

# SUMTER CITY - COUNTY PLANNING COMMISSION

## Minutes of the Meeting

February 23, 2022

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| <b>ATTENDANCE</b>                 | <p>A regular meeting of the Sumter City – County Planning Commission was held on Wednesday, February 23, 2022, in the City Council Chambers located on the Fourth Floor of the Sumter Opera House. Seven board members: Mr. Jim Crawley, Ms. Kim Harvin, Mr. Keith Ivey, Mr. James Munford, Mr. Jim Price, Mr. Michael Walker and Mr. Gary Brown – were present. Mr. Chris Sumpter and Mr. Jason Ross were absent.</p> <p>Staff members present were Ms. Helen Roodman, Mr. Kyle Kelly, Mr. Derrick Phillips, Jr., Mr. Jeff Derwort 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 January 26, 2022, meeting as written. The motion was seconded by Mr. Gary Brown and carried a unanimous vote.</p>  |
| <b>APPROVAL OF AMENDED AGENDA</b> | <p>Ms. Kim Harvin made a motion to approve the amended agenda. The motion was seconded by Mr. James Munford and carried a unanimous vote.</p>  |
| <b>NEW BUSINESS</b>               | <p><b><u>MSP-21-08 / HCPD-21-07 (Rev 1), 1128 Broad St. – Zaxby’s Site Redevelopment (City)</u></b> was presented by Mr. Kyle Kelly. The Board reviewed the request for Major Site Plan Revision Approval for Demolition and Reconstruction of Zaxby’s Restaurant.</p> <p>Mr. Kelly mentioned the applicant is requesting a revision to a previously approved Major Site Plan and Highway Corridor Protection District approval to demolish and rebuild a +/- 3,838 sq. ft. Zaxby’s Restaurant.</p> <p>Mr. Kelly added the subject site is +/- 1.7-acres in size and is located on Broad St. between Hastings Dr. and Wesmark Blvd.</p> <p>Mr. Kelly stated in the area of the site, Broad St. is a SC DOT-owned and maintained Major Arterial roadway with two travel lanes in each direction and a center two-way left turn lane.</p> <p>This project will absorb an adjacent commercial lot and reconfigure driveways on Broad Street frontage so that there are 2 accesses from Broad St., one located at each end of the site’s Broad St. frontage. The project will also</p> |

include a one-way connection onto W. Wesmark Blvd. via shared-use access easement.

Mr. Kelly stated, staff recommends approval subject to the stated Conditions of Approval outlined in Exhibit 1.

Mr. Jim Poston 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 "*Site Plan for Zaxby's Restaurant prepared for Back Forty Holdings, LLC in the City of Sumter, Sumter County, South Carolina,*" prepared by Heritage Engineering, revised February 10, 2022. The motion was seconded by Mr. Michael Walker and carried a unanimous vote. The motion carried.

**MSP-22-04/HCPD-22-04, 375 Pinewood Rd. (City)** was presented by Mr. Derrick Phillips, Jr. The Board reviewed the request for Major Site Plan Approval for a +/- 2.815 sq. ft. Drive-Thru Restaurant.

Mr. Phillips added the site consist of +/- 1.57-acres located at the corner of Pinewood Rd. and McCray's Mill Rd. A Chick-Fil-A restaurant is proposed.

Mr. Phillips stated the purpose of the GC zoning district is to accommodate the broadest possible range of commercial uses, determined principally by market conditions, while protecting the environment from potentially objectionable uses. A restaurant use is permitted "by-right" in the GC zoning district.

Mr. Phillips stated, staff recommends approval subject to the stated Conditions of Approval outlined in Exhibit 1.

Mr. Mike White was present to speak on behalf of the request.

After some discussion, Mr. Gary Brown 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 "*Proposed Chick-fil-A,*" prepared by G. Robert George and Associates, Inc., submitted on February 14, 2022, and elevation renderings titled "*Photorealistic Rendering,*" prepared by G. Robert George and Associates, Inc., submitted on February 14, 2022. The motion was seconded by Mr. Jim Price and carried a unanimous vote. The motion carried.

**RZ-22-01, 2175 N. Main St. (County)** was presented by Mr. Derrick Phillips, Jr. The Board reviewed the request to rezone +/- 1.77-acre from Neighborhood Commercial (NC) to Agricultural Conservation (AC).

Mr. Phillips stated the property is located at the intersection of N. Main St. and E. Brewington Rd. The applicant has indicated their intent is to construct a membership sports and recreation facility on the subject property, however; the current zoning designation does not permit that use.

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|                            | <p>Mr. Phillips stated the property is currently zoned Neighborhood Commercial (NC) and is adjacent to the Agricultural Conservation (AC) Zoning district to the south.</p> <p>The intent of the AC zoning district is to protect and preserve areas of the county which are presently rural or agricultural in character and use and are uniquely suited to agricultural use.</p> <p>Membership sports and recreation clubs with SIC Code 7997 are a conditional use in the AC zoning district, per the Sumter County Zoning &amp; Development Standards Ordinance. However, if the request is approved, the applicant would be permitted to develop all uses indicated for the AC zoning district.</p> <p>After some discussion, Mr. Jim Price made a motion to recommend approval to rezoning the +/- 1.77-acre from Neighborhood Commercial (NC) to Agricultural Conservation (AC). The motion was seconded by Mr. James Munford and carried a unanimous vote. The motion carried.</p>   |
| <p><b>OLD BUSINESS</b></p> | <p><b><u>RZ-21-25, 200 W. Williams St. (City)</u></b> was presented by Mr. Jeff Derwort. The Board reviewed the request to rezone +/- 0.17-acre parcel from Residential-6 (R-6) to General Residential (GR)</p> <p>Mr. Derwort stated 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 200 W. William St. property is vacant.</p> <p>Mr. Derwort added this request was deferred at the January Planning Commission meeting to allow time for the evaluation of new information presented by the applicant at the meeting. Planning staff met with the applicant to discuss this information further.</p> <p>Mr. Derwort mentioned the property was obtained by the applicant at a Sumter County Forfeited Land Commission public auction that occurred on March 7, 2016. A deed to the property was recorded in the applicant's name on November 21, 2017, at the Sumter County Register of Deeds after the required redemption period afforded to the owner in default expired.</p> <p>The property did not transfer to the applicant with a Warranty Deed when it was acquired in the 2016 tax sale. Without a warranty deed, the property is ineligible for title insurance without going through legal action to Quiet the Title. In order to construct a single-family or duplex dwelling on this parcel using conventional finance vehicles, the property will need to be eligible for title insurance. Therefore, a quiet title action would likely be required to obtain any construction financing on the property. Title issues, as well as concerns about the market viability of new unsubsidized site-built housing in this area are the reasons why the applicant is bringing this request forward for a second time. The request was originally brought forward in 2018 (RZ-18-02) but was denied by City Council on 1<sup>st</sup> Reading.</p> |

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|                                    | <p>Mr. Derwort added if the property is successfully rezoned, the applicant intends to place a manufactured home on it. 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.</p> <p>Mr. Cephus Gregg was present to speak on behalf of the request.</p> <p>After some discussion, Mr. Jim Price made a motion to recommend approval of 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. Keith Ivey and carried a unanimous vote. The motion carried.</p> |
| <p><b>ELECTION OF OFFICERS</b></p> | <p>Mr. Gary Brown nominated Mr. Jim Crawley to continue as Chairman. The nomination was seconded by Ms. Kim Harvin and carried a unanimous vote.</p> <p>Mr. Jim Crawley nominated Mr. Gary Brown to serve as Vice Chair for 2022. The nomination was seconded by Ms. Kim Harvin and carried a unanimous vote.</p>  |
| <p><b>DIRECTOR'S REPORT</b></p>    | <p>Ms. Roodman gave an update on PD-02-08 (Rev. 14). She also informed the Board of Continuing Education Training to be held in Camden on March 11, 2022. She stated several Ordinance amendments are planned over the next 12 months, since the current Ordinance was adopted in 1999.</p>  |
| <p><b>ADJOURNMENT</b></p>          | <p>With no further business, the meeting was adjourned at approximately 3:40 p.m. by acclamation.</p> <p>The next scheduled meeting is March 23, 2022.</p>   |
|                                    | <p>Respectfully submitted,<br/> <i>Kellie K. Chapman</i><br/> Kellie K. Chapman, Board Secretary</p>   |