MINUTES
Lancaster County Planning Commission
July 19, 2022 6:00 p.m.

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

1. **ROLL CALL**: Quorum is present (Six Commissioners)

Commissioners Present:

Tamecca Neely	Ben Levine	James Barnett
Sheila Hinson	Charles Keith Deese	Alan Patterson

No appointment has yet been made to fill District 5 seat.

Staff Present:

Rox Burhans	Clerk: Jennifer Bryan
Ashley Davis	
Matthew Blaszyk	

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

2. APPROVE AGENDA

Chairman Deese called for a motion to approve the Agenda.
Motion to Approve by James Barnett; 2nd by Sheila Hinson.
Motion to Amend Agenda, bringing forward item **6.a: OFFICER ELECTIONS**
By James Barnett; 2nd by Sheila Hinson.
Vote on Amendment: 6:0. **Motion approved unanimously**.
Called vote of primary motion to approve agenda as amended: 6:0. **Motion approved unanimously**.

a. **Officer elections** moderated by John DuBose, County Attorney.

Nomination for Commission Chair:
B. Levine nominates CHARLES DEESE; 2nd by J. Barnett.
No other nominations.
Called Vote: 5:0. (Abstention by Charles Deese).
CHARLES DEESE is elected Chair for the year 2022-2023.

Nomination for Vice Chair:
B. Levine nominates JAMES BARNETT; 2nd by S. Hinson.
No other nominations.
Called Vote: 5:0. (Abstention by J. Barnett).
JAMES BARNETT is elected Vice-Chair for the year 2022-2023.

3. CITIZEN'S COMMENTS [see Sign-In sheet attached]
Chairman Deese opened the floor to comments from the public.

1. **Bob Beamer** (Resident of Black Horse Run):
   President of Black Horse Run Property Owner Association
   Has several concerns about proposed development Redstone II (Items 5b, 5c, 5d): increase in impervious surface area will create more problems with stormwater runoff, flooding is already a problem in Black Horse Run neighborhood; increased traffic because of new 350 apartments; 4-story buildings will tower over existing homes and create privacy issues; noise levels are already high and will be higher with new development; concerns over increased trespassing on horse trails by pedestrians and mountain bikes. He requests three changes to plan:
   - Reduce building height to 3 stories;
   - Increase buffers with trees and natural barriers;
   - Introduce fencing and signage to reduce trespassing.
   - Last two requests should be shared by Redstone II and Red Ventures as both contribute to the problems.

4. APPROVE MINUTES

a. June 21, 2022 Regular Minutes
Chairman Deese called for a motion to approve June 21, 2022 Regular Minutes as written. Motion to Approve by A. Patterson; 2nd by B. Levine.
Called vote: 5:0**. (**T. Neely abstained as absent on 6/21/2022**.) Motion approved**.

b. July 7, 2022 Workshop Minutes
Chairman Deese called for a motion to approve July 7, 2022 Workshop Minutes as written. Motion to Approve by J. Barnett; 2nd by T. Neely.
Called vote: 6:0. **Motion is approved unanimously**.

5. PUBLIC ITEMS

a. RZ-2022-0672 Purser

Application by Nathaniel B. Purser to rezone 1-acre parcel at 7984 Taxahaw Road (TM# 0093-00-004.04) from Rural Business (RUB) to Agricultural Residential (AR) zoning district, for the purpose of converting a former commercial building into a residence. (Previously heard at meeting of 6/2/2022; new hearing with mailed and published notice on advice of Counsel.)

Staff Presentation: Ashley Davis, Senior Planner, presented the application consistent with the staff report. Property is currently under code violation because of unpermitted renovations, but Zoning supports the rezoning as it will allow the violations to be resolved. Staff Recommendations: Approval.

Questions to staff: None.

Comment from applicant(s): Applicant present, available for questions, but no other comment.

Questions from Commissioners: None

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

1. **Stacy Faile** (adjacent resident Taxahaw Road):
   Opposes rezoning because owner did not follow regulations for permitting and inspections of renovations to convert property to residence. Mr. Faile is currently under zoning violation, and he feels that the applicant should be subject to the same restrictions he is under.
2. **Donald Faile** (adjacent resident Taxahaw Road) Opposes rezoning. He is a former owner of the property; he sold it with the understanding that it would be maintained as a commercial property for Mr. Purser's HVAC business. He initially saw HVAC supplies outside; but then those disappeared and renovations commenced. He believes he was misled by applicant.
3. **Nathaniel Purser** (Applicant response):
   He bought property with intention of housing his business there; worked on it extensively with his father. After his father's death his plans changed, and financial constraints made residential use more viable for selling the property.

Chairman Deese closed Public hearing and called for a motion on item RZ-2022-0672. Motion to approve by B. Levine; 2nd by J. Barnett.

Discussion:
B. Levine asked for clarification on any new issues since previous hearing; A. Davis noted that the hearing was due to an excess of caution regarding statutory notice provisions, and no change to facts of case.
A.Patterson recognized the neighbors concerns, but the surrounding properties are residential and he does not see any reason to deny since it will conform to the neighborhood. The Code violations have other means of resolution.

Called vote:

Alan Patterson: For	Ben Levine: For	Tamecca Neely: For
Sheila Hinson: For	James Barnett: Against	Charles Deese: Against

Vote tally: 4:2. **Motion is approved**.
The item will go to County Council for consideration, and applicant will be notified of time and date.

b. RZ-2021-1650 Redstone II

Application by Redstone Investors, LLC to rezone approximately 25.79 acres from Regional Business (RB) District to Mixed Use (MX) District (TM # 0008-00-015.00, 0005-00-0106.05, 0005-00-0106.06 and 0005-00-0106.04). Proposed 354-unit residential (townhomes/multifamily apartments at 5.5 dwelling units per acre) and 24,000 square feet of commercial development.

Staff Presentation: Rox Burhans, Development Services Director, presented the application consistent with the staff report. Presentation for rezoning, Master Plan and Development Agreement was made conjointly. **[See attached powerpoint Redstone II Staff presentation – 19 slides]**

Staff Recommendation for rezoning: Approval

Questions to staff (general to all three components of application):

B. Levine asked regarding rezoning: are the design elevations conceptual or are the design elements locked in e.g. materials. R. Burhans replied that materials are dictated by requirements of the UDO, but there may be some variation from the artistic rendering when construction plans are finalized.

B. Levine: if Commission requested a pedestrian crossing, would that have to be shown on the Master Plan before approval? R. Burhans: because there is no hard intersection, we would defer to engineers to the particulars of the type of crossing, but it can be addressed as a condition on the Master Plan.

B. Levine: the County is paying for the culvert upgrades in Black Horse Run even though they are state roads. Wants assurance that the impact of the new plan will not overwhelm the improvements in process. R. Burhans introduced Stephen Blackwelder to address these concerns.

> **Stephen Blackwelder** (County Stormwater/Engineering): Applicant has satisfied the County's request for study on the entire basin and impact of development. They have been satisfied with the applicant's responsiveness to comments in the TRC review, and are confident that remaining concerns can be addressed through the civil construction approval process.

S. Hinson: regarding Mr. Beamer's requests, can the applicant respond to the requests? Chairman called upon applicant(s) to speak.

Comment from applicant(s): (general to all three components of application)
[**see attached powerpoint presentation Redstone Phase II**]
Mike Bilodeau (Redstone Investors); **Jason McArthur** (Mission Properties Real Estate Development); **Kimberly Seddon** (Civil Engineer, Land Design)

- **Mike Bilodeau:** original project changed when new UDO was instituted in 2016, Redstone I was developed before MX provisions. Phase II could only proceed after Pleasant Valley was acquired and Highway 160 was extended. The building on the northern edge of Phase I is currently empty, because it presently fronts on empty space, in what will be the center of the complex once Phase II is implemented. The residential portion of Phase II is crucial to the success of the entire site. The detention pond, buffers, and infrastructure was built for both phases in advance. The new development should not have a negative impact because the revised plan is less intensive than what was originally planned for.

- **Jason McArthur**: Traffic will be less intensive than the original commercial plan. The 4-storey design is limited to a few buildings, but allows the number of residents to support the retail component. The architecture is carefully designed to allow urban look and economic viability. Comparable to The Courts at Redstone. We do not believe they will tower over the treeline. We will be making significant streetscape plantings to soften the streetscape. Applicant is absolutely open to developing signage and fencing to accommodate the concerns of neighbors.

- **Mike Bilodeau** : the new design also eliminates the line of sight to rear of big-box retail that would have been unpleasant for neighborhood residents.

Questions from Commissioners:
B. Levine: a crosswalk at Opportunity Drive is really needed and would be greatly appreciated. **Mike Bilodeau** confirmed that developer will create a crosswalk for residents to access Redstone I. Regarding buffer areas, there will be no change or infringement on buffer areas between Redstone and Black Horse Run.
Kimberly Seddon: All of the green space in that area is not amenitized, it is natural growth.

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

Chairman Deese closed Public hearing and called for a motion on item RZ-2021-1650. Motion to Approve Rezoning by B. Levine; 2nd by J. Barnett.

Discussion:
B. Levine commented that he has witnessed several apartment developments that met with initial resistance but have worked out very well, and come with amenities that the community needs; this is an appropriated area for a mixed-use development.
J. Barnett commented that this is a quality product and appropriate for the area, and the area has already been graded and drainage developed.

T. Neely thanked staff for their work on proactively answering questions; she thinks it is a well-designed product.
S. Hinson asked Mr. Beamer if his questions had been answered; he indicated that he felt that both staff and applicants were being responsive to the community's concern. Hinson thanked him for his input.

[Discussion with Commissioners and Mr. DuBose ensued, whether rezoning vote required inclusion of staff conditions. Concluded that conditions were not necessary for the rezoning vote. Only findings of fact apply to rezoning.]

<u>Discussion continued</u>:
A. Patterson thanked citizens for their input, and **C. Deese** concurred.

<u>Called vote</u>: 6:0. **Motion is approved unanimously**.
The item will go to County Council for consideration, and applicants will be notified of time and date.

c. **<u>MX-2021-1650 Redstone II</u>**
Application by Redstone Investors, LLC to approve a Master Development Plan and Preliminary Plat for a proposed 354-unit residential (townhomes/multifamily apartments at 5.5 dwelling units per acre) and 24,000 square feet of commercial development.

<u>Staff Presentation</u>: Rox Burhans, Development Services Director, presented the application consistent with the staff report.
<u>Staff Recommendations</u>: Conditional Approval: 1) Resolving TRC Comments; 2) Stormwater study for downstream impact; 3) Finalization of Architectural and Landscaping design elements in accordance with UDO requirements.

<u>Questions to staff</u>: one additional.
<u>Comment from applicant</u>(s): None additional.

<u>Public Hearing:</u> (See attachments: Sign-in Sheets)

1. **Meta Smith** (Black Horse Run resident):
   BHR is a unique development; every lot borders on a horse trail. She has been a resident since 1972. She is not opposed to development; Red Ventures has been a judicious and responsive neighbor, for example in restricting fireworks because of how they affect horses. She opposes the 4-storey building next to horse trails, and increased pavement will create more flooding problems. Please relocate the 4-storey building, or create a hundred-foot buffer.

2. **Maureen Johnson** (resident of Hwy 160): She spends a lot of time at Black Horse Run. This plan screams of Agenda 21, they want to put people in little boxes. She is a transplant from Los Angeles, you can't get out of your driveway. Anyone who tries to tell her that this plan won't affect traffic has never been out there during rush hour. Agenda 21 builds huge buildings with no parking and ruins neighborhoods. That 4-storey building looks like a Brooklyn tenement.

3. **Diane Stella** (Black Horse Run resident): She has paid $9,000 this year alone to deal with flooding on her property, and will have to pay more to address issues in the back. The Redstone retaining ponds didn't work, and nobody has fixed it, both exits to the neighborhood get flooded. Red Ventures also denies it is their problem. Removing trees and increasing paved areas will inevitable lead to more drainage problems. There are also ongoing problems with noise and with people throwing trash and bottles onto BHR property.

<u>Comments from Applicant</u>:

- **Mike Bilodeau**: We responded immediately in 2016 when reports came in of flooding problems. There was no silt runoff coming from the retention ponds. The problems in the neighborhood are due to the culverts from 1972 being inadequate. Other residents said there have been flooding problems that predate Redstone. The current work on culverts should address many of the issues.
- **Kimberly Seddon**: we will continue to address any issues that come up, and as part of the plan have committed to work with Stormwater Engineering and will sponsor the study for the whole basin, not just the area affecting Redstone and Black Horse Run, so that improvements will meet overall needs.
- **Mike Bilodeau**: initial study done in 2016 showed that the watershed basin covered 210 acres, and Redstone comprises less than 25% of that area; Redstone Phase II only 6%.
- **Kimberly Seddon**: We do have the ability to add more berms, fencing and natural screening; there is a substantial stream buffer required.

<u>Comments from Commissioners</u>:

B. Levine noted the drainage problem is complex and needs to be addressed more widely than just Redstone's plan, but that it will have an impact. The culvert work by the County should address much of the problem. He appreciates that the applicant is committed to working with County Engineering, and implementing measures to help address concerns over the height of the buildings.

A. Patterson commented that whatever the cause, stormwater drainage and flooding is a problem downstream, and it would be naïve to think that the proposed plan won't have an effect; it will require working together to fix it. Regarding the problem of trespassing, he would like to see more robust measures on the Master Plan to protect the residents, more than just signage.

Mike Bilodeau: regarding drainage, they have already conferred with a civil engineer who happens to live in Black Horse Run, and he suggested reducing the diameter of the pond outflow to slow the rate of drainage, and they have already completed this modification. Also, in response to concerns they agreed to expand Phase II retention pond to capacity for 25-year event, even before regulation required it.

Alan Patterson commented that a study helps but that alone does not fix the problem.

Kimberly Seddon: It is a complex problem, that is why we are committing to the study, to identify what else we can do to fix the issues.

Chairman Deese closed Public hearing and called for a motion on item MX-2021-1650.
Motion to Approve with Staff Conditions (from p. 123 of Agenda package) by B. Levine; 2nd by J. Barnett.
Amended Motion to include pedestrian crossing on Opportunity Drive by B. Levine; 2nd by S. Hinson.
Mike Bilodeau noted that as it is not a state road it will not need SCDOT approval for crosswalk.

Discussion: None.

Vote on amendment/added condition: 6:0 **Amendment is approved unanimously.**
Called vote on primary Motion to Approve (as Amended) with Staff Conditions:

Alan Patterson: Against	Ben Levine: For	Tamecca Neely: For
Sheila Hinson: For	James Barnett: For	Charles Deese: For

Vote tally: 5:1. **Motion is approved**.
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Master Plan will go to County Council for consideration, and applicants will be notified of time and date.

d. DA-2021-1650 Redstone II

[See attachment **Article IV** draft DA update (2 pp.)]
Application by Redstone Investors, LLC to approve a Development Agreement with Lancaster County in accordance with Unified Development Ordinance Section 9.2.18 for a proposed 354-unit residential (townhomes/multifamily apartments at 5.5 dwelling units per acre) and 24,000 square foot of commercial development.

Staff Presentation Rox Burhans, Development Services Director, presented the application consistent with the staff report. Staff Recommendations: Approval

Questions to staff:
J. Barnett is concerned that Commission does not get involved in the details of the Development Agreements, but nonetheless are required to vote on them. Also concerned that we are passing agreements that do no include impact fees recently instituted; when are we going to see the benefit of those fees?

Attorney DuBose: when the impact fees were instituted, there was provision made to exempt projects that had already approved site-specific plans, and Redstone falls into that category. From a policy perspective, this protected developers such as Redstone who had already made substantial investment in design and infrastructure improvements in the midst of a phased project. In this case, the portion of the Redstone property north of Opportunity Drive will be subject to impact fees, but the rest will not.

Charles Deese noted that a development agreement is still required. **R. Burhans** concurred that a DA affords some tools to address financial impact. **Attorney DuBose** cautioned that the DA could not exempt a developer from impact fees, but could be used to address other issues regarding financial agreements over service areas.
Ben Levine noted that the original plan was commercial, and the revised plan is residential, which causes concern because additional residences will impact schools.
Alan Patterson also expressed concern that the new plan adds children to school district without any contribution by the developer, and that does not seem equitable.

Public Hearing: (See attachments: Sign-in Sheets) None signed in.
Chairman Deese closed Public hearing and called for a motion on item DA-2021-1650.
Motion to Approve by B. Levine; 2nd by J. Barnett.

Discussion:
A. Patterson asked how the Commission could address his concern about impact fees?
Attorney DuBose advised that per ordinance and state law, the impact fees are not applicable to this site. There is/was a site-specific plan in place according to the definition under state law and ordinance.
A. Patterson noted that he could not support a development agreement that does not address school impact.

Called vote:

Alan Patterson: Against	Ben Levine: Against	Tamecca Neely: Against
Sheila Hinson: For	James Barnett: For	Charles Deese: For

Vote tally: 3:3. **Motion fails for lack of majority**.

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

At 8:13 PM Chairman Deese called a 5-minute recess. Meeting resumed at approximately 8:20 PM

e. **RZ-2022-1329 Hovey**
Application by LaVern & Lina Hovey to rezone approximately 0.67 acres, a portion of property on John Truesdale Road (TM# 0060-00-092.04) from Manufactured Housing (MH) to Low Density Residential (LDR) District, to allow the parcel to be conjoined with adjacent homesite at #1628 John Truesdale Road (TM# 0060-00-092.00).

Staff Presentation: Matthew Blaszyk, Planner, presented the application consistent with the staff report. Staff Recommendations: Approval.

Questions to staff: None.
Comment from applicant(s): Applicant present, available for questions but no comments.
Questions from Commissioners: None.

Public Hearing: (See attachments: Sign-in Sheets). None signed in.
Chairman Deese closed Public hearing and called for a motion on item RZ-2022-1329. Motion to approve by J. Barnett; 2nd by S. Hinson.

Discussion: None.

Called vote: 6:0. **Motion is approved unanimously**.
The item will go to County Council for consideration, and applicants will be notified of time and date.

f. RZ-2022-1399 St. Luke's

Application by St. Luke's Methodist Church and James Strang to rezone .439 acres located at #2404 Old Camden Highway (p/o TM# 0088P-0C-013.00) from Institutional (INS) to Medium Density Residential (MDR) in order to renovate the house as a private residence. The property is owned by St. Luke's Church and has been subdivided to allow sale of the parcel where the home is located.

Staff Presentation: Ashley Davis, Senior Planner, presented the application consistent with the staff report. Staff Recommendations: Approval

Questions to staff:
A. Davis noted in response to prior question raised by Commission that site is served by Lancaster County Water & Sewer District, and does not have a septic system.
B. Levine requested clarification of ownership; site is presently still owned by church.

Comment from applicant(s):

James Strang (Richburg): Mr. Strang plans to renovate the home for his own use.

Questions from Commissioners: None.

Public Hearing: (See attachments: Sign-in Sheets).
[See attachment, **Letter from Suzanne Williams**. Additional letter from **Robert Collins** is found in agenda attachments for this item.]

- **James Strang**: No additional comments.
- **Larry Cauthen** (Elgin): Chair of Finance Committee at St. Luke's. There is some opposition, but majority recognize the need for sale of property. The sale was approved by administrative Board, by Methodist district conference, as well as the Board of Trustees and due process was observed.
- **John Poovey** (Elgin; Chair of St. Luke Board of Trustees): The property has been vacant since the Boy Scouts disbanded; continued vacancy will not benefit the church or the neighborhood. The church's financial needs make the sale necessary. All necessary due process was observed, and majority of church members agreed.

Chairman Deese closed Public hearing and called for a motion on item RZ-2022-1399. Motion to approve by J. Barnett; 2nd by S. Hinson.

Discussion: None.

Called vote: 6:0. **Motion is approved unanimously**.
The item will go to County Council for consideration, and applicants will be notified of time and date.

6. NEW BUSINESS

a. Officer Elections for 2022-2023 Chair and Vice-Chair [Election moved to immediately after approval of agenda, by Motion to Amend Agenda]

b. Overview of Next Month's Agenda
   - RZ/DA-2022-1527 Arbor Walk
   - RZ-2022-1418 Elgin FD
   - RZ/DA/SD 2022-0733 Shiloh Woods
   - RZ-2022-1428 Thompson (Kershaw)

7. ADJOURN

Motion to adjourn by S. Hinson; 2nd by B. Levine. Approval by unanimous consent.
Meeting adjourned at **8:40 PM**.

Lancaster
County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 3: CITIZEN'S COMMENTS
General Comments or comments on matters not on tonight's agenda.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, July 19, 2022

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.

PLEASE PRINT

1.	BOB BEAMER
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Lancaster County

South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5.a: RZ-2022-0672 Purser

Application by Nathaniel B. Purser to rezone 1-acre parcel at 7984 Taxahaw Road (TM# 0093-00-004.04) from Rural Business (RUB) to Agricultural Residential (AR) zoning district, for the purpose of converting a former commercial building into a residence. (Previously heard at meeting of 6/2/2022; new hearing with mailed and published notice on advice of Counsel.)

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PLEASE PRINT

1. Stacy Faile
2. Donald Faile
3. Nathaniel Purser

Lancaster County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5.b: RZ-2021-1650 Redstone II
Application by Redstone Investors, LLC to rezone approximately 25.79 acres from Regional Business (RB) District to Mixed Use (MX) District (TM # 0008-00-015.00, 0005-00-0106.05, 0005-00-0106.06 and 0005-00-0106.04).

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Lancaster County
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PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5.c: MX-2021-1650 Redstone II
Application by Redstone Investors, LLC to approve a Master Development Plan and Preliminary Plat for a proposed 354-unit residential (townhomes/multifamily apartments at 5.5 dwelling units per acre) and 24,000 square feet of commercial development.

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PLEASE PRINT

1. ✓ Meta Smith
2. ✓ Maureen Johnson
3. ✓ Diane Stellar
4.

Lancaster County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5.d: DA-2021-1650 Redstone II
Application by Redstone Investors, LLC to approve a Development Agreement with Lancaster County in accordance with Unified Development Ordinance Section 9.2.18 for a proposed 354-unit residential (townhomes/multifamily apartments at 5.5 dwelling units per acre) and 24,000 square foot of commercial development.

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Lancaster
County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5.e: RZ-2022-1329 Hovey
Application by LaVern & Lina Hovey to rezone approximately 0.67 acres, a portion of property on John Truesdale Road (TM# 0060-00-092.04) from Manufactured Housing (MH) to Low Density Residential (LDR) District, to allow the parcel to be conjoined with adjacent homesite at #1628 John Truesdale Road (TM# 0060-00-092.00).

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Lancaster
County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5.f: RZ-2022-1399 St. Luke's
Application by St. Luke's Methodist Church and James Strang to rezone .439 acres located next to #2404 Old Camden Highway (p/o TM# 0088P-0C-013.00) from Institutional (INS) to Medium Density Residential (MDR) in order to renovate the house as a private residence. The property is owned by St. Luke's Church and has been subdivided to allow sale of the parcel where the home is located.

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PLEASE PRINT

1.	James Strang
2.	LARRY CAUTHEN
3.	John Peovey
4.	

ATTACHMENT:

Redstone II Staff Presentation

5. Public Items

b. RZ-2021-1650 Redstone Phase II Rezoning
c. MX 2021-1650 Redstone Phase II MX Master Plan
d. DA 2021-1650 Redstone Phase II Development Agreement

Application by Redstone Investors, LLC to rezone 4 parcels comprising approximately 25.79-acres located at intersection of US 521 and SC 160/Opportunity Drive from Regional Business(RB) to the MX District, to facilitate a development with mixed commercial and multi-family residential uses. Accompanied by a MX Master Plan and Development Agreement.

Overview

Lancaster County South Carolina

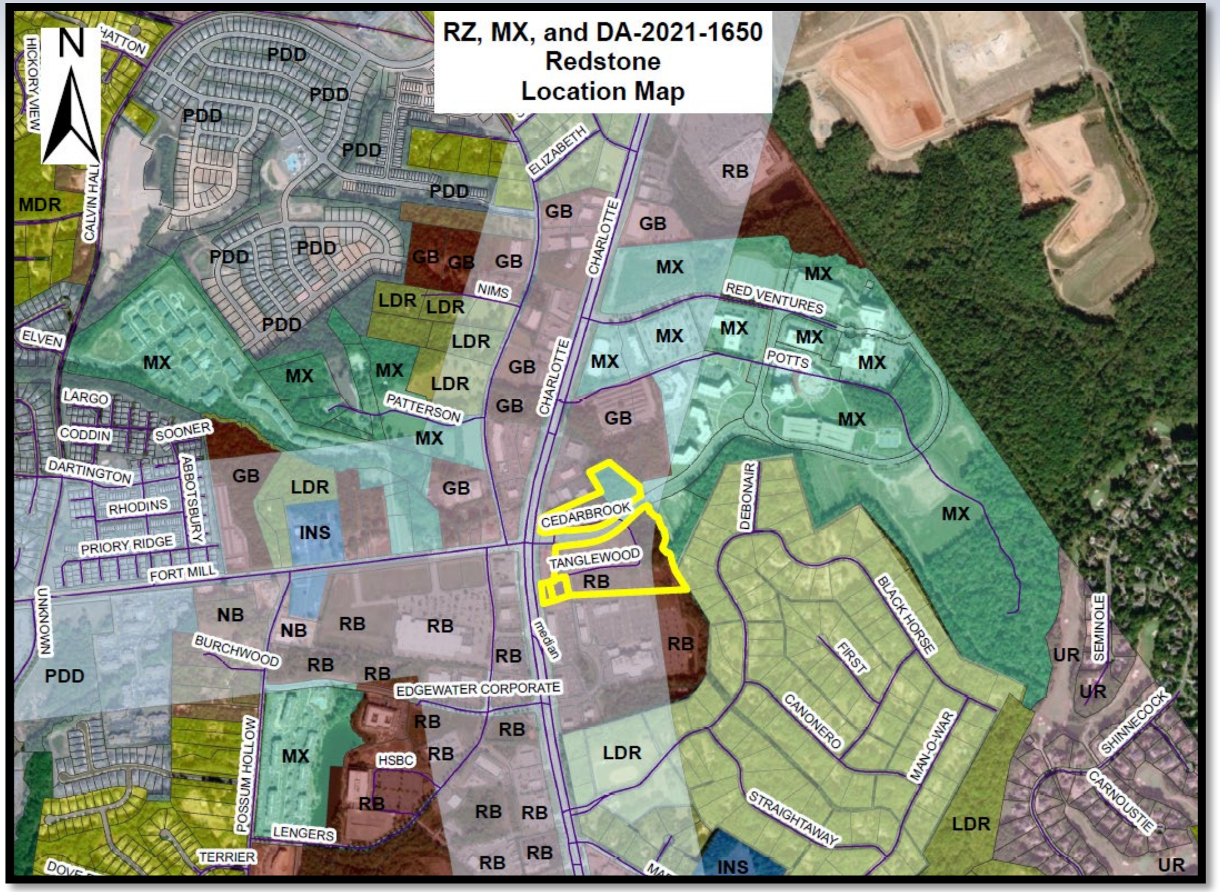
Location
- Intersection of US 521 and SC 160/Opportunity Drive
- North of existing Redstone Shopping Center

Items Under Consideration
- Rezoning
- MX Master Plan
- Development Agreement

Zoning District
- Current: Regional Business District (RB)
- Proposed: Mixed Use District (MX)

Project Intent
- To develop a 370-unit multifamily community with 20,000 sq. ft. commercial and one commercial outparcel.

Applicant
- Redstone Investors, LLC



Location Maps

Lancaster County South Carolina

Location Maps

Lancaster County South Carolina

Location Photos

Lancaster County
South Carolina

Looking east along Opportunity Drive

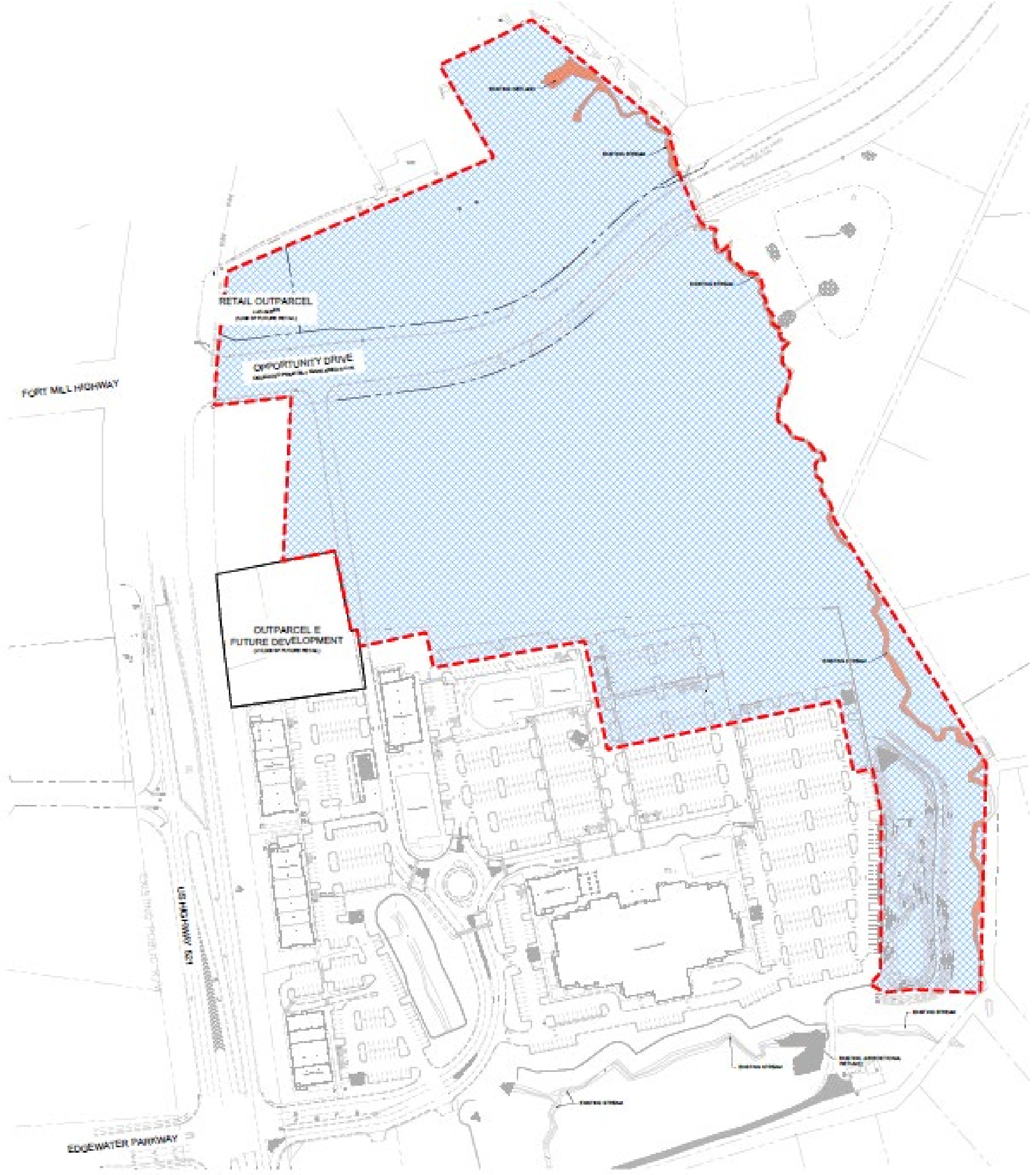
Looking south along Redstone Drive

Location Photos

Lancaster County South Carolina

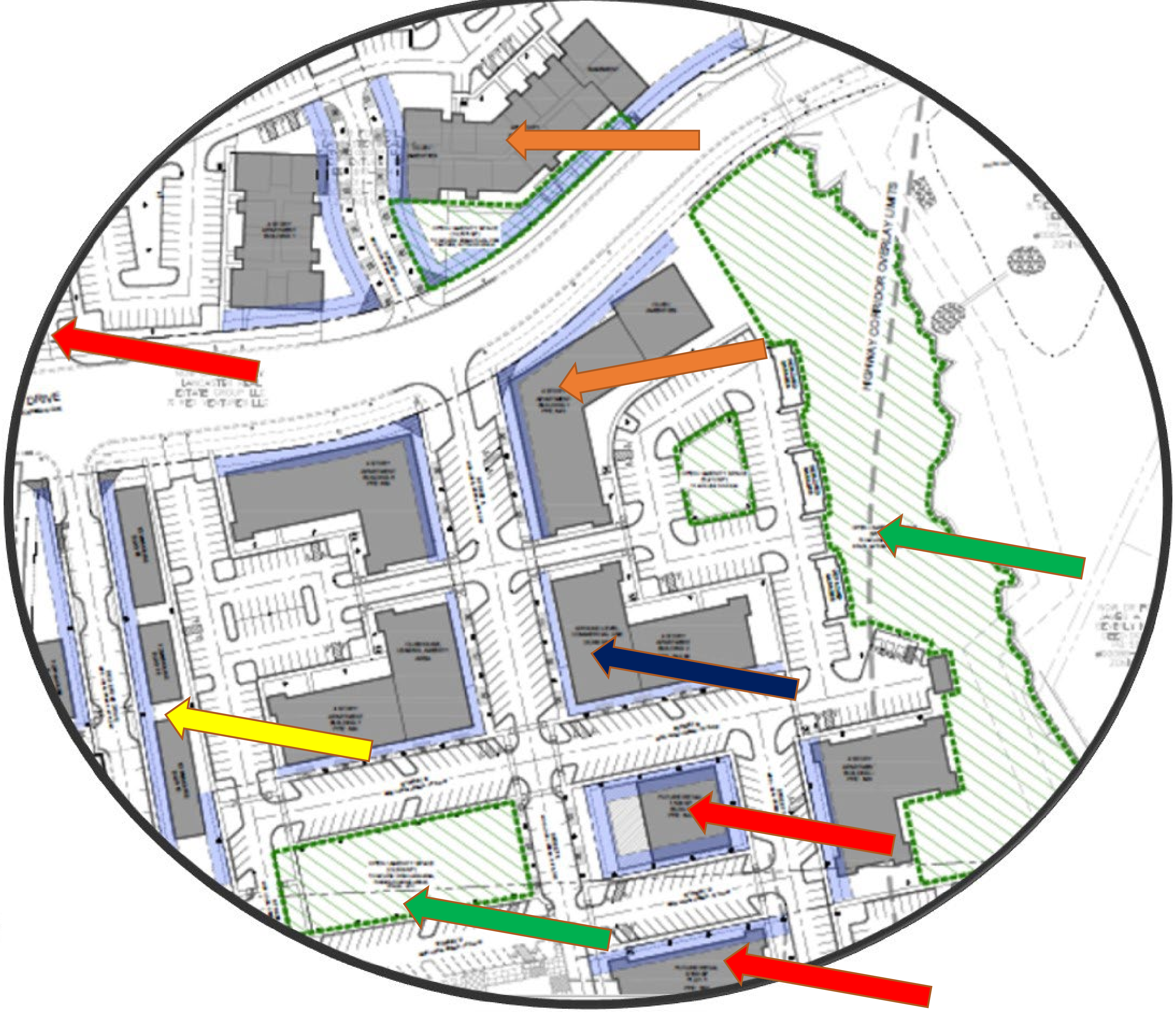
Looking east along Opportunity Drive

MX Subject Property



Master Plan Key Facts

- 25.79Acre Site
- 350-Garden Apartments
- 20-Townhome Apartments
- 20,000 Sq. Ft. Commercial
- One Mixed Use Building
- One Commercial Outparcel
- 3+ Acres Open Space




REDSTONE FLAGSHIP SIGN

Compatibility

Lancaster County
South Carolina

Compatibility with Surrounding Area

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	RB	Commercial (gas station)
South	Lancaster County	RB and LDR	Redstone P1 and Blackhorse Run Neighborhood
East	Lancaster County	MX and LDR	Blackhorse Run Neighborhood and Red Ventures Campus
West	Lancaster County	RB	Hwy 521 Commercial Corridor/Commercial

Comprehensive Plan

- Future Land Use Category is Neighborhood Mixed Use, which corresponds to the Walkable Neighborhood with Additional Intensity Community Type
- Pedestrian Center Designation
- Proposed MX District is consistent with the Future Land Use Category and Community Type.

Transportation and Infrastructure

Lancaster County
South Carolina

Traffic Impact Analysis Completed in 2015-16 for Phases I and II

- Phase II was originally envisioned as a conventional retail shopping center
- TIA recommended construction of various turn lanes and signals
- Improvements were constructed at one time for both phases

2022 Follow Up Traffic Analysis

- Comparison of current versus original Phase II traffic generation relative to improvements constructed
- Found previously constructed improvements satisfactorily mitigate the impacts

Community Meeting

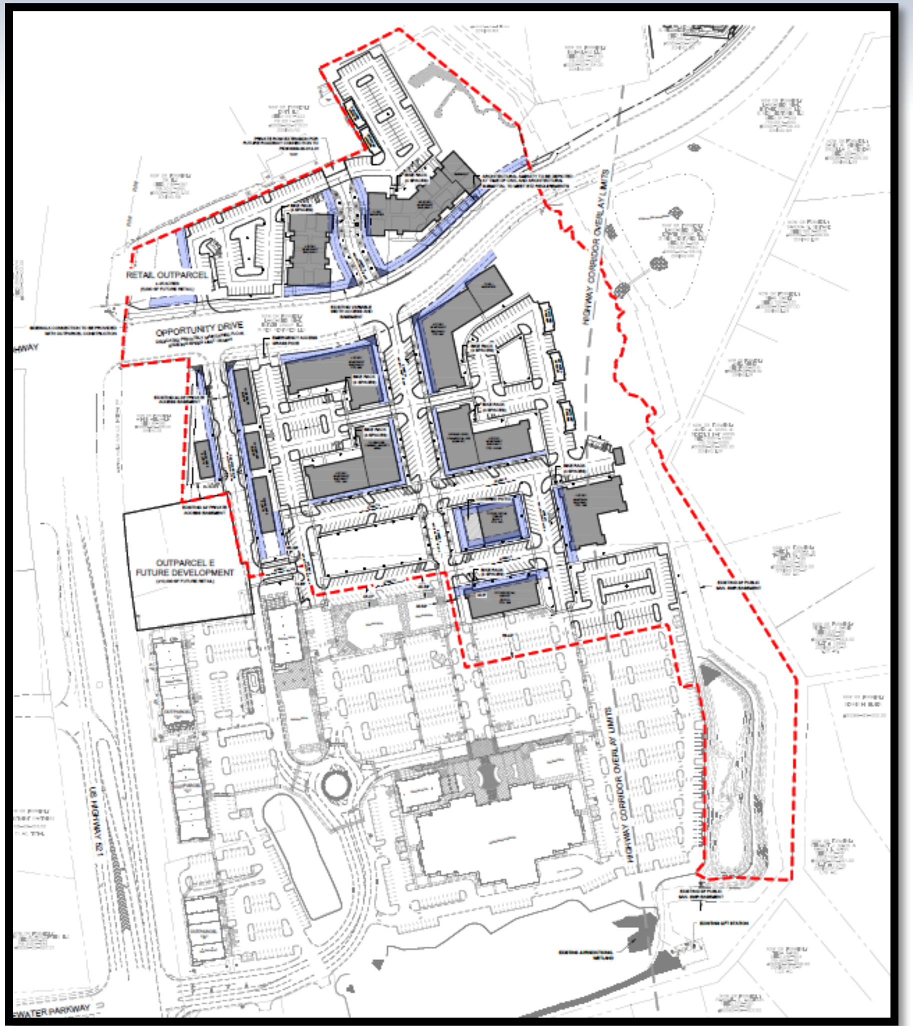
Community Meeting: May 3, 2022

- 14-Attendees
- Questions:
  - Future tenants and use of site
  - Stormwater
  - Black Horse Run relationship/impacts

MX Master Plan Findings of Fact

UDO Findings of Fact

- Comprehensive Plan Consistency
- Integration with Transportation Network
- Impact of Infrastructure
- Compatibility of Uses and Structures
- General Site Design



Recommendation

Lancaster County
South Carolina

Staff recommends **conditional approval** of the request to rezone four parcels of land comprising Approximately 25.79 acres from Regional Business (NB) to Mixed Use (MX) District, pursuant to the following findings of fact:

- That the subject property consists of 25.79 acres of land generally located SE Corner of Hwy 521 and Hwy 160/Opportunity Drive intersection (TM#s 0005-00-106.06, 0008-00-015.00 (portion of), 0005-00-106.05 (portion of), and 0005-00-106.4)
- That the subject property has a Future Land Use Category of Neighborhood Mixed Use with a Community Type of Walkable Neighborhood and Pedestrian Center designation;
- That the subject property is zoned Regional Business (RB) District;
- That the 25.79 acre subject property is proposed to be rezoned Mixed Use (MX) District;
- That, should this rezoning be approved, the 25.79-acre property would be developed with 350 apartments, 20 townhome style units, and approximately 24,000 square feet of non-residential floor area with one commercial outparcel; and
- That the proposed Master Development Plan will meet the required “findings of fact” as set forth in UDO Section 9.2.9.B.9, subject to complying with the following conditions of approval.

Recommendation Cont.

Lancaster County South Carolina

Conditions of Approval

- Resolution of TRC Comments applicable for Master Plan stage (Attachment 7);
  - Most major comments resolved
- Exterior building facades shall be designed to comply with UDO Chapter 3 building design requirements regardless of depictions in conceptual elevations. In particular,
  - All buildings shall meet min. transparency/glazing requirements; and
  - Building 5 shall be designed with a prominent entrance facing the primary north-south street; and
  - Ground floor elevation of the apartment and townhome buildings shall be elevated a minimum of 2-ft above grade; and
  - Balconies for residential buildings shall comply with UDO dimensional requirements; and
  - Screening of dumpsters and outdoor mechanical and utility equipment shall comply with UDO requirements.
- Final tree and shrub species will be determined at the Civil Construction Plan permit stage.

ATTACHMENT:

Redstone II Applicant Presentation

PRESENTED BY MPV PROPERTIES & RED VENTURES

Planning Commission Meeting

RedStone Phase II

July 19, 2022

RedStone Project Summary

RedStone serves as a gateway to Indian Land and Red Ventures campus

Objective

Create northern Lancaster County's premier retail/mixed-use (MX) destination

RedStone Project Summary

RedStone serves as a gateway to Indian Land and Red Ventures campus

Phased Development

Phase I (34 acres)

- Approved in 2015
- Planning /development commenced immediately

Phase II (17 acres)

- Dependent on acquisition of Pleasant Valley homes and construction of Opportunity Drive
- Public Square proposed as gathering space; strategically placed between Phase I and Phase II

RedStone Phase I

Anchored by 14-screen multi-plex cinema

12 retail buildings

- 85,000 square feet
- Tenant mix includes restaurants, medical, neighborhood services

Pedestrian friendly, high-quality design and layout

RED | STONE

MPV PROPERTIES

RED | VENTURES


menchie's frozen yogurt
now open!


RED STONE


Moe's southwest grill


RED STONE 14
BOX OFF


STONE THEATRES
RED ROCKS CAFE
RED | STONE


Freddy's
STEAKBURGERS


Viva Chicken
PERUVIAN ROTISSERIE JOINT

RedStone Phase I: Current Shortcomings

Lack of common space prevents public gatherings / outdoor events

Phase II parcel is (currently) visually unappealing, which negatively affects Phase I leasing and patron enjoyment

RedStone Phase I: Current Shortcomings

Lack of residential component

- Minimizes patron support for tenants
- Guarantees 100% of customer traffic is generated from cars, not pedestrians
- Prevents cohesive, mixed-use community envisioned by Lancaster County and project sponsors from being achieved


Phase II
THE OFFICE
CRAFT BAR · KITCHEN
STONE THEATRES
MARGARITAS
PORTOFINOS
ristorante italiano e pizzeria
menchie's
frozen yogurt
Tide
Atrium Health
VIVA CHICKEN
SHARONVIEW
FEDERAL CREDIT UNION
tropical SMOOTHIE CAFE
SWEETWATERS
COFFEE & TEA
WHICH WICH
SUPERIOR SANDWICHES
MOE'S
southwest grill
Freddy's
FROZEN CUSTARD &
STEAKBURGERS



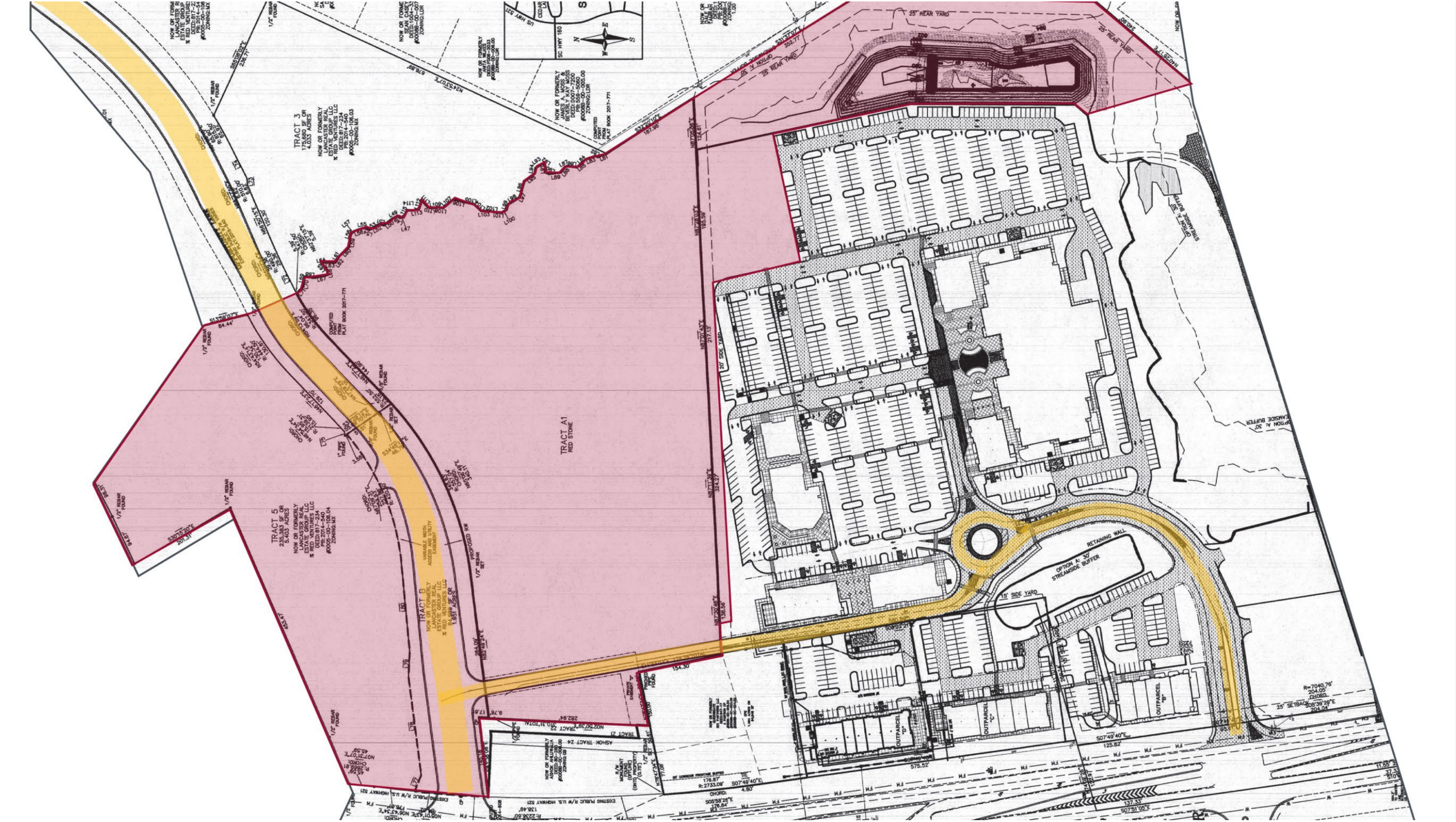

RedStone Phase II: Project Objectives

1. Design pedestrian-friendly, cohesive project by integrating modern-day MX components into Phase I development
    - Event Area / Common Square "Green"
    - Retail
    - Residential

2. Reinforce upscale appearance of Phase I and Red Ventures' campus by maintaining commitment to high-quality design

RedStone Phase II: Project Objectives

3. Minimize environmental impacts on surrounding properties
    - Lower average daily traffic from anticipated levels
    - Maintain distant, undisturbed buffers with BHR



RED | STONE

MPV PROPERTIES

RED | VENTURES

RedStone Phase II: Components

Event Lawn / Public Square

- Anchors combined project; enables transition of uses
- Live music, Farmer's Market, public gatherings

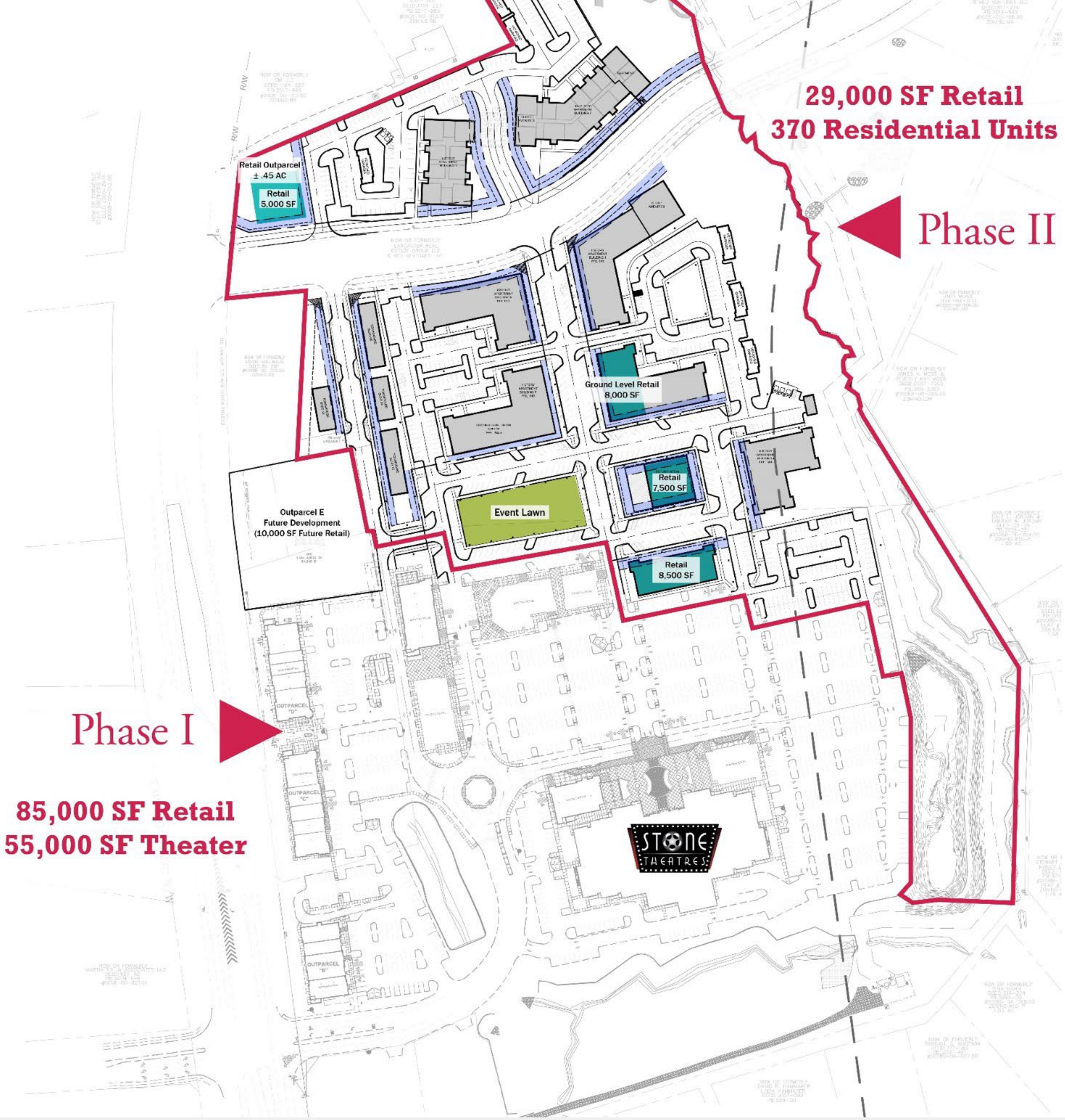
Retail: 29,000 Square Feet

- Outdoor / patio seating overlooking Public Square
- Three new buildings, plus ground floor retail inside MX (mixed-use) building

RedStone Phase II: Components

Multi-family and Townhomes

- 4-story, interior hallways; upscale design with high-level finishes and amenities
- Modeled after The Court at RedStone
- Townhomes will create urban streetscape along RedStone entrance



RED | STONE

MPV PROPERTIES

RED | VENTURES

RED | STONE

MPV PROPERTIES

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REGAL
REGAL CINEMAS

RED STONE

MPV PROPERTIES

RED VENTURES

PRESENTED BY MPV PROPERTIES & RED VENTURES

Planning Commission Meeting

RedStone Phase II

who intends to build a residence on the lot for the owner or lessee to occupy; (ii) to any mortgage lender either as the result of foreclosure of any mortgage secured by any portion of the Property or any other transfer in lieu of foreclosure; (iii) to any third party purchaser at such a foreclosure; or (iv) to any third party purchaser of such mortgage lender's interest subsequent to the mortgage lender's acquiring ownership of any portion of the Property as set forth above. Furthermore, nothing contained herein shall prevent, hinder or delay any transfer of any portion of the Property to any such mortgage lender or subsequent purchaser. Except as set forth herein, any such mortgage lender or subsequent purchaser shall be bound by and shall receive the benefits from this Agreement as the successor in title to Developer.

ARTICLE IV

DEDICATIONS AND FEES AND RELATED AGREEMENTS

Section 4.01. Purpose of Article. The Parties understand and agree that Development of the Property imposes certain burdens and costs on the County, including those for certain services and infrastructure improvements. Eventually, *ad valorem* taxes collected from the Property may meet or exceed the burdens and costs placed upon the County, but certain initial costs and capital expenditures are now required that are not to be funded by any increase in taxes paid by existing residents of the County. The purpose of this article is to identify the matters agreed upon to be provided by the Developer to mitigate such burdens and costs.

Section 4.01A. Facilities for Development. Subject to compliance with applicable laws, all provisions of this Agreement and prior approval of construction plans by the County or other applicable governmental entity, Developer, at its cost and expense, shall install the requisite infrastructure, including transportation, water, and sanitary sewer infrastructure, for its Development of the Property, pursuant to Section 4.04 below and the Development Program set forth on Exhibit B as such Development proceeds pursuant to Exhibit C. Notwithstanding any provision herein to the contrary, Developer hereby assures the County that adequate infrastructure shall be available concurrent with the impacts of Development of the Property.

Section 4.01B. Payment for School District. ~~Developer will pay the County Five Hundred and No/100 Dollars ($500.00) per residential housing unit to offset the impact of the development upon the Lancaster County School District. The school district payment shall be made when a building permit is issued.~~ On September 13, 2021, the County adopted Ordinance No. 2021-1761 establishing development impact fees for public school facilities ("School Impact Fees"), which impact fees were implemented as of January 1, 2022. School Impact Fees ~~, and~~ shall apply to development of that portion of the Property without a site-specific development plan identified in Exhibit F. The other portions of the property are part of a site-specific development plan existing upon the effective date of the County Impact Fees and, pursuant to the terms of Ordinance 2021-1761 and that certain correspondence provided by John DuBose, Counsel to the County, dated as of August 19, 2021, a copy of which correspondence is attached to this Agreement as Exhibit G, Developer will not be required to pay the County any additional County Impact Fees except as specifically provided herein.~~that did not qualify as being was not part of an approved site-specific development plan upon the effective date of the School Impact Fee~~

~~Ordinance (see EXHIBIT FXX). Except as set forth above and pursuant to the provisions of that certain correspondence provided by John DuBose, Counsel to the County, dated as of August 19, 2021, a copy of which correspondence is attached to this Agreement as Exhibit GF, Developer will not be required to pay the County any additional school impact fees~~ except as specifically provided herein.~~, including, without limitation, those assessed pursuant to the County Ordinance adopted on September 13, 2021 (Ordinance No. 2021-____).~~

Section 4.01C. Funds for Public Safety. On July 21, 2021, the County adopted Ordinances establishing development impact fees for facility improvements for Fire (Ordinance No. 2021-1722), Emergency Medical Services (Ordinance No. 2021-1723), Sheriff (Ordinance No. 2021-1724) and Parks & Recreation (Ordinance No. 2021-1725) (collectively, the "County Impact Fees"), which County Impact Fees were implemented as of October 1, ~~2021~~2021, and shall apply to the development of th~~e~~at portion of the ~~-~~Property without a site specific development plan identified in EXHIBIT F~~XX~~. The other portions of the property were part of an approved site-specific development plan existing upon the effective date of the County Impact Fees and, pursuant to the terms of the County Impact Fee Ordinances and that certain correspondence provided by John DuBose, Counsel to the County, dated as of August 19, 2021, a copy of which correspondence is attached to this Agreement as Exhibit G, Developer will not be required to pay the County any additional County Impact Fees except as specifically provided herein. ~~.~~ ~~County and Developer agree that no additional public safety funds are required pursuant to this Agreement because the County Impact Fees already address the impact that the development of the Property will have on public safety facilities.~~

Section 4.01D. Fee Schedule Annual Update. The developer fees set forth in Section 4.01B and Section 4.01C (collectively "Developer Fees") shall be adjusted annually to reflect the effects of inflation on the costs for facilities and services set forth herein. The fee amounts shall be adjusted using the Construction Cost Index calculated by the publication, Engineering New Record (ENR). For each such adjustment, each of the Development Fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The fee adjustment become effective on July 1 of each year. If July 1 falls on a weekend, the fee adjustment will become effective on the next business day thereafter.

Section 4.01E. Credit for Fees. In the event that the County approves or passes any future ordinance(s) (collectively, "Future Impact Fee Ordinance(s)") imposing or assessing impact fees of generally applicability to property development within the County and which Future Impact Fees are to be used or applied for the same purpose(s) for which the Developer Fees have been designated (collectively, "Future Impact Fees") and if the Future Impact Fees apply to the Developer's development of the Property, the Developer shall receive a credit toward such Future Impact Fees in the amount(s) equal to the Developer Fees which the Developer has paid or is obligated to pay pursuant to Sections 4.01B and 4.01C.

Section 4.02. Payment of Costs. Upon submission of appropriate documentation of the expenditure, Developer agrees to reimburse the County, not later than _________, 202_, for

Item 5f: ST. LUKE'S

7/18/2022

To: The Lancaster County Rezoning Commission

Ref: Opposition to Rezoning the Boy Scout Hut Property Owned by St. Luke United Methodist

Because I am unable to attend the meeting July 19, 2022 related to caring for my mother during the scheduled meeting time, I am submitting my written opposition to the rezoning.

I would like to voice my concerns and objection to the rezoning of the Boy Scout Hut Property currently owned by St. Luke United Methodist Church (UMC) from Institutional (INS) to Medium Density Residential (MDR) which would allow the property to be sold to James Strang.

I am a lifetime member of St. Luke UMC and a lifetime resident of the Elgin Community. I have resided on Tram Road for 64 of my 67 years and I am only one mile from the property to be rezoned. I am opposed to the rezoning for several reasons. One of the reasons I am opposed to the rezoning relates to the way the decision was made to sell the property by the church. This decision was not made by a majority vote of the members of the church. The decision was made according to church discipline which was by two committees in the church. Most of the members of St. Luke UMC are unaware of the details of what the rezoning means or of the offers that were made to purchase the property or the reason the members of these committees made the decision to sell the property. The members are also unaware of any costs the church may incur if James Strang purchases the property and decides to make any additions to the property such as adding a structure or even demolishing the current structure building a new residence or worse building a duplex and renting the property out. The committees decided to sell the Boy Scout Hut property to use the funds to upgrade a couple of other structures on the property and to decrease the amount the property is costing the church in taxes and insurance. Mr. Strang's bid was accepted, and the bid made by the Elgin Volunteer Fire Department (EVFD) that owns the adjacent property was not even considered. In reading Chapter 7 of the Lancaster County Unified Development Ordinance, if this property is rezoned to MDR, for future building projects a Type A buffer yard would be required to be installed on the property. This buffer yard would require both St. Luke UMC and the EVFD to build a fence and maintain the landscaping in the buffer yard. Not only would this defeat the purpose of the church selling the land it would cause the church to spend additional funds for the upkeep of this buffer yard. It would also be detrimental to the EVFD because they would also be required to spend funds to keep up this buffer yard when their funds could be used to provide the fire service to our community. And the adjacent land that the Fire Department owns would have very little space left if a buffer yard had to be built and maintained. If the zoning is left like it is currently, the church nor the fire department would be incurring further costs. The church could sell the property to the property to the EVFD without any rezoning and there wouldn't be any requirements for a buffer yard.

Another concern I have in rezoning and selling the Boy Scout Hut property to James Strang is the aesthetics of this area. Since this property is in the middle of the EVFD and St. Luke UMC property, having a fence and buffer yard around this property would not look pleasing to the eye from Hwy 521, the Fire Department or from St. Luke. And, if Mr. Strang would decide to demolish the current house and build a duplex on this property, it could affect the property values negatively in the area in which I reside. It would not be in the best interests of the Elgin community to have a duplex erected so close to the church or fire department nor one mile from my current residence.

I would encourage the Rezoning Board not to change the current zone from INS to MDR.

Thank you for letting me voice my opinions and concerns in this vital matter for the Elgin Community. If you need to contact me, please feel free to.

Suzanne B. Williams
486 Tram Road
Lancaster, SC
803-416-3813
Sbwillia55@yahoo.com