

# SUMTER CITY - COUNTY PLANNING COMMISSION

## Minutes of the Meeting

September 24, 2014

<b>ATTENDANCE</b>	A regular meeting of the Sumter City – County Planning Commission was held on Wednesday, September 24, 2014 in the City Council Chambers located on the Fourth Floor of the Sumter Opera House. Seven board members: Mr. David Durham, Mr. Burke Watson, Mr. Jim McCain, Sandra McBride, Ms. Bertha Willis, Mr. Todd Champion – and the secretary were present. Ms. Mr. Doc Dunlap and Mr. Dennis Bolen were absent. The meeting was called to order at 3:00 p.m. by Mr. David Durham.
<b>MINUTES</b>	Mr. Jim McCain made a motion to approve the minutes of the August 27, 2014, meeting as written. The motion was seconded by Ms. Sandra McBride and carried a unanimous vote.
<b>NEW BUSINESS</b>	<p><b><u>MSP-14-35/HCPD-14-25, 418 Broad St. – Cypress Gardens Dialysis Center (City)</u></b></p> <p>Ms. Sandra McBride recused herself from the discussion of this request.</p> <p>Ms. Helen Roodman presented this request for major site plan and highway corridor approval for the renovation of the commercial structure with associated site upgrades to include parking and access reconfiguration and landscaping on property located at 418 Broad St. She stated this is an infill project that is redeveloping an existing building. She stated this site is currently grandfathered non-conforming and is not subject to discontinuance as the site has not been vacant for more than 18 months. The site will be upgraded to include new parking lot, access reconfiguration and landscaping. Ms. Roodman stated that in addition to building renovations, the existing asphalt areas on site will be removed and the site parking and landscaping will be redone to come into compliance with current standards. She stated the change in the parking (a 10% increase over what is currently there) is the trigger for bringing the site into compliance. There are three full access drives proposed as part of the site plan, one on each street frontage. All driveways that do not comply with SCDOT standards are to be closed or narrowed; resulting in the three access drives shown on the plans. Ms. Roodman stated the building is proposed to have façade upgrades to include new window and door openings, painting, and stucco work. The proposed sign is to be a free-standing monument sign. Ms. Roodman stated staff is recommending approval of this request.</p> <p>Mr. Chris Bostic and Mr. Drew Hill were present to speak on behalf of this request.</p> <p>With no further discussion, Mr. Burke Watson made a motion to approve this request subject to staff’s recommendation and the Civil and Landscape Plans titled, “Site Development Plans for Cypress Gardens Dialysis 418 Broad Street Sumter, SC,” prepared by Kimley-Horn and Associates, Inc. and Alex Roush</p>

Architects, Inc., Sheets C0.0-C6.1, L1.0-L2.0, and A-9, dated August 11, 2014 revised September 2, 2014. The motion was seconded by Mr. Jim McCain and carried a unanimous vote.

**RZ-14-06, 1026 Manning Ave. and 10 & 16 Maxwell Ave. (County)**

Ms. Helen Roodman presented this request to rezone three parcels located at 1026 Manning Ave. and 10 and 16 Maxwell Ave. from General Residential (GR) to General Commercial (GC). Ms. Roodman explained that the three parcels are located just south of the intersection of Lafayette Dr./Manning Ave. and front on Maxwell Ave. Ms. Roodman stated this request to rezone these parcels is part of a land assemblage with the two tracts to the north that are already rezoned GC. She stated the Zoning Board of Appeals has previously seen an application on the two parcels to the north for a wholesale liquor/beer and wine store in conjunction with a convenience store/gas station. The applicant is requesting the rezoning of these parcels in order to accommodate full access drives for the overall site further south from the Lafayette Dr. intersection. In addition, the parcels will provide additional development area for potential future projects. Ms. Roodman stated there is no site plan application on file for this area at this time, however; the applicant has been working with SCDOT and Planning Staff to resolve site access/safety issues prior to major site plan application. The current plan layout for the corner utilizes portions of the three parcels under review to accommodate access drives. She stated one of the big issues on this site is traffic impact. It is situated on a county dirt road. Part of this plan is to incorporate that dirt road at some time and have it upgraded by the developer. These parcels are in the vicinity of the Lafayette Dr./Manning Ave. intersection that is part of the Penny Sales Tax funded Southern Gateway Project. A traffic impact study is going to be required as part of the site plan application for the convenience store & gas station/Wholesale Liquor and Beer & Wine Store. Any additional development on the parcels beyond the above referenced project will require additional assessment of traffic impact. All assessments and studies will take into account the adjacent spot safety improvements being undertaken as part of the Southern Gateway Project. She stated staff is supportive of this request. When combined with the commercial tracts to the north of this site, the parcel assemblage will allow for a larger development area to accommodate the proposed projects fronting on Pocalla Rd., while providing access drives that are not in conflict with the Southern Gateway improvements

Mr. David Durham inquired as to why this went to the Board of Appeals.

Ms. Roodman stated wholesale liquor stores and beer and wine shops are a special exception use. The owners Joyce & West, LLC wanted an entitlement to the use before going ahead with site planning and engineering. She stated the use got approved but the site plan has not been approved. The use was approved with some stipulations from the Board of Appeals.

Mr. Burke Watson asked about the purpose of combining the three parcels.

Ms. Roodman stated the combining of the parcels would give the applicant the ability to meet setback requirements and the ability to set the access drive on property they own. She added they have asked the County to abandon the right-of-way for Maxwell Ave.

Mr. George McGregor stated the applicant has revised their site plan to incorporate portions of that property into the site plan.

Mr. Jim McCain stated he was at the Board of Appeals meeting and was opposed to the approval of the use of a liquor store. He asked if at any time the wholesale liquor store would become a retail store.

Ms. Roodman stated that under the SIC Code there is no differentiation between wholesale and retail liquor stores.

Mr. McGregor stated that it is staff's understanding this will be a "party" store that will have beer, wine and liquor for sale for retail and wholesale purposes.

Mr. McCain stated he is in line with the commercialization of that particular area. He further stated that this area is a predominately black residential neighborhood and within a one-mile area there are already four liquor stores. The citizens do not want another liquor store in their neighborhood.

Ms. Sandra McBride inquired about the church on the property nearby.

Ms. Roodman stated the church was abandoned and all of the stained-glass windows have been removed and part of the roof has caved in. It would not be useable under building code without major renovation.

Mr. McCain stated the law requires a 300 ft. separation and that looks to be mighty close to the residential area.

Ms. Roodman stated our regulations are from structure to structure not zoning district to zoning district. She stated when the separation buffer was done for the BZA, the only house that was questionable was the one at the peninsula. There were no other houses within 300 ft. of the structure.

Ms. McGregor stated when the applicant places the first stake or first footer, the applicant will be asked to provide the Planning Department with documentation showing the measurement that they meet the 300 foot separation.

Mr. Durham reminded the Board that the issue before them was the rezoning of the parcels to a commercial zoning district – not the actual use.

Mr. Greg Walker, agent for the property owner, was present to speak on behalf of this request.

Mr. John Acken asked if the project would be viable without the liquor store.

Mr. Walker stated it would be viable. He added the purpose of the rezoning was mainly at SCDOT's request. SCDOT was highly concerned about where the drive would be in conjunction with Maxwell Ave. Because there are so many drives on Manning Ave. in that area, SCDOT wanted to get further separation from the main intersection. He stated they are trying absorb not only Maxwell Ave. into the larger development tract but also the presently residential areas in order to move the drives further south from the main intersection.

Mr. Watson asked if there were any contamination on the church property.

Mr. Walker stated they did not know yet as the asbestos survey has not been done yet. But as part of the due diligence, an asbestos survey will be done and if there is any contamination, it will be dealt with.

With no further discussion, Mr. Todd Champion made a motion to recommend approval of this request as presented by staff. The motion was seconded by Mr. Burke Watson and carried a vote of five in favor – Watson, Champion, Willis, McBride, Acken – and one in opposition – McCain.

**SD-14-01, Ellerbe estates – Hwy. 261 & Meeting House Rd. (County)**

Ms. Claudia Rainey presented this request for preliminary plat approval to develop a 49-lot Subdivision on property located at Hwy. 261 and Meeting House Rd. Ms. Rainey stated the property in question was formerly a mobile home park that has been abandoned for years. This property is currently undergoing a request for rezoning from AC to R- 15. Based on Planning Staff's understanding of the preliminary plat submission, the developer is requesting approval for 49 lots. This proposal is for a single-family detached subdivision developed using Residential-15 development standards, with lots ranging in size from 0.43 acres up to 0.95 acres. Ms. Rainey stated that several lots will require subdivision variances because they do not meet the width to depth ratio. She stated staff has worked with the applicant on a buffer along Meeting House Rd. and Hwy. 261 N. She added that overall, staff is recommending approval of this request.

Mr. George McGregor stated County Council approved Second Reading and Public Hearing on the rezoning of these parcels at their meeting last night (Sept. 23, 2014).

Ms. Bertha Willis asked who recommends that houses are placed in certain positions to accommodate the standards, guidelines.

Mr. McGregor stated there are no requirements to tell developers how to place houses on sites. As part of this subdivision, staff is recommending approval of the subdivision as well as a variance to the width to depth requirements.

Mr. Carl Croft was present and spoke on behalf of the request. He expressed his objection to the requirement that specifies the number of trees and plants for the landscaping buffer and asked that the requirement be eliminated.

With no further discussion, Mr. Jim McCain made a motion to approve this request subject to the following recommendations from staff:

- 10' wide evergreen landscape buffer along Meeting House Rd. and N. Kings' Hwy. at 1435 N. Kings Hwy. consisting of 3 canopy trees (2" caliper) and 18 evergreen shrubs (3 gallon minimum size at planting, 24" in height) for every 100 linear feet of the buffer.
- Site entrance landscaping shall consist of two 2" caliper canopy trees, four 1.5" caliper understory trees, and ten evergreen shrubs (3 gallon minimum size at planting, 24" in height).
- The site entrance and buffer landscaping shall be completed before final zoning approval of any Certificates of Occupancy (CO) for individual lots.
- Street trees: One 2" caliper street tree is to be planted on each parcel that does not have an existing tree(s) on it. Inspection of street trees shall occur prior to issuance of CO on individual parcels.

The motion was seconded by Ms. Sandra McBride and carried a unanimous vote.

	<p><b><u>SV-14-07, 4950 Huckabee Rd. (County)</u></b></p> <p>Ms. Claudia Rainey presented this request for a variance from Article 8.e.13, Section f, <i>depth of residential lots shall not be more than 2-1/2 times their width</i> to subdivide a +/- 0.92 acre tract from a larger +/- 3.34 acre parcel located at 4950 Huckabee Rd. Ms. Rainey stated the 0.92 acre triangular parcel being cut out would be a lifetime family transfer from the grandparent and property owner. This subdivision meets the regulations. However, cutting out this parcel creates a non-conforming parcel in the rear. The proposed +/- 2.42 acre parcel requires a variance for the width to depth ratio. The lot width to depth language in the ordinance is designed to prevent creation of “flag lots” and other methods of subdividing land that often create access issues. Any proposed structures will be required to meet setbacks for this district. The proposed parcel in the rear is 60 feet wide at the street, which meets the minimum lot frontage at the street, but with a depth of greater than 650 feet, which is approximately 500 feet greater than the permitted depth ratio this creates a width to depth ratio issue. Ms. Rainey stated the intent of the lifetime family conveyance is to keep family land tied together while still allowing family members to live on the land together and this division meets that intent. Therefore Staff recommends approval of this request.</p> <p>Ms. Sierra Rogers was present to speak on behalf of this request.</p> <p>With no further discussion, Mr. Jim McCain made a motion to approve this request as presented. The motion was seconded by Ms. Sandra McBride and carried a unanimous vote.</p>
<p><b>DIRECTOR'S REPORT</b></p>	<p>Mr. George McGregor gave the board a briefing on the need to establish a fee for Minor Site Plan review. He stated this is the only land use application that has no fee. He stated the staff reviews a lot of minor site plans. He stated staff is recommending a fee of \$125.00 be attached to minor site plan review.</p> <p>After some discussion, the board unanimously voted to send the fee schedule request to both the City Administrator and County Administrator with a recommendation of approval.</p>
<p><b>ADJOURNMENT</b></p>	<p>With no further business, the meeting was adjourned at approximately 3:56 p.m. by acclamation.</p> <p>The next scheduled meeting is October 22 2014.</p>
	<p>Respectfully submitted,</p> <p><i>Wanda F. Scott</i></p> <p>Wanda F. Scott, Planning Secretary</p>

