

Planning Commission Members

District 1: Richard Crandall
District 2: Yokima Cureton
District 3: Lynette Hinson
District 4: Judianna Tinklenberg
District 5: Shelly Richards, Chair
District 6: Sheila Hinson
District 7: Frances Liu



County Attorney
Ginny L. Merck-Dupont

Secretary to Planning Commission
Mara Mata

Interim Planning Director
Shannon Catoe

**July 21, 2026
6:00 PM**

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

AMENDED AGENDA

- 1. Call to Order Regular Meeting**
- 2. Prayer and Pledge of Allegiance**
- 3. Approval of the Agenda**
- 4. Approval of Minutes**

- a. June 16th, 2026 Regular Minutes

- 5. Executive Session**

- a. Receipt and review of legal advice subject to attorney-client privilege regarding an appeal of a Planning Commission decision.

- 6. Citizens Comments**

Lancaster County welcomes comments and input from citizens. However, because items before the Planning Commission may not move forward to the County Council, citizens are best served speaking during the Public Hearing for each individual item. Please sign up for comments under the Public Hearing Item about which you wish to speak. If you are here to speak on more than one item, please sign up under each item you wish to discuss. The Chair will call your name to speak during the Public Hearing portion of discussion of that item as listed on the agenda.

- 7. Non-Hearing Items**

- a. **NRN-2026-1179 Janie B Way:**

Application by Darrol Anthony to name a private driveway off New Hope Road (adjacent to TM 0132-00-029.17 & 0132-00-029.05), pursuant to Sec. 6.11.4.G of the Unified Development Ordinance. The proposed name of the private drive is Janie B. Way

- b. **NRN-2026-1238 July Group Submittal:**

New road names from E911 Addressing via Preliminary Plats and Civil Plans, pursuant to Sec. 6.4.11 of the Unified Development Ordinance.

c. SD-2026-0834 Melanie Lane/Barberville Commercial:

Application by Moody Group/Jan Ringeling on behalf of Barberville Developers LLC and Martin Senior and Associates LLC for a Preliminary Plat for parcels totaling 10.14 acres located at the northwest corner of Barberville Road and Fort Mill Highway (TM #s 0006-00-057.00, and 0006-00-058.00, - 058.02 & - 058.03, the latter 3 lots combined by Plat Book 2026 pg 127), in order to create a multi-parcel commercial development with central shared access.

8. Public Hearing Items for Recommendations to Council

a. CU-2025-1674 Sergienko:

Application by Yurko Sergienko on behalf of Vitaliu Livanchuk for a Conditional Use Permit for a 1-acre property at 423 Rocky River Road (TM-0071-00-006.00) to allow a Used Car Sales Lot.

9. Public Hearing Items for Planning Commission Decision

a. SD-2022-2201 Edgewater Phase 8:

Application by True Homes on behalf of B&C Land Holdings LLC for a preliminary plat for 14.96 acres comprising Edgewater Phase 8, adjacent to Edgewater Parkway and Catawba Ridge Boulevard (p/o TM 0106-00-003.00 & 0106-00-003.02) to develop a single-family residential neighborhood of 44 lots.

10. Other

- a. Discussion of Comprehensive Plan Update

11. Adjournment

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://lanastercosc.portal.civicclerk.com/>.

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Council agendas are posted at the Lancaster County Administration Building and are available on the Website: <https://www.lancastercountysc.gov/>

Meetings are livestreamed and can be found by using the following link: <https://www.youtube.com/@LancasterCoSCGov/streams>

Agenda Item Summary

Ordinance # / Resolution # : N/A

Contact Person / Sponsor:

Department:

Date Requested to Be on Agenda: 7/21/2026

Information to Show on Agenda Below Title:

June 16th, 2026 Regular Minutes

Proposal:

Property Details:

Property Location:

Current Zoning District:

Proposed Zoning District:

Applicant:

Council District:

Statutory Notices:

Proposed Action Advances the Following Comprehensive Plan Guiding Principles:

Points to Consider:

Recommendation:

Attachments:

1. 6-16-2026 Planning Commission Regular Minutes & Attachments



MINUTES
Lancaster County Planning Commission
June 16, 2026, 6:00 p.m.

Chairman Richards called the meeting to order at 6:01 p.m.

1. Roll Call: Quorum is present (6 Commissioners)

Commissioners Present:

Richard Crandall, District 1
Lynette Hinson, District 3
Michelle Richards, Dist. 5

T. Yokima Cureton, District 2
Judianna Tinklenberg, Dist. 4
Frances Liu, Dist. 7

Absent: Sheila Hinson

Staff Present:

Shannon Catoe, Interim Planning Director
Matthew Blaszyk, Planner
Jennifer Bryan, Planning Technician
Jeff Catoe, Public Works Director

Corey Barnes, Planner
Dr. Kirsten Willis, Planner
Mara Mata, Administrative Assistant

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

2. PRAYER AND PLEDGE OF ALLEGIANCE..... R. Crandall

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

3. APPROVE AGENDA

Chairman Richards called for a motion to approve the Agenda.

Motion to Approve by L. Hinson; 2nd by Y. Cureton.

Called Vote: 6:0. **Motion approved unanimously.**

4. APPROVE MINUTES

a. May 7th, 2026 Workshop Minutes

Chairman Richards called for a motion to approve May 7th, 2026 Workshop Minutes as written.

Motion to Approve by Y. Cureton; 2nd by J. Tinklenberg.

Called Vote: 5:0. **Motion approved unanimously.** F. Liu abstained.

b. May 19th, 2026 Regular Minutes

Chairman Richards called for a motion to amend the May 19th, 2026 Regular Minutes to redact the email on page 76 of the minutes.

Motion to Approve amended minutes by J. Tinklenberg; 2nd by L. Hinson.

Called Vote: 5:0. **Motion approved unanimously.** F. Liu abstained.

Chairman Richards opened the floor to comments from the public.

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

No members of the public signed up to speak.

6. PUBLIC HEARING ITEMS FOR RECOMMENDATION TO COUNCIL

a. TA-2026-1137 Road Acceptance:

Application by Lancaster County Planning Department on behalf of Lancaster County Council for amendments to Unified Development Ordinance Sec. 6.13.1 Acceptance of Roads.

Staff Presentation: Dr. Willis presented the application consistent with the staff report and announced that Jeff Catoe, Public Works Director, was available for questions.

Staff Recommendations: Approval

Questions To Staff:

Commissioner Tinklenberg and Dr. Willis discussed the language of this text amendment and the proposal to accept it now as opposed to adding it to the current UDO re-write.

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

No members of the public signed up to speak.

Chairman Richards closed Public hearing.

Questions To Staff:

Commissioner Cureton and Dr. Willis discussed how the proposed text amendment would affect the current and future UDO.

Commissioner Crandall and Dr. Willis discussed the UDO consultant's involvement in this proposed text amendment. Shannon Catoe shared that County Council considers this proposed text amendment urgent and wording can be added or changed in the UDO rewrite process once the amendment is accepted.

Chairman Richards reiterated that Public hearing had closed and called for a motion to accept item **TA-2026-1137 Road Acceptance** as presented.

Motion to accept as presented by L. Hinson; 2nd by Y. Cureton.

Roll Called Vote: 5:1. **Motion is approved.** Y. Cureton opposed.

Richard Crandall **FOR**
Lynette Hinson **FOR**
Michelle Richards **FOR**

T. Yokima Cureton **AGAINST**
Judianna Tinklenberg **FOR**
Frances Liu **FOR**

The item will be referred to County Council for final decision.

Items 6b. and 6c. were presented and discussed together but voted on separately.

b. CP-2026-1016 Bridge Point Charter School:

Application by Nataliya Panasiuk and LTRR Realty LLC to amend the Comprehensive Plan Future Land Use designation of a 31.89-acre parcel at 11632 Harrisburg Road (TM 0002-00-028) from ECONOMIC DEVELOPMENT to GROWTH, to allow rezoning from LI Light Industrial to INS Institutional (Concurrent application RZ-2026-1016).

c. RZ-2026-1016 Bridge Point Charter School:

Application by Nataliya Panasiuk and LTRR Realty LLC to rezone a parcel of 31.89 acres located at 11632 Harrisburg Road (TM 0002-00-028) from Light Industrial (LI) to Institutional (INS) to redevelop the existing structure as a charter school. Concurrent with CP-2026-1016 Comprehensive Plan Amendment (Future Land Use) advertised 5/16/2026, for Bridge Point Charter School.

Staff Presentation: Matthew Blaszyk and Dr. Willis presented the application consistent with the staff report.

Staff Recommendations: Denial

Questions To Staff:

Commissioner Liu and Matthew Blaszyk discussed the sign placed by Bridge Point Charter School.

Commissioner Tinklenberg and Matthew Blaszyk discussed economic development's input regarding the potential loss of Light Industrial Zoning.

Commissioner Crandall and Matthew Blaszyk discussed the other rezoning options the applicant could have for their use.

Comment from applicant(s):

Nataliya Panasiuk (Wellford) and Skip Powell (Lake Wylie) introduce themselves. Nataliya Panasiuk presented an application regarding the need for more schools in Lancaster County and shared that the charter school is a state funded tuition-free K-8 school and there is ambition to add a high school.

Skip Powell shared the history of the building and the growth of residential use in the surrounding area. He shared that they spoke to Economic Development and were told that although they would like to keep industrial use, they understand a school is needed.

Questions from Commissioners:

Commissioner Tinklenberg shared that this project is in her district and discussed the recently approved charter school to the north of this project.

Commissioner Tinklenberg and the applicant discussed the proposed school's funding and the impact it will have on the County's public-school budget. They also discussed federal law regarding special education, registration being limited to South Carolina residents, and the impact possible school buses and school traffic will have on the area.

Commissioner Liu inquired about the traffic information provided.

Dan Hendrickson (Rockford) shared that he is an architect and has been working with charter schools for 16 years at Bowman USA. He shared that there has been communication with SCDOT and they provided the stacking lengths that are on the site plan. Commissioner Liu and the applicants discussed having parents adhere to traffic rules for stacking to work. They also discussed traffic from the future high school.

Chairman Richards and the applicants discussed traffic from the future charter school to the north and the Islamic center nearby.

The Commission and the applicant discussed registration being limited to South Carolina residents and enrollment size.

Commissioner Crandall and the applicants discussed the possibility of a different proposed zoning district that would not require a Comprehensive Plan amendment and would allow a charter school.

Commissioner Liu shared concerns over a statement made by the applicant.

The Commission and applicants discussed the possible detriment this project may have on Lancaster County growth and employment.

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

Chairman Richards summarized the email comment by Jim Coates, as well as the letters and poll provided by the applicants that are in support of this project.

Applicant Rebuttal:

The applicant did not have a rebuttal.

Chairman Richards closed Public hearing and called for a motion to deny item **CP-2026-1016 Bridge Point Charter School** as presented.

Motion to deny as presented by L. Hinson; 2nd by F. Liu.

Discussion:

Commissioner Liu shared concerns over the letters provided by the applicant.

The Commission discussed the format of the motion and the possible traffic generated from the current use.

Roll Called Vote: 6:0. **Motion is approved unanimously.**

Richard Crandall **FOR**

T. Yokima Cureton **FOR**

Lynette Hinson **FOR**

Judianna Tinklenberg **FOR**

Michelle Richards **FOR**

Frances Liu **FOR**

The item will be referred to County Council for final decision, and applicants will be informed of time and date.

Chairman Richards closed Public hearing and called for a motion to deny item **RZ-2026-1016 Bridge Point Charter School** as presented.

Motion to deny as presented by Y. Cureton; 2nd by L. Hinson.

Roll Called Vote: 6:0. **Motion is approved unanimously.**

Richard Crandall **FOR**

T. Yokima Cureton **FOR**

Lynette Hinson **FOR**

Judianna Tinklenberg **FOR**

Michelle Richards **FOR**

Frances Liu **FOR**

The item will be referred to County Council for final decision, and applicants will be informed of time and date.

Commissioner Cureton stated, for the record, “If we could get a little more representation from the Lancaster County Cool-School District on...items like this, it would be super helpful.”

Chairman Richards recuses herself.

d. RZ-2026-0977 Sistare:

Application by Tony & Lori Sistare to rezone 8.53 acres at 1001 Lakefront Drive (TM 0089-00-099.04) from RN Rural Neighborhood to AR Agricultural Residential district, to allow a new parcel with a mobile home location.

Staff Presentation: Corey Barnes presented the application consistent with the staff report.

Staff Recommendations: Approval

Questions To Staff:

The Commission had no questions or concerns to share.

Comment from applicant(s):

Lori Sistare (Lancaster) shares that this will allow her daughter help them as they grow older and to have an affordable home and the surrounding properties are owned by family.

Questions from Commissioners:

Commissioner Cureton and Thomas Sistare (Lancaster) discuss the property, the rezoning request, and surrounding home types.

The Commission and Staff discuss spot zoning, surrounding zoning and home types, and a previous case with a similar request.

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

1. Jodi Honeycutt (Lancaster) shares that her property is adjacent to this land and she supports the rezoning for her niece.

Applicant Rebuttal:

Thomas Sistare also shares that the mobile home will be placed on a brick foundation.

Commissioner Tinklenberg closed Public hearing and called for a motion on item **RZ-2026-0977 Sistare**.

Motion to approve by Y. Cureton; 2nd by R. Crandall.

Discussion:

Commissioner Liu shared concerns setting precedents based on family.

Roll Called Vote: 4:1. **Motion is approved.** F. Liu opposed. M. Richards recused.
Richard Crandall **FOR** T. Yokima Cureton **FOR**
Lynette Hinson **FOR** Frances Liu **AGAINST**
Judianna Tinklenberg **FOR**

The item will be referred to County Council for final decision, and applicants will be informed of time and date.

7. PUBLIC HEARING ITEMS FOR RECOMMENDATION TO HEATH SPRINGS TOWN COUNCIL

a. RZ-2026-0982 Garcia:

Application by Maria T. Cruz Garcia to rezone a parcel of 4.8 acres on Rowland Avenue in Heath Springs (TM 0143-00-037.01) from IND Industrial to R-15 Moderate Density Residential, to allow residential use.

Staff Presentation: Matthew Blaszyk presented the application consistent with the staff report.

Staff Recommendations: Approval

Questions To Staff:

The Commission had no questions or concerns to share.

Comment from applicant(s):

The Applicant was not present.

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

No members of the public signed up to speak.

Chairman Richards closed Public hearing and called for a motion of approval on item **RZ-2026-0982 Garcia.**

Motion to approve by F. Liu; 2nd by Y. Cureton.

Called Vote: 6:0. **Motion is approved unanimously.**

The item will be referred to Heath Springs Town Council for final decision, and applicants will be informed of time and date.

8. NON-HEARING ITEMS

a. NRN-2025-1373 Compound Way:

Application by Eric Heins to name a private driveway at property located off South Potter Road (TM 0079H-0A-006.02 & and 0079H-0A-006.00), pursuant to Sec. 6.11.4.G of the Unified Development Ordinance. The proposed name of the private drive is Compound Way.

Staff Presentation: Jennifer Bryan presented the application consistent with the amended staff report.

Staff Recommendations: Approval

Questions To Staff:

Commissioner Liu and Jennifer Bryan discussed the amended staff report.

No public hearing is required.

Chairman Richards called for a motion to accept item **NRN-2025-1373 Compound Way** as presented.

Motion to approve by Y. Cureton; 2nd by L. Hinson.

Called Vote: 6:0. **Motion is approved unanimously.**

The Planning Commission has final approval of new road names.

b. NRN-2025-0309 Knox Bailey Lane:

Application by Carson Brandy Baker to name a private driveway off Cimmeron Rd between TM 0070-00-050.09 and 0070-00-050.10, pursuant to Sec. 6.11.4.G of the Unified Development Ordinance. The proposed name of the private drive is Knox Bailey Lane.

Staff Presentation: Jennifer Bryan presented the application consistent with the staff report.

Staff Recommendations: Approval

Questions To Staff:

The Commission had no questions or concerns to share.

No public hearing is required.

Chairman Richards called for a motion to accept item **NRN-2025-0309 Knox Bailey Lane** as presented.

Motion to approve by F. Liu; 2nd by J. Tinklenberg.

Called Vote: 6:0. **Motion is approved unanimously.**

The Planning Commission has final approval of new road names.

c. NRN-2026-1086 New Road Names - June Group:

June Group Submittal, new road names from E911 Addressing via Preliminary Plats and Civil Plans, pursuant to Sec. 6.4.11 of the Unified Development Ordinance.

Staff Presentation: Jennifer Bryan presented the applications consistent with the staff report.

Staff Recommendations: Approval

Questions To Staff:

The Commission and Jennifer Bryan discuss street name pronunciation.

No public hearing is required.

Chairman Richards called for a motion to accept item **NRN-2026-1086 New Road Names - June Group** as presented.

Motion to approve by Y. Cureton; 2nd by L. Hinson.

Called Vote: 6:0. **Motion is approved unanimously.**

The Planning Commission has final approval of new road names.

9. OTHER

a. Comprehensive Plan Update

Dr. Willis and Jennifer Bryan presented the update and discussed the changes to the report from 2025 with the Commission. The Commission will discuss the Comprehensive Plan at the July 21st, 2026 regular meeting. Shannon Catoe shares the update process and how it may change with the new Planning Director.

b. Staff

Shannon Catoe announced that Jennifer Bryan will be moving to Economic Development.

c. Impact Fee Update

The Commission and Staff discuss the company that won the bid, the timeline, and the moratorium.

d. Next Month's Agenda

The Commission and Staff discuss next month's items, as well as Agenda packets.

10. ADJOURN

Motion to adjourn by Y. Cureton; 2nd by L. Hinson. Motion approved by unanimous consent. Meeting adjourned at 8:02 p.m.

ATTACHMENT:

Sign-In Sheets

SIGN IN ONLY IF YOU WISH TO SPEAK



MR
6/16/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 5: CITIZEN'S COMMENTS

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

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, June 16, 2026

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

**THIS SIGN IN IS ONLY FOR MATTERS NOT ON
TONIGHT'S AGENDA.**

PLEASE PRINT

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SIGN IN ONLY IF YOU WISH TO SPEAK



MR2
6/16/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 6a: TA-2026-1137 Road Acceptance:
Application by Lancaster County Planning Department on behalf of Lancaster County Council for amendments to Unified Development Ordinance Sec. 6.13.1 Acceptance of Roads.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, June 16, 2026

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



MB2
6/16/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 6b/6c: RZ/CP-2026-1016 Bridge Pointe Charter School:

Application by Nataliya Panasiuk and LTRR Realty LLC to rezone a parcel of 31.89 acres located at 11632 Harrisburg Road (TM 0002-00-028) from Light Industrial (LI) to Institutional (INS) to redevelop the existing structure as a charter school.

Application by Nataliya Panasiuk and LTRR Realty LLC to amend the Comprehensive Plan Future Land Use designation of a 31.89-acre parcel at 11632 Harrisburg Road (TM 0002-00-028) from ECONOMIC DEVELOPMENT to GROWTH, to allow rezoning from LI Light Industrial to INS Institutional.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, June 16, 2026

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PLEASE PRINT

1. ~~NATALIYA Panasiuk~~

2. ~~Step Panasiuk~~

SIGN IN ONLY IF YOU WISH TO SPEAK



Jul 4.16.2026

PLANNING COMMISSION Public Hearing Sign In Sheet

Item 6d: RZ-2026-0977 Sistare:

Application by Tony & Lori Sistare to rezone 8.53 acres at 1001 Lakefront Drive (TM 0089-00-099.04) from RN Rural Neighborhood to AR Agricultural Residential district, to allow a new parcel with a mobile home location.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, June 16, 2026

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PLEASE PRINT

1.	Lori Sistare
2.	Tony Sistare
3.	SKP PAWT
4.	Jodi Horeycutt

SIGN IN ONLY IF YOU WISH TO SPEAK



U/R
6/16/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 7a: RZ-2026-0982 Garcia:

Application by Maria T. Cruz Garcia to rezone a parcel of 4.8 acres on Rowland Avenue in Heath Springs (TM 0143-00-037.01) from IND Industrial to R-15 Moderate Density Residential, to allow residential use.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, June 16 2026

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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ATTACHMENT:

Email Comment by Jim Coates for Item 6b & 6c

From: [Jim Coates](#)
To: [Mara Mata](#)
Cc: [Jim Coates](#); [RxJim](#)
Subject: RZ/CP 2026-1016
Date: Tuesday, June 16, 2026 4:26:58 PM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, support@lancastercountysc.gov

Statement Opposing the Proposed Charter School Rezoning

Members of the City Council,

My name is **Jim Coates**, and I am a resident of the **Farrington neighborhood**, located directly across from the charter school currently under construction and scheduled to open in Fall 2026.

I respectfully ask that you deny, or at a minimum postpone, approval of the proposed rezoning request for an additional charter school planned for 2027.

My concern is not opposition to education or school choice. Rather, it is that approving a second charter school at this location is premature and may create significant traffic and safety issues before we understand the impact of the charter school that has already been approved and is being built only a few hundred feet away.

As a resident who lives directly across from the school site, I will experience the daily effects of increased traffic, congestion, noise, and safety concerns. The existing charter school has not yet opened, and no one currently knows what the actual traffic conditions will be once hundreds of students, parents, faculty, staff, buses, and service vehicles begin using the road each day.

The proposed second charter school would be located essentially adjacent to the first one, with only a single house separating the two properties. Yet the main road serving this area currently has only **one lane in each direction**. School traffic is concentrated during morning drop-off and afternoon pick-up periods, creating significant spikes in traffic volume.

Before approving another school, the city should first evaluate:

1. The actual traffic impact of the charter school opening in Fall 2026.
2. Whether the existing road infrastructure can safely accommodate additional vehicles.
3. The effect on nearby residents and neighborhoods, including Farrington.
4. The impact on emergency vehicle access and public safety.
5. Whether costly road improvements will be required and who will be responsible for funding them.

Approving a second charter school before the first one has even opened means making a major zoning decision without the benefit of real-world traffic and operational data.

Once a rezoning is approved, it is difficult to reverse course if significant problems arise.

There is also no demonstrated need to rush this decision. A new charter school is already being constructed and will soon provide additional educational capacity to the community. The prudent approach would be to allow that school to open, monitor its impact for at least a full school year, and then determine whether the surrounding road network can safely support another school immediately next door.

The question before the council is not whether charter schools are beneficial. The question is whether it is responsible to approve a second charter school immediately adjacent to one that has not yet opened, without knowing the consequences for traffic, safety, and the surrounding community. I believe the answer is no.

As a Farrington resident who lives directly across from the charter school site, I respectfully ask the council to deny or defer this rezoning request until the impacts of the first charter school can be properly evaluated and objective traffic data can be collected and reviewed.

Thank you for your time and consideration.

Jim Coates

1715 Buckland Ct

Indian Land, SC 29707

Farrington Resident

ATTACHMENT:

Documents and Letters Provided by Applicants for
Item 6b & 6c

COMMUNITY SUPPORT PETITION

We, the undersigned residents, support the rezoning of 11632 Harrisburg Road from Light Industrial to Institutional to allow a STEM-focused Charter School. This change eliminates potential industrial use and supports a more compatible, community-focused development.

Name (Print)	Signature	Address
Jessica Perez	Authorized by phone	1845 Capington Dr.
Cindy Darciano	Cindy	1858 Capington Dr, Indian Land, SC 29175
Ankita	Ankita	1868 Capington Dr,
Denise Harlice	Denise Harlice	3010 Hedrick Ln.
Michelle Smith	MSmith	2085 Grantham Pl Dr Fort Mill SC
Abby Zehn	Abby	7037 Broughton Ln Indian Land
Anika SANDERS	Anika	172 PNEAD ROAD FORT MILL
Victor Jia	Victor Jia	1038 Sugar Creek Rd. Fort Mill,
Krishna Priya	B. Priya	1050 Sugar Creek Rd
CHRIS ENGLISH	Chris English	1032 SUGAR CREEK RD
John Angelo	John Angelo	1222 Sugar Creek Rd
NIKHILESH CHEPYALA	Nikhilesh	3471 CALICO BRANCH RD INDIANLAND SC 29707
Patty Bell	Patty Bell	1851 Capington Dr, Indian Land, SC 29907
Tess Tomich	Tess Tomich	1857 Capington Dr " "
Jacob Lawrence	Jacob Lawrence	1069 Sugar Creek Rd
Nick Laczewski	Nick Laczewski	1121 Sugar Creek Rd " "

Timestamp	Do you support the rezoning of T1632 Harrisburg	Your Full Name	Home Address Your address helps us show local officials that rezoning affects you	What grade level(s) will your child or children be attending	Would you be willing to publicly attend a rezoning hearing
5/3/2026 21:39:22	Yes, I support the rezoning	Anu Miski	4300 Haddington Dr Indian Land, SC 29707	Kindergarten	Yes, I am willing to write a short letter of support (
5/2/2026 11:34:07	Yes, I support the rezoning	Anil Kumar Chempowala	2219 Indigo Branch Rd, Indian Land, SC 29707	Kindergarten	Yes to both
5/2/2026 13:11:16	Yes, I support the rezoning	Anshul Chohan	1068 Kinship Dr, Lancaster, SC 29720	4th Grade	Yes to both
5/3/2026 12:59:17	Yes, I support the rezoning	Anshuman Khandelwal	1568 loggerhead drive Lancaster	4th Grade	Yes, I am willing to write a short letter of support (
5/1/2026 19:16:37	Yes, I support the rezoning	Balaji Elthirajulu	6235 Artigas dr Indian land SC	4th Grade	Yes, I am willing to attend the hearing
5/2/2026 7:48:58	Yes, I support the rezoning	Chirodeep Mukherjee	2196 Idol Rock Dr, Indian Land, SC	2nd Grade	Not at this time
5/1/2026 19:25:58	Yes, I support the rezoning	Christina Pires	1074 Sugar Creek Rd, Indian Land, SC 29707	Kindergarten	Yes to both
5/6/2026 16:58:02	Yes, I support the rezoning	Christy Maloney	10474 Tintinhull Dr Fort Mill, SC 29707	6th Grade	Yes to both
5/6/2026 17:25:29	Yes, I support the rezoning	Das Opoku-Ware	1240 Sugar Creek Road, Indian Land, SC 29707	Kindergarten, 2nd Grade	Yes, I am willing to attend the hearing
5/2/2026 11:10:12	Yes, I support the rezoning	Cristina Bubunz	3018 Carriage Oak Way, Indian Land, SC 29707	1st Grade, 5th Grade	Yes to both
5/2/2026 17:09:33	Yes, I support the rezoning	Elizabeth Escobar	5611 Regal Way, Indian Land, SC 29707	Kindergarten	Yes, I am willing to attend the hearing
5/1/2026 23:11:05	Yes, I support the rezoning	Francesca Pana	9630 Fire belled Ct	Kindergarten	Yes, I am willing to write a short letter of support (
5/1/2026 19:09:10	Yes, I support the rezoning	Gulnur Armanbaeva	3527 Buster Ln, Apt 202	Kindergarten, 5th Grade, 8th Grade	Yes to both
5/6/2026 16:47:14	Yes, I support the rezoning	Hameetha Yalamanchilli	584 Vine St, Indian land	Kindergarten, 5th Grade	Not at this time
5/1/2026 19:10:29	Yes, I support the rezoning	Heather Yurtkiran	29715	Kindergarten	
5/4/2026 10:20:01	Yes, I support the rezoning	Jasmeen Kaur	6229 Artigas Dr, Indian Land	Kindergarten	Not at this time
5/3/2026 12:59:43	Yes, I support the rezoning	Jayashree Raju	4630 Cava Ct, Fort Mill, SC 29707	4th Grade, 5th Grade, 6th Grade, 7th Grade, 8th Grade	Not at this time
5/6/2026 17:58:49	Yes, I support the rezoning	Jeffrey Holguin	5225 Scotts Creek Rd Indian land sc 29707	Kindergarten	
5/1/2026 19:49:49	Yes, I support the rezoning	Katherine Odukalets	9013 Pembroke Ct., Indian Land, SC	3rd Grade, 5th Grade	Not at this time
5/2/2026 6:55:07	Yes, I support the rezoning	Krishna nair	3713 waverock ct, IndianLand, SC 29707	3rd Grade	Not at this time
5/1/2026 19:50:46	Yes, I support the rezoning	Kristen Conway	331 Millsaps Way Indian Land SC 29707	3rd Grade	Not at this time
5/1/2026 20:21:50	Yes, I support the rezoning	Kashila Panzhina	4344 Tournette dr, Indian Land SC 29707	1st Grade, 5th Grade, 8th Grade	Yes, I am willing to write a short letter of support (
5/1/2026 19:16:21	Yes, I support the rezoning	Leah Constantine	2070 cutter point Dr	Kindergarten	Not at this time
5/1/2026 19:07:16	Yes, I support the rezoning	Linda Okinda Njagoli	1164 Castle Rd, Fort Mill, SC 29707	3rd Grade, 5th Grade	Yes, I am willing to attend the hearing
5/6/2026 16:00:05	Yes, I support the rezoning	Lindsay Brotherton	4695 Selhurst Drive Indian Land, SC	community support (no children to attend)	Not at this time
5/5/2026 9:22:32	Yes, I support the rezoning	Linsay Naaley	3051 Hawick Lane Indian Land SC 29707	3rd Grade, 5th Grade, 8th Grade	Not at this time
5/2/2026 17:37:38	Yes, I support the rezoning	Madukuri Sreenivas	1623 Pendula lane Indian land 29707	Kindergarten	Yes, I am willing to attend the hearing
5/1/2026 22:03:28	Yes, I support the rezoning	Megan Walker	10841 Pettus Road Fort Mill, SC 29707	1st Grade	Not at this time
5/4/2026 10:43:08	Yes, I support the rezoning	Mounisha Ravi	3338 Tabor Ln, Indian Land, SC, 29707	Kindergarten, 3rd Grade	Yes, I am willing to write a short letter of support (
5/2/2026 6:13:40	Yes, I support the rezoning	Nathalie Ferreira	4503 family trail dr Indian land sc 29707	5th Grade	Yes, I am willing to write a short letter of support (
5/1/2026 20:27:24	Yes, I support the rezoning	Nsalima	1223 mooney lane	2nd Grade	Yes, I am willing to write a short letter of support (
5/2/2026 10:03:11	Yes, I support the rezoning	nirav patel	4123 hickory view drive indian land south carolina	2nd Grade	
5/6/2026 16:56:51	Yes, I support the rezoning	Nithyanandam Vanniya Perum	3471 Friendship St, Indian land, SC, 29707	Kindergarten, 6th Grade	Not at this time
5/6/2026 17:35:45	Yes, I support the rezoning	Petya Petkova	3049 Allendale Drive Indian Land SC 29707	5th Grade	Not at this time
5/6/2026 14:03:17	Yes, I support the rezoning	Praveen Kota	6817 hunts mesa dr, indian land, sc 29707	Kindergarten, 1st Grade	Yes, I am willing to attend the hearing
5/1/2026 19:26:58	Yes, I support the rezoning	Praya Mathok	5464 Haystack Avenue, Indian Land	8th Grade	Not at this time

Timestamp	Do you support the rezoning of 11632 Harrisburg	Your Full Name	Home Address Your address helps us show local officials that we	What grade level(s) will your child or children be	Would you be willing to publicly attend a rezoning
5/18/2026 10:54:17	Yes, I support the rezoning	Neena Aellas	8016 Tricia pointe Pl, Indian land, SC	1st Grade, 7th Grade	
5/18/2026 11:09:32	Yes, I support the rezoning	Mohit Panwar	4587 Plicata Dr Indian Land SC 29707	4th Grade	Yes, I am willing to write a short letter of support (
5/19/2026 4:25:30	Yes, I support the rezoning	Fatima Ikram	3309 Juneberry Place, Indian Land, SC 29707	7th Grade	Not at this time
5/19/2026 8:35:35	Yes, I support the rezoning	Ramesh Baildam	6122 Alsace lane, Indian land	1st Grade, 4th Grade	Not at this time
5/19/2026 12:33:34	Yes, I support the rezoning	rnichelle gonzalez	6825 Wilson Creek dr	Kindergarten	Yes, I am willing to attend the hearing
5/19/2026 15:40:19	Yes, I support the rezoning	Sankar Gomathi	7634 Fenn way Indian land	4th Grade	
5/19/2026 22:11:41	Yes, I support the rezoning	Sneha Patel	4533 Plicata Dr, Indian Land, S.c 29707	1st Grade, 4th Grade	Not at this time
5/21/2026 8:05:49	Yes, I support the rezoning	Dakota Lee Hyrd	1215 Bhaltair Ln, Fort Mill, SC 29708	Kindergarten	Yes, I am willing to write a short letter of support (
5/21/2026 19:15:28	Yes, I support the rezoning	Jayashree Raju	4630 Cava Ct, Fort Mill,SC 29707	5th Grade, 6th Grade, 7th Grade, 8th Grade	Not at this time
5/21/2026 19:29:11	Yes, I support the rezoning	Robson Barbosa	8032 Bryson Rd	Kindergarten	Not at this time
5/21/2026 19:53:13	Yes, I support the rezoning	Ashley Dwyer	9608 Fire Bellied Court, Lancaster, SC 29720	3rd Grade, 5th Grade	Not at this time
5/22/2026 1:00:24	Yes, I support the rezoning	Kasey Houck	2213 Reid pointe avenue	3rd Grade	Yes, I am willing to write a short letter of support (
5/22/2026 20:57:05	Yes, I support the rezoning	Parastou Sefidi Diznab	1143 Jasmine Dr. Indian Land, SC 29707	5th Grade	Yes to both
5/25/2026 15:18:08	Yes, I support the rezoning	Mallory Hudson	4012 Bainbridge Pl Indian Land SC 29707	Kindergarten	Yes, I am willing to write a short letter of support (
5/26/2026 21:41:14	Yes, I support the rezoning	Elana Berdan	3014 Bridgewater st.,Lancaster ,SC,29720	3rd Grade	Yes, I am willing to write a short letter of support (
5/27/2026 20:22:54	Yes, I support the rezoning	Dharmanj Das	9149 Vecchio drive	2nd Grade, 5th Grade	Yes, I am willing to write a short letter of support (
5/28/2026 14:00:49	Yes, I support the rezoning	Elizabeth Cornett	9118 Blue Ridge Drive Indian Land, SC 29707	Kindergarten	Not at this time
5/28/2026 14:11:23	Yes, I support the rezoning	Pranod Hegde	8622 Miles Gap Rd, Indian land SC 29707	Kindergarten	
5/31/2026 10:42:57	Yes, I support the rezoning	Rajasekhar Gielikam	7078 Bareland rd, Indian Land, SC 29707	Kindergarten, 3rd Grade	Yes, I am willing to write a short letter of support (
6/2/2026 15:27:33	Yes, I support the rezoning	Manimozhi Murugavel	1208 Sugar Creek Road	5th Grade	Not at this time
6/8/2026 10:20:26	Yes, I support the rezoning	Pradeep Pandilmarry	7089 Bareland rd, Indian land, sc 29707	2nd Grade	Yes, I am willing to write a short letter of support (
6/8/2026 17:37:18	Yes, I support the rezoning	Holly Heffernan	16028 Reynolds drive	7th Grade, 8th Grade	Yes, I am willing to write a short letter of support (
6/8/2026 21:12:08	Yes, I support the rezoning	Ashley Benz	4020 Sherri Ln Fort Mill SC 29715	2nd Grade	Yes to both

Ashley Benz

4020 Sherri Ln Fort Mill SC 29715

June 10, 2026

Lancaster County Planning Commission
Lancaster County Council
c/o Lancaster County Planning Department
P.O. Box 1809, 101 N. Main Street
Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment
11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00
Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

Dear Members of the Planning Commission and County Council:

I am writing as a parent and resident of the Indian Land community to express my full support for the proposed rezoning of 11632 Harrisburg Road from Light Industrial to Institutional, and for the establishment of Bridge Point Charter School at this location.

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I respectfully ask that the Planning Commission and County Council approve the requested Zoning Map Amendment and the corresponding Future Land Use Map amendment for 11632 Harrisburg Road. Thank you for your time and your service to Lancaster County.

Respectfully,



Signature

Parent and Resident, Indian Land / Fort Mill, SC

Ami Miski

4300 Haddington Dr Indian Land, SC 29707

May 9, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

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Respectfully,

Signed by:

SPACESIGNATURE

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Anil Kumar Chennojwala

2219 Indigo Branch Rd, Indian Land, SC 29707

May 9, 2026

Lancaster County Planning Commission
Lancaster County Council
c/o Lancaster County Planning Department
P.O. Box 1809, 101 N. Main Street
Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

Dear Members of the Planning Commission and County Council:

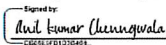
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Respectfully,

Anil Kumar Chennojwala
C00461F01235461

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Cassandra Patterson

645 Penny Royal Ave, Fort Mill, SC 29715

[REDACTED]

May 9, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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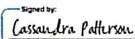
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Respectfully,

Signed by:

15182424810424

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Cristina Buburuz

3018 Carriage Oak Way, Indian Land, SC 29707

May 9, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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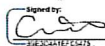
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Respectfully,



Signature

Parent and Resident, Indian Land / Fort Mill, SC

Christina Pires

1074 Sugar Creek Rd, Indian Land, SC 29707



May 9, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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Respectfully,

A handwritten signature in blue ink, appearing to read "C. Pires".

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Elizabeth Hag

78106 Rillstone Dr Lancaster SC 29720

May 9, 2026

Lancaster County Planning Commission
Lancaster County Council
c/o Lancaster County Planning Department
P.O. Box 1809, 101 N. Main Street
Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment
11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00
Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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Respectfully,



Signature

Parent and Resident, Indian Land / Fort Mill, SC

Holly Heffernan

16028 Reynolds Dr, Indian Land, SC 29707

June 10, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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Respectfully,



Signature

Parent and Resident, Indian Land / Fort Mill, SC

Mohit Panwar

4587 Plicata Dr Indian Land SC 29707



May 18, 2026

Lancaster County Planning Commission
Lancaster County Council
c/o Lancaster County Planning Department
P.O. Box 1809, 101 N. Main Street
Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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Respectfully,


Signed by: Mohit Panwar

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Neelima

1223 Mooney Lane, Indian Land, SC 29707

[REDACTED]

May 9, 2026

Lancaster County Planning Commission
Lancaster County Council
c/o Lancaster County Planning Department
P.O. Box 1809, 101 N. Main Street
Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

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Respectfully,

 Signed by: [REDACTED]

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Shubhankar Palit

7144 Sumters Camp Trl, Indian Land, SC 29707



May 9, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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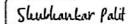
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Respectfully,

Digitally signed by


Signature

Parent and Resident, Indian Land / Fort Mill, SC

Dakota Lee Byrd

1215 Bhaltair Ln, Fort Mill, SC 29708



May 21, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

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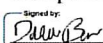
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Respectfully,



Signature

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Kasey Houck

2213 Reid pointe Ave, Fort Mill, SC 29707



May 31, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

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Respectfully,


Kasey Houck

Signature

Parent and Resident, Indian Land / Fort Mill, SC

Rajasekhar Chelikam

7078 Bareland rd, Indian Land, SC 29707

[REDACTED]

May 31, 2026

Lancaster County Planning Commission

Lancaster County Council

c/o Lancaster County Planning Department

P.O. Box 1809, 101 N. Main Street

Lancaster, SC 29721

Re: Letter of Support - Zoning Map Amendment & Comprehensive Plan Amendment

11632 Harrisburg Road, Fort Mill, SC 29707 | Tax Parcel 0002-00-028.00

Light Industrial (LI) to Institutional (INS) - Bridge Point Charter School

Dear Members of the Planning Commission and County Council:

I am writing as a parent and resident of the Indian Land community to express my full support for the proposed rezoning of 11632 Harrisburg Road from Light Industrial to Institutional, and for the establishment of Bridge Point Charter School at this location.

Our community is growing quickly, and our schools are feeling it. A new K-8 option close to home is a meaningful benefit for families like mine.

The proposed use also makes sense for this property. The site is now surrounded by residential neighborhoods on all sides, and a daytime school is a far more compatible neighbor than continued industrial operation, including the 24-hour activity, truck traffic, and noise that could come with a future industrial buyer.

I respectfully ask that the Planning Commission and County Council approve the requested Zoning Map Amendment and the corresponding Future Land Use Map amendment for 11632 Harrisburg Road. Thank you for your time and your service to Lancaster County.

Respectfully,



Signature

Parent and Resident, Indian Land / Fort Mill, SC

ATTACHMENT:

Disclosure & Recusal Statement by Michelle Richards
for Item 6d



Disclosure & Recusal Statement

Meeting Date: June 16, 2026

Agenda Item No.: 6d

Case No.: RZ-2026-0977

Case Title: Sistare

Commission Member Information

Name: Michelle Richards

District/Seat: 5

Disclosure

Pursuant to applicable South Carolina law, Lancaster County Unified Development Ordinance procedures, and the requirement for impartial decision-making in quasi-judicial matters, I hereby disclose a conflict affecting my ability to participate in this agenda item.

Basis for Recusal (check all that apply)

- ☒ Personal bias or prejudice regarding the matter
- ☐ Prior statement or expressed opinion indicating prejudgment
- ☐ Ex parte communication concerning this case
- ☐ Personal knowledge of disputed facts outside the record
- ☒ Relationship with applicant, property owner, or interested party
- ☐ Financial or economic interest (direct or indirect)
- ☐ Other: _____

Recusal Statement

I hereby recuse myself from the above-referenced agenda item and will:

- Not participate in discussion, deliberation, or voting
- Not attempt to influence the decision of the Planning Commission
- Absent myself from the dais during consideration of this item, if directed by the Chair

Certification

This recusal is made to ensure compliance with due process requirements, South Carolina FOIA, and applicable ethics and conflict of interest standards.

Signature: Michelle Richards

Date: 6/16/26

ATTACHMENT:

Amended Staff Report for Item 8a

PROPOSAL: Request to name private driveway **Compound Way**

PROPERTY LOCATION: off South Potter Road between TM 0079H-0A-006.02 & and 0079H-0A-006.00

APPLICANT: Erick Heins

COUNCIL DISTRICT: District 3, Billy Mosteller

STATUTORY NOTICES: Posted sign (not required)
Meeting notice (not required) published 5/30/2026
in The Lancaster News
Mailed Notices (not required)
Published and posted agenda in lobby 6/09/2026

OVERVIEW:

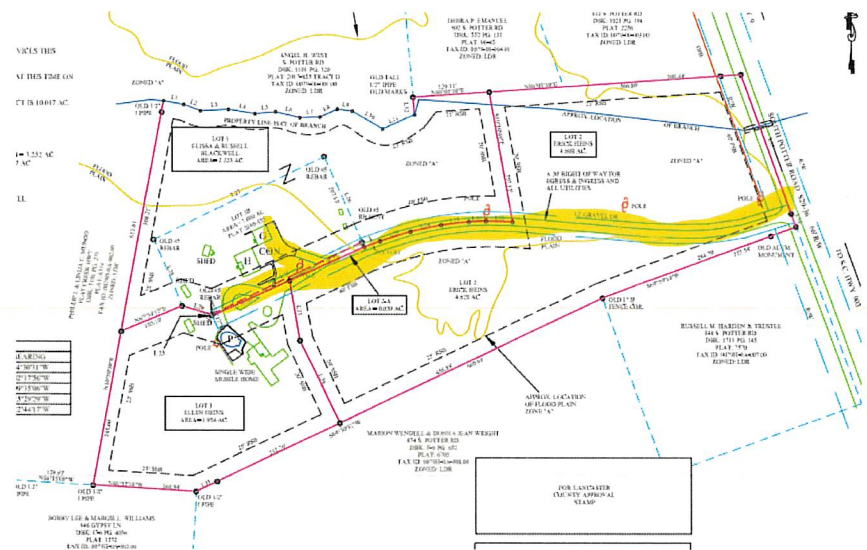
Project Summary & Proposal

Eric Heins owns TM 0079H-0A-006.02 off South Potter Road. Pursuant to Sec. 6.11.4.G of the Unified Development Ordinance, because it is the third parcel to access from the private drive, building permits for the lot cannot be issued until the shared driveway is named.

Staff has reviewed the requested name against County records and has noted the first choice, **Compound Way**, is sufficiently different from existing names to avoid confusion.



Aerial view of location



Detail of Minor Subdivision Plat 2024/355



Driveway location, looking west from South Potter Road

ANALYSIS & FINDINGS:

6.11.4 PROCEDURE FOR NAMING A NEW ROAD

- A. Any person, firm, corporation, developer or right-of-way owner shall submit an application obtained from the Planning Department when requesting to name a new 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 property owners with parcels having frontage on the affected road. ✓
- B. If the request is consistent with standards included the section entitled "Road Name Standards," above, the Planning Department shall approve said request giving written notice of that action within 60 days of the date of such request. **Per state code, Planning Commission must approve road names. Other than review standards, Sec. B, C, D are void.**
- C. If the request is denied by the Planning Department, written notice including reasons for that action shall be provided within 60 days of the date of such request.
- D. Decisions of the Planning Department, whether affirmative or negative, shall be final subject to written appeal to Lancaster County Planning Commission filed with the clerk to the commission within 15 calendar days of the notice date of the Planning Department's decision. Such appeal shall set out the specific grounds upon which the Planning Department's decision is questioned. The fifteen-day appeal period shall commence on the date of the Planning Department's written notice of decision, which shall be sent to the person signing the affected road name request.
- E. A person laying out a street is guilty of a misdemeanor if he shows an unapproved street name on a plat, street marker or deed. If convicted, the court decides the punishment.
- F. Naming a previously unnamed road or driveway does not change the maintenance responsibility; if it was privately maintained prior to its naming, it will remain privately maintained.
- G. Any road or driveway, whether publicly or privately maintained, that serves as the sole access for three (3) or more permanent residential or business structures must be named. (Ord. No. 2017-1485, 1.8.18)

STAFF RECOMMENDATION:

Staff recommends Approval of the request.

ATTACHMENTS:

1. New Road Name Application
2. Deeds
3. Plat 2025/475

STAFF CONTACT:

Jennifer Bryan, Planning Technician
jbryan@lancastercountysc.gov | 803-416-9433

Sandra Burton, 911 Addressing
sburton@lanc911.com | 803-416-9325

ATTACHMENT:

**Workshop Email – Relevant Case Materials for
6-16-2026 Regular Meeting**

From: [Mara Mata](#)
Cc: [Jennifer Bryan](#); [Matthew Blaszyk](#); [Corey D. Barnes](#); [Shannon Catoe](#); [Dr. Kirsten Willis](#)
Bcc: [REDACTED]
Subject: Lancaster County Planning Commission - Relevant Case Materials
Date: Thursday, June 4, 2026 2:00:00 PM
Attachments: [Guide to Land Use 143-144.pdf](#)
[TA UDO.pdf](#)
[Text Amendment Application.pdf](#)
[Text Amendments Summary.pdf](#)
[New Road Name-Change Application \(PDF\).pdf](#)
[Ch 6.11.2 - 6.11.4 New Road Names regulations.pdf](#)
[6.11.3 Road Name Standards Amended 11-2024.pdf](#)

Good afternoon,

Please find attached helpful documents for Text Amendments and New Road Names, as well as their applications. I have created a summary of the Text Amendment documents, also attached.

Please let me know if you have any questions, thank you!

general purpose of promoting and protecting the public health, safety, and general welfare. Amendments to a planned development district may be authorized by ordinance of the governing authority after recommendation from the planning commission. These amendments constitute zoning ordinance amendments and must follow prescribed procedures for the amendments. The adopted plan may include a method for minor modifications to the site plan or development provisions.

HISTORY: 1994 Act No. 355, Section 1.

SECTION 6-29-750. Special development district parking facility plan; dedication.

In accordance with a special development district parking facility plan and program, which includes guidelines for preferred parking locations and indicates prohibited parking areas, the planning commission may recommend and the local governing body may adopt regulations which permit the reduction or waiver of parking requirements within the district in return for cash contributions or dedications of land earmarked for provision of public parking or public transit which may not be used for any other purpose. The cash contributions or the value of the land may not exceed the approximate cost to build the required spaces or provide the public transit that would have incurred had not the reduction or waiver been granted.

HISTORY: 1994 Act No. 355, Section 1.

SECTION 6-29-760. Procedure for enactment or amendment of zoning regulation or map; notice and rights of landowners; time limit on challenges.

(A) Before enacting or amending any zoning regulations or maps, the governing authority or the planning commission, if authorized by the governing authority, shall hold a public hearing on it, which must be advertised and conducted according to lawfully prescribed procedures. If no established procedures exist, then at least fifteen days' notice of the time and place of the public hearing must be given in a newspaper of general circulation in the municipality or county. In cases involving rezoning, conspicuous notice shall be posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. If the local government maintains a list of groups that have expressed an interest in being informed of zoning proceedings, notice of such meetings must be mailed to these groups. No change in or departure from the text or maps as recommended by the local planning commission may be made pursuant to the hearing unless the change or departure be first submitted to the planning commission for review and recommendation. The planning commission shall have a time prescribed in the ordinance which may not be more than thirty days within which to submit its report and recommendation on the change to the governing authority. If the planning commission fails to submit a report within the prescribed time period, it is deemed to have approved the change or departure. When the required public hearing is held by the planning commission, no public hearing by the governing authority is required before amending the zoning ordinance text or maps.

(B) If a landowner whose land is the subject of a proposed amendment will be allowed to present oral or written comments to the planning commission, at least ten days' notice and an opportunity to comment in the same manner must be given to other interested members of the public, including owners of adjoining property.

(C) An owner of adjoining land or his representative has standing to bring an action contesting the ordinance or amendment; however, this subsection does not create any new

substantive right in any party.

(D) No challenge to the adequacy of notice or challenge to the validity of a regulation or map, or amendment to it, whether enacted before or after the effective date of this section, may be made sixty days after the decision of the governing body if there has been substantial compliance with the notice requirements of this section or with established procedures of the governing authority or the planning commission.

HISTORY: 1994 Act No. 355, Section 1.

SECTION 6-29-770. Governmental entities subject to zoning ordinances; exceptions.

(A) Agencies, departments, and subdivisions of this State that use real property, as owner or tenant, in any county or municipality in this State are subject to the zoning ordinances.

(B) A county or agency, department or subdivision of it that uses any real property, as owner or tenant, within the limits of any municipality in this State is subject to the zoning ordinances of the municipality.

(C) A municipality or agency, department or subdivision of it, that uses any real property, as owner or tenant, within the limits of any county in this State but not within the limits of the municipality is subject to the zoning ordinances of the county.

(D) The provisions of this section do not require a state agency, department, or subdivision to move from facilities occupied on June 18, 1976, regardless of whether or not their location is in violation of municipal or county zoning ordinances.

(E) The provisions of this section do not apply to a home serving nine or fewer mentally or physically handicapped persons provided the home provides care on a twenty-four hour basis and is approved or licensed by a state agency or department or under contract with the agency or department for that purpose. A home is construed to be a natural family or such similar term as may be utilized by any county or municipal zoning ordinance to refer to persons related by blood or marriage. Prior to locating the home for the handicapped persons, the appropriate state agency or department or the private entity operating the home under contract must first give prior notice to the local governing body administering the pertinent zoning laws, advising of the exact site of any proposed home. The notice must also identify the individual representing the agency, department, or private entity for site selection purposes. If the local governing body objects to the selected site, the governing body must notify the site selection representative of the entity seeking to establish the home within fifteen days of receiving notice and must appoint a representative to assist the entity in selection of a comparable alternate site or structure, or both. The site selection representative of the entity seeking to establish the home and the representative of the local governing body shall select a third mutually agreeable person. The three persons have forty-five days to make a final selection of the site by majority vote. This final selection is binding on the entity and the governing body. In the event no selection has been made by the end of the forty-five day period, the entity establishing the home shall select the site without further proceedings. An application for variance or special exception is not required. No person may intervene to prevent the establishment of a community residence without reasonable justification.

(F) Prospective residents of these homes must be screened by the licensing agency to ensure that the placement is appropriate.

(G) The licensing agency shall conduct reviews of these homes no less frequently than every six months for the purpose of promoting the rehabilitative purposes of the homes and their continued compatibility with their neighborhoods.

separately stated in final decisions or orders of the Board, which must be delivered to parties of interest by certified mail.

D. APPEALS

Any appeal from a decision of the Board of Zoning Appeals may be made by an aggrieved party and shall be made to the Circuit Court of Lancaster County in the nature of certiorari. Any such petition shall be filed no later than 30 days after the applicant receives a written copy of the decision of the Board of Zoning Appeals.

9.2.15 TEXT AMENDMENTS AND REZONINGS

The County Council may from time to time amend any part of the text of this ordinance or amend the Zoning Map of the County.

A. APPLICATION PROCEDURES

1. **Process Type:** Legislative.
2. **Applicants:** Map or text amendments may be submitted by any of the following:
 - The County Council.
 - The Planning Commission.
 - The Board of Zoning Appeals.
 - The Planning Department.
 - Any owner of property within the land use jurisdiction of the County.
3. **Pre-Application Procedure:** Before filing a petition of an amendment, an applicant (if an owner requesting a map amendment) shall meet with the Administrator to discuss the proposed amendment or request and to become more familiar with the applicable requirements and approval procedures of the County.
4. **Content of Application:** A petition for an amendment to the County's official land development map or text shall be filed on a form provided by the Administrator. Such a petition shall contain all the information required on the form and must be determined to be complete by the Administrator prior to advancing it through the review process.
5. **Determination of Completeness:** Staff shall review an application for amendment to determine if it is complete. If an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Planning Commission. The Administrator shall prepare a staff report and recommendation on the matter.

B. REVIEW BY PLANNING COMMISSION

1. **Public Notification (Prior to Planning Commission):** Levels 1 and 2, are required for all amendments to the UDO. Level 3 is required for all amendments to the UDO that involve a specific parcel of land. Such actions include, but are not limited to, map amendments (rezonings), amendments to zoning district boundaries, and the application of new overlay zones.
2. **Neighborhood Meeting:** Optional.
3. **Consideration by Planning Commission:** The Planning Commission shall conduct a public hearing and receive public input on the proposed amendment and shall provide a written recommendation to the County Council regarding whether to approve or deny each proposed amendment within 35 days of its first consideration on the matter. The recommendation shall address consistency with the Comprehensive Plan and other matters deemed appropriate by the Commission. A recommendation for denial of the petition shall not preclude consideration or approval of the proposed amendment by the County Council.

C. CONSIDERATION BY COUNTY COUNCIL

1. **Public Notification (Prior to Planning Commission):** Level 1 and 2 are required for all amendments to the UDO. Level 3 is required for all amendments to the UDO that involve a specific parcel of land. Such actions include, but are not limited to, map amendments (rezonings), amendments to zoning district boundaries, and the application of new overlay zones.
2. **Consideration by the County Council:** Following receipt of a recommendation or appeal of a proposed amendment, the County Council shall conduct a public hearing on the matter. Upon reviewing all of the pertinent information, the County Council may:
 - a. Adopt the proposed amendment.
 - b. Adopt the proposed amendment with modifications.
 - c. Reject the proposed amendment.
 - d. Refer the proposed amendment back to the Planning Commission for further consideration.
 - e. Refuse to take any further action.

D. WAITING PERIOD FOR SUBSEQUENT APPLICATIONS

When an application for an amendment has been denied by the County Council, no application shall be considered on the same zoning amendment request affecting the same property or part thereof within the next 12 months after denial. This 12 month period does not apply to action initiated by either the County Council or Planning Commission. (Ord. No. 2019-1599, 8.26.19)

9.2.16 CONDITIONAL USE

The County Council may from time to time approve Conditional Use permits.

A. APPLICATION PROCEDURES

1. **Process Type:** Legislative.
2. **Applicants:** Conditional Use permits may be submitted by any of the following:
 - Any owner of property within the land use jurisdiction of the County.
3. **Pre-Application Procedure:** Before filing a petition for a Conditional Use, an applicant shall meet with the Administrator to discuss the proposed Conditional Use request and to become more familiar with the applicable requirements and approval procedures of the County.
4. **Content of Application:** A petition for a Conditional Use shall be filed on a form provided by the Administrator. Such a petition shall contain all the information required on the form and must be determined to be complete by the Administrator prior to advancing it through the review process.
5. **Determination of Completeness:** Staff shall review an application for a Conditional Use to determine if it is complete. If an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Planning Commission. The Administrator shall prepare a staff report and recommendation on the matter.

B. REVIEW BY PLANNING COMMISSION

1. **Public Notification (Prior to Planning Commission):** Levels 1, 2, and 3 are required for Conditional Use applications.
2. **Neighborhood Meeting:** Optional.



Planning Department

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

Phone: 803.285.6005, planning@lancastercountysc.net

www.mylancastersc.org

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant(s)
- Fees associated with Application: \$1,000.00

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended _____

Current Text _____

Proposed Text _____

Description of Need for Proposed Text _____

Additional pages attached for more information

CONTACT INFORMATION

Applicant Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

Email _____

APPLICATION CERTIFICATIONS

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

/

/

Date

Property Owner(s)

Date

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

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.

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.

UDO 9.2.15

The County Council may adopt any amendments submitted by the following:

- The County Council
- The Planning Commission
- The Board of Zoning Appeals
- The Planning Department
- Any owner of property within the land use jurisdiction of the County

Review Process:

Pre-submittal meeting with Staff to discuss proposed amendments and approval procedures

Staff shall review the application submitted to determine if it is complete

Staff will schedule hearing and prepare staff report and recommendation

Public Notices

Planning Commission public hearing (with a recommendation due within 35 days)

County Council public hearing

If an amendment is denied, no re-application on the same property is allowed for 12 months. This 12-month period does not apply to action initiated by either the County Council or Planning Commission.

Guide to Land Use Planning for South Carolina

Pages 143–144

State Code 6-29-760. Procedure for enactment or amendment of zoning regulation or map; notice and rights of landowners; time limit on challenges.

Outlines the review procedures of an amendment, including the notice types and timeframe.



PLANNING COMMISSION
PO BOX 1809
Lancaster, SC 29721
Phone: (803) 285-6005
Fax: (803) 285-6007

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

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: _____

Name: _____ **Address:** _____

City, State, Zip Code: _____

Telephone (H): _____ **Telephone (W) or (Cell):** _____

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

Location of new road: _____

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

Proposed new road name (1st choice): _____

Proposed new road name (2nd choice): _____

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 _____

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: _____

6.11.2 CONDITIONS OF ACCEPTANCE

No new road shall be platted by the County until such road has been named as herein provided.

- A. A master list of the names, including suffixes of all roads and streets, within Lancaster County shall be maintained by the E-911 Coordinator and kept on file in the Planning Department.
- B. Road names on all plats must be first approved by the Planning Department/E-911 coordinator before the plat may be recorded in the Register of Deeds office.

6.11.3 ROAD NAME STANDARDS

- A. The following shall specify the designation of road names. The road related definitions listed below shall apply to the development of street names, house or building numbers, and other addressing purposes. (Ord. No. 2019-1601, 9.23.19)
 - 1. Any road in excess of 1,000 feet in length shall be designated as:
 - a. Avenue (Ave): Avenues are often broad streets or roads; usually running perpendicular to streets. They serve as connectors between neighborhoods and area centers. As such, they are used both in residential and commercial areas. Avenues may also circulate around squares or neighborhood parks.
 - b. Boulevard (Blvd): A broad, often landscaped, thoroughfare; usually a main artery. A median is usually in the middle. They provide multi-lane access to commercial and mixed-use developments and carry regional traffic throughout the County.
 - c. Circle (Cir): A curving side street; usually a small residential street whose shape is circular.
 - d. Drive (Dr): A long, winding road that has its route shaped by its environment, like a nearby lake or mountain.
 - e. Highway (Hwy): A public way; a main direct road that joins cities or towns together.
 - f. Road (Rd): A thoroughfare that runs in any direction.
 - g. Street (St): A thoroughfare, especially in a city, town, or village, which is wider than an alley or lane and usually includes sidewalks. Usually runs perpendicular to avenues.
 - 2. Any road less than 1,000 feet in length or any road that is cul-de-sac or any road that begins and ends on the same road shall be designated as:
 - a. Alley (Aly): A narrow street; a thoroughfare through the middle of a block giving access to the rear of lots or buildings which are intended to provide indirect, limited access, but not accommodate through traffic. Utilities, either above ground or underground, and services such as garages, service doors, dumpsters, etc. may be located in alleyways to provide service connections to rear elevations.
 - b. Court (Ct): A wide alley with only one opening onto a street; a road or street that ends in a circle or loop usually referred to as a cul-de-sac.
 - c. Lane (Ln): Lanes are small traveled ways intended to provide direct access to the front of a limited number of single-family structures. Lanes are limited in the number of lots served. Generally, they are very short; often less than 400 feet. Items including, but not limited to, traffic carrying

capacity, topography, and connectivity, shall be a consideration when permitting a lane in lieu of a street.

- d. Place (Pl): A small street or court; usually a small residential street or a narrow street in a commercial district.
 - e. Terrace (Ter): A type of shorter, narrower road that follows the top of a slope.
 - f. Trail (Trl): A winding thoroughfare.
 - g. Way (Wy): A small side street off of a road.
- B.** Any previously unnamed road or new road with center line offsets at intersections of less than 100 feet shall be given the same name, except in a subdivision. The roads will be allowed 2 separate road names under the discretion of the approval of the Lancaster County Addressing Coordinator. Excluding roads within an approved subdivision or PDD.
 - C.** Any continuous road shall have the same name over its entire length even though its direction may change.
 - D.** No road name hereafter established, regardless of suffixes or directionals, shall duplicate either phonetically or by spelling, another road name in the unincorporated area of Lancaster County or a neighboring county. This is to ensure emergency personnel are directed to the proper location in the correct jurisdiction.
 - E.** No road name hereafter established shall exceed 15 characters, including spaces and suffix abbreviations. If the subdivision provides their own signage, the character limit does not apply.
 - F.** No special characters, such as hyphens, apostrophes, periods, or decimals, shall be used.
 - G.** Areas of surrounding counties, which share Postal Service zip codes or multi-jurisdictional emergency services agreements with areas of Lancaster County, shall be considered when determining duplicates.
 - H.** The E-911 addressing department will not allow use of words which in its opinion are overused, either in the immediate area or county-wide, as such overuse is likely to cause confusion.
 - I.** Directional names (N, S, E, W or combination thereof) shall not be allowed.
 - J.** Proposed road names, which are intentionally misspelled, obscene, derogatory or other offensive words shall not be permitted.

6.11.4 PROCEDURE FOR NAMING A NEW ROAD

- A.** Any person, firm, corporation, developer or right-of-way owner shall submit an application obtained from the Planning Department when requesting to name a new 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 property owners with parcels having frontage on the affected road.
- B.** If the request is consistent with standards included the section entitled "Road Name Standards," above, the Planning Department shall approve said request giving written notice of that action within 60 days of the date of such request.
- C.** If the request is denied by the Planning Department, written notice including reasons for that action shall be provided within 60 days of the date of such request.
- D.** Decisions of the Planning Department, whether affirmative or negative, shall be final subject to written appeal to Lancaster County Planning Commission filed with the clerk to the commission within 15 calendar days of the notice date of the Planning Department's decision. Such appeal shall set out the specific grounds upon which the Planning Department's decision is questioned. The fifteen-day appeal period shall commence on the date of the Planning Department's written notice of decision, which shall be sent to the person signing the affected road name request.
- E.** A person laying out a street is guilty of a misdemeanor if he shows an unapproved street name on a plat, street marker or deed. If convicted, the court decides the punishment.
- F.** Naming a previously unnamed road or driveway does not change the maintenance responsibility; if it was privately maintained prior to its naming, it will remain privately maintained.
- G.** Any road or driveway, whether publicly or privately maintained that serves as the sole access for three (3) or more permanent residential or business structures must be named. (Ord. No. 2017-1485, 1.8.18)

6.11.3 ROAD NAME STANDARDS

- A.** The following shall specify the designation of road names. The road related definitions listed below shall apply to the development of street names, house or building numbers, and other addressing purposes. (Ord. No. 2019-1601, 9.23.19)
- 1.** Any road in excess of 1,000 feet in length shall be designated as:
 - a. **Avenue (Ave):** Avenues are often broad streets or roads; usually running perpendicular to streets. They serve as connectors between neighborhoods and area centers. As such, they are used both in residential and commercial areas. Avenues may also circulate around squares or neighborhood parks.
 - b. **Boulevard (Blvd):** A broad, often landscaped, thoroughfare; usually a main artery. A median is usually in the middle. They provide multi-lane access to commercial and mixed-use developments and carry regional traffic throughout the County.
 - c. **Circle (Cir):** A curving side street; usually a small residential street whose shape is circular.
 - d. **Drive (Dr):** A long, winding road that has its route shaped by its environment, like a nearby lake or mountain.
 - e. **Highway (Hwy):** A public way; a main direct road that joins cities or towns together.
 - f. **Road (Rd):** A thoroughfare that runs in any direction.
 - g. **Street (St):** A thoroughfare, especially in a city, town, or village, which is wider than an alley or lane and usually includes sidewalks. Usually runs perpendicular to avenues.
 - h. **Landing (LNDG):** A place for unloading or taking on passengers and cargo [Added 11/12/2024 via Ordinance 2024-1935]
 - 2.** Any road less than 1,000 feet in length or any road that is cul-de-sac or any road that begins and ends on the same road shall be designated as:
 - a. **Alley (Aly):** A narrow street; a thoroughfare through the middle of a block giving access to the rear of lots or buildings which are intended to provide indirect, limited access, but not accommodate through traffic. Utilities, either above ground or underground, and services such as garages, service doors, dumpsters, etc. may be located in alleyways to provide service connections to rear elevations.
 - b. **Court (Ct):** A wide alley with only one opening onto a street; a road or street that ends in a circle or loop usually referred to as a cul-de-sac.
 - c. **Lane (Ln):** Lanes are small, traveled ways intended to provide direct access to the front of a limited number of single-family structures. Lanes are limited in the number of lots served. Generally, they are very short; often less than 400 feet. Items including, but not limited to, traffic carrying capacity, topography, and connectivity, shall be a consideration when permitting a lane in lieu of a street.

- d. Place (Pl): A small street or court; usually a small residential street or a narrow street in a commercial district.
 - e. Terrace (Ter): A type of shorter, narrower road that follows the top of a slope.
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- B.** Any previously unnamed road or new road with center line offsets at intersections of less than 100 feet shall be given the same name, except in a subdivision. The roads will be allowed 2 separate road names under the discretion of the approval of the Lancaster County Addressing Coordinator. Excluding roads within an approved subdivision or PDD.
 - C.** Any continuous road shall have the same name over its entire length even though its direction may change.
 - D.** No road name hereafter established, regardless of suffixes or directionals, shall duplicate either phonetically or by spelling, another road name in the unincorporated area of Lancaster County or a neighboring county. This is to ensure emergency personnel are directed to the proper location in the correct jurisdiction.
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 - J.** Proposed road names, which are intentionally misspelled, obscene, derogatory or other offensive words shall not be permitted.

Agenda Item Summary

Ordinance # / Resolution # : N/A

Contact Person / Sponsor:

Department:

Date Requested to Be on Agenda: 7/21/2026

Information to Show on Agenda Below Title:

NRN-2026-1179 Janie B Way

Proposal:

Property Details:

Property Location:

Current Zoning District:

Proposed Zoning District:

Applicant:

Council District:

Statutory Notices:

Proposed Action Advances the Following Comprehensive Plan Guiding Principles:

Points to Consider:

Recommendation:

Attachments:

1. GIS Aerial Snip
2. NRN-Janie B Way Staff Report
3. Janie B Lane Application Redacted_P
4. Plat 2006-665
5. Ch 6.11.3 - 6.11.4 UDO Road Names Regulations



PROPOSAL: Request to name private driveway **Janie B. Way**

PROPERTY LOCATION: off New Hope Road adjacent to TM 0132-00-029.17

APPLICANT: Darrol Anthony

COUNCIL DISTRICT: District 6, Bryant Neal

STATUTORY NOTICES: Posted sign (not required)
Meeting notice (not required) published 6/27/2026
in The Lancaster News
Mailed Notices (not required)
Published and posted agenda in lobby 7/14/2026

OVERVIEW:

Project Summary & Proposal

Darrol Anthony owns a property located off New Hope Road at TM 0132-00-029.05. Several adjacent parcels access from a private driveway and easement located principally on TM-0132-00-029.17. Mr. Anthony's parcel and surrounding lots are family land, part of the former Burman and Almetta Anthony Estate. Pursuant to Sec. 6.11.4.G of the Unified Development Ordinance, a building permit for Mr. Anthony's lot cannot be issued until the shared driveway is named.

Staff has reviewed the requested name against County records and has noted the first choice, **Janie B. Way**, is sufficiently different from existing names to avoid confusion.



Aerial view of location



Detail of Minor Subdivision Plat 2006/665



Driveway location, looking north from New Hope Road

ANALYSIS & FINDINGS:

6.11.4 PROCEDURE FOR NAMING A NEW ROAD

- A. Any person, firm, corporation, developer or right-of-way owner shall submit an application obtained from the Planning Department when requesting to name a new 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 property owners with parcels having frontage on the affected road. ✓
- B. If the request is consistent with standards included the section entitled "Road Name Standards," above, the Planning Department shall approve said request giving written notice of that action within 60 days of the date of such request. *Per state code, Planning Commission must approve road names. Other than review standards, Sec. B, C, D are void.*
- C. If the request is denied by the Planning Department, written notice including reasons for that action shall be provided within 60 days of the date of such request.
- D. Decisions of the Planning Department, whether affirmative or negative, shall be final subject to written appeal to Lancaster County Planning Commission filed with the clerk to the commission within 15 calendar days of the notice date of the Planning Department's decision. Such appeal shall set out the specific grounds upon which the Planning Department's decision is questioned. The fifteen-day appeal period shall commence on the date of the Planning Department's written notice of decision, which shall be sent to the person signing the affected road name request.
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- F. Naming a previously unnamed road or driveway does not change the maintenance responsibility; if it was privately maintained prior to its naming, it will remain privately maintained.
- G. Any road or driveway, whether publicly or privately maintained, that serves as the sole access for three (3) or more permanent residential or business structures must be named. (Ord. No. 2017-1485, 1.8.18)

STAFF RECOMMENDATION:

Staff recommends Approval of the request.

ATTACHMENTS:

1. New Road Name Application
2. Plat 2006/665

STAFF CONTACT:

Jennifer Bryan, Planning Technician
jbryan@lancastercountysc.gov | 803-416-9433

Sandra Burton, 911 Addressing
sburton@lanc911.com | 803-416-9325



PLANNING COMMISSION
PO BOX 1809
Lancaster, SC 29721
Phone: (803) 285-6005
Fax: (803) 285-6007

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

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.

EMAIL 

Date of Application: 4-22-2026

Name: DARROL ANTHONY Address: ¹²⁸⁸1250 New Hope Rd

City, State, Zip Code: Heath Springs S.C. 29058

Telephone (H): N/A Telephone (W) or (Cell) 

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

Location of new road: New Hope Rd

Road name as it exists now (if applicable): ~~Sanie B Lane~~ ~~New Hope Rd~~ ^{Sanie B Lane} NOT APPLICABLE

Proposed new road name (1st choice): Sanie B Lane Way

Proposed new road name (2nd choice): Janie B Lane

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 ☒

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: 



PETITION FOR ROAD NAME CHANGE

Date: 4-22-2026

I, David Smith, hereby request to rename the following road, Sanie B. Way
The subject road is located off of New Hope Rd

The proposed new road name is Sanie B Way. Please find below the required percentage (75%) of signatures representing the landowners having frontage on the road to be named.

Sincerely,

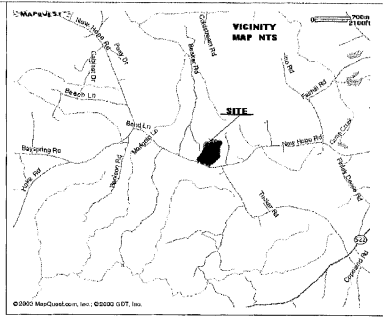
David Smith

	Signature of Property Owner	Tax Map Number or Existing Address	Phone Number
1)	<u>David Smith</u>	<u>1250 New Hope Rd</u>	<u>[Redacted]</u>
2)	<u>Christen Smith</u>	<u>0132-00-029.18</u>	<u>[Redacted]</u>
3)			
4)			
5)			
6)			
7)			
8)			
9)			
10)			
11)			
12)			

All signatures will be verified*

2006012220
 JCC
 03-12-1
 01/09/2004
 TAX MAP 131
 PARCEL 20.00
 SHEET 1 OF 1

L.C. CLARK
 DBK. Q-12 PG. 153
 PLAT # 7
 TAX MAP 131
 PARCEL 19.00



NOTE:
 △ = OLD #5 REBAR FOUND
 ○ = OLD 5/8" IP FOUND
 ● = #4 REBAR SET
 * = OLD RAIL ROAD SPIKE
 ○ = NOTHING SET

LOT 1 IS TO BE COMBINED WITH LOT 1B OWNED BY DARROL ANTHONY.
 LOT 2 IS TO BE COMBINED WITH LOT 13 OWNED BY CLIFTON ANTHONY.

REFERENCES:
 JUANITA A. WALKER & ROGENE A. SHROPSHIRE
 DEED BOOK Z-13 PAGE 27
 DEED BOOK F-6 PAGE 2519
 PLAT 8903
 TAX MAP 131 PARCEL 20.00

APPROVED FOR RECORDING
 J. A. Walker & D. Elizabeth Brandon
 Planning Official
 This plat must be recorded by the following date: 9/15/03

LINE	LENGTH	BEARING
L1	33.89	N0°55'31"E
L2	107.34	N31°55'56"W
L3	91.37	S78°37'34"W
L4	52.63	N85°52'22"W
L5	31.59	N83°56'31"W
L6	31.52	N81°41'13"W
L7	33.22	N79°38'18"W
L8	32.66	N77°20'49"W
L9	54.08	N75°18'25"W
L10	25.03	N73°03'57"W
L11	29.77	N73°03'57"W
L12	51.67	N71°13'31"W
L13	56.20	N68°43'00"W
L14	32.46	N66°52'32"W
L15	55.87	N65°53'03"W
L16	8.69	N65°19'32"W
L17	6.09	S29°00'58"W

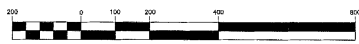
LOT 8A MARY LEE ANTHONY
 DEED BOOK 5 PAGE 276
 PLAT 98/241
 TAX MAP 132 PARCEL 29.03
 LOT 12 LORRIE MELLO-SHROPSHIRE
 DEED BOOK 74 PAGE 100
 PLAT 12620
 TAX MAP 132 PARCEL 29.02
 LOT 13 CLIFTON ANTHONY
 DEED BOOK D-6 PAGE 3404
 PLAT 4242
 TAX MAP 132 PARCEL 29.01
 LOT 1B DARROL & JANIE B. ANTHONY
 DEED BOOK 21 PAGE 333
 PLAT 98/658
 TAX MAP 132 PARCEL 29.04

Plat Of Property Of
JUANITA A. WALKER & DAISY ELIZABETH BRANDON

Located At
 1244 New Hope Road
 Pleasant Hill Township
 Lancaster, South Carolina
 Lancaster County

Scale 1" = 200' Date 01/08/2004

GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.

Survey By: J. C. Crumpler
 S.C. Reg. No. 6574
 207 Chesterfield Avenue
 Lancaster, South Carolina
 1-803-283-9818

NOTE:
 THE PRIVATE ROADS PROVIDING ACCESS TO LOTS IN THIS DEVELOPMENT IS NOT AND WILL NOT BE MAINTAINED BY LANCASTER COUNTY. OWNERS OF LOTS IN THIS DEVELOPMENT ARE FINANCIALLY OBLIGATED TO MAINTAIN THESE ROADS IN PERPETUITY FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THIS DEVELOPMENT.

NOTE: This lot does not lie within any designated flood area and there are no encroachments or projections other than as shown on this plat.

I, hereby state to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein.

DRAWN BY:	JCC	DATE:	01/09/2004
CHECKED BY:	JCC	TAX MAP 131	
JOB NO.:	03-12-1	PARCEL 20.00	
		SHEET 1 OF 1	

GEORGE M. TURNER
 DBK. H-4 PG. 351
 TAX MAP 132
 PARCEL 30.00

RECEIVED JUL 1 5 2003

Handwritten signature

6.11.3 ROAD NAME STANDARDS

- A.** The following shall specify the designation of road names. The road related definitions listed below shall apply to the development of street names, house or building numbers, and other addressing purposes. (Ord. No. 2019-1601, 9.23.19)
- 1.** Any road in excess of 1,000 feet in length shall be designated as:
 - a. **Avenue (Ave):** Avenues are often broad streets or roads; usually running perpendicular to streets. They serve as connectors between neighborhoods and area centers. As such, they are used both in residential and commercial areas. Avenues may also circulate around squares or neighborhood parks.
 - b. **Boulevard (Blvd):** A broad, often landscaped, thoroughfare; usually a main artery. A median is usually in the middle. They provide multi-lane access to commercial and mixed-use developments and carry regional traffic throughout the County.
 - c. **Circle (Cir):** A curving side street; usually a small residential street whose shape is circular.
 - d. **Drive (Dr):** A long, winding road that has its route shaped by its environment, like a nearby lake or mountain.
 - e. **Highway (Hwy):** A public way; a main direct road that joins cities or towns together.
 - f. **Road (Rd):** A thoroughfare that runs in any direction.
 - g. **Street (St):** A thoroughfare, especially in a city, town, or village, which is wider than an alley or lane and usually includes sidewalks. Usually runs perpendicular to avenues.
 - h. **Landing (LNDG):** A place for unloading or taking on passengers and cargo [Added 11/12/2024 via Ordinance 2024-1935]
 - 2.** Any road less than 1,000 feet in length or any road that is cul-de-sac or any road that begins and ends on the same road shall be designated as:
 - a. **Alley (Aly):** A narrow street; a thoroughfare through the middle of a block giving access to the rear of lots or buildings which are intended to provide indirect, limited access, but not accommodate through traffic. Utilities, either above ground or underground, and services such as garages, service doors, dumpsters, etc. may be located in alleyways to provide service connections to rear elevations.
 - b. **Court (Ct):** A wide alley with only one opening onto a street; a road or street that ends in a circle or loop usually referred to as a cul-de-sac.
 - c. **Lane (Ln):** Lanes are small, traveled ways intended to provide direct access to the front of a limited number of single-family structures. Lanes are limited in the number of lots served. Generally, they are very short; often less than 400 feet. Items including, but not limited to, traffic carrying capacity, topography, and connectivity, shall be a consideration when permitting a lane in lieu of a street.

- d. Place (Pl): A small street or court; usually a small residential street or a narrow street in a commercial district.
 - e. Terrace (Ter): A type of shorter, narrower road that follows the top of a slope.
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 - g. Way (Wy): A small side street off of a road.
- B.** Any previously unnamed road or new road with center line offsets at intersections of less than 100 feet shall be given the same name, except in a subdivision. The roads will be allowed 2 separate road names under the discretion of the approval of the Lancaster County Addressing Coordinator. Excluding roads within an approved subdivision or PDD.
 - C.** Any continuous road shall have the same name over its entire length even though its direction may change.
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Agenda Item Summary

Ordinance # / Resolution # : N/A

Contact Person / Sponsor:

Department:

Date Requested to Be on Agenda: 7/21/2026

Information to Show on Agenda Below Title:

NRN-2026-1238 July Group Submittal

Proposal:

Property Details:

Property Location:

Current Zoning District:

Proposed Zoning District:

Applicant:

Council District:

Statutory Notices:

Proposed Action Advances the Following Comprehensive Plan Guiding Principles:

Points to Consider:

Recommendation:

Attachments:

1. NRN July 2026 Memo Updated
2. Ch 6.11.3 - 6.11.4 UDO Road Names Regulations

July 21, 2026

Planning Commission

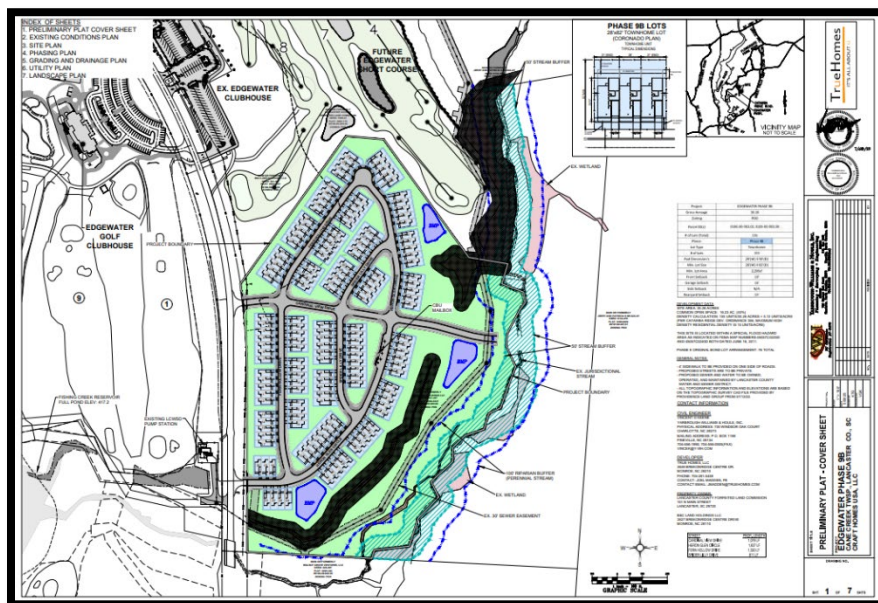
Re: July New Road Names Group

For the month of July, the County has received 3 road names to be approved by the Planning Commission. All 3 of these road names are from Phase 9B of the Edgewater Development that was approved by the Planning Commission on August 19th, 2025. The road names have been vetted by our E911 Addresser and meet the county standards. The road names are as follows:

- Heron Glen Circle
- Spider Lilly Dr
- Cardinal View Dr:

Sincerely,

Matthew Blaszyk, Planner



Approved Edgewater Phase 9B Preliminary Plat

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Agenda Item Summary

Ordinance # / Resolution # : N/A

Contact Person / Sponsor:

Department:

Date Requested to Be on Agenda: 7/21/2026

Information to Show on Agenda Below Title:

SD-2026-0834 Melanie Lane/Barberville Commercial

Proposal:

Property Details:

Property Location:

Current Zoning District:

Proposed Zoning District:

Applicant:

Council District:

Statutory Notices:

Proposed Action Advances the Following Comprehensive Plan Guiding Principles:

Points to Consider:

Recommendation:

Attachments:

1. Barberville Packet
2. Preliminary Plat Submission
3. Application Requirements Chart
4. TIA Executive Summary (2024)
5. Tree Type Attachment

Application



Planning Department
P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.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/lanaster/?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**.

1/2022

1

PROJECT INFORMATION

Project Address/Location: 9831 Barberville Road and Adjacent Property (No Assigned Address)

Tax Map ID/Parcel No.: 0006-00-057.00 and 0006-00-058.00

Project Description: Commercial Business Park with Private Road and 8 developable lots

Applicant Name: Moody Group (Jan Ringeling)

Address: 10700 Sikes Place, Suite 280 Charlotte NC 28277

Phone: [REDACTED] Email: [REDACTED]

Property Owner Name: (1) Barberville Developers LLC / (2) Martin Senior and Associates

Address: 3007 Cedric Court | Fort Mill, SC 29715 226 Baldwin Avenue | Charlotte, NC 28204

Phone: [REDACTED] Email: [REDACTED]

Other Project Contacts

Name: OAK Engineering, PLLC (Greg Welsh, PE)

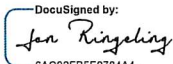
Address: 4929 Monroe Road | Charlotte NC 28205

Phone: [REDACTED] Email: [REDACTED]

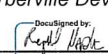
Name: _____

Address: _____

Phone: _____ Email: _____

Applicant Signature:  Date: 5/20/2024
DocuSigned by: Jan Ringeling
6AC02FB5E9784A4
Moody Group

(1) Owner Signature:  Date: 5/20/2024
DocuSigned by: Pradeep Patel
072F680C92AEB
Barberville Developers, LLC

(2) Owner Signature:  Date: 5/20/2024
DocuSigned by: Martin Senior
10A100A06E3
Martin Senior and Associates

(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. **N/A**

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. N/A
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. N/A
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. N/A
2. Show trees that require protection. N/A

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. N/A
2. Calculate required common open space acreage. N/A
3. Show any trails and greenways on the Lancaster County Carolina Thread Trail Master Plan that developer is required to construct. N/A
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. N/A

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**

Staff Review/Report (includes TRC report)

Proposal:	Preliminary Plat for 9.74 acres for a multi-lot commercial development
Property Location:	Barberville Rd. & Fort Mill Hwy. (TMs# 0006-00-057.00, 058.00, .02, and .03)
Zoning District:	General Business (GB) / Neighborhood Business (NB)
Applicants:	Moody Group on behalf of Barberville Developers & Martin Sr. & Associates LLC
Council District:	District 4, Jose Luis
Statutory Notices:	Hearing notice published in The Lancaster News 05/02/26 Signs posted 04/30/26 Mailed notices 04/30/26 Posted agenda in lobby 05/12/26

Overview & Background

Site Information

The subject property is located at the corner of Barberville Road and Fort Mill Highway (Hwy. 160). The site totals 9.74 acres and is currently subdivided into two parcels that are split between two zoning districts. The property is located directly east and south of the Overlook at Barber Rock residential community.

Existing Condition

An existing cell tower is located on the site and is proposed to remain, as shown on the submitted preliminary plat.

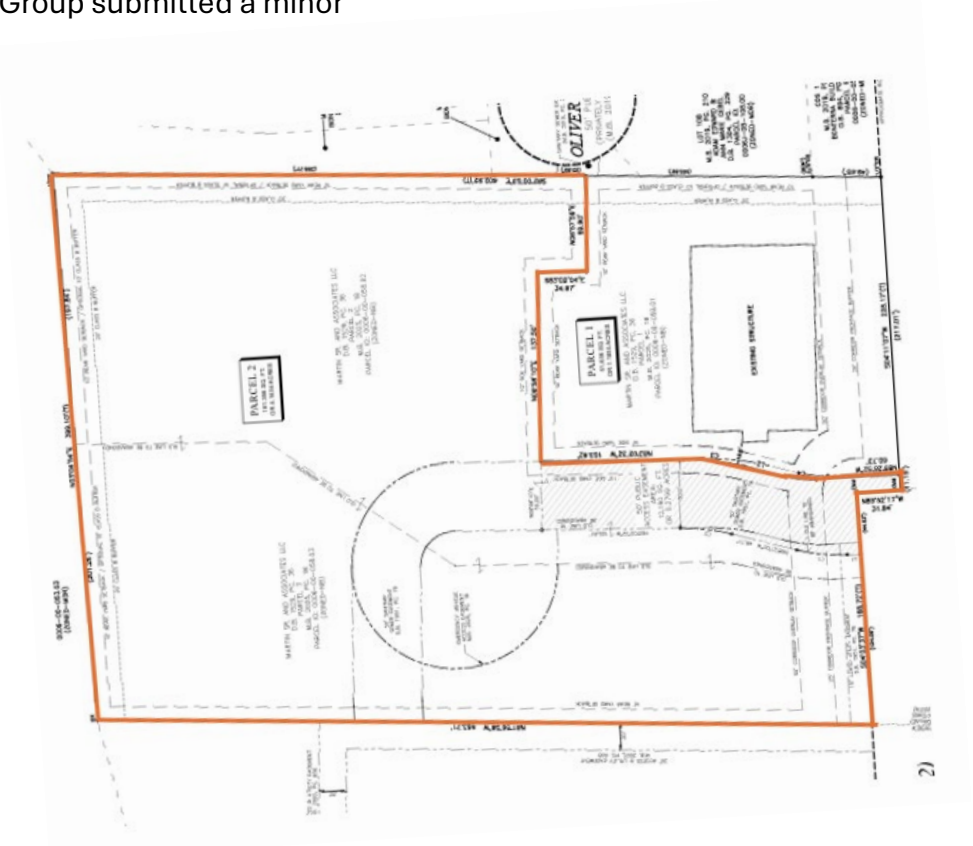
Parcels 058.00, 058.02, and

058.03 are cleared and are currently in a grading stage of development. Parcel 057.00 is mostly cleared, with some remaining trees located sporadically within the central portion of the parcel and brush-type grass is present within ditches along Fort Mill Highway.



Minor Subdivision

On March 18, 2026, The Moody Group submitted a minor subdivision to recombine three parcels identified as 0006-00-058.02, 0006-00-058.00, and 0006-00-058.03. This recombination was reviewed by the Technical Review Committee and received approval on March 26, 2026. The approved survey is attached to the right and was recorded with the Register of Deeds office via Plat Book 2026, page 127. Although this recombined parcel has been approved and recorded, the GIS map has not been updated to reflect the updated parcel.



The chart below identifies the surrounding zoning districts and existing land uses.

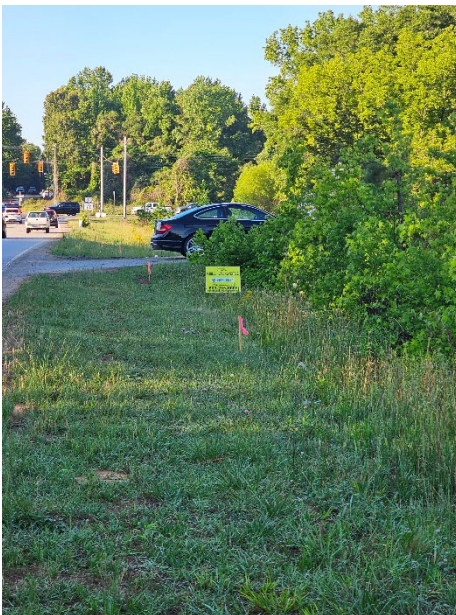
Surrounding Property	Jurisdiction	Zoning District	Use
North	Lancaster County	MDR	Residential / Overlook at Barber Rock
South	Lancaster County	GB	Commercial
East	Lancaster County	MDR / GB	Vacant
West	Lancaster County	MDR / GB	Non-Conforming Residential / Overlook at Barber Rock

2040 Comprehensive Plan

The proposed preliminary plat is located in the “Growth Area” future land use designation. This designation is “intended to designate areas where growth should occur based on the availability of supportive infrastructure and land. These areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares. Supportive infrastructure required to provide development includes adequate roadways, water and sewer availability, school capacity, emergency services, and similar services. (p. 34, 2040 Comprehensive Plan).”



Pictures of Subject Parcel



Facing South on Barberville Rd.



Facing North on Barberville Rd.

Proposed Preliminary Plat



Technical Review Committee (TRC)

The chart provided identifies the current status of the Technical Review Committee (TRC) review. All departments have approved the preliminary plat, except for a conditional approval from the Fire Marshal and a “not approved” status from the Zoning Department. Commentary from both the Fire Marshal and the Zoning Department has been attached to this report for review. The Fire Marshal’s conditional approval provides guidance only and does not require

✔ Approved
 ⊖ Conditional
 ✖ Not Approved

DEPARTMENT (REVIEWER)	PRELIMINARY PLAT
E911 Address	✔
Fire Marshal	⊖
SCDOT	✔
LCSD	
Planning	
LCWSD	✔
County Engineer	✔
Zoning	✖
LCWSD	✔

the plans to be resubmitted for further review. The Zoning Department's comments are an administrative procedure to hold the approval until heard by Planning Commission, not feedback for existing conditions. The comment letter is attached to this staff report for review.

Development Summary

Site Acreage	9.74 acres
Proposed Lots	7
Project Overview	Commercial Business Park
Streets	Privately Maintained

Buffers & Screening

As shown on the proposed preliminary plat, a Type B buffer is required around the perimeter of the subject parcels. The required "Type B" buffer as per the, *Required Buffer Yards* chart (Chp. 7.1.5.A, p. 211, 2016 UDO) is attached below. For ease of reference, the chart and applicable yard options for a *Type B Buffer* are included within this report.

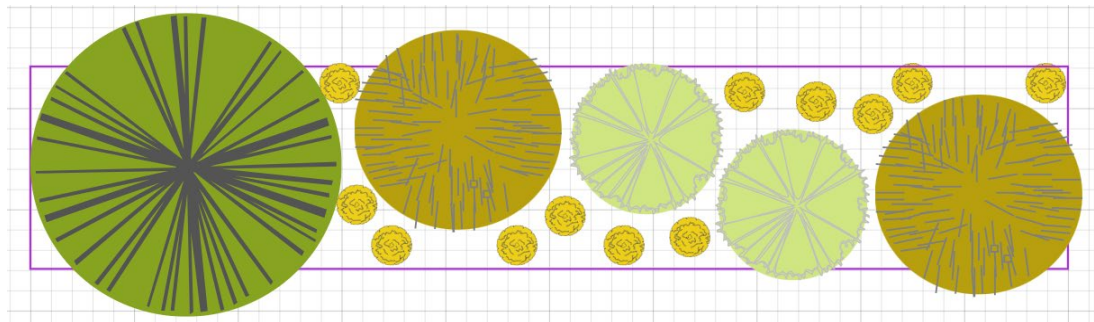
There are two options available within the Type B buffer, however, at this time the developer has not explicitly stated or depicted which option will be utilized. Additionally, a "Tree Type Attachment" has also been included at the end of this report to define the types listed in the minimum plantings, (e.g. evergreen, canopy, understory).

District of Proposed Development	Adjacent Zoning District					
	AR, RR, RM, OSP, MH, LDR, MDR, HDR	UR, RMX, INS	NC, GB	MX, IMX, PB, NB, GB	RB	LI, HI, M
	AR, RR, RN, OSP, MH, LDR, MDR, HDR	X	X	X	C*	C*
	UR, RMX, INS**	A	X	X	X	X
	NB, GB**	B	A	X	X	X
	MX, IMX, PB, NB, GB	A	A	X	X	X
	RB	C	C	B	A	X
	LI, HI, M	C	C	C	C	B
* Only required where adjacent, more intense use is pre-existing and no equivalent buffer is provided on the adjacent property						X = No Buffer Required
** Only multifamily and non-residential uses shall provide buffers between adjacent single family uses in detached homes						

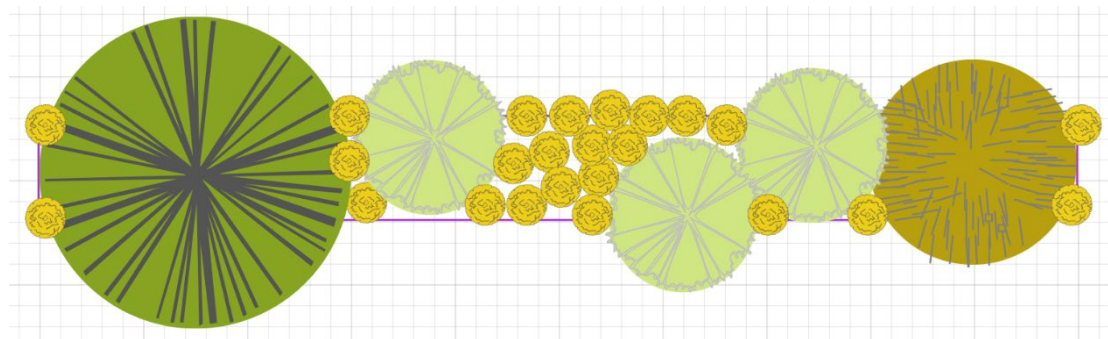
A visual is included below to depict what options one and two could look like. These are to scale and would be repeated every 100 linear feet.

Type B Buffer Yard Options	Minimum Depth	Minimum Plantings per 100 linear feet	Wall, Fence, or Berm	Required Opacity
Option 1	20 feet	2 Evergreen Trees 1 Canopy Tree 2 Understory Trees 12 Evergreen Shrubs	Not Required	Semi-opaque (i.e., having only seasonal horizontal openings not exceeding 10% of the total width from the ground to a height of 8 feet within 2 years of planting)
Option 2	10 feet	1 Evergreen Tree 1 Canopy Tree 3 Understory Trees 24 Evergreen Shrubs	Not Required	

Option 1:



Option 2:



Planning Commission Meeting 05/19/2026

Staff Recommendation

Proposed preliminary plat meets UDO requirements. Staff recommends *approval*.

Attachments:

1. Preliminary Plat Application
2. Proposed Preliminary Plat
3. Location Map / Zoning Map
4. TRC Review Letter
5. Tree Type Listing

Staff Contact:

Shannon Catoe, Interim Planning Director
shannoncatoe@lancastercountysc.gov | 803-285-6005



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

April 29, 2026

Greg Welsh
Oak Engineering
4929 Monroe Road
Charlotte, NC 28205

Project Number	20260834
Project Name	Melanie Lane Commercial /FKA Barberville Commercial
Location	8612 Melanie Lane
Stage	Preliminary Plat
Parcel(s)	
Status	Not Approved

Dear: Greg Welsh

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,

A handwritten signature in black ink that reads "Chanda Kirkland".

Chanda Kirkland, Development Service Coordinator
Lancaster County Government
101 N Main St
Lancaster, SC 29720
P: (803) 416-9390

Plan Review Comments

Building - Darin Robinson - (803) 416-9399
drobinson@lanastercountysc.gov

Approved

Review Comments:

Advisory Comments:

- Need for any Fire protection sprinkler system at each respective building and any resulting fire main water lines requirements, as may affect the site utilities, to be determined based on Architectural reviews for each future respective structure(s).
- At each future building structure(s) per each parcel, Need dimensions on Site plan for all Accessible parking, including diagonal parking, with designation of Van-accessible parking (of 1 required for every 6 total accessible provided) (Van-accessible diagonal parking shall have access aisle located on passenger unload side.).
- Need to provide depths of sidewalks with relation to any curb ramps or blended transitions from Accessible parking access aisles on Site plans, especially as related to any raised island sidewalks.
- Required Accessible route to all buildings and between and any building elements on entire site. (Show Accessible route, including pedestrian crossings, between all buildings on site.)
- Running slope of walking surface of accessible route shall not exceed 1:20 slope. Ramp runs shall not exceed 1:12 slope.
- At each future building structure(s), Accessible parking to be located closest to nearest Accessible building entrance.
- Required 60% of all public building entrances shall be accessible at each respective building entrance.
- All Accessibility requirements must comply with 2021 IBC Building code & codes series and 2017 ICC ANSI 117.1 Accessibility standard.
- Required separate submittals for construction review for Building permits for all future respective structures, any Retaining walls, Monument signs, dumpster enclosures/walls, Canopy structures, underground storage tanks, fencing >7 ft. height, or other detached accessory structures over 120 sq.ft.

** Further detailed review upon next stage Civil plan submittals & review

County Engineer - Stephen Blackwelder - 8035482406
sblackwelder@lanastercountysc.gov

Approved

Review Comments:

This project was previously approved for sediment and erosion control under SCDES NPDES Coverage Number: SCR10ZHFD

We don't see any changes to those elements with this submittal, so are approving this plan.

Fire Marshal - Mike Magette - 8032838888
jmagette@lanastercountysc.gov

Conditional

Review Comments:

1. This is sketch plan review only. A more detailed review will be completed at civil submission.
2. All buildings will have to be within 500 feet as an apparatus would lay hose.

Planning - Corey Barnes - 803-416-9394
cdbarnes@lanastercountysc.gov

No Review Needed

Review Comments:

See Zoning Reviewer comment.

Zoning - Shannon Catoe - 803-416-9319
shannoncatoe@lanastercountysc.gov

Not Approved

Review Comments:

The plan has been approved in accordance with the UDO. Final approval for the Preliminary Plat will be granted following the Planning Commission meeting scheduled for May 19, 2026.

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

Approved

Review Comments:

No issues noted.

LC Water & Sewer District - Tim Kiser - 8032856919
tim.kiser@lcwasd.org

Approved

Review Comments:

Impact Fee - Chanda Kirkland - 803-416-9390
ckirkland@lancastrcountysc.gov

Approved

Review Comments:

This project is located in the Indian Land Fire District, service impact fees will apply. Impact fees are collected at the time of Building permit issuance.

LC School District - Jonathan Duke - 803-416-8010
john.duke@lcsd.k12.sc.us

No Review Done

Review Comments:

Minutes from May PC Meeting



**AMENDED MINUTES
Lancaster County Planning Commission
May 19, 2026, 6:00 p.m.**

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

1. Roll Call: Quorum is present (6 Commissioners)

Commissioners Present:

Richard Crandall, District 1
Lynette Hinson, District 3
Michelle Richards, Dist. 5

T. Yokima Cureton, District 2
Judianna Tinklenberg, Dist. 4
Sheila Hinson, Dist. 6

Absent: Frances Liu, Dist. 7

Staff Present:

Shannon Catoe, Zoning Director
Matthew Blaszyk, Planner
Jennifer Bryan, Planning Technician
Ginny Merck-Dupont, County Attorney

Corey Barnes, Planner
Kirsten Willis, Planner
Mara Mata, Administrative Assistant

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.

Chairman Richards welcomed and introduced Mr. Richard Crandall, District 1.

a. Prayer and Pledge of Allegiance..... Michelle Richards

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

2. APPROVE AGENDA

Chairman Richards called for a motion to approve the Agenda.

Motion to Approve by Y. Cureton; 2nd by L. Hinson.

Called Vote: 6:0. Motion approved unanimously.

3. **APPROVE MINUTES**

a. **April 21, 2026 Regular Minutes**

Chairman Richards called for a motion to approve April 21, 2026 Regular Minutes as written. Motion to Approve by Y. Cureton; 2nd by J. Tinklenberg.

Discussion:

Chairman Richards shared that Commissioner Liu emailed in a comment to remove the “unanimous” at the end of the vote for **NRN-2026-0417 Legacy Pointe Place** on page 10 of the meeting minutes, and is page 13 of the packet.

Motion to amend minutes to remove “unanimously” from the vote on **NRN-2026-0417 Legacy Pointe Place** by Y. Cureton; 2nd by J. Tinklenberg.

Called Vote: 6:0. **Motion approved unanimously.**

Motion to Approve amended minutes by Y. Cureton; 2nd by S. Hinson.

Called Vote: 6:0. **Motion approved unanimously.**

Chairman Richards opened the floor to comments from the public.

4. **CITIZEN’S COMMENTS** [see Sign-In sheet attached]

No citizens signed up to speak.

5. **PUBLIC HEARING ITEMS FOR PLANNING COMMISSION DECISION**

a. **SD-2026-0834 Melanie Lane/Barberville Commercial:**

Application by Moody Group/Jan Ringeling on behalf of Barberville Developers LLC and Martin Senior and Associates LLC for a Preliminary Plat for parcels totaling 9.74 acres located at the northwest corner of Barberville Road and Fort Mill Highway (TM #s 0006-00-057.00, 0006-00-058.00, 058.02, 058.03), in order to create a multi-parcel commercial development with central shared access.

Staff Presentation: Shannon Catoe presented the application consistent with the staff report.

Staff Recommendations: Approval.

Questions To Staff:

Commissioner Tinklenberg and Shannon Catoe discussed the TIA submitted with this project. Shannon Catoe shared that the developers will have a new TIA created for another phase that requires it for review. Commissioner Tinklenberg shared her concerns over not being able to consider accurate traffic concerns for this project.

Chairman Richards and Shannon Catoe discussed the different zoning districts within this commercial development and the stormwater infrastructure. The history of the parcel was

also discussed. Chairman Richards shared that she had walked the site and had concerns over the current infrastructure being connected to the full development. Shannon Catoe shared that Stormwater and Lancaster County Water and Sewer District will review construction plans and conduct inspections in another review phase.

Chairman Richards and Corey Barnes discussed the Planning department's Public Hearing notification signs placed on the parcel.

Commissioner Crandall and Shannon Catoe discussed the north bound turning lane in the TIA. Shannon Catoe shared that the turn lane belongs to the other parcel on this commercial development. He shared concerns over the plat's accuracy as this project would need more right of way for the turn lane. They also discussed the stormwater infrastructure in relation to the parcel's elevation.

Comment From Applicant(s):

Dan Ballou (Rock Hill) introduced himself and is here on behalf of the applicant. He shared that he understood the Commission had questions regarding the history of this project, and states that they have consulted with Staff throughout the project and complied with all of the County's requests. He shared that this parcel is appropriate for this development and that no more right of way will be needed for the turn lane.

Jan Ringeling (Monroe) introduced herself with Moody Group and shared that the developers would comply with the respective zoning district standards in both parcels. The applicant has also consulted with SCDOT regarding property access, and shared that they want to address any concerns that are shared.

Questions From Commissioners:

Commissioner Cureton and Jan Ringeling discussed the previous history of this development and neighborhood meetings.

Matt Birmingham (Indian Land) introduced himself as the civil engineer and shared that the stormwater infrastructure had been built when this development had been one project and accounted for future building.

Dan Ballou shared that multiple reviews were done by the Technical Review Committee, County Engineer, and Lancaster County Water and Sewer District.

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

Chairman Richards summarized the 3 email comments that were submitted.

1. Jeannine Clifton (Indian Land) shared concerns over the history of the project, construction damage, and changes in site plans.
2. Keri Baker (Indian Land) shared concerns over the current site plan and future traffic caused by this development.
3. Cody Hinton (Indian Land) shared concerns over the trees being removed and UDO regulations regarding buffers.

4. Thomas Haskinson (Indian Land) shared concerns over the trees being removed and UDO regulations regarding buffers.
5. Jarod Calhoun (Indian Land) shared concerns over the cell tower on the property and applicable UDO regulations.
6. Geoff Larson (Indian Land) shared concerns over the history of the project, current building permits, and Melanie Lane.
7. Andrea Mazullo (Indian Land) shared concerns over possible UDO violations and Melanie Lane.
8. Shannon Hankinson (Indian Land) shared concerns over the lack of buffer between the residential area and the commercial development.
9. Jerry Carter (Indian Land) shared concerns over the TIA and future traffic caused by the development.
10. Charles Anthony (Indian Land) shared concerns over possible approval of this project by the Commission and Melanie Lane.
11. Ann Gebel (Indian Land) shared concerns over the current construction disrupting the residents and lack of buffer.

Applicant Rebuttal:

Dan Ballou shared that he understood the concerns of the public and that they are complying with the County's rules. While the public may believe there have been UDO violations, they have complied with the UDO and no viable evidence has been provided of a violation. The parcel is zoned for commercial use and the County's Comprehensive Plan lists this area for neighborhood commercial use. He shares that the County and SCDOT agreed that they are currently in compliance, and the developer has been in contact with Staff for guidance through the entire process.

Jan Ringeling shared that Staff has been monitoring them for compliance. She also stated, for the record, "We don't have any-We don't have anything going into the neighboring property. That was one of the comments. That's-I've heard several comments, that I can't even recall to rebuttal, but...I think he covered most of it. We've tried to line ourselves up with what the allowed uses are. Anything that has to come through here will be-have to go through approval process, will have to meet the TIA requirements. Ev-All we're doing now is subdividing literally the plat that we have...so that's all unless you have questions."

Chairman Richards closed Public hearing and called for a motion on item **SD-2026-0834 Melanie Lane/Barberville Commercial**.

Motion to approve by J. Tinklenberg; 2nd by M. Richards.

Discussion:

Commissioner Tinklenberg shared that this project is within her district and discussed the history. She is concerned about being unable to review the updated TIA for this parcel. She read aloud from UDO section 4.3.2A and Appendix B, and does not believe this project meets those requirements and does not want to approve a project she is unable to

fully review. She calculated the proposed buildings and found that they exceeded the 40,000 Highway Corridor gross area.

Jan Ringeling shared that this project has been pushed back several times and they were deferred at the first hearing. They addressed the issues that they were told of and were given direction from the County. She also explained that the parcels will be sold and the buildings would not exceed 40,000 sq feet. Commissioner Tinklenberg explained that it is the gross sq foot area for the entire development.

Chairman Richards and Jan Ringeling discussed Melanie Lane being built, the sites setbacks, and proposed buffers for this project.

Chairman Richards also shared that the Highway Corridor Overlay District requires open space for the whole subdivision, not per lot, and noted that the cell phone tower was not accessible open space. Jan Ringeling explained that the open space would be designed to have pathways and other amenities that she was not aware needed to be depicted on this plat. Chairman Richards voiced concerns over developers following through on their plans they shared with the Commission. She also did not agree with the TIA.

Commissioner Crandall and the applicants discussed the history of this project and whether changing to a different buffer type would be possible to benefit the neighbors. The fall area for the cell tower was depicted on the survey and will not be buildable. Commissioner Crandall and the applicants discussed the updated TIA and Melanie Lane. Staff explained that prior to a final plat being approved, infrastructure will need to be built.

Commissioner Cureton shared concerns over lack of information and is not comfortable deciding to approve this project.

Commissioner S. Hinson inquired about the lack of community outreach. Jan Ringeling shared the difficulty of the situation, explained the tree removal for the proposed intersection, and that the County interpreted the UDO and advised them through the process.

Chairman Richards inquired about the proposed intersection. Jan Ringeling replied that SCDOT was consulted and the development has a plan regarding highway 160.

Roll Called Vote: 1:5. Motion is denied. R. Crandall, L. Hinson, Y. Cureton, J. Tinklenberg, S. Hinson opposed.

Richard Crandall **AGAINST**
Lynette Hinson **AGAINST**
Michelle Richards **FOR**

T. Yokima Cureton **AGAINST**
Judianna Tinklenberg **AGAINST**
Sheila Hinson **AGAINST**

Ginny Merck-Dupont explained for the record to be correct, that the motion to approve item **SD-2026-0834 Melanie Lane/Barberville Commercial** failed, and the Commission needs to make a motion to deny and cite the ordinance violations with the evidence.

Commissioner Tinklenberg makes a motion to deny **SD-2026-0834 Melanie Lane/Barberville Commercial** based on UDO Section 4.3.2 and Appendix B, 2nd by Y. Cureton.

Discussion:

Commissioner Crandall agrees with the cited UDO sections for denial.

Roll Called Vote: 5:1. **Motion is approved.** M. Richards opposed.

Richard Crandall **FOR**
Lynette Hinson **FOR**
Michelle Richards **AGAINST**

T. Yokima Cureton **FOR**
Judianna Tinklenberg **FOR**
Sheila Hinson **FOR**

The Planning Commission has final approval of preliminary plats.

Recess taken at approximately 7:52 p.m.

Meeting resumes at approximately 8:03 p.m.

b. SD-2023-0867 Catawba Ridge (Contender):

Application by ESP Associates and Catawba Ridge Holdings LLC for a preliminary plat for 840 acres north of Great Falls Highway (TMs 0128-00-012.00 & 0126-00 048.00), for a residential community of 1,490 lots.

Staff Presentation: Matthew Blaszyk presented the application consistent with the staff report.

Staff Recommendations: Approval

Questions To Staff:

Commissioner Tinklenberg and Matthew Blaszyk discussed the Bell Tower Fire District.

Comment From Applicant(s):

Matt Mandle (Fort Mill) introduced himself from ESP Associates and explained the development team was available for questions.

Questions From Commissioners:

Commissioner Cureton and Matt Mandle discussed the egress and ingress for the development. Matt Mandle explained that the extension for Catawba Blvd will be Phase 1 and Phase 2 is the boulevard being extended to Hwy 200.

Chairman Richards inquired about the main thoroughfare.

Allison Tucker (Greenville) shared that Phase 1 is currently being constructed and Phase 2 needs to be permitted and approved. Chairman Richards shared that she lives in the area and had concerns over Bethel Boat Landing currently serving over 800 homes. She also shared concerns over Bell Tower Fire Department. Allison Tucker shared that they are working with Edgewater to construct the main thoroughfare.

The Commission and the applicants further discussed the old Springs Park and connection to the boat landing and amenities within the development.

Chairman Richards shared that some concerns with the TIA regarding topography and traffic counts. Matt Mandle shared that the TIA was reviewed and approved by SCDOT.

Chairman Richards shared for the public record, "...like I said, I...like he doesn't even have-my road is off of Bethel Boat Landing- he doesn't even-my road is not even in this- in this report, and there's thirteen licensed drivers on my road and six of us leave for work at the same time so, if you're talking 60 max on 60 cars an hour, we're ten-we're ten percent of that number not even being accounted for..."

Matt Mandle reiterated that the traffic consultant prepares and reviews this report with SCDOT and the County.

Commissioner Cureton shared that Irwin Elementary School is over capacity and inquired if this development was 55 and over. She shared concerns over the school busses, and whether the development could sequence the community prior to all homes finishing construction. Matt Mandle shared that the Catawba Blvd extension would be completed prior to the homes construction and the community would be built in phases.

Commissioner Crandall and Matt Mandle discussed the implementation of the TIA traffic mitigation recommendations. They also discussed the dedicated area for possible commercial development. Commissioner Crandall also shared concerns over the boat access road passing 35 homes and whether another route has been considered. Matt Mandle shared there has been discussion regarding the possibility. Commissioner Crandall shared that the boat landing was not just recreational but also provided food.

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

1. Phil Grove (Lancaster) shared concerns over the extensions Edgewater has been given to build the boulevard extension to Hwy 200 and the danger that pushing back construction has been to the community.

Applicant Rebuttal:

Matt Mandle shared that this project would help facilitate the boulevard extension.

Chairman Richards closed Public hearing and called for a motion on item **SD-2023-0867 Catawba Ridge (Contender)**

Motion to approve by Y. Cureton; 2nd by R. Crandall.

Discussion:

The Commission and the applicants discussed concerns over the one fire station.

The Commission discussed the road being built prior to the construction of homes.

Commissioner Crandall and Matthew Blaszyk discussed the impact fees for this development and Chairman Richards requested Staff confirm with the Fire Marshal if fees were being assessed and collected.

Roll Called Vote: 6:0. **Motion is approved unanimously.**

Richard Crandall **FOR**
Lynette Hinson **FOR**
Michelle Richards **FOR**

T. Yokima Cureton **FOR**
Judianna Tinklenberg **FOR**
Sheila Hinson **FOR**

The Planning Commission has final approval of preliminary plats.

County Attorney Ginny Merck-Dupont leaves at 8:29 p.m.

6. PUBLIC HEARING ITEMS FOR RECOMMENDATION TO COUNCIL

a. RZ-2025-2390 7 Brew:

Application by HeBrews South Indian Land and Cory Pritchard to rezone a parcel of 0.525 acres at 8458 Charlotte Hwy (0013-00-016.01) from General Business (GB) to Regional Business (RB) to allow a drive-thru only coffee shop (7Brew) and associated parking.

Staff Presentation: Dr. Kirsten Willis presented the application consistent with the staff report.

Staff Recommendations: Approval

Questions To Staff:

The Commission and Dr. Kirsten Willis discussed nearby businesses.

Comment From Applicant(s):

Alan Mosley (Indian Trail) with BL Companies explained that the lots need to recombine to have more buildable area but cannot do so until the zoning districts match.

Questions From Commissioners:

The Commission had no questions or concerns to share.

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

No citizens signed up to speak.

Chairman Richards closed Public hearing and called for a motion on item **RZ-2025-2390 7 Brew**

Motion to approve by L. Hinson; 2nd by S. Hinson.

Discussion:

The Commission and Dr. Kirsten Willis discussed the nearby businesses.

Roll Called Vote: 6:0. **Motion is approved unanimously.**

Richard Crandall **FOR**

T. Yokima Cureton **FOR**

Lynette Hinson **FOR**

Judianna Tinklenberg **FOR**

Michelle Richards **FOR**

Sheila Hinson **FOR**

The item will be referred to County Council for final decision, and applicant will be informed of time and date.

b. RZ-2026-0503 Dr. Ramesh:

Application by Dr. Kumari Ramesh to rezone a parcel of 7.09 acres at 7319 Charlotte Hwy (0016-00-048.00) from Low Density Residential (LDR) to Neighborhood Business (NB) to allow commercial development (offices and community center).

Staff Presentation: Dr. Kirsten Willis presented the application consistent with the staff report.

Staff Recommendations: Approval

Questions To Staff:

Commissioner Tinklenberg and Dr. Kirsten Willis discussed whether a future road realignment at the intersection of Six Mile Creek and with Van Wyck Road would affect the Charles Pettus entrance of this site.

Commissioner Crandall shared that the current home on the property was non-conforming according to UDO Chapter 9, and what the intentions were for it. Dr. Kirsten Willis shared that if this rezoning passes, the home could no longer be a residence.

Comment From Applicant(s):

Dr. Kumari Ramesh (Waxhaw) introduced herself and her credentials. She shared that she would like to provide medical services for the growing elderly population and would like to give back to the community that supported her when she had her practice.

Questions From Commissioners:

The Commission had no questions or concerns to share.

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

No citizens signed up to speak.

Chairman Richards closed Public hearing and called for a motion on item **RZ-2026-0503 Dr. Ramesh**

Motion to approve by Y. Cureton; 2nd by L. Hinson.

Discussion:

Commissioner Tinklenberg shared concerns on if this development would be compatible with the nearby uses. She also shared concerns over the traffic and speeding from the highway, and inquired if the primary entrance would be from Charles Pettus. Dr. Kirsten Willis replied that SCDOT would decide if they would continue to allow access from Charlotte Hwy. Corey Barnes explained that SCDOT would also take into consideration the fact that this parcel is within the Highway Corridor Overlay.

Roll Called Vote: 6:0. **Motion is approved unanimously.**

Richard Crandall **FOR**

T. Yokima Cureton **FOR**

Lynette Hinson **FOR**

Judianna Tinklenberg **FOR**

Michelle Richards **FOR**

Sheila Hinson **FOR**

The item will be referred to County Council for final decision, and applicant will be informed of time and date.

c. RZ-2026-0725 Pettus:

Application by Gary Pettus to rezone a parcel of 8.001 acres off Aero Lane (portion of 0041-00-004.00) from Institutional (INS) to Rural Residential (RR) to allow for a residence.

Staff Presentation: Jennifer Bryan presented the application consistent with the staff report.

Staff Recommendations: Approval.

Questions To Staff:

The Commission had no questions or concerns to share.

Comment From Applicant(s):

Leigh Pettus (Indian Land) shared that her husband and herself are both pilots and would like to live where they can view flights take off or easily take a flight themselves. She also shared the relationship they had made with the owner of the airstrip who sold them the property.

Questions From Commissioners:

The Commission had no questions or concerns to share.

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

No citizens signed up to speak.

Chairman Richards closed Public hearing and called for a motion on item **RZ-2026-0725 Pettus**

Motion to approve by S. Hinson; 2nd by J. Tinklenberg.

Discussion:

The Commission had no questions or concerns to share.

Called Vote: 6:0. **Motion is approved unanimously.**

The item will be referred to County Council for final decision, and applicant will be informed of time and date.

d. RZ-2026-0736 Justin's Tree Service:

Application by Brandon Roope and Billy & Jane St. Clair on behalf of Justin's Tree Service to rezone a parcel of 6.08 acres at 9595 Yarborough Rd (0007-00-014.01) from Professional Business (PB) to Regional Business (RB) to allow commercial development for a tree service business.

Staff Presentation: Jennifer Bryan presented the application consistent with the staff report.

Staff Recommendations: Approval.

Questions To Staff:

Commissioner Tinklenberg shares that this is in her district and inquired about the disturbances this business may cause, she did not know if this needed to be addressed to Staff or the applicant.

Comment From Applicant(s):

Brandon Roope and Justin Roope (Charlotte) shared that the primary use will be to store the equipment, they would leave in the morning and travel back in the afternoon, and there would be no burning on site.

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

No citizens signed up to speak.

Chairman Richards closed Public hearing and called for a motion on item **RZ-2026-0736 Justin's Tree Service:**

Motion to approve by Y. Cureton; 2nd by S. Hinson.

Discussion:

The Commission had no questions or concerns to share.

Called Vote: 6:0 **Motion is approved unanimously.**

The item will be referred to County Council for final decision, and applicant will be informed of time and date.

7. Other

- a.** The Commission and Staff discussed the cases on next month's Agenda and whether a workshop needs to be scheduled. The June workshop will not be scheduled and the Commission requested an email be sent from Staff with training materials for the types of cases on the June Agenda.
- b.** The Commission and Staff discussed an update on the Impact Fee Study, the Comprehensive Plan, and the Housing Committee.

8. ADJOURN

Motion to adjourn by J. Tinklenberg; 2nd by S. Hinson.

Motion approved by unanimous consent.

Meeting adjourned at 9:06 p.m.

Public Hearing Notice/Sign Ups

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

AFFIDAVIT

Personally appeared before me, Jennifer Bryan who, being duly sworn,
deposes and says that:

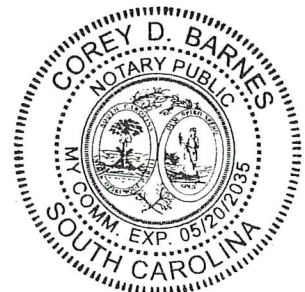
- (1) I am over the age of eighteen (18).
- (2) I am employed by Lancaster County in the Planning Department as a
Planning Technician
- (3) That attached collectively hereto as Exhibit "A" is a form NOTICE OF
PUBLIC HEARING and the mailing matrix of all persons receiving the
notice of meeting by first class mail with the United States Postal Service for
the Preliminary Plat Application: Moody Group/Jan Ringeling on
behalf of Barberville Developers LLC and Martin Senior & Assoc.
FILE #SD-2026-0834, scheduled to occur at the Planning Commission
Meeting of May 19, 2026.
- (4) That I mailed the notice attached as Exhibit "A" via United States Postal
Service on April 29, 2026 to all notice recipients listed in the Exhibit
"A" mailing matrix.

Jennifer Bryan
Affiant Signature

Sworn to before me this

29 day of April, 2026.

Corey D. Barnes
_____, Notary Public for South Carolina
My commission expires 5 / 20 / 2035





PUBLIC HEARING NOTIFICATION

You are receiving this notice because you own property within the vicinity of a proposed preliminary plat within Lancaster County, SC, more completely described below. Please refer to the map on the reverse side of this notice for the location of the subject property.

Preliminary Plat SD-2026-0834	
Location	Parcels totaling 10.14 acres located at the northwest corner of Barberville Road and Fort Mill Highway (TM #s 0006-00-057.00, And TM 0006-00-058.0, -058.02, - 058.03: the latter 3 lots are combined by Plat #2026/p.127)
Applicant	Moody Group/Jan Ringeling on behalf of Barberville Developers LLC and Martin Senior & Associates
Intent	Multi-parcel commercial development with central shared access
County Staff Contact	Shannon Catoe, Zoning Administrator (803) 416-9319 shannoncatoe@lancastercountysc.gov
Public Hearing Information	
Planning Commission	Tuesday, May 19, 2026 at 6:00 p.m.
Location	Lancaster County Administration Building Council Chambers, 101 North Main Street, Lancaster, SC

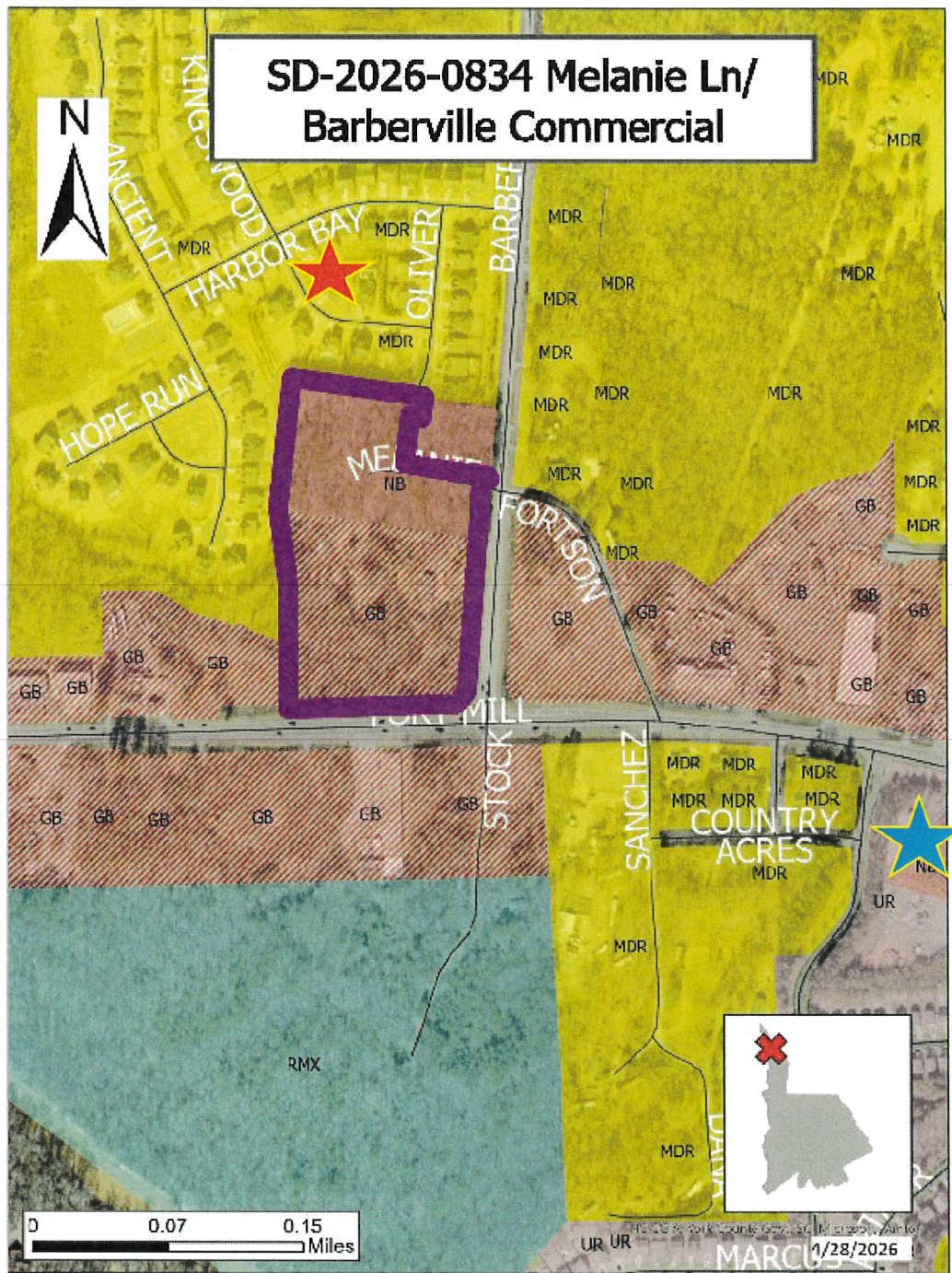
Citizens will have an opportunity to provide public comments at the above public hearing. The Planning Commission shall review the application and issue approval or denial of the Preliminary Plat.

If you are unable to the public hearing it will be live-streamed on the County's YouTube page:
<https://www.youtube.com/channel/UCgSfMrcYjcYcu1m-e6TV54w>

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

The Lancaster County Zoning Map and the Unified Development Ordinance can be viewed at www.mylancastersc.org at the Development Services webpage.

Please feel free to call or email the County staff contact above if you have any questions or comments regarding this proposed development. Thank you.



Proposal:
Preliminary Plat (Commercial)



Reid Point Development

Barber Rock Development



Subject Property

SD-2023-1869 Barberville Commercial

Application by Moody Group/Jan Ringeling on behalf of Barberville Developers LLC and Martin Senior and Associates LLC for a Preliminary Plat for five parcels totaling 10.92 acres located at the northwest corner of Barberville Road and Fort Mill Highway (TM #s 0006-00-057.00, 0006-00-058.00, 058.01, 058.02, 058.03), in order to create a multi-parcel commercial development with central shared access.

Applicants/Owners:

MOODY GROUP
% JAN RINGELING
10700 SIKES PLACE Ste 280
CHARLOTTE NC 28277

MARTIN SENIOR & ASSOCIATES
226 BALDWIN AVE
CHARLOTTE NC 28204

OAK ENGINEERING PLLC
% GREG WELSH, PE
4929 MONROE ROAD
CHARLOTTE NC 28205

BARBERVILLE DEVELOPERS LLC
307 CEDRIC COURT
FORT MILL SC 29715

Adjacent:

0006-00-053.03 OVERLOOK & PRESERVE AT BARBER R 248 LATITUDE LANE SUITE 102 LAKE WYLIE, SC 29710	0006-00-056.00 CALZADILLA CARLOS E CALZADILLA CARLOS JOSE 9872 BARBERVILLE RD INDIAN LAND, SC 29707	0006-00-073.02 MCCOY JASON N TRUSTEE MCCOY JENNIFER A TRUSTEE 26208 CAMDEN WOODS DRIVE INDIAN LAND, SC 29707	0006-00-073.00 FORTSON VALLIE L TRUSTEE 9845 FORTSON DRIVE LANCASTER, SC 29720
0006-00-069.00 0006-00-068.00 SAVIRIA LLC 4727 PIPER GLEN DR CHARLOTTE, NC 28277	0006-00-068.01 FORT MILL HIGHWAY LLC PO BOX 481905 CHARLOTTE, NC 28269	0006-00-059.00 PISTOLIS DENNIS G & MANTEKAS SOTIRIOS 6924 CROSS CREEK ESTATES DR LANCASTER, SC 29720	0006J-0B-089.00 CRAWFORD BT CRAWFORD CHERYL LYNN 6404 ANCIENT WAY INDIAN LAND, SC 29707
0006J-0B-090.00 HANKINSON ADAM HANKINSON SHANNON KATHLEEN 6408 ANCIENT WAY INDIAN LAND, SC 29707	0006J-0B-092.00 JAWORSKI MATTHEW KLEMENS 6420 ANCIENT WAY INDIAN LAND, SC 29707	0006J-0B-093.00 WHITE PETER DALE 6428 ANCIENT WAY INDIAN LAND, SC 29707	0006J-0B-094.00 PATEL SURESHBHAI CHATURBHAI PATEL JASHUBEN SURESHBHAI 6434 ANCIENT WAY INDIAN LAND, SC 29707
0006J-0B-095.00 CHRISTIAN ROBERT EDWARD, CHRISTI 6440 ANCIENT WAY INDIAN LAND, SC 29707	0006J-0B-104.00 HINTON CODY J HINTON KATHERINE ELIZABETH 4627 KINGSWOOD DR INDIAN LAND, SC 29707	0006J-0B-105.00 CARTER JERRY BRAXTON CARTER KYLIE RETHAGE 4621 KINGSWOOD DR INDIAN LAND, SC 29707	0006J-0B-106.00 BREVARD KAYCE MIRANDA 4615 KINGSWOOD DR INDIAN LAND, SC 29707
0006J-0B-107.00 KANTH TINA LEKSHMI RADHAKRISHNAN SUBA NAGA PRAVEEN 4609 KINGSWOOD DRIVE INDIAN LAND, SC 29707	0006J-0B-108.00 GEBEL ADAM EDWARD GEBEL ANN MARIE 2002 OLIVER TER INDIAN LAND, SC 29707	0006J-0B-103.00 O'BRYON ROGER FRANCIS, O'BRYON R 4633 KINGSWOOD DR INDIAN LAND, SC 29707	0006J-0B-102.00 PATRA ANIRBAN, PANDAY AKTHA PAND 1065 HARBOR BAY DR INDIAN LAND, SC 29707

0006J-0B-101.00 ARCUDI JOSEPH J 1071 HARBOR BAY DR INDIAN LAND, SC 29707	0006J-0B-100.00 TERRAZAS OSCAR RENE, FRANKLIN GA 1075 HARBOR BAY DR INDIAN LAND, SC 29707	0006J-0B-099.00 RAMANATHAN MANINESAN, RAMAMOO 1081 HARBOR BAY DR INDIAN LAND, SC 29707	0006J-0B-098.00 ISKARPATYOTI OTON, ISKARPATYOTI LA 1085 HARBOR BAY DRIVE INDIAN LAND, SC 29707
0006J-0B-091.00 HALL JEROME 6412 ANCIENT WAY INDIAN LAND, SC 29707	0006-00-071.00 SANCHEZ CARLOS F P O BOX 823 FORT MILL, SC 29716	0006J-0B-096.00 COOPER LOTTIE BELL 6448 ANCIENT WAY INDIAN LAND, SC 29707	0006J-0B-097.00 COOPER LINDA RUTH 6454 ANCIENT WAY INDIAN LAND, SC 29707

ATTACHMENT:

Sign-In Sheets

SIGN IN ONLY IF YOU WISH TO SPEAK



**PLANNING COMMISSION
Public Hearing Sign In Sheet**

MR
5/19/26

Item 4: CITIZEN'S COMMENTS

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

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 19, 2026

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

**THIS SIGN IN IS ONLY FOR MATTERS NOT ON
TONIGHT'S AGENDA.**

PLEASE PRINT

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SIGN IN ONLY IF YOU WISH TO SPEAK



MB2
5/19/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 5a: SD-2026-0834 Melanie Lane/Barberville Commercial

Application by Moody Group/Jan Ringeling on behalf of Barberville Developers LLC and Martin Senior and Associates LLC for a Preliminary Plat for parcels totaling 9.74 acres located at the northwest corner of Barberville Road and Fort Mill Highway (TM #s 0006-00-057.00, 0006-00-058.00, 058.02, 058.03), in order to create a multi-parcel commercial development with central shared access.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 19, 2026

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PLEASE PRINT

✓	1. Jeannine Clifton	hand out	against
✓	2. Keri Baker		against
✓	3. Cody Hinton		against

SIGN IN ONLY IF YOU WISH TO SPEAK

✓	4.	Geoff Larson Thomas Haskinson	against
✓	5.	Thomas <u>Haskinson</u> Jarod Calhoun	against
✓	6.	Jarod Calhoun Geoff Larson	against
✓	7.	Andrea Mazullo	against
✓	8.	Shannon Hankinson	against
✓	9.	Jerry Carter	against
✓	10.	Charles Anthony	against
✓	11.	Anne Geobel	against
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5/19/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 5b: SD-2023-0867 Catawba Ridge (Contender):

Application by ESP Associates and Catawba Ridge Holdings LLC for a preliminary plat for 840 acres north of Great Falls Highway (TMs 0128-00-012.00 & 0126-00 048.00), for a residential community of 1,490 lots.

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MB2
5/19/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 6a: RZ-2025-2390 7 Brew

Application by HeBrews South Indian Land and Cory Pritchard to rezone a parcel of 0.525 acres at 8458 Charlotte Hwy (0013-00-016.01) from General Business (GB) to Regional Business (RB) to allow a drive-thru only coffee shop (7Brew) and associated parking.

Council Chambers
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Tuesday, May 19, 2026

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MBR

5/19/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 6b: RZ-2026-0503 Dr. Ramesh

Application by Dr. Kumari Ramesh to rezone a parcel of 7.09 acres at 7319 Charlotte Hwy (0016-00-048.00) from Low Density Residential (LDR) to Neighborhood Business (NB) to allow commercial development (offices and community center).

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 19, 2026

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SIGN IN ONLY IF YOU WISH TO SPEAK



YMBZ
5/19/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 6c: RZ-2026-0725 Pettus:

Application by Gary Pettus to rezone a parcel of 8.001 acres off Aero Lane (portion of 0041-00-004.00) from Institutional (INS) to Rural Residential (RR) to allow for a residence.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 19, 2026

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SIGN IN ONLY IF YOU WISH TO SPEAK



MRB2
5/19/26

**PLANNING COMMISSION
Public Hearing Sign In Sheet**

Item 6d: RZ-2026-0736 Justin's Tree Service:

Application by Brandon Roope and Billy & Jane St. Clair on behalf of Justin's Tree Service to rezone a parcel of 6.08 acres at 9595 Yarborough Rd (0007-00-014.01) from Professional Business (PB) to Regional Business (RB) to allow commercial development for a tree service business.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 19, 2026

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Public Comments (received prior to
meeting/electronically and referenced by
Chair during meeting)

Email Comment: Marissa Markham



[Draft] Re: Concerns Regarding Proposed Gas Station and UDO Compliance Near Residential Community (Overlook at Barber Rock)

From mmata@lanastercountysc.gov
Draft saved Tue 5/19/2026 10:21 AM
To Planning Mailbox <planning@lanastercountysc.gov>

From: J & M Markham <[REDACTED]>
Sent: Monday, May 18, 2026 8:51 PM
To: Planning Mailbox <planning@lanastercountysc.gov>; Planning Mailbox <planning@lanastercountysc.gov>
Subject: Concerns Regarding Proposed Gas Station and UDO Compliance Near Residential Community (Overlook at Barber Rock)

Planning Department,

I am a new resident of The Overlook at Barber Rock and am writing to express serious concerns regarding the potential approval of a gas station and related commercial development immediately adjacent to our residential community.

While I am not opposed to responsible commercial development, I strongly believe developers must comply fully with Lancaster County's Unified Development Ordinance (UDO), especially when development directly impacts established neighborhoods.

The possibility of placing a gas station so close to homes raises significant concerns related to traffic congestion, safety, noise, lighting, environmental impacts, stormwater runoff, air quality, and declining residential property values. These concerns are compounded by the ongoing pattern of apparent UDO violations and procedural shortcuts associated with this development.

As previously stated during earlier meetings, this project appears to improperly avoid the required Major Subdivision process. UDO Ch. 9.2.10A.1 clearly states that the Minor Subdivision process is only available when divisions do not increase the number of lots within a previously approved subdivision. The Barberville property was approved in May 2024 to be divided from one parcel into three parcels, and the current proposal further subdivides those parcels into four. Under the UDO, this should require the Major Subdivision process and full Council oversight.

Additionally, the development continues to conflict with important Tree Save, setback, and buffering requirements within the Highway Corridor Overlay District. UDO Ch. 4.3.2 exists specifically to preserve and enhance the visual character of the corridor, yet the property has been extensively clear-cut with little evidence of meaningful tree preservation or compliance with required buffers and setbacks. Large canopy trees that should have been preserved were removed, leaving neighboring homes exposed directly to commercial activity.

The approval of a gas station in such close proximity to residential homes would intensify these impacts and further undermine the intent of the County's development standards. Residents deserve assurance that the UDO will be enforced consistently and that developers will not be permitted to bypass protections designed to safeguard surrounding neighborhoods.

I respectfully urge the Planning Department and County leadership to fully enforce the UDO as written, require proper subdivision review procedures, and carefully consider the long-term impact this proposed development will have on nearby residents and the broader community.

Thank you for your time and consideration.

Marissa Markham

Email Comment: Jeff & Kathy Williams



[Draft] Re: Barberville 160 development

From mmata@lanastercountysc.gov
Draft saved Tue 5/19/2026 10:20 AM
To Planning Mailbox <planning@lanastercountysc.gov>

From: Jeff Williams <[REDACTED]>
Sent: Tuesday, May 19, 2026 8:43 AM
To: Planning Mailbox <planning@lanastercountysc.gov>
Cc: Planning Mailbox <planning@lanastercountysc.gov>
Subject: Barberville 160 development

Hello,

I am a property owner in the Overlook at Barber Rock neighborhood. We have watched sadly as the tree cover and natural area has been denuded on the commercial property next to our neighborhood.

We are very concerned that the traffic from that project when trying to turn left or right onto Barberville Road will be very dangerous and accident prone since any entrance will be right at the intersection of Barberville Road and SC Hwy 160.

I hear that a gas station convenience store is trying to be added to the plan. Higher traffic counts than estimated originally will surely follow.

The noise and light pollution will be impacting the quiet rural feeling we have now. Especially since no privacy is had without a berm and fencing and replanting of trees along the bordering property lines.

Convenience stores bring noise, extra traffic and 24 hours of coming and going, Also has anyone done a study on the increase in crimes both petty and major that seem inherent to a convenience store ?

The environmental impact from just the parking lot runoff from vehicles and the spilling of fuels and oils onto the pavement will be way too close to Sugar Creek. Even with SWR ponds there will be seepage over time into the soil and aquifer. Please look at the map that shows proximity to Sugar Creek.

I am asking that the developer prove that a gas station is needed there. on HWY 160 in a two miles or less drive in either direction there are FIVE convenience stores. There are plenty of places to buy fuel. Not to forget the new Costco is 4.5 miles away.

We as residents and many of our neighbors agreed.

NO CONVENIENCE STORE PLEASE.

Regards,

Jeff and Kathy Williams

Overlook at Barber Rock.

Lancaster County

Agenda Item for Discussion:	Opposition to SD-2026-0834 – Barberville Commercial Development
Meeting Date:	May 19, 2026 12:00:00 AM
Full Name	First Name: Larry & Janis Last Name: Bennett
Phone Number	[REDACTED]
Email	[REDACTED]
Address:	6495 Ancient Way Indian Land, SC 29707
Please check which meeting this comment is for:	Planning Commission Meeting
Citizen Comment - Regarding Agenda Item:	Dear Members of the Planning Commission, Since I am not able to attend the meeting this evening and being a resident of the Overlook at Barber Rock neighborhood, I am writing to raise serious concerns about the commercial development being advanced beside our community and to respectfully request denial of application SD-2026-0834 in its current form. While I am not opposed to commercial development, I strongly believe developers should be required to follow the Lancaster County Unified Development Ordinance (UDO). My opposition is based on multiple unresolved UDO compliance issues, incomplete disclosures regarding intended uses, and the significant impact this project will have on surrounding residential neighborhoods. Several major concerns remain unresolved: • The proposed access arrangement involving Melanie Drive appears inconsistent with UDO Sections 6.4.1H and 6.18.1H.1 regarding private drive access and the number of lots permitted to be served. • Multiple proposed parcels may not satisfy frontage requirements under UDO Sections 1.4.3B.4 and 1.4.3B.2, potentially creating lots that are not legally buildable as proposed. • Public marketing materials for the project reference commercial uses, including retail and fuel-related operations, that do not appear fully disclosed within the submitted application materials. If accurate, these uses may trigger additional UDO requirements that have not yet been addressed. • The site contains a cellular tower fall zone that raises compliance concerns under UDO Section 5.11.5 regarding setback control and allowable structures. • Significant tree clearing has already occurred despite UDO provisions intended to preserve buffer areas and mature trees under Sections 4.3.2L.2 and 7.1.2. • The traffic impact analysis currently on file appears outdated and may no longer satisfy the intent of UDO Section 6.8. In addition to these compliance concerns, residents remain deeply concerned about buffering, lighting, noise, traffic, and compatibility with the surrounding residential community. The existing proposal does not appear to provide meaningful protection for adjacent homeowners. For these reasons, I implore the Planning Commission to enforce the UDO as written and require the developer to follow the same standards expected of every project in Lancaster County. Ordinances exist for a purpose: to ensure agreed-upon standards are followed, protect the rights of citizens, and preserve the integrity and value of the community. Approving a project with unresolved compliance issues would undermine the very development standards the County has established and residents rely upon. Thank you for your consideration. Respectfully, Larry & Janis Bennett Resident, Overlook at Barber Rock Lancaster County, South Carolina

Documents Submitted by Janine Clifton for PC Review During Meeting

7:21

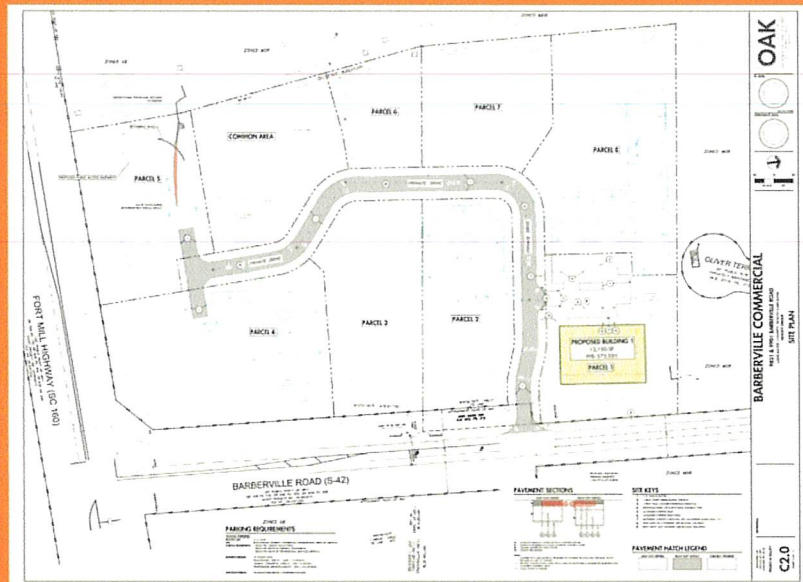
◀ Messages

LTE

Original
Plan -
≡ 2yr. ago.



Featured Developments



9901 & 9831 Barberville Road

This is an 8-parcel subdivision at a signalized intersection of HWY 160 and Barberville Road in Fort Mill, SC. First planned groundbreaking will include a Montessorri School with retail/office availability and an outdoor play area.

AA

moodyhd.com



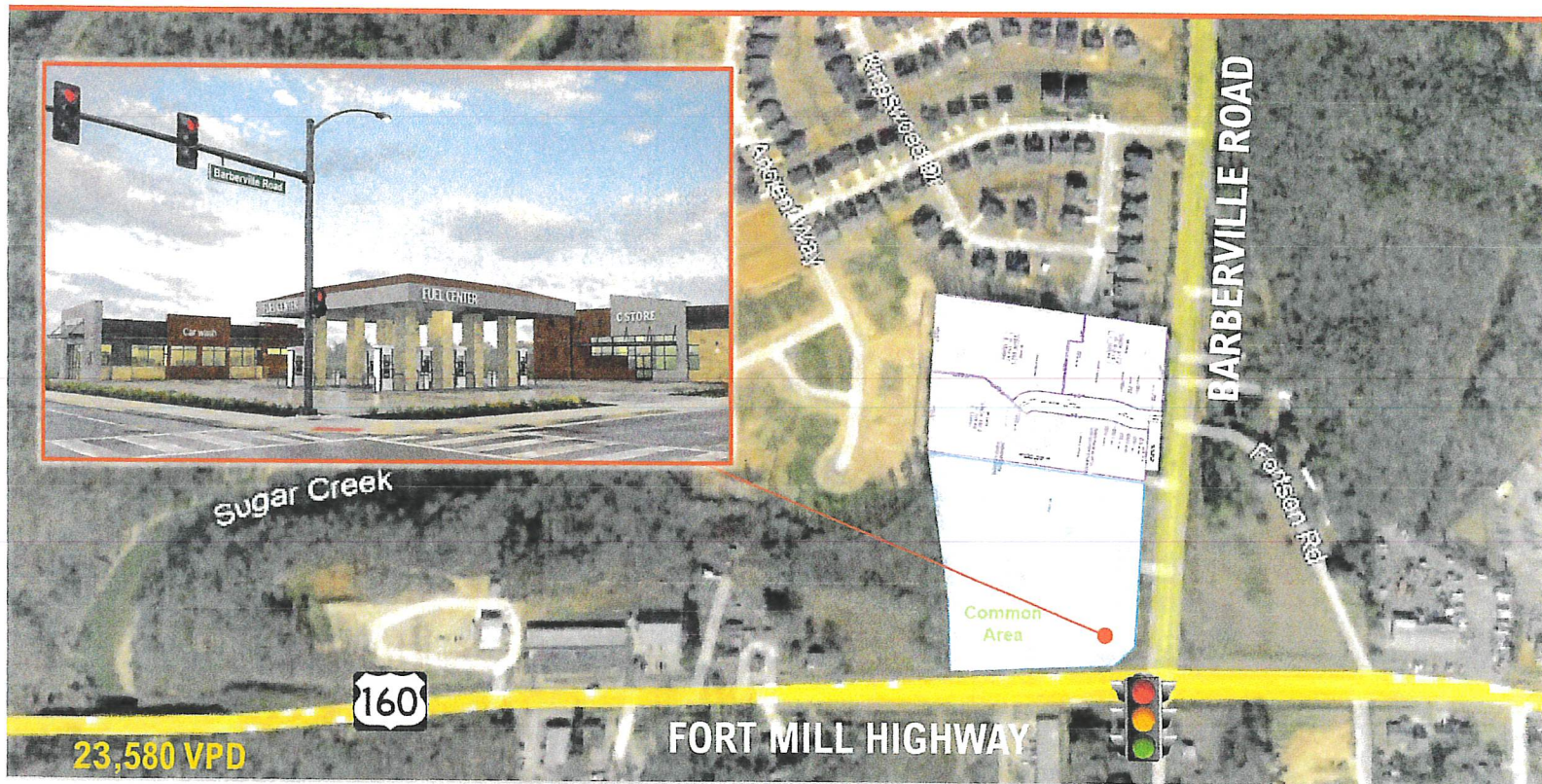
v. 2026

PROPOSED SITE PLAN



CORNER PARCEL – C-Store, Gas, Car Wash Option





OUTPARCELS FOR SALE

9831 BARBERVILLE ROAD / FORT MILL HIGHWAY
FORT MILL, SC 29707

2.0 +/- Outparcel

- C-Store, Gas, Car Wash outparcel
- Corner lot at the center of a desirable, fast-growing area in Lancaster County's Indian Land/Fort Mill
- Available 2nd Quarter 2026



Presented By:

JAN RINGELING

704.490.3872

jan@moodyre.com

MOODY COMMERCIAL REAL ESTATE

10700 Sikes Place, Suite 280

Charlotte, NC 28277

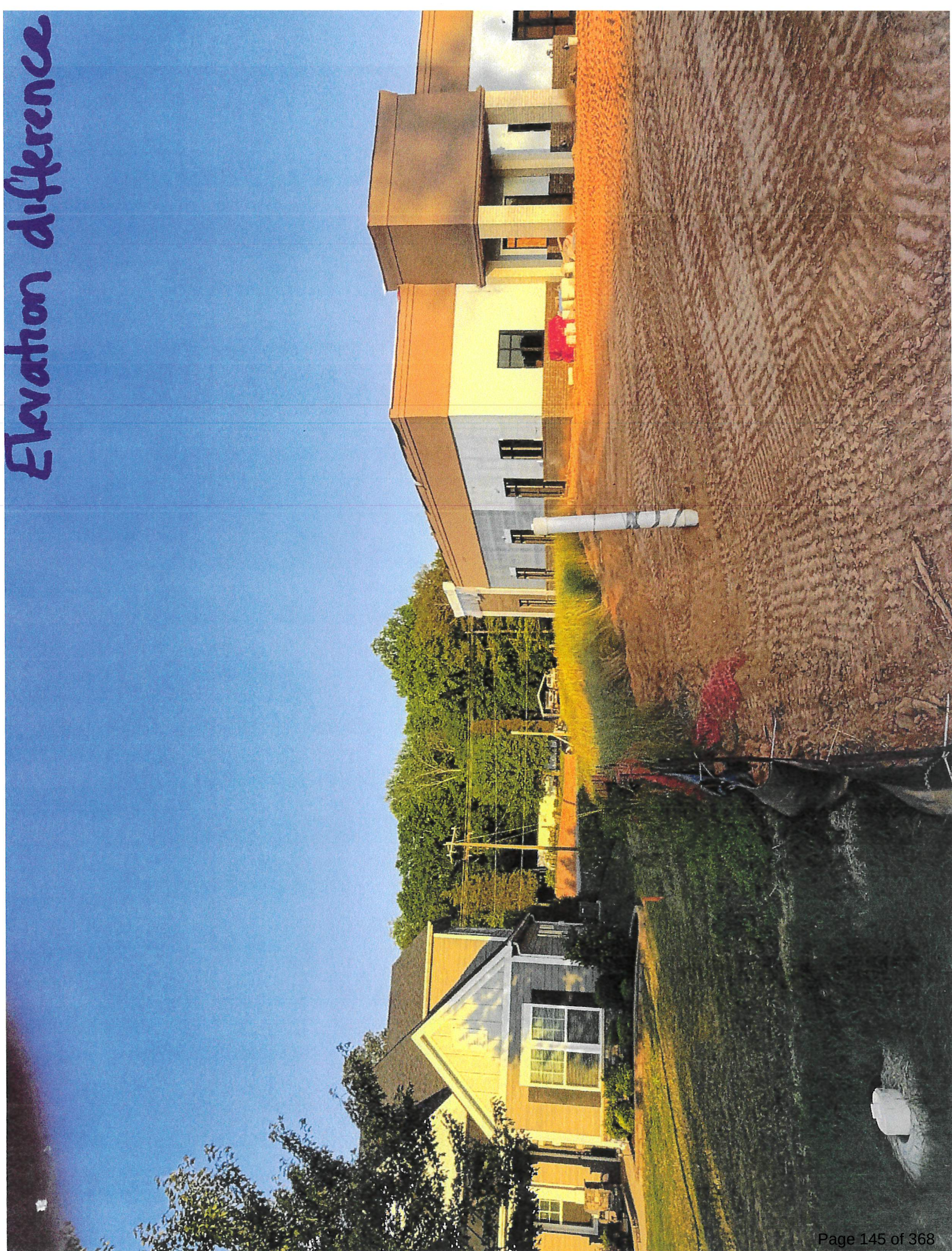
980.313.3872 | MoodyRE.com

Documents Provided by Cody Hinton for PC Review During Meeting



Type "B" 11' buffer.

Elevation difference



Before



Buffer
& Elevation

Today



Documents Provided by Geoff Larson for PC Review During Meeting

UDO Violations Detailed Summary

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I. Administrative Ineligibility

Issue: The application for Major Subdivision SD-2026-0834 does not represent the true parcels for the land, and is not eligible for Planning Commission review until corrected and resubmitted.

Attachments and References:

1. Preliminary Plat 2024 (Plat Book 2024 Page 231)
2. Recombination Plat 2026 (Plat Book 2026 Page 127)
3. Email from County confirming notice to revoke

Statement of Facts:

1. Minor subdivision plat (Plat Book 2024 Page 231) from 2024 was deemed by the County to be noncompliant, and on February 23, 2026 noticed the developer that associated building permits were being revoked.

2. The developer filed a recombination plat (Plat Book 2026 Page 127). However, UDO 6.2.2B. states that in order for the recombination to be valid, “any document or plat to be recorded pursuant to any such exclusion shall bear the notation: ‘Exempt pursuant to Lancaster County Unified Development Ordinance’”. The recombination plat does not contain this language, and does not establish a valid exempt subdivision under the UDO. Likewise, all new building permits issued under it are currently invalid.
3. UDO 1.1.6B. states that “From and after the adoption of the UDO, no real property lying within the unincorporated areas of Lancaster County shall be subdivided except in conformance with all applicable provisions of the UDO. In addition, after the effective date of the UDO, no plat for subdivision of land within the unincorporated areas of Lancaster County shall be certified for recording by the Administrator until it has been submitted and approved in accordance with the provisions of the UDO.”
 - a. Per the County’s own opinion and actions, and subsequent revocation of building permits, Parcel 1 was not subdivided in conformance with all provisions of the UDO.
 - b. Without containing the required “exempt” certification, the recombination plat for Parcel 1 was not submitted and approved in accordance with the provisions of the UDO.
4. At this time, no compliant minor subdivision exists for parcel 0006-00-058.00, and the Major Subdivision application SD-2026-0834 does not represent all parcels for the Planning Commission’s review. The application is therefore incomplete, and must be resubmitted with corrected information that includes Parcel 1 before it is eligible for PC vote.
5. Alternatively, the application SD-2026-0834 can be withdrawn and/or de facto denied, the recombination plat correctly recorded in compliance with the UDO, and a new Major Subdivision application submitted to the PC.

II. Driveway Connection not Allowed

Issue: Melanie Drive is strictly prohibited by the UDO from connecting to Barberville Road, because it is a driveway within a commercial subdivision that borders a thoroughfare, which provides direct driveway access to the thoroughfare.

Attachments and References:

1. Certification naming Melanie Drive (Deed Book 1779 Pages 169-170)
2. County Legal Opinion (Memorandum - Barberville Commercial 092025 vf, 2)
3. SCDOT A.R.M.S.
4. SCDOT 2024 traffic data for Lancaster County

Statements of Facts:

1. UDO 6.4.1H. states, “Where a subdivision borders an existing or proposed Major or Minor Thoroughfare, no direct driveway access shall be permitted to such facilities from the lots within the subdivision”.
2. Melanie Drive is a driveway.
 - a. Deed Book 1779 Pages 169-170 certifies that Melanie Drive has a “Legal Description: PRIVATE DRIVEWAY”
 - b. SCDOT ARMS manual Section 1D defines “any access point that is not a public street, road, or highway” as a driveway.
 - c. SC Code of Laws Section 56-6-450 defines “every way or place in private ownership and used for vehicular travel by the owner and those having express or plied permission from the owner” as a driveway.
3. Barberville Road is a Major or Minor thoroughfare.
 - a. UDO 6.11.3A.1.f. defines the street classification “Road” as “a thoroughfare that runs in any direction”. Barberville Road is legally classified as a “road”, and is therefore a thoroughfare per UDO.
 - b. The Supreme Court of South Carolina’s precedent states that in such situations the plain and ordinary meaning of a term shall be used. Rowe v. Hyatt, 321 S.C. 366, 468 S.E.2d 649 (1996).
 - c. Merriam-Webster defines “thoroughfare” as “a way or place for passage: such as a street open at both ends (or) a main road”
 - d. The site at 9901 Barberville Rd is zoned Neighborhood Business, and the UDO description in Section 2.3 for NB includes that it “is generally located on thoroughfares”.
 - e. At 9,300 AADT volume, the SCDOT 2024 Traffic Counts lists Barberville Rd as the 3rd busiest secondary and 9th busiest roadway of any kind in all of Lancaster County. It is a/the primary arterial in the northern panhandle other than 521 and 160, and a quintessential “major” thoroughfare by all metrics. But even as a “minor” thoroughfare, this regulation still applies.
4. The applicant has not sought or been granted a variance.

III. Driveway Serves Too Many Lots

Issue: Melanie Drive is strictly prohibited by the UDO from providing access to more than 5 lots.

Attachments and References:

1. County Legal Opinion (Memorandum - Barberville Commercial 092025 vf, 2)

Statements of Facts:

1. UDO 6.18.1H.1. states that “no more than five lots may be accessed [sic] by a newly created private drive”.
2. Melanie Drive would be “newly created” because it does not yet exist, nor did it exist prior to the adoption of the current UDO.
3. The County’s legal memorandum determined that Melanie Drive is a “private drive”.
4. Major Subdivision application SD-2026-0834 has 8 lots, which exceeds the UDO limit that can be accessed by a driveway.
5. The applicant has not sought or been granted a variance.

IV. Non-Compliant Parcels Cannot be Created

Issue: Multiple new proposed lots violate the UDO because they do not front to a street and/or have noncompliant lot lines.

Attachments and References:

1. Certification naming Melanie Drive (Deed Book 1779 Pages 169-170)
2. County Legal Opinion (Memorandum - Barberville Commercial 092025 vf, 2)

Statements of Facts:

1. Parcels not fronting a street do not comply with the UDO
 - a. Basic Lot and Use Standards in UDO 1.4.3B.4. states that “all ... lots shall front upon a street right-of-way”.
 - b. Deed Book 1779 Pages 169-170 certifies that Melanie Drive is a “private driveway” not any classification that UDO Chapter 6 defines as a street.
 - c. The County’s legal opinion, based on a neutral party’s evaluation, is that Melanie Drive is not a street.
 - d. Therefore, proposed parcels 2, 3, 4, and Common Area do not front a street right-of-way, and cannot be created.

2. Parcel 2 has noncompliant radial lot line
 - a. UDO Section 1.4.3A.1. states that “side lot lines shall be substantially at right angles to straight street lines and radial to curved street lines for a minimum distance of 100 feet from the front lot line”.
 - b. Melanie Drive is not a street, so Barberville Road is the nearest street, and which is substantially straight.
 - c. The southern side lot line of Parcel 2 is not at a right angle to Barberville Road.
 - d. Even if Melanie Drive were to become a street, the southern side lot line of Parcel 2 extends radially to Melanie Drive for less than 100 feet.
3. The applicant has not sought or been granted a variance.

V. No Structure Shall be Built on Parcels not Fronting a Street

Issue: Parcels 2, 3, and 4 do not front a street as required by the UDO for any building to be erected or used on them.

Attachments and References:

1. Certification naming Melanie Drive (Deed Book 1779 Pages 169-170)
2. County Legal Opinion (Memorandum - Barberville Commercial 092025 vf, 2)

Statements of Facts:

1. UDO 1.1.6A. states that “Every building erected, moved, or structurally altered shall be located on a lot conforming to the requirements of the district.”
2. Basic Lot and Use Standards in UDO 1.4.3B.4. states that “all ... lots shall front upon a street right-of-way”.
 - a. The County’s legal opinion, based on a neutral party’s evaluation, is that Melanie Drive is not a street.
 - b. Barberville Road is the nearest street right of way, and therefore proposed parcels 2, 3, and 4 all front towards their eastern lot lines. Parcel 2 abuts Parcel 1, and Parcels 3 and 4 abut Melanie Drive, on their eastern lot lines.
3. UDO 1.4.3B.2. states that “Commercial...buildings...may be erected or used on a lot which does not abut a dedicated street...provided the lot fronts one of the following: [1.4.3B.2.a.] A privately-maintained drive in a public parking area; or [1.4.3B.2.b.] An approved open space or park shared with other lots; or [1.4.3B.2.c.] Some other designated area used in common with other lots.”

- a. The County's legal opinion, based on a neutral party's evaluation, is that Melanie Drive is not a street. E
 - b. Barberville Road is the nearest dedicated street to proposed parcels 2, 3, and 4, and therefore front towards their eastern lot lines.
 - c. Parcel 2 abuts Parcel 1, and Parcels 3 and 4 abut Melanie Drive, on their eastern lot lines, none of which are streets, nor dedicated to the County.
 - d. Melanie Drive is not a drive aisle within the confines of a parking area, and all parking on proposed lots is private.
 - e. Neither Melanie Drive nor Parcel 1 contain approved open space or parks.
 - f. Per criteria in UDO Section 1.4.3B.2.c., neither Melanie Drive nor Parcel 1 are designated common spaces. The term "designated area used in common" is not defined in the UDO, but:
 - i. The title of UDO 1.4.3B. states "Lots to front on street or approved public space". Neither Melanie Dr nor Parcel 1 are an "open space".
 - ii. UDO 4.3.2F.1. further requires all buildings in the Highway Corridor Overlay (HCO) district to front a "street" or "share a frontage line with a square or other similar common open space". Again, Neither Melanie Dr nor Parcel 1 are a street or a common open space.
 - iii. UDO 4.3.2F.5.b. refers to such space as "improved common open space" that includes "squares, plazas, greens, or other similar spaces". Neither Melanie Dr nor Parcel 1 are any of these.
4. UDO Section 4.3.2F.1. states that in the Highway Corridor Overlay (HCO) district, "All buildings shall front onto a public or private street, or share a frontage line with a square or other similar common open space."
- a. All parcels in Major Subdivision application SD-2026-0834 lie within the HCO.
 - b. Parcels 2, 3, and 4 have frontage lines on their eastern lot lines, and share those lines with Melanie Drive and/or Parcel 1.
 - c. Neither Melanie Drive nor Parcel 1 are a square or similar common open space. Only the parcel labeled "Common Area" could be considered common open space, but these lots do not share a frontage line with it.
5. Without any compliant buildings erected on Parcels 2, 3, or 4, there cannot be:
- a. Any principal use established on any of them;
 - b. Any accessory use or structure established on any of them. UDO Section 10.4 defines an "accessory structure" as one that is "incidental to the principal use"; or

- c. Any parking built on Parcels 2 or 3. The Use Table in UDO 2.5.3G. states a parking lot is not permitted as the principal use in Neighborhood Business zoning.
- 6. The applicant has not sought or been granted a variance.

VI. Tree Save Areas

Issue: Mandatory tree preservation is required in all setbacks and buffer yards, but none has occurred or been included in the application.

Attachments and References:

- 1. UDO Complaint - SD-2023-1869 Barberville Commercial - August 2024
- 2. Pictures before trees removed
- 3. Pictures after noncompliant removal of buffer trees

Statements of Facts:

- 1. UDO 4.3.2A. states that the Highway Corridor Overlay District (HCO) was established to “preserve and enhance” the included areas with “regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development”.
- 2. All parcels in the proposed development lie within the HCO.
- 3. UDO 4.3.2L.2. states that “All required setbacks and buffer yards shall be used as tree preservation areas”.
 - a. No setback or buffer yard was, currently is, or is planned to be used for tree preservation to comply with this requirement.
 - b. Major Subdivision application SD-2026-0834 does not include preservation of any existing trees in setbacks or buffer yards as required.
- 4. UDO 4.3.2L.2. further states that “Retention and protection of large trees (as set forth in Chapter 7 of the UDO)...shall be required for all development”
 - a. The site contained a significant – and undetermined – number of large trees that were removed in conflict with this requirement.
 - b. The site for Major Subdivision application SD-2026-0834 contains large trees, and has not performed – nor does it intend to perform – a comprehensive tree survey. It also does not preserve these trees are required, and further explicitly intends to violate this requirement by removing them.
- 5. UDO 4.3.2L.2. further states that “All canopy trees...greater than 24 inches (diameter) shall be incorporated into the site plan...”

- a. The site contained a significant – and undetermined – number of trees greater than 24” DBH that were removed in conflict with this requirement.
 - b. The site for Major Subdivision application SD-2026-0834 contains trees with 24” DBH, and has not performed – nor does it intend to perform – a comprehensive tree survey. It also does not preserve these trees are required, and further explicitly intends to violate this requirement by removing them.
6. UDO 7.1.2 “Tree Protection on Private Property” states, “The preservation of existing trees or shrubs to satisfy the landscaping requirements of this chapter is expected. New development, through the protection of trees and existing vegetation, should be creative in design and placement of buildings, structures, parking, and other impervious surfaces as to preserve natural features and to complement the existing topography when practical.”
 - a. Negligible existing vegetation has been retained so far, and no existing trees are planned for preservation in Major Subdivision application SD-2026-0834.
 - b. No attempt or intent to creatively design or place buildings, structures, parking, or other impervious surfaces like driveways around natural features.
7. It is public record that the County received a formal complaint detailing all of these violations on August 19, 2024. This was prior to any tree removal or moving of dirt at the site. The developers had full access to this complaint and intentionally – and irreparably – violated these requirements, and the County made insufficient effort to enforce these requirements despite written acknowledgement of the complaint.
8. The applicant did not and has not sought or been granted a variance.

VII. Wireless Communications Tower

Issue: A wireless communications tower on the site has specific requirements that the proposed development does not implement related to the terms of its permit approval and mandatory fall zone offsets.

Attachments and References:

1. UDO Complaint - SD-2023-1869 Barberville Commercial - August 2024
2. Cell tower lease (Deed Book 5574 Pages 88-96)

Statements of Facts:

1. There is a 154’ tall cell tower on parcel 0006-00-057.00
2. UDO 5.11.5B. states that towers over 60’ tall in GB zone “shall be camouflaged to reflect the character of its environs...”, and UDO 5.11.5K.1. states that the “site

location and development shall preserve the pre-existing character of the site as much as possible. Existing vegetation should be preserved or improved, and disturbance of the existing topography of the site should be minimized, unless such disturbance would result in less visual impact of the site on the surrounding area”.

- a. When built, the cell tower was nearly fully concealed from surrounding residential properties by mature trees.
 - b. At the time of Major Subdivision application SD-2026-0834, the cell tower is partially obscured for surrounding residential properties by remaining mature trees.
 - c. Major Subdivision application SD-2026-0834 does not preserve these mature trees.
 - d. The applicant is in violation of both UDO requirements as a result of current land altering activities.
 - e. Removal of any remaining mature trees on the site will cause the cell tower to no longer be camouflaged at all to reflect the character of its environs.
 - f. Major Subdivision application SD-2026-0834, through removal of any remaining mature trees, does not preserve the pre-existing character of the site.
3. UDO 5.11.5E. states “The minimum tower setback from any property line shall be: [5.11.5E.1.] Equal to the height of the tower...”. The same requirement existed at the time of the cell tower construction in UDO 4.1.26E.2. (UDO Rev. 1998).
 - a. Major Subdivision application SD-2026-0834 creates property lines for proposed parcels 5, 6, and Common Area that are within the fall zone height of the cell tower.
 - b. The application has not and does not propose removal of the cell tower.
 - c. The applicant has not sought or been granted a variance.
4. UDO 5.11.5N. states that property on which a cell tower is constructed shall be “...leased or owned or benefitted by an easement by the applicant or for which a contingent lease or purchase contract is in place. The amount of land either purchased or leased or benefitted by an easement shall be equal to the amount of land necessary to meet the Fall Zone area.” The same requirement existed at the time of the cell tower construction in UDO 4.1.26E.2. (UDO Rev. 1998).
 - a. The cell tower as owned and leased according to Deed Book 5574 Page 88, is provided an easement of 10,000 square feet per Plat Book 2002, Page 608.
 - b. The minimum Fall Zone area for a 154’ cell tower is mathematically at least 74,506 square feet.

- c. The property owner is currently in violation, and Major Subdivision application SD-2026-0834 cannot be considered until such easement is recorded.
- d. The applicant has not sought or been granted a variance.

VIII. Melanie Drive – Design Compliance

Issue: Melanie Drive, as proposed, does not adhere to the private road design standards required.

Attachments and References:

- 1. SCDOT A.R.M.S. (incorporated by reference)

Statements of Facts:

- 1. UDO 6.18.1C.1. states that “All one access subdivisions shall adhere to the following requirements:...[6.18.1C.1.b.] Provision of emergency services (i.e.) intermediate turnarounds at least every 1,000 feet up to the point where an intersection is located, divided entrances, extra lanes, special points of access, a minimum turning radius of 60 feet, etc.
 - a. Major Subdivision application SD-2026-0834 is a proposed one-access subdivision.
 - b. Melanie Drive does not propose a divided entry.
- 2. UDO 6.3 states that for “All development which does not qualify as a Minor Subdivision...The developer shall be responsible for the installation and construction of required improvements according to the provisions of this ordinance and the South Carolina Department of Transportation (SCDOT) Access and Roadside Management Standards (ARMS) manual...”
 - a. Major Subdivision application SD-2026-0834 does not qualify as a Minor Subdivision.
 - b. Per USDOT ARMS manual Table 3-3: Driveway Classification, Melanie Drive is “High Volume”, and per Table 3-4: Driveway Widths and Radii, the minimum driveway width for High Volume classification is 40 feet.
 - c. Melanie Drive is proposed to be 24 feet wide, and therefore is not in accordance with the ARMS, or the UDO.

3. UDO 6.18.1H.6. states that “Commercial private drive[s] must comply with private road standards”, and UDO 4.3.2G.5.b. states that “private and public roads are as defined in Chapter 6 and Chapter 10 of the UDO”.
 - a. UDO 6.14.1C. is one of the Road Design standards in Chapter 6 of the UDO.
 - b. UDO 6.14.1C. defines the minimum centerline distance for any road as 150’.
 - c. The centerline radius for the curve in Melanie Drive is 50’, which is less than allowed for a private road in the UDO.
4. UDO 6.18.1C.3. states that the Planning Department may ask for a traffic statement for any development that “could have a negative impact on road systems of the surrounding area”.
 - a. No traffic statement has been provided in accordance with this provision.
5. The applicant has not sought or been granted a variance.

IX. Traffic Impact Analysis and Unsafe Design

Issue: No valid and current Traffic Impact Analysis exists for the proposed subdivision.

Attachments and References:

1. Traffic Impact Study – Ramey Kemp Associates #23126 (incorporated by reference)

Statements of Facts:

1. UDO 6.8 states that “a Traffic Impact Analysis will be required for any land use plan amendment, amendment to the zoning map, subdivision, special exception permit, rezoning or site plan...”
 - a. Major Subdivision application SD-2026-0834 is a subdivision
2. A TIA was conducted for a prior Major Subdivision SD-2023-1869 in June 2023
 - a. This TIA was for an ostensibly different subdivision application.
 - b. UDO 6.8.2D. states that a TIA “shall identify the horizon year(s) that were analyzed in the study” and “the impact of development shall be analyzed for the year after the development is expected to be at full occupancy.”
 - c. This TIA included horizon years only until 2026.
 - d. The development, if approved, would not be at full occupancy for at least several years.
3. No new TIA has been conducted or submitted.
 - a. Indian Land, SC is a rapidly growing area, and assumptions from 2023 are not applicable today. An entirely new impact analysis is necessary.

X. Parcel 1 – Uses and Setbacks

Issue: As the proposed Major Subdivision administratively must include Parcel 1 at this time, we must review noncompliance in its minor subdivision application and site plan. The use applied for does not match the intended and publicly advertised use, which would require more stringent requirements.

Attachments and References:

1. 9901-Barberville-Retail-Leasing-Brochure-Online.pdf
2. October 13, 2025 email confirming no mixed uses allowed

Statements of Facts:

1. The applicant applied for the Minor Subdivision as shown in Plat Book 2024 Page 231, with a designated use of Children’s Day Care Center.
 - a. The day care will not lease all space in the building on Parcel 1, based on the developer’s own advertisements.
 - b. The developer seeks to lease the remaining space as retail or commercial.
 - c. Multiple use types, where one is not accessory to the other, on the same lot is horizontal mixed use.
 - d. Mixed uses are not permitted in NB or GB zoning.
2. UDO 5.5.4A. states that the minimum required setback for general commercial use adjacent to Medium Density Residential zoning is 50ft setback from side and rear property lines.
 - a. Retail is a general commercial use per UDO 2.5.3.
 - b. Parcel 1 is adjacent to MDR zoning.
3. UDO 5.5.4A. states that the minimum buffer yard for general commercial use is “Type C where parking areas, dumpsters, loading docks, or other utility structures are visible from adjacent properties.”
 - a. Parking and utility equipment will be visible from adjacent residential properties.
 - b. Neither the Minor Subdivision nor this application include Type C buffer.

XI. Parcel 1 – Playground Setback

Issue: As the proposed Major Subdivision administratively must include Parcel 1 at this time, we must review noncompliance in its site plan. The playground planned on Parcel 1 is an accessory structure that is not set back far enough.

Attachments and References:

1. International Building Code – Revision August 2025 (incorporated by reference)

Statements of Facts:

The proposed intent for development in parcel 0006-00-058.00 is to build a day care. As neighbors, we do not take issue with this use of the land, but rather are concerned with the way in which the developer has proposed to position it aggressively close to existing homes despite having ample space. One issue in particular is the location of the proposed outdoor play area. Child day cares are actually required to have an outdoor play area (UDO §5.7.2C.1.). However, the current proposal puts it too close to the principal building, too close to the parking lot, and too close to neighboring Oliver Terrace right-of-way.

First, the outdoor play area for the proposed development meets the definition of an accessory structure to the principal building in the UDO, by meeting the following tests:

- It is a structure because it is a “manmade object above ground” (UDO §10.4 “Structure”). Consistently throughout the UDO, playground equipment and play structures are referred to as “structures” (e.g., UDO §4.4.1F.1.).
- It is an accessory structure because it is a structure “on the same lot” as the principal structure (UDO §10.2) and incidental to use of the principal structure (UDO §10.4 “Accessory Structure”).
- No exceptions to these requirements apply (UDO §1.4.7D.6.), because:
 - Children’s Play Structures require a permit by default according to the International Building Code (IBC) because:
 - A permit is required to construct any structure if installation is regulated by that code (IBC §105.1);
 - Child play structures are regulated by the IBC, as they are defined in the code as are a Group E type occupancy because they are a structure or portion thereof where more than 5 children receive supervision (IBC §305.2); and
 - Child play structures are regulated by the IBC, as certain exceptions are explicitly identified. However, they are only exempt from permit requirements when they are accessory to a detached one- or two-family dwelling (IBC §105.2), and a commercial day care is not a family dwelling.

- And/or if there is the intention to install more than 2 small child play structures, as currently exist in other operational locations for this franchise, this development separately and explicitly does not have an exception to these requirements.

Because it is an accessory structure, it must be set back 30' (rear) or 40' (side) from the building (UDO §2.4). Additionally, since it is greater than 600sqft, it must also comply with all other setback requirements of the principal structure (UDO §2.4).

The play area is proposed too close to the day care parking lot. There is an 8' landscaped strip required around all parking areas (UDO §4.3.2J.6.), and parking lots containing more than 10 spaces shall have a perimeter screen with a minimum of 10' (UDO §7.1.4C.4.). The parking lot and play area as drawn are too close, and the parking lot may not be feasible at all if these (and above) requirements are enforced.

Finally, as an accessory structure, the play area is not permitted to be closer than 30' to any right-of-way (UDO §1.4.7B.). The current proposal has it planned approximately 20' from the Oliver Terrace cul-de-sac right-of-way.

XII. UDO Purpose and Intent

Issue:

Attachments and References:

Statements of Facts:

1. UDO 1.1.4 Purpose and Intent reads, in part, as follows: "The regulations contained in the UDO have been adopted in accordance with the Comprehensive Plan for Lancaster County, South Carolina, as adopted, in order to:

...Provide sustainable, well-managed growth that maintains quality of life, protects open space and environmental quality, retains the natural character of the region...

...Promote a safe and healthy environment with good air and water quality.

...Encourage community and stakeholder collaboration in development decisions, which are predictable, fair, and cost effective.

...Preserve open space, farmland, natural beauty, and critical environmental areas.

...Foster distinctive, attractive communities with a strong sense of place."

- a. Removing trees in violation of the UDO, creating dangerous traffic conditions, filling intermittent streams, and other current or proposed actions by the developer are not sustainable, reduce the quality of life, destroy environmental quality, and erase the natural character of the area.
 - b. Replacing open vegetated land with excessively compact development adjacent to established residential neighborhoods does not protect or preserve open space, natural beauty, or critical environmental areas.
 - c. Removal of trees in violation of the UDO, failure to control dust, failure to contain and dispose of Styrofoam particulate pollution, failure to control mud released into intermittent streams, complete removal of natural barriers to noise and light pollution, and unnecessarily dense contribution of additional traffic do not promote a safe and healthy environment, or good air and water quality.
 - d. Failure of the developer to meet with neighboring residents, even at the request of the Planning Commission does not encourage community and stakeholder collaboration.
 - e. Unnecessarily dense development encroaching on established residential neighborhoods does not foster attractive communities or a strong sense of place.
2. UDO 1.1.6A. states that “No land or structure shall be used or occupied, and no structure or parts shall be constructed, erected, altered, or moved, unless in conformity with **all** of the regulations herein specified for the zoning district in which it is located and all other applicable local, state, and federal laws. Every building erected, moved, or structurally altered shall be located on a lot conforming to the requirements of the district.”
- a. Major Subdivision application SD-2026-0834 does not conform with all of the UDO regulations.
 - b. Lots in the application do not all conform with the UDO requirements for the district in which it is located.
 - c. Parcel 1, excluded from Major Subdivision application SD-2026-0834 but still part of the resulting subdivision, does not conform with the UDO requirements for the district in which it is located.
3. UDO 1.1.6B. states that “From and after the adoption of the UDO, no real property lying within the unincorporated areas of Lancaster County shall be subdivided except in conformance with all applicable provisions of the UDO. In addition, after the effective date of the UDO, no plat for subdivision of land within the unincorporated areas of Lancaster County shall be certified for recording by the

Administrator until it has been submitted and approved in accordance with the provisions of the UDO.”

- a. The parcels in Major Subdivision application SD-2026-0834, and Parcel 1 of the same resulting subdivision, were not subdivided prior to adoption of the current UDO.
- b. Per the County’s own opinion, and subsequent revocation of building permits, Parcel 1 was not subdivided in conformance with all provisions of the UDO.
- c. Without containing the required “exempt” certification, the recombination plat for Parcel 1 was not submitted and approved in accordance with the provisions of the UDO.

NAME: MARTIN SR. AND ASSOCIATES LLC
ADDRESS: 13701 IMPERIAL OAK LANE,
CHARLOTTE NC 28273

9901 BARBERVILLE ROAD
INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S.C.
DEED REFERENCE: 1529-36
TAX PARCEL NO: 0006-00-058.00

TOTAL AREA: 232,992 SQ. FT. OR 5.3488 ACRES

[illegible]

**SUBJECT PROPERTY ZONED: NB (NEIGHBORHOOD BUSINESS DISTRICT)
ZONING RESTRICTIONS AS PER ZONING ORDINANCE**

FRONT SETBACK: 25'
SIDE SETBACK: 10'
REAR SETBACK: 10'

FOR FURTHER INFORMATION CONTACT THE
LANCASTER COUNTY PLANNING DEPARTMENT AT
803-285-6005.

NOTE: NO ZONING REPORT OR ZONING VERIFICATION LETTER WAS PROVIDED TO THE SURVEYOR OR OWNER/DEVELOPER TO VERIFY ZONING REQUIREMENTS.

BARBERVILLE DEVELOPERS, LLC
PO BOX 1714E BC 201

0006-00-057.00

LINE	BEARING	DISTANCE
L1	N85°28'52"W	19.46'
L2	N68°27'00"W	21.64'
L3	N48°55'09"W	50.00'
L4	S68°27'00"E	21.64'
L5	S85°28'52"E	50.93'
L6	S06°57'28"W	25.00'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	125.00	37.16	N76°57.56'W	37.02	17°01.53'
C2	125.00	31.75	N75°44.46'W	31.53	14°35.32'
C3	25.00	24.36	S68°01.10'W	23.45	55°52.38'
C4	75.00	73.14	N69°01.10'E	70.28	55°52.38'
C5	175.00	44.57	N55°44.46'E	44.45	14°35.32'
C6	75.00	22.29	S76°57.56'E	22.21	17°01.53'
C7	75.00	280.29	N65°58.50'W	143.40	21°401.22'

[illegible]

D.B. 708, PG. 105, DB 609 PG 345, D.B. 609, PG. 348

SCDOT PROJECT NO. SA29(007)

BONTERRA BUILDERS, LLC
DB 804 DC 059

PARCEL ID:
M.B. 2015, PG. 23
0006-00-053.03

PARCEL 3
86,482 SQ. FT.
OR 1.9854 ACRES

PARCEL 2
74,187 SQ. FT.
OR 1.7031 ACRES

M.B. 2019, PG. 377
 MONTERA BUILDERS, LLC
 D.B. 894, PG. 258
 PARCEL ID:
 0006-00-053.03

M.B. 2019, PG. 210
 ONTERRA BUILDERS, LLC
 D.B. 894, PG. 258
 PARCEL ID:
 0006-00-053.03

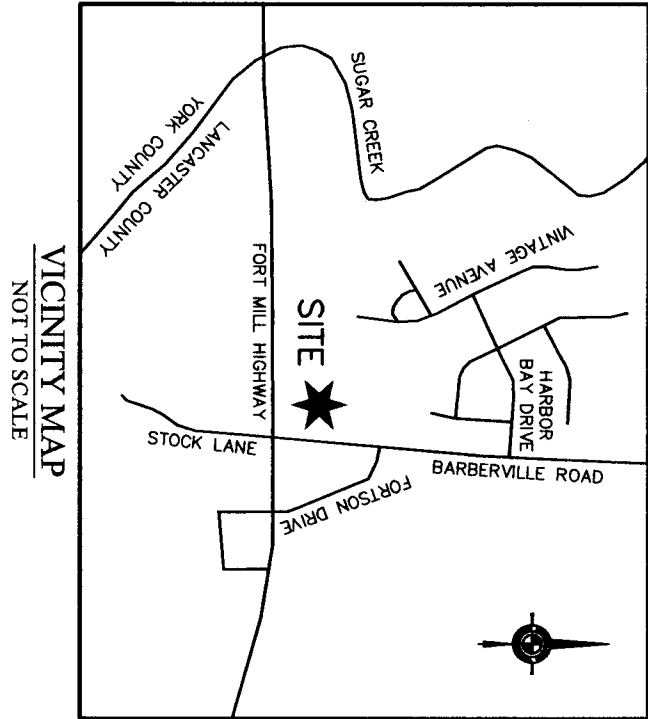
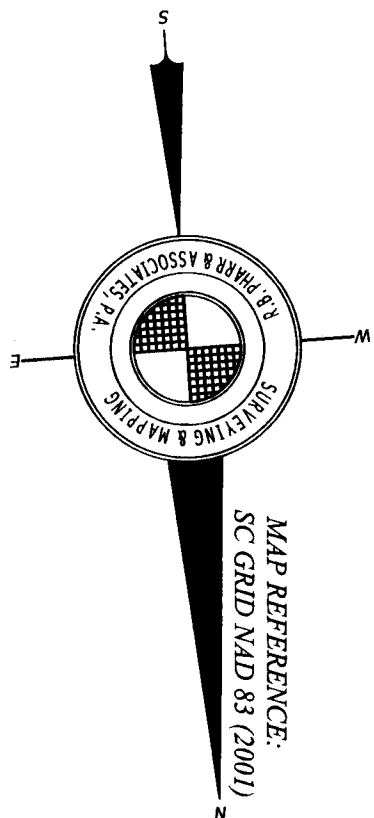
30 PUBLIC R/W
(PRIVATELY MAINTAINED)
(M.B. 2019, PG. 210)

M.B. 2019, PG. 21
ADAM EDWARD &
ANN MARIE GEBEL
D.B. 1304, PG. 32
PARCEL ID:
0006J-0B-108.00

M.B. 2019, PG. 21
CONTERA BUILDERS,
D.B. 894, PG. 258
PARCEL ID:
0006-00-053.03

BARBERVILLE ROAD (S24)

VARIABLE WIDTH PUBLIC R/W
(SC DOT FILE NO. 29.031125A)
(D.B. 593, PG. 318)



2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.

5. ALL CORNERS ARE NEW 1/2" IRON ROD UNLESS OTHERWISE SHOWN HEREON.

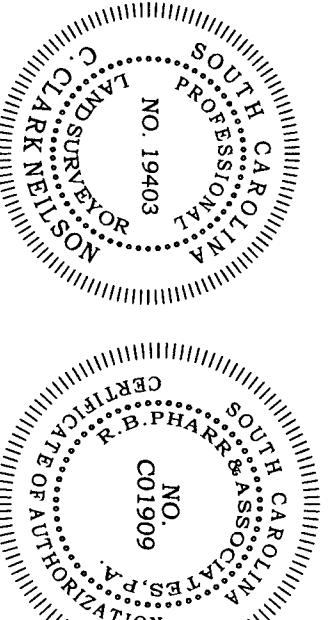
PARCELS, CREATE MELANIE LANE AND EASEMENT AS SHOWN HEREON.

I HEREBY CONSENT TO THE SUBDIVISION AND EASEMENTS AS SHOWN HEREON.

DATE	PRINTED OWNER NAME	SIGNATURE

2024006707
PLAT ANY SIZE
RECORDING FEES \$25.00
PRESENTED & RECORDED
06-06-2024 02:37:39 PM

BK: PLAT 2024
PG: 231



THE UNDERSIGNED, ACTUALLY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER AN ORDER OF THE SUPERVISOR FROM AN ACTUAL SURVEY MADE UNDER AN SUPERVISOR, UNDER BOOK 1559-196, THAT THE BOUNDARIES NOW SURVEYED ARE CLEARLY INDICATED AS DAIRY FENCE INFORMATION AS REFERENCED ON THE FACE OF THIS PLAT. THAT THE RATIO OF PRECISION AS CALCULATED EXCEPTS IS 1:10,000 LINEAR FEET. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 7-130 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 31TH DAY OF MAY, A.D. 2024.

PARCELS OF LAND.

A. Clark Nelson

DATE *June 6, 2024*

C. CLARK NELSON
P.L.S. 1-5172
NELSON@BPHARR.COM

MAP NUMBER: 45057C0020E, ZONE "X"

R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING
LICENSEE NO: 001909
969 E. 7TH ST., #100 CHARLOTTE, N.C. 28204 TEL. (704) 376-2186

SCALE: 1" = 40'	DATE: MAY 31 2024	JOB NO. 06037
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CREW: DRAWN: REVISED:

G:\95\8\95827\DWG\95827.DWG

RECOMBINATION PLAT
BARBERVILLE COMMERCIAL



MAP REFERENCE:
SC GRID NAD 83 (2001)

MAP REFERENCE:
SC GRID N4D 83 (2001)

VICINITY MAP
NOT TO SCALE

STOCK LANE

FORT HILL HIGHWAY

LAKECREEK COUNTRY

YORK COUNTRY

SLUICK CREEK

WATKINS AVENUE

LAKECREEK BLVD DRIVE

BARBERSVILLE ROAD

PORTSMOUTH DRIVE

SITE

North arrow pointing up.

PARCEL 2
181,356 SQ. FT.
OR 4.1634 ACRES

D.B. 1529, PG. 36
PARCEL 3
M.B. 2025, PG. 18
PARCEL ID: 0006-00-058.03
(ZONED-NB)

—M.B. 2019, PG. 577
BONTERRA BUILDERS, LLC
D.B. 894, PG. 258

006--00--053.C
(ZONED-MDR)006--00--053.C
(ZONED-MDR)

BARBERVILLE DEVELOPERS, LLC
D.B. 1715, PG. 201
PARCEL ID: 0006-00-057.00
(ZONED GB)

10' REAR YARD S

O BE ABANDON

ANN MARIE GEBEL
D.B. 1304, Pg. 329
PARCEL ID:
00061-08-108.00
(ZONED-MDR)

(217.01') APPROXIMATE RISE

BRILL

LE WIDTH PUBLIC

▲ NGC MONUMENT "SCOTT'S"

APPROXIMATE RIGHT-OF-WAY

.....

R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING
LICENSE NO: C01909
969 E. 7TH ST. #100 CHARLOTTE N.C. 28204 TEL: (704) 376-2186

CREW:	DRAWN:	REVISED:
RBP	KAP	

FILED: 3/26/2021
G:\97\1\97128\DMG\97128A MINOR.DWG



[Redacted]

Barberville update

April M. Williams <amwilliams@lanastercountysc.gov>

Tue, Feb 24, 2026 at 10:12 AM

To: G L [Redacted]

Cc: Steve Willis <swillis@lanastercountysc.gov>, Jose Luis <jluis@lanastercountysc.gov>

Good morning,

I wanted to give you a quick update on the Barberville project and would respectfully ask that you forward to others in your neighborhood. I do not have a mailing list for the group, but you can tell everyone else they are more than welcome to send over their contact information, so I don't have to burden you with sending out to others. In this instance, though, I would appreciate your help in doing so. ●

A Notice of Intent to Revoke letter was sent out yesterday to the developers. Pursuant to the UDO Section 9.4.8.H. This section sets forth the process for revoking permits and the notice of Intent is the first step. There will be a hearing held, also pursuant to that section. That decision is appealable to the BZA.

In the meantime, we are working to create a path going forward and will be meeting with the developers to give them options going forward. While not a perfect situation for anyone, we are working to find a solution that hopefully meets everyone's needs. We have been in contact with the landscape architect, and he will be out looking at the site for a couple of things that we have requested. The primary task will be looking at the buffer and potential landscape additions to the neighborhood parcels.

Please note that the notice of intent is not a stop work order and work will continue until we get to the hearing and a decision is made at that time. We will keep you posted on the next steps and will be happy to answer any questions that you may have.

Thank you so much for your help and understanding during this time. As always, please do not hesitate to reach out if you have any questions. I will get back to you as quickly as I can.

Thank you,

April



April Williams, Planning Director
Planning

Lancaster County Government
P.O. Box 1809
Lancaster, SC 29720

P:(803) 285-6005
amwilliams@lancastercountysc.gov

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2024004480

DEED NO CHARGE

RECORDING FEES

\$0.00

PRESENTED & RECORDED:

04-19-2024 09:32:56 AM

BRITTANY GRANT

REGISTER OF DEEDS

LANCASTER COUNTY, SC

BY: TERRY PARKMAN

BK: DEED 1779

PG: 169 - 170

_____(space above this line is for recording use)_____

CERTIFICATE

LANCASTER COUNTY PLANNING COMMISSION

NEW ROAD NAME

Pursuant to the authority conferred upon the Lancaster County Planning Commission by the Unified Development Ordinance of Lancaster County and by Section 6-29-1200 of the Code of Laws of the South Carolina 1976, as amended, the Lancaster County Planning Commission has approved the name of a previously unnamed private drive as Melanie Drive.

Applicant Name: Jan Ringeling and Reginald Marsh

Road Location: LOCATED OFF BARBERVILLE ROAD NORTH OF FORT MILL HIGHWAY

Parcels accessing from road: 0006-00-057.00 & 0006-00-058.00

Legal Description: PRIVATE DRIVEWAY IN UNINCORPORATED LANCASTER COUNTY

Public Meeting Date: APRIL 16, 2024

Approval Date: APRIL 16, 2024

This certificate is to certify that the Lancaster County Planning Commission has approved the name of the formerly unnamed private road, and that MELANIE DRIVE is now the legal name of the road.

LANCASTER COUNTY PLANNING COMMISSION

BY:

Charles Deese-Chair

WITNESSES:

2.

1.

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

PERSONALLY appeared before me the undersigned witness and made oath that (s) he saw the within named Lancaster County Planning Commission, by its duly authorized officer(s) sign, seal and as its act and deed deliver the within written instrument and that (s) he with the other witness above subscribed, witnessed the execution thereof.

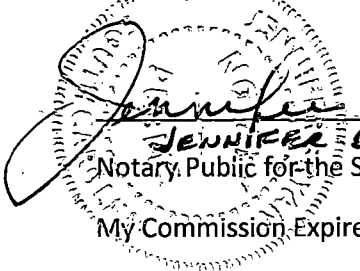
Matthew Blazek

First Witness Signs Here

Seal

Sworn to before me this

16th Day of APRIL, 2024

A circular notary seal for Jennifer Bryan, Notary Public for the State of South Carolina. The seal features her signature 'Jennifer Bryan' in a cursive script over the words 'JENNIFER BRYAN' in a bold, sans-serif font. The outer ring of the seal contains the text 'NOTARY PUBLIC STATE OF SOUTH CAROLINA'.

JENNIFER BRYAN
Notary Public for the State of South Carolina
My Commission Expires: 04/13/2031

MEMORANDUM

TO: Ginny Merck- Dupont, Lancaster County Attorney
April Willaims, Lancaster County Planning Director

FROM: John K. DuBose, III, Smith Robinson Law Firm

RE: Subdivision project classification
Barberville Commercial, 9901 Barberville Road

DATE: September 20, 2025

ISSUE

Lancaster County has requested an independent review and opinion regarding the appropriate classification of the Barberville Commercial project as either a Minor Subdivision or Major Subdivision project, pursuant to the terms of the Lancaster County Unified Development Ordinance (“UDO”).

I have been provided a preliminary draft subdivision plat dated May 31, 2024, prepared by C. Clark Nelson P.L.S. L3212, of R.B Pharr & Associates, P.A, and labelled “Minor Subdivision Plat, Barberville Commercial” (“Plat”) for review.

APPLICABLE LAW

There are no statutory construction issues to analyze. UDO Section 9, Administration, 9.2 Review Procedures, applies criteria to classify projects as a “Major Subdivisions” or as a “Minor Subdivisions” by using the definition of those terms contained in UDO Section, 10 Definitions.

With no internal conflicts in the UDO or statutory construction issues to address, the classification analysis for the plat as either a “Major Subdivision” or as a “Minor Subdivision” entails a review UDO Section 10, Definitions, and UDO Section 9, Administration, 9.2 Review Procedures.

UDO Section 10, Definitions

Section 10.2 Rules of Construction, Definitions, recites:

For the purpose of interpreting this ordinance, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this ordinance shall have their everyday meaning as determined by their dictionary definition.

There are no conflicting provisions in the UDO for the term “street.”

State jurisprudence states that the primary rules in statutory construction is to give effect to the intent of the legislature. *Mid-State*

The definitions for Minor Subdivision and Major Subdivision are found in UDO Section 10.4 Definitions, Generally. The terms Minor Subdivision and Major Subdivision are defined as:

Subdivision, Major

Subdivisions that include new streets, extension of streets, requests for variances, dedication of public utilities or streets, include 11 or more acres or subdivide land into 6 or more lots, and result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

Subdivision, Minor

Subdivisions that do not include new streets, extension of streets (except for improving or widening existing streets), requests for variances (except those for curb and gutter requirements), dedication of public utilities or streets, include 10 or fewer acres or subdivide land into 5 or more lots, and do not result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

UDO Section 9, Administration

The UDO Section 10 definition of Minor Subdivision is accurately included in the Review Procedures in UDO Section 9, Administration. The review factors used to classify subdivision development projects are found in UDO Section 9.2, Review Procedures, 9.2.10, Subdivisions. The classification rule is:

A. Subdivision (Minor and Recombination)

- 1. Applicability: The Minor Subdivision review process is allowed for any recombination of land and for those divisions of land which:*
 - 1. Do not require dedication of public utilities or public streets, and*
 - 2. Include 10 or fewer acres or subdivide land into 5 or of fewer lots, and*
 - 3. Do not result in an increase in the number of lots/parcels included in a subdivision previously approved by Lancaster County, and*
 - 4. Do not involve any other conditions that require additional approval(s) from any County board or commission, as determined by the Administrator or TRC.*

Any division of land which does not meet all of the above criteria shall be required to use the Major Subdivision process, except that multi-family buildings which units are under separate individual ownership including, but not limited to, townhome and condominium development, shall also submit minor subdivision plats after the common walls of the building are established.

A subdivision is a “Minor Subdivision” if it meets the criteria in UDO Section 9.2.10(A)(1), it is a “Major Subdivision” if it does not meet the criteria.

ANALYSIS

Analysis and review of the Plat using the definitions of Major Subdivision and Minor Subdivision in UDO Section 10 and the criteria in UDO Section 9.2.10 results in the following conclusions:

- 1) No new street is being created.
 - a. The Plat proposes the creation of Melanie Lane, a private 50’ right of way. (emphasis added).
 - b. The UDO rules of construction refer to using the ordinary dictionary definition of terms. A “street” is not defined in the UDO, but its dictionary definition is most often “a public road in a city or town” or “the roads or public areas of a city or town.” (emphasis added). The public nature of the road and possession by a city or town (see. “*of a*”) is critical.
 - c. There is also a statutory definition of “street” at S.C. Code § 56-5-403 where “street” is defined as “ the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic is a ‘street’ or ‘highway’” (emphasis added). The definition of “street” adopted by the State of South Carolina is consistent with the ordinary dictionary meaning.
 - d. Melanie Lane is denominated as, a private 50’ right of way, and will not be publicly maintained, so it is not a “street.”
- 2) There is no extension of a street.
 - a. See above.
- 3) There appears to be no request for variance associated with the subdivision proposal.
- 4) There is no dedication of public streets or utilities.
 - a. “Streets” – See above.
 - i. The plat contains a proposed emergency vehicle access easement area, but that easement area is not a “street.”
 - b. “Utilities”
 - i. The decisional criterion in UDO Section 9.2.10 is that the plat “does not require dedication of public utilities or public streets” (emphasis added). In review of the project an important point of analysis is that Lancaster County does not require that subdivision projects connect to public water and sewer services with LCWSD.
 - ii. I understand that the proposed project is eligible for water and sanitary sewer utilities with the Lancaster County Water and

Sewer District (“LCWSD”) acting as a water and sewer utility provider, but the property is not required to utilize LCWSD.

- iii. LCWSD is a special purpose district created by Act 455 of 1959 and is a “public utility” as that term is defined in S. C. Code § 58-5-10.
 - iv. LCWSD requires that developers dedicate any installed on-site water and sewer infrastructure and appurtenant easements to LCWSD.
 - v. If sewer services through LCWSD is ultimately utilized for the project, there would be a “dedication of public utilities,” but that information cannot be gleaned at the plat submission and approval stage of the development process.
 - 1. It is my opinion that, if the developer submits permits for a project that requires sewer or includes public water or sewer in a later permit submission that project could be required to resubmit as a “Major Subdivision”
 - c. Development projects are not required to dedicate public utilities merely by virtue of plat approvals and during the subdivision plat review approval process there is no requirement that a subdivider inform the County of their ultimate intent for the subdivided lots.
 - i. The UDO does not require that commercial or residential projects be served by sewer if sewer is available.
 - ii. If a well system and septic system can be adequately designed to serve a commercial or residential development project, a developer may utilize wells systems for water and septic systems for wastewater, even in locations where public water and sewer are available.
 - d. There is no requirement that subdivision project utilize water and sewer utilities through LCWSD where available, there is not a clear “requirement” that a dedication of a “public utility” will occur for the Barberville Commercial project, or any other hypothetical project.
 - e. Inasmuch as the plat submission and recording process does not “require” dedication of a public utility, that factor has not been triggered.
- 5) The Plat does not include 11 or more acres.
 - a. The Plat recites a proposed subdivision of 5.3488 acres
 - 6) The Plat does not subdivide into 6 or more lots.
 - a. Three parcels are proposed.
 - 7) Based on the information provided to me, the Plat does not result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County. I understand that the parent parcel has not been subdivided during the preceding sixty (60) years.

- 8) The Plat does involve any other conditions that require additional approval(s) from any County board or commission, as determined by the Administrator or TRC.
 - a. It is my opinion the capitalization of “County” indicates the proper noun “County,” which means Lancaster County, a political subdivision of the State of Carolina.
 - b. To my knowledge there were no additional approvals required from the County boards or County commissions for the Plat submission and approval.

As discussed above, at the plat review and approval stage, there is not a dispositive “required” dedication of a public utilities that would result in the “Barberville Commercial” project being categorized as a Major Subdivision.

Subdivision projects are allowed to utilize well and septic if the project can adequately design those systems to serve the use of the subdivided parcel. The Plat does not clearly “require” dedication of public utilities, so it is not disqualified as a Minor Subdivision.

Whether the developer can utilize the subdivided parcels for its ultimate intended purpose remains to be seen. In submitting the Plat as a Minor Subdivision plat, the developer represented that there will not be a required dedication of a public utility.

If the development project ultimately requires dedication of public utilities, I believe staff can then bar the project from proceeding as an extension of the Minor Subdivision Plat approval, as the project would no longer qualify as a Minor Subdivision. The developer could then choose to proceed with a different project that will utilize a well for water and a septic system, or the developer could re-submit the project as a Major Subdivision for proposed land uses that will require utilizing LCWSD utilities.

CONCLUSION

Based on the information provided to me by Lancaster County, and upon review of the applicable UDO Sections, it is my opinion that the Plat would be properly categorized as a Minor Subdivision because there is not a “required” dedication of public utilities.

It is my opinion that Lancaster County can bar a developer from utilizing a previously approved Minor Subdivision plat to develop property in a manner that is inconsistent with the UDO criteria of a Minor Subdivision.

The developer applied for a Minor Subdivision plat approval and, as such, represented that there would be no dedication of public utilities associated with the subdivision. If the subdivided parcels require dedication of a public utility, then the County could make the developer re-submit under a Major Subdivision review process.

In the alternative, the developer may elect to proceed with development of subdivided property with uses that do not require dedication of a public utility.



Concerns Regarding SD-2023-1869 Barberville Commercial - August 2024

G L <[REDACTED]>

Mon, Aug 19, 2024 at 8:12 AM

To: planning@lancastersc.net

Cc: ahardin@lancastersc.gov, amwilliams@lancastercountysc.gov, jluis@lancastercountysc.gov, SpencerCM@scdot.org

Dear Lancaster County Planning Department,

It is regrettable but necessary that I write to you today with urgent concerns about an ongoing application for commercial development in Lancaster County, SC at Barberville Road and S. C. Hwy 160 – specifically in tracts 0006-00-057.00 and 0006-00-058.00, and most recently appearing on the Lancaster County Planning Commission agenda under the title “SD-2023-1869 Barberville Commercial” ([see here](#)).

This project has been riddled with omissions, oversights, questionable procedural maneuvers, and conspicuous conflicts with regulatory code, which have disillusioned nearby residents of Lancaster County and eroded their trust in there being adequate oversight and enforcement.

The proposed development was unanimously denied at the 6/18/2024 Planning Commission meeting, yet returned immediately to the 7/16/2024 meeting with negligible alteration. Some of the minimal changes made were also withheld from the public *until literally at the meeting*. The commissioners were rightfully skeptical whether the application was complete, compliant, or even practical, but were pressured by the staff liaison to approve anyway, and voted to table the item until the 8/20/2024 meeting to gather more information. However, days before the vote, after receiving input for the SC Department of Transportation, the Planning Department offered the developer a purely administrative option that circumvented the due process apparatuses of public comment and Planning Commission approval. Namely, they decided to allow the developer’s Major Subdivision project (subject to additional rigor) to instead split into two separate Minor Subdivisions (completely veiled from the public).

Impacted neighbors and concerned residents are alarmed by what we perceive as administrative chicanery, especially given that Technical Review Committee (TRC) staff recommended the project for approval at the 7/16/2024 Planning Commission meeting **despite numerous apparent violations of Lancaster County’s Unified Development Ordinance (UDO)**, that even layperson residents were readily able to identify. Allowing the project(s) to proceed with such violations could have a significant and detrimental impact on us. It is the Planning Department’s duty to hold developers to the high standards established by Lancaster County in the UDO and the Lancaster 2040 Comprehensive Plan, and it is our intent to support and ensure they execute those duties to the fullest extent possible.

The purpose of this letter is to notify the Lancaster County Planning Department, including Development Services Director Allison Hardin and Planning Director April Williams, the Lancaster County Planning Commission, and our local elected and appointed officials of our objective grievances with this commercial development and how it has been handled. Herein, I will outline the following, including copious citations and an appendix of historical evidence:

1. **This Development Must Be UDO Compliant.** Based on the Major Subdivision Preliminary Plat that TRC staff recommended for approval, I will first detail a selection of conflicts with UDO code that were overlooked or ignored. The residents of Lancaster County expect that issues we've included below – and all others not included – will be sufficiently rectified and in compliance prior to any development that receives approval.
2. **This Development Should Use the Major Subdivision Process.** Per UDO §9.2.10A.1., neither of the aforementioned parcels included in the Barberville Commercial development project appear to qualify for the Minor Subdivision review process and therefore “shall be required to use the Major Subdivision process”.

We appreciate your time and consideration helping to address the concerns we're bringing forward. This is a matter of great importance to us, not just as neighbors adjacent to the development, but as members of the Indian Land community who want to cooperatively ensure consistent and sustainable growth that allows both business interests and resident needs to thrive harmoniously.

Please see the following enclosures for additional detail:

Attachment I. UDO Conflicts in SD-2023-1869 Barberville Commercial
Attachment II. Prior Subdivision History
Attachment III. Deed and Plat History References

Sincerely,

Geoff Larson
Resident, Overlook at Barber Rock
Indian Land Township, Lancaster County, SC

4 attachments



Attachment I - UDO Conflicts.pdf

190K



Attachement II - Subdivisin History.pdf

154K



Concerns Regarding SD-2023-1869 Barberville Commercial - August 2024.pdf

130K



Attachment III - Deed and Plat Reference.pdf

1066K

LANCASTER COUNTY, SC
2026005834 AGREEMENT MORTGAGE
RECORDING FEES \$25.00
STATE TAX \$0.00
COUNTY TAX \$0.00
PRESENTED & RECORDED
04-27-2026 04:08:03 PM
BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER, COUNTY SC
By: DAVID HUGHES
BK:MORT 5574 PG:88-96

Parcel No.
0006-00-057.00

AFTER RECORDING, PLEASE RETURN TO:

K.S. Walker Law Group
Attn: Katharine S. Walker, Esq.
319 S. Sharon Amity Road, Suite 230
Charlotte, NC 28211

SUBORDINATION, NONDISTURBANCE AND ATTORNMENT AGREEMENT

This Subordination, Nondisturbance and Attornment Agreement (the "Agreement"), dated this
23rd day of April, 2026.

by and between

Global Signal Acquisitions LLC, a Delaware limited liability company, successor in interest to AT&T
Wireless PCS, LLC, a Delaware limited liability company, by and through its Member, AT&T Wireless
Services, Inc., d/b/a AT&T Wireless, with a notice address of Crown Castle USA Inc., General Counsel,
Attn: Legal - Real Estate Department, 2000 Corporate Drive, Canonsburg, Washington County,
Pennsylvania 15317 (hereinafter "**Tenant**");

and

Barberville Developers, LLC, a South Carolina limited liability company, whose address is 10700 Sikes
Place, Charlotte, North Carolina 27277 (hereinafter "**Fee Owner**");

and

Wireless Propco, LLC, a Delaware limited liability company, successor in interest to Barberville
Developers, LLC, a South Carolina limited liability company, successor in interest to Lewis J. Plyler and
Madreth C. Plyler, a married couple, whose address is 44 South Broadway, Suite 1202, White Plains, New
York 10601 (hereinafter "**Landlord**");

and

American Bank of the Carolinas, its successors and/or assigns, with a place of business located at 312 N.
Charlotte Avenue, P.O. Box 3159, Monroe, North Carolina 28112 (hereinafter "**Lender**").

RECITALS:

WHEREAS, Lewis J. Plyler and Madreth C. Plyler, as Landlord, and AT&T Wireless PCS, LLC, as
Tenant, entered into an Option and Lease Agreement dated October 14, 2002, as amended and assigned

(the "Lease") covering that certain real property located in Lancaster County, South Carolina, more fully described on **Exhibit A** attached hereto and made a part hereof (the "Premises"), a memorandum of which is recorded as Document No. 0200576 on 11/13/2002;

WHEREAS, Barberville Developers, LLC, a South Carolina limited liability company, Fee Owner, and Wireless Propco, LLC, a Delaware limited liability company, Landlord, entered into a Wireless Communication Easement and Assignment Agreement (the "Easement"), dated November 14, 2023, under and over the portion of the Premises described on **Exhibit A**, recorded on November 16, 2023, in Book 1729, Page 134, in Lancaster County, South Carolina;

WHEREAS, the property, a part of which property contains the Premises, is to be encumbered by a mortgage to secure a debt or similar security agreements, dated April 7, 2026 and recorded on April 8, 2026, in Book 5561, Page 171, in Lancaster County, South Carolina (the "Security Instrument") from Fee Owner in favor of Lender;

WHEREAS, the parties desire to establish certain rights, safeguards, obligations and priorities with regard to their respective interests by means of this Agreement and are willing to so agree on the terms and conditions hereafter provided.

NOW THEREFORE, in consideration of the mutual promises, covenants and agreements herein contained, the receipt and sufficiency of which are hereby acknowledged, and to induce Lender to execute the Security Instrument and for other good and valuable consideration, the parties, intending to be legally bound hereby, covenant and agree as follows:

1. **Subordination.** So long as this Agreement will remain in full force and effect, the Lease and Easement are and will be subject and subordinate in all respects to the Security Instrument insofar as it affects the real property of which the Premises forms a part (but not Tenant's, Landlord's, or other parties' trade fixtures and other personal property), to any and all advances to be made thereunder and to all renewals, extensions, modifications, consolidations and replacements thereof with the same force and effect as if the Security Instrument had been executed, delivered and duly recorded prior to the execution, delivery and recording of the Lease and Easement.

2. **Nondisturbance.** So long as the Lease and the Easement are in full force and effect, and Tenant is not in material default (beyond applicable notice and cure periods) of any of its terms, obligations, covenants or conditions under the Lease, and Landlord is not in material default (beyond applicable notice and cure periods) of any of its terms, obligations, covenants or conditions under the Easement, Lender agrees for itself and its successors in interest and for any other person acquiring title to the real property of which the Premises forms a part through a conveyance (an "Acquiring Party"), that the right of possession of the Premises and all other rights of Tenant under the Lease and Landlord under the Easement shall remain in full force and effect and shall not be affected or disturbed by Lender in the exercise of its rights under the Security Instrument during the term of the Lease and the Easement, as said term may be renewed or extended pursuant to the provisions of the Lease and the Easement or as said Premises may be expanded as specified in the Lease or in the Easement, by reason of a conveyance as defined herein. For purposes of this agreement, a conveyance shall include, but not be limited to, any exercise by Lender of its rights under

the Security Instrument, including a foreclosure, sheriff's or trustee's sale under the power of sale contained in the Security Instrument, the termination of any superior lease of the Premises and any other transfer, sale or conveyance of the Landlord's interest in the Premises under peril of foreclosure, including, without limitation to the generality of the foregoing, an assignment or sale in lieu of foreclosure. Lender or any Acquiring Party and Tenant agree that any conveyance shall be made subject to the Lease and the rights of Tenant under the Lease and the parties shall be bound to one another and have the same remedies against one another for any breach of the Lease as Tenant and Landlord had before conveyance; and Lender or any Acquiring Party and Landlord agree that any conveyance shall be made subject to the Easement and the rights of Landlord under the Easement and the parties shall be bound to one another and have the same remedies against one another for any breach of the Easement as Fee Owner and Landlord had before conveyance; provided however, that Lender or any Acquiring Party shall not be liable for any act or omission of any prior landlord. Lender will not join Landlord or Tenant as a party in any action or proceeding to foreclose unless such joinder is necessary to foreclose on the Security Instrument and then only for such purpose and not for the purpose of terminating the Lease or Easement.

3. Attornment. (i) the Lease, upon receipt by Tenant of notice to attorn from Lender or any Acquiring Party, along with reasonable supporting documentation, the parties agree to not seek to terminate the Lease, to remain bound under the Lease and Tenant agrees to attorn to, accept and recognize Lender or any Acquiring Party as the landlord under the Lease pursuant to the provisions expressly set forth therein for the then remaining balance of the term of the Lease and any extensions or expansions thereof as made pursuant to the Lease, subject to Tenant's express rights to terminate the Lease as provided therein. (ii) the Easement, upon receipt by Landlord of notice to attorn from Lender or any Acquiring Party, along with reasonable supporting documentation, the parties agree to not seek to terminate the Easement, to remain bound under the Easement and Landlord agrees to attorn to, accept and recognize Lender or any Acquiring Party as the Fee Owner under the Easement pursuant to the provisions expressly set forth therein for the then remaining balance of the term of the Easement and any extensions or expansions thereof as made pursuant to the Easement, subject to Landlord's express rights to terminate the Easement as provided therein. The parties agree, however, to execute and deliver, at any time and from time to time, upon the request of another party any reasonable instrument which may be necessary or appropriate to evidence such attornment. Tenant and Landlord shall be under no obligation to pay rent to Lender or any Acquiring Party until such notice and reasonable supporting documentation are received.

4. Limitation. This Agreement shall not apply to any equipment, trade fixtures or other personal property now or hereafter located on or affixed to the Premises or any portion thereof regardless of the manner in which same are attached or affixed to the Premises and Lender hereby expressly waives any interest in same, agrees that the same do not constitute realty and acknowledges that Tenant is authorized to remove said personal property.

5. Binding Effect. This Agreement will be binding upon and will inure to the benefit of the successors and assigns of the parties hereto or any person or entity which acquires title to or the right to possession of the real property of which the Premises forms a part whether directly or indirectly through Lender and to any assignees or subtenants of Tenant which are permitted under the Lease, and to any successor in interest to Fee Owner which are permitted under the Easement.

6. Notices. All notices which are required or permitted to be given or served hereunder shall be in writing and shall be deemed to have been given or served (a) by hand delivery on the date of hand delivery; (b) one business day after delivery to an overnight courier for next business delivery or (c) three days after deposit in United States Mail via certified mail, return receipt requested to the address given above. Any party hereto may change the address set forth above from time to time by serving written notice of the change upon the other parties hereto.

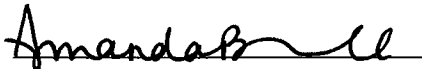
7. Governing Law. This Agreement shall be governed by and construed and interpreted in accordance with the laws of the State where the Premises are located.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals to this Subordination, Nondisturbance and Attornment Agreement as of the date first set forth above.

TENANT:

GLOBAL SIGNAL ACQUISITIONS LLC,
a Delaware limited liability company



Witness Signature



Witness Signature

By:

Print Name: Mandy Hebert

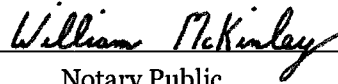
Print Title: Manager Real Estate

ACKNOWLEDGEMENT

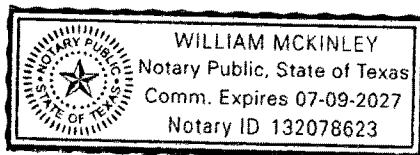
State of Texas
County of Harris

On this, the 21 day of April, 2026, before me, the undersigned officer in and for the above-stated jurisdiction, personally appeared Mandy Hebert, who acknowledged herself to be the Manager Real Estate of Global Signal Acquisitions LLC, a Delaware limited liability company, and that she, being authorized to do so, executed the foregoing Subordination, Nondisturbance and Attornment Agreement for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

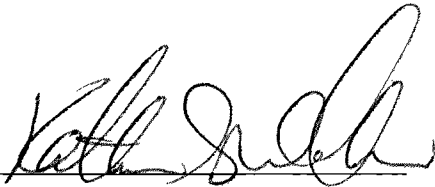


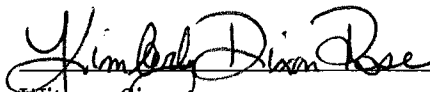
Notary Public



IN WITNESS WHEREOF, the parties have hereunder set their hands and seals to this Subordination, Nondisturbance and Attornment Agreement as of the date first set forth above.

FEE OWNER:


Witness Signature


Witness Signature

Barberville Developers, LLC,
a South Carolina limited liability company

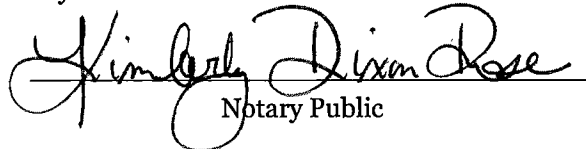
By: 
Print Name: Pradeep Reddy Patel
Print Title: Manager

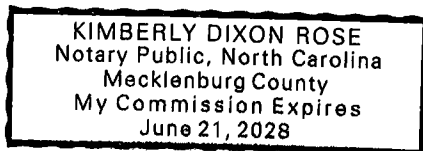
ACKNOWLEDGEMENT

State of NC
County of Mecklenburg

On this, the 7 day of April, 2026, before me, the undersigned officer in and for the above-stated jurisdiction, personally appeared Pradeep Reddy Patel, who acknowledged him/herself to be the Manager of Barberville Developers, LLC, and that he/she, being authorized to do so, executed the foregoing Subordination, Nondisturbance and Attornment Agreement for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Notary Public



IN WITNESS WHEREOF, the parties have hereunder set their hands and seals to this Subordination, Nondisturbance and Attornment Agreement as of the date first set forth above.

LANDLORD:

Wireless Propco, LLC,
a Delaware limited liability company

Michael Shiff
Witness Signature

By:

Print Name: Jason Hirsch

Print Title: President

[Signature]
Witness Signature

ACKNOWLEDGEMENT

State/Commonwealth of New York
County of Westchester

On this, the 23 day of April, 2026, before me, the undersigned officer in and for the above-stated jurisdiction, personally appeared Jason Hirsch, who acknowledged him/herself to be the Authorized Signatory of Wireless Propco, LLC, and that he/she, being authorized to do so, executed the foregoing Subordination, Nondisturbance and Attornment Agreement for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Robert Paul DiFeo
Notary Public

Robert Paul DiFeo
Notary Public, State of New York
Reg. No. 01DI0047641
Qualified in Westchester County
Commission Expires 3/12/30

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals to this Subordination, Nondisturbance and Attornment Agreement as of the date first set forth above.

LENDER:

American Bank of the Carolinas,
a North Carolina lender

WR A. G. G. G.
Witness Signature
Linda M. Cook
Witness Signature

By: F. H. Aikmus
Print Name: Frank H. Aikmus
Print Title: SR VP / market Exec.

ACKNOWLEDGEMENT

State of NC
County of Union

On this, the 6th day of April, 2026, before me, the undersigned officer in and for the above-stated jurisdiction, personally appeared Frank Aikmus, who acknowledged him/herself to be the SVP of American Bank, and that he/she, being authorized to do so, executed the foregoing Subordination, Nondisturbance and Attornment Agreement for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Angela S. Helms
Notary Public

EXHIBIT A

BEING A PORTION OF PROPERTY CONTAINING APPROXIMATELY 10,000 SQUARE FEET

All that certain piece, parcel or tract of land situate, lying and being in Indian Land Township, Lancaster County, South Carolina and being more particularly described as follows: BEGINNING at a point in the center of S. C. Highway No. 160 and running thence N. 2 E. 248.2 feet to an iron; thence N. 3-53 W. 111.2 feet to an iron; thence S. 79-58 E. 579.7 feet to a point in the center of S. C. Highway No. 42; thence with said highway S. 7-32 W. 266.2 feet to a point at the intersection of said highway and Highway No. 160; thence with the center of Highway No. 160 N. 88 W. 531 feet to the point of beginning; containing 3.82 acres and being designated as Tract No. 2 on map of property of Mrs. Bennie A. Drennan, prepared by W. C. White, R.L.S., December 6, 1966.

All that certain piece, parcel or tract of land situate, lying and being in Indian Land Township, Lancaster County, South Carolina and being more particularly described as follows: BEGINNING at an iron on line of Tract No. 2 as shown on plat aforesaid, and running thence N. 3-53 W. 274.7 feet to an iron; thence S. 78-26 E. 629.8 feet to a point in the center of S. C. Highway No. 42; thence with said highway S. 7-32 W. 260 feet to a point; thence N. 78-58 W. 579.7 feet to the point of beginning; containing 3.62 acres and being shown and designated as Tract No. 1 on map of property of Mrs. Bennie A. Drennan, prepared by W. C. White, R.L.S., December 6, 1966.

This being a portion of the property conveyed to the grantor herein by deed of E.J. and Ossie G. Alexander, recorded in Deed Book G-4 at Page 384 in the Office of the Clerk of Court for Lancaster County, South Carolina.



4,320 SF RETAIL AVAILABLE FOR PRE-LEASE

9901 BARBERVILLE ROAD / FORT MILL HIGHWAY, FORT MILL, SC 29707

Retail / Executive Offices for Prelease

Coming Soon! Retail suites and offices at the center of a desirable, fast-growing area in Lancaster County's Indian Land/Fort Mill communities.

- 4,320 SF - Divisible
- Available 4th Quarter 2024 - 1st Quarter 2025

Presented By:

JAN RINGELING

704.490.3872

jan@moodyre.com

MOODY COMMERCIAL REAL ESTATE

10700 Sikes Place, Suite 280

Charlotte, NC 28277

980.313.3872 | MoodyRE.com

RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

EXECUTIVE SUMMARY



PROPERTY OVERVIEW

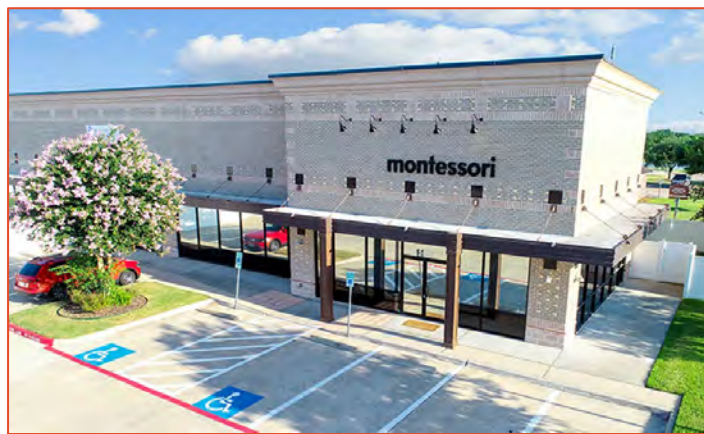
Now Pre-Leasing! Retail and Office Suites at the center of a desirable, fast-growing area in Lancaster County's Indian Land/Fort Mill communities.

High-visibility 12,150 square foot building located along Barberville Road, just feet away from Route 160 and 4.3 miles from I-77, exit 85. Multiple new residential subdivisions and workplaces within a 2-mile radius of the property.

Lease Amount	Starting at \$33 PSF
Lease Type	Retail NNN
Subtype	Commercial / Retail
Building Size	12,150 SF
Tenants	Montessori School
Zoning	NB = Neighborhood Business
Available	4 th Quarter 2024 - 1 st 2025
Electricity	Yes
Water	Yes
Sewer	Yes

HIGHLIGHTS

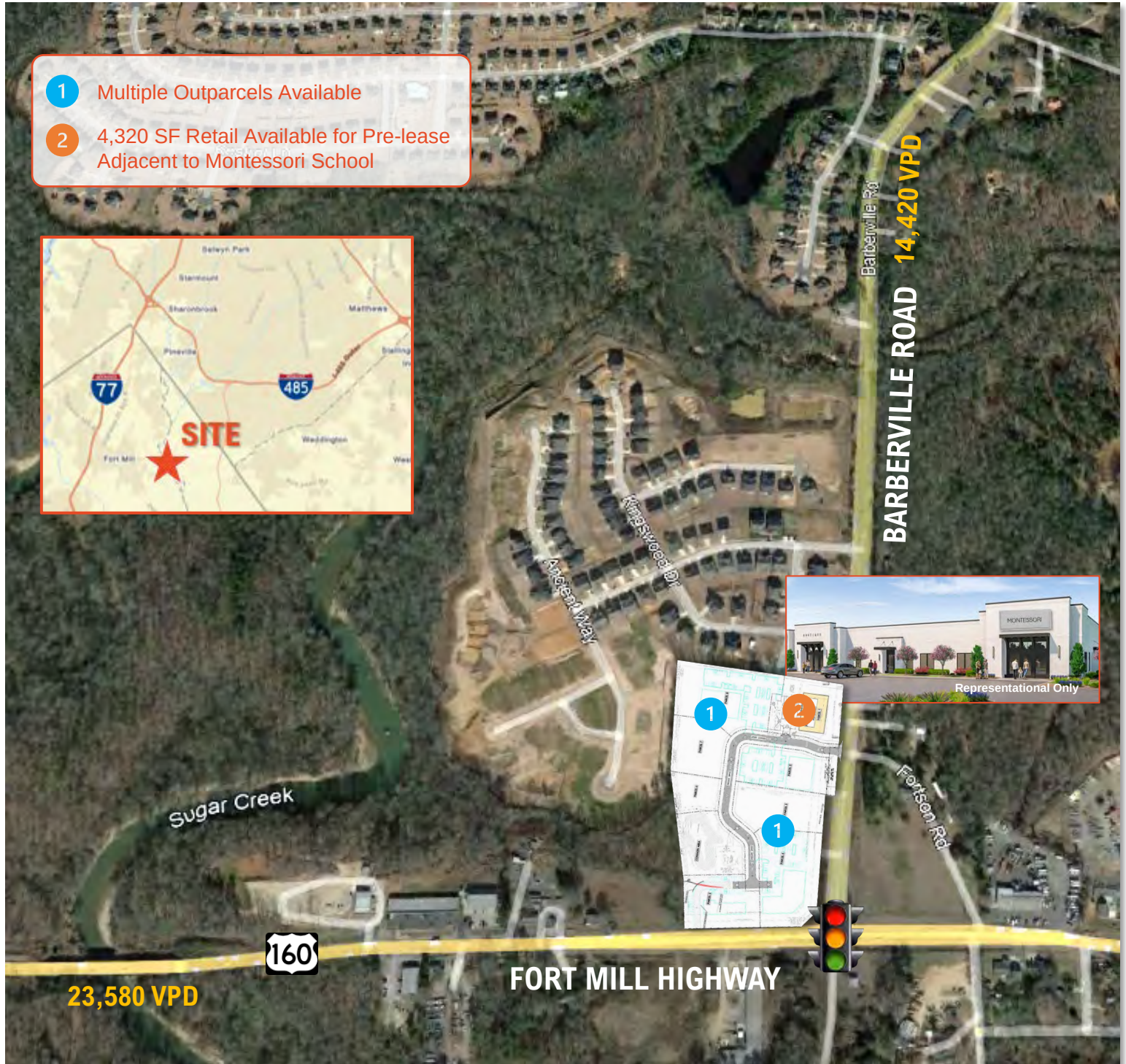
- 4,320 SF of divisible space – for lease
- Located near high-traffic Barberville Road/ Route 160 intersection
- Near multiple newly constructed residential subdivisions with high retail demand
- Part of an 11 AC commercial subdivision fronting Barberville Road and HWY 160 offering outparcel availability
- Ample parking available



RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

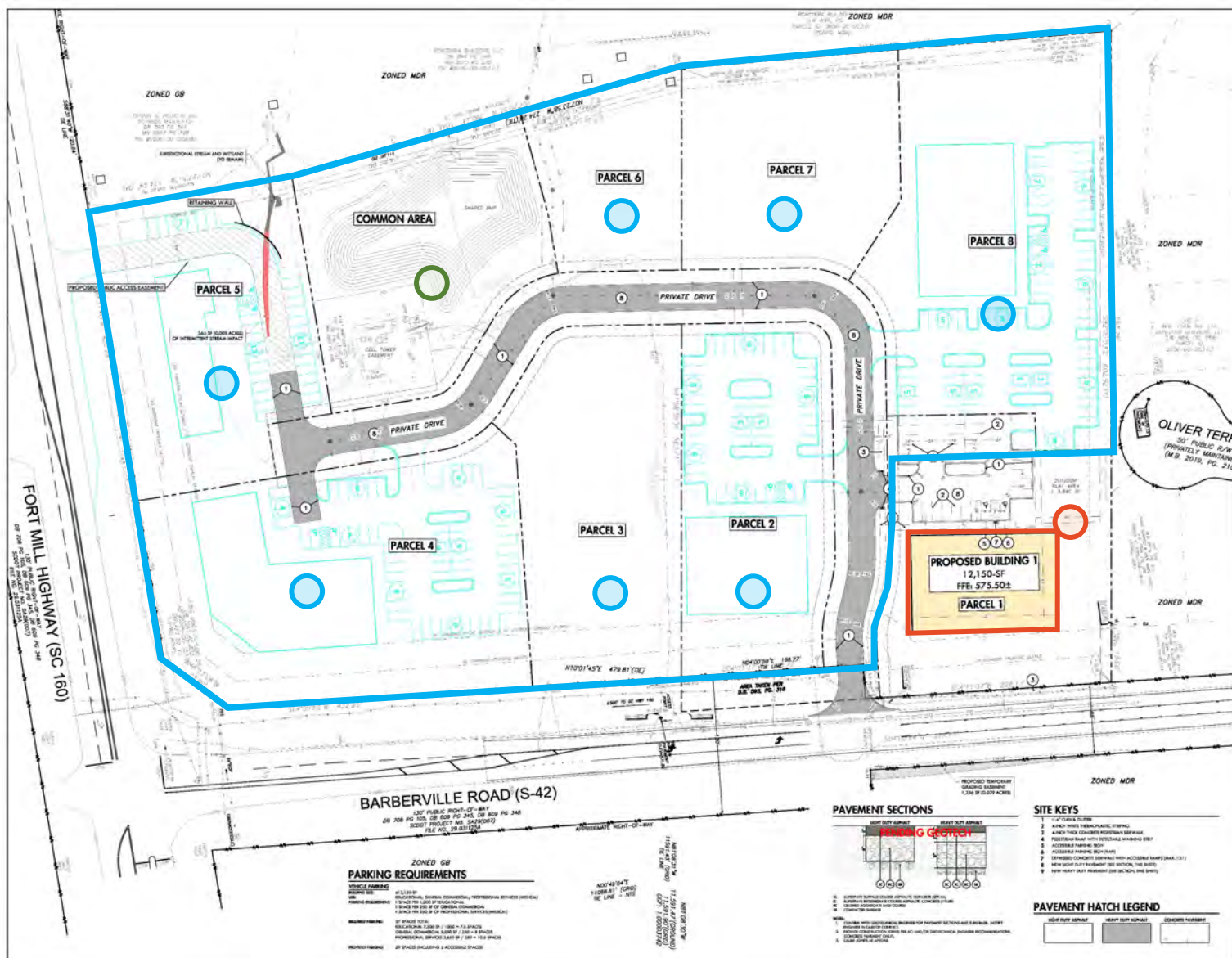
AERIAL DEVELOPMENT MAP



RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

PROPOSED SITE PLAN



- 4,320 SF Retail Pre-leasing, Adjacent to Montessori
- Multiple Outparcels Available
- Currently Under Contract
- Common Area – Green Space

RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

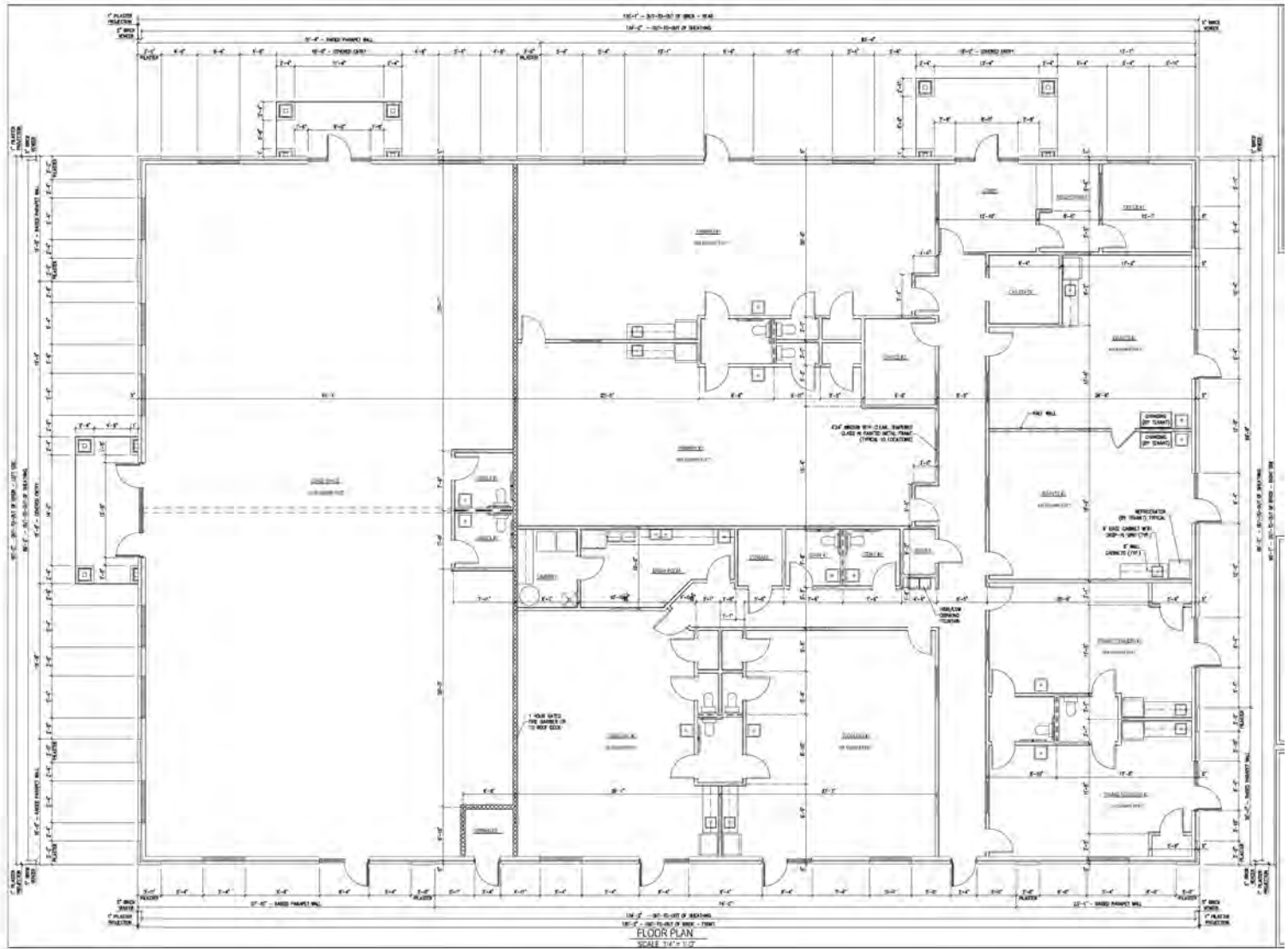
PROPOSED ELEVATIONS



RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

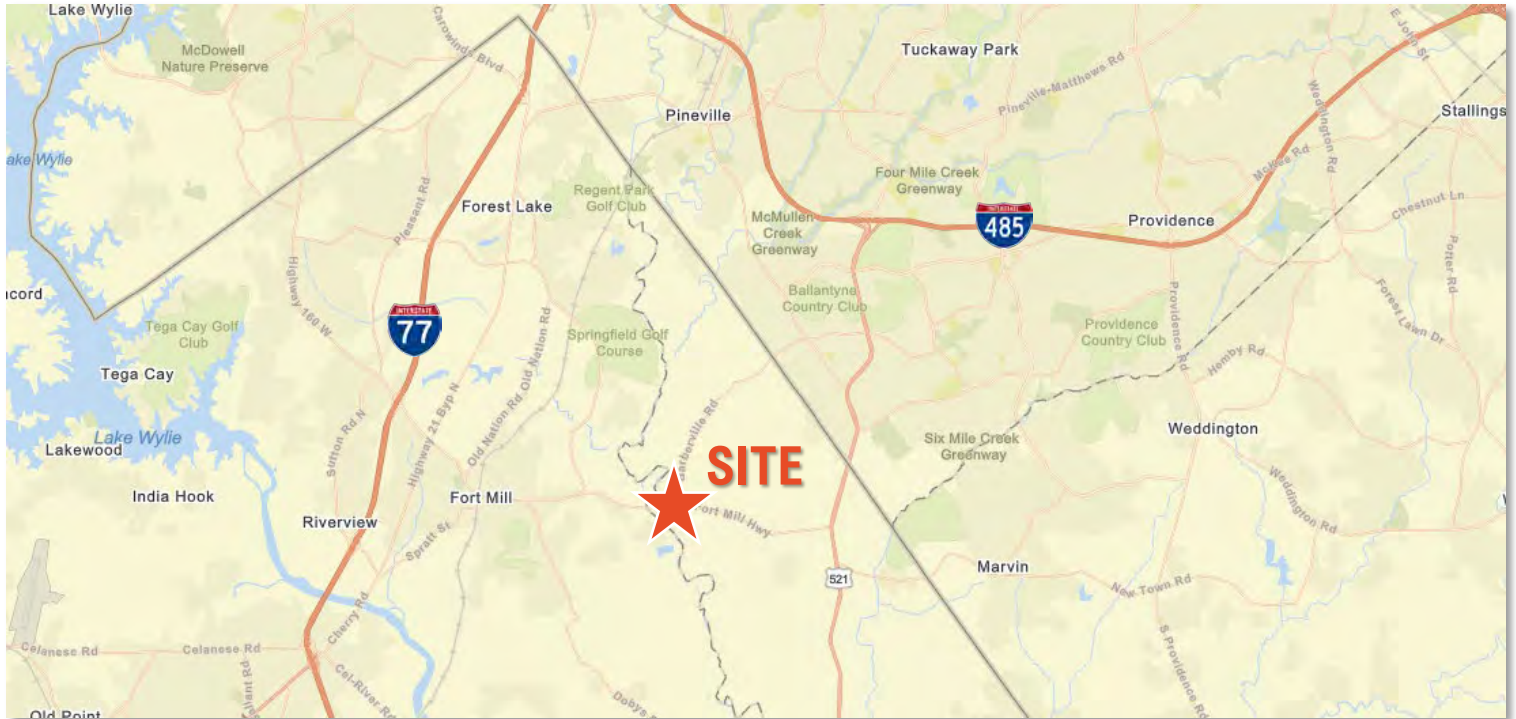
PROPOSED FLOOR PLAN



RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

LOCATION MAPS



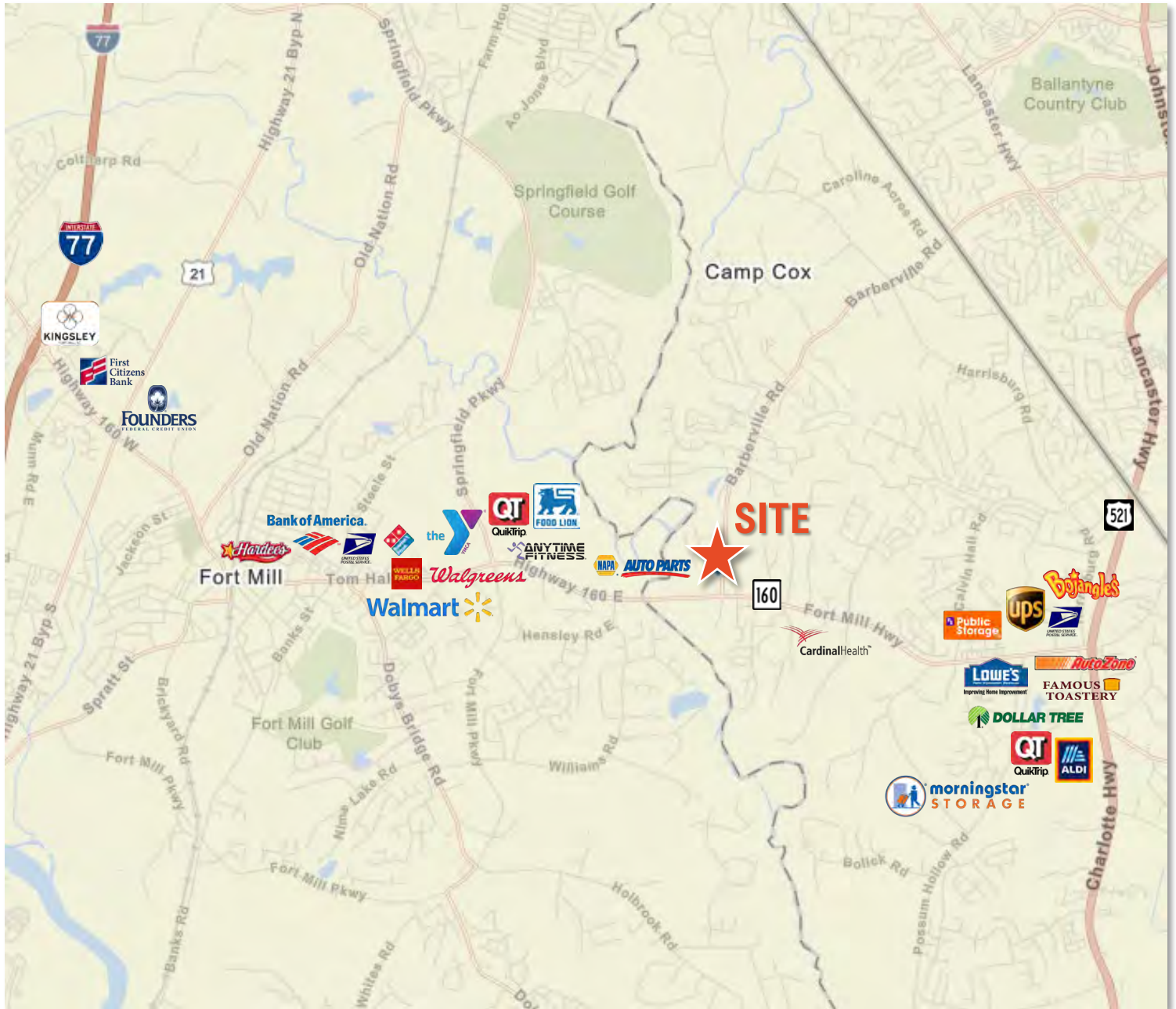
JAN RINGELING
704.490.3872
jan@moodyre.com

10700 Sikes Place, Suite 280 | Charlotte, NC 28277 | 980.313.3872 | MoodyRE.com

RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

RETAIL MAP

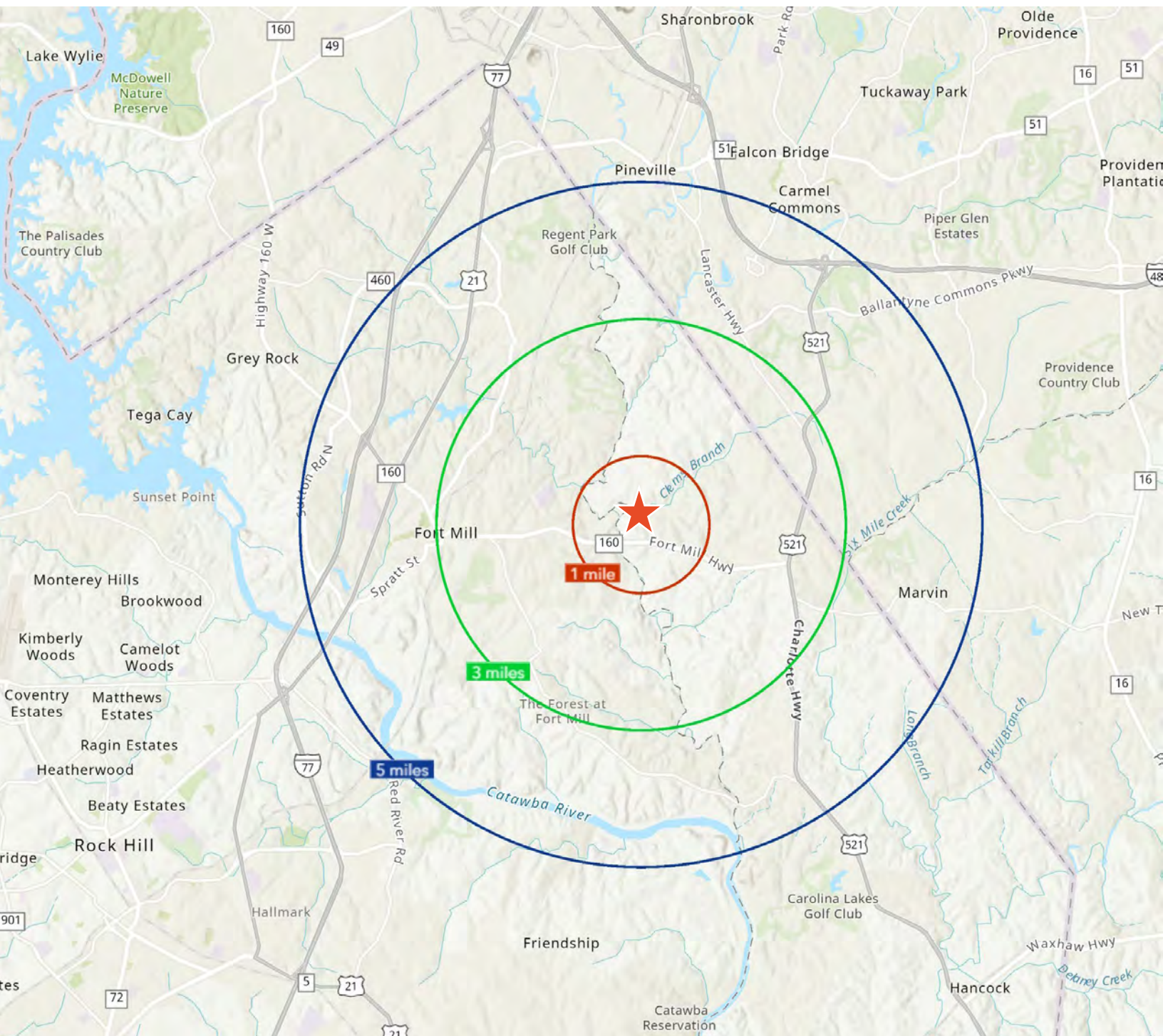


RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

DEMOGRAPHICS

RADIUS MAP 1, 3, 5 MILES



DEMOGRAPHICS

1, 3, 5 MILES

	1 mile	3 miles	5 miles
Population			
2010 Population	1,591	22,484	80,939
2020 Population	3,939	37,622	120,467
2023 Population	4,686	43,300	131,776
2028 Population	5,172	46,977	139,961
2010-2020 Annual Rate	9.49%	5.28%	4.06%
2020-2023 Annual Rate	5.49%	4.42%	2.80%
2023-2028 Annual Rate	1.99%	1.64%	1.21%
2020 Male Population	49.0%	48.3%	48.1%
2020 Female Population	51.0%	51.7%	51.9%
2020 Median Age	36.8	37.5	37.8
2023 Male Population	48.9%	48.2%	48.5%
2023 Female Population	51.1%	51.8%	51.5%
2023 Median Age	38.7	38.5	37.8

In the identified area, the current year population is 131,776. In 2020, the Census count in the area was 120,467. The rate of change since 2020 was 2.80% annually. The five-year projection for the population in the area is 139,961 representing a change of 1.21% annually from 2023 to 2028. Currently, the population is 48.5% male and 51.5% female.

Median Age

The median age in this area is 37.8, compared to U.S. median age of 39.1.

Race and Ethnicity

2023 White Alone	68.6%	66.4%	63.5%
2023 Black Alone	10.9%	11.5%	11.4%
2023 American Indian/Alaska Native Alone	0.2%	0.4%	0.4%
2023 Asian Alone	7.6%	9.4%	11.7%
2023 Pacific Islander Alone	0.0%	0.0%	0.0%
2023 Other Race	3.1%	3.1%	4.0%
2023 Two or More Races	9.5%	9.1%	9.0%
2023 Hispanic Origin (Any Race)	9.0%	9.0%	10.3%

Persons of Hispanic origin represent 10.3% of the population in the identified area compared to 19.4% of the U.S. population. Persons of Hispanic Origin may be of any race. The Diversity Index, which measures the probability that two people from the same area will be from different race/ethnic groups, is 64.1 in the identified area, compared to 72.1 for the U.S. as a whole.

Households

2023 Wealth Index	165	149	138
2010 Households	613	8,458	31,235
2020 Households	1,379	13,685	44,750
2023 Households	1,632	15,840	49,122
2028 Households	1,812	17,319	52,401
2010-2020 Annual Rate	8.45%	4.93%	3.66%
2020-2023 Annual Rate	5.32%	4.60%	2.91%
2023-2028 Annual Rate	2.11%	1.80%	1.30%
2023 Average Household Size	2.86	2.73	2.68

The household count in this area has changed from 44,750 in 2020 to 49,122 in the current year, a change of 2.91% annually. The five-year projection of households is 52,401, a change of 1.30% annually from the current year total. Average household size is currently 2.68, compared to 2.69 in the year 2020. The number of families in the current year is 33,071 in the specified area.



RETAIL SPACE FOR LEASE

FORT MILL HWY & BARBERVILLE ROAD, FORT MILL, SC

DEMOGRAPHICS

1, 3, 5 MILES

	1 mile	3 miles	5 miles
Mortgage Income			
2023 Percent of Income for Mortgage	19.1%	20.9%	22.2%
Median Household Income			
2023 Median Household Income	\$120,209	\$112,997	\$108,177
2028 Median Household Income	\$130,329	\$122,660	\$119,521
2023-2028 Annual Rate	1.63%	1.65%	2.01%
Average Household Income			
2023 Average Household Income	\$160,556	\$149,469	\$145,184
2028 Average Household Income	\$178,413	\$168,081	\$163,619
2023-2028 Annual Rate	2.13%	2.37%	2.42%
Per Capita Income			
2023 Per Capita Income	\$55,883	\$54,540	\$54,222
2028 Per Capita Income	\$62,444	\$61,841	\$61,368
2023-2028 Annual Rate	2.25%	2.54%	2.51%
GINI Index			
2023 Gini Index	30.2	32.5	34.5
Households by Income			
Current median household income is \$108,177 in the area, compared to \$72,603 for all U.S. households. Median household income is projected to be \$119,521 in five years, compared to \$82,410 for all U.S. households			
Current average household income is \$145,184 in this area, compared to \$107,008 for all U.S. households. Average household income is projected to be \$163,619 in five years, compared to \$122,048 for all U.S. households			
Current per capita income is \$54,222 in the area, compared to the U.S. per capita income of \$41,310. The per capita income is projected to be \$61,368 in five years, compared to \$47,525 for all U.S. households			
Housing			
2023 Housing Affordability Index	135	120	112
2010 Total Housing Units	651	8,990	33,347
2010 Owner Occupied Housing Units	526	7,037	22,725
2010 Renter Occupied Housing Units	88	1,422	8,510
2010 Vacant Housing Units	38	532	2,112
2020 Total Housing Units	1,412	14,530	47,406
2020 Owner Occupied Housing Units	1,227	10,784	31,674
2020 Renter Occupied Housing Units	152	2,901	13,076
2020 Vacant Housing Units	72	853	2,594
2023 Total Housing Units	1,674	16,792	51,838
2023 Owner Occupied Housing Units	1,506	12,901	36,137
2023 Renter Occupied Housing Units	126	2,939	12,985
2023 Vacant Housing Units	42	952	2,716
2028 Total Housing Units	1,841	18,188	55,262
2028 Owner Occupied Housing Units	1,681	14,042	38,844
2028 Renter Occupied Housing Units	131	3,278	13,557
2028 Vacant Housing Units	29	869	2,861
Socioeconomic Status Index			
2023 Socioeconomic Status Index	63.3	61.7	59.3



COMMERCIAL REAL ESTATE SERVICES

JAN RINGELING
704.490.3872
jan@moodyre.com





Interpretation of 9901 Barberville Rd

G L [redacted]

Mon, Oct 20, 2025 at 1:45 PM

To: Allison Hardin <ahardin@lanastercountysc.gov>

Cc: Ginny Merck-Dupont <gmerckdupont@lanastercountysc.gov>, Jose Luis <jluis@lanastercountysc.gov>, "Dennis E. Marstall" <dmarstall@lanastercountysc.gov>, "April M. Williams" <amwilliams@lanastercountysc.gov>, Shannon Catoe <shannoncatoe@lanastercountysc.gov>

+ Shannon Catoe

Dennis, thank you for your previous email confirming that outside counsel was engaged. You expressed that there may be more to share by the end of last week - can you provide any new updates yet?

Allison,

Thank you for confirming that mixed uses other than qualifying live/work will not be permitted in NB zones.

Has the County informed the developers that mixed uses will not be allowed?

Going back to at least 6/14/2024, Jan Ringeling from Moody Group shared with the County in great detail that their development plans hinged on horizontal mixed use of daycare and retail sharing a single strip-style building in Parcel 1 (0006-00-058.01). Specifically, this was central to an email she sent to Stephen Blackwelder, but site plans for the building significantly pre-date that. Citizen comments and my own emails have also repeatedly shared the developer's marketing materials advertising this mixed use.

Jan's 6/14/2024 email makes clear that the cost calculations for the site require these multiple tenants. If the County has informed them that mixed uses are forbidden in NB, then they and/or the property owner are actively committing mortgage fraud. If the County has not informed them, then their construction mortgage may be in automatic default based on erroneous foundational information, and every day they continue construction without being notified increases the large liability the County has incurred through inaction.

Finally, as the complete civil plans and related application(s) do not all seem to be included in the recent FOIA request documents, can you share the dust control details for the applicant pursuant to UDO 8.4.1A.4.e that were submitted and approved as part of the sediment control plan? There has been an exceptional amount of unrestrained dust blanketing our neighborhood from the haphazard job site over recent days. I would like to know whether a complaint needs submitted to investigate, or whether the approved plan simply excluded these required details.

Kind regards,
Geoff

On Mon, Oct 13, 2025, 16:00 Allison Hardin <ahardin@lanastercountysc.gov> wrote:

Good afternoon, Mr. Larson:

Thank you for your email. My investigation generated a response to your comments that I turned over to our legal department and administration. My comments were forwarded to the 3rd party reviewer, and as of Friday last week had answered some questions his team had regrading my materials. I believe that Mr. Luis had asked for a call today regarding this 3rd party review. I am not aware of the status after that request.

I understand your question regarding what is a "timely manner." The state code and UDO have many references to time frames, such as 60 days for the Planning Commission to take up a review after application, or our internal policy of returning comments on permits within 30 days. The UDO does not put a time frame to "timely manner" in Section 9.4.1.B. I can confirm that work continues with the intent to answer your complaints with the best information available.

Regarding mixed uses: the current UDO allows for live-work units on properties zoned NB. Table 2.5.3 lists "Live-Work Units" as permitted with review (PR) in PB and NB zones. The standards for these are found in Section 5.2.6. Other than that, I'm not aware of any other mixed uses allowed in NB zones.

In my experience, developers often put their wishes on their web site. I understand that it can be frustrating. Until we have a permit request to review, staff has to treat it as a wish list, not a done deal.

I hope this is helpful. Please feel free to reach out again if you have follow-up questions.

Also: thank you for the flow chart that outlined the logic behind your complaint. It was helpful.

Regards,

Allison Hardin



Allison Hardin, Development Services Director
Development Services

Lancaster County Government
P.O. Box 1809
Lancaster, SC 29720

P:(803) 285-6005
ahardin@lancastercountysc.gov

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From: G L [REDACTED]
Sent: Monday, October 13, 2025 3:09 PM
To: Allison Hardin <ahardin@lancastercountysc.gov>
Cc: Ginny Merck-Dupont <gmerckdupont@lancastercountysc.gov>; Jose Luis <jluis@lancastercountysc.gov>; Dennis E. Marstall <dmarstall@lancastercountysc.gov>; April M. Williams <amwilliams@lancastercountysc.gov>
Subject: Re: Interpretation of 9901 Barberville Rd

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—IT Helpdesk, lancastersc.supportsystem.com

Good afternoon, Allison.

It's been two weeks since I submitted this complaint, can you please update on the status of your investigation, and any appropriate actions that have been taken? Also, given the severity and

implications of the complaint and substantial amount of continued development activity at the site, can you please share what is considered to be investigating in a "timely manner"?

I also ask that you confirm: Will the County ever permit mixed uses on a parcel zoned as Neighborhood Business? I ask because the property in question continues to advertise as such, and claims to have mixed use tenants already signed to pre-leases on parcel 1.

Please let me know if there is any way I can assist.

Regards,

Geoff

On Wed, Oct 1, 2025, 10:55 G L <[REDACTED]> wrote:

Thank you, Allison.

To help your analysis, here is the County's approval for Melanie Ln (approved as Melanie Dr), which states that it's legal description is a "driveway".

Regards,

Geoff

On Mon, Sep 29, 2025, 15:58 Allison Hardin <ahardin@lanastercountysc.gov> wrote:

Dear Mr. Larson:

Thank you for your email. I will record your complaint, investigate in a timely manner, and take appropriate action as provided by the Lancaster County Unified Development Ordinance (UDO).

Regards,

Allison Hardin



Allison Hardin, *Development Services Director*
Development Services

Lancaster County Government
P.O. Box 1809
Lancaster, SC 29720

P:(803) 285-6005
ahardin@lancastercountysc.gov

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From: G L [REDACTED] >
Sent: Monday, September 29, 2025 3:26 PM
To: Allison Hardin <ahardin@lancastercountysc.gov>
Cc: Ginny Merck-Dupont <gmerckdupont@lancastercountysc.gov>; Jose Luis <jluis@lancastercountysc.gov>; Dennis E. Marstall <dmarstall@lancastercountysc.gov>; April M. Williams <amwilliams@lancastercountysc.gov>
Subject: Interpretation of 9901 Barberville Rd

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—IT Helpdesk, lancastersc.supportsystem.com

Dear Lancaster County Planning Department,

It has come to my attention that the County will be taking the position that Melanie Ln is a private right of way, rather than a street, the latter of which all parties have agreed would require the Major Subdivision process per its definition in UDO Section 10.

I am reaching out for confirmation that the County, based on this legal position, will be indefinitely stopping any and all development of the site, effective immediately. I am filing this complaint of violation of the UDO in accordance with Section 9.4.1B., and request confirmation that it is properly filed, recorded, investigated, and appropriate action is taken.

Based on the position that Melanie Ln is not a street, the Minor Subdivision of Parcel 0006-00-058.00 is in violation in the following ways detailed below.

Melanie Ln is a Driveway, and shall not directly access Barberville Rd

UDO Section 6.4.1H. states:

“Where a subdivision borders an existing or proposed Major or Minor Thoroughfare, no direct driveway access shall be permitted to such facilities from the lots within the subdivision.”

Melanie Ln is a Driveway.

1. The UDO does not define “Driveway”. However, in myriad instances it uses the term to represent all private roadways.
2. The SCDOT A.R.M.S. defines as a driveway any “access point that is not a public street, road, or highway”.
3. SC Code of Laws Section 56-5-450 defines a driveway as “every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner”.

Barberville Rd is a Thoroughfare

1. Major Thoroughfare and Minor Thoroughfare (capitalized) are not defined in the UDO.
 - a. The County’s legal opinion and SC precedent both state that in such situations the ordinary dictionary term shall be used. Merriam-Webster defines “thoroughfare” as “a way or place for passage: such as a street open at both ends (or) a main road”
 - b. The site at [9901 Barberville Rd](#) is zoned Neighborhood Business, and the UDO description in Section 2.3 for NB includes that it “is generally located on thoroughfares”.
 - c. UDO Section 6.11.3A.1.f. defines the street classification “Road” as “a thoroughfare that runs in any direction”. Barberville Rd is classified as a “Road”.
 - d. At 9,300 AADT volume, the SCDOT 2024 Traffic Counts lists Barberville Rd as the 3rd busiest secondary and 9th busiest roadway of any kind in all of Lancaster County. It is a/the primary arterial in the northern panhandle other than 521 and 160, and a quintessential “major”

thoroughfare by all metrics. But even as a "minor" thoroughfare, this regulation still applies.

Parcel 2 does not front a street, is an illegal lot, and shall never be developed

UDO Section 1.4.3B.4. states, that except for specific inclusive criteria:

"All other lots shall front upon a street right-of-way..."

As the County's position is that Melanie Ln is not a street, Parcel 2 is landlocked and does not front or abut a street.

Parcel 2 fronts Parcel 1, and has illegal lot lines

1. As the County's position is that Melanie Ln is not a street, the lot line section radial to Melanie Ln is in violation of UDO Section 1.4.3A.1., both because it is not substantially at a right angle to a street, but also that even if it were, it does not extend for a minimum of 100 feet from the lot line.
2. Barberville Rd is the nearest street, so Parcel 2 frontage shall be oriented toward it, and Parcel 2 therefore fronts Parcel 1.

By fronting Parcel 1, Parcel 2 does not meet any exemptions of this requirement for commercial lots

1. Per criteria in UDO Section 1.4.3B.2.a., Parcel 2 does not front a drive in a public parking area, and none of the parking for the sites at 9901 Barberville are or will be public.
2. Per criteria in UDO Section 1.4.3B.2.b., Parcel 2 does not front an approved open space or park.
3. Per criteria in UDO Section 1.4.3B.2.c., Parcel 2 does not front a designated area used in common with other lots. Neither Parcel 1 nor Melanie Ln can be considered such "common space". The terms "designated area used in common" are not defined in the UDO, but:
 - a. The title of Section 1.4.3B. states "Lots to front on street or approved public space". Neither Melanie Ln nor Parcel 1 are an "open space".
 - b. Section 4.3.2F.1. further requires all buildings in the Highway Corridor Overlay (HCO) district to front a "street" or "share a frontage line with a square or other similar common open space". Again, Neither Melanie Ln nor Parcel 1 are a street or a common open space.
 - c. Section 4.3.2F.5.b. refers to such space as "improved common open space" that includes "squares, plazas, greens, or other similar spaces". Neither Melanie Ln nor Parcel 1 are any of these.

No structure or use shall ever be developed on Parcel 2.

UDO Section 4.3.2F.1. states that in the Highway Corridor Overlay (HCO) district:

"All buildings shall front onto a public or private street, or share a frontage line with a square or other similar common open space."

All parties have agreed that the parcels located at 9901 Barberville Rd lie within and are bound to the UDO rules for the HCO district.

As the County's position is that Melanie Ln is not a street, and neither it nor Parcel 1 are a pedestrian square or common open space, Parcel 2 and any structure on it are incapable of meeting this requirement.

No accessory use or structure may every be constructed on Parcel 2

1. As no building shall be erected on Parcel 2, there cannot be any principal use on the site. Per UDO Section 10.4 definition of "accessory structure", it is one that is incidental to the principal use. If there is no principal building, there shall be no accessory structure.
2. Per UDO Section 2.5.3G., a parking lot is not permitted as the principal use in Neighborhood Business zoning.

As with any violation, the developer should have the opportunity to seek a variance from the Board of Zoning Appeals. Please note that doing so requires immediate suspension of all development at the site, and triggers the requirement that it be resubmitted as a Major Subdivision.

If I am mistaken about the County's position on whether Melanie Ln is a "street", please immediately halt development at the site until they have a Major Subdivision application approved by the Lancaster County Planning Commission.

Thank you for your prompt attention to this matter.

Kind regards,

Geoff Larson

Documents Provided by Andrea Mazullo for PC Review During Meeting

Planning Commission Meeting

Melanie Lane / Barberville Commercial — May 19, 2026

SD-2026-0834

You have seen this before. A few years ago, this Commission looked at this same idea — this same property, this same developer — and said no. You sent them away. You told them to work with the neighborhood.

They didn't.

Here we are again. Same property. Same bad idea. And now — a request to *dramatically expand* the scope of what they originally proposed, so they can cram in everything they wanted from the very beginning.

Nothing material has changed — except the ambition.

THE DEVELOPER IGNORED THIS COMMISSION'S DIRECTION

You asked them to work with the neighborhood. They never made a single effort to do that. Not one conversation. Not one meeting. Not one phone call — even after they collected 15-20 residents contact information at our last meeting.

Instead, they rammed this project forward — we came home to trees coming down (the impact of their falls breaking glasses in cabinets), then a quick pivot to working 12-hour days and weekends — as if they knew they had to get as much done as possible on parcel 1 before anyone could stop them.

That is the regard this developer has shown for this neighborhood and for this Commission.

WHAT THEY'RE FILING VS. WHAT THEY'RE ADVERTISING

I want to talk about what this developer says they're building — and what they're actually advertising.

Their filings say: a school, a daycare, some offices.

Their advertisements say something very different. Their public-facing materials have advertised **retail space in the same building as the school** — and a **gas station and convenience store** within this development.

I have submitted that advertisement to you ahead of my speaking..

A gas station and convenience store. Planned for one of the **lowest elevation of this property** — which means runoff, traffic, light, and noise all flowing directly toward our neighborhood.

That use is not mentioned *anywhere* in their submissions. Not on the preliminary plat. Not in the site data table not in the traffic study. Not in any filing before this Commission or others that needed to sign-off.

This is a Trojan horse. You approve what's on paper — and what gets built is something else entirely.

Your obligation is to require **full disclosure of all intended uses** before any approval is granted. A gas station triggers additional review requirements under the UDO. You cannot approve this plat without knowing what is actually going in on these parcels.

THEY BUILT WITHOUT AUTHORIZATION — AND NOW WANT PERMISSION RETROACTIVELY

For nearly six months, I have been coming before this body — and before county staff — telling you what was happening on this site *without your approval*.

The staff will tell you they have by-right to develop the property — and they do, but they must develop within the code.

They started this project knowing full well their intentions. They treated the ability to proceed with Parcel 1 as a blank check to build whatever they wanted, as fast as they could, hoping to create facts on the ground before anyone could intervene.

A building is now erected on Parcel 1. Construction proceeded under the assumption this was a minor subdivision, and they were building a small Montessori school and the rest of their ambitions still fit in minor subdivision.

It was not. Just parcel one alone is a school with retail spots in one-building — not to mention all of the other UDO violations for the remaining parcels. Which is why they are here—

As for the building currently under construction, it does not comply with the UDO requirements that govern major subdivisions and the Highway Corridor Overlay.

If you approve this proposal as submitted, that building will need to be corrected before it can be occupied. The nonconformities do not disappear — grandfathering is not to be allowed because concrete has been poured.

Your obligation is to uphold the UDO. Not as a courtesy. Not as a preference. As the law.

The Melanie Lane / Barberville Commercial application must be denied.

Parcel 1 "Piecemealing"

Melanie Lane / Barberville Commercial — May 19, 2026

SD-2026-0834

I want to address something specific that goes to the heart of what is happening here.

The developer would have you believe that Parcel 1 is a separate matter — already approved, already under construction, not subject to tonight's review.

That is not true. And approving this major subdivision makes that undeniable.

PARCEL 1 WAS ALWAYS PART OF THIS PLAN

Look at the plat before you. Parcel 1 shares the private road that serves this entire project. Its utilities are integrated with every other parcel. Its layout was designed with this development in mind from the beginning.

The advertisements for this project have always shown Parcel 1 as part of the whole — school, retail, gas station, all of it together.

Parcel 1 was not a minor subdivision that happened to be nearby. It was Phase 1 of a major subdivision, deliberately carved off and submitted separately — before the rest of the plan was ready — specifically to avoid the scrutiny that a major subdivision requires.

That practice has a name: **piecemealing**. It is impermissible.

THE APPROVAL TONIGHT CANNOT EXEMPT PARCEL 1

If this Commission approves Parcels 2 through 7 as a major subdivision tonight, it is acknowledging that this is one unified development. The shared road, the shared infrastructure, the integrated site design make that unavoidable.

But Parcel 1 was processed as a minor subdivision — without the traffic analysis, the buffer review, or the Highway Corridor Overlay compliance that a major subdivision demands.

You cannot have it both ways.

And the building on Parcel 1 does not comply with the HCO regardless of its classification. No architectural elevations. Parking in front of the building in direct violation of UDO 4.3.2.G.1. No lighting plan. These violations do not disappear because concrete has been poured.

CLOSING

I am asking this Commission to make an explicit finding tonight:

That Parcel 1 and this major subdivision constitute a **single unified development** — and that no further approvals or permits should issue for any parcel in this development until the entire project is brought into compliance with the UDO as a major subdivision.

Anything less rewards a deliberate strategy to circumvent your authority — and the protections the UDO affords to this neighborhood — one piece at a time.

Thank you.

The Inadequate Buffer

Melanie Lane / Barberville Commercial — May 19, 2026

SD-2026-0834

I want to tell you what it felt like the day they cleared the trees.

Not what it looked like. What it *felt* like.

The ground shook. Our houses shook. Parents ran outside to call their children in from their own backyards — because limbs and debris were flying through the air without warning. Trees that had stood for decades came down while families scrambled to get inside.

Those trees were our buffer. Real trees. Twenty to thirty feet tall. Gone in a few days — without notice or warning.

What the developer is proposing to replace them with is an insult.

WHAT THEY'RE CALLING A BUFFER

The plat says "Type B buffer per UDO 7.1.5.B.2."

That is all it says. No plant species. No planting schedule. No density. No size at installation. Nothing.

I have photographs for this Commission — please look at them — of a Type B buffer currently installed in this area. What you are seeing is walkable clear space at the base, low ornamental shrubs, and very small, very young trees.

That is their proposal. That is what replaces 30-year-old hardwoods.

THE ELEVATION

Now I need you to understand the physical reality of this site.

The foundation of the building on Parcel 1 sits **nearly six feet higher** than the abutting neighbor. 4-Six feet of elevation advantage — before a single wall goes up at their lowest point abutting our residents.

Those small trees will grow uphill from our homes. They will never reach the roofline of a building that already starts six feet above us. They will never block overhead light from fixtures mounted on structures elevated above our rooflines. They will never absorb noise projecting downward from a commercial site above us.

The trees they cleared worked *because* of that elevation difference. Height and density on the high side created real opacity — real cover — over our homes.

What is proposed now works in reverse. Every light fixture, every noise source, every line of sight from that elevated slab looks directly down into our backyards, our windows, our children's play areas.

A ground-level Type B buffer cannot screen a development that sits six feet above it. That is not an opinion. That is geometry.

WHAT APPROVAL MUST REQUIRE

If this Commission moves forward, the buffer cannot be a label on a plat. It must be opaque — not in fifteen years when saplings mature — **now**. It must specify evergreen species, installation sizes, and density sufficient to provide immediate screening at and above a six-foot elevation differential. It must address light. It must address noise. And the unauthorized connector into our neighborhood must be removed.

Until those standards are met in writing — with real specifications — this plat should not be approved.

Thank you.

UDO Violations Summary

Melanie Lane / Barberville Commercial — May 19, 2026

SD-2026-0834

You have heard about the history and bad faith of these developers from my neighbors who have spoken tonight. I want to summarize now the issues with the law — because this application does not just raise concerns, it violates the UDO. In ways that are documented, cited, and fatal to this application as submitted.

I have eight violations to summarize tonight. My neighbors walk through these in detail already. But I want the Commission to hear them all together — because the full picture matters.

THE EIGHT VIOLATIONS

One. This application is administratively ineligible for a vote. The recombination plat for Parcel 1 does not contain the notation required by UDO 6.2.2B to constitute a valid exempt subdivision. No compliant minor subdivision exists. This application is incomplete and cannot legally come before you tonight.

Two. Melanie Drive cannot connect to Barberville Road. UDO 6.4.1H prohibits direct driveway access from subdivision lots to a thoroughfare. Melanie Drive is legally certified as a driveway. Barberville Road is a thoroughfare by every legal standard. This connection is prohibited. No variance has been sought.

Three. Melanie Drive serves too many lots. UDO 6.18.1H.1 limits a newly created private drive to five lots. This application proposes eight. No variance has been sought.

Four. Multiple parcels cannot legally be created. UDO 1.4.3B.4 requires all lots to front a street right-of-way. The County's own legal opinion confirms Melanie Drive is not a street. Parcels 2, 3, 4, and the Common Area cannot be legally created as drawn.

Five. No buildings may be erected on Parcels 2, 3, or 4. Because they cannot front a street, no exceptions under the UDO apply, and the Highway Corridor Overlay independently bars construction on lots that do not front a public or private street. Three of eight proposed lots are legally unbuildable.

Six. The cell tower fall zone is uncontrolled and runs through proposed property lines. The 154-foot tower requires its owner to control a 154-foot fall zone radius. The existing lease covers 10,000 of the more than 74,000 square feet required. This subdivision cannot be approved with new property lines cutting through an uncontrolled fall zone.

Seven. Mandatory tree preservation requirements were violated. UDO 4.3.2L.2 required preservation of all large trees in setbacks and buffer yards. A formal complaint documenting this

— in full, with citations — was submitted to the County on August 19, 2024, before a single tree was removed. The developer had that complaint. They removed the trees anyway.

Eight. The Traffic Impact Analysis is expired. The Traffic Impact Analysis on file is from 2023. UDO 6.8 requires a current TIA. We are already past its projected horizon years. Staff cannot make a compliant recommendation on an expired study. This application is incomplete on its face.

Eight violations. Not one variance requested for any of them.

The UDO requires conformance. This application does not conform.

It must be denied.

Thank you.

Melanie Lane / Barberville Commercial — May 19, 2026 SD-2026-0834

The UDO's Own Purpose and Intent

I want to close by going back to the beginning — to the UDO itself, and to the purposes it was written to serve.

Section 1.1.4 of the Unified Development Ordinance lays out its purposes. Not suggestions. Purposes. The reasons this document exists, and the standards against which every development in Lancaster County must be measured.

Let me read some of them — and let's consider, honestly, whether this development comes anywhere close.

- Provide sustainable, well-managed growth that maintains quality of life, protects open space and environmental quality, retains the natural character of the region...
- Promote a safe and healthy environment with good air and water quality.
- Encourage community and stakeholder collaboration in development decisions, which are predictable, fair, and cost effective.
- Preserve open space, farmland, natural beauty, and critical environmental areas.
- Foster distinctive, attractive communities with a strong sense of place.”

It was written to *protect and preserve natural features, including woodlands and topography. Every significant tree on this site has been or will be removed, with no survey conducted and no

preservation plan filed. The topography that should have shaped the design has been graded away. That purpose has not been served.

It was written to *promote the health, safety, and general welfare of the community. A development is being constructed on the boundary of a residential neighborhood with an invalid subdivision, and no meaningful buffer between commercial activity and the homes next door. Failure to control dust, failure to contain and dispose of Styrofoam pollution, failure to control mud released into intermittent streams, complete removal of natural barriers to noise and light pollution, and excessive contribution to traffic do not promote a safe and healthy environment, or good air and water quality. That purpose has not been served.

Eight commercial lots are being forced onto a site that could have held two compliant buildings with appropriate setbacks — and that this Commission already rejected once. That purpose has not been served.

It was written to *provide for adequate light, air, and open space. Replacing open vegetated land with excessively compact development adjacent to established residential neighborhoods does not protect or preserve open space, natural beauty, or critical environmental areas. That purpose has not been served.

Failure of the developer to meet with neighboring residents, even at the request of the Planning Commission does not encourage community and stakeholder collaboration. That purpose has not been served.

And then there is Section 1.1.6 — the provision that transforms all of these purposes into obligations. It states that any development must *conform* to the requirements of this ordinance.

Not substantially conform. Not mostly conform. Conform. Section 1.1.6 does not give you discretion to approve a project in conflict with the UDO. It closes that door.

Commissioners, every speaker before you tonight demonstrates — clear, documented, and cited — that this application was assembled without regard for the law it was supposed to follow or concern for the community.

We are not here tonight as people who oppose development. We are here as people who believe the law should mean something — that the promises the County made to every property owner when it adopted this ordinance should be kept.

Keep those promises tonight.

Deny this application.

Thank you.

Melanie Lane / Barberville Commercial — May 19, 2026
SD-2026-0834
Tree Removal

On August 19, 2024, a formal written complaint was submitted to Lancaster County.

That complaint identified, specifically, every tree preservation requirement this developer was about to violate. The UDO sections were cited. The requirements were spelled out. The complaint was submitted before a single tree was removed from this property. Before a single shovel of dirt was turned.

The County received it. The developer had access to it.

Then they removed the trees anyway.

UDO 4.3.2L.2 requires at least 3 critical actions for any development:

1. "All required setbacks and buffer yards shall be used as tree preservation areas"
2. "Retention and protection of large trees (as set forth in Chapter 7 of the UDO)...shall be required for all development"
3. "All canopy trees...greater than 24 inches (diameter) shall be incorporated into the site plan..."

These are not aspirational guidelines. They are mandatory requirements, stated in plain language, with no discretionary language.

Yet,

1. No setback or buffer yard was, currently is, or is planned to be used for tree preservation.
2. Countless numbers of large trees were removed in violation, and this plan proposes to exterminate whatever is left.
3. The developer has not performed – nor does it intend to perform – a comprehensive tree survey.

UDO 7.1.2 goes further, stating that "preservation of existing trees ... is expected." And that "new development, through the protection of trees ... should be creative in design and placement ... to preserve natural features"

The trees on this site were natural features. The topography of this site — that now leaves our neighborhood exposed — is the topography the UDO required to be respected.

Remember – All of this was formally submitted in August 2024, before ANY trees were removed. The developer ignored and intentionally violated the UDO. The County did not step up and enforce the UDO.

The application does not intend to preserve what remains. It explicitly plans to remove it.

Commissioners, I am not asking you to restore what has been destroyed. Those trees are gone. That cannot be undone.

I am asking you to refuse to reward the destruction by approving a project that was built on the deliberate disregard of mandatory preservation requirements — and that plans to continue that disregard going forward.

Do not approve this application.

Thank you.

Melanie Lane / Barberville Commercial — May 19, 2026
SD-2026-0834
Cell Phone Tower

There is a 154-foot cell tower on this property. You can see it from a mile in any direction — well, now you certainly can, before the trees came down. I want to talk about it, because nobody has.

A 154-foot tower has a fall zone radius of 154 feet. That is the area within which, if the tower were to fail, debris would fall. The UDO has addressed this – section 5.11.5E. says

- any tower shall be set back a MINIMUM of its full height from any property line, and
- the tower owner must control the entire fall zone through ownership, lease, or recorded easement.

This application creates property lines for proposed parcels 5, 6, and Common Area that are all within the fall zone height of the cell tower, and simply aren't allowed.

And the lease on file covers just 13 percent of the fall zone.

That is not a minor paperwork gap. That is a violation of the original building permit, a non-starter for this application to proceed.

Now this developer wants to subdivide the parcel that contains that tower. The proposed subdivision would create at least three new property lines running directly through the uncontrolled fall zone. And it creates a liability conflict and potential danger and any future property owners or tenants.

UDO sections 5.11.5B. and 5.11.5K.1. also require that the tower camouflage itself to reflect the character of its surroundings — and that existing vegetation be preserved OR IMPROVED. The mature trees that surrounded this tower and screened it from neighboring residential properties are mostly gone, and this application wants to eliminate what little is left. The concealment requirement is now being violated in plain sight, and seeks to violate to an even greater extent.

The solution is not complicated. The subdivision should be redrawn so the entire 154-foot fall zone radius sits within a single parcel that will not receive commercial development. That is what the UDO intended from the beginning.

The tower owner must also have at least a recorded easement for the entire fall zone before any development on the site is eligible.

Until then, this application cannot be approved.

Thank you.

COMPREHENSIVE STATEMENT OF UDO VIOLATIONS

Melanie Lane / Barberville Commercial | SD-2026-0834

9831 & 9901 Barberville Road, Lancaster County, South Carolina

Submitted to the Planning Commission: May 19, 2026

Submitted by: Overlook at Barber Rock Neighborhood Residents

PURPOSE OF THIS DOCUMENT

This document constitutes a formal written statement of all potential violations of the Lancaster County Unified Development Ordinance (UDO) applicable to the above-referenced application. It is submitted for entry into the official record of this proceeding and is intended to supplement oral testimony presented by neighborhood residents at the May 19, 2026 Planning Commission hearing.

Not all violations listed herein will be addressed orally due to time constraints. All are submitted in writing so they are captured on the record regardless. Pursuant to **S.C. Code § 6-29-1150(D)**, any party in interest has 30 days to appeal a Planning Commission decision to the circuit court. This document is intended to preserve all grounds for such an appeal should approval be granted.

The UDO is not a list of suggestions. UDO Section 1.1.6 states that any development must **conform** to the requirements of this ordinance. Not substantially. Not mostly. Conform. This application does not.

VIOLATION SUMMARY

#	Violation	UDO Citation(s)	Variance Sought?
1	Application Administratively Ineligible — Missing Parcel 1	UDO 6.2.2B	N/A
2	Melanie Drive Cannot Connect to Barberville Road	UDO 6.4.1H	NO
3	Melanie Drive Serves Too Many Lots (limit: 5, proposed: 8)	UDO 6.18.1H.1	NO
4	Non-Compliant Parcels Cannot Be Created (no street frontage)	UDO 1.4.3B.4, 1.4.3A.1	NO
5	No Buildings May Be Erected on Parcels 2, 3, or 4	UDO 1.4.3B.2, 4.3.2F.1	NO
6	Cell Tower Fall Zone — Uncontrolled; New Property Lines Cross It	UDO §5.11.5E.1, §5.11.5N	NO
7	Mandatory Tree Preservation Violated Before & During Construction	UDO 4.3.2L.2, 7.1.2	NO
8	Traffic Impact Analysis Expired	UDO 6.8	NO
9	Open Space Requirement Not Met — Claimed Area Does Not Qualify	UDO 4.3.2L.1	NO
10	Type B Buffer Option Not Specified or Dimensioned	UDO 7.1.5	NO
11	No Building Elevations for HCO Architectural Compliance	UDO 4.3.2F.3, F.4	NO
12	Parking Placed in Front of Building — HCO Violation	UDO 4.3.2G.1	NO

#	Violation	UDO Citation(s)	Variance Sought?
13	No Plantings Shown in HCO Corridor Buffer	UDO 4.3.2J.2	NO
14	Parcels 2–7: No Buildings, Uses, Setbacks, or Parking Data	UDO Preliminary Plat Checklist	NO
15	No Site Lighting Plan Submitted	UDO 4.3.2I	NO
16	No Parking Area Landscaping Shown	UDO 4.3.2J.6	NO
17	Sidewalk Connectivity Deficiencies	UDO 4.3.2F.5	NO
18	Acreage and Lot Count Discrepancies — Materials Not Reconciled	UDO Plat Checklist	NO
19	Fire Marshal 500-Foot Hose Lay Unverifiable	Fire Code / UDO Review	CONDITIONAL
20	Accessible Route Not Shown	UDO / 2021 IBC	NO
21	Parcel 1 — Undisclosed Mixed Use (Day Care + Retail)	UDO 2.5.3, HCO Standards	NO
22	Parcel 1 — Playground/Play Structure Setback Violations	UDO §2.4, §1.4.7B	NO
23	Parcel 1 — Unauthorized Connector to Oliver Terrace	No Easement of Record	NO
24	Piecemealing — Parcel 1 Minor Subdivision Used to Avoid Major Review	UDO 6.2.2B, Major Sub. Def.	NO
25	UDO Purpose and Intent — Contrary to All Stated Purposes	UDO 1.1.4, 1.1.6	N/A

VIOLATIONS IN DETAIL

CATEGORY I — ADMINISTRATIVE INELIGIBILITY

1. Application Is Administratively Ineligible [UDO 6.2.2B]

Issue. The application does not represent all parcels in this unified development and cannot proceed to a vote.

"Any document or plat to be recorded pursuant to any such exclusion shall bear the notation: "Exempt pursuant to Lancaster County Unified Development Ordinance." — UDO 6.2.2B"

- The minor subdivision for Parcel 1 (Parcel 0006-00-058.01) was deemed noncompliant by the County, and the County formally noticed the developer that associated building permits were being revoked.
- The developer responded by filing a recombination plat, but that plat does not contain the required UDO notation specified in UDO 6.2.2B. Without it, the recombination is not a valid exempt subdivision.
- All building permits issued under the invalid recombination are therefore also invalid.

- This major subdivision application (SD-2026-0834) does not include Parcel 1. It is incomplete and is not eligible for a Planning Commission vote until corrected and resubmitted, or the recombination is corrected and a new major subdivision application filed.

24. Piecemealing — Minor Subdivision Used to Circumvent Major Review [UDO 6.2.2B; Major Subdivision Definition]

Issue. Parcel 1 was deliberately filed as a minor subdivision to avoid the scrutiny, buffers, and neighbor protections required of a major subdivision.

- Parcel 1 shares the private road (Melanie Drive), integrated utilities, and a unified site design with the parcels in this major subdivision application.
- The developer's own public advertisements have consistently shown Parcel 1 as part of the larger Barberville Commercial development — contradicting the separate filing classification.
- If approved, the Commission's acknowledgment that this is a major subdivision undermines the legitimacy of Parcel 1's minor subdivision approval, which was obtained on the premise that it was a standalone project.
- The building currently under construction on Parcel 1 was built under permits that are now invalid. It cannot be grandfathered as compliant simply because construction was rushed.

CATEGORY II — MELANIE DRIVE: PROHIBITED ACCESS AND CAPACITY

2. Melanie Drive Cannot Connect to Barberville Road [UDO 6.4.1H]

Issue. Direct driveway access from a subdivision lot to a thoroughfare is expressly prohibited.

"Where a subdivision borders a thoroughfare, no direct driveway access shall be permitted to a thoroughfare from the lots within the subdivision. — UDO 6.4.1H"

- **Melanie Drive is a driveway:** Deed Book certifies it as a "Private Driveway." SCDOT ARMS manual defines any access point that is not a public street as a driveway. S.C. Code § 56-6-450 defines it as a driveway. Three independent legal sources, one consistent conclusion.
- **Barberville Road is a thoroughfare:** UDO 6.11.3A.1.f defines a "Road" as a thoroughfare. The SC Supreme Court directs use of ordinary dictionary meaning where terms are not specifically defined — Merriam-Webster: "a main road." At 9,300 AADT it is the 3rd busiest secondary road in all of Lancaster County. The UDO's own NB zoning description acknowledges NB districts are "generally located on thoroughfares."
- **No variance has been sought or granted.**

3. Melanie Drive Serves Too Many Lots [UDO 6.18.1H.1]

Issue. A newly created private drive may access no more than 5 lots. This application proposes 8.

"No more than five lots may be accessed by a newly created private drive. — UDO 6.18.1H.1"

- Melanie Drive is newly created — it did not exist prior to this development or prior to the current UDO.
- This application proposes 8 lots accessed by Melanie Drive.
- **No variance has been sought or granted. The limit is five. The proposal is eight.**

CATEGORY III — ILLEGAL LOT CREATION AND BUILDABILITY

4. Non-Compliant Parcels Cannot Be Created [UDO 1.4.3B.4, 1.4.3A.1]

Issue. Multiple proposed lots do not front a street right-of-way and cannot be legally created.

"All ... lots shall front upon a street right-of-way. — UDO 1.4.3B.4"

- The County's own legal opinion — from a neutral party evaluator — confirms that Melanie Drive is not a street.
- Proposed Parcels 2, 3, 4, and the Common Area do not front a street right-of-way. They cannot be legally created.
- **Parcel 2 additional violation:** The southern side lot line fails the right-angle requirement of UDO 1.4.3A.1, which requires side lot lines to be substantially at right angles to straight street lines for a minimum of 100 feet from the front lot line — measured against both Barberville Road and, even if accepted as a street, Melanie Drive.
- **No variance has been sought or granted for any of these deficiencies.**

5. No Buildings May Be Erected on Parcels 2, 3, or 4 [UDO 1.4.3B.2, 4.3.2F.1, 4.3.2F.5.b]

Issue. Because these parcels do not front a street, no building may be erected, no principal use established, and no accessory structure placed on them.

- UDO 1.4.3B.2 allows commercial buildings on lots not abutting a dedicated street only if the lot fronts (a) a privately-maintained drive in a public parking area, (b) an approved open space or park, or (c) a designated area used in common. None of these exceptions apply.
- Melanie Drive is not a drive aisle within the confines of a parking area. Parcel 1 is not an approved open space, park, square, plaza, or green.

- UDO 4.3.2F.1 (Highway Corridor Overlay) independently requires all HCO buildings to front a public or private street or share a frontage line with a square or similar common open space. All proposed parcels lie within the HCO. Neither Melanie Drive nor Parcel 1 qualifies.
- UDO 4.3.2F.5.b further defines qualifying spaces as "improved common open space" including "squares, plazas, greens, or other similar spaces." Neither qualifies.
- Without a principal building, no principal use can be established. Without a principal use, no accessory structure may be placed (UDO §10.4).
- The Use Table at UDO 2.5.3G prohibits a parking lot as a principal use in NB zoning — so Parcels 2 and 3 cannot even serve as parking lots.
- **Three of eight proposed lots are legally unbuildable as drawn. No variance has been sought.**

CATEGORY IV — CELL TOWER FALL ZONE

6. Cell Tower Fall Zone — Uncontrolled; Subdivision Creates Lines Through It [UDO §5.11.5E.1, §5.11.5N, §5.11.5B, §5.11.5K.1]

Issue. The 154-foot cell tower has a 154-foot fall zone. The developer controls only ~13% of it. New property lines would bisect the uncontrolled fall zone.

- The UDO has persistently required since this tower's construction that any tower be set back its full height from any property line (Rev. 1998 UDO §4.1.26E.2; current UDO §5.11.5E.1).
- The original lease (Book 176, Pg. 137), amended lease (Book 1715, Pg. 206), and plat (Book 2002, Pg. 608) cover only a 10,000 sq. ft. area of the parcel plus a utility access path. The fall zone radius of 154 feet covers more than 74,000 sq. ft. — the lease controls approximately 13%.
- This is a violation of the tower's original building permit and the current UDO (§5.11.5N), which requires the owner to lease, own, or hold a recorded easement over the entire fall zone.
- The proposed subdivision creates at least 3 new property lines crossing through the uncontrolled fall zone. Habitable structures are prohibited within the fall zone (UDO §5.11.5E.2).
- UDO §5.11.5B requires towers over 60 feet in NB zones to be camouflaged to reflect the character of their surroundings. UDO §5.11.5K.1 requires existing vegetation to be preserved or improved to minimize visual impact. The removal of mature trees from the perimeter of this parcel violates both.
- **Solution:** The subdivision must be redrawn so the entire 154-foot fall zone radius is contained within a single parcel that will not receive commercial development. No approval should issue until the fall zone is legally controlled.

CATEGORY V — TREE PRESERVATION VIOLATIONS

7. Mandatory Tree Preservation Violated — Before, During, and Planned for Future [UDO 4.3.2A, 4.3.2L.2, 7.1.2]

Issue. Required tree preservation in setbacks and buffer yards was ignored. A formal complaint was on record before the first tree fell. No survey or preservation plan has ever been filed.

"All required setbacks and buffer yards shall be used as tree preservation areas. — UDO 4.3.2L.2"

"Retention and protection of large trees ... shall be required for all development. — UDO 4.3.2L.2"

"All canopy trees ... greater than 24 inches (diameter) shall be incorporated into the site plan. — UDO 4.3.2L.2"

- **Formal complaint date: August 19, 2024.** A written complaint citing all of these requirements was submitted to Lancaster County before a single tree was removed or a single shovel of dirt was turned. The developer had access to this complaint. Trees were removed anyway.
- The site contained a significant and undetermined number of trees exceeding 24 inches DBH that were removed without a survey being conducted — making compliance impossible to retroactively verify.
- This application contains no tree survey, no preservation plan, and explicitly plans to remove remaining trees. The County's response to the August 2024 complaint was insufficient to halt the violations.
- UDO 4.3.2A establishes that the HCO was created to "preserve and enhance" the corridor and "improve the visual character of adjacent development." Wholesale removal of mature vegetation is directly contrary to this stated purpose.
- UDO 7.1.2 requires new development to be "creative in design and placement of buildings, structures, parking, and other impervious surfaces as to preserve natural features and to complement the existing topography." No such creativity is evident.

CATEGORY VI — TRAFFIC AND INFRASTRUCTURE

8. Traffic Impact Analysis Is Expired [UDO 6.8]

Issue. The TIA on file is from 2023 and is past its projected horizon years. Staff cannot make a compliant recommendation on an expired study.

- UDO 6.8 requires a current Traffic Impact Analysis for any subdivision or site plan.
- The submitted TIA was prepared in June 2023. We are now in 2026, already beyond the study's projected horizon years.
- The TIA's own Executive Summary acknowledges that the Fort Mill Hwy (SC 160) & Barberville Road intersection currently operates at LOS E and is projected to reach LOS F under No-Build conditions — meaning the road is already failing without this development.

- Raising the intersection to an acceptable LOS D would require additional through lanes on SC 160 that neither the developer nor background developers have agreed to provide.
- **A new TIA must be prepared and reviewed before Staff can make a compliant recommendation and before this application is eligible for a vote.**

19. Fire Marshal 500-Foot Hose Lay Requirement — Unverifiable [Fire Code / UDO Review]

Issue. The Fire Marshal gave conditional approval only, noting compliance cannot be verified without known building locations.

- The Fire Marshal's review comments state that all buildings must be within 500 feet as an apparatus would lay a hose.
- Parcel 5 alone is 2.87 acres. Building locations on Parcels 2 through 7 are entirely unknown.
- This condition cannot be verified — and therefore cannot be approved — until building locations are established.

CATEGORY VII — HIGHWAY CORRIDOR OVERLAY DESIGN VIOLATIONS

9. Open Space Requirement Not Met [UDO 4.3.2L.1]

Issue. The claimed "common area" open space does not qualify as usable open space under the HCO.

- The HCO requires a minimum of 10% usable open space. At 9.74 acres, that is 0.97 acres minimum.
- The plat claims a 1.14-acre common area — but that area is the private drive, stormwater management facilities, and utility easements.
- None of these qualify as usable open space. The HCO defines usable open space as "greens, unaltered natural features, or other similar areas not covered by impervious surface." A private road and a detention pond do not qualify.
- **The open space requirement has not been met.**

10. Type B Buffer Option Not Specified or Dimensioned [UDO 7.1.5]

Issue. The plat references "Type B buffer per UDO 7.1.5.B.2" but specifies no option, no plant species, no installation sizes, no density, and no width dimensions.

- There are two options for a Type B buffer. The developer has not selected one. The staff report expressly notes this gap.

- Without a selection, this Commission cannot verify whether the parcel layout can even accommodate the required buffer.
- Given that the development sits nearly 6 feet above the residential neighborhood at the property line, a ground-level Type B buffer of small plantings is geometrically incapable of providing meaningful screening. The buffer specifications must account for this elevation differential.
- The buffer must be opaque immediately — not in 10–15 years when saplings mature — and must be specified with species, installation sizes, and density sufficient to address overhead light and noise projection from an elevated site.

11. No Building Elevations for HCO Architectural Compliance [UDO 4.3.2F.3, F.4]

Issue. The HCO requires architectural variation with horizontal and vertical offsets. No elevations have been submitted for any building, including the one under construction.

- UDO 4.3.2F.3 and F.4 require specific architectural compliance in the HCO, including horizontal and vertical offsets and variation in materials.
- No building elevations are included in this application for any parcel.
- The county's civil construction checklist requires building elevation sheets for all HCO properties.
- A building is currently under construction on Parcel 1. No evidence has been provided that it meets these requirements.

12. Parking Placed in Front of Building — HCO Violation [UDO 4.3.2G.1]

Issue. The HCO requires parking to be in the rear or qualifying side of buildings. Parcel 1 shows parking in front.

- UDO 4.3.2G.1 requires that buildings in the HCO have parking in the rear of the building or at the side only if specific conditions are met.
- The preliminary plat for Parcel 1 shows parking in front of the building along the corridor side. This is a direct violation.
- No parking analysis, layout, or compliance information is provided for Parcels 2 through 7.

13. No Plantings Shown in HCO Corridor Buffer [UDO 4.3.2J.2]

Issue. The plat shows a 25-foot buffer line along Barberville Road but depicts no plantings within it.

- UDO 4.3.2J.2 requires plantings within the HCO corridor buffer. The plat shows a dimension line only — no species, no spacing, no planting plan.
- **A line on a drawing is not a buffer.**

14. No Building, Use, Setback, or Parking Data for Parcels 2–7 [UDO Preliminary Plat Checklist]

Issue. Seven lots are proposed. Six have no substantive information. The Commission cannot evaluate compliance for what it cannot see.

- The staff report confirms there are 7 proposed lots. Parcels 2 through 7 show no proposed buildings, no designated uses, no setback compliance, no impervious surface calculations, and no parking data.
- All of these are required items per the UDO preliminary plat checklist.
- Approving this plat without this information is approving a blank check for six undisclosed future uses — including the gas station and convenience store the developer advertises publicly but has not disclosed in any filing.

15. No Site Lighting Plan Submitted [UDO 4.3.2I]

Issue. A professionally sealed lighting plan is required for all HCO properties. None was submitted.

- UDO 4.3.2I requires a professionally sealed site lighting plan for all HCO developments.
- No such plan was submitted.
- UDO 4.3.2I restricts light intensity to 0.5 foot candles at a residential property line. Given the development sits approximately 6 feet above the adjacent residential neighborhood, overhead light projection is a material constraint that must be evaluated before any approval.

16. No Parking Area Landscaping Shown [UDO 4.3.2J.6]

Issue. HCO-compliant landscaping around parking areas is required. None is shown.

- UDO 4.3.2J.6 requires landscaping around all parking areas in the HCO.
- The plat depicts 29 parking spaces for Parcel 1 with no compliant landscaping shown.
- No parking area landscaping information is provided for any other parcel.

17. Sidewalk Connectivity Deficiencies [UDO 4.3.2F.5]

Issue. Required sidewalks along Barberville Road and SC 160 are not shown.

- UDO 4.3.2F.5 requires sidewalks complying with Appendix C, connecting to adjacent pedestrian circulation, and provided on both sides of streets within the development.

- The plat shows some internal sidewalks but does not depict sidewalks on Barberville Road or SC 160 as required.

18. Acreage and Lot Count Discrepancies — Materials Not Reconciled [UDO Preliminary Plat Checklist]

Issue. Basic dimensional data is inconsistent between submissions.

- The current agenda describes 9.74 acres and 7 lots. A prior plat showed 8 parcels and 11.33 acres.
- Parcel 5 has changed from approximately 1.11 acres (prior submission) to 2.87 acres (current) — a near-tripling with no explanation.
- These discrepancies have not been reconciled. Dimensional compliance cannot be evaluated when the fundamental numbers keep changing between submissions.

CATEGORY VIII — PARCEL 1 SPECIFIC VIOLATIONS

20. Accessible Route Not Shown [UDO / 2021 IBC / ANSI 117.1]

Issue. Required accessible routes between all buildings and site elements have not been shown.

- The Building Department's advisory comments require a "required accessible route to all buildings and between any building elements on site" and request the developer show the accessible route.
- This has not been done in any submission.
- All accessibility requirements must comply with the 2021 IBC and 2017 ICC ANSI 117.1.

21. Undisclosed Mixed Use — Day Care + Retail in Same Building [UDO 2.5.3, HCO Standards]

Issue. The developer applied for a day care but publicly advertises retail in the same building — an impermissible horizontal mixed use in NB zoning.

- The application for Parcel 1 is filed as a day care use in NB zoning.
- The developer's own public advertisements show retail space within the same building as the school/day care.
- Multiple use types that are not intrinsically dependent on or subordinate to each other constitute horizontal mixed use. Horizontal mixed use is not permitted in NB or GB zoning without approval through a Mixed Use District process, which has not been filed or reviewed.
- **Retail or general commercial use triggers more stringent requirements:** a 50-foot setback and buffer from residential zoning; if any parking, trash, loading, utilities, or other elements are

visible from adjacent residential property, a Type C fully opaque year-round screen is required — not limited to ground level, but including line-of-sight from second-story residential windows.

- Where buffering requirements differ along a property boundary, the more stringent requirement applies to the entire length of that side.

22. Playground/Play Structure Setback Violations [UDO §2.4, §1.4.7B, §5.7.2C.1]

Issue. The proposed outdoor play area for the day care violates multiple setback requirements.

- UDO §5.7.2C.1 requires child day cares to have an outdoor play area. The play structure qualifies as an accessory structure under UDO §10.4 and §10.2 — it is a manmade object above ground, on the same lot, incidental to the principal use.
- As an accessory structure, it must comply with UDO §2.4 setback requirements: 30 feet rear setback, 40 feet side setback. Because it exceeds 600 sq. ft., it must also comply with all setback requirements of the principal structure.
- The current proposal places the play area approximately 20 feet from the Oliver Terrace cul-de-sac right-of-way. UDO §1.4.7B prohibits any accessory structure closer than 30 feet to any right-of-way.
- UDO §4.3.2J.6 requires an 8-foot landscaped strip around all parking areas. UDO §7.1.4C.4 requires parking lots with more than 10 spaces to have a perimeter screen of at least 10 feet. The proposed parking lot and play area are too close to accommodate both requirements simultaneously. The parking lot may not be feasible at this location if all setback and landscaping requirements are enforced.

23. Unauthorized Connector to Oliver Terrace — No Easement of Record [Property Law / UDO Subdivision Standards]

Issue. Construction on Parcel 1 includes a physical connection to the Oliver Terrace cul-de-sac for which no easement has been granted and no authorization exists.

- The developer's own advertisements show a pedestrian/vehicular connector from Parcel 1 to the Oliver Terrace cul-de-sac.
- No easement has been granted by Oliver Terrace property owners. No easement appears in the deed records. No authorization appears in any filing before this Commission.
- The Oliver Terrace neighborhood has not been consulted and does not support this connection.
- **The unauthorized connector must be removed. Our neighborhood is not a commercial driveway or parking overflow area.**

CATEGORY IX — UDO PURPOSE AND INTENT

25. Development Is Contrary to All Stated Purposes of the UDO [UDO 1.1.4, 1.1.6]

Issue. This development conflicts with every purpose for which the UDO was written. UDO 1.1.6 requires conformance — not guidance — with all requirements.

UDO 1.1.4 — Stated Purpose	How This Development Fails It
<i>Encourage the most appropriate use of land</i>	Uses are undisclosed, inconsistent with the residential neighborhood, and advertised publicly in ways that contradict the filings before this Commission.
<i>Protect and preserve natural features including woodlands and topography</i>	Every significant tree has been or will be removed with no survey and no preservation plan. The topography has been graded away.
<i>Promote health, safety, and general welfare</i>	Invalid subdivision, uncontrolled fall zone, expired traffic study, no meaningful buffer, and construction proceeded without valid permits.
<i>Prevent overcrowding and incompatible development</i>	Eight commercial lots on a site that could have held one compliant building — and which this Commission already rejected once.
<i>Provide adequate light, air, and open space</i>	Claimed open space does not qualify. Buffer is a label. Trees are gone. Overhead lighting and noise from elevated site unaddressed.
<i>Lessen congestion in streets</i>	TIA is expired; SC 160 / Barberville Road intersection already operates at LOS E and is projected to reach LOS F without this development.

UDO Section 1.1.6 is dispositive: Any development must **conform** to the requirements of this ordinance. Not substantially. Not mostly. Conform. This development does not conform. By the count documented in this submission, it fails in at least **twenty-five specific, identifiable, cite-able ways** — many of them structural, many not curable by revision, and at least one rendering this application ineligible for a vote at all.

FORMAL REQUEST

For all of the reasons stated above, the undersigned residents of the Oliver Terrace neighborhood formally request that the Planning Commission **DENY** the application for Major Subdivision SD-2026-0834 (Melanie Lane / Barberville Commercial).

Should this Commission approve the application over these documented objections, please be advised that pursuant to **S.C. Code § 6-29-1150(D)**, any party in interest has 30 days from the date of the Commission's decision to appeal to the circuit court. All rights to pursue such an appeal are expressly reserved.

This document is submitted as a formal written exhibit to the record of this proceeding. We request it be distributed to all Planning Commissioners and retained in the permanent case file.

Submitted by Residents of Oliver Terrace, Lancaster County, South Carolina

May 19, 2026

Documents Provided by Charles Anthony for PC Review During Meeting

May 19, 2026

RE: SD-2026-0834 Melanie Lane/Barberville Commercial

My name is Chuck Anthony and I live at 6401 Ancient Way in Indian Land, in the Overlook at Barber Rock, the neighbors to the project. I am an attorney, but I do not represent anyone other than myself in this matter.

It would be inappropriate and risky for the Planning Commission to approve this proposal, as it seems well suited for review by the circuit court in favor of the neighbors.

There are countless ways this proposal does not comply with the Uniform Development Ordinance ("UDO"), and each and every one of my neighbors who raises those points has asked that their statements be placed in the record. There's a reason for that, and that's because were you to approve the proposal and that decision to be reviewed by the circuit court, the court would review only the record and what is in it.

The standard against which the court would review that record is clear and was recently discussed in the April 2026 decision in *Alliance to Preserve the Old White Horse Corridor* case out of Greenville County. The standard is the "any evidence" standard, where the court will give deference to the decision of the Planning Commission if there is "any evidence" in the record that the decision complies with the law, which in this case is the UDO.

Were the Planning Commission to approve the application here, it would be making the same mistake your counterparts in Greenville County made in the *Old White Horse Corridor* case – approving a plan for which evidence of how it meets the development regulation is lacking.

One very significant example of that is found at UDO 1.4.3.B.4 which states that except in very specific circumstances not relevant here, "lots shall front upon a street right-of-way."

The proposal here includes a street you may say – Melanie Drive or Lane. Well, by the definitions in the UDO, Melanie Drive is not a street, it is a "private 50' right of way." Memorandum from John K. DuBose, III to Ginny Merck-Dupont and April Williams (Sept. 20, 2025) (emphasis in original).

This isn't my opinion, this is the legal interpretation provided by John K. DuBose, III of the Smith Robinson Law Firm to the County Attorney and Planning Direction in September 2025.

Mr. DuBose said, "No new street is being created," and "Melanie Lane is denominated as a private 50' right of way . . . so it is not a 'street.'" *Id.* (emphasis in original). Nothing about the proposal that is relevant here has changed since that review.

While counties are allowed to change their mind and their interpretations, those changes must be supported by evidence of which there is none in the record.

Because Melanie Lane is not a street, Parcels 2, 3, 4, and the Common Area proposed here do not front a street right-of-way and do not comply with the UDO.

Further because the HCO applies here, UDO 4.3.2.F.1 states that, "All buildings shall front onto a public or private street or share a frontage line with a square or other similar common open space."

So, not only do parcels 2, 3, and 4 violate the UDO by not fronting a street, even if they could be approved, no buildings could be built on them because those buildings would also not front a street. Not even parking would be allowed since the zoning is NB.

This is one of many fatal flaws with the proposed plan.

In short, there is no evidence that the plan meets the requirements of the UDO and a finding of otherwise by this Commission would be ripe for review and reversal by the circuit court.

I have included with a copy of my statement a copy of Mr. DuBose's memo to the County Attorney and a copy of the *Old White Horse Corridor* case.

Thank you,

A handwritten signature in black ink, appearing to read "Chuck Anthony", with a stylized flourish at the end.

Chuck Anthony

MEMORANDUM

TO: Ginny Merck- Dupont, Lancaster County Attorney
April Willaims, Lancaster County Planning Director

FROM: John K. DuBose, III, Smith Robinson Law Firm

RE: Subdivision project classification
Barberville Commercial, 9901 Barberville Road

DATE: September 20, 2025

ISSUE

Lancaster County has requested an independent review and opinion regarding the appropriate classification of the Barberville Commercial project as either a Minor Subdivision or Major Subdivision project, pursuant to the terms of the Lancaster County Unified Development Ordinance (“UDO”).

I have been provided a preliminary draft subdivision plat dated May 31, 2024, prepared by C. Clark Nelson P.L.S. L3212, of R.B Pharr & Associates, P.A, and labelled “Minor Subdivision Plat, Barberville Commercial” (“Plat”) for review.

APPLICABLE LAW

There are no statutory construction issues to analyze. UDO Section 9, Administration, 9.2 Review Procedures, applies criteria to classify projects as a “Major Subdivisions” or as a “Minor Subdivisions” by using the definition of those terms contained in UDO Section, 10 Definitions.

With no internal conflicts in the UDO or statutory construction issues to address, the classification analysis for the plat as either a “Major Subdivision” or as a “Minor Subdivision” entails a review UDO Section 10, Definitions, and UDO Section 9, Administration, 9.2 Review Procedures.

UDO Section 10, Definitions

Section 10.2 Rules of Construction, Definitions, recites:

For the purpose of interpreting this ordinance, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this ordinance shall have their everyday meaning as determined by their dictionary definition.

There are no conflicting provisions in the UDO for the term “street.”

State jurisprudence states that the primary rules in statutory construction is to give effect to the intent of the legislature. *Mid-State*

The definitions for Minor Subdivision and Major Subdivision are found in UDO Section 10.4 Definitions, Generally. The terms Minor Subdivision and Major Subdivision are defined as:

Subdivision, Major

Subdivisions that include new streets, extension of streets, requests for variances, dedication of public utilities or streets, include 11 or more acres or subdivide land into 6 or more lots, and result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

Subdivision, Minor

Subdivisions that do not include new streets, extension of streets (except for improving or widening existing streets), requests for variances (except those for curb and gutter requirements), dedication of public utilities or streets, include 10 or fewer acres or subdivide land into 5 or more lots, and do not result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

UDO Section 9, Administration

The UDO Section 10 definition of Minor Subdivision is accurately included in the Review Procedures in UDO Section 9, Administration. The review factors used to classify subdivision development projects are found in UDO Section 9.2, Review Procedures, 9.2.10, Subdivisions. The classification rule is:

A. Subdivision (Minor and Recombination)

1. Applicability: The Minor Subdivision review process is allowed for any recombination of land and for those divisions of land which:

- 1. Do not require dedication of public utilities or public streets, and*
- 2. Include 10 or fewer acres or subdivide land into 5 or of fewer lots, and*
- 3. Do not result in an increase in the number of lots/parcels included in a subdivision previously approved by Lancaster County, and*
- 4. Do not involve any other conditions that require additional approval(s) from any County board or commission, as determined by the Administrator or TRC.*

Any division of land which does not meet all of the above criteria shall be required to use the Major Subdivision process, except that multi-family buildings which units are under separate individual ownership including, but not limited to, townhome and condominium development, shall also submit minor subdivision plats after the common walls of the building are established.

A subdivision is a “Minor Subdivision” if it meets the criteria in UDO Section 9.2.10(A)(1), it is a “Major Subdivision” if it does not meet the criteria.

ANALYSIS

Analysis and review of the Plat using the definitions of Major Subdivision and Minor Subdivision in UDO Section 10 and the criteria in UDO Section 9.2.10 results in the following conclusions:

- 1) No new street is being created.
 - a. The Plat proposes the creation of Melanie Lane, a private 50’ right of way. (emphasis added).
 - b. The UDO rules of construction refer to using the ordinary dictionary definition of terms. A “street” is not defined in the UDO, but its dictionary definition is most often “a public road in a city or town” or “the roads or public areas of a city or town.” (emphasis added). The public nature of the road and possession by a city or town (see. “*of a*”) is critical.
 - c. There is also a statutory definition of “street” at S.C. Code § 56-5-403 where “street” is defined as “ the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic is a ‘street’ or ‘highway’” (emphasis added). The definition of “street” adopted by the State of South Carolina is consistent with the ordinary dictionary meaning.
 - d. Melanie Lane is denominated as, a private 50’ right of way, and will not be publicly maintained, so it is not a “street.”
- 2) There is no extension of a street.
 - a. See above.
- 3) There appears to be no request for variance associated with the subdivision proposal.
- 4) There is no dedication of public streets or utilities.
 - a. “Streets” – See above.
 - i. The plat contains a proposed emergency vehicle access easement area, but that easement area is not a “street.”
 - b. “Utilities”
 - i. The decisional criterion in UDO Section 9.2.10 is that the plat “does not require dedication of public utilities or public streets” (emphasis added). In review of the project an important point of analysis is that Lancaster County does not require that subdivision projects connect to public water and sewer services with LCWSD.
 - ii. I understand that the proposed project is eligible for water and sanitary sewer utilities with the Lancaster County Water and

Sewer District ("LCWSD") acting as a water and sewer utility provider, but the property is not required to utilize LCWSD.

- iii. LCWSD is a special purpose district created by Act 455 of 1959 and is a "public utility" as that term is defined in S. C. Code § 58-5-10.
 - iv. LCWSD requires that developers dedicate any installed on-site water and sewer infrastructure and appurtenant easements to LCWSD.
 - v. If sewer services through LCWSD is ultimately utilized for the project, there would be a "dedication of public utilities," but that information cannot be gleaned at the plat submission and approval stage of the development process.
 - 1. It is my opinion that, if the developer submits permits for a project that requires sewer or includes public water or sewer in a later permit submission that project could be required to resubmit as a "Major Subdivision"
 - c. Development projects are not required to dedicate public utilities merely by virtue of plat approvals and during the subdivision plat review approval process there is no requirement that a subdivider inform the County of their ultimate intent for the subdivided lots.
 - i. The UDO does not require that commercial or residential projects be served by sewer if sewer is available.
 - ii. If a well system and septic system can be adequately designed to serve a commercial or residential development project, a developer may utilize wells systems for water and septic systems for wastewater, even in locations where public water and sewer are available.
 - d. There is no requirement that subdivision project utilize water and sewer utilities through LCWSD where available, there is not a clear "requirement" that a dedication of a "public utility" will occur for the Barberville Commercial project, or any other hypothetical project.
 - e. Inasmuch as the plat submission and recording process does not "require" dedication of a public utility, that factor has not been triggered.
- 5) The Plat does not include 11 or more acres.
 - a. The Plat recites a proposed subdivision of 5.3488 acres
- 6) The Plat does not subdivide into 6 or more lots.
 - a. Three parcels are proposed.
- 7) Based on the information provided to me, the Plat does not result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County. I understand that the parent parcel has not been subdivided during the preceding sixty (60) years.

- 8) The Plat does involve any other conditions that require additional approval(s) from any County board or commission, as determined by the Administrator or TRC.
 - a. It is my opinion the capitalization of "County" indicates the proper noun "County," which means Lancaster County, a political subdivision of the State of Carolina.
 - b. To my knowledge there were no additional approvals required from the County boards or County commissions for the Plat submission and approval.

As discussed above, at the plat review and approval stage, there is not a dispositive "required" dedication of a public utilities that would result in the "Barberville Commercial" project being categorized as a Major Subdivision.

Subdivision projects are allowed to utilize well and septic if the project can adequately design those systems to serve the use of the subdivided parcel. The Plat does not clearly "require" dedication of public utilities, so it is not disqualified as a Minor Subdivision.

Whether the developer can utilize the subdivided parcels for its ultimate intended purpose remains to be seen. In submitting the Plat as a Minor Subdivision plat, the developer represented that there will not be a required dedication of a public utility.

If the development project ultimately requires dedication of public utilities, I believe staff can then bar the project from proceeding as an extension of the Minor Subdivision Plat approval, as the project would no longer qualify as a Minor Subdivision. The developer could then choose to proceed with a different project that will utilize a well for water and a septic system, or the developer could re-submit the project as a Major Subdivision for proposed land uses that will require utilizing LCWSD utilities.

CONCLUSION

Based on the information provided to me by Lancaster County, and upon review of the applicable UDO Sections, it is my opinion that the Plat would be properly categorized as a Minor Subdivision because there is not a "required" dedication of public utilities.

It is my opinion that Lancaster County can bar a developer from utilizing a previously approved Minor Subdivision plat to develop property in a manner that is inconsistent with the UDO criteria of a Minor Subdivision.

The developer applied for a Minor Subdivision plat approval and, as such, represented that there would be no dedication of public utilities associated with the subdivision. If the subdivided parcels require dedication of a public utility, then the County could make the developer re-submit under a Major Subdivision review process.

In the alternative, the developer may elect to proceed with development of subdivided property with uses that do not require dedication of a public utility.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Alliance to Preserve the Old White Horse Road Corridor,
LLC and Mary Jean Horney, Appellants,

v.

RP&L, LLC and the Greenville County Planning
Commission, Respondents.

Appellate Case No. 2022-001301

Appeal From Greenville County
G. D. Morgan, Jr., Circuit Court Judge

Opinion No. 6144
Heard December 4, 2024 – Filed April 15, 2026

REVERSED

William Marvin Wilson, III, of Wyche Law Firm, and
William Franklin Childers, Jr., of Tonnsen Bach Law
Firm, both of Greenville, for Appellants.

Townes Boyd Johnson, III, of Townes B. Johnson III,
LLC, of Greenville, for Respondent RP&L, LLC.

Andrew F. Lindemann, of Lindemann Law Firm, P.A., of
Columbia, for Respondent Greenville County Planning
Commission.

MCDONALD, J.: This appeal arises from the Greenville County Planning
Commission's approval of a preliminary subdivision plan for The Stables, a

proposed development of seventy-three homes in northern Greenville County. The Alliance to Preserve the Old White Horse Road Corridor, LLC (the Alliance) and Mary Jean Horney (collectively, Appellants) contend the Planning Commission erred in approving this development plan because the plan does not comport with Greenville County's Land Development Regulations (2018) (LDR). More specifically, Appellants assert the Planning Commission (1) failed to set forth findings of fact, conclusions of law, or other written grounds to explain its reasoning for approval of the preliminary subdivision application; (2) approved the application despite a lack of evidence establishing the plan for The Stables satisfies the criteria mandated by the LDR; (3) approved the application despite a lack of evidence that the Greenville County Fire Department had reviewed the plan; and (4) violated Appellants' procedural due process rights by failing to make a revised preliminary plan available for public review prior to the meeting at which the preliminary subdivision application was approved. We reverse the order of the circuit court affirming the Planning Commission's approval of this proposed development plan.

Facts and Procedural History

Horney owns a small horse farm on Old White Horse Road; her farm is adjacent to the proposed location of The Stables subdivision. Horney organized and incorporated the Alliance in an effort to preserve the area commonly known as "the Old White Horse Road Corridor."

On March 31, 2021, RP&L, LLC filed a preliminary subdivision application with the Greenville County Planning Department, proposing to subdivide and develop approximately forty-three acres of rural agricultural and equestrian land west of the Reedy River at the intersection of Meadow Brook and Old White Horse Roads.¹ RP&L proposed The Stables as a "cluster development"—a development characterized by the clustering of building lots to preserve open space for recreational, environmental, or ecological reasons. Cluster developments are also called "open space developments." An open space development "permits housing units to be grouped on sites or lots with dimensions, frontages, and setbacks reduced from conventional sizes" so long as "the density of the tract as a whole shall not exceed the density allowed by the zoning district under existing regulations and the remaining land area is devoted to common open space."

¹ Land west of the Reedy River is zoned Residential-Suburban (R-S) and designated "Suburban Edge" under Greenville County's Comprehensive Plan. This zoning designation allows for up to one dwelling per acre.

The purpose of open space development is to provide a method of land development that permits variation in lot sizes without an increase in the overall density of population or development. This allows the subdivision of land into lots of varying sizes which will provide home buyers a choice of lot sizes according to their needs, while at the same time, preserving open space, tree cover, scenic vistas, natural drainage ways, and outstanding natural topography. Such measures prevent soil erosion and flooding by allowing development to occur according to the nature of the terrain; provide larger open areas with greater utility for rest and recreation; and encourage the development of more attractive and economical site design.

Open space may consist of "developable" and "undevelopable" land as defined in the Zoning Ordinance and/or LDR.

RP&L originally proposed that The Stables include forty-three acres consisting of seventy-three units and 14.05 acres of "open space." While the proposed lots vary in size, most are approximately 7800 square feet or 0.174 acres. Along with its preliminary application, RP&L submitted a preliminary subdivision plan.²

After receiving comments from the Subdivision Advisory Committee, Kevin Tumblin of Freeland and Associates, a civil engineer for RP&L, submitted a revised preliminary plan. Ultimately, the request for preliminary plan approval was placed on the agenda for the Planning Commission's May 26, 2021 meeting.

Prior to the meeting, nineteen parties submitted letters opposing the proposed development. Planning Commission staff then prepared a two-page report recommending that the Commission approve the preliminary plan.

At its subsequent meeting, the Planning Commission heard presentations from Appellants' counsel, William Childers, Jr.; another resident of the area aligned with Appellants; and Tumblin, who appeared on behalf of RP&L. Childers argued the

² This preliminary plan did not label any areas as developable open space and did not specify proposed uses for the open space as required by LDR Article 11.3.2(B).

preliminary plan for The Stables should be denied because (1) the development was incompatible with the surrounding land use density of the area, and (2) the preliminary plan did not comply with LDR Article 11's open space requirements for cluster developments. Another nearby landowner, Shannon Wilson, also appeared in opposition. Wilson presented a petition with 191 names opposing The Stables and spoke about additional concerns regarding (1) likely traffic increases, (2) storm water management and flooding, (3) the safety of a proposed access to the development, (4) density, and (5) the proposed development's lack of compatibility with the surrounding rural and equestrian area.

During Tumblin's presentation, at least one Planning Commission member raised concerns related to The Stables' proposed access location on Meadow Brook Road, a small, county road with ingress and egress only via the rather heavily-traveled highway known as Old White Horse Road. Commissioner Cindy Clark opined that the proposed access was an "awkward way to get into the subdivision and leave the subdivision." Clark further noted the Fire Department had not commented on the proposed access, stated she had "real concerns" about a fire truck being able to access the proposed subdivision, and commented that she would like to hear from the Fire Department regarding this access concern. Planning Commission staff informed Clark that they had contacted the Fire Department for comment but received no response. Commission staff further noted any approval could be delayed until the Fire Department provided input.

Clark also raised issues about the potential for flooding discussed in correspondence from local resident Don Woodard, who had researched the flooding issues in the area. Clark concluded by stating, "Everything west of the Reedy along this corridor is very rural, large lots. This is not a compatible use along this corridor. And the fact [that The Stables] is sandwiched between 2 equestrian facilities[,] I think is also not a good fit."

Following Commissioner Clark's comments, Commissioner Frank Hammond asked Tumblin if there "is any reason to believe there's a fire safety access issue?" Tumblin responded, "No. After we do improvements to the front entrance and widen it, whatever the county recommends, there won't be any issues."

Commissioner Jay Rogers then asked Tumblin about the distance between The Stables and Green Valley Country Club. As Tumblin was unsure of this distance, Rogers referenced a GIS screen shot presented by Commission staff and stated his own belief that The Stables was not incompatible with the surrounding area

because at least one subdivision near Green Valley contained lots smaller than one acre.³

Following these presentations and questions, the Planning Commission approved RP&L's preliminary subdivision application with five votes in favor and four votes opposing. The Planning Commission mailed a letter to RP&L informing it of this approval. Other than the meeting transcript, this letter is the only written record of the decision; the letter does not note the 5-4 vote or include findings supporting the Commission's approval.

Appellants appealed to the circuit court in accordance with section 6-29-1150(D) of the South Carolina Code (2004 & Supp. 2025). Following a hearing, the circuit court affirmed the Planning Commission's approval of the preliminary subdivision application. Appellants timely appealed.

Standard of Review

Appellants recognize that the "any evidence" standard of section 6-29-840 of the South Carolina Code (Supp. 2025) requires that "findings of fact by [a zoning] board of appeals must be treated in the same manner as a finding of fact by a jury." However, Appellants contend this standard does not apply because section 6-29-1150—by its plain and unambiguous language—does not require that the findings of fact of a planning commission be treated in the same manner. We disagree, as both *Town of Hollywood v. Floyd*⁴ and *Kurschner v. City of Camden Planning Commission*⁵ provide for an "any evidence" standard of review. And we

³ The GIS screen shot Rogers referenced shows the location of developments *east* of the Reedy River and not on Old White Horse Road. The land east of the Reedy is zoned Residential-15 (R-15) and characterized as "Suburban Neighborhood" under the County's Comprehensive Plan. That land use designation allows for a significantly greater gross density of 3 to 5 dwellings per acre.

⁴ 403 S.C. 466, 476, 744 S.E.2d 161, 166 (2013) ("By statute, the trial court must uphold a decision by the Planning Commission unless there is no evidence to support it.").

⁵ 376 S.C. 165, 173-74, 656 S.E.2d 346, 351 (2008) ("We refuse to apply a standard of review different from the any evidence standard in this case, for any other standard of review would be contrary to the legislature's intent in granting a planning commission broad discretion in this area.").

note that in *Grays Hill Baptist Church v. Beaufort County*, our supreme court reiterated that "[i]n the zoning context, a decision of the reviewing body will not be disturbed if there is evidence in the record to support its decision." 431 S.C. 630, 637, 850 S.E.2d 29, 33 (2020). "Instead, 'a decision of a municipal zoning board will be overturned if it is arbitrary, capricious, has no reasonable relation to a lawful purpose, or if the board has abused its discretion.'" *Id.* (quoting *Rest. Row Assocs. v. Horry County*, 335 S.C. 209, 216, 516 S.E.2d 442, 446 (1999)). Nor will a zoning decision be upheld "where it is based on errors of law" *Id.* (quoting *Hodge v. Pollock*, 223 S.C. 342, 348, 75 S.E.2d 752, 754 (1953)).

Analysis

I. Grounds for Approval and Evidence in Support

Appellants argue the Planning Commission erred in failing to propound any findings of fact, conclusions of law, or other written grounds setting forth its reasoning for approving the preliminary subdivision application for The Stables. We agree that this record lacks the support necessary for us to understand the Planning Commission's approval in light of the evidence before it.

The South Carolina Local Government Comprehensive Planning Enabling Act of 1994⁶ (the Enabling Act) gives local governments authority to create planning commissions and implement comprehensive plans to guide land development. The Enabling Act also sets forth certain requirements for these planning entities. *See* S.C. Code Ann. § 6-29-320 (2004) ("The county council of each county may create a county planning commission."); S.C. Code Ann. § 6-29-360 (B) (2004) ("The commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, and determinations, which record must be a public record."); S.C. Code Ann. § 6-29-510(A) (2004) (stating a local planning commission shall develop and maintain a comprehensive plan to guide development in its area of jurisdiction); S.C. Code Ann. § 6-29-1150(B) (2004 & Supp. 2025) ("A record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained as a public record. In addition, the developer must be notified in writing of the actions taken."). Pursuant to the Enabling Act, Greenville County Council adopted Land Development Regulations with the stated intent to provide for

⁶ S.C. Code Ann. §§ 6-29-310 to -1640 (2004 & Supp. 2025).

the harmonious development of the county; coordination of streets within subdivisions with other existing or planned streets or with other features of the comprehensive development plan; adequate open spaces for traffic, recreation, light, and air; protection of the floodplain and floodways; and for a distribution of population and traffic which will create conditions favorable to the health, safety, and welfare of the general public.

Greenville County LDR, Article 1.2. In reviewing the applicable statutory requirements, the circuit court reached the "inescapable conclusion . . . that the Commission is not required to issue findings of fact and conclusions of law." The circuit court further found the Commission's "meeting minutes, the transcript of the meeting, and the file material, which includes written opposition to the proposed subdivision, [provide] the record of the Commission's actions and grounds for approval satisfying the requirements of S.C. Code Ann. § 6-29-1150(B)."

Although we do not disagree with the circuit court's ruling that the applicable statutes do not require the Planning Commission to issue a formal written decision setting forth findings of fact and conclusions of law, we are not convinced that the meeting minutes, meeting transcript, and "file material" in this case provide a sufficient record to allow meaningful review of the Commission's 5-4 decision to approve RP&L's preliminary subdivision application. We are unable to discern the grounds for approval as required by section 6-29-1150(B) from the record before us. There is nothing in the record indicating the Planning Commission's reasons for approval, and it is unclear what facts the Planning Commission deemed established. Moreover, we are unable to discern how the Planning Commission applied these "facts" to the LDR and applicable zoning ordinances, nor can we decipher the divided Commission's reasoning from its series of questions and answers. Accordingly, we reverse the circuit court's finding that evidence exists in this record to support the decision of the Planning Commission. *See Grays Hill Baptist Church*, 431 S.C. at 637, 850 S.E.2d at 33 (explaining "the decision of the zoning board will not be upheld where it is based on errors of law" (quoting *Hodge*, 223 S.C. at 348, 75 S.E.2d at 754)); *id.* (holding "a decision of a municipal zoning board will be overturned if it is arbitrary, capricious, has no reasonable relation to a lawful purpose, or if the board has abused its discretion." (quoting *Rest. Row Assocs.*, 335 S.C. at 216, 516 S.E.2d at 446)).

II. LDR Article 3.1

Appellants next argue the Planning Commission erred in approving the preliminary subdivision application for The Stables when there is no evidence establishing the proposed development satisfies all three criteria of LDR Article 3.1. We agree.

As a threshold matter, we note that in its order affirming the Planning Commission, the circuit court did not reference LDR Article 3.1 by section in considering the issues raised by Appellants in their notice of appeal. *See Staubes v. City of Folly Beach*, 339 S.C. 406, 412, 529 S.E.2d 543, 546 (2000) ("It is well-settled that an issue cannot be raised for the first time on appeal, but must have been raised to and ruled upon by the trial court to be preserved for appellate review."); *id.* ("Error preservation requirements are intended 'to enable the lower court to rule properly after it has considered all relevant facts, law, and arguments.'" (quoting *I'On v. Town of Mt. Pleasant*, 338 S.C. 406, 422, 526 S.E.2d 716, 724 (2000))). And Respondents correctly note Appellants declined to file a Rule 59(e), SCRCP, motion.

But our review of the record reveals (1) the circuit court's formal order addresses in detail the County's Comprehensive Plan, which Appellants challenged as violative of LDR Article 3.1's stated criteria; (2) the circuit court ruled on issues concerning LDR Article 11 (addressing cluster developments) as they relate to the density considerations of LDR Article 3.1; and (3) the circuit court's form 4 order referenced the entirety of the file as well as the parties' arguments, which addressed at length the Article 3.1 issues raised and argued. Thus, we find the issues Appellants have raised as to LDR Article 3.1 and the County's Comprehensive Plan are preserved for our review.⁷ *See Royal v. Free Kindergarten Ass'n of Charleston*, 445 S.C. 436, 454, 914 S.E.2d 856, 865 (Ct. App. 2025) ("[W]here the question of [issue] preservation is subject to multiple interpretations, any doubt should be resolved in favor of preservation." (alterations in original) (quoting *Atl. Coast Builders & Contractors, LLC v. Lewis*, 398 S.C. 323, 333, 730 S.E.2d 282, 287 (2012) (Toal, C.J., concurring))).

LDR Article 3.1 provides:

3.1 Review Criteria

⁷ We further note section II, D of the circuit court's order specifically addresses traffic and access issues encompassed by LDR Article 3.1's review criteria.

Submitted subdivisions may be approved if they meet all of the following criteria:

- Adequate existing infrastructure and transportation systems exist to support the project;
- The project is compatible with the surrounding land use density;
- The project is compatible with the site's environmental conditions, such as but not limited to, wetlands, flooding, endangered species and/or habitat, and historic sites and/or cemeteries.

The first of the stated criteria to be considered is that "adequate existing infrastructure and transportation systems exist to support the project." *Id.* Under the preliminary plan, the proposed access point for The Stables lies on Meadow Brook Road. The South Carolina Department of Transportation (SCDOT) declined to comment on this access point based on its determination that Meadow Brook Road is a county road. Our review of the record reveals Meadow Brook Road is a dead-end road with ingress and egress only onto Old White Horse Road, a state road well-known for its high traffic volume.

Although a traffic impact study (TIS) is one way to support a finding satisfying this factor, LDR Article 9.1 states, "A TIS will be required for large developments such as major shopping centers, large planned developments, industrial complexes and any other projects that would generate 100 or more trips during the peak hour of the traffic generator or the peak hour of the adjacent street." Table 9.1 "gives examples of land use size thresholds that might be expected to generate 100 peak hour trips that may be used to determine whether a study will be required (based on [the] 7th edition of the *ITE Trip General Manual*)." For single family homes, the table indicates ninety units might be expected to generate 100 peak hour trips. Although there is nothing in Article 9 expressly granting the Planning Commission authority to order a TIS for a single-family home development with less than ninety units or to consider the combined effect of two subdivisions when evaluating the need for a TIS, there is also nothing in Article 9 stating the Planning Commission lacks authority to do so. For these reasons, we agree with Respondents that "whether to request a traffic impact study is at the very least discretionary."

Here, Appellants' traffic concerns are significant because we see nothing in this record to suggest that the existing transportation infrastructure will support The

Stables as proposed. Tumblin provided no testimony (or other evidence) that the *existing transportation infrastructure* will support The Stables. To the contrary, he indicated RP&L "will make improvements" to the road but did not specify what such improvements might entail other than "whatever the county asks us to do." Moreover, while staff recommended that the Planning Commission approve the preliminary subdivision application, the only reference to existing infrastructure and transportation is found in a section labeled "brief summary of request," which states, "Access is provided off of Meadow Brook Rd—a County Road."

The second criterion is "compatib[ility] with the surrounding land use density." The Old White Horse Road Corridor in the area where The Stables is proposed consists of rural agricultural and equestrian land. The immediate surrounding properties include Horney's thirty-one-acre horse farm to the north; Riverbend Equestrian Park, a sixty-three-acre equestrian facility, to the southeast; a fifty-eight-acre farm to the east; and other properties devoted primarily to agricultural or equestrian uses.

The Stables and surrounding areas along the Old White Horse Road Corridor are located in zone R-S, a zoning designation crafted to "provide reasonable safeguards for areas that are in the process of development with predominantly single-family dwellings but are generally still rural in character." Under Greenville County's Comprehensive Plan, the area for which The Stables is proposed is classified as "Suburban Edge," the classification for "low-density residential areas that offer opportunities for low-intensity development that is well-integrated with the natural landscape and agricultural uses." While the target density for such areas is "0 to 1 dwellings per acre," the developer intends for The Stables to consist of seventy-three homes situated on approximately nineteen acres (of the total forty-three-acre tract) with the remaining land proposed for use as open space and/or common areas. Most of the homes are proposed for lots of only 7800 square feet (0.174 acres), a density of over 5.5 homes per acre, as clustered.

At the Planning's Commission's meeting, Commissioner Clark commented, "Everything west of the Reedy along this corridor is very rural, large lots. This is not a compatible use along this corridor. And the fact that [The Stables] is sandwiched between 2 equestrian facilities I think is also not a good fit." And, as previously noted, a denser development that one commissioner referenced in favorable comparison to The Stables is actually located east of the Reedy River in zone R-15, a designation allowing for 2.9 units per acre for cluster developments (as compared to 1.7 units per acre for the correct zoning designation, R-S). Under the Comprehensive Plan, this other development is designated "Suburban

Neighborhood," which allows 3 to 5 dwellings per acre. This is a significant increase in density as compared to the "Suburban Edge" designation, which allows up to one dwelling per acre.

Other than the Planning Commission's vote approving this preliminary subdivision application, the only "evidence" in the record demonstrating The Stables "is compatible with the surrounding land use density" is the Planning Commission staff's recommendation, which states:

The site is located within the Suburban Edge character area of the Comprehensive Plan. The recommended land use types for this area are low-density residential areas that offer opportunities for low-intensity development that is well integrated with the natural landscape and agricultural uses. Residential development may occur as Individual single-family structures on large lots, or clusters of homes designed to preserve large amounts of open space, which should be interconnected as part of the county's larger open space system. The recommended density is 0 to 1 dwellings per acre. The project proposes 1.69 units per acre consistent with the R-S zoning district.

Appellants persuasively argue that the evidence in the record does not support this recommendation.

The third, and final, consideration of LDR Article 3.1 is that "[t]he project is compatible with the site's environmental conditions, such as but not limited to, wetlands, flooding, endangered species and/or habitat, and historic sites and/or cemeteries." This is important because the record includes correspondence from opposing neighbor Woodard, the proprietor of Firstfruits Farm of South Carolina, LLC, indicating that The Stables is proposed for an area already prone to flooding.

By contrast, the Subdivision Advisory Committee found The Stables would be located in the Reedy River watershed. Yet Appellants assert that below the main waterflow area of The Stables is "the Branch," an approximately one-mile long blue-line stream that initiates from a pond on The Stables property and flows to the south. Appellants contend the Branch has experienced increased incidences of flooding affecting roads and other infrastructure at the location for which development of The Stables is proposed. According to Appellants, all water runoff

in this area flows into the Branch, and none of this flow reaches the Reedy River before reaching Richmond Hills, approximately two miles from the proposed location of The Stables. Appellants maintain that during heavy rains, the Branch can flood, causing damage to the surrounding properties as reflected in photographs presented to the Planning Commission. Tumblin responded to these flooding concerns by explaining that once the developers enter the design phase, they would "closely look at the existing pond to see if [there are] any issues." He further noted the developers' plan is "to redirect all our new developed water to a new proposed [retention] pond," with the existing pond to "remain undisturbed."

We have been unable to find evidence in the record from which the Planning Commission could properly determine that this proposed development plan satisfies the LDR's environmental compatibility, infrastructure, and transportation criteria. For these reasons and the other concerns noted above, we find the circuit court erred in upholding the Planning Commission's approval of the proposed development plan and preliminary subdivision application for The Stables.⁸

Conclusion

We reverse the circuit court's order upholding the Greenville County Planning Commission's approval of this preliminary subdivision application.

REVERSED.

WILLIAMS, C.J., and TURNER, J., concur.

⁸ Because our findings here are dispositive, we decline to address Appellants' remaining issues on appeal. *See Futch v. McAllister Towing of Georgetown, Inc.*, 335 S.C. 598, 613, 518 S.E.2d 591, 598 (1999) (providing an appellate court need not address remaining issues when resolution of another issue is dispositive).

Documents Provided by Ann Gebel for PC Review During Meeting



Before



Today

Unofficial Transcript Prepared From The Official Audio Recording Of The PC Meeting

LANCASTER COUNTY PLANNING COMMISSION
CASE NO. SD-2026-0834
BARBERVILLE COMMERCIAL PRELIMINARY PLAT
MAY 19, 2026

UNOFFICIAL TRANSCRIPT PREPARED FROM THE OFFICIAL AUDIO RECORDING OF THE LANCASTER
COUNTY PLANNING COMMISSION MEETING

This transcript was prepared from the official audio recording of the Planning Commissioner meeting for convenience of review. It is intended to reflect, as accurately as practicable, the proceedings that occurred but is not a certified court reporter transcript. In the event of any discrepancy, the official audio recording controls.

- 1 The first item on the agenda is SD 2026 0834 Melan Lane, Barberville Commercial.
- 2 SHANNON CATOE: Thank you, Madam Chair, and commissioners. Can you hear me?
- 3 Can you um We have a new application that's before you for a subdivision. Um
- 4 it's a prelim
- 5 it's a major subdivision, a preliminary plat consist of 9.74 acres. Um a
- 6 multi-lot commercial development.
- 7 Um the property is located on Barberville Road, Fort Mill Highway.
- 8 Um you have a portion of it that is on general business GB. The other portion is
- 9 neighborhood business NB.
- 10 Um the applicant is Moody Group on behalf of Barberville Development and Martin
- 11 Senior and Associates is in
- 12 district 4. Um
- 13 so the subject property is located at the corner of Barberville Road and Fort
- 14 Mill Highway. The site is total of 9.74
- 15 acres is currently um subdivided into two two parcels that are split between two
- 16 different zoning districts. The property is located directly east and south of
- 17 overlook overlook at Barber Rock, a residential community.
- 18 The existing conditions and existing cell tower exist on the property. Um the
- 19 site is proposed to remain
- 20 the tower is going to remain on the site as shown on the um submitted
- 21 preliminary
- 22 plan. Um there's currently [clears throat] grading that's grading stages on the
- 23 development. Um let's see.
- 24 Let me get this one.
- 25 So, this is the uh the preliminary plat that was submitted that went through our

1 technical review committee. Um so, everyone has reviewed that for
2 preliminary plat zoning. You'll see that we have conditionally approved it um
3 based off planning commission giving it
4 approval. Um, so this went through Lancaster County Water and Sewer, all of our
5 departments, um, public works, fire, E911.
6 If gets once it gets a pre preliminary plat approval, then the construction
7 drawings will be submitted that have more detailed plans on that.
8 It is located within the highway corridor overlays. So once these parts you'll
9 so you'll have your preliminary plat then you'll have your construction
10 drawings then you'll have your final plat and then you'll have your asbuilts
11 that are approved and then once a particular use is decided on those
12 parcels you also have a commercial site plan that is submitted as well.
13 Okay.
14 So, um, all the DOT the traffic count and all those things have been have been
15 looked at, but they're not file. They're still going through those things. And
16 then once a commercial use is decided for this particular pieces of property,
17 they'll also look at that and see if it's warranted another TIA.
18 Um, and I'll be able to be more than glad to answer any questions that you may
19 have or provide any more information that you've got. SHANNON CATOE CONCLUDES
20 Uh, commissioners, do you have any questions for staff? Um, yes.
21 COMMISSIONERS SPEAKING: Okay. Thank you. Um okay so looking at this as a new
22 project and my question is
23 regarding the TIA um what I read is that it only included one of the two parcels
24 not the entire parcel. So if we're using that TIA to gauge decisions around um
25 traffic calming and intersection

1 requirements that are shown on this site plan. How is that accurate? if it's
2 only considering half there's going to be a new TIA for this
3 particular project. The other TIA and there's going to be improvements made on
4 that was for the another site plan that
5 was submitted and approved. So this one will have another this particular
6 project once it goes forward will have a different one. So if
7 we're supposed to look at this is how it impacts the existing area
8 and what they're showing is based on that existing TIA. That's not accurate.
9 So how are we supposed to make an informed decision without knowing what the
10 impact is that they're bringing?

11 SHANNON CATOE: So this is for the preliminary plat that it
12 meets all everything within the UDO to come before preliminary plat. The road's
13 going to be um where this was a private road. This road is going to have a
14 rightway. It's going to be privately maintained, but it'll have a rightway.
15 So once those construction drawings are submitted in, that is a more detailed
16 review that will be looked at.

17 COMMISSIONER SPEAKING: So
18 in the past when we've looked at preliminary plats, especially at the master
19 plan level, we have an
20 understanding of the impact that is coming to the community. It's very important
21 that we consider traffic
22 in our decision. So, I just feel like I feel like we should have that
23 information to be able to make an informed decision.

24 SHANNON CATOE: And I think with the with this one being a commercial development
25 and the youth the users not being known now because

1 all that is going to determine on what needs to be submitted for the TIA. So,
2 um, there will be construction drawings if it gets approved. There will be a use
3 that's claimed with the site plan that will require all those things to be
4 submitted and approved.

5 COMMISSIONER SPEAKING: So, where does it tell us that they can submit a TIA for
6 us to consider that isn't including both parcels?

7 SHANNON CATOE: There's not anything in the ordinance for both. This is just
8 particularly for this this new project and for this with
9 being a preliminary plat, it doesn't require a TIA to be submitted.

10 COMMISSIONERS SPEAKING: Okay. So, we understand though that what we had to look
11 at only included one of those parcels. Yes, ma'am.

12 Okay. Um that's all for now. Thank you.

13 I have a question. When did we um approve conditional use?

14 Ma'am, you mentioned that we had approved conditional use and that the grading
15 had already started and I'm just wondering when that happened.

16 SHANNON CATOE: The actual grading and the infrastructure for the Lancaster
17 County water and sewer and the storm water started when the original the
18 commercial site plan was approved for the front parcel. That's not a part of
19 this development.

20 COMMISSIONER SPEAKING: You said planning approved conditional use. When did that
21 happen?

22 SHANNON CATOE: I don't remember saying a conditional use.

23 COMMISSIONERS SPEAKING: Maybe she just misspoke. Um I have I have I have a
24 couple of questions. So um you said specifically
25 that these two parcels are do not have the same zoning district. So, how do they

1 get combined when they have two different zoning districts? How does that get
2 resolved?

3 SHANNON CATOE: So, they're not being combined. They're just being the name of
4 the same development. Um, so the GB is not being combined with a neighborhood
5 business.

6 It's separated. The roads just going through both those parcels,

7 COMMISSIONER SPEAKING: but they're asking for a major subdivision. That means
8 it's all together.

9 SHANNON CATOE: It's all together as a commercial development.

10 COMMISSIONER SPEAKING: So, you can have two different zoning districts within
11 one commercial development. Yes, ma'am.

12 That's that's that was that's one of my questions. How do you have two different
13 zoning districts in the same commercial development? Okay. So, like I said, can
14 somebody in staff tell me show me where it says that?

15 And then um Right.

16 SHANNON CATOE: So, they're not combining the the parcels together. They're doing
17 the all the storm water infrastructure as one.

18 Um, and the reason why they're having to do it as one development is because of
19 the storm water and the infrastructure.

20 COMMISSIONER SPEAKING: Okay. So, that leads me into my my second question. So,
21 um, the upper parcel was already approved as a minor subdivision on March 26 of
22 2026.

23 And I don't explain to me the process of how you take an existing approved minor
24 subdivision and wrap it into a new major subdivision.

25 SHANNON CATOE: So, we we that minor subdivision subdivision created one parcel.

1 It took the three
2 and made one. And so if this gets approved, that's what's going to separate
3 those three parcels for the neighborhood business and the one for GB.
4 COMMISSIONER SPEAKING: So it just it's Yes. All right. And then um um
5 my other question is I went out there to the site Wednesday last week and walked
6 it and and looked at it. put on my hard
7 hat, put on my safety vest, put on my stuff. Just I wanted to look at it and see
8 because um I know you've already done some work out there. How are you
9 making sure the infrastructure that's already been in place for this minor
10 subdivision is going to be properly tied in to the other half?
11 SHANNON CATOE: So that's where the storm water and the Lancaster County water
12 and sewer. That's where whenever the construction drawings come in, they're
13 going to make sure and
14 verify what's out there now meets the plans that are submitted. And then they'll
15 also have to have as-builts that are submitted back in.
16 COMMISSIONER SPEAKING: All right. And um in the um staff report, you posted uh
17 the pictures uh I
18 mean you posted pictures of the signs out on the property. The signs are not
19 there. They were not there last week.
20 So, have y'all already removed them or did somebody take them down? Because none
21 of the signs were there last week.
22 Not on 160 or on Barberville Road.
23 SHANNON CATOE: Yeah, we haven't removed them.
24 COREY BARNES: Yeah, I can answer that question, Commissioner Richards. Yes.
25 I actually I've placed signs on that site on two or three occasions and you have

1 the workers that are out there.

2 they were doing some type of uh installation along the shoulders of the road.

3 So, more than likely they removed those signs.

4 COMMISSIONER SPEAKING: So, thank you. Any other questions for staff?

5 Yes, one if you don't mind. So, in the TIA that we have today, it talks about

6 needing a northbound left turn lane and I see that SC dot approved it. I just

7 didn't see so have they already reviewed that? They've already given an

8 encroachment permit for that.

9 SHANNON CATOE: that's on the um current site plan that's approved

10 for the um daycare,

11 COMMISSIONER SPEAKING: the one that's already going up.

12 And then so the so Barberville has the enough rightaway to put in that left turn

13 lane.

14 SHANNON CATOE: They um or they'll have to come in from the property to to get

15 it.

16 COMMISSIONER SPEAKING: Okay. So, but that would mean that this plat wouldn't be

17 accurate at that point if they have to give up space in their actual

18 SHANNON CATOE: Yeah. not on on this this project. The um del lanes coming in on

19 the other project.

20 COMMISSIONER SPEAKING: That lane would be in before the daycare. I don't know if

21 we have that uh plat because it's a northbound turn lane

22 from 160 going up Barberville. So the turn lane would actually be before the

23 daycare. So they'd have to give it up on the plat that we're reviewing today.

24 Does that make sense? So if you look at road.

25 We wouldn't know if it's not

1 SHANNON CATOE: No, not unless not until that one in particular and that use is
2 claimed,
3 there may be more improvements that's going to have to be made along that road.
4 Yeah.

5 COMMISSIONER SPEAKING: And then the storm water that's in the common area, the
6 BMP that's there, was that based on pre-engineering for storm
7 water runoff? Is that a placeholder? Is that going to need to change with time
8 after we do engineering?

9 SHANNON CATOE: That was placed um for the overall development of of all this. Um
10 and when those individual site plans come in,
11 they will make sure that those those measures are accurate or if it needs to be
12 upgraded.

13 COMMISSIONER SPEAKING: Got it. So that's a placeholder today.
14 We don't know. For instance, on par I know we're not looking at parcel one, but
15 on parcel two, I know I need to speak into the mic. Sorry. On parcel
16 two, the elevation there, I know parcel one has a I think a there's a 10-ft
17 difference in elevation over about 75 ft, which is a 13% grade, which means
18 there's a lot of watershed. Parcel two has the exact same thing. So even if we
19 don't consider parcel one, parcel two also has that. So, and from my
20 understanding, and you can correct me if I'm wrong, that's not down that's
21 upstream from the storm water. So, today that on the right side of parcel 2 from
22 what we're looking at today, that actually wouldn't be covered by the BMP

23 SHANNON CATOE: that I can't answer. Um, that would have to be a storm water.

24 COMMISSIONER SPEAKING: Thank you. Any more questions?

25 Um, is the uh applicant here? If you'd like to get up and speak, please come up

1 and state your name and address into the microphone for the record, please.

2 APPLICANT SPEAKING: Good evening, Madam Chair. Dan Belaloo on behalf of the

3 applicant. Uh 113 East Main Street, Rock Hill is my address. Um

4 we're here to ask for approval of this subdivision. I know there are a lot of

5 questions and as you may may know this

6 project has u some history behind it and I just want the commission to

7 understand

8 that at every step along the way we've consulted with staff to try to understand

9 how this process needs to

10 conform to the UDO and we've done everything that has been asked of us.

11 the the fact that there was a minor subdivision. Again, that was all part of

12 what how we were advised to proceed by staff. We we think this is a good

13 project. This is a a corner that is zoned appropriately. It is in a highway

14 corridor. It is where this kind of

15 development should go. Um and we want to do it right and we want to do it

16 pursuant to the UDO. We think we've got a good product for the county today.

17 We're here to answer any questions you've got. And one in particular involving

18 the turn lane that that that

19 is shown that is existing uh shown on that that that uh that proposed plat. Um

20 we're not going to need to acquire any more right away in order to accomplish

21 that.

22 Okay. So, and I'm Jan Wrangling with Moody Group and um it's nice to see you all

23 again.

24 COMMISSIONER SPEAKING: Address, name and address for the record, please.

25 APPLICANT: Okay. I'm in I'm on Terra Plantation Boulevard in Monroe uh North

1 Carolina.

2 So we to answer your question earlier about the division of uh GB and NB those

3 two zonings we have every anytime someone comes up to get an approval for a

4 building that they're going to be

5 developing there they have to get they have to meet that current zoning whether

6 it's GB or NB and they'd have to adhere

7 to whatever permit requirements that you have for ingress egress and that kind

8 of thing. We have consulted with DOT on the

9 other conditional things that we would have to do on 160, but because that

10 wasn't a part of this plat, we didn't

11 turn it in for this for now. But we already have had an additional TIA. So, we

12 already know what we'll have to do once these other users come in. We don't

13 have any users right now. We literally just have the MKU. But um and once these

14 guys are sold, if they want to come back

15 in and go before the process that our MPU had to go in for and get permitted,

16 that's that's the route that they would

17 take. I was trying to think of any other questions that you had that I was

18 sitting back going, "Ah, is there I know. I saw you and I was like

19 I was like I didn't I was like I want to address it because I know there like

20 Dan said, there's a lot of history. We want to honor the neighbors and we and we

21 understand there's been some discrepancy.

22 COMMISSIONER SPEAKING: All right, this I'm not going to start with the last

23 meeting. Y'all please be respectful and let the applicant speak without

24 interrupting them.

25 APPLICANT: Um, so we've, you know, we've followed the guidance of the county the

1 entire way to try to create something that
2 would work for for everyone. We did our due diligence and understood what we had
3 to do. We've moved forward. We've we have our owners that have invested money
4 and time and We're here to try to work out what we can do on that corner. It's a
5 lit intersection, you know, so hopefully we
6 have something that's palatable for everyone.
7 Is there any are there any questions that you have for me?
8 COMMISSIONERS SPEAKING: First.
9 Okay. Um, I do have some questions, but um, let's
10 go ahead and get through um, public hearing and then I'm going to save my
11 questions till after I do I I do have a question. So, if if
12 there was history and you had your meetings with the neighborhood, I I just want
13 to understand where the breakdown
14 happened. like we I mean I'm just I'm confused because you said you got guidance
15 from our staff.
16 We've seen this before or not seen it before. It's considered new whatever. I
17 just want to understand what happened.
18 APPLICANT: So I would like to fully understand that myself to be honest. But we
19 turned in a plan. We went through the original TRC.
20 We were told what to do, how to break those parcels down because it's a a by
21 rite use. We we didn't go through
22 rezoning. We weren't trying to change anything. We were just trying to build the
23 site that was there. So because of that, we weren't required to meet with
24 the neighbors. I did reach out or reach back to some of the neighbors originally
25 and then after first hearing, it sort of backfired on me. So, I chose to try to

1 do everything through the process um which is address all the TRC comments and
2 make sure that we were up and up on
3 what we were presenting and bringing all the experts in doing all the additional
4 work. So, I really don't I can't answer
5 that question. I don't know where the disconnect is. I would like to know myself
6 because we're here to work with the county, work with the neighbors. I
7 understand that it's challenging to have someone build next to you. I'm looking
8 for space out in the country myself, so
9 I understand having somebody develop in your backyard. We we bought the
10 property, understood what the the the requirements were or we thought we did.
11 We did our due diligence and talked to everyone and so felt like we had what we
12 needed to move forward on the site and we did and then we were we were kind of
13 shocked at some of the things that came up after the fact. So, but anyway, thank
14 you.

15 COMMISSIONER SPEAKING: Um, I'm gonna take us into the next phase, but please
16 stay around.
17 We're gonna have more questions for you afterwards. Thank you so much. Yes.
18 Sorry.

19 APPLICANT: Birmingham. I'm a civil engineer associated with this project.
20 Address for Lane, South Carolina.
21 Um, to answer your question about the storm water, um, when we looked at this
22 site, we developed
23 storm water based on building. So each one of those parcels imagined at the max
24 area it all goes back to that office. So it does not require future.

25 COMMISSIONER SPEAKING: Got it. So it is done on pre-engineering work.

1 APPLICANT: Yes.

2 COMMISSIONER SPEAKING: Okay. Thank you. Very informative. Thank you.

3 APPLICANT: And we did feel that that multiple reviews by the TRC um county

4 engineer water and sewer district.

5 There are a lot of folks looking at this to try to build the best site possible

6 and I think the approvals that we've

7 seen reflect that process have some third party reviews

8 for this area in an area that ultimately recognize

9 COMMISSIONER SPEAKING: Thank you.

10 We will now consider ourselves into public hearing. Um I've have several people

11 that have signed up to speak. Uh when your name is called, please come up

12 to DAS, state your name and address into the microphone and uh then you will

13 have three minutes to speak. Before I start

14 calling people though, um I do have um I have several emails here that people

15 have sent in. Making sure I'm looking at

16 the right one. Yes, Barberville. So, I've had um some of these are um residents,

17 most of these are residents

18 of the overlook at um Barber Rock um with concerns about uh the alignment of

19 the road and with u um having the buffer zones and the runoff and um the cell

20 phone tower and the the traffic analysis.

21 Um they're concerned that it doesn't meet the UDO. Um they said in in previous

22 meetings that going back and forth between the minor subdivision and the major

23 subdivision.

24 Um let's see. um um talking about the loss of tree cover

25 because the area was completely um denuded and the noise that's coming in and

1 the runoff. And this was from this
2 was one, two, three separate emails from a Larry and Janice Bennett, a
3 trying to find a um JNM Markham, and a Jeff Williams. So those are the three
4 people that um emailed uh comments in.
5 So the first person that signed up to speak is uh Janine Clifton.
6 CITIZEN: Janine Clifton, 2023, Oliver Terrace, Indian Land, South Carolina.
7 Um, I've been here before. Sorry I haven't seen you in a few months. Um, but
8 you've
9 seen this before. A few years ago, this commission looked at the same idea, the
10 same property, the same developer, and
11 you said no. You sent them away. You told them to work with the neighborhood.
12 They didn't. Here we are again. Same property, same idea. And now nothing
13 materially has changed except for their ambition.
14 You asked them to work with us. They never made a single effort to do that.
15 Not one conversation, not one meeting, not one cell phone call that we can find.
16 Even after they collected 15 to 20
17 of our phone numbers and email addresses at the meeting when we were here and
18 said they would talk to us. Instead, they keep going forward through the
19 project. We came home to trees coming down in August, September, somewhere up in
20 there. And we came home with the impact of the trees. They weren't little
21 trees. The trees were breaking glasses in cabinets at the abuing homes when they
22 came down.
23 Then a quick pivot to 12-hour work days and weekends because they knew they had
24 to get parcel one constructed before
25 anyone could stop them. That's no regard for us or at least I should say that's

1 the regard the developers given us. So
2 what I tell you is this is a Trojan horse. What they're filing versus what
3 they're advertising is two different things. in the packets I gave you or an
4 a list of what they're filing and pictures from their websites of what they're
5 advertising for
6 um their filing say school daycare some offices their advertising says retail
7 space in the same building as the school
8 which is constructed and a gas station and convenience store I've submitted
9 those advertisements you all have um
10 that use is not mentioned the convenience store use is not mentioned anywhere
11 where not on the preliminary plat, not in the site data, not in the
12 traffic study, not in any filing anyone has seen. So I call this a Trojan horse
13 because you're going to approve something on paper and what gets built
14 is unknown or something entirely different at this point. And your obligation is
15 to require disclosure on
16 intention of use. For nearly six months, I've been coming to the before this
17 body and before the council telling you what was happening on the site without
18 your
19 approval. The staff will tell you they have a by right to develop the property
20 and they do, but they got to do it within the code. They started the
21 project knowing full well their intentions. They treated the ability to proceed
22 with parcel one as a blank check to do whatever they wanted. And as fast
23 as they could, hoping to create facts on the ground before anyone intervened. A
24 building's now erected on parcel one.
25 Construction proceeded under the assumption this was a minor subdivision.

1 They were building a small monastery school. The rest of their ambitions fit
2 that. It doesn't. We're here. Parcel one
3 alone is a school with retail in one building. Not to mention all the other
4 violations that remain on the other parcels, which my my friends will tell
5 you about today. If you approve this proposal as submitted, that building will
6 need to be corrected before it can be occupied because it can't be just
7 kind of carved out on its own. Your obligation is to uphold the UDO not as a
8 courtesy, not as a preference, but as a law. Thank you.

9 COMMISSIONER SPEAKING: Thank you, ma'am. Carrie Baker.

10 CITIZEN: Hi, I'm Carrie Baker, 1044 Harbor Bay Drive in Indian Land. I live in
11 Overlook at Barber Rock. So, thank you for
12 meeting with us and having us join. I do want to address something specific
13 we've already talked about today and that's that we talk about parcel one and
14 parcel
15 two as separate and they are clearly not separate as we've discussed. The plan
16 has been all along for this to be one major subdivision and right now treating
17 it now talking about parcel two using the information traffic etc from parcel
18 one doesn't cut it. This is clearly trying to circumvent what you're doing and
19 what you're trying to accomplish by
20 peacemailing, right? We're just getting pieces done at a time. So, we just
21 really want to identify that we understand growth happens. We wouldn't
22 be where we are if growth hadn't happened because we're in a neighborhood that
23 wasn't here when I moved to the Carolinas. So, we understand growth, but we
24 think it should be done right and
25 properly with the neighbors in. So if you look at that plat that you've seen, it

1 sh parcel one and parcel two share a
2 private road that serves the entire project that is clearly meant to be a single
3 major subdivision or it would
4 have separate roads that are private. So I just really want to ask you to take a
5 look at what they're doing in this
6 parcel and really look at like you mentioned the TIA. It's covering parcel one,
7 but that's going to trickle down effect to parcel two. We can't just take
8 what's there for parcel one and say it applies to everything downstream. So, I
9 just would really hope that you would uh
10 take a look at this and I ask you to explicitly find tonight that parcel one and
11 this minor or sorry, this major
12 subdivision constitute a single unified development and no third further
13 approvals or permits should issue any
14 parcel in the development unless the entire project is brought together into one
15 and really looked at. So, and then
16 anything less is a deliberate strategy to circumvent what you're doing. So,
17 you're going to hear more, you're going to hear a lot, but I just wanted to
18 share that from my perspective, and I appreciate that you're taking the time and
19 listening to all points of view to make the right decision. Thank you.
20 COMMISSIONER SPEAKING: Thank you, ma'am. Cody Hinton.
21 CITIZEN: Uh, good evening, commissioners. My name is Cody Hinton, 4627 Kingswood
22 Drive, Indian Land, South Carolina. I live in
23 Overlook at Barber Rock. Uh, I want to tell you what it felt like today. the uh
24 they cleared the trees, not what it looked like, but what it felt like. Uh
25 the ground shook, our houses shook. Uh we had to run outside and make sure our

1 kids were inside uh when the uh from the
2 backyards because uh limbs and debris were flying through the air without
3 warning. Trees that have stood for decades uh came down as we were trying
4 to get our kids inside. Uh those trees were our buffer, real trees. They were
5 over 20 and 30 feet tall, gone in a few
6 days without notice or warning. What the developer is proposing to replace them
7 is an insult. Um,
8 what they're calling a buffer. The plat says type B buffer per UDO7.1.5.B.2.
9 That's all it says. No plant species, no planting scheduled, no density, no size
10 and insulation, nothing. Uh, I have
11 photographs for the commission. Uh please look at them of a type B buffer
12 currently installed in this area. What you're seeing is a walkable clearance
13 space at the base. Low ornamental shrubs and a very small very young trees.
14 Uh that is their proposal. That's what replaces 30-year-old hardwoods. Um the
15 elevation why this buffer cannot work.
16 Now I need you to understand the physical reality of the site. The foundation of
17 the building on parcel one sits nearly six feet higher than the
18 abutting neighbor. Uh four to six feet of elevation advantage before a single wall
19 goes up to the lowest point abutting our
20 neighbor's residents. These small trees will grow uphill from our homes, but they'll
21 never reach the roof line of the building that already starts six feet
22 above us. Uh they'll never look they will never block overhead light from
23 fixtures mounted on the structures uh elevated above our roof lines. They'll
24 never absorb noise protecting uh projecting downward from the commercial site
25 above us. Trees they cleared um

1 work because of the elevation difference. Height and density on the high side
2 created a real opacity, real cover over our homes. What is proposed
3 now works in reverse. Every light fixture, every noise source, every line of
4 sight from the elevated slab looks directly down into our backyards, our
5 windows, and our children's play areas.

6 A ground level type B buffer cannot screen a development that sits six feet
7 above it. It's not an opinion. It's just geometry.

8 What approval must be uh must require if this commission must moves forward. The
9 buffer cannot be a label on a plat. It must be opaque not in 15 years when
10 saplings mature but now. Uh it must specify evergreen species installation sizes
11 and density sufficient to provide
12 immediate screening at and above the six feet uh six foot elevation
13 differential.

14 It must address light and noise and uh the unauthorized connector in our
15 neighborhood must be removed. Till those standards are met in writing with real
16 specification, this plat should not be approved. Time.

17 COMMISSIONER SPEAKING: Thank you, sir.

18 Thomas Haskin.

19 CITIZEN: Good evening, commissioners. It's Thomas Henson at 6408 Ancient Way,
20 Indianland.

21 On August 19th, 2024, a formal written complaint was submitted to Lancaster
22 County. That complaint identified specifically every tree preservation
23 requirement this developer was about to violate. The UDEO sections were cited.
24 The requirements were spelled out. The complaint was submitted before a single
25 tree was removed from this property, before a single shovel of dirt was

1 turned. The county received it. The developer had access to it. Then they
2 removed the trees. Anyways,
3 UDO 4.3.2L.2 requires at least three critical actions for any development. One,
4 all required
5 **45:05 (time reference of hearing included by mistake in transcript)**
6 setbacks and buffer yards shall be used as tree preservation areas. Two,
7 retention and protection of large trees
8 as set forth in chapter 7 of the UDO shall be required for all development.
9 Three, all canopy trees greater than 24 in in diameter shall be incorporated
10 into the site plan. These are not
11 aspirational guidelines. They are mandatory requirements stated in plain
12 language with no discretionary language.
13 Yet no setback or buffer yard was was currently is or is planned to be used for
14 tree preservation. Countless numbers
15 of large trees were removed in violation and this plan proposes to exterminate
16 whatever is left. The developer has not performed nor does it intend to perform
17 a comprehensive tree survey. UDO 7.1.2 two goes further stating that
18 preservation of existing trees is
19 expected and that new development through the protection of trees should be
20 creative in design and placement to preserve natural features.
21 The trees on this site were natural features. The topography of this site that
22 now leaves our neighborhood exposed is the topography the UDO required to be
23 respected. Remember, all of this was formally submitted in August 2024 before
24 any trees were removed. The developer
25 ignored and intentionally violated the UDO. The county did not set up and

1 enforce the UDO. The application does
2 not intend to preserve what remains. It explicitly plans to remove it.
3 Commissioners, I am not asking you to restore what has been destroyed. Those
4 trees are gone. That cannot be undone. I am asking you to refuse the to reward
5 the destruction by approving a project that was built on the deliberate
6 disregard of mandatory preservation requirements. and that plans to continue
7 that disregard going forward. Do not approve this application. Thank you.
8 COMMISSIONER SPEAKING: Thank you, sir. And I apologize when they moved your
9 name, they didn't spell out your whole last name, Jared Calhoun.
10 CITIZEN: Hello, I'm Jared Calhoun 8535 Hope Court Indian and the neighborhood.
11 So, good evening commissioners. My name is Jared Calhoun. There's a 154 foot
12 tower uh cell tower on the property that's in question today. You can see it
13 from a mile down the road and now you can see it even better with the trees
14 gone. Um, a 154 foot uh tower has a fall
15 radius of 154 feet. That's within which if it were to fall, debris would fall.
16 The UDO has addressed this in section 5.11 5E. It says any tower shall have a
17 setback at a minimum of its full height of the property line. The tower owner
18 must control the entire fall zone
19 through ownership, lease or recorded easement. The application creates property
20 lines proposed for parcels
21 five, six, and common area that are all within the fall zone height of the tower
22 and simply aren't allowed. And the lease
23 on file covers just 13% of the fall zone. That's not a minor paperwork gap.
24 This is a violation of the initial building permit, a non-starter for the
25 application to proceed. Now, the developer wants to subdivide the parcel

1 that contains that tower. The proposed subdivision would create at least three
2 new property lines running through the uncontrolled fall zone and it creates a
3 liability of conflicts potential danger for any future property owners or
4 tenants. UDO sections 5.11.5b
5 and 5.11.5k.1 also require that the tower camouflage itself to reflect the
6 character of its
7 surroundings and that existing vegetation be preserved or improved. The mature
8 trees that surrounded this tower
9 and screened it from the neighboring residential properties are mostly gone and
10 the application wants to eliminate the little that is left. The concealment
11 requirement is now being violated in plain sight and seeks to violate to even
12 greater extent. The solution is not
13 complicated. The sub the subdivision should be redrawn so that the entire 154
14 ft fall zone radius sits within a single
15 parcel that will not receive commercial development. That is what the UDO
16 intended from the beginning. The tower owner must also have a at least a
17 recorded easement for the entire fall zone before any development on the site is
18 eligible. Until then, this application cannot be approved. Thank you.

19 COMMISSIONER SPEAKING: Thank you, sir Joff Larson.
20 And it might be Jeff, but I just like Joff.
21 I'll take [laughter]
22 Thank you. Looking at it first. Yep. Yes, sir.

23 CITIZEN: My name is Jeff Larson. Uh, I live at 2010 Oliver Terrace in the
24 overlook of Barbara Rock uh, neighborhood.
25 Good evening, commissioners.

1 Eight months ago, I came before you to warn you about this project, even [clears
2 throat] though it wasn't even on the agenda. Well, today it is. This
3 development has done everything it can to avoid your oversight and our public
4 comments. So, today, let's reckon. I'll
5 start with something simple. It's not eligible to be before you today. In 2024,
6 this developer filed a minor subdivision for parcel one. Recently,
7 the county found that the lots on that were non-compliant and revoked their
8 building permits.
9 The developer filed a recombination and got new building permits based on that.
10 But UDO 622B clearly states that for a recombination to be valid, the recorded
11 plat shall say exempt pursuant
12 Lancaster County UDO. It doesn't. And since the county ruled that the original
13 uh minor subdivision preceding it was
14 not valid, there's actually no currently valid subdivision that even creates
15 parcel one that they keep working on. So the new building permits are invalid.
16 All the drawings in the plan before you today are invalid and this application
17 is incomplete. But if you do choose to vote tonight, consider the following.
18 Melanie Drive, Melan Lane is a driveway and a driveway can't connect a
19 subdivision to Barberville. UDO641H
20 states that where a subdivision borders a thoroughfare, no direct driveway
21 access shall be permitted from the lots within the subdivision. Melanie is a sub
22 is a driveway because in the Dbook, the county certified it private driveway.
23 The Arms Manual defines it as a driveway. SE code uh of laws 56 defines it as a
24 driveway and the county's own
25 outside legal advice ruled that it's a driveway and not a street. Barberville is

1 a thoroughfare because being classified as a road, it's defined as a
2 thoroughfare in the UDO. But let's get really simple. UDO 6181H1
3 says no more than five lots may be accessed by a newly created private drive.
4 This plan has eight lots. This is
5 not a complicated rule. And yet here we are. This plan honestly is such an you
6 have a packet before you. It's such an
7 encyclopedia of infractions that our group of lay neighbors on their own without
8 any outside counsel or help has
9 put together a dissertation on it for you. The Moody Group should in this line
10 of work honestly be embarrassed.
11 There's \$10 million that have been committed so far, at least on public record,
12 uh towards this project, and they can't hire an intern to just read
13 the UDO. Best case, Hanland's razor. But at least this time around, their
14 application didn't label my backyard as
15 the playground for their daycare, which they did originally. At the end of the
16 day, they don't have to subdivide. No
17 one ever told them they couldn't develop their land. They just had to do it
18 within the UDO. We don't have a problem with reasonable development. We have a
19 problem with this development. Thank you for your time.
20 COMMISSIONER SPEAKING: Thank you, sir. Andrea Mazoula or Mazulo.
21 CITIZEN: Um, Andrew Misulo, 8536 Hope Run Court.
22 I also live in the overlook. What is being passed out to you is a full list of
23 all of the UDO violations that this project violates. Um, you've heard about
24 the history and bad faith of these developers from each of my neighbors who have
25 already spoken, but I wanted to quickly summarize them for you. So, one,

1 um, there's no compliant minor subdivision here. This application is incomplete
2 and cannot legally come before you tonight. Two, Melanie Drive
3 cannot connect to Barberville Road. As Jeff just said, um it prohibits direct
4 driveway access from subdivisions lots
5 to a thoroughfare. Uh Melanie Drive is legally certified as a driveway. Three,
6 Melanie Drive serves too many lots. Uh
7 no variance has been sought and private drive can only have a maximum of five
8 lots and this has eight lots.
9 Um four, multiple parcels cannot legally be created. UDO1 143B4 requires all
10 lots
11 to front a street right of way. The county's own legal opinion confirms Melanie
12 Drive is not a street. Parcels 2, three, four, and the common area cannot be
13 legally created as drawn.
14 Five, no buildings may be erected on parcels 2, three, or four because they
15 cannot front a street. No exceptions under the UDO apply. Three of eight
16 proposed lots are legally unbuildable.
17 Six, the cell phone tower uh fall zone is uncontrolled and runs through proposed
18 property lines. There must be
19 154 foot fall zone radius. Seven, the mandatory tree preservation requirements
20 were violated. A formal complaint
21 documenting this in full with citations was submitted to the county in August
22 2024. Um the developer had that complaint and they removed the trees
23 anyway. And eight, the traffic impact analysis is expired. It was only written
24 for the current building that is being
25 put up now and not taken into account the entire lot. So, in good faith, I don't

1 know how anyone could approve this
2 tonight. Um, and if it is dis or if it is disapproved, the county should keep an
3 eye on them because they will do
4 whatever they want anyway and they will go behind your back and do it. So, we
5 hope that if it's disapproved that somebody keeps an eye on it. We will in
6 be writing the county as much as needed in writing so that it's all documented
7 if we need to go to legal. Thank you.

8 COMMISSIONER SPEAKING: Thank you ma'am Shannon Haskinson.

9 CITIZEN: Good evening. Shannon Heninson, resident 6408 ancient way. Also in the
10 overlook at Barbara Rock community,
11 I need to say something that gets lost in the legal docu in the legal arguments
12 and it really matters. The overlook at Barbara Rock was not designed to be
13 annexed by a commercial subdivision. It was not built as a buffer zone between a
14 business park and the next residential development. It was built as a community
15 of single family homes for families who made a deliberate choice to purchase
16 property here under a specific set of expectations about this what this place
17 would remain. We knew that there was commercial zoning adjacent to our
18 neighborhood and we accepted that. What we don't accept, what was never part of
19 the proposition when we signed our papers was long-term living with traffic
20 impacts to the traffic access to our homes and the overflow parking that will
21 happen in our neighborhood. With the stripping of the tree barrier and the light
22 buffer, that is not development adjacent to a neighborhood. That is
23 development into a neighborhood. Our property directly butts up to this
24 development. If this development
25 proceeds, you'll be looking right into our house.

1 The intentions of this developer and the intentions of the families who live
2 here are fundamentally different. We intend to live here quietly, safely in the
3 community we chose and paid for. The developer intends to extract value from a
4 piece of land by whatever means this
5 commission allows and move on. It is this commission's job not to split the
6 difference between those two intentions,
7 but to enforce the law as written to protect one from the other. Thank you.

8 COMMISSIONER S

9 SPEAKING: Thank you, ma'am.

10 Jerry Carter.

11 CITIZEN: Good evening, commissioners. My [clears throat] name is Jerry Carter. I
12 live at 4621 Barber or Kingswood Drive
13 in the overlook at Barber Rock. Um, you just heard about who we are and what we
14 signed up for when we bought our homes
15 here. I want to talk to you about what this corner can actually absorb because
16 the answer is not this. The intersection
17 of Barberville Road and Highway 160 currently operates at level of service E,
18 which is near failure. The developers
19 own traffic impact study projects it will reach level of service F full failure
20 even if nothing new is ever built here.

21 That is not a future projection. That is our daily life. We sit at a cross
22 street tempered by a light every morning to get
23 out of our neighborhood. We watch backups snake past our entrance and take our
24 lives in our hands with cars flying
25 back and forth from Fort Mill Highway down Barberville Road. The sightline

1 there may be

2 **1:00:03 (time reference of hearing included by mistake in transcript)**

3 adequate for the speed limit, but with the actual driving behaviors here and

4 exasperated by low light scenarios,

5 it's quite a dangerous point. We have watched accidents at that signal with the

6 regularity that comes when a two-lane road is being asked to do the

7 work of a four-lane road. Barberville Road has no adequate dedicated turn lanes

8 for this development. No right

9 turn deceleration lane for traffic entering the site. No northbound left turn

10 lane adequate for commercial volume. And we have sadly witnessed

11 neighbors hit head headon trying to turn into the neighborhood with numerous

12 cars running off the road and into our

13 buffers on Barberville Road. The TIA, three years expired and passed its horizon

14 years acknowledges that fixing

15 this intersection to an acceptable level of service requires adding through

16 lanes on SC 160 itself. Those lanes do not

17 exist. There is no commitment to build them and no funding identified. So, who

18 pays? We do every day in an intersection and on roads that are failing.

19 Commissioners, this is not a unique situation. It is the story Lancaster County

20 Council has been confronting over and over. Residents urged a moratorium in

21 February of 2025 because roads and emergency services could not keep pace with

22 development. A commute that used to take 12 minutes now takes close to an

23 hour. In October 2025, county council voted unanimously to enact a development

24 moratorium in Indianland because growth

25 had outpaced roads, utilities, schools, and emergency services. This panhandle

1 has grown 476%
2 since 2000. Just weeks ago, council member Graham voted to deny a development on
3 a strained corridor because a fire station had been
4 identified but not built, and he could not add more to a road where a charter
5 school, apartments, and residential growth were all converging at once. That
6 is this corner right now, tonight. The fire marshall on this application gave
7 only conditional approval. A gas station
8 and convenience store advertised publicly absent from the filings means 24-hour
9 traffic time.
10 Thank you.
11 COMMISSIONER SPEAKING: Thank you, sir.
12 Charles Anthony
13 CITIZEN: Hi, my name is Charles Anthony. I live at 6401 Ancient Way in Indian
14 Land and overlook at Barber Rock. I am an attorney, but I do not represent
15 anyone
16 other than myself in this matter. If the planning commission approves this
17 proposal, it seems well suited for review by the circuit court. There are
18 countless ways this proposal does not comply with the UDO and those are now in
19 the record because of what my neighbors have submitted to you all today. Were
20 you to approve the proposal and that decision to be reviewed by the circuit
21 court, that record is what the court would review.
22 Standard against the which the court would review that record is was clearly
23 discussed in the recent April 2026 case alliance to preserve the old white horse
24 corridor out of Greenville County.
25 The standard is that any evidence standard where the court will give deference

1 to you all in your decision if there is any evidence in the record that
2 the decision complies to the UDO where the planning commission to approve the
3 application here would be making the
4 same mistake that your counterparts in Greenville County made in that old White
5 Horse Corridor case. Approving a plan for which evidence of how it meets the
6 development regulation is lacking. One example of that out of many is found at
7 UDO 143B4

8 **1:03:54 (time reference of hearing included by mistake in transcript)**

9 which states that except in very specific circumstances not relevant here lots
10 shall front upon a street right ofway. The proposal here includes a
11 street you may say Melan Drive or lane whatever you call it. Well by the
12 definitions in the law Melan Drive is
13 not a street. It is a private 50-foot right of way. That's not my opinion.
14 That's the legal interpretation that was provided by Mr. Dose of the Smith
15 Robinson Law Firm to the county attorney and the planning director. In
16 September,
17 Mr. Dau said, and I quote, "No new street is being created." And quote, "Melan
18 Lane is denominated as a private
19 50-foot right ofway, so it is not a street." Staff confirmed that today, calling
20 it a private drive. While counties are allowed to change their
21 minds and interpretations, those changes must be supported by evidence of which
22 there is none in the record.

23 Because Melan Lane is not a street, parcels 2, three, four, and the common area
24 proposed here do not front a street right of way and do not comply with the UDO.
25 Further, because the HCO applies, UDO432F1 states, "All buildings shall front

1 onto
2 a private or public street or share frontage line with a square or other similar
3 common open space." So, not only
4 do those parcels violate the UDO by not fronting a street, even if they could be
5 approved, no buildings could be built on them because those buildings would also
6 not front a street. You might say they could just park there. Well, that's not
7 allowed either because the zoning is NB.
8 In short, there is no evidence that the plan meets all of the requirements of
9 the UDO and a finding otherwise by this commission would be ripe for review and
10 reversal by the circuit court. We don't have to bet a thousand% the neighbors
11 don't, but the plan does. It has to meet the requirements. Thank you.
12 COMMISSIONER SPEAKING: Thank you, sir. and goal.
13 CITIZEN: Good evening. My name is Anne Gable. I live at 20002 Oliver Terrace in
14 Indianland at the Overlook.
15 I am coming to you as you came and visited the development. Mine is the
16 house that adjust that ab butts right next to it. And the exact problems that we
17 warned this commission about two years ago have now come to life. I
18 bought and built my house in a peaceful residential development on a two-lane
19 road. Not in a busy mixeduse development with constant traffic, but here we are.
20 If I wanted that, I would be living in Southoun or Plaza Midwood. Residential
21 construction and commercial construction are vastly different processes. I know
22 because I work in the construction industry for new commercial builds. We live
23 through all the homes being built in the overlook and it wasn't nearly as
24 disruptive as this one building so far.
25 The peace and enjoyment of my home has been greatly affected, especially when

1 I'm trying to work. The development has caused constant interruption to the
2 neighborhood and surrounding area. From the never-ending grading, road work,
3 construction vibration, and noise. It's been awful to live through. The
4 vibration from the construction was so bad at my house that it broke dishes
5 inside my cabinets. [clears throat] I have concerns about what that did to my
6 and my neighbors foundations. And this is only one building so far. There is
7 constant styrofoam and other construction debris falling into my yard
8 that I have to pick up because they built right at the very edge of the property
9 with little to no setback separating us. You think pollen is bad
10 once a year? You'd have to deal with the amount of dust and dirt in my home and
11 my AC unit that is facing this development. Again, only one building so
12 far. One fun experience was when the county decided to tie this development
13 sewer and storm water line into ours.
14 That whole experience was unexpected as we had no notice at all until the
15 digging began. There was a loud backho trenching a massive hole right outside
16 my window in my office right in my front yard for days. They dug up our grass in
17 the culde-sac and now there's a vent
18 pipe sticking up high in our common area. If the overlooks landscapers
19 accidentally hit it, are we the residents on the hook for repairs?
20 Why is that on our property? There was no other place to tie this in or was it
21 just easier for the county and the development to tie it in as going
22 elsewhere would have cost more and taken more time. Where did the previous owner
23 of this land tie into their storm water
24 and sewer? I can't go outside and enjoy my backyard because I am totally exposed
25 to the road noise and this new

1 development directly next to me. We must keep our blinds closed on that side of
2 the house, both upstairs and down, because this building is so close and so
3 towering over my own. They can see right into our homes and we can see right
4 into their building. And as we warned
5 previously, once this building is completed, the lights from the property will
6 shine right into my windows. They already do from the vehicles on site
7 from building. I could go on but time limits stop me from giving more examples.
8 Thank you. Thank you.

9 COMMISSIONER SPEAKING: Um yeah. Um this concludes um all of the
10 citizens who were assigned to speak. So we will now consider ourselves out of
11 public hearing.

12 Um um commissioners, we have before us case
13 number SD 2026 0834 Melanie Lane, Barberville
14 Commercial.

15 COUNTY ATTORNEY: Um Madam Chair, I do believe that the applicant has a rebuttal.

16 COMMISSIONER SPEAKING: Oh, I'm sorry. Please forgive me. Yes, sir. Um does the
17 applicant have anything they'd like to say? I apologize.

18 APPLICANT: Thank you. And um we certainly understand the frustrations of of the
19 folks who have
20 spoken today and um honestly um I I understand the I understand the
21 issues that um folks are concerned about. Um, as a developer
22 and as a planning commission, all we can do is comply with the rules that are
23 adopted by the county.

24 All we can do is comply with the UDEO.

25 And that's what we have striven to do from the beginning. That's what we think

1 we have done. There have been a lot of accusations made about violations of the
2 UDO. I suggest to you that none of what is handed up to you is evidence of a
3 violation. The county attorney would not
4 let staff allow violations of the codes of this county go ignored. We have
5 complied at every turn when we have been informed of any of any issues and we
6 have engineers who have studied the code
7 and have designed this project in a way that does in fact comply with the code
8 and the development of you know the
9 development of property does involve disruption. I'm I'm I'm sorry that's the
10 reality but that that is what happens.

11 And the folks who moved into this neighborhood, they could see if they look at
12 the at the zoning map that this parcel has been zoned for commercial use
13 for years. And the intent of the county, the long range plan, the comprehensive
14 plan is that this property and this area
15 be uh be be developed in a way consistent with neighborhood commercial. That's
16 exactly what my client is doing.

17 They're not building a largecale commercial uh strip mall or anything like that.
18 there. Uh it's a small uh
19 neighborhood general business kind of a development and we while we don't know
20 exactly what the uses are, the county
21 does know what the uses are and there are allowed uses under neighborhood
22 commercial and general business. And if people don't like what they can what
23 what the county will allow in a particular zoning code, they're more than free
24 to come to county council and amend that code to change those allowed
25 uses. But that's what the comprehensive planning process is all about. It's

1 about looking to the future and how do
2 we as a community want this this area to to to be developed and that's reflected
3 in the zoning code and that's reflected
4 in the land in the UDO and that's all we have to go by. So um we have in fact
5 complied with the UDO. The buffers
6 comply with the UDO. The TIA um the the the DOT agrees that that what we have
7 done so far is in compliance and there are turn lanes that will account for the
8 any increased traffic. The trees, you
9 know, if if there had been a violation of the tree code, I guarantee you staff
10 would have been all over my client and would have shut them down. that didn't
11 happen. And unfortunately, when you when you develop a site, you're going to
12 have to clear some trees. And that's in fact what happened. I'm sorry that that
13 doesn't comply with what people expect to see when they move into a neighborhood
14 that uh next to an an undeveloped parcel, but this parcel is
15 going to be developed in a commercial way. That's that's what the county has
16 intended to. And that's that's that's all we are are doing in this instance.
17 So um this has not been the perfect development um project. There there have
18 been uh concerns along the way. There's
19 been confusion along the way. There has been change of staff along the way.
20 There's been changes in interpretation of the code along the way. But every step
21 along the way, my client has done what the county has asked of it. and and
22 we're here today because in all fairness, we're just asking uh to be uh allowed
23 to do the the the project that
24 um that that fits the code and that the county up to this point has said would
25 be appropriate. Uh you look at the the

1 TRC review, the county engineer approves it, the water and sewer district
2 approves it, um DOT approves it, 911
3 approves it, the fire marshall has tentatively approved it. Um this question
4 about priv a private drive versus a
5 private road upon the approval of the subdivision plan. This will become a
6 private road that will in fact comply
7 with the UDO. Um this is not just a driveway. It is designed to comply with the
8 road construction standards the
9 county has adopted. And the this is this is not an unusual process. whenever you
10 go through a subdivision approval and
11 you're going to pre create private roads within a a parcel, this is how it how
12 it's typically done. So, um there
13 there's been a lot thrown at you and all I can can say really in summary is we
14 have complied with the UDO at every turn
15 and if if if the we hadn't I'm sure that zoning staff or the county attorney
16 would have told us.
17 Thank you. And yeah, they've been they've been monitoring us and we've tried to
18 comply every step of the way and tried to work with the county and doing what we
19 feel would be acceptable.
20 Um, and I just want to say for the record, we don't have any we don't have
21 anything going into the neighboring property. That was one of the comments.
22 I've heard several comments that I can't even recall to rebuttal, but um I think
23 he covered most of it. We've tried to
24 line ourselves up with what the allowed uses are. Anything that has to come
25 through here will be have to go through approval process. It'll have to meet the

1 TIA requirements. All we're doing now is subdividing literally the plat that we
2 have. Um, so that's all unless you have questions.

3 COMMISSIONER SPEAKING: Okay. Yes. Thank you.

4 So now, commissioners, we have before us item number SD 2026834,
5 Melan Lane Barberville Commercial. Do I hear a motion?

6 Um, just for the sake of getting it on the floor for discussion, I make a motion
7 to approve.

8 I'll second it.

9 Um so um is there any discussion or [laughter] comments? Yes.

10 Thank you. Um okay. So I want to start um by saying to please bear with me. I
11 have a lot of notes to go through. This is in my district. Um, so this one is
12 kind of heavy for me. Um, because it's been brought up by the history's been
13 brought up by the applicant. Um, I think
14 we can speak to some of this. A lot has transpired around this project. Um,
15 I think I have to start by stating the last time in 2024 when it was brought to
16 us, we unanimously denied it. I
17 specifically brought up um two things that I thought did not um for me it
18 didn't meet the UDO um specifically it wasn't compatible due to the impact of
19 traffic that it brought but specifically
20 it also didn't meet the UDO highway corridor requirements at that time with the
21 plan that was presented. Um,
22 so when a project comes back up and is brought to us, um, I look at two things.
23 I is it is it a whole new project coming to us from the same applicant? Is it a
24 whole
25 fresh start or is it are they bringing back something similar? If it is similar,

1 are they looking at our past comments? Are they looking at our
2 previous concerns? and are they trying to um trying to remedy those, trying to
3 better
4 those comments? And so when I'm looking at this with fresh eyes, I didn't look
5 at the past project. I looked at what
6 was in my packet for this one. And unfortunately with those things from you know
7 having the past with it I'm looking
8 specifically for the things that I brought up and were those things considered
9 and looked at and were improvements made and um you know
10 unfortunately I didn't I didn't see those. So, I brought up earlier my question
11 to staff for or regarding the
12 TIA and I had concerns of why now if we're looking at this as a whole because
13 this is a master plan preliminary plat
14 brought before us for the whole site um we should look at the whole TIA. if
15 they're going to give a TIA, let's look
16 at the entire thing because what we're getting from that, those improvements and
17 recommendations, um, if you're
18 looking at uses for every parcel, those requirements would be grander. Um, so
19 then I took it a step further and I looked again at our UDO to refresh
20 myself, refresh myself on the highway corridor overlay. And um I want to
21 actually read from 4.3.2A of our UDO.
22 Um so bear with me for a second. This is the purpose and intent of this overlay.
23 The highway corridor overlay district has established to preserve and enhance
24 corridors that serve as major gateways leading to from and within Lancaster
25 County. As both commercial and residential land uses exist along such corridors,

1 there is a desire for residents of Lancaster County to provide
2 standards relative to connectivity, aesthetic appearances, and safety along
3 gateways. The land use recommendations
4 and design requirements contained within the highway corridor overlay district
5 are the result of a communitywide effort. As such, the intent of this
6 district is to provide unified land development regulations that promote a sense
7 of place, create consistency along
8 significant corridors by improving the visual character of adjacent development.
9 So, taking that in mind, when I'm looking back through the HOA,
10 the I'm sorry, not the HOA, the HCO, it doesn't meet that. Specifically, we're
11 getting into what those additional
12 requirements are. And again, we're looking at this as a whole project, not
13 alleart parcels. So, it even states um that you have to have um additional
14 enhanced common areas. So, I saw on your plans where you have setback lines
15 where you're at least have that called out.
16 you have the highway corridor on the plan, but you didn't take it a step further
17 to explain how you're actually
18 meeting those requirements of that overlay on your plans, which is what I was
19 looking for. So, actually
20 meeting each requirement. So, the code states that it's the entire development's
21 gross floor area over
22 40,000 square ft. From my calculations, which I got um what was publicly
23 provided on your website, each parcel
24 could potentially be 20 to 30,000 square ft of retail use. that would we be well
25 above the um you know combined gross floor area requirement which meant I should

1 it was within means to look for
2 those requirements and I didn't see that. So part of that requirement would
3 include
4 the commercial development to have a minimum of a 500 square foot area. It can
5 be a pocket park. Think a
6 playground. something that connects for pedestrians to use on the on the site.
7 Um so I was looking for that. I didn't see that. So for for me it doesn't meet
8 the UDO. Um, additionally, if you look
9 also in the HCO, um, appendix B, uh, shows a street crosssection that includes
10 an 8-foot multi-use path, um,
11 which would be on the main thorough affairs, not just within the community that
12 I didn't see on the plan. So, the entire purpose of the highway corridor
13 is for connectivity within the community and to grow connectivities within
14 spaces. So, I was looking for that and I
15 didn't see it. Um, so I this project is really hard because there there is a lot
16 of history. Um, but
17 when I'm looking at what was presented today, it still did not meet um the UDO
18 for me for those reasons. Additionally,
19 with all that's happened, I you know, I'm also struggling that we as a
20 commission, how do I say this? it it seems like this was brought to us to kind
21 of just rubber stamp it and p and and push it along.
22 And I do not want us to set any precedents um that we're willing to do that. So
23 we
24 have to look at each thing separately without pressure feeling regardless of why
25 things have happened in the past and what got us here to today. We should not

1 feel like we're forced to just sign something to get it on to the next step.
2 That's not that's not our our role to fix mistakes that we didn't make. Other
3 people um should take responsibility where where that is due and fixing fixing
4 their messes. I know that I
5 rambled on and on. That is a lot. But I think that I covered it. I might have
6 left something out and I'll pipe back up. But thank you.
7 Um if the applicants would like to come back up, I have some questions for you
8 to answer.

9 APPLICANT: and I I appreciate your feedback and we definitely did not bring this
10 up to rubber stamp. We have been pushed back at every every angle and the first
11 the
12 first um hearing that we had. We were not denied. We were deferred. So we had we
13 were supposed to go back and look at
14 because we were trying to work with what the county told us to do on the how we
15 were supposed to address each of those.
16 So we did that. We don't we are not interpreters of the UD UDO. We require
17 direction from everyone else and so we
18 abided by that. And when we when we were told, I think Allison Harden at the
19 time came up and stopped the entire process
20 before you guys actually denied it because it was had to be based on a code at
21 the time. And I know Allison's no longer here and everyone else isn't
22 here. So when I learned that, I went back and tried to hire counsel to figure
23 out what what we needed to do. So go ahead. Sorry.

24 COMMISSIONER SPEAKING: That's okay. It's just it's too we're we're we're beating
25 a dead horse over

1 APPLICANT: Can I say one more thing? Um ma'am, so
2 the the when you said that 20 or 30,000 square feet on our marketing plan, if
3 you look at any marketing plan in
4 Lancaster County or anywhere else, our goal is to try to sell one of those
5 parcels. And so we have it marketed with a sea store or a retail because the sea
6 store we weren't able to get anything on that sea store because of the way the
7 diagram was setting up on that corner.
8 So we replace it but we there's no way we would get there's a quarter acre in
9 the back a.5 acre beside the BMP pond.
10 We could barely get 5,000 square feet on that. So there's not 20 to 30 thou. I
11 just wanted to make sure.
12 COMMISSIONER SPEAKING: Thank you for clarifying it. It's the gross area though.
13 So for all parcels added up, which even you know using the
14 information that you supplied on your website is well above that
15 APPLICANT: the proposed uses. So you're saying that that's well above
16 COMMISSIONER SPEAKING: ike this back and forth also say yeah I said we're we
17 need to wrap it up. Yeah.
18 Thank you. I'm not looking for an argument.
19 APPLICANT: Yeah. And no and I don't want to give you one. We're just trying to
20 make sure we answer everything.
21 COMMISSIONER SPEAKING: And my question is about um Melanie Drive.
22 Like I said, I've been in the development business for almost 40 years, so I
23 understand what's going on here. So, um, my question to you is, um,
24 is your first order of business, if this passes, shouldn't your first order of
25 business be to get Melanie Lane in so that you do have a proper lane and

1 everything before you try to sell any of the other parcels? As I say, I did not
2 see that explicitly anywhere on the drawing. So that was my question for that
3 was that is one of the first order
4 of businesses is you got to have the road or else as as many people have said
5 then you don't meet the requirements because y'all have to forgive me I'm at
6 the age where it's glasses on glasses off. I see you're doing it too. Um so um
7 then um let's see um
8 also um I am and and I've looked at some of the drawings and everything like
9 that. So I I think you technically per
10 the the highway corridor do have um an appropriate size setback there on the
11 north and west sides of the the upper
12 property which does abut to the neighborhood but with those grade changes there.
13 How are you going to get
14 in a proper buffer to to shield those houses? I mean, I came down Barberville
15 Road from from north to south, and the building that's there is like a giant
16 castle standing up above everything
17 else. So, I understand the the citizens concerned. I mean, everything in that
18 first building is just looking right down on their houses. So, I mean, you're
19 going to, you know, you'd have to put in 40 foot tall trees to give any type of
20 buffer. So what what are you going to do
21 in that little tiny zone to try to help properly buffer this commercial
22 development from the residential development beside it?
23 APPLICANT: Thank you. And we offered through the county plan the planners we
24 offered to um add intensive understory trees or
25 upper story trees within that buffer area and to add a fence at our cost.

1 That's what we offered um through the county planning conversations prior to
2 meeting.

3 COMMISSIONER SPEAKING: those I mean that's you're talking 101 15 years before it
4 actually gives any buffer to those houses.

5 APPLICANT: Yeah. I mean we well we could do the fence. We just can't you know we
6 built on the perimeter that we were supposed to build on and we couldn't we
7 can't
8 save trees. Those are required to come off because they disturb the roots and
9 they'll end up falling on the houses or something like that. So we we had to do
10 our necessary work on those perimeters.

11 Um, and the one home that's sitting there, Miss An's home is right, you know,
12 it's a cluster development that was done and it's sitting right there.

13 The other homes have a little bit more buffer, but Anns is right there. Um, and
14 I get it. I just, you know,

15 COMMISSIONER SPEAKING: All right. And then um as um Commissioner Tinklinberg
16 talked about is
17 that um with the hor with the um highway overlay corridor um it is that your
18 your common area and stuff is supposed to be
19 for the whole gross development not on a per lot basis. You show on the plan
20 that your your BMP and the um cell phone
21 tower is your common open space but those things those don't qualify as common
22 sorry wrong stack wrong stack of
23 papers. Those don't qualify as common open space because you're get there's
24 going to be a fence around the cell phone. You've got to have a um access to
25 get from Melanie Lane to the cell phone tower and also to have access to do

1 routine maintenance to the the sediment pond. So then all of a sudden out of
2 that whole area that you have marked as common open space maybe what 10 15% of
3 it might actually be common open space
4 which doesn't meet the requirements of the highway corridor. So, how were you
5 going to address that?

6 APPLICANT: So, did we use the BMP as So, I mean, we could just add additional
7 open space to meet that requirement. Um, we really we sold the cell tower
8 immediately because we had somebody that
9 wanted to buy that cell tower, but we had all we have to do is have an easement.
10 So, we weren't we around it that we were going to make pretty or whatever. And
11 we do plan on doing like benches or bicycle
12 stuff. We have a have an owl in my logo that we were planning on doing something
13 for sitting areas or walking, you know,
14 but um I didn't put it on the plan. I didn't know that we needed to have it on
15 the plan for a subdivision.

16 COMMISSIONER SPEAKING: Yeah. Well, it's it's only because it's in the highway
17 corridor. So the highway corridor says that it has to be for the whole
18 subdivision. It's it can't be
19 created on a per lot basis. It's supposed to be for the whole thing. Am I
20 correct? Okay.
21 that's what I'm asking. Making sure that
22 it that all of that is going to get included in there. Yep.
23 well, no offense, but um we've we've had
24 other developers come in here and say things and we voted on it and then they've
25 gone and done something different. So you you can understand our hesitation. So

1 just I'm that's why I'm
2 asking the questions. Uh now um um
3 I am I am also not satisfied with the with the TIA. I don't think it was
4 adequate when it was was just um the
5 upper parcel especially with everyone's repeatedly said that first building
6 there is a is a 120 student daycare. So
7 you're talking a 100 plus cars probably at pickup and drop off and how you can
8 say that's not going to back out onto Barberville Road when there's not, you
9 know, when the roads, you know. So I, like I said, I've been disagreeing with
10 that from and we actually did vote on this my it was actually my first month
11 on this board in July of 2024 and we did vote on it and turn it down
12 unanimously, one of the previous iterations.
13 APPLICANT: So, I was under the impression that they stopped the um planning
14 because there was fear that if it was voted down, we
15 would, you know, try to figure out what it was and hire an attorney. So, but I I
16 don't honestly that's what I was told.
17 COMMISSIONER SPEAKING: This is the fourth time this project's come up since I've
18 been on this board.
19 So, it's and and and some sometimes it it has been tabled or deferred before it
20 got to the actual meeting, but I mean it
21 has come up multiple times. So, you might be thinking one of those.
22 Um, does anybody else I I've still got other questions, but I will let somebody
23 else.
24 Yeah. I um Can we let the Oh, sure. new gentlemen. Of course. Yes.
25 Thank you. So, I know you mentioned that when you when it gets converted to a

1 major subdivision, this will go from a driveway to a road. Why then are we
2 excluding parcel one from this plat and from the subdivision for consideration?
3 Why is it actually excluded from why are we being asked to exclude that from any
4 consideration

5 APPLICANT: for the MKU that's there that's already
6 there because we ended up we had a minor subdivision for that whole area that
7 had four lots right
8 we had that approved reported and then we were told that it wasn't done
9 correctly that they had given [clears throat] us information that was
10 incorrect but we went back and changed it to a flag lot had that approved filed
11 and then it came back as still incorrect. So we had to go back in and correct it
12 again. And the only way to correct it was to create the just the
13 one building. So then we gave up the other three out parcels to put into a major
14 subdivision to address all these all the other questions for the major
15 subdivision. So that one was already
16 approved and set aside. So in the in the study that was done originally was for
17 those parcels um for the TIA and it was
18 three years old and um but it wasn't three years old when we started it and then
19 we went back and started the TIA again which we have geared up and ready
20 like I said we've been in communication and are working with the you know the
21 DOT the Lancaster water and sewer division we're adding you know
22 additional work for there the for the sewer but um anyway

23 COMMISSIONER SPEAKING: Okay, [clears throat] thank you. Um, so one of my other
24 questions is I I saw on the buffer and I know by UDO you're you're you can
25 choose a 10 foot or 20

1 foot buffer with the concerns that are going on with the rest of the community.
2 Have you considered changing that from option two to option one where you're
3 putting in a 20 foot buffer with and identifying the trees that you're putting
4 to give more mature screening
5 and and actually and actually allow some some uh beautification of the
6 experience for the the community around it.
7 APPLICANT: Um there's a tab so we can hear you right there's a slide that
8 actually shows the buffers. Um if you look at
9 slide option two is actually more dense one that creates thicker screening. Um
10 it will have a less um understory tree or less larger trees but the density of
11 the shrubs grown up over time will create a very very dense screen whereas
12 option one is
13 more spread out which it would take much longer to create that dense screen.
14 COMMISSIONER SPEAKING: Option two, you're creating a denser but narrower screen.
15 Yes.
16 Right. Have you considered expanding that this the width of that screening? Same
17 density just width.
18 Right.
19 APPLICANT: I think that takes it into a different type of buffer.
20 COMMISSIONER SPEAKING: Okay. I understand. Yeah. I I certainly from a compliance
21 perspective, this is that was more of a would you do and
22 APPLICANT: and I wanted to address
23 that too because I think we would have done what we were already
24 ging up. So it was a little hard to change.
25 That's why I said I'll be happy for a while.

1 I think we can only do What can we do with that?

2 COMMISSIONER SPEAKING: Thank you. Um, just a couple more if that's okay.

3 A few of the citizens mentioned this as well and I had this in my notes. How are

4 you handling the fall area for the cell tower because it does go into those

5 lots.

6 APPLICANT: We did a survey. So when we first bought the property as a part of

7 our due diligence survey and there's something called fall zone. So on the

8 survey and

9 on the site plan you see that drawn out cannot build anything that um any kind

10 of structure within that fall. So that's how we address it.

11 COMMISSIONER SPEAKING: Okay. Thank you. And I just have one other question for

12 the because that intersection I'm sure you know as everyone in here knows that

13 intersection

14 is very saturated today. I'm it was three years ago they said it was become I

15 think it like one of the gentlemen said it was lossy going to become loss.

16 It may be today and I think I heard you say that you're you're in the process of

17 getting an updated TIA. Is that correct?

18 APPLICANT: We we have everything that we need but we weren't required to turn it

19 in today.

20 So what we looking at is more road work on the 160 or turn into the side and

21 deceleration. So that's what we're kind

22 of looking at already. But we didn't want to it's just we're in the first part

23 of the

24 process to go through and so we worked with and we know the traffic is crazy

25 there

1 but we have when we first did the TIA the numbers were a third of what they are
2 now. So we we've we have to address
3 that before we can continue development once we put that road in.
4 COMMISSIONER SPEAKING: So is there sequencing for that? Are you looking to put
5 that turn lane in before you actually put to improve Melody Lane before you
6 build?
7 Okay. So that there is sequencing for the building.
8 APPLICANT: We can't get Yeah.
9 SHANNON CATOE: And hopefully those type of improvements required.
10 COMMISSIONER SPEAKING: Great. Thank you.
11 Yes. Yeah. So, my um Thank you because that was going I was going to ask about
12 the traffic at that corner. What were
13 going to be the next steps? But I guess I'm I am um you know, we talked about
14 this last
15 time, but just having information to make good decisions from
16 wherever the information needs to come from and not having to go back and forth.
17 So we have to fight through all
18 the mucky muck to be to make uh to tell
19 our neighbors what how we make a decision um is my goal. And that did not
20 happen on this one because I remember um I remember at the sheriff's office when
21 um Commissioner Tinkleberg had to bring out her uh urban planning degree and
22 tell me about buffers and how things get
23 shaded and how the neighborhood, you know, what all the stuff meant in the UDO,
24 which I definitely appreciate. Um,
25 but you know, I I don't know how we got here, but I'm I'm just not I'm not

1 comfortable with where we are and not not sure that I can make a a decision uh
2 in approving this going forward. So, that's all I got.
3 Any other comments or questions? I have a comment.
4 [clears throat]
5 I would be um interested in knowing why you didn't communicate with the with the
6 um
7 neighbors with the neighbors because
8 APPLICANT: well I've often wondered like why why didn't I go back and try to
9 because
10 there were a few calls that I had with and someone else when we first started
11 this process. We talked to her and I said, "There's anything I can do. I'll
12 send you an email back. I'll keep you keep you in the loop of what we're doing."
13 They were concerned we were going to put a road through. I said, "We can only do
14 what the county allows us to
15 do. We don't we're not putting a road through. I don't know what house we would
16 be able to tear down and put a road. We're not doing that." Um, and there were a
17 couple other points that
18 she asked about the tree because they were concerned about the trees coming
19 down. And I said, "Well, that's going to be dictated by someone else. We are
20 just
21 going forward on an intersection. lit intersection commercial development is
22 supposed to be allowed there. We had a
23 buy right uses that we were just trying to we really only wanted to do the
24 monastery school when we started and
25 then we combined everything because we thought we would be doing the right thing

1 but because we had shared BMP pond we had a road that was going to go
2 through so we thought instead of doing it separately we would put it together
3 and just put it all through and then all this stuff started happening it just us
4 in a a a pickle. And I've I have people that have invested two and a half years
5 of our their lives and finances on this.
6 And I know that you haven't met them, but to me, they're you know, so
7 that's why we didn't go back to the neighbors. I didn't want to go back to the
8 neighbors because I didn't know how to address the neighbors without it coming
9 back. If it were a zoning, I had certain perimeters. I knew what to say.
10 I knew what we were bringing. I knew to bring my attorney. But then I'm hear I'm
11 hearing them tonight and there's so many things I thought, wow, you know, in a
12 way I feel so I feel for them so much. I just don't um you know, we're trying to
13 do what they did. They bought homes and
14 they built their homes. Well, we commercial subdivision for two people and we
15 set out to develop that subdivision in the way that we told we
16 were told we could. and we've abided by what the UDO has asked us to abide by.
17 If it was incorrect, we were not the one that interpreted that. And so we did
18 everything we were told to do. Now we're
19 in a we're in a really bad, you know, we either there's going to be so many
20 issues if we don't get this, you know, push through
21 because and we'll work with them going forward if we need to. We can set up a
22 meeting. I'm not, you know, I'm not I keep being referred to as a developer,
23 but I'm like a I'm a small scale developer. I don't have bank that I can just
24 hold on and do this stuff for years
25 and years and years and it has cost me a lot of money. And there were comments

1 about why didn't you hire somebody to interpret the UDO? Well, we did. We we
2 paying the county to interpret the UDO for us and give us feedback and we follow
3 that feedback. So,
4 um, anyway, right.

5 COMMISSIONER SPEAKING: I have one I'm sorry. I have one followup question just
6 and it's just because something you just said because
7 this was actually a bon contingent on the original one is that um and it was my
8 understanding that in um SC dot was
9 very much against there being an entrance off of 160 into this development but
10 you just implied it might eventually go through and I was
11 like

12 APPLICANT: so so there have been with with um s there have been three versions
13 For us, it will not work if all the traffic is going on to Barberville. The
14 neighbors will really hate us.
15 So, we have a we have a thoroughfare plan for the highway 160. The road is
16 widened enough to do it. We have to do
17 maybe a little deceleration lane to pull the traffic off so that you have an in
18 and out for the fire department, for us.
19 And DOT has told us we we could only have a right in, right out. And then from
20 that to we can do a full service.
21 We have to make an access point to the neighbors. Now it's come most recently we
22 have to now get an easement from the
23 neighbor so we can share the driveway with the neighbor to create um a mutual
24 drive that we will share so that

25 COMMISSIONER SPEAKING: which neighbor

1 APPLICANT: uh to the right uh Dennis um the next property over next property
2 over yeah sorry
3 yeah so you know but we've again we will do we're trying to do the right thing
4 and follow the guidelines and we've you
5 COMMISSIONER SPEAKING: So, thank you.
6 You're welcome.
7 Any more questions? I think we have had enough. Thank you so much. We appreciate
8 your um responses.
9 Okay. So, we have before us, let me get the right piece of paper. Um, item
10 number SD 2026 0834 Melanie Lane, Barberville
11 Commercial. Um, may I have a roll call vote?
12 Richard Kandle denied.
13 Lynette Henson, denied.
14 Yoki Cureton denied.
15 Judianne Tinklenberg against
16 Michelle Richards. technically off of everything they've done and everything they
17 said, it it does in my opinion meet that. So I am
18 voting for
19 COUNTY ATTORNEY: Madam Chairperson just just so the record is correct for this
20 preliminary
21 plat your choices are to approve because it meets the requirements or deny with
22 a specific ordinance violation and
23 evidence of same. So all of you the motion that was on the floor was to approve.
24 So everyone was against approval except yourself. So the motion
25 to approve has failed. So now we have to go back. We're going to have to do a

1 denial and it has to cite the ordinance violations with the evidence.

2 COMMISSIONER: You didn't call my name.

3 COUNTY ATTORNEY: Oh, sorry. I thought she was finished. That's what she said.

4 I'm sorry. Sorry about that. [laughter]

5 COMMISSIONER SPEAKING: Sheila Henson denied.

6 Um, we all heard what the county attorney said. So, can people please go through

7 their notes and give a specific ordinance?

8 COUNTY ATTORNEY: We'll need someone to make a

9 motion to deny now with the reason citing the ordinance and the evidence that

10 establishes it because that's what the departments are.

11 COMMISSIONER SPEAKING: So, um, so someone needs to tell me what their what

12 the ordinance is and make the motion to deny. So, we need a motion to deny.

13 You're making a motion to deny and deciding the ordinance.

14 Making a motion to deny based on not meeting the UDO from 4.3.2

15 two and appendix B.

16 So now I need a second of that motion. I'll second it.

17 Right, Miss County attorney, please tell us where we go from here because this

18 is outside my normal

19 COUNTY ATTORNEY: It's a motion, a second. So now you have discussion.

20 COMMISSIONER SPEAKING: All right. So, um, we have the motion before us to deny

21 this based on section, repeat those numbers to me again.

22 Um, 4.3.2 A and appendix B. So, do we have any discussion or questions on this?

23 That was actually the same reason for mine was the highway corridor

24 requirements. I think most of the other stuff hasn't been addressed according to

25 the UDO as hard as it may be to your

1 point. That was the one that I couldn't find an answer to was that it doesn't
2 meet the issue requirements.
3 So, we need to put for a vote now.
4 All right. So, um, we have before us item number SD 2026 0834 Melanie Lane,
5 Barberville Commercial, um, a vote to deny this preliminary plat. um because
6 of the preliminary plat is it the final decision of the planning board and is
7 not referred up to council based on the
8 sections that commissioner Giana um cited um in from the UDO and appendix B.
9 So, roll call vote. Richard Kandle.
10 Well, actually, you're you're approving the denial. So, apologies. I approve.
11 Yes.
12 Lynette Henson. Approval to deny.
13 Yokima Cureton For
14 Judiana Tinklinberg For
15 Sheila Henson For
16 Michelle Richards. against.
17 So motion to deny passes. Do the math. 5 to 1.

PC Written Decision

May 21, 2026

MOODY GROUP
% JAN RINGELING
10700 SIKES PLACE Ste 280
CHARLOTTE NC 28277

MARTIN SENIOR & ASSOCIATES
226 BALDWIN AVE
CHARLOTTE NC 28204

BARBERVILLE DEVELOPERS LLC
307 CEDRIC COURT
FORT MILL SC 29715

OAK ENGINEERING PLLC
% GREG WELSH, PE
4929 MONROE ROAD
CHARLOTTE NC 28205

NOTICE OF DECISION

Case No.: SD-2026-0834

Applicant: Moody Group

Owner: Barberville Developers LLC and Martin Senior & Assoc.

Property Location: Northwest corner of Barberville Road & Hwy 160

Tax Map ID (TMS): TM #s 0006-00-057.00, and 0006-00-058.00, - 058.02 & - 058.03, the latter 3 lots combined by Plat Book 2026 pg 127)

Zoning District: NB Neighborhood Business and GB General Business

Request: Preliminary Plat: Commercial

BACKGROUND

An application for a Preliminary Plat was submitted on **April 24, 2026**, by Moody Group/Jan Ringeling on behalf of Barberville Developers LLC and Martin Senior and Associates LLC proposing a design for a multi-parcel commercial development.

The Lancaster County Planning Commission held a duly advertised public hearing on May 19, 2026, in accordance with the Lancaster County Unified Development Ordinance (UDO) and South Carolina law. Staff reviewed the application and provided a report recommending approval based on identified site and regulatory constraints.

FINDINGS OF FACT

Based on the application, staff report, submitted materials, and testimony presented at the public hearing, the Planning Commission finds:

1. The subject properties consist of approximately **9.74 acres** located at the northwest corner of Barberville Road and Hwy 160, both state roads.

2. One property is zoned **NB** Neighborhood Business and the other is zoned **GB** General Business, both of which permit commercial uses. Future structures and tenants will be bound by the use regulations for the respective districts. Proposed lot boundaries do not cross or conjoin existing zoning districts.
3. The surrounding area is characterized by **residential and commercial uses**.
4. The proposed design includes 7 lots for commercial use.
5. Joint access to the site is proposed via a shared drive from Barberville Road, which is classified as a **state** road.
6. The submission does include partial additional information regarding traffic generation, roadway capacity, or potential mitigation associated with the proposed use(s). Additional traffic analysis will be submitted once uses/tenants are determined.
7. The site does have public water and sewer service for the proposed commercial structure(s).
8. Staff review identified that the applicant's submission met all applicable procedures and additional provisions for this stage of commercial development as required by Lancaster County Unified Development Ordinance.
9. Testimony from the applicant indicated:
 - o Applicants have complied with the UDO and consulted with DOT and Staff
 - o Additional TIA will be completed in later step
 - o Turn lane will be implemented
 - o Lancaster County Staff gave guidance and direction to Applicant with Application process and this submittal
 - o Stormwater infrastructure developed on site for original plan prior to this submittal
 - o Development is consistent with Lancaster County's Comprehensive Plan
 - o At TRC Review the County Engineer, LCWSD, DOT, E-911 has approved of this plan, and the Fire Marshal has tentatively approved it
 - o Melanie Ln will be a private road
 - o This plat is to depict the subdivision and the Applicant will comply with requirements in every step of the process, as they are now

Lancaster County Planning Staff recommended **approval** based on the requirements for a Commercial Preliminary Plat as detailed in the Lancaster County Unified Development Ordinance, specifically, chapters 9 Section 2, and applicable provisions of chapters 2-8.

APPLICABLE STANDARDS

The request is governed by the Lancaster County Unified Development Ordinance (UDO), including:

- UDO 9.2.5.C Summary definition of a Preliminary Plat:
The Preliminary Plat is intended to provide a detailed two-dimensional drawing that illustrates all of the required site features including buildings, parking areas, streets locations, street sections, conceptual size and location of on-site stormwater facilities, rights-of-way, easements, property lines and setbacks, required or proposed watercourse buffers, site landscaping and lighting (in conceptual form), and all

related development calculations (e.g., density, proposed building areas, number of parking spaces, impervious surface allocation, etc.) in sufficient detail to show compliance with this ordinance. Detailed engineering drawings such as subsurface utilities (e.g., water and sewer) and on-site stormwater facilities are not required for Preliminary Plats. Preliminary Plats shall be prepared by a licensed professional land surveyor, licensed architect, licensed landscape architect or licensed engineer.

- UDO Chapter 9, Section 2 Review Procedures (including Application requirements)
- UDO Chapter 2, Zoning District Standards (as applicable)
- UDO Chapter 4.3.2, Highway Corridor Overlay District
- UDO Chapter 5, Use Regulations (as applicable)
- UDO Chapter 6, Subdivision and Infrastructure Standards (as applicable)
- UDO Chapter 7, General Development Standards (as applicable)
- UDO Chapter 8, Natural Resources Protection (as applicable)

ANALYSIS AND CONCLUSIONS

Based on the Findings of Fact and applicable standards, the Planning Commission concludes:

The proposed Preliminary Plat does not meet all of the requirements of UDO 4.3.2.A Highway Corridor Overlay District and Appendix B – Highway Corridor Overlay District

DECISION

Based on the foregoing Findings of Fact and Conclusions, the Lancaster County Planning Commission hereby:

☒ DOES NOT RECOMMEND APPROVAL of the Preliminary Plat for a Commercial development at northwest corner of Barberville Road and Hwy 160, (TM #s 0006-00-057.00, and 0006-00-058.00, - 058.02 & - 058.03, the latter 3 lots combined by Plat Book 2026 pg 127)

VOTE

Motion to deny by: Commissioner Judianna Tinklenberg
Second by: Commissioner Yokima Cureton

Vote: 5 in favor of denial, 1 opposed (Commissioner Michelle Richards), 0 abstained

ORDER

This decision constitutes the final action of the Lancaster County Planning Commission on this matter.

ADDITIONAL INFORMATION

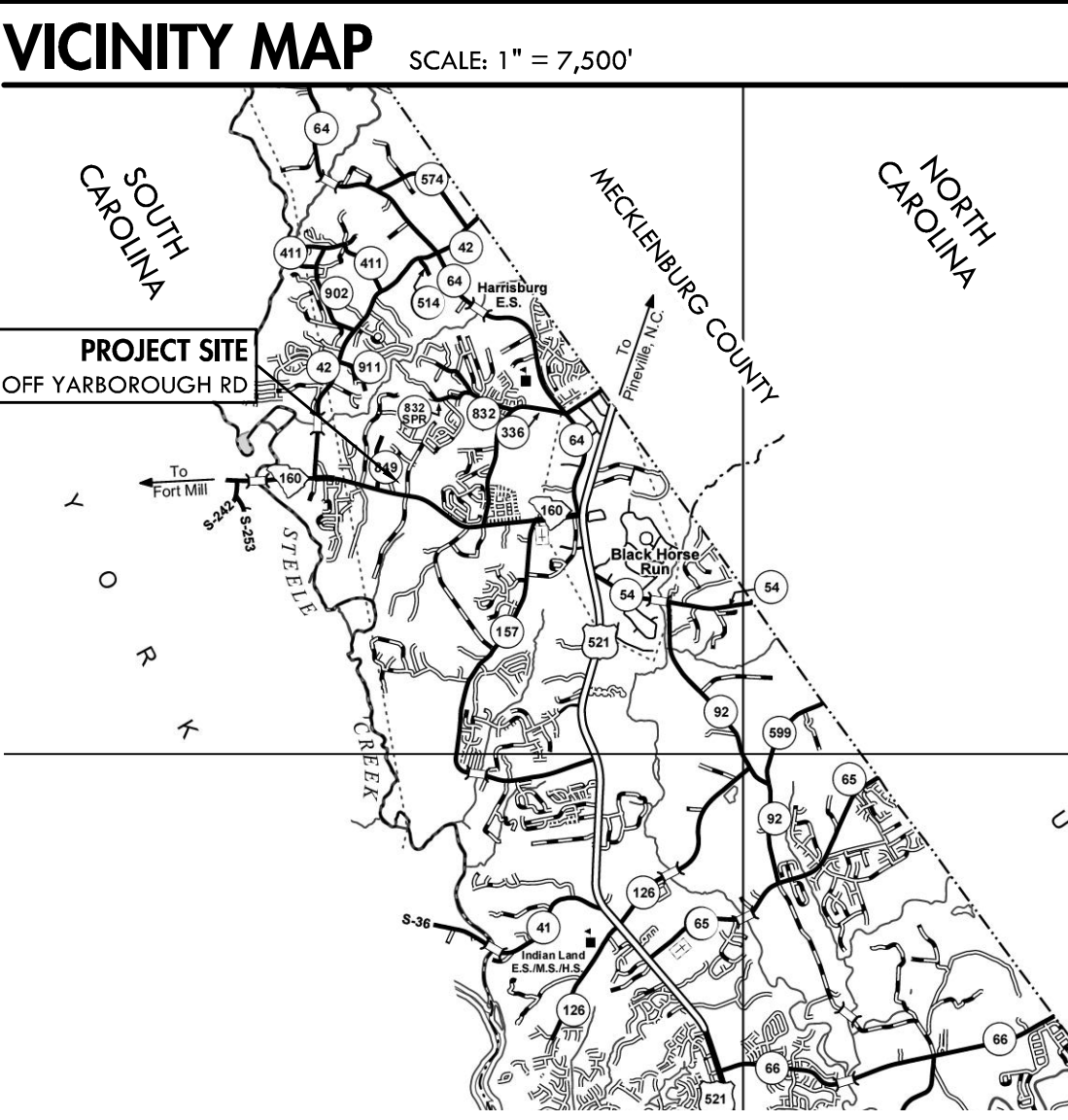
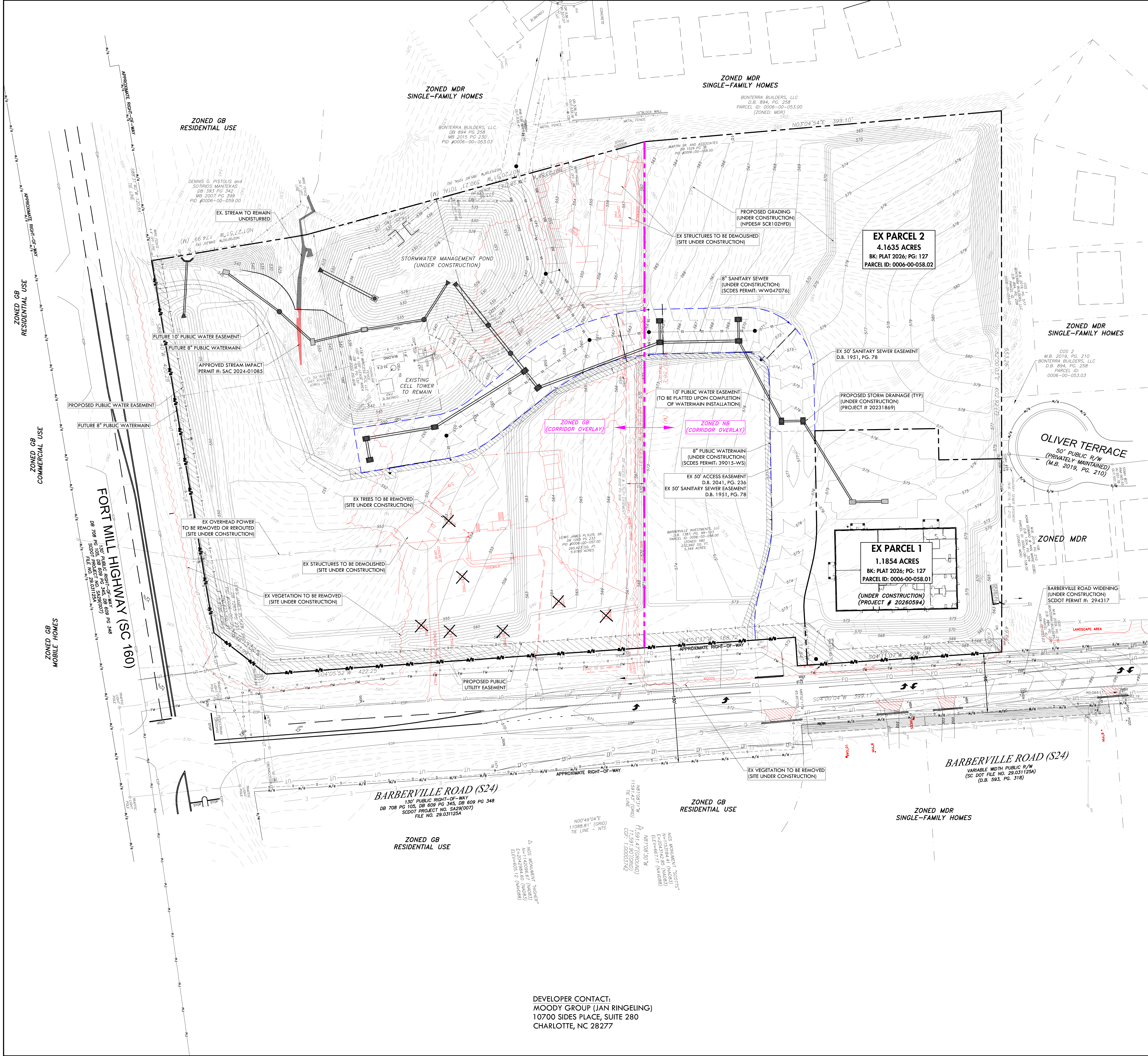
This decision does not require a hearing before the Lancaster County Council

The applicant should be aware that Planning Commission's decision may be appealed, regarding applications for ***Preliminary Plat, New Road Names, and Subdivisions*** by any person with substantial interest in the decision, to the Circuit Court for the County of Lancaster within 30 days of the date of the public hearing.

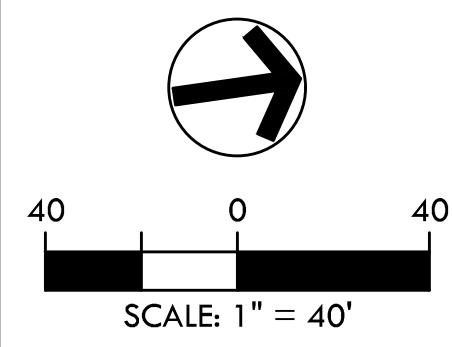
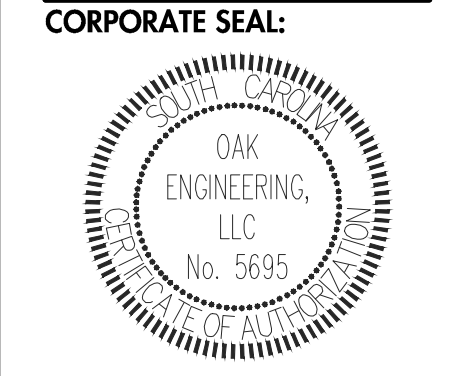
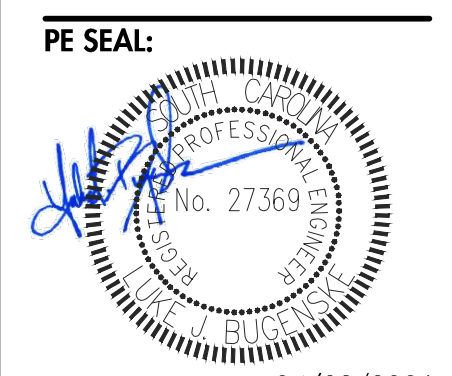
Should you have any questions, please contact the Planning Department at (803) 285-6005 or email planning@lancastercountysc.gov.

Mara Mata
Secretary, Lancaster County Planning Commission

Date: _____



- SITE ANALYSIS NOTES:**
- A PHASE I ENVIRONMENTAL SITE ASSESSMENT, A STREAM AND WETLAND SURVEY, AND A THREATENED AND ENDANGERED SPECIES AND CULTURAL RESOURCES SURVEY WAS PERFORMED BY LICENSED PROFESSIONALS.
 - THE SITE IS LOCATED OUTSIDE OF ALL FEMA FLOOD ZONES.
 - EXISTING TOPOGRAPHY RANGES FROM ELEVATION 720 ± TO ELEVATION 795 ±.
 - EXISTING VEGETATION IS PREDOMINANTLY SWEET GUM, Loblolly PINE, AND OAK.
 - NO SIGNIFICANT TREES OR SIGNIFICANT STAND OF TREES ARE SALVAGEABLE DUE TO THE TOPOGRAPHY OF THE SITE AND DUE TO PROPOSED PUBLIC UTILITY EASEMENTS REQUESTED BY LANCASTER COUNTY WATER AND SEWER AUTHORITY ALONG BARBERVILLE ROAD AND HWY 160.

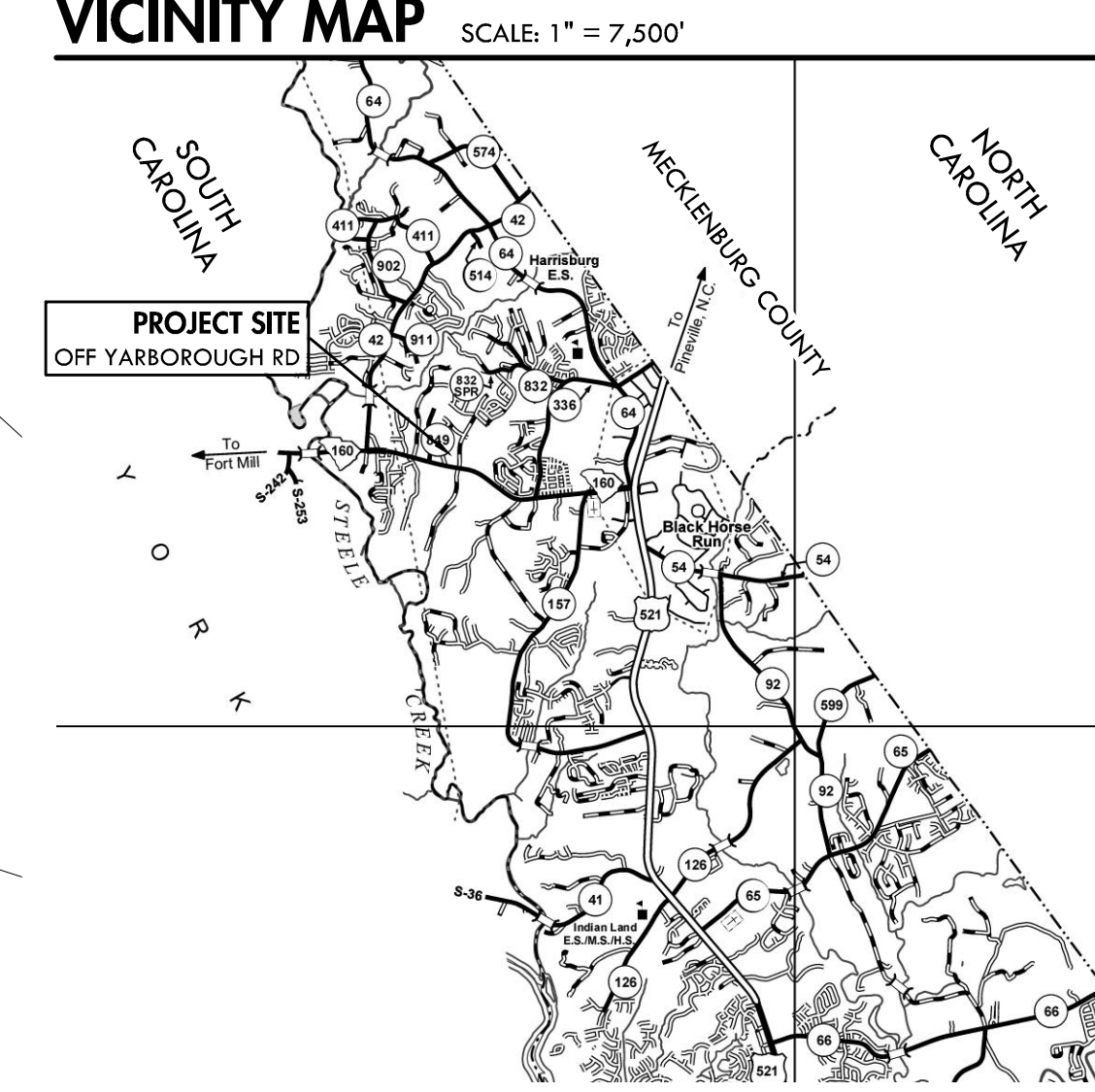


BARBERVILLE COMMERCIAL

9831 & 9901 BARBERVILLE ROAD
LANCASTER COUNTY, SOUTH CAROLINA
MOODY GROUP

SITE ANALYSIS

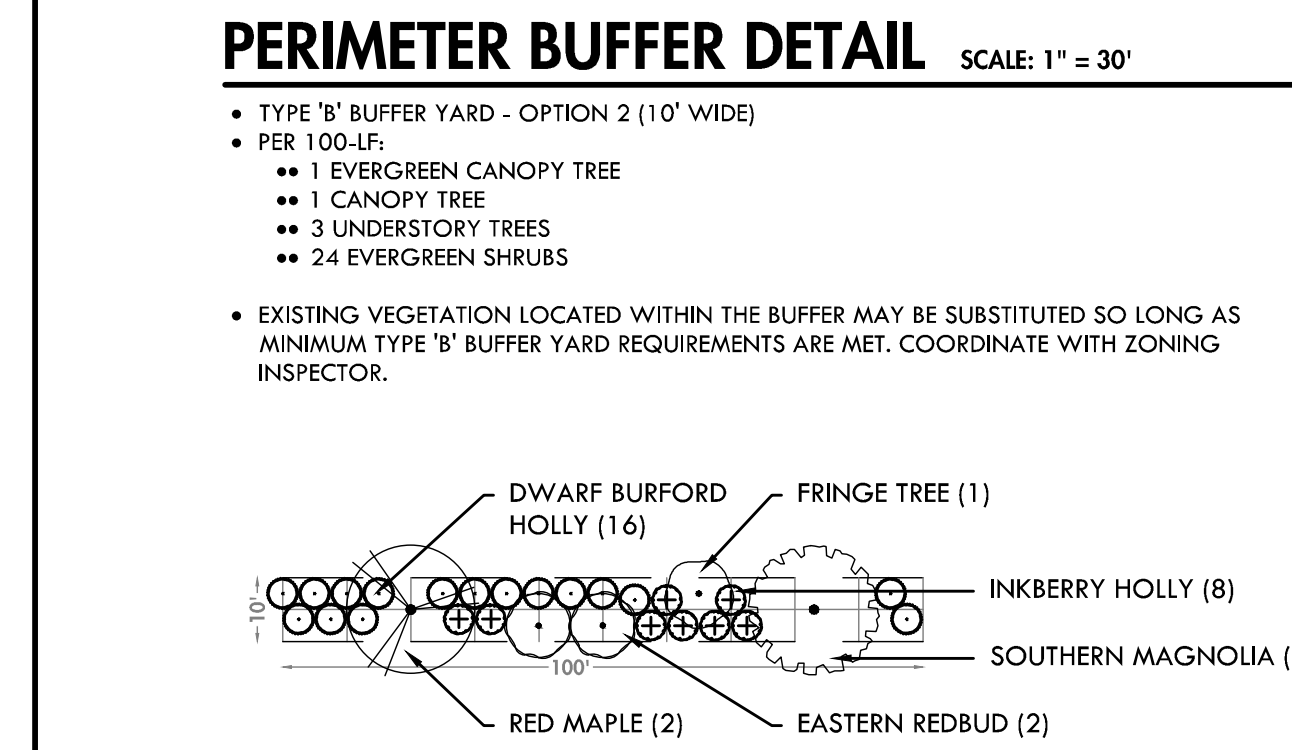
DEVELOPER CONTACT:
MOODY GROUP (JAN RINGELING)
10700 SIDES PLACE, SUITE 280
CHARLOTTE, NC 28277



SITE DATA TABLE	
PROJECT NAME:	BARBERVILLE COMMERCIAL (AKA MELANIE LANE COMMERCIAL)
TOTAL PROJECT SIZE:	10.14 AC (11.33 AC WITH PARCEL 1)
DEVELOPER:	MOODY GROUP
PLANS PREPARED BY:	OAK ENGINEERING, PLLC
JURISDICTION:	LANCASTER COUNTY
WATERSHED:	SUGAR CREEK - CATAWBA RIVER
RIVER BASIN:	CATAWBA
FEMA ZONE:	N/A (OUT OF FLOOD ZONES) MAP NO. 45057C0020E (5/16/2017)
PARCEL ID:	0006-00-058.02 0006-00-057.00
OWNER/ADDRESS:	WARTIN SR. AND ASSOCIATES LLC 13701 IMPERIAL CLAY LANE CHARLOTTE, NC 28273
BARBERVILLE DEVELOPERS, LLC 317 RUTH VIETA ROAD LEXINGTON, SC 29073	
ZONING/OVERLAY:	NEIGHBORHOOD BUSINESS (NB) HIGHWAY CORRIDOR OVERLAY GENERAL BUSINESS (GB) HIGHWAY CORRIDOR OVERLAY
PARCEL SIZE:	4.1634 ACRES 5.9785 ACRES
PROPOSED USE:	ANY USES LISTED IN SECTION 2.5.3 OF THE UDO AS ALLOWED BY RIGHT IN THE NB ZONING DISTRICT (OR AS PERMITTED BY REVIEW, CONDITION USE, OR SPECIAL EXCEPTION)
MAX. BLDG HEIGHT:	3 STORIES (NOT TO EXCEED 35 FT) 4 STORIES (NOT TO EXCEED 55 FT) (ORDINANCE 2025-1945)

- ### SITE LIGHTING SPECIFICATIONS
- SITE LIGHTING SHALL COMPLY WITH LANCASTER COUNTY UDO CHAPTER 7 AND CHAPTER 4 SECTION 4.3.2.1.
- LIGHT INTENSITY SHALL NOT EXCEED 30 FOOT CANDLES AT ANY POINT IN THE HIGHWAY CORRIDOR OVERLAY DISTRICT. LIGHT INTENSITY SHALL NOT EXCEED 2 FOOT CANDLES AT A PROPERTY LINE ADJACENT TO A STREET RIGHT-OF-WAY OR NON-RESIDENTIAL USE AND SHALL NOT EXCEED 0.5 FOOT CANDLE AT A PROPERTY LINE ADJACENT TO A RESIDENTIAL USE DISTRICT. A GREATER LIGHT INTENSITY MAY BE PERMITTED FOR COMPETITIVE SPORTS FIELDS DURING COMPETITIVE PLAY PROVIDED THE LIGHT INTENSITY DOES NOT EXCEED THAT SET FORTH BY THE REGULATING ATHLETIC AGENCY.
 - THE FOLLOWING LIGHT INTENSITIES MEASURED IN FOOT CANDLES (FC) SHALL ALSO APPLY:
A. PARKING LOTS: 0.6FC MINIMUM/2.4FC AVERAGE/10FC MAXIMUM;
B. WALKWAYS AND DRIVEWAYS: 0.2FC MINIMUM/1.0FC AVERAGE/10FC MAXIMUM;
C. LANDSCAPE AND DECORATIVE: 0.5FC AVERAGE/5.0FC MAXIMUM, AND
D. OUTDOOR DISPLAY OF MERCHANDISE: 0.5FC MINIMUM/1.0FC AVERAGE/15FC MAXIMUM;
 - ALL FIXTURES SHALL BE CONSISTENT THROUGHOUT A SITE IN SIZE, COLOR, ORNAMENTATION, AND MATERIALS AND SHALL COMPLEMENT THE SURROUNDING BUILDINGS. EACH FIXTURE SHALL BE A DOWN-DIRECTIONAL LIGHTING FIXTURE WITH ITS SOURCE BEING RECESSED WITHIN AN OPAQUE HOUSING. ALL LIGHT FIXTURES SHALL BE LOCATED, AIMED, OR SHIELDED AS TO LIMIT THE AMOUNT OF AMBIENT LIGHT PERCEPTIBLE FROM ADJACENT PROPERTIES AND STREET RIGHTS-OF-WAY. THE COLOR OF ALL SUCH LIGHT SOURCES SHALL BE WHITE.
 - STREET LIGHTING, AS REQUIRED BY CHAPTER 7 OF THE UDO, SHALL COMPLY WITH SCDOT REQUIREMENTS WHERE APPLICABLE. ALL STREET LIGHTS SHALL BE CONSISTENT ALONG THE CORRIDOR AND THROUGHOUT A SITE. SUCH FIXTURES SHALL BE SHIELDED AND DOWN-DIRECTIONAL EXCEPT THAT UNSHIELDED DECORATIVE STREET LAMPS FEATURING GLOBES OR GLASS PANES ARE PERMISSIBLE IF DESIGNED TO DIFFUSE LIGHT AND SHALL HAVE CAPS TO DIRECT LIGHT DOWNWARD. THE COLOR OF ALL SUCH LIGHT SOURCES SHALL BE LIMITED TO WHITE OR AS REQUIRED BY SCDOT.
 - ALL WIRING AND SERVICE CONNECTIONS FOR ALL LIGHTING MUST BE UNDERGROUND. LIKEWISE, THE BACK OF ALL SIGNS SHALL HAVE A FINISHED APPEARANCE UNLESS IT IS SCREENED WITH AN OPAQUE SCREEN AND IS NOT VISIBLE FROM ANY RESIDENTIAL USE OR STREET RIGHT-OF-WAY.
 - HOLIDAY LIGHTING DISPLAYS, LIGHTING FOR APPROVED TEMPORARY EVENTS, AND DIRECTIONAL LIGHTING DURING CONSTRUCTION ARE EXEMPT FROM THESE REQUIREMENTS PROVIDED THEY DO NOT EXCEED THE MAXIMUM FOOT CANDLES AND DO NOT NEGATIVELY IMPACT SAFETY.
 - FIXTURE HEIGHTS SHALL NOT EXCEED 18 FEET EXCEPT IN AREAS WHERE THE TOTAL NUMBER OF PARKING SPACES EXCEED 100 SPACES. IN SUCH CASES, FIXTURES SHALL NOT EXCEED 25 FEET PROVIDED THEY ARE LIMITED TO THE CENTRAL AREAS OF THE PARKING AREA. A LUMINARY LOCATED WITHIN 50 FEET OF A RESIDENTIAL USE DISTRICT SHALL NOT EXCEED A HEIGHT OF 12 FEET. FIXTURES ALONG THE PRIMARY VEHICULAR/PEDESTRIAN STREETS SHALL NOT EXCEED A HEIGHT OF 18 FEET.
 - OUTDOOR LIGHTING INSTALLED ON CANOPIES OR DRIVE-THRU FACILITIES ARE PERMITTED WITH A MAXIMUM FOOT CANDLE READING OF 20 FOOT CANDLES UNDER ANY ILLUMINATED AREA. FIXTURES LOCATED UNDER A BUILDING CANOPY SHALL BE FLUSH-MOUNT WITH A FLAT LENS, SHALL USE DIFFUSERS, AND BE SHIELDED.
 - BUILDINGS SHALL BE SAFELY ILLUMINATED AT ENTRY/EXIT LOCATIONS AND SHALL BE ILLUMINATED USING SHIELDED LIGHTING OR OFF-BUILDING LIGHTING THAT DOES NOT GENERATE GLARE OR OTHERWISE ALLOW THE LIGHT TO BE VIEWED DIRECTLY FROM AN ADJACENT PROPERTY. BUILDING WALLS MAY BE ILLUMINATED AND MAY INCLUDE UP-LIGHTING, PROVIDED SUCH FIXTURES COMPLY WITH SECTION 1.2 ABOVE. HOWEVER, NO BUILDING ILLUMINATION SHALL CAUSE THE SITE TO EXCEED MAXIMUM LIGHT INTENSITY LIMITATION.
 - LANDSCAPE LIGHTING MAY INCLUDE UP-LIGHTING FOR ACCENT, PROVIDED SUCH FIXTURES COMPLY WITH SECTION 1.2 ABOVE. HOWEVER, NO LANDSCAPING ILLUMINATION SHALL CAUSE THE SITE TO EXCEED MAXIMUM LIGHT INTENSITY LIMITATION, AND SUCH FIXTURES SHALL BE LOCATED, AIMED, OR SHIELDED AS TO LIMIT THE AMOUNT OF AMBIENT LIGHT PERCEPTIBLE FROM ADJACENT PROPERTIES AND STREET RIGHT-OF-WAY.
 - SECURITY LIGHTING SHALL BE PROVIDED, PARTICULARLY AT PEDESTRIAN WALKWAYS. MOTION DETECTOR SECURITY LIGHTS SHALL BE EXEMPT FROM THE FOOT CANDLE REQUIREMENTS OF THIS ITEM PROVIDED SUCH LIGHTS ARE NORMALLY "OFF," AND ARE LIMITED TO BEING "ON" FOR FOUR MINUTES OR LESS WHEN MOTION IS DETECTED.
 - FLOOD LIGHTS SHALL BE PERMISSIBLE FOR SECURITY, LOADING AREAS, AND OTHER SUCH APPLICATIONS PROVIDED THEY ARE FOCUSED TOWARD THE PRIMARY BUILDING OR SPACE INTENDED TO BE ILLUMINATED. LIKEWISE, THEY MAY BE AIMED AT NO HIGHER THAN A 45 DEGREE ANGLE, AND SHALL BE GENERALLY AIMED OR SHIELDED AS TO LIMIT THE AMOUNT OF AMBIENT LIGHT PERCEPTIBLE FROM ADJACENT PROPERTIES AND STREET RIGHT-OF-WAY.
 - THE FOLLOWING LIGHTING FIXTURES ARE PROHIBITED: NON-DIRECTIONAL LIGHTING FIXTURES, SEARCHLIGHTS, LASER SOURCE LIGHTS, FLASHING LIGHTS, OR ANY SIMILAR HIGH-INTENSITY LIGHT USED TO ATTRACT ATTENTION, EXCEPT FOR USE DURING EMERGENCIES BY AUTHORIZED EMERGENCY, POLICE, AND FIRE PERSONNEL.
 - ANY DAMAGED, BROKEN, OR MALFUNCTIONING LIGHT FIXTURE OR POLE SHALL BE REPAIRED OR REPLACED IMMEDIATELY; AND
 - A PROFESSIONALLY SEALED SITE LIGHTING PLAN SHALL BE SUBMITTED AS PART OF A COUNTY SITE PLAN REVIEW. THE COUNTY MAY ADJUST THE STANDARDS FOR THE MAXIMUM ILLUMINATION AT A PROPERTY LINE IF IT IS DETERMINED THAT THE DESIGN AND NATURE OF THE ADJACENT USE CREATES A NEED TO EITHER REDUCE OR INCREASE THE MAXIMUM ILLUMINATION. LIKEWISE, THE ADMINISTRATOR MAY REQUIRE CHANGES TO FIXTURES TO BRING THE LIGHTING LEVELS INTO COMPLIANCE, OR AS NECESSARY TO REDUCE IMPACT ON ADJACENT PROPERTIES AND STREET RIGHT-OF-WAY.

- ### SIDEWALKS AND CONNECTIVITY
- EACH LOT SHALL COMPLY WITH LANCASTER COUNTY UDO CHAPTER 4 SECTION 4.3.2.F.5.c.
- AT A MINIMUM, SIDEWALKS SHALL COMPLY WITH THE CONSTRUCTION REQUIREMENTS SET FORTH IN APPENDIX C OF THE UDO.
 - SIDEWALKS SHALL BE LOCATED TO ALLOW PEDESTRIANS TO SAFELY MOVE FROM THEIR VEHICLES TO THE BUILDING.
 - SIDEWALKS SHALL CONNECT TO EXISTING PEDESTRIAN CIRCULATION OR ADJACENT PARCELS WHERE NOT RESTRICTED BY TOPOGRAPHY OR OTHER EXISTING SITE FEATURES.
 - WHEN ADJACENT TO A RESIDENTIAL USE DISTRICT, SIDEWALKS SHALL BE PROVIDED TO ALLOW PEDESTRIAN ACCESS TO AND FROM A COMMERCIAL RETAIL DEVELOPMENT.
 - SIDEWALKS SHALL BE REQUIRED ON BOTH SIDES OF PUBLIC OR PRIVATE STREETS WITHIN A COMMERCIAL RETAIL DEVELOPMENT.



OPEN SPACE CALCULATION

PID 0006-00-058.02:	4.1634 ACRES
PID 0006-00-057.00:	5.9785 ACRES
TOTAL DEVELOPMENT:	10.1419
REQUIRED OPEN SPACE: 10% (1.0142 ACRES)	
PROVIDED OPEN SPACE: 14.9% (1.508 ACRES)	

DEVELOPER CONTACT:
MOODY GROUP (JAN RINGELING)
10700 SIDES PLACE, SUITE 280
CHARLOTTE, NC 28277

ENGINEERING
4929 MONROE ROAD, CHARLOTTE, NC 28205
SOUTH CAROLINA, USA 29505
oak-engineering.com

PE SEAL:

04/23/2026

CORPORATE SEAL:

SCALE: 1" = 40'

REVISIONS:

ENGINEER: JLB	DATE: 02/10/21
DRAWN BY: ERT	
CHECKED BY: GTW	

PROJECT #: 023.011

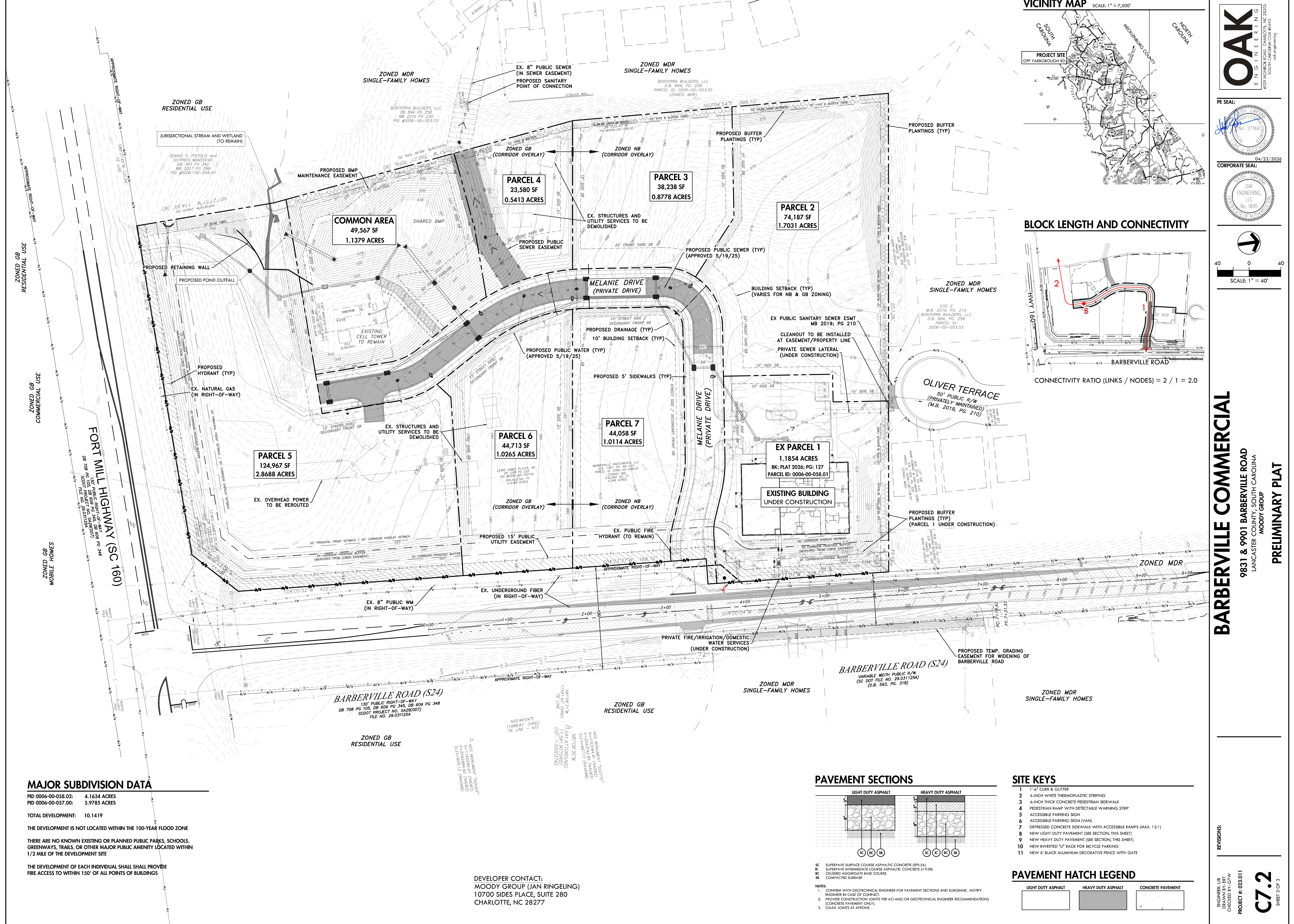
BARBERVILLE COMMERCIAL

9831 & 9901 BARBERVILLE ROAD
LANCASTER COUNTY, SOUTH CAROLINA
MOODY GROUP

PRELIMINARY PLAN

C7.1

SHEET 2 OF 3



MAJOR SUBDIVISION DATA

PID 0006-00-058.02: 4.1634 ACRES
PID 0006-00-057.00: 5.9785 ACRES

TOTAL DEVELOPMENT: 10.1419

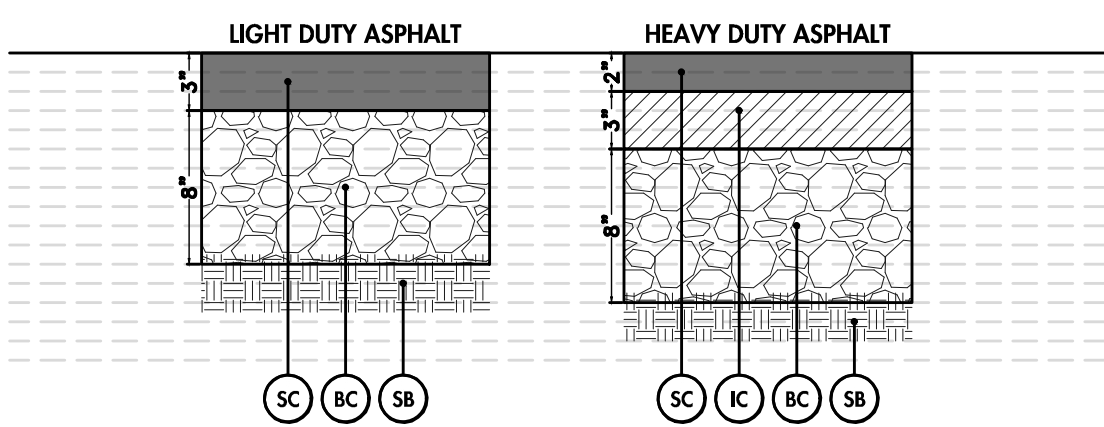
THE DEVELOPMENT IS NOT LOCATED WITHIN THE 100-YEAR FLOOD ZONE

THERE ARE NO KNOWN EXISTING OR PLANNED PUBLIC PARKS, SCHOOLS, GREENWAYS, TRAILS, OR OTHER MAJOR PUBLIC AMENITY LOCATED WITHIN 1/2 MILE OF THE DEVELOPMENT SITE

THE DEVELOPMENT OF EACH INDIVIDUAL SHALL SHALL PROVIDE FIRE ACCESS TO WITHIN 150' OF ALL POINTS OF BUILDINGS

DEVELOPER CONTACT:
MOODY GROUP (JAN RINGELING)
10700 SIDES PLACE, SUITE 280
CHARLOTTE, NC 28277

PAVEMENT SECTIONS



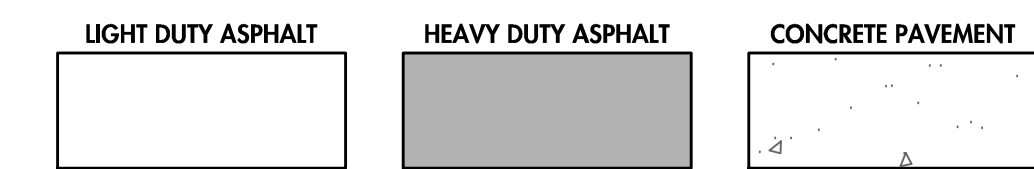
SC SUPERPAVE SURFACE COURSE ASPHALTIC CONCRETE (SP9.5A)
IC SUPERPAVE INTERMEDIATE COURSE ASPHALTIC CONCRETE (I9.0B)
BC CRUSHED AGGREGATE BASE COURSE
SB COMPACTED SUBGRADE

- NOTES:
- CONFIRM WITH GEOTECHNICAL ENGINEER FOR PAVEMENT SECTIONS AND SUBGRADE. NOTIFY ENGINEER IN CASE OF CONFLICT.
 - PROVIDE CONSTRUCTION JOINTS PER ACT AND/OR GEOTECHNICAL ENGINEER RECOMMENDATIONS (CONCRETE PAVEMENT ONLY).
 - CALLING JOINTS AT APRONS

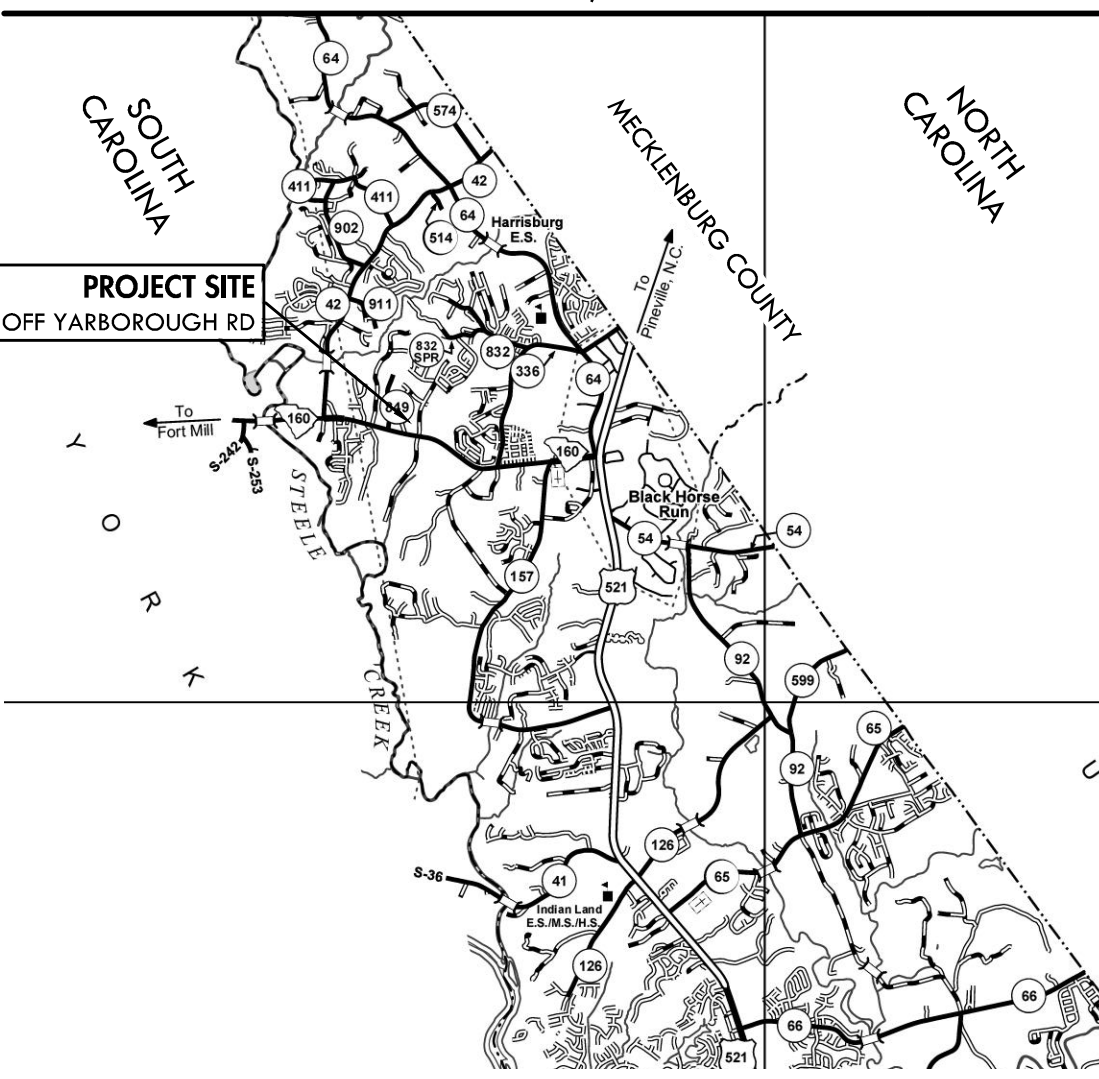
SITE KEYS

- 1'-6" CURB & GUTTER
- 2 4-INCH WHITE THERMOPLASTIC STRIPPING
- 3 4-INCH THICK CONCRETE PEDESTRIAN SIDEWALK
- 4 PEDESTRIAN RAMP WITH DETECTABLE WARNING STRIP
- 5 ACCESSIBLE PARKING SIGN
- 6 ACCESSIBLE PARKING SIGN (VAN)
- 7 DEPRESSED CONCRETE SIDEWALK WITH ACCESSIBLE RAMPS (MAX. 12:1)
- 8 NEW LIGHT DUTY PAVEMENT (SEE SECTION, THIS SHEET)
- 9 NEW HEAVY DUTY PAVEMENT (SEE SECTION, THIS SHEET)
- 10 NEW INVERTED "U" RACK FOR BICYCLE PARKING
- 11 NEW 6" BLACK ALUMINUM DECORATIVE FENCE WITH GATE

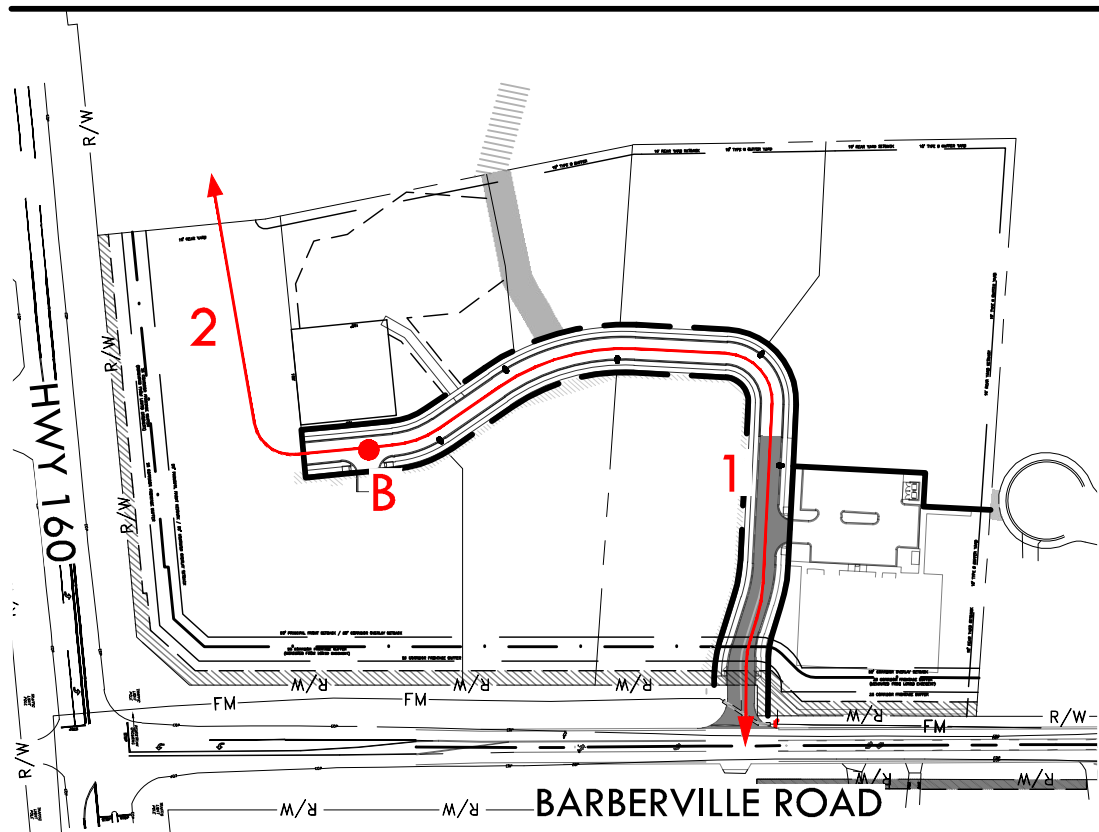
PAVEMENT HATCH LEGEND



VICINITY MAP



BLOCK LENGTH AND CONNECTIVITY



CONNECTIVITY RATIO (LINKS / NODES) = 2 / 1 = 2.0

BARBERVILLE COMMERCIAL

9831 & 9901 BARBERVILLE ROAD
LANCASTER COUNTY, SOUTH CAROLINA
MOODY GROUP

PRELIMINARY PLAT

REVISIONS:

ENGINEER: LB
DRAWN BY: ERT
CHECKED BY: GTW
PROJECT #: 0231011
SHEET 3 OF 3

C7.2

shown on the County tax listing has granted authority for a third-party rezoning request. Both the property owner and third-party will be notified of public hearings and decisions.

D. NEIGHBORHOOD MEETING

Neighborhood meetings are optional, but may be encouraged by the Administrator for certain applications prior to any public hearing or review by a board or commission. Neighborhood meetings allow the applicant to explain the proposed project and hear the concerns of the neighborhood. A summary of the meeting in the form of meeting notes or minutes along with a list and contact information for all attendees may be submitted to the Administrator and/or the appropriate board or commission for their review. Lancaster County is not responsible for organizing or coordinating such neighborhood meetings.

9.2.5 APPLICATION REQUIREMENTS

The following general standards for various applications are intended to require only that data/information necessary to render an informed decision by the reviewing agency. The County has determined that it is unnecessary to require a full set of architectural or engineering drawings for review by the various review and decision-making boards unless the application is such that a specific level of detail is necessary (e.g., floodplain/stormwater variance). The "Application Submittal Requirements" list on file in the Planning Department is intended to provide further guidance to applicants as to the necessary level of detail for each application component listed below.

Permit/ Process Type	Section	Site Analysis	Sketch Plan *	Preliminary Plat	Construction Documents	As-Built Drawings	Final Plat	Building Elevations	Sedimentation & Erosion Control Plan	Floodplain Development Plan
UDO Zoning Permit	9.2.7.A		X (a)							
Temporary Use Permit	9.2.7.B		X (a)							
Certificate of Occupancy	9.2.7.C	See Administrator								
Modification of Dimensional Standards	9.2.7.D		X							
Sedimentation & Erosion Control Plan/Grading Permit	9.2.8.A	X			X				X	
Stormwater Management Permit	9.2.8.B	X			X	X	X (a)		X	
Floodplain Development Permit	9.2.8.C	X			X	X				X
Site Plan	9.2.9.A	X	X (a)**	X	X			X (a)		
Subdivision (Minor & Recombination)	9.2.10.A	X	X (a)	X			X			
Subdivision (Major) – Preliminary Plat	9.2.10.B	X	X	X	X					
Subdivision (Major) – Final Plat	9.2.10.C					X	X			
Street Name Changes	9.2.11	See Administrator								
Variances	9.2.12	See Administrator								
Special Exceptions	9.2.13	X (a)		X (a)				X (a)		
Appeal of Administrative Decisions	9.2.14	See Administrator								
Text Amendments & Rezoning	9.2.15	See Administrator								
Conditional Use	9.2.16	See Administrator								
Mixed-Use District/Master Development Plan	9.2.9.B	X	X	X				X	X	X
Vested Rights	9.2.17			X						
Development Agreements	9.2.18	See Administrator								

X - Required | X (a) – on an "as needed" basis as determined by the Administrator

*Sketch Plans shall be reviewed as binding documents for Unified Development Ordinance Zoning Permit (Zoning Permits), and for any other permits or approvals for which the Administrator requires only a Sketch Plan to be submitted with the application. Sketch Plans shall be used for non-binding review for all other development application processes in which they are required.

** (Ord. No. 2019-1622, 12.9.19)

TRAFFIC IMPACT STUDY

for the

Barberville Road Development

Located in

Lancaster County, South Carolina

Prepared for

Moody Holdings & Development

Prepared by

Ramey Kemp Associates, Inc.

Moving forward.



RAMEY KEMP ASSOCIATES

June 2023

RKA Project #23126

TRAFFIC IMPACT STUDY

for the

Barberville Road Development

Located in

Lancaster County, South Carolina

Prepared for

Moody Holdings & Development
6201 Fairview Rd, Ste 200
Charlotte, North Carolina 28210

Prepared by

Ramey Kemp Associates, Inc.
1411 Gervais Street, Suite 150
Columbia, South Carolina 29201

Moving forward.



June 2023
RKA Project #23126

DRAFT

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EXECUTIVE SUMMARY

A traffic impact study was conducted for the proposed Barberville Road development in accordance with SCDOT guidelines. The development is located west of Barberville Road (S-29-42) and north of SC 160 in Lancaster County, South Carolina. The development is proposed to consist of a roughly 120 student school/daycare center, 18,000 SF of retail space and 8,000 SF of office space. The site will have one access on Barberville Road, with internal connections to adjacent parcels.

Based on the anticipated build out volumes, a northbound left turn lane is warranted and recommended on Barberville Road at the access point. An auxiliary southbound right turn lane is not warranted. The site access should include one ingress and two egress lanes (50' storage) and should be designed to provide proper sight distances and meet SCDOT design criteria.

With construction of the project, Barberville Road & Harbor Bay Drive should continue to function adequately.

The intersection of Fort Mill Highway (SC 160) at Barberville Road expected to experience delays with or without the development. Lancaster County guidelines specify that if the LOS on a principal arterial is below LOS D, then the TIS "shall identify those improvements required to ensure that development related traffic demands result in no net reduction in LOS, and identify additional improvements needed to raise the level of service on the applicable street to the adopted LOS standard."

The signalized Fort Mill Highway & Barberville Road intersection currently operates as an LOS E and is expected to reach LOS F in the No Build conditions. Auxiliary turn lanes are already present on SC 160 and on southbound Barberville Road. Raising the level of service on the Fort Mill Highway (SC 160) at Barberville Road to a LOS D would require additional eastbound and westbound through lanes along SC 160, along with signal timing optimization. TIS's for the background developments (2,000+ residential units) did not recommend widening SC 160 as part of the background conditions.

The proposed development should not add significant amounts of traffic to the area. No additional improvements to the area roadways are recommended as part of this development.

1. INTRODUCTION

The purpose of this report is to document a traffic impact study for the proposed Barberville Road development in accordance with SCDOT guidelines. This report summarizes the procedures and findings of the traffic impact study. Traffic scoping documentation is provided in Appendix A.

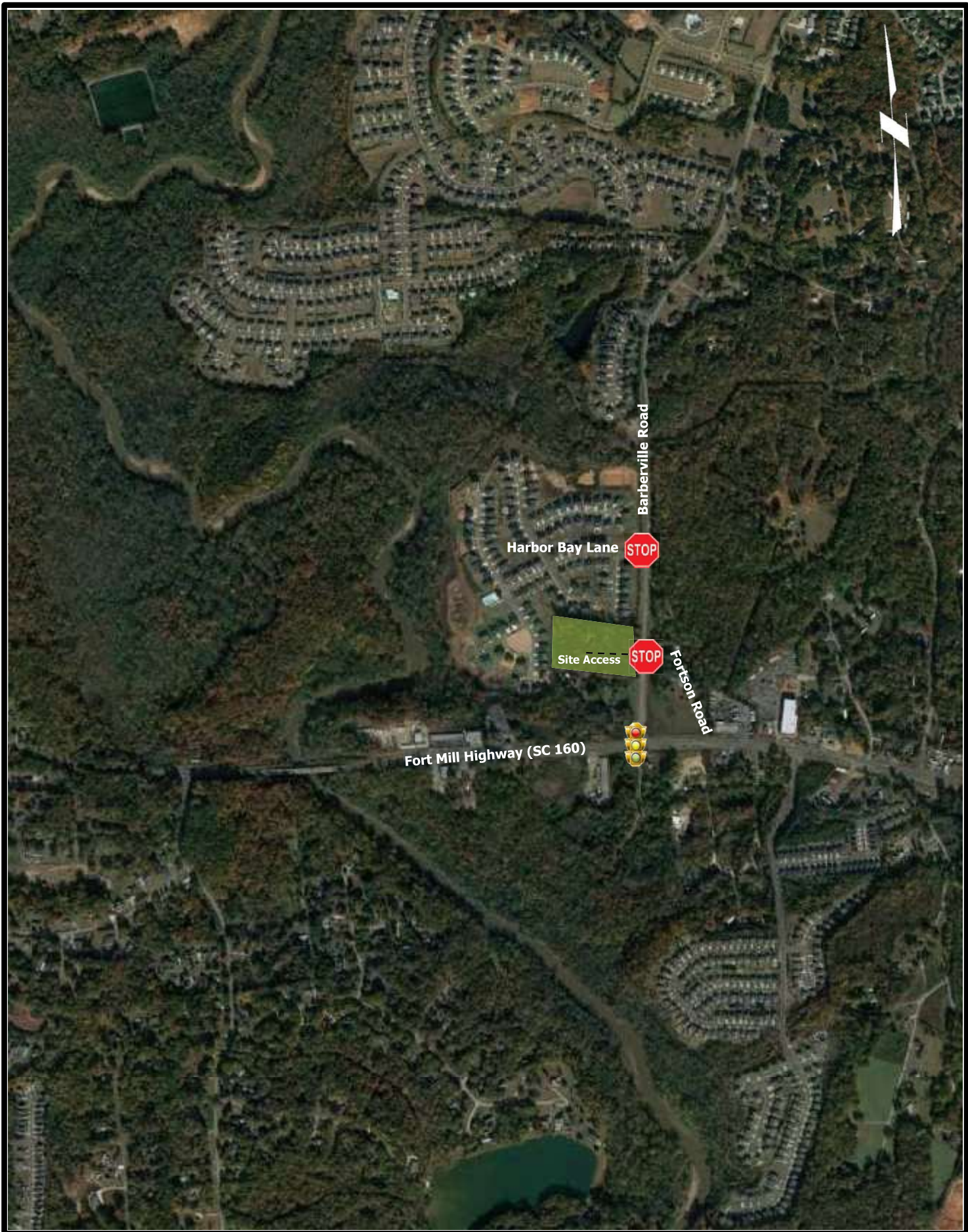
1.1. Project Background

The development is located west of Barberville Road (S-29-42) and north of SC 160 in Lancaster County, South Carolina. The development is proposed to consist of a roughly 120 student school/daycare center, 18,000 SF of retail space and 8,000 SF of office space. The site will have one access on Barberville Road, with internal connections to adjacent parcels.

The traffic impact study considers the weekday AM peak period (between 7:00 AM and 9:00 AM) and the weekday PM peak period (between 4:00 PM and 6:00 PM) as the study time frames. The following intersections are studied:

- Fort Mill Highway (SC 160) & Barberville Road (S-29-42)/ Stock Lane
- Barberville Road (S-29-42) & Harbor Bay Drive
- Barberville Road (S-29-42) & Fortson Road /Site Access

Future-year analyses assume 2026 conditions as the Build scenario. Figure 1 shows the location of the project site, and Figure 2 illustrates the conceptual site plan.



Moving forward.

Canopy Trees Common Name	Scientific Name
Red Maple	Acer rubrum
Sugar Maple	Acer saccharinum
River Birch	Betula nigra
Bitternut Hickory	Carya cordiformis
Pecan	Carya illinoensis
Shagbark Hickory	Carya ovata
Chinese Chestnut	Castanea mollissima
Sugar Hackberry	Celtis laevigata
Common Hackberry	Celtis occidentalis
Beech	Fagus grandifolia
White Ash	Fraxinus americana
Green Ash	Fraxinus pennsylvanica
Ginkgo	Ginkgo biloba 'Fairmont' or 'LakeView'
Kentucky Coffeetree	Gymnocladus dioica
Chinese Flame Tree	Koelreuteria bipinnata
Tulip poplar	Liriodendron tulipifera
Cucumber Magnolia	Magnolia acuminata
Dawn Redwood	Metasequoia glyptostroboides
London Planetree	Platanus x acerifolia
Sawtooth Oak	Quercus acutissima
White Oak	Quercus alba
Scarlet Oak	Quercus coccinea
Southern Red Oak	Quercus falcata
Laurel Oak	Quercus hemisphaerica
Overcup Oak	Quercus lyrata
Water Oak	Quercus nigra
Nuttall Oak	Quercus nuttallii
Pin Oak	Quercus palustris
Willow Oak	Quercus phellos
Red Oak	Quercus rubra

Shumard Oak	Quercus shumardii
Black Oak	Quercus velutina
Japanese Pagoda Tree	Sophora japonica
Bald Cypress	Taxodium distichum
Little Leaf Linden	Tilia cordata
Lacebark Elm	Ulmus parvifolia
Japanese Zelkova	Zelkova serrata
Understory Trees Common Name	Scientific Name
Trident Maple	Acer buergerianum
Amur Maple	Acer ginnala
Paperbark Maple	Acer griseum
Japanese Maple	Acer palmatum
Serviceberry	Amelanchier arborea
Eastern Redbud	Cercis canadensis
Chinese Redbud	Cercis chinensis
Chinese Fringetree	Chionanthus retusus
Fringetree	Chionanthus virginicus
Flowering Dogwood	Cornus florida
Rutger's Hybrid Dogwood	Cornus x 'Cultivar'
Smoketree	Cotinus coggygia
Washington Hawthorn	Crataegus phaenopyrum
Green Hawthorne	Crataegus viridis 'Winter King'
Carolina Silverbell	Halesia carolina
Golden Rain Tree	Koelreuteria paniculata
Crape Myrtle	Lagerstroemia indica, Lagerstroemia x fauriei
Star magnolia	Magnolia stellata
Saucer Magnolia	Magnolia x soulangeana
Japanese Flowering Crabapple	Malus floribunda
Flowering Crabapple	Malus hybrida
Wax Myrtle	Myrica cerifera
Sourwood	Oxydendrum arboreum

Chinese Pistache	Pistacia chinensis
Purpleleaf Plum	Prunus cerasifera 'Pissardii'
Kwanzan Cherry	Prunus serrulata 'Kwanzan'
Weeping Cherry	Prunus subhirtella pendula
Okame Cherry	Prunus x incam 'Okame'
Yoshino Cherry	Prunus x yedoensis
Chinese Elm	Ulmus parvifolia
Evergreen Trees (Large Maturing) Common Name	Scientific Name
Deodar Cedar	Cedrus deodara
Japanese Cedar	Cryptomeria japonica
Savannah Holly	Ilex x attenuata 'Savannah'
Eastern Red Cedar	Juniperus virginiana
Southern Magnolia	Magnolia grandiflora
Shortleaf Pine	Pinus echinata
Loblolly Pine	Pinus taeda
Japanese Black Pine	Pinus thunbergiana
Laurel Oak	Quercus laurifolia
Green Giant Arborvitae	Thuja (standishii x plicata) 'Green Giant'
American Arborvitae	Thuja occidentalis
Canadian Hemlock	Tsuga canadensis
Carolina Hemlock	Tsuga caroliniana
Evergreen Trees (Small Maturing) Common Name	Scientific Name
Hinoki Falsecypress	Chamaecyparis obtusa 'Filicoides'
Foster Holly	Ilex x attenuate 'Fosteri'
American Holly	Ilex opaca
Greenleaf Holly	Ilex opaca 'Greenleaf'
Yaupon Holly	Ilex vomitoria
'Emily Bruner' Holly	Ilex x 'Emily Bruner'
Nellie Stevens Holly	Ilex x 'Nellie R. Stevens'
Holly (large cultivars/varieties)	Ilex x 'Cultivar'
Little Gem Magnolia	Magnolia grandiflora 'Little Gem'

Virginia Pine	Pinus virginiana
Carolina Cherry Laurel	Prunus caroliniana
Emerald Arborvitae	Thuja occidentalis 'Emerald'
Shrubs (Under 6 feet) Common Name Scientific Name	
Glossy Abelia	Abelia x grandiflora
Wintergreen Barberry	Berberis julianae
Japanese Barberry	Berberis thunbergii
Purple Beautyberry	Callicarpa dichotoma
Flowering Quince	Chaenomeles speciosa
Japanese Falsecypress	Chamaecyparis pisifera 'Cultivar'
Spreading Euonymus	Euonymus kiautschovicus
Smooth Hydrangea	Hydrangea arborescens
Bigleaf Hydrangea	Hydrangea macrophylla
Oakleaf Hydrangea	Hydrangea quercifolia
Mountain Hydrangea	Hydrangea serrata
Dwarf Burford Holly	Ilex cornuta 'Burfordii Nana'
Chinese Holly	Ilex cornuta 'Cultivar'
Convexa Japanese Holly	Ilex crenata 'Convexa'
Japanese Holly	Ilex crenata 'Cultivar'
Little Leaf Japanese Holly	Ilex crenata 'Microphylla'
Roundleaf Japanese Holly	Ilex crenata 'Rotundifolia'
Dwarf Yaupon Holly	Ilex vomitoria 'Stokes Dwarf'
Chinese Juniper	Juniperus chinensis 'Cultivar'
Juniper	Juniperus sp.
Pfitzer Juniper	Juniperus x pfitzeriana
Drooping Leucothoe	Leucothoe fontanesiana
Leatherleaf Mahonia	Mahonia bealei
Nandina	Nandina domestica 'Cultivar'
Japanese Andromeda	Pieris japonica
Narrow Leaved English Laurel	Prunus laurocerasus 'Angustifolia'
India Hawthorn	Raphiolepis indica

Yeddo Hawthorn	Rhaphiolepis umbellata
Glenn Dale Azalea	Rhododendron x 'Cultivar'
Gunrei Satzuki Azalea	Rhododendron x 'Cultivar'
Kaempferi Azalea	Rhododendron kaempferi
Reeves' Spirea	Spiraea cantoniensis
Thunberg's Spirea	Spiraea thunbergii
Japanese Yew	Taxus cuspidata
Sandankwa Viburnum	Viburnum suspensum
Shrubs (Over 6 Feet) Common Name Scientific Name	
Aucuba	Aucuba japonica
Butterfly Bush	Buddleia davidii
Camellia	Camellia japonica
Sasanqua Camellia	Camellia sasanqua
Cleyera	Cleyera japonica
Twig Dogwood	Cornus sericea
Thorny Elaeagnus	Elacagnus pungens
Winged Euonymus	Euonymus alatus
Greenspire Euonymus	Euonymus japonica
Border Forsythia	Forsythia x intermedia
Vernal Witch Hazel	Hamamelis vernalis
Common Witch Hazel	Hamamelis virginiana
Hybrid Witch Hazel	Hamamelis x intermedia
Panicle Hydrangea	Hydrangea paniculata
English Holly	Ilex aquifolium
Burford Holly	Ilex cornuta 'Burfordii'
Chinese Holly	Ilex cornuta 'Cultivar'
Japanese Holly	Ilex crenata 'Cultivar'
Hetzi Japanese Holly	Ilex crenata 'Hetzii'
Inkberry Holly	Ilex glabra
Lusterleaf Holly	Ilex latifolia
Yaupon Holly	Ilex vomitoria

Emily Bruner Holly	Ilex x 'Emily Bruner'
Small Anise Tree	Illicium parviflorum
Chinese Juniper	Juniperus chinensis 'Cultivar'
Hollywood Juniper	Juniperus chinensis 'Kaizuka'
Laurel	Laurus nobilis
Loropetalum	Loropetalum chinense
Star Magnolia	Magnolia stellata
Wax Myrtle	Myrica cerifera
Northern Bayberry	Myrica pensylvanica
Japanese Pittosporum	Pittosporum tobira
Podocarpus	Podocarpus macrophyllus maki
English Laurel	Prunus laurocerasus
Indian Azalea	Rhododendron indica
Bridalwreath Spirea	Spiraea prunifolia 'Plena'
Vanhoutte Spirea	Spiraea x vanhouttei
Oriental Arborvitae	Thuja orientalis
Doublefile Viburnum	Viburnum plicatum f. tomentosum
Leatherleaf Viburnum	Viburnum rhytidophyllum
Laurustinus Viburnum	Viburnum tinus
Judd Viburnum	Viburnum xjuddii

K. IMPERVIOUS SURFACE STANDARDS The amount of on-site impervious surface areas shall be limited to the prescribed ratios set forth in Chapters 2, 3, and 8 of the UDO.

L. OPEN SPACE AND TREE PRESERVATION

- 1. Open Space:** A minimum of 10 percent of the site must be devoted to usable open space which may include greens, unaltered natural features, or other similar areas not covered by impervious surface as required in Chapters 2, 3, and 8 of the UDO. Required setbacks and buffer yards may be included in calculating this requirement. The Administrator may reduce this requirement for parcels 5 acres or less on a case-by-case basis. All open space shall be clearly labeled as such on any plans submitted for County review;
- 2. Tree Preservation:** All required setbacks and buffer yards shall be used as tree preservation areas. The provisions set forth in Chapter 7 of the UDO, retention and protection of large trees, shall be required for all development within the Highway Corridor Overlay District. In addition, all canopy trees with a diameter breast height (DBH) greater than 24 inches shall be incorporated into the site plan unless there is no suitable alternative due to unavoidable grading or because of required configuration of a street, driveway, sidewalk, permitted sign, essential utility, or buildings. The following shall also apply:

Agenda Item Summary

Ordinance # / Resolution # : N/A

Contact Person / Sponsor:

Department:

Date Requested to Be on Agenda: 7/21/2026

Information to Show on Agenda Below Title:

CU-2025-1674 Sergienko

Proposal:

Property Details:

Property Location:

Current Zoning District:

Proposed Zoning District:

Applicant:

Council District:

Statutory Notices:

Proposed Action Advances the Following Comprehensive Plan Guiding Principles:

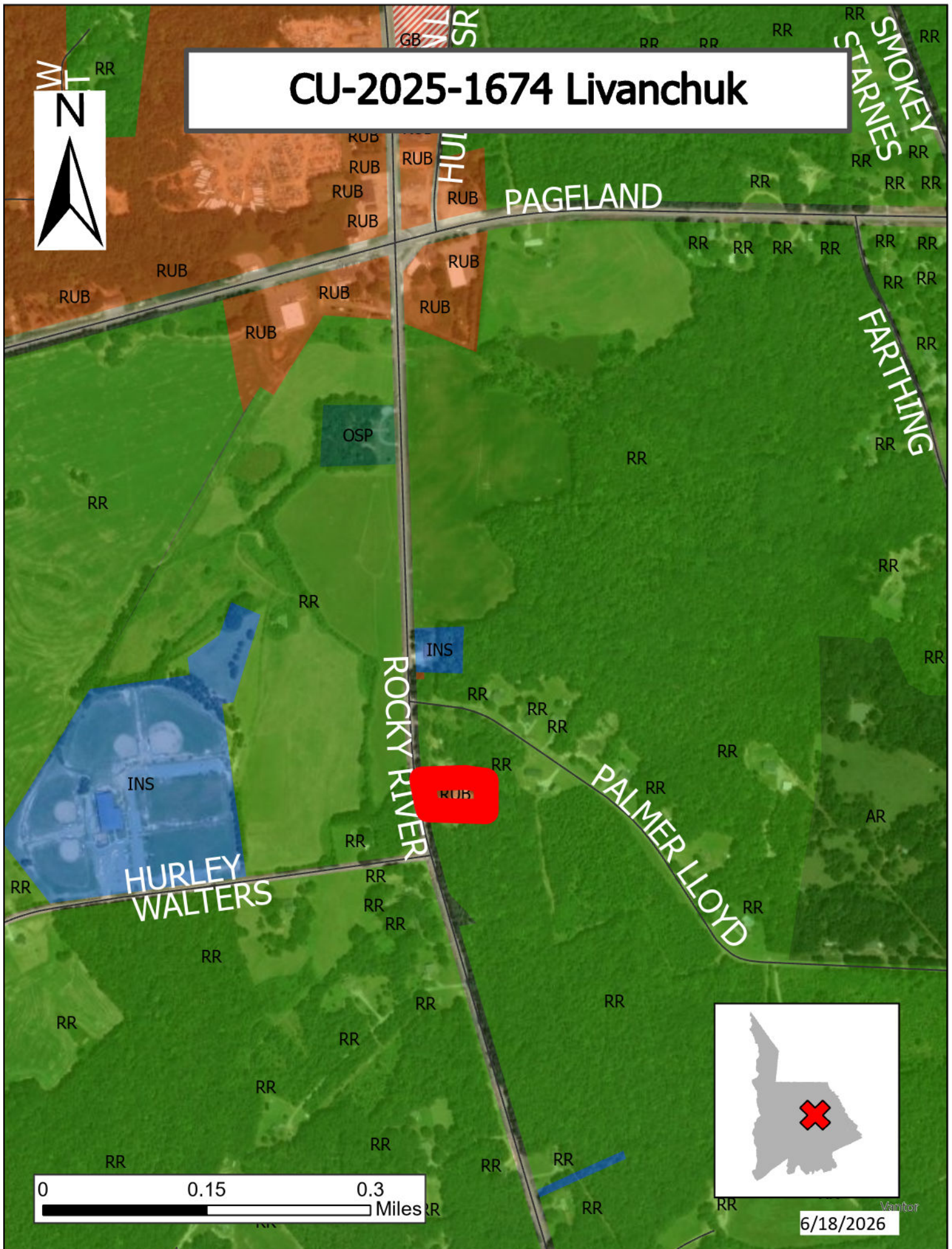
Points to Consider:

Recommendation:

Attachments:

1. Map
2. CU Staff Report
3. Sergienko Application Redacted_P
4. UDO Provisions - Ch 5 p 138
5. UDO Provisions for CU
6. Use Chart

CU-2025-1674 Livanchuk



6/18/2026

Proposal: Conditional Use Application for Small Cars Lot

Property Location: TM# 0071-00-006.00 on Rocky River Road

Current Zoning: Rural Business (RUB)

Applicant: Vitaliu Livanchuk

Council District: District 3, Billy Mostellar

Statutory Notes: Published Hearing Notice The Lancaster News 06/27/26
Posted Signs 06/23/26
Mailed Notices 06/30/26
Agenda Published and posted in Lobby 07/14/26

Overview & Background

Site Information

The subject property is located at, in the Greater Lancaster area of District 3 and is identified as Tax Parcel ID 0071-00-006.00. The parcel contains approximately 1 acre and is zoned **Rural Business (RUB)**. The applicant is requesting approval of **Conditional Use** to allow a car sells/car lot on the site. The property is currently developed for this use, as identified in the application, and features prefabricated garage bays for automotive work.



Findings & Analysis

Project Proposal

The applicant is seeking a conditional use permit for a “Car Sell/Repair” (p. 29, 2022 UDO) vehicle Rental/Leasing/Sales. This application is submitted by a prospective tenant of a pre-existing structure that was built to accommodate sales/service type business via garage bay setup.

Vehicle Rental/Leasing/Sales

Establishments which may have showrooms or open lots for selling, renting or leasing vehicles. May include car dealers for automobiles and light trucks, mobile homes, motorcycle, ATV, or boat and marine craft dealers (p. 361, 2022 UDO).

Vehicle Services – Minor are defined as, “facilities for the fueling, cleaning, and servicing of automobiles, recreational vehicles, and other personal vehicles, as primary use. Examples include: gas stations, car washes, car stereo and alarm installers, detailing services, muffler and radiator shops, battery sales and installation, and quick-lube service” (p. 361, 2022 UDO).

Technical Review Committee (TRC)

 **Approved**
 **Conditional**
 **Not Approved**
 **Open (Awaiting Decision)**

DEPARTMENT (REVIEWER)	CONDITIONAL USE
Fire Marshal	
Zoning	
Planning	

All reviewers have arrived a decision on the request. The Fire Marshal did not approve contingent upon an inspection being required prior to opening. The Zoning Department issued a conditional approval, which dismisses pending violations with the proposed use once the Conditional Use permit. The Planning Department’s review was left open, awaiting the decision from the Planning Commission meeting, although the proposal satisfies all the requirements to be approved for a “Conditional Use” permit.

This request was routed to LCWSD and Lancaster County Stormwater Division for review as well. Lancaster County Stormwater Division responded with **“No Review Needed,”** noting that the structure is outside of the SMS4 area. LCWSD noted that water and sewer are not available in that area.

	Jurisdiction	Zoning District	Use
North	Lancaster County	RR	Residential
South	Lancaster County	RR	Residential
East	Lancaster County	RR	Undeveloped / Residential
West	Lancaster County	RR	Undeveloped

Summary of Surrounding Zoning & Uses

The chart above provides the abbreviated districts, and surrounding uses. The aerial zoning map provided below illustrates the surrounding zoning districts.

Comprehensive Plan



The subject parcel lies in the “Agriculture and Timber” Future Land Use designation of the 2040 Comprehensive Plan. This designation is, “*primarily applied to Southern Lancaster and the eastern portion of Greater Lancaster. This area is characterized by significant concentrations of contiguous parcels greater than 50 acres in size and it is intended to preserve land for farming and forestry. Scattered residences, crossroads commercial areas that serve basic needs, and rural businesses (such as agricultural and forestry businesses)*”

should be permitted supporting uses.” (p.27, 2040 Comp. Plan).

The proposed use aligns with this FLU designation, as well as the Rural Business zoning.

Site Pictures



Entrance to Facility from Rocky River Rd.

Public Safety

Fire District: *Buford, FDID 3*

Fire Station Location: *1893 N. Rocky River Road, Lancaster, SC 29720*

EMS District: *EMS Station 5*

EMS Station Location: *365 Rocky River Road, Lancaster, SC 29720*

Lancaster County Sheriff's Office District: *District 1*

Applicable UDO Provisions:

5.1.2 CONDITIONAL USE (CU)

A. Conditional Uses are uses which are generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the County as a whole, require individual consideration in their location, design, configuration, and/or operation at the particular location proposed.

B. All Conditional Uses shall at a minimum meet the standards for the zoning district in which they are located and the specific standards set forth in this article for that use.

C. Individual consideration of the use may also call for the imposition of individualized conditions in order to ensure that the use is appropriate at a particular location and to ensure protection of the public health, safety, and welfare.

D. Approval procedures for Conditional Use permits are found in Chapter 9 Administration.

Per Chapter 5.8.5, Vehicle Rental/Leasing/Sales uses have additional applicable requirements that are specific to such use. Those requirements are detailed in Chapter 5 (p. 138, 2022 UDO) and report is attached to confirm code requirements have been met. (Applicable UDO Provisions)

Additional UDO Provisions:

Conditional Use Application Procedures are detailed in Chapter 9 of the current UDO (p. 327-328, 2022 UDO) and report is attached to confirm procedural requirements have been met. (Conditional Use Procedure Requirements).

Staff Recommendation

Staff recommend *approval* of this conditional use application.

Attachments:

1. Location/Zoning Map
2. Conditional Use Application
3. TRC Comment Letter
4. Conditional Use Procedure Requirements
5. Applicable UDO Provisions
6. 2022 UDO Use Type Chart (p. 29)

Staff Contact:

Corey D. Barnes, Planner
cdbarnes@lancastrcountysc.gov
803-285-6005



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

CONDITIONAL USE APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- All items noted on the Conditional Use Plan Checklist
- Fees associated with review

GENERAL INFORMATION

Property Address 423 Rocky River Road
City Lancaster State SC Zip 29720 Tax Parcel ID 0071-00-006.00
Current Zoning RUB Current Use RUB
Total Acres 1 Surrounding Property Description Res. Rural

Proposed Conditional Use small cars lot (cars sales)

CONTACT INFORMATION

Applicant Name Vitalik Livarchuk
Address 3089 Windsor Trace Drive
City Indian Land State SC Zip 29707 Phone [REDACTED]
Fax [REDACTED] Email [REDACTED]
Property Owner Name Vitalik Livarchuk
Address 3089 Windsor Trace Drive
City Indian Land State SC Zip 29707 Phone [REDACTED]
Fax [REDACTED] Email [REDACTED]

APPLICATION CERTIFICATIONS

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

Date

Property Owner(s)

Date

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

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.
- Conditional Use Application Fee - \$325.00

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 a resolution for approval.
- Subsequent to County Council action, notice of action will be provided to the applicant,

5.8.3 HEAVY EQUIPMENT/MANUFACTURED HOME RENTAL/SALES [RB, LI, HI]

- A. Screening:** A Type A buffer must be maintained at all property lines and along any street frontage, except that a Type C buffer must be maintained where the property abuts Residential uses.
- B. Buffers:** Outdoor display/storage of vehicles shall be set back at least 50 feet from any right-of-way line, unless such display/storage of vehicles excludes any used or pre-owned vehicles, in which case the display/storage of vehicles shall not encroach into the required building setbacks. In addition, outdoor display/storage of vehicles shall not encroach into floodways or stream buffers.

5.8.4 PARKING LOT/STRUCTURE – PRINCIPAL USE [GB, RB, INS, LI, HI, MX, IMX]

Where an above-ground parking structure fronts a street, the ground level, at a minimum, shall be screened in such a way that vehicles are not visible from the streetscape or sidewalk, such as landscaping standards included in Chapter 7.

5.8.5 VEHICLE RENTAL/LEASING/SALES [RUB, GB, RB, MX, IMX]

- A. Outdoor Vehicle Display:** No vehicles displayed for sale or awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any public rights-of-way.
- B. Conditional Use Permit Required for Non-Franchised Dealerships:** All such uses that are within 200 feet of a Residential use and are not a manufacturer-franchised dealership must obtain a Conditional Use permit.
- C. Screening:** All boundaries of a property containing such uses that directly adjoin a Single Family residential district shall be buffered with a solid fence extending from the ground to a height of not less than 6 feet and a Type B buffer in accordance with Section 7.1.5.
- D. In the MX and IMX Districts:**
 - 1. Vehicle sales are restricted to manufacturer-franchised dealerships only.
 - 2. In new construction, or renovation to a building which amounts to greater than 50 percent of the building's value, vehicle bays shall not face the street or shall be screened from direct view by landscaping.
 - 3. Vehicle painting and body and fender repair are specifically prohibited as service/repair functions, except by those establishments also conducting vehicle sales as restricted above.

5.8.6 VEHICLE SERVICES – MINOR MAINTENANCE/REPAIR [NB, GB, RB, LI, HI, MX, IMX]

- A. Outdoor Vehicle Storage:** All outdoor storage of vehicles awaiting work or pick-up shall be screened by a Type C buffer in accordance with Section 7.1.5. No vehicles or awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any right-of-way. No outside storage of junk vehicles or parts shall be permitted unless a permit for an outdoor storage yard is also obtained.
- B. Vehicle Bays:** Vehicle bays which are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street must also incorporate awnings, windows, and/or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street as determined by the Technical Review Committee (TRC).
- C. Noise:** No noises resulting from the occasional repair or maintenance of a motor vehicle shall be audible at or beyond the property line between 8 PM and 7 AM the following morning. Intercom/sound systems shall not be audible at or beyond the property line.
- D. Repair Work:** All repair work shall be conducted entirely within an enclosed structure; car wash activities may be done outside when all requirements of stormwater management are

C. CONSIDERATION BY COUNTY COUNCIL

1. **Public Notification (Prior to Planning Commission):** Level 1 and 2 are required for all amendments to the UDO. Level 3 is required for all amendments to the UDO that involve a specific parcel of land. Such actions include, but are not limited to, map amendments (rezonings), amendments to zoning district boundaries, and the application of new overlay zones.
2. **Consideration by the County Council:** Following receipt of a recommendation or appeal of a proposed amendment, the County Council shall conduct a public hearing on the matter. Upon reviewing all of the pertinent information, the County Council may:
 - a. Adopt the proposed amendment.
 - b. Adopt the proposed amendment with modifications.
 - c. Reject the proposed amendment.
 - d. Refer the proposed amendment back to the Planning Commission for further consideration.
 - e. Refuse to take any further action.

D. WAITING PERIOD FOR SUBSEQUENT APPLICATIONS

When an application for an amendment has been denied by the County Council, no application shall be considered on the same zoning amendment request affecting the same property or part thereof within the next 12 months after denial. This 12 month period does not apply to action initiated by either the County Council or Planning Commission. (Ord. No. 2019-1599, 8.26.19)

9.2.16 CONDITIONAL USE

The County Council may from time to time approve Conditional Use permits.

A. APPLICATION PROCEDURES

1. **Process Type:** Legislative.
2. **Applicants:** Conditional Use permits may be submitted by any of the following:
 - Any owner of property within the land use jurisdiction of the County.
3. **Pre-Application Procedure:** Before filing a petition for a Conditional Use, an applicant shall meet with the Administrator to discuss the proposed Conditional Use request and to become more familiar with the applicable requirements and approval procedures of the County.
4. **Content of Application:** A petition for a Conditional Use shall be filed on a form provided by the Administrator. Such a petition shall contain all the information required on the form and must be determined to be complete by the Administrator prior to advancing it through the review process.
5. **Determination of Completeness:** Staff shall review an application for a Conditional Use to determine if it is complete. If an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Planning Commission. The Administrator shall prepare a staff report and recommendation on the matter.

B. REVIEW BY PLANNING COMMISSION

1. **Public Notification (Prior to Planning Commission):** Levels 1, 2, and 3 are required for Conditional Use applications.
2. **Neighborhood Meeting:** Optional.

3. **Consideration by Planning Commission:** The Planning Commission shall conduct a public hearing and receive public input on the proposed use and shall provide a written recommendation to the County Council regarding whether to approve or deny the proposed use within 35 days of its first consideration on the matter. The recommendation shall address consistency with Chapter 5 and the surrounding neighborhood and other matters deemed appropriate by the Commission. A recommendation for denial of the petition shall not preclude consideration or approval of the proposed use by the County Council.

C. CONSIDERATION BY COUNTY COUNCIL

1. **Public Notification (Prior to Planning Commission):** Level 1 and 2 are required for all conditional uses to the UDO. Level 3 is required for all amendments to the UDO that involve a specific parcel of land. Such actions include, but are not limited to Conditional Use.
2. **Consideration by the County Council:** Following receipt of a recommendation of a proposed amendment, the County Council may:
 - a. Approve the proposed use.
 - b. Approve the proposed use with restrictions.
 - c. Reject the proposed use.
 - d. Refer the proposed use back to the Planning Commission for further consideration.

(Ord. No. 2018-1521, 7.16.18)

D. WAITING PERIOD FOR SUBSEQUENT APPLICATIONS

When an application for a use has been approved or denied by the County Council, no application shall be considered on the same issue within the next 12 months after approval or denial.

9.2.17 VESTED RIGHTS

A. ESTABLISHMENT OF VESTED RIGHTS

1. A vested right is established for two years upon the approval of a Site Specific Development Plan.
2. The landowner of real property with a vested right may apply in writing before the end of the vesting period or within 30 days after the expiration of the vesting period or any extension thereof but not thereafter to the Lancaster County Planning Commission for an annual one-year extension of the vested right. The Planning Commission must approve applications for at least five annual extensions of the vested right if a timely and proper application has been filed with the Planning Commission unless an amendment to the UDO has been adopted that prohibits approval. If no timely and proper written application is made by the landowner to the Planning Commission for an annual extension, the vesting period or annual extension applicable to such real property shall expire at the end of the vesting period or the annual extension thereof.
3. The Planning Commission shall not provide for or approve the establishment of a two-year vested right in a conditionally approved site specific development plan. No two-year vested right is established in a conditionally approved site specific development plan until such vested right is specifically and expressly approved by the Planning Commission in writing when a site specific development plan is approved without conditions.
4. The Planning Commission shall not approve the establishment of a vested right in an approved phased development plan but may approve and establish a vested right in any

Lancaster County Unified Development Ordinance – Use Table

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
E. CIVIC	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Cemetery	PR	PR	PR	PR	-	PR	PR	-	PR	PR	PR	PR	-	-	-	-	-	PR	-	-	PR	5.6.1
Conference/Convention Center	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	P	P	
Cultural or Community Facility	-	-	-	P	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	P	P	
Event Venue/Banquet Hall	P	P	PR	PR	-	PR	PR	PR	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.6.2
Places of Assembly	PR	PR	PR	PR	CU	CU	CU	PR	PR	PR	PR	PR	-	PR	-	-	-	CU	-	CU	CU	5.6.3
Private Recreation Facilities	-	-	-	PR	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.6.4
Public Recreation Facilities	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	-	-	-	PR	PR	PR	PR	PR	5.6.5
Public Safety Station	P	P	P	P	-	-	-	P	P	P	P	P	-	P	P	-	-	-	-	P	P	
Sports Arena/Stadium (4,000 or more seats)	-	-	-	-	-	-	-	-	-	-	CU	CU	-	CU	-	-		-	-	-	CU	5.6.6
F. EDUCATIONAL/INSTITUTIONAL	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Child/Adult Day Care Home (5 or fewer persons)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	-	-	-	-	PR	PR	-	PR	PR	5.7.1
Child/Adult Day Care Home (6 or more persons)	-	-	-	-	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.7.2
College/University	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	P	P	
Community Support Facility	-	-	-	PR	-	-	-	-	-	PR	PR	PR	-	-	-	-	-	-	-	-	-	5.7.3
Correctional Institution	-	-	-	-	-	-	-	-	-	-	-	CU	-	SE	SE	-	-	-	-	-	-	5.7.4
Day Treatment Center	-	-	-	-	-	-	-	-	-	PR	PR	PR	-	PR	-	-	-	-	-	-	-	5.7.5
Hospital	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	-	-	-	-	-	-	
Operations, Maint., and Fleet Service Facility	-	-	-	SE	-	-	-	-	-	PR	PR	PR	-	PR	PR	-	-	-	-	-	PR	5.7.6
Schools – Elementary and Secondary	PR	PR	PR	PR	-	PR	CU	CU	CU	CU	CU	PR	-	-	-	-	CU	CU	CU	CU	CU	5.7.7
Schools – Vocational/Technical	-	-	-	P	-	-	-	-	P	P	P	P	-	P	P	-	-	-	-	P	P	
Studio – Art, dance, martial arts, music	P	-	-	P	-	-	-	P	P	P	P	P	-	P	-	-	-	-	-	P	P	
G. AUTOMOTIVE	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Drive-Thru/Drive-In Facility	-	-	-	PR	-	-	-	-	CU	PR	PR	-	-	PR	PR	-	-	-	-	PR	PR	5.8.1
Electric Vehicle Charging Stations	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	5.8.2
Heavy Equipment/Manufactured Home Rental/Sales/Repair	-	-	-	-	-	-	-	-	-	-	SE	-	-	PR	PR	-	-	-	-	-	-	5.8.3
Parking Lot/Structure – Principal Use	-	-	-	-	-	-	-	-	-	PR	PR	PR	-	PR	PR	-	-	-	-	PR	PR	5.8.4
Vehicle Rental/Leasing/Sales	-	-	-	PR	-	-	-	-	-	PR	PR	-	-	-	-	-	-	-	-	CU	CU	5.8.5
Vehicle Services – Minor Maintenance/Repair	-	-	-	P	-	-	-	-	CU	CU	PR	-	-	PR	PR	-	-	-	-	CU	CU	5.8.6
Vehicle Services – Major Repair/Body Work	-	-	-	PR	-	-	-	-	-	CU	PR	-	-	PR	PR	-	-	-	-	-	-	5.8.7

P – Permitted by Right

PR – Permitted with Review

CU – Conditional Use Required

SE – Special Exception Required

Agenda Item Summary

Ordinance # / Resolution # : N/A

Contact Person / Sponsor:

Department:

Date Requested to Be on Agenda: 7/21/2026

Information to Show on Agenda Below Title:

SD-2022-2201 Edgewater Phase 8

Application submitted on: 5-21-2026

Proposal:

Property Details:

Property Location:

Current Zoning District:

Proposed Zoning District:

Applicant:

Council District:

Statutory Notices:

Proposed Action Advances the Following Comprehensive Plan Guiding Principles:

Points to Consider:

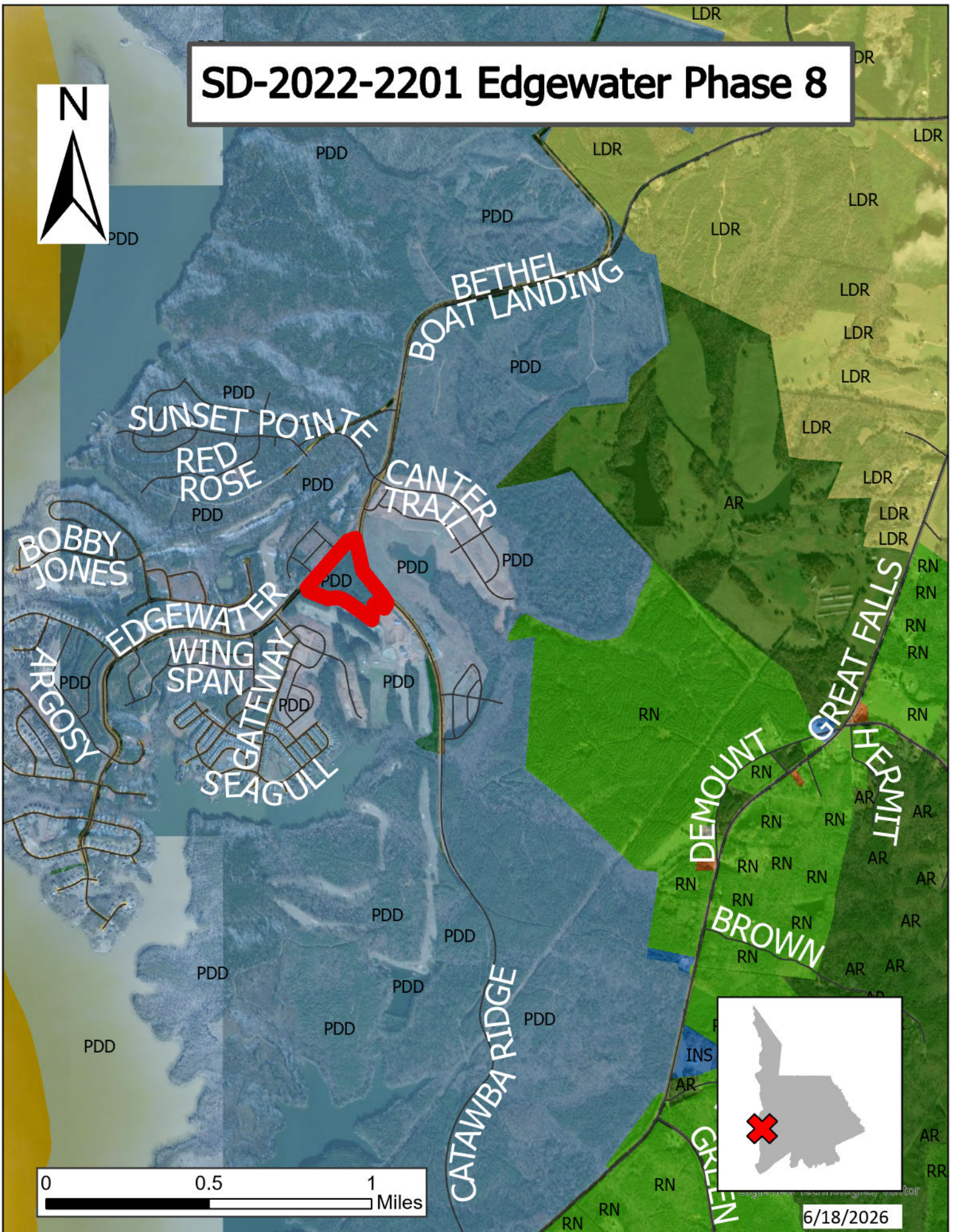
Recommendation:

Attachments:

1. Map
2. Staff Report
3. Edgewater Phase 8 Application Redacted_P
4. Approved Letter

5. Updated Preliminary Plat

SD-2022-2201 Edgewater Phase 8



PROPOSAL: Application for Preliminary Plat for 14.96 acres off Edgewater Parkway (TM 0106-00-003.00 & 0106-00-003.02) for 44 single family homes.

PROPERTY LOCATION: Intersection of Catawba Ridge Boulevard and Edgewater Parkway

CURRENT ZONING DISTRICT: Planned Development District (PDD-2 Edgewater)

APPLICANT: True Homes LLC (Developer)
 Lancaster County Forfeited Land Commission (owner)
 B & C Landholdings LLC (owner)

COUNTY COUNCIL DISTRICT: District 5, Steve Harper

NOTICE: Published hearing notice The Lancaster News 6/19/2026
 Posted signs 6/25/2026
 Mailed notices 6/30/2026
 Agenda published and posted in Lobby 7/14/2026

OVERVIEW & BACKGROUND:

Site Information & Existing Condition

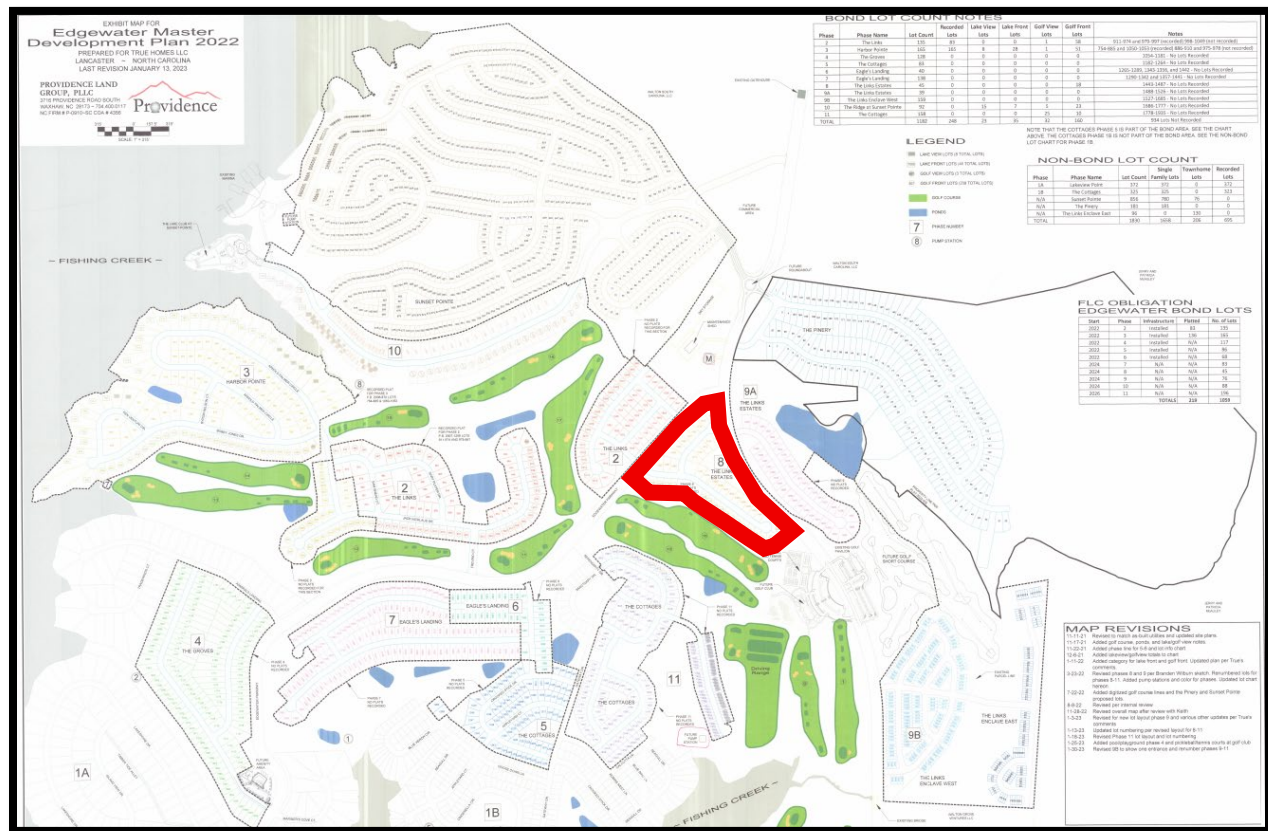
This area is currently undeveloped. It is located south of the existing entrance to Edgewater at Edgewater Parkway and Catawba Ridge Boulevard. Under the original bond configuration Phase 8 included 45 bond lot homes (The Links Estates). While this area was included in the original bond documents no prior Preliminary Plat/Development review was done for this area.

Summary of Surrounding Zoning and Uses

Surrounding Property	Jurisdiction	Zoning District	Use
North	Lancaster County	PDD-2	The Links
South	Lancaster County	PDD-2	Golf Club House
East	Lancaster County	PDD-2	The Links Estates 9A
West	Lancaster County	PDD-2	The Cottages

Master Plan

The proposed Preliminary Plat is part of the larger development of the PDD-2 Edgewater development Master Plan. This phase of Edgewater contains all of phase 8 on the Development Summary Phase Plan (see Edgewater Master Development Plan 2022 below).

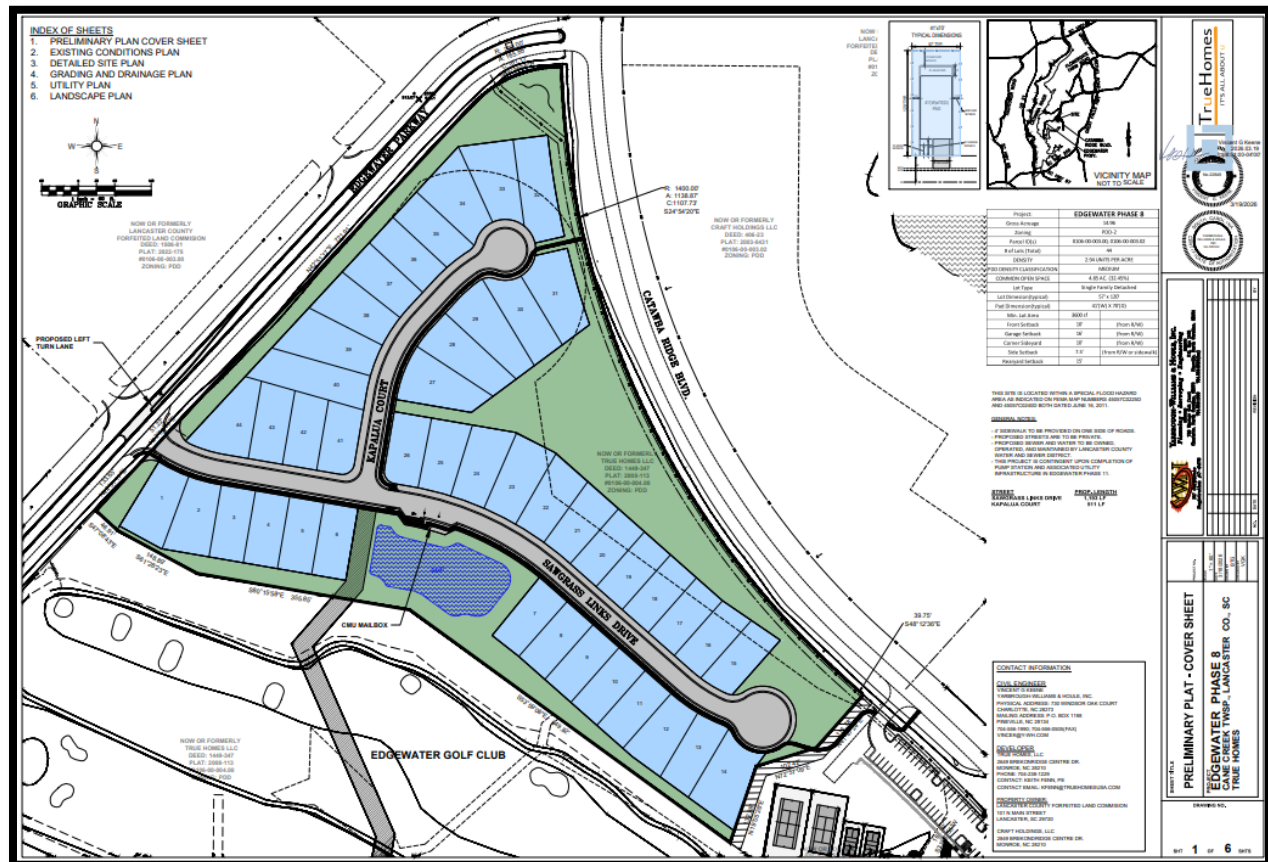


PDD Legacy District: A PDD is a Planned Development District. The 1998 Edition of the Lancaster County Unified Development Ordinance (UDO) defined the PDD district as a “... *district is designed to accommodate a mixture of compatible residential, office, commercial, or other uses of land which are planned and developed as an integral unit and which, due to such mixture of uses or other aspects of design, could not be located in other districts established in this ordinance without compromising the proposed concept of integrated and flexible development.*”

Under the 2016 edition of the Lancaster County UDO, the PDD district was not carried forward as an active district but instead as a Legacy District. This designation allows PDDs to continue to develop under the PDD master plan, relevant development agreements, and under the development standards which were in place at the time of the PDD approval.

This PDD is governed by Ordinances 348 and 356 as well as Lancaster County 1998 Subdivision Standards and Development Ordinance.

PROPOSED PRELIMINARY PLAT:



Current Proposal

DEVELOPMENT SUMMARY (of the Proposed Plat):

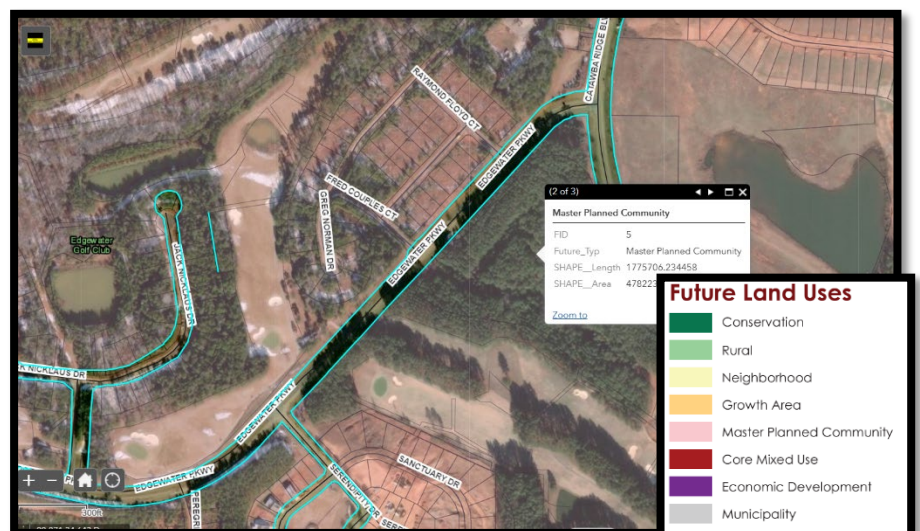
Development Summary	
Site Acreage	14.96 acres
Proposed Lots	44 townhome lots
Project Overview	PDD residential
Open Space	4.85 ac (32.45% of area within plat)
Streets	To be privately maintained

The TRC sent out an approved letter on 7/17/2026. The full TRC letter has been attached to this report.

New Road Names:

The proposed road names of Kapalua Court and Sawgrass Links Drive have been vetted by our E911 Addresser and meet the county standards.

The comprehensive plan for this area designated the subject parcel is Master Planned Community. This proposal would be consistent with the comprehensive plan. Edgewater Phase 9 does meet Comprehensive Plan Goal LC 7.3 “Work with residential developers to guide the creation of usable open space and parks within residential and mixed-use neighborhoods”



School Capacity:

The proposed project is located within the following schools

- Erwin Elementary: Enrollment October 2025: 410
- South Middle: Enrollment October 2025: 453
- Lancaster High School: Enrollment October 2025: 1327

Traffic Counts:

The closest SCDOT trip count station is station number 29-0165 located 1.13 miles from the subject parcel along Great Falls Highway, just north of the intersection of Great Falls Highway and Llyod Reid Road.

	2025	2024	2023
AADT	4,200	4,000	4,000
Single Unit AADT	469	288	288
Combo Unit AADT	144	137	137
Truck %	15%	11%	11%

Public Safety

Fire District: Bell Town

Fire Station Location: 4600 Great Falls Hwy

Closest EMS Station: EMS Station 3, 1305 McIlwain Rd

7/16/2026 Meeting

On July 16, 2026, the Planning Department met with True Homes to discuss previously recommended improvements based on a Traffic Impact Analysis (TIA) issued in 2021. In this meeting True Homes provided an updated TIA from 2022, that depicted the recommended improvements that are currently under construction or have been completed.

Site Photo:



RECOMMENDATION:

Staff recommends approval of this preliminary plat.

STAFF:

Matthew Blaszyk

Planner 803-416-9380

mblaszyk@lanastercountysc.gov

ATTACHMENTS:

1. Preliminary Plat Application
2. Location Map/ Zoning Map
3. Preliminary Plat
4. TRC Approval Letter

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/lanaster/?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: Catawba Ridge Blvd. and Edgewater Parkway

Tax Map ID/Parcel No.: 0106-00-003.00, 0106-00-003.02

Project Description: Edgewater Phase 8 (44 Single Family Homes)

Applicant Name: True Homes, LLC

Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone: [REDACTED] Email: [REDACTED]

Property Owner Name: B & C Land Holdings LLC

Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone: [REDACTED] Email: [REDACTED]

Other Project Contacts

Name: Joel Madden, PE

Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone: [REDACTED] Email: [REDACTED]

Name: Vince Keene

Address: P.O. Box 1198, Pineville, NC 28134

Phone: [REDACTED] Email: [REDACTED]

Applicant Signature: [Signature] Date: 4/17/26

Owner Signature: [Signature] Date: 4/17/26

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.

PROJECT INFORMATION

Project Address/Location: Catawba Ridge Blvd. and Edgewater Parkway
Tax Map ID/Parcel No.: 0106-00-003.00, 0106-00-003.02
Project Description: Edgewater Phase 8 (44 Single Family Homes)

Applicant Name: True Homes, LLC
Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110
Phone: [REDACTED] Email: [REDACTED]

Property Owner Name: Lancaster County Forfeited Land Commission
Address: P.O. Box 1809, Lancaster, SC 29721
Phone: [REDACTED] Email: [REDACTED]

Other Project Contacts

Name: Joel Madden, PE
Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110
Phone: [REDACTED] Email: [REDACTED]

Name: Vince Keene
Address: P.O. Box 1198, Pineville, NC 28134
Phone: [REDACTED] Email: [REDACTED]

Applicant Signature: [Signature] Date: 4/17/26
Owner Signature: [Signature] Date: 4/17/24
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**



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

July 17, 2026

Vincent G. Keene
Yarbrough-Williams & Houle, Inc.
P.O. Box 1198
Pineville, NC 28273

Project Number	20222201
Project Name	Edgewater Phase 8
Location	Int of Edgewater Parkway and C
Stage	Preliminary Plat
Parcel(s)	0106-00-003.03
Status	Approved

Dear: Vincent G. Keene

This letter is to confirm APPROVAL of your Preliminary Plat plans by the Lancaster County Technical Review Committee (TRC). You may now contact the Lancaster County Zoning Department and the Lancaster County Building Department regarding the necessary permits for this project. If you have any questions or concerns please contact me at (803) 285-6005. We look forward to working with you and your associates on this project in Lancaster County.

Please note that project as-builts shall be submitted prior to issuance of final plat approval or a building certificate of occupancy. These required as-builts shall be completed as per the attached as-built checklist and instructions.

Sincerely,

A handwritten signature in black ink that reads "Chanda Kirkland".

Chanda Kirkland, Development Service Coordinator
Lancaster County Government
101 N Main St
Lancaster, SC 29720
P: (803) 416-9390

Plan Review Comments

County Engineer - Stephen Blackwelder - 8035482406
sblackwelder@lanastercountysc.gov

Approved

Review Comments:

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

Approved

Review Comments:

No issues noted.

Road names are approved and have been forwarded to Jennifer Bryan in Planning so that she can schedule them to go before the Planning Commission at the appropriate time.

During the civil phase, please send me a CAD file so that I can begin addressing.

Fire Marshal - Mike Magette - 8032838888
jmagette@lanastercountysc.gov

Approved

Review Comments:

LC Water & Sewer District - James Hawthorne - (803) 285-6919
jhawthorne@lcwasd.org

Approved

Review Comments:

Planning - Matthew Blaszyk - 803-285-6005
mblaszyk@lanastercountysc.gov

Approved

Review Comments:

LC School District - Jonathan Duke - 803-416-8010
john.duke@lcsd.k12.sc.us

No Review Done

Review Comments:

Although we currently have some capacity in Lancaster area schools, we do have concerns about how currently approved residential developments will affect school capacities going forward.

Impact Fee - Chanda Kirkland - 803-416-9390
ckirkland@lanastercountysc.gov

No Review Needed

Review Comments:

Building - Darin Robinson - (803) 416-9399
drobinson@lanastercountysc.gov

Approved

Review Comments:

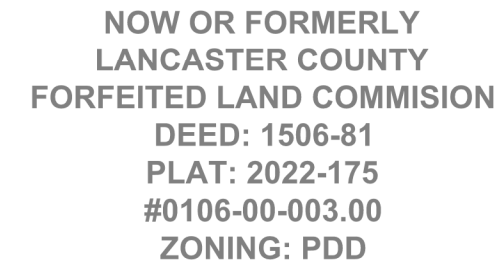
- Next stage submittal design to include details for Accessible parking and curb ramp transition at CBU kiosk, per 2017 ICC

Traffic Impact Analysis - Corey Barnes - 803-416-9394
cdbarnes@lanastercountysc.gov

Approved

Review Comments:

1. PRELIMINARY PLAN COVER SHEET
2. EXISTING CONDITIONS PLAN
3. DETAILED SITE PLAN
4. GRADING AND DRAINAGE PLAN
5. UTILITY PLAN
6. LANDSCAPE PLAN



INDEX OF SHEETS

1. PRELIMINARY PLAN COVER SHEET
2. EXISTING CONDITIONS PLAN
3. DETAILED SITE PLAN
4. GRADING AND DRAINAGE PLAN
5. UTILITY PLAN
6. LANDSCAPE PLAN

GRAPHIC SCALE
1 inch = 60 ft

NOW OR FORMERLY LANCASTER COUNTY FORFEITED LAND COMMISSION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

NOW OR FORMERLY TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

NOW OR FORMERLY CRAFT HOLDINGS LLC
DEED: 406-23
PLAT: 2003-0431
#0106-00-003.02
ZONING: PDD

EDGEWATER PARKWAY
R: 200.00'
A: 165.88'
C: 161.17'
N65°36'56"E

KAPALUA COURT
N42°31'17"E 721.91'

SAWGRASS LINKS DRIVE
S53°59'08"E 649.82'

EDGEWATER GOLF CLUB

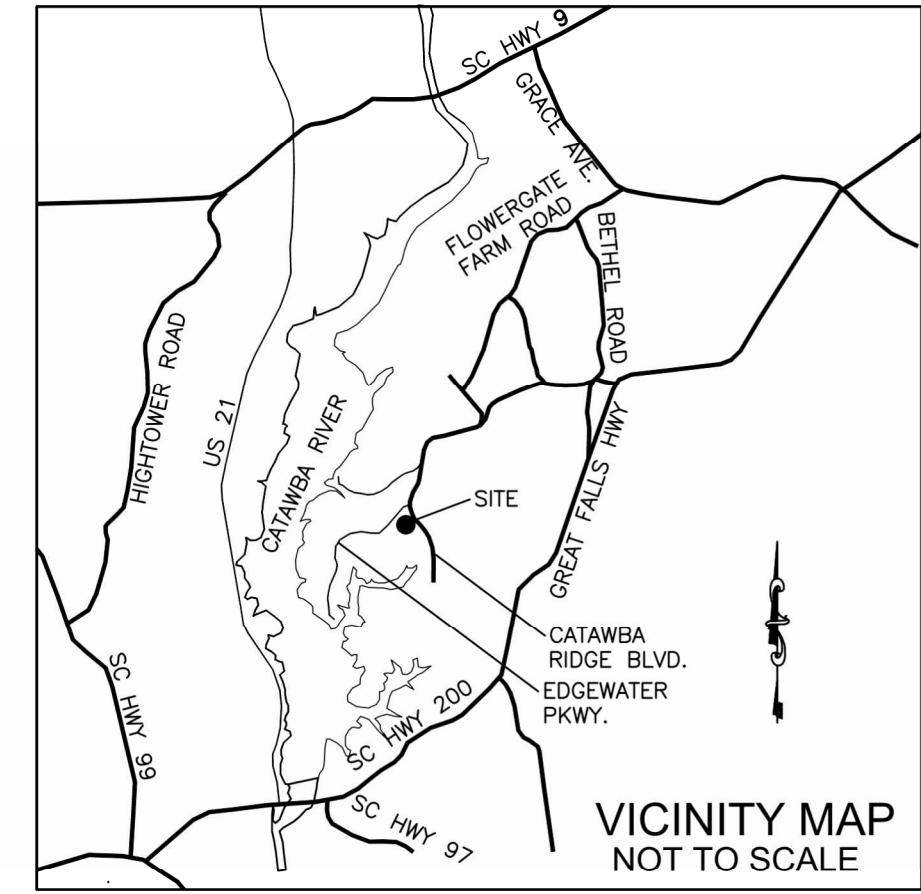
CMU MAILBOX

BMP

PROPOSED LEFT TURN LANE

CATAWBA RIDGE BLVD.
R: 1400.00'
A: 1138.87'
C: 1107.73'
S24°54'20"E

TYPICAL DIMENSIONS
41'x70'
57' TYP.
10' REAR YARD SETBACK
2' REAR YARD SETBACK
41'(W)x70'(D) PAD
10' FRONT SETBACK
10' GARAGE SETBACK
10' DRIVEWAY
10' SIDE YARD SETBACK

[illegible]

Project:	EDGEWATER PHASE 8	
Gross Acreage	14.96	
Zoning	PDD-2	
Parcel ID(s)	0106-00-003.00, 0106-00-003.02	
# of Lots (Total)	44	
DENSITY	2.94 UNITS PER ACRE	
PDD DENSITY CLASSIFICATION	MEDIUM	
COMMON OPEN SPACE	4.85 AC. (32.45%)	
Lot Type	Single Family Detached	
Lot Dimension(typical)	57' x 120'	
Pad Dimension(typical)	41'(W) X 70'(D)	
Min. Lot Area	3600 sf	
Front Setback	10'	(from R/W)
Garage Setback	16'	(from R/W)
Corner Sideyard	10'	(from R/W)
Side Setback	7.5'	(from R/W or sidewalk)
Rearyard Setback	15'	

- 4' SIDEWALK TO BE PROVIDED ON ONE SIDE OF ROADS.
- PROPOSED STREETS ARE TO BE PRIVATE.
- PROPOSED SEWER AND WATER TO BE OWNED, OPERATED, AND MAINTAINED BY LANCASTER COUNTY WATER AND SEWER DISTRICT.
- THIS PROJECT IS CONTINGENT UPON COMPLETION OF PUMP STATION AND ASSOCIATED UTILITY INFRASTRUCTURE IN EDGEWATER PHASE 11.

CONTACT INFORMATION

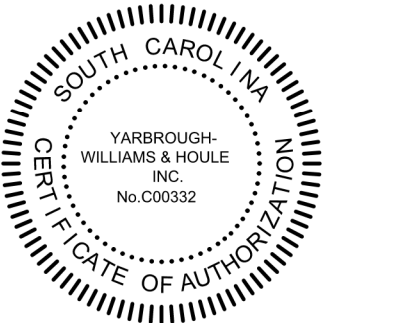
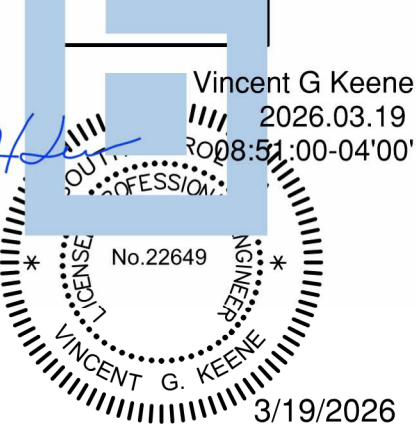
CIVIL ENGINEER
VINCENT G KEENE
YARBROUGH- WILLIAMS & HOULE, INC.
PHYSICAL ADDRESS: 730 WINDSOR OAK COURT
CHARLOTTE, NC 28273
MAILING ADDRESS: P.O. BOX 1198
PINEVILLE, NC 28134
704-556-1990; 704-556-0505(FAX)
VINCEK@Y-WH.COM

DEVELOPER
TRUE HOMES, LLC
2649 BREKONRIDGE CENTRE DR.
MONROE, NC 28210
PHONE: 704-238-1229
CONTACT: KEITH FENN, PE
CONTACT EMAIL: KFENN@TRUEHOMESUSA.COM

PROPERTY OWNER:
LANCASTER COUNTY FORFEITED LAND COMMISSION
101 N MAIN STREET
LANCASTER, SC 29720

CRAFT HOLDINGS, LLC
2849 BREKONDRIDGE CENTRE DR.
MONROE, NC 28210

TrueHomes
IT'S ALL ABOUT U



YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering
(PHYSICAL)
790 Windsor Oak Court
P.O. Box 1198
(MILWAUKEE)

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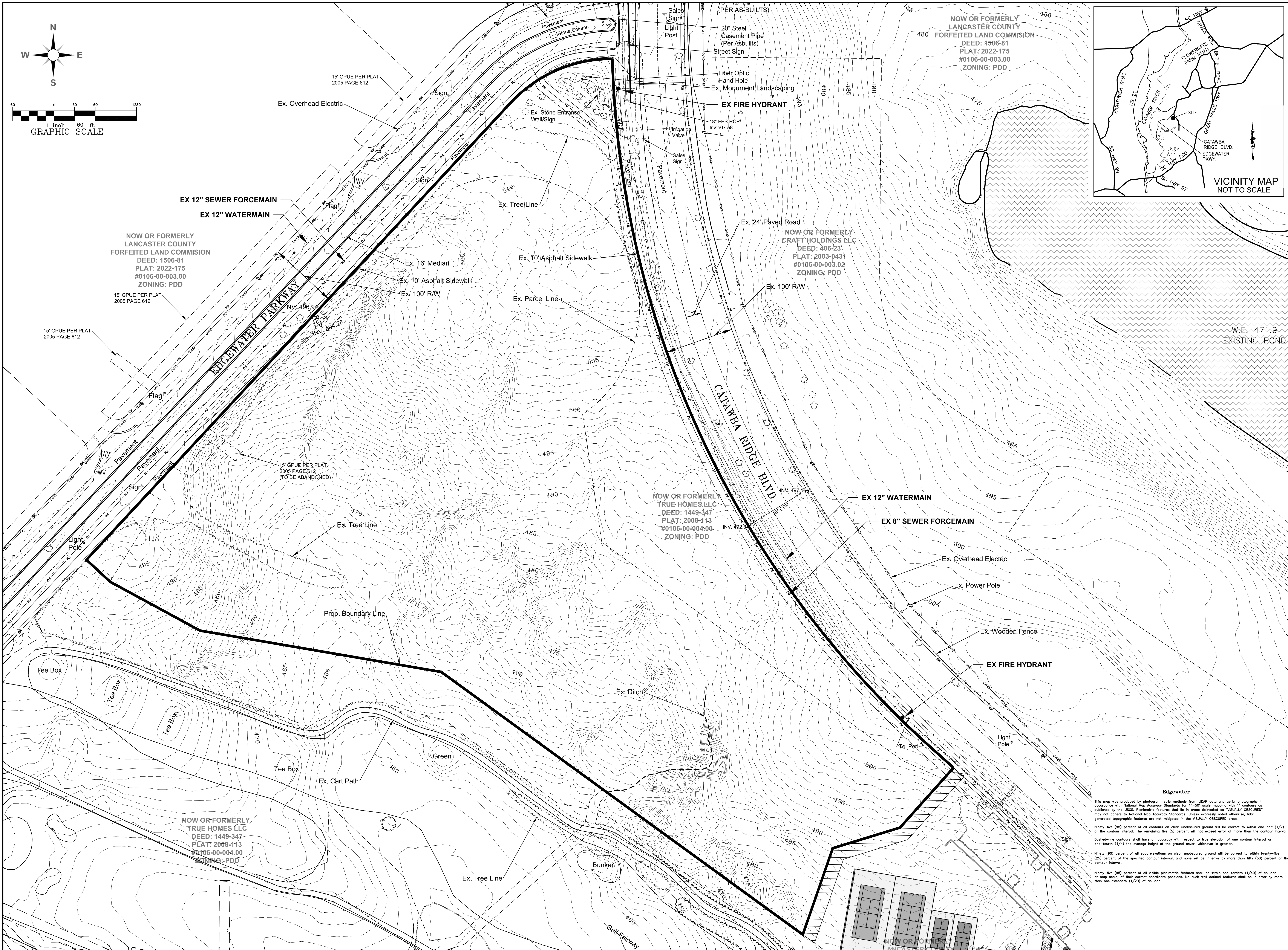
HEET TITLE

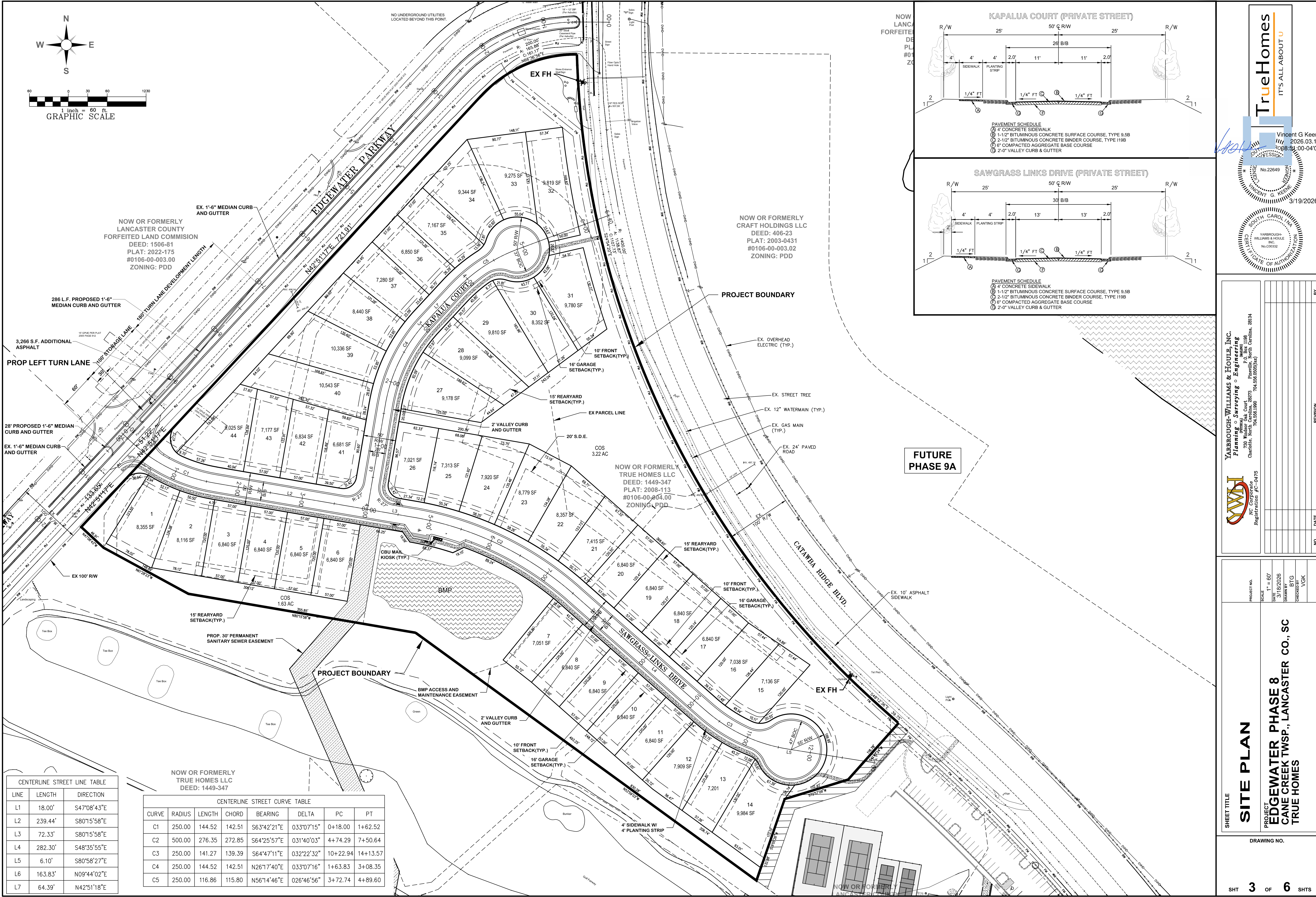
PRELIMINARY PLAT - COVER SHEET

PROJECT
EDGEWATER PHASE 8
CANE CREEK TWSP, LANCASTER CO., SC
TRUE HOMES

DRAWING NO.

SHT **1** OF **6** SHTS

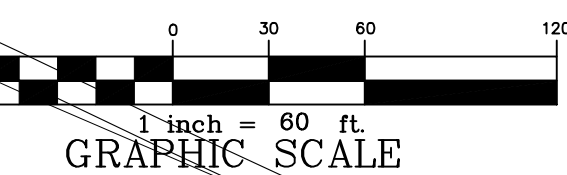
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CENTERLINE STREET CURVE TABLE							
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA	PC	PT
C1	250.00	144.52	142.51	S63°42'21"E	033°07'15"	0+18.00	1+62.52
C2	500.00	276.35	272.85	S64°25'57"E	031°40'03"	4+74.29	7+50.64
C3	250.00	141.27	139.39	S64°47'11"E	032°22'32"	10+22.94	14+13.57
C4	250.00	144.52	142.51	N26°17'40"E	033°07'16"	1+63.83	3+08.35
C5	250.00	116.86	115.80	N56°14'46"E	026°46'56"	3+72.74	4+89.60

[illegible]

Page 365 of 36



NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

NO UNDERGROUND UTILITIES
LOCATED BEYOND THIS POINT

EX FH

480-
NOW OR FORMERLY
LANCASTER COUNTY
FORFEITED LAND COMMISSION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

PROPOSED STORM DRAINAGE

NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
20106-00-004-00
ZONING PDD

**PROPOSED DRY
WATER QUALITY BME**

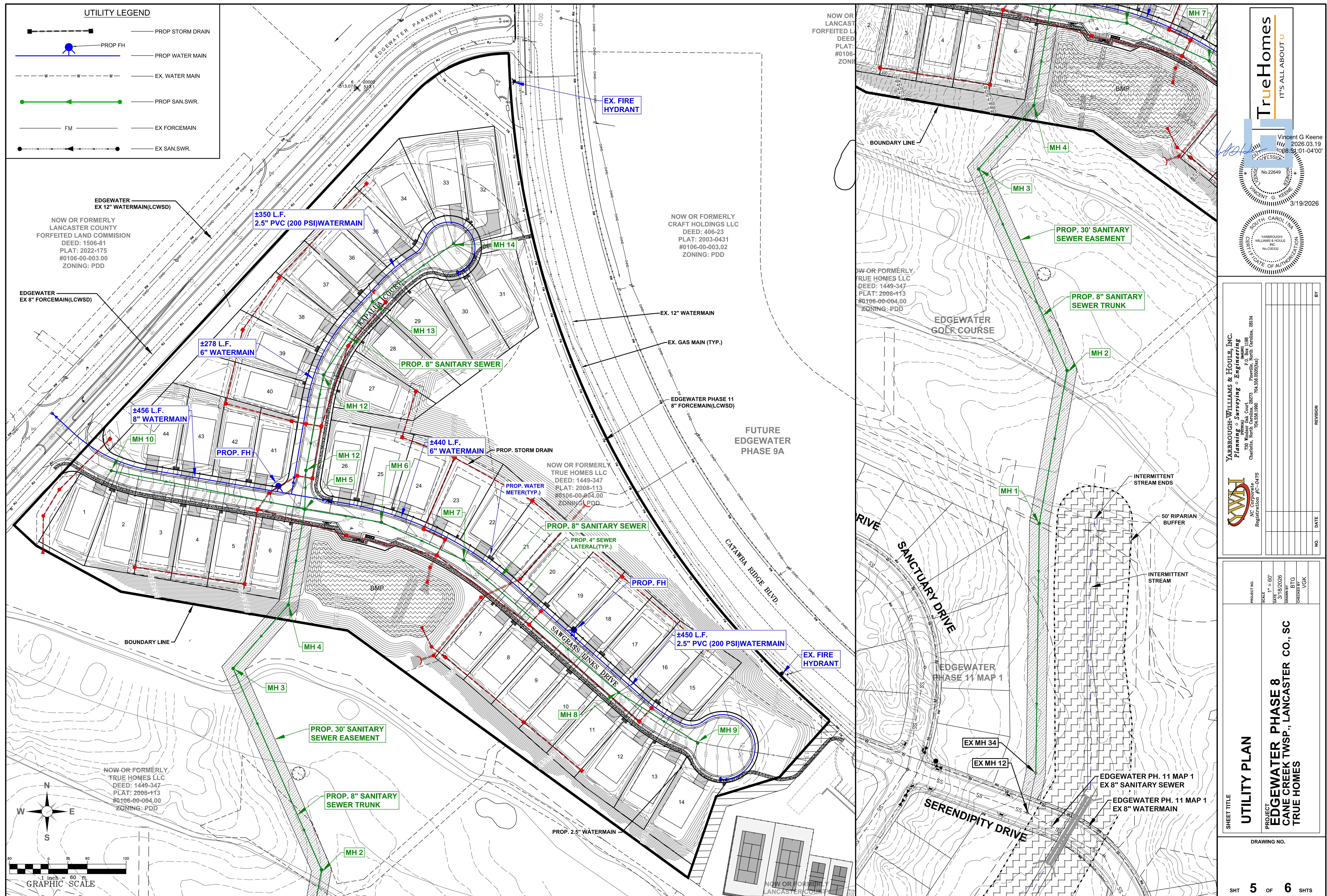
YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering
(INCORPORATED)
730 Windsor Oak Court
Charlotte, North Carolina, 28273
P.O. Box 1198
Pineville, North Carolina, 28134
704.556.1990 704.556.0505(fax)

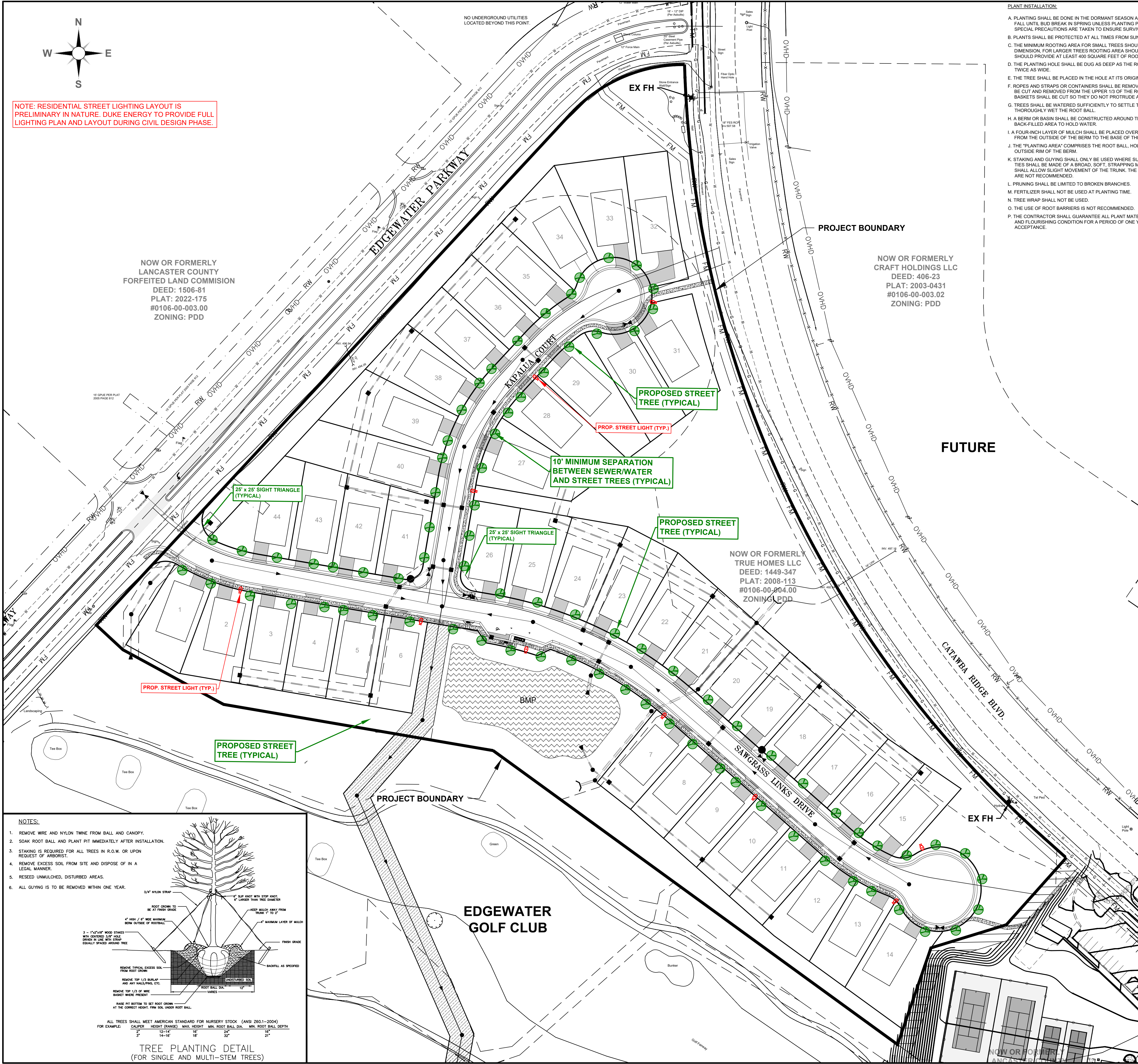
YWH
NC Corporate
Registration #C-0475

SHEET TITLE GRADING AND DRAINAGE PLAN	PROJECT EDGEWATER PHASE 8 CANE CREEK TWP., LANCASTER CO., SC TRUE HOMES
	PROJECT NO. SCALE 1" = 60' DATE 3/18/2026 DRAWN BY CHECKED BY VGK

DRAWING NO.

SHT **4** OF **6** SHTS





NOTE: RESIDENTIAL STREET LIGHTING LAYOUT IS PRELIMINARY IN NATURE. DUKE ENERGY TO PROVIDE FULL LIGHTING PLAN AND LAYOUT DURING CIVIL DESIGN PHASE.

NOW OR FORMERLY LANCASTER COUNTY FORFEITED LAND COMMISSION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

NOW OR FORMERLY CRAFT HOLDINGS LLC
DEED: 406-23
PLAT: 2003-0431
#0106-00-003.02
ZONING: PDD

NOW OR FORMERLY TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

NOTES:

1. REMOVE WIRE AND NYLON TWINE FROM BALL AND CANOPY.
2. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION.
3. STAKING IS REQUIRED FOR ALL TREES IN R.O.W. OR UPON REQUEST OF ARBORIST.
4. REMOVE EXCESS SOIL FROM SITE AND DISPOSE OF IN A LEGAL MANNER.
5. RESEED UNMULCHED, DISTURBED AREAS.
6. ALL GUYING IS TO BE REMOVED WITHIN ONE YEAR.

TREE PLANTING DETAIL (FOR SINGLE AND MULTI-STEM TREES)

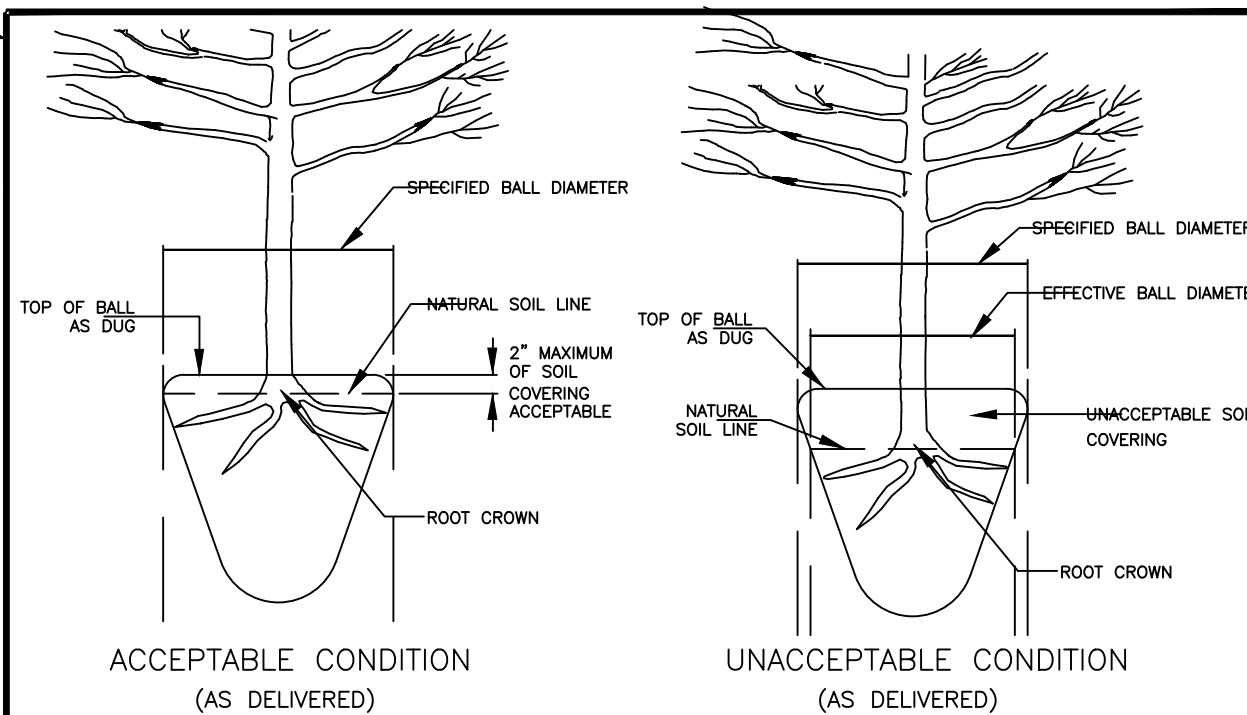
ALL TREES SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004)
FOR EXAMPLE: CALIPER HEIGHT (BRANCHES) MAX HEIGHT MIN ROOT BALL DIA. MIN ROOT BALL DEPTH

Caliper	Height	Max Height	Min Root Ball Dia.	Min Root Ball Depth
2"	12-14'	16'	12"	12"
3"	14-16'	20'	18"	18"
4"	18-24'	28'	24"	24"

- PLANT INSTALLATION:**
- A. PLANTING SHALL BE DONE IN THE DORMANT SEASON AFTER LEAF DROP IN THE FALL UNTIL BUD BREAK IN SPRING UNLESS PLANTING PALMETTO TREES OR SPECIAL PRECAUTIONS ARE TAKEN TO ENSURE SURVIVAL.
 - B. PLANTS SHALL BE PROTECTED AT ALL TIMES FROM SUN AND DRYING WINDS.
 - C. THE MINIMUM ROOTING AREA FOR SMALL TREES SHOULD BE 4'x4' FEET IN DIMENSION. FOR LARGER TREES ROOTING AREA SHOULD BE 6'x6' FEET. ISLANDS SHOULD PROVIDE AT LEAST 400 SQUARE FEET OF ROOTING AREA.
 - D. THE PLANTING HOLE SHALL BE DUG AS DEEP AS THE ROOT BALL AND AT LEAST TWICE AS WIDE.
 - E. THE TREE SHALL BE PLACED IN THE HOLE AT ITS ORIGINAL GROWING LEVEL.
 - F. ROPES AND STRAPS OR CONTAINERS SHALL BE REMOVED. ALL BURLAP SHALL BE CUT AND REMOVED FROM THE UPPER 1/3 OF THE ROOTBALL AND WIRE BASKETS SHALL BE CUT SO THEY DO NOT PROTRUDE ABOVE THE FINAL GRADE.
 - G. TREES SHALL BE WATERED SUFFICIENTLY TO SETTLE THE SOIL AND THOROUGHLY WET THE ROOT BALL.
 - H. A BERM OR BASIN SHALL BE CONSTRUCTED AROUND THE OUTSIDE OF THE BACK-FILLED AREA TO HOLD WATER.
 - I. A FOUR-INCH LAYER OF MULCH SHALL BE PLACED OVER THE PLANTING AREA FROM THE OUTSIDE OF THE BERM TO THE BASE OF THE TRUNK.
 - J. THE "PLANTING AREA" COMPRISES THE ROOT BALL, HOLE, BACKFILL, AND OUTSIDE RIM OF THE BERM.
 - K. STAKING AND GUYING SHALL ONLY BE USED WHERE SUPPORT IS NECESSARY. TIES SHALL BE MADE OF A BROAD, SOFT, STRAPPING MATERIAL. STAKING SHALL ALLOW SLIGHT MOVEMENT OF THE TRUNK. THE USE OF RUBBER HOSES ARE NOT RECOMMENDED.
 - L. PRUNING SHALL BE LIMITED TO BROKEN BRANCHES.
 - M. FERTILIZER SHALL NOT BE USED AT PLANTING TIME.
 - N. TREE WRAP SHALL NOT BE USED.
 - O. THE USE OF ROOT BARRIERS IS NOT RECOMMENDED.
 - P. THE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL TO BE IN HEALTHY AND FLOURISHING CONDITION FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE.

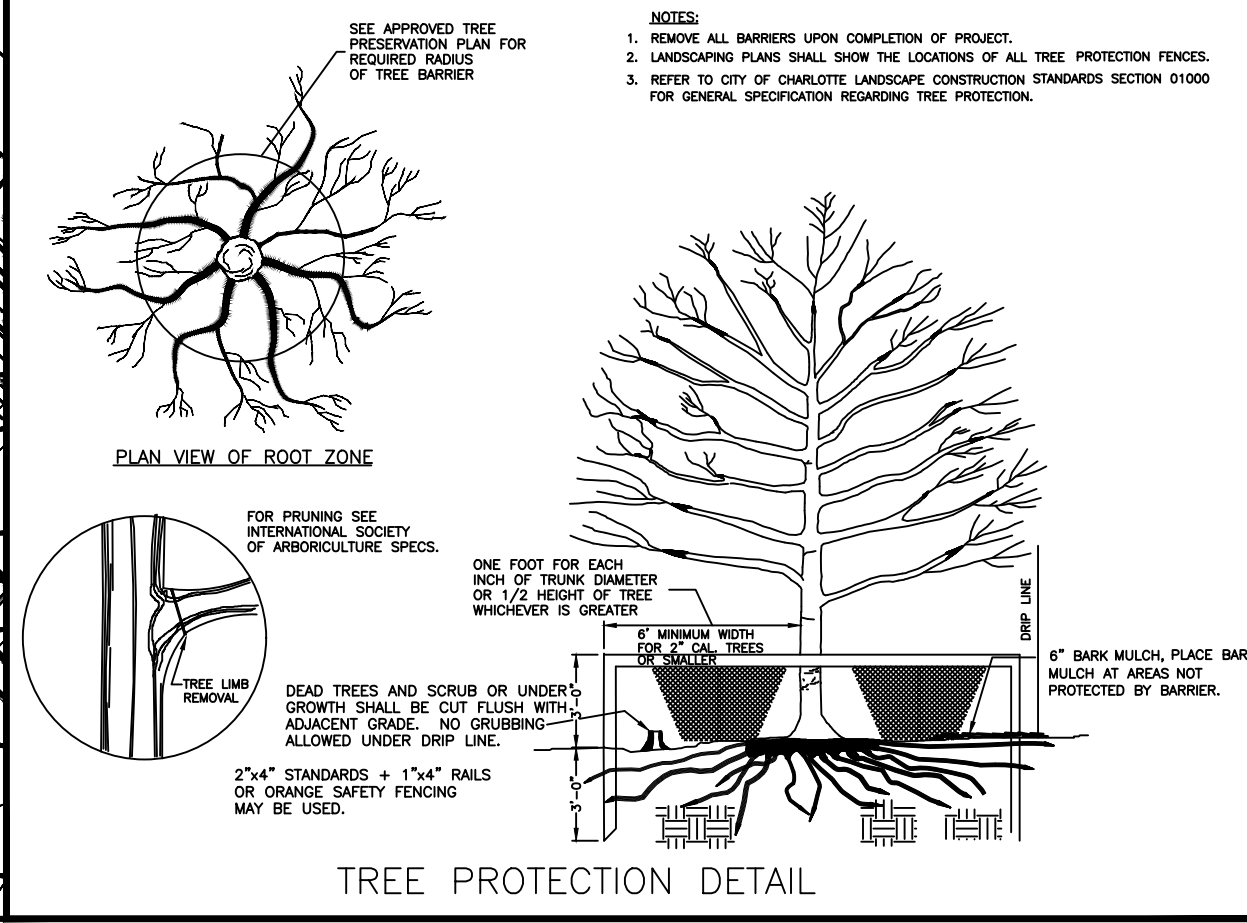
- PLANT SPECIFICATIONS:**
- A. PLANT MATERIALS SHALL COMPLY WITH THE RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 1990 "AMERICAN STANDARD FOR NURSERY STOCK". ALL TREES MUST BE UNIFORM IN SIZE AND SHAPE WITH THE MINIMUM REQUIRED ROOT BALL SIZE RELATIVE TO CALIPER FOR BALLED AND BURLAPPED PLANTS.
 - B. THE VENDOR WILL PROVIDE HEALTHY, VIGOROUS STOCK GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PLANTING PROJECT. NURSERY STOCK SHALL BE FREE OF DISEASE, INSECTS, EGGS, LARVAE, INJURY, AND DEFECTS SUCH AS ABRASIONS OR DISFIGUREMENT. PLANTS SHIPPED FROM HARDINESS ZONES MORE THAN 2 ZONES AWAY SHALL BE APPROVED BY BUYER PRIOR TO SHIPMENT.
 - C. THE BUYER RESERVES THE RIGHT TO INSPECT ALL TREES AT PLACE OF GROWTH OR POINT OF PURCHASE FOR COMPLIANCE WITH REQUIREMENTS FOR NAME, SIZE, QUALITY AND QUANTITY. A MINIMUM OF 72 HOURS SHALL BE GIVEN FOR THE SCHEDULING OF THIS INSPECTION OF PROPOSED NURSERY STOCK.
 - D. ALL TREES SHALL BE DELIVERED FROM THE GROWING SITE TO THE PLANTING SITE IN CLOSED OR COVERED TRUCK. PLANTS SHALL BE PROTECTED AT ALL TIMES FROM SUN OR DRYING WINDS.
 - E. THE VENDOR SHALL MAINTAIN ALL LANDSCAPE MATERIAL IN A FIRST CLASS CONDITION UNTIL PRODUCT IS DELIVERED AND FINAL ACCEPTANCE IS GRANTED.
 - F. TREES MOVED BY WINCH OR CRANE SHALL BE THOROUGHLY PROTECTED FROM ALL MECHANICAL DAMAGE TO ROOTS AND TRUNK BY MEANS OF BURLAP, WOOD BATTENS, OR OTHER APPROVED NATURALLY APPROVED PRODUCTS AND METHODS.
 - G. PLANT MATERIALS WILL BE TRUE TO NAME AND VARIETY ESTABLISHED BY THE AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE "STANDARDIZED PLANT NAMES".
 - H. TREES WITH NATURAL UPRIGHT GROWTH HABIT WILL HAVE A SINGLE, STRAIGHT TRUNK THAT IS WELL FORMED AND STURDY. TREES WITH MULTIPLE LEADERS, UNLESS SPECIFIED, WILL BE REJECTED.
 - I. LATERAL BRANCHING SHALL BE PLentiful AND UNIFORMLY DISTRIBUTED. AT LEAST HALF THE TRUNK SHOULD HAVE LATERAL BRANCHES. EXCESSIVE PRUNING OF LOWER HALF OF LATERAL BRANCHES SHALL BE CAUSE FOR REJECTION.
 - J. TREES WHICH HAVE BEEN "TOPPED" SHALL BE REJECTED.
 - K. PRUNING SCARS SHOULD BE CLEAN CUT LEAVING LITTLE OR NO PROTRUSION FROM THE TRUNK OR BRANCH.
 - L. TREES SHALL BE FREE OF COLD INJURY AND SUN SCALD.
 - M. CALIPER OF THE TRUNK SHALL BE TAKEN SIX INCHES ABOVE THE GROUND FOR DIAMETERS UP TO AND INCLUDING FOUR INCH CALIPER SIZE, AND TWELVE INCHES ABOVE THE GROUND FOR LARGER SIZES.
 - N. TREES SHALL BE DENSELY SUPPLIED WITH HEALTHY, VIGOROUS LEAVES OF NORMAL SIZE, SHAPE, TEXTURE, AND OF DEEP GREEN COLOR.
 - O. PEST OR MECHANICAL DESTRUCTION SHALL NOT EXCEED APPROXIMATELY 1/4 OF INDIVIDUAL LEAVES NOR AFFECT MORE THAN FIVE PERCENT OF THE TOTAL FOLIAGE.
 - P. ROOTS SHALL BE STURDILY ESTABLISHED. ROOT MASS SHALL NOT BE EXCESSIVELY ROOT BOUND. KINKED AND CIRCLING ROOTS ARE NOT ACCEPTABLE. THERE SHALL BE NO LARGE ROOTS GROWING OUT OF CONTAINER.
 - Q. ROOTING MEDIUM SHALL BE WEED-FREE.
 - R. THERE SHOULD BE NO "INCLUDED" BARK BETWEEN BRANCHES.
 - S. LIVE OAKS ARE NOT TO BE DUG AND TRANSPLANTED BEFORE DECEMBER 1ST.

- GENERAL NOTES:**
1. SITE IS SUBJECT TO THE LANCASTER COUNTY 1998 UDO ORDINANCE.
 2. STREET TREES SHALL BE PROVIDED AT AVERAGE 50 FEET ON CENTER.
 3. STREET TREES SHALL HAVE A MINIMUM TRUNK SIZE OF 2-1/2" CALIPER, AS MEASURED 12" ABOVE GROUND LEVEL.
 4. STREET TREES SHALL NOT BE LOCATED INSIDE OF THE SIGHT TRIANGLE AT INTERSECTIONS.
 5. STREET TREES SHALL NOT BE PLANTED WITHIN 10 FEET OF ANY SEWER OR WATER MAIN.
 6. ACTUAL LOCATION OF TREES MAY VARY (DEPENDENT ON FIELD CONDITIONS), BUT THE MINIMUM NUMBER OF TREES AND SIZE SPECIFIED MUST BE INSTALLED BY BUILDER PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
- STREET LIGHTING NOTES (PER ORDINANCE #348):**
1. LIGHT POSTS SHALL NOT EXCEED TWENTY-FIVE (25) FEET IN HEIGHT FROM GRADE LEVEL TO THE HIGHEST POINT ON THE LIGHT FIXTURE.
 2. LIGHTING SHALL BE WHOLLY OR PARTIALLY SHIELDED FROM SIDES AND TOP SO THAT THE CONE OF LIGHT IS GENERALLY DIRECTED TO THE GROUND.
 3. ALL COMMUNITY LIGHTING SHALL BE OF UNIFORM DESIGN CRITERIA.



ROOT CROWN DEPTHS
(TREE ROOT BALL CONDITION ON TREES FROM SUPPLIERS)

A ROOT COLLAR EXCAVATION FOR ALL TREES SPECIFIED WILL BE DONE BY THE CITY ARBORIST TO ENSURE THAT TREES WERE NOT PLANTED/GROWN TOO DEEPLY AT SOURCE (NURSERY). LANDSCAPE CONTRACTOR SHALL HAVE SUPPLIER MARK GROUND LEVEL LINE ABOVE ROOT BALL. IF CITY ARBORIST DETERMINES THAT THERE IS EXCESSIVE SOIL OVER THE ROOT CROWN, THESE TREES WILL BE REJECTED.



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07/10/26

YARBROUGH-WILLIAMS & HOULE, INC.
Planning & Engineering
730 Windsor Park Court
Charlotte, North Carolina 28154
919.555.0505

NC Corporate
Registration #C-0475

NO.	DATE	REVISION
1	07/07/26	REVISED TO ADD PRELIMINARY STREET LIGHTING

LANDSCAPE PLAN

PROJECT
EDgewater TWSP., LANCASTER CO., SC
TRUE HOMES

DRAWING NO. 6 OF 6 SHTS