

Planning Commission Members

District 1: Alan Patterson
District 2: T. Yokima Cureton
District 3: Charles Deese, Chair
District 4: Judianna Tinklenberg
District 5: James Barnett, Vice-Chair
District 6: Sheila Hinson
District 7: Ben Levine

**County Attorney**

Ginny L. Merck-Dupont

Clerk to Planning Commission

Jennifer Bryan

Development Services Director

Allison Hardin

September 19, 2023

6:00 PM

**101 North Main Street
Lancaster, SC 29720**

**LANCASTER COUNTY PLANNING COMMISSION
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

AGENDA

- 1. Call to Order Regular Meeting and Roll Call Vote**
- 2. Approval of the Agenda**
- 3. Citizen's Comments**

*[Lancaster County Council welcomes comments and input from citizens who may not be able to attend Council meetings in person. Written comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/>. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings. *Please note that any handouts presented to Council or Council Boards and Commissions become an official part of the record and a copy is attached to the legal minutes for the meeting.]*

4. Approve Minutes

- a. August 15, 2023 Regular Minutes
- b. September 7, 2023 Workshop Minutes

5. Public Items

- a. RNC-2023-1404 Solar Road to Hillside High Road
Application by Dr. Zora Denson to rename a SC state road in Lancaster County and Town of Heath Springs, from Solar Road to Hillside High Road.
- b. RZ-2023-1464 Greybridge
Application by Brian Cillian/Greybridge MacMillan LLC and LEH SC MacMillan LLC to rezone 7.286 acres at 1662 MacMillan Park Drive (TM# 0007-00-008.05) from Light Industrial (LI) to Institutional (INS) District in order to convert existing structure to a K-12 private school facility.

c. SD 2022-2205 The Sands Preliminary Plat

Application by Earl Coulston/Coulston Enterprises, for a Preliminary Plat for 39.47 acres located at the southeast corner of Fork Hill Road and Little Dude Avenue in Kershaw (TM #0141-00-024.00) for a single-family residential development of 76 lots.

6. **New Business**

a. Overview of next month's Agenda

b. Other

i. Update on UDO-TA-1371 Cabins/Campgrounds

Applicant Adam Thomas has withdrawn the application for a text amendment for Section 5.3.3 : addition of regulations for cabins.

7. **Adjourn**

**The Planning Commission makes a recommendation to County Council on these items.*

Recommendations made at this meeting are tentatively scheduled for consideration by County Council in the following month. County Council agendas are posted online at <https://lancastersc.novusagenda.com/agendapublic/meetingsresponsive.aspx>

***The Planning Commission makes the final decision on these items.*

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Planning Commission agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancastersc.org

Meetings are live streamed and can be found by using the following link:

https://mylancastersc.org/boards___commissions/planning_commission/planning_commission_meetings.php

Agenda Item Summary

Ordinance # / Resolution #: August 15, 2023 Regular Minutes

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 9/19/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
August 15, 2023 Regular Minutes	9/5/2023	Exhibit



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

CHARLES DEESE, DISTRICT 3, CHAIRMAN
JAMES BARNETT, DISTRICT 5, VICE-CHAIRMAN
T. YOKIMA CURETON, DISTRICT 2
JUDIANNA TINKLENBERG, DISTRICT 4
SHEILA HINSON, DISTRICT 6
ALAN PATTERSON, DISTRICT 1
BEN LEVINE, DISTRICT 7
CLERK: JENNIFER BRYAN

MINUTES
Lancaster County Planning Commission
August 15, 2023 6:00 p.m.

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

1. ROLL CALL: Quorum is present (7 Commissioners)

Commissioners Present:

Yokima Cureton	Ben Levine	James Barnett
Sheila Hinson	Charles Keith Deese	Alan Patterson
Judianna Tinklenberg		

Staff Present:

Allison Hardin, Development Services Dir.	Clerk: Jennifer Bryan
Matthew Blaszyk, Planner	

Council Member Billy Mosteller

BZA Chair Frances Liu

BZA Member Keye Jones

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.

THE FOLLOWING IS A SUMMARY OF PROCEEDINGS. IT IS NOT A VERBATIM TRANSCRIPT.

2. APPROVE AGENDA

Chairman Deese called for a motion to approve the Agenda.

Motion to Approve by James Barnett; 2nd by Sheila Hinson.

Called vote: 7:0. **Motion approved unanimously.**

3. CITIZEN'S COMMENTS [see Sign-In sheet attached] None signed in.

Chairman Deese closed the floor to comments from the public.

4. APPROVE MINUTES

a. July 18, 2023 Regular Minutes

Chairman Deese called for a motion to approve July 18, 2023 Regular Minutes as written. Judianna Tinklenberg was absent from the meeting of 7/18/2023.

Motion to Approve by Ben Levine; 2nd by James Barnett.

Called vote: 6:0. Commissioner Tinklenberg abstained. **Motion approved.**

b. August 3, 2023 Workshop Minutes

Chairman Deese called for a motion to approve August 3, 2023 Workshop Minutes as written. Ben Levine was absent from the meeting of 8/2/2023.

Motion to Approve by James Barnett; 2nd by Yokima Cureton.

Called vote: 6:0. Commissioner Levine abstained. **Motion approved.**

5. PUBLIC ITEMS

a. RZ-2023-1197 Strunk

Application by Charles Strunk to rezone approximately 6.6 acres at 2458 Mineral Mining Road, Kershaw (TM #0098-00-037.01) from Light Industrial (LI) to Agricultural Residential (AR) District, in order to create conformity for existing residential use.

Staff Presentation: Matthew Blaszyk, Planner. Staff Recommendations: None.

Chairman Deese asked if the house is currently occupied; Blaszyk confirmed that it is.

Comment from applicant(s):

Charles Strunk (owner and resident): The home was built in 2002. It and adjacent parcels have been residential for decades. AR district across street; the rezoning will be consistent with existing use.

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

Chairman Deese closed Public hearing and called for a motion on item RZ-2023-1197

Motion to approve by Sheila Hinson; 2nd by Ben Levine .

Discussion:

Alan Patterson asked if the non-conforming use can continue without rezoning; **Hardin** and **Blaszyk** confirm that it can, but that the requested accessory structure cannot be built as that would be an expansion of non-conforming use.

Alan Patterson states that he understands the intent, but the Commission has to look forward, not back, and he does not support rezoning in contradiction to the Future Land Use designation.

Sheila Hinson states that rural areas have different needs than suburban areas like Indian Land.

Chairman Deese states that with regard to the nearby mineral mine, the mine is closed and will not reopen, so that industrial use is not a concern.

MOTION TO AMEND ORIGINAL MOTION by Ben Levine; 2nd by James Barnett: to include recommendation for parallel amendment to Comprehensive Plan/Future Land Use (boundary of Special Industrial District).

Vote on Amendment: 5:2. J. Tinklenberg and A. Patterson opposing. **Amendment is Approved.**

Called vote on Motion as Amended: 5:2. J. Tinklenberg and A. Patterson opposing **Motion is approved as amended.**

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

b. UDO-TA-2023-1163 Ch. 2 & Ch. 10: Auction House

Application by William Cox for a text amendment adding Auction House as a defined Use.

Staff Presentation: Allison Hardin, Development Services Director

Staff Recommendations: None.

Comments/Questions to staff:

Ben Levine: In the Panhandle, the relevant zoned districts are all in the Highway Corridor Overlay. Would HCO requirements still apply? **Hardin** confirmed that HCO would still apply.

Chairman Deese: Typically auctions are held in the afternoon or evening. Would noise impact adjacent residents?

Hardin: The County noise ordinance would apply.

Judianna Tinklenberg: Can the Commission make conditions on a motion?

Hardin: The Commission can make a recommendation that the proposed use be a Conditional Use or Special Exception process; or can recommend additional language in the definition specifying hours of operation.

Alan Patterson: What determines the sales area setback? **Hardin:** The base zoning district determines setback.

Comment from applicant(s):

William and Blanca Cox (Lancaster Residents): The Coxes have a currently vacant property where they would like to establish an Auction facility. Mr. Cox holds “Tailgate auctions” in North Carolina, with 6 to 7 sellers and 20 or more buyers on average. No outside storage is needed, as sellers remove unsold items after the sale.

Questions from Commissioners:

Ben Levine: Would you have any objection to a time restriction?

Mr. Cox responded that he would not, as he typically holds auctions between 10:00 AM and 1:00 PM.

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

William & Blanca Cox signed in to speak. Yield time with no further comments.

Chairman Deese closed Public hearing and called for a motion on item UDO-TA-2023-1163.

Motion to approve by Alan Patterson; 2nd by Sheila Hinson.

Discussion:

MOTION TO AMEND ORIGINAL MOTION by Ben Levine, 2nd by Judianna Tinklenberg:

1. Recommend designating Auction as Conditional Use;
2. Adding restriction on operating hours between 8:00 AM and 6:00 PM.

Alan Patterson: Because this will impact such a large number of parcels throughout the County, he does not support.

Yokima Cureton: concurs that she is concerned about the widespread impact of this change.

Sheila Hinson: disagrees, as she feels this would be a beneficial addition to Uses.

VOTE ON AMENDMENT: 6:1. Alan Patterson opposing. **Motion to Amend is approved.**

Called vote on Motion as Amended: 6:1. Alan Patterson opposing. **Motion is approved as amended.**

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

c. UDO-TA-2023-1371 Ch. 5 Sec 3.3 Campgrounds/Cabins

Application by Adam Thomas for a text amendment adding standards for cabins to campground regulations.

Staff Presentation: Allison Hardin, Development Services Director

Staff Recommendations: None.

Comments/Questions to staff:

Ben Levine: Asks for clarification of the requirement between 400 sq. ft. and 900 sq. ft.

Hardin: That minimum/maximum is governed by building regulations for tiny homes (400 sq.ft. minimum) and transient housing (up to 900 sq.ft.) Over 900 sq. ft. is governed by hotel standards.

Comment from applicant(s):

Adam Thomas (Kendlewood Drive): His mission is to create a faith-based campground and activity center that ministers to youth groups. Neighbors have expressed concern over RVs and traffic; cabins would alleviate traffic. Cabins would be less expensive than the alternative RV “bunkhouses” and would reduce traffic.

Questions from Commissioners:

Sheila Hinson: What are the cabins pictured in the presentation? **Thomas** replied that the examples are from Crowder’s Ridge in Gastonia.

Alan Patterson: What is the maximum number of cabins which could be permitted on the site? **Hardin:** Fifteen (15) units per acre, less the open space requirements, would work out to 9 units per acre; the site is 20 acres.

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

1. **Keve Jones** (Lancaster resident): Mr. Jones is a member of the Board of Zoning Appeals. During the applicant’s recent hearing for a Special Exception to establish a campground, the subject of cabins was discussed because cabins were being advertised on the applicant’s promotional website. When questioned, the applicant demurred that the website information was merely a prospectus for donors. The website was not updated during the period between the original Special Exception hearing and the continuance to the following month. Mr. Thomas assured the BZA that he was aware cabins were not permitted under our ordinance, and his plan was to use “bunkhouses” created from modified RVs. The Special Exception was granted based on the site plan which utilized tent camping sites and RV sites for the mobile bunkhouses. Given that the application for a text amendment for cabins was made within days of the Special Exception approval, Mr. Jones believes that the Special Exception presentation was disingenuous at best.
2. **Frances Liu** (Lancaster Resident): Chair, Board of Zoning Appeals. [see attached text excerpt from BZA hearing June 6, 2023.] Ms. Liu quotes Mr. Thomas’ statements on cabins with regard to his site plan. The BZA’s decision was based on his statements and site plan. The Board would not have approved the Special Exception at that location with a site plan that included cabins.

Rebuttal by Applicant:

Adam Thomas: the quote is correct; if the text amendment is not approved, they will implement the plan presented to the Board of Zoning Appeals with regard to the RV bunkhouses. He would recommend a density lower than the projected 9 units per acre, closer to 4 units per acre. He has no desire or intention to put 180 cabins on the property. His intent is youth ministry, not a public campground.

Chairman Deese closed Public hearing and called for a motion on item UDO-TA-2023-1371.

Motion to Approve by Ben Levine; 2nd by James Barnett.

Discussion:

Ben Levine: There will undoubtedly be cabins allowed at some point in the future, but this proposal does not seem appropriate.

Alan Patterson: These text amendments are rewriting the UDO that we are already rewriting. I don't think this is what's best for the County.

Sheila Hinson: This is an unfortunate situation. I have fond memories of camping, and think cabins are a good idea, but I don't support this as it has been presented.

Called vote: 7:0. **Motion is denied unanimously.**

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

d. UDO-TA-2023 -0973 Sec 4.4.1 CSOD Standards

Chapter 4, Sec. 4.4 1 Cluster Subdivision Overlay Standards: Application by Planning Department on behalf of County Council to amend standards for Cluster Subdivision Overlay District, regarding lot size, front setbacks, usable open space, block length, CSOD lot size mix, and density calculation.

CONTINUED FROM 7/18/2023

Staff Presentation: Allison Hardin, Development Services Director

Comments/Questions from Commissioners:

Chairman Deese: A 50 foot riparian buffer has been suggested before, it met with considerable resistance from developers.

Hardin: In this instance, the proposed buffer will only apply within CSOD, not county-wide.

Ben Levine: Recommends making items 1, 2 and 6 requirements rather than incentives; supports removing item # 8, and items 3,4,5 and 7 as incentives.

Alan Patterson: If item 3.a.1 becomes a requirement [50 foot buffer]; suggests making 100-foot buffer an incentive.

Hardin: Acknowledges that is a possibility; cautions that it may impact the lot flexibility, which should then go back up from 25% to 35%.

Alan Patterson: While he approves of the changes to CSOD, and would like to move this forward, he believes that it would be better to leave this issue to the UDO rewrite rather than trying to institute a short-term fix.

James Barnett: Notes that this was not requested by an individual or a developer, but by Council.

Hardin: A well-designed CSOD reduces impact on infrastructure, lowers price points, and protects resources. But it is difficult to craft it effectively.

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

Chairman Deese closed Public hearing and called for a motion on item UDO-TA-2023-0973.

Motion to approve, with stated staff changes and the following recommendations, by Ben Levine ; 2nd by James Barnett.

Chairman Deese called a recess at 7:50 to allow Commissioner Levine to draft recommendations in written form.

[Recess ends at 7:56]

Commission Recommendations:

- 4.4.1.D.3.A.1 modified to state [incentivized] 100-foot buffer instead of 50- foot buffer.
- Design requirements for CSOD to include a 50-foot riparian buffer.
- Remove 4.4.1.D.3.A.2 and 4.4.1.D.3.A.6 as incentivized items from section 4.4.1.D.3.A and instead include them as design requirements.
- Remove 4.4.1.D.3.A.8 completely.
- Amend 4.4.1.D.3.A to state “at least two” instead of “at least three.”

Discussion:

No additional discussion.

Called vote: 7:0. **Motion is approved unanimously.**

Chairman Deese stated the item will go to County Council for consideration.

6. NEW BUSINESS

a. Overview of Next Month's Agenda:

Preliminary Plat: Little Dude SD-2022-2205
RZ-2023-1464 Greybridge LI to INS
RNC 2023-1404 Solar Road to Hillside High

b. Other

Commissioners discussed whether to recommend a moratorium on text amendments. Consensus is that they are becoming an impediment to the progression of the UDO rewrite.

Motion to recommend a moratorium on Text Amendments until the new UDO is completed and in effect, by James Barnett; 2nd by Yokima Cureton.

Called vote: 7:0. **Motion is approved unanimously.**

Chairman Deese and staff will present the recommendation to County Council for consideration.

7. ADJOURN

Motion to adjourn by James Barnett; 2nd by Sheila Hinson. Motion approved by unanimous consent. Meeting adjourned at 8:17 p.m.

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County

South Carolina



PLANNING COMMISSION Public Hearing Sign In Sheet

Item 3: CITIZEN'S COMMENTS

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

For comments on specific agenda items under discussion, please sign in on the appropriate sheet.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, August 15, 2023

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

PLEASE PRINT

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SIGN IN ONLY IF YOU WISH TO SPEAK



**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 5a: RZ-2023-1197 Strunk

Application by Charles Strunk to rezone approximately 6.6 acres at 2458 Mineral Mining Road, Kershaw (TM #0098-00-037.01) from Light Industrial (LI) to Agricultural Residential (AR) District, in order to create conformity for existing residential use.

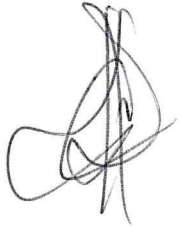
Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, August 15, 2023

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**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 5b: UDO-TA-2023-1163 Ch. 2 & Ch. 10: Auction House

Application by William Cox for a text amendment adding Auction House as a defined Use.

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Tuesday, August 15, 2023

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PLEASE PRINT

1.	William + Blanca Cox
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SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County

South Carolina



PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5c: UDO-TA-2023-1371 Ch. 5 Sec 3.3 Campgrounds/Cabins

Application by Adam Thomas for a text amendment adding standards for cabins to campground regulations.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, August 15, 2023

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PLEASE PRINT

✓ 1.	Keya LONES
✓ 2.	Frances Liu
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5.	

SIGN IN ONLY IF YOU WISH TO SPEAK



PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5d: UDO-TA-2023-0973 Sec 4.4.1 CSOD Standards

Chapter 4, Sec. 4.4 1 Cluster Subdivision Overlay Standards: Application by Planning Department on behalf of County Council to amend standards for Cluster Subdivision Overlay District, regarding lot size, front setbacks, usable open space, block length, CSOD lot size mix, and density calculation.

CONTINUED FROM 7/18/2023

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, August 15, 2023

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Testimony, under oath, of Adam Thomas, on June 6th when applying for a special exception for a campground. This testimony, which acknowledges that cabins are not allowed in a campground so the applicant is "going a different route to still accomplish the same goal", was given four days before requesting a text amendment to allow cabins in a campground.

"There have been questions ... no, we are not doing, we are not interested, we are not offering a KOA style of campgrounds where campers are coming in constantly, that is not the goal. We are meeting the ordinances.

Your ordinances do not allow a cabin. If I could do what I would love to do, I'd have put in 8-10 cabins in Boy Scout style that would have 8-10 bunk beds inside, but a cabin is not in your ordinance. A campground IS in the ordinance. So we're going a different route to still accomplish the same goal that we want to do, which is to have youth groups, athletic sports teams, Boy Scouts, Girl Scouts use the property to encounter Creation, encounter Fellowship with one another and the Creator."

4.4.1.D.3.A.1 ~~allow up to 35%~~ modified to state 100-foot instead of 50-foot

Design requirements for CSOD will include a 50-foot riparian buffer

4.4.1.D.3.A.2 and 4.4.1.D.3.A.6 be removed from 4.4.1.D.3.A and instead be included in design requirements

4.4.1.D.3.A.8 will be removed completely

4.4.1.D.3.A will be changed to state "at least two" instead of "at least 3"



Contract for UDO Assessment with consultants White & Smith was signed May 10, 2021. Later converted to rewrite of UDO.

UDO-TA-#	Subject	PC Date	Council Decision	Ordinance
2021-0704	Restaurant parking	5/18/2021	APPROVED	Ord 2021-1746
2021-2121	Halfway Homes	10/19/2021	APPROVED	Ord 2021-1782
2021-2251	HCO setbacks	10/19/2021	APPROVED	Ord 2021-1783
2021-2261	Retreat Use	10/19, 11/16/2021	Withdrawn	--
2021-2981	Parking/Off-street loading	1/20/2022	APPROVED	Ord 2022-1795
Kershaw	Group Homes	4/7/2022	Approved (Kershaw)	(Kershaw Ord)
2021-2980	CSOD INTERIM ORD - Flex	1/20/2022 6/2/2022	(Multiple presentations) DENIED	--
2022-0172	MUSC-HCO	9/20/2022	Withdrawn	--
2022-2606	MDR & CSOD	1/17/2023	DENIED	--
2022-2602	Dead end Roads	1/17/2023	APPROVED	Ord 2023-1840
2023-0073	CWP Exemption	2/21/2023	Withdrawn	--
2023-0188	Water Towers	3/21/2023	APPROVED	Ord 2023-1843
2022-0344	Costco (multiple)	5/16/2023		Ord 2023-1853 Ord 2023-1855 Ord 2023-1856 Ord 2023-1857
2023-0972	MDR	7/18/2023	Pending	
2023-0975	Street Hierarchy	7/18/2023	Pending	
2023-0973	CSOD	7/18, 8/15/2023	Pending	
2023-1163	Auctions	8/15	Pending	
2023-1371	Campground Cabins	8/15	Pending	

Agenda Item Summary

Ordinance # / Resolution #: September 7, 2023 Workshop Minutes

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 9/19/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
September 7, 2023 Workshop Minutes	9/8/2023	Exhibit



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

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

**MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION
WORKSHOP MEETING**

**September 7, 2023 5:00 P.M.
MINUTES**

Chairman Deese called the meeting to order at 5:00 p.m.

1. Roll Call:

Members Present:

Jim Barnett Charles Deese Sheila Hinson
Ben Levine Yokima Cureton Alan Patterson
Judianna Tinklenberg

Others Present:

Ashley Davis, Deputy Planning Director Clerk: Jennifer Bryan
Matthew Blaszyk, Planner

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 posted in the lobby of the Administration Building more than 24 hours in advance of the meeting.

2. New Business

a. RNC-2023-1404 Solar Road Name Change

Application by Dr. Zora Denson to rename a SC state road in Lancaster County and Town of Heath Springs, from Solar Road to Hillside High Road.

Staff Presentation: Matthew Blaszyk, Planner

Discussion:

- No calls or emails in support or opposition
- Sandra Burton will make the presentation on 9/19/2023
- Sandra has reached out to Heath Springs School Superintendent for confirmation. The school principle has signed the petition.

b. RZ-2023-1464 Greybridge

Application by Brian Cillian/Greybridge MacMillan LLC and LEH SC MacMillan LLC to rezone 7.286 acres at 1662 MacMillan Park Drive (TM# 0007-00-008.05) from Light Industrial (LI) to Institutional (INS) District in order to convert existing structure to a K-12 private school facility.

Staff Presentation: Matthew Blaszyk, Planner

Discussion:

- Proposal is not compatible with Comprehensive Plan “Employment Center” per FLU Map. The MacMillan Industrial Park is the only designated Employment Center in the Indian Land area.
- Commissioners expressed concern that:
 - Rezoning this parcel to include a school will discourage other industrial tenants
 - Industrial area seems inappropriate for a school
 - Two-lane road may cause problems with stacking during pick-up and drop-off times.

c. SD-2022-2205 The Sands Kershaw (a/ka little Dude)

Application by Earl Coulston/Coulston Enterprises, for a Preliminary Plat for 39.47 acres located at the southeast corner of Fork Hill Road and Little Dude Avenue in Kershaw (TM #0141-00-024.00) for a single-family residential development of 76 lots.

Staff Presentation: Matthew Blaszyk, Planner

Discussion:

- Although there is a utility service letter from Kershaw, Town of Kershaw and LCWSD are still working out how to provide service.
- There are numerous outstanding TRC comments, many of which are not simple to resolve.
- SCDOT and Fire Marshall’s requirements may be contradictory.
- Commissioners expressed concern that ingress/egress and road issues may create long-term consequences, similar to problems in Indian Land.

3. Other:

a. UDO Review: Ashley Davis, Deputy Planning Director

[See attached slide presentation]

Planning Staff needs to provide our UDO consultants with direction regarding how the County would like to handle complex/ multi-use development projects within the new Unified Development Ordinance.

Through research and discussions with our consultants, staff has determined 3 potential paths and is seeking direction from council as to which path they would like to see built into the new ordinance.

Discussion:

- Commissioners concluded that two important considerations for PDDs are ratios of residential to commercial components, and establishing hard timelines for building out commercial to avoid pitfalls of previous PDD agreements.
- Commissioners are in favor of the PDD option among the three choices.
- Four Commissioners will attend the Committee of the Whole Meeting on September 13, to support the presentation to Council and express their recommendations. The Clerk will post notice of the quorum appearing at the C.o.W. meeting.

4. Adjourn

Meeting was adjourned at 6:40 pm.

Agenda Item Summary

Ordinance # / Resolution #: RNC-2023-1404 Solar Road to Hillside High Road

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 9/19/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	9/11/2023	Exhibit
Application	8/25/2023	Exhibit
Petition	8/25/2023	Exhibit
Location Map	9/6/2023	Exhibit

PROPOSAL:	Request to change the name of Solar Road to Hillside High Road.
PROPERTY LOCATION:	Located off Kershaw Camden Highway within the town limits of Heath Springs; partially in County
APPLICANT:	Dr. Zora Smith Denson
COUNCIL DISTRICT:	District 6, Allen Blackmon

OVERVIEW:

Project Summary & Proposal

Dr. Zora Smith Denson has requested that the road name for Solar Road be changed to Hillside High Road. Seven street name change notification letters were mailed out on 7/31/2023. One of the parcels located on Solar Road is Heath Springs Elementary School. County staff have received several phone calls from the public in support of this road name change.

Staff has reviewed the requested change and has noted no problems with the new road name. Staff attended a Town of Heath Springs Meeting on 8/15/2023 and explained the road name change process to the Town Council and residents. All the Town Council Members were in favor of the road name change. Staff also spoke with Mr. James Hinson, the only resident on the road. Mr. Hinson had no opposition to the proposed road name change.

On 8/25/2023 staff spoke with Miranda Tillman, the administrative assistant to the School Superintendent, Jonathan Phipps. Staff requested to meet with Jonathan Phipps to explain the road name change process and the effects it will have on Heath Springs Elementary. No return phone call has been received. Sheri M. Watson, the Principal of Heath Springs Elementary, signed the petition in support.

ANALYSIS & FINDINGS:

UDO Section 6.11.5 Procedure for Changing the Name of an Existing Road

- A. Any person, firm, or corporation shall submit a written request to the Planning Department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the Planning Department; designate a spokesperson by name, address, and telephone number; provide first and second road name choices; and be accompanied by a petition, signed by 75 percent of the owners addressed on the affected road. The request must also include a reason for the name change.
- B. Upon receipt of such request, the Planning Department shall schedule consideration of same by the Lancaster County Planning Commission. The Planning Commission's consideration shall be conducted during any regular meeting of the Planning Commission. The public notice requirement for this type of application shall be the same as is contained in Chapter 9.
- C. The proposed road name change shall be posted at integral points along the affected road.
- D. Within 60 days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the Planning

Commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

- E. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the Planning Department.
- F. After reasonable notice in a general circulation newspaper in the community, the Lancaster County Planning Commission may change the name of an existing street or road within its jurisdiction. The commission can make the change when one of the following occurs.
 - 1. There is a duplication of names which tends to confuse the public or persons delivering mail, orders or messages.
 - 2. A change may simplify markings or giving directions to persons looking for an address.
 - 3. Any other good and just reason that may appear to the commission.

After reasonable opportunity for public hearing, the Planning Commission issues its certificate designating the change. It is recorded in the Lancaster County Register of Deeds office. The change and certified name becomes the legal name of the street.

STAFF RECOMMENDATION:

Staff recommends **approval** of this road name change as all effected parties have been notified and no issues have been raised.

ATTACHMENTS:

- 1. Road Name Change Application
- 2. Location Map

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380

****NEW ROAD NAME/CHANGE APPLICATION****

RECEIVED
7/25/2023

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following **applicant** information as completely and accurately as possible.

Date of Application: July 19 2023
Name: Dr. Zora Smith Denson Address: dr. zsd50@gmail.com
City, State, Zip Code: 2900 McIlwain Road Heath Springs SC 29528
Telephone (H): 803 285-2828 Telephone (W) or (Cell): 313 4012585

Please provide the following **new road name** information as completely and accurately as possible.

Location of new road: (Existing Road) Solar Road

Road name as it exists now (if applicable): Solar Road

Proposed new road name (1st choice): Hillside High Road

Proposed new road name (2nd choice): Hillside Blvd

Will this be a private road? Yes ☐ NO ☒

If applicable, do you plan on deeding this new road to the county in the future?

Yes ☐ NO ☐ ALREADY A COUNTY ROAD

Please attach the following items to this application:

*A map to approximate scale depicting the location of the new road.

*A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Dr. Zora Smith Denson
Hillside Alumna Member



PETITION FOR ROAD NAME CHANGE

Date March 23 2021

Ne Hillside Atypm hereby request to rename the following road, Solar Road
The subject road is located _____

The proposed new road name is Hillside way ^{OR} Hillside Road Please find below the required percentage (75%) of signatures representing the landowners having frontage on the road to be named.

Sincerely,

Dr. Lora Smith-Denson

Signature of Property Owner Tax Map Number or Existing Address Phone Number

- 1) Shari M. Watsa 158 Solar Rd 803-320-3355
- 2) Jendri Defason Heath Springs 803-320-7675
- 3) MARK BRIDGES TRUSTEE SOLAR ROAD HEATH SPRINGS 803-289-6905
- 4) Yamela Stewart 4893 Kershaw-Camden Hwy Heath Springs, SC 29058 803-273-8811
- 5) Ray Robert 4863 Kershaw Can for Hwy H.S. 50 803-777-3028
- 6) Mary Smiles 157 Solar Rd. 320-0529
- 7) Ronda W Abbott 155 Solar Rd 209-5624
- 8) William Z. Akht 155 Solar Rd 804-9199
- 9) _____
- 10) _____
- 11) _____
- 12) _____

All signatures will be verified

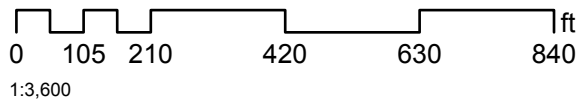


**Public Safety
Communications
Address Slip**



SOLAR RD (101, 291, 100, 290)
HEATH SPRINGS, SC 29058

Owner: State of SC Road



Note: This map is a graphic representation and should only be used for illustrative purposes.
In no way should this map be used for exact locations.

Agenda Item Summary

Ordinance # / Resolution #: RZ-2023-1464 Greybridge

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 9/19/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	9/11/2023	Planning Staff Report
Application	8/25/2023	Exhibit
Plat	8/25/2023	Exhibit
Deed	8/25/2023	Exhibit
Location Map	9/6/2023	Exhibit

PROPOSAL: Request to rezone 7.286 acres of property

PROPERTY LOCATION: 1662 MacMillan Park Drive (TM# 0007-00-008.05)

CURRENT ZONING DISTRICT: Light Industrial (LI) District

PROPOSED ZONING DISTRICT: Institutional (INS) District

APPLICANT: Brian Cillian/Greybridge MacMillan LLC and LEH SC MacMillan LLC

COUNCIL DISTRICT: District 4, Jose Luis

STATUTORY NOTICES: Sign posted 8/31/2023
 Hearing notice published 9/2/2023 in The Lancaster News
 And 9/6/2023 in Carolina Gateway
 Mailed notices 8/31/2023
 Posted agenda in lobby 9/12/2023

OVERVIEW:

Proposal

The applicant has requested to rezone a parcel 7.286 acres in size. The intent is to redevelop the existing structure as a private K-12 school.

Site Information

The parcel proposed to be rezoned is currently zoned Light Industrial and located off U.S. 521, on MacMillan Drive in the existing industrial park. The proposed site is located in between the new headquarters for Continental Tire and the Unique Loom facility. This business park is one of few remaining areas within the panhandle region with Light Industrial zoning.

Summary of Adjacent Zoning and Uses

The subject parcel is within an existing industrial business park and is surrounded predominantly Light Industrial zoned properties.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	LI	Industrial Park (Unique Loom)
South	Lancaster County	LI	Industrial Park (Continental Tire)
East	Lancaster County	LI	Industrial Park (Keer America)
West	Lancaster County	MDR	Blackwelder Road neighborhood

Economic Development / Fee in Lieu (FILOT) Agreement:

The parcel that is proposed to be rezoned is the former site of Kennametal which manufactures tungsten-titanium carbide alloy for cutting tools, silicon-nitride based "sialon" ceramics for the machining of exotic aerospace materials, and cobalt-enriched substrates for coated inserts. Kennametal previously had a FILOT Agreement for this property. Typically when a parcel is sold without a notification to SCDOR to continue the FILOT agreement, the agreement is void. With that said, given that the parcel is currently zoned Light Industrial and located within a business park, it is the County's Economic Development Department's preference for the site to remain the existing zoning of Light Industrial.

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the Light Industrial District. Pursuant to UDO Chapter 2.3, the Light Industrial District *"... for activities that can be operated in a relatively clean and quiet manner, and which will not be obnoxious to adjacent residential or business districts. This includes warehousing and wholesaling activities with limited contact with the general public. It is designed to prohibit most heavy industry, which should be properly segregated, and to prohibit any other use which would substantially interfere with the development of industrial establishments in the district. Limited opportunities for retail sales and services are also provided."*

Requested INS

UDO Chapter 2.3 describes the requested INS District *as intended to allow for the continued and future use, expansion, and new development of academic and religious campuses, governmental and health facilities, and public and private utility infrastructure. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.*

RELATIONSHIP TO PUBLIC PLANS

Specialty Employment Center:

The subject parcel falls within an activity center designated by the future land use map found in the Comprehensive Plan. This activity center is a designated "employment center". Under the current Comprehensive Plan this area is the only recognized "employment center" in the County.

The Future Land Use Category of the subject properties is Employment Center, which corresponds to the Suburban Office Center Community Type. The adopted Comprehensive Plan states that the Suburban Office Center Community Type *"provides opportunities to concentrate employment in the region. They include both large-scale isolated buildings with numerous employees as well as areas containing multiple office uses that support and serve one another. They are typically buffered from surrounding development by transitional uses or landscaped areas and are often located in close proximity to major*

highways or thoroughfares. The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The Employment Center Future Land Use Category is a circle that overlays this portion of the County. The Employment Centers central point begins at the intersection of Fort Mill Highway and MacMilan Park Drive and extends North to Keswick Ter, 1000ft South of 910 Giacomo Drive, East to the intersection of Fort Mill Highway and Old Bailes Road, and West to 935 Fort Mill Highway,

The requested INS District is inconsistent with the Employment Center Future Land Use Category.

Suburban Office Center: Land Use Category		
Small supermarket	Bank	Professional Office
Convenience store	Restaurant	Call center
Large supermarket	Big Box commercial	Medical office
Drug store	Hotel	Fire station

INFRASTRUCTURE CONSIDERATIONS

Transportation

A TIA has not been provided. It is our understanding that the applicant is working on a memo stating that the sites AM/PM peak hour trips will not cross the 50-trip threshold for a TIA. This memo has not yet been submitted.

Public Utilities

Water and sewer access is provided to the site by the Lancaster County Water and Sewer District.

Public Schools

The Lancaster County School District did not leave any comments for this rezoning.

PHOTOS OF PROJECT AREA:



Aerial View of Subject Parcel



Facing Existing Building on Subject Parcel. Proposed Private School Site

STAFF RECOMMENDATION:

Staff recommends **Denial** of the request to rezone 7.286 acres (TM# 0007-00-008.05) from Light Industrial (LI) District to Institutional (INS) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: (TM# 0007-00-008.05);
 2. That the subject property is currently zoned LI District and proposed to be rezoned INS District;
 3. That the subject property has a Specialty Center Use designation of Employment Center, and a Community Type of Suburban Office Center;
 4. That the proposed INS District is generally inconsistent with the surrounding area which is comprised primarily of LI zoning.
-

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address 1462 Macmillan Park Drive
City Fort Mill State SC Zip 29707 Tax Parcel ID 0007-00-008.05
Current Zoning LI Current Use Vacant Office
Proposed Zoning INS Total Acres 7.286
Project Description 23,000 SF Vacant office building
to be converted to private K-12
School

Surrounding Property Description Subject property is surrounded
by Light Industrial and Medium
Density Residential

CONTACT INFORMATION

Applicant Name Greybridge Macmillan, LLC - Brian Cillian
Address 910 Giacomo Dr.
City Waxhaw State NC Zip 28173 Phone 704-681-4270
Fax _____ Email brian@greybridgepartners.com
Property Owner Name LEHSC Macmillan, LLC & Greybridge Macmillan, LLC
Address 910 Giacomo Dr
City Waxhaw State NC Zip 28173 Phone 704-681-4270
Fax _____ Email brian@greybridgepartners.com

Contact - Brian Cillian
704-681-4270

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Applicant

Property Owner(s)

Attach owner's notarized written authorization with property information if the applicant is not the owner.

8/1/23

Date

8/1/23

Date

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$435.00
- Rezoning Application Fee – multi parcel \$610.00

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.

LANCASTER COUNTY, SC	
2023009193	DEED
RECORDING FEES	\$15.00
EXEMPT	
PRESENTED & RECORDED	
07-25-2023	08:46:09 AM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: CANDICE PHILLIPS	
BK:DEED 1690	PG:63-70

Upon Recording Mail To: Grantee

Recording Time, Book & Page

SOUTH CAROLINA QUITCLAIM DEED

COUNTY: Lancaster

TAX MAP NUMBER: 0007-00-008.05

DATE: July 24, 2023

Grantor

Kennametal, Inc.,
a Pennsylvania corporation

Mailing Address:

525 William Penn Place, Suite 3300
Pittsburgh, PA 15219

Grantee

LEH SC MacMillan, LLC,
a South Carolina limited liability company (as to a 50% undivided interest as a tenant in common)

Greybridge MacMillan, LLC,
a South Carolina limited liability company (as to a 50% undivided interest as a tenant in common)

Mailing Address:

910 Giacomo Drive
Waxhaw, NC 28173

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation, partnership, limited liability company

The designation Grantor and Grantee as used herein shall include the named parties and their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

KNOW ALL MEN BY THESE PRESENTS, that Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) paid by Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, convey and forever quitclaim unto the Grantee unto Grantee, that certain parcel of real estate described as follows (the "Premises"):

SEE EXHIBIT A attached hereto and incorporated herein by reference

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the Premises belonging or in any way incident or appertaining, including, but not limited to, all improvements of any nature located on the Premises and all easements and rights-of-way appurtenant to the Premises.

01198-034/00472780-1

TO HAVE AND TO HOLD all and singular the Premises unto Grantee and Grantee's successors and assigns forever, free and discharged from all right, title, claim or interest of Grantor.

Grantor makes no warranty, express or implied, as to title of the Premises conveyed hereunder.

[Signatures appear on the immediately following page]

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be delivered under seal this 24th day of July, 2023.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

GRANTOR:

Kennametal, Inc.,
a Pennsylvania corporation

Julie L. McLaughlin
Witness#1

By: Michelle R. Keating (SEAL)
Name: Michelle R. Keating
Title: VP, Secretary & General Counsel

Kathleen Wolfe
Witness#2

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

I, a Notary Public for Allegheny County, Pennsylvania, do hereby certify that Michelle R. Keating, VP, Secretary & General Counsel of Kennametal, Inc., a Pennsylvania corporation, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the corporation.

Witness my hand and official seal this the 20th day of July, 2023.

Katie Sue Laut
Notary Public for Pennsylvania

My Commission Expires:

June 8, 2025

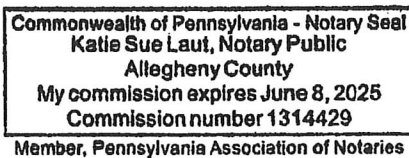


EXHIBIT A
LEGAL DESCRIPTION OF PREMISES

Being in the State of South Carolina, County of Lancaster, being west of MacMillan Park Drive (66 feet Public Right-of-way per Plat Book 2007, Page 183), being a new survey of a tract conveyed to Kennametal Inc. by Deed Book 417, Page 277, and being more particularly bounded and described as follows:

Beginning at a #5 rebar with cap found in the western right-of-way line for MacMillan Park Drive and being the southernmost corner of a tract conveyed to 793 Fort Mill Acquisition, LLC by Deed Book 1526, Page 241 and recorded in Plat Book 2020, Page 896;

thence, from said Point of Beginning and running with the west right-of-way line for MacMillan Park Drive, South 39°45'18" West a distance of 384.74 feet to a #5 rebar with cap found at the northeast corner of tract A conveyed to Continental Tire The Americas, LLC by Deed Book 1209, Page 138 and recorded in Plat Book 2019, Page 81;

thence, leaving the road with the north line of said Continental Tire The Americas tract, North 38°40'25" West a distance of 742.44 feet to a #5 rebar with cap found in the east line of a tract conveyed to John L. Irvin by Deed Book 892, Page 131;

thence, with the east line of said John L. Irvin tract, the following two courses:

1. North 25°33'27" East a distance of 60.80 feet to a bent 1 inch axle found;
2. thence North 08°51'48" West a distance of 290.37 feet to a #5 rebar with cap found at the southwestern corner of the aforementioned 793 Fort Mill Acquisition, LLC tract;

thence, with the south line of the aforementioned 793 Fort Mill Acquisition, LLC tract, the following two courses:

1. South 79°05'09" East a distance of 268.65 feet to a #5 rebar found;
2. thence South 38°57'25" East a distance of 739.10 feet to the Point of Beginning;

Containing 7.291 acres, more or less.

Derivation: Being the same property conveyed to Kennametal, Inc. by deed from MacMillan Investments I, LLC dated August 20, 2007, and recorded August 23, 2007 in Book 417 at Page 277 in the Land Records of Lancaster County, SC.

Tax Map Number: 0007-00-008.05

COMMONWEALTH OF PENNSYLVANIA

AFFIDAVIT

COUNTY OF ALLEGHENY

PERSONALLY appeared before me the undersigned, who being duly sworn, depose and say:

1. We have read the information on this Affidavit and we understand such information.
2. Property containing approximately 7.286 acres in Lancaster County, South Carolina, being all of Lancaster County Tax Map Number 0007-00-008.05, and being more particularly described on Exhibit A attached hereto, was transferred from Kennametal, Inc., as Grantor, to Greybridge MacMillan, LLC; LEH SC MacMillan, LLC, collectively, as Grantee, on July 24, 2023.
3. Check One of the Following:
 - (a) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - (c) X EXEMPT from the deed recording fee because of exemption 12-24-40(12) of the South Carolina Code of Laws (quitclaim deed).

(If exempt, skip items 4-7 and go to item 8 of this Affidavit).

4. Check one of the following if either 3(a) or 3(b) has been checked:
 - (a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$_____.
 - (b) _____ The fee is computed on the fair market value of the realty which is \$_____.
 - (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$_____.
5. Check YES _____ or NO X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. If YES, the amount of the outstanding balance of this lien or encumbrance is \$_____.
6. The DEED Recording Fee is computed as follows:
 - (a) \$ _____ -0- _____, the amount listed in 4 above, LESS
 - (b) \$ _____ -0- _____, the amount listed in 5 above (if none, show 0)
 - (c) \$ _____ -0- _____, Subtract 6(b) from 6(a) and place result.
7. The deed recording fee is due based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section 12-24-70, we state that we are responsible persons who were connected with the transaction as Grantor.

9. We further understand that a person required to furnish this Affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than One Thousand Dollars or imprisoned nor more than one year, or both.

KENNAMETAL, INC.,
a Pennsylvania corporation

By: Michelle R. Keating (SEAL)
Name: Michelle R. Keating
Title: VP, Secretary & General Counsel

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

I, a Notary Public for Allegheny County, Pennsylvania, do hereby certify that Michelle R. Keating, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the corporation.

Witness my hand and official seal this the 20th day of July, 2023.

Katie Sue Laut
Notary Public for Pennsylvania

My Commission Expires:

June 8, 2025

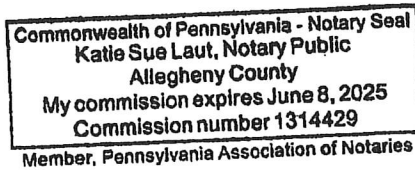


Exhibit A

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thence, leaving the road with the north line of said Continental Tire The Americas tract, North 38°40'25" West a distance of 742.44 feet to a #5 rebar with cap found in the east line of a tract conveyed to John L. Irvin by Deed Book 892, Page 131;

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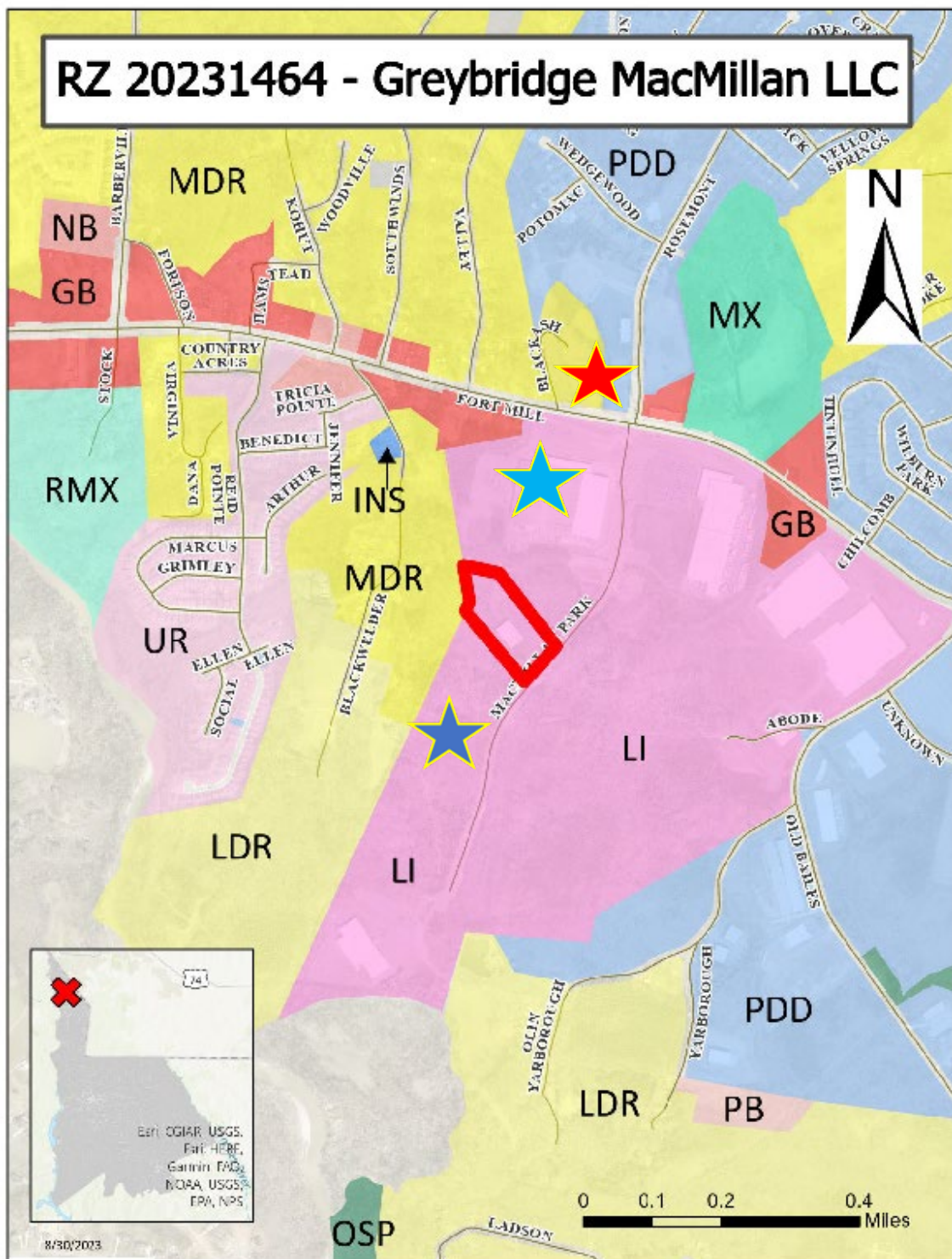
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Containing 7.291 acres, more or less.

Derivation: Being the same property conveyed to Kennametal, Inc. by deed from MacMillan Investments I, LLC dated August 20, 2007, and recorded August 23, 2007 in Book 417 at Page 277 in the Land Records of Lancaster County, SC.

Tax Map Number: 0007-00-008.05

RZ 20231464 - Greybridge MacMillan LLC



Lancaster
County
South Carolina

Proposal:
Rezoning LI to INS

 Subject Property



Continental Tire



Rosemont Residential
Development



Nutramax Distribution

Agenda Item Summary

Ordinance # / Resolution #: SD 2022-2205 The Sands Preliminary Plat

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 9/19/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	9/11/2023	Exhibit
Application	8/25/2023	Exhibit
Preliminary Plat	8/25/2023	Exhibit
Deed	8/25/2023	Exhibit
Technical Review Comments	8/29/2023	Exhibit
Location Map	9/6/2023	Exhibit
Letter from SMC Global	9/8/2023	Exhibit

PROPOSAL: Major Preliminary Plat for The Sands at Kershaw:
 Approximately 39.47 acres consisting of 76 single-family lots

PROPERTY LOCATION: Southeast corner of Fork Hill Road and Little Dude Avenue (outside of
 Kershaw town limits) (TM #0141-00-024.00)

CURRENT ZONING DISTRICT: MDR Medium Density Residential

APPLICANT: Earl Coulston/Coulston Enterprises

COUNTY COUNCIL DISTRICT: District 6, Allen Blackmon

NOTICE: Published hearing notice The Lancaster News 9/2/2023
 And Carolina Gateway 9/6/2023
 Posted signs 8/31/2023
 Mailed notices 8/31/2023
 Agenda published 9/12/2023 and posted in Lobby

OVERVIEW & BACKGROUND:

Site Information & Existing Condition

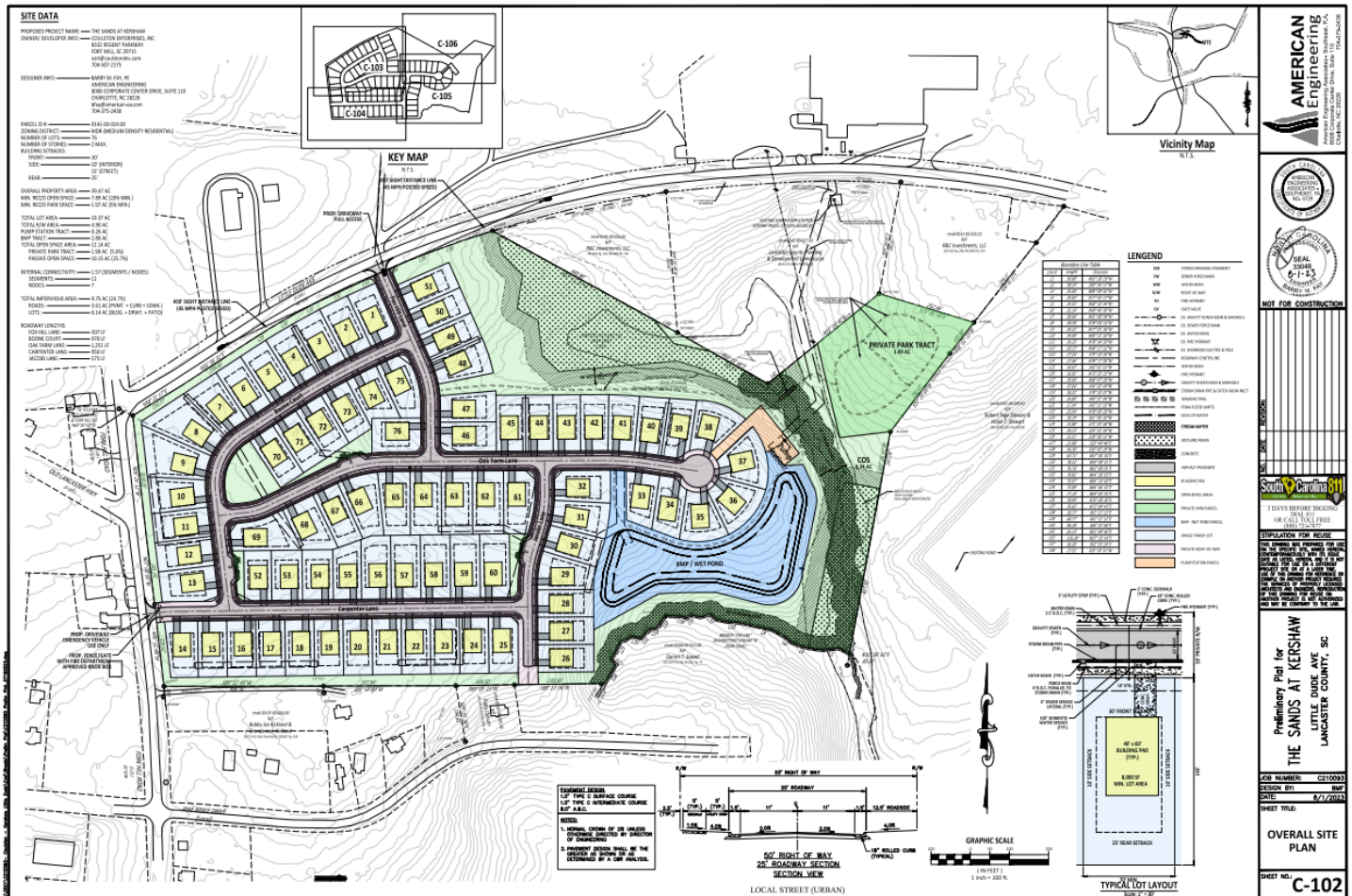
The property is currently vacant with at least one abandoned structure on the parcel. This property was rezoned last year to MDR (RZ-2022-0412 Coulston) approved by Council Ordinance 2022-1808. The parcel had previously been zoned HDR as part of a proposed plan for worker housing for Haile Gold Mine that did not come to fruition.

The proposed development is zoned Medium Density Residential. The MDR District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

Summary of Surrounding Zoning and Uses

Surrounding Property	Jurisdiction	Zoning District	Use
North	Lancaster County	INS, LI	Churches; Kershaw Holding LLC and C/O Special Materials Company
South	Lancaster County	RR	Residential neighborhood (Pine Ridge Drive)
East	Lancaster County	RR, INS, LI	Residential, Kershaw Rural Water CO INC, Haile Gold Mine Office
West	Lancaster County	RR, GB,AR	Residential; small businesses

Proposed Preliminary Plat:



Guiding Development Standards

The proposed development is currently zoned Medium Density Residential (MDR). It is subject to the current Lancaster County Unified Development Ordinance.

School District Input:

The Lancaster County School District (LCSD) has recommended approval of this request and issued no further comments.

DEVELOPMENT SUMMARY:

Development Summary	
Site Acreage	39.47 acres
Proposed Lots	76
Project Overview	Single Family Residential Subdivision
Open Space	7.89 acres required; 12.14 acres proposed
Internal Streets	Will be privately maintained
Connectivity Index	1.57

Infrastructure:

Water and Sewer (Town of Kershaw and Lancaster County Water and Sewer District)

The applicant has provided a willingness and capability letter from the Town of Kershaw to provide sewer services for the proposed project. Water will be provided via the Lancaster County Water and Sewer District. According to the most recent set of comments provided by the District, it is still being decided between the Town of Kershaw and the District for which entity will be providing sewer service.

Traffic Impact Analysis (TIA)

The Traffic Impact Analysis has been approved for this location with no offsite improvements required unless the scope of the subdivision has significant changes.

Fire Service/South Carolina Department of Transportation (SCDOT)

Staff have had ongoing discussions with the Lancaster County Fire Marshal and SCDOT. The project as proposed currently does meet the access provisions of the South Carolina Fire Code which requires two access points in developments with over 50 lots, one of which can be emergency access only, or a 26ft wide Right of Way (ROW) throughout the project with a single access. The existing site plan has an emergency access entrance that fronts Fork Hill Road. This access does not meet the SCDOT separation standards. SCDOT advised that if a second access is to be required, then both access points should be located on Little Dude Avenue. The applicant has not submitted a revised site plat that addresses these comments.

Public Comments

Staff have received phone calls in support of and in opposition of the proposed development. Staff has also received a letter from an adjacent property owner Tax Map Number 0141-00-026.00 in opposition to the proposed development. This letter is an attachment to the staff report.

PHOTOS OF THE PROJECT AREA:



Intersection of Fork Hill Road and Little Dude Ave



Abandoned Structure on Parcel

STAFF RECOMMENDATION:

Staff recommends **Denial** of this Preliminary Plat based on major outstanding comments from members of the Technical Review Committee. See attachment 5.

ATTACHMENTS:

1. Preliminary Plat Application
2. Preliminary Plat
3. Location Map/ Zoning Map
4. TIA summary
5. TRC/Evolve Comments
6. Letter in opposition from SMC Global

STAFF CONTACT:

Matthew Blaszyk Planner
mblaszyk@lancastersc.net
803-416-9380



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721

Phone: 803.285.6005, planning@lancastercountysc.net

www.mylancastersc.org

MAJOR SUBDIVISION PRELIMINARY PLAT

WHEN TO USE THIS PROCESS:

Use the attached checklist for subdivisions that

- Create 6 or more lots for any type of development; or
- Create new streets or alleys; or
- Increase the number of lots in a major subdivision previously approved by Lancaster County

APPLICATION AND APPROVAL PROCESS

- **Sketch Plan Application:** Complete the Sketch Plan review process prior to submission of a Major Subdivision Preliminary Plat. Sketch Plans are usually a one-sheet conceptual drawing. Refer to the **Sketch Plan Checklist** for additional information.
- **Required Pre-Application Conference:** Please call to schedule a Pre-Application Conference prior to submitting a Preliminary Plat application. The conference will be used to provide an overview of applicable standards and the approval process, as well as additional feedback on your sketch.
- **Traffic Impact Analysis:** Submit a TIA to County and SCDOT for review and Approval. This process is initiated by submitting a scoping request to County and SCDOT for approval prior to TIA preparation. Please note TIAs are reviewed on behalf of the County by consulting traffic engineers. Applicants are responsible for payment of consultant's fees prior to TIA review, based on an estimate prepared by County Engineering staff.

Prepare the Preliminary Plat using the attached checklist (see below) and the current UDO available on our website. Project can be submitted online by creating an account at <https://evolvepublic.infovisionsoftware.com/lancaster/?portal=project>

SUBMIT THE FOLLOWING ITEMS FOR PLAN REVIEW:

- Application with contact and project information (see p. 2)
- Fees: After submitting documents, you will receive an email with fees due and forms of payment accepted, along with a link to online payment portal. Plans will not be routed for review until payment and hard copies are received (if needed- see below).
- Two (2) paper copies of Preliminary Plat and Supporting Data is required for all submittals over 10 pages.

Plans will be reviewed by County staff and a notice of revision, if required, will be sent to the designated contact person. Prior to the Planning Commission meeting, staff will review the plan with the Technical Review Committee. After Planning Commission approves the plat, you will receive a notification that you can print the stamped digital set from Evolve Project Portal. Upon the approval of a Preliminary Plat, detailed plans for street construction, utility line installations, and similar approvals shall be included in detailed **Civil Construction Plans**.

PROJECT INFORMATION

Project Address/Location: SE Corner of Fork Hill Road and Little Dude Ave

Tax Map ID/Parcel No.: 0141-00-024.00

Project Description: Proposed subdivision: 76 single family detached homes

Applicant Name: Earl Coulston

Address: 8332 Regent Parkway, Fort Mill, SC 29715

Phone: (704) 507-2175 Email: earl@coulstondev.com

Property Owner Name: Coulston Enterprises, Inc

Address: 8332 Regent Parkway, Fort Mill, SC 29715

Phone: (704) 507-2175 Email: earl@coulstondev.com

Other Project Contacts

Name: Barry M. Fay, PE (American Engineering)

Address: 8008 Corporate Center Drive, Charlotte, NC 28226

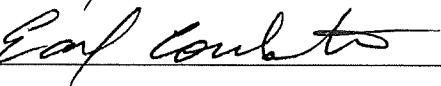
Phone: (704) 375-2438 Email: bfay@american-ea.com

Name: Andy Coulston

Address: 8332 Regent Parkway, Fort Mill, SC 29715

Phone: (704) 507-2177 Email: aecoulston@gmail.com

Applicant Signature:  Date: 8-2-23

Owner Signature:  Date: 8-2-23

Owner Signature: _____ Date: _____

(For additional owners, attach copies of this page with required signatures)

PRELIMINARY PLAT CHECKLIST

The following identifies information required on Preliminary Plat drawings; however, this checklist should not be used as a substitute to reviewing the UDO.

GENERAL PROJECT INFORMATION:

Please identify the following general information on the site plan drawing either within a notes section or on the plat drawing itself, as appropriate.

1. Proposed name of project.
2. Name, mailing address, email address, and phone number of the owner and/or developer and designer of the site plan.
3. Map scale using appropriate engineer's scale, north arrow, and date.
4. Vicinity map (1" = 1 mile min. scale).
5. Total acreage to be developed.
6. Boundaries of the tract to be developed with all bearings and distances. At least two points of the survey must be tied to SC geodetic control points [See State Plane Coordinate Checklist]
7. Proposed use of all lots to be used. See "zoning considerations" section above. Be sure to designate any lots proposed to be used for uses other than single-family residential.
8. Tax map number.
9. Zoning district classification and, if applicable, overlay zone(s).
10. Land use, zoning district classification, and tax map number of adjacent properties, names of adjacent developments, and owners of adjoining parcels.
11. Total number of lots and layout of all lots, including building setback lines, scaled dimensions, area in square feet, lot numbers (if multiple lots), and utility easements with width and use.
12. Location and dimensions of all proposed buildings including number of stories and total square footage by use.
13. Building setbacks and proposed impervious surface calculation.
14. In case of re-subdivision, submit a copy of existing plat.

EXISTING CONDITIONS:

Please identify the following existing conditions on the plan drawing that may be located on the subject property or adjacent areas.

1. Topography by contours at vertical intervals of not more than five feet. All elevations shall refer to Mean Sea Level Datum (if available).
2. Show location and right-of-way of existing streets, curb cuts, and driveways within 300 feet of the site.
3. Show location and footprint of existing buildings on adjacent parcels.
4. Show location of railroads and utility lines either on or adjacent to the property to be developed. Specify whether utility lines are in easements or rights-of-way and show location of poles/towers.
5. Size and location of existing sewers, water mains, storm drains, culverts or other underground facilities within the street or within the right-of-way of streets or roads

adjoining the tract. Show ditches, swales, and drainage easements adjacent to the proposed project.

6. Location, size, and use of any existing structures on the subject property that will remain on the site
7. Location of city limit lines, if adjacent to subject property.
8. Show location of nearest hydrant. Spacing should be 500 feet single-family residential (this distance is measured in the direction of fire truck travel).
9. The Fire Department will need access to within 150 feet of all points of the building.
10. Location of land subject to flooding and nearest 100-year flood zone and elevation.
11. Location of existing or planned public parks, schools, greenways, trails, or other major public amenity located within ½ mile of the development site.

ENVIRONMENTAL CONSIDERATIONS:

ENVIRONMENTALLY SENSITIVE LANDS

1. Depict any water resources subject to the UDO Chapter 8, Natural Resources Protection, and comply with all requirements laid out in the aforementioned section.
2. Depict any prohibitive/severe steep slope areas (greater than or equal to 3H:1V) and take into account the limitations on disturbance when designing the project.
3. Depict stormwater management areas.

TREE RETENTION

1. Identify tree canopy retention areas.
2. Show trees that require protection.

LANDSCAPING

- Show landscaping for required site landscaping areas.

OPEN SPACE

1. Indicate if all or a portion of the site has been designated as an Open Space.
2. Calculate required common open space acreage.
3. Show any trails and greenways on the Lancaster County Carolina Thread Trail Master Plan that developer is required to construct.
4. Show all existing or planned public parks, schools, greenways, existing trails, or other major public amenities within ½ mile of the site, and pedestrian connections provided by the developer to those areas.

INFRASTRUCTURE CONSIDERATIONS:

GRADING, STORMWATER, AND UTILITY SYSTEM

Please identify the following proposed grading, stormwater, and utility system improvements.

1. Preliminary plan for sanitary sewers showing the location of manholes and points of discharge. Indicate direction of flow.
2. Preliminary plan for storm sewer system showing the location of outlets and direction of flow.
3. Preliminary plan of water supply system
4. All proposed easements.
5. Submit written verification to serve from all non-county utility service providers (gas, telephone, cable, and water and sewer district).
6. Proposed major contour changes in areas where substantial cut and/or fill is to be done.

Roads, Bridges, and Public Ways (UDO 6.13, pg. 21)

General design criteria are explained in two primary places in the UDO—Chapter 6 and Appendix C. Please refer to both when designing the community. The below is a brief summary of some of the “big picture” points, but those two sections in the Zoning Ordinance have many other requirements to which you will need to refer.

1. Connectivity is required within the neighborhood, and between the neighborhood and adjacent neighborhoods or other lands. Additionally, a second entrance is required for more than 100 units.
2. Traffic calming measures such as minimum street widths, short block lengths, on-street parking, controlled intersections, and roundabouts should be used per the UDO.
3. Sidewalks are required both internally, and in some cases, externally to the development and must be at least five feet wide.
4. Street trees are required to be planted in accordance with the UDO.
5. See Chapter 6: Subdivision and Infrastructure Standards and Appendix C – Manual of Specifications and Standard Details (MSSD), generally for road specifications, cross sections, and other important information. For example:
 - a. Cul-de-sacs should be avoided except as described in the UDO.
 - b. Gated communities have additional requirements as laid out in the UDO.
 - c. Curb and gutter requirements are applicable in some districts as designated in the UDO.
6. Traffic Impact Analysis, refer to Chapter 6, Subdivision and Infrastructure Standards.

LOT DESIGN

Identify a lot configuration that complies with the following standards.

1. Lot designed to comply with the UDO design requirements
 - a. Lots cannot be divided by City limit lines or zoning districts.
 - b. Through lots are prohibited.

- c. Flag lots are prohibited except where they are necessary to eliminate access onto arterial or collector roadways.
- d. Side lot lines must be at right angles to straight street lines and radial to curved sidewalk and street lines.

USE-SPECIFIC STANDARDS

The UDO has standards associated with specific uses in order to minimize negative impacts and/or to help shape the design of a specific use. Design the proposed site plan in compliance with any applicable use-specific standards.

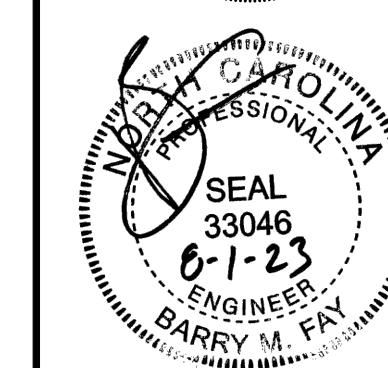
OVERLAY DISTRICTS

If an overlay district exists, be sure to address the applicable standards for it in the site design.

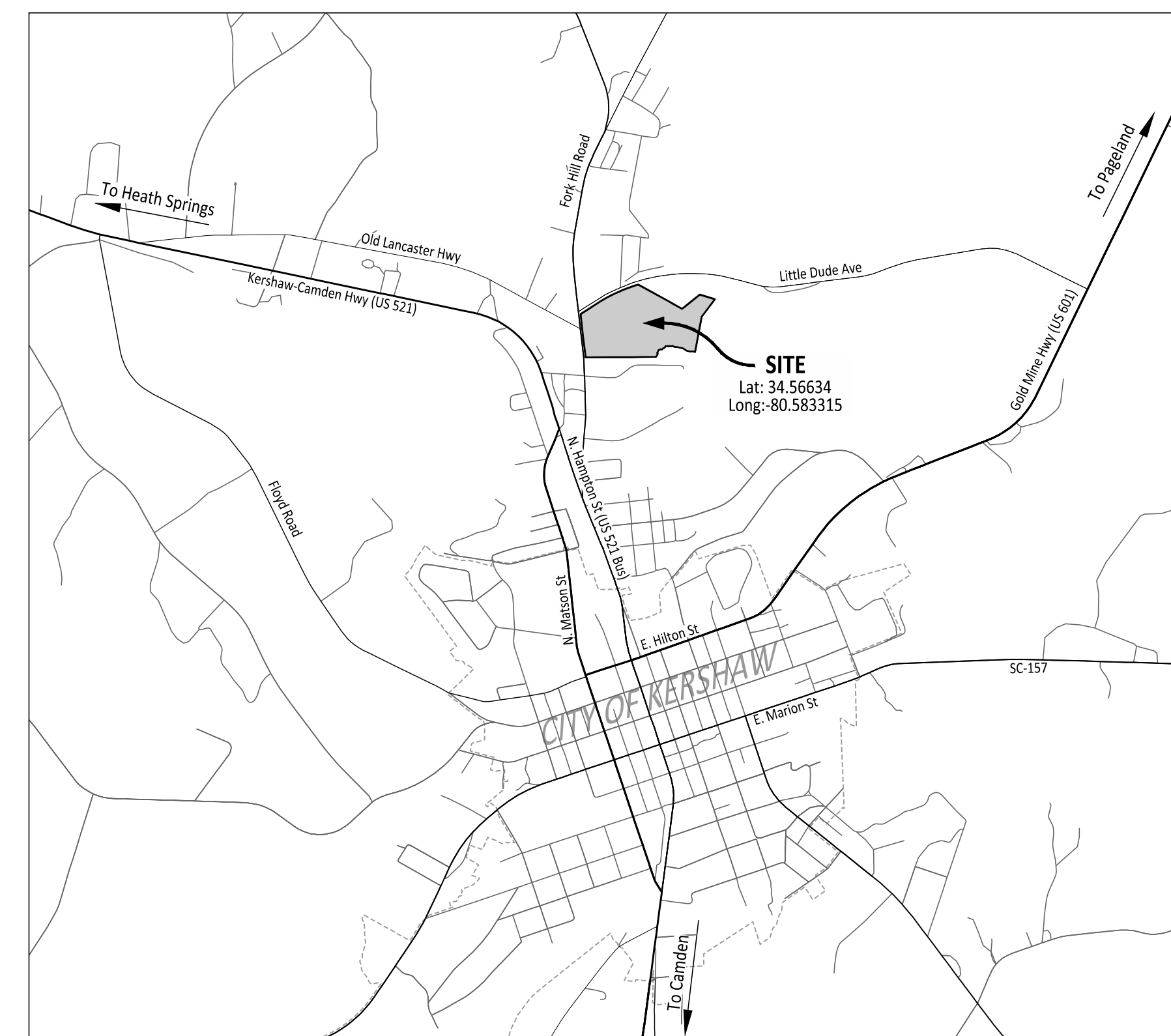
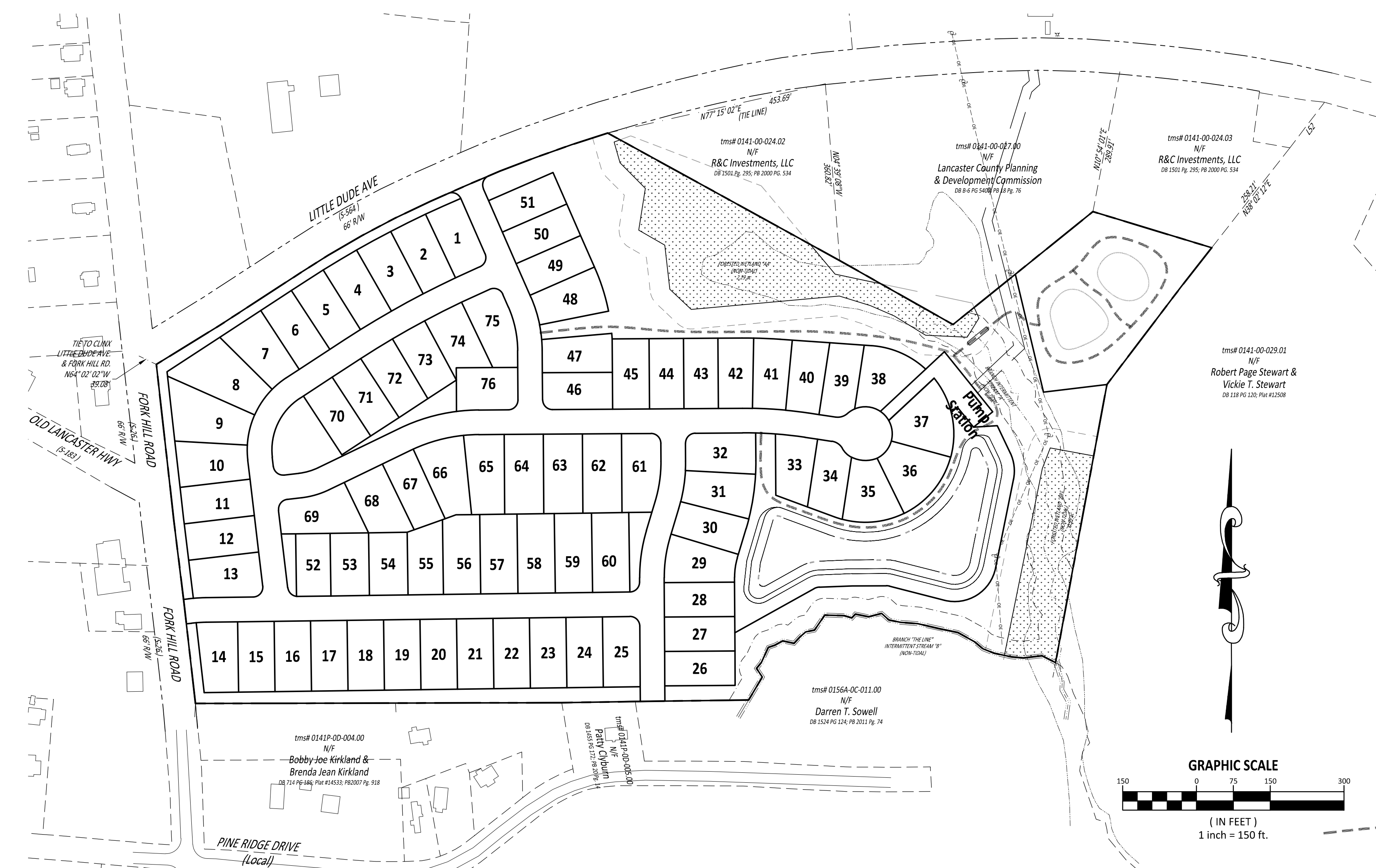
- ☐ **McWhirter Field Aviation Overlay** Please refer to the UDO for allowed uses and associated development criteria.
- ☐ **Carolina Heelsplitter Overlay**
- ☐ **Carolina Thread Trail Overlay**
- ☐ **Highway Corridor Overlay**
- ☐ **Equestrian Oriented Subdivision Overlay**

AMERICAN
Engineering

American Engineering Associates - Southeast, P.A.
608 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438



NOT FOR CONSTRUCTION



Location Map
Scale: 1" = 2000'

CONTACTS:

DEVELOPER:
EARL COULSTON
COULSTON ENTERPRISES INC.
8332 REGENT PARKWAY
FORT MILL, SC 29715
(704) 507-2175
earl@coulstondev.com

CIVIL ENGINEER:
BARRY M. FAY, SCPE #27695
AMERICAN ENGINEERING ASSOCIATES - SOUTHEAST, PA
8008 CORPORATE CENTER DRIVE
SUITE 110
CHARLOTTE, NC 28226
(704) 375-2438
bfay@american-ea.com

SURVEYOR:
CARL S. HOLLAND, SCPLS # 25434
HOLLAND SURVEYORS, LLC
170 PAYNE POND RD
WESTVILLE, SC 29175
(803) 427-9947

Preliminary Plat for
THE SANDS AT KERSHAW
LITTLE DUDE AVE
LANCASTER COUNTY, SC

JOB NUMBER:	C210093
DESIGN BY:	BMF
DATE:	8/1/2023

SHEET TITLE:

COVER SHEET

SHEET NO.: **C-101**



After recording, return to:
Marty D. Propst, Attorney
710 W. Trade St. #521
Charlotte, NC 28202

2023009304
DEED
RECORDING FEES \$15.00
STATE TAX \$0.00
COUNTY TAX \$0.00
PRESENTED & RECORDED:
07-26-2023 12:43:17 PM
BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER COUNTY, SC
BY: STEPHANIE KNIGHT
BK: DEED 1690
PG: 269 - 272

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF ~~YORK~~ *Lancaster* 

TITLE NOT EXAMINED

NOW, KNOW ALL MEN BY THESE PRESENTS, that **R & C INVESTMENTS OF LANCASTER, LLC**, a South Carolina limited liability company, hereinafter "Grantor," for and in consideration of the sum of FIVE AND NO/100 DOLLARS (\$5.00) and no other consideration, to it in hand paid at and before the sealing of these Presents, by **COULSTON ENTERPRISES, INC.** having a mailing address of 8332 Regent Pkwy, Fort Mill, SC 29715 ("Grantee"), in the State aforesaid (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release, unto the said **COULSTON ENTERPRISES, INC.**, its Successors and Assigns, forever, the following described property (the "Property"), to wit:

All that certain piece, parcel or tract of land situate, lying and being on the southern side of South Carolina Road S-564 also known as Little Dude Ave. 66' R/W, near the Town of Kershaw, Lancaster County, South Carolina, containing **39.47 acres** shown and depicted on a plat entitled "Subdivision Survey of TMS# 0141-00-024.00 For and Owned by R&C Investments, LLC" prepared and certified to by Carl A. Holland, SCPLS #25434, Holland Surveyors, LLC, dated December 2, 2022, latest revised February 2, 2023, recorded on February 2, 2023, in **Plat Book 2023 at Page 43** in the Office of the Register of Deeds for Lancaster County, South Carolina.

Being a portion of the property acquired by R & C Investments of Lancaster, LLC, by Deed of Danny Reese Blackwell and Anne Griffith Blackwell Barre, as Trustees of the Danny Reese Blackwell Revocable Trust U/A/D July 7, 2021, first recorded in Deed Book 1501 at Page 295, and corrected in Deed Book 1521 at Pages 233-235.

TAX MAP REFERENCE: Being the property identified by the Assessor's Office for Lancaster County as Tax Map Number 0141-00-024.00.

This conveyance is made subject to all existing easements, restrictions, rights of way and/or encroachments ("Permitted Exceptions").

The within Deed was prepared by Marty D. Propst, an attorney licensed within the State of South Carolina, without benefit of title examination.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Property belonging, or in any way incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Property before mentioned unto the said **COULSTON ENTERPRISES, INC.**, its Successors and Assigns, forever.

AND, subject to the Permitted Exceptions, Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said Property unto the Grantee, **COULSTON ENTERPRISES, INC.**, its Successors and Assigns, against Grantor and its successors and assigns lawfully claiming, or to claim the same, or any part thereof.

WITNESS the Hand and Seal of R & C INVESTMENTS OF LANCASTER, LLC, by its authorized member, as Grantor, this 26TH day of July, 2023.

SIGNED, SEALED AND DELIVERED

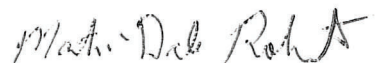
IN THE PRESENCE OF:

R & C Investments of Lancaster, LLC,

a South Carolina limited liability company

Witness #1


By:


Martin Dale Robertson, its President


Witness #2

☐

STATE OF South CAROLINA)

ACKNOWLEDGEMENT

COUNTY OF Lancaster)

The foregoing instrument was acknowledged before me this 26TH day of July, 2023, by MARTIN DALE ROBERTSON for and on behalf of R & C INVESTMENTS OF LANCASTER, LLC, a South Carolina limited liability company, as its duly authorized Member.

 (SEAL)

Notary Public for South Carolina

My Commission Expires: 9/25/24

☐

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

AFFIDAVIT FOR EXEMPT TRANSFERS

1. I have read the information on the back of this affidavit and I understand such information.
2. The property being transferred is located at SC Road S-564 and Little Dude Ave. bearing Lancaster County Tax Map Number 0141-00-024.00.
3. The deed is exempt from the deed recording fee because (See Information section of affidavit):
EXEMPTION #8. See Information section below.
If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes or No
4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Member of Grantor.
5. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Responsible Person Connected with the Transaction

Martin Dale Robertson
Print or Type Name Here: Martin Dale Robertson

SWORN to and subscribed before me this

26th day of July 20 23

Notary Public for SC

My Commission Expires: 9/25/24

Notary (L.S.): *Susan M. Knight*

Notary (printed name): Susan M Knight



INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust as a stockholder, partner, or trust beneficiary of the entity or so as to become a stockholder, partner, or trust beneficiary of the entity as long as no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in the stock or interest held by the grantor. However, except for transfers from one family trust to another family trust without consideration or transfers from a trust established for the benefit of a religious organization to the religious organization, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee, even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;

(12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;

(13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceedings.

(14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty; and

(15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.



Lancaster County
Planning Department
P. O. Box 1809
Lancaster, SC 29721
803.285.6005
planning@lancastercountysc.net

August 29, 2023

COULSTON ENTERPRISES (118797)

8332 REGENT PARKWAY
FORT MILL, SC 29715

Project Number	20222205
Project Name	The Sands at Kershaw
Location	Little Dude Ave and Fork Hill Road
Stage	Preliminary Plat
Parcel(s)	0141-00-024.00
Status	Not Approved

Dear: COULSTON ENTERPRISES (118797)

We have completed our review of the plan identified above. The comments listed on the attached report must be addressed and revised plans submitted with a response letter.

If the attached comments require changes to the plans, please submit the requisite number of sets, along with a pdf of the plan set on a CD, to the Lancaster County Planning Department.

Once revised plans are received, they will be submitted to staff for review.

Please be aware that plans will not be routed for review without a response letter

Sincerely,

Plan Review Comments

County Engineer - Stephen Blackwelder - 8035482406
sblackwelder@lancastersc.net

Not Approved

Review Comments:

General Comments:

1. SCDHEC will regulate the Stormwater in this area, so our comments on stormwater are advisory in nature. This is in our engineering and floodplain management area of responsibility.
2. The preliminary nature of the plan set provided does not provide adequate detail to formally comment, but the following are general items of note from the information given. More specific comments and additional subject matter will be commented on at the civil plan review phase.
3. We suggest phasing the subdivision for platting purposes otherwise the entire subdivision will need to be stabilized and have germinated vegetation (70%) before any final plat can be approved.
4. SCDOT was previously not in favor of the Fork Hill Road location as it does not meet their separation requirements. We are not sure if you have worked out this arrangement with them since the latest sketch plan review, but separation from existing roadways on Fork Hill would seem to still be an issue.
5. SCDOT encroachment permit(s) will be needed for all access points and any other work done on SCDOT rights of way.
6. The Traffic Impact Analysis (TIA) has been approved for this location with no offsite improvements required unless the scope of the subdivision has significant changes.
7. An 'A' Zone floodplain area bisects this parcel. Any disturbance or crossing of streams, stream buffers, and/or wetlands will need to be permitted through the US Army Corps of Engineers.
8. Buffer areas will need to be established around the wetlands. These are a minimum of 30 feet in width, but can be 50 feet depending on the size of the wetland area.
9. For any detention pond BMP, a minimum 10 feet wide access way must be provided to the bottom of the pond. This cannot be at a greater than 4(H) to 1(V) slope.
10. Any future plan submissions need to be stamped by a SC licensed Engineer not NC.

E911 Address - Sandra Burton - (803) 416-9325
sburton@lanc911.com

Conditional

Review Comments:

1. Road names need to be submitted to addresser@lanc911.com for consideration. The names are vetted against names within Lancaster Co and surrounding counties to ensure that they do not duplicate, in spelling or phonetic, with any other name. Please submit as soon as possible. Once names are approved they must go to the Planning Commission for approval.
2. At submittal of the Civil Plans, a CAD file of the project, showing lots and roads, must be submitted to addresser@lanc911.com.
3. At the Civil phase, please show location of mail kiosk and monument signs as these will need to be addressed.

Fire Marshal - John Magette - 8032838888
jmagette@lancastersc.net

Not Approved

Review Comments:

1. Roadway must be widened to 26 feet at hydrants not at cul-de-sacs, or intersections.
2. While approvable for fire apparatus access, a locked gate does not address traffic concerns of a one access subdivision, and will increase response times if the access is needed for response.

LC Water & Sewer District - Erin Evans - 8032856919
eevans@lcwasd.org

Conditional

Review Comments:

LCWSD is a separate entity from the County. We have our own submittal requirements. Please check our website, www.lcwasd.org, under the Developers tab for our policies and procedures.

The developer must submit 2 sets of hard copy water and sewer plans directly to LCWSD, adhering to the LCWSD Water &

LCWSD and the Town of Kershaw are still determining exactly who would serve and how this project would be served, but we have the following information for planning purposes. For now, this is LCWSD's service territory any submittals and correspondence should continue through LCWSD.

1. Water would tie to LCWSD's existing 8" main on Little Dude Ave. It is thinwall PVC and would need to be replaced with zinc coated DIP under the entrance and anywhere grading or storm drainage creates a conflict on Fork Hill or Little Dude.
2. LCWSD would want the typical 11' easement along Fork Hill and Little Dude for future 8" line replacement outside DOT ROW. Landscaping should not conflict.
3. LCWSD would want an off-site gravity sewer easement along the lower side of the detention pond dam (see pink highlight on Off-site Gravity Sewer Easement attachment).
4. Gravity sewer depth should be less than 12'.
5. The existing Little Dude PS shall be abandoned. Gravity sewer shall be run from existing station to the proposed station.
6. Plan on typical LCWSD station and spec's with turn around access, control building, scada, siting to allow future abandonment with replacement station downstream, easement to get off site drainages served, easement to get new PS abandoned, etc.
7. Forcemain to discharge to gravity just above Pine Ridge Drive. There are 2 existing forcemains in that area and along Fork Hill. One from the prison and one from the Little Dude PS. The Little Dude PS FM discharges at the same manhole as the new pump station discharges. Discharge and downstream manholes shall be coated per spec's.
8. The Town is looking into existing Little Dude PS pumps/capacity for planning. You may need to go do a drawdown. It currently serves domestic need for the business across the road with a 2" or 3" FM.

Planning - Matthew Blaszyk - 803-285-6005
mblaszyk@lancastersc.net

Not Approved

Review Comments:

The Plan must be stamped by a South Carolina Licensed Engineer not North Carolina.

Label the minimum lot width at front setback on the typical lot layout.

The common open space area cannot include areas within the floodplain. It is difficult to determine if the current open space calculations count the area within the floodplain. The open space areas must be buildable land. Please clarify this on next submittal.

Please provide density calculations for the development on the following submittal.

Lots 52 and 71 does not meet minimum lot area requirement of 10,000sqft (UDO2.4).

An approved County turnaround at the emergency vehicle driveway access point may be required. The existing intersection of Carpenter Lane and Boone Court may also be sufficient as a turnaround. Please confirm with our Fire Marshall. I have attached a PDF of the approved Turnarounds for reference.

The sidewalks located in front of lots 14 and 26 need to be extended to the property line.

The sidewalks located in front of lots 14 and 26 need to be extended to the property line.

The road in front of lot 26 needs to be extended to the property line.

Show landscaping for required site landscaping areas (Street trees). Street Trees in the MDR zoning district are required at the rate of 1 Canopy Tree for every 40 feet of street frontage Spacing: Maximum of 50 feet on-center Location: In Planting Strip (5-foot minimum width). Further street tree requirements can be found in section 7.1.3 of the Unified Development Ordinance.

A full landscaping and lighting plan is required at the civil plan phase. Ensure this is prepared when the project reaches this phase. The requirements for the lighting and landscaping plans can be found in Chapter 7.1 and 7.3 of the UDO.

Sign requirements are outlined in section 7.4 of the UDO. All sign permits are permitted though a separate review process through the Zoning Department. Residential Development Entry Signage requirements are outlined in section 7.4.5.G of the UDO.

Review Comments:

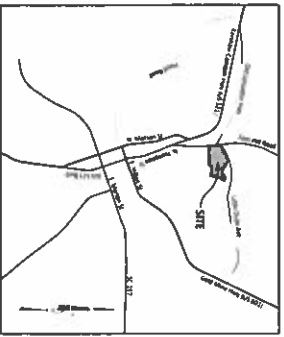
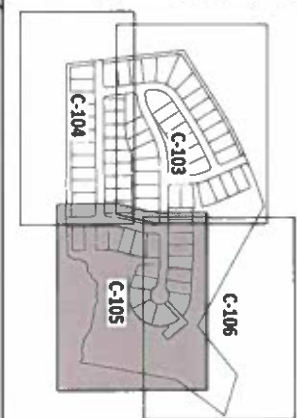
SCDOT - David Gamble - (803) 385-4280
GambleDD@scdot.org

Not Approved

Review Comments:

Site access on Fork Hill Road does not meet minimum separation standards. If two accesses are required by the county they should both be on Little Dude Avenue.

This review is a general access location review only and does not include required driveway widths, radius returns, pavement design or any other details. A full review for compliance with the SCDOT ARMS manual will be conducted when the SCDOT permit is applied for.



AMERICAN Engineering
American Engineering Associates - Southeast, P.A.
8008 Corporate Center Drive, Suite 110
Charlotte, NC 28226
704-375-2438

NOT FOR CONSTRUCTION

Professional Engineer Seal: Robert Page Stewart & Vickie L. Stewart, No. 39048, State of North Carolina, dated 07-1-23.

NO.	DATE	REVISION:

South Carolina 811

3 DAYS BEFORE DIGGING
DIAL 811
OR CALL TOLL FREE
(888) 721-8877

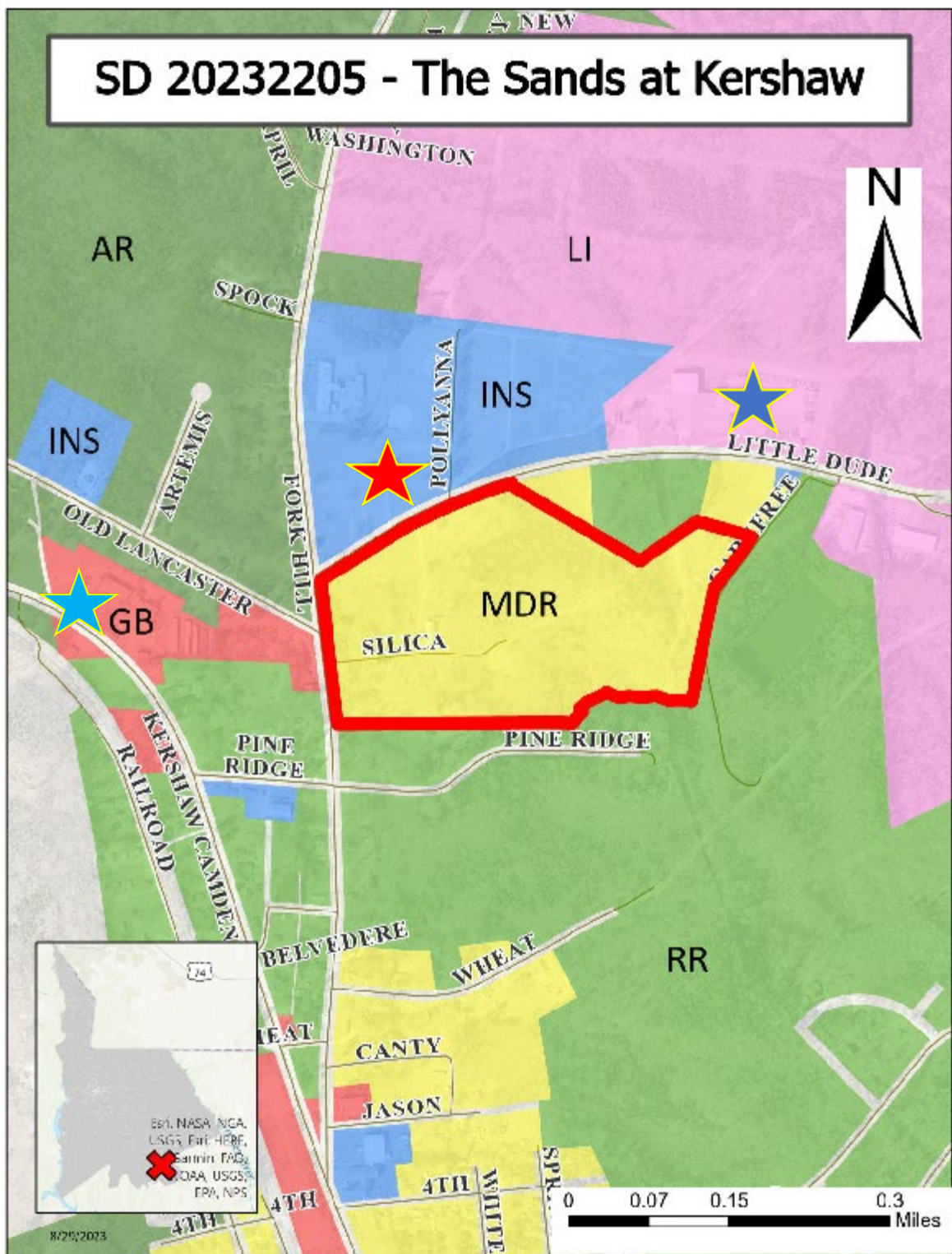
STIPULATION FOR REUSE:
THIS DRAWING WAS PREPARED FOR USE ON THE PROJECT, SITE, AND REGION, DATE AS LISTED HEREIN, AND IT IS NOT TO BE REUSED FOR ANY OTHER PROJECT, SITE, OR REGION WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE SERVICES OF PROFESSIONAL ENGINEERING AND ARCHITECTURE AND DOES NOT INCLUDE ANY OTHER SERVICES. THE ENGINEER'S LIABILITY IS NOT EXTENDED TO ANY OTHER SERVICES.

Preliminary Plat for THE SANDS AT KERSHAW
LITTLE DUDE AVE
LANCASTER COUNTY, SC

JOB NUMBER: C210093
DESIGN BY: BWF
DATE: 8/1/2023
SHEET TITLE: SITE PLAN

SHEET NO.: C-105

SD 20232205 - The Sands at Kershaw



Lancaster
County

South Carolina

Proposal:

Preliminary Plat: 76 lots



Subject Property



Special Materials Company



Mission Baptist Church and
Cemetery



H & H Chevrolet



Wednesday, September 6, 2023

Federal Express Delivery (Airbill 7733 2398 7504)

Lancaster County
Planning Department
101 North Main Street, Suite 108
Lancaster, SC 29720

Dear Matthew Blaszyk:

Our neighbor Jerome Watts of Fab-Master Fabricators is joining SMC Global to express strong opposition to rezoning application SD 2022-2005, location 39.47 acres at southeast corner of Fork Hill Road and Little Dude Avenue in Kershaw (TM #0141-00-024.00).

Commercial drivers travel Little Dude Avenue twenty-four hours, Monday through Friday to carry 40' trailers from Fork Hill Road, both two lane roads. The entrance to Little Dude Avenue from Highway 601 is a ninety-degree turn and drivers avoid the intersection due to safety hazards from a bridge and ravine located at the entrance to Little Dude Avenue. SMC anticipates both supplier and customer shipping volumes of specialty chemicals to increase significantly soon.

Furthermore, we are concerned regarding the lack of ample water supply to Little Dude Avenue to support our industrial operations. While we support Kershaw's local community and additional housing, during two recent attempts to expand our manufacturing infrastructure at 369 Little Dude Ave, the Lancaster County Water and Sewer District declined to install an additional water line needed to supply our fire suppression equipment and future facility expansion requirements. An approval of the rezoning application to develop The Sands at Kershaw will be tantamount to supporting our tapping water lines to supply our current and future industrial needs. The water consumption from the planned seventy-six family houses may reduce the water pressure servicing our existing fire suppression systems to unacceptable levels. Minimally, we request verification from the county that our current water pressure will not be negatively impacted.

Both Jerome Watts and I look forward to attending Tuesday, September 19 to oppose.

Sincerely,

Heath J. Brewer
Sr. Site Manager
Kershaw, SC

Agenda Item Summary

Ordinance # / Resolution #: UDO-TA-1371 Cabins/Campgrounds

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 9/19/2023

Issue for Consideration:

Points to Consider:

Recommendation: