



**TOWN OF FORT MILL
PLANNING COMMISSION MEETING
April 22, 2014
112 Confederate Street
7:00 PM**

REGULAR MEETING

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Meeting: March 25, 2014 *[Pages 3–4]*

STAFF UPDATE REGARDING COMMITTEE REORGANIZATIONS

ELECTION OF CHAIR & VICE-CHAIR FOR 2014

PRESENTATION

1. **Impact Fee Study & Recommendation** *[Pages 5–19]*
Joe Cronin, Fort Mill Planning Director
Matt Noonkester, Stantec

NEW BUSINESS

1. **Commercial Appearance Review: Carolina Upholstery** *[Pages 20–22]*

Request from Carolina Upholstery to grant commercial appearance review approval for a proposed addition to an existing commercial building located at 201 Spratt Street
2. **Annexation Request: Barber, Fite & Scott Property** *[Pages 23–32]*

An ordinance annexing York County Tax Map Numbers 616-00-00-019, 661-00-00-025, 661-00-00-026 (Portion) & 661-00-00-001 (Portion)
3. **Preliminary Plat Approval: Millridge** *[Pages 33–35]*

Request from M/I Homes to approve a Preliminary Plat for the Millridge Subdivision

4. Final Plat Approval: Springview Meadows

[Pages 36–39]

Request from Pulte Homes to approve a Final Plat for the Springview Meadows Subdivision (Bonded)

ITEMS FOR INFORMATION / DISCUSSION

There are no items for information / discussion.

ADJOURN

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
March 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: Matt Levesque (ESP Associates), Cisco Garcia (Pulte Homes), Kimberly Bainbridge

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

Mr. Hudgins made a motion to approve the minutes from the February 25, 2014, regular meeting, with a second by Mr. Couchenour. The minutes were approved by a vote of 6-0.

NEW BUSINESS

1. **Annexation Request: Springview Meadows (0.297 acres)**: Planning Director Cronin provided a brief overview of the request, the purpose of which was to annex a small portion of York County Tax Map Number 719-00-00-157, currently owned by York Electric Coop, but under contract for sale to Pulte Homes. The 0.297 acre tract was the intended location of the primary access road for the Springview Meadows subdivision. Absent the annexation, a portion of the road would be in the county, and the remainder would be in the town. Mr. Couchenour made a motion to recommend in favor of the annexation with a zoning designation of R-5. Mr. Garver seconded the motion. The motion was approved by a vote of 6-0.

ITEMS FOR INFORMATION / DISCUSSION

1. **Development Updates**: Planning Director Cronin provided an update on the status of the following development projects:
 - a. **The Greens at Fort Mill**: Construction continues at the top of Main Street. The project is expected to be completed in May/June 2014.
 - b. **Springfield**: The final two phases of Springfield, Phases 3C and 4C, have been platted. All lots within the subdivision have now been platted. It is anticipated that the full 600+ lots in Springfield will be built out within the next 18-14 months.

- c. **Preserve at River Chase**: Meritage Homes has completed most of the infrastructure for Phase 1 and the neighborhood is beginning to take shape. The first six houses were permitted in February, and a grand opening is expected in April.
- d. **Springview Meadows**: Clearing and grading work has commenced in the new Springview Meadows subdivision. A final plat (bonded) is expected to be submitted for review in April, with site work expected to begin within the next few weeks.
- e. **Millridge (Formerly Sutton Park)**: The project formerly known as “Sutton Park” has been renamed “Millridge.” The applicant has submitted construction drawings for staff review. A preliminary plat is expected to be on the April agenda for review and approval.
- f. **Carolina Orchards**: Pulte Homes has submitted a sketch plan for a new subdivision on Springfield Parkway called Carolina Orchards. The sketch includes a total of 630 lots. The property is zoned Mixed Use and is covered by the 2008 development agreement between the town and Clear Springs. As the project goes through the platting process, the MXU district allows for subdivision documents to be reviewed and approved administratively, as long as they are consistent with the development agreement, MXU district requirements, and the town’s development ordinances.
- g. **Springfield Town Center**: Springfield Town Center, located near the intersection of US 21 Bypass and Springfield Parkway, is also covered by the 2008 development agreement between the town and Clear Springs. Development activities at Springfield Town Center have resumed, and a new Harris Teeter, as well as three other commercial buildings, were recently approved for construction.

There being no further business, the meeting was adjourned at 7:10 pm.

Respectfully submitted,

Joe Cronin
Planning Director

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

RESOLUTION NO. 2014-10

A RESOLUTION DIRECTING THE FORT MILL PLANNING COMMISSION TO CONDUCT STUDIES AND TO DEVELOP AND MAKE RECOMMENDATIONS FOR A CAPITAL IMPROVEMENTS PLAN AND IMPACT FEE ORDINANCE AS PROVIDED FOR IN THE SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT AS MORE FULLY SET FORTH IN SECTION 6-1-910, ET SEQ, CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED

WHEREAS, the Fort Mill Town Council desires to implement impact fees within the municipal limits of the Town of Fort Mill for the primary purpose of funding capital improvements which will increase the service capacity of certain municipal facilities, parks and recreation facilities, and transportation networks, consistent with the South Carolina Development Impact Fee Act (the “Act”), as more fully set forth in Section 6-1-910, et seq, Code of Laws of South Carolina (1976), as amended; and

WHEREAS, in order to implement such fees, the Fort Mill Town Council is required by law to enact a resolution directing the Fort Mill Planning Commission to conduct the studies and to recommend an impact fee ordinance developed in accordance with the Act; and

WHEREAS, the Town Council has determined that development and adoption of an Impact Fee Ordinance would be in the best interest of the Town of Fort Mill;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Fort Mill, in Council assembled, that the Fort Mill Planning Commission is hereby directed to conduct studies and to recommend an impact fee ordinance for a capital improvements plan for certain municipal facilities, parks and recreation facilities, and transportation networks, consistent with the requirements of the Act.

BE IT FURTHER RESOLVED that the Fort Mill Planning Commission shall complete such studies and make said recommendations within 180 days after the date of adoption of this resolution.

BE IT FURTHER RESOLVED that, in conducting such studies, the Fort Mill Planning Commission is requested to consult with and receive input from all appropriate town departments and staff, and to evaluate and consider any plans or recommendations contained within the most recently adopted Comprehensive Plan for the Town of Fort Mill, as well as any other local, state, or regional plan deemed to be germane to such studies by the Planning Commission.

BE IT FURTHER RESOLVED that the Fort Mill Town Manager shall be authorized to engage the professional services of one or more consultants who specialize in such studies for the purpose of assisting the Planning Commission with development of the studies, as well as assisting with the development of a recommended impact fee ordinance and capital improvements plan. Any consultant(s) shall be selected in a manner consistent with the most recently adopted

Purchasing Manual for the Town of Fort Mill. The Town Manager shall be further authorized to commit funds from the FY 2013-14 Adopted Budget for the payment of services rendered.

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.

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

ATTEST THIS THE ____ DAY
OF _____, 2014

April Beachum, Town Clerk

Legal Review:

Barron B. Mack, Jr., Town Attorney

ARTICLE 9.

DEVELOPMENT IMPACT FEES

SECTION 6-1-910. Short title.

This article may be cited as the "South Carolina Development Impact Fee Act".

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-920. Definitions.

As used in this article:

- (1) "Affordable housing" means housing affordable to families whose incomes do not exceed eighty percent of the median income for the service area or areas within the jurisdiction of the governmental entity.
- (2) "Capital improvements" means improvements with a useful life of five years or more, by new construction or other action, which increase or increased the service capacity of a public facility.
- (3) "Capital improvements plan" means a plan that identifies capital improvements for which development impact fees may be used as a funding source.
- (4) "Connection charges" and "hookup charges" mean charges for the actual cost of connecting a property to a public water or public sewer system, limited to labor and materials involved in making pipe connections, installation of water meters, and other actual costs.
- (5) "Developer" means an individual or corporation, partnership, or other entity undertaking development.
- (6) "Development" means construction or installation of a new building or structure, or a change in use of a building or structure, any of which creates additional demand and need for public facilities. A building or structure shall include, but not be limited to, modular buildings and manufactured housing. "Development" does not include alterations made to existing single-family homes.
- (7) "Development approval" means a document from a governmental entity which authorizes the commencement of a development.
- (8) "Development impact fee" or "impact fee" means a payment of money imposed as a condition of development approval to pay a proportionate share of the cost of system improvements needed to serve the people utilizing the improvements. The term does not include:
 - (a) a charge or fee to pay the administrative, plan review, or inspection costs associated with

permits required for development;

(b) connection or hookup charges;

(c) amounts collected from a developer in a transaction in which the governmental entity has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements;

(d) fees authorized by Article 3 of this chapter.

(9) "Development permit" means a permit issued for construction on or development of land when no subsequent building permit issued pursuant to Chapter 9 of Title 6 is required.

(10) "Fee payor" means the individual or legal entity that pays or is required to pay a development impact fee.

(11) "Governmental entity" means a county, as provided in Chapter 9, Title 4, and a municipality, as defined in Section 5-1-20.

(12) "Incidental benefits" are benefits which accrue to a property as a secondary result or as a minor consequence of the provision of public facilities to another property.

(13) "Land use assumptions" means a description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a ten-year period.

(14) "Level of service" means a measure of the relationship between service capacity and service demand for public facilities.

(15) "Local planning commission" means the entity created pursuant to Article 1, Chapter 29, Title 6.

(16) "Project" means a particular development on an identified parcel of land.

(17) "Proportionate share" means that portion of the cost of system improvements determined pursuant to Section 6-1-990 which reasonably relates to the service demands and needs of the project.

(18) "Public facilities" means:

(a) water supply production, treatment, laboratory, engineering, administration, storage, and transmission facilities;

(b) wastewater collection, treatment, laboratory, engineering, administration, and disposal facilities;

- (c) solid waste and recycling collection, treatment, and disposal facilities;
- (d) roads, streets, and bridges including, but not limited to, rights-of-way and traffic signals;
- (e) storm water transmission, retention, detention, treatment, and disposal facilities and flood control facilities;
- (f) public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities;
- (g) capital equipment and vehicles, with an individual unit purchase price of not less than one hundred thousand dollars including, but not limited to, equipment and vehicles used in the delivery of public safety services, emergency preparedness services, collection and disposal of solid waste, and storm water management and control;
- (h) parks, libraries, and recreational facilities.

(19) "Service area" means, based on sound planning or engineering principles, or both, a defined geographic area in which specific public facilities provide service to development within the area defined. Provided, however, that no provision in this article may be interpreted to alter, enlarge, or reduce the service area or boundaries of a political subdivision which is authorized or set by law.

(20) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements.

(21) "System improvements" means capital improvements to public facilities which are designed to provide service to a service area.

(22) "System improvement costs" means costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering, and other costs attributable to the improvements, and also including the costs of providing additional public facilities needed to serve new growth and development. System improvement costs do not include:

- (a) construction, acquisition, or expansion of public facilities other than capital improvements identified in the capital improvements plan;
- (b) repair, operation, or maintenance of existing or new capital improvements;
- (c) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;
- (d) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(e) administrative and operating costs of the governmental entity; or

(f) principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the governmental entity to finance capital improvements identified in the capital improvements plan.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-930. Developmental impact fee.

(A)(1) Only a governmental entity that has a comprehensive plan, as provided in Chapter 29 of this title, and which complies with the requirements of this article may impose a development impact fee. If a governmental entity has not adopted a comprehensive plan, but has adopted a capital improvements plan which substantially complies with the requirements of Section 6-1-960(B), then it may impose a development impact fee. A governmental entity may not impose an impact fee, regardless of how it is designated, except as provided in this article. However, a special purpose district or public service district which (a) provides fire protection services or recreation services, (b) was created by act of the General Assembly prior to 1973, and (c) had the power to impose development impact fees prior to the effective date of this section is not prohibited from imposing development impact fees.

(2) Before imposing a development impact fee on residential units, a governmental entity shall prepare a report which estimates the effect of recovering capital costs through impact fees on the availability of affordable housing within the political jurisdiction of the governmental entity.

(B)(1) An impact fee may be imposed and collected by the governmental entity only upon the passage of an ordinance approved by a positive majority, as defined in Article 3 of this chapter.

(2) The amount of the development impact fee must be based on actual improvement costs or reasonable estimates of the costs, supported by sound engineering studies.

(3) An ordinance authorizing the imposition of a development impact fee must:

(a) establish a procedure for timely processing of applications for determinations by the governmental entity of development impact fees applicable to all property subject to impact fees and for the timely processing of applications for individual assessment of development impact fees, credits, or reimbursements allowed or paid under this article;

(b) include a description of acceptable levels of service for system improvements; and

(c) provide for the termination of the impact fee.

(C) A governmental entity shall prepare and publish an annual report describing the amount of all impact fees collected, appropriated, or spent during the preceding year by category of public facility and service area.

(D) Payment of an impact fee may result in an incidental benefit to property owners or developers within the service area other than the fee payor, except that an impact fee that results in benefits to property owners or developers within the service area, other than the fee payor, in an amount which is greater than incidental benefits is prohibited.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-940. Amount of impact fee.

A governmental entity imposing an impact fee must provide in the impact fee ordinance the amount of impact fee due for each unit of development in a project for which an individual building permit or certificate of occupancy is issued. The governmental entity is bound by the amount of impact fee specified in the ordinance and may not charge higher or additional impact fees for the same purpose unless the number of service units increases or the scope of the development changes and the amount of additional impact fees is limited to the amount attributable to the additional service units or change in scope of the development. The impact fee ordinance must:

- (1) include an explanation of the calculation of the impact fee, including an explanation of the factors considered pursuant to this article;
- (2) specify the system improvements for which the impact fee is intended to be used;
- (3) inform the developer that he may pay a project's proportionate share of system improvement costs by payment of impact fees according to the fee schedule as full and complete payment of the developer's proportionate share of system improvements costs;
- (4) inform the fee payor that:
 - (a) he may negotiate and contract for facilities or services with the governmental entity in lieu of the development impact fee as defined in Section 6-1-1050;
 - (b) he has the right of appeal, as provided in Section 6-1-1030;
 - (c) the impact fee must be paid no earlier than the time of issuance of the building permit or issuance of a development permit if no building permit is required.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-950. Procedure for adoption of ordinance imposing impact fees.

(A) The governing body of a governmental entity begins the process for adoption of an ordinance imposing an impact fee by enacting a resolution directing the local planning commission to conduct the studies and to recommend an impact fee ordinance, developed in accordance with the requirements of this article. Under no circumstances may the governing body of a governmental entity impose an impact fee for any public facility which has been paid

for entirely by the developer.

(B) Upon receipt of the resolution enacted pursuant to subsection (A), the local planning commission shall develop, within the time designated in the resolution, and make recommendations to the governmental entity for a capital improvements plan and impact fees by service unit. The local planning commission shall prepare and adopt its recommendations in the same manner and using the same procedures as those used for developing recommendations for a comprehensive plan as provided in Article 3, Chapter 29, Title 6, except as otherwise provided in this article. The commission shall review and update the capital improvements plan and impact fees in the same manner and on the same review cycle as the governmental entity's comprehensive plan or elements of it.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-960. Recommended capital improvements plan; notice; contents of plan.

(A) The local planning commission shall recommend to the governmental entity a capital improvements plan which may be adopted by the governmental entity by ordinance. The recommendations of the commission are not binding on the governmental entity, which may amend or alter the plan. After reasonable public notice, a public hearing must be held before final action to adopt the ordinance approving the capital improvements plan. The notice must be published not less than thirty days before the time of the hearing in at least one newspaper of general circulation in the county. The notice must advise the public of the time and place of the hearing, that a copy of the capital improvements plan is available for public inspection in the offices of the governmental entity, and that members of the public will be given an opportunity to be heard.

(B) The capital improvements plan must contain:

(1) a general description of all existing public facilities, and their existing deficiencies, within the service area or areas of the governmental entity, a reasonable estimate of all costs, and a plan to develop the funding resources, including existing sources of revenues, related to curing the existing deficiencies including, but not limited to, the upgrading, updating, improving, expanding, or replacing of these facilities to meet existing needs and usage;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of existing public facilities, which must be prepared by a qualified professional using generally accepted principles and professional standards;

(3) a description of the land use assumptions;

(4) a definitive table establishing the specific service unit for each category of system improvements and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, agricultural, and industrial, as appropriate;

(5) a description of all system improvements and their costs necessitated by and attributable to new development in the service area, based on the approved land use assumptions, to provide a level of service not to exceed the level of service currently existing in the community or service area, unless a different or higher level of service is required by law, court order, or safety consideration;

(6) the total number of service units necessitated by and attributable to new development within the service area based on the land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(7) the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years;

(8) identification of all sources and levels of funding available to the governmental entity for the financing of the system improvements; and

(9) a schedule setting forth estimated dates for commencing and completing construction of all improvements identified in the capital improvements plan.

(C) Changes in the capital improvements plan must be approved in the same manner as approval of the original plan.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-970. Exemptions from impact fees.

The following structures or activities are exempt from impact fees:

(1) rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

(2) remodeling or repairing a structure that does not result in an increase in the number of service units;

(3) replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;

(4) placing a construction trailer or office on a lot during the period of construction on the lot;

(5) constructing an addition on a residential structure which does not increase the number of service units;

(6) adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity; and

(7) all or part of a particular development project if:

(a) the project is determined to create affordable housing; and

(b) the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-980. Calculation of impact fees.

(A) The impact fee for each service unit may not exceed the amount determined by dividing the costs of the capital improvements by the total number of projected service units that potentially could use the capital improvement. If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee for each service unit must be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to the projected new service units by the total projected new service units.

(B) An impact fee must be calculated in accordance with generally accepted accounting principles.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-990. Maximum impact fee; proportionate share of costs of improvements to serve new development.

(A) The impact fee imposed upon a fee payor may not exceed a proportionate share of the costs incurred by the governmental entity in providing system improvements to serve the new development. The proportionate share is the cost attributable to the development after the governmental entity reduces the amount to be imposed by the following factors:

(1) appropriate credit, offset, or contribution of money, dedication of land, or construction of system improvements; and

(2) all other sources of funding the system improvements including funds obtained from economic development incentives or grants secured which are not required to be repaid.

(B) In determining the proportionate share of the cost of system improvements to be paid, the governmental entity imposing the impact fee must consider the:

(1) cost of existing system improvements resulting from new development within the service area or areas;

(2) means by which existing system improvements have been financed;

- (3) extent to which the new development contributes to the cost of system improvements;
- (4) extent to which the new development is required to contribute to the cost of existing system improvements in the future;
- (5) extent to which the new development is required to provide system improvements, without charge to other properties within the service area or areas;
- (6) time and price differentials inherent in a fair comparison of fees paid at different times; and
- (7) availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1000. Fair compensation or reimbursement of developers for costs, dedication of land or oversize facilities.

A developer required to pay a development impact fee may not be required to pay more than his proportionate share of the costs of the project, including the payment of money or contribution or dedication of land, or to oversize his facilities for use of others outside of the project without fair compensation or reimbursement.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1010. Accounting; expenditures.

(A) Revenues from all development impact fees must be maintained in one or more interest-bearing accounts. Accounting records must be maintained for each category of system improvements and the service area in which the fees are collected. Interest earned on development impact fees must be considered funds of the account on which it is earned, and must be subject to all restrictions placed on the use of impact fees pursuant to the provisions of this article.

(B) Expenditures of development impact fees must be made only for the category of system improvements and within or for the benefit of the service area for which the impact fee was imposed as shown by the capital improvements plan and as authorized in this article. Impact fees may not be used for:

- (1) a purpose other than system improvement costs to create additional improvements to serve new growth;
- (2) a category of system improvements other than that for which they were collected; or
- (3) the benefit of service areas other than the area for which they were imposed.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1020. Refunds of impact fees.

(A) An impact fee must be refunded to the owner of record of property on which a development impact fee has been paid if:

(1) the impact fees have not been expended within three years of the date they were scheduled to be expended on a first-in, first-out basis; or

(2) a building permit or permit for installation of a manufactured home is denied.

(B) When the right to a refund exists, the governmental entity shall send a refund to the owner of record within ninety days after it is determined by the entity that a refund is due.

(C) A refund must include the pro rata portion of interest earned while on deposit in the impact fee account.

(D) A person entitled to a refund has standing to sue for a refund pursuant to this article if there has not been a timely payment of a refund pursuant to subsection (B) of this section.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1030. Appeals.

(A) A governmental entity which adopts a development impact fee ordinance shall provide for administrative appeals by the developer or fee payor.

(B) A fee payor may pay a development impact fee under protest. A fee payor making the payment is not estopped from exercising the right of appeal provided in this article, nor is the fee payor estopped from receiving a refund of an amount considered to have been illegally collected. Instead of making a payment of an impact fee under protest, a fee payor, at his option, may post a bond or submit an irrevocable letter of credit for the amount of impact fees due, pending the outcome of an appeal.

(C) A governmental entity which adopts a development impact fee ordinance shall provide for mediation by a qualified independent party, upon voluntary agreement by both the fee payor and the governmental entity, to address a disagreement related to the impact fee for proposed development. Participation in mediation does not preclude the fee payor from pursuing other remedies provided for in this section or otherwise available by law.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1040. Collection of development impact fees.

A governmental entity may provide in a development impact fee ordinance the method for collection of development impact fees including, but not limited to:

- (1) additions to the fee for reasonable interest and penalties for nonpayment or late payment;
- (2) withholding of the certificate of occupancy, or building permit if no certificate of occupancy is required, until the development impact fee is paid;
- (3) withholding of utility services until the development impact fee is paid; and
- (4) imposing liens for failure to pay timely a development impact fee.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1050. Permissible agreements for payments or construction or installation of improvements by fee payors and developers; credits and reimbursements.

A fee payor and developer may enter into an agreement with a governmental entity, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services. That agreement may provide for the construction or installation of system improvements by the fee payor or developer and for credits or reimbursements for costs incurred by a fee payor or developer including interproject transfers of credits or reimbursement for project improvements which are used or shared by more than one development project. An impact fee may not be imposed on a fee payor or developer who has entered into an agreement as described in this section.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1060. Article shall not affect existing laws.

(A) The provisions of this article do not repeal existing laws authorizing a governmental entity to impose fees or require contributions or property dedications for capital improvements. A development impact fee adopted in accordance with existing laws before the enactment of this article is not affected until termination of the development impact fee. A subsequent change or reenactment of the development impact fee must comply with the provisions of this article. Requirements for developers to pay in whole or in part for system improvements may be imposed by governmental entities only by way of impact fees imposed pursuant to the ordinance.

(B) Notwithstanding another provision of this article, property for which a valid building permit or certificate of occupancy has been issued or construction has commenced before the effective date of a development impact fee ordinance is not subject to additional development impact fees.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1070. Shared funding among units of government; agreements.

(A) If the proposed system improvements include the improvement of public facilities under the jurisdiction of another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, an agreement between the governmental entity and other unit of government must specify the reasonable share of funding by each unit. The governmental entity authorized to impose impact fees may not assume more than its reasonable share of funding joint improvements, nor may another unit of government which is not authorized to impose impact fees do so unless the expenditure is pursuant to an agreement under Section 6-1-1050 of this section.

(B) A governmental entity may enter into an agreement with another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, that has the responsibility of providing the service for which an impact fee may be imposed. The determination of the amount of the impact fee for the contracting governmental entity must be made in the same manner and is subject to the same procedures and limitations as provided in this article. The agreement must provide for the collection of the impact fee by the governmental entity and for the expenditure of the impact fee by another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public services district unless otherwise provided by contract.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1080. Exemptions; water or wastewater utilities.

The provisions of this chapter do not apply to a development impact fee for water or wastewater utilities, or both, imposed by a city, county, commissioners of public works, special purpose district, or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33, except that in order to impose a development impact fee for water or wastewater utilities, or both, the city, county, commissioners of public works, special purpose district or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33 must:

- (1) have a capital improvements plan before imposition of the development impact fee; and
- (2) prepare a report to be made public before imposition of the development impact fee, which shall include, but not be limited to, an explanation of the basis, use, calculation, and method of collection of the development impact fee; and
- (3) enact the fee in accordance with the requirements of Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1090. Annexations by municipalities.

A county development impact fee ordinance imposed in an area which is annexed by a municipality is not affected by this article until the development impact fee terminates, unless the municipality assumes any liability which is to be paid with the impact fee revenue.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-2000. Taxation or revenue authority by political subdivisions.

This article shall not create, grant, or confer any new or additional taxing or revenue raising authority to a political subdivision which was not specifically granted to that entity by a previous act of the General Assembly.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-2010. Compliance with public notice or public hearing requirements.

Compliance with any requirement for public notice or public hearing in this article is considered to be in compliance with any other public notice or public hearing requirement otherwise applicable including, but not limited to, the provisions of Chapter 4, Title 30, and Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.

**Planning Commission Meeting
April 22, 2014
New Business Item**

Commercial Appearance Review: Carolina Upholstery

Request from Carolina Upholstery to grant commercial appearance review approval for a proposed addition to an existing commercial building located at 201 Spratt Street

Background / Discussion

The Planning Commission is asked to consider a request from Andy Burkholder (Carolina Upholstery) to grant commercial development appearance review approval for a proposed commercial addition to the Carolina Upholstery building located at 201 Spratt Street. This property is located at the intersection of Spratt and Harris Streets.

The property is zoned Highway Commercial (HC), and is properly zoned for a commercial structure. The York County Tax Map number for this parcel is 020-01-25-013.

The applicant is proposing to add a 36' x 36' addition to the existing structure in order to meet the demand of increased business. The proposed building elevation is attached for review. The exterior of the building will primarily feature tan vinyl siding and brick accents, and will be identical to the materials and colors of the existing 50' x 36' structure. Two additional doors/bays will also be provided.

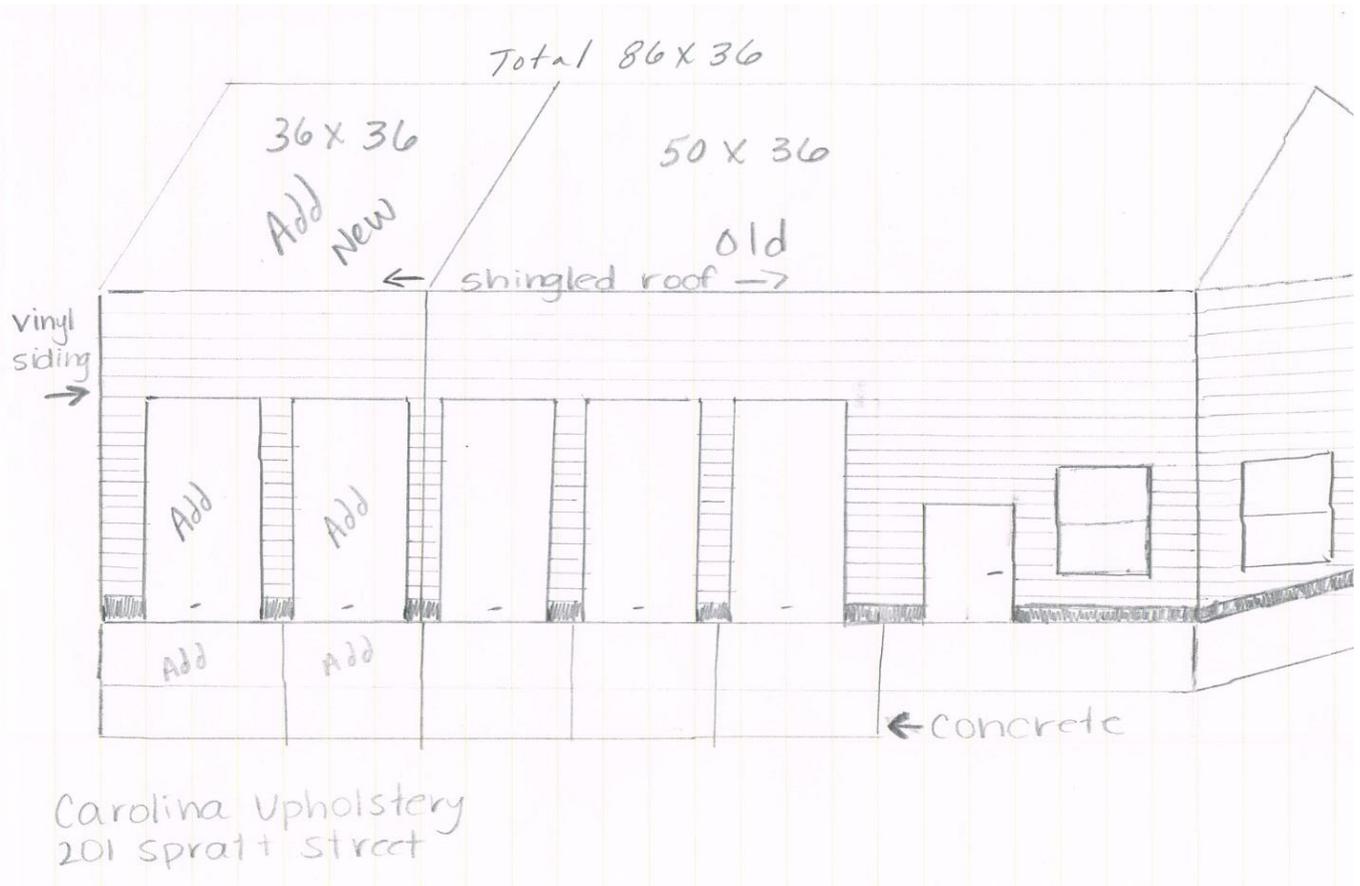
Because this is an addition to an existing commercial structure, no new landscaping or signage are proposed. We have reviewed the site plan and setbacks and found no conflicts with the zoning ordinance.

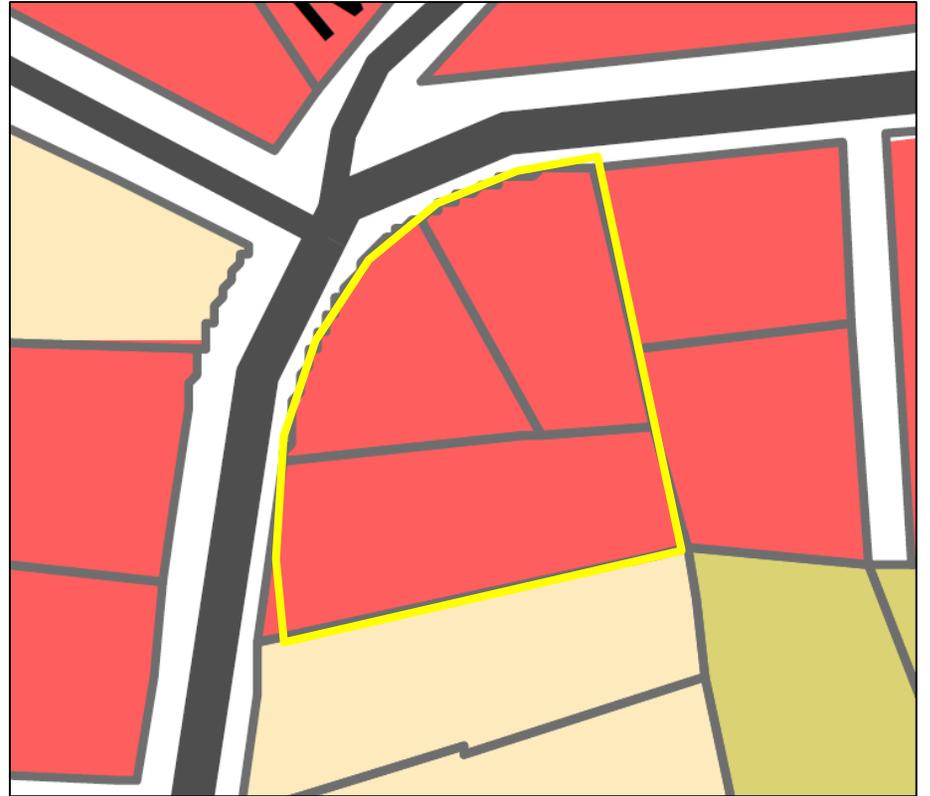
Photos of nearby buildings are attached for reference.

Recommendation

Staff has reviewed the site plan and found no major deficiencies. The plan appears to feature quality building materials and architectural features that will be consistent with existing and neighboring structures. Staff recommends in favor of approval.

Joe Cronin
Planning Director
April 17, 2014





Planning Commission Meeting
April 22, 2014
New Business Item

Annexation Request: Barber, Fite & Scott Property

An ordinance annexing York County Tax Map Numbers 616-00-00-019, 661-00-00-025, 661-00-00-026 (Portion) & 661-00-00-001 (Portion)

Background / Discussion

The town received a petition on April 10, 2014, from Evan S. and Margaret H. Barber, James R. and Vicki H. Fite, and James B. Scott (for the Sarah Belle Scott Family, LLC), requesting that a York County Tax Map Numbers 616-00-00-019, 661-00-00-025, 661-00-00-026 (Portion) & 661-00-00-001 (Portion), which are owned fully by the individuals and corporations referenced above, be annexed to and included within the corporate limits of the Town of Fort Mill under the provisions of S.C. Code Section 5-3-150(3) -- 100% Percent Method.

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 applicants have requested a zoning designation of GR General Residential. The two primary parcels covered by the annexation request, 616-00-00-019 and 661-00-00-025, are owned by the Barber family. Parcel 616-00-00-019 (600 Sutton Road) is the Barber family's primary residence. Parcel 661-00-00-025 (599 Smythe Road) contains a structure which was formerly at the intersection of Sutton Road and US 21 Bypass (now Circle K). Mrs. Margaret Barber has expressed interest in converting the structure into a bed and breakfast/small event and meeting facility. The remaining parcels, 661-00-00-026 (Portion) & 661-00-00-001 (Portion), are owned by the Fite and Scott families respectively. These two owners have agreed to grant an easement to the Barber family for the purpose of establishing contiguity with the town limits. The Fites and Scotts have consented to the annexation of those portions of property within the annexation easement.

If approved, the GR district would allow for residential uses (single-family, duplex, multi-family and group dwellings). The GR district also allows bed and breakfasts, as well as private and semi-private clubs, lodges and recreation facilities.

Recommendation

The subject properties will be contiguous to the town's boundary and will be eligible for annexation.

The future land use map contained within the town's comprehensive plan, last updated in January 2013, identifies the future land use at this location as mixed use, containing a mix of residential

and commercial uses. The subject properties are also located within Node 7b. The comprehensive plan envisions a gradual shift within this node from low density residential to higher density residential and commercial uses.

The GR district would allow for the structure located at 599 Smythe Road to be used for a bed and breakfast/meeting facility, while allowing the existing residential uses to comply as well. The GR district allows limited commercial options, and may be a better fit for the surrounding area at the present time. In the future, it is envisioned that this entire corridor may gradually transition toward mixed use or highway commercial style development.

This request is at the discretion of the planning commission and town council.

Joe Cronin
Planning Director
April 17, 2014

Date:

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

Re: Request for Annexation

Dear Mr. Pieper:

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

Property Address: 599 Smythe Road, Fort Mill, SC

Tax Map Number: 661-00-00-025

Total Acreage: 0.688

Zoning Designation Requested: Bed & Breakfast, Small Social Gatherings,
Club and Business Meetings

Property Owners: Margaret H. and Evan S. Barber, Sr.

Print Name(s):

Signature(s):

Margaret H. Barber



Evan S. Barber, Sr.



Date:

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

Re: Request for Annexation

Dear Mr. Pieper:

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

Property Address: 600 South Sutton Road, Fort Mill, SC

Tax Map Number: 661-00-00-019

Total Acreage: 0.96

Zoning Designation Requested: Residential - Fort Mill

Property Owners: Margaret H. and Evan S. Barber, Sr.

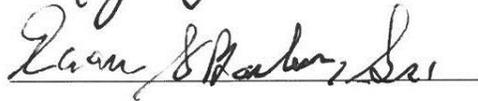
Print Name(s):

Signature(s):

Margaret H. Barber



Evan S. Barber, Sr.



STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

RIGHT OF WAY ANNEXATION AGREEMENT

WHEREAS, Margaret H. Barber and Evan S. Barber, Sr. are the owners of property located at 600 South Sutton Road, Fort Mill, South Carolina, Tax Map No. 661-00-00-019, AND 599 Smythe Rd., Fort Mill, S.C., Tax map No. 661-00-00-025.

WHEREAS, Margaret H. Barber and Evan S. Barber, Sr. seek to have said property annexed into the City of Fort Mill to be used as a "Bed & Breakfast" for small social gatherings such as parties, banquets, business meetings and similar events.

WHEREAS, the James Ronald Fite and Vicki Helms Fite own adjoining property which must be accessed by Margaret H. Barber and Evan S. Barber, Sr. for use as an easement to create a juncture as part of a shoestring plan to annex their property.

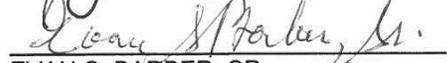
NOW, THEREFORE, the James Ronald Fite and Vicki Helms Fite grant unto Margaret H. Barber and Evan S. Barber, Sr. a 15 foot easement for the restricted purpose of connecting Margaret H. Barber and Evan S. Barber, Sr.'s property as above described into the city limits of the Town of Fort Mill, South Carolina. The 15 foot easement is more accurately identified by the plat attached hereto and incorporated by reference.

IN CONSIDERATION of the grant of the easement, Margaret H. Barber and Evan S. Barber, Sr., their heirs and assigns, agree to pay any and all city taxes and/or assessments imposed by the city upon the 15 foot easement.

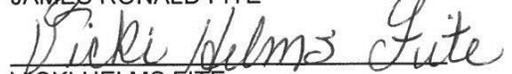
This agreement is binding upon the parties, their heirs and assigns.

IN WITNESS WHEREOF, the parties set their hands and seals this _____ day of _____, 2014.


MARGARET H. BARBER


EVAN S. BARBER, SR.


JAMES RONALD FITE


VICKI HELMS FITE

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

RIGHT OF WAY ANNEXATION AGREEMENT

WHEREAS, Margaret H. Barber and Evan S. Barber, Sr. are the owners of property located at 600 South Sutton Road, Fort Mill, South Carolina, Tax Map No. 661-00-00-019, AND 599 Smythe Rd., Fort Mill, S.C., Tax Map No. 661-00-00-025.

WHEREAS, Margaret H. Barber and Evan S. Barber, Sr. seek to have said property annexed into the City of Fort Mill to be used as a "Bed & Breakfast" for small social gatherings such as parties, banquets, business meetings and similar events.

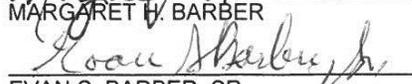
WHEREAS, the Sara Belle Scott Family, LLC, owns adjoining property which must be accessed by Margaret H. Barber and Evan S. Barber, Sr. for use as an easement to create a juncture as part of a shoestring plan to annex their property.

NOW, THEREFORE, the Sara Belle Scott Family, LLC, by and through its' managing member, James Bolivar Scott grants unto Margaret H. Barber and Evan S. Barber, Sr. a 15 foot easement for the restricted purpose of connecting Margaret H. Barber and Evan S. Barber, Sr.'s property as above described into the city limits of the Town of Fort Mill, South Carolina. The 15 foot easement is more accurately identified by the plat attached hereto and incorporated by reference.

IN CONSIDERATION of the grant of the easement, Margaret H. Barber and Evan S. Barber, Sr., their heirs and assigns, agree to pay any and all city taxes and/or assessments imposed by the city upon the 15 foot easement, and to pay the sum of \$250.00 to the Sara Belle Scott Family, LLC.

This agreement is binding upon the parties, their heirs and assigns.

IN WITNESS WHEREOF, the parties set their hands and seals this _____ day of _____, 2014.


MARGARET H. BARBER

EVAN S. BARBER, SR.

THE SARA BELLE SCOTT FAMILY, LLC
By: 
JAMES BOLIVAR SCOTT

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

ORDINANCE NO. 2014-__

AN ORDINANCE ANNEXING YORK COUNTY TAX MAP NUMBERS 616-00-00-019, 661-00-00-025, 661-00-00-026 (PORTION) & 661-00-00-001 (PORTION)

WHEREAS, a proper petition was submitted to the Fort Mill Town Council on April 10, 2014, by Evan S. and Margaret H. Barber, James R. and Vicki H. Fite, and James B. Scott (for the Sarah Belle Scott Family, LLC), requesting that a York County Tax Map Numbers 616-00-00-019, 661-00-00-025, 661-00-00-026 (Portion) & 661-00-00-001 (Portion), which are owned fully by the individuals and corporations referenced above, be annexed to and included within the corporate limits of the Town of Fort Mill under the provisions of S.C. Code Section 5-3-150(3); and

WHEREAS, the Planning Commission of the Town of Fort Mill, in a duly called meeting on April 22, 2014, made its recommendation in favor of annexation, and that upon annexation, the aforesaid area be zoned under the Town’s Zoning Code, as follows: GR General Residential; and

WHEREAS, a public hearing was advertised and held at 7:00 pm on May 12, 2014, during a duly called regular meeting of the Town Council of the Town of Fort Mill; and

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

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

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

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

SECTION I. Annexation. It is hereby declared by the Town Council of the Town of Fort Mill, in Council assembled, that the incorporated limits of the Town of Fort Mill shall be extended so as to include, annex and make a part of said Town, the described area of territory above referred to, being more or less 1.7 acres, the same being fully described in Exhibit “A” attached hereto, and contiguous to land already within the Town of Fort Mill. Pursuant to S.C. Code Section 5-3-110, this annexation shall include the whole or any part of any street, roadway, or highway abutting the above referenced property, not exceeding the width thereof, provided such street, roadway or

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

SECTION II. Zoning Classification of Annexed Property. The above-described property, upon annexation into the corporate limits of the Town of Fort Mill, shall be zoned, as follows: GR General 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 One (1).

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

SECTION V. Severability. If any section, subsection, or clause of this 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: May 12, 2014
Public Hearing: May 26, 2014
Second Reading: May 26, 2014

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

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 1.7, more or less, containing all the property shown in the map attached as Exhibit B, and being more particularly described as York County Tax Map Numbers 616-00-00-019, 661-00-00-025, 661-00-00-026 (Portion) & 661-00-00-001 (Portion).

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

EXHIBIT B

Property Map

York County Tax Map # 616-00-00-019, 661-00-00-025, 661-00-00-026 (Portion) & 661-00-00-001 (Portion)



**Planning Commission Meeting
April 22, 2014
New Business Item**

Preliminary Plat Approval: Millridge

Request from M/I Homes to approve a Preliminary Plat for the Millridge Subdivision

Background / Discussion

The applicant, M/I Homes, has submitted a preliminary plat for a new subdivision to be called Millridge (formerly Sutton Park). The proposed subdivision will contain 93 single-family units on approximately 33.5 acres (2.78 units/acre).

The property is located near the intersection of Harris Road and Sutton Road. The property was annexed in January 2014 with a zoning designation of R-5 Residential; however, the annexation ordinance will not become effective until M/I Homes takes ownership of the property, not to exceed 120 days from the date of adoption.

Below is a summary of lot dimensions and other requirements for the R-5 district, as well as the lot standards proposed by the applicant in the attached preliminary plat:

	<u>R-5 Requirements</u>	<u>Provided by Applicant</u>
Min Lot Size:	5,000 SF	5,396 – 10,144
Min Lot Width:	50 FT	50+ FT
Min Front Yard:	10 FT	20 FT
Min. Side Yard:	5 FT	5 FT
Min. Rear Yard:	15 FT	20 FT
Open Space:	20%	20.3% (6.82 Acres)
Buffer:	35'	35' (Portions replanted per R-5 ordinance)
Sidewalks:	Both Sides	Both Sides

The preliminary plat is substantially similar to the sketch plan for this project, which was previously approved by the Planning Commission, with an update noted at a subsequent meeting. The entrance from Harris Road was shifted slightly eastward at the request of SCDOT due to possible safety concerns relating to reduced visibility at the former access location. The applicant will also be responsible for installing a left turn lane into the subdivision from southbound Sutton Road. Sidewalks have also been provided and stubbed out to the property lines along both Sutton and Harris Roads.

There are four new roads proposed within the Millridge subdivision. The designs and cross sections for these roads have been reviewed and recommended for approval. The following four road names have been approved and reserved by York County Addressing.

- Still River Way
- Spring Blossom Trail

- Brookcrest Lane
- Misty Morning Court

Recommendation

The preliminary plat meets or exceeds the requirements of the R-5 zoning district, and is consistent with the sketch plan previously approved by the Planning Commission.

Proposed road names have been approved by York County and have been reserved for this development.

Review of the land disturbance permit is substantially complete, and is expected to be approved pending minor revisions.

This project does not meet the threshold to require a traffic impact analysis, however, SCDOT has recommended the installation of a left turn lane from southbound Sutton Road into the Millridge subdivision. The Assistant SCDOT District Traffic Engineer has indicated by email that the proposed improvements are consistent with SCDOT ARMS guidelines.

Staff recommends in favor of approval of the preliminary plat, contingent upon execution of annexation ordinance on or before the 120-day expiration date, and approval of the land disturbance permit.

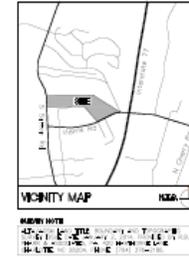
Large copies of the plat will be available during the meeting on Tuesday.

Joe Cronin
Planning Director
April 17, 2014

MILLRIDGE SUBDIVISION

FORT MILL, SOUTH CAROLINA

CONSTRUCTION DOCUMENTS



Cole, Jenest & Stone
 Shaping the Environment
 Restoring the Neighborhood

Land Planning
 Civil Engineering
 Surveying
 Environmental
 Construction Management

200 South Park Street, Suite 1200
 Charlotte, North Carolina 28202
 407.572.1888 or 704.572.7091
 www.colejeneststone.com

MI HOMES, INC
 5350 SEVENTY-SEVEN CENTER
 DRIVE, SUITE 100
 CHARLOTTE, NC 28217

**MILLRIDGE
 SUBDIVISION**

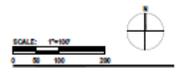
SUTTON ROAD AND
 HARRIS ROAD
 FORT MILL, SC 29708

**OVERALL
 PROJECT PLAN**

Project No.
 4285.00

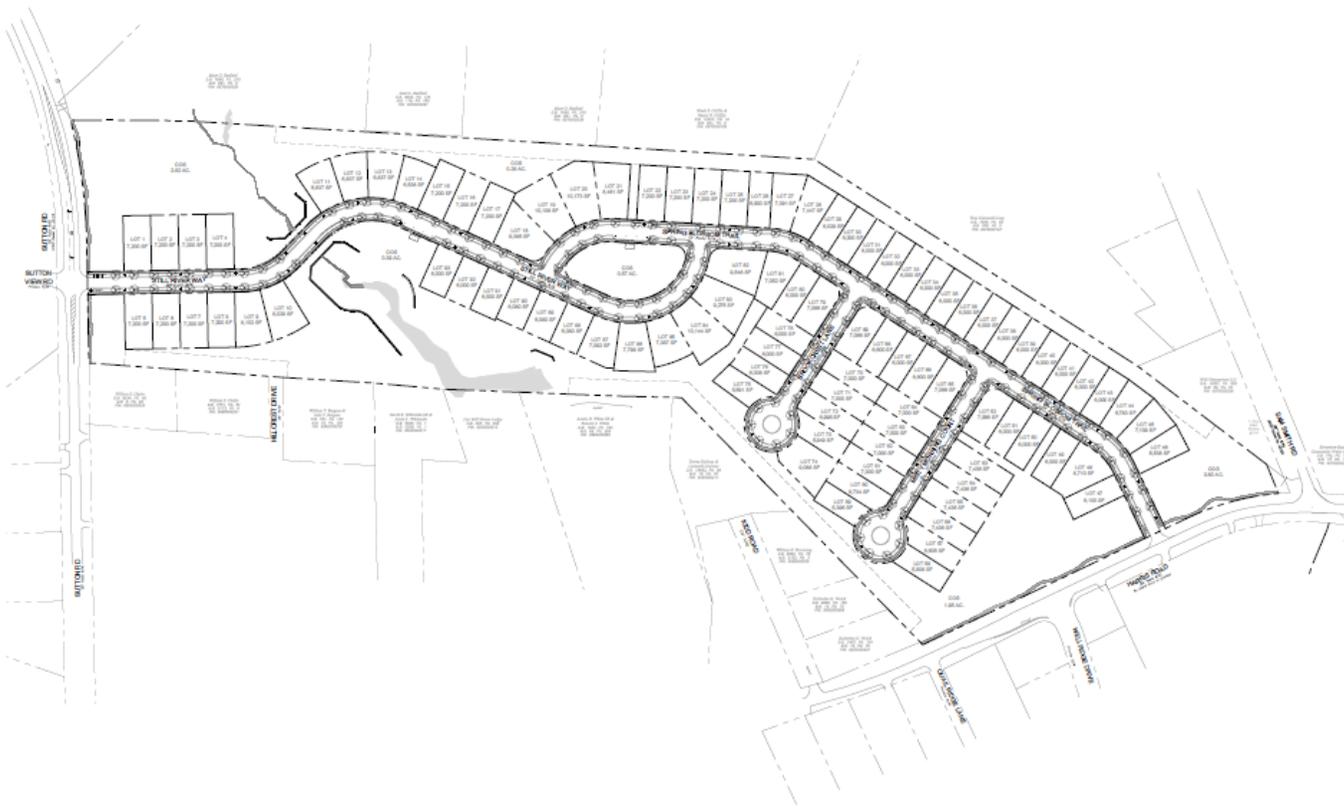
Issued
 04/27/24

Revised



C-000

The drawings, the original manual and the design process
 sheets are the property of Cole, Jenest & Stone, Inc. The
 reproduction or unauthorized use of the documents without
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 Cole, Jenest & Stone, Inc. 2024 ©



SHEET INDEX:

SHEET NUMBER	SHEET TITLE
C-000	OVERALL PROJECT PLAN
V-100-101	ALTAACSIM LAND TITLE SURVEY
C-100-103	DEMOLITION PLANS
C-200-205	DIMENSION CONTROL PLANS
C-300-303	EROSION CONTROL STAGE 1 PLANS
C-304-307	EROSION CONTROL STAGE 2 PLANS
C-400-403	GRADING AND DRAINAGE PLANS
C-404-405	DRAINAGE AREAS PLAN
C-406	PRE-DEVELOPMENT DRAINAGE AREA PLAN
C-407	POST-DEVELOPMENT DRAINAGE AREA PLAN
C-500-503	UTILITY PLANS
C-600-604	ROAD AND SANITARY SEWER PROFILES
C-605-606	SIGHT DISTANCE PLANS
C-607	ROAD IMPROVEMENT PLAN
C-608	TRAFFIC CONTROL PLAN
C-800-808	SITE DETAILS



1. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION SHOWN ON THESE DRAWINGS.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION SHOWN ON THESE DRAWINGS.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND CONDITIONS OF THE CONTRACT.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION SHOWN ON THESE DRAWINGS.

**Planning Commission Meeting
April 22, 2014
New Business Item**

Final Plat Approval: Springview Meadows

Request from Pulte Homes to approve a Final Plat for the Springview Meadows Subdivision (Bonded)

Background / Discussion

Pulte Homes has submitted a final plat for Phase 1 of the Springview Meadows subdivision located near the intersection of US 21 Bypass and Springfield Parkway.

The property was annexed in January 2014 with a zoning designation of R-5 Residential. A preliminary plat containing 87 single-family residential lots was approved for the entire Springview Meadows subdivision on January 14, 2014. The preliminary plat was consistent with the requirements of the R-5 district, as well as the Zoning Ordinance and Code of Ordinances for the Town of Fort Mill. Staff has since reviewed a set of construction drawings for the project and has found the proposed improvements to be substantially compliant with the town's requirements.

Phase I of Springview Meadows will contain a total of 32 buildable single-family lots on 25.523 acres. Phase I will also include 1,900 linear feet of roadway, and three newly named public roads. The proposed road names – Crescent Moon Drive, Angel Oak Drive, and Palm Drive – have all been approved for use by York County E-911/Addressing.

Access to the new subdivision will be provided from US 21 Bypass across from Mercantile Place. Existing turn lanes have already been installed on US 21 Bypass to serve Springview Meadows, as well as Springfield Town Center. The location of the access road was formerly located outside of the town limits; however, the 0.297 acre parcel was annexed by town council in April and is now located within the town limits.

To date, all required infrastructure (roads, sidewalks, utilities, etc.) has not yet been completed within this phase of the subdivision. The town's subdivision ordinance allows for a final plat to be approved and recorded as long as a bond is in place to cover the cost of any outstanding improvements. The minimum value of the bond shall be at least 125% of the cost of any such improvements.

Recommendation

The final plat is consistent with the preliminary plat approved by the planning commission on January 14, 2014.

Staff recommends in favor of approval of the final plat, contingent upon the applicant securing a bond to cover a minimum of 125% of any remaining improvements.

It is recommended that the Planning Commission approve and authorize the following road names within Springview Meadows Phase I: Crescent Moon Drive, Angel Oak Drive and Palm Drive.

Large copies of the final plat will be available during the meeting for review.

Joe Cronin
Planning Director
April 17, 2014

