

# SUMTER CITY - COUNTY PLANNING COMMISSION

## Minutes of the Meeting

September 25, 2013

<b>ATTENDANCE</b>	A regular meeting of the Sumter City – County Planning Commission was held on Wednesday, September 25, 2013 in the Planning Department Conference Room located in the Liberty Center at 12 W. Liberty St. Six board members: Mr. Burke Watson; Mr. Jim McCain; Ms. Sandra McBride; Mr. Todd Champion; Mr. Tyler “Doc” Dunlap; Mr. Dennis Bolen – and the secretary were present. Mr. David Durham and Mr. Charles Segars were absent. The meeting was called to order at 3:00 p.m. by Mr. Burke Watson..
<b>MINUTES</b>	Mr. Dennis Bolen made a motion to approve the minutes of the August 28, 2013 meeting as presented. The motion was seconded by Mr. Jim McCain and carried a unanimous vote.
<b>NEW BUSINESS</b>	<p><b><u>MSP-11-46 (Rev. 3), 1805 Hwy. 521 South / Continental Landscaping (County)</u></b></p> <p>Mr. George McGregor presented this request for major site plan approval for revisions to the original plan for the Continental Tire Manufacturing facility located at 1805 Hwy. 521 South. Mr. McGregor stated this request was for approval of the final landscaping plan and relocation of the primary access road to the facility from Hwy. 521 to St. Matthews Church Rd. He stated the applicant has addressed several areas of concern in the landscaping plan: Hwy 521 frontage, Mooneyhan entrance, adjacent residential properties and screening residential properties to the side, the major access point and the parking lot landscaping. He stated Staff is satisfied with the landscaping with the exception of the parking lot. Staff finds that the parking lot landscaping does not meet the Zoning Ordinance requirements. The Continental employee parking lot contains an estimated 754 spaces and zero internal islands. There is no perimeter landscaping or bufferyard designed for the parking lot. There is some planting proposed as part of the internal parking lot driveway. He stated staff considers this planting area as part of a perimeter buffer requirement. Continental argues that this is sufficient; staff disagrees and takes the position that this drive aisle buffer would be required <i>in addition to</i> internal parking lot landscaping. The entire lot is estimated to be 7-9 acres in size. He noted for the record that Continental submitted a parking lot design which included internal islands as part of an SSOE submission dated May 16, 2012. Mr. McGregor stated that the Zoning Ordinance states “<i>Landscaping shall be provided as part of a site plan...It shall be</i></p>

*conceived as a total pattern throughout the site, integrating various elements of site design, preserving and enhancing the particular identity of the site, and creating a pleasing site character (8.d.1) and "Reasonable landscaping should be provided at site entrances, in public areas, **in parking lots** (emphasis added), adjacent and around the perimeter of buildings (8.b.6)." He stated that when you take the body of the Zoning Ordinance, there is a clear expectation for internal parking lot landscaping. He stated staff has no objection to changing the access but recommends that the traffic study be revised to reflect the change in access. He stated staff's recommendation is to have the Planning Commission direct Continental to revise their landscaping plan and come back next month with a better plan.*

Mr. Doc Dunlap asked if staff had a minimum requirement of landscaping for the parking lot.

Mr. McGregor stated he would love to have the opportunity to talk about a compromise for internal parking lot landscaping.

Mr. Kyle Clampitt was present and spoke on behalf of this request. He stated with the relocation of the access to St. Matthews Church Rd., there will not be a signal at that location at this time but once the traffic is there a signal warrant analysis will have to be done through SCDOT. He stated there are buffers throughout the perimeters of the site. The main focus of the landscaping will be at the entrance to the facility at St. Matthews Church Rd. and also at Mooneyhan Rd. and gave an overview of the landscaping plan.

After more discussion, Mr. Jim McCain made a motion to approve the relocation of the access to St. Matthews Church Rd. but defer approval of the landscape plan until a later meeting to give the applicant and staff time to work together on a compromise. The motion was seconded by Mr. Doc Dunlap and carried a unanimous vote.

**RZ-13-13, 7800 & 7840 Myrtle Beach Hwy. (County)**

Ms. Donna McCullum presented this request to rezone two parcels of land – one that is +/- 1.2 acres in size, and a second parcel +/- 4.84 acres in size – located at 7800 & 7840 Myrtle Beach Hwy. from Agricultural Conservation (AC) to General Commercial (GC). Ms. McCullum stated property at 7800 Myrtle Beach Hwy. was the location of an old gas station/convenience store that has been demolished. The property is an old hotel that has been vacant for a number of years. The applicants wish to rezone their properties for redevelopment purposes. Historically, both properties have been used for intense commercial purposes. These developments predate County regulations and were developed in a manner that more closely reflect today's General Commercial District standards. 7800 Myrtle Beach Highway was constructed in 1970 as a gas station/convenience store and was in operation until the facility closed

in February 2012. The property owner recently demolished the convenience store and gas canopy structures in hopes of building a new convenience store/gas station. After demolition of the structures, it was discovered by the owners that the property was not zoned commercially as they had assumed, but was in fact zoned Agricultural Conservation (AC). The setback standards in the AC district will not allow for redevelopment of the site as initially proposed by the owners. The motel at 7840 Myrtle Beach Highway was also built in 1970 as a motel with a restaurant. Both the motel and restaurant operated under various owners over the last 40+ years, however; the facility closed in 2009 and has not reopened since. The property at 7840 has fallen into disrepair. Given the vandalism and neglect at the site prior to acquisition by Mr. Patel, and changes in the fire code, in order to reuse the site as a motel/restaurant, it is highly likely that the site will require demolition and reconstruction. Current setback standards within the AC district may also hamper redevelopment potential at this site. She stated the 2030 Comprehensive Plan directs both small scale (area supportive) and large scale (destination) commercial uses to our priority areas and to major intersections and arterial corridors. While at the same time, the Plan is supportive of directing small scale commercial uses to locate at intersections with arterial roads or major crossroads such as the Interstate-95/Myrtle Beach Highway (U.S. 378) interchange within the Rural Development Planning Area. In fact, the Plan specifically states, *“development in the I-95 Corridor, particularly at the interchange is strongly encouraged...”* (LU 19). She stated staff is supportive of this rezoning request.

Mr. Mac Heath was present to speak on behalf of this request.

With no further discussion, Ms. Sandra McBride made a motion to recommend approval for this request. The motion was seconded by Mr. Dennis Bolen and carried a unanimous vote.

**RZ-13-15, 3340 Hwy. 15 South (County)**

Ms. Donna McCullum presented this request to rezone +/-2.6 acre parcel located at 3340 Hwy. 15 South from Agricultural Conservation (AC) to General Commercial (GC). The parcel is currently vacant and undeveloped. There is already some General Commercial along that portion of Hwy. 15 South. This tract of land has been used for agricultural purposes, however the applicants wish to rezone the property in order to market the land for commercial development. Staff is recommending approval.

Mr. Jay Davis was present to speak on behalf of this request.

With no further discussion, Mr. Dennis Bolen made a motion to recommend approval for this request. The motion was seconded by Mr. Jim McCain and carried a unanimous vote.

**OA-13-07, Home Healthcare Services (County)**

Ms. Donna McCullum presented this request to amend **Article 3, Section 3.1.3 Conditional Uses in the Heavy Industrial (HI) Zoning District** and **Exhibit 5** in order to include Home Healthcare Services (SIC Code 808) as a conditional use. Ms. McCullum stated the applicant for this request, Ms. Bernice Montgomery, applied for a Business License to operate a Home Healthcare Service at 1041 Cockerill Rd. When staff looked at the zoning for the property, it was found the parcel was zoned Heavy Industrial (HI) and Home Healthcare Services is not a permitted use in the district. She stated rezoning the property was not an option because the property does not meet the minimum requirement of 2 acres for a freestanding zoning area as required per Article 2, Section 2.a.2. of the County Zoning Ordinance. She stated staff felt the best option was a conditional use because most of the HI zoning parcels are located inside or adjacent to the various Industrial Parks and Heavy Industrial zoning takes in such a wide variety of permitted and conditional uses that each individual property should be reviewed on a case by case basis for compatibility with the surrounding area and other criteria as laid out in the Ordinance for conditional use review. Criteria for such a conditional use review would include ingress and egress, parking locations, size & shape of lot suitability, etc. Home Healthcare Services (808) are currently permitted in all of the commercial districts except for Neighborhood Commercial (NC). This use is also a permitted use in the Light Industrial District and is a conditional use in the Agricultural District. There are very few Heavy Industrial (HI) zoning districts in Sumter County, so adding this use will have minimal impact on industrial development in the county. The HI Zoning District already contains various uses that lend themselves to personal service establishments, professional office type uses and administrative offices. Creating the opportunity for Home Healthcare Services to be built or located in existing buildings at some of these locations is beneficial for the health of the surrounding community. Staff recommends approval.

With no further discussion, Mr. Jim McCain made a motion to recommend approval for this request. The motion was seconded by Ms. Sandra McBride and carried a unanimous vote.

**OA-13-08, Physical Fitness Facilities (County)**

Ms. Donna McCullum presented this request to amend **Article 3, Section 3.1.3 Conditional Uses in the Heavy Industrial (HI) Zoning District** and **Exhibit 5** in order to include Physical Fitness Facilities (SIC Code 7991) as a conditional use. Ms. McCullum stated this was a request to add Physical Fitness Facilities as a Conditional Use under the Heavy Industrial zoning district in the County. She stated the business owner wishes to operate a physical fitness facility in the Heavy Industrial zoning district. As with the previous request, rezoning was not an option because the parcel in question did not

meet the minimum size requirement of 2 acres. Staff feels that this use as well as others that are not manufacturing or processing should be reviewed as conditional uses. Staff feels that by creating the opportunity for Physical Fitness Facilities (7991) to be built or located in existing buildings at some of these locations is beneficial for the health of the surrounding community and is recommending approval.

With no further discussion, Ms. Sandra McBride made a motion to recommend approval for this request. The motion was seconded by Mr. Jim McCain and carried a unanimous vote.

**SV-13-07, Concord Church Rd. (County)**

Ms. Claudia Rainey presented this request for a variance from Article 8.e.13, Section f, *depth of residential lots shall not be more than 2 ½ times their width* to subdivide +/- 5.91 acres from a larger tract located on Concord Church Rd. and represented by Tax Map # 300-00-03-044. Ms. Rainey explained that the property in question is a +/- 27.15 acre parcel located on Concord Church Rd., in eastern Sumter County near Myrtle Beach Hwy. The property owner wishes to sell a +/- 5.91 acre portion to the applicant, Mr. Michael Brogdon. She stated that the proposed division layout would create what is referred to as a flag lot, but the applicant suggested this configuration because of wetland conditions and poor soils present on both the front and rear of the parcel. She stated the width to depth language in the Zoning Ordinance is designed to prevent creation of “flag lots” and other methods of subdividing land that often create access issues. Ms. Rainey stated a portion of this property is shown on the National Wetlands Inventory (NWI) maps and a small portion of the northeast corner is delineated wetlands according to the US Army Corps of Engineers. Ms. Rainey stated Staff is recommending denial of this variance request. The Ordinance discourages the creation of a “flag lot” because it creates issues pertaining to access to the parcel and potential nuisance conditions between adjacent parcels. This proposed parcel would have a depth of plus or minus 400 feet off the public right of way. However, staff offers an alternate proposal that would attain the same size property while creating a more rectangular parcel.

Mr. Michael Brogdon was present and spoke on behalf of this request. He stated he was not opposed to Staff’s alternative proposal.

With no more discussion, Mr. Jim McCain made a motion to approve the alternative proposal as presented by staff for this request. The motion was seconded by Mr. Dennis Bolen and carried a unanimous vote.

**SV-13-08, Cimmaron Rd. (County)**

Ms. Claudia Rainey presented this request for a variance from Article 8.e.13, Section f, *depth of residential lots shall not be more than 2 ½*

*times their width* to subdivide property located at 5500, 5520, 5550 Cimmaron Rd. The applicant wishes to divide and reconfigure the property to create four new parcels, +/- 1.0, +/- 1.01, +/- 1.16 and +/- 1.0 acres respectively. The three parcels will require variances from the residential lot width to depth ratio requirements found in section 8.e.13.f of the Sumter County Zoning & Development Standards Ordinance. The proposed layout was necessary in order to leave access for the rear parcels via Myrt Lane and to accommodate existing parcels and residences on Cimmaron Rd., as well as the ditch line that is located at the rear of the properties. This subdivision is for the purposes of settling an estate. As with many rural properties there is always a challenge in dividing large property equally among heirs while accommodating existing structures, deep parcels and inadequate road frontage. The proposed layout is the most sensible for this purpose and staff is recommending approval

With no further discussion, Mr. Jim McCain made a motion to approve this request as presented. The motion was seconded by Mr. Dennis Bolen and carried a unanimous vote.

**SV-13-09, E. Brewington Rd. (County)**

Ms. Claudia Rainey presented this request for a variance from Article 8.e.13, Section f, *depth of residential lots shall not be more than 2 ½ times their width* to subdivide property located between Brewington Rd. and Boise Lewis Rd. The property in question is a +/-98.6 acre parcel located between E. Brewington Rd. and Boise Lewis Rd., south of Myrtle Beach Hwy. and is currently a landlocked parcel. Ms. Rainey stated the applicant wishes to divide and reconfigure the property to create nine new parcels, each +/- 11.07 acres in size. Seven of these parcels will require a variance from the residential lot width to depth ratio requirements found in section 8.e.13.f of the Sumter County Zoning & Development Standards Ordinance. This subdivision is for the purposes of settling an estate. The new parcels will be accessed by an easement labeled Mathematics Lane from Boise Lewis Rd. She stated signage will need to be provided for Mathematics Lane for navigation and emergency purposes. As with many rural properties there is always a challenge in dividing large property equally among heirs while accommodating deep parcels and inadequate road frontage. The proposed layout is the most sensible for this purpose. Ms. Rainey stated staff recommends approval of this request with the following additional caveat:

- As a condition of any lifetime conveyance, the grantor must ensure that the grantee has sufficient access to the property either through direct access, through frontage on a road or through an access easement.

Mr. Jim McCain asked if staff approval was conditional upon access to the property being provided.

	<p>Mr. Larry Weston was present to speak on behalf of this request. He stated the property has been surveyed and a plat showing the Mathematics Lane easement has been provided to staff.</p> <p>Mr. Doc Dunlap asked the width of the easement.</p> <p>Mr. Weston stated he thought the width was 20'.</p> <p>Ms. Rainey clarified that the easement, as shown on the plat, was 50.3'.</p> <p>With no further discussion, Mr. Dennis Bolen made a motion to approve this as presented. The motion was seconded by Mr. Jim McCain and carried a unanimous vote.</p>
<p><b>DIRECTOR'S REPORT</b></p>	<p>Mr. George McGregor stated he would keep the Board up to date on the Landscaping/Buffering Ordinance.</p>
<p><b>ADJOURNMENT</b></p>	<p>With no further business, Mr. Dennis Bolen made a motion to adjourn the meeting at approximately 4:20 p.m. The motion was seconded by Mr. Jim McCain.</p> <p>The next scheduled meeting is October 23, 2013.</p>
	<p>Respectfully submitted,</p> <p><i>Wanda F. Scott</i></p> <p>Wanda F. Scott, Planning Secretary</p>