



**Town of Fort Mill
Town Council Meeting Minutes
September 26, 2016
7:00 AM**

Present: Mayor Savage, Councilman Helms, Councilman Shirey, Councilman Huntley, Councilwoman Heemsoth and Councilwoman McCarley were present. Councilman Moody was absent. Dennis Pieper, Manager and Virginia Burgess, Town Clerk, were present.

The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI; Fort Mill Times and WBTV. The agenda was also posted on the board outside of the entrance to Town Hall the required length of time and on the Town website.

Mayor Guynn Savage opened the meeting, led the pledge of allegiance and offered the invocation.

MINUTES

Town Council Meeting Minutes for 9-12-2016

Councilwoman McCarley made a MOTION to approve the minutes of the 9-12-16 Town Council Meeting minutes. SECONDED by Councilman Helms. Passed 6-0.

PUBLIC COMMENT

No Citizens signed up for Public Comment.

PRESENTATIONS

Presentation #1

Recognition of Jason Ratterree, Athletic Superintendent with Parks and Recreation, for graduating last week from the South Carolina Recreation & Park Association (SC LEAD Program). SC LEAD stands for Leadership, Enhancement, and Development Institute.

Brown Simpson, Parks and Recreation Director, explained that Jason Ratterree is the first graduate from the Town of Fort Mill to graduate from this year long program. Mayor Savage presented Mr. Ratterree with his certificate of completion.

PUBLIC HEARING

Public Hearing Item #1

An ordinance authorizing the entry by the Town of Fort mill into a Development Agreement with Pace Development Group, Inc., for property located at York County Tax Map numbers 020-12-01-191, 020-12-01-192, 020-12-01-193, and 020-12-01-194, such parcels containing approximately 44.8 +/- acres located on Fort Mill Parkway; authorizing the execution and delivery of such Development Agreement; and other matters relating thereto. [This is the first of two required public hearings]

Mayor Savage opened the floor for Public Hearing #1. No one came forth to speak.

Mayor Savage announced that this is the first of two required public hearings. The second Public Hearing for this item will be held on October 10th, 2016.

OLD BUSINESS ITEMS

Old Business Item #1

Second Reading: An ordinance adopting a Historic District Design Guidelines Manual for new construction, rehabilitation, and modifications to existing buildings within the Town of Fort Mill Historic Preservation Overlay District

Councilwoman McCarley made a MOTION to approve Second Reading of the ordinance in Old Business Item #1. SECONDED by Councilwoman Heemsoth. Passed 6-0.

Old Business Item #2

Second Reading: An ordinance annexing York County Tax Map Numbers 738-00-00-082, 738-00-00-083 and 738-00-00-084, containing approximately 3.36 acres located at the intersection of Haire Road and Fort Mill Parkway (*Ward 4: Moody*)

Joe Cronin, Planning Director, told Council that there were no changes from First Reading on this item.

Councilwoman McCarley made a MOTION to approve the ordinance in Old Business Item #2. SECONDED by Councilman Shirey. Passed 6-0.

Old Business Item #3

Second Reading: An ordinance annexing York County Tax Map Number 659-00-00-003, containing approximately 0.42 +/- acres located at 314 Sutton Road (*Ward 1: Shirey*)

Councilman Shirey made a MOTION to approve Second Reading of the ordinance in Old Business Item #3. SECONDED by Councilman Huntley. Passed 5-1. Councilwoman McCarley opposed.

Old Business Item #4

Second Reading: An ordinance annexing York County Tax Map Number 659-00-00-002, containing approximately 0.46 +/- acres located at 322 Sutton Road (*Ward 1: Shirey*)

Councilman Huntley made a MOTION to approve Second Reading of Old Business Item #4. SECONDED by Councilman Shirey. Passed 5-1. Councilwoman McCarley opposed.

Old Business Item #5

Second Reading: An ordinance amending the Code of Ordinance for the Town of Fort Mill; Chapter 2, Administration; Article IV, Finance and Taxation; so as to add a new division, to be called Division 4, Economic Development Incentives.

Councilwoman McCarley made a MOTION to approve Second Reading of the ordinance in Old Business Item #5. SECONDED by Councilman Helms. Passed 6-0.

Old Business Item #6

Second Reading: An Ordinance to raise revenue by setting the tax millage for the Town of Fort Mill, South Carolina for the tax year ending December 31, 2016, and for the fiscal year ending September 30, 2017.

The Mayor noted that this is not an increase in taxes. This is a standardized process to set the millage rate each year.

Councilwoman McCarley made a MOTION to approve Second Reading of Old Business Item #6. SECONDED by Councilman Shirey. Passed 6-0.

Old Business Item #7

Second Reading: An Ordinance to adopt the budget for the Town of Fort Mill, South Carolina for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

Dennis Pieper, Town Manager, stated that there were no changes made to the proposed budget since first reading.

Councilwoman Heemsoth made a MOTION to approve Second Reading of the ordinance to adopt the budget for FY 16/17. SECONDED by Councilman Shirey. Passed 6-0.

NEW BUSINESS ITEMS

New Business Item #1

First Reading: An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Numbers 020-12-01-191, 020-12-01-192, 020-12-01-193, and 020-12-01-194, such parcels containing approximately 44.8 +/- acres located on Fort Mill Parkway, from PND Planned Neighborhood Development to R-15 Residential (*Ward 4: Moody*)

Joe Cronin, Planning Director explained that this property is located on Fort Mill Parkway, across from the main entrance to the future High School #3. He stated that the applicant has requested to change the zoning designation from PND to R-15 Residential, with the intent of developing a single-family residential subdivision. The R-15 district is intended for “low-to-medium density residential” development. The R-15 district allows single-family residences, public facilities, and non-commercial agricultural uses by right, as well as daycare facilities, public utility substations and religious institutions as conditional uses.

Mr. Cronin said that primary access to and from the property will be via Fort Mill Parkway, a two-lane undivided highway with a posted speed limit of 45 MPH. The planned high school located across the street from the property will include a new signalized entrance on Fort Mill Parkway.

The R-15 single-family project proposed by the applicant will generate approximately 84% fewer daily and peak hour trips than a multi-family project at this location. In addition, the enrollment impact to the school district from 75 single-family homes would be up to 89% less than if the property were rezoned to permit high density residential. Therefore, staff recommends in favor of the rezoning request from PND to R-15.

Councilwoman McCarley made a MOTION to approve First Reading of New Business Item #1. SECONDED by Councilman Shirey. Passed 6-0.

New Business Item #2

First Reading: An ordinance authorizing the entry by the Town of Fort Mill into a Development Agreement with Pace Development Group, Inc., for property located at York County Tax Map Numbers 020-12-01-191, 020-12-01-192, 020-12-01-193, and 020-12-01-194, such parcels containing approximately 44.8 +/- acres located on Fort Mill Parkway; authorizing the execution and delivery of such Development Agreement; and other matters relating thereto (*Ward 4: Moody*)

Joe Cronin explained that as referenced in Old Business Item #1, this property is currently zoned PND Planned Neighborhood Development. The applicant has requested to change the zoning designation from PND to R-15 Residential, with the intent of developing a single-family residential subdivision.

The property contains approximately 44.64 +/- acres located on Fort Mill Parkway. The applicant has requested that the town enter into a development agreement for a period of five years.

Mr. Cronin added that while the applicant has requested some modifications to the town's existing R-15 zoning requirements, these modifications are substantially consistent with the new R-15 requirements contained in the draft UDO, which is currently pending approval by town council. The proposed development would restrict overall density to 1.68 dwelling units per acre (up to 75 single-family units), which is approximately 27% lower than the 2.30 dwelling units per acre (up to 103 single-family units) which would be permitted under the draft UDO. The proposed 1.25-acre fire station site donation will improve the town's ability to provide fire service in the southern portion of the town limits, particularly along Fort Mill Parkway and S Dobys Bridge Road. As stated in Old Business Item #1, staff supports the rezoning request to R-15. We also recommend in favor of the development agreement.

Councilwoman McCarley made a MOTION to pass First Reading of New Business Item #2. SECONDED by Councilman Shirey. Passed 6-0.

New Business Item #3

First Reading: An ordinance annexing York County Tax Map Numbers 737-00-00-179, 737-01-01-001 through 737-01-01-078, 737-02-01-001 through 737-02-01-049, and 737-03-01-001 through 737-03-01-083; comprising, in the aggregate, approximately 48.9 +/- acres; containing a total of 211 parcels on Applegate Lane, Brookshire Drive, Cody Court, Copper Creek Lane (# 1350-1375 only), Danielle Way, Jacobs Ridge, Legion Road (# 1448 only), Makayla Court, and Tylers Way; and being more particularly described as the Huntington Place (Phases I, II, and III), Copper Creek at Huntington (Phase IV), and Cobblestone at Huntington (Phase V) subdivisions (*Ward 4: Moody*)

Joe Cronin explained that the Huntington Place subdivision is located off of Legion Road, and is contiguous to the Sandy Pointe subdivision, which was annexed in 2012. The neighborhood contains 208 residential lots, a portion of which are single-family detached residences, and a portion of which are single-family attached townhomes. There are also three common open space parcels within the area proposed to be annexed. There are four roads (or portions of roads) within the subdivision which are currently owned and maintained by the county:

- Applegate Lane
- Brookshire Drive (Legion Road to Copper Creek Lane)
- Cody Court
- Copper Creek Lane (West of Brookshire Drive).

It is anticipated that these roads will be transferred to the town for municipal ownership and maintenance upon annexation. The following roads (or portions of roads) within the subdivision are privately owned and maintained:

- Brookshire Drive (North of Copper Creek Lane)
- Copper Creek Lane (Brookshire Drive to Makayla Court)
- Danielle Way
- Jacobs Ridge

- Makayla Court
- Tylers Way

All private roads will remain privately owned and maintained upon annexation, unless offered for dedication and accepted by council at a later date.

Mr. Cronin stated that Huntington Place is the second subdivision in unincorporated York County which has sought annexation into the Town of Fort Mill using the 25% Petition and Election method of annexation. On August 23rd, 78.48% of Huntington Place residents voted in favor of annexation. The applicants have requested a zoning designation of GR-A upon annexation of the neighborhood into the Town of Fort Mill.

Mr. Cronin also explained that because the Huntington Place subdivision has been built out, no additional traffic impact is anticipated.

Councilman Shirey made a MOTION to approve First Reading of New Business Item #3. SECONDED by Councilman Helms. Passed 6-0.

New Business Item #4

First Reading: An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Number 020-04-04-004, containing approximately 0.7 +/- acre located at 314 N White Street, from R-15 Residential to GI General Industrial (*Ward 2: Helms*)

Mr. Cronin stated that it is clear that portions of N White Street are historically commercial in nature. In fact, the property is eligible for GI zoning based solely upon the legacy zoning designation of the old Springs Mills site, despite the fact that the mills have been gone for more than 30 years. He said that it is the town's intent to rezone Walter Y. Elisha Park to a non-industrial classification upon adoption of the new UDO. In addition, the draft UDO will eliminate the GI district entirely. The comprehensive plan's vision for the downtown area is to transition this node over time to a vibrant, mixed use node, containing higher density residential and a variety of neighborhood commercial uses, such as shops, restaurants and professional offices. He added that the current use (auto repair garage) would not be a permitted use in the LC district. In his opinion, applying an industrial zoning designation in the downtown area would not be appropriate, and would be inconsistent with the long term goals and mixture of uses envisioned for the downtown area, as expressed in the comprehensive plan. Therefore, staff recommends in favor of denying the rezoning request.

Councilman Huntley made a MOTION to defer this item for one month. SECONDED by Councilwoman Heemsoth. Passed 6-0.

New Business Item #5

A resolution adopting program guidelines for the Town of Fort Mill Façade Improvement Grant Program

Joe Cronin explained to Council that the draft Economic Development Incentives Ordinance requires that council adopt program guidelines for the Façade Improvement Grant by a separate resolution. He stated that staff recommends in favor of adopting the attached resolution. Upon adoption, a formal application form will be created and posted on the town's website. In addition, planning staff will work the town's event and media coordinator, the Downtown Merchants Association, and other interested parties, in an effort to notify downtown business and property owners about the availability of funding for FY 2016- 17 Façade Improvement Grants.

Councilwoman McCarley made a MOTION to approve the Resolution adopting program guidelines for the Town of Fort Mill Façade Improvement Grant Program. SECONDED by Councilman Shirey. Passed 6-0.

New Business Item #6

A resolution designating the month of October 2016 as Community Planning Month in the Town of Fort Mill.

Mayor Savage read the Resolution designating the month of October 2016 as Community Planning Month and commended the staff and Planning Commission for all of the hard work that they do for the Town.

Councilman Shirey made a MOTION to approve the Resolution designating the month of October 2016 as Community Planning Month. SECONDED by Councilman Huntley. Passed 6-0.

New Business Item #7

First Reading: An ordinance authorizing the execution and filing of a quit claim deed for a platted right of way on Pine Street from the Town of Fort Mill to Clear Springs Land Company, LLC.

Councilman Shirey made a MOTION to defer this item until the October 10, 2016 meeting. SECONDED by Councilman Helms.

Councilwoman McCarley left the meeting at 8:00 am.

New Business Item #8

An agreement between the Town of Fort Mill, and The Dodd Studio, LLC for master plan service for the Fort Mill Farmers Market Master Plan located in downtown Fort Mill, SC.

Councilman Shirey made a MOTION to approve the agreement between the Town of Fort Mill, and Dodd Studio, LLC for master plan service for the Fort Mill Farmers Market Master Plan. SECONDED by Councilman Huntley. Passed 5-0.

EXECTUIVE SESSION

Executive Session Item #1

Discussion of negotiations incident to proposed contractual arrangements with Scott Development Group, Inc., regarding the Banks Street Gym property.

Executive Session Item #2 Discussion of proposed contractual matter regarding an aquatics center with the Fort Mill School District.

Executive Session Item #3

Discussion of negotiations incident to proposed contractual arrangements for the sale of surplus property known as tax map #733-00-00-001.

Councilman Helms made a MOTION to go into Executive Session. SECONDED by Councilman Shirey. Passed. 5-0. Council went into Executive Session at 8:05 am.

Councilman Helms made a MOTION to come out of Executive Session. SECONDED by Councilman Hurltley. Passed 5-0. Council came out of Executive Session at 9:02 am.

Councilman Shirey made a MOTION to accept the letter of intent for Executive Session Item #3, for the sale of surplus property know as tax map #733-00-00-001. SECONDED by Councilwoman Heemsoth. Passed 5-0.

ADJOURN

There being no further business, Councilman Hurltley made a MOTION to adjourn. SECONDED by Councilman Shirey. Passed 5-0.

The meeting adjourned at 9:14 am.

The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI; Fort Mill Times and WBTV. The agenda was also posted on the board outside of the entrance to Town Hall the required length of time and on the Town website.

Respectfully Submitted:



Virginia C. Burgess
Town Clerk

Approved by Council October 10, 2016