



**TOWN OF FORT MILL
PLANNING COMMISSION MEETING
February 24, 2015
112 Confederate Street
7:00 PM**

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Meeting: January 28, 2015 *[Pages 3–5]*

NEW BUSINESS

1. **Fort Mill Square Multi-Tenant Commercial Building** *[Pages 6–15]*

Request from WSB Retail Partners to grant commercial appearance approval for a proposed multi-tenant commercial building located at 100 Fort Mill Square Suite 107

2. **Rezoning Request: Hardees Parking Lot** *[Pages 16–20]*

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 020-04-24-016, containing approximately 0.34 +/- acre located at the intersection of Tom Hall Street and Springs Street, from UD Urban Development to LC Local Commercial

3. **Rezoning Request: Founders House & Springs Insurance** *[Pages 21–25]*

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 020-04-04-005, 020-04-04-006, 020-04-05-001, 020-04-05-002, 020-04-05-003, 020-04-05-004, 020-04-05-005, and 020-04-05-006, containing approximately 4.7 +/- acres located at the intersection of North White Street and Skipper Street, from R-15 Residential to LC Local Commercial

4. **Text Amendment: Bed & Breakfasts in LC District** *[Pages 26–32]*

An ordinance amending the Zoning Ordinance for the Town of Fort Mill; Article II, Requirements by district; Section 8, LC Local Commercial District; so as to add bed and breakfasts as an approved conditional use within the LC District

5. **Request to Approve Road Name** *[Pages 33–35]*

Request from Leroy Springs & Co. to approve a road name for a proposed private road on the Anne Springs Close Greenway (Adventure Road)

ITEMS FOR INFORMATION / DISCUSSION

1. **Impact Fee Study Update**
2. **Final Plat Update: Waterside at the Catawba, Phase 1, Maps 4 & 5**
3. **Final Plat Update: Sutton Mill, Maps 1 & 2**
4. **Notification of Upcoming Term Expirations**

ADJOURN

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
January 28, 2015
215 Main Street
6:30 PM**

Present: Chairman James Traynor, Hynek Lettang, Chris Wolfe, John Garver, Ben Hudgins, Tony White, Planning Director Joe Cronin, Assistant Planner Chris Pettit

Absent: Tom Petty

Guests: James Shirey (Town Council), Paul LeBlanc (LSL Planning), Fredalyn Frasier (LSL Planning), Jim Thomas (BOZA), John Marks (Fort Mill Times)

Chairman Traynor called the meeting to order at 6:31 pm and welcomed everyone in attendance.

ELECTION OF CHAIR & VICE CHAIR FOR 2015

Chairman Traynor stated that since this was the first meeting of the year, a new chair and vice-chair would need to be elected for the 2015 calendar year.

Mr. Wolfe nominated James Traynor to serve as chairman for 2015. Mr. Lettang seconded the nomination of Mr. Traynor. Mr. Traynor asked if there were any additional nominations. There being no further nominations, Mr. Traynor called for a vote. The vote to elect Mr. Traynor as chair was approved by a vote of 5-0, with Mr. Traynor abstaining.

Mr. Garver nominated Ben Hudgins to serve as vice-chairman for 2015. Mr. Wolfe seconded the nomination of Mr. Hudgins. Mr. Hudgins nominated Chris Wolfe to serve as vice-chairman for 2015. Mr. White seconded the nomination of Mr. Wolfe. Mr. Traynor asked if there were any additional nominations. There being no further nominations, Mr. Traynor called for a vote.

Voting for Mr. Hudgins as vice-chair: Mr. Wolfe, Mr. Garver and Mr. Lettang.

Voting for Mr. Wolfe as vice-chair: Chairman Traynor, Mr. Hudgins and Mr. White.

Chairman Traynor announced that the vote resulted in a 3-3 tie. Mr. Wolfe stated that he wished to remove himself from consideration for the position of vice-chair. With only one candidate remaining, Mr. Traynor called for a vote on the nomination of Mr. Hudgins as vice-chair. The vote to elect Mr. Hudgins as vice-chair was approved unanimously.

APPROVAL OF MINUTES

Mr. Garver made a motion to approve the minutes from the November 19, 2014, joint meeting with town council, as presented. Mr. Hudgins seconded the motion. The motion was approved by a vote of 6-0.

Mr. Hudgins made a motion to approve the minutes from the November 25, 2014, meeting, as presented. Mr. White seconded the motion. The motion was approved by a vote of 6-0.

NEW BUSINESS ITEMS

- 1. Final Plat: Sutton Mill, Maps 1-4:** Planning Director Cronin stated that the applicant, M/I Homes, has submitted a final plat for the Sutton Mill project located near the intersection of Harris Road and Sutton Road. The plat is divided into four separate maps and contains a total of 91 lots. Staff has reviewed the maps and found them to be substantially consistent with the 93-lot preliminary plat approved by the Planning Commission in April of 2014. Staff did note that two previously approved lots were not currently included in the final plat, but may be recorded at a later date. Since all required infrastructure was not yet completed (including off-site improvements to the intersection of Sutton and Suttonview Roads, and external sidewalks along the Harris and Sutton Road frontages), a bond equal to 125% of the total cost would be required prior to recording the plats. Staff recommended in favor of approval, contingent upon the applicant securing the required bond. Chairman Traynor noted that the Planning Commission would also be approving four new road names, as shown in the plats: Still River Way, Spring Blossom Trail, Brookcrest Lane and Misty Morning Court. Mr. Wolfe made a motion to approve the final plats, contingent upon the applicant securing the required bonds. Mr. Garver seconded the motion. The motion was approved by a vote of 6-0.
- 2. Final Plat: Preserve at River Chase Phase 3:** Planning Director Cronin stated that staff was in the process of reviewing a final plat for the Preserve at River Chase Phase 3. Because this is a Mixed Use (MXU) project, staff has the authority to review and approve the plats administratively. However, pursuant to state law, all road names must be approved by the Planning Commission prior to recording. The final plat for Phase 3 will include one new road name: Drave Lane. Planning Director Cronin stated that the staff write up included a typo (Drive Lane), and the Drave Lane was the correct spelling. Mr. Wolfe asked staff if the county had approved the street name. Planning Director Cronin responded that Drave Lane was on the list of street names approved and reserved by the York County Addressing Office. Mr. White made a motion to approve the recording of the name Drave Lane. Mr. Lettang seconded the motion. The motion was approved by a vote of 6-0.

ITEMS FOR INFORMATION / DISCUSSION

- 1. Final Plat Update: Waterside at the Catawba, Phase 1, Maps 4-6:** Planning Director Cronin stated that staff had received, and was in the process of reviewing, final plats for Waterside at the Catawba, Phase 1, Maps 4-6. As a Mixed Use (MXU) project, these plats may be reviewed and approved administratively. A master road name list was previously approved by the Planning Commission. Maps 4-6 will include a total of 282 lots, and will contain all lots east of Whites Road. Staff has received bond estimates for Maps 4 and 5, while estimates for Map 6 are still pending.

2. **Final Plat Update: Fort Mill Square / Walmart:** Planning Director Cronin stated that staff had received an amended version of the subdivision plat for Fort Mill Square that was previously approved by the Planning Commission in October. The original plat showed a straight line running between the future Walmart property and the parcel that would house a future multi-tenant commercial building. In order to meet parking requirements on both lots, the line was adjusted slightly to move spaces between each lot. Since no new lots would be created by the change, the town's subdivision code would have allowed the applicant to record the original version approved by the Planning Commission, and then subsequently have staff administratively approve the new lot line. In order to prevent unnecessary time and expense, staff approved the revised plat administratively, eliminating the need to record two separate plats. Staff wanted to inform the Planning Commission of this change, in case anyone noticed that the recorded plat was slightly different than the one approved by the Planning Commission in October.

3. **Walmart Neighborhood Market & Multi-Tenant Commercial Building Update:** Planning Director Cronin stated that he and Assistant Planner Pettit had met with the developer of the Walmart Neighborhood Market during the previous week. The developer plans to close on the property in February, and demolition and site work is expected to begin shortly thereafter. The applicant has stated that their schedule calls for building pads to be completed in May, and construction to be completed during the fall of 2015.

The developer also stated that Walmart had requested a reduction in size of the multi-tenant commercial building along the Sanders Street frontage. The building would be reduced from 8,000 square feet to 7,200 square feet. The applicant was proposing that one storefront would be removed from the original design, but no additional changes to the building's design, architecture or materials were being requested. Planning Director Cronin stated that although minor, this was a substantive change to the original plans approved by the Planning Commission in June 2014. The Planning Commission was asked whether they wanted to re-review the changes, or if they were satisfied as long as the design, architecture and materials remained unchanged. A discussion took place. Mr. Lettang made a motion to request that the revised drawings be brought back to the Planning Commission for additional review in February. Mr. Wolfe seconded the motion. The motion was approved by a vote of 6-0.

4. **Impact Fee Study Update:** Planning Director Cronin stated that staff was still awaiting direction from town council as to whether, and how, they wish to proceed with the development of an impact fee ordinance. It is staff's hope that this item will be on the agenda for additional discussion during council's next quarterly workshop in February.

There being no further business, the meeting was adjourned at 7:06 pm.

Respectfully submitted,

Joe Cronin
Planning Director

**Planning Commission Meeting
February 24, 2015
Old Business Item**

Commercial Appearance Review: Multi-Tenant Commercial Building

Request from WSB Retail Partners to grant commercial appearance approval for a proposed multi-tenant commercial building located at 100 Fort Mill Square Suite 107

Background / Discussion

FEBRUARY UPDATE

Planning staff met with WSB Retail Partners (formerly Sunbelt Ventures), the developer of the proposed Walmart Neighborhood Market, in mid-January to discuss the next steps for the commercial development. During these discussions, the developer stated that Walmart had requested a reduction in size of the standalone multi-tenant commercial building along the Sanders Street frontage. The request would reduce the size of the building from 8,000 square feet to 7,200 square feet by removing one storefront from the original design. Commercial Appearance Review approval was granted for the original design in June 2014. No other changes to the design, architecture or materials are requested.

The applicant's request was discussed at the Planning Commission's January 28, 2015, meeting, at which point the Planning Commission requested that revised drawings be brought back for additional review. The Planning Commission is now asked to consider the revisions from WSB Retail Partners and to grant commercial development appearance review approval for the revised multi-tenant commercial building at 100 Fort Mill Square Suite 107.

Chris Pettit
Assistant Planner/Zoning Administrator
February 20, 2015

ORIGINAL WRITE UP

The Planning Commission is asked to consider a request from Sunbelt Ventures, LLC, to grant commercial development appearance review approval for a proposed multi-tenant commercial building at 100 Fort Mill Square Suite 107. The existing building, which will be demolished, formerly housed a hardware store and was most recently used as an overflow building for automotive repair and tire installation shop. The existing building is constructed with a brick façade and cinderblock on the sides and rear, all of which are painted white in color. A map is attached for reference, as are photos of the existing building.

The property is zoned Highway Commercial (HC), and is properly zoned for a variety of retail, restaurant and personal service uses. The property is also located within the Tom Hall Corridor Overlay District (THCD). The York County Tax Map number for this parcel is 020-01-01-003.

The existing building is approximately 6,000 square feet. Under the requirements of the THCD overlay, the building may be renovated, rehabilitated or rebuilt up to 15,000 square feet in size.

A set of proposed building elevations is attached for review. The applicant has requested an opportunity to provide a brief presentation of the design during the meeting as well.

A summary of proposed colors and materials is provided below:

 P1	EIFIS PAINTED TO MATCH: SW6123 BAGUETTE	 M1	PAC-CLAD: CHARCOAL
 P2	EIFIS PAINTED TO MATCH: SW7746 RUSHING RIVER	 F1	CANVAS: SUNBRELLA: CHARCOAL GRAY
 P3	EIFIS PAINTED TO MATCH: SW2848 ROYCROFT PEWTER	 B1	QUIK-BRIK: PROMENADE BLEND

Recommendation

The property is zoned HC and is, therefore, properly zoned for a variety of retail, restaurant and personal service uses.

The proposed building contains a mix of Quik-Brick and EIFS. While these materials are a significant improvement over the design of the existing structure, our opinion is that the significant amount of EIFS may fall short of the enhanced architectural requirements contained within the THCD overlay district:

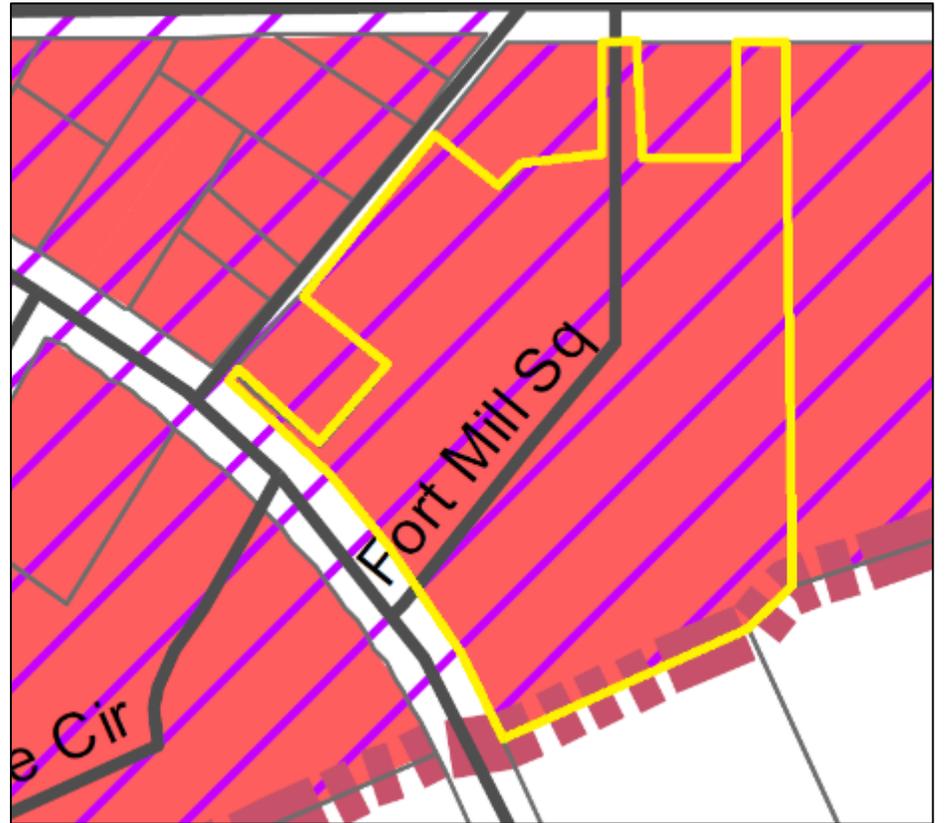
“Buildings shall be designed to use, to the greatest extent feasible, building materials such as rock, stone, brick and wood or any other material so deemed appropriate through the appearance review per article V of the zoning code so as to maintain the specialized commercial and historic character of the corridor.”

In the past, the Planning Commission has sought to limit the use of EIFS as a primary building material in the overlay district. Historically, the Planning Commission has also sought to avoid the use of corrugated metal in areas inside the THCD, as well as town wide, except in situations where the material has been allowed as an accenting feature, such as the awning at the nearby (and recently approved) Family Dollar building.

The rear elevation of the building will front Sanders Street and will be visible from the right-of-way. In general, the Planning Commission has also required architectural enhancements along facades fronting a public ROW.

Approval of this request is at the discretion of the Planning Commission.

Joe Cronin
Planning Director
June 20, 2014

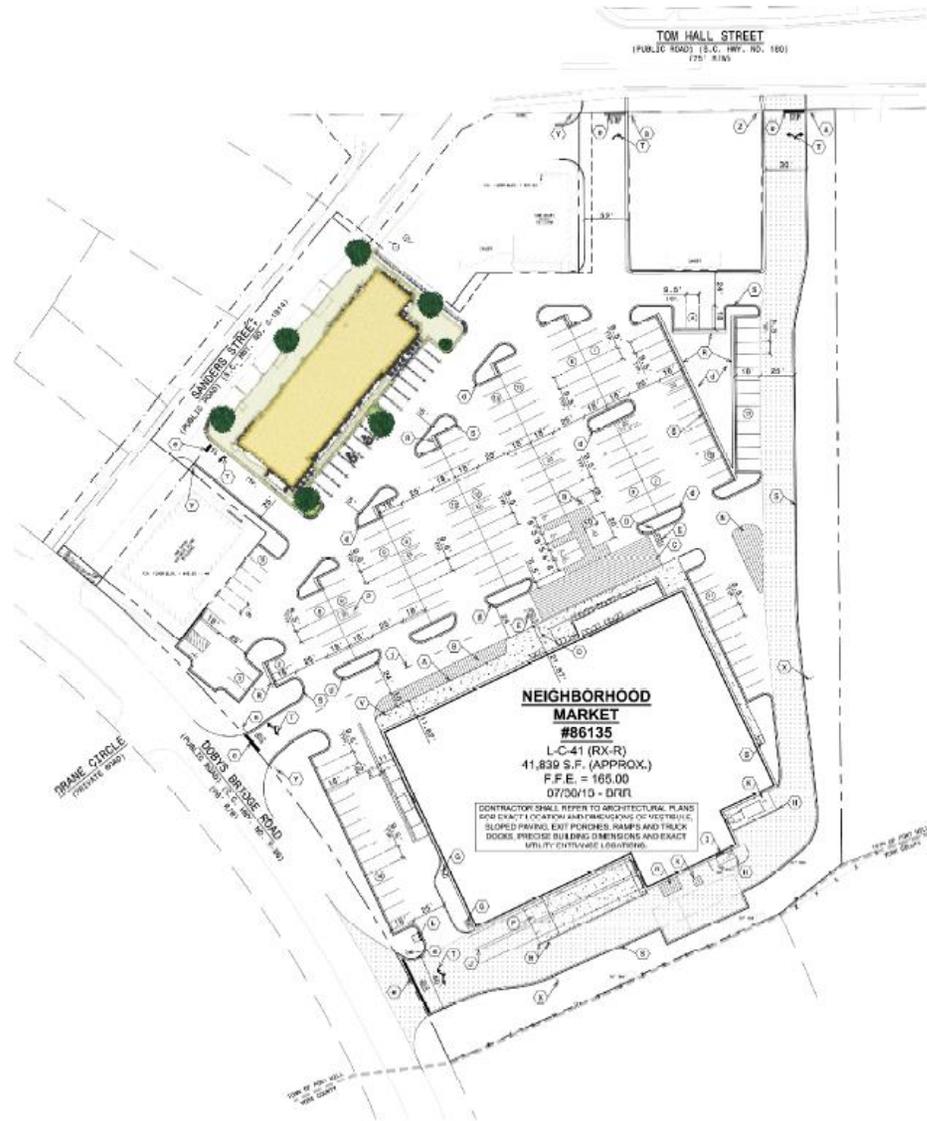


EXISTING BUILDING

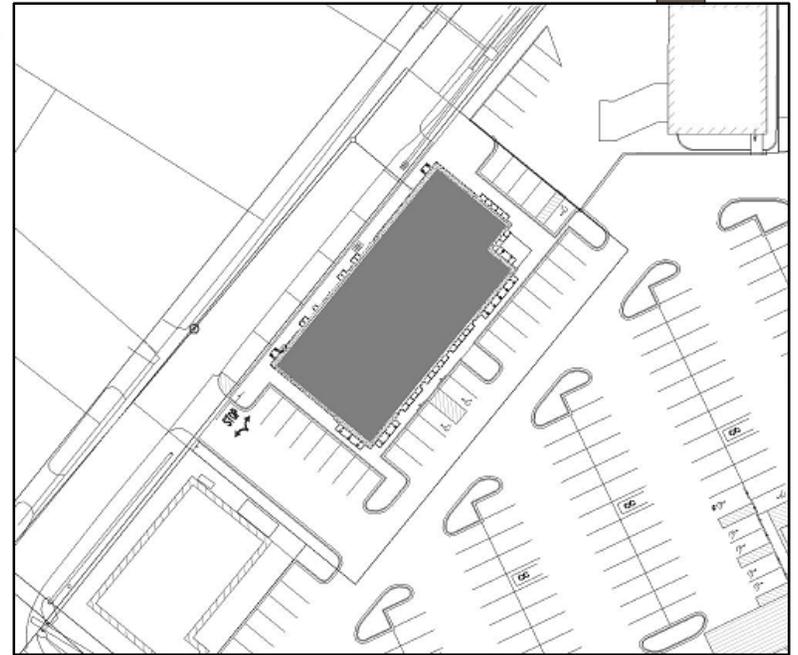
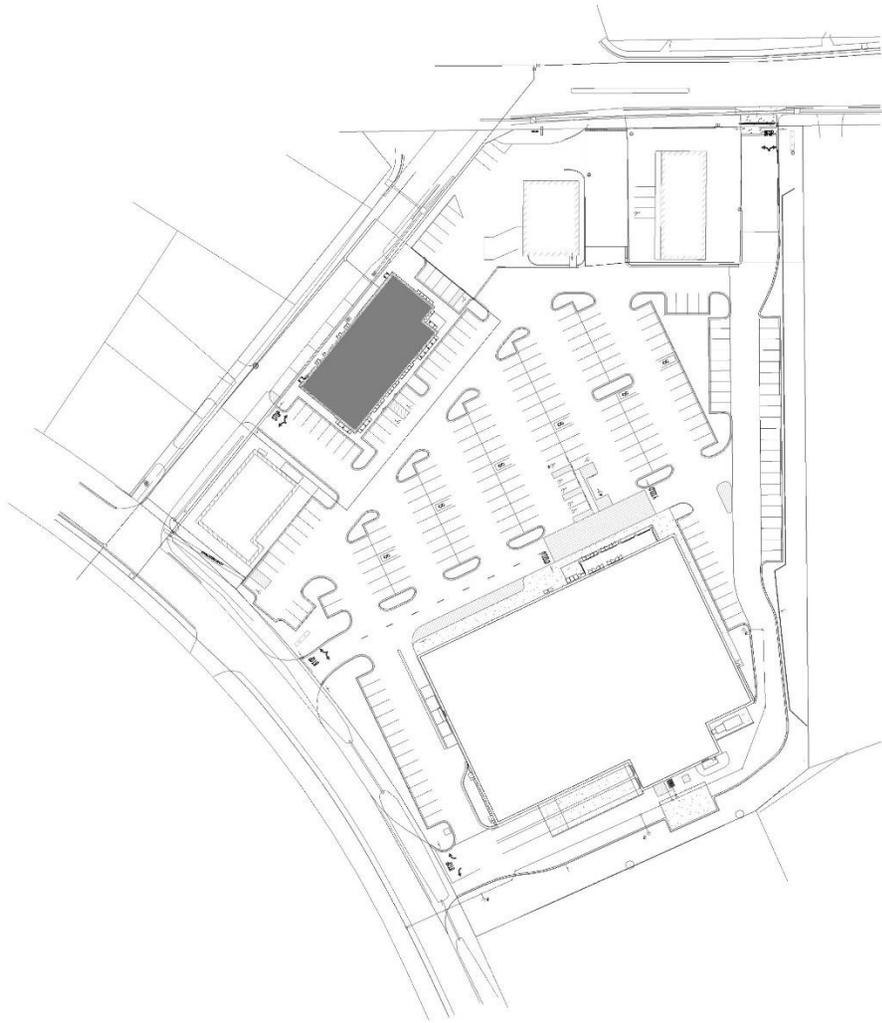


ORIGINALLY APPROVED

20 JUNE 2014



REVISED



SCALE 1" = 60'

NORTH



INDICATES SCOPE OF WORK

CONCEPT SITE PLAN

ORIGINALLY APPROVED



REVISED

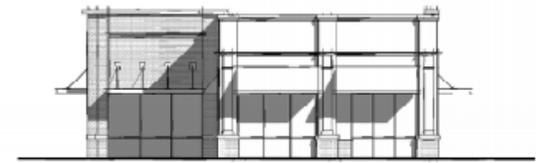


ORIGINALLY APPROVED

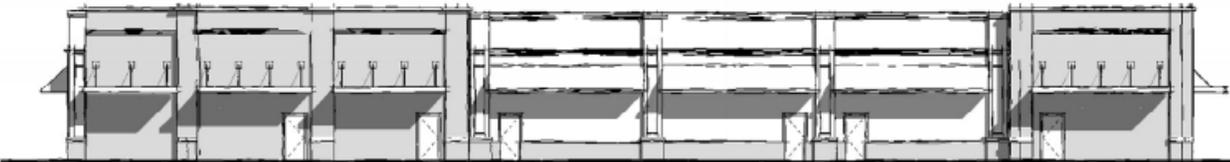
20 JUNE 2014



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

COPYRIGHT © RANDALL-PAULSON ARCHITECTS, INCORPORATED

CONCEPT ELEVATIONS



REVISED



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

CONCEPT ELEVATIONS

**Planning Commission Meeting
February 27, 2015
New Business Item**

Rezoning Request: Hardee's Parking Lot

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 020-04-24-016, containing approximately 0.34 +/- acre located at the intersection of Tom Hall Street and Springs Street, from UD Urban Development to LC Local Commercial

Background / Discussion

Hardee's Restaurants LLC, the owner of York County Tax Map Number 020-04-24-016, has submitted a rezoning request for an existing parcel containing a total of 0.34 acre located at the intersection of Tom Hall Street and Springs Street.

The applicant has requested a rezoning of the property from UD Urban Development to LC Local Commercial. The property was formerly zoned LC, but was rezoned to UD in 2013 by the former owner, Kuester Development, prior to the construction of the Greens at Fort Mill apartment project. The property was subsequently subdivided from the Kuester parcel and sold to Hardee's for the expansion of the restaurant's parking lot. Upon approval, the applicant intends to recombine the parking lot parcel with the neighboring Hardee's lot, which is also zoned LC Local Commercial.

A draft rezoning ordinance is attached for review.

Recommendation

The subject parcels are located within an area designated as "Node 5" on the Town of Fort Mill's future land use map. The town's comprehensive plan, last updated in January 2013, recommends a variety of higher density residential and commercial uses within the downtown area. The current use is consistent with the requirements of the LC Local Commercial District.

The town's zoning ordinance does not explicitly permit multiple zoning designations on a single parcel. In order for the applicant to recombine the parking lot parcel (UD) with the restaurant parcel (LC) into a single commercial lot, the two parcels will need to have the same zoning designation. Once the two parcels have the same zoning designation, a recombination plat may be reviewed and approved administratively by town staff.

Staff therefore recommends in favor of approving the rezoning ordinance.

Joe Cronin
Planning Director
February 20, 2015



February 13, 2015

Mr. Joseph M. Cronin, Planning Director
Town of Fort Mill, SC
112 Confederate Street
Fort Mill, SC 29715

RE: Hardee's #1501701
101 Tom Hall St.
Fort Mill, SC 29715-1849

Dear Joe:

Enclosed are the Application for Zoning Map Amendment, copy of proposed lot recombination, and check in the amount of \$200 for the lot adjacent to our existing restaurant. We are requesting the zoning for Tax Map #020-04-24-016 be modified to LC-Local Commercial from UD-Urban Development to match the zoning of the lot where the restaurant is located, Tax Map #020-04-24-011.

Please let me know when the rezoning is completed. At which time, we will ask the surveyor to submit plans for the recombination of the lots into one parcel.

If you need any additional information, please feel free to let me know. My direct dial is 314-259-6439 and my email is btaylor2@ckr.com. Thanks for your help with this process.

Best regards,

Brenda Taylor
Construction Coordinator

Ref: 650-9200030
Dep: CONSTRUCTION

Date: 13Feb15
Wgt: 0.31 LBS

DV:

SHIP: PRIORITY OVERNIGHT
TRCK: 6712 1128 8849

SHIPPING:	6.71
SPECIAL:	0.23
HANDLING:	0.00
0.00 TOTAL:	6.94

Enclosures

cc: Steve Barker, Director of Construction
Ron Farmer, Real Estate Manager

100 North Broadway – Suite 1200 – Saint Louis, Missouri 63102

**TOWN OF FORT MILL
APPLICATION FOR ZONING MAP AMENDMENT**

APPLICANT(S):

NAME	ADDRESS	PHONE NUMBER
Hardee's Restaurants LLC	100 N. Broadway, Ste 1200 St. Louis, MO 63102	636-259-6200

Area of Subject Property: 0.35 acres and/or 15,040.97 square feet

What is the CURRENT zoning for the parcel(s)? UD - Urban Development

What is the proposed zoning for the parcel(s)? LC - Local Commercial

Does the applicant own all of the property within the zoning proposal? Yes

State the proposed change and reason(s) for request: (Attach additional sheets if needed)

Recombination of two Hardee's Tracts into one tract.

As Owner(s) of the property described below, I/we request that our property be rezoned as indicated.

TAX MAP NUMBER	PROPERTY ADDRESS	OWNER	OWNER'S SIGNATURE
020-04-24-016	101 Hall St. Ft. Mill, SC	Hardee's Restaurants, LLC	

Please return application and fee to: Town of Fort Mill, PO Box 159, Fort Mill, SC 29716

STATE OF SOUTH CAROLINA
TOWN COUNCIL FOR THE TOWN OF FORT MILL
ORDINANCE NO. 2015-__

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 020-04-24-016, CONTAINING APPROXIMATELY 0.34 +/- ACRE LOCATED AT THE INTERSECTION OF TOM HALL STREET AND SPRINGS STREET, FROM UD URBAN DEVELOPMENT TO LC LOCAL COMMERCIAL

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:

Section I. The Zoning Map of the Town of Fort Mill is hereby amended to change the zoning classification for York County Tax Map Number 020-04-24-016, such parcel containing approximately 0.34 +/- acre located at the intersection of Tom Hall Street and Springs Street, from UD Urban Development to LC Local Commercial. A property map of the parcel subject to this rezoning ordinance is hereby attached as Exhibit A.

Section II. 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 III. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2015, having been duly adopted by the Town Council for the Town of Fort Mill on the ____ day of _____, 2015.

First Reading: March 9, 2015
Public Hearing: April 13, 2015
Second Reading: April 13, 2015

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

Dana Powell, Interim Town Clerk

Exhibit A
Property Map



**Planning Commission Meeting
February 27, 2015
New Business Item**

Rezoning Request: Founders House & Springs Insurance Building

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 020-04-04-005, 020-04-04-006, 020-04-05-001, 020-04-05-002, 020-04-05-003, 020-04-05-004, 020-04-05-005, and 020-04-05-006, containing approximately 4.7 +/- acres located at the intersection of North White Street and Skipper Street, from R-15 Residential to LC Local Commercial

Background / Discussion

Springland Inc., the owner of York County Tax Map Numbers 020-04-04-005 & 020-04-04-006 (Springs Insurance Building), and 020-04-05-001, 020-04-05-002, 020-04-05-003, 020-04-05-004, 020-04-05-005, & 020-04-05-006 (Founders House and surrounding parcels), has submitted a rezoning request for eight parcels containing a total of 4.7 acres located at the intersection of North White Street and Skipper Street.

The applicant has requested a rezoning of the properties from R-15 Residential to LC Local Commercial. These parcels currently contain a variety of non-conforming, non-residential uses, including an insurance office and the Fort Mill History Museum. Upon approval, the applicant also intends to move additional administrative offices to existing buildings surrounding the Founders House, near the intersection of Clebourne Street and Grier Street.

A draft rezoning ordinance is attached for review.

Recommendation

The subject parcels are located within an area designated as “Node 5” on the Town of Fort Mill’s future land use map. The town’s comprehensive plan, last updated in January 2013, recommends a variety of higher density residential and commercial uses within the downtown area. The current and proposed commercial and office uses would be consistent with the recommendations of the Comprehensive Plan, as well as the LC Local Commercial District.

Staff therefore recommends in favor of approving the rezoning ordinance.

Joe Cronin
Planning Director
February 20, 2015

TOWN OF FORT MILL
APPLICATION FOR ZONING MAP AMENDMENT

APPLICANT(S):

NAME	ADDRESS	PHONE NUMBER
SPRINGLAND, INC	951 MARKET ST SUITE 204 FT MILL, SC 29708	548-6880

Area of Subject Property: 1.15 (acres) and/or _____ square feet

What is the CURRENT zoning for the parcel(s)? R-15

What is the proposed zoning for the parcel(s)? LC - LOCAL COMMERCIAL

Does the applicant own all of the property within the zoning proposal? YES

State the proposed change and reason(s) for request: (Attach additional sheets if needed)

THIS PROPERTY HAS ALWAYS BEEN ZONED RESIDENTIAL AND HAS BEEN USED AS COMMERCIAL -

As Owner(s) of the property described below, I/we request that our property be rezoned as indicated.

TAX MAP NUMBER	PROPERTY ADDRESS	OWNER	OWNER'S SIGNATURE
00200404006	312 N. WHITE ST	SPRINGLAND INC	
0200404005	"	"	

Please return application and fee to: Town of Fort Mill, PO Box 159, Fort Mill, SC 29716

TOWN OF FORT MILL
APPLICATION FOR ZONING MAP AMENDMENT

APPLICANT(S):

NAME	ADDRESS	PHONE NUMBER
SPRINGLAND, INC.	951 MARKET ST. SUITE 204 FT MILL, SC 29708	548-6880

Area of Subject Property: 3.20 (acres) and/or 4,275 square feet (BUILDING SIZE)

What is the CURRENT zoning for the parcel(s)? R-15

What is the proposed zoning for the parcel(s)? LC - LOCAL COMMERCIAL

Does the applicant own all of the property within the zoning proposal? YES

State the proposed change and reason(s) for request: (Attach additional sheets if needed)

WE WOULD LIKE TO RE-FURNISH THE (2) COTTAGES WITH OFFICE FURNITURE & ~~THE~~ UPFIT THE CARRIAGE HOUSE FOR A CONFERENCE ROOM -

As Owner(s) of the property described below, I/we request that our property be rezoned as indicated.

TAX MAP NUMBER	PROPERTY ADDRESS	OWNER	OWNER'S SIGNATURE
0200405004	210 N. WHITE ST	SPRINGLAND, INC	<i>[Signature]</i>
0200405003	"	"	<i>[Signature]</i>
0200405002	"	"	<i>[Signature]</i>
0200405001	"	"	<i>[Signature]</i>
0200405006	"	"	<i>[Signature]</i>

Please return application and fee to: Town of Fort Mill, PO Box 159, Fort Mill, SC 29716

STATE OF SOUTH CAROLINA
TOWN COUNCIL FOR THE TOWN OF FORT MILL
ORDINANCE NO. 2015-__

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 020-04-04-005, 020-04-04-006, 020-04-05-001, 020-04-05-002, 020-04-05-003, 020-04-05-004, 020-04-05-005, AND 020-04-05-006, CONTAINING APPROXIMATELY 4.7 +/- ACRES LOCATED AT THE INTERSECTION OF NORTH WHITE STREET AND SKIPPER STREET, FROM R-15 RESIDENTIAL TO LC LOCAL COMMERCIAL

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:

Section I. The Zoning Map of the Town of Fort Mill is hereby amended to change the zoning classification for York County Tax Map Numbers 020-04-04-005, 020-04-04-006, 020-04-05-001, 020-04-05-002, 020-04-05-003, 020-04-05-004, 020-04-05-005, and 020-04-05-006, such parcels containing approximately 4.7 acres located at the intersection of North White Street and Skipper Street, from R-15 Residential to LC Local Commercial. A property map of the parcels subject to this rezoning ordinance is hereby attached as Exhibit A.

Section II. 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 III. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2015, having been duly adopted by the Town Council for the Town of Fort Mill on the ____ day of _____, 2015.

First Reading: March 9, 2015
Public Hearing: April 13, 2015
Second Reading: April 13, 2015

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

Dana Powell, Interim Town Clerk

Exhibit A
Property Map



**Planning Commission Meeting
February 24, 2015
New Business Item**

Text Amendment: Local Commercial District

An ordinance amending the Zoning Ordinance for the Town of Fort Mill; Article II, Requirements by district; Section 8, LC Local Commercial District; so as to add bed and breakfasts as an approved conditional use within the LC District

Background / Discussion

The Planning Commission is asked to consider a text amendment to Article II, Section 8, of the Zoning Ordinance for the Town of Fort Mill. If adopted, the attached text amendment would allow bed and breakfasts within the LC Local Commercial zoning district, under the following conditions:

- 1) The use shall be located on a parcel at least two (2) acres in size;
- 2) The bed and breakfast inn shall have ten (10) or fewer guest rooms;
- 3) Meals may be served to registered guests only;
- 4) No cooking facilities shall be permitted in individual guests rooms;
- 5) The property owner or manager must reside on the property where the inn is located;
- 6) Only short term lodging will be provided; monthly rentals shall be prohibited;
- 7) Two parking spaces shall be provided for the operator, plus one space for each guest room as required herein, including handicap accessibility;
- 8) All guest quarters and living facilities shall be located within the principal structure;
and
- 9) The use shall produce no alterations or changes in the character or exterior appearance of the principal building from that of a dwelling, except that one sign not exceeding forty (40) square feet in size and eight (8) feet in height may be installed.

With the exception of the two (2) acre minimum lot size requirement and the ten (10) or fewer guest room maximum, the conditions proposed above are substantially similar to those used by York County's zoning ordinance.

Currently, the only zoning districts where bed and breakfasts would be allowed are the GR and GR-A General Residential districts.

Recommendation

Staff recommends in favor of the proposed text amendment.

Joe Cronin
Planning Director
February 20, 2015

STATE OF SOUTH CAROLINA
TOWN COUNCIL FOR THE TOWN OF FORT MILL
ORDINANCE NO. 2015-__

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF FORT MILL; ARTICLE II, REQUIREMENTS BY DISTRICT; SECTION 8, LC LOCAL COMMERCIAL DISTRICT; SO AS TO ADD BED AND BREAKFASTS AS AN APPROVED CONDITIONAL USE WITHIN THE LC DISTRICT

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:

SECTION I. Amending the Local Commercial District. The Zoning Ordinance for the Town of Fort Mill; Article II, Requirements by Districts; Section 8, LC Local Commercial District; is hereby amended to read as follows:

Sec. 8. LC Local commercial district.

1. *Purpose of district:* It is the intent of this section that the LC zoning district be developed and reserved for local or "main street" oriented business purposes. The regulations which apply within this district are designed to:
 - (a) Encourage the formation and continuance of a stable, healthy, and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping service facilities,
 - (b) Reduce traffic and parking congestion,
 - (c) Avoid the development of "strip" business districts, and
 - (d) Discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.
2. *Permitted uses:* The following uses shall be permitted in any LC zoning district:
 - A) Retail business involving the sale of merchandise on the premises, specifically including:
 - 1) Antique store,
 - 2) Appliance, radio, television store,
 - 3) Art supply store,
 - 4) Book, magazine, newspaper shop,
 - 5) Candy store,
 - 6) Clothing store,
 - 7) Drug store or pharmacy,

- 8) Florist shop,
 - 9) Fruit, nut and/or vegetable store,
 - 10) Gift or curio shop,
 - 11) Grocery store,
 - 12) Hardware store,
 - 13) Hobby and/or toy shop,
 - 14) Household furnishing store,
 - 15) Millinery or hat store,
 - 16) Music store and/or record shop,
 - 17) Notion, 5-and-10-cent, general or variety store,
 - 18) Office supply and equipment store,
 - 19) Package liquor store,
 - 20) Paint store,
 - 21) Photographic and camera supply and service store and studio,
 - 22) Printing shop,
 - 23) Shoe store,
 - 24) Sporting goods store,
 - 25) Video store.
- B) Business involving the rendering of a personal service or the repair and servicing of small equipment, specifically including:
- 1) Appliance, radio, television repair shop,
 - 2) Banks, savings and loan association, specifically excluding check cashing establishments, title loan lenders, deferred presentment lenders, pawnshops, loan brokers, and small loan companies,
 - 3) Barber shop, beauty shop or combination thereof,
 - 4) Bicycle repair and sales shops
 - 5) Dressmaker, seamstress, tailor,
 - 6) Dry cleaning, self-service and/or laundry self-service facility,
 - 7) Furniture repair, upholstering,
 - 8) Insurance agency,
 - 9) Jewelry and watch repair shop,
 - 10) Locksmith or gunsmith,
 - 11) Medical, dental, or chiropractic office, clinic, and/or laboratory,
 - 12) Office for governmental, business, professional, or general purposes,
 - 13) Photographic studio,
 - 14) Public utility business office,
 - 15) Real estate agency,
 - 16) School offering instruction in art, music, dancing, drama, or similar cultural activity,
 - 17) Secretarial and/or telephone answering service,
 - 18) Shoe repair shop,
 - 19) Telegraph office,
 - 20) Telephone exchange,
 - 21) Veterinary clinic.

- C) Radio and/or television station.
 - D) Private or semiprivate club, lodge, union hall or social center.
 - E) Church.
 - F) Residential uses permitted in any GR residential district,
 - G) Off-street commercial parking lot,
 - H) Publicly owned and operated building, facility or land,
 - I) Day care center,
 - J) Accessory use in compliance with the provisions of article I, section 7, subsection G.
3. *Conditional uses:* The following uses shall be permitted in any LC zoning district on a conditional basis:
- A) Auto accessory store; provided, that there shall be no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises;
 - B) Bakery; provided, that goods baked on the premises shall be sold only at retail on the premises;
 - C) Bed and breakfast inns, provided:
 - 1) The use shall be located on a parcel at least two (2) acres in size;
 - 2) The bed and breakfast inn shall have ten (10) or fewer guest rooms;
 - 3) Meals may be served to registered guests only;
 - 4) No cooking facilities shall be permitted in individual guest rooms;
 - 5) The property owner or manager must reside on the property where the inn is located;
 - 6) Only short term lodging will be provided; monthly rentals shall be prohibited;
 - 7) Two parking spaces shall be provided for the operator, plus one space for each guest room as required herein, including handicap accessibility;
 - 8) All guest quarters and living facilities shall be located within the principal structure; and

- 9) The use shall produce no alterations or changes in the character or exterior appearance of the principal building from that of a dwelling, except that one sign not exceeding forty (40) square feet in size and eight (8) feet in height may be installed.
- D) Contractor's office; provided, there shall be no storage of vehicles, equipment or materials on the premises;
- E) Delicatessen, restaurant, soda fountain, or other eating, ~~and/or~~ drinking and/or entertainment establishments (other than drive-in establishments) provided, that
- 1) Outdoor speaker systems and/or sound amplifying devices shall be directed away from any adjoining residential uses and/or districts; provided, however, no outdoor speaker system and/or sound amplifying devices shall be permitted within 50 feet of an adjoining residence.
 - 2) All lights or lighting arrangements used for purposes of advertising or night operations shall be directed away from adjoining or nearby residential properties, and
 - 3) Parking and/or service areas shall be separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six feet in height above finish grade.
- F) Dry cleaning or laundry pick-up agency; provided, that:
- 1) Any laundering, cleaning or pressing done on the premises shall involve only articles delivered to the premises by individual customers; and
 - 2) No applicable fire zone regulation shall be violated.
- G) Pet shop; provided, that all animals shall be housed within the principal building so that no sound is perceptible beyond the premises.
- H) Public utility substation or subinstallation including water towers, provided, that:
- 1) Such use shall be enclosed by a fence or wall at least six feet in height above finish grade, or by some other screening material deemed appropriate as part of the appearance review process.
 - 2) There shall be no storage of vehicles or equipment on the premises, and
 - 3) A landscaped strip not less than five feet in width shall be planted and suitably maintained.
- I) Commercial recreation facility, specifically including: Theaters, but not including drive-in type of facility.

4. *Other requirements:* Unless otherwise specified elsewhere in this ordinance, uses permitted in LC local commercial zoning districts shall be required to conform to the following standards:
- A) Minimum lot area—1500 square feet,
 - B) Minimum lot width, measured at the building line—20 feet,
 - C) Minimum side yard—No side yard required,
 - D) Minimum rear yard—No rear yard required,
 - E) Additional requirements: Uses permitted in LC zoning districts shall meet all standards set forth in article I, section 7, subsection I., pertaining to off-street parking, loading, and other requirements. Public alleys and/or parking lots may be used to satisfy this requirement.
 - F) Signs: Signs permitted in LC zoning districts, including the conditions under which they must be located, are set forth in article III.

SECTION II. Severability. If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, the validity of the remaining sections, subsections, paragraphs, clauses, or provisions shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall take effect upon adoption by the Town Council.

SIGNED AND SEALED this ____ day of _____, 2015, having been duly adopted by the Town Council for the Town of Fort Mill on the ____ day of _____, 2015.

First Reading: March 9, 2015
 Public Hearing: April 13, 2015
 Second Reading: April 13, 2015

TOWN OF FORT MILL

 Danny P. Funderburk, Mayor

LEGAL REVIEW

 Barron B. Mack, Town Attorney

ATTEST

 Dana Powell, Interim Town Clerk

**Planning Commission Meeting
February 24, 2015
New Business Item**

Request to Approve Road Name

Request from Leroy Springs & Co. to approve a road name for a proposed private road on the Anne Springs Close Greenway (Adventure Road)

Background / Discussion

The Planning Commission is asked to consider a request from Leroy Springs & Co. to approve the designation of an existing gravel driveway at the Anne Springs Close Greenway (across from the Springfield subdivision on Springfield Parkway) as a private road named “Adventure Road.” The road will primarily serve the Greenway’s Field Trial Barn and Adventure Center.

This request is being made for naming and addressing purposes only. The road is intended to remain privately owned and maintained, and will not be dedicated to, or accepted by the town. As such, the road will not be required to be built to the town’s full specifications; however, minimum fire code requirements shall be enforced.

A full plat designating the road right-of-way is currently pending. The Planning Commission is asked to approve the road name, and authorize staff to sign the plat once it has been received.

Pursuant to Section 6-29-1200(A) of the South Carolina Code of Laws:

A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction. It is unlawful for a person in laying out a new street or road to name the street or road on a plat, by a marking or in a deed or instrument without first getting the approval of the planning commission. Any person violating this provision is guilty of a misdemeanor and, upon conviction, must be punished in the discretion of the court.

Recommendation

The York County Addressing Office has approved and reserved the name “Adventure Road” for use on the Anne Springs Close Greenway. Staff recommends in favor of the request, with the following notes and contingencies:

1. The private road shall meet the following requirements of Chapter 5, Section 503 of the International Fire Code (2012):
 - a. The drivable surface shall be a minimum of 20’ in width;
 - b. The road shall have a minimum vertical clearance of 13’ 6”;

- c. The road shall have all weather driving capability (such as gravel, asphalt or other approved material); and
 - d. The road shall be capable of supporting fire apparatus.
- 2. The private road shall have an approved turnaround facility for emergency vehicles and equipment.

Joe Cronin
Planning Director
February 20, 2015

