

Planning Commission Members

District 1: Alan Patterson
District 2: Tamecca Neely
District 3: Charles Deese, Chair
District 4: James Barnett, Vice-Chair
District 5:
District 6: Sheila Hinson
District 7: Ben Levine

**County Attorney**

John K. DuBose III

Clerk to Planning Commission

Jennifer Bryan

Development Services Director

Rox Burhans

April 7, 2022

5:00 PM

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

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

Planning Commission Meeting AGENDA

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

[Lancaster County welcomes comments and input from citizens who may not be able to attend meetings in person. Written comments may be submitted via mail to ATTN: Jennifer Bryan, Post Office Box 1809, Lancaster, SC, 29721, by email to Jennifer Bryan at jbryan@lancastersc.org or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/>. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]

4. Approve Minutes

- a. March 3, 2022 Workshop Minutes
- b. March 15, 2022 Regular Minutes

5. Public Items

- a. SD-2021-2791, The Arches
Application by 521 Land Partners for a Major Subdivision Preliminary Plat consisting of eight commercial outparcels, located at the northeast corner of the intersection of Charlotte Highway/521 and Worldreach Drive (TM#s 0013-00-016.00, 0013-00-016.01, 0013-00-018.10 and p/o 0013-00-018.09). The project is approximately 11.81 acres and is zoned Regional Business (RB) and General Business.
- b. RZ-2022-0332 Vail (Heath Springs)
Application by Michael Lee Vail to rezone approximately 22.236 acres located at or adjacent to 343 College Street, Heath Springs (TM# 0133O-0A-007.00)) from R15 residential to IND industrial district, in order to build office and storage for a general contracting business.
- c. TA-2022-0445, Town of Kershaw

Application by the Town of Kershaw to amend Town of Kershaw Unified Development Ordinance to add Section 3.9, Permissible Uses for Group Homes; add Section 4.2.21, Developmental Standards for Group Homes; and to modify Chapter 19, Definitions.

6. New Business

- a. Overview of next month's Agenda
- b. Other
 - i. Board Member of the Year Nominations

7. Adjourn

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

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

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

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

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

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

Agenda Item Summary

Ordinance # / Resolution #: March 3, 2022 Workshop Minutes

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 4/7/2022

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
March 3, 2022 Workshop Minutes	3/8/2022	Exhibit



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

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

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

**March 3, 2022 5:00 P.M.
MINUTES**

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

1. Roll Call:

Members Present:

Jim Barnett	Charles Deese	Sheila Hinson
Ben Levine	Alan Patterson	

Absent: Tamecca Neely

Others Present:

Rox Burhans, Division Director	Clerk: (Absent)
Ashley Davis, Senior Planner;	
Robert Tefft, Senior Planner;	

Agenda was posted in Administration lobby 24 hours in advance.

2. New Business

a. RZ-2022-0175 Gabriel Jon Hardy

Application by Gabriel Jon Hardy to rezone approximately 38.92 acres located at the northwest corner of intersection of Hwy 9 and Catoe Road (TM# 0069-00-071.00) from Low Density Residential (LDR) to Medium Density Residential (MDR) district.

Staff Presentation: Ashley Davis, Senior Planner

Discussion points:

- Reason for lack of stub out to rear property: topography
- Access to sewer: Ashely to confirm with LCWSD
- Road access: both entrances to take access off Catoe Road.

b. RZ-2021-2975 Llewellyn Development, LLC

Request to rezone approximately 37.9 acres of property from LDR District to MDR District.

Staff Presentation: Robert Tefft, Senior Planner

Discussion: No new material had been submitted by applicants. No discussion.

c. MX-2020-2051 The Lodges

Application by NR Property Owners LLC to approve a Master Development Plan and Preliminary Plat for approximately 38.88 acres of land located at the north side of Fort Mill Highway, approximately 325 feet east of Rosemont Drive (TM#s 0006-00-086.00, 0006-00-087.00, 0006-00-087.03, and 0006-00-087.04) for a 261-unit multi-family development.

Staff Presentation: Robert Tefft

Discussion:

Two changes to original Master Plan:

- number of decreasing garden apt units
- change base floor elevation from 2 feet to 1 foot.

3. Other:

a. Review of Next Month's Agenda

SD-2021-2791 The Arches Preliminary Plat

TA-2022-0445 Town of Kershaw UDO Text Amendment

RZ-2022-0332 Vail (Heath Springs)

UDO-TA-2022-(x) Interim Ordinance

UDO-TA-2021-2980 Cluster Subdivision Overlay elimination

RZ-2022-0387 Arbor Walk

SD-2021-1886 Edgewater Sunset Point Preliminary Plat (863 lots)

Due to the number and complexity of items, and expectation of public response, it was decided to split the agenda and hold two full voting meetings in April:

- **Thursday, April 7, 2022 at 5:00 p.m.**
- **Tuesday, April 19, 2022, starting at 5:00 p.m.** rather than 6:00p.m.

4. Adjourn

Meeting was adjourned at 6:30 p.m.

Agenda Item Summary

Ordinance # / Resolution #: March 15, 2022 Regular Minutes

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 4/7/2022

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
March 15, 2022 Regular Minutes	3/16/2022	Exhibit



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

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

MINUTES
Lancaster County Planning Commission
March 15, 2022 6:00 p.m.

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

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

Commissioners Present:

Tamecca Neely	James Barnett
Charles Keith Deese	Alan Patterson

Absent: Ben Levine, Sheila Hinson

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

Staff Present:

Rox Burhans, Development Services Director
Ashley Davis, Senior Planner
Robert Tefft, Senior Planner

Clerk: Jennifer Bryan

Others present: Billy Mosteller, Council member District 3
County Attorney John DuBose

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.

Llewellyn Development has withdrawn; **Motion to Approve agenda with item 5a withdrawn**, by **James Barnett**; 2nd by **Alan Patterson**.

Called vote: 4:0. Motion approved unanimously.

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

4. APPROVE MINUTES

a. February 15, 2022 Regular Minutes

Chairman Deese called for a motion to approve February 15, 2022 Regular Minutes as written. Motion to Approve by **Alan Patterson**; 2nd by **James Barnett**.

Called vote: 4:0. Motion approved unanimously

b. March 3, 2022 Workshop Minutes

Chairman Deese stated that as Commissioner Tamecca Neely was absent on March 3, there was not a quorum to vote on approval of March 3, 2022 Workshop Minutes.

Item is continued to the next meeting.

5. PUBLIC ITEMS

a. RZ-2021-2975 Llewellyn Development LLC

Application by Llewellyn Development LLC to rezone approximately 37.9 acres of land located at 10695, 10681, and 10749 Harrisburg Road from Low Density Residential (LDR) District to Medium Density Residential (MDR) District.

Item withdrawn by applicant prior to meeting.

b. MX-2020-2051 The Lodges

Application by NR Property Owners LLC to approve a Master Development Plan and Preliminary Plat for approximately 38.88 acres of land located at the north side of Fort Mill Highway, approximately 325 feet east of Rosemont Drive (TM#s 0006-00-086.00, 0006-00-087.00, 0006-00-087.03, and 0006-00-087.04) for a 261-unit multi-family development.

Staff Presentation: Robert Tefft, Senior Planner, presented the application consistent with the staff report. Staff Recommendations: Conditional approval, subject to addressing remaining TRC/Evolve and staff comments.

Questions to staff: **Alan Patterson** asked if sidewalks connect to nearby commercial areas.

Comment from applicant(s): **Kevin Murphy** (Charlotte NC) The revised plan has same number of bedrooms and no changes to the footprint of buildings from prior plan, the changes are all through interior reconfiguration. Sidewalk extends to property line.

R. Tefft and **A. Davis** reviewed aerial views on-line, and concluded that sidewalks do connect to nearby commercial districts.

Questions from Commissioners: **Alan Patterson** asked if new impact fees would apply to this resubmission; attorney **John DuBose** said that they might apply to the additional units proposed [difference between original plan 217 and proposed 261], but details are still being worked out about how fees or a percentage thereof will be assessed.

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

Chairman Deese closed Public hearing and called for a motion on item **MX-2020-2051 The Lodges.**

Motion to approve subject to stated conditions (page 4 of Staff Report), by Tamecca Neely; 2nd by James Barnett.

Discussion: none

Called vote: 4:0. **Motion is approved unanimously.**

This item does not require a hearing by County Council.

a. RZ-2022-0175 Gabriel Jon Hardy

Application by Gabriel Jon Hardy to rezone approximately 38.92 acres located at the northwest corner of intersection of Hwy 9 and Catoe Road (TM# 0069-00-071.00) from Low Density Residential (LDR) to Medium Density Residential (MDR) district.

Staff Presentation: Ashley Davis, Senior Planner, presented the applications consistent with the staff report. TIA will come in with preliminary plat. LCWSD is working with applicant on sewer service to proposed development. Staff Recommendations: approval.

Questions to staff: none.

Comment from applicant(s): **Jon Hardy** (Lancaster resident): concurs with staff presentation; plan on bringing water and sewer service from Hollybrook; in response to comment by Chairman Deese, notes that sewer upgrade presents some challenges due to steep grade and wetlands.

Questions from Commissioners: **James Barnett** thanked applicant for bringing a project to southern part of County.

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

Chairman Deese closed Public hearing and called for a motion on item **RZ-2022-0175 Gabriel Jon Hardy**

Motion to approve by James Barnett; 2nd by Tamecca Neely.

Discussion: **Alan Patterson** thanked developer for paying attention to connectivity, especially in southern part of the county.

Called vote: 4:0. **Motion is approved unanimously.**

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

6. NEW BUSINESS

- a. **Overview of Next Month's Agenda:** per discussion at 3/3 workshop, April agenda will be split between two meetings:
April 7, 2022 at 5:00 p.m.: preliminary plat, Kershaw text amendment, and Heath Springs rezoning.
April 19, 2022 at 5:00 p.m.: rezoning and development agreement for Arbor Walk; preliminary plat for Edgewater Sunset Pointe (863 lots); possibly the presentation on Interim Ordinance, but not confirmed.
- b. **Other:**
Comprehensive Plan (Ashley Davis): external website and survey are now live; over 60 responses so far on survey. Focus area meetings are next.
Commissioners requested a weekly update on survey responses.

UDO (Robert Tefft): finalizing Interim Ordinance for presentation in April/May.

7. ADJOURN

Motion to adjourn by James Barnett; 2nd by Alan Patterson. Approved by unanimous consent. Adjourned at 6:29 p.m.



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, March 15, 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

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PLANNING COMMISSION Public Hearing Sign In Sheet

WITHDRAWN

Item 5a: RZ-2021-2975 Llewellyn Development LLC

Application by Llewellyn Development to rezone 3 parcels totaling approximately 37.9 acres (TM#s 0003-00-043.00, 0003-00-043.02, & 0003-00-044.00) located at 10695, 10681 & 10749 Harrisburg Road, from Low Density Residential (LDR) to Medium Density Residential (MDR) zoning district for the purpose of developing a single-family residential neighborhood.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, March 15, 2022

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PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5b: MX-2020-2051 The Lodges

Application by NR Property Owners LLC to approve a Master Development Plan and Preliminary Plat for approximately 38.88 acres of land located at the north side of Fort Mill Highway, approximately 325 feet east of Rosemont Drive (TM#s 0006-00-086.00, 0006-00-087.00, 0006-00-087.03, and 0006-00-087.04) for a 261-unit multi-family development.



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

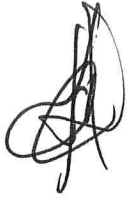
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PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5c: RZ-2022-0175 Gabriel Jon Hardy

Application by Gabriel Jon Hardy to rezone approximately 38.92 acres located at the northwest corner of intersection of Hwy 9 and Catoe Road (TM# 0069-00-071.00) from Low Density Residential (LDR) to Medium Density Residential (MDR) district.



Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, March 15, 2022

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Agenda Item Summary

Ordinance # / Resolution #: SD-2021-2791, The Arches

Contact Person / Sponsor: R. Tefft

Department: Planning

Date Requested to be on Agenda: 4/7/2022

Issue for Consideration:

Major Preliminary Subdivision Plat for 8 commercial outparcels on 11.81 acres.

Points to Consider:

Site Acreage	11.81
Proposed Lots	8
Project Overview	This is a commercial outparcel development. At this time medical offices are planned for one outparcel, a daycare facility is planned for another.
Open Space	500 Square Feet (Picnic area, depicted on outparcel B)
Streets	Will be privately maintained.

Recommendation:

Staff recommends
conditional approval
of this Major
Preliminary Subdivision

Plat request subject to the following conditions:

1. Address outstanding TRC/Evolve comments within 60 days of Planning Commission approval.
2. Address outstanding TIA comments and revise the Preliminary Plat accordingly.

ATTACHMENTS:

Description	Upload Date	Type
Planning Staff Report	3/29/2022	Planning Staff Report
Exhibit 1: Preliminary Plat Application	3/29/2022	Exhibit
Exhibit 2: Location Map	3/29/2022	Exhibit
Exhibit 3: Preliminary Plat	3/29/2022	Exhibit
Exhibit 4: TIA summary	3/29/2022	Exhibit
Exhibit 5: TIA Consultant Comments	3/29/2022	Exhibit
Exhibit 6: TRC Comments	3/29/2022	Exhibit

PROPOSAL: Major Preliminary Subdivision Plat for 8 commercial outparcels on 11.81 acres.

PROPERTY LOCATION: Northeast corner of the intersection of Charlotte Highway/521 and Worldreach Drive (TM#s 0013-00-016.00, 0013-00-016.01, 0013-00-018.10 and p/o 0013-00-018.09)

CURRENT ZONING DISTRICT: Regional Business (RB) District; General Business (GB) District

APPLICANT: 521 Land Partners

COUNTY COUNCIL DISTRICT: District 7, Brian Carnes

OVERVIEW & BACKGROUND:

Site Information & Existing Condition

This property is currently vacant.

Summary of Surrounding Zoning and Uses

Surrounding Property	Jurisdiction	Zoning District	Use
North	Lancaster County	Regional Business (RB)	Crossridge
South	Lancaster County	General Business (GB)	Publix Shopping Center
East	Lancaster County	PDD 26, Collins Road	Commercial
West	Lancaster County	General Business (GB)	Commercial

Zoning

The proposed development is primarily zoned Regional Business (RB).

Regional Business is defined as "...generally located on the major thoroughfares in the community and provides opportunities for the provision of offices, services, and retail goods to meet the surrounding region. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development until such time that transportation network is retrofitted to accommodate more urban development patterns."

A small portion (approximately 0.88 acres) on the southeast edge of the development is zoned General Business (GB).

General Business is defined as "is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto-dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development."

PHOTOS OF PROJECT AREA:



Aerial photo of the subject property



*Aerial photo of the subject property
demonstrating proximity to Indian Land Schools
and YMCA*

DEVELOPMENT SUMMARY:

Development Summary	
Site Acreage	11.81
Proposed Lots	8
Project Overview	This is a commercial outparcel development. At this time medical offices are planned for one outparcel, a daycare facility is planned for another.
Open Space	500 Square Feet (Picnic area, depicted on outparcel B)
Streets	Will be privately maintained.

Traffic Impact Analysis (TIA)

The development is expected to generate 249 AM peak hour trips (168 in and 81 out) and 345 PM peak hour trips (141 in and 204 out) under buildout (2024) conditions. It would generate 3,478 weekday daily (24-hour) trips.

Exact improvements are still to be determined; current improvements include the following:

US 521 and Palmetto Commons Driveway: Southbound left-turn lane minimum length of 150 feet; northbound right-turn lane minimum length of 100 feet.

US 521 and Dobys Bridge Road/Worldreach Drive: Restripe the eastbound approach to include an exclusive left turn lane, through lane, and right turn lane. Reprogram the signal to remove the split phasing operation to allow eastbound and westbound approaches to run concurrently

Charlotte Highway (U.S. 521)/Collins Road: Optimize signal timings at this location to restore acceptable levels of service

Proposed Stub Connection

The proposed stub connection on the northwestern side of the property terminates approximately 70' short of a possible connection to Parkway Drive. The applicant is in contact with the neighboring property owner and has started conversations regarding the future connection.

STAFF RECOMMENDATION:

Staff recommends **conditional approval** of this Major Preliminary Subdivision Plat request subject to the following conditions:

1. Address outstanding TRC/Evolve comments within 60 days of Planning Commission approval.
2. Address outstanding TIA comments and revise the Preliminary Plat accordingly.

ATTACHMENTS:

1. Preliminary Plat Application
2. Location Map/ Zoning Map
3. Preliminary Plat
4. TIA summary
5. TIA Consultant Comments
6. TRC/Evolve Comments

STAFF CONTACT:

Ashley Davis
Senior Planner
adavis@lancastersc.net
803-416-9433

MAJOR SUBDIVISION PRELIMINARY PLAT

WHEN TO USE THIS PROCESS, AND WHEN TO USE A DIFFERENT ONE

When to use this checklist:

If either or both of the following circumstances exist, use this checklist or subdivision that front existing streets that include 11 or more acres.

- Creating 5 or more lots for any type of development; or
- Creating new streets or alleys.

APPLICATION AND APPROVAL PROCESS

- **Required Pre-Application Conference:** Please call to schedule a Pre-Application Conference and Sketch Plan review prior to submitting a Preliminary Plat application. Sketch Plans are usually a one-sheet conceptual drawing. Refer to the **Sketch Plan Checklist** for additional information. Pre-Application Conferences will be used to provide an overview of applicable standards and the approval process, as well as feedback on your sketch, if submitted in advance.

Prepare the Preliminary Plat using this checklist and the UDO which is available on our website.

- Submit the following items for plan review.
 - ☐ Project can be submitted online by creating an account at <https://evolvepublic.infovisionsoftware.com/lancaster/?portal=project>
 - ☐ 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.
- Most Preliminary Plats require Planning Commission approval, which meets on the 3rd Tuesday of each month. Subsequent to preliminary plat approval, After, Planning Commission approves the plat, you will receive a notification that you can print the stamped digital set from Evolve Project Portal.
- Plans and review must be submitted by 5pm of the first business day of the month. Prior to the Planning Commission meeting, staff will review the plan with the Technical Review Committee.

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**. The following will summarize the Preliminary Plat submittal and approval processes.

PROJECT INFORMATION

Project Address/Location: 8474 CHARLOTTE HIGHWAY

Tax Map ID/Parcel No. 0013-00-016.00 & 0013-00-016.01

Project Description: A proposed commercial development with 5 outparcels. Initial development will consist of mass grading, access driveways, utilities and master stormwater BMP

Applicant Name: 521 Land Partners (Doug Baumgartner)

Address: 14021 Conlan Circle, Ste. B-10, Charlotte, NC 28277

Phone: 704.542.7773 Fax: _____ Email: dbaumgartner@yorkdevelopmentgroup.com

Property Owner Name: 521 Land Partners (Doug Baumgartner)

Address: 14021 Conlan Circle, Ste. B-10, Charlotte, NC 28277

Phone: 704.542.7773 Fax: _____ Email: dbaumgartner@yorkdevelopmentgroup.com

Other Project Contacts

Name: The Isaacs Group, PC (Brent Cowan)

Address: 8720 Red Oak Blvd., Ste. 420, Charlotte, NC 28217

Phone: 704.227.9402 Fax: _____ Email: bcowan@isaacsgrp.com

Name: Doug Baumgartner

Address: 14021 conlan circle ste b-10
Charlotte, nc 28277

Phone: 704-877-3353 Fax: _____ Email: _____

Applicant Signature

Property Owner Signature

Date

Date

PRELIMINARY PLAT CHECKLIST

The following identifies required information to be placed on Preliminary Plat drawings. A list of key requirements has also been provided, 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.

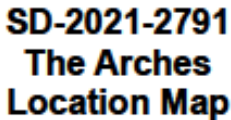
USE-SPECIFIC STANDARDS

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**
- ☐ **Cluster Subdivision Overlay**
- ☐ **Equestrian Oriented Subdivision Overlay**



Proposal: Preliminary Plat Application

Legend:

- | | |
|---|---------------------------------------|
|  | Subject Property |
|  | Indian Land
Intermediate
School |
|  | Doby's Bridge &
Hwy 521 |
|  | Queensbridge |



EXECUTIVE SUMMARY

Purpose of Report and Study Objectives

This report presents the results of a Traffic Impact Study (TIS) prepared for the proposed expansion (the “Subject” site) of the Cross Creek Shopping Center along Charlotte Highway (U.S. Route 521) in Lancaster County, South Carolina.

Given that the traffic anticipated to be generated by the Subject Site exceeds 50 peak hour trips, a Traffic Impact Study is required per County Guidelines. Additionally, this project exceeds the 100 peak hour trip threshold set forth by the South Carolina Department of Transportation (SCDOT) and impacts a state-maintained roadway, thus requiring SCDOT review and approval. This study was prepared in accordance with the *Lancaster County Unified Development Ordinance (UDO)*, Section 6.8 Transportation Impact Analysis Guidelines and Chapter 6 – Traffic Impact Studies of the *SCDOT Access and Roadside Management Standards*.

Site Location and Study Area

The subject site is currently vacant and is located on the east side of Charlotte Highway (U.S. Route 521) just to the north of Worldreach Drive. This study encompassed a total of four (4) existing study intersections in addition to the three (3) proposed site driveways assessed under future conditions.

Description of Proposed Project

The approximately 11.16-acre vacant site is located on the east side of Charlotte Highway (U.S. Route 521) just to the north of the existing Cross Creek development at the Worldreach Drive intersection. The Cross Creek expansion includes a 10,000 square foot (SF) daycare, 21,000 SF office building, 30,000 SF medical office building, 7,500 SF of retail uses, a 4,500 SF fast-casual restaurant, and a 4,500 SF car wash. The Subject Site is proposed to be served by three (3) access points. Primary access to/from the site is provided via a driveway along Charlotte Highway across from the existing Palmetto Commons retail center along with two (2) secondary access points along Worldreach Drive.

The site is planned to be completed in a single development phase, by the year 2024.

Conclusions

The conclusions of this TIA are as follows:

1. The results of the existing baseline (year 2021) conditions indicate that all of the study intersections currently operate at overall acceptable LOS “D” or better during the weekday AM and PM peak hours with the exception of U.S. Route 521/Worldreach Drive

during the PM peak hour and U.S. Route 521/Collins Road during the AM peak hour.

2. Under future background in conditions in 2024 (without the proposed Project), delays are expected to increase as a result of traffic generated by pipeline developments and regional growth in the area. The U.S. Route 521/Worldreach Drive and U.S. Route 521/Collins Road intersections would experience significant increases in delay and have overall operational issues during the peak hour.
3. The Applicant proposes to expand the existing Cross Creek shopping center to include additional commercial uses as well as introduce office space. The site would be served by three (3) access points on U.S. Route 521 and Worldreach Drive.
4. Based on the ITE Trip Generation Manual, the development is expected to generate 249 AM peak hour trips (168 in and 81 out) and 345 PM peak hour trips (141 in and 204 out) under buildout (2024) conditions. It would generate 3,478 weekday daily (24-hour) trips.
5. The results of the future analyses in 2024 with the buildout of the project indicate that delays would generally increase at the study intersections. The study identifies mitigation measures that should be implemented to offset the impacts of the proposed development including improvements to the site driveway along U.S. Route 521 and signal improvements at the U.S. 521/Worldreach Drive intersection. With these improvements in place, operational issues would continue to exist along U.S. Route 521. This is a result of the facility being undersized and unable to carry the heavy regional traffic volumes. Ultimately, U.S. Route 521 will need to be widened to six (6) lanes to adequately accommodate future traffic demands and fast-growing Indian Land region.

Memorandum

To: Stephen Blackwelder
Lancaster County Environmental Compliance Manager

From: Amy Massey, PE

Date: February 25, 2022

Subject: Cross Creek Phase 2
Traffic Impact Study (TIS) Review

At the direction of Lancaster County, Kimley-Horn has conducted a review of the TIS prepared by Wells + Associates, Inc. for the Cross Creek Phase 2 development in Lancaster County, SC, dated November 2021. The TIS is intended to evaluate the impact of the proposed development located east of US 521 (Charlotte Highway) north of Worldreach Drive. The TIS includes the following land uses:

- 10,000 square feet (SF) of daycare
- 7,500 SF of general shopping center space
- 21,000 SF of office
- 30,000 SF medical office
- 4,500 SF fast casual restaurant
- 4,500 SF car wash

The following comments outline Kimley-Horn's review of the TIS with focus on its consistency with South Carolina Department of Transportation's (SCDOT's) *Access and Roadside Management Standards* (ARMS) Manual and the Lancaster County Unified Development Ordinance (UDO) Section 6.8. Technical review comments and recommendations are provided below, with those anticipated to be meaningful to the results or recommendations in **bold print**.

Trip Generation

1. The retail pass-by rate was applied to all the commercial uses (retail, fast casual restaurant, and car wash). Note that the Institute of Transportation Engineers (ITE) Trip Generation Handbook referenced as the source of pass-by percentages as note 3 on page 26 does not provide pass-by rates for land use codes 930/fast casual restaurant or 948/automated car wash. However, it is noted that the trip generation analysis provided does match the trip generation previously included in the scoping package located in the Appendix.
2. Internal Capture calculations were not included in the trip generation analysis. It is noted that this approach is more conservative, so this may balance with the additional pass-by trip reduction.

Existing Traffic Volumes

3. The PM peak hour southbound right-turn volume along US 521 at Sandal Brook Road should be 37 instead of 1 on Figure 2-1. 37 is correctly shown in the Synchro files.

No-Build Traffic Volumes

4. **The study's horizon year is 2024, consistent with the stated build-out year of the development. Per Lancaster County guidelines, a horizon year of build-out +1 should have been used in the analyses.** Therefore, a background year of 2025 should have been studied with an additional year of

background growth. However, it is noted that the scoping package indicates that the future conditions would be 2024, and an additional year of 2% growth would not be expected to cause significant changes to the recommendations. **That said, it would be for Lancaster County to determine whether a study of 2025 would be necessary to satisfy the UDO requirements.**

5. Regional growth was stated to be applied to the “through traffic volumes along all major study roadways”; however, it was also applied to the volumes turning in/out of Dobys Bridge Road and Collins Road.
6. **Individual approved development TIA projections were not included in the Appendix, and the associated trips were combined all together in the report; so we were unable to verify.**

Site Trip Distribution and Assignment

7. No site trips were distributed to Collins Road. Based on the proposed retail, office, and commercial land uses, some site trips would be expected to be traveling to/from the residential along Collins Road (and potentially Sandal Brook Road as well).

Build Traffic Volumes

8. It is standard practice to assign pass-by trips to the study area intersections based on adjacent street traffic rather than the site trip distribution.

Capacity Analysis and Recommendations

General Comments

9. SimTraffic simulation was not performed/included in the Appendix; however, it is not specifically stated as a requirement by SCDOT in ARMS.
10. Field-observed peak hour factors (PHFs) were used in existing conditions analyses, but with a minimum of 0.85 which is not standard practice based on SCDOT defaults and not specifically noted in the TIA as to the reasoning.
11. Existing PHFs, with a minimum of 0.85, were used in future conditions instead of 0.9.
12. **Synchro default PHFs of 0.92 were used for the future site access movements instead of 0.9. 0.92 would artificially result in better operations than 0.9.**

US 521 and Sandal Brook Road/Corporate Center Way

13. It is agreed that the proposed site is not expected to have a significant impact on operations at this intersection and therefore, no improvements would be required for capacity purposes.

US 521 and Palmetto Commons Driveway/Proposed Site Driveway 1

14. The southbound approach of US 521 is modeled with a combined left/through lane under existing and background conditions, but that is a future configuration under build conditions when the Proposed Site Driveway 1 creates the 4th leg of the intersection. It should be included in build conditions only.
15. **The identified improvements do not mitigate the eastbound approach of Palmetto Commons Driveway to background conditions, and a change in operational control would be needed to mitigate. The potential for this was not discussed.**
16. Virginia Department of Transportation (VDOT) Road Design Manual warrants were used for right-turn lanes and American Association of State Highway and Transportation Officials (AASHTO) warrants were used for left-turn lanes instead of SCDOT warrants. SCDOT graphs should be reviewed to determine appropriate turn lanes, and SimTraffic max queue lengths would be recommended to confirm that SCDOT minimums would be expected to accommodate them.
17. **The recommended southbound left-turn lane along US 521 would not meet the SCDOT ARMS minimum left-turn lane length of 150 feet.**

- 18. The recommended northbound right-turn taper along US 521 would not be expected to meet the SCDOT ARMS minimum right-turn lane length of 100 feet.**

US 521 and Dobys Bridge Road/Worldreach Drive

19. The signal was modeled with right-turn on red operations allowed for the southbound right-turn movement during the PM peak hour; however, based on Google Street View a “No Turn on Red” sign is present on the southbound approach. Right-turn on red should be verified.
20. It appears that Dallas Permitted-Protected phasing should be modeled for the northbound and southbound left-turn movements along US 521 under all conditions, rather than permitted-protected.
21. It is agreed that the proposed site is not expected to have a significant impact to operations and therefore, should not be responsible for the identified improvements.
22. The identified additional northbound left-turn lane along US 521 to create dual northbound left-turn lanes under *build improved to LOS D* conditions must be modeled with protected-only phasing, rather than permitted-protected.

US 521 and River Road and Collins Road

23. The eastbound, northbound, and southbound left-turn movements are shown to operate with flashing yellow arrow permitted-protected phasing. This is typically modeled as Dallas Permitted-Protected phasing, rather than permitted-protected.
24. The westbound left-turn movement is shown to operate with flashing yellow arrow permitted-only phasing. This is typically modeled as Dallas Permitted phasing, rather than permitted-protected.
- 25. The overall intersection is shown to degrade from LOS D to LOS E during the PM peak hour with the build-out of the site. The identified improvement of signal optimization by SCDOT would be expected to mitigate the proposed site’s impact to the overall intersection, but the westbound approach of Collins Road would be expected to increase significantly in delay during the PM peak hour (85.2s to 449.1s). Though the overall intersection would be mitigated back to LOS D, the suggested optimization may not be recommended; and other mitigation should be considered by the developer.**

General

26. LOS D improvements were noted in the TIS but not included in the LOS summary tables.

We recommend submittal of responses to the technical questions/comments raised above via submittal of an addendum to the TIS or TIS Update.

We appreciate the opportunity to provide these services to you. Should you have any questions concerning this matter please feel free to contact me at 704-954-7470.

cc: Mr. David Gamble, PE, SCDOT
Ms. Allison Love, AICP, SCDOT
Mr. Grady P. Vaughan, PE, Wells + Associates, Inc.



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

March 29, 2022

Brent Cowan
The Isaacs Group
8720 Red Oak Blvd
Charlotte, NC 28217

Project Number	20212791
Project Name	The Arches-Phase 1
Location	8474 Charlotte Hwy
Stage	Preliminary Plat
Parcel(s)	
Status	Not Approved

Dear: Brent Cowan

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

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

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

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

Sincerely,

Plan Review Comments

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

Conditional

Review Comments:

General Comments:

1. The preliminary nature of this plan does not provide adequate detail to formally comment, but the following are items of note from the information given. We understand that some of the concerns raised will be addressed in future submissions.
2. The connection to Parkway Drive makes for better internal traffic flow in the future.
 - a. Is the connection of the two roads going to be completed as a part of this project? In the future?
 - b. Is a cross access agreement with Crossridge for this connection in place?
 - c. Are there any thoughts of obtaining the parcels between Parkway Drive and this project's property line?
3. Previously the Sketch Plan had Phase 1 associated with it. Will this project be phased?
4. This project is located in the Carolina Heelsplitter Overlay District (Lancaster County Ordinance #963). As such, credit(s) will need to be purchased based on overall impervious surface added to the Non-Riparian Zone, and the buffer encroachment(s) planned for the Riparian Buffer Zone. The Buffer Zone impacts are different based on the distance from the stream(s) and the type of streams. A delineation study of all on-site stream will be needed to determine locations and types of stream present. The US Department of Fish and Wildlife will need to verify the number of credits needed for your proposed project once the civil plans are developed further.

Specific Comments:

5. Sheet C1.1
 - a. For any wells on the property- if they are to be demolished, the SC DHEC procedure for properly closing an existing well must be followed.
6. Sheet C3.0
 - a. There is significant cut on the north western and western portion of the site and significant fill on the south eastern and eastern side. Does the earthwork balance?
 - b. It appears there is a bypass Stormwater pipe proposed from the crossline at US 521 to an existing 36" RCP. It is unclear from this plan how this connection will be made. Are you abandoning a portion of the existing 36"? Adding a junction box?
 - c. Erosion protection will be needed at the termination of Driveway C if this roadway is not going to be built all the way to connect with Parkway Drive. Also, traffic barricades will need to be installed and maintained at this location.

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

Conditional

Review Comments:

Addresses will be issued off Charlotte Hwy or World Reach Dr, depending on the parcel and access location.
On page C1.0 please update the "Town" to show Indian Land, Lancaster County
On page C1.0 please update the section that states "The portion of 0013-00-018.00 to be combined into out parcel C" and show the Tax Map number to 0013-00-018.09

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

Approved

Review Comments:

LC Water & Sewer District - James Hawthorne - (803) 285-6919
james.hawthorne@lcwasd.org

Not Approved

Review Comments:

The waterline on Private Driveway A will need to be extended and westerly and shown connecting to the existing 12" waterline running along the southbound side of Hwy. 521.
The LCWSD existing 20" waterline needs to be shown and labeled (also along the southbound side of Hwy. 521).
If Private Driveway C will be connected to Parkway Dr., the proposed 8" waterline also needs to be connected to the 8"

waterline on Parkway Dr. (this project is currently under construction, the Isaacs Group will need to contact ESP/CrossRidge to obtain the design information on the Parkway Dr. waterline).

The waterline tee at the intersection of Private Driveways A & B needs to be shown on the opposite side of the intersection.

The waterline stub-out for Outparcel A should come from the water main, mentioned in the first comment; therefore, eliminating the need for a separate waterline easement.

Do not use a 90-degree bend on Private Driveway C, instead look to use two 45-degree bends.

Planning - Ashley Davis - 803-416-9433

Not Approved

adavis@lancastersc.net

Review Comments:

Development summary:

- Correct zoning to RB and GB and provide associated acreages to each;
- Add GB setbacks;
- Change number of parcels to 8 as the outstanding GB zoned area of outparcel C will be required to be a stand alone parcel until such time as it can be rezoned.
- Correct Town
- Correct Open Space notes

Outparcel C:

- Provide separate acreage for RB and GB zoned area.
- Rephrase note to read "portion of 0013-00-018.09" to be rezoned prior to combination to outparcel C.

LC School District - Jonathan Phipps - (803) 286-6972

No Review Done

Jonathan.Phipps@lcsdmail.net

Review Comments:

SCDOT - David Gamble - (803) 385-4280

Conditional

GambleDD@scdot.org

Review Comments:

This review is a general access location review only and does not include required driveway widths, radius returns, pavement design or any other details.

A full review for compliance with the SCDOT ARMS manual will be conducted when the SCDOT permit is applied for.

If a TIA is required provide it to SCDOT for review.

Agenda Item Summary

Ordinance # / Resolution #: RZ-2022-0332 Vail (Heath Springs)

Contact Person / Sponsor: A. Davis

Department: Planning

Date Requested to be on Agenda: 4/7/2022

Issue for Consideration:

The applicant has requested to rezone a 22.24 -acre parcel on the east side of College Street from R-15 District to IND District. The purpose of the rezoning would be to allow for the construction of an office, workshop, and storage for a General Contractor.

Points to Consider:

The East side of College Street is predominantly zoned R-15 (a residential district). The west side, however, is a mixture of B1, R-15, and IND further to the south.

While the immediately adjacent parcels are zoned R-15, other parcels zoned IND are located approximately 200' to the west of this parcel and 500' to the south.

Recommendation:

Staff recommends **approval** of the request to rezone approximately 22.24 acres (TM# 0133O-0A-007.00) from R-15 District IND District.

ATTACHMENTS:

Description	Upload Date	Type
Planning Staff Report	3/29/2022	Planning Staff Report
Exhibit 1: Application	3/29/2022	Exhibit
Exhibit 2: Location Map	3/29/2022	Exhibit

PROPOSAL:	Request to rezone approximately 22.24 acres of property
PROPERTY LOCATION:	343 College Street (TM# 0133O-0A-007.00)
CURRENT ZONING:	R-15 District
PROPOSED ZONING:	IND District
APPLICANT:	Michael Lee Vail
JURISDICTION:	Town of Heath Springs

OVERVIEW:

Proposal

The applicant has requested to rezone a 22.24 -acre parcel on the east side of College Street from R-15 District to IND District. The purpose of the rezoning would be to allow for the construction of an office, workshop, and storage for a General Contractor.

Site Information

The subject parcel is located on the east side of College Street, directly across from the intersection of Clyde Street and College Street. The subject parcel is currently unimproved.

Summary of Adjacent Zoning and Uses

The East side of College Street is predominantly zoned R-15 (a residential district). The west side, however, is a mixture of B1, R-15, and IND further to the south.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Heath Springs	R-15	Vacant
South	Heath Springs	R-15	Single-Family Residential
East	Heath Springs	R-15	Single-Family Residential
West	Heath Springs	MF; R-15	Housing Authority; Single-Family Residential

ANALYSIS & FINDINGS:

Zoning Districts

Pursuant to the Town of Heath Springs Unified Development Ordinance (UDO) Section 2.1.1, the current R-15 District *“is designed to accommodate a moderately dense single-family residential developments within the Town. The principal use of land is for single-family dwellings and for related recreational, religious and educational facilities normally required to provide an orderly and attractive residential areas. The regulations for this district are intended to discourage any use which, because of its character would interfere with the development of or be detrimental to the quiet residential nature of the area included in the district.”*

UDO Section 2.1.3 describes that the requested IND District as *“designed to accommodate businesses engaged in the manufacturing, processing, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment.”*

Compatibility with Surrounding Area

While the immediately adjacent parcels are zoned R-15, other parcels zoned IND are located approximately 200' to the west of this parcel and 500' to the south.

RELATIONSHIP TO PUBLIC PLANS

Lancaster County Comprehensive Plan Consistency

Pursuant to the County's adopted Comprehensive Plan, the Future Land Use Category of the subject parcel is Urban, which corresponds to the Walkable Neighborhood with Additional Intensity Community Type, which the Comprehensive Plan describes as follows:

The Community Type "Walkable Neighborhood" is synonymous with the Place Type "Mixed-Use Neighborhood." This is due to its very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type has its roots in the traditional character of American communities during the early part of the 20th century, and has been revived in recent decades as a relevant option for future development.

The Comprehensive Plan further establishes several possible land use considerations representing typical development in this Community Type which are depicted in the table below.

Walkable Neighborhood: Land Use Considerations		
Single-Family Detached Home	Single-Family Attached Home (Townhome / Duplex)	Condominium / Apartment
Neighborhood Commercial	Restaurant	Professional Offices
Government Building	Church	School
Community Park / Pocket Park	Natural Area	

INFRASTRUCTURE CONSIDERATIONS

Transportation

The Town of Heath Spring's UDO does not require a Traffic Impact Analysis to be prepared. Therefore there are no recommended improvements at this time.

Public Utilities

Water and Sewer for this site will be provided by the Town of Heath Springs.

Public Schools

This request will not result in additional students.

PHOTOS OF PROJECT AREA:



High angle view looking north towards the subject property.



High angle view looking west toward the subject property.

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone approximately 22.24 acres (TM# 01330-0A-007.00) from R-15 District IND District, subject to the following findings of fact:

1. That the subject application involves parcel TM# 01330-0A-007.00;
2. That the subject parcel is currently zoned R-15 District, and is proposed to be rezoned IND District;
3. That the subject parcel falls within the jurisdiction of the Town of Heath Springs

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map

STAFF CONTACT:

Ashley Davis, Senior Planner
adavis@lancastersc.net | 803-416-9433



Planning Department

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

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

Property Address 343 College St.
 City Heath Springs State SC Zip 29058 Tax Parcel ID 01330-DA-007.00
 Current Zoning Residential Current Use VACANT LAND
 Proposed Zoning Industrial / ^{MU} ~~Gen business~~ Total Acres 22.236
 Project Description Planning on building an office + Workshop for LTM General Contractor.

Surrounding Property Description Homes, Apptmg, Business / MANF.

CONTACT INFORMATION

Applicant Name Michael Lee Vail
 Address 1067 Bee Jay lane
 City Heath Springs State SC Zip 29058 Phone 803-804-1086
 Fax _____ Email LtmLeeVail@gmail.com
 Property Owner Name Richard Williams
 Address PO Box 219
 City Heath Springs State SC Zip 29058 Phone _____
 Fax _____ Email _____

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.

Michael J. Jurek
Applicant

2/16/22
Date

Richard Wilbur
Property Owner(s)

2/11/22
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.
- Rezoning Application Fee – single parcel \$435.00
- Rezoning Application Fee – multi parcel \$610.00

2. Planning Commission

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

3. County Council

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

 Subject Property



Heath Springs
Medical Center



Hanging Rock
Historic Site



Agenda Item Summary

Ordinance # / Resolution #: TA-2022-0445, Town of Kershaw

Contact Person / Sponsor: Robert Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 4/7/2022

Issue for Consideration:

See Staff Report.

Points to Consider:

See Staff Report.

Recommendation:

See Staff Report.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	3/21/2022	Planning Staff Report
Ex 1: Application	3/21/2022	Exhibit
Ex 2: Proposed Text Amendment	3/21/2022	Exhibit

PROPOSAL: Amend the Town of Kershaw Unified Development Ordinances to add Section 3.9, Permissible Uses for Group Homes; add Section 4.2.21, Developmental Standards for Group Homes; and to modify Chapter 19, Definitions.

APPLICABLE CHAPTER(S): Chapters 3, 4, and 19

APPLICANT: Town of Kershaw (Ryan McLemore, Administrator)

PROJECT SUMMARY & PROPOSAL:

The Town of Kershaw has proposed to make text amendments to their Unified Development Ordinances (UDO) with regard to permissible uses, development standards, and definitions as they pertain to Group Homes. This proposal amendment is associated with a desire by the Town to bring their UDO into compliance with S.C. Code Section 6-29-770(E) through (H), as well as the Federal Fair Housing Act.

OUTLINE OF TEXT AMENDMENT:

The following Chapters of the Town of Kershaw UDO are proposed to be amended:

Chapter 3, Permissible Uses:

The proposed text amendment will add a new Section 3.9, Permissible Uses for Group Homes, providing language linking the use to other applicable section of Towns UDO.

Chapter 4, Conditional & Special Exception Uses:

The proposed text amendments will add a new Section 4.2.21, Developmental Standards for Group Homes, providing eleven (11) development standards to be utilized as a part of the approval of Group Homes within the Town. The proposed development standards include, but are not limited to, a maximum number of residents, minimum separation, maximum finished floor area, parking, and plan submittals.

Chapter 19, Definitions:

The proposed text amendment would provide new definitions for Family, and Group Home where none currently exist.

FINDINGS AND CONCLUSIONS:

Town of Kershaw UDO Section 18.6, Recommendation by the Joint Planning Commission, states that the Planning Commission shall make a recommendation to the Town of Kershaw Town Council based upon and consistent with the following:

- a. How the proposed amendment relates to and affects the Town's Comprehensive Land Use and Development Plan.

- b. The validity of the Plan relative to the area under consideration.
- c. The need to correct an error or a deficiency in the ordinance or accompanying map.
- d. Any benefits which would be derived from the proposed amendment.
- e. Any code to the Town in terms of expenditures for public improvements, facilities and services.
- f. Public testimony.
- g. Public interest.

The proposed text amendment has been found to be generally consistent with the applicable provisions of the adopted Comprehensive Plan, and would appear to satisfactorily address the intended purpose of the text amendment – to bring their UDO into compliance with S.C. Code Section 6-29-770(E) through (H), as well as the Federal Fair Housing Act.

STAFF RECOMMENDATION:

Staff recommends **approval** of the proposed text amendment.

ATTACHMENTS:

- 1. Application
- 2. Proposed Text Amendment

STAFF CONTACT:

Robert G. Tefft, Senior Planner
rtefft@lancastersc.net



Planning Department

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

Phone: 803.285.6005, planning@lanastercountysc.net

www.mylanastersc.org

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant
- Fees associated with Application

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended _____ Chapter 19. Definitions – Group Home definition to be added and Family definition amended _____

Current Text _____ Family Definition – One (1) or more persons related by blood or marriage, adoption, or guardianship, not more than (5) persons not related, occupying a dwelling unit and living as a single housekeeping unit, and not more than 9 mentally or physically handicapped persons for whom care is provided on a 24hr basis, in accord with Title 6-29-770 of the SC Code of Laws. Domestic servant employed on the premises may be housed on the premises. _____

Proposed Text _____ Group Homes Defined – (see attached proposed ordinance)

Family Definition- (see attached proposed ordinance)

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Ryan McLemore, Administrator, Town of Kershaw

Address 113 S. Hampton St.

City Kershaw State SC Zip 29067 Phone (803)475-6065

Fax (803)475-4405 Email ryan.mclemore@townofkershawsc.gov **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.

Town of Kershaw *Ryan McEmore*
Applicant

02/23/2022
Date

Lisa and Clyton Roberson

02/23/2022
Date

Property Owner(s)

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.
- Text Amendment Application Fee - \$435.00

2. Planning Commission

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

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval

January, 2020

State of South Carolina	*	
	*	Ordinance #2022-02
County of Lancaster	*	
	*	
Town of Kershaw	*	

An Ordinance To Amend the Town of Kershaw Unified Development Ordinances concerning certain uses in the R-6 and R-15 residential districts and establishing developmental standards for group homes.

WHEREAS, the Town Council has determined that it is in the best interest of the Town and its inhabitants to revise the allowable uses in the single-family lot residential districts of R-15 Moderate Density Residential District and R-6 High Density Residential District; and

WHEREAS, the Council is mindful of the protections granted by S.C. Code Section 6-29-770 (E) through (H) and by the Federal Fair Housing Act to certain residential properties that operate as group homes for individuals on the basis of characteristics described by the State Code section and protected by the Act; and

WHEREAS, the Council has determined that reasonable development standards as to land use and structural characteristics, as described in this Ordinance, are appropriate and required by group homes in the R-6 and R-15 residential districts.

BE IT ORDAINED by the Mayor and Council of the Town Of Kershaw, in lawful assembly, that:

Section 1. Group Home Definition

Chapter 19 of the Unified Development Ordinance (UDO) of the Town is hereby amended to add, in the appropriate alphabetical position, the following definition:

GROUP HOME: A residence for persons requiring care or supervision. For the purposes of this UDO, a “group home” qualifying as a permitted use shall be defined as a home that exclusively serves individuals with protected characteristics under the Federal Fair Housing Act or exclusively serves individuals described in S.C. Code Section 6-29-770 (E) through (H), and that complies with the development standards for a group home provided in Section 4 of the UDO. Group homes serving individuals that are not protected under the Federal Fair Housing Act and/or S.C. Code Section 6-29-770 (E) through (H) shall not be considered a family for the purposes of the UDO and shall be treated as a non-residential use subject to the regulations outlined for each respective zoning district.

1. The Federal Fair Housing Act defines persons with a disability to mean those individuals with mental or physical impairments that substantially limit one or more major life activities. The term mental or physical impairment may include conditions such as blindness, hearing impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. The term major life activity may include seeing hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, or working. The Fair Housing Act also protects persons who have a record of such an impairment or are regarded as having such an impairment.

Current users of illegal controlled substances, persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders are not considered disabled under the Fair Housing Act by virtue of that status.

The Fair Housing Act affords no protections to individuals with or without disabilities that present a direct threat to the persons or property of others. Determining whether someone poses such a direct threat must be made on an individualized basis.

2. S.C. Code Section 6-29-770 (E) through (H) refers 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. 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.

Section 2. Family Definition

Chapter 19 of the UDO of the Town is hereby amended to add, in the appropriate alphabetical position the following definition:

FAMILY: An individual, or two (2) or more persons related by blood or marriage living together, or a group of individuals of not more than five (5) persons who are not related by blood or marriage but are living together as a single housekeeping unit. The provisions of this definition do not apply to a group home of up to six (6) persons that exclusively serves individuals with protected characteristics under the Federal Fair Housing Act or to a group home of up to nine (9) persons that exclusively serves individuals meeting the description contained in S.C. Code Section 6-29-770 (E) through (H), and that complies with the development standards for group homes provided in Section 4 of the UDO.

Group homes serving individuals that are not protected under the Federal Fair Housing Act and/or S.C. Code Section 6-29-770 (E) through (H) shall not be considered a family for the purposes of the UDO and shall be treated as a non-residential use subject to the regulations outlined for each respective zoning district.

Section 3. Permissible Uses for Group Homes

A new Section 3.9 is hereby added to Chapter 3 of the Town's UDO to read as follows:

Section 3.9 Permissible Uses for Group Homes

A group home that complies with the definitions of Group Home and Family in Section 19 of the UDO and with all the Developmental Standards for Group Homes in Section 4.2.21 of the UDO is permitted in the R-6 and R-15 residential districts.

Section 4. Developmental Standards for Group Homes

A new Section 4.2.21 is hereby added to Chapter 4 of the Town's UDO to read as follows:

Section 4.2.21 Developmental Standards for Group Homes

Group homes intended to exclusively serve individuals with protected characteristics under the Federal Fair Housing Act and to exclusively serve those described in S.C. Code Section 6-27-770 (E) through (H), as further defined and described in this UDP located in R-6 and R-16 zoning districts are subject to the following development standards addressing land use and structural characteristics.

A use application shall be submitted to the Planning Department addressing Items (a) through (h) below prior to occupying any structure.

- a. Maximum of six (6) facility residents, not including resident on-site staff. Under no circumstances shall there be more than two (2) residents per bedroom;
- b. A minimum of 3,500 feet separation (structure to structure) from any other group home facility;
- c. Maximum finished floor area not to exceed 3,500 square feet;
- d. A structure with an existing garage shall not convert the attached garage into a conditioned habitable living space;
- e. The facility shall provide on-site parking that gives the visual appearance of a single-family dwelling. This shall include a driveway of a residential scale with no on-street parking permitted to accommodate required parking. Any additional parking beyond the minimum numbers listed below shall be located in the rear of the dwelling.
 1. A minimum of one parking space shall be provided for each vehicle operated by the facility;
 2. A minimum of one parking space shall be provided for the maximum number of staff on-duty during daytime hours;

3. Parking shall be reviewed in a manner similar to that of a single-family dwelling where driveway length, width, and garage space will count toward required parking areas.
- f. No commercial garbage collection containers/collection services shall be permitted for any group home facility located in a single-family residential dwelling in a residential zoning district.
- g. A scaled site plan based on an as-built survey of the property showing building placement, parking, access, garbage collection areas, and similar features shall be submitted in conjunction with use application;
- h. Scaled building floor plans depicting sleeping areas, eating areas, sanitary facilities, recreation areas, office/employee areas, kitchen/pantry space, and laundry/utility spaces shall be submitted in conjunction with use application.

Section 5. Conflicting Ordinances

All ordinances, or parts of ordinances, in conflict with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 6. Severability

If any chapter, article, section or subsection, sentence, clause, or phrase of this Ordinance is for any reason declared to be unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

Section 7. Implementation

The provisions of this Ordinance shall become effective upon its final adoption.

First Reading:

Second Reading:

Mayor Mark Dorman

Attest: _____

Town Clerk Alicia DeBruhl

John S. Connell III

Michael Cook

Harvey Truesdale

Randy Seegars

Danny Williams

Bobbie Faulkenberry

Agenda Item Summary

Ordinance # / Resolution #: Board Member of the Year Nominations

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 4/7/2022

Issue for Consideration:

Points to Consider:

Recommendation: