



FORT MILL

TOWN OF FORT MILL PLANNING COMMISSION MEETING

April 28, 2015
112 Confederate Street
7:00 PM

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Meeting: March 24, 2015 *[Pages 3–5]*

OLD BUSINESS

1. **Sketch Plan: Kimbrell Property** *[Pages 6–16]*

Request from Ryland Homes to approve a sketch plan for a 28.97-acre tract at the intersection of Kimbrell Road and N Dobys Bridge Road

NEW BUSINESS

1. **Subdivision Plat: 202, 204 & 206 Main Street** *[Pages 17–21]*

Request from Pittman Professional Land Surveying, on behalf of Downtown Partners, to approve the subdivision of York County Tax Map Number 020-03-01-003, containing approximately 0.75 acre at the intersection of Main Street and Confederate Street, into six parcels ranging in size from 0.03 acre to 0.48 acre

2. **Rezoning Request: Fort Mill Housing Authority** *[Pages 22–26]*

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Number 020-04-35-081, containing approximately 2.03 +/- acres located at the end of Bozeman Drive, from TC Transitional Commercial to RT-12 Residential

3. **Rezoning Request: 1462 & 1466 N Dobys Bridge Road** *[Pages 27–31]*

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Numbers 020-11-01-110 and 020-11-01-111, containing approximately 7.6 +/- acres located at 1462 and 1466 N Dobys Bridge Road, from R-15 Residential to HC Highway Commercial

4. Rezoning Request: River Crossing Senior Apartments *[Pages 32–47]*

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Number 020-20-01-016, containing approximately 14.4 +/- acres located at the intersection of River Crossing Drive and Sutton Road, from HC Highway Commercial to UD Urban Development

ITEMS FOR INFORMATION / DISCUSSION

1. **Impact Fee Study Update**
2. **Unified Development Ordinance Update**

ADJOURN

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

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

Absent: Chris Wolfe

Guests: James Shirey (Town Council), Hamilton Stolpen (Ryland Homes), Bob Bennett (Ryland Homes), Brian Johnson (Ryland Homes), Robert Cash (EMH&T), Al Rogat (Resident), Jackie Fenbert (Remax Executive Realty)

Chairman Traynor called the meeting to order at 7:00 pm and welcomed everyone in attendance. Mr. Traynor stated that he was recovering from a recent oral surgery and asked Vice-Chairman Hudgins to serve as the presiding officer, to which Mr. Hudgins agreed.

Planning Director Cronin stated that he had heard from Mr. Wolfe earlier in the day. Mr. Wolfe had a prior family commitment and would be unable to attend the meeting.

APPROVAL OF MINUTES

Mr. Garver made a motion to approve the minutes from the March 24, 2015, meeting, as presented. Mr. Petty seconded the motion. The motion was approved by a vote of 6-0.

NEW BUSINESS ITEMS

- 1. Final Plat: Springview Meadows Phase 2:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and approve a final plat for the second (and final) phase of the Springview Meadows subdivision, which will contain a total of 55 single-family lots. Planning Director Cronin added that all required infrastructure had not yet been completed, and the applicant would be responsible for providing a bond or letter of credit for at least 125% of the cost of all remaining improvements. In addition, staff noted that a portion of the required 35' buffer had been cleared along the northern property boundary during the grading phase. A replanted buffer would be required, per the R-5 zoning district. Staff recommended in favor of approval, contingent upon receipt of the required bond. Mr. Garver made a motion to approve the request, contingent upon receipt of the required bond, and the replanting (or bonding of the replanting) of the required 35' buffer. Mr. White seconded the motion. The motion was approved by a vote of 6-0.

2. **Sketch Plan: Kimbrell Road Property:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and approve a sketch plan for a 29 acre tract near the intersection of Dobys Bridge Road and Kimbrell Road. Planning Director Cronin noted that the annexation became effective when Development Solutions Group took ownership of the property on March 4, 2015, and the property was subsequently transferred to Ryland Homes on the same date. Ryland is now proposing a 100-home single-family development per the terms of the original development agreement for the property. Hamilton Stolpen of Ryland Homes provided additional information regarding the request.

Planning Director Cronin stated that the layout was generally consistent with the requirements of the zoning ordinance, but did make note of the following items: the sketch plan did not include any road stub outs, which would allow for internal connectivity with neighboring development in the future; off-site improvements at both ends of Kimbrell Road were shown on the plan, as required by the DA; internal sidewalks were provided per the R-5 district, however, external sidewalks were not shown as required by the DA; and a landscaped corridor plan was provided for the Dobys Bridge and Kimbrell Road corridors. Planning Director Cronin also noted that there were two significantly-sized live oaks in the middle of the property that were proposed for removal, and staff recommended evaluating alternative layouts that would preserve and protect the two trees.

A discussion then took place. Mr. Hudgins stated that the live oaks warranted saving, and that the developer should work around them. Mr. Garver added that there was enough clear cutting going on in Fort Mill, and these trees should be preserved. Mr. Garver asked for additional information regarding the buffer planting and landscaped medians within the cul-de-sacs. Chairman Traynor recommended that the applicant provide an arborist report regarding the status of the two live oaks, and the impact of the proposed development on the trees. Chairman Traynor also recommended additional information regarding the sidewalks along Kimbrell Road and Dobys Bridge Road. Mr. Hudgins recommended that an arborist be present at the next meeting to answer questions about the trees.

Mr. Hudgins made a motion to defer the request to the April meeting, and that an arborist report and additional information regarding the external sidewalks should be reviewed at that time. Mr. Lettang seconded the motion. The motion was approved by a vote of 6-0.

ITEMS FOR INFORMATION / DISCUSSION

1. **UDO Advisory Committee Meeting:** Planning Director Cronin reminded commission members that the UDO consultant, Paul LeBlanc, would be back in town for a series of focus group meetings on March 30th and 31st. Mr. LeBlanc will be meeting with town council on the evening of March 30th, and with the UDO Advisory Committee on March 31st at 6:30 PM. A meeting agenda will be distributed to members by the end of the week.
2. **Impact Fee Update:** Planning Director Cronin stated that staff was still awaiting direction from town council as to whether, and how, they wish to proceed with the development of an impact fee ordinance. Once additional direction has been provided by council, the

Planning Commission will be tasked with finalizing the report and reporting its recommendations back to council.

Prior to adjourning, Vice-Chairman Hudgins asked if there were any additional items for discussion.

Planning Director Cronin recognized Mr. White for his ten years of service on the Fort Mill Planning Commission. Mr. White had elected not to apply for reappointment at the end of his current term and, therefore, this would be his final meeting as a member of the commission. Mr. White thanked his fellow commission members and town staff for their support over the years. He added that it has been a pleasure to serve on the planning commission, and recapped some of the major items that have come before the planning commission over the last ten years. Other members thanked Mr. White for his service, and wished him well.

There being no further business, the meeting was adjourned at 7:52 pm.

Respectfully submitted,

Joe Cronin
Planning Director

**Planning Commission Meeting
April 28, 2015
Old Business Item**

Sketch Plan: Kimbrell Road Property

Request from Ryland Homes to approve a sketch plan for a 28.97-acre tract at the intersection of Kimbrell Road and N Dobys Bridge Road

Background / Discussion

The town has received a request for sketch plan approval from Ryland Homes for a new subdivision to be located at the intersection of Kimbrell Road and N Dobys Bridge Road. This property was annexed into the town on December 8, 2014 (Ord. No. 2014-32). The annexation ordinance, and a corresponding ordinance adopting a development agreement for the property (Ord. No. 2014-33), became effective on the date the property was transferred from the former owners to Development Solutions Group (DSG). This transaction took place on March 4, 2015. On the same date, the parcels were sold by DSG to Ryland Homes, who is the current owner and applicant. The parcels are now listed with the following York County Tax Map Numbers: 020-11-01-195, 020-11-01-196, and 020-11-01-197. Upon annexation, these parcels were assigned a zoning designation of R-5 Residential.

The attached sketch plan submitted by Ryland Homes contains a total of 100 single-family lots on a total of 28.97 acres, for a total of 3.45 DUA. (This is the maximum density allowed by the above referenced development agreement). The subdivision will contain a total of 8.5 +/- acres of dedicated open space, or approximately 29% of the total gross acreage of the development (R-5 requires a minimum of 20%, or 5.79 acres). All proposed lots will meet or exceed the minimum lot area (5,000 square feet) and lot width (50' at the building line) requirements of the R-5 district. The required setbacks for all structures will be 10' in the front, 5' on the sides, and 15' for rear yards. The project will also include a perimeter buffer of at least 35' in width along all property lines where such buffer is required. Sidewalks are included on both sides of all roads internal to the subdivision.

As an update to the plan reviewed in March, a 5' sidewalk and easement has been added to both the Kimbrell Road and N Dobys Bridge Road frontages. In addition, the second access point to Kimbrell Road has been removed, which will leave one access point, located directly across from Kanawha Court.

A copy of the draft sketch plan is included. Large copies of the plan will be available for review during the meeting on April 28th.

Recommendation

The general alignment of the proposed subdivision appears to meet or exceed the minimum layout requirements of the zoning ordinance, however, we do note the following items:

- Road stub outs. The site plan does not include any street stub outs or preservation of rights-of-way to allow future connectivity to neighboring parcels, particularly those on the northeast boundary of the property. Should those neighboring lots develop (or redevelop) at a later date, no internal connectivity to this subdivision would be possible based on the current layout.
- Off-site improvements. The sketch plan references two off-site improvements, which were required per Paragraph IX(D) of the development agreement. These improvements include the addition of a right-turn lane at both ends of Kimbrell Road (one at N Dobys Bridge Road, and another at Tom Hall Street). These off-site improvements will be coordinated with, and approved by, SCDOT.
- Sidewalks. 5' sidewalks are now provided within the subdivision (on both sides of the street), as well as along both the Kimbrell Road and N Dobys Bridge Road frontages. Sidewalks are to be stubbed out to neighboring property lines for future connectivity.

Development Agreement, Paragraph IX(P).

Sidewalks. Developer will construct, or cause to be constructed, sidewalks along both sides of each residential street within the Project (as required by the R-5 Residential district, and along the Project's frontage on Kimbrell Road and N Dobys Bridge Road. Sidewalks shall be stubbed out to neighboring property lines so as to facilitate future pedestrian connectivity. All sidewalks shall be a minimum of five (5) feet in width and constructed to Town of Fort Mill and South Carolina Department of Transportation (SCDOT) specifications.

- Cul-de-sacs. The new layout includes one traditional cul-de-sac, the location of which is unchanged from the previous version, and two "loops" or "closes" which are now included at the northeastern and southeastern edges of the project. These areas are shown with a concrete apron and landscaped islands in the center. Most recently approved subdivisions, including Springfield, River Chase, Sutton Mill and Springview Meadows, have installed landscaped medians within cul-de-sacs. These landscaped medians reduce the impervious area within each cul-de-sac, and provide an added level of beautification.
- Landscaped corridor. The applicant has proposed a buffer plan, a copy of which is attached. Below is a summary of the buffer requirements, as outlined in the development agreement:

Development Agreement, Paragraph IX(Q)

Buffer Areas. Developer shall install, or cause to be installed, a buffer along the Project's frontage on Kimbrell Road and N Dobys Bridge Road, so as to shield the back yards of residential units from adjacent rights-of-way. At the Developer's option, the required buffer may be provided in the following forms:

1. A natural wooded buffer (minimum ten (10) feet in width measured perpendicular to the street right-of-way). If a natural buffer is provided, additional low-lying shrubs a minimum of two (2) feet in height shall be provided for additional screening;

2. A planted buffer (minimum ten (10) feet in width measured perpendicular to the street right-of-way), to include hardwood trees no less than six (6) feet in height planted every ten (10) linear feet, evergreens (such as Leyland Cypress) no less than six (6) feet in height planted every eight (8) linear feet, and shrubs a minimum of two (2) feet in height;
3. An opaque brick or stone wall with a minimum height of six (6) feet; or
4. Any combination of the three options listed above.

The buffer area may be located on a separately platted parcel owned and maintained by the Owners Association, or within a deed-restricted Buffer Easement on privately-owned residential lots. A buffer plan shall be submitted for review and approval by the Fort Mill Planning Commission as part of the subdivision platting process.

Note: This buffer will be set behind a 5' sidewalk easement along the Kimbrell Road and N Dobys Bridge Road rights-of-way, unless the sidewalks were permitted to be located within the ROW by SCDOT.

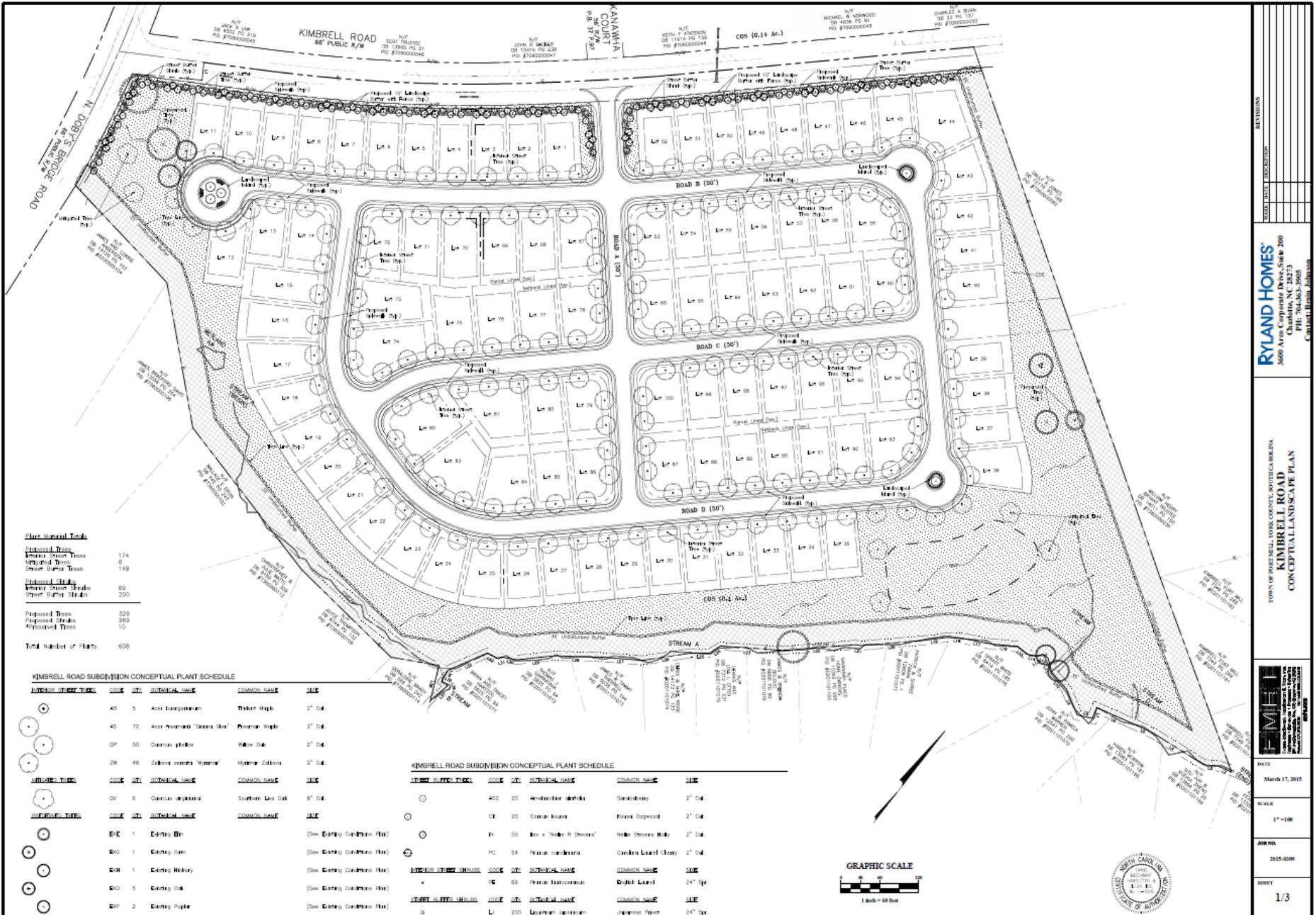
- Significant trees. The development agreement includes a preservation requirement for the grand tree located at the intersection of N Dobys Bridge Road and Kimbrell Road. The draft sketch plan does include a preservation area around this tree. Upon further review of the site, staff has identified at least two additional trees which would meet the “significant tree” preservation requirements of Article IV of the zoning ordinance. These two trees, both of which are very large live oaks, flank the two sides of the existing residence near the center of the property along the Kimbrell Road frontage. Based on the current layout, one tree appears to be within the path of the main access road, and the other appears on a residential lot. Should this project proceed as designed, both trees would need to be cut down and removed. While Article IV of the zoning ordinance does include provisions governing the removal of significant trees, the Planning Commission does have some authority regarding the proposed layout and location of streets. Given the size and age of these two trees, staff would recommend in favor of evaluating alternate layouts that would preserve, to the maximum extent possible, the integrity of these trees. (See attached for photos.)

Note: The Planning Commission has asked for additional information regarding the health of the live oaks, as well as the impact to the trees as a result of the proposed development. The developer is anticipated to have additional information available at the meeting on April 28th. In addition, the town has had a certified arborist evaluate the trees and review the development plans. This information will also be presented during the meeting.

Joe Cronin
Planning Director
April 25, 2015



Conceptual Landscape Plan



RYLAND HOMES
 3600 Arco Corporate Drive, Suite 200
 Charlotte, NC 28273
 P.E. 704-363-3905
 © 2015 Ryland Homes, Inc.

TOWN OF FORT MILL, YORK COUNTY, SOUTH CAROLINA
KIMBRELL ROAD
 CONCEPTUAL LANDSCAPE PLAN

FINISH
 Prepared by: [Signature]
 Date: [Date]

DATE: March 17, 2015
 SCALE: 1" = 100'
 JOB NO: 2015-0209
 SHEET: 1/3



Significantly sized live oaks flank the old Kimbrell Home on the property.



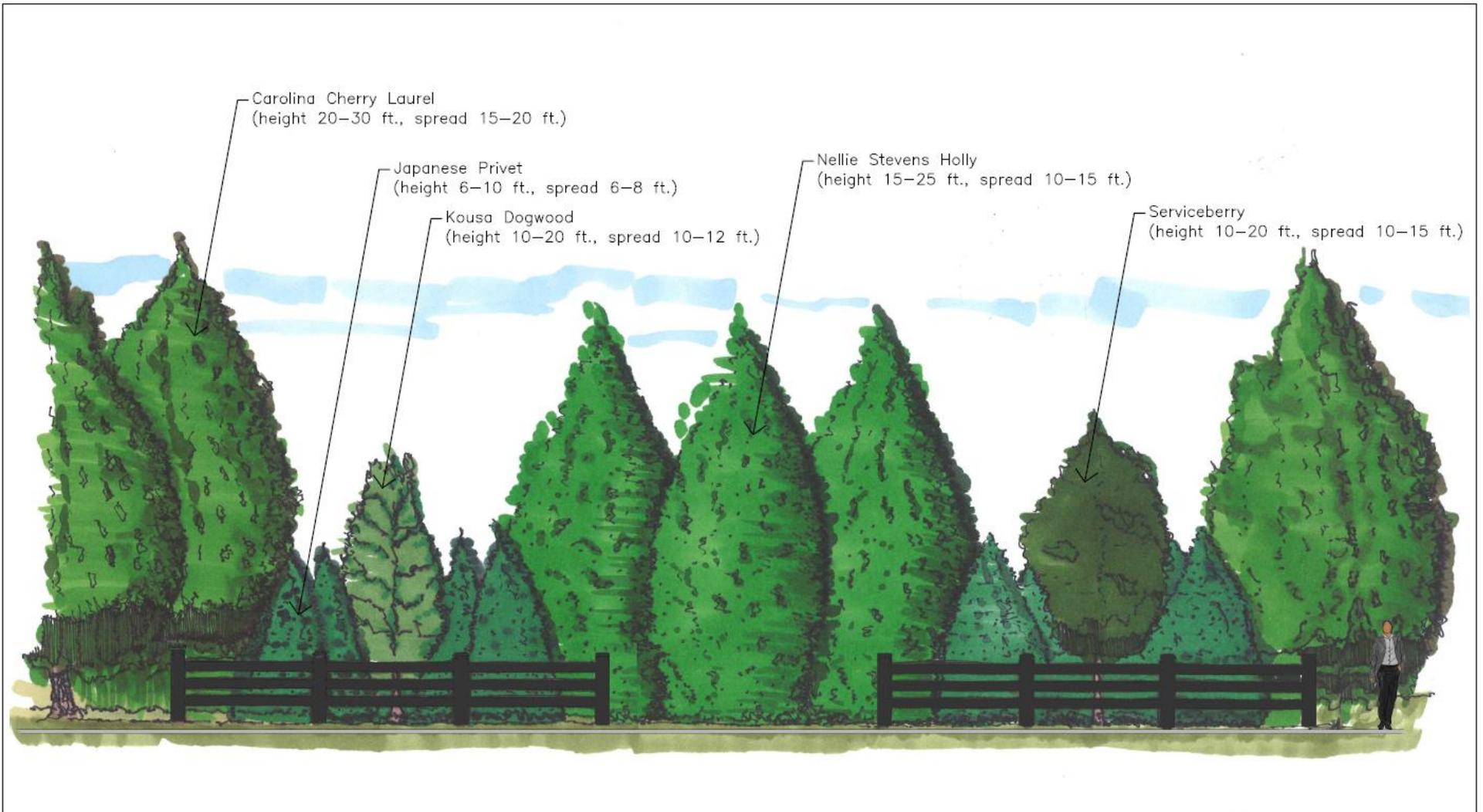
Live oak on the left side of the old home.



Live oak on the right side of the old home.



Significant tree at the corner of Kimbrell Road and N Doby's Bridge Road
(To be preserved per Development Agreement)

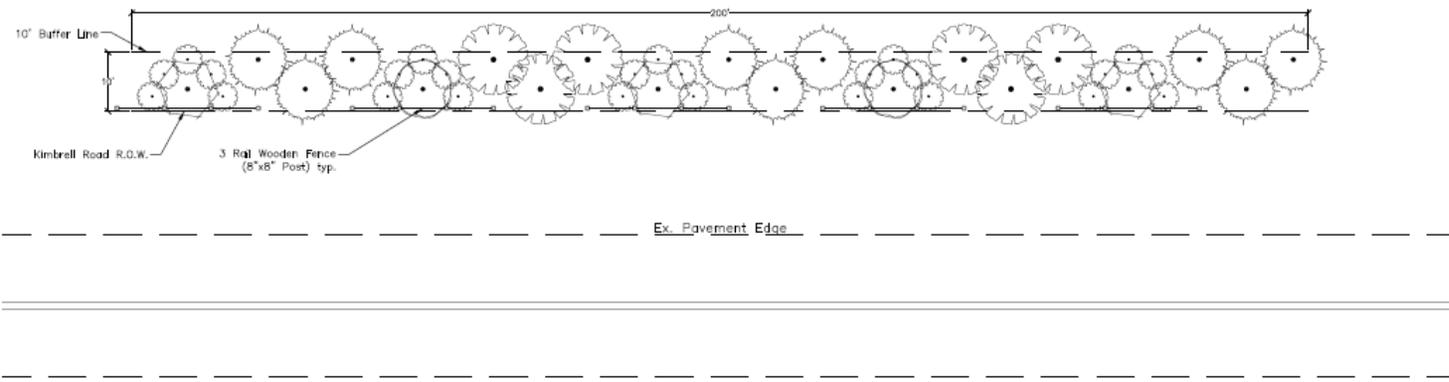


EMHT
 Evans, Mechwart, Hambleton & Tillan, Inc.
 Engineers • Surveyors • Planners • Scientists
 301 McCullough Dr., Ste. 109, Charlotte, NC 28242
 Phone: 704.648.0338 Fax: 704.648.0338
 emht.com

Kimbrell Road Subdivision
 Typical 10' Frontage Buffer Elevation
 Fort Mill, South Carolina

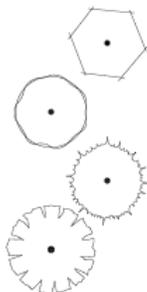
JOB NO. 2015-0309	SHEET 3/3
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RYLAND HOMES®



PLANT SCHEDULE KIMBRELL ROAD TYPICAL BUFFER

TREES



<u>CODE</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
AS2	3	Amelanchier alnifolia	Serviceberry	2" Cal.
CK	2	Cornus kousa	Kousa Dogwood	2" Cal.
IN	9	Ilex x 'Nellie R Stevens'	Nellie Stevens Holly	2" Cal.
PC	6	Prunus caroliniana	Carolina Laurel Cherry	2" Cal.

SHRUBS



<u>CODE</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
LJ	25	Ligustrum japonicum	Japanese Privet	24" Ht.



Kimbrell Road Subdivision
 Typical 10' Frontage Buffer Planting
 Fort Mill, South Carolina

JOB NO. 2015-0309	SHEET 2/3
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**Planning Commission Meeting
April 28, 2015
New Business Item**

Subdivision Plat: 202, 204 & 206 Main Street

Request from Pittman Professional Land Surveying, on behalf of Downtown Partners, to approve the subdivision of York County Tax Map Number 020-03-01-003, containing approximately 0.75 acre at the intersection of Main Street and Confederate Street, into six parcels ranging in size from 0.03 acre to 0.48 acre

Background / Discussion

The Planning Commission is asked to consider a request from Pittman Professional Land Surveying, submitted on behalf of the property owners, Downtown Partners, to approve a subdivision plat for York County Tax Map Number 020-03-01-003. The property contains a total of 0.75 acre located at the intersection of Main Street and Confederate Street. The property contains an existing parking lot, as well as structures with the following addresses: 202, 204 and 206 Main Street. The property is proposed to be subdivided as follows:

<u>Parcel</u>	<u>Square Footage</u>	<u>Acreage</u>
A	2,940.74	0.07
B	2,533.86	0.06
C	2,599.83	0.06
D	2,267.58	0.05
E	21,045.75	0.48
F	1,139.21	0.03

The subject property is currently zoned LC Local Commercial. The LC district contains the following requirements for lots:

- Minimum lot area: 1,500 square feet
- Minimum lot width (at building line): 20 feet
- Minimum front yard: None Required
- Minimum side yard: None required
- Minimum rear yard: None required

Large copies of the subdivision plat will be available during the meeting on April 28, 2015.

Recommendation

Based on the LC district regulations, the proposed parcels A-E will conform with the minimum requirements of the zoning ordinance. At 1,139.21 square feet, however, the proposed Parcel F is approximately 360 square feet below the minimum lot size requirement of 1,500 square feet.

While the proposed subdivision would result in the creation of one non-conforming lot, it is worth pointing out that the town's subdivision ordinance does allow the following:

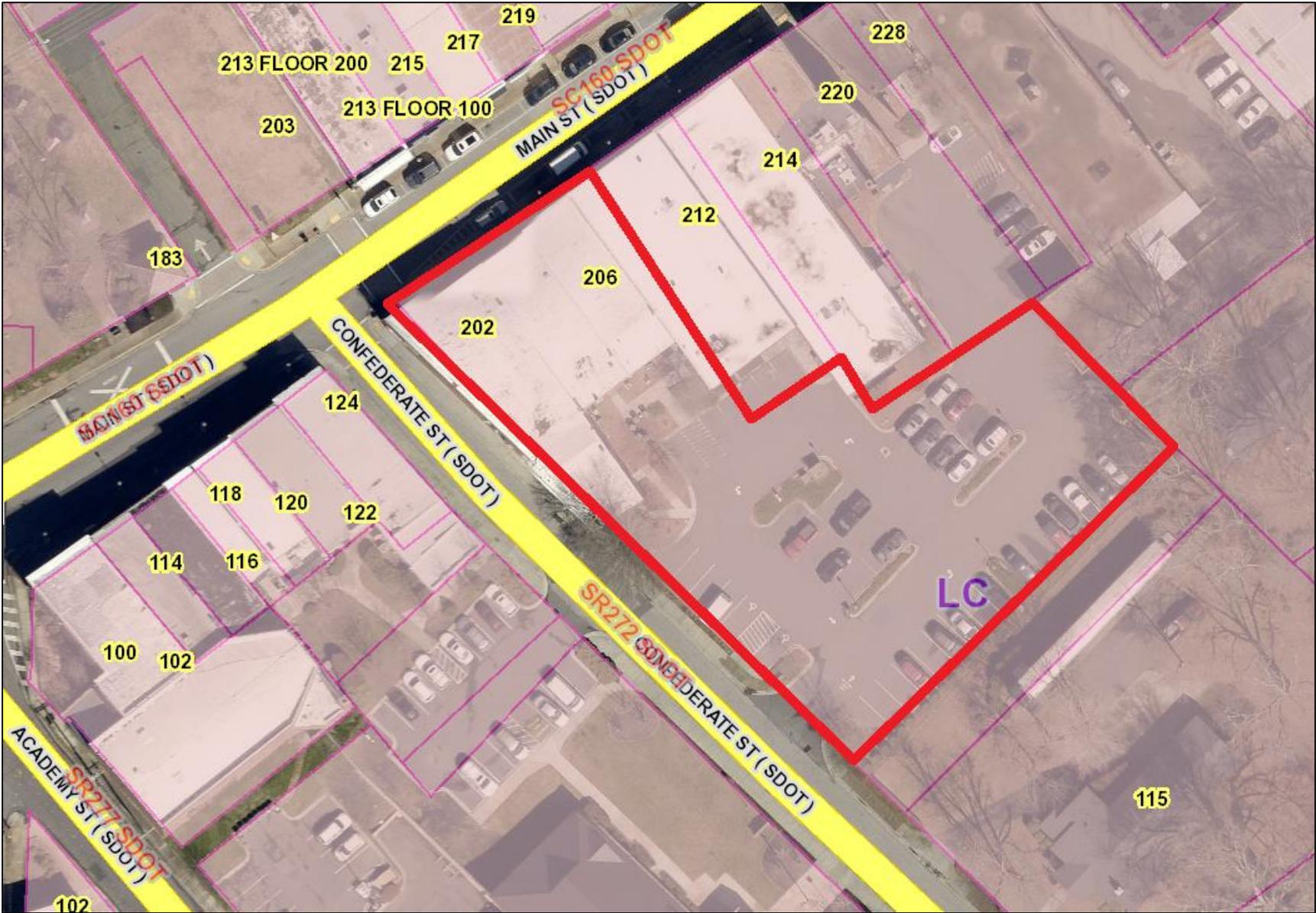
Sec. 32-11. Variance. Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the chapter would result in substantial hardship or inequity, the planning commission may vary or modify, except as otherwise indicated, requirements of design, but not of procedure or improvements, so that the subdivider may develop his property in a reasonable manner, but so, at the same time, the public welfare is protected and the general intent and spirit of this chapter is preserved. Such modification may be granted upon written request of the subdivider stating the reasons for each modification and may be waived by an affirmative vote of two-thirds of the membership of the planning commission.

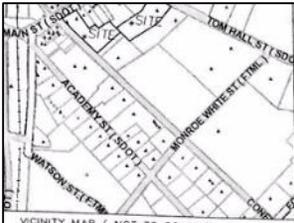
Sec. 32-12. Conditions of Modification. In granting variations and modifications, the planning commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

Based on these two sections, it is the opinion of staff that the Planning Commission may, at its discretion, allow a lot variance for the subdivision of the proposed Parcel F, provided the commission determines that the subject property meets the minimum criteria for such a variance.

If the Planning Commission should deny the variance request, then it is recommended that the subdivision plat be approved contingent upon the expansion of Parcel E to meet the minimum square footage requirement, or the elimination of Parcel E as a separate lot. This contingency would allow staff to sign off on the plat administratively, provided the required changes are made by the applicant.

Joe Cronin
Planning Director
April 25, 2015



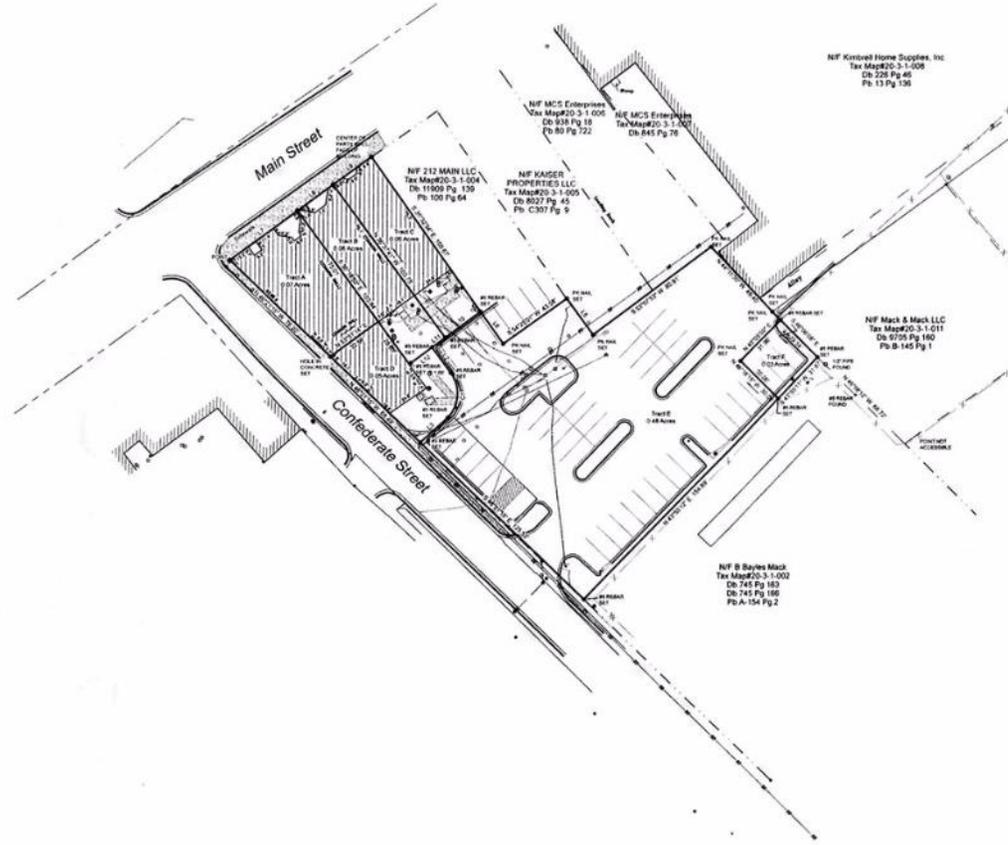


VICINITY MAP (NOT TO SCALE)

LINE	BEARING	DISTANCE
L1	S 20° 02' 00" E	11.00
L2	S 4° 00' 00" W	20.00
L3	N 86° 30' 00" W	3.00
L4	S 82° 00' 00" W	20.00
L5	S 82° 00' 00" W	20.00
L6	N 82° 00' 00" W	11.00
L7	S 82° 00' 00" W	20.00
L8	N 82° 00' 00" E	20.00
L9	S 82° 00' 00" E	20.00
L10	S 82° 00' 00" W	20.00
L11	S 82° 00' 00" W	11.00
L12	S 82° 00' 00" W	20.00
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L98	S 82° 00' 00" W	20.00
L99	S 82° 00' 00" W	20.00
L100	S 82° 00' 00" W	20.00



- TRACT A**
A Portion of
Tax Map#20-3-1-003
Dc 2040 Pg 271
Pg A-201 Pg 8
2940 74 sq ft
0.07 Acres
- TRACT B**
A Portion of
Tax Map#20-3-1-003
Dc 2040 Pg 271
Pg A-201 Pg 8
2533 86 sq ft
0.05 Acres
- TRACT C**
A Portion of
Tax Map#20-3-1-003
Dc 2040 Pg 271
Pg A-201 Pg 8
2560 83 sq ft
0.05 Acres
- TRACT D**
A Portion of
Tax Map#20-3-1-003
Dc 2040 Pg 271
Pg A-291 Pg 8
2287 58 sq ft
0.05 Acres
- TRACT E**
NF Downtown Partners
Tax Map#20-3-1-003
Dc 2040 Pg 271
Pg A-281 Pg 8
21045 75 sq ft
0.48 Acres
- TRACT F**
NF Downtown Partners
Tax Map#20-3-1-003
Dc 2040 Pg 271
Pg A-291 Pg 8
1139 21 sq ft
0.03 Acres

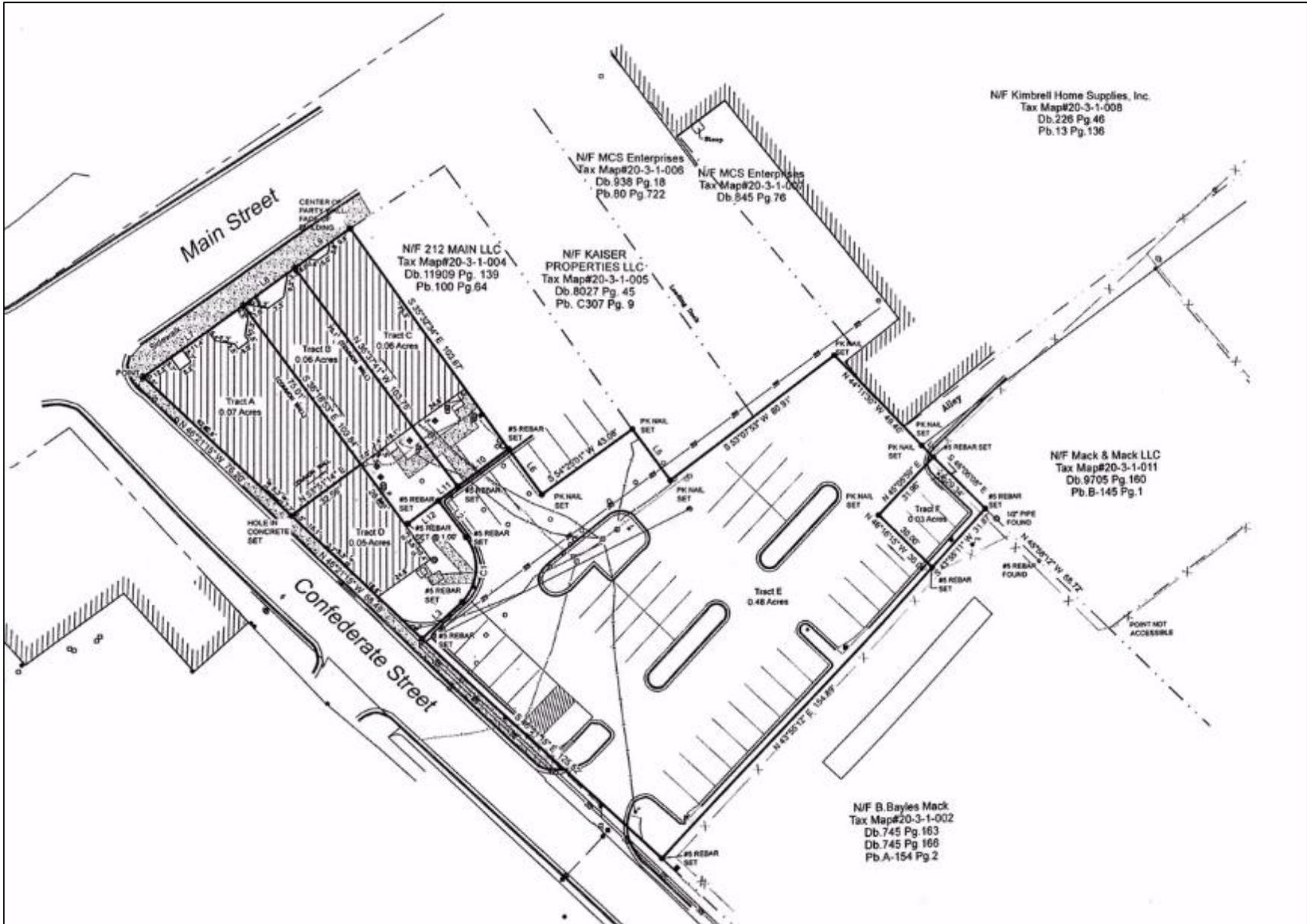


General Notes:
 1. Measurements on this map are in feet and decimals thereof.
 2. All east corners are 45° (0+75) Right unless otherwise noted.
 3. This plot is subject to any Easements, Agreements, or Rights of Way of Record prior to date of this plot, which was not visible at the time of our survey.
 References:
 1. As Shown.

Certification:
 I, James Carroll, being duly sworn, depose and say that I am a duly Licensed Professional Surveyor in the State of North Carolina, and that I have personally supervised the making of the above described survey, and that the same was made in accordance with the requirements of the Standards of Practice Manual for Land Surveying in North Carolina, and meets or exceeds the requirements for a class "A" survey as defined therein, and that there are no visible encroachments, or projections shown that affect:

Signed: James Carroll, Professional Surveyor, No. 14883
 James Carroll
 jcarroll@surveys.com

- LEGEND
- MET
 - MET VALUE
 - MET SET
 - MET BEYOND
 - MET HYDRANT
 - MET LIGHT
 - UTILITY POLE
 - TELEPHONE PEDestal
 - PUMP TRANSFORMER
 - SIGN
 - SIGN/IN CONTROL VALVE
 - CLEAN OUT
 - SANITARY SEWER MANHOLE
 - SANITARY SEWER LINE
 - STORM DRAIN MANHOLE
 - STORM DRAIN EXHAUST BRASS/INLET
 - FENCE LINE
 - OVERHEAD UTILITY
 - UNDERGROUND UTILITY
 - UNDERGROUND WATER LINE
 - RETRAK LINE
 - OBSERVED (0+00) RECORD BEARING
 - REFERENCE BEARING
 - FOUND PROPERTY CORNER
 - SET PROPERTY CORNER
 - CALCULATED POINT



**Planning Commission Meeting
April 28, 2015
New Business Item**

Rezoning Request: Fort Mill Housing Authority

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Number 020-04-35-081, containing approximately 2.03 +/- acres located at the end of Bozeman Drive, from TC Transitional Commercial to RT-12 Residential

Background / Discussion

The Fort Mill Housing Authority, the owner of York County Tax Map Number 020-04-35-081, has submitted a rezoning request for a 2.03 +/- acre parcel located at the end of Bozeman Drive, between an existing multi-family residential development owned by the Authority, and the Anne Springs Close Greenway.

The applicant has requested a rezoning of the properties from TC Transitional Commercial to RT-12 Residential. The subject parcel is currently vacant. If approved, the Housing Authority intends to construct affordable housing units as an extension of its existing development along Bozeman Drive (currently zoned GR-A Residential).

According to the zoning ordinance, the intent of the TC zoning district is to be developed and reserved primarily for areas which will provide for transitional zones between residential and commercial areas. They will often be placed along major traffic arteries which are in transition from residential to commercial uses. The district will accommodate single-family residential uses, light commercial uses, and office and professional uses. The TC district allows a variety of localized commercial uses, as well as single-family and group dwellings, with a minimum lot area of 10,000 square feet per dwelling unit.

The RT-12 zoning district was created in September of 2014 as a townhome-specific district. The RT-12 district allows up to 12 dwelling units per acre, with a minimum lot area of 1,500 square feet, a minimum lot width of 15', and minimum setbacks of 0/5' in the front, 0/5' on the side, and 10' in the rear for townhomes. Projects within the RT-12 district require a minimum of 40% open space, a 75' natural buffer, and sidewalks on both sides of the street.

A draft rezoning ordinance is attached for review.

Recommendation

While the parcel is located on the outer edge of Node 6 on the town's future land use map, the subject property is located within an area designated as medium-density residential. The town's comprehensive plan, last updated in January 2013, defines medium density residential as 3-5 dwelling units per acre.



In providing our recommendation for the creation of the RT-4, RT-8 and RT-12 zoning districts, it was staff’s recommendation that those districts be applied as follows:

District	Recommended Locations (As Defined by Comp Plan)
RT-4 Residential District	Medium density residential areas (3-5 DUA)
RT-8 Residential District	High density residential areas, mixed use areas, and areas located within a development node
RT-12 Residential District	High density residential areas, mixed use areas, and areas located within a development node

Staff is understanding of the need to construct more affordable housing in Fort Mill. In addition, we believe that the current TC zoning designation is not the best, or most appropriate, zoning designation for this property.

However, it is our opinion that rezoning this property to RT-12 and allowing up to 12 dwelling units per acre would be inconsistent with the recommendations of the town’s future land use map and comprehensive plan. In addition, given the size and location of the property, we believe that the 75’ buffer requirement of the R-12 district will make it nearly impossible to connect the new townhome units to the existing terminus of Bozeman Drive without the necessity of obtaining a variance from the Board of Zoning Appeals. For these reasons, staff recommends in favor of denial.

Joe Cronin
 Planning Director
 April 25, 2015

TOWN OF FORT MILL
APPLICATION FOR ZONING MAP AMENDMENT

APPLICANT(S):

NAME	ADDRESS	PHONE NUMBER
Housing Authority of Fort Mill	105 Bozeman Drive Fort Mill, SC 29715	803-547-6787

Area of Subject Property: 2.03 acres and/or 88426 square feet

What is the CURRENT zoning for the parcel(s)? TC

What is the proposed zoning for the parcel(s)? RT-12

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

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

The Housing Authority is seeking funding to build more affordable housing. This

 would be an extension of existing property.

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

TAX MAP NUMBER	PROPERTY ADDRESS	OWNER	OWNER'S SIGNATURE
0200435081	no address, land only, at end of Bozeman Drive	Housing Authority of Fort Mill	<i>Connie Howard</i> Executive Director

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

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

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF FORT MILL SO AS TO CHANGE THE ZONING DESIGNATION FOR YORK COUNTY TAX MAP NUMBER 020-04-35-081, CONTAINING APPROXIMATELY 2.03 +/- ACRES LOCATED AT THE END OF BOZEMAN DRIVE, FROM TC TRANSITIONAL COMMERCIAL TO RT-12 RESIDENTIAL

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

Section I. The Zoning Map of the Town of Fort Mill is hereby amended to change the zoning classification for York County Tax Map Number 020-04-35-081, containing approximately 2.03 acres located at the end of Bozeman Drive, from TC Transitional Commercial to RT-12 Residential. A property map of the parcel subject to this rezoning ordinance is hereby attached as Exhibit A.

Section II. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

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

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

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

First Reading: May 11, 2015
Public Hearing: June 8, 2015
Second Reading: June 8, 2015

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

Dana Powell, Town Clerk

Exhibit A
Property Map



**Planning Commission Meeting
April 28, 2015
New Business Item**

Rezoning Request: 1462 & 1466 N Dobys Bridge Road

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Numbers 020-11-01-110 and 020-11-01-111, containing approximately 7.6 +/- acres located at 1462 and 1466 N Dobys Bridge Road, from R-15 Residential to HC Highway Commercial

Background / Discussion

The town has received a rezoning application from Pastor Randy Lee, on behalf of the Crossing Ministries, the owner of York County Tax Map Numbers 020-11-01-110 and 020-11-01-111. The rezoning request is for two parcels, with a combined area of 7.6 +/- acres. The parcels are located at 1462 and 1466 N Dobys Bridge Road, near the intersection with Fairway Drive.

The applicant has requested a rezoning of the properties from R-15 Residential to HC Highway Commercial. If approved, the applicant intends to sell the property for development as a multi-unit storage facility; however, any use allowed within the HC district would be permitted subsequent to the rezoning. As a commercial use, the storage facility (or any other commercial development) would be subject to the town’s commercial appearance review process.

The parcels subject to the rezoning request are directly adjacent to residentially zoned areas, including nearby apartments on Walnut Lane (GR-A), and single family residences on Fairway Drive (R-25) and the Friendfield subdivision (R-15). A neighboring commercial use, Fairway Fuel, is located in an unincorporated “doughnut hole” that falls under the county’s zoning jurisdiction.

A draft rezoning ordinance is attached for review.

Recommendation

The subject property is located within an area designated on the town’s future land use map as medium-density residential. The town’s comprehensive plan, last updated in January 2013, defines medium density residential as 3-5 dwelling units per acre.



In our opinion, rezoning this property from an existing residential zoning district to a commercial district would be inconsistent with the recommendations of the town's future land use map and comprehensive plan. Therefore, staff recommends in favor of denial.

Joe Cronin
Planning Director
April 25, 2015

TOWN OF FORT MILL
APPLICATION FOR ZONING MAP AMENDMENT

APPLICANT(S):

NAME	ADDRESS	PHONE NUMBER
RANDY LEE	105 DUCK POND CT. FORT MILL	704.507.5769
CARL WALKER	2020 GOLD HILL RD. FORT MILL	803.547.2244

Area of Subject Property: 1.89 acres and/or _____ square feet

What is the CURRENT zoning for the parcel(s)? RES

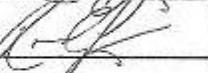
What is the proposed zoning for the parcel(s)? COMMERCIAL

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

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

WANT TO REZONE FROM RESIDENTIAL TO COMMERCIAL TO ACCOMMODATE
MULTI STORAGE FACILITY (NO ELECTRICITY/WATER REQUIRED FOR UNITS)

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

TAX MAP NUMBER	PROPERTY ADDRESS	OWNER	OWNER'S SIGNATURE
020110111	1466 DOBY'S BRIDGE RD	THE CROSSING MINISTRIES	
020110110	1462 DOBY'S BRIDGE RD	THE CROSSING MINISTRIES	

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

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

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF FORT MILL SO AS TO CHANGE THE ZONING DESIGNATION FOR YORK COUNTY TAX MAP NUMBERS 020-11-01-110 AND 020-11-01-111, CONTAINING APPROXIMATELY 7.6 +/- ACRES LOCATED AT 1462 AND 1466 N DOBYS BRIDGE ROAD, FROM R-15 RESIDENTIAL TO HC HIGHWAY COMMERCIAL

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

Section I. The Zoning Map of the Town of Fort Mill is hereby amended to change the zoning classification for York County Tax Map Numbers 020-11-01-110 and 020-11-01-111, containing approximately 7.6 acres located at 1462 and 1466 N Dobys Bridge Road, from R-15 Residential to HC Highway Commercial. A property map of the parcels subject to this rezoning ordinance is hereby attached as Exhibit A.

Section II. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

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

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

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

First Reading: May 11, 2015
Public Hearing: June 8, 2015
Second Reading: June 8, 2015

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

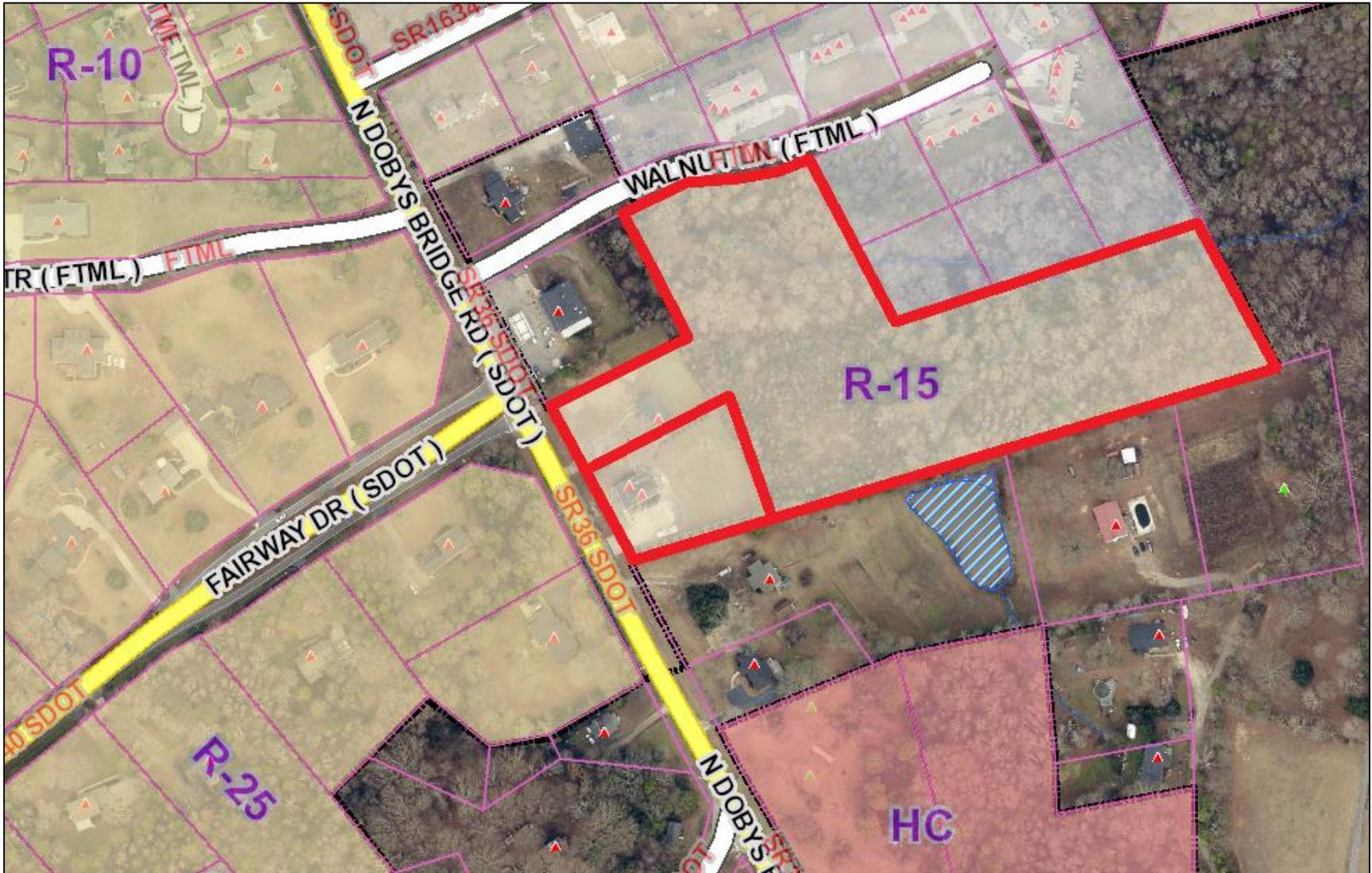
LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

Dana Powell, Town Clerk

Exhibit A
Property Map



Planning Commission Meeting
April 28, 2015
New Business Item

Rezoning Request: River Crossing Senior Apartments

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Number 020-20-01-016, containing approximately 14.4 +/- acres located at the intersection of River Crossing Drive and Sutton Road, from HC Highway Commercial to UD Urban Development

Background / Discussion

The town has received a rezoning application from Ken Chapman, Manager of TCP Southeast #45 Inc (Owner of York County Tax Map Number 020-20-01-016), and Ken Starrett, President of Gross Builders (Applicant). The rezoning request is for a 14.4 +/- acre parcel located at the intersection of River Crossing Drive and Sutton Road.

The applicants have requested a rezoning of the properties from HC Highway Commercial to UD Urban Development. If approved, the current owner intends to sell the property to Ohio-based Gross Builders for development as a senior apartment community with 255 age-restricted units. Absent a development agreement, any use permitted within the UD district would be allowed subsequent to the rezoning, including a total residential density of up to 403 dwelling units (28 dwelling units per acre). As required by the UD district, all buildings (residential and commercial) would be subject to the town's appearance review process. A copy of the UD district requirements, as specified by Article II, Section 22, of the Zoning Ordinance for the Town of Fort Mill, is attached for reference.

The parcel subject to the rezoning request is surrounded on three sides by HC zoned parcels, which include several medical and office uses within the River Crossing office park. The remaining parcels located to the south of the subject property are located outside the town limits. These parcels, which fall under York County's zoning jurisdiction, contain single-family residential uses.

A traffic study for the proposed project has been completed and will be forwarded to members of the Planning Commission separately via email.

A draft rezoning ordinance is attached for review.

Recommendation

The subject property is located within an area designated on the town's future land use map as mixed use. The property is also located within a development node specified as Node 7b. The town's comprehensive plan, last updated in January 2013, outlines the following recommendations for Node 7b:

“Node 7b is envisioned to have commercial along Sutton Road and US 21. In addition, light industrial and other employment uses will be drawn to the I-77 intersection. Future residential development will be limited to the northern portions of the node. A future greenway along to the river’s edge would preserve both the floodplain and comply with Catawba River buffer rules.

Node 7b could also include a transit stop on its eastern flank along US 21. To the east of US 21 the land use will change to a mix of office and light industrial accommodating municipal services such as the wastewater treatment facility. In addition, there are opportunities for a community park and a pedestrian river crossing at Node 7b.”



On its face, this rezoning request appears to check many of the boxes that are important to the town, including the following:

- **Taxes & Fee Revenues:** Like commercial development, rental housing units are assessed for property tax purposes using the 6% assessment ratio. Unlike owner-occupied residential development, the property will also be subject to school operating taxes. Each residential unit will be subject to the school district’s \$2,500 impact fee, which will generate more than \$600,000 for the school district. Additionally, any vehicles registered at this property in the future will generate revenue for all taxing entities. The apartment community will also be classified as a business, and will be subject to the licensing and fee requirements of the town’s business license ordinance.
- **School Impact:** Age-restricted apartments are expected to have no impact on enrollment at the Fort Mill School District, despite generating significant one-time and recurring revenues for the district.
- **Traffic Impact:** A traffic analysis completed by Kimley-Horn found that an age-restricted apartment community at this location will generate 77% less AM peak-hour traffic, 71% less PM peak-hour traffic, and 48% less daily traffic than a typical office use.
- **Diversification of Housing Options:** The town’s comprehensive plan addresses the need for greater diversification of housing options, including those targeted to senior citizens.

The Housing element of the town’s comprehensive plan includes the following goals and recommendations:

Housing Goals, Recommendations & Strategies

- **Goal #1:** Create greater diversity in housing options.
 - **Recommendation #1:** Provide for high-density, attached housing where infrastructure is adequate (areas served by water/sewer, along major highways, within mixed-use nodes, near major employment).
 - **Recommendation #5:** Prepare to meet the housing needs of older adults.

Despite these benefits, there are also several drawbacks and concerns regarding the proposed rezoning, including as the following:

- **Loss of a Commercial Site Near I-77:** The town’s comprehensive plan stresses the importance of preserving commercial sites near the I-77 corridor for future employment uses. Specifically, the Economic Development element of the town’s comprehensive plan includes the following goals and recommendations:

Economic Development Goals, Recommendations & Strategies

- **Goal #2:** Create a sustainable economy with less reliance on surrounding communities for employment and shopping opportunities.
 - **Recommendation #1:** Create a more balanced tax base by designating areas near I-77 for future employment.
- **Conformity with the Recommendations of Node 7b:** While Node 7b is designated as a mixed use node in the town’s future land use map, we believe that the comprehensive plan is clear that land near I-77 and Sutton Road should be reserved for future commercial and office development:

“Node 7b is envisioned to have *commercial along Sutton Road* and US 21. In addition, *light industrial and other employment uses will be drawn to the I-77 intersection.*” (Emphasis Added)

- **Consistency of Uses:** From a planning standpoint, it is generally preferable to locate higher-density residential development within close proximity to neighborhood-style commercial uses, such as grocery stores and general retail, as well as public gathering places, such as parks and community facilities. This promotes greater interaction between the uses, and encourages pedestrian or other forms of non-vehicular connectivity. In reviewing the proposed rezoning, we question the appropriateness of locating a high-density residential development within an existing office park, especially one without

sidewalks or community amenities. However, we do acknowledge that certain neighboring medical uses may be attractive to the project's age-targeted audience.

- **Residential Density**: As stated above, the UD district allows a maximum residential density of up to 28 dwelling units per acre. Though the applicant has stated an intent to develop 255 age-restricted multi-family units, the UD district will allow up to 403 dwelling units by right. In addition, there is no zoning requirement that these units be designated as age-restricted units. Should the planning commission and council choose to move forward with the rezoning, staff would recommend in favor of a development agreement.
- **Legislative Intent of the UD District**: The last, and perhaps most important, issue we would like to bring up is the legislative intent of the UD district. The UD district was adopted on August 13, 2012, and was subsequently used for the Greens at Fort Mill apartment building at the top of Main Street, a residential infill project at the heart of the town's urban core. Article II, Section 22(1) outlines the purpose of the UD district as follows:

Purpose of district: It is the intent of this section that the UD zoning district be developed and reserved for high density residential and supporting light commercial or "main street" oriented business purposes. The regulations which apply within this district are designed to:

- A) Encourage the formation and continuance of a stable, healthy, prosperous, and compatible urban environment;
- B) Provide flexible options for high density residential, light commercial and mixed use development *within the Town of Fort Mill's urban core*;
- C) Enhance the vitality of existing commercial districts by promoting *infill development* which provides new and existing businesses with access to a larger, denser and more accessible customer base;
- D) Reduce traffic and parking congestion by promoting pedestrian friendly residential and commercial development;
- E) Ensure that the architectural quality and aesthetics of new residential and commercial development is harmonious with the look and feel of existing development within the town's urban core; and
- F) *Discourage industrial and other encroachment capable of adversely affecting the residential and localized commercial character of the district.*

Unlike the Greens at Fort Mill, the proposed multi-family project on Sutton Road would not, in our opinion, be classified as "infill" or within the "urban core" of the town. Therefore, we question the appropriateness of UD zoning in this location.

In this instance, it appears that the pending rezoning request will require a policy decision between two competing goals of the town's comprehensive plan: promoting a greater diversity of housing options, and preserving land for future economic development and employment-related projects. While there are many locations throughout the town that would be better suited for an age-restricted multi-family project, there is only one I-77, and we believe that this corridor should be protected for future commercial uses.

In our opinion, rezoning this property from an existing commercial zoning district to a high-density residential district would be inconsistent with the recommendations of the town's future land use map and comprehensive plan. While the Sutton Road corridor may become increasingly urban over time, we also believe that the UD district was not intended for this type of location.

While we agree that there is a need for this type of project in the Fort Mill area, we do not believe that the proposed location would be appropriate based on the reasons outlined above. Therefore, staff recommends in favor of denial.

Joe Cronin
Planning Director
April 25, 2015

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

APPLICANT(S):

NAME	ADDRESS	PHONE NUMBER
Gross Builders Attn: Mr. Ken Starett	14300 Ridge Road, Suite 100 North Royalton, OH 44133	(440) 237-1681

Area of Subject Property: 14.386 acres and/or 626,554.16 square feet

What is the CURRENT zoning for the parcel(s)? Highway Commercial

What is the proposed zoning for the parcel(s)? UD

Does the applicant own all of the property within the zoning proposal? NO - see Attached Joinder Agreement

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

The proposed change is to allow for development as allowed in the UD zoning district.

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

TAX MAP NUMBER	PROPERTY ADDRESS	OWNER	OWNER'S SIGNATURE
020-20-01-016	River Crossing Drive	TCP Southeast #45 INC & FCD-1997 GP INC	<i>[Handwritten Signature]</i>

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

Town of Fort Mill Rezoning (UD)

Petitioner Joinder Agreement

The undersigned, as the owner of the parcel of land located on River Crossing Drive in the Town of Fort Mill (York County, South Carolina) that is designated as Parcel Identification Number 020-20-01-016 on the York County Tax Map and which is the subject of the attached Rezoning Application, hereby join and give permission to Gross Builders to request and file this Rezoning Application with the Town of Fort Mill to the UD zoning district for the Parcel.

This 10th day of March 2015

By:  / Manager

Owner: TCP Southeast #45 INC & FCD- 1997 GP INC

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

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF FORT MILL SO AS TO CHANGE THE ZONING DESIGNATION FOR YORK COUNTY TAX MAP NUMBER 020-20-01-016, CONTAINING APPROXIMATELY 14.4 +/- ACRES LOCATED AT THE INTERSECTION OF RIVER CROSSING DRIVE AND SUTTON ROAD, FROM HC HIGHWAY COMMERCIAL TO UD URBAN DEVELOPMENT

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

Section I. The Zoning Map of the Town of Fort Mill is hereby amended to change the zoning classification for York County Tax Map Numbers 020-20-01-016, containing approximately 14.4 acres located at the intersection of River Crossing Drive and Sutton Road, HC Highway Commercial to UD Urban Development. A property map of the parcels subject to this rezoning ordinance is hereby attached as Exhibit A.

Section II. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

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

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

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

First Reading: May 11, 2015
Public Hearing: June 8, 2015
Second Reading: June 8, 2015

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

Dana Powell, Town Clerk

Exhibit A
Property Map



ARTICLE II. REQUIREMENTS BY DISTRICTS

Sec. 22. – UD Urban Development district.

1. *Purpose of district:* It is the intent of this section that the UD zoning district be developed and reserved for high density residential and supporting light commercial or “main street” oriented business purposes. The regulations which apply within this district are designed to:
 - A) Encourage the formation and continuance of a stable, healthy, prosperous, and compatible urban environment;
 - B) Provide flexible options for high density residential, light commercial and mixed use development within the Town of Fort Mill’s urban core;
 - C) Enhance the vitality of existing commercial districts by promoting infill development which provides new and existing businesses with access to a larger, denser and more accessible customer base;
 - D) Reduce traffic and parking congestion by promoting pedestrian friendly residential and commercial development;
 - E) Ensure that the architectural quality and aesthetics of new residential and commercial development is harmonious with the look and feel of existing development within the town’s urban core; and
 - F) Discourage industrial and other encroachment capable of adversely affecting the residential and localized commercial character of the district.
2. *Permitted uses:* The following uses shall be permitted in any UD zoning district:
 - A) Multi-family residential dwellings, including:
 - (1) Apartments
 - (2) Condominiums
 - (3) Cooperatives
 - (4) Lofts
 - B) Single-family attached residential dwellings, including:
 - (1) Townhomes
 - (2) Row homes
 - C) Upper story residential dwelling units located above a ground floor commercial use.
 - D) Private uses which are customarily associated with multi-family development, including:
 - (1) Sales/rental office
 - (2) Gyms and fitness centers
 - (3) Pools and poolhouses

- (4) Clubhouses and activity centers
 - (5) Off-street parking facilities
 - (6) Other amenities related to recreation and/or resident activities
- E) Commercial uses, including:
- (1) Any retail business authorized in article II, section 8, subsection 2, paragraph A
 - (2) Any service business authorized in article II, section 8, subsection 2, paragraph B
 - (3) Day care center
 - (4) Private or semiprivate club, lodge, union hall or social center
 - (5) Publicly owned and operated building, facility or land
- F) Accessory uses in compliance with the provisions of article I, section 7, subsection G.
- G) Customary home occupations established under the regulations in article I, section 7, subsection F.
3. *Conditional uses:* The following uses shall be permitted in any UD zoning district on a conditional basis:
- A) Any conditional use authorized in article II, section 8, subsection 3, excluding those allowed under paragraphs G and I.
4. *Required improvements:* Development within the UD zoning district shall include the following improvements:
- A) Off-Street Parking.
 - (1) Uses permitted in UD zoning districts shall meet all standards set forth in article I, section 7, subsection I, pertaining to off-street parking, loading, and other requirements. Any mixture of parking lots, parking garages, parking decks, private garages and/or parking spaces located along private alleys and/or driveways may be used to satisfy this requirement. Where permitted, on-street parking located directly adjacent to the development may also be used to satisfy up to ten (10) percent of the required number of parking spaces.
 - (a) For the purpose of this subsection, the term “adjacent” shall mean directly adjoining the location of the proposed development (ie. on the same side of the street and equal in width, at the right-of-way and/or property line, to the parcel(s) proposed for development).
 - (2) Parking lots, parking garages and parking decks shall be located behind, underneath or adjacent to – but not in front of – primary structures so as to minimize visibility from public rights-of-way. This requirement may be waived by the zoning administrator if site conditions exist that make rear and side locations impractical for off-street parking facilities. Where parking lots, parking garages and parking decks are situated in locations which are plainly visible from a public right-of-way, such facilities shall be screened by a landscaped buffer at least ten (10) feet in width.
 - (3) Parking lots, parking garages and parking decks shall be set back at least ten (10) feet from any right-of-way or property line. The zoning administrator may waive the

setback requirement along rear and/or side yards in instances when a shared parking agreement is entered into with a neighboring property owner.

B) Landscaping, lighting and tree preservation.

- (1) Unless otherwise provided for in this section, the landscaping, lighting and tree preservation standards outlined in article IV shall apply.

C) Sidewalks.

- (1) Sidewalks at least five (5) feet in width shall be installed along each road frontage where a sidewalk does not currently exist. All sidewalks shall be constructed to comply with the standards of the town, South Carolina Department of Transportation (SCDOT), and the Americans with Disabilities Act (ADA).
- (2) Along frontages intended for ground floor commercial development, additional sidewalk width may be required to accommodate street furniture, outdoor seating areas, or other obstructions to pedestrian mobility.
- (3) New sidewalks shall be constructed in locations that will promote connectivity with existing sidewalk infrastructure. Where no adjacent sidewalk infrastructure exists, new sidewalks shall be stubbed out to locations identified by the zoning administrator in order to allow for connectivity with future development. These requirements may be waived administratively by the zoning administrator if circumstances exist that make such connections impractical.

D) Stormwater and sediment control.

- (1) All new development shall comply with the Stormwater Management and Sediment Control regulations outlined in chapter 16, article III, of the Code of Ordinances for the Town of Fort Mill.
- (2) Where feasible, and consistent with the urban nature of the UD zoning district, the use of measures other than detention ponds to achieve water quality improvement is recommended.
- (3) In an effort to protect water quality, the use of low impact design methods such as cisterns, rain gardens, green roofs, pervious or permeable surfaces, bioswales, media filters, and other alternative methods for conserving and/or managing stormwater runoff are encouraged.

E) Open space.

- (1) For developments that are located within one-quarter (1/4) mile of a public recreation facility, there shall be no open space requirement.
- (2) For developments that are located more than one-quarter (1/4) mile from a public recreation facility, a minimum of ten (10%) percent of the gross land area shall be set aside as open space.
 - (a) If the property is intended to be subdivided as part of the proposed development plan, this open space shall be dedicated in the same manner as provided in article II, section 19, subsection H.
 - (b) If the property will not be subdivided, the required open space may be incorporated into the overall site development plan.
- (3) For the purpose of this paragraph, the following shall apply:

- (a) A “public recreation facility” shall include any public park, playground, trail, greenway, athletic field, or similar publicly accessible facility.
- (b) Distance shall be measured using the ordinary walking distance from the subject property to the closest public access point of the nearest recreational facility.
- (c) The following may be counted towards the required dedicated open space: conservation lands, natural areas, formal greens, plazas and courtyards, trails, buffers held in common ownership, playgrounds, parks and recreation areas (excluding vertical structures such as clubhouses and maintenance facilities), and other areas used for active or passive recreation. Open space features may be open to the general public or restricted to residents of the development.

F) Traffic improvements.

- (1) A traffic impact analysis (TIA) shall be required for any new development that includes more than one hundred (100) residential units, or for any new development that is expected to generate an average of more than five hundred (500) vehicle trips per weekday.
- (2) For all new projects, notwithstanding the previous paragraph, the developer shall meet with the zoning administrator and, if warranted, representatives from the SCDOT, prior to project approval for the purpose of reviewing proposed ingress/egress locations and traffic impact. Any traffic improvements recommended by the town and/or SCDOT shall be installed at the developer’s cost.

5. *Appearance review required.* Appearance review shall be required for all proposed development located within the UD district.

A) Prior to the issuance of any permit for new exterior construction or addition which adds square footage – excluding minor repairs, restoration, and temporary structures – within the UD district, the proposed development shall first be reviewed and approved by the Appearance Review Committee.

- (1) The procedure for appearance review shall be the same as outlined in article V, sections 1-4; provided, any proposed residential and commercial development shall be subject to the same appearance review process.
- (2) The standards for appearance review shall be the same as outlined in article V, section 5; provided, proposed development within the UD district shall be expected to incorporate a higher degree of architectural design and quality building materials. Masonry materials such as brick, natural stone, split faced stone, and rock, shall be the preferred materials for new development within the UD district. Synthetic products, such as hardiplank, hardiboard, and similar materials may be used when approved by the Appearance Review Committee. Exterior insulation finishing system (EIFS), decorative architectural masonry unit (CMU) blocks, wrought iron and other quality metals may be used as accenting materials or for the incorporation of decorative elements. The Appearance Review Committee may approve other materials on a case-by-case basis, provided such materials do not detract from the overall quality and aesthetic of new and existing development.

B) Effect of Historic Preservation Overlay District.

- (1) For UD zoned parcels which are located outside of the Historic Preservation Overlay District, the Appearance Review Committee's recommendation shall be final.
- (2) For UD zoned parcels which are also located within the Historic Preservation Overlay District, the Appearance Review Committee's recommendation shall be considered advisory in nature. As required by article II, section 11, subsection 10, a certificate of appropriateness shall also be required prior to the commencement of any work within the historic district.

C) Certificate of appropriateness.

- (1) In addition to the appearance review process referenced in paragraph A above, any new development proposed within the Historic Preservation Overlay District shall also require a certificate of appropriateness from the Historic Review Board prior to the issuance of a building permit.
 - (a) The procedure and criteria for historic review shall be the same as outlined in article II, section 11, subsections 10 and 11.
 - (b) In instances where the Historic Review Board's decision is inconsistent with the Appearance Review Committee's recommendation, the Historic Review Board's decision shall govern

6. *Other requirements:* Unless otherwise specified elsewhere in this ordinance, uses permitted in UD Urban development zoning districts shall be required to conform to the following standards:

A) Permitted density.

- (1) Residential uses: The maximum density for residential uses shall be twenty-eight (28) dwelling units per acre of total land area, less the total square footage of any building footprint(s) dedicated to commercial uses.
- (2) Commercial uses: The maximum area which may be dedicated to commercial uses shall be ten thousand (10,000) square feet per acre.
- (3) Mixed use bonus: Where a proposed commercial building includes one or more upper-story residential unit(s), the square footage of that commercial building's footprint shall not be subtracted from the total land area when calculating the maximum density allowed for residential units in subparagraph (1) above. In instances when all proposed commercial structures include an upstairs residential component, the maximum area which may be dedicated to commercial uses shall be increased by fifty (50%) percent.

B) Minimum lot size and width.

- (1) There shall be no required minimum lot size within the UD district; however, the planning commission shall have review authority for all lot designations and may require larger, smaller, or replatted lot sizes and/or shapes based upon the particular site plans submitted for a specific development.

C) Minimum front yard.

- (1) No front yard required (ie. buildings may be drawn up to the sidewalk); however, where a front yard is provided, the minimum set back shall be at least five (5) feet.

D) Minimum side yard.

(1) No side yard required; however, where a side yard is provided, the minimum set back shall be at least five (5) feet. Parking facilities, roads and driveways shall be set back at least ten (10) feet from any property line or right-of-way.

E) Minimum rear yard.

(1) No rear yard required; however, where a side yard is provided, the minimum set back shall be at least five (5) feet. Parking facilities, roads and driveways shall be set back at least ten (10) feet from any property line or right-of-way.

F) Maximum height.

(1) The maximum height permitted within the UD district shall be forty-five (45) feet.

G) Signs

(1) Any sign permitted within the LC zoning district shall be similarly permitted under the same conditions within the UD district based on the sign guidelines set forth in article III.