MAYOR PRO TEM Larry A. White



COUNCIL MEMBERS Amanda Butler William M. Goldfinch IV Julie Hardwick Beth Helms Justin D. Jordan

PLANNING & DEVELOPMENT PLANNING COMMISSION MEETING AGENDA Thursday, February 1, 2024 | 5:30 p.m. Planning & Building Dept. Conference Room – 196 Laurel Street

I. CALL TO ORDER – 5:30 p.m.

II. MINUTES

A. Approval of January 4, 2024 Planning Commission Meeting Minutes

III. PUBLIC INPUT

IV. SUBDIVISIONS

- A. Pelican Pointe The applicant, G3 Engineering, is requesting that Planning Commission approve two design modifications, for a proposed Conservation Subdivision, located at the corner of Hwy 378 and Hemingway Chapel Rd., on Pin: 369-00-0044.
- **B.** Wild Wing Plantation, phase 5-A the developer for: Wild Wing Plantation, phase 5-A, would like to change the street name of a road, within this phase, from: "Harwood Court", to: "Hardwood Court".

V. PUBLIC HEARINGS

A. ANNEXATION & REZONING REQUEST(S)

 Request by Founders National Golf, LLC, to annex approximately 11.47 acres of property located at/near the intersection of Gardner Lacy Rd and Hwy 501 (PIN 399-00-00-0403), and rezone from the Horry County Highway Commercial (HC) to the City of Conway Highway Commercial (HC) zoning district.

B. REZONING REQUEST(S) / FUTURE LAND USE MAP AMENDMENT(S)

- 1. *WITHDRAWN*...Request to rezone approximately 0.24 acres of property located at 610 Main Street (PIN 338-13-02-0035) from the Low/Medium-Density Residential (R-1) district to the Professional (P) district.
- WITHDRAWN...Request to amend the City's Future Land Use Map (FLUM) of the City of Conway Comprehensive Plan (2035), relative to property located at 610 Main Street (PIN 338-13-02-0035), consisting of approx. 0.24 acres, from the Low/Medium-Density Residential (R-1) district to the Professional (P) district.

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- 3. Request to amend the City's Future Land Use Map (FLUM) of the *City of Conway Comprehensive Plan 2035*, relative to property located at 1904 Rose Hill Drive (PIN 338-16-03-0005), consisting of approximately 0.43 acres, from the Medium Density Residential (R-2) zoning district to the Highway Commercial (HC) zoning district.
- 4. Request by Bethlehem Lodge No. 327, to rezone approximately 0.43 acres located at 1904 Rose Hill Road from Medium Density Residential (R-2) to Highway Commercial (HC) (PIN 338-16-03-0005).

VI. BOARD INPUT

VII. STAFF INPUT

VIII. UPCOMING MEETINGS

MEETING	DATE	<u>TIME</u>	LOCATION	ADDRESS
City Council	February 5, 2024	4:00 p.m.	City Hall	229 Main St.
Community Appearance Board (CAB)	February 14, 2024	4:00 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.
City Council	February 19, 2024	4:00 p.m.	City Hall	229 Main St
Board of Zoning Appeals (BZA)	February 22, 2024	5:30 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.
Community Appearance Board (CAB)	February 28, 2024	4:00 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.
Planning Commission	March 7, 2024	5:30 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.

IX. ADJOURNMENT

CITY OF CONWAY PLANNING COMMISSION MEETING THURSDAY, JANUARY 4, 2024 Planning & Building Dept. Conference Room – 196 Laurel Street

Present:	Brian O'Neil, Kendall Brown, Jessica Wise, Ellen Watkins, George Ulrich
Absent:	Danny Hardee, David Sligh, Samantha Miller, Thomas J. Anderson III
Staff:	Jessica Hucks, Planning Director; Brent Gerald, Planner; Katie Dennis, Planning Concierge; Charlie Crosby, IT; Anne Bessant, Planning Assistant
Others:	McKenzie Jordan, Greg Bryson, Walter Warren, Perry White, Tommy Wade, Mary Seeley, Mary Kirkland, Sonia Hernandez, John Danford, Chuck Jordan, Mark Frank, Mary Frank, Adam Crunk, Emma Howes, Tasha Middleton, Greg Bratcher, Connie Wilson, Tim Meyler, & others

I. CALL TO ORDER

Chairman O' Neil called the meeting to order at approximately 5:30 pm.

II. ELECTION OF OFFICERS

Wise made a motion to elect O'Neil as the Chairperson of the Planning Commission for 2024. Ulrich seconded the motion and the motion carried unanimously.

O'Neil made a motion to elect Wise as the Vice-Chairperson of the Planning Commission for 2024. Ulrich seconded the motion and the motion carried unanimously.

III. APPROVAL OF MINUTES

Wise made a motion, seconded by Ulrich to approve the November 27, 2023 minutes as written. The vote in favor was unanimous. The motion carried.

IV. PUBLIC INPUT

Randall Johnson, Mary Frank, Perry White, Tommy Wade, Matthew Galloway, Connie Wilson, Greg Wilson, and Evelyn Sherman spoke during public input with concerns of flooding, traffic, and access connectivity for the Tributary tract property.

O'Neil made a motion, seconded by Brown, to close public input. Motion carried unanimously.

V. SUBDIVISIONS

A. Mills Pointe (PIN's 368-01-01-0009 & 368-01-01-0013) – requesting preliminary plan approval.

Hucks stated that around December of 2022, the initial set of preliminary plans were submitted and reviewed for the proposed development. On February 20, 2023 the subdivision name was approved by City Council and Planning Commission gave street name approval for this development on April 6, 2023. A variance was granted

by the Board of Zoning Appeals to allow the trash handling facilities and associated screening to be located forward of the proposed building. And as of December 5, 2023, the 5th submittal of the Preliminary Plan and the 1st submittal of the Architectural Plans were submitted for review. Both plans still have outstanding comments.

This development proposes 2 phases of development, on each side of Belladora Road (between Hwy 378 and the Rosehaven subdivision). The subject properties are currently zoned: R2 (Medium Density Residential District).

Phase 1 (located on PIN 368-01-01-0013): 48 townhome units proposed in 8 six-unit buildings

- 32 two-bedroom units & 16 three-bedroom units
- 103 off-street parking spaces (5 of which are handicap spaces)
- access being provided via: 2 commercial driveways off the western side of Belladora Road

Phase 2 (located on PIN 368-01-01-0009): 18 townhome units proposed in 3 six-unit buildings

- 12 two-bedroom units & 6 three-bedroom units
- 39 off-street parking spaces (2 of which are handicap spaces)
- access being provided via: 1 commercial driveway off the eastern side of Belladora Road

Open Space

• 1.89-acres of Passive Open Space are provided on-site and (per agreement with City Council) Active Open Space was provided via off-site mitigation of 1.55-acres conveyed to the City of Conway for the expansion of Rose Hill Cemetery in 2022.

Street Names (previously approved):

Fireproof; Monument (*staff to determine proper suffixes*)

If Planning Commission recommends approval of the applicant's requests, staff recommends that it be contingent upon the applicant addressing the remaining comments by the Technical Review Committee (TRC).

The applicant was not present.

O'Neil made a motion to approve the request as presented. Watkins seconded the motion and the motion carried unanimously.

VI. PUBLIC HEARINGS

A. ANNEXATION & REZONING / FUTURE LAND USE MAP AMENDMENT REQUEST(S)

- Request to annex approximately 8.96 acres of property located at/near the intersection of Hwy 501 (Church St) and Mill Pond Rd (PIN 338-10-01-0015), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district; and
- Request to amend the City's Future Land Use Map (FLUM) of the City of Conway Comprehensive Plan (2035), relative to property located at/near the intersection of Hwy 501 (Church St) & Mill Pond Rd (PIN 338-10-01-0015), consisting of approx. 8.96 acres, from the Conservation Preservation (CP) district to the Highway Commercial (HC) and Conservation

Preservation (CP) districts.

Hucks stated on November 28th, the applicant submitted a rezoning application for the subject property, located at the intersection of Mill Pond Rd and Hwy 501. The property is currently zoned Horry County Highway Commercial (HC), and is currently vacant. The application to rezone does not specify the proposed use of the property, and it is not required that the use be provided. Any use in the requested zoning district would be permitted should the request be approved; however, in discussions with the applicant, the current proposed use relates to medical uses; specifically, a freestanding emergency room (ER).

There is a portion of the property that contains flood zones as well as a portion of a floodway. Without a site plan to indicate the proposed location of structures and access points for the project, staff cannot determine if there would be any impact to either the flood zone or floodway. Any proposed encroachments within the floodway must provide a no rise or no impact certification, stating that the proposed work will not create any rise within the floodplain. This certification must be done by a registered engineer and must have hydrologic and hydraulic data supporting the certification.

Per <u>Section 3.2.10</u> of the UDO, the intent of the Highway Commercial (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.

The property abuts parcels (on all sides but one) zoned City of Conway Highway Commercial (HC). Other adjacent uses include a gas station (zoned HC), a vacant parcel (zoned County HC), and a Restaurant (zoned HC).

A 2023 amendment to the UDO regarding the split-zoning of parcels carves out an exception to prohibiting splitzoning, which gives Planning Commission the ability to recommend portions of property be zoned as CP upon annexation/rezoning if such areas of property included in the request contains environmentally-sensitive areas (*i.e.* flood zones, floodways, wetlands, *etc.*) (*Section 6.1.14* – *Split Zoning of Parcels*). If Planning Commission recommends annexation/rezoning of the subject property, **the portion of property that contains such environmentally-sensitive areas could be recommended to be zoned CP upon annexation, and it would be staff's recommendation to do so in this instance to ensure perpetual protection of the floodway shown on the property; provided that by doing so, the applicants plan for development of the property would not be significantly impacted.**

The future land use map of the *Comprehensive Plan* identifies the entire parcel as *Conservation Preservation (CP)* likely due to the presence of flood zones and a portion of the floodway being encompassed on this property.

Per <u>Section 3.2.15</u> of the UDO, the intent of the *Conservation Preservation (CP) district* is to provide needed open space for general outdoor and indoor recreational uses, and to protect environmentally sensitive areas and flood prone areas from the encroachment of any residential, commercial, industrial, or other uses capable of adversely affecting the relatively undeveloped character of the district.

This request will include a Future Land Use Map amendment to the Comprehensive Plan as well. Due to advertising requirements, a public hearing is required to be held by the *governing* body, and will need to occur at final reading of the proposed annexation/rezoning request, scheduled for the February 5, 2024 Council meeting, should Planning Commission recommend approval of the request <u>and</u> first reading be approved at the Jan. 16,

2024 Council meeting.

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

Adam Crunk, applicant was present and further explained the request.

There was no public input. Wise made a motion, seconded by Ulrich, to close public input. Motion carried unanimously.

After much discussion with staff and the applicant, Wise made a motion to recommend approval of the request to City Council as recommended by staff to include the CP split zone in the AE flood zone and floodway, and to amend the future land use map for this property. Ulrich seconded the motion and the motion carried unanimously.

- 3. PREVIOUSLY DEFERRED ...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, Hwy 378 & Dayton Dr., 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.
 - -and-

B. LAND DEVELOPMENT AGREEMENT(S)

 PREVIOUSLY DEFERRED ... Proposed Development Agreement by Lennar Carolinas, LLC and Thomas & Hutton, for proposed development of property located on Highway 378, Juniper Bay Rd, and Dunn Shortcut Rd, to be known as the Tributary Planned Development (PD), and consisting of approximately 486 +/- acres (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).

Hucks stated that the applicant is 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, Stalvey Rd, 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).

The requested zoning designation upon annexation is (City of Conway) Planned Development (PD) District. Per Section 3.3.2 – Planned Development (PD) District, of the UDO, the intent of the PD District is to provide for large-scale, quality development projects (3 acres or larger) with mixed land uses which create a superior environment through unified development and provide for the application of design ingenuity while protecting surrounding developments.

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 337-00-0011 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, 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.

A table provided in the PD Narrative documentation provides buffer widths and required plantings. The PD perimeter buffer is stated as being 25' in width; however, there has been at least one property owner that has requested that the perimeter buffer be increased to 50' in width in areas that but existing residential.

The traffic impact analysis (TIA) provided by the applicant was completed by Stantec Consulting Services, Inc. The recommendations provided in the TIA were in accordance with SCDOT and City of Conway guidelines. The report assumed that the project would be completed in 2 primary phases, Phase 1 and Phase 2, and the recommendations for each phase of the project were provided in the report.

Per *Title 6, Chapter 31, § 6-31-10* of the SC Code (SC Local Government Development Agreement Act, 1993), authorizes binding agreements between local governments and developers for long-term development of large tracts of land. A development agreement gives a developer a vested right for the term of the agreement to proceed according to land use regulations in existence on the execution date of the agreement. Principal among the General Assembly's statement of findings for the Act was the desire to provide some measure of certainty as to applicable land development law for developers who made financial commitments for planned developments. The Act also expresses the intent to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities, encourage the use of resources and reduce the economic cost of development (*Comprehensive Planning Guide, 2018*).

The length of the development agreement varies, and depends on the size of the property to be included in the agreement. The minimum size for a property to be included in any development agreement is 25 acres of highland – which is determined by local ordinance (*i.e.* land above the 100-year flood plain).

The Tributary development agreement is proposed to be for a period of 10 years, and the subject property contains 250 acres +/- of highland.

Prior to adoption of a development agreement, the governing body must hold at least two (2) public hearings, which if authorized by the governing body, can be conducted by Planning Commission (per SC Code § 6-31-50(A)). Notice of the intent to consider a development agreement must be published in a newspaper of general circulation, which should include the property location, proposed uses, and a place where a copy of the agreement

can be obtained. The date, time and place of the second hearing must be announced at the first hearing (SC Code § 6-31-50(B)).

Some items that will be considered by Council, to be contained within the development agreement include:

- The required offsite improvements (*i.e.* traffic improvements)
- Access through the city shop complex (*i.e.* land swap)
- City Park acreage
- Installation of trail system / connection
- Possible enhancement fees

The property is within the County's Airport Environs Overlay Zone. This overlay, per the County's Zoning Ordinance, exists to ensure current operations and future expansions of the County's publicly-owned and operated aviation facilities are not hindered by encroachment of structures or objects into required aircraft approach paths or airspace.

Additionally, *SC Code of Laws, Title 55, Ch. 13 – Protection of Airports and Airport Property*, states the following: Land use decisions by county and municipal governments and local agencies shall take into account the presence of airport land use zones and airport safety zones and consult with the division, when possible, prior to making land use decisions within airport land use zones and airport safety zones. If the division provides comments, within 30 days, the governmental body must respond substantively in writing to each comment, separately stated before the issuance of the permit or approval. If the division believes the proposed project may have a substantial impact on aviation safety, create an imminent or foreseeable hazard to aviation safety, or result in a nuisance or an incompatible land use, the division may seek relief, including enjoining the activity or abatement of the condition giving rise to the division's comments.

While the City does not currently have an airport overlay adopted for this area, because there is state law addressing the issue, state law will take precedence. *As of December 29, 2023, staff has not received any new information from the County Division of Airports regarding comments on the request other than acknowledgement of receiving the information from the Airport Director.*

The public hearing was held on November 27, 2023. Several people spoke in opposition to the request. Their concerns included traffic congestion, lack of infrastructure, stormwater & flooding, and density. PC deferred the requests (annexation/rezoning and development agreement) so that a workshop could be held with the applicants for additional discussion.

A Planning Commission workshop was held on December 20, 2023 and discussion from the workshop included the following:

- Flex districts (F-1; F-2 tracts) and multifamily use/density;
- **Stormwater concerns** the need for a detailed stormwater management plan, as the general stormwater plan submitted was only for 10% of the project area;
- Street (asphalt) width in development: some of the streets are shown to be 22' in width and should be a min. of 24';
- **Requested modification from the residential design standards**; specifically, the request to allow snout houses (garages to protrude more than 10' from front façade of house) for 50% of the lots;

- Land swap for the proposed roadway going through the city shop complex and other options for a connection between tracts on Dayton Drive (R-3 and R-4) to the remainder of the development;
- Connection from the R-5 tract fronting on Dunn Shortcut Rd to the remainder of the development;
- Connection (interconnectivity requirement) through the Macala Acres subdivision: staff continues to support the connection. The applicant is not opposed to installing the connection. The residents of Macala Acres are opposed to the connection.
- Lot sizes/lot widths proposed throughout the development 20' wide is too narrow. PC asked that the applicant submit something that shows what the development would look like with 20' 40' lot widths, and that 50' widths is as low as they would typically like to see;
- Landscape buffers / trail connection(s) applicant would like a reduction in the required buffer to a Type A (5' width) buffer along the canal trail only;
- **Distance from the closest fire station** was discussed. Chief Le Hendrick stated that the 5-mile radius to maintain the city's ISO rating would be maintained with the addition of a county fire station on El bethel Rd;
- Fire training facility at City shop complex: facility is located on the stormwater side of the proposed road going through the city's shop complex. The facility was recently built, and there are no other locations for the facility to relocate to at this time.

The property is within the city's utility service area, and annexation will be required (for parcels not already in the city limits) to be requested before permits are applied for if a connection to city utilities are necessary. It does not have to be annexed as the applicant's desired zoning designation. The default zoning upon annexation is "R", which would not require PC review. Under the R designation (low-density residential), the applicants could utilize the conservation subdivision design when developing. Under a conservation subdivision design, the lot sizes would be required to be 6,000 sq. ft. vs. the 10,000 sq. ft. lot size requirement, and the min. lot width required would be 60' rather than the 100' lot width required under the R zoning.

Both tracts off of Dayton Street (tracts R-3 and R-4) are already in the city limits. Tract R-4 (directly adjacent to Macala Acres subdivision) is currently zoned R-1 (low/medium density residential). Tract R-3 is zoned R-3 (high-density residential) and by right can be developed as high-density residential, including multifamily development under the current R-3 zoning.

Timing of traffic improvements, enhancement fees, land swaps, etc. can all be negotiated with City Council when considering the development agreement.

Other large annexation / rezoning request(s) recently considered were asked to, and did provide a more detailed H&H study (or ICPR study) for stormwater calculations; however, it cannot legally be required if the properties are annexed under straight zoning of R (or R-1 zoning).

Staff would prefer that the road issue be resolved prior to moving forward to Council for consideration; whether that would a potential land swamp and training facility relocation / agreement, or the applicants to provide a plan showing another option that does not include the city shop complex.

A Planned Development (PD) district provides for large-scale, quality development projects with mixed land uses which create a superior environment through unified development and provides for the *application of design ingenuity while protecting surrounding developments*.

Staff recommended that after holding the required public hearing on the requests, that Planning Commission thoroughly review the applicants requests and make an informed recommendation to City Council.

Walter Warren, Thomas & Hutton, was present to answer any questions.

The board, staff, & applicant discussed the request at length.

Wise made a motion to recommend approval to City Council of the request and the Development Agreement request with the proposed revisions except for the connection to Macala Acres, only the area will be preserved with no stub out or infrastructure required; snout house requirement will be reduced from 22 feet to 15 feet; the minimum percentage of the 52 foot lots will be at least 40 percent of the whole total; and pending any additional staff comments. O'Neil seconded the motion and the motion carried unanimously.

C. REZONING REQUEST(S) / FUTURE LAND USE MAP AMENDMENT(S)

- 1. *REQUESTING DEFERRAL*...Request to rezone approximately 0.24 acres of property located at 610 Main Street (PIN 338-13-02-0035) from the Low/Medium-Density Residential (R-1) district to the Professional (P) district.
- DEFERRED...Request to amend the City's Future Land Use Map (FLUM) of the City of Conway Comprehensive Plan (2035), relative to property located at 610 Main Street (PIN 338-13-02-0035), consisting of approx. 0.24 acres, from the Low/Medium-Density Residential (R-1) district to the Professional (P) district.

VII. BOARD INPUT

Ulrich thanked staff for the work they did for the Tributary project. Wise thanked the public for coming and providing their input. Wise asked staff to provide some information to the public on information of where to go & who to call regarding traffic and road improvements for our area. Hucks advised.

VIII. STAFF INPUT

None

IX. ADJOURNMENT

A motion was made to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at approximately 7:51pm.

Approved and signed this ______ day of _____, 2024.

Brian O'Neil, Chairman

DATE: February 1, 2024 AGENDA ITEM: IV.A.

ISSUE:

Pelican Pointe – The applicant, G3 Engineering, is requesting that Planning Commission approve two design modifications, for a proposed Conservation Subdivision, located at the corner of Hwy 378 and Hemingway Chapel Rd., on Pin: 369-00-0044.

BACKGROUND:

October, 24, 2023: A Master Plan for a conservation subdivision, named: Pelican Pointe (name not approved by Council yet), was submitted for review... Comments from the Technical Review Committee were returned to the applicant on: November 22, 2023.

January 5, 2024: An application for the following requests was submitted by the project manager from: G3 Engineering;

- (1.) To allow the use of a temporary emergency access easement & all-weather surface road, for Phase 1 of the multi-phased development.
- (2.) To allow the open space to be dedicated consecutively, with each phase of development, instead of initially with the first phase.

ANALYSIS:

Access Management Modification: The first phase of development (as shown in revised master plan provided by applicant) proposes 182 single-family lots.

Per *Section 10.7.5 – Modifications*, of the UDO, the Planning Commission may modify any standard or requirement of these regulations where, in the Commission's opinion, equal or better performance will result. In modifying any standard or requirement the evaluation shall be made with regard to the overall performance in carrying out the purposes of these regulations. In approving a modification, the Commission may prescribe such reasonable and appropriate conditions and safeguards as will, in its opinion, assure performance and the maintenance of the purposes of these regulations.

Section 7.2.1 E (1.) of the UDO states the following: "For single-family developments consisting of thirty (30) or more lots (at the time of plan approval), the City shall require a minimum of two (2) points of ingress and egress (access), in compliance with applicable fire code(s)."

The applicant proposes to provide one enlarged entrance (containing three travel-lanes) off of Hwy 378, and a temporary emergency access, extending to Tampa Lane (a paved county-maintained road), with

phase 1. The temporary emergency access, off of Tampa Lane, will be removed during the construction of Phase 2, whereas a second development entrance, on Hemingway Chapel Road, will be installed.

Access Management is traditionally enforced by the Conway Fire Department, so this request was sent to them for a recommendation. David Parker, Fire Inspector for Conway Fire Department, stated that "We are good with the temporary emergency access off Tampa Lane with the conditions as outlined below";

Prior to Construction;

- All required Fire Department Access Roads shall be installed to an extent that will provide allweather paved access for emergency vehicles prior to combustibles being brought to the site or combustible construction taking place.
- Water supply and Fire Hydrants for fire protection are required to be installed. Such protection shall be installed and made serviceable prior to and during the time of construction.
- Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles. Temporary signage at the end of Tampa Lane indicating emergency access to Pelican Pointe.
- The Fire Code Official shall be contacted and do an onsite visit to determine the adequacy of the access roads, water supply, signage prior to and during construction.

Fire Apparatus Requirements;

- Surface Fire apparatus access roads shall be designed, constructed and maintained to support the imposed loads of not less than 75,000 pounds and shall be constructed of asphalt, concrete or other approved all weather driving surface.
- Vertical Clearance Fire Apparatus Access Roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches.
- Grade Fire apparatus access roads shall not exceed 10 percent (10%) in grade longitudinally.
 - The Cross Slope of a road section or within a turnaround area shall not exceed five percent (5%).
 - The Angles of approach and departure, the gradient in fire access roads shall not exceed a five percent (5%) change along any ten (10) foot section.
- Width Fire apparatus access roads shall have a minimum unobstructed width (exclusive of shoulder) of not less than the following:
 - $\circ~$ No Parking 20', Parking one side 26', Parking both sides 32" $\,$
- Turning Radius Fire apparatus access road shall be designed to accommodate the following

turning radius;

- o 35-foot minimum inside turning radius. 55-foot minimum outside turning radius.
- Turnarounds Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with International Fire Code Table D103.4 & D103.10.

Open Space Modification: Although the plans provided are conceptual in nature, they depict a 3-Phase development, containing a total of: 407-single-family Lots, being designed as a Conservation Subdivision. The conceptual plans also cite a proposed total of: 45.07-acres of Open Space, plus 44.08-acres of Conservation Area (which will also have to be dedicated as Open Space on the final plats).

Section 10.3.9 B (1.) of the Unified Development Ordinance (UDO) states the following: "Developers shall provide all open space during the initial phase of development, even if the subdivision is divided into future phases." and while the subject parcel is zoned R-1, as a Conservation Subdivision, the lots therein will have a reduction of both the minimum lot size and minimum lot width. However, unlike traditional major subdivision Open Space standards (that calculate the Open Space by the number of lots), the required Open Space in a Conservation Subdivision is 30% of the net buildable area.

Additionally, per *Section 10.4.1 (N.2, N.3)*, an instrument of permanent protection, such as a conservation easement or permanent restrictive covenant, shall be placed on the Open Space concurrent with the issuance of a land disturbance permit. This would mean that before any site construction could commence, ALL open space that is required as part of the conservation subdivision design would have to be platted as a permanent easement or restrictive covenant. This ensures perpetual protection of the open space and the conservation areas identified in the plan. A legal instrument of permanent protection is also required, in accordance with *Section 10.4.1 (O.)*.

RECOMMENDATION:

If Planning Commission recommends approval of the applicant's requests, staff recommends that it be contingent upon the conditions above and all other applicable requirements.

SITE DATA TABLE				
WALL TEC LLC				
8000 BIRD KEY CT MYRTLE BEACH , SC 29579				
369-00-00-0044				
CITY OF CONWAY				
187.88 AC.				
R1				
CONSERVATION SUBDIVISION				
SINGLE FAMILY DETATCHED				

NOTE: * CONSERVATION SUBDIVSION IS ALLOWED BY-RIGHT UNDER R1 ZONING DISTRICT

REQUIRED OPEN SPACE (AC.)	37.90 AC.
OPEN SPACE (TOTAL)	45.07 AC.
	8.35 AC. TOTAL
PONDS*	2.09 AC. (25% ACCOMODATION FOR DOCKS / PIERS/FOUNTAINS)
NET OPEN SPACE AVAILABLE	REQ. OPEN SPACE = 42.11 AC.

NOTE: * 25% OF PONDS MAY COUNT TOWARDS OPEN SPACE WHEN DOCKS, PIERS OR FOUNTAINS ARE LOCATED WITHIN THE POND.

CONSERVATION SUBDIVISION REQUIREMENTS				
ALLOWABLE USE	SINGLE FAMILY DETACHED			
MIN. LOT SIZE	6,000 S.F. MIN.			
MIN. LOT WIDTH	60'			
MIN. LOT DEPTH	100'			
MAX HEIGHT	40'			
	F=20', S=10', R=15', C=20'			
SETBACKS*	100' (MIN.) FROM ADJACENT RIGHT OF WAY			
	75' (MIN.) FROM ADJACENT TRACT BOUNDARIES			
MINIMUM OPEN SPACE REQUIRED**	37.90 AC.			
MIN. ACCESS TO OPEN SPACE	20 FEET			
MAXIMUM DEVELOPMENT DENSITY	619 SINGLE FAMILY UNITS			
MINIMUM OPEN SPACE REQUIRED	30% OF TOTALPROPOSED UNITS UNDER CONSERVATION SUBDIVISION			

NOTE: * ADDITIONAL SETBACKS ARE REQUIRED BUT NOT IMPLEMENTED ON THIS SITE PLAN PER THE ORDINANCE

** MINIMUM OPEN SPACE FOR CONSERVATION SUBDIVISION IS 30% OF NET BUILDABLE AREA OF THE UNDERLYING ZONING DISTRICT (XX.XX AC. X 0.30 = XX.XX AC.)

** FACTOR OF 1.6 BASED UPON THE BY-RIGHT DEVELOPMENT CAPACITY (1.6 X 387 = 619.2)

CONSERVATION SUBDIVISION DEVELOPMENT INCENTIVES				
#	PROVISION*	PROVISION QUANTITY	INCENTIVE	
#	INCENTIVE			
	30' BUFFER AROUND ALL RIVERS / WETLANDS		+10 UNITS	
1	[+1] ADDITIONAL UNIT PER ACRE OF BUFFER AREA PROVIDED	10.00 AC.		
	ADDITIONAL PROVISION OF OPEN SPACE	REQ. OPEN SPACE = 37.90 AC.		
2	[+1] ADDITIONAL DWELLING UNIT FOR EVERY ONE (1) ACRE OF ADDITIONALLY PROVIDED OPEN SPACE GREATER THAN THE REQUIRED 30% OF NET BUILDABLE AREA	PROV. OPEN SPACE = 45.07 AC.	+7 UNITS	
TOTAL INCENTIVE SUMMARY		+ 17 ADDITIONAL DWELLING UNITS		

NOTE: * ADDITIONAL INCENTIVES ARE AVAILABLE PER THE ORDINANCE.

CONSERVATION SUBDIVISION SUMMARY MATRIX

PRIMARY CONSERVATION
SECONDARY CONSERVATION
TOTAL - CONSERVATION AREA
MINIMUM REQUIRED OPEN SPACE (30% NET BUILDABLE ACREAGE- R1 PLAN)
PROVIDED OPEN SPACE- CONSERVATION SUBDIVISION PLAN
ALLOWABLE UNITS- R1 ZONING
DEVELOPMENT INCENTIVE- ALLOWABLE UNIT INCREASE SUMMARY
TOTAL UNITS- CONSERVATION SUBDIVISION
MAXIMUM UNITS ALLOWABLE NOT ABUTTING CONSERVATION AREAS
NUMBER OF UNITS NOT ABUTTING CONSERVATION AREAS



OPEN SPACE AREA

BUFFER AREA

POND AREA



WETLANDS AREA

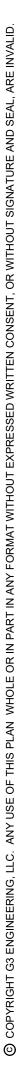


PRIMARY CONSERVATION AREA



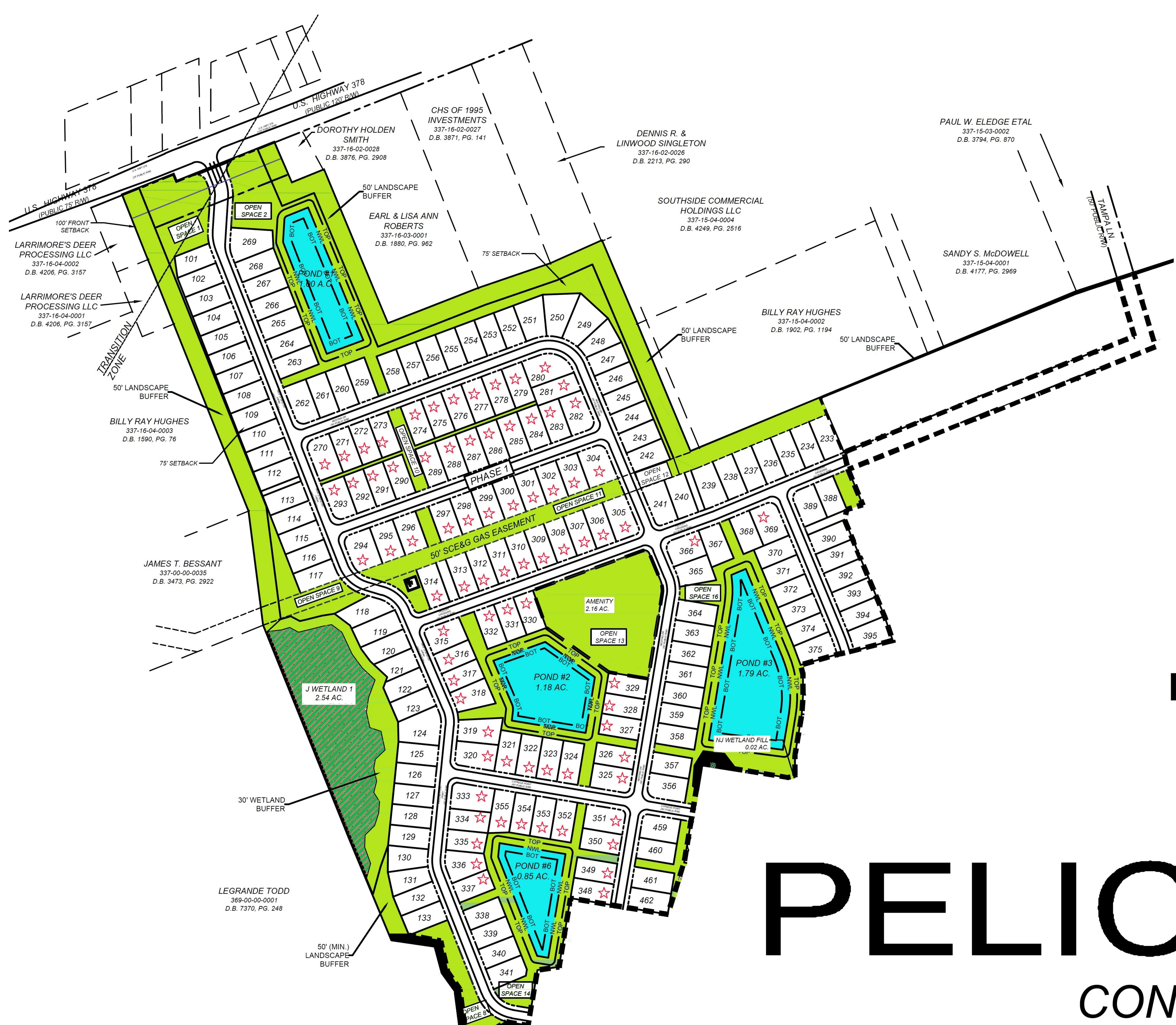
POWER LINE R/W

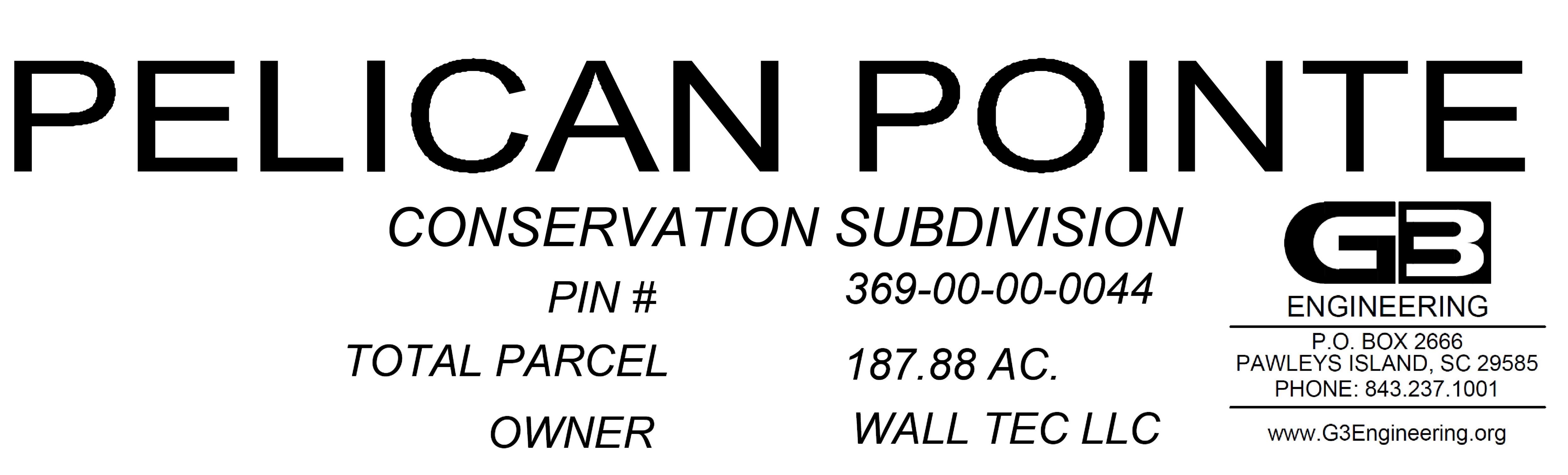
WETLAND BUFFER AREA



100

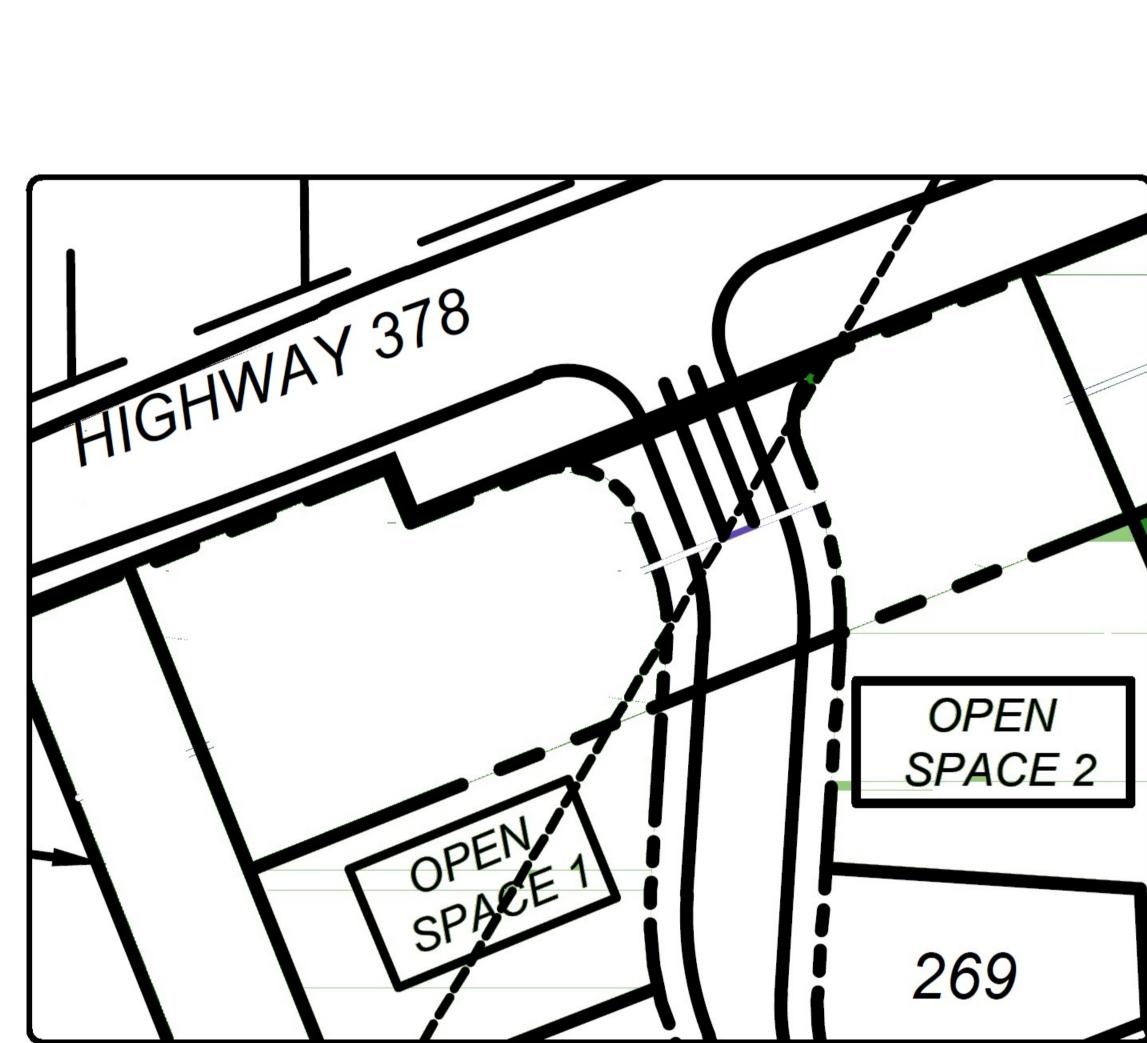




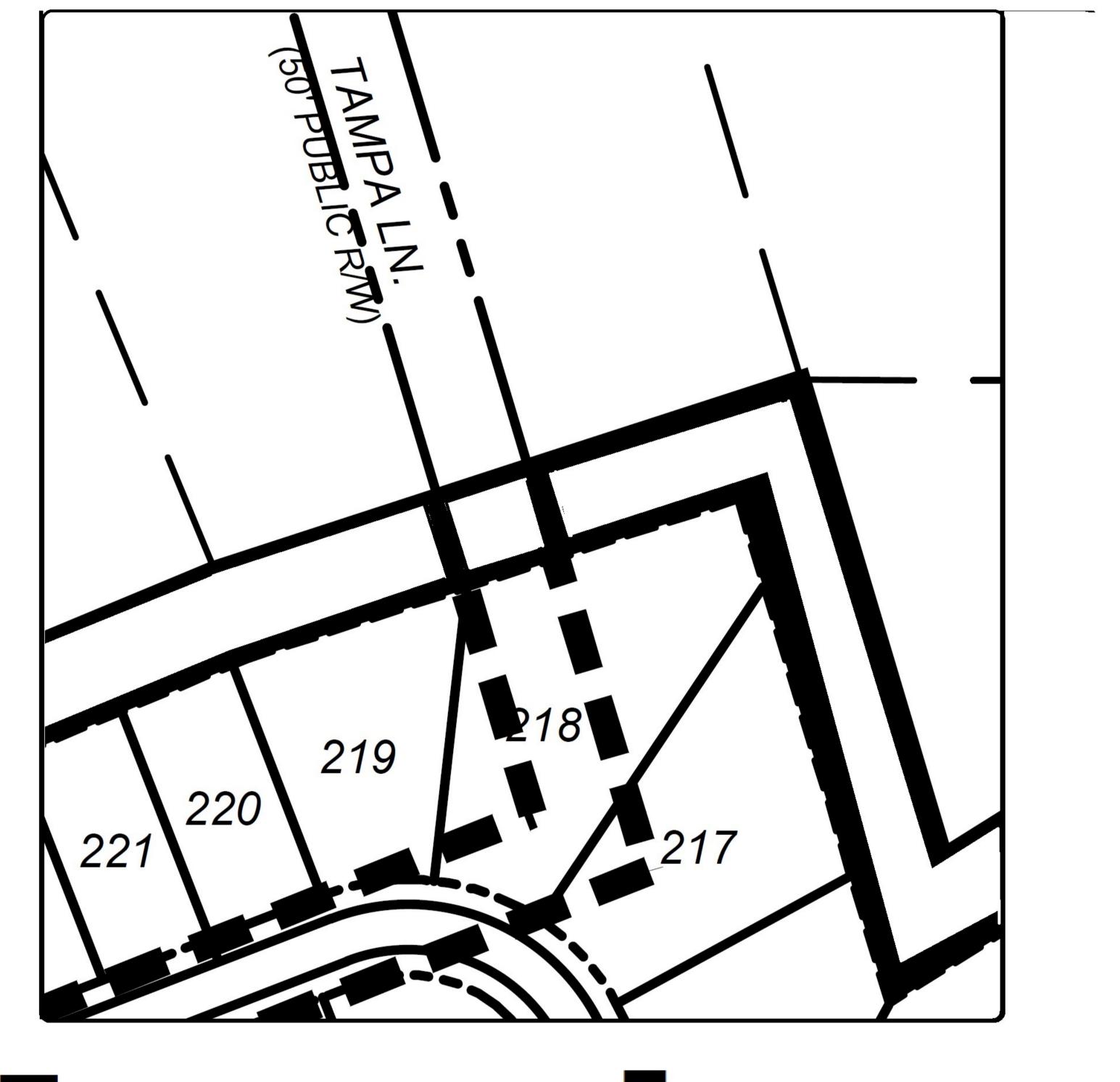


Primary Development


Entrance



Phase 1 182 Lots



t Temporary Emergency Access



Brent Gerald

From:	David Parker
Sent:	Wednesday, January 24, 2024 12:43 PM
То:	Brent Gerald
Subject:	RE: Pelican Pointe design modification P21-0223

Good afternoon Brent,

Below are my comments and I also put this in BS &A. We are good with the temporary emergency access off Tampa Lane with the conditions as outlined below. Thank you for reaching out to us.

Prior to Construction;

• All required Fire Department Access Roads shall be installed to an extent that will provide all-weather paved access for emergency vehicles prior to combustibles being brought to the site or combustible construction taking place.

• Water supply and Fire Hydrants for fire protection are required to be installed. Such protection shall be installed and made serviceable prior to and during the time of construction.

• Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles. Temporary signage at the end of Tampa Lane indicating emergency access to Pelican Pointe.

• The Fire Code Official shall be contacted and do an onsite visit to determine the adequacy of the access roads, water supply, signage prior to and during construction.

Fire Apparatus Requirements;

Surface

Fire apparatus access roads shall be designed, constructed and maintained to support the imposed loads of not less than 75,000 pounds and shall be constructed of asphalt, concrete or other approved all weather driving surface.

Vertical Clearance

Fire Apparatus Access Roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches.

Grade

Fire apparatus access roads shall not exceed 10 percent (10%) in grade longitudinally. The Cross Slope of a road section or within a turnaround area shall not exceed five percent (5%). The Angles of approach and departure, the gradient in fire access roads shall not exceed a five percent (5%) change along any ten (10) foot section.

Width

Fire apparatus access roads shall have a minimum unobstructed width (exclusive of shoulder) of not less than the following:

No Parking 20', Parking one side 26', Parking both sides 32"

Turning Radius

Fire apparatus access road shall be designed to accommodate the following turning radius; 35-foot minimum inside turning radius. 55-foot minimum outside turning radius.

Turnarounds

Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with International Fire Code Table D103.4 & D103.10.

V/r

Davíd Parker

 Fire Inspector

 City of Conway

 PO Drawer 1075
 O: (843) 488-7673

 1600 Ninth Avenue
 M: (843) 798-6494

 Conway, SC 29528
 F: (843) 248-1725

An ISO Class One Department "Striving for Excellence"

From: Brent Gerald
Sent: Wednesday, January 24, 2024 9:56 AM
To: David Parker <dparker@cityofconway.com>
Subject: Pelican Pointe design modification P21-0223

Hey, Mr. Parker:

Anne assigned a design modification for: Pelican Pointe to you because they are requesting that phase 1 be accessed via a main entrance and a temporary emergency access easement to: Tampa Lane (a county maintained RW). Below is a call-out drawing I did, just showing phase 1:

DATE: February 1, 2024 ITEM: IV.B

ISSUE:

Wild Wing Plantation, phase 5-A – the developer for: Wild Wing Plantation, phase 5-A would like to change the street name of a road, within this phase, from: "Harwood Court", to: "Hardwood Court".

BACKGROUND:

- May 19, 2009 Preliminary Plan approval was given to Phase 5 construction plans for: Wild Wing Plantation. Such plans labeled the street as: "Cast Court".
- June 23, 2021 submittal 1 of Revised preliminary plans for: Wild Wing, phases 5-A and 5-B were submitted for review with no street names shown on either the plans or plats.
- June 29, 2021 "Harwood Court" (along with 10 other street names) were reserved by Horry County for: Wild Wing Plantation, phase 5.
- Oct. 25, 2021 Submittal 2 of the revised preliminary construction plans labeled the street as "Harwood Court". However, the preliminary plats, with that same submittal, labeled the street as "Hardwood Court".
- Feb. 3, 2022 Planning Commission approved "Harwood Court" (along with the 10 other street names) for this development.
- Aug. 3, 2023 Revised construction plans were approved, sub-phasing Phase 5 into Phases: 5-A and 5-B, still showing the street name as "Harwood Court".
- Aug. 10, 2023 The 1st submittal of final plats for: Phase 5-A were taken for review, labeling the street as "Hardwood Court".
- Sep. 8, 2023 Roadway Dedication Documents were submitted to the Planning Dept, listing "Hardwood Court" as being one of the two roads being dedicated to the city.
- Dec. 21, 2023 The signed final plats for: Phase 5-A were approved for recording, showing the street name as "Hardwood Court" and such plat recorded on the same day in: Plat book 318 pages 249 & 250.
- Jan. 4, 2024 The discrepancy was detected when GIS was assigning addresses to the new lots, the project manager was contacted and requested that "Hardwood" be utilized. Horry County Planning Department was contacted and approved the use of "Hardwood" for this project.

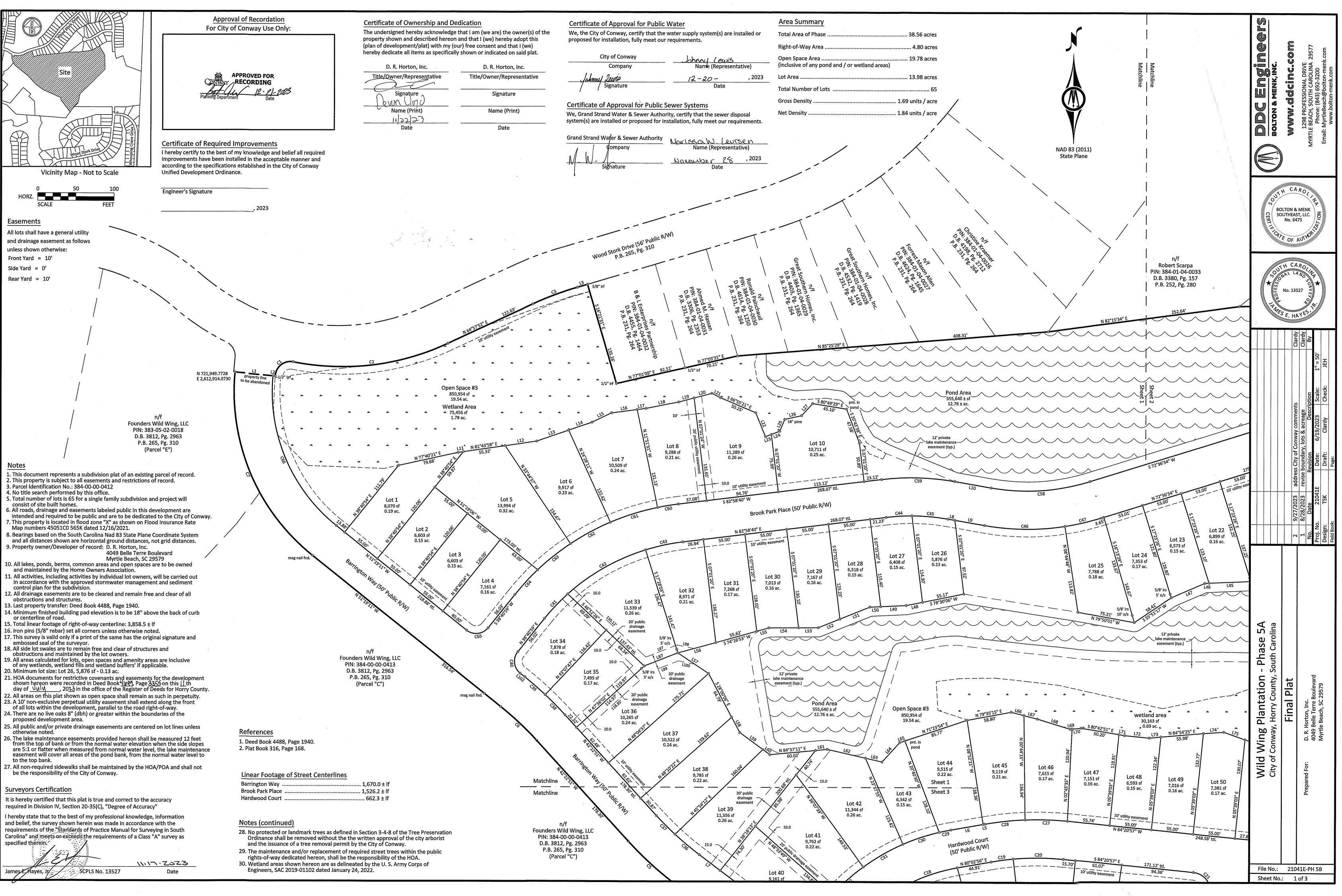
Street names:

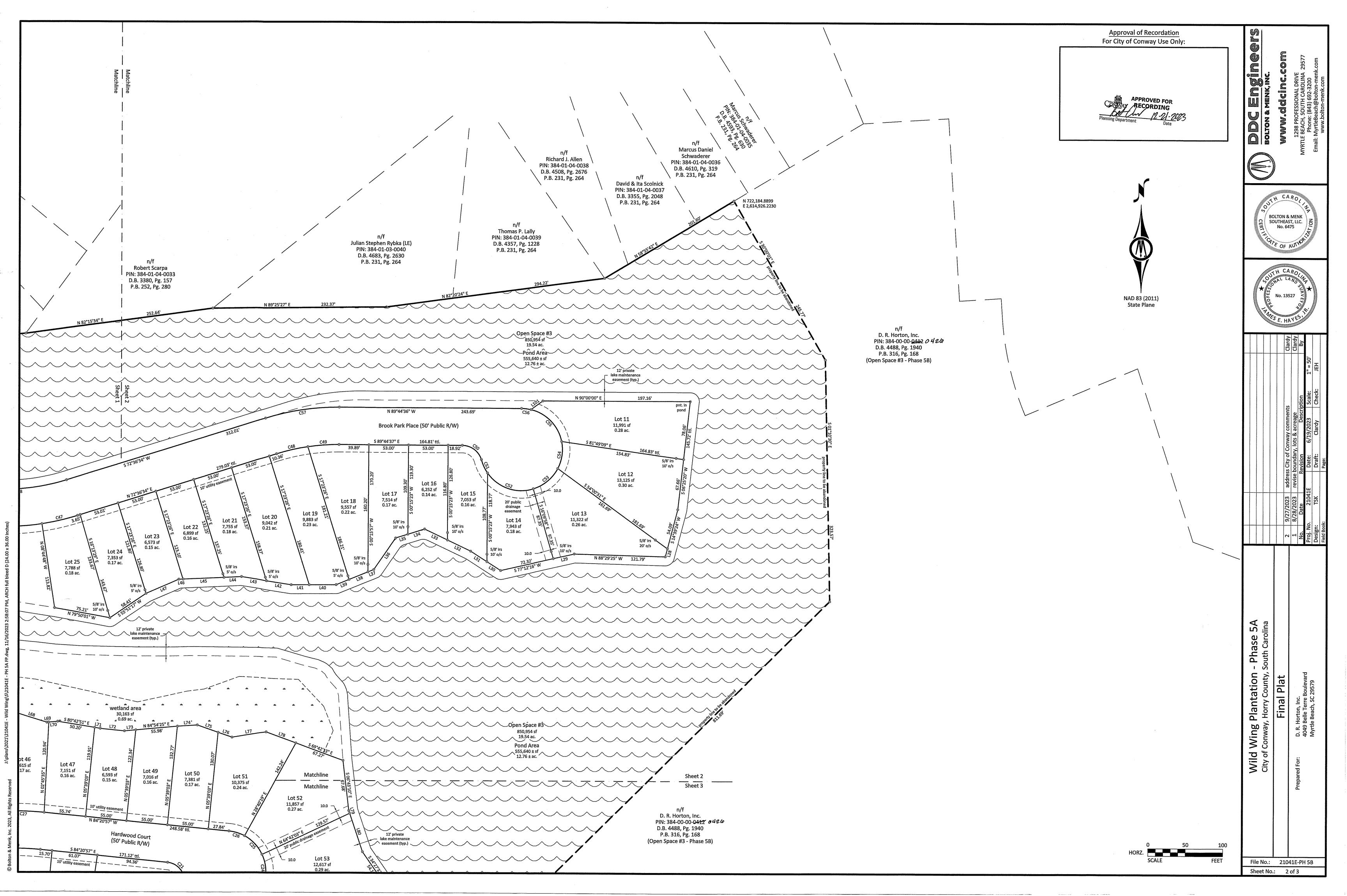
The applicant is requesting approval of the following street name. Horry County has reserved this name for this development:

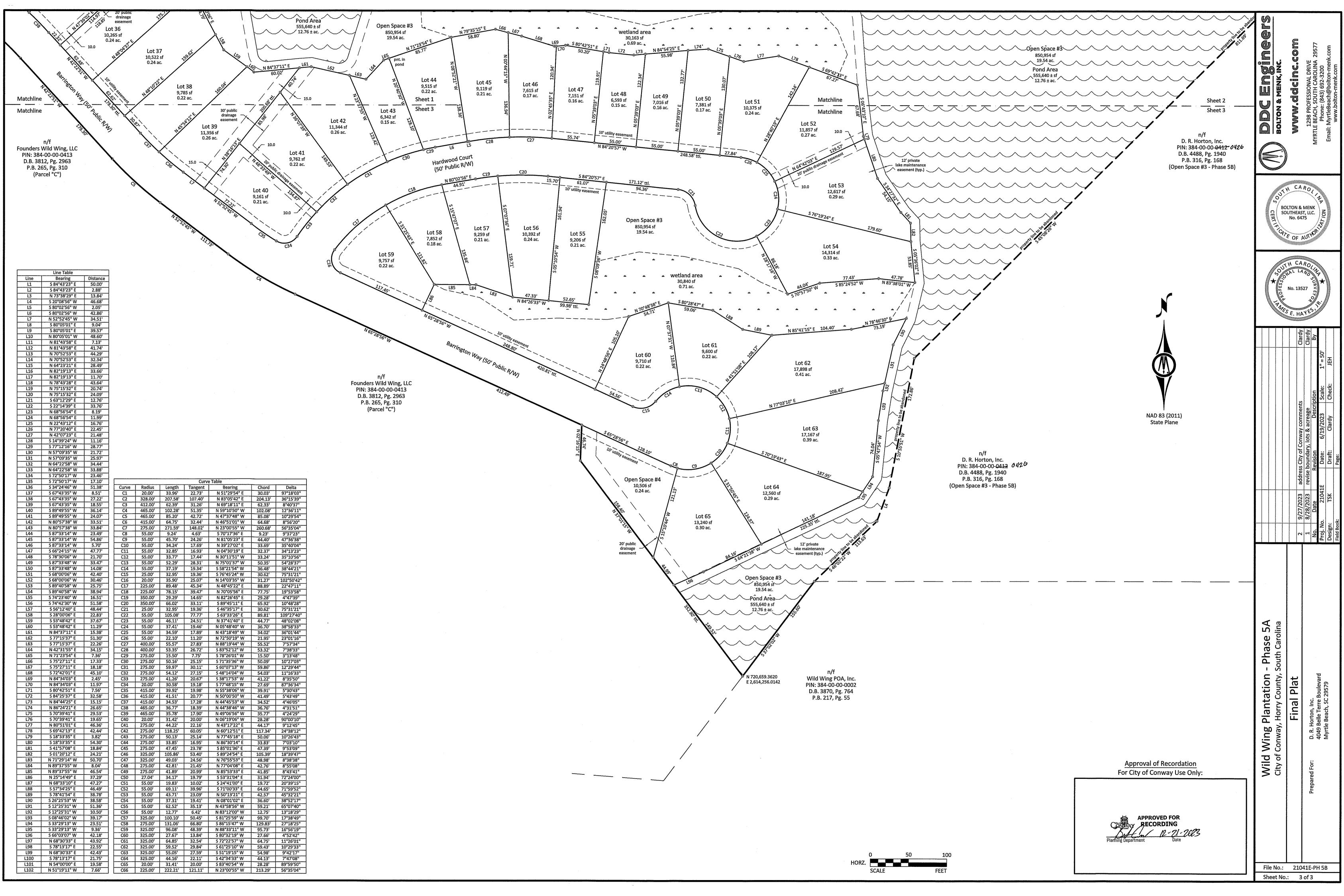
• Hardwood Court

RECOMMENDATION:

Staff recommends approval of the street name.







DATE: February 1, 2024 ITEM: V.A.1.

ISSUE:

Request by Founders National Golf, LLC, to annex approximately 11.47 acres of property located at/near the intersection of Gardner Lacy Rd and Hwy 501 (PIN 399-00-00-0403), and rezone from the Horry County Highway Commercial (HC) to the City of Conway Highway Commercial (HC) zoning district.

BACKGROUND:

On January 5th, the applicant submitted a rezoning application for the subject property, located at the intersection of Gardner Lacy Rd and Hwy 501. The property is currently zoned Horry County Highway Commercial (HC), and is currently vacant, with the exception of signage. The application to rezone does not specify the proposed use of the property, and it is not required that the use be provided. Any use in the requested zoning district would be permitted should the request be approved.

Per <u>Section 3.2.10</u> of the UDO, the intent of the Highway Commercial (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.

Surrounding uses/Zoning Districts:

The property abuts parcels zoned City of Conway Light Industrial (LI). Other adjacent zoning classifications are Horry County Light Industrial (LI) and Horry County Highway Commercial (HC). Uses include a both vacant property and a gas station (zoned HC), the property also abuts properties with manufacturing facilities (zoned County LI), and distribution centers (zoned LI).

CITY OF CONWAY COMPREHENSIVE PLAN:

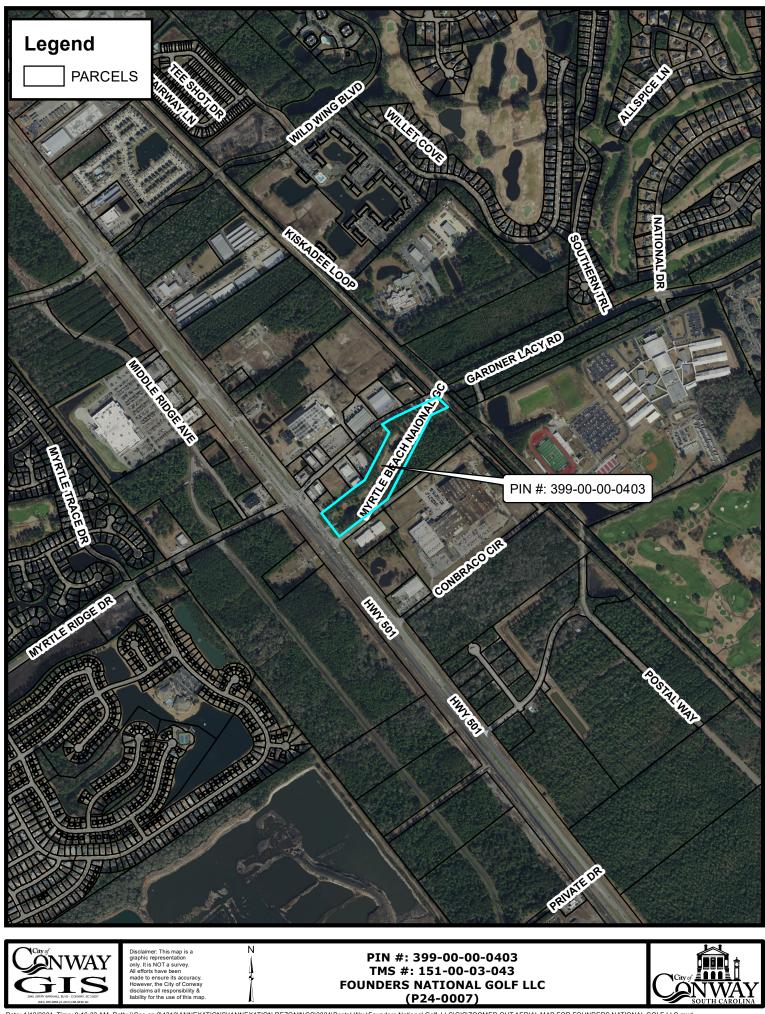
The future land use map of the *Comprehensive Plan* identifies the entire parcel as *Highway Commercial* (*HC*).

STAFF RECOMMENDATION:

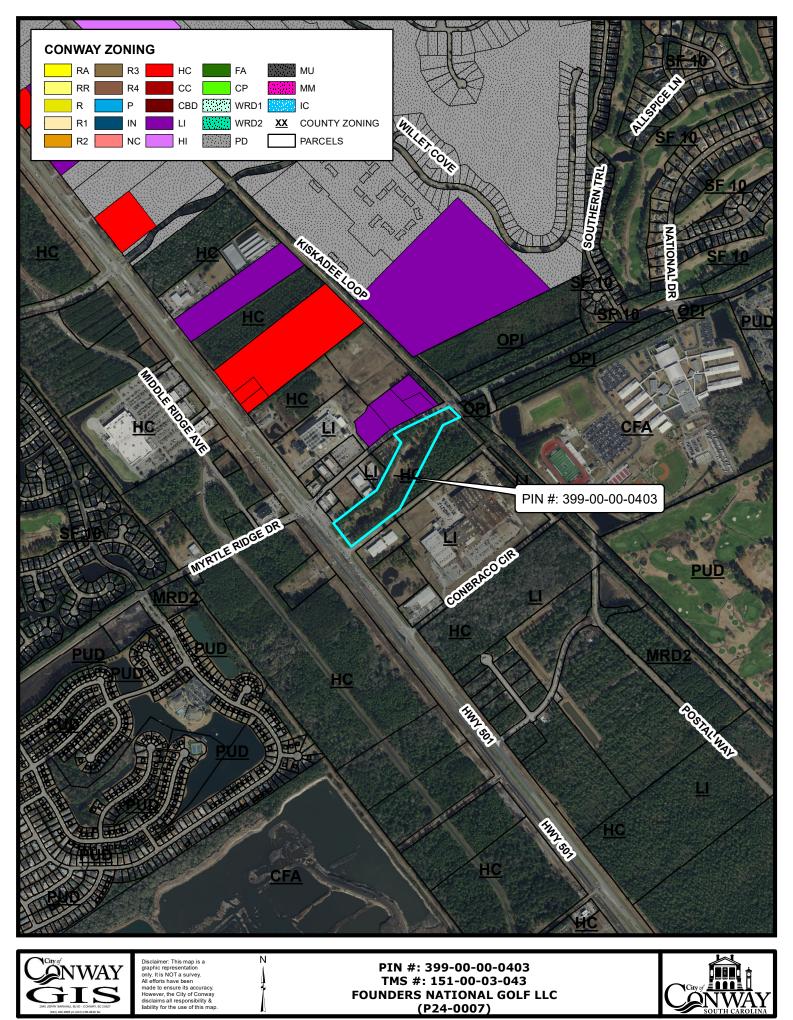
Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to City Council.

ATTACHMENTS:

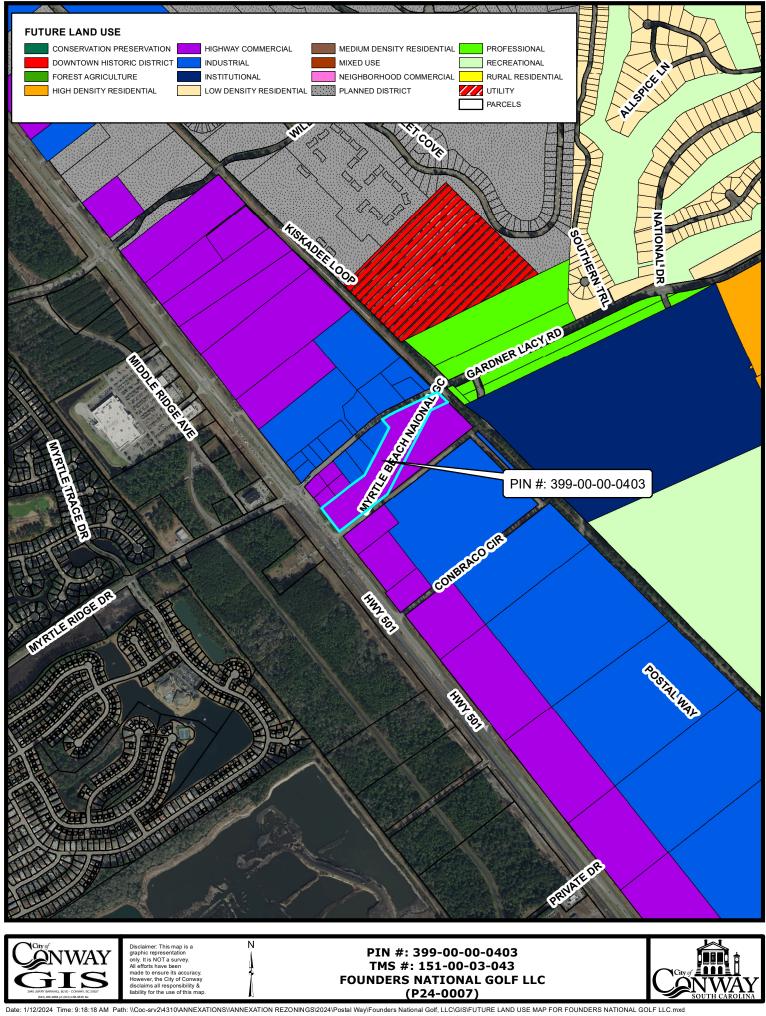
Application; GIS Maps;

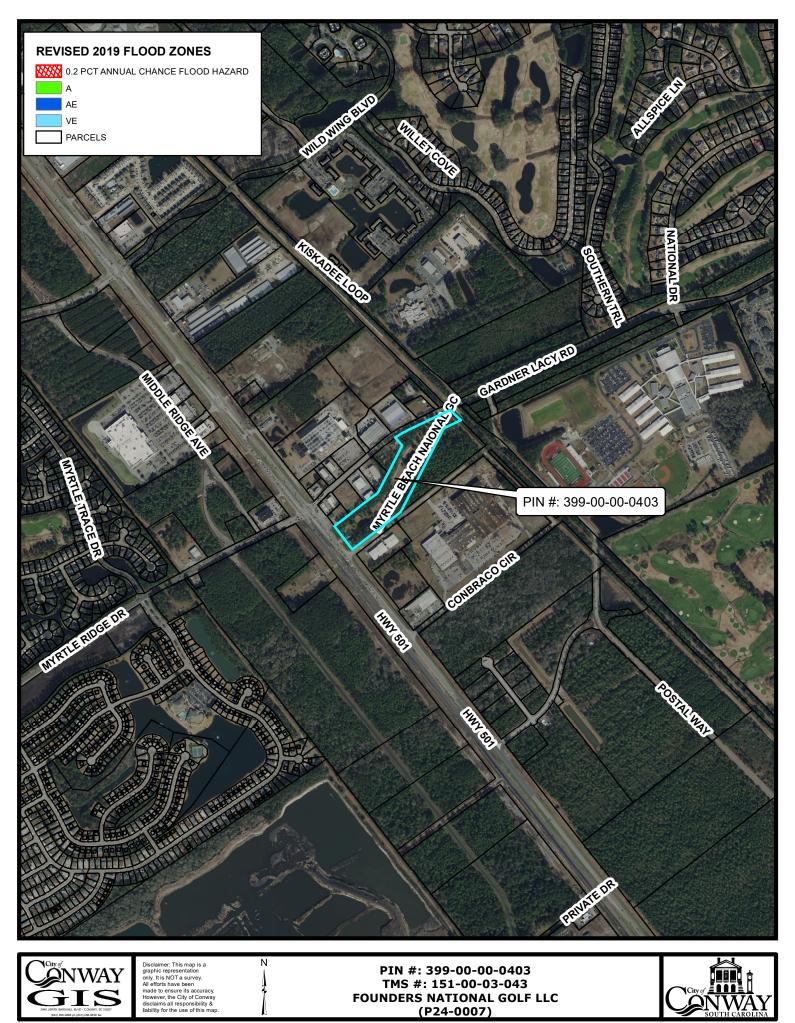


Date: 1/12/2024 Time: 9:16:32 AM Path: \\Coc-srv2l4310\ANNEXATIONS\!ANNEXATION REZONINGS\2024\Postal Way\Founders National Golf, LLC\GIS\ZOOMED OUT AERIAL MAP FOR FOUNDERS NATIONAL GOLF LLC.mxd

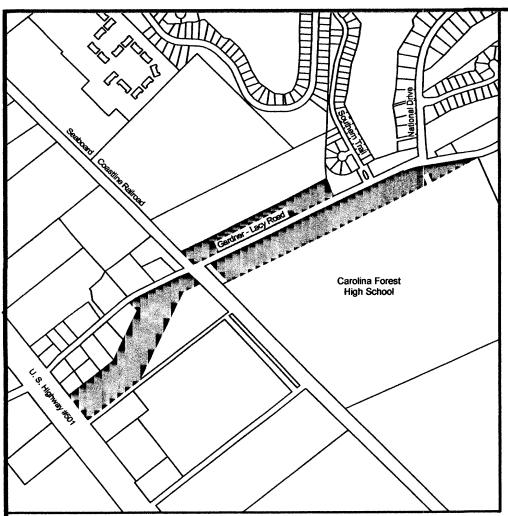


Date: 1/12/2024 Time: 9:19:06 AM Path: \\Coc-srv2/4310'ANNEXATIONS\\ANNEXATION REZONINGS\2024\Postal Way\Founders National Golf, LLC\GIS\ZONING MAP FOR FOUNDERS NATIONAL GOLF LLC.mxd



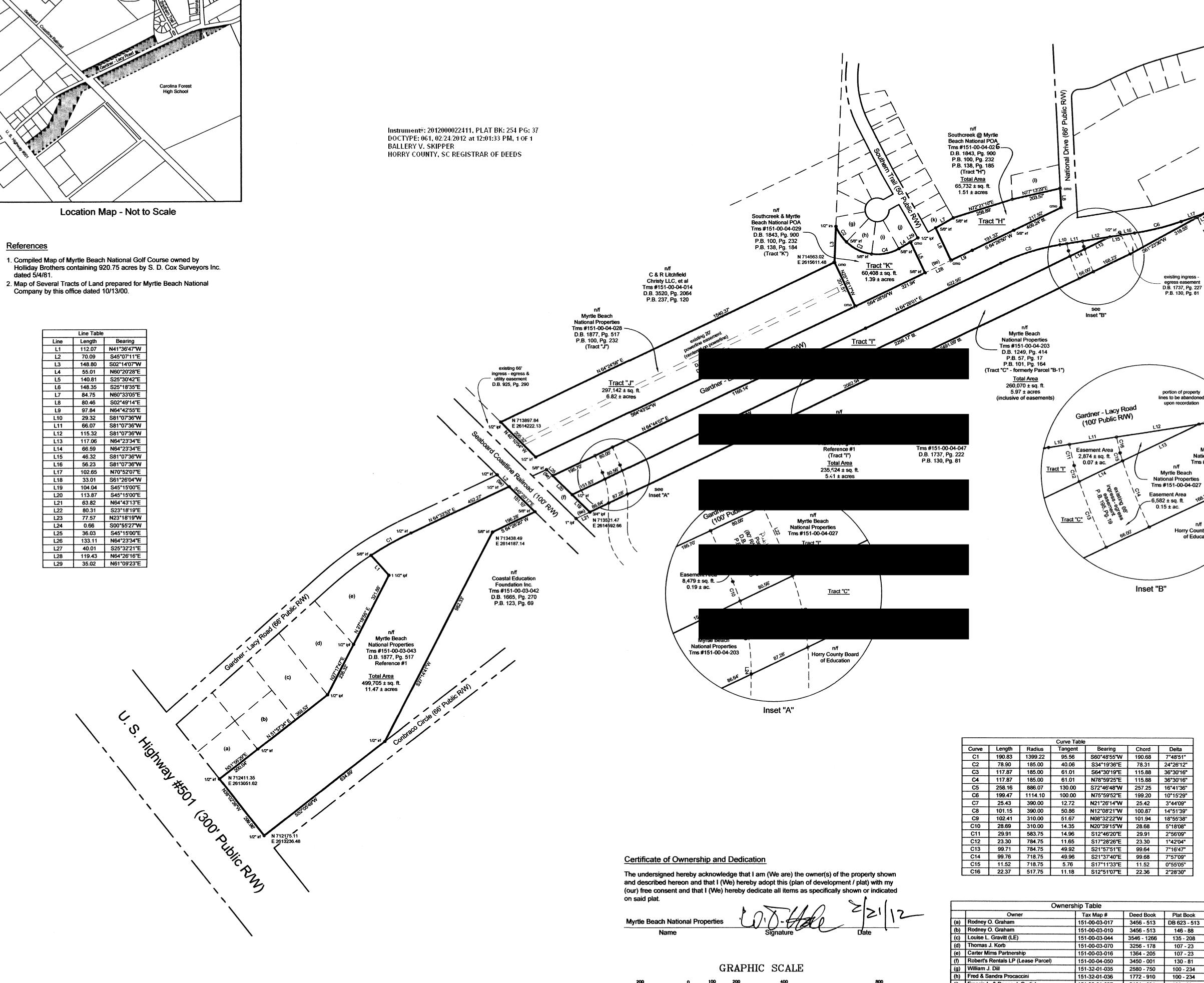


Date: 1/12/2024 Time: 9:17:45 AM Path: \\Coc-srv2\4310\ANNEXATIONS\\ANNEXATION REZONINGS\2024\Postal Way\Founders National Golf, LLC\GIS\FLOOD ZONE MAP FOR FOUNDERS NATIONAL GOLF LLC.mxd



References

- dated 5/4/81.



			Curve Table	•		
Curve	Length	Radius	Tangent	Bearing	Chord	Delta
C1	190.83	1399.22	95.56	S60°48'55'W	190.68	7°48'51"
C2	78.90	185.00	40.06	S34°19'36"E	78.31	24°26'12'
C3	117.87	185.00	61.01	S64°30'19"E	115.88	36°30'16'
C4	117.87	185.00	61.01	N78°59'25"E	115.88	36°30'16'
C5	258.16	886.07	130.00	S72°46'48"W	257.25	16°41'36'
C6	199.47	1114.10	100.00	N75°59'52"E	199.20	10°15'29'
C7	25.43	390.00	12.72	N21°26'14"W	25.42	3°44'09"
C8	101.15	390.00	50.86	N12°08'21"W	100.87	14°51'39'
C9	102.41	310.00	51.67	N08°32'22"W	101.94	18°55'38'
C10	28.69	310.00	14.35	N20°39'15"W	28.68	5°18'08"
C11	29.91	583.75	14.96	S12°46'20"E	29.91	2°56'09"
C12	23.30	784.75	11.65	S17°28'26"E	23.30	1°42'04"
C13	99.71	784.75	49.92	S21°57'51"E	99.64	7°16'47"
C14	99.76	718.75	49.96	S21°37'40"E	99.68	7°57'09"
C15	11.52	718.75	5.76	S17°11'33"E	11.52	0°55'05"
C16	22.37	517.75	11.18	S12°51'07"E	22.36	2°28'30"

-65

(IN FEET) 1 inch = 200 ft.

	Own	ership Table		
	Owner	Tax Map #	Deed Book	Т
(a)	Rodney O. Graham	151-00-03-017	3456 - 513	T
(b)	Rodney O. Graham	151-00-03-010	3456 - 513	Т
(C)	Louise L. Gravitt (LE)	151-00-03-044	3546 - 1266	Т
(d)	Thomas J. Korb	151-00-03-070	3256 - 178	Т
(e)	Carter Mims Partnership	151-00-03-016	1364 - 205	Т
(f)	Robert's Rentals LP (Lease Parcel)	151-00-04-050	3450 - 001	Т
(g)	William J. Dill	151-32-01-035	2580 - 750	Т
(h)	Fred & Sandra Procaccini	151-32-01-036	1772 - 910	Т
(i)	Francis L. & Donna J. Ondick	151-32-01-037	2101 - 031	Τ
(j)	Leo R. & Lisa D. Paul	151-32-01-038	3430 - 2750	Т
(k)	Georgios Kolombus	151-32-01-001	2903 - 699	Т
(1)	Donna Wright Lineback	151-30-01-001	3491 - 2751	T

existing ingress - evisiting ingress - egress easement D.B. 1737, P.G. 227 P.B. 130, Pg. 81 Notice a bandoned upon recordation P.B. 130, Pg. 81 Nytite Beach National Properties Trms #151-00-04-203 Myrite Beach National Properties Trms #151-00-04-203 Myrite Beach nonal Properties #151-00-04-027 nent Area 2 ± sq. ft. 168/28 5 ± ac. Nf Horry County Board of Education		Landscape Arc 1298 Professiona Phone: (843) 69	gineers, Surveyors, chitects & Environ. d Dr., Myrtle Beacl 2-3200 Fax: (843 NOIL V Surveyors, Surveyors, 2-3200 Fax: (843 NOIL V Surveyors,	mentalists h, SC 2957 3) 692-3210	Instrumen 254 PG: 3 12:01:33 F BALLERY SC REGIS
Delta 7*48*51" 24*26*12" 36*30*16" 36*30*16" 16*41*36" 10*15*29" 3*44'09" 14*51*39" 18*55*38" 5*18'08" 2*56'09" 1*42'04" 7*16'47" 7*57'09" 0*55'05" 2*28'30"	More that the set of my knowledge, information and belief, the survey shown herein was made in accordance with the requirements of survey is subject to all concerse of the survey. Notes 1. This property is subject to all easements and restrictions of record. 1. This property is subject to all easements and restrictions of record. 1. This property is subject to all easements and restrictions of record. 1. This property is located in flood zone "X" as shown on Flood insurance Rate Map number 45051C0 540H dated 8/23/99 and all approximate only (if applicable). 2. Shearings shown are based on NAD 83 South Carolina State Plane coordinate system and all distances are horizontal ground distances, not grid distances. 3. No subsurface or environmental conditions have been considered as part of this survey and no statement has been made concerning the coations of underground utilities or facilities that may affect the use or development of this property. 2. Existing Tax Map Parcel numbers and references for the adjoining properties are as shown (if applicable) on the face of this plat and outers in the struct of this survey is valid only if a print of the survey. 3. This survey is valid only if a print of the survey. 4. The prince the survey of the survey of the survey is noted. 5. Dispectification 4. Dispectification 5. Dispectification 5. Dispectification 6. Dispectification 6. Dispectification 6. Dispectification	Map of Several Tracts of Land - Myrtle Beach National Conway Township, Horry County, South Carolina	Boundary Survey Prepared For: Myrtle Beach National Properties		
100 - 234 100 - 234 100 - 234 100 - 234 100 - 249	Source Catolina and meets of exceeds the requirements for a Class "B" survey as specified therein; also there are no visible encroachments or projections other than shown. 2 - 21.12 Kyler W. Johnson SCPLS No. 16132 Date	Drawing Number	1 of 1	11.11564S	

From:	James Sturgeon
То:	Anne Bessant
Subject:	Planning meeting on 2/1/2024
Date:	Friday, January 26, 2024 9:18:02 AM
Attachments:	City of Conway metting notice RE request to annex and rezone property (1-11-24).pdf

CAUTION-External Email: This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning!

I would like to inform you that I plan to attend the planning meeting on 2/1/24 mentioned in the letter (attached) sent to our company, Aalberts Integrated Piping Systems. Our company does not plan to object to the annexation of this neighboring property so my attendance will primarily be to learn about the annexation process and what we can expect with respect to annexation in the future.

Thank you, James

James Sturgeon

plant director, conway

main: 843.347.4666 / direct: 843.234.8189 james.sturgeon@aalberts-ips.com



Aalberts Integrated Piping Systems 125 Conbraco Rd / Myrtle Beach / SC 29579 / United States www.aalberts-ips.us



LETTER OF AGENCY

City	of	Conway
	City	City of

Re: Horry County PIN No.: 399-00-00-0403

Property Location: U.S. Highway 501 and Gardner Lacy Road (Myrtle Beach National Entrance)

Fee Owner: Founders National Golf, LLC

In connection with the above referenced property, I hereby appoint the person shown below as my agent for purposes of filing such applications for zoning and zoning amendments, zoning variances, design modifications, future land use plan amendments, site plans, and subdivision plats for the above referenced properties as may be required.

Authorized Agent:Robert S. Guyton of Robert S. Guyton, P.C.Agent's Address:Guyton:4605 B Oleander Drive, Suite 202
Myrtle Beach, SC 29577

Agent's Telephone: Guyton: (843) 839-2100

FEE OWNER:

FOUNDERS NATIONAL GOLF, LLC, a South Carolina limited liability company

By: Dean J. Karavan, its Authorized Agent

> Address: 2000 World Tour Blvd. Myrtle Beach, SC 29579 Phone: (843) 222-1118



PETITION FOR ANNEXATION

Staff Use Only

Received: _____ BS&A #: _____

City of Conway Planning Department 196 Laurel Street, 29526 Phone: (843) 488-9888 Conway, South Carolina

www.cityofconway.com

Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA)

COUNTY OF HORRY

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

)

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISIO	_{N:} U.S. Highway	501/Gardner La	acy Road
PIN: 399-00-00-0403	ACREA	_{GE:} 11.47	
PROPERTY ADDRESS. Between	Seaboard and U	.S. Highway 501	
PROPERTY OWNER MAILING ADDI	RESS: 4605 B Olea	nder Dr., Ste. 202	, Myrtle Beach, SC 29577
PROPERTY OWNER TELEPHONE N	JMBER: 843-839-2	2100	
PROPERTY OWNER EMAIL:			
APPLICANT:Robert S. Guytor	٦		
APPLICANT'S EMAIL: rsguyton	@guytonlawfirm.c	com	
IS THE APPLICANT THE PROPERTY	OWNER? CIRCLE:	YES	NO 🖌
<i>IF NOT</i> : PLEASE INCLUDE A LETT RESPONSIBILITY TO THE APPLICA PROPERTY OWNERS (Attach addition	NT.	POWER OF ATTORNI	EY FROM THE OWNER ADDIGNING
,	See Letter of Ag	ency	DATE:
(Print)	(Signature)		
(Print)	(Signature)		DATE:
<u></u>	(- O		



PETITION FOR ANNEXATION

Received:_____ BS&A #:_____

Is there a structure on the lot: <u>No</u> Structure Type: _____

Current Use: Undeveloped

Are there any wetlands on the property?

CIRCLE: YES 🔘 NO 💿

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE:	YES 🔿) NO 🌀
---------	-------	--------

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?



If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES NO ()

If yes, please provide permit number and jurisdiction.

FEES ARE DUE AT SUBMITTAL.

RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250

PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT

planning@cityofconway.com



Zoning Map Amendment

Application Incomplete applications will not be accepted.

Only

Received: BS&A #:

City of Conway Planning Department 196 Laurel Street, 29526

Phone: (843) 488-9888 Conway, South Carolina

www.cityofconway.com

Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be record may be required with this application.

	y 501/Gardner Lacy	_FEE PAID () YES	() NO
AREA OF SUBJECT PROPERTY (ACREAGE):		PIN: 399-00-00-0)403
CURRENT ZONING CLASSIFICATION:		F N,	
COMPREHENSIVE PLAN 2035 FUTURE LAND L			
REQUESTED ZONING CLASSIFICATION:			
NAME OF PROPERTY OWNER(S):			
Founders National Golf, LLC applicant	Robert S. Guyton	PHONE #	843-839-21
		PHONE #	
MAILING ADDRESS OF PROPERTY OWNER(S)	:		
4605 B Oleander Dr., Ste. 202, Myrtle	Beach, SC 29577		
4605 B Oleander Dr., Ste. 202, Myrtle	Beach, SC 29577		
*****	*****	****	****
I (we) the owner(s) do hereby certify Amendment Application is correct.	that all information p	oresented in this	Zoning Map
Applicant:		1/5/22	ł
PROPERTY OWNER'S SIGNATURE(S)		DATE (
PROPERTY OWNER'S SIGNATURE(S)		DATE	

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



Received:_____ BS&A #: ___

City of Conway Planning Department 196 Laurel Street, 29526

Phone: (843) 488-9888 Conway, South Carolina

www.cityofconway.com

Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

)

)

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISI	ON: U.S. Highway 501/	Gardner Lac	y Road	
PIN: 399-00-00-0403	ACREAGE: 11			
PROPERTY ADDRESS: Between				
PROPERTY OWNER MAILING ADI	DRESS: 4605 B Oleander	Dr., Ste. 202	2, Myrtle Beach, SC 29577	
PROPERTY OWNER TELEPHONE				
PROPERTY OWNER EMAIL:		om		
APPLICANT: Robert S. Guyto				
APPLICANT'S EMAIL: rsguyton@guytonlawfirm.com				
IS THE APPLICANT THE PROPERT	Y OWNER? CIRCLE: YES		NO 🖌	
IF NOT: PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDIGNING RESPONSIBILITY TO THE APPLICANT. PROPERTY OWNERS (Attach additional sheets if necessary)				
`	See Letter of Agency	I	DATE:	
(Print)	(Signature)			
(Print)	(Signature)	I	DATE:	
()	(



The second secon

Is there a structure on the lot: <u>No</u> Structure Type:
Current Use: Undeveloped
Are there any wetlands on the property?
CIRCLE: YES 🔿 NO 💿
If yes, please include valid wetland delineation letter from army corps of engineers.
Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?
CIRCLE: YES O NO 🕥
If yes, please explain and provide a copy of covenant and/or restriction.
Is the city a party to any deed restrictions or easements existing on the property?
CIRCLE: YES O NO O
If yes, please describe.
Are there any building permits in progress or pending for this property?
CIRCLE: YES NO
If yes, please provide permit number and jurisdiction.
FEES ARE DUE AT SUBMITTAL.
RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250
PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT
planning@cityofconway.com



Zoning Map Amendment

Application

Incomplete applications will not be accepted.

Staff Use C	Only
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Received: BS&A #:

City of Conway Planning Department 196 Laurel Street, 29526 Phone: (843) 488-9888 Conway, South Carolina

www.cityofconway.com

Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: U.S. Hwy 501/Gardner Lacy	_FEE PAID()YES()NO
AREA OF SUBJECT PROPERTY (ACREAGE):	91N:
CURRENT ZONING CLASSIFICATION:	
COMPREHENSIVE PLAN 2035 FUTURE LAND USE:	
REQUESTED ZONING CLASSIFICATION: HC	
NAME OF PROPERTY OWNER(S):	
Founders National Golf, LLC applicant Robert S. Guyton	PHONE #
	PHONE #
MAILING ADDRESS OF PROPERTY OWNER(S):	
4605 B Oleander Dr., Ste. 202, Myrtle Beach, SC 29577	
4605 B Oleander Dr., Ste. 202, Myrtle Beach, SC 29577	
*****	*****
I (we) the owner(s) do hereby certify that all information p Amendment Application is correct.	presented in this Zoning Map

PROPERTY OWNER'S SIGNATURE(S)

DATE (

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

DATE: February 1, 2024 ITEM: V.B.3.

ISSUE:

Request to amend the City's Future Land Use Map (2019-2029) (FLUM) of the *City of Conway Comprehensive Plan*, relative to property located at 1904 Rose Hill Drive (PIN 338-16-03-0005), consisting of approximately 0.43 acres, from the Medium Density Residential (R-2) zoning district to the Highway Commercial (HC) zoning district.

BACKGROUND:

The South Carolina Planning Enabling Act of 1994 defines the Comprehensive Plan adoption process for all jurisdictions in South Carolina. This is to ensure consistency with the public hearing and revision process for Comprehensive Plans. *Section 6-29-510* of the SC Code of Laws addresses re-evaluation of the Comprehensive Plan, stating that the "*local planning commission shall develop and maintain a planning process which will result in the systematic preparation and continual re-evaluation and updating of those elements considered critical, necessary, and desirable to guide the development and redevelopment of its area of jurisdiction.*"

Since updating the Future Land Use Map of the Comprehensive Plan for the City in 2019, staff will occasionally review annexation and/or rezoning requests for zones that don't match the zone envisioned in the current Future Land Use Map (2019-2029). When a request is approved that is out of alignment with the Future Land Use Map of the *Comprehensive Plan*, the map must be updated to reflect this change.

In July 2021, Council passed an ordinance providing for a method by which the *Comprehensive Plan*, in particular the Future Land Use map, may be amended. <u>Section 13.1.17 (E)</u> of the UDO states that a proposed amendment to the Comprehensive Plan (the entire document or singular elements) may be initiated by the City of Conway City Council, Planning Commission, Board of Zoning Appeals, Zoning Administrator, or Planning Director.

In the case of PIN 338-16-03-0005, currently zoned City of Conway Medium Density Residential (R-2), the city's Future Land Use Map (2019-2029) shows the entire property as Medium Density Residential (R-2). The property does currently contain on structure, and is directly adjacent to a cemetery. The applicants have not disclosed their intentions or reasoning for the rezoning request as it is not a requirement. The property located to the rear of the subject property is currently zoned Highway Commercial (HC), and identified as HC on the city's FLUM.

Per <u>Section 6.1.4</u> of the UDO, "No tract(s) of land shall hereafter be rezoned for a zoning classification different from that of the surrounding properties unless such tract(s) is a minimum of three (3) acres in area. Tracts less than three (3) acres in area annexed into the City limits, may be zoned for a classification different from that of the surrounding in-city properties **provided such zoning classification is consistent** with the Future Land Use Map of the Conway Comprehensive Plan."

Per <u>Sec. 3.2.4</u> Medium Density Residential (R-2), of the UDO, "the intent of the R-2 District is to provide areas for medium density attached, detached, semi-attached and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or coordination of residential structures in the District.

Per <u>Sec. 3.2.10</u> – Highway Commercial (HC), of the UDO, "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."

SURROUNDING USES / ZONING DISTRICTS:

Surrounding properties are currently zoned R-2 and HC, and uses include a cemetery, and vacant land.

<u>CITY OF CONWAY COMPREHENSIVE PLAN:</u>

The *CURRENT* future land use map of the *Comprehensive Plan* also identifies the entire parcel as being Medium Density Residential (R-2).

STAFF RECOMMENDATION:

If Planning Commission recommends approval of the requested zoning of the property upon annexation, staff recommends *approval* of the Future Land Use Map (FLUM) amendment for the property identified by PIN 338-16-03-0005.

Resolution amending the Future Land Use Map for the subject property on the following page.

RESOLUTION

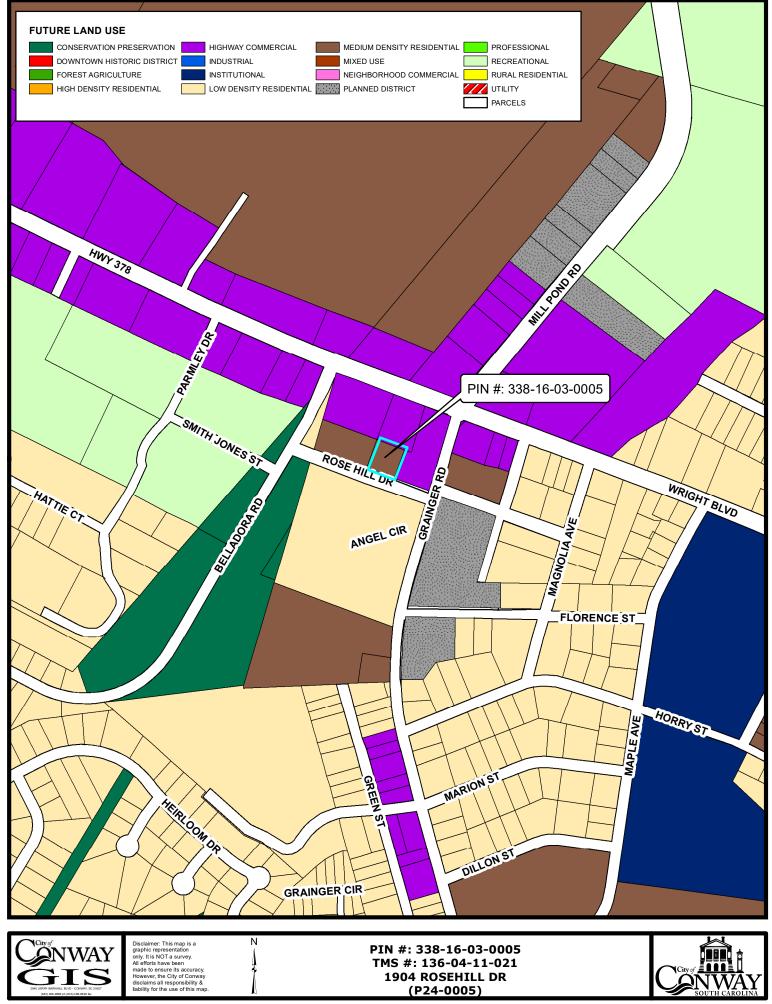
A RESOLUTION TO AMEND THE FUTURE LAND USE MAP OF THE CITY OF CONWAY COMPREHENSIVE PLAN (2035) FOR PIN 338-16-03-0005 FROM THE MEDIUM-DENSITY RESIDENTIAL (R-2) DISTRICT TO THE HIGHWAY COMMERCIAL (HC) DISTRICT.

- WHEREAS, the City Council of the City of Conway adopted the Land Use Element of the City of Conway Comprehensive Plan (2035), containing the Future Land Use Map (2019-2029) on January 6, 2020; and
- WHEREAS, South Carolina Code §6-29-520 establishes the requirements to create, amend and recommend the Comprehensive Planning elements, which requires the City of Conway Planning Commission to review and make recommendations to City Council; and
- WHEREAS, the City Council adopted an amendment to the Unified Development Ordinance (UDO) on July 19, 2021 to include a process for amending the Future Land Use Map of the Comprehensive Plan; and,
- **WHEREAS**, the applicant(s) and/or property owner(s) have requested a zoning classification upon rezoning of the property (PIN 33816030005) to a district other than what it is identified as on the City's Future Land Use Map (FLUM) of the Comprehensive Plan; and,
- WHEREAS, the City of Conway Planning Commission, having held a public hearing on the request, deems that the proposed amendment to the Future Land Use Map of the City of Conway Comprehensive Plan (2035) is necessary; and

NOW THEREFORE, BE IT RESOLVED by the Planning Commission (S.C.§6-29-520 and 6-29-230) for the City of Conway, that the adoption of the amendment to the City of Conway Comprehensive Plan (2035), amending the Future Land Use Map for PIN 33816030005, consisting of 0.43 acres, from the Medium Density Residential (R-2) district to the Highway Commercial (HC) district, is hereby recommended by resolution to Conway City Council for adoption.

Approved this 1st day of February, 2024.

Brian O'Neil, Planning Commission Chairman



Date: 1/8/2024 Time: 2:32:56 PM Path: \\Coc-srv2\4310\REZONINGS\2024\1904 Rose Hill Dr\GIS\FUTURE LAND USE MAP FOR 1904 ROSE HILL DR.mxd

DATE: February 2, 2023 AGENDA ITEM: V.B.4.

ISSUE:

Request by Bethlehem Lodge No. 327, to rezone approximately 0.43 acres located at 1904 Rose Hill Road from Medium Density Residential (R-2) to Highway Commercial (HC) (PIN 338-16-03-0005).

BACKGROUND:

On January, 3 2022, the applicant submitted a rezoning application for the subject property, located 1904 Rose Hill Road. The property is currently zoned Medium Density Residential (R-2). The property currently contains one structure. It is not a requirement for an applicant to disclose any future plans for a property, however, it is staff's understanding that this property would be included in a Parker's Kitchen design plan.

CITY OF CONWAY COMPREHENSIVE PLAN:

The future land use map of the *Comprehensive Plan* identifies the property as Medium Density Residential (R-2). The Unified Development Ordinance (UDO) defines Medium Density Residential as follows:

3.2.4 Medium Density Residential (R-2)

The intent of the R-2 District is to provide areas for medium density attached, detached, semi-attached and multifamily residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or coordination of residential structures in the District.

Surrounding Uses / Zoning Districts:

The subject property is surrounded by several different zoning districts and uses, including Highway Commercial (HC), and Medium Density Residential (R-2). Uses include a cemetery (across the street), and wooded lots.

NEXT STEPS AND DATES/ESTIMATES:

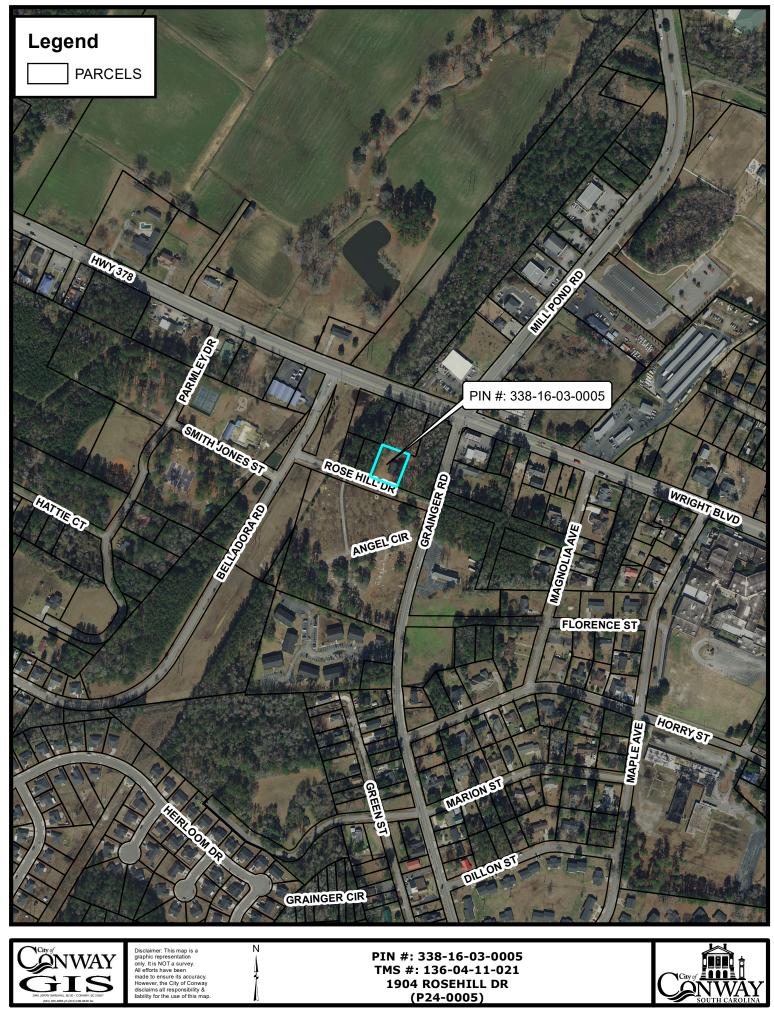
February 5-9, 2024	Staff forwards PC recommendation to City Clerk for inclusion on next available Council meeting agenda for First reading – <i>tentatively</i> for the (Monday) February 19, 2024 meeting.
February 19, 2024	Tentative First reading of proposed rezoning request.
March 18, 2024	Tentative Final reading of proposed rezoning request, if first reading passes.

STAFF RECOMMENDATION:

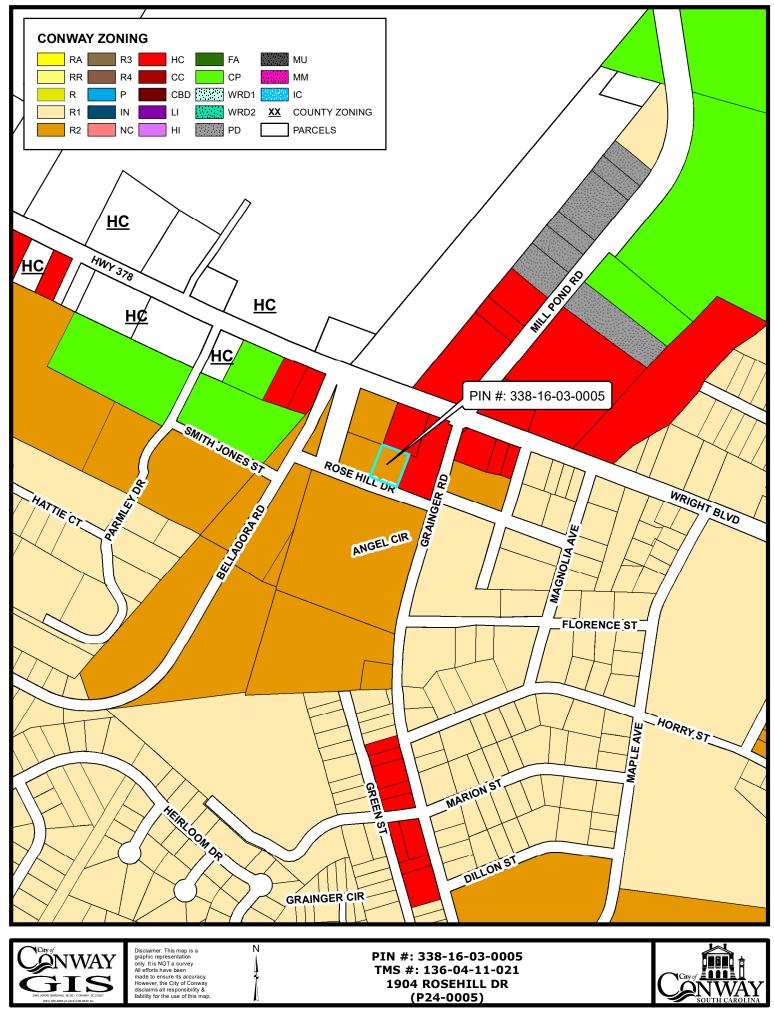
Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to City Council after said review.

ATTACHMENTS:

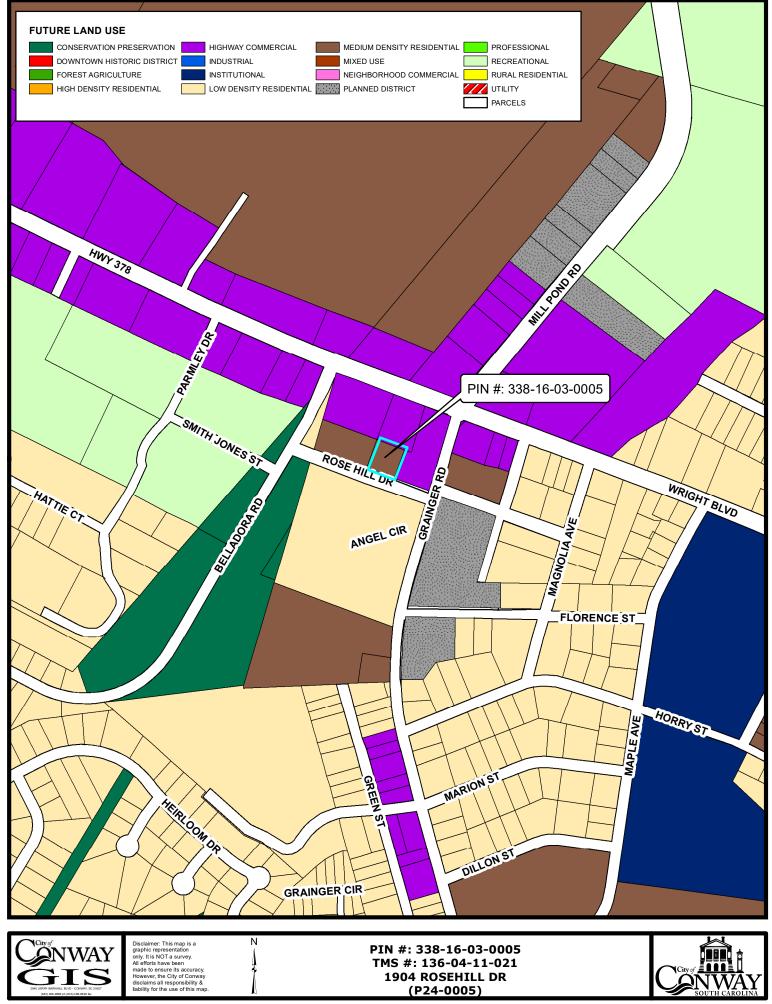
Application; GIS Maps



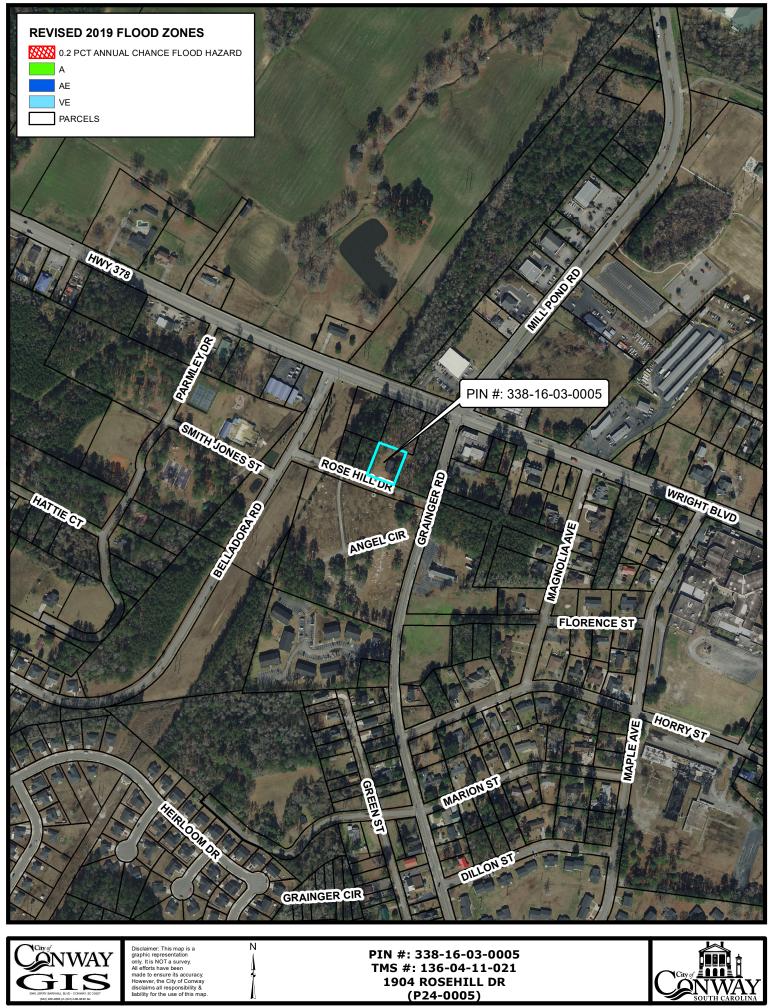
Date: 1/8/2024 Time: 2:36:31 PM Path: \\Coc-srv2\4310\REZONINGS\2024\1904 Rose Hill Dr\GIS\ZOOMED OUT AERIAL MAP FOR 1904 ROSE HILL DR.mxd



Date: 1/8/2024 Time: 2:30:58 PM Path: \\Coc-srv2\4310\REZONINGS\2024\1904 Rose Hill Dr\GIS\ZONING MAP FOR 1904 ROSE HILL DR.mxd



Date: 1/8/2024 Time: 2:32:56 PM Path: \\Coc-srv2\4310\REZONINGS\2024\1904 Rose Hill Dr\GIS\FUTURE LAND USE MAP FOR 1904 ROSE HILL DR.mxd



Date: 1/8/2024 Time: 2:34:43 PM Path: \\Coc-srv2\4310\REZONINGS\2024\1904 Rose Hill Dr\GIS\FLOOD ZONE MAP FOR 1904 ROSE HILL DR.mxd



Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff	Use	Only	
Juli	030	Unity	

Received:____ BS&A #:____

City of Conway Planning Department 196 Laurel Street, 29526 Phone: (843) 488-9888 Conway, South Carolina

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PHYSICAL ADDRESS OF PROPERTY: 1904 Rose Hill Drive	
AREA OF SUBJECT PROPERTY (ACREAGE): 0.43 AC	PIN: 33816030005
CURRENT ZONING CLASSIFICATION: Medium Density Resid	
COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Medium Densi	ty Residential
REQUESTED ZONING CLASSIFICATION: Highway Commercia	
NAME OF PROPERTY OWNER(S):	
Bethlehem Lodge No 327	PHONE # 843902 482
	PHONE #
MAILING ADDRESS OF PROPERTY OWNER(S):	
1719 Ward Cir, Conway, SC 29527	
******************************	********
I (we) the owner(s) do hereby certify that all information p Amendment Application is correct.	presented in this Zoning Map
PROPERTY OWNER'S SIGNATURE S	1/3/24
PROPERTY OWNER'S SIGNATURE (S)	DATE '
PROPERTY OWNER'S SIGNATURE(S)	DATE
THE APPLICANT OR A REPRESENTATIVE MUST BE PRE	SENT AT THE MEETING.