

**MINUTES
CITY OF GOOSE CREEK
PLANNING COMMISSION
TUESDAY, August 6, 2019, 6:30 P.M.
GOOSE CREEK MUNICIPAL CENTER
519 N. GOOSE CREEK BLVD.**

I. Call to Order – Chairman Josh Johnson

Action: Chairman Johnson called the meeting to order at 6:30 p.m.
Present: Heather Byrd, John Starzyk; Jeffrey Smith; Josh Johnson;
Gary Berenyi; Judie Edwards
Absent: Paul Connerty
Staff Present: Planning Director Mark Brodeur; Planning and Zoning Technician
Brenda Moneer; Administrative Assistant Lili Ortiz-Ludlum
Council Present: Councilmember McSwain; Councilmember Harmon

II. Approval of Agenda

Motion: A motion was made to accept the agenda as presented. **Moved by**
Commissioner Edwards; **Seconded by** Commissioner Smith.
Discussion: There was none.
Vote: All voted in favor. The motion carried (6-0).

III. Review of Minutes from June 4, 2019

Chairman Johnson stated the words “Public Hearing” for section five (5) and six (6) of the June 4, 2019 minutes need to be removed as they were not public hearings.

Motion: A motion was made to approve the June 4, 2019 minutes with
corrections. **Moved by** Commissioner Smith; **Seconded by**
Commissioner Starzyk.
Discussion: There was none.
Vote: All voted in favor. The motion carried (6-0).

**IV. PUBLIC HEARING – REQUEST REM OF PARCEL IDENTIFIED AS TMS#234-00-00-001 FROM
THE PLANNED DEVELOPMENT (PD) OF WOODLAND LAKES, AND REZONE THE PARCEL TO
GENERAL COMMERCIAL (GC).**

Chairman Johnson opened the public hearing. Mr. Brodeur presented the staff report. He stated the property is identified as TMS # 234-00-00-001 (14.53 acres) and is part of the Planned Development (PD) known as Woodland Lakes.

He stated the entire PD property was re-zoned from Area-Wide Business AB (which no longer exists) to Planned Development Residential PD-R (which no longer exists) in 1985. In 1990, City

Council further approved the regulations for this specific PD. He stated this was done as part of the planning for the City Hall complex.

Mr. Brodeur stated at that time; City Council approved a list of uses prohibited in the Woodland Lakes PD and presented the restrictions:

- Multi-Family Dwellings and/or Apartments
- Heavy Machinery
- Truck Sales
- Service and Repair
- Radio Television Station or Studio
- Warehousing or Mini Warehousing (aka storage)
- Transportation Terminals
- Clubs/Bars Allowing on Premises Alcohol Consumption

Mr. Brodeur stated that removing this property from a PD constitutes a major modification to the PD plan and map. He stated this necessitates a review by the Planning Commission, a public hearing by the Planning Commission, and a recommendation to City Council. If City Council honors the request for the zone change, it is important to ensure the new zoning designation is consistent with the Comprehensive Plan. He stated the proposed zoning of General Commercial (GC) is consistent with the Goose Creek Comprehensive Plan.

Mr. Brodeur stated at this time no development is proposed. He stated this is only a request to change the zoning on this parcel. He stated the applicant has an adjacent parcel that is not in the PD and is zoned GC. The applicant would like to have both parcels zoned the same.

Mr. Brodeur advised that multi-family is permitted in a GC zone but only with a conditional use permit (CUP). He stated a CUP requires that the applicant appears before the Zoning Board of Appeals (ZBA) and would be required to meet seventeen (17) distinct conditions.

Mr. Brodeur stated City staff's recommendation is to support the change from PD to GC. He also presented an alternative recommendation to rezone the property to Restricted Commercial as some of the uses allowed in GC may not blend well with the nearby residential character of Woodland Lakes.

The applicant, Mr. Jim Dorn, spoke on behalf of the Hipp family that owns GPH, LLC. He is requesting that a parcel is removed from the Woodland Lakes Planned Development. He stated the PD was first proposed in February of 1987, at that time a large portion of Highway 52 frontage was planned as a commercial area and large shopping area. The parcel in question was part of that commercial development. However, in July of 1989 the City bought a significant portion of this property. The City subsequently rezoned its property to Conservation Open Space (CO) leaving TMS 234-00-00-001 as the only parcel left in the PD as commercial, with no Planned Development. Mr. Dorn is requesting that the parcel be removed from PD and rezoned GC in order to market the property appropriately and thanked the Planning Commission and City Staff for reviewing this request.

Nobody from the Public spoke in favor of the request.

Ms. Fran Wilbanks of Woodland Lakes shared her opposition for this rezoning due to traffic and safety concerns.

Mr. Sam Shifflett of Woodland Lakes shared his opposition for this rezoning due to increase traffic and the possibility of apartments. He stated he feels this will decrease property values in Woodland Lakes. He stated if the PD status needs to change, it should be changed to restrictive commercial.

Ms. Jessica Chowning of Woodland Lakes shared her opposition due to the possibility of apartments, increased traffic and the destruction of nature that fronts Woodland Lakes.

Mr. Dorn answered questions from the commission. Chairman Johnson inquired as to the benefit of changing the zoning from PD to GC. Mr. Dorn stated he is having problems selling this property due to the restrictions. Commissioner Berenyi inquired as to the original plan for the PD. Mr. Dorn stated Mr. Hipp Sr. bought this property in the 70's; at that time, it was zoned for 106 townhomes, 201 mobile homes and storage facilities. Mr. Berenyi inquired if the intent to rezone this property is to make it marketable. Mr. Dorn stated yes. Commissioner Starzyk inquired as to the type of strategy he plans to use with developers. Mr. Dorn stated he has employed Palmetto Commercial properties to help sell the property.

Chairman Johnson closed the public hearing for discussion between commissioners and City staff. Mr. Brodeur wanted to share that the applicant owns two (2) parcels; one is outside the PD and is zoned GC and the other is in the PD and zoned PD. He stated that marketing two properties that are next to each other with different zonings is a challenge. Mr. Brodeur presented maps that showed that the parcel in question was never included as part of the Woodland Lakes commercial conglomeration. He stated he wants this information to be on record. He stated there is reason to question as to whether or not this was in the PD because the applicant would have known.

Chairman Johnson inquired if the Commission would like to act.

Motion: A motion was made to rezone parcel 234-00-00-001 to Restrictive Commercial. **Moved by** Commissioner Smith; **Seconded by** Commissioner Byrd.

Discussion: Commissioner Berenyi stated he does not see the purpose to rezone this parcel to Restrictive Commercial. He stated he does not see that Restrictive Commercial is in support of the original PD intent. Chairman Johnson stated he still has the same leading question; what benefit does changing the zoning have to the City and its residents. He stated he thinks commercial is right, but the restrictions in the PD covers the issues we would have. Commissioner Edwards inquired if it is left in the PD, can it still be sold as commercial property. Chairman Johnson stated it could be developed in accordance with the Plan Development Agreement which includes the restrictions on the property, which is the issue for the property owner. Commissioner Berenyi stated the PD will outline buffers and other elements of the development in support of the residential community. Commissioner Byrd stated the PD is no longer applicable as it was zoned in 1987 when

this was a major military installation. She stated the original intent, from Mr. Dorn's testimony, was massive amounts of housing and storage that met the needs of the community at that time, however the community and landscape has changed, thus the need for the change.

Roll Call Vote: Commissioner Byrd voted in favor; Commissioner Starzyk opposed; Commissioner Smith voted in favor; Chairman Johnson opposed; Commissioner Berenyi opposed; Commissioner Edwards opposed. The motion did not pass (2-4).

Chairman Johnson stated this vote is only a recommendation to City Council and is not a final determination. Commissioner Berenyi stated the Commission did not vote to deny the application of General Commercial as that was the request. He inquired if a separate vote needed to take place. Mr. Brodeur stated a separate motion would be in order.

Motion: A motion was made to deny the request to rezone parcel 234-00-00-001 to General Commercial. **Moved by** Commissioner Berenyi; **Seconded by** Commissioner Edwards.

Discussion: Commissioner Byrd inquired as to how this is any different from the PD. Chairman Johnson stated if the parcel is given a zone then it obtains certain uses by right. He stated there are certain uses in a zone that are conditional uses which would have to be approved by the Zoning Board of Appeals. Chairman Johnson stated the motion on the floor is to keep the zoning as PD.

Roll Call Vote: Commissioner Byrd abstained; Commissioner Starzyk voted in favor; Commissioner Smith voted in favor; Chairman Johnson voted in favor; Commissioner Berenyi voted in favor; Commissioner Edwards voted in favor . The motion carried (5-0).

V. STREET NAMING – LIBERTY VILLAGE 6A & 6B: HAWTHORNE LANDING DRIVE, MONCRIEF LANE, CHAPMAN STREET, PATTERSON AVENUE.

Chairman Johnson inquired if staff could brief the Commission on this item. Mrs. Moneer stated the developer of phases 6A and 6B has requested the street names of Hawthorne Landing Drive; Moncrief Lane, Chapman Street and Patterson Ave. She presented a drawing showing where the proposed streets would be located. Hawthorne Landing Drive and Patterson Avenue are their first choices.

Motion: A motion was made to approve the street names. **Moved by** Commissioner Edwards; **Seconded by** Commissioner Berenyi.

Discussion: Chairman Johnson stated he is always skeptical of given the extra names as free use without seeing how it lays out.

Vote: All voted in favor. The motion carried (6-0).

VI. DISCUSSION - ANNEXATION AND ZONING PROCESS.

Mr. Brodeur stated City Council has charged him to discuss with the Commission the City’s annexation and zoning processes. He stated under the current annexation process; parcels are brought into the City with the zoning of Conservation Open Space (CO). He stated the applicant for annexation would probably be coming into the City seeking a higher use and presented an alternative. He stated during the application process; the applicant would also need to provide a zone change request. All members of the Commission agreed. Chairman Johnson inquired if the annexation and zoning request would be presented at one time. Mr. Brodeur stated it would be heard as a concurrent application.

VII. DISCUSSION – MULTIFAMILY CONDITIONAL USE PERMIT PROCESS

Mr. Brodeur stated this would modify the duties of the zoning board of appeals (ZBA) to relinquish the issuance of Multi Family Conditional Use Permits (CUP) and to move that specific duty to City Council. Mr. Brodeur explained the process for a CUP. He stated City Council is directly responsible to the residents of the City of Goose Creek and as elected officials they have been entrusted with the care and vision of this community. He shared a second idea as an alternative to moving this duty to City Council. He stated we could conduct a workshop where we sit around a map and decided where Multi-Family use can occur in the City. Chairman Johnson inquired if other municipalities have designated zones for multi-family developments. Mr. Brodeur stated most communities do designate land for multi-family use. Commissioner Berenyi stated its different in Goose Creek because parcels in the city have already been zoned and communities are already built. Mr. Brodeur stated the idea would be to take Commercial property and rezone it to R3. The Commission was in agreement to keep the duties of Multifamily CUP with the ZBA.

VIII. Comments from the Commission

Commissioner Edwards inquired as to when the Comprehensive Plan will be updated. Mr. Brodeur stated the cost to update the plan is expensive and money has just been placed in the budget.

IX. Comments from Staff

Mr. Brodeur stated he provided a short staff report in tonight’s packet and inquired if a one (1) to two (2) page will suffice for further packets. The Commission agreed and requested that City staff remove the recommendation letter in future packet.

X. Adjournment

Commissioner Smith made a motion to adjourn, Commissioner Starzyk seconded. All voted in favor (6-0). The meeting adjourned at approximately 7:46pm.

Mr. Josh Johnson, Chairman

Date: _____