



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

CHARLES DEESE, DISTRICT 3, CHAIRMAN
JAMES BARNETT, DISTRICT 4, VICE-CHAIRMAN
TAMECCA NEELY, DISTRICT 2
, DISTRICT 5
SHEILA HINSON, DISTRICT 6
ALAN PATTERSON, DISTRICT 1
BEN LEVINE, DISTRICT 7
CLERK: JENNIFER BRYAN

MINUTES
Lancaster County Planning Commission
November 16, 2021 6:00 p.m.

Chairman Deese called the meeting to order at 6:00 p.m.

1. ROLL CALL: Quorum is present (5 Commissioners)

Commissioners Present:

Ben Levine James Barnett Alan Patterson
Sheila Hinson Charles Keith Deese

Absent: Tamecca Neely

No appointment has yet been made to fill District 5 seat. (Redistricting in process).

Staff Present:

Rox Burhans Ashley Davis
Robert Tefft Clerk: Jennifer Bryan

Also Present: Billy Mosteller, Council member District 3
Dennis Marstall, County Administrator

The following press were notified of the meeting by email in accordance with the Freedom of Information Act: The Lancaster News, Kershaw News Era, The Rock Hill Herald, The Fort Mill Times, Cable News 2, Channel 9, and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building for the required length of time, and was published on the County website.

2. APPROVE AGENDA

Chairman Deese called for a motion to approve the Agenda.

Motion to Approve by S. Hinson; 2nd by J. Barnett.

Called vote: 5:0. **Motion approved unanimously.**

Applicant as requested to defer item **5f: SD-2021-1251 NVR Inc** to December 21, 2021 meeting. Said motion by B. Levine; 2nd by J. Barnett.

Called vote: 5:0. **Motion to defer item 5f approved unanimously.**

Motion to approve agenda as amended by J. Barnett; 2nd by B. Levine.

Called vote: 5:0. **Motion approved unanimously.**

3. CITIZEN'S COMMENTS [see Sign-In sheet attached]

Chairman Deese opened the floor to comments from the public. None signed in; Citizens' Comments closed.

4. APPROVE MINUTES

- a. October 19, 2021 Regular Meeting**
- b. November 4, 2021 Workshop Minutes**

Chairman Deese called for a motion to approve October 19, 2021 regular Minutes and November 4, 2021 Workshop Minutes as written. Motion to Approve by B. Levine; 2nd by J. Barnett.

Called vote: 5:0. **Motion approved unanimously**

5. PUBLIC ITEMS

- a. UDO-TA-2021-2261 Adam Thomas**

Application withdrawn.

- b. SD-2021-0528 Arbor Construction, LLC**

Application by Arbor Construction, LLC for a Major Subdivision Preliminary Plat consisting of a single-family detached residential neighborhood. The project is approximately 47.47 acres and would be zoned Medium Density Residential (MDR) / Cluster Subdivision Overlay District (CSO).

Staff Presentation: Robert Tefft, Senior Planner, presented the application conjointly with item 5c: DA-2021-0528, consistent with the staff report.

Staff Recommendations: Conditional approval, subject to Staff/TRC comments.
Questions to staff: none.

Public Hearing: (See attachments: Sign-in Sheets).

- **William B. Cooper** (resident, McIlwain Road). Mr. Cooper lives near the proposed development and opposes it. The number of people and cars multiplied by the number of houses will make an already congested area much worse. The area was previously designated as a flood zone, does not understand why they are allowed to build there.
- **Thomas E. Filyaw** (resident): reserves comment at this time but may wish to speak later.

Comment from applicant(s):

- **Peter Tatge** (ESP Associates): Developer chose Cluster Subdivision because of the flood zone and other environmental constraints on the property; the number of lots in the plan makes the density lower than allowed under ordinance, and lot sizes are larger than the minimum allowed. Plans to upgrade water and sewer service to 8 inch lines, and internal (private) roads will be built and maintained to County standards.
- **Jeff Jernigan** (Arbor Construction, resident of Indian Land) Discusses areas of open space and wetlands; recreation areas are not finalized and they are open to design changes; they chose to reduce density to allow natural environment for homeowners.
- **Peter Tatge** (ESP Associates): Design is responsive to Council and community calling for quality development in the southern part of the county.

Questions from Commissioners:

Ben Levine asked if Cluster Subdivision guidelines regarding recreation areas was fulfilled. **Jernigan** responded that it was largely passive design, although plans are not fully developed; sidewalks, trails and pocket parks were planned. **Levine** asked if designated open space/recreation areas were accessible, as he has seen developments in Indian Land that fulfilled the requirements but were poorly planned and open space was inaccessible. **Jernigan** responded that the planned areas were accessible; stated that one of the reasons for deliberately reducing density was that they were mindful of the need for accessible open space.

Chairman Deese closed Public hearing and called for a motion on item **SD-2021-0528**. Motion to approve subject to conditions (Staff/TRC comments) by B. Levine; 2nd by J. Barnett.

Discussion: B. Levine noted that this item would be approved or denied by Planning Commission, and would not proceed to County Council.

Called vote: 5:0. **Motion approved unanimously.**

c. DA-2021-0528 Arbor Construction, LLC

Application by Arbor Construction, LLC for a Development Agreement in accordance with Unified Development Ordinance Section 9.2.18 as a companion to Major Subdivision Preliminary Plat SD-2021-0528, which proposes a 92-lot single-family Cluster Subdivision Overlay District (CSO) development.

Staff Presentation: Robert Tefft, Senior Planner presented the application conjointly with 5b above, consistent with the staff report.

Questions to staff: none

Comment from applicant(s): none

Questions from Commissioners: none

Public Hearing: (See attachments: Sign-in Sheets). None signed in.

DA-2021-0528 Arbor Construction, LLC (continued)

Chairman Deese called for a motion on item 5c: **DA-2021-0528**.

Motion to approve by B. Levine; 2nd by J. Barnett.

Discussion: None.

Called vote: 5:0. **Motion approved unanimously.**

The item will go to County Council for consideration, and applicants will be notified of time and date.

d. RZ-2021-1921 Panhandle Partners

Application by Panhandle Partners to rezone approximately 9.609 acres located on the west side of Charlotte Highway (TM 0016-00-047.00), adjacent to #7415, from NB (Neighborhood Business) District and LDR (Low Density Residential) District to RB (Regional Business) District.

Staff Presentation: Ashley Davis, Senior Planner presented the applications consistent with the staff report. Staff Recommendations: Denial as inconsistent with Small Area Plan Extension goals. No connectivity to parcels on either side, not a Master Plan project. Also, General Business would make more sense as a designation.

Questions to staff:

B. Levine noted that site plan does show cross access from Hwy 521 to Charles Pettus road. A. Davis responded that Small Area Plan calls for connectivity and/or shared access between parcels fronting on Hwy 521. Applicant is open to cross-access design changes if it will help the project progress.

B. Levine: per UDO this would be storage, both Regional or General Business allow this se? A. Davis responded that the use would be permitted with review under either designation, the principal difference would be height allowances.

Comment from applicant(s):

Steve Gentry (Davidson, NC): The site is challenging, the pond on property likely cannot be drained. Would be open to General Business designation. Plan shows driveway easement for southern-adjacent property. Open to providing connectivity to northern adjacent property. Would prefer not to have connectivity all the way through the property due to nature of business/security concerns. Property owner to the north has indicated that they do not want shared access. The proposed business will be a low-traffic generator, so traffic concerns for Hwy 521 should not be an issue. Although project does not justify need to extend utilities per Small Area Plan, applicant is willing to provide utility easements for future development.

Questions from Commissioners:

Alan Patterson: Have you identified peak traffic periods on Hwy 521? Gentry responded that it was greatly variable and he could not identify a particular peak traffic period. Alan Patterson noted that for RV and boat storage, this would mean slow-moving vehicles entering the highway. Applicant responded that rear access to Charles Pettus Road would address the need for a safer entrance/exit for large slow-moving vehicles.

Rox Burhans: Small Area Plan called for applicants to submit concept plans with Rezoning requests, which is unusual, to ensure compatibility with goals of Plan. The topography of this particular site may require alteration once site plan is submitted.

RZ-2021-1921 Panhandle Partners (continued)

Public Hearing: (See attachments: Sign-in Sheets)

Dr. Elizabeth Hill (Owner of Southern Paws Veterinary Clinic) Her understanding of the existing zoning of this area was to be small businesses, not storage or gas stations. She is concerned about traffic hazards generated by this proposed business; and that it would be an eyesore and a detriment to other properties. She has felt intimidated and strong-armed by Mr. Gentry's requests by telephone and in person. She does not support rezoning. Please consider the consequences to local businesses.

Additional Comment from applicant(s):

Steve Gentry (Davidson, NC): presented photos of similar projects by same developers (see attached photos of comparable projects.) He did approach the owner of the northern parcel in person when telephone contact was unsuccessful, to meet recommendations by staff regarding cross-connectivity, and relocating her driveway to align with median cut, which would make her access safer.

Chairman Deese closed Public hearing and called for a motion on item

5d: **RZ-2021-1921 Panhandle Partners.**

Motion to approve by A. Patterson; 2nd by J. Barnett.

Discussion:

- B. Levine: per Small Area Plan he envisioned employment center; the uses allowed under General Business would be a better fit.
- Patterson: traffic and safety in the northern Panhandle is paramount. He is concerned about the transition from 45 to 55 mph in this area of Hwy 521, if large slow-moving vehicles are turning in and out of this property.
- Deese: Also travels this area frequently, downhill and short sight lines.
- J. Barnett: clarifies that the request being voted is rezoning to **Regional Business**, not General Business.

Called vote: 1:4. **Motion is Denied.**

B. Levine: Against J. Barnett: Against

A. Patterson: Against C. Deese: For

S. Hinson: Against

The item will go to County Council for consideration, and applicants will be notified of time and date.

e. RZ-2021-2327 Cox

Application by William and Blanca Cox to rezone an approximately 2.07-acre parcel located at 327 Monroe Highway (TM# 0061P-0D-003.00), from Low Density Residential (LDR) District to General Business (GB) District.

Staff Presentation: Robert Tefft, Senior Planner presented the applications consistent with the staff report. Staff Recommendations: Approval.

RZ-2021-2327 Cox (continued)

Questions to staff:

B. Levine: Clarifies whether there are staff recommendations/conditions. Tefft responded that staff did not have conditions.

Comment from applicant(s): not present.

Public Hearing: (See attachments: Sign-in Sheets) None signed in.

Chairman Deese closed Public Hearing and called for a motion on item

5e: **RZ-2021-2327.**

Motion to approve by J. Barnett; 2nd by B. Levine.

Discussion: None.

Called vote: 5:0. **Motion approved unanimously.**

Chairman Deese stated the item will go to County Council for consideration, and applicants will be notified of time and date.

f. **SD-2021-1251 NVR/Ryan Homes/ESP Assoc.**

Application by NVR, Inc. / Ryan Homes, Inc / ESP Associates for a Major Subdivision Preliminary Plat for a 410-unit townhome development located between Collins Road and Shelley Mullis Road (TM 0013-00-061.02). The project is approximately 96.75 acres and is zoned Planned Development District (PDD-26).

APPLICANT HAS REQUESTED DEFERRAL UNTIL December 21, 2021.

6. NEW BUSINESS

a. Overview of Next Month's Agenda; Rox Burhans deferred to Ashley Davis for report on Comprehensive Plan.

b. Other:

Ashley Davis reported on status of Comprehensive Plan update, and requested a nomination from the Commission for a member to serve on the Stakeholder Committee for the Comprehensive Plan. Commissioner **Ben Levine** was nominated, and accepted the appointment to the Comprehensive Plan Stakeholder Committee.

First stakeholder meeting will take place in early December; the priority will be to define boundaries of the three sub-areas of the County, which have different development needs.

7. ADJOURN

Motion to adjourn by A. Patterson; 2nd by J. Barnett. Approved by unanimous consent. Meeting was adjourned at 7:03 p.m.



PLANNING COMMISSION Public Hearing Sign In Sheet

Item 3: **Citizens' Comments**

General Comments or comments on matters not on tonight's agenda.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, November 16, 2021

Citizens are allowed 3 minutes per person to speak. Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual Council Members, County Staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county.

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PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5b: SD-2021-0528 Arbor Construction

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PLEASE PRINT

1.	WILLIAM B. COOPER
2.	Thomas E. Filgaw
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PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5c: DA-2021-0528 Arbor Construction

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PLANNING COMMISSION Public Hearing Sign In Sheet

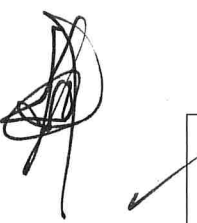
Item 5d: RZ-2021-1921 Panhandle Partners

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PLEASE PRINT



1.	Elizabeth Hill
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PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5e: RZ-2021-2327 Cox

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Untitled Map

Write a description for your map.

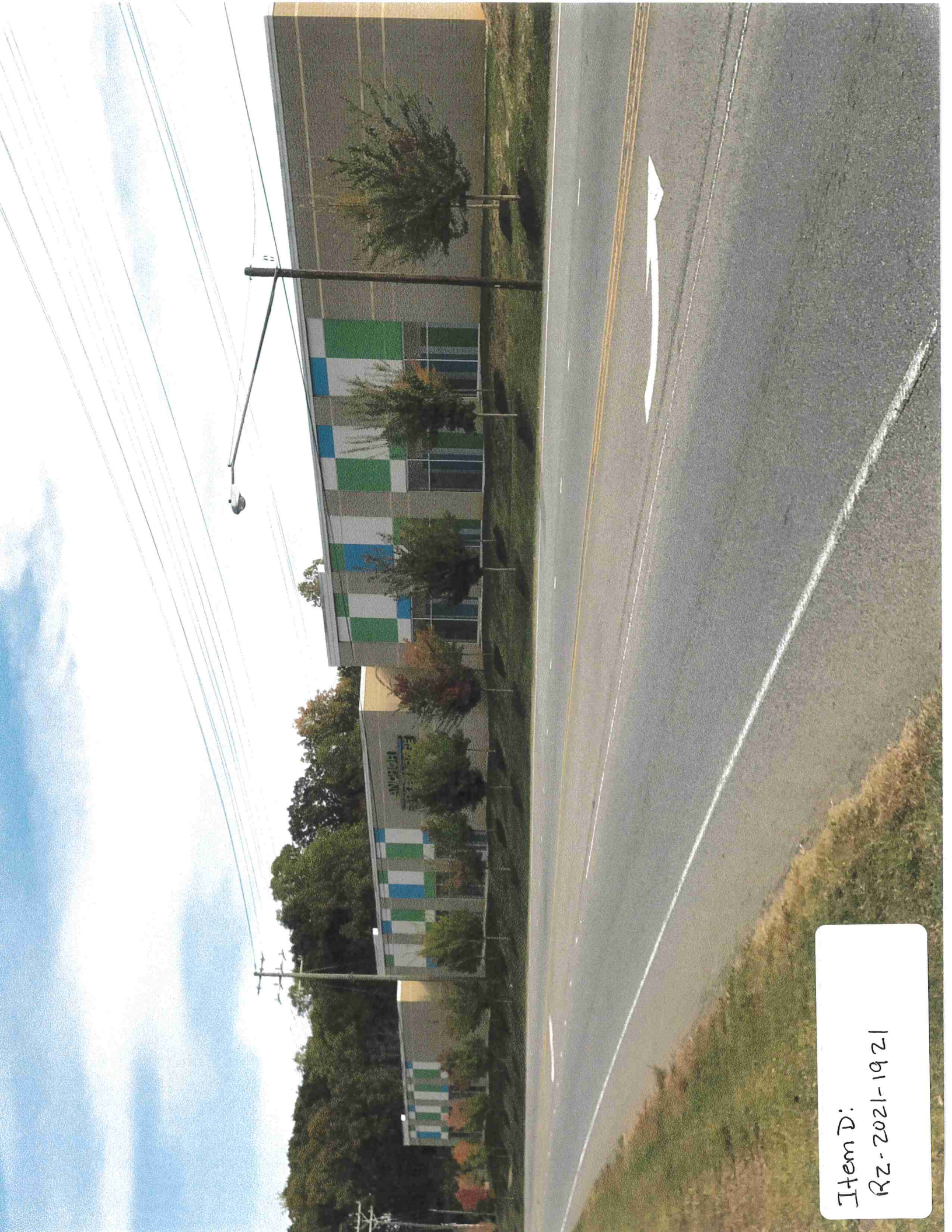
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 CubeSmart Self Storage



Item D:
RZ-2021-1921

7.06 ft



Item D:
RZ-2021-1921

Dobys Bridge Self Storge

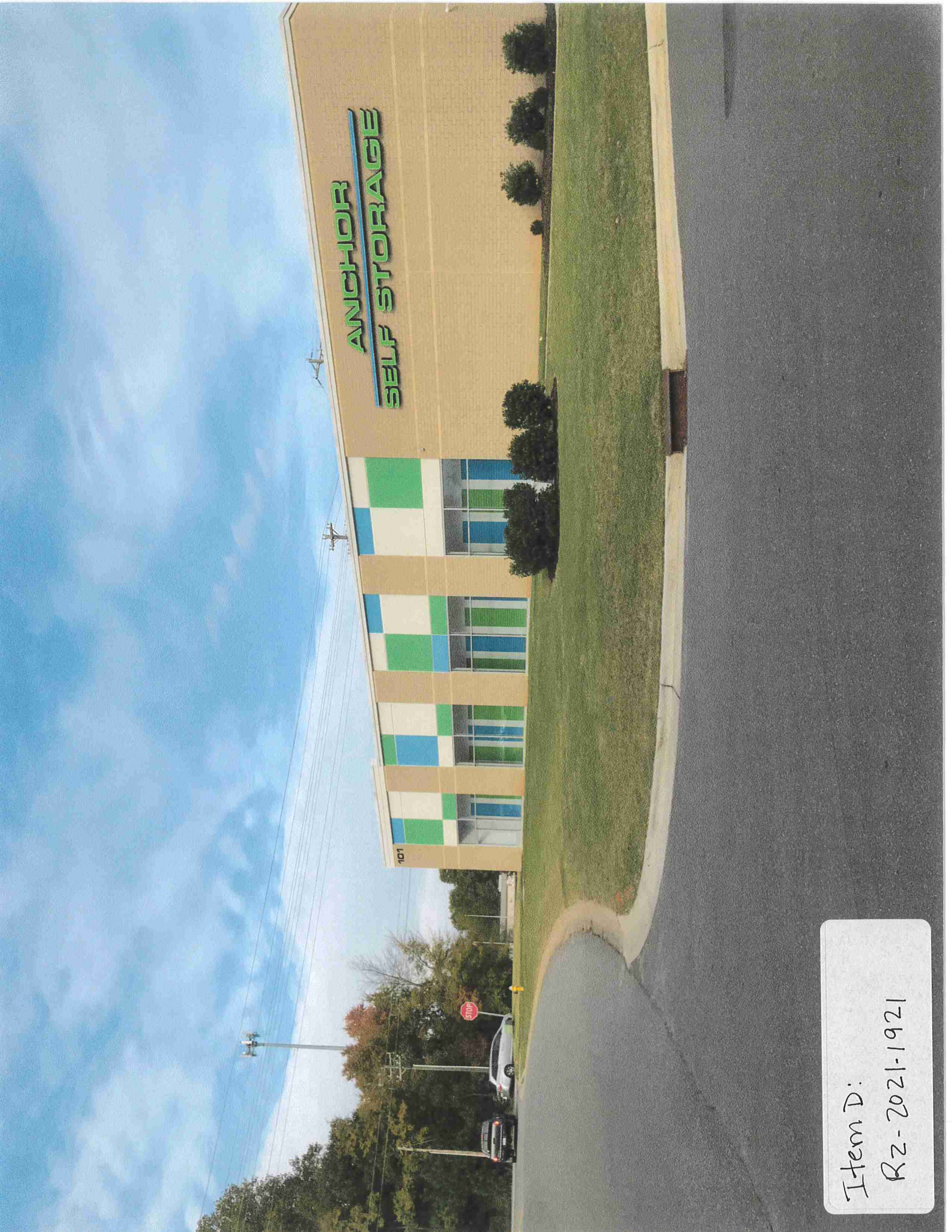
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Item D:
RZ-2021-1921



6.62 ft





Item D:

R2-2021-1921