

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
September 22, 2015  
112 Confederate Street  
7:00 PM**

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

Absent: None

Guests: Larry Huntley (Town Council), Matt Mandle (ESP Associates), Andrew Martin (ESP Associates), Matt Levesque (ESP Associates), John Culp (Property Owner), Ted Barnes (Barnes Development Co.), Walter Fields (Walter Fields Group), Frank Cantrell (EMH&T), Andrew McDonald (EMH&T), Sarah Sichau (Gross Builders), Rick Porter (Gross Builders), Brian Carter (Pulte Homes), Cisco Garcia (Pulte Homes), Bryan Tuttle (Tuttle Co.), Craig Otto (Holiday In Express), KC Udani (Holiday Inn Express)

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

Mr. Hudgins made a motion to approve the minutes from the August 25, 2015, meeting, with a second by Mr. Garver. The minutes were approved by a vote of 7-0.

**NEW BUSINESS ITEMS**

1. **Master Road Name List: Masons Bend:** Planning Director Cronin provided an overview of the request, the purpose of which was to review and approve a master road name list for the Masons Bend subdivision (Kanawha Tract & Suttonview Tract). The applicant, Crescent Communities, requested approval of the following road names: Artisan Lane, Bee Balm Trail, Big Bluff Trace, Bluestem Drive, Bucks Quarry Court, Cast Iron Court, Crawfish Drive, Fish Story Court, Flatwater Street, Freshwater Drive, Gray Hook Drive, Half Pint Loop, Hidden Shoals Road, Inspired Way, Issa Court, June Bug Lane, Kayak Court, Lazy Day Court, Masons Bend Drive, Oarman Court, Oxbow Court, Patchwork Court, Porch Wisdom Court, Rock Skip Way, Rocking Chair Lane, Saunter Court, Sensibility Circle, Six String Court, Small Batch Path, Splendid Court, Stone Court, Suttonview Road (Existing), Sweet Cicely Lane, Thorns Ferry Drive, Upcountry Court, Wateran Way, and Weir Court. Planning Director Cronin added that all names have been approved and reserved through the county's addressing office.

Mr. Lettang made a motion to approve the master road name list as requested, with a second by Mr. Garver. The motion was approved by a vote of 7-0.

2. **Rezoning Request: Harris Teeter Properties LLC:** Planning Director Cronin provided a brief overview of the request, the purpose of which is to consider a rezoning application

for York County Tax Map Numbers 020-12-01-120 and 020-12-01-202, containing 32.1 +/- acres at the intersection of S Dobys Bridge Road and Fort Mill Parkway. The property is currently zoned PND Planned Neighborhood Development, and the applicant has requested a rezoning to HC Highway Commercial. Staff noted that the property is also subject to the requirements of the COD-N Corridor Overlay District. The property is currently under contract for sale from the Hinson family to Harris Teeter Properties LLC, who intends to develop a grocery anchored retail center at this location. Planning Director Cronin noted that the property is located within Node 8 on the future land use map, which specifically envisions a neighborhood retail center for this location. Therefore, staff recommended in favor of approval. Walter Fields provided additional information on behalf of the applicant.

Mr. Wolfe and Chairman Traynor expressed concerns about the types and intensity of commercial uses in the HC district. Planning Director Cronin noted that the COD-N overlay would provide some additional protections from certain types of undesirable uses which would otherwise be allowed in the HC district. He noted that property across Fort Mill Parkway and N Dobys Bridge Road from the site were both zoned HC. He also stated that the Planning Commission and council could amend the permitted uses in the HC district as part of the UDO process, if they wish to remove specific uses from the district. Mr. Hudgins asked about the church which currently leases a portion of the property. Planning Director Cronin stated that churches are not currently permitted in the HC district. The existing church on the property would become non-conforming, but would be grandfathered under the new zoning district.

Mr. Hudgins made a motion to recommend in favor of rezoning the property from PND to HC. Mr. Garver seconded the motion. Mr. Petty stated that he was under a contractual relationship with an affiliate of the applicant and would recuse himself from voting on the request. The motion was approved by a vote of 6-0, with Mr. Petty not voting.

- 3. Annexation Request: Culp Property:** Planning Director Cronin stated that Pulte Home Corporation has submitted an annexation application for a 30.94 acre parcel located at 111 Hunter Oaks Lane. The parcel, which is owned by John Franklin Culp and is currently under contract for sale to Pulte, is immediately adjacent to Pulte's Carolina Orchards by Del Webb subdivision. Pulte was requesting a zoning designation of MXU Mixed Use upon annexation (consistent with the Orchards project), and a concept plan and development conditions were proposed for consideration with the next agenda item. These conditions would allow for up to 90 additional single-family lots (2.91 units per acre). Planning Director Cronin added that while R-5 could be a viable alternative given the single use proposed by the applicant, it was staff's opinion that the MXU zoning designation could be used because the additional 30.94 acres would be an extension of an existing mixed use development. Therefore, staff recommended in favor of approval with MXU zoning. Planning Director Cronin added that the property is currently zoned UD Urban Development in the county, which could allow for higher density development, including apartments. Planning Director Cronin also noted that the homes would be age-restricted, and would have no impact to the school district. The current driving distance from the downtown fire station was measured at 5.1 miles; however, once internal access

to the site is completed via Carolina Orchards Boulevard, the distance would probably be right at, or slightly below, 5 miles. Staff also noted that a cul-de-sac would likely need to be added to the existing Hunter Oaks Lane once the property is developed and internal access is provided through Carolina Orchards. Matt Levesque of ESP Associates provided additional information on behalf of the applicant.

Mr. Wolfe and Mr. Hudgins discussed whether R-5 would be preferable to MXU zoning. Planning Director Cronin responded that the R-5 district would allow more homes, by right, than what was proposed in the MXU development conditions. Chairman Traynor also added that the MXU district allows for the use of development conditions, whereas the R-5 district does not, unless a development agreement is signed between the town and the applicant.

Mr. Hudgins made a motion to recommend in favor of the annexation request with a zoning designation of MXU Mixed Use. Mr. McMullen seconded the motion. Chairman Traynor noted for the record that although his employer was under contract to sell the neighboring property to Pulte, neither he nor his employer had any interest in the property subject to the annexation request. The motion was approved by a vote of 7-0.

4. **Mixed Use Concept Plan and Development Conditions: Carolina Orchards Culp Property:** Planning Director Cronin stated that Pulte's proposed development conditions for the Culp MXU project would allow for up to 90 additional single-family lots (2.91 units per acre). It was staff's opinion that this density was consistent with the medium density designation contained within the comprehensive plan, as well as the development plan for the surrounding Carolina Orchards project. Staff recommended in favor of approval. Mr. Hudgins made a motion to recommend in favor of the proposed concept plan and development conditions, to include a note in the development conditions that the project will be limited to up to 90 age-restricted, single-family units. Mr. McMullen seconded the motion. Chairman Traynor noted for the record that although his employer was under contract to sell the neighboring property to Pulte, neither he nor his employer had any interest in the property subject to the request. The motion was approved by a vote of 7-0.
5. **Preliminary Plat: Kimbrell Oaks:** Assistant Planner Pettit provided a brief overview of the request, the purpose of which was to review and approve a preliminary plat for the Kimbrell Oaks subdivision at the intersection of Kimbrell Road and N Dobys Bridge Road. Assistant Planner Pettit noted that a sketch plan had been approved in May 2015, after several revisions. The preliminary plat, which contains a total of 100 single-family residential lots, was determined to be consistent with the approved sketch plan, zoning ordinance, and development agreement for the property; however, a couple minor revisions were requested to the construction documents. Assistant Planner Pettit added that off-site road improvements at both ends of Kimbrell Road would be reviewed and approved by SCDOT.

Mr. Hudgins asked whether the heritage trees which were proposed for removal would be replanted elsewhere on the site. Assistant Planner Pettit provided a landscape plan which showed the replanting. Mr. Petty asked where the retaining walls would be located, and

what their height would be. Frank Cantrell of EMH&T pointed to the location on a map, and stated that the wall would be between five and six feet in height.

Mr. Petty made a motion to approve the preliminary plat, and to authorize staff to approve minor modifications to the construction drawings as requested by the fire marshal, engineering director and planning department. Mr. Lettang seconded the motion. The motion was approved by a vote of 7-0.

6. **Appearance Review: Traditions at Fort Mill**: Assistant Planner Pettit provided an overview of the request, the purpose of which was to review an appearance review request from Gross Builders for a proposed 252-unit age-restricted apartment complex, as well as a 5,000 square foot commercial building. Assistant Planner Pettit stated that, following revisions, the proposed buildings and site plan were substantially compliant with the town's zoning requirements. Rick Porter of Gross Builders and Matt Levesque of ESP Associates provided additional information on behalf of the applicant.

Chairman Traynor asked for additional information regarding the proposed materials. Mr. Porter presented a display board which showed samples of the materials and colors. The buildings will be constructed of architectural stone, brick, and cement board. Mr. Petty inquired as to where the AC units would be located. Mr. Porter stated that they would be on the ground, away from windows, and with appropriate landscaped screening. Mr. Wolfe questioned where the detached garage units would be located, and Mr. Levesque pointed them out on the site plan. Mr. Porter also presented revisions to the pool house and commercial building, which were revised to meet zoning requirements.

Mr. Petty made a motion to approve the building design and site plan, while deferring the review and approval for the crosswalk and site lighting plans. Mr. Garver seconded the motion. The motion was approved by a vote of 7-0.

7. **Appearance Review: Holiday Inn Express**: Assistant Planner Pettit provided an overview of the request, the purpose of which was to review an appearance review request from Navkaar Investment Corporation for a proposed Holiday Inn Express to be located at 1655 Carolina Place Drive. Assistant Planner Pettit stated that the proposed building and site plan were substantially compliant with the town's zoning requirements. Craig Otto and KC Udani provided additional information on behalf of the applicant.

Chairman Traynor asked what materials would be used on the exterior of the building. Mr. Otto stated that the exterior would contain EIFS and stone. Mr. Petty questioned the structural method used to construct the building. Mr. Otto stated that that building would be wood construction. Mr. Hudgins expressed concern that the building still appeared to be somewhat inconsistent with neighboring buildings. Mr. Udani responded that Holiday Inn's new prototype was designed to be more modern in appearance in an effort to appeal to millennial travelers. Mr. Wolfe agreed with Mr. Hudgins' concern, and noted that several nearby buildings contained brick on the exterior. Chairman Traynor asked whether the EIFS on the ground floor could be changed to masonry, to be consistent with neighboring buildings at street level. Mr. Otto stated that this change could be accommodated.

Mr. Petty made a motion to defer consideration of the request, and asked for the updated drawings to be presented at the next meeting. Mr. Wolfe seconded the motion. The motion to defer was approved by a vote of 7-0.

## ITEMS FOR INFORMATION / DISCUSSION

- 1. Comprehensive Plan Future Land Use Update:** Planning Director Cronin stated that staff was recommending updating the future land use map in the town's comprehensive plan, last updated in 2012-13. Now that we have a better idea of the anticipated zoning districts from the draft UDO, staff recommended reviewing and updating the future land use map in advance of a town-wide update of the zoning map, which would take place in conjunction with adoption of the new UDO. A request will be presented to council on September 28, and an update will be provided at the next Planning Commission meeting.
- 2. Subdivision Plat Updates:** Planning Director Cronin informed the Planning Commission that staff had reviewed and approved a total of nine plats in the previous month. Final plats were approved for the following: Kingsley Town Center, Phase 1; Avery Plaza; and Carolina Orchards, Villages A/B/F/G and Carolina Orchards Boulevard. Preliminary plats were approved for Masons Bend (Kanawha Tract) and Masons Bend (Suttonview Tract).
- 3. UDO Update:** Planning Director Cronin stated that the UDO Advisory Committee has fallen behind schedule due to the length of time needed to review the first nine articles of the draft UDO. The existing scope called for a total of four committee meetings; however, following a conversation with the consultant, it was estimated that between two and four additional meetings would be required to complete the review of draft materials. Staff presented three options: hold up to four separate evening meetings, similar to what was done for the first four meetings; hold back-to-back meetings on consecutive evenings in an effort to minimize the consultant's travel expenses; or hold two half-day workshops in an attempt to complete the review process in only two meetings. Mr. Wolfe questioned whether the consultant could use Skype to teleconference into the meetings from his home base in Michigan. Planning Director Cronin stated that there may be some logistical issues on the town's end, but he would consult with the town's IT staff and present that option to the consultant. The consensus was to continue with evening meetings. Planning Director Cronin stated that staff would contact the consultant to discuss available dates, and would send out a Doodle poll to determine which dates work best for the greatest number of committee members.

There being no further business, the meeting was adjourned at 9:22 pm.

Respectfully submitted,

Joe Cronin  
Planning Director

# RECUSAL STATEMENT

Member Name: Tom Petty

Meeting Date: 9/22/15

Agenda Item: Section New Business Number: 2

Topic: REZONING REQUEST HARRIS TEGAL  
PROPERTIES LLC

*The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.*

## Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: \_\_\_\_\_

Date: 9/22/15 Tom Petty

Member

Approved by Parliamentarian: [Signature]