

**CITY OF CONWAY
PLANNING COMMISSION MEETING
THURSDAY, JUNE 9, 2022
Planning & Building Dept. Conference Room – 196 Laurel Street**

Present: Brantley Green, Danny Hardee, Gloria Robinson-Cooper, Julie Hardwick, David Sligh, Kendall Brown

Absent: Brian O’Neil, Jessica Wise, Chris Guidera

Staff: Allison Hardin, Planning Director; Anne Bessant, Planning Assistant

Others: Hannah Oskin, Ryne Hardwick, Joseph Pike

I. CALL TO ORDER

Chairman Green called the meeting to order at 5:33 p.m.

II. APPROVAL OF MINUTES

Green made a motion, seconded by Sligh to approve the April 26, 2022 minutes as written. The vote in favor was unanimous. The motion carried.

Green made a motion, seconded by Hardee to approve the May 5, 2022 minutes as written. The vote in favor was unanimous. The motion carried.

III. 540 REVIEWS

- A. Request by Horry County Schools to review the proposed Whittemore Park Middle School site on El Bethel Rd.

Hardin stated that pursuant to Section 6-29-540 of the 1994 S. C. Planning Enabling Legislation, the Planning Commission is required to review proposals for all new public facilities.

The proposed Horry County Schools – Whittemore Park Middle School is proposed to be located on El Bethel Rd, adjacent to property recently acquired by McLeod Health. The HCS property identification number is 337-00-00-0014, representing one tract of land. Previously, the Planning Commission reviewed this project as three parcels up for

annexation and rezoning in late 2021. The City Council approved both actions in December 2021, and the school district combined the lots appropriately. Site plans have been submitted to the City and are currently being reviewed by the Technical Review Committee, which consists of all departments within the city.

The Comprehensive Plan identifies this parcel as Highway Commercial (HC) on its Future Land Use Map. The parcel was zoned Institutional (IN) during the annexation. Both zoning districts allow for the use.

The 2035 Comprehensive Plan provided information that showed school enrollment has grown over time, and statistically that information has been confirmed with school growth patterns. The new Whittemore Park Middle School is proposed not only to accommodate growth in the area, but to provide a school site where traffic has space to pull off the main road and queue safely out of the general path of traffic.

The 2035 Comprehensive Plan states, in the Community Facilities element, that “As of 2018, Horry County Schools has no plans for additional schools in Conway.” This has changed, as evident by this review. The information will be included in a future Comprehensive Plan update.

Hardin also referenced the state code, Section 6-29-540, that requires local governments to review public buildings for compliance with the Comprehensive Plan.

Staff recommends approval of this request for the Whittemore Park Middle School facility.

Hardwick recused herself from this request.

Ryne Hardwick and Joseph Pike, agents for applicant were present to answer any questions.

There was no public input.

Sligh made a motion to recommend approval with being consistent with the comprehensive plan goals. Brown seconded the motion and the motion carried unanimously.

IV. LETTERS OF CREDIT

- A. Request by developers of Coastal Point West to extend and reduce the Letter of Credit issued in July 2020.

Hardin stated that the letter of credit to cover remaining infrastructure (yet to be completed and/or installed) in Phase 1 of the Coastal Point West development is set to expire on July 30, 2022. The amount of the current letter of credit is \$366,962.56 and is from Anderson Brothers Bank, letter of credit number SC7006673W. The reduced letter of credit amount is for \$121,838.33.

61 of the lots in this phase have been completed and 13 lots are either vacant or under development, and there have been new homes permitted and constructed in this development in the last six months. Staff recommends extending the letter of credit for one more year, at the requested reduced amount of \$121,838.33.

Sligh made a motion to recommend approval of this request to City Council as presented. Green seconded the motion and the motion carried unanimously.

V. UDO/CODE AMENDMENTS

- A. Proposed amendment to *Article 2, Definitions* and *Article 5, Section 5.2.8 – Residential Swimming Pools & Spas* of the Unified Development Ordinance (UDO), regarding definitions and setbacks.

Hardin stated that staff is consistently looking for ways to revise the UDO to make interpretations of our ordinances easier for the citizens of Conway as well as staff. The “Residential Swimming Pools & Spas” section of the Unified Development Ordinance is one section that is harder to convey to the public than others. An amendment to this section would enable our ordinance to be consistent with Horry County’s zoning ordinance and make the ordinance itself simpler and clearer for interpretation.

Currently, the ordinance states that “*the edge of water must be at least three and a half (3.5) feet from all required setbacks and from any buildings*”. Section 5.2-Accessory Uses & Structures states that the setbacks shall be a minimum of five (5) feet from all property lines. Therefore, the edge of water must be 3.5 feet from the 5 feet required accessory use/structure setback in order to comply. Staff feels that this ordinance could be simpler by enforcing a six (6) foot setback similar to Horry County.

Furthermore, Planning staff has consulted with the Building Department staff to ensure that the applicant is made aware of any additional requirements from the Building Department in advance.

Staff recommends consideration and approval of the amendment to cleanup and revise the requirements for Residential Swimming Pools and Spas so that the UDO simpler and clearer for anyone to interpret.

After much discussion the commission recommended the following changes:

Article 2. Definitions

Section 2.2 – Definitions

2.2.1 General Definitions

Residential Swimming Pools: A privately owned artificial area of water that may be in-ground or above-ground and is built in connection with a single-family residence, the use of which shall be confined to the family of the owner and his guests, and shall be located within the same property boundary as the family dwelling building to which it serves.

- Spa: An in-ground unit built on site as a permanent improvement to a backyard pool and provide health treatments in addition to water therapy treatments.
- Hot Tub: A prefabricated, above ground and freestanding unit that houses all the plumbing and electrical systems within the hot tub cabinet.

Article 5. Specific Use Regulations

5.2.8 Residential Swimming Pools, Hot Tubs & Spas

A swimming pool (above-ground or in-ground), hot tub or other type of spa may be constructed on in the side or rear yard of a private residence under the following conditions:

- ~~The edge of the water must be at least three and a half (3.5) feet from all required setbacks and from any buildings.~~ The edge of water in the pool and/or spa must meet a six (6) foot minimum setback from all property lines, and meet building codes for separation from buildings; provided there is a principal structure on the parcel and the pool and/or spa is not located forward of the principal structure. Pools or spas may not be placed in any existing easements.
- Fencing and/or a suitable enclosure device shall be provided, in compliance with applicable building codes. Pool enclosures or pool decks over twelve (12) inches in height must meet a six (6) foot minimum setback.
- Pool lighting shall be shielded and oriented away from adjacent properties. If individual light shielding is not provided, they shall be placed so that enclosure walls or fences direct light away from adjacent properties.
- Swimming pools not capable of holding more than twenty-four (24) inches of water are exempt from permitting procedures.

Sligh made a motion to recommend approval of this request to City Council with the amended language changes. Hardwick seconded the motion and the motion carried unanimously.

VI. COMPREHENSIVE PLAN

- A. Proposed amendments to the Future Land Use map of the Comprehensive Plan to reflect recent decisions regarding changes in land use. *Staff requests deferral.*

Hardin stated that the staff requests a deferral for this item.

Green made a motion to defer the request as presented. Sligh seconded the motion and the motion carried unanimously.

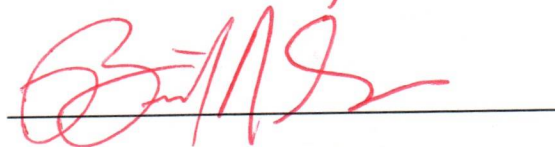
VII. PUBLIC INPUT

None

IX. ADJOURNMENT

A motion was made to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at approximately 6:09 pm.

Approved and signed this 14 day of July, 2022.



Brantley Green, Chairman