TOWN OF ATLANTIC BEACH
PLANNING COMMISSION WORKSHOP

Wednesday, August 5, 2020
4:00 p.m.

The Town of Atlantic Beach Planning Commission Workshop was held and recorded at Atlantic Beach Community Center, 1010 32nd Avenue South, Atlantic Beach, South Carolina, on the 5th day of August, 2020, and transcribed by Amanda Godfrey, Court Reporter and Notary Public in and for the State of South Carolina.
APPEARANCES

COMMISSION MEMBERS:
Derrick Stevens, Vice-Chair
Commissioner Poterressia McNeil
Timothy L. Vereen
Esco McFadden

ADMINISTRATION:
Benjamin Quattlebaum Jr., Town Manager
Cheryl Pereira, Town Clerk

GUESTS:
Mayor Jake Evans
Councilwoman Jacqueline Gore
Carol Coleman, Waccamaw Regional Council of Governments
Orton Bellamy, Ex-Chair

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Call to Order:
VICE-CHAIR STEVENS: We are calling to order the meeting of the Town of Atlantic Beach Planning Commission Workshop. I would like to take roll call. Derrick Stevens.
MR. VEREEN: Timothy Vereen.
COMMISSIONER McNEIL: Poterressia McNeil.
VICE-CHAIR STEVENS: Roll call.
MR. McFADDEN: Esco McFadden.
VICE-CHAIR STEVENS: Okay. Like to welcome everybody to the meeting for the changes in the zoning. Let's have a moment of silence.
(Moment of Silence.)
New Business:
VICE-CHAIR STEVENS: We're on Number 2, New Business, proposed land use and discussions. A is a request for outpatient treatment clinic on U.S. 17. Are we talking about that?
MR. QUATTLEBAUM: Item 2?
VICE-CHAIR STEVENS: Item 2, right?
MR. QUATTLEBAUM: Yeah.
MS. COLEMAN: The first one.
MR. QUATTLEBAUM: We're gonna start with Item 2.
VICE-CHAIR STEVENS: A?
MR. QUATTLEBAUM: No, just ---
VICE-CHAIR STEVENS: B?

MR. QUATTLEBAUM: Is that A first?

MS. COLEMAN: A -- well, B ... If you want to explain that, B is just an inquiry. There was no application taken.

MR. QUATTLEBAUM: All right. Under Item A, under Number 2 ---

VICE-CHAIR STEVENS: Okay.

MR. QUATTLEBAUM: --- I thought we were gonna discuss the amendments to the land use ordinance. We're not doing that first?

(inaudible background noise.)

MS. COLEMAN: Before A or ...

MR. QUATTLEBAUM: No, no. The amendments and modifications to the land management plan (inaudible), that's not under 2?

MS. COLEMAN: No, it didn't get on but we can -- you can add it to the agenda.

MR. QUATTLEBAUM: No problem. All right, that's what I ---

MS. COLEMAN: It's a workshop.

MR. QUATTLEBAUM: All right.

MS. COLEMAN: Okay.

MR. QUATTLEBAUM: Okay, I'll go to Item B ---

MALE SPEAKER: A ---
MALE SPEAKER: Item A. Item A.

VICE-CHAIR STEVENS: Request of what, outpatient treatment clinic on U.S. 17?

MR. QUATTLEBAUM: Right ---

VICE-CHAIR STEVENS: Okay.

MR. QUATTLEBAUM: --- let me provide an overview for the Commission as well as the public. The Town of Atlantic Beach received a proposal from a developer to build a -- what they described as a behavioral health treatment center on the corner of 31st Avenue and Highway 17. They submitted a proposal. Under the zoning ordinance currently now it is a permissible use, and they have submitted an application to build the treatment center. The proposal indicates that it will service opioid recovering addicts from the proposed hours of 6:00 a.m. to 1:00 p.m., and will shut down by appointment only. And the developer represented that the facility would operate under those conditions and only by appointment with clients that are recovering and they are working individuals. It was presented to Council on June 22nd in Executive Session with
The majority of Council rejected the proposal under advice of counsel based on the fact that it is a permissible use under highway zoning for the Town of Atlantic Beach, that to reject the proposal could mean potential litigation on the part of the developer if it's denied because it is currently now a permissible use under the zoning regulation. And Ms. Coleman is gonna walk you through and where identified within the Land Management Ordinance which was approved in December of 2019 what they're representing in terms of zoning areas.

MS. COLEMAN: And for your information, I've met some of you before. My name is Carol Coleman. I'm a planner with the Waccamaw Regional Council of Governments and I provide technical assistance for the Town of Atlantic Beach and a lot of other municipalities in the area. So, after I spoke with Mr. Quattlebaum, I went through and did some research on the LMO that's been passed. I also looked at the previous zoning ordinance. I've looked at the Master Plan that was done as well as the Comprehensive Plan that's currently serving the Town. So, I
apologize in advance. I made copies of a PowerPoint that we wanted to present but we were having some issues with the computer so the copies are one-sided, and so I made copies when I got here of the other page. So I'm gonna hold -- you see the cover page. The first page I'm gonna reference is the current zoning ordinance. If it doesn't -- I'm showing you because it's probably not going to be in order. So, under the current zoning ordinance, under schedule of uses, under use classifications, public, civic and institutional use, you see one that refers to hospitals and clinics. And I put an arrow next to that so you can see that. And then if you go across in a red circle you see a P under highway. So that's the ordinance that tells you that it's a permitted use. To the right of the table I included the section that explains what use is permitted by right, R, which means if there's a P there then staff cannot turn it down without having a really good reason because it is listed as a permitted by right use. I also put at the bottom of the page the definition of clinic and the definition of by
right. So the point in doing that was to show that when the applicant opened the inquiries (ph) made on this use, there's not a reason in place for a municipality or planning department or anyone to turn it down because it's listed in the planning -- or the planning ordinance, zoning ordinance as being permitted by right. I added that. I've got a number of maps that I put in -- if I can get one. The current zoning map is labeled current zoning map, and there are a lot of maps in here. And it's on one page, labeled across the bottom, the current zoning map. And you can see all the districts there and you see that basically now everything along Highway 17 is zoned highway or highway commercial. On the other side -- this will sum up when we have further discussion -- is a draft amendment for the map changes that we would put through that shows the change that happened down closer to the ocean. So looking at the current map, you can see that there's -- that they are in fact zoned highway commercial or highway. Hospitals and clinics are a permitted by right use so they're two for two right now. I also included the Master Plan
recommendation. Master Plan shows that entire area as highway or highway commercial, and the Master Plan shows down the side here. The Comprehensive Plan also indicates that that is highway or highway commercial for land use. And then also from the Comprehensive Plan, I've got two tables and two arrows that look like this. And I included those because you can see in the land use element, one of the objectives of land use elements for the Comprehensive Plan says to prohibit heavy industrial and other nuisance laden uses and restrict the placement of uses that generate detrimental secondary effects. See also the Housing Element. Work with area jurisdictions to identify appropriate locations for siting the uses. Now, the reason I put that in there is because they didn't specifically identify the land use element that that was one of the things that they would identify as a nuisance use. Under the Housing Element, mitigate nuisances to residential uses. Nuisances to residential enjoyment include but are not limited to excessive lighting; litter, junk, overgrown lots, and dilapidated structures; excessive traffic;
noxious odors, dust, smoke, fumes, and other pollutants; inadequate drainage; loud noises and vibrations; overcrowding; and loss of privacy. Again -- so those are the two sections that I would identify as being where you would put something that you wanted to stop such a use from coming into the zoning ordinance, that would be the Land Management Ordinance. So -- and then I've got a couple of the maps that go along with the Comprehensive Plan and some of the others and, again, they all match up. So future land use maps go along with that as well. There's the Master Plan recommendation. Let's see, got that, got that. The Horry County ordinance. I pulled this out of Horry County. I worked for Horry County on and off for 13 years. They do identify this as a different type of use. It is a special exception under their ordinance. And if you refer back to our section from the current zoning ordinance in the table on the right, you can see permitted uses by right, conditional uses and special exceptions. So special exception in Horry County means that the Board of Zoning Appeals has to approve that use and
they can put conditions on it as they see fit. I also included their definition for outpatient treatment clinic for alcoholism and drug addiction 'cause it can be a whole gamut of different things that they're looking for specifically. But that's what you would expect to see in an ordinance if you wanted to control any type of use was -- is something along those lines. Again, it's not in there. And just to go back and do a little bit more historical research, I pulled out the previous use table from the zoning ordinance that was in place prior to the adoption of the Land Management Ordinance. And it's identified as such, labeled at the top. And if you look down the table, you'll see that familiar arrow pointed to clinics and, again, it's a permitted use in that commercial district. So the long and the short of it is this use, while some may interpret it as being a nuisance, was never identified as such in the zoning ordinance here. Going forward, if you wanted to make an amendment you could, but it would only apply to something that comes in after you hit second reading and it's codified. Right now, there's
nothing in the ordinance that gives any teeth to saying no to that as a use. And if you've got any specific questions, I'll be glad to address them. But again, I went through all the documents that you currently operate under. So we've got the existing Land Management Ordinance, the existing Comprehensive Plan that was adopted 2017-2027 -- 10-year plan -- oh, the Master Plan and the Comprehensive Plan. So everything that we're working under for the Town of Atlantic Beach does not prohibit that as a use.

MR. QUATTLEBAUM: Mr. Chairman, let me further add on (inaudible). Just to recap for the public and assist the Commission members, just to give a timeline so everybody understands what you have gone through to get to this point of -- and the approval of the Land Management Ordinance. When I came to the Town of Atlantic Beach, it was identified that the Comprehensive Plan and our land management ordinances had not been updated for over 10 or 15 years. And it was out of date. If you recall, we went through a process ... We went through a process of first updating the Comprehensive
Plan. And the Comprehensive Plan was basically developed in 2005 -- I think I was told 2005, adopted in 2005, paid -- by a consultant, to put together a comprehensive plan or a road map or vision for how the Town wanted to be redeveloped and revitalized. That's my -- that was the plan which was paid for and adopted at that time. The -- in 2018, we updated the Comprehensive Plan, it was approved. But taking basically the central elements from the Comprehensive Plan that was done in 2005, no major changes, and if you go outside and they can -- on the board here, it has a picture of -- concept of what the development of the Town was proposed to look like. But that was a total -- those two activities, and the reason -- the primary reason we focused on getting those two plans approved, one is for a guiding document for planning purposes of revitalization, but also to be eligible for a number of federal, state grants, and we had to have our Comprehensive Plan updated which allowed us, if you recall, to apply for CDBG funding which we were granted $150,000 for the revitalization of the park right across from
here. So those -- that's the genesis behind getting both those plans updated. We went through a year-long process with the assistance of the Waccamaw Regional COG, Mr. Tom Britton, as you all know, led us through month by month, and all the time you all spent going chapter and verse under the Land Management Ordinance to make sure that it complies and is now adapted to what currently you would like to see. As you recall, there were two major issues that came up during the process -- and if there were more, please correct me. But the two major issues and objections were the building of condominiums on the waterfront, if you recall, and also the exclusion of adult any additional adult entertainment centers in the Town. We had the two.

MALE SPEAKER: Uh-huh.

MR. QUATTLEBAUM: We subsequently went beyond and asked for legal advice and a legal opinion on the building of condominiums on the waterfront. We paid an additional 12 to $16,000 for the attorney and his decision came back was the Town could not preclude condominium developments on the waterfront. Are you all
MALE SPEAKER: Right.

MR. QUATTLEBAUM: Council, right?

MALE SPEAKER: Right.

MR. QUATTLEBAUM: Okay. So, with that, we adopted the Comprehensive Plan in December of -- I mean the LMO in 2019. At the first reading of the Comprehensive Plan, it was brought up what amendment and modification to the Plan. And that was along street -- 29th Avenue where at the end of it, if you look at the Plan, Residential R-2 was extended all the way down to Ocean Boulevard. Okay? That was the amendment brought from the public who raised a question about the zoning being changed from R-2, and it was subsequently amended and changed back to R-2. Everybody recall?

MALE SPEAKER: Uh-huh.

MR. QUATTLEBAUM: All right. Those were the only modifications to the Plan. As we were told in the planning process and the adoption of the Land Management Ordinance, once the management ordinance is adopted, then the Planning Commission could go back, based on pertinent circumstances and situations that came or will
come up after the adoption of the Plan to make
amendments to the land management ordinance and
zoning, okay? So Council has indicated to me
that they would like to recommend some
modifications to the zoning and permissible
uses within the zoning requirements in the Town
of Atlantic Beach. And that's what I would
like to allow and present. First, I'll go back
in terms of the treatment center. Under the
current -- as Ms. Coleman said -- under the
current approved permissible uses, a clinic
could be anything, like he said, alcohol. It
could be abuse -- a women's abuse clinic. It
could be military veterans who are recovering
drug addicts. So there are a lot of clinics
that could be proposed for usage under that
designation of a clinic. So in terms of that,
that is the dilemma that the Town faces and
residents that are concerned about having an
opioid drug treatment facility in the Town of
Atlantic Beach, and that is the concern. And
my advice to Council, as well as legal counsel,
advise Council as well as -- well, Council,
that if we were to permit the use, we could be
open for potential liability. So that's where
we stand today. There's no action on that matter that has to be decided by the Commission and is a Council issue in terms of the facility going forward. Now, for the record to date, although Council objected to the facility -- the treatment facility being built on Highway 17, the developer submitted his application for a permit to the Town of Atlantic Beach two days I think after the Council meeting in June -- no, I'm sorry, July. The July 23rd meeting. Two days after, his legal counsel submitted an application for permit to start building that treatment center, okay? We reviewed, along with my building official, the initial application did not meet Town code and South Carolina building standards and requirements, and I denied the application. As of today, the developer has not submitted a reapplication amending or changing his proposal to the Town of Atlantic Beach. So as we stand now, the proposal to build the facility has been denied. Okay? Don't know if that's gonna change, but that's for the record where we are today. This issue in terms of modification and amendments to the zoning ordinance, I'll (ph) determine --
I -- if you have the details, Council's here, they can add some additional to it, but a discussion around that, Ms. Coleman will tell you if there are any amendments, what the process will have to be and the timeline for getting those amendments done. So at this time, Mr. Chairman, if no objection, if you want to discuss those issues and recommendations and modifications, we can do so.

(Inaudible background noise.)

MS. COLEMAN: And before you start, I think it is important to consider -- Mr. Quattlebaum is right. Those processes that are used for making these changes to create the new zoning document, the Master Plan, which was done by a consultant mainly, but also the Comprehensive Plan were completely done within the public purview. So meetings were open, public input was requested and encouraged, and the adoption of these documents was based on it being done in the public eye.

(Inaudible background noise.)

VICE-CHAIR STEVENS: We'll want to make changes on -- recommend make changes on 32nd and 29th
where it is WF2, right?

**MALE SPEAKER:** So you want to change it to R-2?

WF2, right now?

**VICE-CHAIR STEVENS:** Right. It's WF2 now. We're gonna change to R-2 on 32nd.

**MS. COLEMAN:** Is that all the way from where it's R-2 currently to the ocean?

**VICE-CHAIR STEVENS:** Oh, to the -- right, to the ocean. Stop right there, stop the ocean ---

**MALE SPEAKER:** Seaview ---

**VICE-CHAIR STEVENS:** Ocean Boulevard. Stop at Ocean Boulevard.

**MS. COLEMAN:** To Ocean Boulevard?

**VICE-CHAIR STEVENS:** To Ocean Boulevard.

**MS. COLEMAN:** So that's one, two, three, four, five parcels ---

**VICE-CHAIR STEVENS:** Right.

**MS. COLEMAN:** Okay.

**VICE-CHAIR STEVENS:** And on 29th, to Ocean Boulevard would be ...

**MALE SPEAKER:** Three.

**VICE-CHAIR STEVENS:** It's R-2.

**MALE SPEAKER:** Right.

**VICE-CHAIR STEVENS:** Those three.

**MS. COLEMAN:** Okay.
MALE SPEAKER: Want to do those three?

VICE-CHAIR STEVENS: And then the three on 29th.

Two that face 29th and the one that faces Seaview should be R-2.

MALE SPEAKER: That's MS2 right now?

VICE-CHAIR STEVENS: No, just the ---

(Inaudible background noise.)

VICE-CHAIR STEVENS: Right, changing those to R-2.

MR. QUATTLEBAUM: So, Ms. Coleman, what would be the process for the Commission to adopt those amendments, changes and timeline and procedures in order to do this?

(Inaudible background noise.)

MR. QUATTLEBAUM: Well, go ahead (inaudible).

MS. COLEMAN: Well, the first thing is I would recommend this is the initial workshop. I would recommend that I come back -- that staff brings you back a report and shows you on the maps and everything the considerations and what's happening. We'll do a little bit more analysis for -- right now, it looks like if you're keeping a zoning district that is adjacent to it then it's not such a worry for something called spot zoning. State law prohibits spot zoning but it doesn't clearly
identify and define what that is. And the idea behind that is you don't want to just take a piece of property and change the zoning so that it's not in converse with everything that surrounds it. What's been -- being proposed looks like it's consistent with something that's adjacent to it. Doesn't necessarily mean that it will happen, but it's appropriate to make an application. Again, we would have a public hearing at the Planning Commission level so we would have to have time to advertise. So between the meeting where we bring you the report and the meeting where you have a public hearing, would be a month or so. And then it would go on to Town Council and you'd have to have two readings there. So realistically, I would say anywhere from best case scenario 60 days, but maybe 90 to 120 days tops.

MR. QUATTLEBAUM: What action does the Commission have to take tonight to give you the direction ---

MS. COLEMAN: Just to give me direction, if you want to take, you know -- give me direction to go ahead and research this ---
MALE SPEAKER:  Uh-huh.

MS. COLEMAN:  --- I know the idea behind the plan that was created was to keep it in place, but there's nothing in here that says that you can't -- like state law allows you to make changes to zoning maps and zoning ordinances all the time, you just have to do that, again, with the public purview.  So it's not something that's done behind closed doors.  It's something that's totally out for everyone to take part in.

MR. QUATTLEBAUM:  And Ms. Coleman, also for the record, any modification in those zoning requirements, is there any legal exposure that the Town has for individuals -- property owners who have purchased those properties previously under the ---

MS. COLEMAN:  Previous zoning?

MR. QUATTLEBAUM:  --- previous zoning?  Is there any exposure and what do we need to do to mitigate that if it's adopted?

MS. COLEMAN:  Well, the key is that you're not changing the zoning of their property without their consent.  That's -- that would be something that I wouldn't recommend.  But if
you're proposing a change just like any other change that you make, the property owners will be notified. And looking at this, at least one of the changes is actually lessening the intensity of what can go there. So in some cases, you would expect that people wouldn't be as upset if they had an option to have a 55 foot building across the street from them that had condos and now it's just gonna be a single family home, that might be more -- something they're more interested in seeing. So it really depends on what the adjacent -- or what the other property owners have, you know, what their interest is and what's being proposed to go there.

MR. QUATTLEBAUM: Well, let me go one step further. Under the previous zoning requirement it was C-1 Commercial.

MS. COLEMAN: Uh-huh.

MR. QUATTLEBAUM: All right? Under the LMO it'd be similar to a change to WF2.

MS. COLEMAN: Uh-huh.

MR. QUATTLEBAUM: It still allows for commercial. So my question becomes if there's a commercial developer that had purchased that commercial
property with the intent to build a commercial project, is there any exposure if the Commission and the Council adopt a change in that zoning department, do we have any legal liability or exposure?

MS. COLEMAN: I think you do. I don't think that -- I wouldn't say necessarily that they have a vested right, but they could argue that they bought it with the intent to use the property for what it was currently zoned for. And if the zoning were to change, then they would have the right to go forward with legal action.

MR. QUATTLEBAUM: I just wanted Commissioners to be fully aware of the ramifications.

MS. COLEMAN: But again, any time any change to a zoning map or a zoning ordinance is made -- or a zoning map especially, adjacent property owners are notified. So we would send out notifications to everyone who is directly affected by it. We also post the property so people can see it, and then you advertise in a paper or general circulation. So you don't -- you want to make sure that anyone who has an interest has the opportunity to give input.

(Inaudible background noise.)
MS. COLEMAN: And again, I've always taken the stance that people have a right to request a change to the zoning. It doesn't mean they'll get it. They don't have the right to change it, they have the right to apply for a change. And so the same thing happens if it comes from the Planning Commission, if the Planning Commission wants to make a recommendation, doesn't necessarily mean the decision makers will go with it, but it's always within your purview to request it.

VICE-CHAIR STEVENS: I'm gonna let Orton Bellamy, the Ex-Chairman -- you want to talk, say something, Orton? He's the Ex-Chairman. He helped us with the Land Management Ordinance.

MR. BELLAMY: Good afternoon. How's everybody doing? I have to make a disclosure. I'm Orton Bellamy. I'm also an elected official on the Horry County Council. And under advisement of Attorney Arrigo Carotti is that I'm here today as Orton Bellamy as a consultant/advisory to the Atlantic Beach Planning Commission. I did serve as the Chairman of the Planning Commission. And what happened was that our plans was initially when we went through it to
rezone 29th and 32nd, and if this was an oversight on my behalf when we were -- we had delay -- we had two -- I think three delays in meetings (ph) and that process we were moving forward and our objective was to move the planning -- zone -- the LMO as quickly as possible. That way, as Mr. Quattlebaum stated, the $150,000 for -- from -- the federal funding, and we didn't want to delay that process either. So it was just an oversight on my behalf. And from the input from the -- from my understanding and also from the Commissioners' input from the landowners, that they wouldn't have any objections to it as we -- the notification process which when we do that, adhere to that. So what we're doing is for future development of Atlantic Beach and adding consistency with the property, and we don't want to get into a situation like stated earlier for spot zoning, we want to move Atlantic Beach forward and be consistent with the Grand Strand (inaudible) Myrtle Beach in that aspect. But that was the rationale behind it and that's the reason why we had requested for reconsideration for the amendment. Anyone
have any questions in regards to that?

**MS. COLEMAN:** If I could clarify one thing that you said. I mean I'm not correcting you or anything, but I want you to understand that the Town of Atlantic Beach owns these documents. I mean these are for the guidance for the future development of Atlantic Beach so it's completely normal that you might see things change over time ---

**MR. BELLAMY:** Right.

**MS. COLEMAN:** --- and you might want to make changes and amendments to it because what was in place at the time of adoption may not be what's going on in the future. So there are a lot of different reasons why you can take a change like that -- I would not, as a planner, take ownership of any of these plans myself. I can see where people would want to defend them because they work hard to put them in place but, again, these are for the Town of Atlantic Beach and the people of Atlantic Beach so you are very well within your rights to make any changes that you would like to see then.

**MR. BELLAMY:** Right. As you say then maybe -- you're probably gonna -- it's a fluid document.
Is -- 'cause you're gonna go through the changes as Atlantic Beach grows, say four or five years from now, go back and review it. It's gonna continue to change. And as Atlantic Beach develops. Okay. Any questions? Thank you.

VICE-CHAIR STEVENS: I think we wanted to make one more change on 17 with the hospitality (sp) -- what, and clinics? What, to special exemptions? We want to adopt the same thing that Horry County's got ---

MS. COLEMAN: Add similar language that Horry County has?

VICE-CHAIR STEVENS: Yeah, just ...

MS. COLEMAN: That's something that we can do. The current zoning ordinance -- the paper I gave you that had the current zoning ordinance ...

VICE-CHAIR STEVENS: Right.

MS. COLEMAN: What that would do would be to change that -- where it says P right now, it would have an S.

VICE-CHAIR STEVENS: Right.

MS. COLEMAN: And we would also have to approve to refine the definition. Right now, the definition for clinic is an establishment where
patients are not lodged overnight but are
admitted for examination and treatment by a
group of physicians or dentists practicing
medicine. So a clinic is exactly what you
would expect it to be defined as. So, we can
further refine that so you don't just -- you
can specify different types of clinics ---

VICE-CHAIR STEVENS: Okay.

MS. COLEMAN: --- and that's why I included that
language because I thought that was about the
clearest explanation I could give you for
showing the difference so that would be a
change to that entire district.

VICE-CHAIR STEVENS: All right.

MS. COLEMAN: It may not change the current
application if they bring it back and it meets
the building code and the design code, but
anything else going forward would have to
operate once it's codified.

VICE-CHAIR STEVENS: Okay.

MR. QUATTLEBAUM: Mr. Chairman, on another point,
does the Commission want to identify more
specifically the type of clinics that you want
to amend or leave it as what she has in the
County definition of ---
VICE-CHAIR STEVENS: Specify ---

MR. QUATTLEBAUM: --- nuisance there?

VICE-CHAIR STEVENS: Okay.

MR. QUATTLEBAUM: And I threw out some of the examples of them in terms of that, but I don't know if you want to go further ---

VICE-CHAIR STEVENS: Want to go further ---

MR. QUATTLEBAUM: --- case in point, if they want to be clinics for abused women, battered women, okay? Is that a permissible -- or one you want -- don't want to allow? Children that -- children -- kids who are -- children that are the product of drug addiction, crack addicts, babies, help rehabilitations, military, service, whether military veterans who are recovering addicts, drugs and alcohol, I -- all of that -- I don't know how specific you want to be in the definition of what you want to exclude in that process. The more it's defined helps us administratively ---

MS. COLEMAN: Uh-huh.

MR. QUATTLEBAUM: --- in applications coming in so we know the pleasure of the Commission, the Council and the public for what they don't want to see in the town. You with me?
VICE-CHAIR STEVENS: Yes, sir.

MALE SPEAKER: We are, sir. What do you think?

MALE SPEAKER: Are we gonna get public input?

VICE-CHAIR STEVENS: Yeah.

MALE SPEAKER: Okay ---

Public Time:

VICE-CHAIR STEVENS: Public time.

COUNCILWOMAN GORE: General (ph) Board, City Council meeting. Mr. Q, like he was just saying, telling (inaudible) so (inaudible) here, we don't want any kind of clinics. We have four blocks here. We have four blocks. Why wouldn't we have some of the better stuff. Why do we have to have a clinic here? Somewhere for kids. And it's not (inaudible). What is this up here, an outpatient treatment? It is a methadone clinic. It would take effect -- 50 years to put a methadone clinic into a baby (ph). We don't want mothers like that ---

(Inaudible background noise -- applause.)

COUNCILWOMAN GORE: --- we don't want that here. (Inaudible) a little comfort. They won't want to have to get up in the morning time (inaudible) crackheads or heroine users, you know? This is crazy. They have in place 25
years ago of methadone -- people have been hurt right in the middle of (inaudible). We don't have no problems in Atlantic Beach right now with those, am I correct? We don't need it here. We don't want it here. They can take it where they need it. You can go to (inaudible) beach. We're right there. You go right to the ER down there, two minutes away. Two minutes away go to an ER.

MR. QUATTLEBAUM: Councilwoman, you misunderstood my question. My question was I need the Commission to identify in addition to drug treatment places any other type clinic they want to ban from the Town.

COUNCILWOMAN GORE: All right.

MR. QUATTLEBAUM: I'm not promoting any.

VICE-CHAIR STEVENS: You've got permission ---

COUNCILWOMAN GORE: I'm sure the Town wants all of the clinics banned ---

VICE-CHAIR STEVENS: You have permission ---

MR. QUATTLEBAUM: All right.

COUNCILWOMAN GORE: Yes, that's what we want for the Town.

VICE-CHAIR STEVENS: You have permission.

COUNCILWOMAN GORE: But I'm not -- I can't speak for
these folks out here but of course, they have
spoken themselves just now and everyone that
I've talked with they don't want no clinics in
here.

MR. QUATTLEBAUM: That's the -- that's all I needed.

(Applause.)

VICE-CHAIR STEVENS: Tell me specifically ... So
what do we need to do to specifically not have
the clinics in the ---

MS. COLEMAN: I am taking what's been said and if
the Planning Commission is comfortable with
taking that attack (ph) then what I'll do is
prepare something to that effect and bring it
back to you.

VICE-CHAIR STEVENS: Okay.

COUNCILWOMAN GORE: Can I also say one thing, you
all? And I'm sorry, but just let me say one
thing. I sit on the Council board and this is
my second term, and it's stupid of me that I
haven't (inaudible) but when this came about,
I took my time and I looked through that land
management book (ph). It needs to be rezoned
completely for a lot of things. Well, I won't
say rezoned -- a lot of things need to be taken
out of the clinics because little did I know
that -- and you all know Mr. Booker, do you know that somebody could come and put a general (ph) home right there, anywhere on 17 in Atlantic Beach. Were you aware of that?

MAYOR EVANS: I didn't know that specifically ---

COUNCILWOMAN GORE: I -- oh -- I mean just about anything that we don't want in town, it's on there. So that's what we need to get that changed and any kind -- we want to have a nice -- coming into our town, for a nice town, for the interest of the (inaudible) but limit this other stuff that nobody else don't want. We don't want it either.

(Inaudible background noise.)

VICE-CHAIR STEVENS: Anybody else?
MR. SKETERS: I just got ...
VICE-CHAIR STEVENS: Come on.
MR. SKETERS: Okay, and I agree with what Councilwoman -- first of all, I'm John Sketers from the Town of Atlantic Beach here. I've been here for a number of years. And I completely concur with what Councilwoman Jacqui Gore just delivered to you. And the residents in town and in (inaudible) now share the same feeling here. We do not need or want anything
else that anybody else don't want -- don't have
in their town. Now, I heard all of the
comments -- the good comments and things of
that nature here, but what I -- I've never
heard anybody say what kind of revenue that we
expect this to bring. We know -- anybody that
lives here in Atlantic Beach knows that we are
very, very in bad need of revenue. We need
something that's gonna attract people, not turn
people away. And may I remind you, I know a
lot of you all have expertise up there, but
it's no government, no law -- and laws, all the
same things, it's as things come (ph) you need
to make an amendment and you need a
(inaudible). You can't -- you just can't go
back 50 years ago and apply the same
(inaudible) to simply do that. And I want to
thank you all for this.

VICE-CHAIR STEVENS: Thank you.

MS. HILL: Is this public time to speak?

VICE-CHAIR STEVENS: Yes, ma'am.

(INAUDIBLE BACKGROUND NOISE.)

MS. HILL: I'm Dianne Hill and I speak for myself.
    My husband (inaudible). I've never seen
    (inaudible) ...
IN UNISON: Speak up.

MS. HILL: I'm so sorry (inaudible) and I live at 609 30th Avenue South. I am now a resident here. I used to be a summer resident. Now I'm a full-time resident. (Inaudible) best place possible for them. I am also here as proxy -- proxy appointment for four additional residents of Atlantic Beach for Monday's Town meeting, but that meeting not in person (ph) so I'm speaking now. And I'm speaking towards what (inaudible) -- Gore, what Ms. Gore -- I knew that -- of what Ms. Gore spoke to and what everyone else spoke to, and I thought that you would permit me -- I would just like to read one of the statements from one of the persons who asked me to be their proxy, may I do that? Just one. I have four but I'm gonna read one. This is from Kathryn Allen who lives -- whose house is at 3104 South Ocean Boulevard, okay? And Kathryn says Atlantic Beach is on the move. A recent influx of new homeowners, as well as renewed and (inaudible) interest among current residents has caused a sense of excitement and forward movement of the Town. It is optimistic. We have a long way to go. We're
excited to be on the journey going there. I'm concerned that the Town would be taking a damaging and irreparable step backwards by giving consent to locate a methadone clinic in the town. Notwithstanding the services that many throughout the (inaudible) people need, Atlantic Beach needs to continue to put the oxygen (ph) back on its own face before it can help anyone else. The path towards success for this town is to expand the tax base by cultivating an environment to attract more taxpaying residents as we are doing. We are getting more taxpaying residents. Appropriate (ph) businesses -- not (inaudible) -- tourists and others who would spend their dollars here. A methadone clinic, no matter how well intended or how well managed, would only serve to hamper, deter and discourage people from moving here or to invest their dollars ---

VICE-CHAIR STEVENS: That's true.

MS. HILL: --- in living here.

VICE-CHAIR STEVENS: That's true.

MS. HILL: Some will undoubtedly argue that the individuals seeking treatment are on their way to recovery. Yes, they are. That may very
well be and I sincerely hope so. But studies have shown that practical observations (inaudible) often these individuals who suffer from substance abuse also have a coexistent or dual diagnosis of alcoholism, multi-faceted health issues and so forth. Even if methadone treatments proves successful, Atlantic Beach will still be hosting a population of highly susceptible people to covet (ph) potential alcoholism and other challenges that may face them and deter business, tourists and residents from coming here. Please for the sake of more economic development for Atlantic Beach, reject any proposal to locate a treatment facility in the town. That's for Kathy. I'm not going to read any of the others. I'm just going to speak for myself. Like to say that strangely enough in my several generations, as a career choice, I'm a drug abuse counselor. I'm not a practicing drug abuse counselor but I am a trained drug abuse counselor. And I did intern here in Myrtle Beach. And I had a choice as I was looking for places to intern. I went to several places and I ended up at a place that is the treatment practice for the professional
arm of South Carolina. Our clients were
doctors, lawyers, judges, dentists, nurses and
a few straggling teachers who were drug
abusers. And these were people who either lost
their licenses or were in jeopardy of losing
their licenses. But our treatment was talk
only -- talk therapy, no drugs, no methadone
and, as a matter of fact, one of the place that
I interviewed at was a methadone treatment in
Myrtle Beach. And when I got to my practice,
the supervisor asked me where I had been and I
told him. He said, oh, (inaudible) you want to
going to a place with classic (ph) cares, toddlers
on the floor, noisy people and somebody starts
to throw up on your feet, or do you want come
here? And of course, that practice was hard
pine floors, Persian rugs on the floor, antique
furniture, soft music and no one there because
their clients came in one at a time. But they
were a drug-free practice. They only used talk
therapy. And I was a talk therapist, that's
what I did. And as I said, they were the
professional arm for the State of South
Carolina. And I realize as a therapist that we
aspire to -- the disease (inaudible) I believe
substance abuse is a disease. But this is not the place to come to get treatment for that disease. We're too small. We have less than 300 permanent residents in this town. Less than 300 permanent residents. What would any future addicted persons do for us, in what way would it uplift us, help us, push us forward. And I can so relate. In the past three to five years, I've see at least three to five new developments in -- residential development here, and I (inaudible) who wants to come here and put a million dollar house up if you've got a drug clinic on the corner?

MALE SPEAKER: Nobody.

MS. HILL: Who wants to put a million dollar house up if addicts are coming and going on a limited basis. So that's it. Matter of fact, I had a question in that respect. I thought I heard that a further refinement of the clinic could be defined, that the definition could be further defined. My question would be if that were the case, if it were further defined, would it be applicable to the application that is already pending?

MS. COLEMAN: That's questionable. I mean I would
say not because if they've already made an
application, even though they were turned down
for building code reasons ---

MS. HILL: Uh-huh.

MS. COLEMAN: --- they still made an application
under existing ordinance so if something hasn't
been codified, even if you were to invoke
pending ordinance at some time, you'd run the
risk of being liable. It doesn't mean
necessarily that they would go forward with
trying to fight it in court. They may just
pick up and try to find another place to go.

MS. HILL: That would be wonderful, just pick up and
try to find another place. I know we say that.
Just more or less concerned that we really need
to further refine the definition then ---

MS. COLEMAN: Uh-huh.

MS. HILL: --- of what a clinic is. We could do
that.

MS. COLEMAN: Absolutely.

MS. HILL: And are there any guidelines on what that
definition could be ---

MS. COLEMAN: Uh-huh.

MS. HILL: --- could it be for five year olds (ph)
and under ---
MS. COLEMAN: Well ---

MS. HILL: --- be for five year olds and what --
people who are, as Mr. Quattlebaum says, who
have -- puts up with PTSD only?

MS. COLEMAN: Uh-huh.

MS. HILL: Could we refine it?

MS. COLEMAN: Absolutely.

MS. HILL: As we so see fit? Okay, thank you so
much. (Inaudible.)

VICE-CHAIR STEVENS: (Inaudible.)

MS. ANDREWS: My name is Kathy Andrews. I live at
307 32nd Avenue South. And I asked Mr.
Quattlebaum about the methadone clinic, I had
told him yesterday -- and we still have drugs
here in Atlantic City -- I mean Atlantic Beach.
In fact, I was walking and some man asked me
for a nickel. I'm so (inaudible) I'm like
(inaudible) have a nickel, you know,
(inaudible). And there was a lady and she said
he's so crazy, Kat, he's asking you for a
nickel bag of marijuana. He's not asking you
for a nickel. He wants a nickel bag. And
before I built my house, there was a man in
front of my house who said I like the lot.
I've had it for sale. He said but some man
just stopped and wanted some drugs. So there's still drugs in Atlantic Beach, and the lot next to mine, people go into that wooded lot and they do all kinds of things. I've found carpet in there. They have like sex, they're doing whatever they want to do. So this spot zoning, I don't know whether that's -- you want to put hotel there or what, but I really don't want a hotel next to my house. And I surely don't want a drug facility of any kind because I know people linger around these drug facilities. I know it's not -- gonna be from 10:00 to 1:00 or whatever, but people still linger around. And when people are doing drugs, they will do anything. They will kill you. And Atlantic Beach has such a bad image already, I had someone show me a big spread that was in the Sun News several months ago about a rape in a hotel. And so, we've got rapes. We've got shootings. We've got -- we still have drugs. And you want to create more of a horrible image of Atlantic Beach with a clinic? To me, that is mind blowing. That should not even happen -- that should not even be in the picture. I mean most drug facilities are out in Conway,
(inaudible) clinic, you know, out. And you cannot control people who are on drugs. They will do anything to get drugs. It's in the opioid (ph) -- okay. What else did they tell me? So, I'm totally against it. And this spot zoning, I want to know what the spot zoning is. I don't want a hotel next to my house. As it is, these people from Windy Hill make all these -- this noise from just renting houses. So we've already got a terrible image in Atlantic Beach as people are building homes, nice homes, do we want to just go down more? Or you do -- what are we gonna do? And this strip joint, I'm glad it's closed. Find some type of tax base that is positive. Would you put a methadone clinic in Grand Dunes? Would you put it in Briar Cliff? Would you put it in Windy Hill? I think they would fight it.

**MS. COLEMAN:** If I could clarify one thing with that question, I understand where you're coming from. I do want to say that on behalf of the Town, that the Town did not solicit this. This is an application that was made. So what we're trying to do here today is decide if we should make amendments to the zoning ordinance so if
someone else comes in and makes the same type of application, we have a means by which we can say no.

MS. ANDREWS: Right. Okay.

MS. COLEMAN: Grand Dunes ---

VICE-CHAIR STEVENS: Let's move on.

MS. COLEMAN: --- they will not have one because it's not listed as a use in their planned unit development ---

MS. ANDREWS: Right. It should not be a use in Atlantic Beach ---

VICE-CHAIR STEVENS: Move on ---

MS. COLEMAN: And Windy Hill is part of North Myrtle Beach so they probably have the same ---

MS. ANDREWS: Right.

MS. COLEMAN: --- special exceptions.

MS. ANDREWS: Those people would go crazy.

MS. COLEMAN: But what I would recommend to everyone here and anyone that has an interest, if you would look in your zoning ordinance and look at that list of uses, don't assume that just because something has never been here before it won't try to come here one day.

MS. ANDREWS: Right.

MS. COLEMAN: So be aware of what these things are,
and when we write these -- as a professional, when I write these, I try to be as detailed as I can so that we have the ability to say that's not quite what we have in the ordinance. If you'd like to apply for an amendment to it, if it's a legitimate use -- and the reason I bring that up is we have people all the time that come in and we have some -- it's similar to something in the ordinance, but it may be brand new. My favorite one in the last couple of years was axe throwing. Who dreamed 10 years ago that people would want to -- for entertainment purposes -- throw an axe. So that is fluid, that is ever changing. We can't possible come up with the number of uses that are gonna be out there. What we try to do is create a framework by which people can work and make application. If it's not strictly in here, we can say no.

**MS. ANDREWS:** Now, what about the housing development, is this a -- assisted living nursing home, or is it assisted living?

**MS. COLEMAN:** Well, those are defined by the State so if it's assisted ---

**MS. ANDREWS:** What kind of assisted living is this
MS. COLEMAN: Assisted living is very different from a nursing home. It means they don't have nursing facilities ---

MS. ANDREWS: Is this like low income housing?

MR. QUATTLEBAUM: No, ma'am.

MS. COLEMAN: No, and I would say that ---

MR. QUATTLEBAUM: Let me just speak here real quick ---

MS. COLEMAN: Yeah.

MR. QUATTLEBAUM: At this point, it is just a concept ---

MS. COLEMAN: Uh-huh.

MR. QUATTLEBAUM: --- that's being proposed.

MS. ANDREWS: Okay.

MR. QUATTLEBAUM: There's no formal presentation or development proposal for it. It was just a discussion about a particular development project.

MS. ANDREWS: Okay.

MR. QUATTLEBAUM: So -- but in answer to your question, as I understand it, it is an assisted and memory care for people with Alzheimer's, and assisted living. They would reserve, based on what was told to me, a certain number of the
units for residents of the Town who are economically disadvantaged (inaudible). But it -- at this point, it is not a formal ---

MS. ANDREWS: Okay.

MR. QUATTLEBAUM: --- just needed to alert ---

MS. ANDREWS: Right.

MR. QUATTLEBAUM: --- the Commission that at some point there may be an application coming down the pipe.

MS. ANDREWS: Okay.

MS. COLEMAN: They were trying to find out if the zoning was compatible with it.

MS. ANDREWS: Okay. Okay, well, that's my thing. We already have a bad image that needs to be -- we need a positive image now so that people will come and build. We don't need anything to bring us down. And a drug facility would bring us down. So that's my opinion about it. And I would love to know about this spot zoning because ---

MS. COLEMAN: Well, spot zoning is -- the definition of that is to change a zoning district where it doesn't necessarily belong ---

MS. ANDREWS: Right.

MS. COLEMAN: --- and it's almost as if it looks
like an area or a municipality or a county ---

MS. ANDREWS: Right.

MS. COLEMAN: --- just did a favor for somebody by changing zoning in a very small area that's ---

MS. ANDREWS: Right.

MS. COLEMAN: --- do something there that wouldn't have been allowed there before.

MS. ANDREWS: Okay ---

MS. COLEMAN: So that's what I was trying to push away from. We don't want to create spot zoning situations ---

MS. ANDREWS: Right.

MS. COLEMAN: --- we want something that's continuous, that's already established.

MS. ANDREWS: Yeah, I've got to call you ---

MR. QUATTLEBAUM (PH): Okay.

MS. ANDREWS: --- 'cause a lot and just (inaudible). Do you think I could rent the place (inaudible)? I realize that they were -- they want to put a hotel there, and I really don't want a hotel on this residential street but, you know, we need to find some other way of money -- making money, you know, our, you know, (inaudible) be taken way because we pay more taxes than any other county in -- I mean any
other area in Myrtle Beach from what I understand. I was talking to a lady there. She pays $500. I pay like $2,700 a year. So we need to do something. And I understand that Council gave themselves a raise. How do you give yourself a raise when you're worried about money and your tax base, you know? And -- you know, so the public, the residents need to know what's going on. We need to know things like, for example, I have a (inaudible), they're getting ready (inaudible). They offered me $300 and gave the city officials $10,000. Okay? (inaudible). So, we need to know what's going on with these facilities, if there's any dirty work going on, we need to know it, okay? And we need to know why people give themselves a raise, all right? Decrease -- giving yourself a raise, decrease my taxes. That's all I got to say.

VICE-CHAIR STEVENS: Thank you.

MS. ANDREWS: And put something positive in Atlantic Beach so if I ---

VICE-CHAIR STEVENS: Thank you.

MS. ANDREWS: My property -- so my property values can go up instead of down.
VICE-CHAIR STEVENS: Okay.

MS. ANDREWS: And I would have to say -- or when -- where do you live? I'd have to say, well, I live near Windy Hill 'cause I'm embarrassed to say I live in Atlantic Beach.

VICE-CHAIR STEVENS: Thank you.

MS. ANDREWS: So that's all I have.

VICE-CHAIR STEVENS: Thank you. Thank you. Jake?

COUNCILWOMAN GORE: I just need one second. I sit on this Council Board, Ms. Andrews, (inaudible) your opinion you're from (ph). I would like to -- even though I know this is a Planning meeting, I want to say that the Council people got a raise, they did, but we was running at the time. We wasn't sure if we were gonna win or not when we got that raise. It was for whomever (inaudible) won so that's how the raise came about. Because it was still at $200 a month whenever every other county around is either about $1,000 so I don't think that was so bad just giving myself a $200 raise (inaudible). But at the same time, I want to say (inaudible) I have traveled to many beaches up and down the coast of New York and different places. I'm gonna tell you, this is the safest
place I feel right now, Atlantic Beach. There is nowhere in the world that I would rather be than Atlantic Beach. And as far as the nickel bag, they stop selling nickel bags about 20 years, and I'm gonna tell you, I'm not an (inaudible) but I was an (inaudible), okay? So therefore, that's how come I can tell you this this right here about Atlantic Beach. Atlantic Beach has had some problems. We have the best beach in the world right here right now ---

MS. ANDREWS: Well, I ---

(Inaudible background noise.)

COUNCILWOMAN GORE: --- and I'm proud to be a person of Atlantic Beach. That's all I've got to say. As far as (inaudible) our image, we have the best image right now, comparison to what it has been, okay? So, thank you, ma'am, and thank you, all.

VICE-CHAIR STEVENS: All right, Mr. Booker, come on.

MR. BOOKER: Good evening. My name is William Booker. I live on 29th Avenue. And I understand that the ordinance clearly permits the applicant to bring their facility here, and I try to be open minded about most things. I know people need help with drug issues and such
as that. But I've talked to quite a few citizens and property owners, residents of the Town, and honestly this is one issue that I can't find one person who supports it. I thought maybe there was some who might would support it, but I honestly can't find not one individual. And this town, you all know, I've been here about -- 12 to 14 years. I've not found one issue that everybody in the town agreed with, even now -- even the Council is one place and the citizens are another, or half of the citizens on one place and the other half are somewhere else. This is one issue that nobody supports. And so, I know that there isn't nothing we can do in terms of the ordinance to stop this, but I'm sure we're not the only town that's had something in the ordinance that someone wanted to bring into town and the citizens rose up and prevented them from being able to do that. And I think we're probably at that point right now. So if you -- seems you like have a lot of experience, or you the Planning Commission or you the Town Hall, if you know of something that we the citizens can do or should be doing now to let
this applicant know that we like the fact that they want to treat addicts, but we just don't want them to treat them here. If we need to find out what that plan is and we need to put it into action, and we need to band together and stand up together and let these people know we don't want 'em here because we don't think it's gonna be in our best interests. So maybe there's something you can say that we need to be doing to try to ward this off.

(Applause.)

VICE-CHAIR STEVENS: Jake?

MS. McNEIL: Mayor?

MALE SPEAKER: Mayor?

VICE-CHAIR STEVENS: Jake?

MAYOR EVANS: Yeah? Mayor Evans. Commissioners, citizens, I'm gonna kinda piggy-back on what the Town Manager and Mr. Booker was saying about everybody agreeing on something. We -- I've gotten several calls and my phone has been blowing up as well. But just to let everybody know, myself, Council members, we're glad we're not in this fight by ourselves. Whatever we can do, whatever we need to do to prevent this, everybody knows numbers are strong. With all
of us together and supporting us with not wanting this here, I believe truly that it can be accomplished. It was brought to us as well. Didn't give the actual number, but it was presented to us like this was -- this would be financially beneficial to the Town. But we don't care if they come in here and say hey, if you all let us build this clinic, we'll give the Town 20 billion dollars ---

(Inaudible background noise.)

MAYOR EVANS: So I'm glad that we heard every -- what everybody's got to say here today. Like I said, I've been getting calls along the same lines, and I've assured everybody I've talked to that we're in this fight together and we're gonna do all we can to prevent this from coming to our town. Thanks.

(Applause.)


(Inaudible background noise.)

VICE-CHAIR STEVENS: Meeting is adjourned. Roll call. Motion to adjourn the meeting.

MALE SPEAKER: Motion to adjourn.

MALE SPEAKER: I second.
VICE-CHAIR STEVENS: Motion is ... Roll call.
Derrick Stevens.

MR. VEREEN: Timothy Vereen.


MR. McFADDEN: Esco McFadden (ph).

VICE-CHAIR STEVENS: Adjourned. 5:15.

(There being nothing further, the meeting was adjourned.)