CITY OF FLORENCE, SOUTH CAROLINA PLANNING COMMISSION OCTOBER 12, 2021 AT 6:00 PM AGENDA

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- II. Invocation
- **III.** Approval of Minutes Regular meeting on September 14, 2021.
- IV. Public Hearing and Matter in Position for Action
 - PC-2021-31 Request to rezone from NC-6.2 Neighborhood Conservation-6.2 to CBD Central Business District the parcel located at 517 West Sumter Street, identified as Florence County Tax Map Number 90072-07-001.
- V. Public Hearing and Matter in Position for Action
 - PC-2021-32 Request to rezone from AC Activity Center to CG Commercial General the parcel located at 1926 Second Loop Road, identified as Florence County Tax Map Number 90029-02-002.
- VI. Matter in Position for Action
 - PC-2021-33 Request for sketch plan review of a townhouse development to be located at 1290 Celebration Boulevard, identified as a portion of Florence County Tax Map Number 00100-01-155.
- VII. Adjournment Next meeting is scheduled for November 9, 2021.

CITY OF FLORENCE PLANNING COMMISSION MINUTES TUESDAY, SEPTEMBER 14, 2021 AT 6:00 PM

MEMBERS PRESENT: Drew Chaplin, Betty Gregg, Robby Hill, Dorothy Hines, Charles Howard,

and Mark Lawhon

MEMBERS ABSENT: Thurmond Becote, Bryant Moses, and Vanessa Murray

STAFF PRESENT: Jerry Dudley, Clint Moore, Derek Johnston, Alfred Cassidy, Alane

Zlotnicki, and Danny Young for IT

APPLICANTS PRESENT: Ryan Harvey

CALL TO ORDER: Chairman Drew Chaplin called the September 14, 2021 regular meeting to

order at 6:00 p.m.

APPROVAL OF MINUTES AND INVOCATION:

In the absence of both Mr. Becote and Mr. Moses, Chairman Chaplin provided the invocation.

Chairman Chaplin asked Commissioners if any changes needed to be made to the August 10, 2021 meeting minutes. There being no changes, Ms. Hines made a motion to approve the minutes and Ms. Gregg seconded the motion. The motion passed unanimously (6-0).

PUBLIC HEARINGS AND MATTERS IN POSITION FOR ACTION:

PC-2021-28 Request to rezone from UR Urban Residential to DS Destination/Select Use the parcel located at 257 North Coit Street, identified as Florence County Tax Map Number 90073-05-005.

Chairman Chaplin read the introduction to PC-2021-28. Mr. Johnston gave the staff report as submitted to the Planning Commission.

Chairman Chaplin asked Mr. Johnston what types of uses are allowed in the DS-Destination/Select Use zoning district. Mr. Johnston explained all CR uses including a restaurant without a drive-through and a medical office would be allowed plus a number of conditional uses which appear on the zoning chart in the packet. Mr. Dudley explained the historical zoning of the parcel was B-3, and it has operated as a commercial use for as long as he can remember, most recently housing Jack's Seafood Market. The mistaken zoning was applied when the City updated the zoning districts, and recently came to staff's attention.

There being no one to speak for or against the request, and no other questions for staff, Chairman Chaplin called for a vote. Mr. Hill moved to approve the rezoning as submitted. Ms. Gregg seconded the motion, and the motion passed unanimously (6-0).

PC-2021-29 Request to enter into a Development Agreement and zone RG-3, Residential General-3, pending annexation, 106 acres located at Redbud Lane and Howe Springs Road, identified as Florence County Tax Map Number 00152-01-021.

Chairman Chaplin read the introduction to PC-2021-29 and asked staff for their report. Mr. Johnston gave the staff report as submitted to the Planning Commission.

Chairman Chaplin asked why the Planning Commission is reviewing this request. Assistant City Manager Clint Moore stated the reason is to allow for a public hearing and receive community input. He explained the Commissioners do not need to make any recommendations on this request at this time.

There being no further questions for staff, Chairman Chaplin opened the public hearing.

Mr. Ryan Harvey, the project's civil engineer, spoke in favor of the request. Dr. Lawhon asked him how far away the present sewer line is from the project. Mr. Harvey estimated the line running through the creek is around 800 feet from the site.

There being no further questions for the applicant and no one to speak in favor of or against the request, Chairman Chaplin called for a motion. Mr. Howard moved that the request be approved as submitted; Mr. Hill seconded, and the motion passed unanimously (6-0).

PC-2021-30 Request to rezone from NC-6.1 to NC-6.3 four parcels located at 802 Cherokee Road, 806 Cherokee Road, 812 Cherokee Road, and 810 Congaree Road, identified as Florence County Tax Map Numbers 90064-11-006, 90064-11-007, 90064-11-013, and 90064-11-012.

Chairman Chaplin read the introduction to PC-2021-30 and asked staff for their report. Mrs. Zlotnicki gave the staff report as submitted to the Planning Commission.

Mr. Howard asked what the setback requirements for an apartment in the NC-6.3 would be. Mrs. Zlotnicki stated they would need to include a 45 foot bufferyard along the rear and must accommodate sufficient parking. She mentioned it would be virtually impossible to meet such requirements in these lots. Mr. Dudley stated the same and added the only way to meet such requirements would be to combine all lots. He mentioned the current townhomes are an existing nonconformity.

Mr. Hill added he spoke to an affected property owner who informed him the City staff reached out to him in order to correct an oversight made in the last rezoning which mistakenly applied the zoning of NC-6.1 to these parcels. The property owners did not apply for the change in order to construct multifamily homes.

There being no one to speak for or against the request, and no further questions for staff, Chairman Chaplin called for a motion. Mr. Hill moved that the request be approved as submitted; Ms. Gregg seconded, and the motion passed unanimously (6-0).

OTHER BUSINESS: Mr. Dudley updated the Commissioners on the status of the Comprehensive Plan, explaining that the consultant would be in town on September 28 to meet with the Comprehensive Plan Advisory Committee.

ADJOURNMENT: There being no other business, Chairman Chaplin asked for a motion to adjourn. Mr. Howard so moved, and Dr. Lawhon seconded, and the meeting was adjourned at 6:33 p.m. The next meeting is scheduled for October 12, 2021.

Respectfully submitted, Austin Cherry Office Assistant III

CITY OF FLORENCE PLANNING COMMISSION MEETING

DATE: October 12, 2021

AGENDA ITEM: PC-2021-31 Request to rezone from NC-6.2 Neighborhood Conservation-6.2

to CBD Central Business District the parcel located at 517 West Sumter Street, identified as Florence County Tax Map Number

90072-07-001.

I. IDENTIFYING DATA:

Owner	Tax Map Numbers
James Eric Days	90072-07-001

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

This issue is before the Planning Commission for public hearing and recommendation to City Council. It has not been considered, nor has any previous action been taken, by the Planning Commission.

I. GENERAL BACKGROUND DATA:

Current Zoning: Neighborhood Conservation – 6.2 (NC-6.2)

Proposed Zoning: Central Business District (CBD)

Current Use: Vacant Lot

Proposed Use: Mobile Food Vendor Lot (Single Vendor)

II. POINTS TO CONSIDER:

- (1) The property is currently zoned Neighborhood Conservation 6.2 (NC-6.2), which permits residential uses such as single family detached houses and duplexes. The current zoning conditionally permits limited commercial uses accessory to homes such as home occupations and in-home child care.
- (2) The proposed zoning is Central Business District (CBD). The CBD is a mixed-use zoning district described by the *Unified Development Ordinance* as "intended for development, redevelopment, and reuse of residential, commercial, and mixed-use buildings in Downtown."
- (3) The only uses that may be developed under the proposed zoning, per the City of Florence *Unified Development Ordinance*, are those permitted in the Central Business District. The property will be subject to the City of Florence codes and regulations.
- (4) The only minimum dimensional requirement for the CBD zoning district per the City of Florence *Unified Development Ordinance*, is a minimum lot width of 25'. Buildings must be constructed on the front property line unless an outdoor service area is utilized for the proposed use, such as outdoor seating for a Mobile Food Vendor lot. A 20' setback could be employed in this instance. New construction would have to conform to the setbacks of the CBD zoning district which include specifications from the Downtown Design Guidelines.

- (5) Land use of the adjacent properties is overwhelmingly residential. The rezoning of this parcel seems to meet the definition of "spot zoning", which is illegal in South Carolina. The Supreme Court of South Carolina defined spot zoning as the "process of singling out a small parcel of land for use classification totally different from that of the surrounding area, for the benefit of the owners of that property and to the detriment of other owners." The Guide to Land Use Planning For South Carolina 2017 Edition also states, "The mere fact that business property adjoins residential property does not mean the commercial zoning is invalid spot zoning." But in the most applicable case cited, Knowles vs. City of Aiken (1991), where the Courts ruled the City did not engage in spot zoning, the lots were historically used for commercial purposes before being zoned commercial.
- (6) Historic zoning of the property was R-4 Multi-family which also did not allow commercial uses. The site is currently an undeveloped vacant lot, but aerial images show a house on the parcel as recently as 2011. The current zoning of Neighborhood Conservation 6.2 (NC-6.2) was adopted with the land use maps associated with the adoption of the *Unified Development Ordinance* in 2018 in keeping with the parcel's historic zoning and use.
- (7) Future Land Use of the parcel is Neighborhood Conservation.
- (8) City staff recommends the parcel be denied rezoning to Central Business District as requested. This recommendation is based on the current adjacent residential zoning, its historic residential use, and the prescribed future land use of the parcel. Additionally, the request appears to meet the definition of spot zoning as defined by the State Supreme Court.

V. OPTIONS:

Planning Commission may:

- (1) Recommend approval of the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Recommend denial of the request based on information submitted.

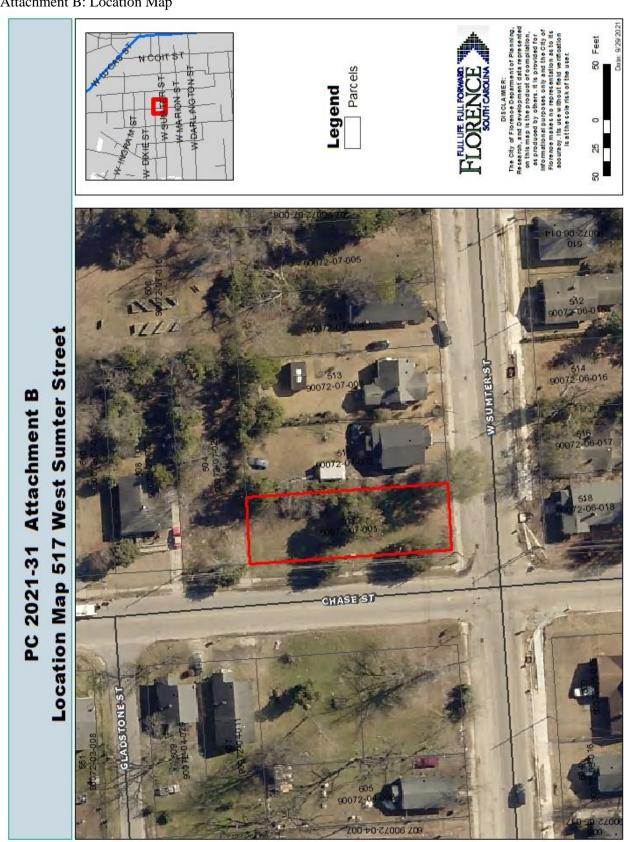
VI. ATTACHMENTS:

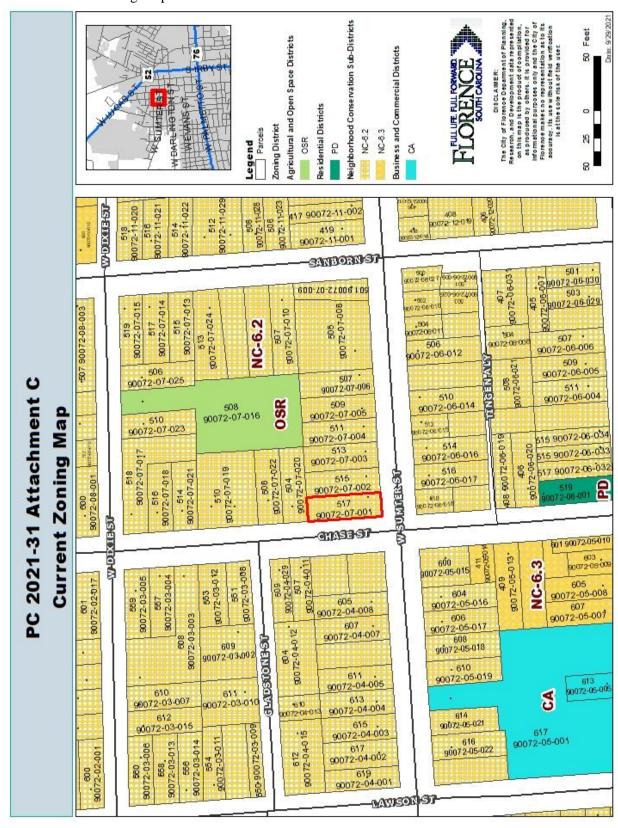
- A) Vicinity Map
- B) Location Map
- C) Zoning Map
- D) Future Land Use
- E) Site Photos

Attachment A: Vicinity Map

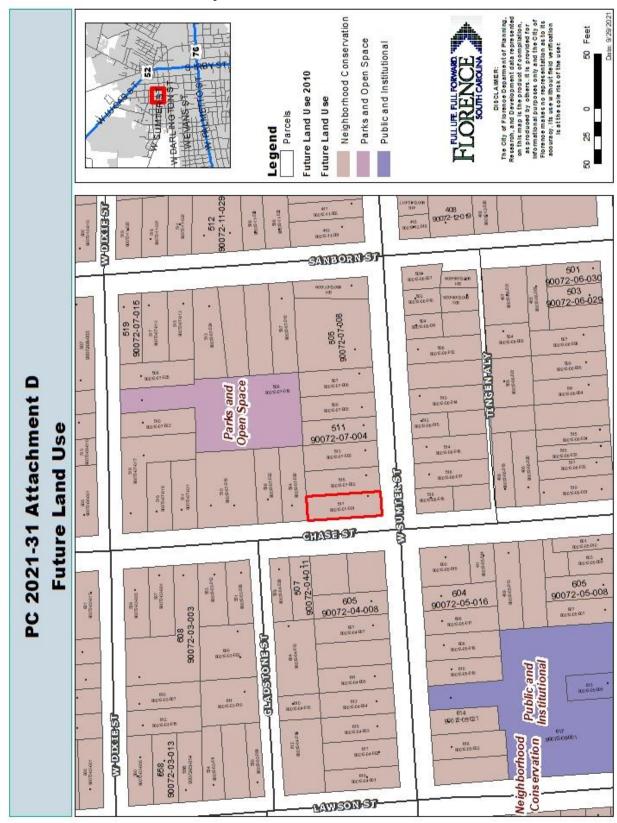


Attachment B: Location Map





Attachment D: Future Land Use Map



Attachment E: Site Photos



Front of Corner Lot - 517 West Sumter Street



Side Property Line of 517 West Sumter Street Along Chase Street Facing Sumter Street



View Along Sumter Street of Adjacent Residential Uses



View Along Sumter Street of Adjacent Residential Uses

CITY OF FLORENCE PLANNING COMMISSION MEETING

DATE: October 12, 2021

AGENDA ITEM: PC-2021-32 Request to rezone from AC Activity Center to CG Commercial

General for the parcel located at 1926 2nd Loop Rd, identified as

Florence County Tax Map Number 90029-02-002.

I. IDENTIFYING DATA:

Owner	Tax Map Numbers
Cynthia B. Sowell	90029-02-002

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

This issue is before the Planning Commission for public hearing and recommendation to City Council. It has not been considered, nor has any previous action been taken, by the Planning Commission.

III. GENERAL BACKGROUND DATA:

Current Zoning: Activity Center (AC)
Proposed Zoning: Commercial General (CG)

Current Use: Vacant (Formerly Cynthia's Monograms and More)
Proposed Use: Alcohol Beverage Sales (offsite consumption)

IV. POINTS TO CONSIDER:

- (1) The property is currently zoned Activity Center (AC), which permits uses such as recreation, amusement uses, and a variety of commercial uses as well as residential uses such as multifamily and live-work units.
- (2) The proposed zoning is Commercial General (CG). The CG zoning district is described by the *Unified Development Ordinance* as "intended to provide for a broad range of retail, restaurant, entertainment, office, institutional, and service uses."
- (3) Adjacent properties are zoned Activity Center to the north, south, east, and west of the property (Attachment C).
- (4) The Future Land Use Plan designates the property as Commercial Autourban surrounded by Neighborhood Conservation, and the character of the area is that of office, retail, and commercial uses surrounded by single family residential.
- (5) City water and sewer service is currently available.
- (6) According to the applicant, Cynthia's Monograms and More has been closed since June 2020 due to the Covid-19 pandemic. The building is currently being used as a storage facility for personal items. The reason for the request includes concerns over the annual cost of taxes and insurance, and an inability to sell the property as zoned, although the person with a contract to purchase the property may pursue a salon as a second choice, which is a permitted use in the AC district.
- (7) The current zoning designation of Activity Center (AC) does not permit Alcoholic Beverage Sales (offsite consumption), which is the first choice of the buyer.

- (8) According to Table 1-2.7.4 Commercial Uses of the City of Florence Unified Development Ordinance, a salon is a permitted use in the (CG) Commercial General zoning district as well as the (AC) Activity Center zoning district; however, Alcoholic Beverage Sales (off-site consumption) would only be allowed if the property is rezoned to CG.
- (9) Previous zoning of the property prior to the adoption of the *Unified Development Ordinance* was B-2, Convenience Business District, which allowed similar uses to the current AC zoning designation. The closest CG zoning district is located approximately 2,500 feet to the west at the intersection of Second Loop Road and South Cashua Drive.

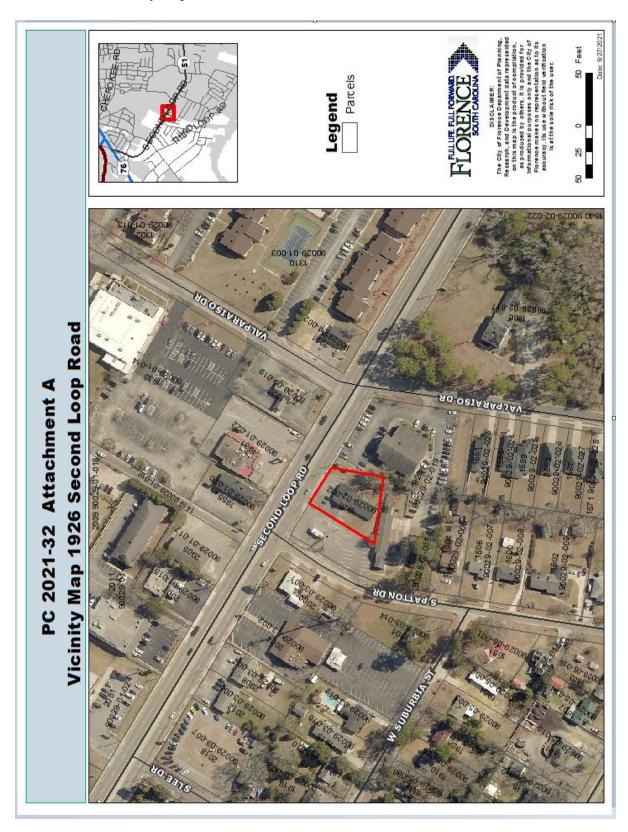
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Planning Commission may:

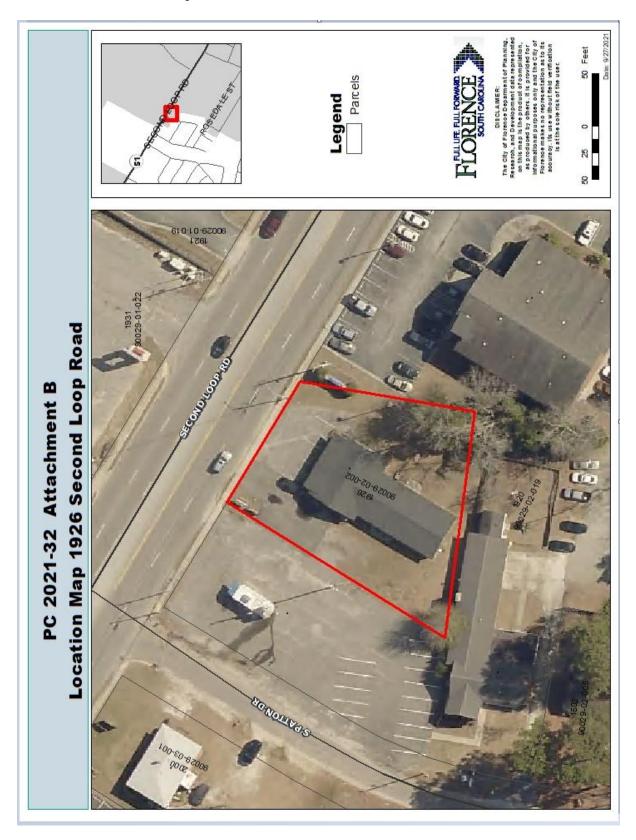
- (1) Recommend approval of the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Recommend denial of the request based on information submitted.

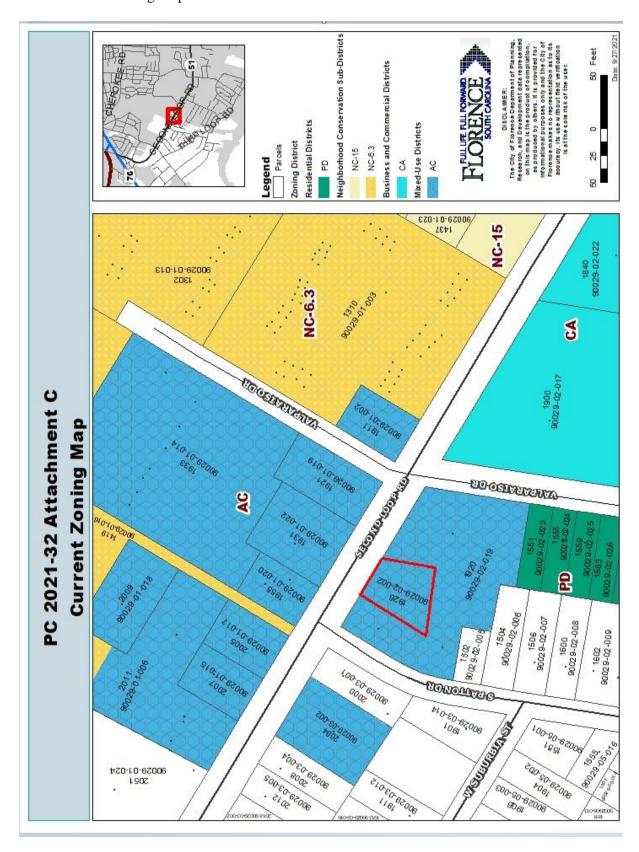
VII. ATTACHMENTS:

- A) Vicinity Map
- B) Location Map
- C) Zoning Map
- D) Future Land Use
- E) Property Card
- F) Email response from the applicant
- G) Table 1-2.7.4 Commercial Uses
- H) Site Photos

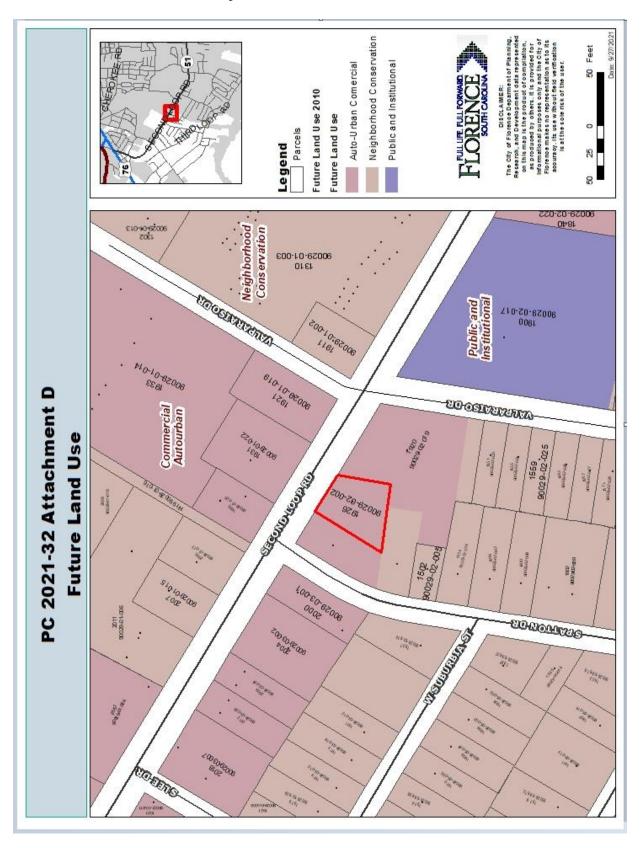


Attachment B: Location Map

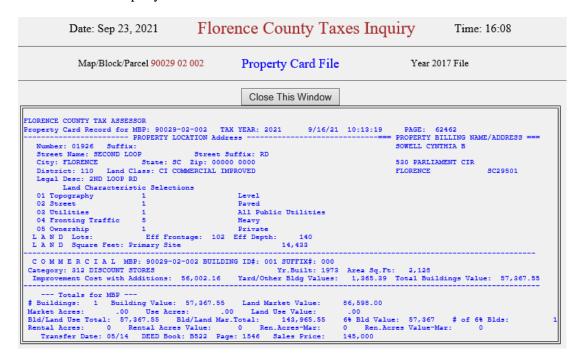




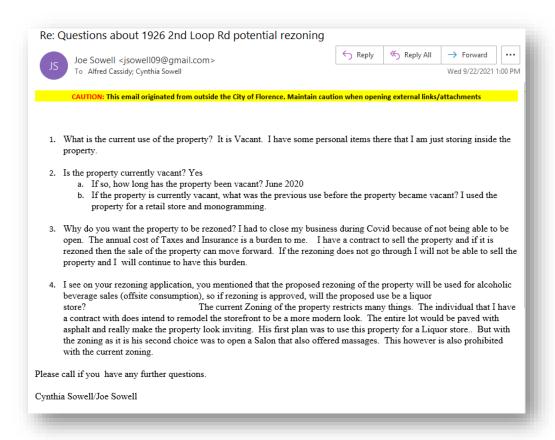
Attachment D: Future Land Use Map



Attachment E: Property Card



Attachment F: Email response from the applicant



Set out in Table 1-2.7.4, Commercial Uses in which commercial uses are allowed in each zoning district.

Table 1-2.7.4 Commercial Uses															
Zoning Districts															
Land Use	Residential				Business & Commercial		Mixed-Use		Industrial		Agricultural & Open Space				
	RE	RS	RG	RU	NC	CR	CA	cG	CBD	AC	DS	IL	IH	OSR	AR
Commercial Uses															
Alcoholic Beverage Sales (Offsite Consumption)	-	-	-	-	-	•	-	Р	Р	-	Р	-	-	-	-
Alcoholic Beverage Sales (Onsite Consumption)	•		*	-	-	-	•	С	С	O	P	-		1	-
Animal Boarding Facilities, Small Animal		-	-	-	•	-	-	С	SE	SE	*	P		•	P
Animal Grooming Facilities	Р					С		Р	С	С		Р			
Animal Veterinary, Small Animal		-	-	-		•	-	Р	С	•	С	P	-	•	P
Animal Veterinary, Large Animal	-	-	-	*		-	-	-	-	*	3	-	-		P
Automobile Sales, Rental and Service Establishments	-	-	-	-	-	-	-	P	-	SE	-	-	-		-
Automobile Repairs, Heavy				-				С			-	P	Р	-	-
Automobile Repairs, Light			-				-	Р		Р		Р	Р	-	
Brewpub		-	-	-			-	C	С	С	С	-		•	
Micro-brewery	•			-			-	С	С	С	С	С	С	•	-
Micro-distillery	•	-		-				С	C	С	С	С	C	-	
Nursery, Retail			-	-	-			Р				Р		-	
Overnight Accommodations(hotels, motels, commercial inns)1	*			-		•	Р	P	Р	Р	P	-			
Commercial Retail (Business Services; Personal Services; Shopping Centers)		-	-	-	-	С	С	P	Р	P	P	С	С	1	-
Fueling Station / Car Wash							-	Cu		C,		Cu	C _s	-	
Truck Stops and Truck Washes		-	+	×	-	-		*			×	-	Cu		
General Professional/ Medical Office	•	-	•	*	•	С	Р	Р	Р	Р	P	Р			٠
Restaurant; No Drive-In or Drive-Through		-	1-	-	-	С	Р	P	Р	Р	Р	С	С	-	
Restaurant; Drive-In or Drive Through				-	•	•		P _a		SE.	×	P _a		•	•
Specialty Use				-		•	-	С	С	С	С	-			
Mobile Food Vendor			-	-			С	С	С	С	С	С	С	С	
Event Facility / Banquet Hall / Dance Hall / Lodge				-	-	-		С	Р	С	С	-			
Tattoo Facilities		*		-			-	С			-		*		
Heavy Retail/Home Center		-	-	-			-	C			-	С	С		-
Wholesale	*	-		-	-		-	-				Р	Р	-	

Attachment H: Site Photos



Front of the property (1926 Second Loop Road)





Left side of the property; Right side of the property



Rear of the property

CITY OF FLORENCE PLANNING COMMISSION MEETING

DATE: October 12, 2021

AGENDA ITEM: PC-2021-33 Request for sketch plan review of a residential development to be

located along Celebration Boulevard and specifically identified as

a portion of Florence County Tax Map Number

00100-01-155.

I. IDENTIFYING DATA:

Owner	Tax Map Number					
Perez Properties, LLC	00100-01-155					

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

This issue is before the Planning Commission for approval. No previous actions have been taken concerning this parcel.

III. GENERAL BACKGROUND DATA:

Current Zoning: Commercial General (CG)

Current Use: Vacant Portion of Commercial Lot Proposed Use: Single Family Attached Townhouses

IV. SURROUNDING LAND USE AND ZONING:

Northeast: Unzoned (County); Single-Family Detached Homes

Southeast: Commercial General (CG); Fire It Up

Southwest: Commercial General (CG); Mi Tierra Mexican Restaurant

Northwest: Commercial General (CG); Precious Ones Daycare, Townhouses

V. POINTS TO CONSIDER:

- (1) The proposed subdivision will be a townhome development with an auto-urban character. For townhome development, the City of Florence *Unified Development Ordinance* requires that "all units must be established on single lots and so arranged to ensure public access. As such, townhouse units may be initially established on separate parcels or must be designed to accommodate future subdivision of property as determined by the Department."
- (2) The development tract has a total of 2.7 acres. The front portion is occupied by the Mi Tierra Mexican Restaurant. A building consisting of eight townhouse units is proposed for the rear 1.1 acre of the lot, with the front doors oriented to face Celebration Boulevard.
- (3) The townhome development is afforded access through an adjacent parcel, 1280 Celebration Boulevard (Mi Tierra Mexican Restaurant), whose deed reserves the right of access to the parcel shown on the attached plat (Attachment F). Proposed access will be through a proposed private road, Twelve Oaks Avenue, which will be maintained by the developer and/or HOA. The

- townhomes will be oriented perpendicular to the private road, fronting towards Celebration Boulevard.
- (4) The CG zoning designation is reviewed per *Unified Development Ordinance* Section 1-2.8.2 Residential & Commercial Use of the Home Standards. The subdivision is designed to meet the Ordinance's minimum requirements listed in Table 2-4.1.3 for townhomes including 16' minimum lot widths, prescribed setbacks, and the overall development area (inclusive of the individual unit lots and common area) providing the minimum 2400 square feet per unit.
- (5) City water and sewer service is available to the property. The property's stormwater system is under the jurisdiction of the City of Florence's Municipal Separate Storm Sewer System (MS4) requiring plan approval by the City's Engineering Department and inspections for compliance to be conducted by the City's Compliance Assistance Department.
- (6) This Sketch Plan is currently in compliance with the regulations set forth in the City of Florence *Unified Development Ordinance* related to the subdivision of property.
- (7) Other requirements of the City of Florence *Unified Development Ordinance* will be addressed during the Development Plan Review. Following Sketch Plan approval, the developer will be required to submit a full Development Plan submittal package for staff review prior to any construction taking place.

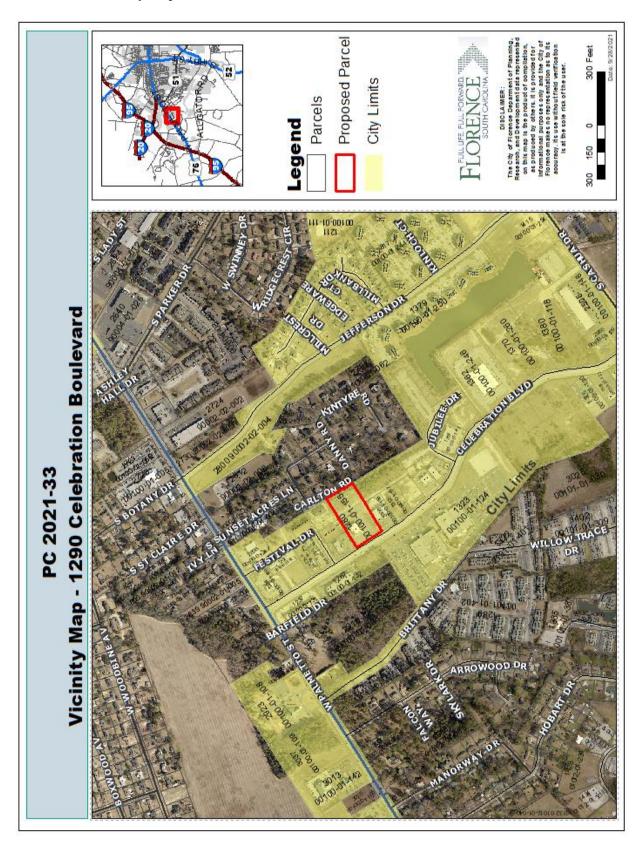
VI. OPTIONS:

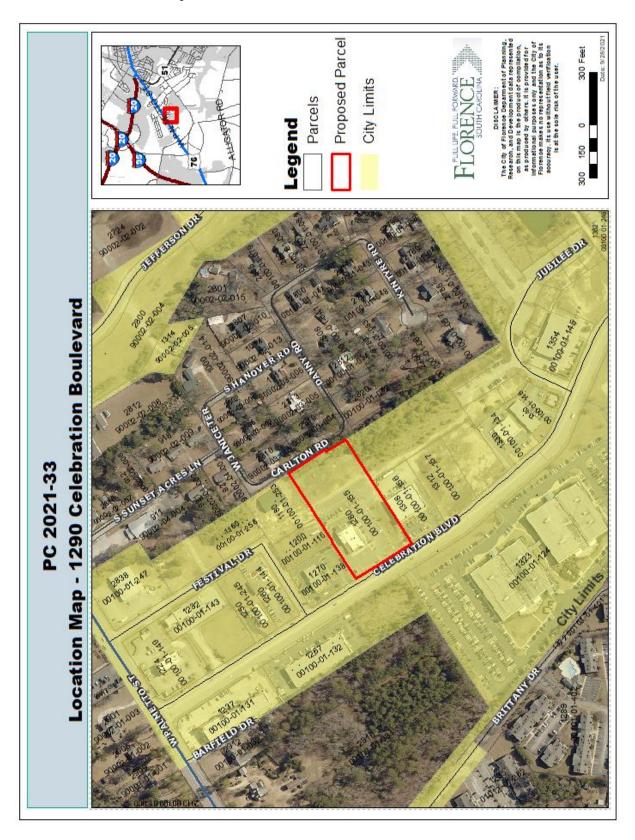
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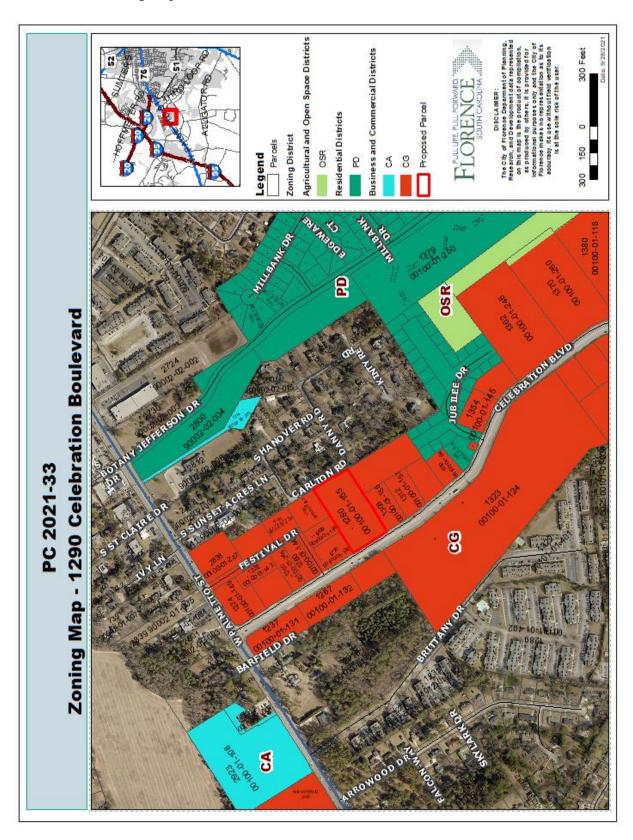
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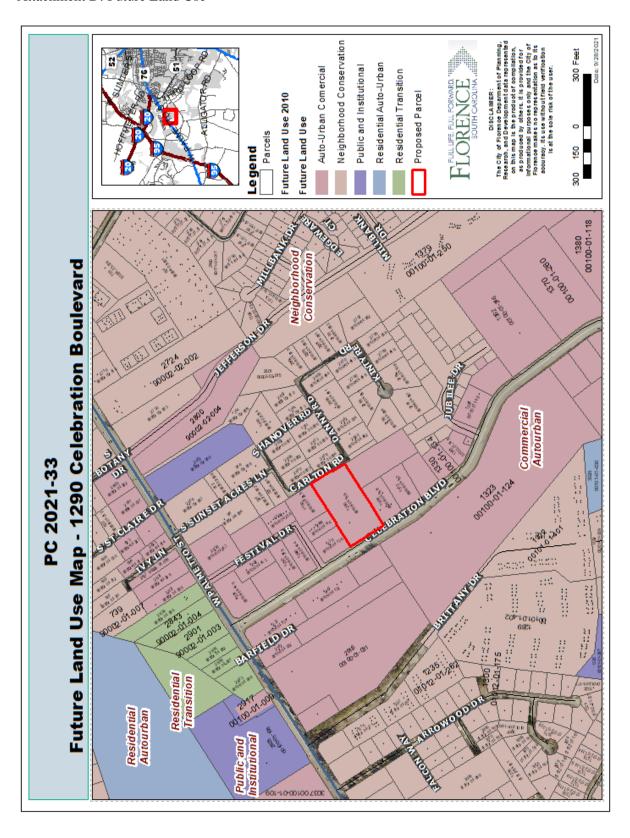
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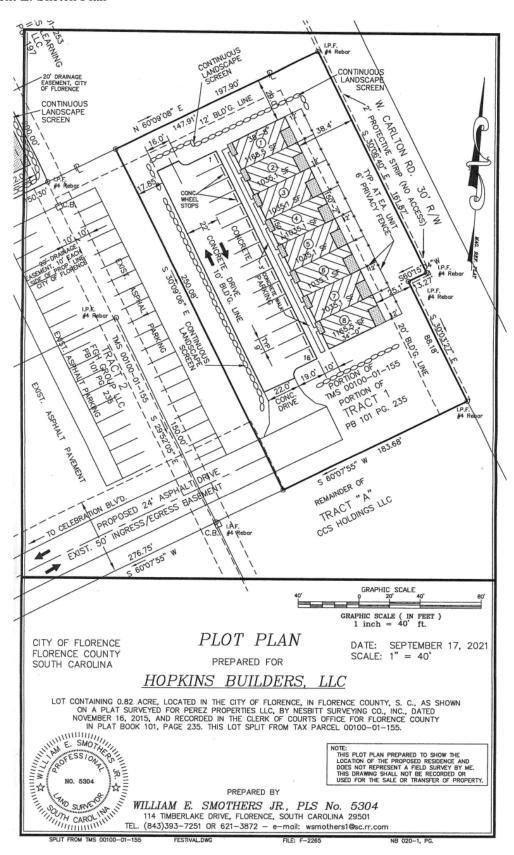
- A) Vicinity Map
- B) Location Map
- C) Zoning Map
- D) Future Land Use Map
- E) Sketch Plan
- F) 1280 Celebration Boulevard Plat Access Easement
- G) Site Photos



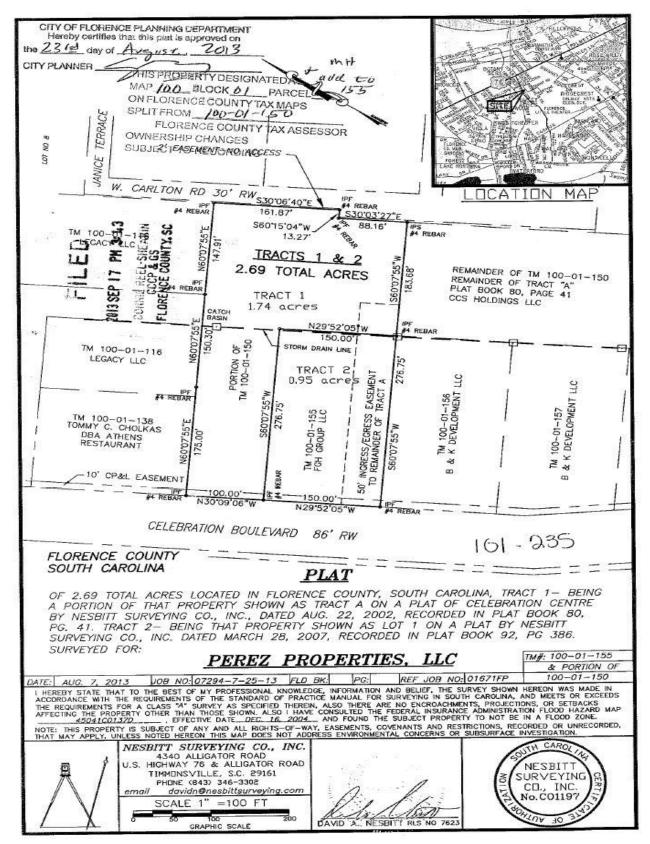








Attachment F: 1280 Celebration Boulevard Plat – Access Easement



Attachment G: Site Photos



Looking down the property line where the 50 foot access easement will be located.



The building site at the back half of the parcel. The tree line at the back borders Carlton Road and will be preserved as a buffer for the rear yard of the townhouse units.



Looking northwest; two other townhouse buildings and the back of Mi Tierra are in sight.



Looking southeast at the area behind the credit union and Fire It Up plaza.