

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
April 19, 2016  
112 Confederate Street  
7:00 PM**

Present: James Traynor, Hynek Lettang, Tom Adams, Ben Hudgins, Chris Wolfe, Tom Petty, Jay McMullen, Planning Director Joe Cronin, Assistant Planner Chris Pettit

Absent: None

Guests: Chris Blanton (Catalyst Group), Gary Furrow (Catalyst Group), David Meyer (QuikTrip), Brian Smith (Urban Design Group), Judy Allie (QuikTrip)

Chairman Traynor called the meeting to order at 7:00 pm and welcomed everyone in attendance.

Planning Director Cronin introduced Tom Adams, who was appointed by Town Council to fill the seat formerly held by Mr. Garver. Chairman Traynor and members of the commission welcomed Mr. Adams.

Chairman Traynor stated that he had a conflict of interest on Old Business Item #1, and would be recusing himself from discussion of that item.

Mr. Petty made a motion to approve the minutes from the March 15, 2016, meeting, with a second by Mr. Wolfe. Mr. Wolfe noted a typo in the minutes, and recommended a correction. The minutes were approved, as corrected, by a vote of 7-0.

**OLD BUSINESS ITEMS**

Chairman Traynor stated that he had a conflict of interest on the next agenda item, and would recuse himself from discussion. Chairman Traynor left the meeting at 7:04 pm.

- 1. Commercial Appearance Review: QuikTrip:** Assistant Planner Pettit provided a brief overview of the request, the purpose of which was to consider the request for appearance review approval for QuikTrip's proposed gas station/convenience store located at the corner of Highway 160 and Springfield Parkway. Assistant Planner Pettit noted that the project had previously received appearance review approval for all items except signage, landscaping, lighting, and crosswalk design.

Mr. Pettit took the Planning Commission through the staff report, noting how the applicant addressed comments from previous review sessions on all outstanding items. Regarding the signage, Mr. Pettit stated that the applicant had revised the signage to include a brick base using a brick also included on the principal structure. Mr. Pettit noted that the signage, as presented by the applicant, did include internal illumination which was not permitted along the corridor, however additionally noting that the

applicant had proposed to utilize the internal illumination to help with the illumination of the perimeter sidewalks along Highway 160 and Springfield Parkway. Mr. Pettit provided an overview of the landscaping revisions, noting that the applicant had revised the previous plan to include flowing lines of planting and a larger diversity in plant species. Mr. Pettit went through the applicant's proposed lighting plan, noting that the applicant had provided additional lighting from the interior of the project to spill onto the perimeter sidewalks to help provide a safe pedestrian realm per the COD-N overlay requirements. Finally, Mr. Pettit provided the commission with an example of the proposed crosswalk design (see example provided below).



In regards to lighting along the corridor, Mr. Hudgins stated that the first project on the corridor should meet all the requirements of the COD-N overlay district. A discussion occurred on providing lighting along the sidewalks on both the Highway 160 and Springfield Parkway frontages, as the applicant's original design included areas with no lighting provided especially in the corner nearest to the intersection. Mr. Wolfe questioned whether the lighting could be redesigned to get 0.5 footcandles at the sidewalk. Mr. Petty noted that he was not concerned with the sidewalk being pitch black, as its proximity to the intersection and other lighting would make it acceptable in reality. Mr. Petty additionally stated that the applicant was not at fault in regards to the location of the sidewalk as it is an existing sidewalk, noting that future project should bring the sidewalks interior to the property lines, thus providing more flexibility in providing lighting to them. Mr. Petty suggested that 0.2 footcandles was a more approachable target.

Mr. Hudgins stated that the signage should meet the requirements and intent of the COD-N overlay district requirements. Mr. McMullen questioned whether the brick work should be included on the sides and at the top of the monument sign. Planning Director Cronin noted that the planning commission's subcommittee for COD design guidelines did discuss recommending that architectural features extend to both the sides and top of the monuments. The applicants were asked whether or not all of their company's signs featured internal illumination, to which Mr. Meyer noted that they all feature internal illumination. Mr. McMullen discussed setting a precedent with the first project in that area along the corridor and that it should be designed accordingly. Ms. Allie noted that that external illumination is considered a tripping hazard for company employees and would not be ideal. Mr. Petty noted that external illumination could create issues with glare that could pose a problem for nearby drivers. Mr. Cronin noted that the COD overlay did provide areas of flexibility with some code requirements, while others, such as internal illumination, are explicit and should be met for all projects. Mr. McMullen

concurrent, noting that consistency along the entire corridor was the intent of the overlay district.

In regards to crosswalks, a discussion occurred related to the planning commission's subcommittee for COD design guidelines and their recommendation to use concrete pavers that are bituminous set, with a ribbon of contrasting color along the edges. Mr. Pettit noted that this was a recommended guideline, however not a strict requirement per code. Mr. Petty noted that the Department of Transportation may not allow pavers in the right-of-way along access driveways. Mr. McMullen questioned whether all crosswalks on the property would utilize the same design, to which Mr. Meyer noted that they were incorrectly marked on the included site plan and that they would all feature the same design. Mr. Wolfe and Mr. McMullen suggested that the designs should be consistent over the entire corridor and meet the intent of the design guideline recommendations. Mr. Petty noted that the applicant did not determine the sidewalk location, which was existing within the DOT right-of-way, and thus had no control over what could or couldn't be used as crosswalks since they were located in the right-of-way. Mr. Wolfe suggested that the specifics of what the crosswalks looked like should be up to the applicant as long as the design generally matches the design recommendations for the corridor. Mr. McMullen noted that the first project would be the one to set the tone for the entire corridor.

In regards to landscaping, Mr. McMullen suggested that all sides of the dumpster be screened with shrubs and that with over 700 shrubs, two types of species was not enough variation to protect the site should a species die and/or become diseased. Brian Smith, representing the engineer for the project, noted that the shrubs were a code requirement and that they would have to be replanted if they did die. Mr. McMullen noted that great property owners would certainly do that, while average applicants may or may not do so in an appropriate fashion. Mr. Wolfe questioned whether there were specific requirements related to landscaping, to which Mr. Pettit noted that the only thing spoken to in the code was related to the amount of landscaping and general location.

Hearing no further discussion, the commission decided to take up voting on each of the remaining items individually. In regards to the landscaping, Mr. Wolfe made a motion to approve as submitted. Mr. Lettang seconded the motion. The motion carried 5-1, with Mr. McMullen in opposed.

In regards to crosswalks, Mr. Hudgins made a motion to approve the crosswalks with a 45 degree herringbone pattern, ribbon apron, and concrete color to be determined by staff or as presented. Mr. McMullen seconded the motion. The motion carried by a vote of 6-0.

In regards to lighting, Mr. Wolfe made a motion to approve as submitted, contingent upon modifying the design to bring the sidewalk at the corner of Springfield Parkway and Highway 160 up to 0.2 footcandles. Mr. Petty seconded the motion. The motion carried by a vote of 6-0.

In regards to signage, Mr. Lettang made a motion to approve as submitted. Mr. Wolfe seconded the motion. The motion failed by a vote of 3-3, with Mr. Adams, Mr. Hudgins, and Mr. McMullen opposed. Ms. Allie asked if the planning commission would take up a vote on approving the design as submitted using external lighting as opposed to internal lighting. Mr. Adams made a motion to approve the design as submitted using external lighting. Mr. Lettang seconded the motion. The motion carried 6-0.

Chairman Traynor returned to the meeting at 8:02 pm.

- 2. Text Amendment: Convert R-5 Residential to R-7 Residential:** Planning Director Cronin reminded the Planning Commission that this item was initiated by town council during a council workshop in March. Because the UDO is expected to be completed and presented to town council in May, it was staff's recommendation to table this ordinance, and to address council's concerns regarding the R-5 district in the UDO.

Chairman Traynor stated that while he understood council's intent, he had serious concerns about the impact of this ordinance, which would make nearly 500 residential lots non-conforming with the zoning ordinance.

Mr. Petty added that he too had concerns about this ordinance, and didn't like the idea of current and future homeowners in approved R-5 subdivisions getting caught in the middle as a result of this amendment. Mr. Petty recommended that council should consider tabling the text amendment, and instead take the issue up during its consideration of the new UDO.

Mr. Adams made a motion to recommend that town council table the text amendment, and to address the question of the R-5 district in the new UDO. Mr. Petty seconded the motion. The motion was approved by a vote of 7-0.

- 3. Rezoning Request: Oakland Pointe:** Mr. Adams made a motion to recommend that town council table the rezoning request, and to address the question of the R-5 district in the new UDO. Mr. Petty seconded the motion. The motion was approved by a vote of 7-0.
- 4. Rezoning Request: Pecan Ridge:** Mr. Adams made a motion to recommend that town council table the rezoning request, and to address the question of the R-5 district in the new UDO. Mr. Petty seconded the motion. The motion was approved by a vote of 7-0.
- 5. Rezoning Request: Springview Meadows:** Mr. Adams made a motion to recommend that town council table the rezoning request, and to address the question of the R-5 district in the new UDO. Mr. Petty seconded the motion. The motion was approved by a vote of 7-0.
- 6. Rezoning Request: Sutton Mill:** Mr. Adams made a motion to recommend that town council table the rezoning request, and to address the question of the R-5 district in the new UDO. Mr. Petty seconded the motion. The motion was approved by a vote of 7-0.

## NEW BUSINESS ITEMS

1. **Annexation Request: Haire Village:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and provide a zoning recommendation on an annexation request for York County Tax Map Numbers 738-00-00-045, 738-00-00-046 and 738-00-00-077, containing approximately 48.0 +/- acres on Haire Road.

Planning Director Cronin stated that the property is currently owned by various members of the Haire family, but that the Catalyst Group LLC is serving as applicant. The applicant has requested a zoning designation of MXU Mixed Use. The intended use of the property (as defined in the corresponding concept plan and development conditions) includes 305 market rate apartments, 80 age restricted (55+) attached residential units, and an age restricted (55+) continuing care retirement facility with up to 200 dwelling units. Up to 16,000 square feet of retail, office and/or municipal uses would also be permitted on the property. Gary Furrow of the Catalyst Group LLC provided additional information on behalf of the applicant.

Mr. Adams, Mr. Wolfe and Mr. Hudgins expressed concerns about the residential density, particularly the 305 market rate apartments.

Chairman Traynor inquired about the status of Phase 2 of the Fort Mill Southern Bypass. Planning Director Cronin stated that he had spoken to the York County Pennies for Progress Manager, and had been given an estimated completion date of June 2016. Chairman Traynor stated that he would like to see language included in the development conditions regarding project phasing, to ensure that the road infrastructure would be in place to serve the project. Planning Director Cronin added that the age-restricted component of the project, particularly the continuing care component, would generate significantly less traffic (especially at peak travel times) than if the entire project was developed as regular single-family housing.

Mr. Petty asked Mr. Furrow to speak about the Catalyst Group's track record with similar projects. Mr. Furrow stated that the company has completed similar projects in several communities in Georgia and Florida. In regards to project density, Mr. Furrow added that the number of apartments could be reduced from 305 to a range of 180-220, but any number lower than this amount would likely make the project financially unfeasible.

Mr. McMullen stated that he would like to see a traffic impact analysis before voting on the request. He added that he would also like to see an increase in the amount of non-residential development, including a minimum amount of commercial square footage.

Mr. Adams made a motion to recommend that town council deny the annexation request with MXU zoning. Mr. Lettang seconded the motion.

Mr. Petty made a substitute motion to defer consideration of the request, and asked the applicant to bring back a revised plan that addresses the concerns expressed by members of the Planning Commission. Mr. McMullen seconded the motion.

Chairman Traynor called for a vote on the substitute motion:

<u>In Favor of the Substitute Motion</u>	<u>Opposed to the Substitute Motion</u>
Traynor	Lettang
Hudgins	Adams
Petty	Wolfe
McMullen	

The substitute motion was approved by a vote of 4-3, and consideration of the annexation ordinance was deferred.

- 2. MXU Concept Plan & Development Conditions: Haire Village:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and provide a recommendation on the proposed concept plan and development conditions for the Haire Village project.

As stated above, the intended use of the property includes 305 market rate apartments, 80 age restricted (55+) attached residential units, and an age restricted (55+) continuing care retirement facility with up to 200 dwelling units. Up to 16,000 square feet of retail, office and/or municipal uses would also be permitted on the property.

Mr. Adams made a motion to recommend that town council deny the proposed mixed use concept plan and development conditions. Mr. Lettang seconded the motion.

Mr. Petty made a substitute motion to defer consideration of the request, and asked the applicant to bring back a revised plan that addresses the concerns expressed by members of the Planning Commission. Mr. McMullen seconded the motion.

Chairman Traynor called for a vote on the substitute motion:

<u>In Favor of the Substitute Motion</u>	<u>Opposed to the Substitute Motion</u>
Traynor	Lettang
Hudgins	Adams
Petty	Wolfe
McMullen	

The substitute motion was approved by a vote of 4-3, and consideration of the MXU concept plan and development conditions was deferred.

- 3. Street Renaming Request: Self Street:** Planning Director Cronin and Assistant Planner Pettit provided a brief overview of the request, the purpose of which was to consider a request from the York County Addressing Office to re-name sections of Self Street, near

Walter Y. Elisha Park in Fort Mill. Assistant Planner Pettit showed a map of the area on the screen, and highlighted the four sections of Self Street. Planning Director Cronin stated that none of the sections are contiguous, and that the county has requested that three of the sections be renamed so as to avoid confusion for emergency responders.

Assistant Planner Pettit noted that the county recommended several available street names, including: Millport Street, Looms Way, Spindle Street, Bobbin Street, and Spools Way. Each proposed name was intended to be a nod to the former Springs Mills, which were operated for a century in the current site of Elisha Park.

Planning Director Cronin noted that a public hearing will need to be held before the road names are finalized. He recommended that the Planning Commission select three names, and authorize staff to advertise a public hearing.

Mr. Adams made a motion to recommend in favor of Looms Way for the largest segment, and Spindle Street and Bobbin Street for two smaller sections, and to authorize staff to advertise a public hearing. Mr. Wolfe seconded the motion. The motion was approved by a vote of 7-0. Staff will advertise a public hearing at a subsequent meeting before a final vote is taken.

4. **Capital Improvements Plan Amendment:** Planning Director Cronin stated that the town's current CIP included the purchase of land and construction of a new town hall facility. The town is currently in contractual negotiations to purchase an existing building in the downtown area, with the intent of moving the town's administrative functions from 112 Confederate Street into the new building. The existing administrative offices would then be converted into office space for the Fort Mill Police Department. Because the current CIP anticipated the construction of a new building, with an estimated project cost of more than \$9 million, staff recommended amending the CIP to instead allow for the acquisition and expansion of an existing facility, at a significantly reduced cost.

Mr. Adams made a motion to go into Executive Session, with a second by Mr. Wolfe, to receive information about the proposed facility. The motion was approved by a vote of 7-0. The Planning Commission entered into Executive Session at 9:11 pm.

Mr. Adams made a motion to return to Open Session, with a second by Mr. Wolfe. The motion was approved by a vote of 7-0, and the Planning Commission returned to Open Session at 9:12 pm.

Mr. Adams made a motion to recommend in favor of the ordinance amending the CIP. Mr. Wolfe seconded the motion. The motion was approved by a vote of 7-0.

5. **Comprehensive Plan Amendment:** Planning Director Cronin stated that the town's CIP was included, by reference, in the town's comprehensive plan. Should council elect to amend the CIP, it was staff's recommendation that the comprehensive plan should also be amended so as to incorporate the amended CIP into the priority investment element contained within Volume 2: Fort Mill Tomorrow. In addition, staff was recommending

several changes to the Future Land Use Map, also contained within Volume 2. These changes will be incorporated in the town-wide rezoning, which is expected to place on a parallel tract with adoption of the Unified Development Ordinance.

Mr. Adams made a motion to recommend in favor of the ordinance amending the comprehensive plan. The motion was approved by a vote of 7-0.

#### **ITEMS FOR INFORMATION / DISCUSSION**

1. **Site Plan Revisions for 120 Academy Street Shell Building**: Assistant Planner Pettit informed members of the Planning Commission that SCDOT had expressed concerns about the access plan for the shell building proposed for 120 Academy Street. Assistant Planner Pettit presented a modified site plan that was prepared to accommodate SCDOT's concerns. The site plan will remove the new driveway at 120 Academy Street, and would allow for internal connectivity between 120 Academy Street and the neighboring strip center. Staff asked for the Planning Commission's consent to approve this as a minor change. Members of the commission agreed that the proposed modification was preferable to the original plan, and expressed no concern with the amendments.
2. **Upcoming UDO Meeting Dates**: Planning Director Cronin reminded members that a series of UDO Focus Group meetings were scheduled to take place on Monday, May 2<sup>nd</sup>, and Tuesday, May 3<sup>rd</sup>. A public meeting was also scheduled for 6:30 to 8:00 pm on Monday, May 2<sup>nd</sup>. The UDO Advisory Committee will meet at 6:30 pm on Tuesday, May 3<sup>rd</sup>, to review and discuss the comments received during the focus group and public input meetings. All meetings will take place in the Spratt Building.
3. **York County Housing Freeze Ordinance**: Chairman Traynor asked if there was any update to the proposed York County Housing Freeze. Planning Director Cronin stated that he had watched streaming video from the county council meeting, and provided an update on the items discussed. He stated that county council voted 5-2 to give first reading to the ordinance, but that subsequent changes to the ordinance would be likely.

There being no further business, the meeting was adjourned at 9:38 pm.

Respectfully submitted,

Joe Cronin  
Planning Director

# RECUSAL STATEMENT

Member Name: JAMES TRAYNOIR

Meeting Date: TUESDAY APRIL 19, 2016

Agenda Item: Section OLD BUSINESS Number: 1

Topic: COMMERCIAL APPEARANCE REVIEW QUICK TRIP

*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: PROPERTY UNDER CONTRACT WITH  
AFFILIATED COMPANY OF MY EMPLOYER

Date: 4/18/16

J. Traynoir  
Member

Approved by Parliamentarian: [Signature]

4/18/16