



**TOWN OF FORT MILL
PLANNING COMMISSION MEETING
March 25, 2014
112 Confederate Street
7:00 PM**

REGULAR MEETING

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Meeting: February 25, 2014 *[Pages 2–4]*

NEW BUSINESS

1. **Annexation Request: Springview Meadows (0.297 Acres)** *[Pages 5–12]*

An ordinance annexing a portion of York County Tax Map Number 719-00-00-157 (0.297 Acres)

ITEMS FOR INFORMATION / DISCUSSION

1. **Development Updates:**
- a. The Greens at Fort Mill
 - b. Springfield
 - c. Preserve at River Chase
 - d. Springview Meadows
 - e. Millridge (Formerly Sutton Park)
 - f. Carolina Orchards

ADJOURN

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
February 25, 2014
112 Confederate Street
7:00 PM**

Present: Chairman James Traynor, Scott Couchenour, Ben Hudgins, Chris Wolfe, Tom Petty, John Garver, Planning Director Joe Cronin

Absent: Tony White

Guests: None

Chairman Traynor called the meeting to order at 7:00 pm.

Mr. Couchenour made a motion to approve the minutes from the January 28, 2014, regular meeting, with a second by Mr. Wolfe. The minutes were approved by a vote of 6-0.

Planning Director Cronin noted a typo on the cover sheet of the published agenda. The header for New Business Item #1 should state "Commercial Appearance Review: Kingsley #6" instead of "Commercial Appearance Review: Hampton Inn & Suites." All accompanying information in the staff write up and background materials were correct.

Chairman Traynor stated that he had a conflict of interest on New Business Item #1. Chairman Traynor left the meeting at 7:01 PM. Vice Chairman Wolfe presided as Acting Chair in the Chairman's absence.

NEW BUSINESS

1. **Commercial Appearance Review: Kingsley #6:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and approve the architectural plans for a new 60,000 square foot commercial building in the Kingsley Office Park. Planning Director Cronin shared the architectural renderings submitted by the applicant, and stated staff's opinion that the proposed structure was consistent with both the zoning ordinance, as well as existing buildings within Kingsley Park. Mr. Hudgins made a motion to grant commercial appearance review approval for the project, with a second by Mr. Petty. The motion was approved by a vote of 5-0.

ITEMS FOR INFORMATION / DISCUSSION

1. **Fort Mill Southern Bypass Overlay District Update:** Planning Director Cronin stated that Town Council adopted the Fort Mill Southern Bypass Overlay District during its morning meeting on February 24th. Only one major change was included at second reading, which allowed for a waiver to be granted for certain parcels meeting pre-defined eligibility

criteria. Planning Director Cronin thanked members of the commission for their work on preparing and reviewing the draft ordinance.

2. **Crescent Annexation**: Planning Director Cronin stated that Town Council adopted the Crescent annexation ordinance for 280 +/- acres at the end of Suttonview Road during its morning meeting on February 24th. The recommended zoning designation of MXU, as well as the concept plan and development conditions were also approved with minor modifications.

There being no further business, the meeting was adjourned at 7:31 pm.

Respectfully submitted,

Joe Cronin
Planning Director

RECUSAL STATEMENT

Member Name: JAMES TRAYNOR

Meeting Date: TUESDAY 2/25/14

Agenda Item: Section NEW BUSINESS Number: 1

Topic: KINGSLEY PARK - KINGSLEY #6
OFFICE BUILDING

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: _____

Date: 2/24/14 JAMES TRAYNOR
Member 

Approved by Parliamentarian: _____

**Planning Commission Meeting
March 25, 2014
New Business Item**

Annexation Request: Springview Meadows (0.297 Acres)

An ordinance annexing a portion of York County Tax Map Number 719-00-00-157 (0.297 Acres)

Background / Discussion

Pulte Homes has submitted an application for annexation of approximately 0.297 acres of land on U.S 21 Bypass. The subject property, which makes up a portion of York County Tax Map Number 719-00-00-157, is located directly across from Mercantile Place, and adjacent to another parcel owned by Pulte, which was previously annexed into the town limits on January 13, 2014 (Ordinance No. 2014-01).

The 0.297 acre property is part of a larger parcel owned by York Electric Cooperative Inc. (York County Tax Map Number 719-00-00-157). Pulte Homes is under contract to purchase the property from York Electric Coop with the intention of recombining the 0.297 acre portion with its neighboring 45.7 acre tract (York County Tax Map Number 717-00-00-011). York Electric Coop has signed a joinder agreement (see attached) authorizing Pulte to sign the annexation petition on the Coop's behalf. The remainder of Tax Map Number 719-00-00-157 will remain in the county.

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 a minimum open space of 20%.

The applicant has requested a zoning designation of R-5 Residential, which is consistent with Pulte's neighboring parcel. The Pulte property has been approved for a new 87-unit single-family subdivision called Springview Meadows.

At the request of SCDOT, Pulte is proposing to align the new access road into Springview Meadows in a location directly across from Mercantile Place. Mercantile Place serves as the primary access point from U.S. 21 into the new Springfield Town Center commercial development (Family Trust, future Harris Teeter, etc). Existing turn lanes have been installed on U.S. 21 to serve the new subdivision, as well as Springfield Town Center.

Without annexing this property, a portion of the primary access road built to serve the new subdivision will be located outside the town limits, and would, therefore, fall under the county's jurisdiction. Annexing the 0.297 acre parcel will ensure that the entire road would fall under the town's jurisdiction.

Recommendation

The subject property meets the contiguity requirement as established by state law and is, therefore, eligible for annexation.

Staff recommends in favor of the annexation. Once annexed, this portion of Tax Map Number 719-00-00-157 (0.297 acres) will be recombined with the previously annexed 717-00-00-011 (45.7 acres) as part of the planned Springview Meadows residential subdivision. This annexation will also ensure that the new road to be built within the new subdivision will fall under the jurisdiction of only one governmental entity.

The requested zoning designation of R-5 is also consistent with the zoning assigned to the neighboring Springview Meadows subdivision.

Joe Cronin
Planning Director
March 20, 2014

March 19, 2014

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

Re: Request for Annexation

Dear Mr. Pieper:

As the Petitioner (Pulte Homes) representing the owners of the property indicated below, I/we respectfully request that the Town of Fort Mill annex 0.297 acres of parcel 719-0000-157 into the Town limits. I/we also request that the property be zoned upon annexation as R-5 which is the existing zoning of parcel 717-0000-011 which the 0.297 acres will be recombined with. Thank you for your consideration.

Property Address: US Highway 21 bypass

Tax Map Number: 0.297 Acres of parcel 719-0000-157

Total Acreage: 0.297 Acres

Zoning Designation Requested: R-5 which is existing zoning of parcel 717-0000-011 which the 0.297 acres will be recombined with.

Petitioner Signatures

Property Owners: See Attached Joinder Agreement

Print Name(s):

Signature(s):

FRANCISCO GARCIA



Town of Fort Mill Rezoning and Annexation (R-5)

Petitioner Joinder Agreement

The undersigned, as the owner of the 0.297 acres of parcel 719-0000-157 located on S.C. HWY 21 in York County, South Carolina that is designated as 0.297 acres of Parcel Identification Number 717-0000-157, on the York County Tax Map and which is the subject of the attached annexation Application, hereby join and give permission to Pulte Homes to request and file this Annexation Rezoning Application and consent to the annexation into the Town of Fort Mill to the R-5 zoning district for the 0.297 acres of Parcel. The remaining acreage of parcel 719-0000-157 shall remain in unincorporated York County.

This 20 day of March 2014

By: M. D. Lyss for

Name: YORK ELECTRIC CORPORATION INC.

South Carolina
County of YORK

York Electric Cooperative, appearing before the undersigned
Name of Property Owner (printed)

Notary and being duly sworn, says that:

- 1. I am the owner of the property described above.
- 2. All statements above are true and correct.

Property Owner's Signature M. D. Lyss for VP Energy Delivery York Electric Cooperative, Inc.

Sworn to (or affirmed) and subscribed before me this the 20 day of MARCH, 2014.



William T. Seism
Official Signature of Notary

William T. Seism, Notary Public
Notary's printed or typed name

My commission expires: MARCH 26th 2020

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: R-5 Residential.

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 Two (2).

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 resolution 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 _____, 2014, having been duly adopted by the Town Council for the Town of Fort Mill on the ____ day of _____, 2014.

First Reading: March 24, 2014
Public Hearing: April 14, 2014
Second Reading: April 14, 2014

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

ATTEST

Barron B. Mack, Jr, Town Attorney

April Beachum, 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 0.297, more or less, containing all the property shown in the map attached as Exhibit B, and being more particularly described as a portion of York County Tax Map Number 719-00-00-157.

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.

