

**CITY OF CONWAY
PLANNING COMMISSION MEETING
THURSDAY, May 4, 2023**

Planning & Building Dept. Conference Room – 196 Laurel Street

Present: Jessica Wise, Danny Hardee, Ellen Watkins, Samantha Miller, Virginia Norris

Absent: Kendall Brown, Brian O’Neil, David Sligh

Staff: Jessica Hucks, Planning Director; Brent Gerald, Planner; Katie Dennis, Planning Concierge; Charlie Crosby IT

Others: Michael Visnich, James Hicks, Brandon Truesdale, Salvador Perez, Jose Perez, Catalina Cortes, Anabel Perez, Cassidy Callaghan, Connie Hicks, James Hicks, Russell Tindal, Robert Days, Ethan Days, Jeannie Soles, Chris Sweat, Allen Jordan, Erma Dunmore, Sam Viola, and others

I. CALL TO ORDER

Vice Chairperson Wise called to order at 5:30 p.m.

Prior to beginning the meeting Wise advised that there was an amendment to the agenda upon the applicants request to defer Agenda Item numbers IV.A 2-5. Hardee made a motion to approve the requested amendment seconded by Norris. The motion carried.

II. APPROVAL OF MINUTES

Watkins made a motion, seconded by Hardee to approve the April 6, 2023 minutes as written. The vote in favor was unanimous. The motion carried.

III. SUBDIVISIONS

Prior to the reading of Agenda Item III. A-The Lively at Wild Wing Jessica Wise recused herself from the discussion and the vote due to her employer being the landscape architecture company for the project. Hardee assumed the role of interim chair for that agenda item.

A. The Lively at Wild Wing- The applicant, Sammy Gay, Venture Engineering Inc., requests preliminary approval for a: 474-unit, in-common development, to be located off Wild Wing Blvd (PINs: 383-00-00-0321, 383-00-00-0337, 383-13-02-0070 & 383-16-01-0030), as well as open space modifications and the approval of street names for this development.

Hucks stated that on Feb. 1, 1999 a Pre-Annexation Agreement was approved by City Council, in such agreement the city agreed that *“Upon annexation of the Wild Wing property, the property will be zoned PUD and the city will accept the PUD as previously approved by Horry County”* and that *“Any future changes to the PUD would be treated as an amendment to the Zoning Ordinance”*. On Mar. 22, 1999

Wild Wing development was annexed into the City of Conway, 66 tracts of land, containing: 2,184-acres. 2000 to 2020 Numerous amendments to the PUD occurred between the years of 2000 and 2020, the most recent approved via a revised Master Plan dated: Jan. 14, 2020. On Aug. 17, 2022 Initial plans for: The Lively @ Wild Wing were submitted for review and subsequent plans submitted on: Mar. 14, 2023. On April 25, 2023 the applicant (Sammy Gay) provided the revised “Master Site Plan” and asked that it be presented to Planning Commission for preliminary and street name approval.

The Lively is within the Wild Wing Planned Development and encompasses; “Tracts: B-4, B-5, D-4 & D-5” as shown on the “January 2020 Amendment” ... a maximum of: 593 units total were assigned to these 4 tracts, in the approved plan. The project is proposed to develop a total of: **474-units** in two phases; Phase 1 is proposing to develop: 196 townhome units in 38-buildings, with parking being provided via individual driveways and garages for each unit. Phase 2 is proposing to develop a total of: 278-units... these units are to be provided via: 11 multi-family buildings (each containing 24-units) and 6 carriage houses (containing an additional 14-units total), with parking being provided via a traditional (parking lot style) vehicle use area and garage parking within the carriage houses. Both the most recent “Wild Wings PUD Master Plan” and the revised: “Lively @ Wild Wings Master Site Plan” are included. Per the PD District, a minimum of 15% of the gross buildable area (5.71-acres) is to be provided for Open Space... The applicant proposes to provide 7-acres of open space total, throughout the development and requests that Planning Commission review and approve how such open space is to be distributed throughout the project. The plans are still being reviewed by the Technical Review Committee (TRC).

The applicant is requesting approval of the following street names. Horry County has reserved these names for this development:

- Hyacinth Drive
- Haven View Way
- Honeysuckle Way
- Desert Willow Drive
- Marigold Drive
- Lily Street
- Holly Tree Street
- Magnolia Way

Staff recommends approval of the requests. If Planning Commission recommends approval of the applicant’s requests, staff recommends that it be contingent upon final review and approval of the Technical Review Committee (TRC).

Hardee made a motion to approve as presented. Norris seconded the motion and the motion carried unanimously.

B. Westwood Reserve –The applicant, Jason Wilwerth with Bolton & Menk Inc., requests preliminary approval of Phase 1C and 1D, of Westwood Reserve, a neighborhood within the Collins Jollie Development Agreement (PIN: 295-00-00-0010), located on Collins Jollie Road.

Hucks stated, on July 18, 2022 the subdivision name was approved by City Council Nov. 3, 2022 Previous phases: 1A and 1B for this subdivision were approved by Planning Commission, along with the street names for those roads being extended within these new phases. On Feb. 6, 2023 the Development Agreement for the Collins Jollie conservation subdivision was approved by City Council.

Depicted as “Parcel A” on the “Conservation Subdivision Plan” (incorporated in the development agreement), Westwood Reserve was assigned a maximum of: 214 single-family lots... These additional 108 lots (being proposed here in Phases 1C & 1D), along with the previous 106-lots (approved in Phases 1A & 1B) would fulfill the maximum density assigned to this tract. However, since PIN: 295-00-00-0010 does encompass both “Parcels: A & B” on the north-side of Collins Jollie Road as well as “Parcels; G, H & I” on the south-side, additional development may occur, on the remainder tract, in the future. The layout of these phases is consistent with that shown on the aforementioned “Conservation Subdivision Plan” as well as the overall plan approved by Planning Commission (November of last year), for this development. The Master Plan for the development agreement was included in the packet.

If Planning Commission recommends approval of the applicant’s requests, staff recommends that it be contingent upon final review and approval of the Technical Review Committee (TRC).

Wise made a motion to recommend approval of the request as presented. Watkins seconded the motion and the motion carried unanimously.

IV. PUBLIC HEARINGS

A. ANNEXATION/ REZONING REQUESTS

1. Request to annex approximately 10.5 acres of property located on HWY 813, between HWY 65 and Lite Road (PIN’s 324-02-02-0001 and 324-02-03-0004), and request to rezone from Horry County Residential, no mobile homes allowed (SF40) and Residential, mobile homes allowed (MSF20) to City of Conway Low/Medium-Density Residential (R-1).

Hucks stated that the applicant submitted an annexation and rezoning application for the property on April 11, 2023. Initially, the applicant was seeking to annex only a .27-acre portion of PIN 324-02-03-0004, in order to combine with property directly adjacent to it, known as the Hainer Place subdivision on PIN 324-00-00-0036 – annexed into the city in September, 2022. The portion was needed to be able to comply with pump station lot size requirements, which are different than what was required when the property was initially in the County’s jurisdiction (prior to being annexed in 2022). Since those discussions took place, the adjacent property owner, TJ Johnson, has requested the entire tract be annexed for future development. Rather than piecemeal the annexation and rezoning requests, staff felt it would be better to request annexation first before a platting action to combine a portion of the property with the Hainer Place development be completed. Per Horry County Land Records, the applicant received permits for mobile homes in 2018 / 2021; one in 2018 for PIN 324-02-02-0001 and the other in 2021 on PIN 324-02-03-0004. It appears the manufactured home on the .52-acre tract (PIN 324-02-02-0001) has since been removed. The larger tract– PIN 324-02-03-0004, was permitted to locate a manufactured home with brick underpinning on a small portion of the property.

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

The applicant was not present.

There was no public input. Wise made a motion to close public input. Norris Seconded the motion. The motion carried unanimously.

The board and staff discussed at length.

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

A. TEXT AMENDMENTS

1. Amendment to *Article 2 – Definitions, Article 4 – Use Tables, and Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO)*, regarding shooting ranges and armories.

Hucks stated that currently there is no provision for the lawful permitting of shooting ranges within any zoning district in the City of Conway.

A 2017 report from the Pew Research Center found that; Nationwide, 30% of Americans own guns and 11% don't personally own a gun but live with someone who does. However, 52% of those who do not own guns could see themselves owning one at a point in the future. The demographics in this region may differ as; 46% of those who live in rural areas are gun owners while 28% of those in suburbs and 19% of those in urban areas own guns. The City of Conway contains all three of these characteristics.

With 41% of Americans currently having access to a firearm and potentially an additional 35% acquiring guns in the near future, The City of Conway recognizes the benefit of and potential demand for specialized facilities designed to both instruct and develop proficiency in the safe handling of firearms.

Property located at 3794 HWY 701 South is currently going through the annexation process (PIN 381-01-04-0022). This 2.45-acre parcel contains "The Gun Store", a firearms retail sales business with an indoor shooting range facility. The property is currently zoned Horry County "Indoor Amusement Commercial" (AM1), which permits indoor shooting ranges. Upon annexing, the use on the subject parcel will become a "legal nonconforming" use. In addition to the UDO not defining or addressing shooting ranges, the property owner has expressed concerns that annexing will prohibit future expansion of his business, if he chooses. The site is large enough to consider expansion or addition of buildings to the property. Planning Commission recommended approval of annexation of this property (as HC) at their April 6th meeting. City Council deferred 1st reading of the annexation / rezoning request to give the applicant an opportunity to explore other options besides annexation into the City, due to their concerns with annexing. As a result of this property, staff began researching other cities and towns and how they defined and permitted such facilities, so that in the event this came about with other properties – either already containing such use, or vacant properties seeking to develop a shooting range, the City would have standards to address the use and that would include provisions to offer protections for adjacent properties.

While indoor shooting facilities may be appropriate within industrial areas, except for those facilities solely for the training of law enforcement, the incorporated area does not seem to be a suitable setting for outdoor shooting ranges. This amendment proposes to allow indoor shooting ranges, with conditions in three (3) districts: Highway Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI). In addition to providing provisions for the use of indoor shooting ranges, staff also proposes to define uses associated with shooting ranges and armories in *Article 2 – Definitions*, of the UDO.

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

Michael Visnich, 1828 Pitch Landing Road spoke in opposition of the text amendment. Sam Viola, 3578 Steamer Trace spoke in support of the text amendment.

Hardee made a motion to close public input. Watkins seconded the motion. The motion carried unanimously.

The board and staff discussed at length.

Wise made a motion to defer the item for staff to provide more research on gun store construction regulations. Norris seconded the motion. The motion carried unanimously.

2. Amendment to 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 its 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 purpose behind the ordinance was to allow a historic business on Main Street, located in the commercial HDRD, to update their signage to a digital 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.

After further thought, staff would instead like to move forward with an amendment to Article 11 – Signage, Sec.11.4.9, Electronic Message Centers / L.E.D. Digital Signs, to narrowly tailor the amendment so that it applies only to the type of business that is seeking the change. In doing so, it also gives staff a chance to correct some typos that have caused confusion as to where these types of signs are permitted. The following page provides the proposed amendments to the UDO.

While not included in this amendment, the school district has requested in the past that educational facilities, regardless of location, be permitted to have LED/EMC signage with digital/animated displays. In addition, the City’s Sports & Fitness Center has expressed interest in having such signage; however, the zoning nor the location currently permits this type of signage.

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

There was no public input.

Norris made a motion to close public input. Hardee seconded the motion. The motion carried unanimously.

The board and staff discussed at length.

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

3. Amendment to *Articles 4 – Use Tables and Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO)*, regarding the keeping of chickens in residential zoning districts.

Hucks stated, *Section 5.2.5* of the UDO sets forth the regulations governing the non-commercial keeping of livestock or fowl. This section makes keeping chickens illegal throughout most of the City, allowing it only in RA, FA, and IN zoning districts.

The keeping of chickens was added as an allowed use in IN in 2017. At this time, Conway High School had asked that chickens be allowed for the furtherance of their agricultural programming. The original 2017 amendment also proposed allowing chickens in low-density residential zoning districts in addition to IN, but at that time, Council chose to move forward with the IN amendment only.

Since then, there has been a movement in the area to allow the keeping of urban chickens, and Conway is no different. Through the years, the Planning Department has required families to get rid of their chickens, and each time it was a difficult thing for families who treated them like pets. Additionally, with the recent rising cost of eggs, more citizens are considering raising chickens.

The proposed amendment to the UDO would allow chickens to be kept in R and R-1 neighborhoods, without allowing the other types of fowl and livestock. This would accommodate most of the areas that are known to keep chickens and hopefully address community concerns. No more than 10 chickens could be kept on R or R-1 property, and all chickens must be cooped and penned to keep them from freely roaming. No roosters are permitted and all areas must be kept in a clean and healthy condition.

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

Michael Vishnick, 1828 Pitch Landing Road spoke in opposition of the text amendment.

Erma Dunmore, 700 Kinlaw Lane spoke in opposition of the text amendment.

Hardee made a motion to close public input. Watkins seconded the motion. The motion carried unanimously.

The board and staff discussed at length.

Norris made a motion to defer the item for staff to provide more research on and specifics. Wise seconded the motion. The motion carried unanimously.

V. MEETING SCHEDULE (AMENDMENTS)

Hucks stated some meeting dates were noted to change due to holidays throughout the year and the City of Conway Christmas Tree Lighting event.

Wise made a motion to approve the changes as presented. Hardee seconded the motion. The motion carried unanimously.

VI. PUBLIC INPUT

Michael Vishnick- 1828 Pitch Landing Rd; Spoke in opposition of 701 & Pitch Landing Rd Annexations. Noting contiguity issues, over burdening city services, police and fire services, traffic concerns, and economic issues.

Erma Dennis-700 Kinlaw Lane; Spoke in opposition of 701 & Pitch Landing Rd Annexations. Noting the strain on affordable housing, and the increase of taxes.

Sam Viola- 3578 Steamer Trace; Spoke in opposition of 701 & Pitch Landing Rd Annexations. Noting the cost of the development being placed on the city, infrastructure issues, police and fire service issues, traffic issues, and comments made during the East Cox Ferry annexation discussion a few months prior compared to now.

James Hix- 3801 Hwy 701; Spoke in opposition of the rezoning of 701 & Pitch Landing Rd properties. Noting he does not want a gas station across the street from his home and having other general questions.

Hardee made a motion to close Public Input seconded by Watkins. The motion carried unanimously.

VII. STAFF INPUT

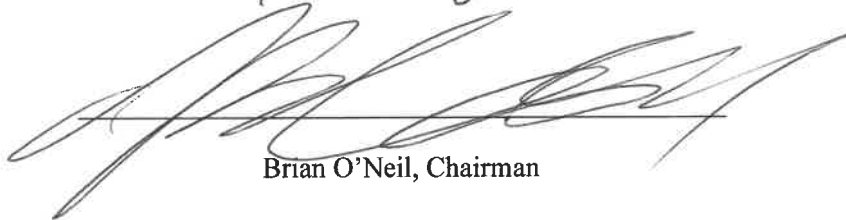
Hucks informed the board of the upcoming Workshop to be held on May 17, 2023 at 5:30 in regards to the items deferred from this meeting.

The board asked for clarification on agenda items, Rezoning and Annexation regulations, as well as Planned Development items. Hucks advised.

VIII. ADJOURNMENT

A motion was made to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at approximately 7:04 pm.

Approved and signed this 1 day of June, 2023.



Brian O'Neil, Chairman