

**CITY OF FLORENCE, SOUTH CAROLINA
PLANNING COMMISSION
DECEMBER 14, 2021 AT 6:00 PM
AGENDA**

- I. Call to Order**

- II. Invocation**

- III. Approval of 2022 Meeting Dates**

- IV. Approval of Minutes** Regular meeting on November 9, 2021.

- V. Public Hearing and Matter in Position for Action**

PC-2021-36 Request to zone NC-10, pending annexation, the parcel located at 1146 Annelle Drive, identified as Florence County Tax Map Number 01794-03-010.

- VI. Adjournment** Next meeting is scheduled for January 11, 2022.

2022 Planning Commission Meeting Dates

<u>Month</u>	<u>Date</u>
January	1/11/2022
February	2/8/2022
March	3/8/2022
April	4/12/2022
May	5/10/2022
June	6/14/2022
July	7/12/2022
August	8/9/2022
September	9/13/2022
October	10/11/2022
November	11/8/2022
December	12/13/2022

**CITY OF FLORENCE PLANNING COMMISSION MINUTES
TUESDAY, NOVEMBER 9, 2021 AT 6:00 PM**

MEMBERS PRESENT: Drew Chaplin, Thurmond Becote, Betty Gregg, Dorothy Hines, Mark Lawhon, Bryant Moses, and Vanessa Murray

MEMBERS ABSENT: Robby Hill and Charles Howard

STAFF PRESENT: Jerry Dudley, Derek Johnston, Alfred Cassidy, Alane Zlotnicki, and Bryan Bynum for IT

CALL TO ORDER: Chairman Drew Chaplin called the November 9, 2021 regular meeting to order at 6:00 p.m.

APPROVAL OF MINUTES AND INVOCATION:

Chairman Chaplin expressed the Commission's sympathies to Charles Howard and his family for the loss of his mother. He then asked Mr. Moses to provide the invocation, which he did.

Chairman Chaplin asked Commissioners if any changes needed to be made to the October 12, 2021 meeting minutes. There being no changes, Mr. Moses made a motion to approve the minutes and Mr. Becote seconded the motion. The motion passed unanimously (6-0).

PUBLIC HEARINGS AND MATTERS 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.

Chairman Chaplin read the introduction to PC-2021-32 and asked staff for their report. Mr. Cassidy gave the staff report as submitted to the Planning Commission. This case was deferred from October 12 because the vote was a tie.

****Dr. Lawhon arrived****

There being no questions for staff, Chairman Chaplin opened the public hearing. He asked for those who are not in favor of the request to raise their hands, then chose one of them to speak.

Ms. Meg Temple, the executive director of the CARE House of the Pee Dee, a children's advocacy center, which is located next to the affected parcel, spoke against the rezoning. She explained that they work with children who have experienced maltreatment, which often includes alcohol abuse. She feels that having families who are fighting alcohol addiction walk next to an alcohol store would be problematic. They want to put in a playground behind their building, which would be directly adjacent to the alcohol store.

Dr. Michael Foxworth, the chair of pediatrics at HopeHealth spoke next. He expressed concern about the potential rezoning to allow a liquor store next to a pediatric facility. He cited statistics regarding the effects of having a liquor store in a neighborhood. He doesn't want children dealing with the effects of alcohol abuse to have to see a liquor store every time they come for help, and he's concerned for the safety of the children, their families, and staff of HopeHealth.

Chairman Chaplin asked for clarification of the relationship between HopeHealth and the CARE House. Dr. Foxworth explained that they were both in the same building, next door to this site.

Chairman Chaplin allowed another speaker. Dr. Bryan Patterson thanked the Commission for rezoning his dental practice at 1840 Second Loop Road and explained that he sees a lot of children in his practice. He pointed out that there is no other General Commercial zoning in that part of Second Loop Road, and he's concerned about the potential for further rezonings to the more intense district.

Reverend Stacey Severance, pastor of Good Shepherd Presbyterian Church at 2301 Second Loop Road, spoke on behalf of the leadership of his church asking the denial of the request to rezone. They don't think it's the best use for that area, that it would be detrimental to the area.

Ms. Tiffany Strauss, the director of community relations at HopeHealth, spoke next. Her job involves building community relationships. She thanked the Commissioners for their work. She reiterated the missions of HopeHealth and CARE House, and their intention to expand the playground in the near future. She repeated the concerns of the others regarding foot traffic and safety issues with the development of a liquor store at this location.

Chairman Chaplin then opened the floor to anyone in favor of the request.

Mr. Joe Sowell, the applicant, spoke in favor of the request. He said he wished people had spoken up at the earlier meeting of the Commission regarding this issue, because he was the only one at that meeting, even though it had been posted and advertised. He explained that the building has become a burden on his family in the wake of the pandemic. They've only had one person offer a reasonable price. HopeHealth offered a price, but it was very unacceptable. He did everything required of him and wondered where all these people were last month. He just wants to get rid of the lot at a fair price.

Mr. Moses asked Mr. Sowell if HopeHealth had considered buying the lot. He said that yes, they did, but the price they offered was not enough. He said only one person has offered enough and is willing to modernize the lot. He could put a restaurant there, a CBD store, a convenience store and sell beer there. Mr. Sowell expressed his frustration.

Chairman Chaplin clarified that their job is to decide on the rezoning. Mrs. Cynthia Sowell, the wife of the applicant spoke next, saying she understands HopeHealth's concerns, because she had issues with vandalism as a retail store. She said she was not informed of the limitations on the property when she bought it. She expressed her frustrations with the aversion to a liquor store when there are liquor stores all over town near churches and schools.

There being no further questions for staff and no one else to speak in favor of or against the request, Chairman Chaplin explained that the vote on this request in October was tied. He explained the concept of spot zoning, and said that rezoning this lot would result in borderline spot zoning because of the similarity of districts. To change zoning to something more intense would affect the businesses and residents already there. It does currently allow commercial uses. He asked Mr. Dudley to explain spot zoning.

Mr. Dudley used the zoning map to show that the entire area is zoned AC, and explained that spot zoning is open to interpretation in courts of law, but that this is a small lot in the middle of AC. If it were a larger area, it wouldn't be as close to meeting the definition of spot zoning as it is as a small single lot. Dimensionally the lot doesn't meet the requirements for CG. If the existing building was demolished, it would be difficult to meet the setbacks and other requirements for new CG development. It is difficult to justify the rezoning for that reason.

Chairman Chaplin said that the case was deferred in October to allow the applicants to confer with their potential buyer. He explained that City Council will make the ultimate decision. Dr. Lawhon asked if there was a precedent on Second Loop Road for more intense zoning. Mr. Dudley said there was an application a few years ago but it was withdrawn. Dr. Lawhon said his father tried to rezone a lot on Hampton Drive and he was denied as well.

Ms. Murray clarified that they are being asked to decide based on the zoning, not based on what may be developed there. Mr. Dudley agreed, but said that they should consider what uses would be permitted under the proposed district. He said that most commercial uses are permitted already with the current zoning.

Chairman Chaplin said it would still be spot zoning, regardless of what use was proposed. The zoning would stay with the lot, regardless of what was developed there.

Chairman Chaplin called for a motion. Mr. Moses moved that the request be approved as submitted, but the motion failed due to a lack of a second. Dr. Lawhon moved to deny the request to rezone; Ms. Gregg seconded.

Mr. Moses asked what he could put there without the rezoning. Mr. Dudley explained that all parcels in the area are zoned AC, which allows a large variety of uses, including a small convenience store, which could sell beer and wine as a percentage of sales.

Ms. Murray commented that last month they had another spot zoning case and they had no choice but to deny it.

There being no other questions for staff, Chairman Chaplin asked for a vote. The vote to deny the rezoning passed 6 to 1, with Mr. Moses voting against the motion to deny.

PC-2021-34 Request to zone NC-15, pending annexation, the parcel located at 2468 Parsons Gate, identified as Florence County Tax Map Number 01221-01-323.

Chairman Chaplin read the introduction to PC-2021-34 and asked staff for their report. Mrs. Zlotnicki gave the staff report as submitted to the Planning Commission.

There being no questions for staff and no one to speak in favor of or against the request, Chairman Chaplin closed the public hearing and called for a motion. Mr. Moses moved that the request be approved as submitted; Mr. Becote seconded, and the motion passed unanimously (7-0).

PC-2021-35 Consideration of the abandonment of the City of Florence's interest in the undeveloped portion of public right-of-way for Malden Drive located behind 1911 through 1923 Hayden Court.

Chairman Chaplin read the introduction to PC-2021-35 and asked staff for their report. Mr. Johnston gave the staff report as submitted to the Planning Commission. He explained that they are referring to it as Honey Hill Drive. All nine adjacent property owners are asking for the abandonment so they can distribute the land appropriately. The City is asking for easement access to a ditch and water line that run through this area.

Chairman Chaplin clarified that the Commission's job is simply to approve or disapprove the abandonment. Staff will ensure that all easements and signatures are clarified and obtained.

Chairman Chaplin opened the public hearing. Ms. Julie Cord spoke in favor of the abandonment because she and the other property owners have been maintaining the property for many years. Mr. Bud Litton spoke next, explaining that the developer told them in 1979 that there would be a cul-de-sac placed there, but it was never constructed and they want to be able to maintain it.

Mr. Clarence Matthews spoke next, saying he has a problem with some trees in the area, and he wants someone from the City to clear out those trees. Chairman Chaplin explained that the Commission's job is to approve the abandonment and he could ask staff about the trees.

There being no further questions for staff and no one else to speak in favor of or against the request, Chairman Chaplin closed the public hearing and called for a motion. Mr. Becote moved that the request be approved as submitted; Ms. Murray seconded, and the motion passed unanimously (7-0).

ADJOURNMENT: There being no other business, Chairman Chaplin adjourned the meeting at 7:04 p.m. The next meeting is scheduled for December 14, 2021.

Respectfully submitted,
Austin Cherry
Office Assistant III

ITY OF FLORENCE PLANNING COMMISSION MEETING

DATE: December 14, 2021

AGENDA ITEM: PC-2021-36 Request to zone NC-10, pending annexation, the parcel located at 1146 Annelle Drive and specifically identified as Florence County Tax Map Number 01794-03-010.

I. IDENTIFYING DATA:

Owner	Tax Map Number
Alain & Barbara Brault	01794-03-010

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: unzoned (County)
Proposed Zoning: Neighborhood Conservation-10 (NC-10)
Current Use: Single-Family Residence
Proposed Use: Single-Family Residence

IV. POINTS TO CONSIDER:

- (1) The property is currently in the County and is unzoned.
- (2) The proposed zoning, pending annexation, is Neighborhood Conservation-10 District. The primary use permitted under the proposed zoning is single-family residential characterized by medium sized lots.
- (3) The lot meets the dimensional requirements of the NC-10 zoning district per the City of Florence *Unified Development Ordinance*.
- (4) The only uses that may be developed under the proposed zoning, per the City of Florence *Unified Development Ordinance*, are those permitted in the NC-10 Neighborhood Conservation zoning district. The property will be subject to the City of Florence codes and regulations.
- (5) Land use of the adjacent properties is single-family residential. Lots in the County are unzoned. Lots in the City are zoned NC-10.
- (6) Future Land Use of the parcel is Residential Autourban. Adjacent single-family properties are also designated as Residential Autourban.
- (7) City water and sewer services are currently available.

- (8) City staff recommends the parcel be zoned Neighborhood Conservation-10 as requested, contingent upon annexation into the City of Florence. This recommendation is based on the adjacent zoning and character of the existing neighborhood.

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.

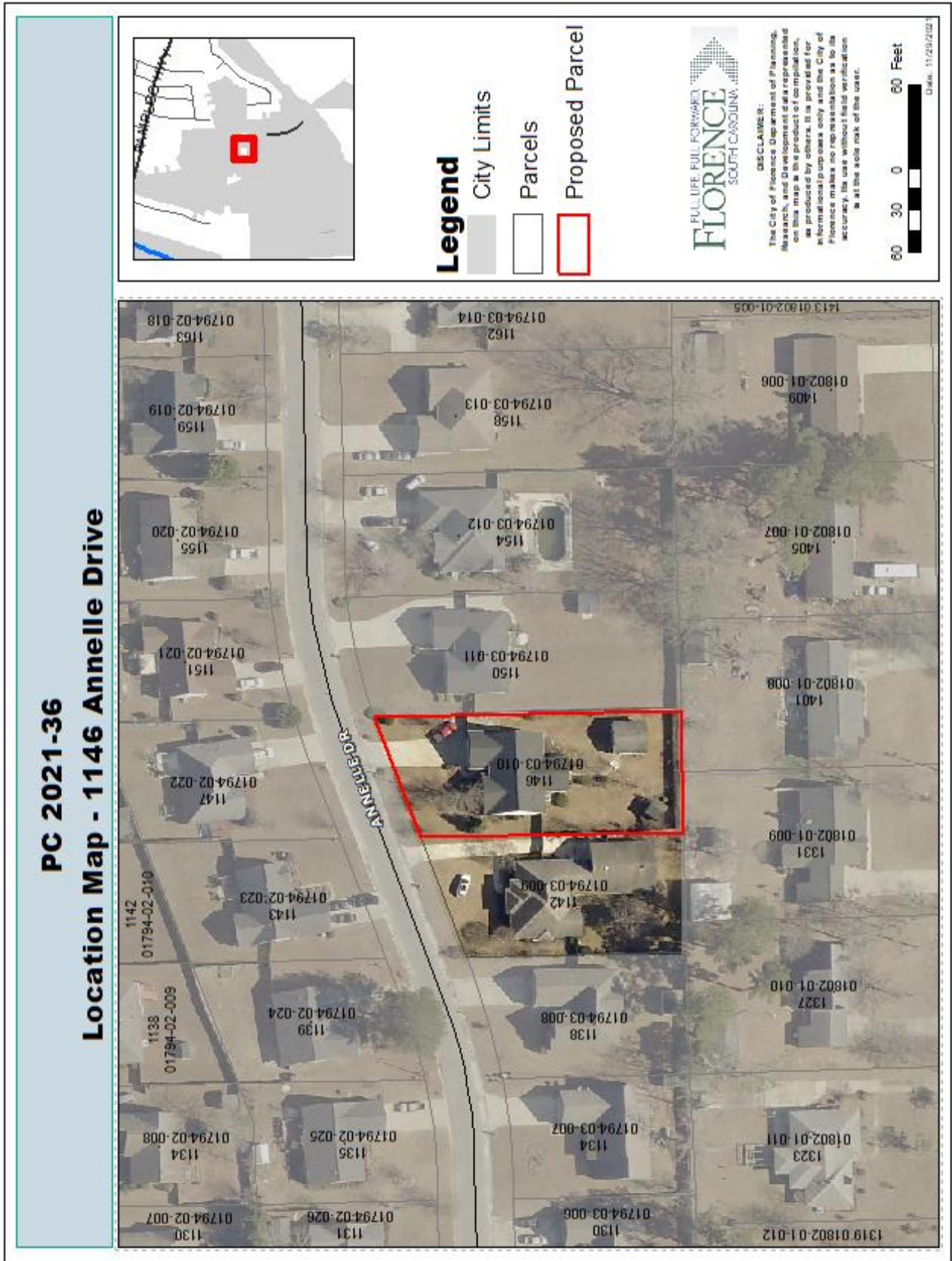
VI. ATTACHMENTS:

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

Attachment A: Vicinity Map



Attachment B: Location Map





Attachment E: Site Photo

