

Aiken City Council Minutes

July 29, 2002

WORKSESSION

Present: Mayor Cavanaugh, Councilmembers Cuning, Price, Smith, Sprawls, and Vaughters

Absent: Councilmember Clyburn

Others Present: Roger LeDuc, Gary Smith, Ed Evans, Bill Huggins, Sara Ridout, Charles and Larry Holley.

Mayor Cavanaugh called the meeting to order at 7 A.M. He stated Council needed to continue their study of the Comprehensive Plan for the south side.

COMPREHENSIVE PLANSouthside

Mayor Cavanaugh stated Council ended on page III-115 at the work session on July 22, 2002, and needed to start with the Chukker Creek/Hunters Glen Planning District.

Mayor Cavanaugh stated Council had discussed recreation opportunities earlier and felt the city should try to work closer with the Aiken County Public School system to use facilities which they might have, such as at Chukker Creek, where there is a playground area.

The next area was Quail Hollow/Vale Planning District. It was pointed out in the first sentence that "sprots complex" should read "sports complex."

Mayor Cavanaugh questioned the wording in 6.38. He stated the objective says to "identify and secure the rights-of-way for at least two east-west roads.." He was concerned about securing the rights-of-way. He said Council needed to study the areas carefully to determine where the roads should go before any right of way could be secured. He pointed out the city is having a study done to determine a connector between Whiskey Road and Silver Bluff, and he felt this probably should be done in this area.

Mr. LeDuc pointed out this area is not on the list for a study, and these studies are expensive.

It was suggested that the words "and secure" be deleted and, in the next to last sentence, "and obtain" should be removed.

Council again addressed the issue of PUDs inside the city, Objective 1.4. Councilwoman Vaughters stated she strongly objected to PUDs inside the city. She felt they could completely change the character of a neighborhood. It was pointed out to rezone an area would take about 4 months, but Councilwoman Vaughters stated she did not feel that was too long for something that would change a neighborhood. She said she never saw a compelling reason to weaken the ordinance to allow PUDs. She said property owners want stability in their neighborhoods, but developers wanted flexibility. She said her neighborhood had struggled to keep things stable, especially in the downtown area. She felt that if someone had a wonderful plan, that Council would be willing to work with the developer.

Councilman Cuning stated he felt the Prep School property would be a good example of a good residential PUD. He stated he was concerned about PUDs not being included in the Comprehensive Plan so they could never be allowed. He said if someone wants to rezone the property the issue would be that it would be going against the Comprehensive Plan. He said if something is not included to allow PUDs, even if someone presented a

good plan for a PUD, it would not be allowed and presently the Planning Department tells developers that PUDs are not allowed so there is no reason to present a plan.

Councilwoman Vaughters stated she did not want flexibility, but wanted stability for neighborhoods. She stated the Prep School property is not for sale now and there is no reason at this time to include PUDs in the plan.

Mayor Cavanaugh stated a PUD is a tool. It would not be designating any areas, only allowing the possibility of a PUD to happen if rules and regulations are followed.

Councilman Smith stated he had some problems with the issue. He said the first time it was discussed there was not much support for PUDs inside the city. He said the discussion was that if something came up that Council felt should be looked at, they could look at it and make a decision at that time. He felt to give approval for PUDs inside the city would be a mistake. He said he was in favor of PUDs on raw land, but to have a PUD inside the city limits would be taking an area that is already zoned and changing the zone. He said people in the area have the right to expect that zoning would not be changed unless there is a very important reason and they agree. He felt PUDs should be left out, but it could be considered if the matter came up. He was not in favor of making PUDs a right.

Councilman Cunning pointed out to allow a PUD would require a process of rezoning when the matter came up. He said, however, presently there is no need for a developer to consider a PUD because they are not allowed inside the city limits. He said he was in favor of allowing PUDs in areas already inside the city.

Much discussion followed regarding pros and cons of PUDs inside the city. There was some concern about PUDs not being in the Comprehensive Plan at all so there would be no possibility of a PUD happening. It was pointed out there is more control in PUDs, as Council can require design standards. There was some concern about keeping stability in a neighborhood and not allowing PUDs.

Mr. LeDuc stated possibly the city may want to purchase property on the north side and redevelop the area and this could possibly be done as a PUD. He said hearing both sides he felt language should be included that if PUDs are not going to be included in the Comprehensive Plan, that there be some wording that PUDs are a good tool and Council may consider in the future the use of PUDs within the city. He said this would not be saying the city would allow PUDs, but say that in the future Council may consider allowing PUDs.

Councilman Cunning stated he would consider this as a compromise and would support the reference to PUDs.

Councilwoman Price stated it is stressful to residents to have to be concerned about rezoning of areas in their neighborhood. She stated she could go along with compromise language. She was concerned about developers developing an area and then leaving, but the property owners in the area have to live with what is there. She said she was not convinced that a PUD is in the best interest of the citizens, but she would agree to compromise language.

Mr. LeDuc stated his understanding is that currently Council does not want to allow a PUD zone at this time. He said if a plan is presented now, the Planning Department would say a PUD zone is not allowable in the city limits and the plan could not be considered. He said the language he proposed is that sometime in the future PUDs possibly could be considered, and if a plan came along the Planning Department could say Council may consider it, but a zone would have to be created and there would be a process to complete.

Mayor Cavanaugh and Councilmembers Sprawls, Price and Cunning stated they could support the language proposed by Mr. LeDuc. Councilman Sprawls stated Councilwoman Clyburn had asked him to express her feelings that she was in favor of residential PUDs.

Mr. LeDuc stated the wording would be presented to Council for their review at the work session on August 12, 2002.

The next item discussed was Objective 2.2 regarding mixed use.

Councilman Cunning explained the reason for the proposed change in 2.2. He stated he and Councilmember Smith had proposed percentages to have more green space—25% and 30% respectively. He pointed out the first proposal was 400 feet of frontage along Whiskey Road that would be developed as commercial and behind that would be residential. He said that would be encouraging developers to have single family residential or multi-family behind the commercial. He felt this would be encouraging something that may not be in the best interest of land for the city. Presently 20% green space is required.

Mayor Cavanaugh was concerned about allowing all commercial along Whiskey Road. He said Council had discussed having too much commercial along Whiskey Road and encouraging residential. Then it was discussed that this was not practical, but having a mix of commercial and residential was desirable.

Councilman Cunning stated, in reading what was originally proposed, he felt that there would be strip commercial development along Whiskey Road of 410 feet and behind it would be multi-family or small cluster homes which would create more traffic and may not have much buffer from other areas. It was felt the original mixed use would create more of what people already don't like about Whiskey Road.

Councilman Smith stated with the proposed mixed use and the 410 foot strip down Whiskey Road he was concerned about the 20% green space and the buffering from adjacent developments and 40% green space for the area behind the commercial and buffers from adjacent development. He said the Planned Commercial had a lot of good things with buffers between existing neighborhoods, concept plans and design standards.

Councilman Cunning stated he felt the wording of a "minimum of 20% green space and could be more depending on the plans" should be a set amount. He did not like the idea of requiring one amount for one development and another amount for another development. He felt this would cause problems. He said the developer needs to know what he can expect to put in his plans. He said he did not want the amount of green space to depend on how many people show up at a Council meeting opposed to a development. He said he had suggested 25% green space because it is 5% more than the current requirement. Councilman Smith had suggested 30%. He said Council needed to decide what the amount will be. He was concerned about the percentage being too high and discouraging developers from developing inside the city and then developing outside the city where there is no control.

Councilman Smith stated he agreed with property rights, but to have to have the maximum density of commercial buildings on property is wrong. He stated he felt if there is better design and more open space this would reduce the amount of land physically available for commercial development, but would correspondingly increase the value of the land because there is less of it. He said he felt if there is 30% green space they would realize the same profit or more because it will be a better development and look better.

Councilman Cunning stated in 2.2 for mixed use of residential and commercial together he felt Planned Commercial is better planning.

Larry Holley stated he did not like the idea of forced mixed use on Whiskey Road because he did not think it would be something to be proud of. He said in development the numbers have to work and it has to make economic sense. He said the proposed mixed use would force commercial on the front and stack up residential development behind it, and he felt this would be a development he would not be proud of. He said he liked the flexibility allowed in the Planned Commercial, which spells out the requirements allowed. He said he did not feel that the buffer between one commercial

and another commercial necessarily needed to be as large as the buffer between commercial and a residential section. He felt if the green space is too big it will discourage development inside the city.

Mr. Charles Holley pointed out the city had just studied the Tree Ordinance and increased the green space to 20%. He said he felt 20% is a good ratio. He felt the city could always go up, but if the percentage is higher like 30% the ratio is getting high. He said he felt whatever Council decides on Whiskey Road needed to be required all over Aiken. He said if it is right for the north, east or west side it should be right for the south side. He said he felt Council could always go up if the project needs it. He asked that Council keep the green space at the present 20%.

Councilman Cunning pointed out that the proposed 25% or 30% green space is for 5 acres or above. He said below 5 acres can still be commercial development with 20% green space.

Councilman Smith pointed out green space is a misnomer. He said it really includes the area that doesn't have asphalt or a building on it. Councilman Smith asked if a survey had been done on PUDs around the country of the percentage of green space required.

Councilman Cuning asked if the city had checked with other cities in South Carolina regarding the green space required in Planned Commercial. He asked that this be done for Council's benefit to decide on the percentage of green space.

Mr. LeDuc stated he also felt there needed to be a set number for green space for everybody's benefit.

Mr. Larry Holley stated he had a problem with a required minimum. He said he was concerned with the minimum being the starting point of 25% and then possibly requiring more. He said he was okay with a required amount of 25% being set. He said if the percentage is the minimum amount he was in favor of leaving the green space at 20% because more may be required.

Discussion then centered around getting the green space where it looks best. It was pointed out in Planned Commercial the city can say where they want the green space, but not in just a commercial zone.

Councilwoman Vaughters stated that good quality development certainly increases the value of the land in the area.

Mr. Charles Holley stated he was not sure that people riding down the road could tell the difference between a 50 foot strip and a 75 foot strip green space. He felt the difference was in how they place the building on the land without having to give up a third of the land.

Council continued to discuss the present development and what they would like to see in the area in the future.

Councilman Cuning asked that the city survey other cities to see what percentage of green space they require for Planned Commercial areas. He said Council needed to decide whether the percentage would be 25% or 30%. He said he did not like a 20% minimum green space which could go up depending on each situation. He felt this left the city and Council in a very tough position. He said that percentage would depend on who shows up at the Council meeting.

After the lengthy discussion Mr. LeDuc stated in 2.2 it appeared the only question is under the bullet "increase the open space required from the current 20%." The question is 25% or 30%.

Then Council discussed the question about less than 5 acres. It was pointed out that Mr. Richard Alvanos had stated that 25% or 30% green space would be too much for an area of 5 acres or less. Mr. Alvanos had asked that the percentage remain at 20%.

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Councilman Smith asked if something could be added that Planned Commercial does apply to areas smaller than 5 acres, however the green space requirement will be 20%.

Council asked that the bullet regarding the minimum area for Planned Commercial be left in the plan and require only 20% open space. The staff will work on the wording for this.

After Council's discussion it was decided that Council would look at the staff recommendations for the wording for PUDs and 2.2 plus the other corrections which have been suggested for the Comprehensive Plan at the work session on August 12, 2002. Then the Plan would be placed on the agenda for first reading on August 26, 2002. Council then discussed holding a second and third reading with both being public hearings. It was decided to have second reading and public hearing on September 9 with third reading and public hearing on September 23, 2002.

The meeting adjourned around 9:30 A.M.


Sara B. Ridout
City Clerk