



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
Thursday April 7, 2022 5:00 p.m.

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

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

Commissioners Present:

Charles Keith Deese	Ben Levine	James Barnett
Sheila Hinson	Alan Patterson	

Absent: Tamecca Neely

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

Staff Present:

Rox Burhans	Clerk: Jennifer Bryan
Robert Tefft	

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.

Called vote: 5:0. Motion approved unanimously.

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

Chairman Deese opened the floor to comments from the public. No citizens had signed in for comment; citizen's comments closed.

4. APPROVE MINUTES

a. March 3, 2022 Workshop Minutes

Chairman Deese called for a motion to approve March 3, 2022 Workshop Minutes as written. Motion to Approve by Ben Levine; 2nd by James Barnett.

Called vote: 5:0. Motion approved unanimously

b. March 15, 2022 Regular Minutes

Chairman Deese called for a motion to approve March 15, 2022 Regular Minutes as written. Abstention by Ben Levine and Sheila Hinson as absent from 3/15/22 meeting. Motion to Approve by James Barnett; 2nd by Alan Patterson.

~~Called vote: 3:0 (2 abstentions). Motion is approved.~~

[It was subsequently noted that this was insufficient for a quorum. 3/15/2022 minutes will be added to a later agenda for approval.]

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.

Staff Presentation: Robert Tefft, Senior Planner, presented the application consistent with the staff report. Staff Recommendations: Approval (Conditional on resolution of outstanding TRC and TIA comments within 60 days)

Questions to staff: Ben Levine raised concerns about the access on Hwy 521 being a hazard, and asked what remedy there might be to address the problems, and whether the highway access on the plan was the developer's idea or derived from staff input. Tefft responded that it was part of the developer's plan from the beginning.

Comment from applicant(s):

Brent Cowan (Isaacs Group): The access to Hwy 521 is aligned with an existing median break; SC DOT has approved the TIA.

Questions from Commissioners: none further

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

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

SD-2021-2791 The Arches.

Motion to approve, with stated conditions, by Ben Levine; 2nd by James Barnett.

Discussion: Ben Levine commented that he understands that existing conditions on Hwy 521 are what they are, but asks that staff and Commissioners do whatever they can to address and alleviate the problems of cross traffic.

Alan Patterson expressed that he was even more strongly opposed to plans that contribute to hazards due to traffic on Hwy 521, and feels it is a disservice to the community not to address these problems.

Called vote: 3:2. **Motion is approved.**

A Patterson: Against

J Barnett: For

B Levine: For

C Deese: For

S Hinson: Against

Commissioner Sheila Hinson was excused from hearing, recusing herself from consideration of item 5b.

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.

Staff Presentation: Rox Burhans, Development Services Director (in the absence of Ashley Davis), presented the application consistent with the staff report.

Staff Recommendations: Approval, as consistent with Heath Springs comprehensive plan and ordinances.

Questions to staff: Ben Levine asked if there is a standard of proximity (e.g. number of feet or yards distant) for parcels not contiguous with similar zoning? Burhans responded that planners consider overall impact rather than a specific proximity measurement, and the area in consideration is characterized by mixed zoning.

Comment from applicant(s):

Michael Lee Vail (Heath Springs): His intent is to reduce the actual acreage of industrial/commercial use at a later date, and to utilize buffering plantings around the area that remains industrial.

Questions from Commissioners: Alan Patterson thanked Mr. Vail for his input, and commented that he was more confident in Mr. Vail's assurances than he would be from a corporate entity.

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

Chairman Deese closed Public hearing and called for a motion on item **RZ-2022-0332 Vail.**

Motion to approve, incorporating findings of fact on page 42 of Agenda/staff report, by Alan Patterson; 2nd by James Barnett.

Discussion: Ben Levine thanked Mr. Vail for attending and providing information.

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

A Patterson: For

B Levine: For C Deese: For

S Hinson: RECUSED (see attached Recusal form)

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

Commissioner Sheila Hinson returned to the meeting after vote on 5b concluded.

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.

Staff Presentation: Robert Tefft, Senior Planner, presented the application consistent with the staff report. Staff Recommendations: Approval as consistent with requirements for amending Unified Development Ordinance.

Questions to staff: none

Comment from applicant(s):

Ryan McLemore (Kershaw Town Administrator): the amendment arose after an application for rezoning to accommodate a group home was denied; legal counsel advised that amendment was necessary to bring UDO in compliance with federal and state fair housing regulations.

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
TA-2022-0445 Town of Kershaw.

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

Discussion: Ben Levine thanked staff for their review and presentation.

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

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

6. NEW BUSINESS

Other: **Board Member of the Year Nominations:** Rox Burhans called for nominations for Board Member of the Year, to be referred to Council committee for recognition in June 2022.

Ben Levine proposed Charles Deese as the nominee from Planning Commission; James Barnett seconded the proposal. No other nominees were proposed. Mr. Deese was nominated by acclamation. Staff will prepare the nomination paperwork before next meeting of April 19, 2022.

Overview of Next Month's Agenda

- **April 19th Agenda:** one preliminary plat for the next Edgewater phase (Sunset Pointe); and a revote on Jon Gabriel Hardy application, as a precaution due to posted notice on property being unconfirmed.
- **May 17th Agenda;** currently 5 rezonings with 2 associated preliminary plats; and possibly the Interim Ordinance, which was rescheduled from this month because County Council asked that it be presented to the Committee of the Whole on April 13th before going to Planning Commission.

Chairman Deese asked if the agenda in May could be split, and the 5/5 Workshop changed to a full voting meeting to accommodate this. Mr. Burhans, commissioners and staff discussed logistics and publication requirements of this proposal, and the decision was made to work out the splitting of agenda items in the upcoming week to reach the best solution.

New Hire: Mr. Burhans announced that Matthew Blaszek had accepted our offer of employment and will be joining staff at the end of May.

RFATS Traffic Study: In a continuation of discussion about problems with Hwy 521 traffic access in the panhandle, Mr. Burhans informed Commissioners of new activity by RFATS engaging WSP Transportation Planning to do a study of the Hwy 521 Corridor with an eye to recommending necessary improvements. This study will be used by the Comprehensive Plan in addressing development in the corridor.

7. ADJOURN

Motion to adjourn by Ben Levine. Approved by unanimous consent. Meeting adjourned at 6:06 pm.



PLANNING COMMISSION Public Hearing Sign In Sheet

A handwritten signature in black ink, appearing to be "D. D.", is located to the left of the "Item 3" heading.

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
Thursday, April 7, 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 5a: SD-2021-2791 The Arches

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PLANNING COMMISSION Public Hearing Sign In Sheet



Item 5b: RZ-2022-0332 Vail (Heath Springs)

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Item 5c: TA-2022-0445 Town of Kershaw

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STATEMENT OF RECUSAL

In accordance with State Code § 8-13-700(b), I hereby abstain from all votes, deliberations, and other action on the following matter(s): Rezoning of 343 College St., Heath Springs, SC.

SECTION 8-13-700. Use of official position or office for financial gain; disclosure of potential conflict of interest.

(B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated shall:

- (1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;
- (2) if the public official is a member of the General Assembly, he shall deliver a copy of the statement to the presiding officer of the appropriate house. The presiding officer shall have the statement printed in the appropriate journal and require that the member of the General Assembly be excused from votes, deliberations, and other action on the matter on which a potential conflict exists;
- (3) if he is a public employee, he shall furnish a copy of the statement to his superior, if any, who shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take the action prescribed by the State Ethics Commission;
- (4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of any agency, commission, board, or of any county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes;
- (5) if he is a public member, he shall furnish a copy to the presiding officer of any agency, commission, board, or of any county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and shall require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause such disqualification and the reasons for it to be noted in the minutes.

Reason(s) for Disqualification:

Commissioner Hinson is a Realtor & is the listing & selling agent for this transaction which would be a "Conflict of Interest" to vote as a Commissioner.

Name: Spencer Hinson Date: 4-8-22
Planning Commissioner