



Minutes
Sumter County Council
Regular Meeting
Tuesday, July 9, 2019 -- Held at 6:00 p.m.
County Administration Building -- County Council Chambers
13 E. Canal Street, Sumter, SC

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COUNCIL MEMBERS PRESENT: James T. McCain, Chairman; James R. Byrd, Jr., Vice Chairman;

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Gary Mixon, Mary W. Blanding, Johnathan Bryan, Lorraine Dennis, Keysa Rogers, George McGregor, Deputy McLeod, and Joe Perry.

MEDIA PRESENT: *The Item* Newspaper

PUBLIC PRESENT: Approximately nine members of the public were present.

CALL TO ORDER: Chairman James T. McCain, Jr. called the Sumter County Council meeting of July 9, 2019 to order.

INVOCATION: Councilman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: All in attendance repeated the Pledge of Allegiance to the American Flag.

APPROVAL OF AGENDA: Regular Meeting Tuesday, July 9, 2019
Chairman McCain stated that he would entertain a motion to approve the agenda for the July 9, 2019, meeting of Sumter County Council.

ACTION: MOTION was made by Councilman Baten, seconded by Councilman Sumpter to approve the agenda as presented.

APPROVAL OF MINUTES: Regular Meeting Tuesday, June 25, 2019
Chairman McCain stated that he would entertain a motion to approve the minutes of June 25, 2019.

ACTION: MOTION was made by Councilman Sumpter, seconded by Vice Chairman Byrd, and unanimously carried by Council to approve the minutes of June 25, 2019, as presented.

LAND USE MATTERS AND REZONING REQUESTS:
Planned Development/Rezoning Requests

- (1) **RZ-19-08 - 828 Bethel Church Road - (County) - First Reading - A Request To Rezone A +/- 0.80 Acre Portion Of A +/-2.33 Acre Parcel From R-15 To General Commercial (GC). The Property Is Located At 828 Bethel Church Road And Is Represented By Tax Map # 223-08-01-004.**

This request is to rezone a +/- 0.8 acre portion of a 2.33 acre split zoned parcel R-15 to General Commercial (GC). Currently the property is zoned GC along the Highway US 15, South, frontage with R-15 on the western portion that fronts on Bethel Church Road.

As shown in the location map to the right, the subject property is a corner lot, at the intersection of Bethel Church Road and Highway US 15, South, near the Lakewood and Southgate Subdivisions.

The subject property currently contains two active businesses: Sportsmans Stop & Shop and Bethel Tire Services. Sportsman's Stop and Shop is a convenience store located on the northeastern corner of the property, while Bethel Tire Services is an auto service use located on the western corner of the property. The current zoning on the western portion of the property does not allow for auto service uses, but as the auto service use was established prior to the adoption of the current zoning and developmental standards, it is considered a grandfathered, nonconforming use and is allowed to continue to operate.

Below are images of both uses from Bethel Church Road.



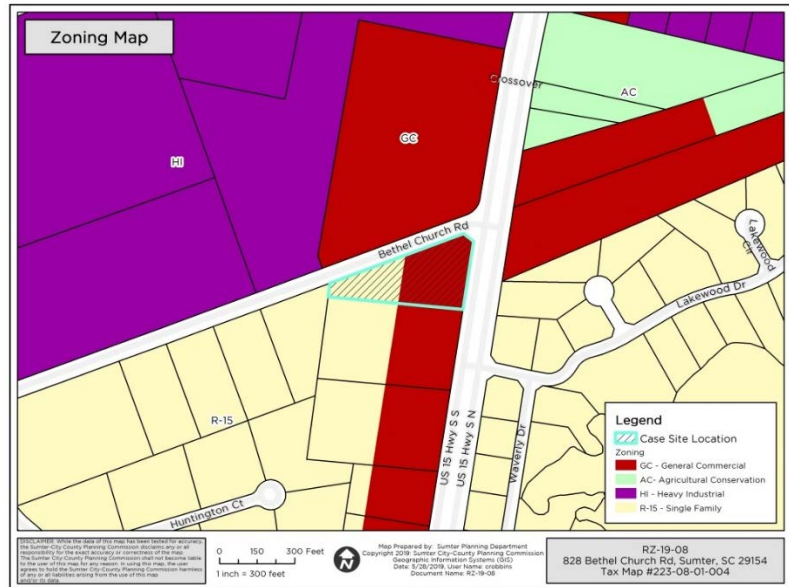
Above Left: View of Sportsmans Stop & Shop from Bethel Church Road; **Above Right:** View of Bethel Tire Services from Bethel Church Road.

The owner of the property intends to divide the land in order to separate the two uses into separate parcels. A graphic showing the applicant's proposed division is shown below. Rezoning the western portion of the property to a commercial designation is being sought prior to subdividing the land.



Zoning Designation

Mr. McGregor stated that as shown in the zoning map to the right, the subject property is split zoned between General Commercial (GC) and R-15. The subject property is also adjacent to Heavy Industrial (HI), R-15, and General Commercial (GC) zones on neighboring properties. The split zoning that occurs on the applicant's property and the other properties abutting Highway US 15, South, are a result of strip commercial zoning that occurs along the Highway US 15, South, corridor.

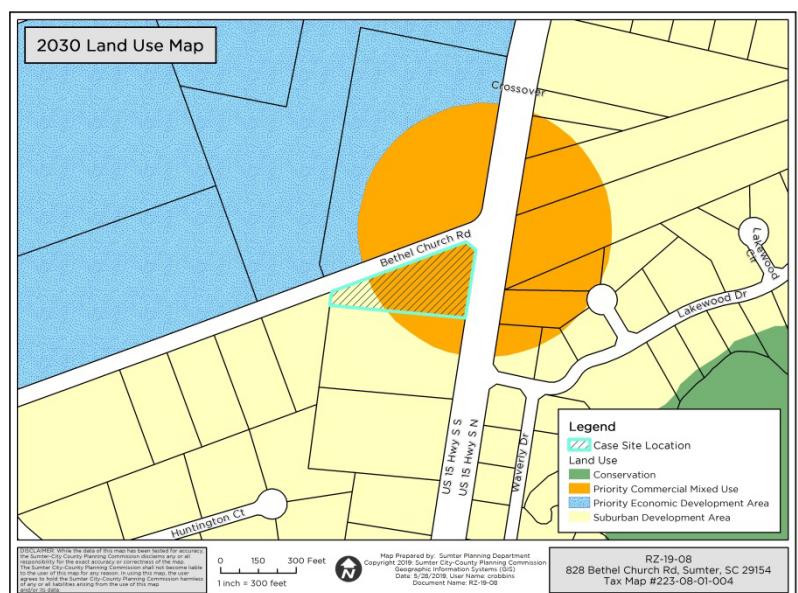


It was also stated that the R-15 zoning present on the subject property allows for medium to large lot residential development. Commercial uses are extremely limited within this district, and the Auto Service use is not permitted. The current use is considered to be grandfathered and nonconforming. Rezoning the R-15 portion of the site to General Commercial (GC) allows for a wide array of commercial uses, including the existing Auto Service.

Additionally, the subject property is also influenced by the Sumter County Highway Corridor Protection District (HCPD), a design review overlay district that influences the exterior appearance of structures and other site development requirements. Any subsequent commercial or industrial development that would occur on site would be required to comply with the corresponding design and form guidelines within the HCPD.

As shown on the 2030 Land Use Map to the right, the subject property is primarily influenced by the Priority Commercial Mixed Use area within the Sumter 2030 Comprehensive Plan. This planning area is intended to designate areas that have the potential for high-quality, commercial, and mixed-use opportunities.

Priority Commercial Mixed Use area policies call for a mix of commercial and residential uses at higher densities.



The property is also influenced by the Suburban Development Planning Area. The purpose of this area is to efficiently manage Sumter’s existing growth patterns. Suburban Development Area policies call for infill development and intentional mixing of uses in close proximity to one another.

In total, the Comprehensive Plan envisions the intersection of Bethel Church Road and Highway US 15, South, as a commercial node to serve the needs of the existing suburban development of the south and east and anticipated future larger scale industrial or commercial needs in the Priority Economic Development Area to the north. Rezoning the R-15 portion of the subject property to General Commercial (GC) is in line with the 2030 Comprehensive Plan’s policies and vision.

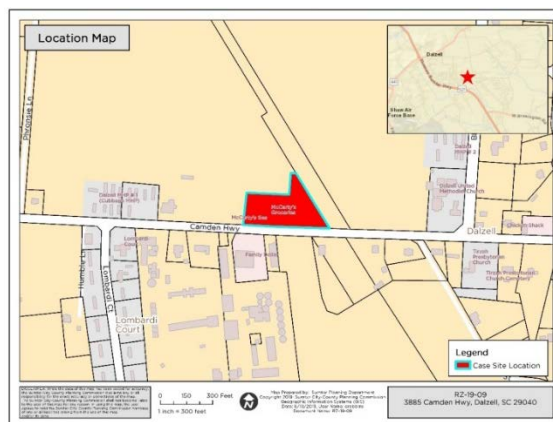
The Planning Department staff and the Planning Commission members recommended approval of the request.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Sumpter, and unanimously carried by Council to grant first reading for this rezoning request.

- (2) **RZ-19-09 -- 3909/3901/3875/3855/3885 Camden Highway -- (County) – First Reading -- A Request To Rezone Five (5) Parcels From Agricultural Conservation (AC) To Limited Commercial (LC). The Property Is Located At 3875, 3855, 3885, 3901 and 3909 Camden Highway And Is Represented By Tax Map #S 190-16-01-003, 190-16-01-004, 190-16-01-005, 190-16-01-006 & 190-16-01-007.**

The Planning Director, Mr. George McGregor, presented this rezoning request on behalf of Mr. Trotty McCarty, the property owner. This request is to rezone a +/- 2.00 acre tract comprised of five (5) parcels from Agricultural Conservation (AC) to Limited Commercial (LC). The applicant requested this rezoning in order to facilitate future commercial development on the site. Part of the site (3909 Camden Highway) is the current location of the McCarty’s Convenience Store. The rest of the site was either vacant or undeveloped.

The location map and photographs on the following page show the site of the request.



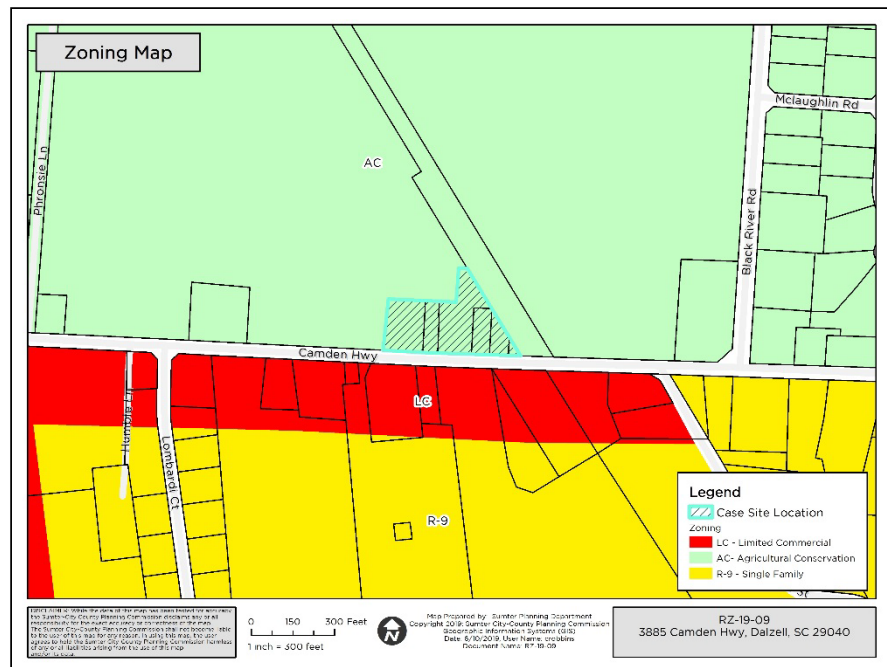
Above: The site is on the north side of Camden Highway, east of the intersection of Camden Highway, and Lombardi Court.



Above & Below: Views of the property from Camden Highway.

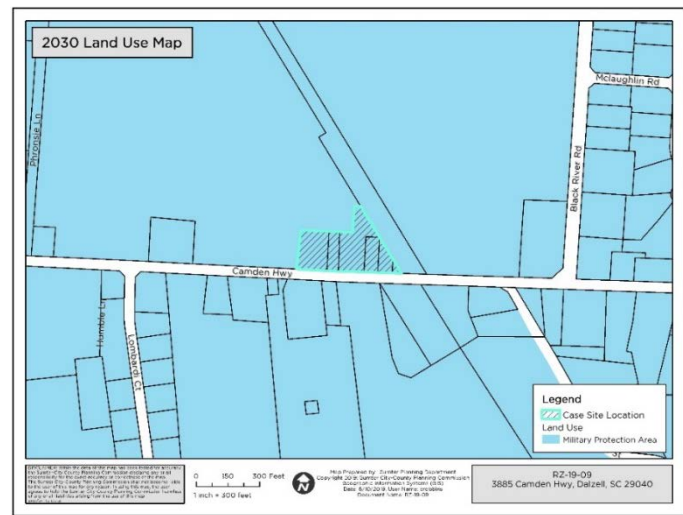


As shown in the zoning map to the right, the property is immediately adjacent to Agricultural Conservation (AC) zoning to the north, east, and west. Limited Commercial (LC) zoning is located immediately to the south, with Residential-9 (R-9) zoning slightly further south. Uses nearby the subject property include residential uses to the north, south, east, and west. Vacant undeveloped land is in the near vicinity. Also, a church and Family Dollar are south of the property.



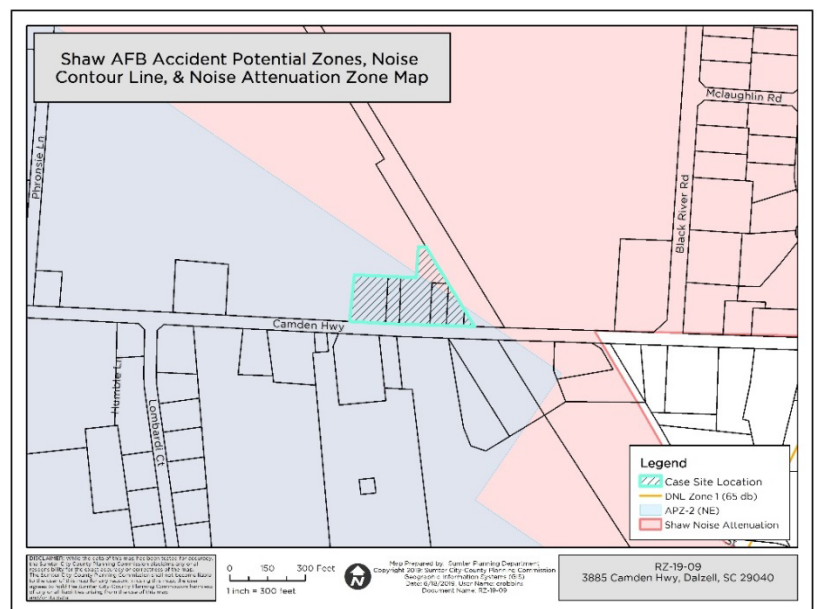
Mr. McGregor also stated that the intent of the Agricultural Conservation zoning designation is to encourage flexibility in the development of land in order to promote its appropriate use. Additionally, the AC district allows many commercial uses as conditional uses.

The proposed Limited Commercial (LC) zoning designation is intended to accommodate commercial development along major streets, while promoting land use compatibility by limiting the type and conditions of development.



Airfield Compatibility District (ACD) Overlay:

As shown in the map to the right, the majority of the site is impacted by the Accident Potential Zone (APZ) as well as the Shaw Noise Attenuation overlays. The APZ strictly limits the pattern of development as noted by the *Sumter County - Zoning and Development Standards Ordinance*. Uses compatible in the APZ are only compatible if they do not result in a large concentration of people, which is defined as a gathering of individuals in an area that would result in an average density of greater than 25 people per acre per hour during a 24 hour period, or a single event that would result in the gathering of 50 people per acre at any time. The APZ also severely limits the types of commercial uses allowed in the overlay.



As shown in the 2030 Land Use Map, the property is located within the Military Protection Planning Area (MPA). The intended purpose of this area is to protect Shaw Air Force Base from encroachment of incompatible land uses and reduce the accident and noise potential to citizens in areas adjacent to the critical military institution.

Based on the site's location within the Military Protection Planning area, the staff finds that the request to rezone the site to a Limited Commercial zoning designation is compatible with the 2030 Plan.

After all comments, the Chairman called for a motion on this proposed rezoning request as presented.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Sumpter, and unanimously carried by Council to grant first reading approval as presented.

OTHER PUBLIC HEARINGS:

- (1) None

NEW BUSINESS:

- (1) **It May Be Necessary To Hold An Executive Session To Discuss An Economic Development Matter, An Employment Matter, A Legal Briefing, Or Other Matters Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.**

No executive session was held.

OLD BUSINESS:

- (1) None

COMMITTEE REPORTS:

- (1) **Public Works Committee Meeting To Be Held At 5:40 p.m. On Tuesday, July 9, 2019, In County Council's Conference Room 13 E. Canal Street, Sumter, SC. (Baker, Baten, and Sumpter)**

The Public Works Committee Chairman, Councilman Artie Baker, gave the following report and recommendation from the Committee Meeting. He stated that the Committee reviewed a request from the Public Works Department to allow the Lewis Brothers of Currie, Inc. to repair rail tracks in Sumter, South Carolina, in which the repairs will cost approximately \$16,138. The funds will come from the County's Infrastructure Account.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to secure up to \$16,138 from the County's Infrastructure Account to fund this expense as outlined in the Committee Report.

- (2) **Technology/Personnel Committee Meeting To Be Held at 5:50 p.m. On Tuesday, July 9, 2019, In County Council's Conference Room 13 E. Canal Street, Sumpter, SC (McGhaney, Byrd, Sumpter)**

Councilman Vivian Fleming McGhaney presented the Technology/Personnel Committee report and recommendations to Council members. She stated that Assistant County Administrator, Lorraine Dennis, made a request to allow the County to approve the interaction and offering of NACO's Live

Healthy Program Affordable Health Care to the County employees and make this Health Card available to anyone in the greater Sumter Community. The Committee was reminded that County Council previously approved the issuance and use of a Prescription Discount Card through NACO. The Healthy Program Affordable Health Care will not be of any expense to the County, but will be a reduced cost to County employees or any citizen in the County that decides to use this program. Council members asked that the Community Centers, South Sumter Resource Center, and other areas throughout the County are informed of this Health Card.

ACTION: MOTION and second were received from the Committee, and unanimously carried by Council to approve Sumter County and its Employees to participate in NACO's Healthy Program Affordable Health Care program.

(3) **Report From Council Members On Other Meetings, Trainings, And/Or Conferences; And Any Other Council Comments.**

Councilman Eugene Baten reported on a meeting that was held by the Sumter Branch of the NAACP concerning matters relating to the School District and the R. E. Davis Academy. He stated that there were approximately 75 members of the community at the meeting. Items that were discussed included problems expressed by the children and parents regarding the R. E. Davis Academy. He stated that it appears the kids and parents are concerned about safety issues at the facility. The new superintendent, Penelope Martin Knox, was also present and took many notes during the meeting. She reminded the group that as of the meeting, there was approximately 40 days before school would begin, and it may be impossible to address all the concerns before the beginning of school. However, she stated that she will prioritize the concerns and make those changes first, if possible. Dr. Martin also said that she will appoint a Panel that will work with the School Board to address issues and concerns. Councilman Baten stated that the meeting was very productive.

Councilman Baker asked where the Alternative School would be located, and it was stated that it will still be at Brewington Academy.

Councilman McGhaney stated that she also attended the meeting; however, she was asked to attend as a member of Sumter County Council.

Councilman Baten stated that although he is a Board member with the Sumter Branch of the NAACP, he was asked to attend as a member of Sumter County Council.

MONTHLY REPORTS

- 1) One Sumter 5th Unity Prayer Breakfast
- 2) Tandem Legislative Lunch
- 3) Sumter Housing Study

Summer Youth Employment: Mrs. Keysa Rogers reported that the Summer program for Youth Employment is underway, and two students are present tonight: Maiya Lint and A'Yonna Young. She also stated that there are 38 students in the program this year.

COUNTY ADMINISTRATOR'S REPORT

None

PUBLIC COMMENT

The Chairman asked if anyone wished to speak during public comment. He asked each person to speak through the Chairman and not to make any personal comments. Each person could speak for three minutes.

- **Willa Templeton** stated that she would like for her Council District to have a Town Hall Meeting. She also would like to find the breakdown for the notification of change through the Planning Department. She wants to see the budget mailing notification, and how much money is applied each time.

ADJOURNMENT

After all discussion and comments from the public were addressed, Motion was made by Councilman Edens, seconded by Councilman Sumpter to adjourn the meeting of Sumter County Council at 6:19 p.m.

Respectfully submitted,

James T. McCain, Jr.
Chairman or Vice Chairman
Sumter County Council

Mary W. Blanding
Clerk to County Council
Sumter County Council

Approved: July 23, 2019

I certify that public and media notification of the above-mentioned meeting was given prior thereto as follows required by Freedom of Information:

Public Notified: Yes

Manner Notified: Agendas posted on bulletin board on third floor of the Administration Building.

Date Posted: July 8, 2019

Media Notified: Yes

Manner Notified: Agenda Information is listed on Sumter County's Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Time Warner Cable.

Date Notified: July 3, 2019

Respectfully submitted,
Mary W. Blanding
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