

# SUMTER CITY - COUNTY PLANNING COMMISSION

## Minutes of the Meeting

January 26, 2022

<b>ATTENDANCE</b>	<p>A regular meeting of the Sumter City – County Planning Commission was held on Wednesday, January 26, 2022, in the City Council Chambers located on the Fourth Floor of the Sumter Opera House. Six board members: Mr. Jim Crawley, Ms. Kim Harvin, Mr. James Munford, Mr. Jason Ross, Mr. Jim Price, and Mr. Gary Brown – were present. Mr. Chris Sumpter, Mr. Keith Ivey, and Mr. Michael Walker were absent.</p> <p>Staff members present were Ms. Helen Roodman, Mr. Kyle Kelly, Mr. Derrick Phillips, Jr., and Ms. Kellie Chapman.</p> <p>The meeting was called to order at 3:00 p.m. by Mr. Jim Crawley</p>
<b>MINUTES</b>	<p>Ms. Kim Harvin made a motion to approve the minutes of the December 15, 2022, meeting as written. The motion was seconded by Mr. James Munford and carried a unanimous vote.</p>
<b>ELECTION OF OFFICERS</b>	<p>Mr. Jim Price made a motion to amend the agenda to move the Election of Officers to the end of the meeting. The motion was seconded by Ms. Kim Harvin and carried a unanimous vote.</p>
<b>NEW BUSINESS</b>	<p><b><u>MSP-22-01/HCPD-22-01, 3290 Broad St. (City)</u></b> was presented by Mr. Kyle Kelly. The Board reviewed the request for Major Site Plan approval for a +/- 3,500 sq. ft. Convenience Store and Gas Station with 24 fueling points.</p> <p>Mr. Kelly mentioned the subject site will consist of +/- 2.58-acres with primary road frontage on Broad St. and secondary road frontage on Carter Rd.</p> <p>Mr. Kelly added the project represents a new convenience store and gas station use along a major arterial road. The use would be a part of an internally connected development consisting of a combination of commercial and residential uses.</p> <p>Mr. Kelly stated the landscaping plan submitted does not meet the requirements outlined in Article 9. Specifically, the proposed concrete “curb back” areas of pavement located around the site’s entrances on Alamosa Dr. result in the site not meeting the Ordinance standard for landscape buffering. If the applicant wishes to proceed with the plans submitted, a variance issued by the Sumter City-County Board of Zoning Appeals to the landscaping</p>

requirements would be needed.

Mr. Kelly added plans for the site access include no new access drives on the public roadway network. The site's three (3) proposed access points will be located on Yampa and Alamosa Drives, each of which is a private road serving the mixed-use development (apartments and commercial stores) located to the west and south of the site. Staff recommends that the proposed sidewalk on Carter Rd. be widened from 4 to 5 ft. to meet ADA standards.

Mr. Kelly stated, staff has significant concerns regarding the site access and circulation plan specifically regarding freight trucks.

The proposed configuration of the site development is also not compliant with Article 9 landscape buffer standards and would require a variance from the City-County Board of Zoning Appeals in addition to Planning Commission approval in order to move forward.

If the Planning Commission approves this request, staff recommends the stated Conditions of Approval as outlined in Exhibit 1, including approval of a variance to landscaping buffer requirements by the Board of Zoning Appeals, be made a condition of approval.

Mr. Tommy Pease was present to speak on behalf of the request.

After some discussion, Mr. Jim Price made a motion to approve subject to staff's recommendations and proposed conditions of approval outlined in Exhibit 1, as well as the site plans titled "*Racetrac at the Retreat*", prepared by Seam Whiteside & Associates, submitted on January 14, 2022, and elevation rendering titled "*Raceway Store Number 1531*" prepared by BRR Design Professionals submitted on January 14, 2022, and the following condition:

- Prior to issuance of any land disturbance or building permits, per the Planning Commission Motion, the Applicant and Planning Staff will work towards a compromise on the buffer landscaping. If unsuccessful a variance from the landscaping standards will be necessary from the Sumter City – County Board of Zoning Appeals.

The motion was seconded by Mr. James Munford and a four (Crawley, Price, Munford, Ross) in favor and two (Brown and Harvin) in opposition. The motion carried.

**SD-14-01, Ellerbe Estates/Depass Heights (REV 2) – Hwy 261 N. & Meeting House Rd. (County)** presented by Mr. Kyle Kelly. The Board reviewed the request for preliminary plat approval to revise the layout of the Ellerbe Estates Subdivision Phase 2, and to rename a portion of the Subdivision "Depass Heights".

Mr. Kelly stated the applicant is proposing to revise the layout of the previously approved Phase 2 addition to the Ellerbe Estates Subdivision. The

area proposed for development includes 10 lots connecting to the existing Ellerbe Estates Subdivision via Alden Dr. and 14 lots on a new cul-de-sac which will connect to Hwy 261 North. Under the revised proposal, there will not be a street connection between the Existing Ellerbe Estates subdivision and the proposed 14 lots with a direct street connection to Hwy 261 N. The 14 lot area will be marketed under a new development name, Depass Heights.

Mr. Kelly stated, staff recommends approval of this request.

Mr. Mack Kolb was present to speak on behalf of the request.

After some discussion, Mr. Gary Brown made a motion to approve preliminary plat submission titled "*Ellerbe Estates/Depass Heights*" prepared by Croft Engineering Company, dated 1/11/2022; and the Conditions of Approval for SD-14-01 (REV 2). The motion was seconded by Ms. Kim Harvin and carried a unanimous vote.

**SD-20-01 (REV 1), 1455 Camden Hwy. – Bradford Meadows (City)** presented by Mr. Derrick Phillips, Jr. The Board reviewed the request for preliminary plat approval to add a total of 21 additional lots to Phase 2 of Bradford Meadows.

Mr. Phillips mentioned the applicant is proposing to revise a previous major subdivision approval (SD-21-01 – Bradford Meadows). Per the SD-21-01 approval, 55 total lots were approved. Phase 1 consists of 30 lots, while Phase 2 consists of 25 lots. This request modifies Phase 2 to add a total of 21 new additional lots and associated infrastructure.

Mr. Phillips stated, staff recommends approval of this request.

After some discussion, Mr. Gary Brown made a motion to approve preliminary plat submission titled "Bradford Meadows Residential Subdivision Phase 2 Lots 17-29 and 34-41," prepared by Jones & VanPatten, LLC, sheet C5 dated 12-20-2020 and the Conditions of Approval for SD-20-01 Rev 1. The motion was seconded by Mr. Jim Price and carried a unanimous vote.

**SD-21-04, 2870 Old Field Rd. Townhomes (City)** presented by Ms. Helen Roodman. The Board reviewed the request for preliminary plat approval to develop a 65 unit/lot townhouse dwelling and zero lot line dwelling subdivision.

Ms. Roodman mentioned the applicant is proposing to develop a 65 unit/lot residential townhouse and zero lot line housing subdivision on +/- 16.04-acres of land. Submitted plans show that approximately half of the parcel will be developed with 55 townhouse lots and 10 zero lot line housing lots. The townhouse structures will consist of three to four housing units. The zero lot line units will consist of two units per structure with a property line running along a shared wall so that each unit is on its own separate lot.

Ms. Roodman stated the applicant has submitted a landscaping plan that is not compliant with Article 9 Section 9.c.6 of the City of Sumter Zoning & Development Standard Ordinance and must be revised prior to a land disturbance permit approval.

Submitted plans calls for the retention of approximately 25 significant or historic trees. Staff has identified the following deficiencies that must be addressed:

1. A Type B landscaping buffer along the entire length of the eastern side of the detention pond is required to satisfy *Article 9, Section 9.c.5.* requirements.
2. A common landscaping plan providing for new plantings in the front yard of all units is required to supplement the proposed retention of significant or historic trees. A canopy tree is not required in the front yard of every lot; however, a common attractive planting plan similar to other townhouse units in the close vicinity is required to satisfy *Article 9, Section 9.c.6.d.* requirements.
3. Details on proposed subdivision entrance landscaping or a request for a waiver is required to meet *Article 9, Section 9.c.6.a* requirements. The Zoning Administrator is willing to consider a waiver to this requirement with adequate documentation from the applicant, as outlined in *Article 9, Section 9.d.6.*
4. No buffer yard landscaping is proposed along the western property line where adjacent uses are commercial and light industrial in nature. Provision of this landscaping or a request for a waiver is required to meet *Article 9, Section 9.c.6.c* requirements. The Zoning Administrator is willing to consider a waiver to this requirement with adequate documentation from the applicant, as outlined in *Article 9, Section 9.d.6.*
5. The applicant is proposing to remove 29 significant or historic trees to accommodate the project. Staff notes that the proposal as presented in this report has been scaled back from original preliminary plans in part to retain groves significant and historic trees at the rear of the property. While this plan is certainly a move in the right direction toward meeting the Tree Preservation requirements outlined in Article 9, Section 9.d.3, some mitigation for the loss of significant and historic trees on the remainder of the property is required. A landscape mitigation plan must be submitted.

Ms. Roodman stated, staff recommends approval of this request.

After some discussion, Mr. Jim Price made a motion to approve preliminary plat submission titled “2870 Oldfield Road Townhomes & Duplexes,” prepared by Michael E. Weatherly, PE, dated December 20, 2021; and the Conditions of Approval for SD-21-04. The motion was seconded by Mr. James Munford and carried a five (Crawley, Price, Ross, Brown, and Munford) in favor and

one (Harvin) in opposition of the request. The motion carried.

**SD-21-05, Wall St. Townhouses (City)** presented by Mr. Kyle Kelly. The Board reviewed the request for preliminary plat approval to develop a 53 unit/lot townhouse subdivision.

Mr. Kelly mentioned the applicant is proposing to develop a 53 unit/lot, residential townhouse subdivision on a +/- 13.93-acres of land. The property is located on Wall St. Per the applicant, the name of the subdivision will be Wall Street Townhouses.

Mr. Kelly added the purpose of the Professional Office (PO) zoning district is to accommodate offices, institutional uses and residential uses in areas whose character is neither commercial nor exclusively residential in nature. While the district's intent is to accommodate a wide degree of commercial uses, residential uses such as single-family developments and townhome developments are permitted as "conditional" uses to promote mixed use development. Conditional use approval for the townhouse use was granted on this site via CU-21-21, issued on August 3, 2021.

Mr. Kelly stated, staff recommends approval of this request.

After some discussion, Mr. Gary Brown made a motion to approve preliminary plat submission titled "*Wall Street Town Houses*," prepared by Michael E. Weatherly, PE, revised December 20, 2021; and the Conditions of Approval for SD-21-05. The motion was seconded by Mr. Jim Price and carried a unanimous vote.

**RZ-21-25, 200/202 W. Williams St. (City)** was presented by Mr. Derrick Phillips, Jr. The Board reviewed the request to rezone two +/- 0.17-acre parcel from Residential-6 (R-6) to General Residential (GR)

Mr. Phillips added the properties subject to this request are located on the south side of W. Williams St. near the intersection of Branch St. and W. William St. The 202 W. William St. property contains a site built single family dwelling unit. The 200 W. William St. property is vacant.

Mr. Phillips stated this exact rezoning request was made in 2018 under RZ-18-02 and was denied at 1<sup>st</sup> Reading after the required public hearing.

Mr. Phillips mentioned the subject site is located on the northwest side of an established area of R-6 zoning that is centered along Branch St. and bounded to the east by Lawson St. and South Sumter Park. This R-6 zoned area consists primarily of older site-built homes and site-built duplexes. Additionally, this area consists of ten vacant lots and one existing non-conforming manufactured home.

Mr. Phillips added if the property is successfully rezoned, the applicant intends to place a manufactured home on the vacant property at 200 W. Williams St. Manufactured homes are not permitted in the R-6 zoning district but are

permitted in the GR zoning district. This is the primary difference between these two zoning districts, as all other allowed uses and development standards are the same.

Mr. Cephus Gregg was present to speak on behalf of the request.

After some discussion, Mr. Gary Brown made a motion to defer the request to rezoning the +/- 0.17-acre parcel from Residential-6 (R-6) to General Residential (GR) to the February meeting. The motion was seconded by Mr. Jim Crawley and carried a unanimous vote. The motion carried.

**RZ-21-26, 4065 Country Lane (County)** was presented by Mr. Derrick Phillips, Jr. The Board reviewed the request to rezone +/- 5.62-acre tract (TMS# 159-00-02-007) from General Residential (GR) to Agricultural Conservation (AC).

Mr. Phillips stated the property is currently vacant, and the applicant has expressed interest in developing a portion of the property for a mini-warehouse development. This request is being brought forward by the applicant, in part, due to the applicant's feedback from SCDHEC on the viability of private septic for residential development on the property. Per staff's understanding, the property would not support multiple septic tanks needed to subdivide and develop the property for residential purposes.

Mr. Phillips stated changing the zoning designation from GR district to the AC zoning district is generally supported by Sumter 2040 Comprehensive Plan policies, particularly due to the property's location directly adjacent to the Military Protection Planning Area and its location within the Poinsett ECR overlay.

After some discussion, Mr. Jim Price made a motion to recommend approval to rezoning the +/- 5.62-acre from General Residential (GR) to Agricultural Conservation (AC). The motion was seconded by Mr. Jason Ross and carried a unanimous vote. The motion carried.

**OA-22-014, Gasoline and Alternative Fuel Service Stations and Truck Fueling as Conditional Uses, and Updates to Commercial Site Circulation Regulations (City)** was presented by Mr. Kyle Kelly. The Board reviewed the request to amend Article 3, Sections g, h, i, j, k, and l to permit gasoline and alternative fuel service stations, with or without convenience stores, classified under SIC Code 5541 as a Conditional Use, to amend Article 3, Section i, k, and l to permit truck stops classified under SIC Code 5541 as a Conditional Use, to amend Article 10 to include a definition for truck stops, Gasoline and alternative fuel service stations, and Gasoline and alternative fuel service stations with convenience stores, and to adopt standards under Article 8.b.4 for commercial and industrial site design.

Mr. Kelly added the City of Sumter has initiated an amendment to the City of Sumter – Zoning & Development Standards Ordinance to accomplish four objectives:

	<ol style="list-style-type: none"> <li>1. To permit gasoline and alternative fuel service stations with pumps specifically serving freight trucks as classified under SIC Code 5541 – further defined as “Truck Stops” as Conditional Uses in the GC, LI-W, and HI Zoning Districts.</li> <li>2. To permit gasoline and alternative fuel service stations with and without convenience stores as classified under SIC Code 5541 as Conditional Uses in appropriate commercial zoning districts (NC, LC, GC, CBD, LI-W and HI).</li> <li>3. To include definitions in Article 10 for Truck Stops, Gasoline and Alternative Fuel Service Stations, and Gasoline and Alternative Fuel Service Stations with Convenience Stores.</li> <li>4. To adopt additional standards under Article 8.b.4 for commercial and industrial site circulation design.</li> </ol> <p>Mr. Kelly added this ordinance amendment will allow for various forms of vehicle fueling service uses to be evaluated as conditional use in appropriate commercial districts.</p> <p>Mr. Kelly mentioned the revisions will also incorporate commercial site development standards that will improve the quality of commercial site development and will provide developers with more uniform requirements for site planning approval.</p> <p>After some discussion, Ms. Kim Harvin made a motion to recommend approval of staff’s recommendation to amend Article 3, Sections g, h, i, j, k, and l to permit gasoline and alternative fuel service stations, with or without convenience stores, classified under SIC Code 5541 as a Conditional Use, to amend Article 3, Section i, k, and l to permit truck stops classified under SIC Code 5541 as a Conditional Use, to amend Article 10 to include a definition for truck stops, Gasoline and alternative fuel service stations, and Gasoline and alternative fuel service stations with convenience stores, and to adopt standards under Article 8.b.4 for commercial and industrial site design. The motion was seconded by Mr. Jim Price and carried a unanimous vote. The motion carried.</p>
<b>ELECTION OF OFFICERS</b>	Mr. Crawley made a motion to defer Election of Officers to the next meeting on February 23, 2022. The motion was seconded by Mr. Jim Price and carried a unanimous vote.
<b>OLD BUSINESS</b>	<b>NONE</b>
<b>DIRECTOR’S REPORT</b>	<b>NONE</b>

<b>ADJOURNMENT</b>	With no further business, the meeting was adjourned at approximately 5:05 p.m. by acclamation.  The next scheduled meeting is February 23, 2022.
	Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary