-0023), and rezone from Horry County High Bulk Retail (Retail w/ Accessory Outdoor Storage District) (RE4) to City of Conway Highway Commercial (HC).

Hucks stated that this property has a signed restrictive covenant that was completed (and recorded) from the property owner in July 2020 in order to receive city water and/or sewer services. By signing restrictive covenants, the then owners of the subject property agreed that once the property became contiguous to the City limits, they or any future owners of the subject property would agree to petition for annexation into the City limits (per Section 5-3-150 (3) of the Code of Laws for the State of SC). The subject property is now contiguous to property in the City limits and staff notified the current property owner in June of this year that annexation is now required. A second notice was also sent to the property owner. On January 3rd of this year, the property owner submitted the required signed annexation / rezoning applications. The property is currently being used for mini-storage (including recreational vehicle storage) with retail space in the front.

The applicant has had past discussions with the previous Planning Director about the subject property. The applicant expressed that he was in the process of having some plans reviewed for new additions to the property at Horry County Code Enforcement, and would rather not annex until those projects have been completed. Per Horry County Land Records, the last permit was in September 2020, and a Certificate of Occupancy was issued in July 2021. Staff has received an approved set of plans from Horry County for a third phase of the business, which would allow outdoor storage along one side of the property on a gravel surface; however, no permits have been issued. The City's Technical Review Committee (TRC) will review these plans as well and will provide comments to the applicant that include the City's standards and requirements for the proposed use.

The subject property is surrounded by several different zoning districts, including Horry County RE4 (Retail with Accessory Outdoor Storage District), Horry County AM1 (Indoor Amusement Commercial), Horry County SF20 (residential, 20,000 sq. ft. lot size min.), and City of Conway R-1 (Low/Medium Density Residential). Surrounding uses include residential, a storage facility, and a gun store/shooting range.

Staff recommended that Planning Commission give a thorough review of the request and make an informed recommendation to City Council after said review.

Jeff Stathes, applicant was present and further explained the request.

The applicant, commissioners and staff discussed the request in length.

There was no public input.

Wise made a motion, seconded by Hardee, to close public input. Motion carried unanimously.

Sligh made a motion to recommend approval for this request to City Council as presented. Wise seconded the motion unanimously.

B. REZONING REQUESTS

1. Request to rezone approximately 1.39 acres of property located at 1931 Fulmer Street (PIN 338-06-02-0042) from City of Conway Low/Medium Residential (R-1) to City of Conway Highway Commercial (HC).

Hucks stated that on December 28, 2022, the applicants submitted a rezoning application for the subject property, located on Fulmer Street. The property is currently zoned Low/Medium Density Residential (R-1). The property has frontage on three (3) streets: Sessions Street, Fulmer Street, and Kenneth Street. There are existing structures on the property, and it has historically been used as a church. Churches on properties less than 3-acres in size are permitted as a “conditional” use in several zoning districts, including R-1; subject to the conditions provided in Section 5.1.22 of the UDO, including setbacks and landscape buffers.

The applicant wishes to open a child daycare facility at this location. The UDO has different requirements for daycares, depending on the type of daycare facility. The UDO lists conditions for four (4) different types of daycare facilities, per Section 5.1.7: Daycare facilities for adults; Child daycare facilities; Family daycare facilities; and Afterschool programs.

Child daycare facilities are not a permitted use or a conditional use in the R-1 district. They are only permitted in Professional (P), Core Commercial (CC), Neighborhood Commercial (NC), Highway Commercial (HC), Mixed Use (MU), and the Institutional (IN) zoning districts. However, afterschool programs are permitted as a conditional use in the R, RA, RR, R-1, R-2 and R-3 zoning districts, subject to certain conditions, including licensing from DSS, fencing requirements, and a limit of 4 consecutive hours per day between 2:00pm and 8:00pm.

The applicants have requested to rezone to the Highway Commercial (HC) district in order to open a child daycare facility on the subject property.

3.2.10 Highway Commercial (HC) – The intent of the HC District is to provide compatible locations to serve the automobile oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.

Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to City Council after said review.

Tina Harbin, Johnathan Guiles, Sonya Guiles, Shonte Jordan, & Darren Watts, applicants were present and further explained the request.

Stephanie Carroll, 1902 Kenneth Street, spoke with concerns on allowed uses of highway commercial, if the daycare did not work out at this location.

Michael Beatty, 1911 Kenneth Street, spoke with concerns of flooding and future use for the property.

Kent Hendrick, 2008 Sessions Street, spoke with concerns of traffic and future use for the property.

Donald Dickens, 1907 Kenneth Street, spoke with concerns on the allowed uses of the highway commercial.

Roscoe McDowell, 2006 Oak Street, spoke about letting this area stay residential.

Wise made a motion, seconded by Sligh, to close public input. Motion carried unanimously.

The applicants, staff and commissioners discussed the request in length. Hucks suggested that given the condition of the site – containing a church and existing structures, that there may be an opportunity to pursue a Future Land Use Map amendment and then to rezone to another district that did not permit as many uses as the HC district does.

Sligh made a motion to defer this request until the next meeting to allow staff to bring back future land use amendment and an adjustment to the zoning district requested. Wise seconded the motion unanimously.

D. TEXT AMENDMENTS

1. *Previously deferred* – Amendment to Article 6 – Design Standards, of the City of Conway Unified Development Ordinance (UDO), regarding building height limitation in the High-Density Residential (R-3) zoning district.

Hucks stated the current maximum height allowed in all of the residential zoning districts is 40-ft.

Last year, the height limit in the Highway Commercial (HC) district was amended to 65-ft in order to facilitate development of property within the Gateway Corridor Overlay (GCO) due to the recent approval of the Hotel Incentive Program, as the 50-ft height limit in HC was a possible deterrent for hotels that may choose to locate in the city limits and within the GCO. The height limit increase

in HC was limited to properties within the GCO on Hwy 501, between Lake Busbee and Carolina Forest Blvd.

Focusing density in the right places can help in preventing urban sprawl. In order to promote denser development along the city's major corridors and in conjunction with new commercial development that will have frontage along Hwy 501 or other major roadways throughout the city, staff proposes to increase the height limit of the High-Density Residential District (R-3) to a maximum of 65-ft above base flood elevation for multifamily development. This height limit will also be subject to applicable fire codes.

Properties along major roadways throughout the City are zoned Highway Commercial (HC). Outside of properties with direct frontage on these major roadways; specifically, Hwy 501, is where a majority of the higher-density residential developments already exists.

Staff presented the proposal to increase the height limit in the R-3 zoning district only to City Council during a workshop at the December 5, 2022 meeting, and council was receptive to increasing the height limit in the R-3 district for multifamily development.

At the January 5th Planning Commission members had concerns regarding the height limit proposed, mainly that any property zoned R-3 would be able to have the same height limit in places where it would not fit within the character of the area. The proposed amendment was deferred so that staff could bring back additional information at the next PC meeting.

Staff revised the amendment to only include parcels along or adjacent to Hwy 501 between Lake Busbee and Carolina Forest Blvd, and reduced the height limit to 65-ft to match the height limit amendment that was adopted for parcels zoned HC within the same location. Staff also removed the height limit amendment from the Village Corridor Overlay (VCO) areas.

Staff has made some revisions to the proposed amendment to address some of the concerns that arose at the January meeting. Staff recommends a thorough review and consideration of the proposed amendment.

There was no public input.

Sligh made a motion, seconded by Wise, to close public input. Motion carried unanimously.

O'Neil made a motion to recommend approval of the amendment to City Council as presented. Sligh seconded the motion unanimously.

2. Amendment to Article 4 – Use Tables, of the City of Conway Unified Development Ordinance (UDO), regarding the permitted uses in the Light Industrial (LI) and Heavy Industrial (HI) zoning districts.

Hucks stated that on December 12, 2022 staff received a Business License application for a hair salon within the Heavy Industrial (HI) zoning district. Upon review staff denied the Business License request as a hair salon is not a permitted use within the HI zoning district.

The applicant appealed staff's decision to deny the business license for a hair salon to the Board of Zoning Appeals and staff also informed the applicant that staff would take the issue to council to see if they would be in favor of a Text Amendment to allow Hair Salons within the zoning district. The item was presented at the January 3, 2023 council meeting as a workshop item. After hearing from the applicant and staff, council advised the applicant to follow through with the Board of Zoning Appeals application as action with Council would take more time, and they also directed staff to work on a text amendment to address this issue in the interim.

The applicant's appeal was also considered by the BZA at their January 26th mtg. The BZA overturned staff's decision to deny a business license at the meeting, and as such, amending the UDO to allow the use in the LI and HI districts is needed to be compliant with the board's decision and to avoid further appeals going forward.

After much research staff concluded that amending the Use Tables (Art. 4) of the City of Conway Unified Development Ordinance to allow "Barber Shops/ Beauty Salons" as well as "Nail Salons" in the Heavy Industrial (HI) and Limited Industrial (LI) zoning districts.

Staff found updating the classification to "Barber Shops/ Beauty Salons" as well as "Nail Salons" produced more inclusive terminology.

Staff recommends approval of the proposed amendment to Article 4 – Use Tables, of the City of Conway Unified Development Ordinance (UDO), regarding the permitted uses in the LI and HI zoning districts.

There was no public input.

Sligh made a motion, seconded by Hardwick, to close public input. Motion carried unanimously.

Wise made a motion to recommend approval of the amendment to City Council as presented. Hardwick seconded the motion unanimously.

E. UPDATES TO THE COMPREHENSIVE PLAN

1. *Previously deferred* – Public hearing to amend and update the Population and Housing Elements of the City of Conway 2035 Comprehensive Plan.

Hucks presented the updated Population and Housing Elements of the City of Conway 2035 Comprehensive Plan to the board and discussed it in length.

Sligh made a motion to recommend approval of the amendment to City Council as presented. Hardee seconded the motion unanimously.

F. ADDITIONS TO THE COMPREHENSIVE PLAN

1. *Previously deferred* – Public hearing to amend and update the City of Conway 2035 Comprehensive Plan, to include the addition of a Resiliency Element.

Hucks presented the review of a new Resiliency Element, proposed addition to the 2035 Comprehensive Plan to the board and discussed in length.

Sligh made a motion to recommend approval of the amendment to City Council as presented. Wise seconded the motion unanimously.

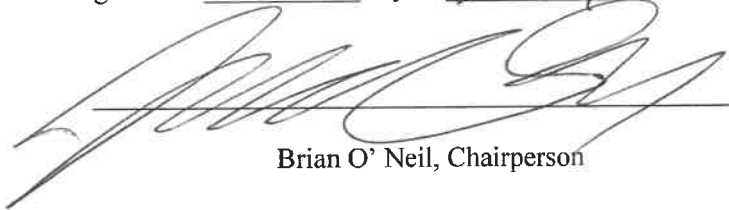
V. PUBLIC INPUT

None

VI. ADJOURNMENT

A motion was made to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at approximately 7:07 pm.

Approved and signed this 2nd day of March, 2023.



Brian O'Neil, Chairperson

