

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
June 23, 2015
112 Confederate Street
6:30 PM**

Present: Chairman James Traynor, Ben Hudgins, John Garver, Chris Wolfe, Tom Petty, Jay McMullen, Planning Director Joe Cronin, Assistant Planner Chris Pettit

Absent: Hynek Lettang

Guests: Larry Huntley (Town Council), Chipper Wilkerson (Interim Fire Chief), Nick Vrettos (One on One Design), Joe Clark (A Lock-It Self Storage), Terry Van Dervort (Fort Mill Chiropractic), Brandon Pridemore (R. Joe Harris), Patrick Murphy (R. Joe Harris), Kevin Granelli, Jason Schwartz, Matt Roper

Chairman Traynor called the meeting to order at 6:30 pm and welcomed everyone in attendance.

Mr. Hudgins made a motion to approve the minutes from the May 26, 2015, regular meeting, with a second by Mr. Garver. Planning Director Cronin stated that the minutes should be amended to include Chairman Traynor's recusal form. Chairman Traynor also stated that it should be noted that Gross Builders agreed that the senior mixed use apartments on River Crossing Drive would be subject to commercial appearance review. The minutes were approved, as amended, by a vote of 6-0.

Mr. Petty made a motion to approve the minutes from the June 2, 2015, special called meeting, with a second by Mr. Garver. The minutes were approved by a vote of 6-0.

Mr. McMullen made a motion to approve the minutes from the June 15, 2015, special called meeting, with a second by Mr. Hudgins. The minutes were approved by a vote of 6-0.

NEW BUSINESS ITEMS

1. **Commercial Appearance Review: A Lock-It Self Storage:** Assistant Planner Pettit provided an overview of the request, the purpose of which was to review and approve three proposed public storage buildings at 1399 SC Highway 160 East. Two internal buildings (Buildings Y and Z) were proposed to be constructed with metal, while a third building (Building X), which would be visible from SC 160, would be constructed with enhanced materials, and would serve to screen Buildings Y and Z. Mr. Clark of A Lock-It Storage provided additional information regarding the request. A discussion then took place.

Chairman Traynor expressed concerns about the scale of a 230' long building on SC 160, adding that it would look too monolithic. He added that it may be preferable to break that building up into two or three smaller buildings. He stated that if Building Y cannot be

completely screened by Building X and/or suitable landscaping, then portions of Building Y visible from the street should contain the same materials and design as Building X. He also requested additional photos or samples of the proposed materials, so that the Planning Commission could review colors and textures.

Mr. Petty inquired as to the proposed relief, or depth, of the architectural elements along the facade, stating that these details were not adequately shown on the site plan. He stated that he would like to see a plan showing the finished floor elevations, as well as the building height.

Mr. McMullen questioned the types of landscaped screening for buildings X and Y, adding that suitable screening should be required for any metal building visible from SC 160.

Mr. Wolfe and Mr. Hudgins recommended adding other enhancements, such as faux windows, glass, awnings, doors and accent lighting to further break up the monotony of Building X along SC 160.

Mr. Hudgins made a motion to defer consideration of the request, and asked the applicant to bring back revisions that take the Planning Commission's comments into consideration. Mr. McMullen seconded the motion. The motion to defer was approved by a vote of 6-0.

- 2. Commercial Appearance Review: Fort Mill Chiropractic:** Assistant Planner Pettit provided an overview of the request, the purpose of which was to review and approve a proposed 14' x 36' storage building at 306 Tom Hall Street. The proposed building would be wrapped in a khaki colored vinyl siding. Assistant Planner Pettit added that the property was located within the Tom Hall Corridor Overlay District. Mr. Van Dervort of Fort Mill Chiropractic provided additional information regarding the request. A discussion then took place.

Chairman Traynor asked whether this would be a front load storage unit, with the door visible from Tom Hall Street. The applicant responded in the affirmative. Chairman Traynor noted that building had a long setback and minimum exposure from the right of way, but questioned the use of vinyl siding in the overlay district.

Mr. Wolfe expressed concern about approving a vinyl building within the overlay district, as it would set a precedent for future requests within the district. He added that Hardie plank would be preferable to vinyl siding. The applicant responded that he would be open to using Hardie plank instead of vinyl.

Mr. Hudgins made a motion, seconded by Mr. Garver, to approve the proposed design, size and location of the storage building, with the contingency that the building should be wrapped in Hardie plank rather than vinyl siding, in a color to match the existing building. The motion was approved by a vote of 6-0.

- 3. Rezoning Request: 113 Railroad Avenue:** Assistant Planner Pettit provided an overview of the request, the purpose of which was to review and provide a recommendation on the

rezoning application for 113 Railroad Avenue. The property is currently zoned LC Local Commercial. The applicant requested a rezoning to GI General Industrial. Assistant Planner Pettit stated that the applicant (Rustic Label) wished to expand its existing commercial printing operation. Assistant Planner noted that the GI district was inconsistent with the comprehensive plan's recommendations within the downtown node, and therefore, staff recommended in favor of denial.

Mr. Hudgins noted that this was an existing business in the LC district. He asked whether there were any alternatives to accommodate the expansion without rezoning the property to GI.

Planning Director Cronin stated that the LC district allows "print shops," but those uses were not defined in the zoning ordinance. In the context of the LC district, it was staff's interpretation that a print shop was intended to be used for on-premises retail printing and copying services, such as a FedEx Office, UPS Store or Post Net. It was staff's understanding that the existing business does not have a retail component, and the primary services provided are wholesale in nature. Therefore, staff felt that the business was better classified as an industrial or manufacturing use, rather than a retail use. One possible alternative would be for the applicant to appeal staff's interpretation of the "print shop" definition before the Board of Zoning Appeals.

Mr. McMullen made a motion to defer the request, and ask the applicant to pursue a possible appeal before the Board of Zoning Appeals in lieu of a rezoning. Mr. Garver seconded the motion. The motion to defer was approved by a vote of 6-0.

- 4. Annexation Request: 1086 N Dobys Bridge Road:** Assistant Planner Pettit provided an overview of the request, the purpose of which was to review and provide a recommendation on an annexation application for 1086 N Dobys Bridge Road. The applicant had requested a zoning designation of HC Highway Commercial. Assistant Planner Pettit noted that because the property was under two acres, the code requires the property to be an extension of a neighboring district. Since the property was contiguous only to HC zoned property (Fort Mill Square), staff recommended in favor of the HC zoning designation.

Mr. Hudgins expressed concern that the property was adjacent to residential properties, and stated that he did not support commercial encroachment into the neighboring residential areas. Other members concurred with this sentiment.

Planning Director Cronin reminded members that the Planning Commission's role is to recommend in favor of a zoning designation. Even though the applicant has requested HC zoning, the Planning Commission could recommend in favor of another designation. He added, however, that based on the zoning ordinance, this property should only be eligible for HC zoning, unless additional parcels were assembled to meet the two acre threshold for an alternate zoning designation.

Mr. Garver made a motion to recommend in favor of the annexation with a zoning designation of R-25 residential. Mr. McMullen seconded the motion. The motion was approved by a vote of 5-1, with Mr. Petty opposed.

5. **Annexation Request: Scott Wells Property:** Assistant Planner Pettit provided an overview of the request, the purpose of which was to review and provide a recommendation on an annexation application for approximately 2.46 acres located at I-77 and Sutton Road. The applicant had requested a zoning designation of HC Highway Commercial, and staff recommended in favor of approval.

Chairman Traynor asked if staff knew what the applicant wanted to develop on the property. Planning Director Cronin stated that the applicant intends to develop a hotel and restaurant on the site. Chairman Traynor stated that he was concerned with another heavy use, such as the nearby truck stop, and did not support a zoning designation that would support such a use.

Mr. Garver stated that the location at the Sutton Road interchange was appropriate for a hotel, and therefore, he supported the request.

Mr. McMullen stated that the property is currently zoned BD-III in the county, which is the county's heaviest commercial zoning designation.

Nick Vrettos spoke on behalf of the applicant, and presented two conceptual layouts for the project. Planning Director Cronin noted that any new development on the site would be subject to the town's new Corridor Overlay District (COD-N), as well as the appearance review process.

Mr. McMullen made a motion to recommend in favor of the annexation with a zoning designation of HC. Mr. Garver seconded the motion. The motion was approved by a vote of 5-1, with Chairman Traynor opposed.

6. **Request to Approve Road Names: Kingsley:** Planning Director Cronin provided an overview of the request, the purpose of which was to review and approve a master road name list for Kingsley Roads A-C, Kingsley Town Center, and private roads serving the Lash Group and LPL Financial corporate offices. The applicant requested approval of the following road names: Textile Way, Wamsutta Mills Drive, Kingsley Springs Boulevard, Broadcloth Street, Innovation Point, and LPL Way. Planning Director Cronin added that all names have been approved and reserved through the county's addressing office.

Mr. Hudgins made a motion to approve the master road name list as requested, with a second by Mr. Petty. Chairman Traynor stated that he was employed by the applicant and would refrain from voting on the request. The motion was approved by a vote of 5-0, with Chairman Traynor abstaining.

7. **Preliminary Plat: Pecan Ridge:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review and approve a preliminary plat for the

Pecan Ridge subdivision on Whites Road. Planning Director Cronin noted that a sketch plan had been approved in January 2014 with 199 single-family lots, but the number has since been reduced to 192 lots. The preliminary plat was consistent with the requirements of the R-5 zoning district, as well as the 2014 development agreement. Staff recommended in favor of approval, with the following notes/conditions: a turnaround facility should be included at the stub out near lots 24 and 25; sidewalks should be included on at least one side of Whites Road; the off-site improvement recommended in the traffic study should be installed on Whites Road; and cul-de-sacs should include landscaped medians. Brandon Pridemore and Kevin Granelli provided additional information on behalf of the applicant. A discussion also took place regarding the proposed removal of several large pecan trees (30"+ caliper) on the property.

Mr. Wolfe made a motion to approve the preliminary plat, with the following conditions: a turnaround facility shall be included at the stub out near lots 24 and 25; sidewalks shall be included on at least the eastern frontage along Whites Road; the off-site improvement recommended in the traffic study shall be installed on Whites Road; cul-de-sacs shall include landscaped medians; and staff shall be delegated with the authority to review and approve a tree survey and replanting plan, consistent with the zoning ordinance. Mr. Garver seconded the motion. Chairman Traynor called for a vote.

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

The motion was approved by a vote of 4-2.

Chairman Traynor called for a five minute recess at 9:30 pm. The Planning Commission reconvened at 9:35 pm.

- 8. Development Impact Fee Ordinance:** Planning Director Cronin provided an overview of the draft impact fee ordinance, which was finalized and presented following two Planning Commission workshops on June 2nd and June 15th. As drafted in the ordinance, development impact fees would apply to all new development within the Town of Fort Mill. Fees would be assessed at the time a building permit is issued, and must be paid no later than the issuance of a certificate of occupancy. As allowed by the Act, the ordinance provides an exemption for affordable housing units. However, based on the legal advice of the town attorney, the town's bond attorney, and a legal opinion from the South Carolina's Attorney General's Office, no other exemptions have been incorporated into the ordinance.

Impact fees would be based on a defined formula established within the ordinance. This formula is based upon the findings and assumptions contained within the Impact Fee Study Report, prepared by Stantec, and accepted by Town Council in April of 2015. The development impact fee formula for each category is based upon several variables, such as: number of units (housing units, commercial square footage, etc.); persons per

household, employee space ratio, or number of daily trips; cost; and any discount rates adopted by town council. In instances where an applicant disagrees with standard assumptions, the ordinance allows the applicant to conduct an independent calculation for a more customized fee amount.

The draft ordinance recommends the following discount rates: 10% discount for Fire Protection, Parks and Recreation and Municipal Facilities; and a phased-in discount for Transportation beginning at 90% upon adoption, and decreasing by ten percentage points on January 1st of each year until reaching a 50% discount rate in 2019. These discount rates would apply uniformly, regardless of whether the fee amount was based on the standard formula or an independent calculation.

As required by the Act, the ordinance establishes four new trust funds for each impact fee category. The ordinance contains provisions and procedures related to impact fee credits, reimbursements, appeals, and where appropriate, refunds. The ordinance requires an annual report outlining the revenues and expenditures from impact fees, and also includes a sunset provision that would terminate each fee 15 years from the date of adoption. As written, the ordinance would become effective immediately upon adoption by town council.

Mr. Wolfe made a motion to recommend in favor of the ordinance adopting a development impact fees, as presented by staff. The motion included a recommendation for council to adopt a resolution calling on the legislative delegation to amend the Development Impact Fee Act to allow an exemption for schools. Mr. McMullen seconded the motion. Mr. Petty offered an amendment that council should also consider amendments to the building permit fee schedule as a partial offset to the adoption of impact fees. Mr. Wolfe and Mr. McMullen accepted Mr. Petty's amendment. The motion, as amended, was approved by a vote of 5-0, with Chairman Traynor abstaining.

9. **Capital Improvements Plan Ordinance:** Planning Director Cronin provided an overview of the draft capital improvements plan (CIP). Should council elect to adopt impact fees, state law also requires the adoption of a CIP, by ordinance, following review and recommendation by the Planning Commission. Planning Director Cronin stated that the draft CIP had been further refined since the previous workshop, and some items had been removed. The items included in the draft CIP reflect the highest priority facility and equipment needs related to growth among the town's various departments. The draft CIP included a list of projects broken out by fee category: Fire Protection, Parks and Recreation, Municipal Facilities and Transportation. The draft CIP includes an explanation and justification of each project, anticipated start and end year, funding sources, and estimated project costs. The draft CIP was prepared with feedback and participation among all affected departments.

Mr. Wolfe made a motion to recommend in favor of the ordinance adopting a capital improvements plan, as presented by staff, with a second by Mr. Petty. The motion was approved by a vote of 5-0, with Chairman Traynor abstaining.

10. Comprehensive Plan Amendment: Planning Director Cronin informed members that the state's Comprehensive Planning Enabling Act requires the inclusion of a priority investment element in the town's comprehensive plan. The priority investment element should include a list of public infrastructure and facility projects over the next ten years. Because the items contained in the draft CIP are not currently included in the town's comprehensive plan, last updated in January 2013, staff recommended amending the comprehensive plan to incorporate the CIP, by reference, into the priority investment element contained within Volume 2: Fort Mill Tomorrow. This will ensure consistency between the town's CIP and comprehensive plan.

Mr. Wolfe made a motion to recommend in favor of the ordinance amending the comprehensive plan, with a second by Mr. Garver. The motion was approved by a vote of 5-0, with Chairman Traynor abstaining.

ITEMS FOR INFORMATION / DISCUSSION

1. Final Plat Update: Preserve at River Chase Phase 4: Planning Director Cronin stated that he had been in contact with the applicant regarding the installation of a canoe/kayak launch at the Preserve at River Chase. The applicant stated that it was their intent to install a launch as a neighborhood amenity at a later date. Mr. Hudgins stated that he thought they were required to install one based on the MXU development conditions. Planning Director Cronin responded that they were permitted to install one, but it was not required. Meritage has advertised a future launch as part of their marketing materials, so it is assumed that they will install one at a later date.

There being no further business, the meeting was adjourned at 10:46 pm.

Respectfully submitted,

Joe Cronin
Planning Director