

**Planning Commission Meeting
December 16, 2015
New Business Item**

Annexation Request: 1544 Sam Smith Road

An ordinance annexing York County Tax Map Number 657-00-00-114, containing approximately 4.48 +/- acres at 1544 Sam Smith Road

Background / Discussion

The town has received an annexation application from Darryl W. Trull, for York County Tax Map Number 657-00-00-114. This parcel contains a total of approximately 4.48 +/- acres located at 1544 Sam Smith Road. A property map and description are attached for reference.

The subject parcel is adjacent to land owned by the Town of Fort Mill, and across Harris Road from property owned by Ramon and June Luddington. Per the town's zoning map, these parcels have been annexed into the town limits and have a zoning designation of LI Limited Industrial. To the north, the property is bordered by an existing residence, which is zoned RC-I per York County GIS. Freeman's Body Shop, which is zoned BD-III, is located on the opposite side of Sam Smith Road.

The subject property is currently zoned RC-I per York County GIS. The county's RC-I district allows single-family residences and modular homes (min. 10,000 sf per dwelling). Other permitted uses include agricultural (field crops and orchards/groves), equestrian uses, day care homes, religious institutions, parks, and schools. The RC-I District also requires 20% min. open space.

The applicant has requested a zoning designation of LI Limited Industrial upon annexation. The LI district allows a variety of commercial uses, including: wholesale and retail sales, light manufacturing, warehouse and storage, automotive sales and repair, office, and other similar uses. Lots must generally have a minimum area of 10,000 square feet, a 75' minimum lot width, and minimum setbacks of 35' (front), 10' (sides) and 35' (rear). Additional setbacks and screening may be required as part of the commercial appearance review process, particularly in areas that border a residential zoning district.

Recommendation

The property is contiguous to the town limits and is, therefore, eligible for annexation.

The subject property is located within an area that has been designated as "Medium-Density Residential" on the Town of Fort Mill's Future Land Use Map, last updated in January 2013. The comprehensive plan identifies "Medium Density" as 3-5 dwelling units per acre.



Though our recommendations are rarely inconsistent with the recommendations of the Future Land Use Map, in this instance, the Planning Department supports the annexation request with a zoning designation of LI Limited Industrial. Below is a summary of relevant information pertaining to our recommendation:

Density / Zoning Designation

Given the size and location of the property, staff believes that a zoning designation of LI would be appropriate in this situation. The property is bordered on two sides by LI zoned property, and is located across the street from an existing automotive repair garage (zoned BD-III in York County), which would be a permitted use in the town's LI district. With the property's limited footprint, as well as its proximity to I-77, we see limited viability for residential development. With more than 5,000 residential units planned to be built in the next ten years, we believe there will be no shortage of available residential development. Therefore, we support the zoning designation of LI.

Traffic Impact

The estimated traffic impact would depend on the type and scale of future development. At less than 5 acres, any anticipated light manufacturing, warehouse or storage related use on the property would be expected to generate a fairly modest traffic impact, especially at AM and PM peak travel times. While traffic counts are not available for Sam Smith Road, Harris Road currently operates at less than 50% capacity (4,000 trips per day), per SCDOT traffic counts.

Utility Impact

The subject property would be served by the Riverview Water District (water) and the Town of Fort Mill (sewer). As with all other projects, any upgrades necessary to serve the project would be borne by the applicant. An existing sewer line, installed by MI Homes to serve the Sutton Mill subdivision, runs across the subject property.

Fire Service

The subject property is located approximately 2.2 miles (ordinary driving distance) from the town's fire station on Tom Hall Street, which is well within the ISO recommended distance of 5 miles.

School Impact

The LI zoning district does not permit residential development. Therefore, there would be no enrollment impact to the Fort Mill School District. Future development on the property would be taxed at the 6% commercial assessment rate for school operations and bond repayments.

If the property were to be zoned residential, the anticipated yield would be estimated between 13 (3.0/acre) and 22 (5.0/acre) residential units. Using the school district's formula, this would generate an estimated 8-14 additional students.

For these reasons, staff recommends in favor of annexation with a zoning designation of LI.

The Planning Commission reviewed the request during its meeting on December 16, 2015. Below is an excerpt from the meeting minutes:

Planning Director Cronin provided a brief overview of the request, the purpose of which was to consider an annexation request submitted by Darryl Trull for a 4.48 acre tract located at 1544 Sam Smith Road. The applicant requested a zoning designation of LI Limited Industrial. Planning Director Cronin stated that the future land use map in the town's comprehensive plan identified the parcel as medium-density residential, but noted that the property was bordered on two sides by LI zoned property. An auto repair business on the opposite side of Sam Smith Road is zoned BD-III in the county, but contained a use that would be consistent with the town's LI zoning district. Given the property's size and proximity to I-77, it was staff's opinion that the highest and best use for the property was likely LI.

Mr. Hudgins questioned how close the property was to neighboring residential uses. Assistant Planner pulled up a map on the screen and showed one residential parcel on the opposite side of Sam Smith Road, and another residence bordering the property on the north. The applicant, Darryl Trull, stated that he had an option to purchase the neighboring residence at a later date. Mr. McMullen asked the applicant what he intended to develop on the property. Mr. Trull stated that he hasn't settled on a specific use, but was considering either auto repair or personal storage units.

Mr. Garver made a motion to recommend in favor of the annexation with a zoning designation of LI. Mr. Petty seconded the motion. Chairman Traynor called for a vote on the motion:

<u>In Favor</u>	<u>Opposed</u>
Traynor	McMullen
Hudgins	Lettang
Garver	
Petty	

The motion passed by a vote of 4-2.

Joe Cronin
Planning Director
December 18, 2015

Date:

Dennis Pieper
Town Manager
Town of Fort Mill
PO Box 159
Fort Mill, SC 29716

Re: Request for Annexation

Dear Mr. Pieper:

As the owners of the property indicated below, I/we respectfully request that the Town of Fort Mill annex the property into the Town limits. I/we also request that the property be zoned upon annexation as indicated. Thank you for your consideration.

Property Address: 1544 Sam Smith Road

Tax Map Number: 6570000114

Total Acreage: 4.48 Acres

Zoning Designation Requested: LI Limited Industrial

Property Owners:

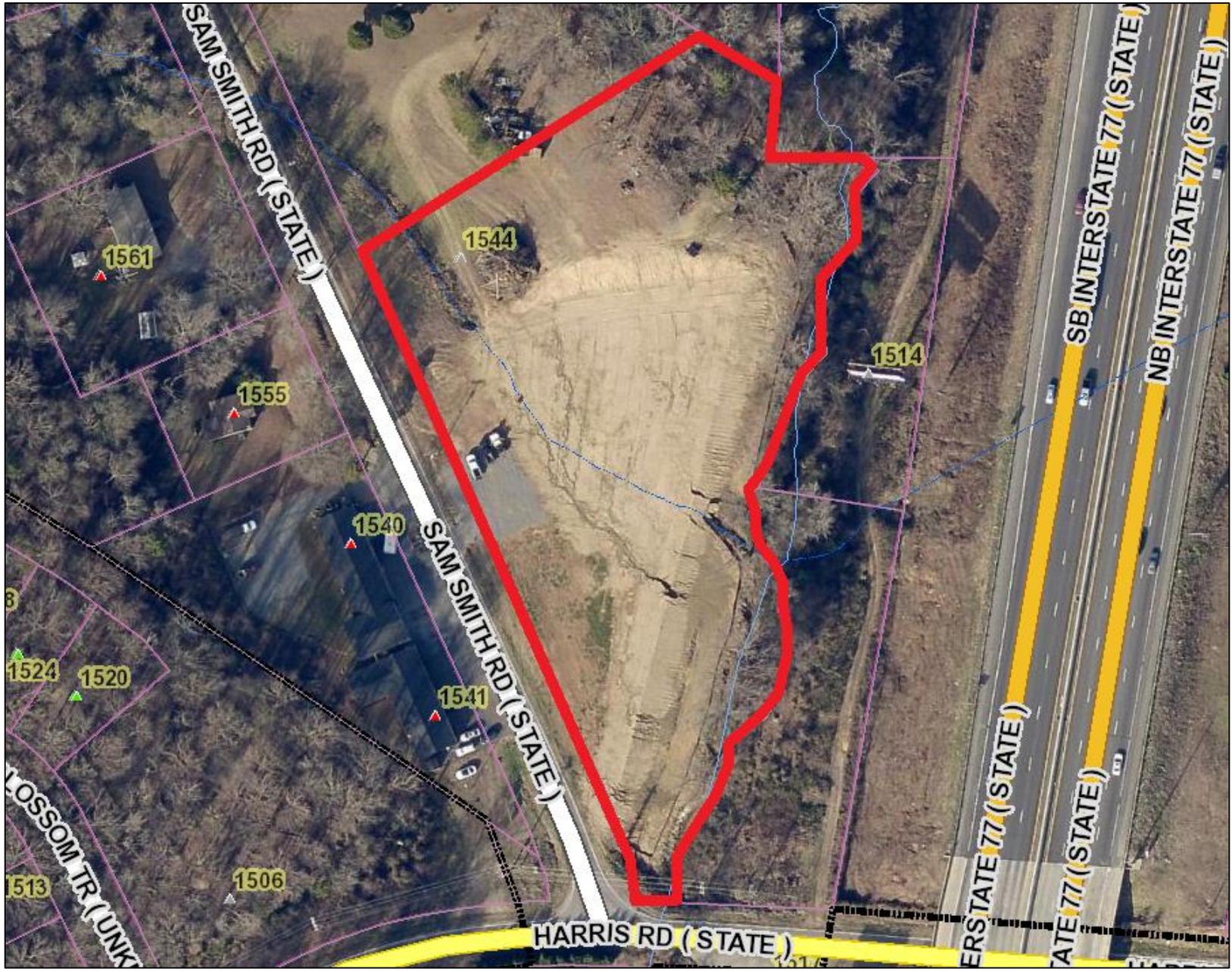
Print Name(s):

Signature(s):

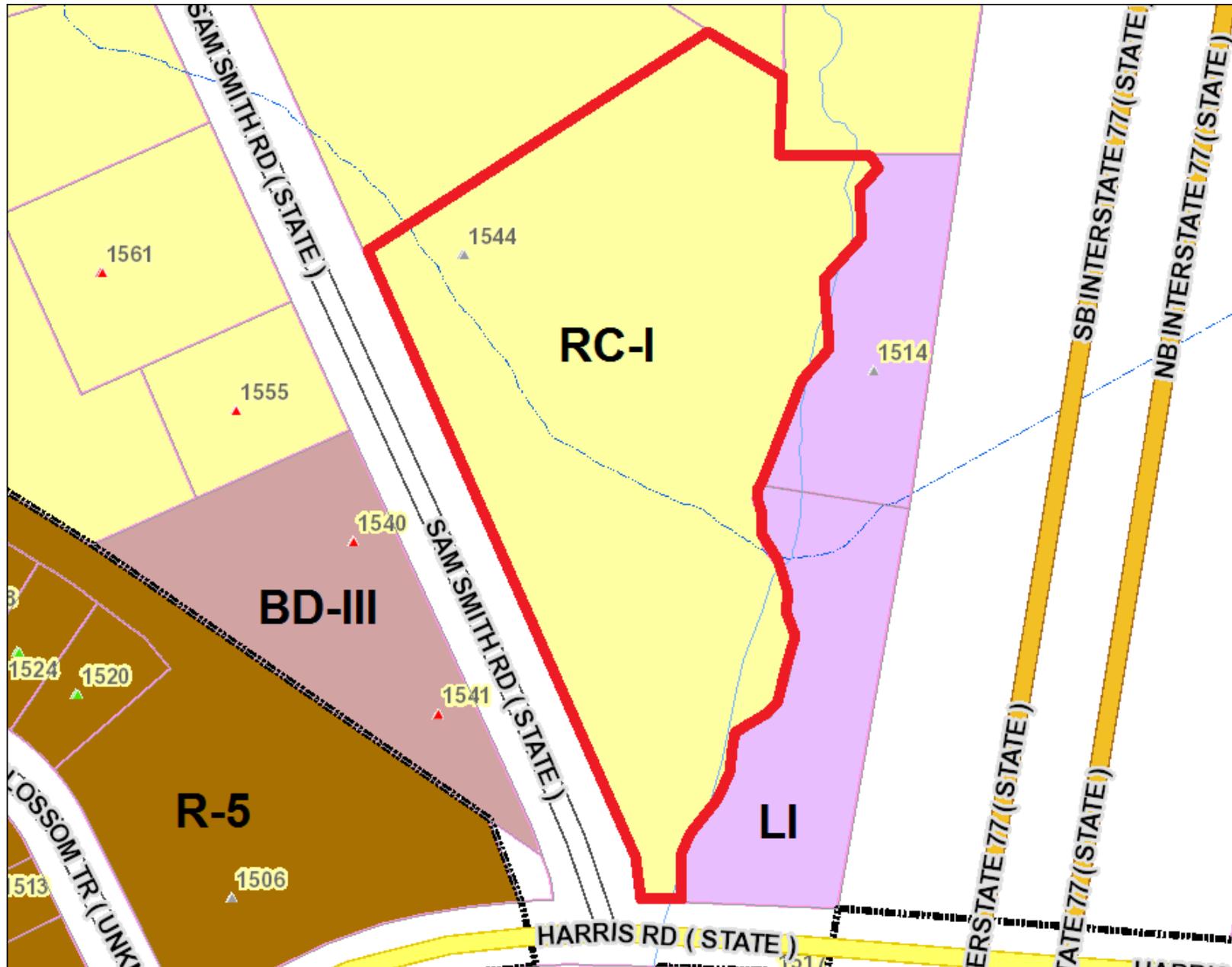
Darryl W. Trull

Darryl W. Trull

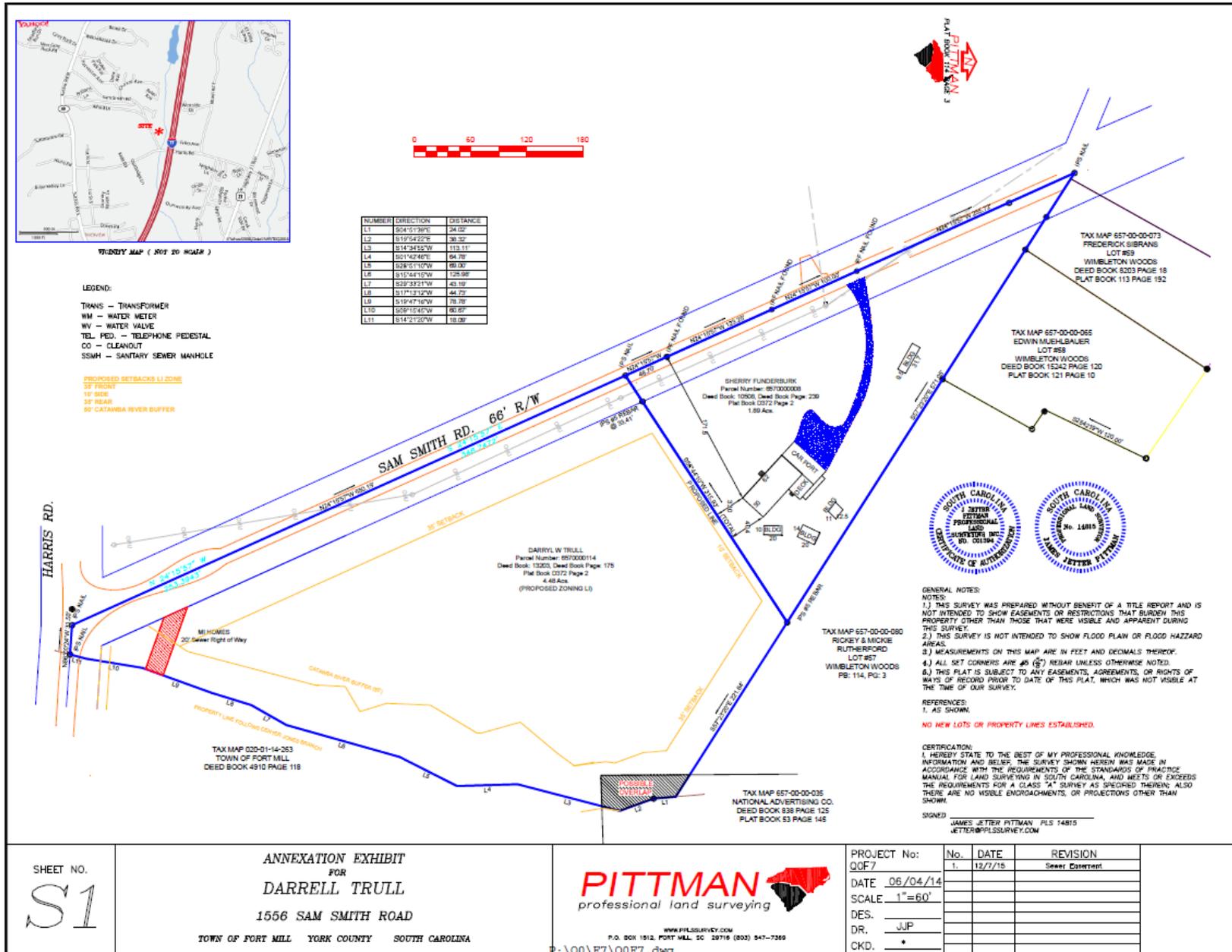
Property Map



Zoning Map



Property Survey



SHEET NO.
S1

ANNEXATION EXHIBIT
 FOR
DARRELL TRULL
 1556 SAM SMITH ROAD
 TOWN OF FORT MILL YORK COUNTY SOUTH CAROLINA

PITTMAN
 professional land surveying

WWW.PLLSURVEY.COM
 P.O. BOX 1512, FORT MILL, SC 29716 (803) 547-7366

PROJECT No:	No.	DATE	REVISION
Q067	1.	12/7/15	Sever Easement
DATE 06/04/14			
SCALE 1"=60'			
DES. JJP			
DR. JJP			
CKD. *			

STATE OF SOUTH CAROLINA
TOWN COUNCIL FOR THE TOWN OF FORT MILL
ORDINANCE NO. 2016-___

AN ORDINANCE ANNEXING YORK COUNTY TAX MAP NUMBER 657-00-00-114, CONTAINING APPROXIMATELY 4.48 +/- ACRES AT 1544 SAM SMITH ROAD

WHEREAS, a proper petition was submitted to the Fort Mill Town Council on December 9, 2015, by Darryl W. Trull (the "Property Owner"), requesting that York County Tax Map Number 657-00-00-114, said parcel being owned fully by the Property Owner, be annexed to and included within the corporate limits of the Town of Fort Mill under the provisions of S.C. Code Section 5-3-150(3); and

WHEREAS, the Planning Commission of the Town of Fort Mill, in a duly called meeting on December 16, 2015, made its recommendation in favor of annexation, and that upon annexation, the aforesaid area shall be zoned under the Town's Zoning Code, as follows: LI Limited Industrial; and

WHEREAS, a public hearing was advertised and held at 7:00 pm on January 11, 2016, during a duly called regular meeting of the Town Council of the Town of Fort Mill; and

WHEREAS, Section 5-3-150(3) of the Code of Laws of the State of South Carolina, as amended, provides that any area or property which is contiguous to a municipality may be annexed to the municipality by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete; and

WHEREAS, using the definition of "contiguous" as outlined in S.C. Code Section 5-3-305, the Town Council has determined that the above referenced property is contiguous to property that was previously annexed into the corporate limits of the Town of Fort Mill; and

WHEREAS, the Town Council has determined that annexation would be in the best interest of both the property owner and the Town of Fort Mill;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fort Mill in Council assembled:

SECTION I. Annexation. It is hereby declared by the Town Council of the Town of Fort Mill, in Council assembled, that the incorporated limits of the Town of Fort Mill shall be extended so as to include, annex and make a part of said Town, the described area of territory above referred to, being more or less 4.48 acres, the same being fully described in Exhibit "A" attached hereto, and contiguous to land already within the Town of Fort Mill. Pursuant to S.C. Code Section 5-3-110, this annexation shall include the whole or any part of any street, roadway, or highway abutting the above referenced property, not exceeding the width thereof, provided such street, roadway or

highway has been accepted for and is under permanent public maintenance by the Town of Fort Mill, York County, or the South Carolina Department of Transportation.

SECTION II. Zoning Classification of Annexed Property. The above-described property, upon annexation into the corporate limits of the Town of Fort Mill, shall be zoned, as follows: LI Limited Industrial.

SECTION III. Voting District. For the purpose of municipal elections, the above-described property, upon annexation into the incorporated limits of the Town of Fort Mill, shall be assigned to and made a part of Ward One (1).

SECTION IV. Notification. Notice of the annexation of the above-described area and the inclusion thereof within the incorporated limits of the Town of Fort Mill shall forthwith be filed with the Secretary of State of South Carolina (SCSOS), the South Carolina Department of Public Safety (SCDPS), and the South Carolina Department of Transportation (SCDOT), pursuant to S.C. Code § 5-3-90(E).

SECTION V. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION VI. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2016, having been duly adopted by the Town Council for the Town of Fort Mill on the ____ day of _____, 2016.

First Reading: January 11, 2016
Public Hearing: January 11, 2016
Second Reading: January 25, 2016

TOWN OF FORT MILL

Gynn H. Savage, Mayor

LEGAL REVIEW

ATTEST

Barron B. Mack, Jr, Town Attorney

Virginia Burgess, Town Clerk

EXHIBIT A

Property Description

All those certain pieces, parcels or tracts of land lying, being and situate in Fort Mill Township, County of York, State of South Carolina, containing 4.48 acres, more or less, containing all the property shown in the map attached as Exhibit B, and being more particularly described as York County Tax Map Number 657-00-00-114.

Pursuant to S.C. Code Section 5-3-110, this annexation shall include the whole or any part of any street, roadway, or highway abutting the above referenced property, not exceeding the width thereof, provided such street, roadway or highway has been accepted for and is under permanent public maintenance by the Town of Fort Mill, York County, or the South Carolina Department of Transportation.

EXHIBIT B

Property Map
York County Tax Map Number 657-00-00-114

