

Minutes
Regular Meeting of the Florence County Planning Commission
Tuesday, January 25, 2022 at 6:00 p.m.
County Complex, Room 803
180 N. Irby St., Florence, South Carolina 29501

The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and lobby of the County Complex and on the information board in the lobby of the Planning and Building Inspection Departments office.

The agenda was also mailed to the media.

I. Call to Order:

Chairman Jody Lane, called the meeting to order at 6:04 p.m.

II. Attendance:

Commissioners Present: Jody Lane, Chairman
Cheryl Floyd, Vice-Chairman
Allie Brooks
Dwight Johnson
Doris Lockhart
Linda Borgman
Mark Fountain
Jeffrey M. Tanner

Commissioners Absent: Karon Epps

Staff Present: J. Shawn Brashear, Planning Director
Malloy McEachin, Esq, County Attorney
Ethan Brown, Planning Manager
Derrick Singletary, Senior Planner
Holly Smith, Secretary III
Lisa Becoat, Secretary III

Public Attendance: See sign in sheets on file with the Florence County Planning Department.

III. Review and Motion of Minutes

• **Meeting of November 23, 2021**

Motion to approve minutes – Commissioner Allie Brooks made a motion that the minutes be approved as presented. / Second – Commissioner Dwight Johnson / Unanimously approved 8 to 0 the minutes of November 23, 2021.

IV. Public Hearing

Sketch Plan:

PC#2022-01 Sketch Plan Approval Requested By West Star Development, LLC, For Wessex Phases 4, 5, and 6, Located Off Of North Ebenezer Rd., Florence, SC As Shown On Florence County Tax Map Number 00098, Block 01, Parcel 032.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence County website at: <http://www.florenceco.org/offices/planning/commission/>).

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that the property owner of record and applicant were West Star Development. He stated that the property is 48.52 acres and is unzoned. Water and sewer are available through the City Of Florence. He indicated that the developer desires to develop 124 additional lots and that traffic would have a minimal impact on the current flow of traffic. He further stated that a Technical Review Meeting was held on December 16, 2021, and all items were resolved and no comments were outstanding. The future land use designation map indicates that future land use is rural preservation, which supports single-family housing. (The sketch plan was available for the public to view, printed, and displayed on a podium.) He indicated the property was posted per county ordinance and that could be verified by the many residents that were present at the meeting.

(Mr. Brashear provided the comments and inquiries received by staff from the public. A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and/or comments from the Commission.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed sketch plan approval.

Mr. Dennis Beckley 816 Bellemeade Circle, Florence, SC was present and spoke against the proposed sketch plan. He indicated that he resided in the Kings Gate community and thanked the Commission for allowing them the time to speak and voice their concerns. He indicated that having the sign posted really helped to raise the awareness of the community and thanked the Commission that the sign regarding the proposed sketch plan was posted. He indicated that based on the proposed sketch plan that were provided on the easel at the meeting it did not show the original plans for the subdivision Kings Gate. He stated that if the Commission had reviewed the original sketch plan it would have observed that it had a lot less dense housing, which is why the streets are, designed the way they are. All the residents love their neighborhoods their Community of Wessex's and Kings Gate. There are many family walkers in the neighborhood who walk with their children. In Kings Gate, the residents walk in the streets because there are no sidewalks. The road is 24 feet wide, which is the minimum and there is parking allowed on both sides of the streets so residents walk in the streets. In Wessex's there are sidewalks but they are directly tied to the streets so there is no delineation between the streets and the sidewalk. Therefore, you end up with people parking on the sidewalk and thus residents walking in the streets there also. There are a number of young families in the neighborhood and there are many young children. With this sketch plan, the developer is putting the densest housing in the back of the property, which is counter intuitive to any type of planning. You would put the denser housing up front to minimize your traffic flow all the way to the back. With the denser housing placed in the back with the number of houses on the plan, this would

mean at least three times the amount of traffic going down each one of the streets. Most of it going down the streets in Kings Gate where there are no sidewalks with parking on both sides of the 24 foot side streets. They believe their development is one of the best ones in the County and adding additional homes would be a degradation of that especially from a public safety standpoint. Looking at it from a safety standpoint, a traffic light was just added to Ebenezer and Sumter roads because of the volumes of traffic. If additional traffic is added turning into Kings Gate and Wessex's an additional set of lights and wider roads maybe needed or will the County just wait until there are as many accidents as there was on Sumter Road, which drove placing a light at that intersection. Adding the proposed amount of housing to the subdivision is going to diminish the desirability of residents wanting to live there. Kings Gate and Wessex's deserves more than the minimal and would hate for someone to get hurt and/or injured and it fell on the line that it met minimum standards for safety. They are requesting that the proposed development be tabled until a safety study can be conducted or something that meets the National Association of Cities Traffic Officials, at a code that is a little higher than what is being discussed. Something that would enhance the standards that King's Gate and Wessex's residents deserve from a public safety standpoint.

Mr. Randy Fullington 3111 Cheshire Lane, Florence, SC was present and spoke against the proposed sketch plan. He indicated that the largest concern he had in opposition to the proposed sketch plan was that it is being presented as Wessex's 4, 5 and 6; which completely takes over a group of lots that were in the original King's Gate plat. Those votes accounted for a total number of votes for the King's Gate homeowners association for which the developer has held them hostage because most of the votes would come from the undeveloped properties. Now it appears that the developer is changing the direction of the King's Gate development to a Wessex's development; and, should therefore forfeit his vote for properties that are not associated with King's Gate any longer. He wanted to know where King's Gate ceases to expand and where Wessex's takes over the entire subdivision as the original plat was submitted to the County with an expansion of King's Gate size lots and numbers of total properties. The developer is no longer building in the neighborhood but selling off the lots. The residents of King's Gate has been under the developers thumb because of the vast numbers of empty lots that they still own. Residents understand that it is possibly a legal issue as Wessex's continues to grow and if the developer declares the subdivision Wessex then, the King's Gate HOA would be free of the developer.

Mr. Gabor A. Winkler 3106 Cheshire Lane, Florence, SC was present and spoke against the proposed sketch plan. He indicated that he had previously contacted staff and just desired information regarding the sketch plan review. He indicated he had received the requested information and wanted to register his opposition to the sketch plan for all the reasons that were previously stated. He further commented that he would like to know how it was determined that the increased traffic would have minimal impact on the current traffic flow.

In response to the question of Mr. Winkler, Mr. Brashear indicated that a simple increase in housing would cause someone to know that there would be an increase in traffic but to what degree staff would not know.

Mr. Winkler in response to staff indicated that he would take an issue with the minimal word and stated that it would be an extreme increase in traffic based on all the reasons previously stated. He further stated that it would be a mistake to gloss over the minimal impact of traffic as it pointed to a public safety issue and quality of life. He stated that whatever type of formal study that was needed to determine the impact of traffic flow should be conducted and completed.

Mr. Ivan Chernev 3113 Cheshire Lane, Florence, SC was present and spoke against the proposed sketch plan. He indicated that he has resided at his residence for seven years and purchased his home before

Wessex. There were approximately nine homes in Kings Gate when he purchased his home. Darryl Hall has defrauded the community into thinking that there are two separate subdivisions. He went to the planning department to view the plans for Kings Gate and discovered that Wessex's is actually Kings' Gate. There was no separate community Wessex when he purchased his home, he looked at the original sketch and it was a very different community. The sketch plan appears to have changed multiple times by Mr. Hall. He understands that communities can have larger homes, smaller homes, condominiums, but the present sketch plan is chaotic. There are only two entrances and with so many houses, this will make it harder for people to get in and out of the community. A community of that size should have at least three or four entrances. This has been going on for years and it is unfortunate. There is a completely new neighborhood being built directly across the street from them and, Ebenezer road will need to be four lanes at some point due to the amount of traffic. Building additional homes in their community and a new neighborhood directly across the street, and they have heard nothing or seen any planning which indicates that there will be larger roads, more entrances just better infrastructure. This is a concern.

There were questions and discussion by the Commission.

In response to questions and discussion by the Commission Mr. Brashear indicated that a traffic study is triggered when 500 units or more are being developed. He further stated that the development has not reached the 500 mark. If department of transportation would require a traffic study they are going to be concerned about the most impact that community is going to make on the road. It would not include the interior roads. Presently, there is a left in turning lane and a median on Ebenezer Road into the subdivision. Staff is unaware of a standard that requires more than a third or fourth entrance into a subdivision or community and does not have a gauge to require more. If the developer chose to add additional entrances it would be up to them but it is not a technical requirement.

Mr. Gabor Winkler indicated that he would like to clarify some information. He indicated that there is one entrance to the Kings Gate neighborhood that has a median turning lane and another entrance to the Wessex neighborhood that does not have a turning lane. This already creates a traffic issue. If the sketch plan is an extension of Wessex then technically Wessex only has one entrance.

There was discussion by the Commission.

In response to questions by the Commission Mr. Winkler indicated that since there is a median turning lane entrance to Kings Gate, two or three vehicles could be waiting to turn in at any given time once the opposing traffic subsides. The entrance to Wessex's does not have a turning lane so during the rush hour or busy hours the line of traffic can easily back up to the intersection of Ebenezer and Hoffmeyer roads. Making it a hairy situation most times. Once you get to the turning lane, it is relatively easy but it is just getting there.

Mr. Dave Maxham 1058 Wessex Drive, Florence, SC was present and spoke against the proposed sketch plan. He indicated that coming out of Wessex, there is usually a backup of traffic in the morning, evening and during the rush hours. This is because of all the traffic on Ebenezer Road and the increase of homes will not help that. Looking at the proposed sketch plan it is a little bit misleading by not showing the remainder of the development. Most of the traffic if this is built in the back of the community is going to go down and out by Wessex. It is a narrow street and people park on either side. He work's from home and as he looks out the window during the day, he can see the construction traffic and the delivery trucks already flying down Wessex and the proposed sketch plan is to double that straight away. As traffic is moving on the narrow street, they are weaving in and out of the vehicles parked on the street and/or on the sidewalk. With no additional entrances onto Ebenezer Road, this is a disaster waiting to happen.

Construction traffic is mostly going to go down Wessex's because it will be the easiest way to access the back of the neighborhood. The sketch plan shows three times as many homes to be built in the back of the community. It is going to have a very negative impact on the neighborhood when there are presently only 44 homes in Wessex. The homeowners' association issues were discussed earlier. The reason this sketch plan is Wessex 4, 5 and 6 is so the Wessex homeowners association will never be free of West Star Development until it is completely finished, that is why it is not named Kings Gate, even though most of the properties are behind Kings Gate. He further stated that he was in opposition for all the reasons stated above, the additional number of vehicles, the original plan and the pool, which is not designed to handle the number of additional homes and families.

There was questions and discussions by the Commission.

In response to questions by the Commission Mr. Maxham stated there are no walking trails in the community. There is a dirt road through the woods, which will disappear once the proposed sketch plan is currently developed. It is not a planned trail but more of a dirt construction road that some residents use.

Mr. Ivan Chernev requested to make an additional comment. He stated that when he is coming from work and attempting to turn into the Wessex subdivision, there is no turning lane. As cars are driving in excess of fifty miles an hour, he is afraid that someone will run into the back of him if they are not paying attention. With additional housing going up, he can see this being even more of a hazard.

Mrs. Julie Maxham 1058 Wessex Drive, Florence, SC was present and spoke against the proposed sketch plan. She indicated that it took over two minutes to exit Wessex due to the volume and excessive speed of traffic that moves onto Ebenezer road. Adding more vehicles out of Wessex subdivision onto Ebenezer will be no picnic. If information regarding the additional homes would have been known prior to the purchase of their property they would not have purchased in Wessex. The information that is being presented was not what was shown and/or expressed to them when they purchased their home. They anticipated additional construction but having the Wessex homeowner's association trapped and adding 125 new homes and families to the Wessex's pool and park is just not going to work. They are sure the developer was probably planning this subdivision all along, but did not provide the information upfront, thus tricking resident's into buying into the neighborhood. She indicated that it felt like a bait and switch and she is not pleased with it.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed sketch plan approval.

Mr. Greg Hendrick was present representing the developer, and spoke in favor of the proposed sketch plan approval. He thanked the Commission for their service to the community and to the committee. He thanked all the residence for their attendance at the meeting and for voicing their concerns. He indicated that he has listened to the discussion and the sketch plan is being presented to the Commission and asked it be approved as Wessex's 4, 5 and 6. He further indicated that he understood all their concerns, as he lives out in the country and everyone has seen their neighborhoods grow. He indicated that other communities have grown much faster and are most likely dealing with similar issues. He indicated that the property is unzoned, which is crucial to the discussion as there are more dense uses that would be allowable for the property if the developer chose to us them. The lots were designed to be larger, but market conditions dictated that lot lines be developed smaller. This was not some monstrous plan to bait and switch the community. The cost of materials to develop has gotten extremely high and this has caused the smaller lot lines. The cost to develop a lot is now what people use to pay for a lot. The developer

does care deeply as this is his life's work and he knows that some people would disagree. The developer also has sold some of the lots to other builders but he does intend to continue with the buildings. There has been a lot of discussion about the community pool and street parking and things like that. The developer is not required to provide amenities like that, but in this case has provided some, but that is not a consideration that is before the Commission. It is outside of the scope of what has been presented for the proposed sketch plan approval. The criteria for traffic in regards to the proposed sketch plan review has been met. Traffic on that road being busy is a community wide issue and not an issue pertaining to just this development. It would be outside of the scope of what is being presented for proposed review, as the engineer has reviewed the ordinance, staff and I have reviewed the ordinance pertaining to the approval of the proposed sketch plan and the criteria have been met. This is just an extension of what is already in place for this community.

There were questions and discussions by the Commission.

In response to questions by the Commission Mr. Hendrick indicated that the homes would be individual single-family homes on a lot. The portion of the property for the proposed sketch plan approval is unzoned. As far as green space and walking trails, the proposed sketch plan has met all the technical requirements. The proposed housing is for single-family lots, no apartments, no townhomes, which would be allowed as the parcel, is unzoned. The consideration of emergency vehicles and the impact to the area in the existing subdivision and the proposed sketch plan have been reviewed and per the county ordinance, the developer has met those requirements. The Fire Chief comes out to the development and measures the turn around and other requirements and they have been checked and met. The developer would love to sell any lots to the HOA or to a person who desires to purchase it for green space and or otherwise.

There were questions and discussions by the Commission.

In response to questions by the Commission Mr. Brashear indicated typically, if streets are 24 feet wide sidewalks are not required. Mr. Brashear explained and provided information regarding ways the community could ask and request assistance with getting the major roads around their neighbors reviewed, studied and widened. Mr. Brashear indicated that he was unaware of any proposed buffers required between the residential uses of the proposed Wessex sketch plan and the existing Vintage Place subdivision. The ordinance indicates that staff is to post the property unlike a zoning request and/or change of zoning. The ordinance does not require staff to notify the adjacent subdivisions and the proposed sketch plan did not identify any road connectors into Vintage Place.

There was discussion by the Commission.

In response to questions by the Commission, Mr. Brashear indicated without having the original plans of the Kings Gate/Wessex Subdivision he could not indicate if the proposed Wessex sketch plan of 4, 5 and 6 were included. He indicated that he was aware that the sketch plan had changed but to what degree without the original plans he could not say. The developer submits a sketch plan to the Planning Commission and if approved that sketch plan is good for two years, it can also be extended an additional year for five more years for a total of seven years. That does not mean from a planning perspective that the owner is held to that. The sketch plan can be changed but they must go through the entire approval process again to get the plan changed. The developer has met all of the technical requirements for the proposed sketch plan. On Cheshire Road an existing lot is .45 acres and the proposed lot that is planned beside it is .26 acres. That is about the average lots size where the proposed sketch plan lots will meet the existing lots. There are various additional lot sizes throughout the proposed sketch plan such as .16, .26

and others as large as .36 acres. Staff is unaware of the square footage for the proposed homes, but there is a buildable area for the homes as long as the developer meets the setbacks.

Mr. Ivan Chernev requested to make an additional comment. He stated that the way the sizes were in the beginning, the first few lots were one acre on the main street and then the developer decreased the sizes making them approximately one-half acre and the lots are getting progressively smaller and smaller.

Mrs. Julie Maxham requested to make an additional comment. She stated she wanted to comment about selling the lots for green space. One of the neighbors approached the developer about selling the lot next to him to expand his yard and it was refused to be sold to him, as the developer indicated he would make more money placing a house on the lot vice selling it. She would be surprised if the developer would be willing to sell lots for green space.

Mr. Marshall Chipley 830 Bellemeade Drive, Florence, was present and indicated that he is opposed to the approval of the proposed sketch plan. There is no delineation between Kings Gate and Wessex's with the new addition. The roads will go from Kings Gate and immediately next to it will be a Wessex home. There is nothing wrong with the houses, but there are two separate neighbor's on the same road. No delineation. Looking at the map you can see where the Kings Gate houses and the Wessex's houses start. He proposes that there is a break somewhere with a walking trail so that the roads do not connect. Wessex's traffic would go out of Wessex and King's Gate traffic would go out of Kings Gate. It would allow for recreation and keep residents off of the main roads assisting with the safety concerns and make a clear line between the two subdivisions. He further stated that he was up to a revision but is presently opposed to the approval of the proposed sketch plan.

Mr. Dennis Beckley stated that many residents like where they live and they communicate with each other. He feels a lot of others would like to live in their neighborhood. He indicated that the developer hired a lawyer to tell the Commission openly that he can do it, and because he can, then he is. Most people were raised to believe just because you can do something does not make it right. The developer whether economic conditions or not by his actions has mislead many people on the largest investment they make in their life, their home. Their home one of the most important things they decide on where they live and raise their families. He and others look at it from a safety and economic standpoint, including the safety of their families. Families walk in the streets, they drive on the streets and now you have a developer that is comfortable saying I can do it. The residents are asking the Commission, what is the right thing to do and ask that they reject the approval of the proposed sketch plan.

There were questions and discussion by the Commission.

In response to questions by the Commission Mr. Hendrick stated that he wanted to address the point regarding the sale of land for green space. Developers typically do not sell land because they would rather develop it then sell a finished home with the lot. Most developments in our area are typically sold to tract builders and cookie cutter homes put up. Most of the homes in the subdivision have been built by the owner themselves and/or other builders that they have sold to. He is unaware of any plans presently to sell a bunch of lots and think because of that they will end up with a better project. In looking at the proposed sketch plan, they are unaware of any connections to the private property of Vintage Place as that would be hard to do, even if the developer wanted to. He indicated that he would discuss with the developer about putting up some signs to delineate between the properties.

Mr. Brasher in response to the Commission indicated that the ordinance did not require signs.

There was discussion by the Commission.

There were no further questions, comments and/or discussion and Vice-Chairman Cheryl Floyd made a motion that the approval of the proposed sketch plan be approved as presented and as recommended by staff. / Second – Commissioner Mark Fountain / Chairman inquired as to a vote of who was in favor of the motion. Commissioners Cheryl Floyd and Mark Fountain were in favor. Commissioners Allie Brooks, Dwight Johnson, Doris Lockhart, Linda Borgman and Jeffrey Tanner were opposed. The motion to approve the proposed sketch plan **PC #2022-01** was disapproved by a vote of 5 to 2. The Chairman did not vote on the proposed sketch plan.

The Chairman thanked everyone for their appearance at the meeting and requested a brief recess to allow for the next item on the agenda.

The Planning Commission meeting recessed at 7:10 p.m., January 25, 2022.

The Planning Commission meeting was called back to order at 7:20 p.m., January 25, 2022.

All members that were previously present were again present at the meeting.

Map Amendment:

PC#2022-02 Map Amendment Requested By The EARTHWORKS Group, Agent For Palmetto Properties Of Conway, LLC To Amend An Existing Planned Development District Designation (19-1 Sandstone) For The Property Of Tax Map Number 00241, Block 01, Parcel 055 Located On Dunton Drive, Florence.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence County website at: <http://www.florenceco.org/offices/planning/commission/>).

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that the property owner of record and applicant were Palmetto Properties. The planned development is existing as 19-1 Sandstone. The requested amended development must come before the Planning Commission for consideration as it provides for a change in traffic circulation, green space and density. The change in traffic circulation takes away several roads, the developer is taking away green space and adding green space and the change in density adds eight additional townhome units. The developer increased the density from 8.5 units per acre to 9.0 units per acre. Present access to the property is off of Dunton Drive and Quartz Lane with minimal effect on traffic flow. The planned development is an existing planned development with a number of townhomes and the requested amended change will add eight additional new homes. Future land use designation is rural preservation and a planned development is allowed and compatible with the zoning use. A technical review meeting was held on December 16, 2021 and presently there are no outstanding concerns. The property was properly posted and adjacent property owners were notified.

(Mr. Brashear provided the comments and inquiries received by staff from the public. A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and/or comments from the Commission.

In response to questions by the Commission Mr. Brashear indicated that the residential housing that is already a part of the planned development are relatively small slab on grade, one story and vinyl patio starter type homes. The homes that are being proposed are two-story townhomes. There is also some planned retail space and a long exhaustive list of allowed retail uses that would be allowed in those retail spaces of the planned development. The developer would have to choose one of those uses or come back to the Commission for approval and consideration of any other uses.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

There was no public in attendance who desired to speak against the proposed map amendment.

Mr. Michael Cook 5030 Milan Road, Florence, was present in the meeting and requested to ask a question regarding the proposed map amendment. He wanted to know how the map amendment changes would affect the appraisals property value of the single-family homes once the development of the town homes were completed.

In response to the inquiry, Chairman Jody Lane explained that the Commission did not address property values of any types of developments as part of their recommendation and reviews.

Mrs. Ciera Cook 5030 Milan Road, Florence, was present in the meeting and requested to ask a question. She indicated that the trees in the back of their property were being cleared and the workers had to stop as their lot line extended into the area. She was concerned that the map amendment would affect the current homeowner's parcel property lines.

In response to the inquiry, Chairman Jody Lane explained that the Commission did not address lot line issues. Once a property is established, it would have to go back through surveying and the codes office to have anything changed.

Chairman Jody Lane inquired if there were any public in attendance who desired to speak in favor of the proposed map amendment.

Mr. Dan Park a representative from The Earthworks was present in the meeting and spoke in favor of the proposed map amendment. He indicated that Earthworks completed the engineering for the project and the owners requested that they re-evaluate the plan. The proposed townhomes were already part of the previously approved planned development. They wanted to re-evaluate the previously approved planned development to make it more modern. The new plan removes some of the access roads that were going across the lots. Those roads were extended through the development to provide better circulation throughout the site. Once the roads were removed, it opened up additional green space and allowed for the rearrangement of the existing townhomes giving the developer some additional lots. The previously approved plan allowed for 96 units and this amendment is at 108 units. In response to the value of the homes, the townhomes are the same townhomes that were originally planned for the development; the amendment is only changing where some of the homes will be situated. The proposed change increased green space, increased density, reduced how many water and sewer lines would be going throughout the site and just cleaned up what was already in the existing plans.

Chairman Jody Lane inquired if there were any questions and/or comments from the Commission.

In response to questions by the Commission Mr. Park indicated that the green space belongs to the entire planned development and is mainly where the deleted existing roads were and extends where it dead-ended and will continue onto the existing roads.

There were no further questions, comments and/or discussion and Commissioner Jeffrey Tanner made a motion that the proposed map amendment be approved. / Second – Commissioner Mark Fountain / The Commission approved 8 to 0 the proposed map amendment **PC #2022-02**.

PC#2022-03 Map Amendment Requested By CDP Florence, LLC To Change The Zoning Designation For A Portion Of The Property Of Tax Map Number 00074, Block 01, Parcel 148 Located On 3514 Southborough Rd., Florence From RU-1, Rural Community, To B-3, General Commercial.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence County website at: <http://www.florenceco.org/offices/planning/commission/>).

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that the owner of record was Life Worth Giving Ministries in care of Jerry Gladden and the applicant was CDP Florence, LLC. Information regarding the property indicates that the applicant has 2.39 acres of a larger parcel that they would like to be rezoned and then cut that portion of property out for future development. The parcel is zoned RU-1 and they seek to change the zoning to B-3. Current access to the property is off Southborough Road and the proposed access for the portion of land in question would be off Pine Needles Road with an entryway directly across from Stratton Drive. The anticipation of some traffic impact is likely due to the increase of nonresidential traffic into that road going into the facility, including delivery traffic coming into the area. The future land use designation for the parcel is residential preservation and rural preservation. Staff's recommendation is to deny the request as a B-3 zoning district is not conducive to the surrounding zoning and is not conducive to the future land use designation assigned to the property. Staff's opinion is that the change would be less than five acres and could be considered spot zoning. If the Commission decides to move forward and recommend approval of the request to County Council, staff would request that the motion include re-designation of the land use to commercial growth preservation. To make all aware and for information purposes, the property is currently zoned RU-1 and would allow a retail business to be located at the site today without any action by the Commission. However, the maximum size of that business could not exceed 5,000 feet and the proposed developer desires to have a business much larger than that. Rural preservation provides for rural uses including single-family homes and corresponding accessory uses, as well as, agrarian uses, typically in an undeveloped and/or agricultural setting. The current comprehensive plan use designation rural preservation would need to change if the Commission recommended approval of the zoning to B-3. The designation would need to change to a commercial growth and preservation, which would protect and sustain existing commercial areas, including property values and amenities, and provide areas along important corridors or at key community points that are expected to have increasing economic significance. The B-3 commercial zoning district is often considered the most lenient of the commercial districts and allows almost any type of uses. Mr. Brashear continued to provide information on the types of residential and businesses that would be allowed in the present zoning for RU-1. The zoning request was properly posted on the property and adjacent property owners notified. Staff received many telephone calls and concerns and some residents are in attendance at the meeting.

(Mr. Brashear provided the comments and inquiries received by staff from the public. A copy of the comments and inquiries are maintained at the Florence County Planning and Building Department.)

Chairman Jody Lane inquired if there were any questions and/or comments from the Commission.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak against the proposed map amendment.

Mr. Ron Williamson 800 Stratton Drive, Florence, SC, was present in the meeting and indicated that he was opposed to the proposed map amendment. He indicated that he believed that he was the only one that received a letter as his residence is directly across the street from the proposed site. He moved into the neighborhood in 1993 thinking that it was a country club, a nice and respected area, which it has remained until now. He indicated that he loves his neighbors and felt that a lot of them were there to support him and because of their concerns for the neighborhood. His research has shown that a Dollar General just would not fit in the neighborhood, especially directly across from his home. He does his best to keep a nice and neat residence and be respectful to all his neighbors. He visited some of the local Dollar Generals and they were a mess, cardboards, metal racks, eighteen wheelers, vans that were left in the parking lot, just an environment he wants no part of. He and others understand that it is not their property and citizens can do what they want with their property, but when what another does affects them, they feel they must speak up. They don't want the crime as a Dollar General is approximately four miles away in Timmonsville, one by Snead Middle School which is less than a mile; one in Savannah Grove which is a couple of miles away; there is one on Cashua; another one on Highway 340, Timmonsville Highway; there is another being built at the end of Timmonsville Highway which is about 4 miles away, that is enough of Dollar General's. Residents do not want the litter or the crime, they do not have it in their area and they do not desire too. He is opposed to having a Dollar General across from his residence of over thirty years.

Michael Jupiter 810 Stratton Drive, Florence, SC was present in the meeting and indicated that he was opposed to the proposed map amendment. He indicated that he has been living in the Pine Needles area for approximately 22 years. He has experienced the traffic situation up and down the road and the many configurations to change the road. The traffic configuration has been corrected so that the drive to GE from Stratton Drive is less than ten minutes as opposed to thirty minutes some time ago. Pine Needles road has been widened to Southborough and once you pass the day care and the service station, you get to a bottleneck in the road where the road is very narrow. From Mr. Williamson's front yard to across the street is less than fifty feet and his residence is next door and less than 200 feet from where the entrance to the proposed commercial property is to go. There area is rural and not a lot of police activity and if there is a response the police usually arrive within thirty-five to forty minutes. That could be an issue with crime since there is little police activity with the commercial property as it is a rural area. The area is a twenty-five mile an hour speed limit but it appears that traffic adds at least ten to 15 miles to that as they drive through. This would be a detriment to a mostly single-family residential neighborhood and it adds no redeeming value by adding a Dollar General to the area

Mr. David Milligan 3710 Pine Needles Road, Florence, SC was present in the meeting and indicated that his family moved out into Oakdale in 1973 and have seen all the growth in the area. Pine Needles is a dead end road that leads into countless residential neighborhoods. Their family has watched the growth, has welcomed the businesses on the other side of the interstate that is why the infrastructure is there and that is why the road is four lanes. When you get to the interstate it changes back into two lanes and the neighborhood does not need any commercial development on their side of the interstate. The proposed location is approximately 300 feet from his front door and he is in the middle of the block his parents' home is two doors further away; and this is encroaching on them too close. The proposed location is 735 feet from the convenience store, so it is closer to the residential homes than it would be to the church and it is just not a good fit. (Mr. Milligan provided petitions signed from over 250 people within the adjoining

residential neighborhoods that are opposed to the proposed map amendment request. The documents were provided to staff and are maintained at the Florence County Planning and Building Department.) Businesses are welcomed as many residents shop at KJ's Market and Dollar General but they are a half mile away from the area and that is as close as they desire. The business development is welcomed but on the other side of the bridge where other commercial businesses are. It just does not make sense to come in, rezone, and be the first stop. It seems that the business model is to be the first door, when residents come out of their door they want their store to be the closet to their front door, but that is not what the neighborhood desires. They are adamantly opposed to the proposed map amendment.

There were questions and comments by the Commission.

In response to questions by the Commission Mr. Milligan indicated that he had not shared the signatures with Staff prior to the meeting. He indicated that some signature sheets had not been received yet but all of the signatures were opposed to the proposed map amendment. Residents have spoken to ex-employees of other Dollar General Stores and they mentioned at least two or three times a week tractor-trailer traffic, vendors, beer trucks and other vendors visit the stores. There is a tight turn on the road and over 4,000 vehicles travel on Pine Needles road every day. They have mentioned all the Dollar General's in close proximity, if this one is approved, it will be the closest to the neighbors around them, Sally Hill, Lake Swamp, the Syracuse community over in Darlington County, and they will all hit Southborough Road. They will come into the area off White Hall Shores and other areas to get to the closest Dollar General. Therefore, they will be coming through everyone's neighborhood just to get to that store because it will now be the closest to their home. It has to stop, it is not just the Dollar General, all the businesses need to be on the other side where the commercial infrastructure already is, that was the purpose of widening Pine Needles road. The curving is there, the infrastructure is there and businesses have already started building on that side. There are approximately 250 signatures presently on the petitions opposed to the zoning change and it has the names and neighborhoods that are in proximity to the proposed lot.

Ms. Heather Ford 709 Firestone Drive, Florence, SC was present in the meeting and indicated that she is opposed to both the proposed zoning change from residential to commercial and also the choice of commercial property to be placed on the lot. She further indicated that she conducted a map search of the Dollar General's in the area and she felt Dollar General was well represented. She indicated that she located 20 Dollar General's within a ten mile radius of their location, not including the one that is presently under construction. The closest Dollar General is 1.9 miles from the proposed location. She failed to see the wisdom or the logic of why they would need one within two miles of an existing Dollar General. In addition to 20 Dollar General's, they are other designated discount stores within a ten-mile radius of their location. The ones she counted were five Family Dollars, four Dollar Tree's, Ollie's, Big Lot's, Dollar Plus, and a Tuesday Morning. She indicated this far exceeds what is already industry in the area. There are also seven CVS stores, Walgreen's and Food Lion, which totals eighteen. It would appear that Dollar General is more than represented in the area. As other's have pointed out that section of Pine Needles Road is a two lane road and the speed limit is 35 miles per hour, and per DOT 2019 traffic counts prior to COVID there were 4,700 vehicles on that road a day. She could not locate the traffic count for Stratton Drive but three quarters down the curvy road the speed limit is 25 miles per hour. The last half mile of Stratton Road is 35 miles per hour. The traffic count for South Borough was 3,900 vehicles daily. With the information of the traffic count studies, it would appear that a significant amount of business would be attracted to their area, which does not presently exist. She has visited Dollar General's before and was not impressed with the stores.

Ms. Sandra Lawson 811 Thunderbird Drive, Florence, SC was present in the meeting and indicated that her home is on the street over from Stratton Drive. She is concerned about the environmental impact this change would make in her neighborhood with the increased traffic and delivery vehicles delivering often. The impact of wetlands being paved as some homes presently beside the proposed site already sand bag their yards when it rains, this may impact the area and leave more water impacting the neighbors. There are children that play and do not need that extra exhaust in the air. Dollar General is known for having many items within their stores that are from and made in China. She has only been in the neighborhood for two and half-years but is opposed to it turning into a commercial area.

Mr. Tim Halliday 801 Stratton Drive, Florence, SC was present in the meeting and indicated that he moved from Colorado to Florence approximately two years ago. He conducted research regarding good spots to move within the area and found the area he is in to be safe and he has felt welcomed. He is thankful for what he has and enjoys being able to walk next door and across the street to talk to his neighbors. As someone new to the area and neighborhood he is opposed to the proposed change as it was not what he signed up for moving into the area.

Ms. Priscilla Damico 780 Saint Andrews Road, Florence, SC was present in the meeting and indicated her and her family have lived in the area for approximately two years and they are opposed to commercial property being built. Since they have lived in the area, they have noticed an increase in traffic and crime. Adding the Dollar General will increase that crime. The road Saint Andrews is a cut through road and with the speeds and the increased traffic it will not be safe. They moved to a rural area to be safe and live as a family and it has become anything but that. They have had their mailbox hit, the pole completely cut in half, and the person never stopped. People are erratic and speed through the neighborhood and it is just disgusting. They are just opposed to the proposed change.

Mr. Perry Powells 803 Westbury Court, Florence, SC was present in the meeting and indicated that his home is adjacent to the proposed site. He is against the proposed map amendment and has lived in the area for over twenty years. It is a safe environment where his grandchildren play and with a zoning change, it will be hard for them to be out, ride their bikes and the likes due to the increased traffic that would be anticipated in the area. He is opposed to the proposed map amendment.

Mr. Bill Gilmer 1070 Patrick Drive, Florence, SC was present in the meeting and indicated that he lives on the other end of the neighborhood and has lived there for approximately thirty years. He echo's all the other concerns that have been presented and is concerned about spot zoning. Where anyone can just willy-nilly pick a spot and say this will be something different from everything around it. It sets a bad precedence for the neighborhood.

Mr. Jay Patel the manager of the convenience store at 3513 Pine Needles Road, Florence, SC was present in the meeting and indicated that he is opposed to the proposed map amendment change. He could not understand why the developer chose the particular location vice the one across the bridge, which is already commercial zoning. He indicated that he could attest to the additional bottleneck traffic in the area, as there is a lot of traffic that visits the store. Presently, the store and gas station is grand fathered in but had it not been there and the way traffic is in that area today, it would not have been approved for zoning. Back when the store and station were built the residential houses and traffic were not there and now there is a lot of traffic flow. Even if the item is approved and the Dollar General is built, he would be concerned about how the traffic would flow in that area.

Ms. Melissa Smith 749 Saint Andrews Road, Florence, SC was present in the meeting and indicated that she agrees with everything that was said and presented. She indicated that with Saint Andrews being a cut through road there is minimal amount of foot traffic as people walk to the convenient store. As there are not adequate sidewalks in the area, it does pose a problem as people are walking along Pine Needles Road. She is concerned how the additional foot traffic would increase from the neighboring apartments and surrounding areas to get to a Dollar General. There are also two day care centers that are located in close proximity and that also presents a safety issue for the children.

Chairman Jody Lane inquired if there was any public in attendance who desired to speak in favor of the proposed map amendment.

Mr. John Curl was present at the meeting and indicated that he was representing the church in the sale of the property. He indicated that his brother is the pastor of the church and that he had a packet of history information that he would like to provide to the Commission. (A copy of the history documents were provided to the Commission and a copy to Staff. Copies of the documents will be maintained at the Florence County Planning and Building Department.) He indicated that he had worked with the previous owner of the property and when it was purchased in 1984, the entire 28-acre tract was marketed as commercial property with the contingency to sub-divide. He is the one that sold the property for the Le Petit Day Care and worked with the people that put in the dry cleaners and the convenience store. There has been other people who have expressed an interest for commercial property at the site as the property was always marketed as commercial property. The tax records for the church's 15 1/2 acres has it listed as commercial improved. When the church purchased the property, it was purchased as commercial property, believing they had some value beyond what they needed to use and if they wanted to sell off some. He was unaware as well as the church that when the overlay was conducted the zoning changed to RU-1. The church has considered some different options as other developers have wanted to purchase property on the site before. The church sold to the day care that is located on South Borough Road and a small track was sold in between what was the dry cleaners and convenience store. All of the properties mentioned are listed on the tax assessor's website as commercial property, whether commercial improved or commercial vacant. When the church considered this sale, they looked at what the property was going to be used for and they considered it a good use and a good neighbor especially since the church is not moving and is remaining in its location. When you look at the Oakdale area, there are approximately 6,400 people that live there and the petitions indicated only 250 people that is about less than 5 percent who are opposed. He is not saying that the others are for it, but it does not appear that at this point they are against it either. There has been plenty of advertisement and social media concerning the subject. The Commission needs to weigh both sides of the equation. He is there representing the seller but the buyer is also present and represented in the meeting and he would like them to also address the Commission. He indicated that he was very familiar with the property as he worked with the owner who originally purchased it in 1984 and was present when the church purchased the property in 1990, as it was all considered commercial property. He further stated that he was available to answer any questions of the Commission.

Mr. Gregg Googer the owner of Coastal Development Partners was present at the meeting and indicated that they are a preferred developer between Columbia and Charleston for Dollar General Retail. He further stated that Dollar General has requested the market as the area has a very dense residential development with very little services in the area. It is easy to approve more residential in an area, but if there is no support services for what is being built in the immediate area, that is where you end up with a lot of traffic impact because people have to leave larger residential areas to get to retail or other services. Dollar General is not a designation retailer. They are not a Walmart. Some people drive miles to get to a Walmart. You will not drive out of your way to get to a Dollar General so it will not increase traffic on

the through fares in the Community. The Dollar General will service the housing that is already in the area. They will not have to drive as far to get a quick gallon of milk or some fresh produce or some of the grocery items that have now been increased in the Dollar General Stores. He indicated that he would admit what was built thirty years ago was not the prettiest of locations and that includes some of the locations in the Florence area, which are not their new type locations. A new store in Lexington was just built and they are looking to build something with exterior upgrades, screenings for dumpster areas and increased landscaping for the buffer areas. Dollar General Stores typically can fit on about an acre or 1.4 acre of land, in this case they are requesting 2.39 acres and some of that is to be sensitive to the residential community next to it. This is to ensure that a good buffer is set up and no request for any exceptions for the property should be needed. It is also to have safe and aligned curb accesses. This has all been thought out and considered for the project. He additionally indicated that he has been involved in over four hundred Dollar General Locations across the South East and Dollar General is there to service the immediate community. Crime was mentioned and the area does not have a high crime rate and they do not feel that people are going to drive all the way to the community just to hold up the Dollar General Store. They will hold up some retail stores in their community in which they live but, it will not attract more people to the community but will be there to serve the community that does live in that area. He further stated that he was available to answer any questions the Commission may have and to provide as much detail about the development project that he and the civil engineer could provide.

There were questions and discussion by the Commission.

In response to questions by the Commission Mr. Googer indicated that the proposed building would be the new modern prototype, which is typically 10,640 square feet. There is a 12,480 foot building that are larger than the proposed one as they have just stopped building the 9,100 square foot buildings which are typically what you see throughout South Carolina at the present time. The new model widens the aisles, allows more work on displays and to bring in fresh produce so there are more healthy food items to choose. There are no 5,000 square foot models for Dollar General.

In response to questions by the Commission Mr. Brashear stated that the statute did not define an acreage for spot zoning. It does talk about smaller acreages and those not being conducive to the surrounding land use areas. The commercial property would be allowed on the parcel up to 5,000 square feet but the size of the commercial property the developer desires is presently not allowed. There is an exception to zoning which is a planned development, which would allow two acres of zoning to change but it must be a blend of uses. The Tax Assessors office is a different department and staff is unaware of how they list and classify properties. The land classification is not a reflection of zoning or the comprehensive plan usage. Staff can see how an owner would be confused when zoning is introduced to an owner the first thing they think about is taxes going up. However, zoning has little or nothing to do with taxes and/or taxation. A B-3 zoning designation allows many different types of commercial uses, there are some exceptions, but mostly any commercial use is allowed. Presently a mercantile business, retail businesses, day care, restaurant one and two family dwellings, manufactured homes, veterinary offices, any of those commercial businesses would be allowed on the parcel as it is presently zoned, but it would still be limited in the size of the business. Some businesses that would not be allowed with the current zoning are pawnshops, wholesale, car lots, nightclubs and most public administration offices.

Chairman Jody Lane inquired if there was anyone else in the meeting who desired to speak in favor or opposed to the proposed map amendment.

Mr. Ron Williamson was present and requested to make additional comments. He indicated that it was said that the community was made aware of the zoning change, but he was not aware of any request for changes until he saw the posted sign; which he thought was for a lost pet or animal. When he went over to look at the sign, he became aware of the request and that next day he received a letter informing him of the request for the proposed map amendment. He further indicated if the community had not been dealing with snow, COVID and other issues they are certain that they would have many more signatures on their petitions. The Dollar General's he has seen in the area some which are fairly new are just an eye sore and he does not want a Dollar General in their neighborhood.

Mr. Ethel Harrison 906 Rice Planters Lane, Florence, was present in the meeting and requested to speak against the proposed map amendment. She indicated that her family moved into the neighborhood 16 years ago because it was a rural or suburban area. She felt that most of the residents in that area were there because they want a suburban lifestyle not a city one. Residents are aware that when they make a decision to live in a rural community, they will have to drive, bike and/or walk when they want to get things like milk and other necessities. They are not looking and do not want the convenience of a Dollar General Store. A Dollar General Store is suspect as to a place you want to buy something from any way short of a .10 cents greeting card. She did not think it would bring any value to the community as far as fresh fruit as you can hardly trust most fruit at your local grocery store. The purpose of a Dollar General Store as convenience is not what the community is looking for.

Mr. David Milligan was present and made additional comments. He stated that property values had not been discussed and that is what concerns him. The 250 plus people that signed the petitions are in the immediate area of the property. Property values will go down and it will be hard to sell his parent's home or his home when that time comes. He indicated that once the Dollar General Store shows up, the houses will begin to sell but instead of selling for \$200,000.00, or \$180,000.00, it will sell for \$160,000.00 and as you cannot sell the property then it becomes rental property. Then the next person down the road, and the next, then you will have rental property on top of rental property and then absentee owners and then a different clientele going up and down the street. Presently, the residents within the community are homeowners and this is going to affect their property values. This is going to be a ripple affect even into the housing units that are presently being developed.

Mr. Gregg Googer was present and made additional comments regarding spot zoning. With his experience in other Counties of South Carolina, specifically Sumter County. Some time ago, they had on their books what was a definition of spot zoning for a parcel size. Presently, it is not required by the state and most counties do not define what that parcel size would be. They used to say the parcel had to be at least 2 acres and some rural business districts, they now define it as 1.5 acres. There was also some discussion of trying to go for all of the vacant church land that is not currently in use, but since the retail stores is only 10,000 square feet, they are only asking for the zoning that they need to do what they would like and that is the 2.39 acres. They presently have a lease and know what will go on the parcel and did not want to ask for the rezoning of the other acreage when there is no other present plan for the acreage. If they church choses to sell off more of the land in the future for something else, they would have to come back to the Commission for that request. With the parcel being in proximity to other commercial land and precedence in other counties, they do not see the request as spot zoning.

There were questions by the Commission.

In response to questions by the Commission Mr. Googer indicated that they went with the development from the churches perspective. If they had gone closer to the other B-2 properties it would have cut the churches remaining land in half, so the church requested that the developer go to the far end of the parcel.

There is not a lot of frontage left on the property, there is also an entrance for the church on Pine Needles Road but there is not much frontage room from where they would like to build and the church. The church requested the location so that they would have room for expansion if they chose to do so in the future.

Mr. Jay Patel was present and made additional comments, he indicated that developer is proposing putting the store right next to the church on its parcel. The whole commercial lot in front of or next to the KJ's Market would seem to have been a better location.

There were no further questions, comments and/or discussion and Commissioner Allie Brooks made a motion that the Commission support staff's recommendation to deny the proposed map amendment request. / Second – Vice-Chairman Cheryl Floyd / The Commission voted 8 to 0 to disapprove the proposed map amendment request **PC# 2022-03**.

Road Naming:

PC#2022-04 Request For The Naming Of Winona Way, For Florence County Industrial Park East Located Off E. Palmetto Street In Florence, SC As Shown On Florence County Tax Map Number 00306, Block 01, Parcel 042.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence County website at: <http://www.florenceco.org/offices/planning/commission/>).

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that the proposed road naming request was within an industrial park that the Commission approved at the last Planning Commission Meeting. He further indicated that there would be other roads to be named but presently this was the only one requested at the time. The County is requesting the approval of the proposed road naming which was previously reviewed and approved as a viable address by E-911 addressing. The proposed road naming Winona Way is associated with the specific community in that area.

Chairman Jody Lane inquired if there were any questions and/or comments from the Commission.

There were no inquiries and/or public in attendance for or against the proposed road naming.

There were no questions and/or comments and Vice-Chairman Cheryl Floyd made a motion that the proposed road naming request be approved. / Second – Commissioner Dwight Johnson and Commission Mark Fountain / The Commission voted 8 to 0 to approve the proposed road naming request **PC #2022-04**.

The Public Hearing was closed.

V. Other Business:

Election of Officers

Chairman Jody Lane indicated that other business was necessary and indicated that the Commission would conduct election of officers.

Mr. Brashear administered the nomination and votes for office of Chairman.

Motion – Vice-Chairman Cheryl Floyd made a motion that Jody Lane remain Chairman for the upcoming year 2022. / Second Commissioner Dwight Johnson. No other nominations were made. The vote carried 7 to 0 that Commissioner Jody Lane would remain Chairman for the upcoming year 2022. Commissioner Jody Lane did not vote.

Chairman Jody Lane administered the nomination and votes for the office of Vice-Chairman.

Motion – Commissioner Doris Lockhart made a nomination that Cheryl Floyd remain Vice-Chairman for the upcoming year 2022 / Second – Commissioner Dwight Johnson. No other nominations were made. The vote carried 7 to 0 that Cheryl Floyd would remain Vice-Chairman for the upcoming year 2022. Commissioner Cheryl Floyd did not vote.

VI. Director’s Report:

Mr. J. Shawn Brashear comments were as follows:

The summary plat and building reports were attached and presented for review.

- **Summary Plat Reports for (November, December 2021)**
- **Building Reports for (November, December 2021)**

VII. Adjournment:

There being no further questions and/or discussion Chairman Jody Lane call for a motion to adjourn the meeting.

Commissioner Allie Brooks made a motion that the meeting be adjourned / Second – Commissioner Dwight Johnson / Unanimously approved 8 to 0.

The meeting adjourned at 9:10 p.m.

Lisa M. Becoat
Secretary

Approved by:

J. Shawn Brashear
Planning Director

*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.