

**CITY OF CONWAY  
PLANNING COMMISSION WORKSHOP  
WEDNESDAY, DECEMBER 20, 2023**

**Planning & Building Dept. Conference Room – 196 Laurel Street**

- Present:** Brian O’Neil, Jessica Wise, Danny Hardee, Julie Hardwick, Kendall Brown, David Sligh, George Ulrich
- Absent:** Samantha Miller, Ellen Watkins
- Staff:** Jessica Hucks, Planning Director; Brent Gerald, Planner; Katie Dennis, Planning Concierge; Brandon Harrelson, Public Works Director; Le Hendrick, Fire Chief; David Parker, Fire Marshall; James Friday, Public Utilities Director; Johnny Lewis, Public Utilities; Charlie Crosby, IT; Anne Bessant, Planning Assistant
- Others:** Walter Warren, Scott Withington, Charles Jordan, Jamie Steele, McKenzie Jordan, Charlie Jordan, & others

**I. CALL TO ORDER**

Chairman O’Neil called to order at 3:00 p.m.

**II. DESIGN MODIFICATION**

- A. *Previously Deferred ...2208 Sixth Ave*** – requesting a design modification to allow a structure to be constructed on an existing lot of record that lacks the required frontage onto a publicly maintained (and improved) street.

Hucks stated that in November of 1941 lot 90 was created via a subdivision map recorded at Horry County Clerk of Court in plat book 2 page 118.

A paved street was constructed within the adjacent 40-ft wide right-of-way; such street extended from Pittman Street, yet terminating before reaching the subject property. Maintenance of the street is South Carolina Department of Transportation (SCDOT).

In July of 2023 a permit application was submitted to construct a single-family residence on the subject lot. The prospect of a residents being constructed along an un-improved section of roadway raises two primary concerns:

- (a.) Will the physical condition of the land, by which the lot is accessed, delay or even prevent emergency apparatus and/or city service vehicles from performing their duties?
- (b.) If improved to any lesser standard, then that of a public street, who will assume responsibility for the perpetual maintenance of the drive?

The creation of this lot pre-dates municipal design standards, such as: lot dimensions, access managements standards or subdivision regulations, thus as it sits, is a legal non-conforming lot. However the proposed

development on this site does trigger roadway improvements as stated in both: *Section 10.5.2, A*: “Any existing street segment that has not been accepted for maintenance by either the City of Conway, Horry County or the South Carolina Department of Transportation, and that is to serve as the required frontage for one or more lots created pursuant to these regulations, shall be improved and dedicated to the public, as provided for above, in such a way that the street segment meets the standards of these regulations for the particular classification of street, including right-of-way width. Such street segment shall be directly connected to the existing public street system by way of at least one public street accepted for maintenance by either the City of Conway, Horry County or the South Carolina Department of Transportation. No development shall be permitted on any street that is an “island” not connected directly to the public street system”.

*Section 12.4.1, D* of the UDO states: “Where an existing nonconforming structure or site is nonconforming in regard to street access, the site shall be brought into conformity with the provisions of this UDO for street access or shall be brought as close to conformity as the physical circumstances made possibly allow”.

Beyond the paved section of 6th Ave, the remainder of the roadway appears to be untreated soil...

Uncompacted soil, when dry, may support the weight of an average passenger vehicle; such as;

- a compact car (average weight of 2,500-lbs),
- a mid-sized vehicle (average weight of 3,000-lbs),
- an SUV or pick-up truck (average weight of 4,000-lbs) or
- a full-size truck (which can weigh anywhere between 4,000 to 5,700-lbs).

However uncompacted soil will not support the weight of emergency apparatus or city service vehicles such as;

- Fire Engines (equipped with gear to put the fire out, including water tanks, pumps, and hoses), which typically weigh between: 35,000 to 40,000-lbs,
- Fire Trucks (full of rescue and ventilation equipment to safely and efficiently rescue victims), which typically weigh between: 36,000 to 60,000-lbs, - or - non-emergency city service vehicles such as
- Sanitation trucks which can weigh between: 20,000 to 30,000-lbs.

As a comparison: suitable sub-grade materials (select soil base materials to be laid beneath any all-weather surface material) is required to be compacted to 95% modified proctor to sufficiently support a 40,000-lbs loaded tandem axle dump truck temporarily (as exposure to inclement weather will rapidly deteriorate the base road materials), and another 8 to 11-inches of all-whether surface material (such as coquina or GABC), compacted to 100% modified proctor, would need to be laid atop the sub-grade to support such weight long-term. Sufficient drainage facilities and a minimum 2-inches of “Type 1” asphalt would be required to meet the standards of a “Local Access Street”.

Maintenance: staff also has concerns regarding, who will be take on responsibility to perpetually maintain the drive/access? as the state likely will not construct nor may not extend their maintenance system to cover

this section of roadway, even if such roadway is constructed, and, the owner of the subject lot does not appear to own the underlying property to which the road right-of-way was dedicated.

Staff recommends a thorough review of the applicant's request.

Jamie Steele, Diamond Shores, agent for owner was present to answer any questions.

After much discussion, O'Neil made a motion to deny the design modification based on staff's concerns outlined in their report; however, after discussion, he withdrew his motion, as the motion made was too broad and the board suggested that the PC's authority, specific to the request, should be more narrow than broad. Sligh made a motion to deny the design modification request as presented. Wise seconded the motion and the motion carried unanimously.

### III. DISCUSSION

- A. Request to annex and/or rezone approximately 486 +/- acres of property, located at or near the corner of HWY 378 & Juniper Bay Rd, HWY 378 & Airport Rd, Dayton Drive, and on Dunn Shortcut Rd (PIN's 336-00-00-0043, -0044, -0045, 336-13-04-0006, 336-14-04-0011, 336-15-03-0003, 337-00-00-0009, -0011, -0012, 337-08-01-0004, 370-00-00-0011, and 370-04-01-0004), and rezone from the Horry County Commercial Forest Agriculture (CFA), Horry County Highway Commercial (HC), Horry County Residential, no mobile homes allowed (SF40), the City of Conway Heavy Industrial (HI), City of Conway Low/Medium-Density Residential (R-1), and City of Conway High-Density Residential (R-3) districts to the City of Conway Planned Development (PD) district.

Hucks stated that the applicants are seeking to annex and/or rezone the aforementioned properties for the purposes of developing as a Planned Development (PD). Also proposed is a Development Agreement for the subject property.

Per the applicant's submittal, the planned development envisions a mixed-use community consisting of differing types and styles of single-family homes and a variety of commercial uses to meet the needs of the existing and future residents of Conway. The development will be accessed from Hwy 378, Juniper Bay Rd, Dunn Shortcut Rd, Airport Rd (commercial tract) and Dayton Dr.

The proposed PD will also be bound by a Development Agreement; the details of which are included in this packet (*draft document*), and is on this agenda for consideration.

Per the most recent master plan submitted, the proposed density was 1,459 units. However, there are a couple of tracts within the master plan that are "flex tracts", which could contain multifamily uses instead of commercial, bringing the maximum density to 1,767 units. Refer to the table provided in the narrative for density proposed for each tract within the PD. With the exception of these flex tracts, the residential will consist of single-family detached, single-family semi-attached, and townhouses.

There are no flood zones within the project area. There are approximately 59 acres of wetlands identified on the Open Space Master Plan.

Current Zoning of properties currently in the county's jurisdiction include: Commercial Forest Agriculture (CFA), Highway Commercial (HC), and Residential, no mobile homes allowed (SF40).

This project is within the City's utility service area.

The City's Future Land Use Map identifies these properties as the following:

PIN's 336-00-00-0043, -0044, -0045, and 370-00-00-0011: identified as **Industrial** on the future land use map. The future land use map does not distinguish between Light and Heavy Industrial.

PIN's 336-13-04-0006, 336-15-03-0003, 336-14-04-0011, and 370-04-01-0004: identified as **Highway Commercial (HC)** on the future land use map.

PIN's 337-00-00-0009, -0012, and 337-08-01-0004: identified as **Low-Density Residential** on the future land use map.

PIN 337-00-00-0011 is identified as **High-Density Residential** on the future land use map.

*Proposed Modifications from Design Standards (Section 5 of PD Narrative):*

1. Landscape buffers to not be required between commercial uses.
2. Where multipurpose trails are proposed in landscape buffers, buffer widths to be reduced to a Type A (5' width) buffer.
3. Minimum block lengths to be 270' (v. the standard of 400')
4. Landscape buffers on the F-2 tract to meet the Type A (5') buffer requirements on side and rear property lines.
5. To exempt sidewalk and pathway requirements on the perimeter of the PD (*i.e.* portions of tracts that abut Hwy 378, Juniper Bay Rd, Dunn Shortcut Rd, Airport Rd, and Dayton Dr.).
6. Streets to be designed and constructed per the Street Cross Section exhibits provided in the narrative (attached).
7. Up to 50% of garages facing the street on single-family detached and duplex semi-attached units shall be eligible to protrude more than 10' past the front façade. In such instances, garage faces shall have decorative design treatments to minimize their appearance.

One deviation that was not mentioned above is the interconnectivity requirements between developments. Tract R-4 abuts the existing Macala Acres subdivision. The UDO would typically require that a stub-out be provided to connect to future development. In this case, when Macala Acres was platted, there was property platted as future access on the Final Plat for Phase 3 of Macala Acres. This can be found between lots 87 and 88 on the plat, recorded in Plat Book 222 at Page 187 (copy of plat attached). The applicant has shown a stub out to be provided on Tract R-4. This does not achieve the required connection, and the residents of Macala Acres do not wish to have the connection made. At the time of the plat approval for this phase of Macala Acres, it is unclear whether the requirement to install the stub-out would have been required, or reserving access only. The current requirements dictate that a stub-out be provided for future connection, or that the connection be made if a stub-out on the adjoining property or access has been set aside, if recommended by the Technical Review Committee.

Planning Commission will need to decide if the connection should be installed, on both sides (R-4 tract and Macala Acres access), whether the stub-out should be provided only on the R-4 tract, or whether the connection can be omitted entirely.

Walter Warren, Scott Withington, Charles Jordan, Charlie Jordan, and McKenzie Jordan, applicants were present and further explained the request.

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

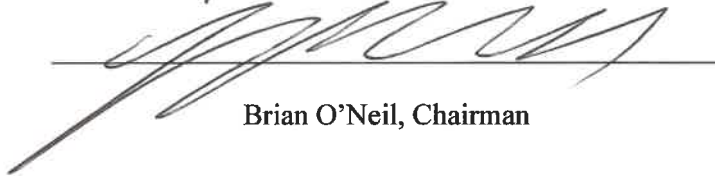
The following items were discussed during the meeting:

- Flex districts
- Stormwater concerns. (The need a detailed stormwater management plan)
- Infrastructure concerns for the area (traffic improvements needed)
- Connection to Macala Acres (staff supports the connection)
- Street width within the development (pavement width should be a min of 24')
- Residential design standards (snout houses) (PC would prefer all lots to meet the design standards, but a reduction in the percentage of lots that would be considered a snout house would have to be reduced)
- Development agreement (Development agreement enhancement fees, potential land swaps, city park acreage, canal trail, etc.)
- Lot size requirements for the single-family portion of the development (PC seems to support a min. of 50')
- Landscape buffer & trail (applicant seeking a reduction in buffer to a Type A buffer along the canal trail)
- Connectivity of the R-5 tract to the rest of the development (possible connection to be made in the form of a pathway / open space connection. Some members of PC would prefer that interconnectivity be provided via a road system, or to remove the R-5 tract from the PD)
- Proposed roadway connection on City property (applicant states they do have another option if necessary and are looking to do a land swap (potentially) with the city).
- Possible future strains of city utility services for the develop. The need for a new water tower with the addition of the project.
- Distance from closest fire station. Le Hendrick stated that the 5-mile radius to maintain the city current ISO rating would be maintained (addition of county fire station on el bethel rd.)
- Fire training facility located on the stormwater pond side of the proposed roadway going through city shops – training facility is brand new and there are no other locations for the facility to be located at this time.
- PC requested a schematic of a block in the development to see what a typical street would look like with the requested lot widths and the style of homes proposed.
- Revise a portion of the Flex district tract(s) to a Commercial only tract (portion fronting on Hwy 378).

**IV. ADJOURNMENT**

A motion was made to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at approximately 5:09 pm.

Approved and signed this 7<sup>th</sup> day of March, 2024.



A handwritten signature in black ink, appearing to read "Brian O'Neil", is written over a horizontal line.

Brian O'Neil, Chairman