



**TOWN OF FORT MILL
PLANNING COMMISSION MEETING
May 27, 2014
112 Confederate Street
7:00 PM**

REGULAR MEETING

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Meeting: April 22, 2014 *[Pages 3–5]*

NEW BUSINESS

1. **Comm. Appearance Review: Walmart Neighborhood Market** *[Pages 6–22]*

Request from Sunbelt Ventures, LLC, to grant commercial appearance review approval for a proposed Walmart Neighborhood Market located at 100 Fort Mill Square

2. **Annexation Request: Kimbrell Property** *[Pages 23–32]*

An ordinance annexing York County Tax Map Numbers 736-00-00-080, 736-00-00-081 and 736-00-00-144, containing approximately 28.6 acres at the intersection of Doby’s Bridge Road and Kimbrell Road

3. **Annexation Request: Rutledge Property** *[Pages 33–41]*

An ordinance annexing York County Tax Map Numbers 717-00-00-004 & 717-00-00-005, containing approximately 47.0 acres at the intersection of Springfield Parkway and U.S. Highway 21 Bypass

4. **Mixed Use Concept Plan & Dev. Conditions: Rutledge Property** *[Pages 42–56]*

An ordinance adopting a Mixed Use Concept Plan & Development Conditions for the Rutledge MXU Project

ITEMS FOR INFORMATION / DISCUSSION

1. **Impact Fee Study Update**
2. **Fort Mill Southern Bypass Project Update**

ADJOURN

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

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

Absent: None

Guests: Margaret Barber, Evan Barber, Andy Burkholder (Carolina Upholstery), Marty Davis (M/I Homes), Chris Todd (ColeJenest & Stone), Matt Reiking (ESP Associates)

Chairman Traynor called the meeting to order at 7:02 pm.

Mr. Wolfe made a motion to approve the minutes from the March 25, 2014, regular meeting, with a second by Mr. Garver. The minutes were approved by a vote of 7-0.

Chairman Traynor stated that the impact fee presentation would likely take an extended period of time. As a courtesy to those in the audience, he asked if the agenda could be reordered so as to place the presentation at the end of the agenda after all action items have been disposed of. There was no objection and the agenda was reordered.

STAFF UPDATE REGARDING COMMITTEE REORGANIZATION

Planning Director Cronin provided an overview of the committee reorganization process recently completed by town council on April 14, 2014. Mr. White and Mr. Garver were reappointed to two-year terms. Mr. Wolfe was reappointed to a three-year term. Mr. Couchenour has rolled off the commission and onto the Historic Review Board, and was replaced by Mr. Lettang, who formerly served on the Board of Zoning Appeals. Existing member expiration dates were re-staggered so that all terms will end in April 2015 (Traynor & White), 2016 (Garver, Petty & Hudgins) or 2017 (Wolfe & Lettang).

ELECTION OF CHAIR & VICE CHAIR

Chairman Traynor opened the floor for nominations for Chair for the remainder of 2014. Mr. Wolfe made a motion to re-elect Mr. Traynor as Chair. Mr. Petty seconded the motion. No other candidates were nominated. Chairman Traynor closed the nomination process and called for a vote on the motion. The motion to re-elect Mr. Traynor as Chair was approved by a vote of 6-0, with Mr. Traynor abstaining.

Chairman Traynor opened the floor for nominations for Vice Chair for the remainder of 2014. Mr. Garver made a motion to re-elect Mr. Wolfe as Vice Chair. Mr. White seconded the motion. No other candidates were nominated. Chairman Traynor closed the nomination process and called for a vote on the motion. The motion to re-elect Mr. Wolfe as Vice Chair was approved by a vote of 6-0, with Mr. Wolfe abstaining.

NEW BUSINESS

1. **Commercial Appearance Review: Carolina Upholstery:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to construct a 36' x 36' addition to an existing 50' x 36' commercial building located at 201 Spratt Street. The applicant, Andy Burkholder of Carolina Upholstery, was on hand to answer questions from members of the Commission. The proposed addition will be identical in design and materials to the existing structure, to include tan vinyl siding and brick accents. Mr. Traynor stated that vinyl siding would be appropriate in this location only because the existing building was constructed with the same materials and should not be considered a new precedent for commercial appearance review. Mr. Hudgins made a motion to approve the request to grant appearance review approval, with a second by Mr. Petty. The motion was approved by a vote of 7-0.
2. **Annexation Request: Barber, Fite & Scott Properties:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to annex York County Tax Map Numbers 616-00-00-019, -025, -026 (Portion) and -001 (Portion), with a zoning designation of GR General Residential. Mrs. Margaret Barber, owner of 600 Sutton Road and 599 Smythe Road, provided additional information regarding the request and answered questions from commission members. Mr. Petty made a motion to recommend in favor of the annexation request with a zoning designation of GR. Mr. Lettang seconded the motion. The motion was approved by a vote of 7-0.
3. **Preliminary Plat Approval: Millridge:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to grant preliminary plat approval for a new subdivision to be called Millridge (formerly Sutton Park) near the intersection of Harris Road and Sutton Road. Planning Director Cronin stated that the preliminary plat and construction drawings were substantially compliant with the town's zoning and development requirements. Staff recommended in favor of approval, contingent upon execution of the annexation ordinance prior to the expiration date, and approval of the land disturbance permit from the town's Engineering Department. Mr. Wolfe made a motion to approve the preliminary plat with the contingencies noted by staff. Mr. Garver seconded the motion. The motion was approved by a vote of 7-0.
4. **Final Plat Approval: Springview Meadows:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to grant final plat approval for phase 1 of a new subdivision to be called Springview Meadows near the intersection of Springfield Parkway and US 21 Bypass (32 lots). Planning Director Cronin stated that clearing and grading were underway, but all required infrastructure had not yet been completed. Staff recommended in favor of approval of the final plat for phase 1, contingent upon the

applicant securing a bond or letter of credit equal to 125% of the cost of any remaining infrastructure. Mr. Petty made a motion to approve the final plat contingent upon the applicant securing the required bond or letter of credit, with a second by Mr. Garver. Mr. White offered an amendment to also include approval for the following road names: Crescent Moon Drive, Angel Oak Drive and Palm Drive. Mr. Petty and Mr. Garver accepted the amendment. The motion, as amended, was approved by a vote of 7-0.

PRESENTATION

1. **Impact Fee Study & Recommendations:** Planning Director Cronin informed members of the commission that town council had adopted a resolution on April 14, 2014, instructing the Planning Commission to undertake a development impact fee study for the purpose of identifying and funding capital improvements related to municipal facilities, parks and recreation, and transportation facilities needed as a result of rapid growth in the Fort Mill area. Planning Director Cronin introduced Matt Noonkester from Stantec, a consultant hired by the town to assist with the impact fee study. Mr. Noonkester provided a detailed overview of the SC Development Impact Fee Act, as well as the state-mandated process for studying, adopting, implementing and administering a local development impact fee. Mr. Noonkester answered questions from members of the commission, and also reviewed a timeline and work plan for the project. Council has asked the commission to provide its recommendations within 180 days. Staff and the consultant will seek input and provide regular updates to the commission as the study progresses. Staff was asked to provide copies of the presentation, as well as additional information related to impact fees, to members of the commission by email for additional review.

ITEMS FOR INFORMATION / DISCUSSION

There were no items for information / discussion.

There being no further business, the meeting was adjourned at 8:41 pm.

Respectfully submitted,

Joe Cronin
Planning Director

Planning Commission Meeting
May 27, 2014
New Business Item

Commercial Appearance Review: Walmart Neighborhood Market

Request from Sunbelt Ventures, LLC, to grant commercial appearance review approval for a proposed Walmart Neighborhood Market located at 100 Fort Mill Square

Background / Discussion

The Planning Commission is asked to consider a request from Sunbelt Ventures, LLC, to grant commercial development appearance review approval for a proposed Walmart Neighborhood Market at 100 Fort Mill Square. This property is the site of a plaza that formerly housed a Food Lion, CVS Pharmacy, as well as other retail businesses, near the intersection of Tom Hall Street and Doby's Bridge Road. The majority of this plaza has been vacant since 2000. A map is attached for reference.

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

Until October 2013, the THCD overlay restricted the size of new commercial buildings to no larger than 15,000 square feet. In an effort to remove barriers to redevelopment of targeted locations along the corridor, town council amended the prohibited uses section of the THCD ordinance to read as follows:

Any retail establishment having a building footprint in excess of 15,000 square feet; provided, however, that any existing retail building or collection of buildings lawfully in existence prior to the establishment of the THCD overlay may be rebuilt, altered or repaired, provided that the total footprint of any new building or buildings may not exceed the total combined square footage of the building or buildings being replaced. In instances where the Planning Commission determines that a proposed building or collection of buildings constructed, altered or repaired under the provisions of this paragraph contain enhanced and/or exemplary architectural design elements as part of the Commercial Development Appearance Review Process outlined in Article V of this Ordinance, the Commission shall be authorized to grant an additional square footage allowance of up to 10%. (*Ord. 2013-27*)

The existing size of the building proposed to be demolished is 38,310 square feet. The proposed Walmart Neighborhood Market will be 41,839 in size, or approximately 9% larger than the existing structure. The amended THCD ordinance gives the Planning Commission the discretion to grant an extra allowance of up to 10% if the commission determines that the proposed design meets the criteria for "enhanced and/or exemplary architectural design."

The proposed building elevations, site plans and landscaping plans are attached for review. A full set of building designs will be available during the Planning Commission meeting, and the applicant has requested an opportunity to provide a brief presentation of the design during the meeting as well.

The exterior of the building is proposed to include architectural CMU (various colors), EIFS (various colors), and painted split faced CMU on the non-visible left and rear facing walls of the building. The building will also feature decorative elements such as false windows, accent and color variations, cornices and variation in roofline elevations.

Building Materials/Legend

	"Promenade Blend" Architectural CMU Masonry by Quik-Brik		"Greek Villa" SW7551 Painted EIFS		"Rushing River" SW7746 Painted EIFS
	"Marous Blend" Architectural CMU Masonry by Quik-Brik		"Interactive Cream" SW6113 Painted EIFS		"Hamburg Gray" SW7622 Painted EIFS
	"Cobble Brown" SW6082 Painted EIFS		"Festival Green" SW6923 Prefinished Metal Canopy		"Aurora Brown" SW2837 Painted Split-Face CMU (Left Side and Rear Facade)
	"Aurora Brown" SW2837 Painted EIFS		Integral Color Masonry "Saddle Tan" by Oldcastle	* All storefront windows shown are transparent glazing units with clear anodized aluminum frames.	

Recommendation

The property is zoned HC and is, therefore, properly zoned for a grocery store.

The proposed structure appears to feature high quality building materials and architectural features/designs that will be generally consistent with neighboring structures.

While the building will contain architectural CMU brick accents and sections, a large portion of the building façade will include EIFS. In regards to building materials, the THCD outlines the following requirements:

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

As a result, the Planning Commission will have the discretion to determine whether the proposed design and materials best meets the requirements, and intent, of the THCD overlay district. Staff has also attached a copy of Article V, Section 5 of the Zoning Ordinance, which outlines the standards to be used in the commercial appearance review process.

In addition to the appearance review process, the following staff reviews and approvals will be required prior to the issuance of a building permit:

Site Plan Review: A zoning compliance permit will be required for the project. The zoning compliance permit must be reviewed and approved by the Planning Department prior to the issuance of a building permit. A preliminary site plan has been reviewed, and the site is properly zoned for a grocery store.

Land Disturbance Permit: A land disturbance permit will be required for the project. The land disturbance permit must be reviewed and approved by the Engineering Department prior to the issuance of a building permit.

Traffic Plan Review: Traffic from the proposed project will primarily impact two state owned rights-of-way: Tom Hall Street and Doby's Bridge Road. Review and approval of a traffic plan, to include encroachment permits (if any), will be required from SCDOT prior to the issuance of a building permit.

Building Permit: The final step in the permitting process will be the issuance of a building permit by the Building Department. The building permit will not be issued until all other permits have been approved and the proposed building has been found to comply with the Building Code.

One additional item of note is that there are existing sidewalks on Tom Hall Street to serve the new store; however, only a partial pathway exists along the Doby's Bridge Road frontage. Staff would recommend the addition of a sidewalk or path (5' min.) along Doby's Bridge Road, between Sanders Street and the neighboring property line. This would consistent with what was required along Doby's Bridge Road for the new Family Dollar store approved in 2013.

We have also attached an additional project overview and project details for the proposed Walmart Neighborhood Market.

Joe Cronin
Planning Director
May 21, 2014

Town of Fort Mill Zoning Ordinance
Article IV. Commercial Development Appearance Review

Sec. 5. - Appearance standards.

1) *Relationship of building site:*

- A) The proposed commercial development shall be designed and sited to accomplish a desirable view as observed from adjacent streets.
- B) Parking areas shall be enhanced with decorative elements, building wall extensions, plantings, berms, or other innovative means to screen parking areas from view from the streets.
- C) Utility services shall be underground.

2) *Relationship to adjoining areas:*

- A) Adjacent buildings of different architectural styles shall be made compatible by use of screens, sight breaks, materials, and other methods.
- B) Landscaping shall provide a transition to adjoining property.
- C) Texture, building lines, and mass shall be harmonious with adjoining property. Monotonous texture, lines, and mass shall be avoided.

3) *Landscaping:* Landscaping shall conform to article IV and other sections of this ordinance.

4) *Building design:*

- A) Architectural style is not restricted. Quality of design and compatibility with surrounding uses shall provide the basis of the evaluation of the appearance of a proposed commercial development.
- B) Materials shall be of good architectural character and shall be harmonious with adjoining buildings.
- C) Materials shall be suitable for the type and design of the building. Materials which are architecturally harmonious shall be used for all exterior building walls and other exterior building components.
- D) Materials and finishes shall be of durable quality.
- E) Building components, such as windows, doors, eaves, and parapets, shall have appropriate proportion and relationships to one another.
- F) Colors shall be harmonious and shall use compatible accents.
- G) Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from view with materials harmonious with the building.
- H) Monotony of design shall be avoided. Variation in vegetation, detail, form, and siting shall be used to provide visual interest.

5) *Signs:*

- A) Signs shall conform to the provisions of article III and this article.

- B) Every sign shall be of appropriate scale and proportion in relation to the surrounding buildings.
 - C) Every sign shall be designed as an integral architectural element of the building and site to which it relates.
 - D) The colors, materials, and lighting of every sign shall be harmonious with the building and site to which it relates.
 - E) The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's principal message and shall be in proportion to the area of the sign.
 - F) Each sign shall be compatible with signs on adjoining plots or buildings.
 - G) Corporation logos shall conform to the criteria for all other signs.
- 6) *Miscellaneous structures:* Miscellaneous structures and hardware shall be part of the architectural concept of the project. Materials, scale, and colors shall be compatible with the building and surrounding uses.



PROJECT OVERVIEW

- Applicant:
Sunbelt Ventures LLC, 474 Wando Park Boulevard, Suite 205, Mt. Pleasant, SC 29464
- Proposed Location:
Fort Mill Square Shopping Center, 100 Fort Mill Square, Fort Mill, SC 29715
- Proposed Plan:
Demolish existing 38,310 SF shopping plaza (Old Food Lion, Family Dollar, Los Aztecas, etc.) and construct a new 41,839 SF Walmart Neighborhood Market retail store with reconstructed (and landscaped) parking areas.
- Pending Approvals:

Commercial Development Appearance Review: Commercial appearance review, which primarily covers design, architecture, and proposed building materials, will be undertaken by the Planning Commission on May 27, 2014 (7:00 PM).

Site Plan Review: A zoning compliance permit will be required for the project. The zoning compliance permit must be reviewed and approved by the Planning Department prior to the issuance of a building permit. A preliminary site plan has been reviewed, and the site is properly zoned for a grocery store.

Land Disturbance Permit: A land disturbance permit will be required for the project. The land disturbance permit must be reviewed and approved by the Engineering Department prior to the issuance of a building permit.

Traffic Plan Review: Traffic from the proposed project will primarily impact two state owned rights-of-way: Tom Hall Street and Doby's Bridge Road. Review and approval of a traffic plan, to include encroachment permits (if any), will be required from SCDOT prior to the issuance of a building permit.

Building Permit: The final step in the permitting process will be the issuance of a building permit by the Building Department. The building permit will not be issued until all other permits have been approved and the proposed building has been found to comply with the Building Code.

PROJECT DETAILS

- Consistent with the Town of Fort Mill's comprehensive plan:
The Comprehensive Plan for the Town of Fort Mill, updated in January 2013, recommends the following:

"The connection between Node 5 and Node 6 is a critical corridor in Fort Mill's redevelopment. This area, known as the Tom Hall Corridor is one of the most frequently traveled east/west routes in the planning area. As such, the area requires attention. Currently the corridor lacks an identity and the main commercial anchor at the intersection of Doby's Bridge and Tom Hall Street is mostly vacant. This site is prime for redevelopment."
- Properly zoned:
The proposed location is currently zoned HC Highway Commercial. The HC district allows "general retail trade such as department stores, food stores, etc." The site is properly zoned for a Walmart, or any other grocery store that chooses to build in that location. The property is also located within the Tom Hall Corridor Overlay District (THCD).
- THCD amended in 2013 to encourage redevelopment:
Recognizing the strategic importance of the SC 160 & Doby's Bridge Road intersection, Town Council voted unanimously to amend the Tom Hall Corridor Overlay District (THCD) on October 14, 2013. This amendment was intended to remove barriers to redevelopment of targeted areas along the corridor. The ordinance removed the 15,000 maximum square footage requirement for retail buildings, and allowed existing retail structures to be demolished and rebuilt based on the existing square footage, plus additional allowances of up to 10%.

- Former grocery location:
The proposed use (grocery store) is consistent with the property's former use. Food Lion operated a grocery store at this location until the spring of 2000, at which time the company opened a new store at 1360 SC 160 (Avery Plaza). The majority of the plaza has been vacant since the relocation of Food Lion. CVS Pharmacy previously vacated the plaza for a new building at the intersection of Tom Hall and Banks Streets, and Family Dollar will move into a separate standalone building at Tom Hall Street and Doby's Bridge Road later this summer.
- Buffers:
A 25' minimum buffer will be provided between vehicular areas (driveways, parking areas, etc.) and neighboring residential lots. The proposed structure will be at least 50' from the nearest residential lot. (Note: The THCD does not require a side or rear yard setback for commercial structures.)
- Private sector investment:
The proposed grocery store represents a total investment of more than \$11 million in downtown Fort Mill, and will likely spur additional commercial growth in the town's urban core.
- Jobs Creation:
A typical Walmart Neighborhood Market will provide employment opportunities for 80-100 individuals.
- Increased Tax & Fee Revenue:
The old Food Lion plaza is currently on the tax rolls with an assessed fair market value of \$1,178,000. Because it is substantially vacant, business license revenue from the plaza has been fairly nominal. In its current state, the property generates slightly more than \$6,000 in annual tax revenue for the town, and nearly \$30,000 in total revenues for all taxing entities (town, county and school district). Upon completion of the redevelopment project, the project is expected to generate up to \$50,000 in annual tax revenue for the town, and \$250,000 in total revenues for all taxing entities. The new store will also generate substantial business license revenue. In addition, any prepared food sold from the new store will generate Hospitality Tax revenue for the town, which will help pay for tourism promotion and tourist-related amenities.
- Store Size:
The proposed Walmart Neighborhood Market will be less than 42,000 SF. The store will be similar in size to other standard grocery stores, and approximately ¼ the size of a typical Walmart Supercenter. The new building will be approximately 9% larger than the existing plaza's footprint, but approximately 20% smaller than the Harris Teeter permitted earlier this year at Springfield Town Center.
- Product Selection:

Similar to other grocery stores, Walmart Neighborhood Market is expected to carry a full selection of groceries, meat and dairy, baked goods, pharmaceuticals, health and beauty aids, and a limited selection of general merchandise.

- First Walmart in Fort Mill:

This will be Walmart's first store (of any type or size) in the town limits. There is currently one Walmart Neighborhood Market in the Charlotte metro area, located on E Independence Boulevard. Additional stores have been announced for Rock Hill, Concord, Gastonia and Pineville.

Contact Information

Sunbelt Ventures LLC

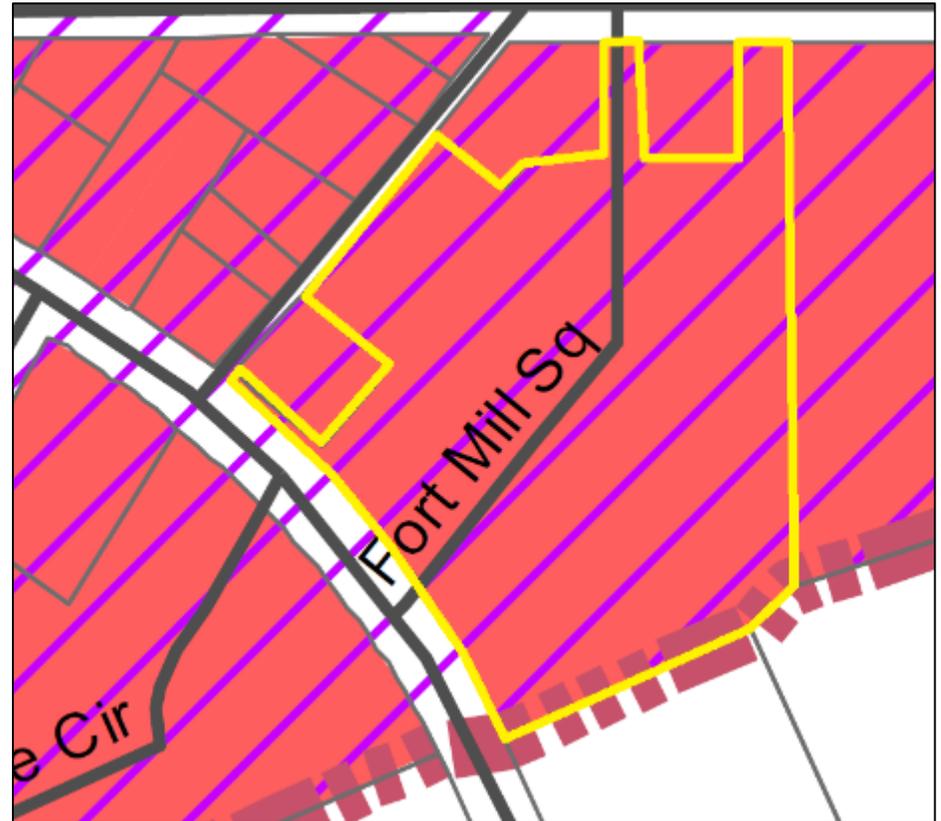
Kelley Glenn

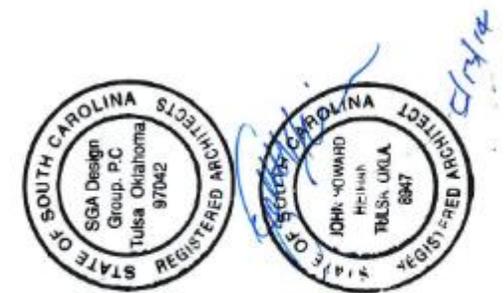
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Walmart Southeast Media Contact

Bill Wertz

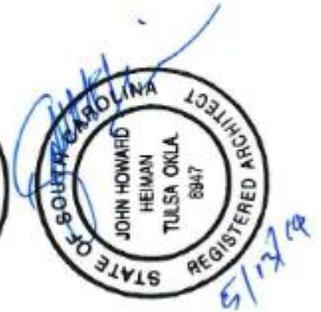
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Proposed Site Plan



SGA Design Group 	May 13, 2014	Fort Mill (Tom Hall), SC. Store #3359	Proposed Site Plan 2
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Proposed Building Design



Front Perspective

Building Materials/Legend

 "Yosemite Blend" Architectural CMU Masonry by Quik-Brik	 "Greek Villa" SW7551 Painted EIFS	 "Rushing River" SW7746 Painted EIFS	 "Cobble Brown" SW6902 Painted EIFS	 "Festival Green" SW6923 Polished Metal Canopy	 "Aurora Brown" SW2837 Painted Split-Face CMU (Left Side and Rear Facade)
 "Maraca Blend" Architectural CMU Masonry by Quik-Brik	 "Interactive Green" SW6311 Painted EIFS	 "Hamburg Gray" SW7022 Painted EIFS	 "Aurora Brown" SW2837 Painted EIFS	 Integral Color Masonry "Saddle Tree" by Clickstone	

* All storefront windows shown are transparent glazing units with clear anodized aluminum frames.



SGA Design Group

May 13, 2014

Fort Mill (Tom Hall), SC. Store #3359

Proposed Building Design

4



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Proposed Building Design



Front Perspective

Building Materials/Legend

 "Promenade Blend" Architectural CMU Masonry by Quik-Brik	 "Greek Villa" SW7551 Painted EIFS	 "Rushing River" SW7746 Painted EIFS	 "Cobble Brown" SW6082 Painted EIFS	 "Festival Green" SW6923 Polished Metal Canopy	 "Aurora Brown" SW2837 Painted Split-Face CMU (Left Side and Rear Facade)
 "Marous Blend" Architectural CMU Masonry by Quik-Brik	 "Interactive Cream" SW6113 Painted EIFS	 "Hamburg Gray" SW7622 Painted EIFS	 "Aurora Brown" SW2837 Painted EIFS	 Integral Color Masonry "Saddle Tan" by Oldcastle	

* All storefront windows shown are transparent glazing units with clear anodized aluminum frames.



SGA Design Group

May 13, 2014

Fort Mill (Tom Hall), SC. Store #3359

Proposed Building Design

5



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Proposed Building Design



Corner Perspective

Building Materials/Legend

 "Promenade Blend" Architectural CMU Masonry by Quik-Blok	 "Greek Villa" SW7551 Painted EIFS	 "Rushing River" SW7746 Painted EIFS	 "Cobble Brown" SW6082 Painted EIFS	 "Festival Green" SW6923 Prefinished Metal Canopy	 "Aurora Brown" SW2837 Painted Split-Face CMU (Left Side and Near Facade)
 "Marous Blend" Architectural CMU Masonry by Quik-Blok	 "Interactive Cream" SW6113 Painted EIFS	 "Hamburg Gray" SW7622 Painted EIFS	 "Aurora Brown" SW2837 Painted EIFS	 Integral Color Masonry "Saddle Tail" by Oldcastle	* All storefront windows shown are transparent glazing units with clear anodized aluminum frames.



SGA Design Group	May 13, 2014	Fort Mill (Tom Hall), SC. Store #3359	Proposed Building Design	6
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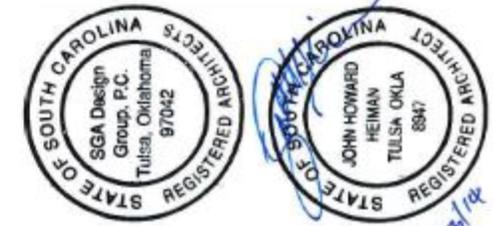
Proposed Building Design



Side Perspective

Building Materials/Legend

 "Promenade Blend" Architectural CMU Masonry by Quik-Brik	 "Greek Villa" SW7551 Painted EIFS	 "Rushing River" SW7746 Painted EIFS	 "Cobble Brown" SW6082 Painted EIFS	 "Feather Green" SW6923 Prefinished Metal Canopy	 "Aurora Brown" SW2837 Painted Split-Face CMU (Left Side and Rear Facade)
 "Marous Blend" Architectural CMU Masonry by Quik-Brik	 "Interactive Cream" SW6113 Painted EIFS	 "Hamburg Gray" SW7622 Painted EIFS	 "Aurora Brown" SW2837 Painted EIFS	 Integral Color Masonry "Saddle Tan" by Oldcastle	* All storefront windows shown are transparent glazing units with clear anodized aluminum frames.



SGA Design Group	May 13, 2014	Fort Mill (Tom Hall), SC. Store #3359	Proposed Building Design	7
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Building Materials/Legend



"Promenade Blend" Architectural
CMU Masonry by Quik-Brik



"Marous Blend" Architectural
CMU Masonry by Quik-Brik



"Cobble Brown" SW6082
Painted EIFS



"Aurora Brown" SW2837
Painted EIFS



"Greek Villa" SW7551
Painted EIFS



"Interactive Cream" SW6113
Painted EIFS



"Festival Green" SW6923
Prefinished Metal Canopy



Integral Color Masonry
"Saddle Tan" by Oldcastle



"Rushing River" SW7746
Painted EIFS



"Hamburg Gray" SW7622
Painted EIFS



"Aurora Brown" SW2837
Painted Split-Face CMU
(Left Side and Rear Facade)

* All storefront windows shown are transparent glazing units with clear anodized aluminum frames.

Planning Commission Meeting
May 27, 2014
New Business Item

Annexation Request: Kimbrell Property

An ordinance annexing York County Tax Map Numbers 736-00-00-080, 736-00-00-081 and 736-00-00-144, containing approximately 28.6 acres at the intersection of Doby's Bridge Road and Kimbrell Road

Background / Discussion

Del Bradshaw (Trustee) and Woodward Associates LLC, the owners of record for York County Tax Map Numbers 736-00-00-080, 736-00-00-081 and 736-00-00-144, have submitted an annexation request for approximately 28.6 acres located at the intersection of Doby's Bridge Road and Kimbrell Road. A property map and description are attached for reference.

The area proposed to be annexed is contiguous to the Ardrey Acres, Kimbrell Crossing and Savannah Place subdivisions, as well as individual parcels on Doby's Bridge Road and Doby Court, all of which are inside the municipal limits of Fort Mill. Therefore, the subject properties meet the contiguity requirement as established by state law.

The subject property is currently zoned RC-I per York County GIS. The county's RC-I district allows single-family residences and modular homes (min. 10,000 sf per dwelling). Other permitted uses include agricultural (field crops and orchards/groves), equestrian uses, day care homes, religious institutions, parks, and schools. The RC-I District also requires a minimum open space of 20%.

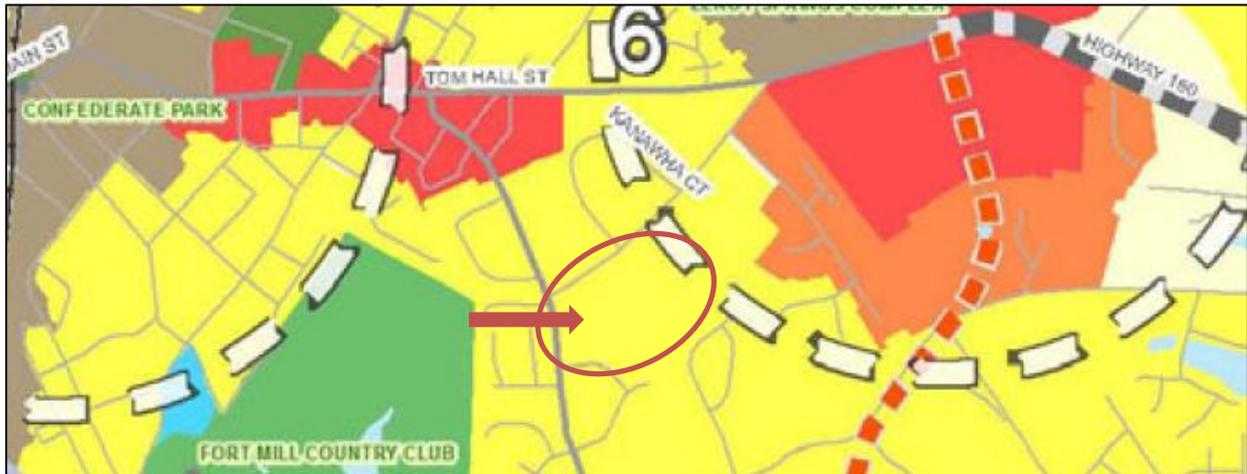
The applicant has requested a zoning designation of R-5 Residential. The R-5 district was adopted by the town council on June 24, 2013, and is now available for use within the town limits. The R-5 district allows for single family residences – both detached and attached (townhomes) – as well as a limited number of non-residential uses, such as public facilities, religious institutions, and customary home occupations. The minimum lot size is 5,000 sf for single-family dwellings, and 1,500 sf for townhomes. The R-5 district contains a minimum open space requirement of 20%, as well as a project edge buffer of 35' along property lines adjacent to existing residential development.

The property is currently under contract for sale to a developer. The prospective owner's intended use is to develop up to 150 townhomes on the property. A draft sketch plan has been submitted with the application for annexation. It should be noted that the sketch plan is non-binding until approved as part of the subdivision platting process.

Recommendation

The area proposed to be annexed is contiguous to the town limits and is, therefore, eligible for annexation.

The surrounding subdivisions are zoned as follows: Kimbrell Crossing (R-10), Ardrey Acres (R-15) and Savannah Place (R-15). However, the parcels subject to the annexation request are located in an area identified on the town's comprehensive plan, last updated in January 2013, as medium-density residential. The comprehensive plan defines medium-density as 3-5 dwelling units per acre.



The R-5 district would allow for development with an overall density of 3-5 DUA. The R-5 district also offers additional public benefits not found within other zoning districts, such as the R-10 and R-15 districts, including 35' perimeter buffers between new and existing uses, a minimum open space requirement (20%), and a requirement to install sidewalks on both sides of the street.

Though the applicant has stated his intent to develop 150 townhomes on the property, the attached concept plan is non-binding. For example, the R-5 district requires a minimum lot size of only 1,500 square feet for townhomes. If the property were to be annexed with a zoning designation of R-5, the applicant could potentially have the ability (by right) to reduce lot sizes and develop significantly more than 150 residences.

Given the size of the property (approximately 28.6 acres), staff would recommend no more than 143 units at this location (5 units per acre), to ensure consistency with the comprehensive plan.

This maximum density could be set by a development agreement between the owner/developer and the town. Should the annexation move forward with R-5 zoning, staff would strongly recommend in favor of a development agreement.

The R-5 district would allow for the development of townhomes, subject to the limitations referenced above. The R-5 district would also leave the option open for single-family residences as well (5,000 square foot minimum lot size). Though single-family development could be subject to the same density requirements outlined in a development agreement, the actual number of units may be lower once open space, minimum lot sizes, and public infrastructure are included.

Nothing in this report shall be deemed a guarantee that water and/or sewer service/capacity will be available at the time of development. The property shall also be subject to a traffic impact analysis (TIA) prior to the approval of a preliminary subdivision plat. Any improvements deemed necessary as a result of the TIA would be the responsibility of the owner/developer.

In summary, staff recommends in favor of the annexation with R-5 zoning, subject to a development agreement that limits the total residential density (townhomes of single-family) to no more than 5 units per acre.

Joe Cronin
Planning Director
May 21, 2014

Date: 5/12/14

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: 1057 KIMBELL ROAD

Tax Map Number: 736-00-00-144, 736-00-00-080, 736-00-00-081

Total Acreage: 3.0 Approx

Zoning Designation Requested: R-5

Property Owners:

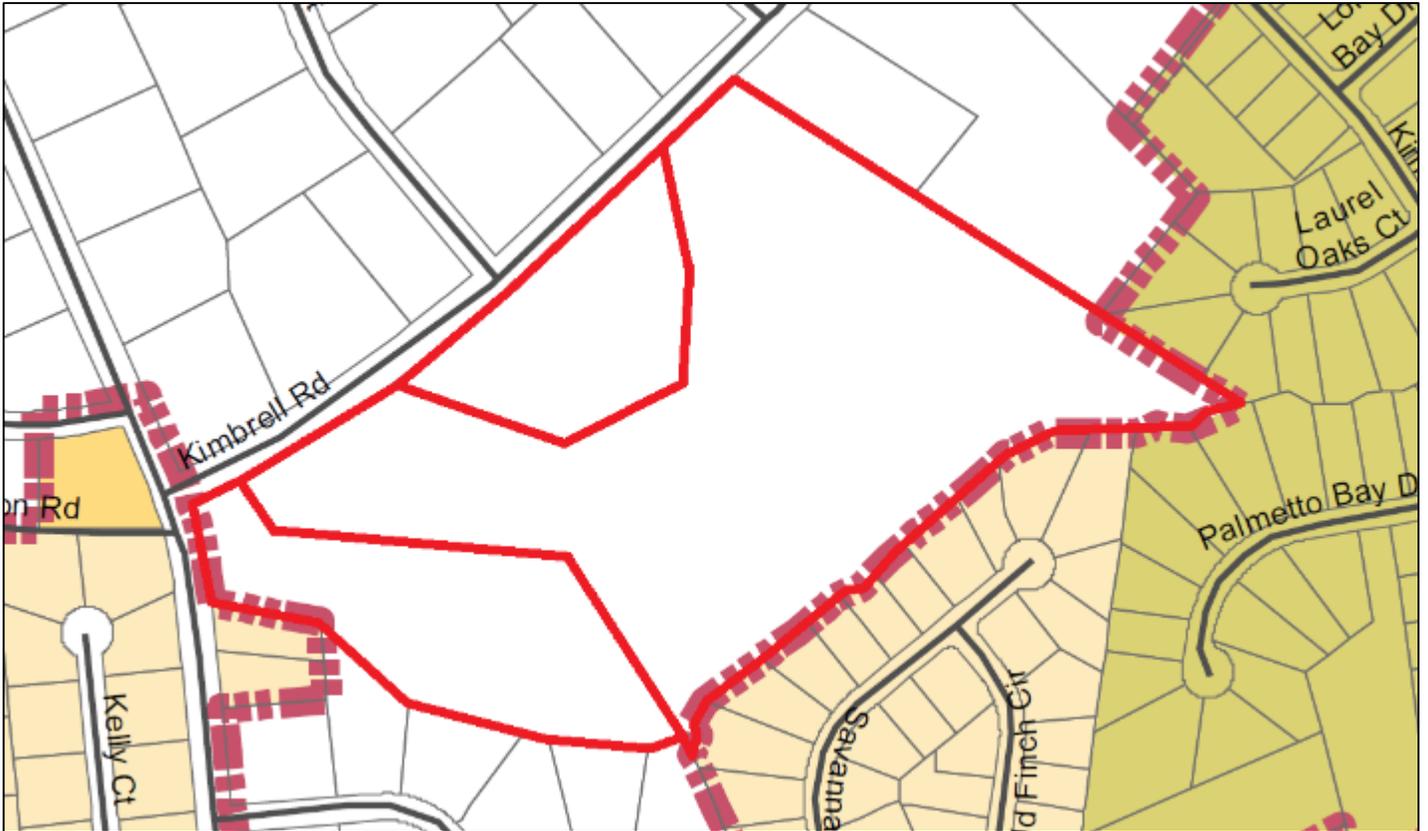
Print Name(s):

Signature(s):

DEL BRADSHAW TRUSTEE, ETAL

Del J. Bradshaw, Trustee
W. J. [Signature]

WOODWARD ASSOCIATES, LLC



STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

ORDINANCE NO. 2014-__

AN ORDINANCE ANNEXING YORK COUNTY TAX MAP NUMBERS 736-00-00-080, 736-00-00-081 AND 736-00-00-144, CONTAINING APPROXIMATELY 28.6 ACRES AT THE INTERSECTION OF DOBY’S BRIDGE ROAD AND KIMBRELL ROAD

WHEREAS, a proper petition was submitted to the Fort Mill Town Council on May 12, 2014, by Del L. Bradshaw (Trustee) and Woodward Associates, LLC, requesting that York County Tax Map Numbers 736-00-00-080, 736-00-00-081 and 736-00-00-144, 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 May 27, 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: **R-5 Residential**; and

WHEREAS, a public hearing was advertised and held at 7:00 pm on July 14, 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 28.6 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: **R-5 Residential**.

SECTION III. Voting District. For the purpose of municipal elections, the above-described property, upon annexation into the incorporated limits of the Town of Fort Mill, shall be assigned to and made a part of **Ward Three (3)**.

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: June 9, 2014
Public Hearing: July 14, 2014
Second Reading: July 14, 2014

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

Dennis Pieper, Town Manager

EXHIBIT A

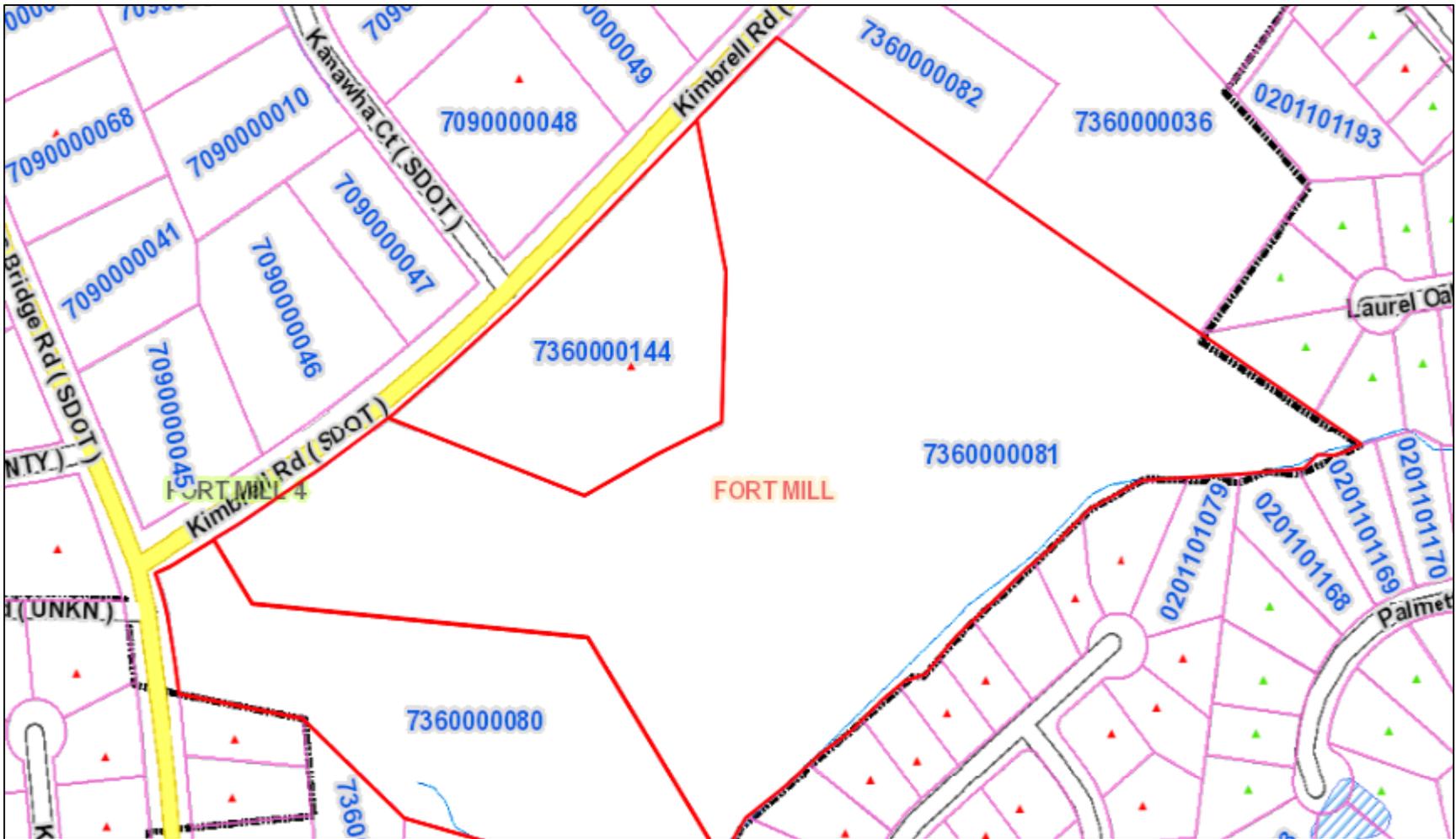
Property Description

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 28.6 acres, 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 736-00-00-080, 736-00-00-081 and 736-00-00-144.

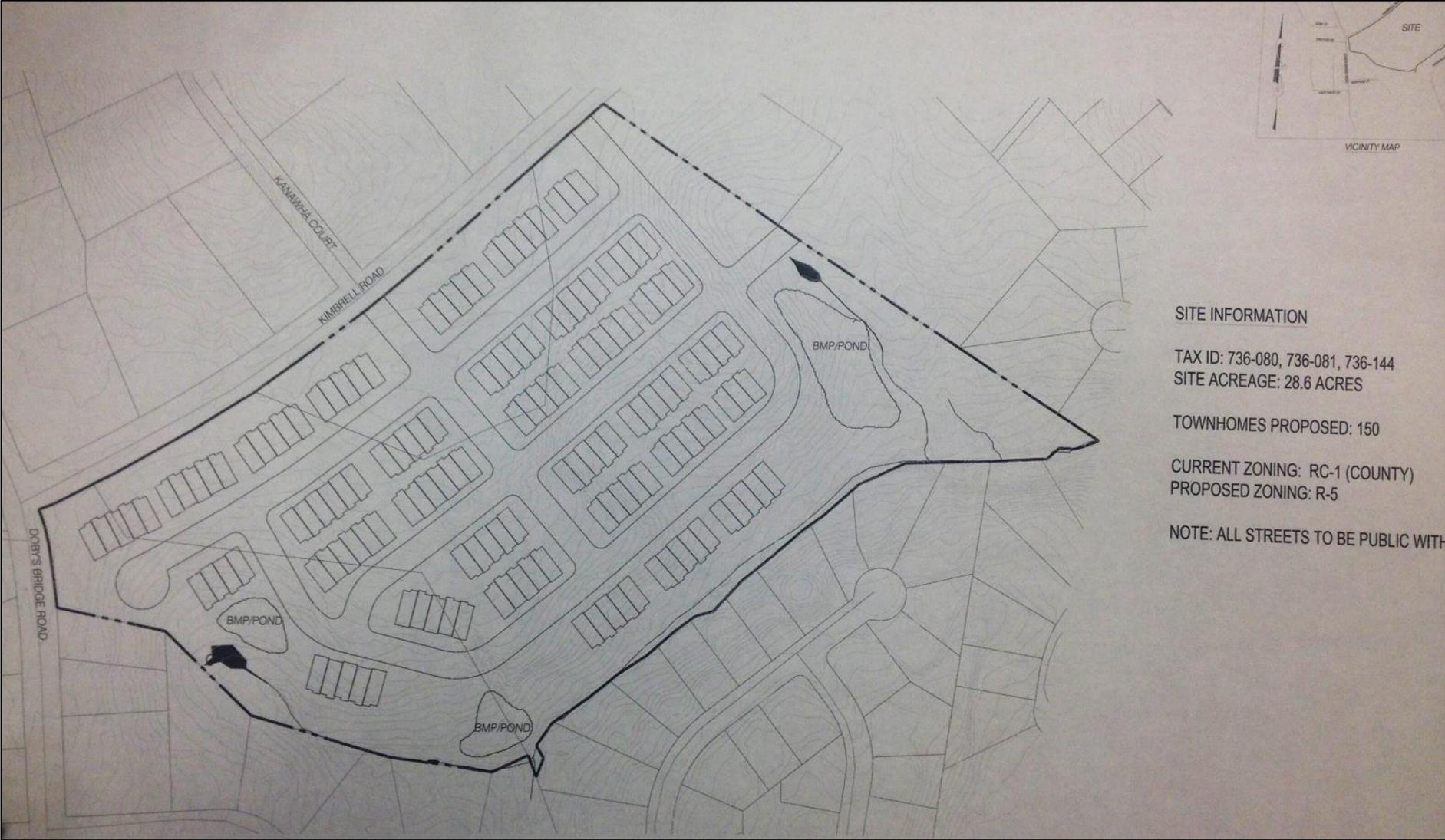
Pursuant to S.C. Code Section 5-3-110, this annexation shall include the whole or any part of any street, roadway, or highway abutting the above referenced property, not exceeding the width thereof, provided such street, roadway or highway has been accepted for and is under permanent public maintenance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

EXHIBIT B

Property Map
York County Tax Map Numbers 736-00-00-080, 736-00-00-081 and 736-00-00-144



Draft Sketch Plan



**Planning Commission Meeting
May 27, 2014
New Business Item**

Annexation Request: Rutledge Property

An ordinance annexing York County Tax Map Numbers 717-00-00-004 & 717-00-00-005, containing approximately 47.0 acres at the intersection of Springfield Parkway and U.S. Highway 21 Bypass

Background / Discussion

The town has received an annexation application from Martha Rutledge, the authorized agent for Rutledge Realty Company, for York County Tax Map Numbers 717-00-00-004 & 717-00-00-005. These parcels contain approximately 47.0 acres located at the southeast quadrant of the intersection of Springfield Parkway and U.S. Highway 21 Bypass. A property map and description are attached for reference.

The subject property is located across a public right-of-way from the Springfield Town Center tract owned by Clear Springs, which is located inside the town limits (MXU). Therefore, the subject property meets the contiguity requirement as established by state law.

The subject property is currently zoned AGC Agricultural Conservation District per York County GIS. The county's AGC district allows farming and agricultural uses, keeping and raising of livestock, animal hospitals and clinics, kennels, campgrounds, churches, schools, day care homes, and recreation centers. Residential dwellings, including single family, manufactured and modular homes, are also allowed. Single family residential density is limited to one residence per three acres, with the minimum lot size being one acre. The following uses are allowed in the AGC district as special exceptions: Airports, bed and breakfasts, landfills, racecourses, and composting facilities.

The applicant has requested a zoning designation of MXU Mixed Use. The MXU district allows any mixture of permitted uses proposed by the applicant and approved by the town council. Such uses and densities must be defined and approved in project-specific development standards/conditions, or in a development agreement between the applicant and the town. Note: The proposed concept plan and development standards/conditions are included as a separate agenda item.

The minimum lot size for residential uses in the MXU district varies from 2,400 SF for residential "cottages," to 1,100 SF per unit for townhouses, rowhouses and multi-family uses. Commercial, office, and civic uses have no minimum lot area, while industrial uses must be located on lots 20,000 SF or greater. The MXU district contains a minimum open space requirement of 20%, as well as a project edge buffer of 35' along property lines adjacent to existing residential development.

In the concept plan and development conditions to be considered as part of the corresponding agenda item, the applicant is proposing to develop up to 235 townhomes, as well as up to 175,000 square feet of commercial uses.

Recommendation

The property is contiguous to the town limits and is, therefore, eligible for annexation.

The subject property is located within an area that has been designated as “Medium-Density Residential” on the Town of Fort Mill’s Future Land Use Map, last updated in January 2013. The comprehensive plan identifies “Medium Density” as 3-5 dwelling units per acre.



The majority of the property is also located within a development node on the Future Land Use Map, identified specifically as Node 3a. Volume 2 of the town’s Comprehensive Plan offers the following recommendations for this node:

Surrounding the Knights Stadium is a growing commercial and office employment area. Most recently the Fort Mill School District located their Bus and Maintenance facility here. Given the amount of available land, access to the interstate and available infrastructure this general area could support a major retail site or a large employer. In addition, when the Knights move to Uptown Charlotte, there will be additional land available for future employment uses. This will be one of a few large sites in the Planning Area that is ‘shovel-ready’ for redevelopment.

In addition, to commercial and employment uses, Node 3a could accommodate higher density residential. The proximity of the Anne Close Springs Greenway, a proposed BRT station and existing residential development suggest that the eastern and southern portion of the node is appropriate for higher density residential, such as apartments or attached single-family units mixed in to the employment and commercial areas.

Node 3a is anticipated as a mixed use center with a large concentration of commercial, office and industrial uses and medium to high density residential uses to the east and south

of commercial areas. The goal is a vibrant destination that accommodates a variety of uses. Light industrial and office uses should concentrate closest to the interstate interchange. Retail and commercial should be integrated with frontage along the Springfield Parkway. An internal network of streets should accommodate mixed-use structures of two to three stories with ground level retail and residential above. Additional residential development should happen at a variety of scales, and include both attached and detached housing products. Townhomes, apartments, condominiums and single-family homes should face the street and parking should be located in the rear. An internal network of greenspace and trails, including a greenway along Steele Creek and Jackson Branch would provide both a buffer between uses and critical bike and pedestrian linkages.

Based on the future land use map and recommendations from the 2013 Comprehensive Plan update, staff believes that the zoning request (and accompanying concept plan) are consistent with previously adopted plans. Staff therefore recommends in favor of annexation with a zoning designation of MXU.

It is also worth noting that roadway improvements to U.S. 21 Bypass, north of (and including) the intersection of Springfield Parkway, have been funded by the 2011 Pennies for Progress Program. This project will include the widening of U.S. 21 Bypass, as well as Highway 51 heading towards Pineville. The project is currently in the design phase. A redesign of the nearby Gold Hill Road Interchange (Exit 88) is also in the permitting phase.

Nothing in this report shall be deemed a guarantee that water and/or sewer service/capacity will be available at the time of development. The property shall also be subject to a traffic impact analysis (TIA) prior to the approval of a preliminary subdivision plat. Any improvements deemed necessary as a result of the TIA would be the responsibility of the owner/developer.

Joe Cronin
Planning Director
May 21, 2014

Date: 4.24.14

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: 1805 US-21 BY-PASS

Tax Map Number: 7170000005 & 7170000004

Total Acreage: 46 AC. & < 1 AC.

Zoning Designation Requested: MXU

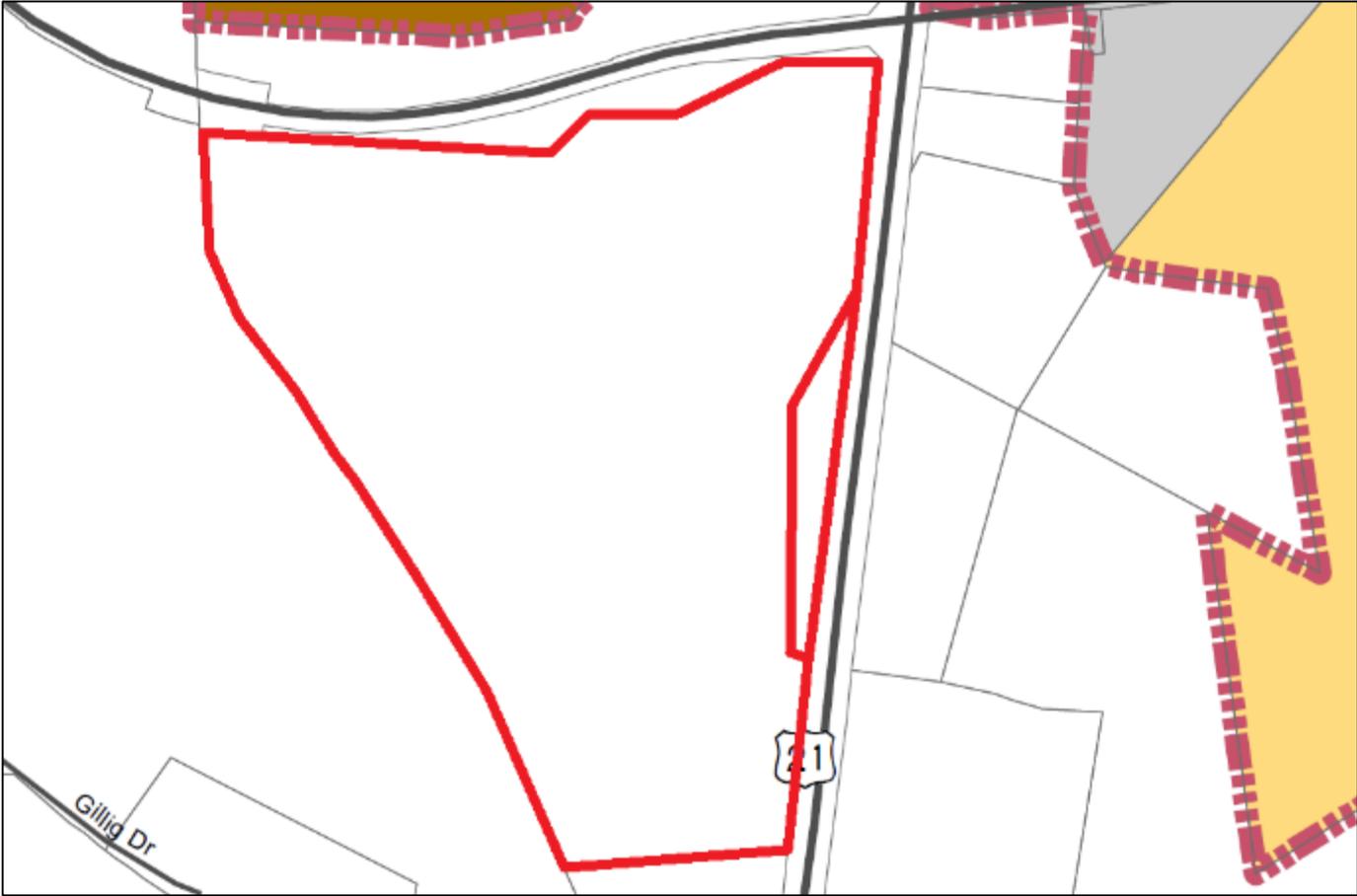
Property Owners:

Print Name(s):

Signature(s):

MARTHA Rutledge





STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

ORDINANCE NO. 2014-__

AN ORDINANCE ANNEXING YORK COUNTY TAX MAP NUMBERS 717-00-00-004 & 717-00-00-005, CONTAINING APPROXIMATELY 47.0 ACRES AT THE INTERSECTION OF SPRINGFIELD PARKWAY AND U.S. HIGHWAY 21 BYPASS

WHEREAS, a proper petition was submitted to the Fort Mill Town Council on April 24, 2014, by Martha C. Rutledge, as registered agent for Rutledge Realty Company Inc. (the “Property Owner”), requesting that York County Tax Map Numbers 717-00-00-004 and 717-00-00-005, such parcels being owned fully by the Property Owner, 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 May 27, 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: **MXU Mixed Use**; and

WHEREAS, a public hearing was advertised and held at 7:00 pm on July 14, 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 47.0 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: **MXU Mixed Use.**

SECTION III. Voting District. For the purpose of municipal elections, the above-described property, upon annexation into the incorporated limits of the Town of Fort Mill, shall be assigned to and made a part of **Ward Two (2).**

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

SECTION V. Severability. If any section, subsection, or clause of this 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 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: June 9, 2014
Public Hearing: July 14, 2014
Second Reading: July 14, 2014

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

Barron B. Mack, Jr, Town Attorney

ATTEST

Dennis Pieper, Town Manager

EXHIBIT A

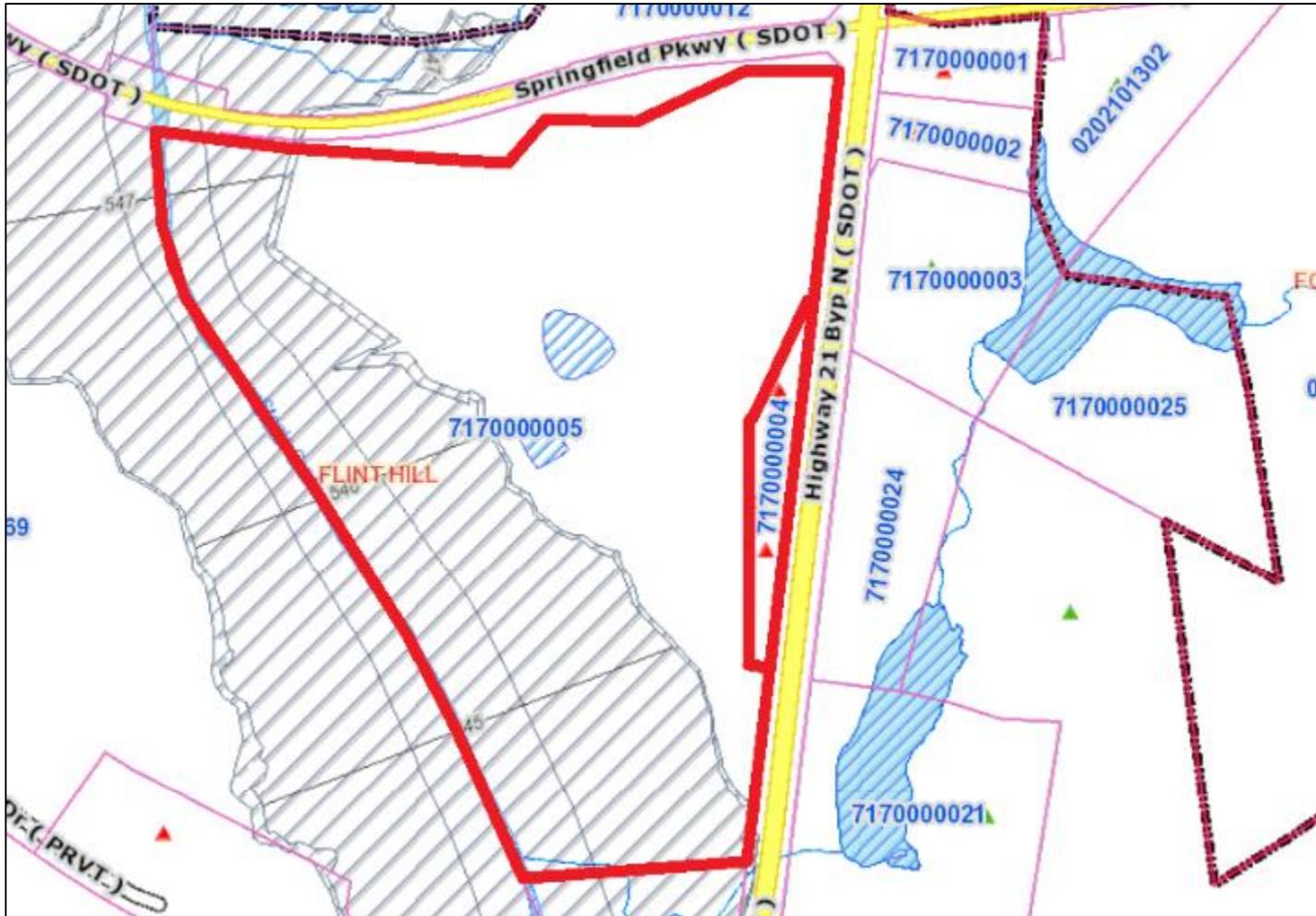
Property Description

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 47.0 acres, 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 717-00-00-004 & 717-00-00-005.

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 Numbers 717-00-00-004 & 717-00-00-005



Planning Commission Meeting
May 27, 2014
New Business Item

Mixed Use Concept Plan & Development Conditions: Rutledge Property

An ordinance adopting a Mixed Use Concept Plan & Development Conditions for the Rutledge MXU Project

Background / Discussion

Council is asked to consider a mixed use concept plan and development conditions for York County Tax Map Numbers 717-00-00-004 & 717-00-00-005. These parcels contain a total of 47.0 acres located at the southeast quadrant of the intersection of Springfield Parkway and U.S. 21 Bypass. The property owner, Rutledge Realty Company, has requested annexation of these parcels into the town limits with MXU Mixed Use zoning. The annexation request is listed as a separate action item on the agenda.

As shown in the attached concept plan and proposed development conditions, the applicant is requesting approval to develop the site with up to 235 dwelling units, or a gross residential density of approximately 5 units per acre, as well as associated residential amenities such as pool facilities, playground equipment, etc. The applicant also proposes a minimum of 50,000 square feet to a maximum of 175,000 square feet of building space for commercial use.

As required by the MXU ordinance, the concept plan includes a minimum of 20% open space, as well as a 35' perimeter buffer. Additional development standards are shown in the proposed development conditions.

Because the property lacks frontage along Springfield Parkway, the proposed access points (3) will be located on U.S. 21 Bypass.

Recommendation

As noted in the previous agenda item, the subject property is located within an area that has been designated as "Medium-Density Residential" on the Town of Fort Mill's Future Land Use Map, last updated in January 2013. The comprehensive plan identifies "Medium Density" as 3-5 dwelling units per acre. The proposed density of 5 units per acre is consistent with the recommendations of the 2013 Comprehensive Plan update. The proposed commercial component is also consistent with the recommendations for Node 3a on the future land use map.

The draft concept plan and development conditions requested by the applicant are attached for consideration. Specific items within the development conditions will likely warrant additional discussion and review during the upcoming planning commission meeting. In particular, staff recommends in favor of the following amendments:

7. Open Space

Common open space will be provided, to be platted and recorded separately from other uses. Open space will be owned and maintained by a Homeowner's Association or Property Owner's Association. A minimum of 20% of the total site will be maintained as preserved open space or built open space. ~~These open spaces may include trails, walkways, natural areas and stormwater facilities.~~ The following may be counted towards required dedicated open space: conservation lands, natural areas, formal greens, plazas and courtyards, trails, buffers held in common ownership, and parks and recreation areas, including ball fields, golf courses (excluding vertical structures: clubhouse and maintenance facilities), tennis and basketball courts, playgrounds, and other areas used for active or passive recreation.

12. Improvements

The developer will be responsible for installation of required streets, utilities, common areas, amenity improvements, open space, storm drainage, and buffer yards, which pertain specifically to the project.

18. Water and Sewer

The Developer understands that water and sewer will be provided by the ~~Town of Fort Mill~~ York County for all lots within the Mixed Use Development. The Developer shall construct or cause to be constructed at Developer's cost all necessary water and sewer service infrastructure to, from, and within the Property. The developer will comply with all DHEC and the ~~Town of Fort Mill~~ York County water and sewer specifications. The Property shall be subject to all current and future water connection/capacity fees imposed by the ~~Town~~ County, ~~provided such fees are applied consistently and in the same manner to all similarly situated property within the Town limits.~~ A water and sewer "willingness and capability letter" must be received from the ~~Town of Fort Mill Engineering Department~~ County prior to obtaining a grading permit for any portion of the development utilizing the ~~Town of Fort Mill~~ York County water and sewer. Should the Town of Fort Mill and York County elect to enter into a service agreement whereby the Town provides retail service to the Mixed Use Development, then the developer shall comply with the specifications, fees, and permitting requirements of the Town of Fort Mill.

23. Provisions Related to Floodplain Areas (ADD SECTION)

Portions of the Property are currently designated as floodplain areas. Should the applicant proceed with development plans within any floodplain area, a Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) shall be required from FEMA before any development activities may commence.

24. Development Impact Fees (ADD SECTION)

The Property shall be subject to all current and future development impact fees imposed by the Town, provided such fees are applied consistently and in the same manner to all similarly-situated property within the Town limits. For the purpose of this Agreement, the term "development impact fees" shall include, but not be limited to, the meaning ascribed to such

term in the South Carolina Development Impact Fee Act, Sections 6-1-910, et seq. of the SC Code of Laws.

Large copies of the concept plan and development conditions will be available for review during the meeting.

Nothing in this report shall be deemed a guarantee that water and/or sewer service/capacity will be available at the time of development. The property shall also be subject to a traffic impact analysis (TIA) prior to the approval of a preliminary subdivision plat. Any improvements deemed necessary as a result of the TIA would be the responsibility of the owner/developer.

Joe Cronin
Planning Director
May 21, 2014

STATE OF SOUTH CAROLINA
TOWN COUNCIL FOR THE TOWN OF FORT MILL
ORDINANCE NO. 2014-__

AN ORDINANCE ADOPTING A MIXED USE CONCEPT PLAN & DEVELOPMENT
CONDITIONS FOR THE RUTLEDGE MXU PROJECT

WHEREAS, the parcels currently or formerly known York County Tax Map Numbers 717-00-00-004 & 717-00-00-005, containing approximately 47.0 acres at the southwest quadrant of the intersection of Springfield Parkway and U.S. Highway 21 Bypass, were annexed to and made a part of the Town of Fort Mill by ordinance adopted on July 14, 2014; and

WHEREAS, by ordinance of the Fort Mill Town Council, the above referenced parcel was zoned as follows: MXU Mixed Use; and

WHEREAS, Article II, Section 19(5)(D)(1)(a), of the Zoning Ordinance for the Town of Fort Mill, requires as part of the approval process that a Mixed Use Development Project shall contain a concept plan and, if applicable, development conditions; and

WHEREAS, the applicant has submitted Development Conditions as shown within the attached "Exhibit A," and a Concept Plan as shown within the attached "Exhibit B," both of which have been reviewed by the Fort Mill Planning Commission and the Fort Mill Town Council and found to be consistent with the Town's Comprehensive Plan;

NOW, THEREFORE, 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 ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:

Section I. Pursuant to Article II, Section 19(5)(D)(3), of the Zoning Ordinance for the Town of Fort Mill, the Development Conditions for the Rutledge MXU project are hereby adopted as shown within the attached "Exhibit A." Where any conflicts exist between the Development Conditions and the Subdivision Ordinance or Zoning Ordinance for the Town of Fort Mill, the provisions specified within the Development Conditions shall apply. A copy of these development conditions shall be maintained on file in the office of the Town Clerk and the Zoning Administrator.

Section II. Pursuant to Article II, Section 19(5)(D)(4), of the Zoning Ordinance for the Town of Fort Mill, the Concept Plan for the Rutledge MXU project is hereby adopted as shown within the attached "Exhibit B." A copy of this Concept Plan shall be maintained on file in the office of the Town Clerk and the Zoning Administrator.

Section III. The provisions of this ordinance shall apply to the parcel currently or formerly known as York County Tax Map Numbers 717-00-00-004 & 717-00-00-005, containing approximately 47.0 acres at the southwest quadrant of the intersection of Springfield Parkway and U.S. Highway 21 Bypass.

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

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: June 9, 2014
Public Hearing: July 14, 2014
Second Reading: July 14, 2014

TOWN OF FORT MILL

Danny P. Funderburk, Mayor

LEGAL REVIEW

ATTEST

Barron B. Mack, Jr, Town Attorney

Dennis Pieper, Town Manager

Exhibit A.

**Development Standards & Conditions
Rutledge MXU Project**

DEVELOPMENT STANDARDS & CONDITIONS

Rutledge MXU Project

Development Standards

RUTLEDGE - MXU - PROJECT CONDITIONS

1. Purpose of district

The purpose of the mixed use development (MXU) district is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the provision of infrastructure; and to preserve the natural and scenic features of open areas. This district is intended for the appropriate integration of a wide range of residential and non-residential uses. The district is intended for use in connection with developments where the town has determined that the quality of a proposed new development there under will be enhanced by flexibility in the planning process.

2. Platting requirements

Platting requirements will be in accordance with ARTICLE II PLAT REQUIREMENTS, of Chapter 32-SUBDIVISIONS, of the Town of Fort Mill Municipal Ordinance. Where possible, plats will comply with Article II, Section 19.3(C) of the Zoning Ordinance.

3. Bonding requirements

Bonding requirements will be in accordance with Section 32.104-SURETY BOND, Article IV-REQUIRED IMPROVEMENTS, of Chapter 32-Subdivisions, of the Town of Fort Mill Municipal Ordinance.

Rutledge MXU Conditional Notes

1. General Provisions

- a) Each proposal for the development under MXU district is anticipated to be unique. Except as provided by this section, an MXU district shall be subject to all of the applicable standards, procedures and regulations in other sections of the zoning ordinance.
- b) The development depicted on the Concept Development Plan (RZ-1.0) is intended to reflect the arrangement of proposed uses on the site, but the final configuration, placement and the size of individual site elements may be altered or modified within the limits of the Ordinance and the standards established on the Development Standards Sheet during design development and construction phases. Street alignment and lot layout width and depth dimensions may be modified to accommodate final building layout and lot locations. The Petitioner reserves the right to modify the total number of lots identified within

individual parcels or phases, reallocate units from a parcel or phase to another, or reconfigure lots and street layouts, provided the density for the entire mixed use development does not exceed the permitted density set forth in these Development Standards.

- c) These standards, as established by the Rutledge Technical Data Development Standards Sheet, as set out below and as depicted on the Mixed Use Development Site Plan shall be followed in connection with development taking place on the site. Standards established by these Development Standards Sheet and Rutledge Mixed Use Development Site Plan shall supersede the Fort Mill Subdivision Ordinance and Zoning Ordinance in effect at the date of approval.

2. Permitted uses

a) Residential:

- i) Subject to the information listed below, a maximum of 235 dwelling units may be constructed on the site.
- ii) Residential use shall be allowed throughout all areas of the development having minimum dimensional standards as specified in section 15, along with any incidental or accessory uses in connection therewith, which are permitted by right or under prescribed conditions in the Mixed Use Zoning District or as part of the Rutledge Mixed Use Development.
- iii) Common Open Space: May include conservation lands, natural areas, formal greens, plazas, courtyards, and buffers.
- iv) Amenities: Amenity buildings, pool and pool facilities, athletic fields, parks, trails, playground equipment, picnic shelters and other accessory uses commonly associated with amenity facilities.

b) Commercial/Mixed Use:

- i) Subject to the information listed below, a minimum of 50,000 square feet to a maximum of 175,000 square feet of building space may be designated for commercial use.
- ii) Commercial use shall be allowed throughout all areas of the development having minimum dimensional standards as specified in section 15, along with any incidental or accessory uses in connection therewith, which are permitted by right or under prescribed conditions in the Mixed Use Zoning District or as part of the Rutledge Mixed Use Development.

3. Density

The maximum Gross Residential Unit density will not exceed 5 units per acre and/or 235 total units. Individual phases may have higher or lower densities, but the overall project may not exceed 5 units per acre. Open space areas shall be included in the calculations for gross residential density.

4. Streets

Minimum dimensions and design standards for each street type shall follow a consistent standard. The standards for each street shall follow one of the following:

- a) Public Residential and Commercial Streets: In accordance with the Town standards outlined in the Fort Mill Subdivision Ordinance.
- b) All Residential Streets: Shall be designed to provide a stop condition no more than 2,000 feet apart. This will be accomplished by "T" intersections where practical. Where this is not practical due to site constraints, posted stop signs at intersection(s) within the 2,000-foot street length will be installed.
- c) Cul-de-sacs: Shall conform to standards in the Fort Mill Subdivision Ordinance, except that alternative cul-de-sacs and loop streets shall be permitted to have landscaped islands, provided that the dimensions of these islands will accommodate the turn-around of fire trucks without backing up. Subdrains will be provided behind the island curb if irrigation is installed within the cul-de-sac island. Cul-de-sac lengths may vary as shown on the Rutledge MXU Site Plan. The Rutledge Mixed Use Development will provide landscaped island where feasible. Landscaped islands are subject to approval of the Town of Fort Mill Fire department.
- d) Sidewalks: Will be installed on at least one side of all streets. At the Developer's option, additional sidewalks may be installed.
- e) Block Lengths: Block lengths shall be a maximum of 2,000 feet.

5. Vehicular Access and Road Improvements

- a) Vehicular Access: Access shall be provided to US-21 Highway Bypass, in the general location as shown on the Rutledge Concept Development Plan. Minor adjustments to the locations of street and driveway entrances may occur, as required to meet state and local agency standards, or as a result of further site investigation and coordinate with final subdivision and site plan design.
- b) Improvements to Existing Roads: A traffic impact analysis (TIA) shall be completed prior to the commencement of any land clearing or construction activities. The developer shall be responsible for installing any necessary public roadway improvements identified within the TIA as required by SCDOT and the Town of Fort Mill, to the extent such improvements are found necessary to accommodate future traffic from the Rutledge Mixed Use Project.

- c) Coordination: The developer shall coordinate where feasible with neighboring property owners regarding stub road locations and future roadway connections.

6. Landscaping

Landscaping will be provided in accordance with Article II, Section 19.4{J} of the Zoning Ordinance. Existing vegetation will be retained and maintained to the extent feasible.

7. Open Space

Common open space will be provided, to be platted and recorded separately from other uses. Open space will be owned and maintained by a Homeowner's Association or Property Owner's Association. A minimum of 20% of the total site will be maintained as preserved open space or built open space. These open spaces may include trails, walkways, natural areas and stormwater facilities.

8. Parking and Loading

Parking, loading, and other requirements for each permitted use and platted lot will be in accordance with the requirements of Article I, Section 7, Subsection I for the Fort Mill Zoning Ordinance subject to the petitioner's ability to include parking spaces located within units with garages as eligible spaces meeting said requirements.

9. Access to Lots

Access (curb cuts) to each platted lot must comply with standards set forth in the Fort Mill Zoning and Subdivision Ordinances.

10. Signage

A proposed project signage package shall be provided for approval to the town. All signs shall meet the requirements of Article II, Section 19.4(1), Subsections 1, and 2 of the Zoning Ordinance. Approval to not be unreasonably withheld.

11. Building Heights

Proposed building heights will not exceed 45 feet. Building height shall be measured in accordance with Article II, Section 19.4{D} of the Zoning Ordinance.

12. Improvements

The developer will be responsible for installation of required streets, utilities, common areas, amenity improvements, open space, and buffer yards, which pertain specifically to the project.

13. Changes

- a) Petitioner/Developer understands that upon approval of the Mixed Use Development by the Town Council, any changes that are proposed which are considered to be of a minor nature such as adjustments or relocation of streets, lots, and open space; or adjustments to interior parcel boundaries, parcel sizes, or lot sizes and quantities, may be approved by the Fort Mill staff through an administrative review process. Other minor changes may be made to the list of permitted uses, unit mixture, reallocation of unit types, relocation of uses, buffer yards, landscaping and open space standards throughout the project, shall be subject to review and approval through an administrative process by the Fort Mill staff.
- b) Significant changes to the Mixed Use Development Site Plan which include changes increasing overall project dwelling unit count, land use summary, location of primary access points to the property and adding acreage are all considered to be major site plan changes and are subject to approval by the Town Council in accordance with Chapter 32 of the Fort Mill Municipal Ordinance.

14. Construction Schedule and Phasing

This development may be constructed in phases. Proposed phasing will be determined and approved during the Preliminary Plat process.

15. Development Standards

Design Standards-Storm drainage and utilities (including sanitary sewer, gas, electric, telephone and cable television) may be located within landscape corridors.

- a) Maximum Residential Density: 5 dwelling units per acre
- b) Impervious Surface Ratio: 90% for residential, 100% remaining uses
- c) Residential Development - Development Standards per Article II, Section 19-4(A) of the Zoning Ordinance.
- d) Commercial/Mixed Use Development - Development Standards per Article II, Section 19-4(A) of the Zoning Ordinance.
- e) Buffer Yards: Perimeter Buffer yards between the Rutledge Mixed Use Development and adjacent properties will be in accordance with Article II, Section 19.4(K.) of the Zoning Ordinance. The buffer shall be a natural, undisturbed wooded area where possible, and shall count towards the provision of open space for the development where the buffer is not platted and made part of an individual, privately owned lot. Where an existing natural, undisturbed wooded area does not exist, a planted buffer shall be required in conformance with the buffer standards of Article II, Section 19.4(K) of the Zoning Ordinance.
- f) Petitioner reserves the right to construct a minimum 6-foot high opaque fence, wall, berm, or combination thereof in order to satisfy buffer and/or screening requirements. In the event that the petitioner or their assignee decides to install a fence, wall, or berm, they may reduce

buffer area dimensions by 25%. Buffer Yards will be designed in a manner to allow openings of an appropriate width in order to allow pedestrian connectivity. Utilities and right of way are allowed to be located in buffer areas where needed.

16. Model Homes

Model homes may be constructed within residential areas at the developer's discretion. Mobile temporary sales offices shall be allowed on site at the developer's discretion. The developer will be permitted a minimum of 4 model homes with offices or mobile temporary sales offices and mobile temporary construction offices.

17. Lot Transfer and Recording

Lots may be transferred or recorded by means of posting appropriate surety bonds as referenced in Sec. 32.104.

18. Water and Sewer

The Developer understands that water and sewer will be provided by the Town of Fort Mill for all lots within the Mixed Use Development. The Developer shall construct or cause to be constructed at Developer's cost all necessary water and sewer service infrastructure to, from, and within the Property. The developer will comply with all DHEC and the Town of Fort Mill water and sewer specifications. The Property shall be subject to all current and future water connection/capacity fees imposed by the Town, provided such fees are applied consistently and in the same manner to all similarly-situated property within the Town limits. A water and sewer "willingness and capability letter" must be received from the Town of Fort Mill Engineering Department prior to obtaining a grading permit for any portion of the development utilizing the Town of Fort Mill water and sewer.

19. Applicable Ordinances

This development will be subject to the standards and requirements for the Fort Mill Subdivision Ordinance and Zoning Ordinance in effect at the date of approval by the Town of Fort Mill or as superseded by the provisions of the Rutledge Concept Development Plan and Development Standards, as approved by the Town of Fort Mill.

20. Ten Year Vested Right

Due to the size of the proposed development and the level of Petitioner's investment, the Petitioner requests a ten (10) year vested right for construction of this project.

21. Binding Effect of the Rezoning Documents

If this Rezoning Petition is approved, all conditions applicable to development of the site imposed under the Rezoning Site Plan and Development Standards Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the

Petitioner and subsequent owners of the site and their respective successors in interest and assigns. Upon approval of the Rezoning Site Plan and Development Standards Sheet by the Town of Fort Mill the Petitioner agrees to record above listed documents at the York County register of deeds office within 120 days.

22. Restrictive Covenants

Restrictive Covenants will be created and recorded with the office of the county clerk of court prior to the approval of a plat or issuance of a building permit for a vertical building on the property. Covenants shall be in accordance with Article II, Section 19.3(D) of the Fort Mill Zoning Ordinance.

Exhibit B.

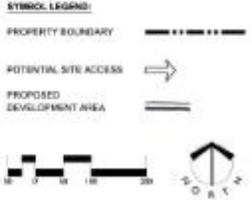
**Concept Plan
Rutledge MXU Project**



SITE DEVELOPMENT DATA:

TAX PARCEL:	712984002, 712984004
SITE AREA:	4.47 ACRES
EXISTING ZONING:	AGC - YORK COUNTY, NC
PROPOSED ZONING:	MGJ - FORT MILL, SC
MAXIMUM DENSITY:	RESIDENTIAL: 225 UNITS (2 DU) / 1.55 ACRES COMMERCIAL: 1750 SQUARE FEET
OPEN SPACE:	REQUIRED: 1.34 ACRES (30%) PROPOSED: 4.11 ACRES (92%)
DEVELOPMENT STANDARDS:	100' FRONT SETBACK, 20' SIDE SETBACK

ESTIMATED DENSITY AND MAXIMUM USE PERFORMANCE ONLY. * MAXIMUM FLOOR OF JOY USED. SEE USE PLAN TO BE PROVIDED TO DETERMINE DENSITY OF FLOOR SPACE AND USE PERMITTED AREA.



**RUTLEDGE REALTY
REZONING
FORT MILL, SOUTH CAROLINA
CONCEPTUAL DEVELOPMENT PLAN**

DATE: MAY 20, 2019
DRAWN BY: J. W. WOOD
CHECKED BY: J. W. WOOD
SCALE: AS SHOWN
PROJECT: 1918 LAND

RZ-1.0