

**MINUTES
CITY OF GOOSE CREEK
PLANNING COMMISSION
TUESDAY, JANUARY 5, 2016, 6:30 P.M.
GOOSE CREEK MUNICIPAL CENTER
519 N. GOOSE CREEK BLVD.**

I. Call to Order – Chairman Allen Wall

Chairman Wall called the meeting to order at 6:34 p.m.

Present: Paul Connerty (6:37), Connie Myers, Jeffrey Smith, Allen Wall, Barry Washington, Darrell Williams

Absent: none

Staff Present: Sarah Hanson

II. Approval of Agenda

Motion: Mr. Smith made a motion to accept the Agenda as posted with the omission of item VII. Mr. Williams seconded.

Discussion: There was none.

Vote: 5-0 voted in favor.

III. Review of Minutes from December 1, 2015

Motion: Mr. Williams made a motion to accept the minutes as written. Mr. Smith seconded.

Discussion: There was none.

Vote: 6-0 voted in favor.

Chairman Wall explained the rules for a public hearing from section 151.008 of the City zoning ordinance, and outlined the procedures for each public hearing.

IV. Public Hearing – Rezoning Request for 505 Old Moncks Corner Road; Request to Rezone from Planned Development (PD) to Residential Low Density (R1)

Chairman Wall opened the discussion to Staff. Ms. Hanson requested the applicants come forward. She introduced Mr. and Mrs. Pyatt, the property owners, and explained the property consists of two parcels. She described the properties as a 1.27 acre parcel with recent construction of a residential home fronting Old Moncks Corner Road; and an undeveloped parcel of five acres behind the owner's home. Ms. Hanson added the property is currently zoned Planned Development and the owners are wishing to rezone to Residential Low Density (R1). Staff added

the current use supports the R1 zoning and is more consistent with the surrounding area. Chairman Wall invited the applicants to speak on behalf of the request. Ms. Pyatt stated the request was to have it zoned R1 since the recent construction of their home. Chairman Wall invited the public to speak for or against the request. No one spoke for or against the request. Chairman Wall requested Staff's opinion of the request. Ms. Hanson stated Staff was in full support of the applicant's request for the rezoning to Residential Low Density (R1).

Chairman Wall closed the public hearing. Chairman Wall inquired about the current zoning of Planned Development. Staff stated the property is in close proximity to the municipal complex, and was most likely a part of the zoning classification of that property and surrounding properties at that time.

Motion: Mr. Connerty made a motion to approve the rezoning request for 505 Old Moncks Corner Road from Planned Development (PD) to Residential Low Density (R1). Mr. Washington seconded.

Discussion: There was none.

Vote: 6-0 voted in favor.

V. Public Hearing – Zoning Request for Mackey Tract; Property identified as TMS# 222-00-00-006; Request to Zone to High Density Residential (R3)

Chairman Wall opened the public hearing, described the location, and opened the discussion to Staff. Ms. Hanson stated the applicant is a representative for the Mackey Estate from Seamon Whiteside. She added the Mackey property is located off of Old Summerville Road and is adjacent to the Carnes Crossroads property. Staff mentioned City Council has had one reading for the annexation of the property into the City boundaries, with the second reading to be heard at the upcoming City Council meeting on January 12, 2016. Ms. Hanson noted the applicant is requesting that the Commission consider the zoning request so that the Commission's recommendation may be forwarded to City Council at City Councils next meeting. She added that the applicant is requesting the property be zoned High Density Residential (R3) and plans to develop the property as a single family residential community. Staff also noted the applicant is bringing a development agreement to the Commission for review. Ms. Hanson stated the proposed lot sizes for the community as determined by the proposed development agreement are equal to or smaller than those required by the City's R3 zoning as stated in the zoning ordinance. Staff added the R3 zoning is the most compatible zoning per the City zoning ordinance requirements. Ms. Hanson described the surrounding properties to be randomly developed and outside the City boundaries, therefore making the compatibility irrelevant. The adjacent Carnes Crossroads property is also zoned R3 and will be developed as single family homes under the guidelines of their development agreement. Staff also stated that if the development was not developed once the property is annexed into the City, the R3 zoning would allow by right high density single family residential use as well as duplex homes, private care nursing home facilities, preschools, and recreational facilities.

Chairman Wall inquired if the applicant wished to comment on behalf of the request. Mr. Kurt Sandness, of Seamon Whiteside, introduced himself along with Mr. Chris Ackerman, the Project Engineer. Chairman Wall requested all questions for the development agreement wait until after

the zoning discussion has been completed. Chairman Wall inquired if there were any questions in regards to the zoning. Mr. Jerry Glass, a resident of Goose Creek, mentioned concerns about the project and how it will affect surrounding properties. Mr. Earl Mackey, part owner of the property, stated the reasons for selling the property. There was discussion about the location of Mr. Mackey's property in regards to the property being requested to be zoned R3 known as the "Mackey Tract". Chairperson Wall inquired if anyone wished to speak again the request. A resident within close proximity of the tract stated concerns for traffic congestion in that area and what type of development could be developed in that location with an R3 zoning. Mr. Sandness stated, as per the proposed development agreement, they are proposing to build 85 single family detached homes. He added the development agreement would designate all other proposed projects as conditional, with the requirement to come back to the Board for approval. Chairperson Wall inquired if the development of the 85 properties included the wetlands on the property that had not yet been officially determined. Mr. Sandness stated the northwest portion of the land still has some unresolved wetlands issues and has not been determined. Chairperson Wall inquired if that included the twenty-nine acres. Mr. Sandness stated no. There was a brief discussion about what type of product would be built. Mr. Sandness stated it would be single family. There was some discussion about the lot sizes, to be addressed in the development agreement.

Chairman Wall inquired to Staff in regards to their recommendation. Ms. Hanson stated this particular hearing was being held as a recommendation to City Council, so Council would consider it following any annexation. She added the importance of consideration for the uses by right in conditional uses if the development was not developed as intended. Staff also mentioned the proposed community would consist of heavy street buffering, and landscaping which would greatly improve the aesthetic portion along Old Summerville Road. Staff stated full support for the R3 zoning for this particular property.

Chairman Wall closed the public hearing.

Chairman Wall inquired to the developer if the house designs were similar. Mr. Sandness stated there would be a mix of product throughout the neighborhood, and the architectural design concept is included in the development agreement to go through planning staff. Ms. Meyers inquired if the properties in the green and yellow were the only City properties. Staff stated that is correct. Ms. Meyers inquired if the green is currently zoned R3. Staff stated yes. Ms. Meyers inquired if this proposed property would then match Carnes Crossroads. Staff confirmed it would. Ms. Meyers inquired if Staff knew what zonings were in between. Ms. Hanson stated it consists of a mix of single family residential, some on large lots with some on small lots. She noted the cement plant located east of the proposed development, modular home sites and other mixed uses along Old Summerville Road. There was discussion in regards to surrounding properties currently within the City boundaries of Goose Creek.

Motion: Mr. Williams made a motion to approve the recommendation of the rezoning of the property identified as TMS#222-00-00-006 known as the Mackey Tract. Mr. Connerty seconded.

Discussion: There was none.

Vote: 6-0 voted in favor.

VI. Public Hearing – Proposed Mackey Tract Development Agreement; Property identified as TMS#222-00-00-006.

Chairman Wall opened the public hearing, and opened the discussion to Staff. Ms. Hanson stated the applicant, Seamon Whiteside, is the representative for the Mackey estate. She added that City Council has held one reading for the annexation of the property into the City Boundaries, with the second reading being heard Tuesday, January 12th, 2016. Staff stated the applicant is requesting the Commission approve a proposed development agreement for the property. Ms. Hanson mentioned if the Commission chooses to approve the proposed development agreement, the recommendation would then be forwarded to City Council at the next meeting on January 12th. She outlined the process from the Commission to Council and cited reasons for a development agreement between the City and the developer. Ms. Hanson highlighted the specifics and the concessions of the proposed development agreement, stating it included the City's updated open space requirements, land use buffers, and landscaping requirements. She added the approved uses, per the agreement, would be single family residential, and/or multi-family residential with a conditional use permit. Staff stated the intent of the development is for single family residential development, and the agreement would allow, if granted, a conditional use permit by the City's Zoning Board of Appeals to change the use to multi-family. She added that multi-family is not the intent of the development. The agreement reduces the minimum width of interior roads to 22 feet from the City's required 24 feet, and allows for 80 percent of the residential lots to be a minimum of 5,500 square feet in size, and 20 percent of the lots to be a minimum of 6,000 square feet. She referenced R3 zoning under the current City ordinance requires a minimum of 6,500 square feet. The agreement allows the proposed lot widths to be reduced for 80 percent of the lots from a required 60 feet to 55 feet, with smaller side setbacks allowing six feet on each side rather than seven and a half feet. Staff also stated the agreement allows for a 40 foot height restriction rather than the current ordinance requirement of 35 feet. Ms. Hanson mentioned it is not uncommon in current residential developments for these lot sizes to be used, and it is typically determined by the product the developer intends to use. She mentioned the City's minimum 6,500 square foot lot size for R3 is not the normal size used for developments of this type.

Chairman Wall inquired if the developer wanted to address the subject. They did not. Chairperson Wall inquired if anyone wanted to speak for the subject. There was none. Chairperson Wall inquired if anyone wished to speak against the subject. Mr. Glass inquired if the Development Agreement was providing for allowances other than the current City zoning ordinance. Staff stated yes, and added a development agreement provides a separate zoning ordinance for that community. There was a brief discussion in regards to the R3 zoning guidelines and the advantages of a development agreement. Staff stated typically development agreements are created so that it can be a planned, cohesive community within the City such as other communities that have had development agreements within the last ten to fifteen years. Ms. Hanson added that typically developments are now developed with agreements because it protects all parties, with vested rights and investments of the infrastructure. Mr. Glass inquired about the term expiration. Ms. Hanson stated that at the end of the term, which is set according to state statutes, it can be extended and revised if the development is not complete. Chairman Wall inquired if anyone else wished to speak against the subject. A resident inquired about the preservation of the development of the wetlands. Ms. Hanson stated the determination of wetlands is determined by the Army Corp of Engineers, and the developer is currently proposing

to build around the wetlands. Mr. Glass inquired about buffering between the existing properties. Mr. Sandness addressed the buffer proposed on the site plan, the open space and an amenity center, and trails within the project. Ms. Hanson stated the developer has exceeded the requirements of the zoning ordinance for open space and buffers. Chairman Wall inquired if there were any other comments in regards to the subject. There were none. Chairman Wall inquired if the City had any recommendations. Ms. Hanson stated Staff recommends approval of the development agreement.

Chairman Wall closed the public hearing. Ms. Myers inquired to the similarities with this development and the Carnes Crossroads development. Staff stated the concessions for Carnes are much greater than this proposed development agreement. There was discussion about requirements for the widths of the streets. Mr. Williams inquired if the ingress and egress would be accessed strictly from Old Summerville Road. Staff stated it would. There was discussion about the possible future connections for egress and ingress with the Carnes Crossroads development. Mr. Sandness stated the determination of the location of wetlands would determine if they would be able to access the Carnes Crossroads development. Ms. Hanson highlighted the connecting roads to Old Summerville Road. There was a detailed discussion about the height requirement, parcel sizes and front setback requirements within the proposed development agreement.

Motion: Mr. Connerty made a motion to approve the recommendation of the proposed development agreement for the property identified as TMS#222-00-00-006 known as the Mackey Tract. Mr. Williams seconded.

Discussion: There was none.

Vote: 6-0 voted in favor.

VII. Public Hearing – Proposed Ordinance Amendment; Section 151.082 (G)(5) - Sidewalks

Chairman Wall opened the public hearing, and opened the discussion to Staff. Staff had no additional comments. Chairman Wall mentioned the sidewalks would be within the ADA requirements in order to be accepted by Berkeley County. He mentioned adding this language would be included in the proposed ordinance amendment. Chairman Wall inquired if there was anyone that wanted to speak for the subject. There was none. Chairman Wall inquired if there was anyone that wanted to speak against the subject. There was none. It was determined that Staff supported the amendment.

Chairman Wall closed the public hearing.

Motion: Ms. Myers made a motion to approve the proposed ordinance amendment; Section 151.082 (G)(5)- Sidewalks. Mr. Washington seconded.

Discussion: There was none.

Vote: 6-0 voted in favor.

VIII. Public Hearing - Resolution for 2015 Comprehensive Plan

Chairman Wall opened the public hearing, and opened the discussion to Staff. Ms. Hanson noted there were not any additional changes made to the draft since the last Planning Commission meeting. She summarized the changes within the Plan, including updating the census information. Staff presented the Commission with the land use map, and noted the mixed use areas within the City. She inquired to the Commission if the land use map reflected the best use of property within an area of the overlay district. Mr. Williams inquired as to the definition of mixed use. Staff defined mixed use. There was a detailed discussion in regards to property specifically designated on the land use map to reflect the actual type of zoning of the properties. A resident stated concerns about the development of land that may contain wetlands and natural areas. There was discussion about the land use map designation, and recommending changes to City Council.

Ms. Hanson mentioned the public hearing would include the Commission's approval to recommend to City Council the comprehensive plan updates for 2015, including the amendment to the land use map. Chairman Wall inquired to the Commission if they wanted to amend the land use map. It was decided to amend the land use map.

Chairman Wall closed the public hearing.

Motion: Mr. Connerty made a motion to recommend the amendments to the land use map. Mr. Washington seconded.

Discussion: There was none.

Vote: 6-0 voted in favor.

Motion: Mr. Williams made a motion to accept the resolution for the 2015 comprehensive plan updates. Mr. Connerty seconded.

Discussion: There was none.

Vote: 6-0 voted in favor.

IX. Comments from the Commission

Chairman Wall inquired to Staff if the ordinance guidelines for the R3 minimum should be reviewed and amended with a parcel size of less than six thousand five hundred square feet. Staff stated it could be researched and considered. There was discussion about R3 zoning and development agreements which specifically create a cohesive product within new developments. Mr. Williams inquired about acknowledgement for Mr. Quinn's service. There was discussion about presenting Mr. Quinn with an award for service, and having a get together after a meeting for the Commission. It was decided to have the get together after the February 2nd meeting.

X. Comments from Staff

Ms. Hanson had nothing further to add.

XI. Adjournment

Mr. Smith made a motion to adjourn, and Mr. Connerty seconded. All voted in favor. The meeting adjourned at approximately 8:21 p.m.

Allen Wall, Chairman

Date: _____