



**TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
September 23, 2014  
112 Confederate Street  
7:00 PM**

**AGENDA**

**CALL TO ORDER**

**APPROVAL OF MINUTES**

1. Special Called Meeting: September 16, 2014 *[Pages 2–7]*

**NEW BUSINESS**

1. **Annexation Request: Pettus Property** *[Pages 8–16]*

An ordinance annexing York County Tax Map Number 738-00-00-047, containing approximately 2.6 acres at 1918 N Dobys Bridge Road

2. **Final Plat: Forest at Fort Mill Phase III** *[Pages 17–18]*

Request from RK-Dobys Bridge LLC to approve a final plat for the Forest at Fort Mill Phase III

3. **Request to Approve Road Names: Waterside at the Catawba** *[Pages 29–23]*

Request from Lennar Carolinas to approve a master road name list for the Waterside at the Catawba subdivision

**ITEMS FOR INFORMATION / DISCUSSION**

1. **Draft RFP: Unified Development Ordinance** *[Pages 24–28]*

**ADJOURN**

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION SPECIAL CALLED MEETING  
September 16, 2014  
112 Confederate Street  
6:30 PM**

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

Absent: None

Guests: Larry Huntley (Fort Mill Town Council), Dan Mummey (Clear Springs), Joe Walker (Crescent Communities), James Martin (Crescent Communities), Dan Ballou (Hamilton Martens Ballou & Carroll, LLC), Raynell Swanson (Resident), William Swanson (Resident), Rob Walsh (Campco Engineering), Theodore DuBose (Haynsworth Sinkler Boyd, PA)

Chairman Traynor called the meeting to order at 6:31 pm and welcomed everyone in attendance.

Mr. Hudgins made a motion to approve the minutes from the August 26, 2014, meeting as presented. Mr. Garver seconded the motion. The motion was approved by a vote of 7-0.

**OLD BUSINESS ITEMS**

Chairman Traynor stated that he had a conflict of interest on Old Business Item #1. Chairman Traynor recused himself from the discussion, and left the meeting at 6:32 pm. Vice-Chairman Wolfe assumed the duties of acting Chairman in Mr. Traynor's absence.

- 1. Subdivision Request: Clear Springs Land Company LLC:** Planning Director Cronin reminded Planning Commission members that this request had been deferred at the prior meeting, and that the Planning Commission had requested additional information about the purpose of the request. Dan Mummey of Clear Springs addressed commission members, and stated that the intent of the subdivision was for tax purposes. By subdividing out the "excess" land surrounding the Peachtree Apartments multi-family residential community, the property could be classified as "agricultural" for tax purposes. Planning Director Cronin stated that the zoning of the property would remain unchanged (GR-A), and that should the applicant ever choose to develop the 3.07 acre parcel, they would not be able to develop anything that could not already be built today. Planning Director Cronin added that the new lot would not create any new non-conformities for the existing apartment parcel. Mr. Petty made a motion to approve the subdivision request, with a second by Mr. Hudgins. The motion was approved by a vote of 6-0.

Chairman Traynor returned to the meeting at 6:37 pm.

## NEW BUSINESS ITEMS

Mr. Petty stated that he had a conflict of interest on New Business Items #1 and #2. Mr. Petty recused himself from the discussion, and left the meeting at 6:43 pm.

- 1. Development Agreement Amendment: SDG Properties LLC:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review proposed modifications to the existing development agreement between the town and SDG Properties, LLC (the “Kanawha” agreement). James Martin of Crescent Communities made a brief PowerPoint presentation highlighting the proposed modifications. Mr. Martin stated that Crescent was under contract to purchase the Kanawha property, with the intent of combining the property with their neighboring site to develop a single subdivision called “Mason’s Bend.” The most significant change to the development agreement was in regard to utilities. The agreement, as revised, would allow the developer to tie in to a Tega Cay sewer interceptor, which is located on the property, and allow for wastewater to be transmitted to Rock Hill for processing, rather than the town’s sewer plant. Paul Mitchell, the town’s engineer, stated that this arrangement would mean higher rates for future residents of the Mason’s Bend subdivision, but would result in savings to both the developer and the town. Mr. Martin explained several other proposed changes, including a reduction in residential density, the donation of a 1.5 acre site for a future municipal use, the donation of \$150,000 for recreational purposes, removing the language regarding municipal improvement district (MID) financing, eliminating the 35’ perimeter buffer between the two sites, and extending the agreement for 10 years. Attorney Theodore DuBose of Haynsworth Sinkler Boyd, representing the town in the negotiations, provided additional background regarding the proposed amendments. Mr. DuBose explained several additional changes to the agreement, including a provision that would relieve the developer from installing infrastructure on the museum property, inclusion of language regarding Thread Trail cooperation, a 30-day notice period for a material breach of the agreement, and protections for the Schweinitz’s sunflower population (a federally recognized endangered species) located on the property. Mr. Wolfe made a motion to recommend in favor of adopting the amendments to the development agreement, to include the modifications discussed above, and allowing staff and the town attorney to make any subsequent amendments deemed necessary prior to second reading. Mr. Garver seconded the motion. The motion was approved by a vote of 6-0.
- 2. Development Agreement Amendment: Sustainable Development Group, Inc:** Planning Director Cronin provided a brief overview of the request, the purpose of which was to review proposed modifications to the existing development agreement between the town and Sustainable Development Group, Inc. for the Museum of Life and the Environment property (or “MLE” agreement). Attorney Theodore DuBose of Haynsworth Sinkler Boyd, representing the town in the negotiations, provided additional background regarding the proposed amendments. Mr. DuBose stated that since the amendments to the Kanawha agreement would relieve SDG Properties, LLC (or its successors) from extending infrastructure into the MLE site, the MLE development agreement needed to be amended to reflect that change as well. Mr. DuBose stated that this was the only substantive change to the agreement. Mr. Wolfe made a motion to recommend in favor of adopting the

amendments to the development agreement, and to allow town staff and the town attorney to make any subsequent amendments deemed necessary prior to second reading. Mr. White seconded the motion. The motion was approved by a vote of 6-0.

Mr. Petty returned to the meeting at 7:28 pm.

## **ITEMS FOR INFORMATION / DISCUSSION**

- 1. Impact Fee Study Update:** Planning Director Cronin stated that the impact fee consultant, Stantec, has completed Chapter 1 (Introduction) and Chapter 2 (Parks and Recreation) of the impact fee study. He added that the first chapters were delayed due to the need to hire an appraiser to generate updated, and legally defensible, values for existing town-owned properties. Planning Director Cronin then welcomed Matt Noonkester of Stantec, who provided a brief summary of the introductory chapter, and then presented a detailed explanation of the methods and data used for generating per capita replacement costs for parks and recreational facilities. Based on the value of existing facilities and amenities, Mr. Noonkester stated that the per capita replacement cost was estimated at \$562.76 per person, which would correspond to an impact fee of \$1,513 per single family residence, \$2,025 per mobile home, and \$703 per multi-family dwelling unit. Mr. Noonkester stated that he was still working on the remaining sections (Fire Protection, Municipal Facilities and Transportation), as well as the housing affordability analysis. Chairman Traynor thanked Mr. Noonkester for his work to date, and stated that the commission looked forward to reviewing additional chapters in the coming months.
- 2. Joint Meeting with Fort Mill Town Council:** Planning Director Cronin stated that he had presented the commission's request for a joint meeting with town council for the purpose of discussing traffic and transportation related issues. The council has agreed to a joint meeting. Staff is requesting the availability for all council members and planning commissioners for the following dates: Sept. 30<sup>th</sup>, Oct. 2<sup>nd</sup>, Oct. 7<sup>th</sup> and Oct. 9<sup>th</sup>. Staff will send out an email to members to verify availability on those dates, and will let everyone know once a date has been finalized.
- 3. August 2014 Development Activity Report:** Planning Director Cronin stated that a copy of the Development Activity Report for the month of August 2014 was included in the agenda packet for information.
- 4. Zoning Code Re-Write:** Planning Director Cronin stated that the current version of the FY 2014-15 budget includes funding for a zoning code re-write. Assistant Planner Pettit has prepared a draft RFP to solicit responses from qualified zoning consultants. Once council finalizes the budget, staff intends to publish the RFP and begin the procurement process. Planning Director Cronin added that staff recommends replacing the town's current zoning, land development and subdivision ordinances with a Unified Development Ordinance (UDO). Staff estimated that it would take approximately 18 months to complete the UDO, and that there would be opportunities for public participation and comment throughout the process. Planning Director Cronin also stated that development of such ordinances typically fall under the purview of the Planning Commission. Given the

increased commitment required over the last year, including 1-2 meetings per month as well as additional time commitments with the impact fee study, staff asked whether all commissioners wished to be involved, or whether commission members would rather create a subcommittee. The consensus of the commission was that all members wished to participate in the process. Planning Director Cronin recommended reaching out to the Board of Zoning Appeals and Historic Review Board for participation as well, similar to the process used for the comprehensive plan update in 2012-13. Planning Director Cronin will provide an update at the next meeting once final reading of the budget ordinance has been adopted.

There being no further business, the meeting was adjourned at 8:28 pm.

Respectfully submitted,

Joe Cronin  
Planning Director

# RECUSAL STATEMENT

Member Name: JAMES TRAYNOR  
Meeting Date: SEPT 16, 2014  
Agenda Item: Section OLD BUSINESS Number: #1  
Topic: SUBDIVISION REQUEST: CLEAR SPRINGS LAND CO, 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: I AM AN EMPLOYEE & OFFICER  
OF CLEAR SPRINGS LAND CO.

Date: 9/15/14 J Traynor  
Member

Approved by Parliamentarian: \_\_\_\_\_

# RECUSAL STATEMENT

**Member Name:** Tom Petty

**Meeting Date:** September 16, 2014

**Agenda Item:**                    **Section** New Business                    **Number:** Item 1 and 2

**Topic:** Development Agreement Amendment: SDG Properties

Development Agreement Amendment: Sustainable Dev. Group Inc

*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.*

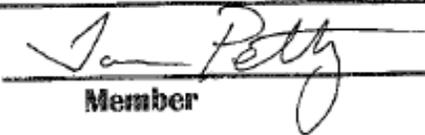
**Justification to Recuse:**

  X                      **Professionally employed by or under contract with principal**

                          **Owens or has vested interest in principal or property**

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

**Date:** September 16, 2014

  
\_\_\_\_\_

**Member**

**Approved by Parliamentarian:** \_\_\_\_\_

**Planning Commission Meeting  
September 23, 2014  
New Business Item**

**Annexation Request: Pettus Property**

An ordinance annexing York County Tax Map Number 738-00-00-047, containing approximately 2.6 acres at 1918 N Dobys Bridge Road

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**Background / Discussion**

Charles Wilson and Lisa McMinn, as personal representatives for the Estate of Calvin Hall Pettus have submitted an annexation petition for York County Tax Map Number 738-00-00-047. This property contains approximately 2.6 acres located at 1918 N Dobys Bridge Road, near the intersection of N Dobys Bridge Road and Fort Mill Parkway. A property map and description are attached for reference.

The subject parcel is located across a public right-of-way from York County Tax Map Number 020-12-01-189, which is owned by Quarter Point Ventures and currently zoned HC Highway Commercial. With the realignment of N Dobys Bridge Road and Holbrook, the current right-of-way for the old section of Holbrook road will likely be abandoned at some point in the future. With this section being a public right-of-way for the time being, however, the subject property meets the contiguity requirement as established by state law.

The subject parcel is currently zoned RD-II per York County GIS. The county's RD-II district allows single-family residences (10,000 sf per dwelling), townhomes (2,000 sf per unit), apartments and condominiums. The district also allows child/adult care centers, religious uses, manufactured home subdivisions, parks, nursing facilities and schools. The RD-II District also requires a minimum open space of 20%. There is an existing residential dwelling on the site.

The applicant has requested a zoning designation of HC Highway Commercial. The HC District allows a variety of commercial and office uses. If annexed, the property would also become subject to the Fort Mill Southern Bypass Corridor Overlay District (COD-N).

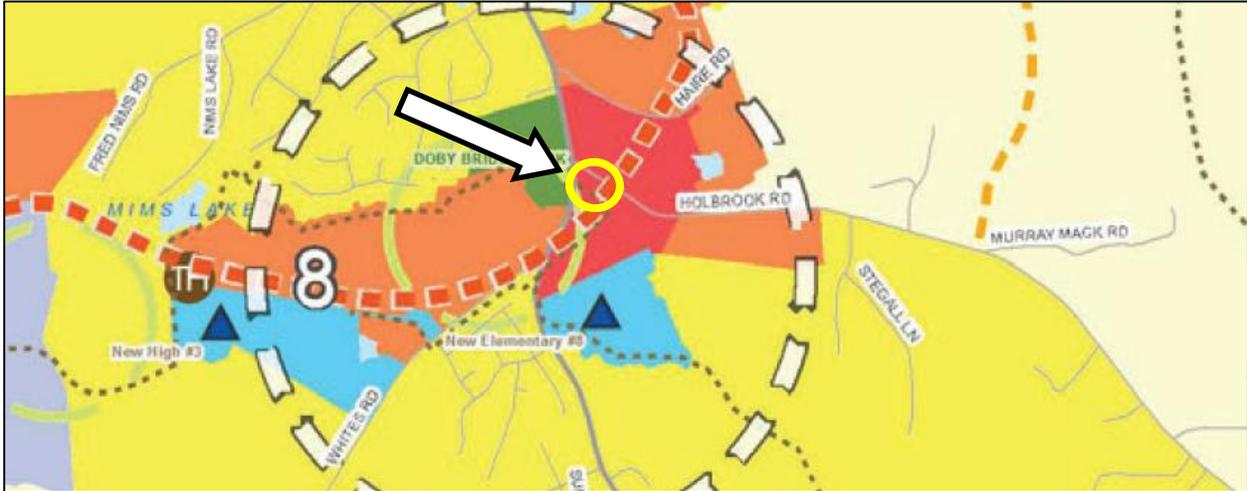
**Recommendation**

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 "Commercial" on the Town of Fort Mill's Future Land Use Map, last updated in January 2013. The property is also located in Node 8. The Comprehensive Plan recommends the following types of development within Node 8:

"Development in Node 8 will primarily be higher density residential near the center of the node and along the Fort Mill Southern Bypass, with neighborhood commercial near the intersection of Doby's Bridge Road and the Bypass, and medium density residential near

the periphery including townhomes and apartments, transitions to single family detached homes to the east and south near the river.”



The property is anticipated to be accessed from Fort Mill Parkway. Should a future commercial developer purchase and recombine a portion of the Quarter Pointe Ventures property with the subject parcel, a second access point may be provided on N Dobys Bridge Road. Below is a summary of daily traffic volumes and capacities for adjacent roadways:

Roadway Name(s)	2012 AADT	2013 AADT	2013 Capacity
Dobys Bridge Road	9,000	9,100	105%
Fort Mill Parkway	N/A	N/A	N/A%
Holbrook Road	N/A	N/A	N/A%

Sources: SCDOT Average Daily Traffic (2012 & 2013), York County GIS

While current traffic counts are unavailable for Fort Mill Parkway (Phase II under construction) and Holbrook Road, the most recent counts on Dobys Bridge place the current road at capacity. Should a commercial project develop in the future, it is likely that SCDOT will require a traffic impact study prior to issuing an encroachment permit. It is also expected that Fort Mill Parkway, once completed, will reduce traffic levels on N Dobys Bridge Road.

Staff recommends in favor of the annexation request with a zoning designation of HC.

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 may also be subject to a TIA prior to the approval of an encroachment permit. Any improvements deemed necessary as a result of the TIA would be the responsibility of the owner/developer.

Joe Cronin  
 Planning Director  
 September 19, 2014

Date: 9/18/14

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: 1918 N. Dolbys Bridge Rd

Tax Map Number: 738-00-00-047

Total Acreage: 2.6 +/-

Zoning Designation Requested: Highway Commercial

Property Owners:

Print Name(s):

Signature(s):

Charles Wilson

Chad Wilson

LISA McMinn

Lisa P. McMinn

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Recd 9/18/14 JML

Chuck

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF YORK )  
 )  
IN THE MATTER OF )  
CALVIN HALL PETTUS )  
Decedent )

IN THE PROBATE COURT  
INFORMATION TO HEIRS AND DEVISEES

CASE NUMBER 2014ES4600893

On JULY 28, 2014, Application/Petition was made to the Probate Court of  
YORK County, at P.O. BOX 219 YORK, SC 29745, for the  
(check all that apply):

- |   |                                      |
|---|--------------------------------------|
| INFORMAL  | FORMAL                               |
| <input checked="" type="checkbox"/> PROBATE OF WILL | <input type="checkbox"/> TESTACY     |
| <input checked="" type="checkbox"/> APPOINTMENT     | <input type="checkbox"/> APPOINTMENT |

in the above matter.

(Complete if applicable) The decedent's will dated September 25th 2013  
and codicil(s) dated \_\_\_\_\_ and Memorandum(s)  
dated \_\_\_\_\_ was/were presented.

Bond HAS  HAS NOT  been filed.

This notice is being sent to persons who have or may have some interest in the estate.

**PLEASE NOTE: This form is required to be sent to all potential devisees and heirs of Decedent. Receipt of this form does not mean that you will inherit from the Decedent. You may review the file in the Probate Court or see an attorney if you desire further information.**

My application/petition was granted within the past thirty (30) days on JULY 28, 2014.

Applicant/Personal Representative Name: LISA P. MCMINN  
Address: 5918 RAVINE DRIVE  
WAXHAW, NC 28173  
Telephone (Work): \_\_\_\_\_  
(Home): 704-843-9805  
(Cell): \_\_\_\_\_  
Email: \_\_\_\_\_

Co-Applicant/Co-Personal Representative Name: CHARLES A. WILSON, JR.  
Address: 2000 HOLBROOK ROAD  
FORT MILL, SC 29715  
Telephone (O): \_\_\_\_\_  
(H): 803-242-6117  
(Cell): \_\_\_\_\_  
Email: \_\_\_\_\_

Attorney: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF YORK )

**ORDINANCE NO. 2014-\_\_\_**

AN ORDINANCE ANNEXING YORK COUNTY TAX MAP NUMBER 738-00-00-047,  
CONTAINING APPROXIMATELY 2.6 ACRES AT 1918 N DOBYS BRIDGE ROAD

WHEREAS, a proper petition was submitted to the Fort Mill Town Council on September 18, 2014, by Charles Wilson and Lisa McMinn, as personal representatives for the Estate of Calvin Hall Pettus (the “Property Owners”), requesting that York County Tax Map Numbers 738-00-00-047, which is owned fully by the individuals and/or estate 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 September 23, 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: HC Highway Commercial; and

WHEREAS, a public hearing was advertised and held at 7:00 pm on October 13, 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 2.6 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, highway or public right-of-way 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: HC Highway Commercial.

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 Four (4).

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:           October 13, 2014  
Public Hearing:           October 13, 2014  
Second Reading:        October 27, 2014

TOWN OF FORT MILL

\_\_\_\_\_  
Danny P. Funderburk, Mayor

LEGAL REVIEW

ATTEST

\_\_\_\_\_  
Barron B. Mack, Jr, Town Attorney

\_\_\_\_\_  
Dana Powell, Interim Town Clerk

## EXHIBIT A

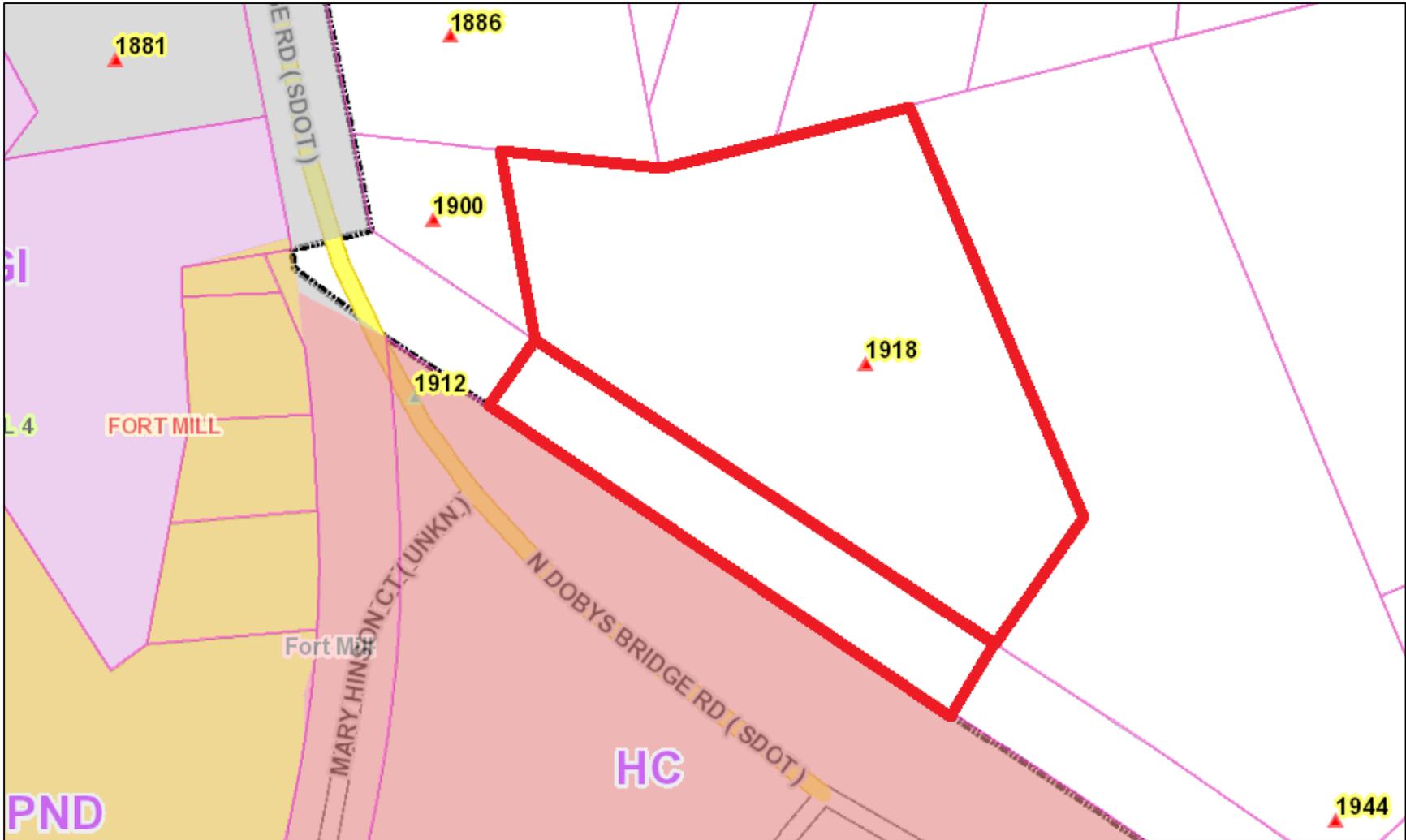
### Property Description

All those certain pieces, parcels or tracts of land lying, being and situate in Fort Mill Township, County of York, State of South Carolina, containing 2.6 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 Number 738-00-00-047.

Pursuant to S.C. Code Section 5-3-110, this annexation shall include the whole or any part of any street, roadway, or highway or public right-of-way abutting the above referenced property, not exceeding the width thereof, provided such street, roadway or highway or public right-of-way 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 # 738-00-00-047



**Planning Commission Meeting  
September 23, 2014  
New Business Item**

**Final Plat: The Forest at Fort Mill Phase III**

Request from RK-Dobys Bridge LLC to approve a Final Plat for the Forest at Fort Mill Phase III

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**Background / Discussion**

The Planning Commission is asked to review a final plat for Phase III of the Forest at Fort Mill.

A preliminary plat for this project, formerly known as Tuscan Hill and Majestic Grove, was approved in August 2011 (85 residential lots). A final plat for Phase I (35 lots) was approved by the Planning Commission in October 2011. A final plat for Phase II (23 lots) was approved by the Planning Commission on May 28, 2013.

The third and final phase of this project, which is currently before the Planning Commission for final plat review, will include a total of 27 buildable lots.

Total Lots Approved per Preliminary Plat:	85	(Approved Aug. 2011)
Total Lots Recorded in Phase I:	35	(Approved Oct. 2011)
Total Lots Recorded in Phase II:	23	(Approved May 2013)
Total Lots Proposed in Phase III:	27	(Pending Approval)
Total Lots Remaining:	0	

Phase III will not include any new road names. Right-of-way will be reserved for a future (unnamed) road connection to the neighboring property.

Full scale copies of the plats will be available for review during the meeting on Tuesday.

**Recommendation**

The draft final plat is consistent with the approved preliminary plat for the Forest at Fort Mill, which was reviewed and approved in August of 2011.

Staff recommends approval of the final plat for Phase III with the following conditions:

- If required, the applicant shall obtain a land disturbance permit from the town's Stormwater Engineer prior to final approval and recordation.
- The applicant shall submit a bond, letter of credit, or other similar instrument, payable to the Town of Fort Mill, for any required improvements that are not completed at the time of final plat approval. These may include: top layer of asphalt, sidewalks, street lights, street trees, utilities, and stormwater infrastructure.

Joe Cronin  
Planning Director  
September 19, 2014

**Planning Commission Meeting  
September 23, 2014  
New Business Item**

**Request to Approve Road Names: Waterside at the Catawba**

Request from Lennar Carolinas to approve a master road name list for the Waterside at the Catawba subdivision

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**Background / Discussion**

The Planning Commission is asked to approve a master road name list for the Waterside at the Catawba subdivision. The project was annexed in July 2013 and zoned MXU Mixed Use.

Though the MXU ordinance does not require full Planning Commission approval of the preliminary or final plats (as long as the proposed plan is consistent with the MXU and zoning ordinances, as well as the project's development conditions), Section 6-29-1200(A) of the SC Code of Laws requires the following:

A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction. It is unlawful for a person in laying out a new street or road to name the street or road on a plat, by a marking or in a deed or instrument without first getting the approval of the planning commission. Any person violating this provision is guilty of a misdemeanor and, upon conviction, must be punished in the discretion of the court.

As a result, Planning Commission approval is required to authorize new road names within the subdivision. In the past, staff has presented a final plat for each phase within a MXU project to the Planning Commission for review and approval of street names prior to staff signing off on the final plat for that phase. Given the size and scope of the Waterside project, however, staff is requesting that the Planning Commission approve a master road name list. As long as the developer, Lennar Carolinas, uses the names from this master list, this will prevent the need to bring each phase to the Planning Commission for the simple task of approving the street names. Any addition or modification to this list, however, would require subsequent approval from the Planning Commission.

A preliminary plat for Waterside at the Catawba was approved in August 2014. The subdivision will have a total of 919 single family lots, 129 townhome lots, and 52 new streets. The proposed street names are listed below:

Ascot Run Way	Bryson Gap Drive	Corey Cabin Court
Bearcamp Way	Buckberry Court	Corner Lake Court
Blackwaterside Drive	Burning Acres Court	Elmview Lane
Braddock Way	Clingman Drive	Grape Balsam Way
Brandybuck Court	Common Raven Court	Hanging Rock Road
Brier Knob Drive	Copper Hawk Court	Hideaway Gulch Drive

Ice Lake Court  
Kahana River Road  
Kaleb Point Circle  
Kanard Way  
Kennebel Place  
Kody Hollow Court  
Lily Lake Lane  
Mackenzie Falls Drive  
Maple Hill Drive  
Marble Rock Court  
Rainbow Trout Trail  
Richland Balsam Drive

Ruby Kinglet Lane  
Sapphire Meadow Drive  
Sassafras Court  
Shannon Falls Drive  
Shiloh Bend Drive  
Shorthill Lane  
Silers Bald Drive  
Skipping Stone Drive  
Skywater Drive  
Sparkling Brook Parkway  
Squirtle Court  
Swift Trail

Tailed Hawk Way  
Talon Point Circle  
Tigris Trail  
Tomkins Knob Drive  
Trentwood Drive  
Triple Branch Trail  
Twin Valley Way  
Whistlers Chase Court  
Winhall Road  
Winter Wren Way

### **Recommendation**

Staff has submitted these names to the York County Addressing Office for review and approval. The county requested that the name “Sparkling Brook Boulevard” be changed to use a name other than “Boulevard.” The applicant has revised the name to “Sparkling Brook Parkway.”

Staff recommends in favor of the request to approve a master list of street names for the Waterside at the Catawba subdivision.

Joe Cronin  
Planning Director  
September 19, 2014

**From:** Grooms, Cynthia [mailto:cynthia.grooms@yorkcountygov.com]  
**Sent:** Monday, August 11, 2014 4:30 PM  
**To:** Joe Cronin  
**Subject:** RE: Waterside Road Names

All names have been reserved.....the one problem is with Sparkling Brook Blvd...I need another suffix instead of Blvd.

Jeanne.

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**From:** Joe Cronin [mailto:jcronin@fortmillsc.gov]  
**Sent:** Thursday, August 07, 2014 1:09 PM  
**To:** Grooms, Cynthia; Moore, Jeanne  
**Subject:** Waterside Road Names

Cynthia & Jean,

We are in the process of reviewing the preliminary plat for Waterside at the Catawba. They have submitted an extensive roadway list of 52 new roads. Have they cleared and/or reserved these names with your office yet?

Ascot Run Way  
Bearcamp Way  
Blackwaterside Drive  
Braddock Way  
Brandybuck Court  
Brier Knob Drive  
Bryson Gap Drive  
Buckberry Court  
Burning Acres Court  
Clingman Drive  
Common Raven Court  
Copper Hawk Court  
Corey Cabin Court  
Corner Lake Court  
Elmview Lane  
Grape Balsam Way  
Hanging Rock Road  
Hideaway Gulch Drive  
Ice Lake Court  
Kahana River Road  
Kaleb Point Circle  
Kanard Way

Kennebel Place  
Kody Hollow Court  
Lily Lake Lane  
Mackenzie Falls Drive  
Maple Hill Drive  
Marble Rock Court  
Rainbow Trout Trail  
Richland Balsam Drive  
Ruby Kinglet Lane  
Sapphire Meadow Drive  
Sassafras Court  
Shannon Falls Drive  
Shiloh Bend Drive  
Shorthill Lane  
Silers Bald Drive  
Skipping Stone Drive  
Skywater Drive  
Sparkling Brook Boulevard  
Squirtle Court  
Swift Trail  
Tailed Hawk Way  
Talon Point Circle

Tigris Trail  
Tomkins Knob Drive  
Trentwood Drive  
Triple Branch Trail

Twin Valley Way  
Whistlers Chase Court  
Winhall Road  
Winter Wren Way

***Joseph M. Cronin***

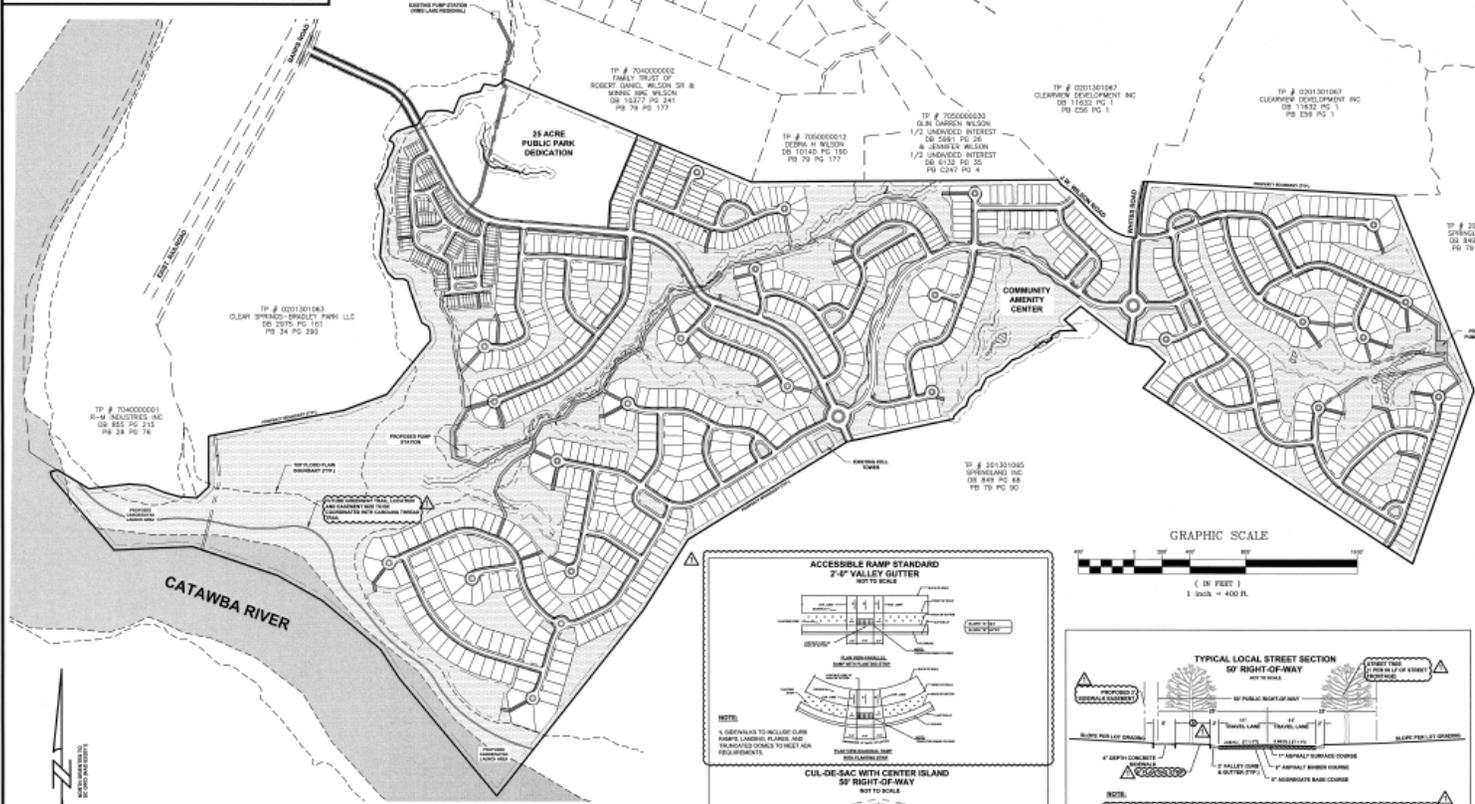
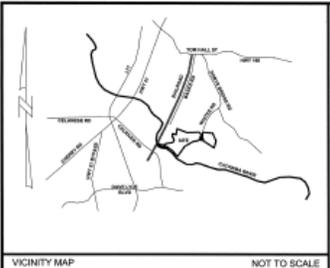
Planning Director  
Town of Fort Mill, SC  
112 Confederate Street  
Fort Mill, SC 29715  
(803) 547-2116 (O)  
(803) 371-2281 (C)  
[jcronin@fortmillsc.gov](mailto:jcronin@fortmillsc.gov)

PLEASE NOTE: All email correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act pursuant to S.C. Code of Laws, §§ 30-4-10, et seq.

# WATERSIDE AT THE CATAWBA

LOCATED IN  
FORT MILL, SOUTH CAROLINA

Approved Preliminary Plat



**Development Data:**

Tax Parcel: 000100001, 000100002, 000100003, 000100004, 000100005

Site Area: 41,477.305 Acres

Location: Town of Fort Mill, SC

Proposed Land Uses: Single Family Attached Homes, Single Family Detached Homes, Community Center/Golf/Launch, Public Park Area

Zoning: MXU

Total Lots: 1048 Lots

Proposed Density: 2.2 DU/AC

Proposed Common Open Space: 186 AC

**MXU Lot Standards:**

Single Family Detached: Minimum Lot Area: 2,400 S.F., Minimum Street Frontage: 30' (at front setback)

Single Family Attached Townhomes: Minimum Lot Area: 1,100 S.F., Minimum Street Frontage: 14' (at front setback)

Setbacks: Front: 20', Side: 5', Rear: 10', Maximum Height: 40'

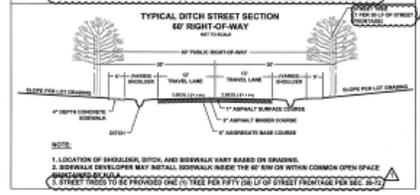
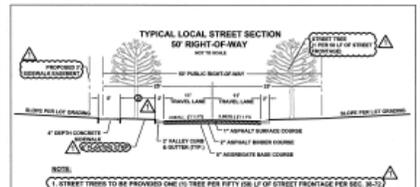
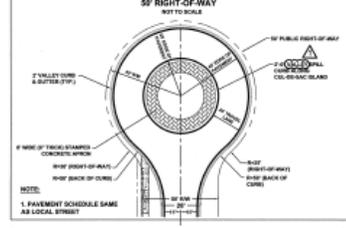
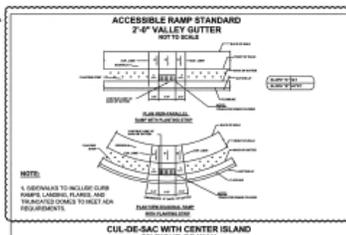
**Prop. Typical Lot Standards:**

40' X 125' Typical Single Family Lot	118 Lots
52' X 125' Typical Single Family Lot	221 Lots
52' X 130' Typical Active Adult Lot	123 Lots
60' X 130' Typical Single Family Lot	222 Lots
60' X 130' Typical Single Family Lot	164 Lots
77' X 140' Typical Single Family Lot	84 Lots
Townhomes	118 Units
<b>TOTALS</b>	<b>1048 Lots</b>

**Proposed Units:**

**Waterside at the Catawba Preliminary Plan Unit Summary:**

A) Approved MXU Zoning	1,388 Total Units
Single Family detached Homes	1,000 Units
Single Family attached Homes	300 Units
B) Waterside at the Catawba Preliminary Plan	1,946 Total Units
Single Family detached Homes	932 Units
Single Family attached Homes	116 Units
C) Remaining Units (per zoning)	252 Units



- Notes:**
- Preliminary Plan is subject to minor revisions during the design process as may be required.
  - See Sheets 1-26 for lot dimensions.
  - Topographic information based on information obtained from LIDAR provided by the South Carolina Department of Natural Resources.
  - Boundary information obtained from "Mirror Subdivision Plat of the Clear Spring/Smoky Park LLC Property being 10,387 Acres prepared by ESP Associates, PA dated August 31, 2015; "Mirror Subdivision Plat of the White Property being 46,432 Acres prepared by ESP Associates, PA dated August 31, 2015; & "Boundary Survey of Springdale, S. Photos #P05000006 & #1000000000 being 2,576 Acres Total" Prepared by ESP Associates, PA dated June 11, 2015.
  - Wetland information obtained from "Wetland Survey of the White Property" prepared by ESP Associates, PA dated June 2015. Wetland and stream delineation prepared by Leonard S. Fisher, PWS.
  - Site sign information details, including siting and locations, will be coordinated with the South Carolina Department of Transportation.
  - Street edge design to be consistent with SCDOT details or approved equivalent. Decorative street signs may be installed as long as they meet minimum standards and specifications established by SCDOT.
  - Street signs to be coordinated with York Electric and Duke Energy during Construction Documents.
  - Fire hydrants to be placed wide and include back connector.
  - Street trees to be provided at a rate of one street tree per fifty linear feet of street frontage.
  - Final location and easement width of Future Greenway Trail to be coordinated with the Carolina Thread Trail during Construction Documents.
  - Setbacks to include curb ramps, landing, fence, and truncated domes to meet ADA requirements.
  - The remaining sidewalk shown within common open space areas along Spring Creek Drive will be maintained by the community Homeowner's Association.

**Preparation Information:**

1. Project Information obtained from FEMA Map Panel #1: 480601C0207, 480601C0309, 480601C0301, 480601C0303, 480601C0309 dated September 28, 2006.

**ENGINEERING FIRM:** ESP ASSOCIATES, P.A.  
ADDRESS: 250 LAWRENCE BLVD.  
FORT MILL, SC 29716  
PHONE: (803) 547-1100  
FAX: (803) 547-1100  
CONTACT: MATT FARRER, P.E.

**DEVELOPER:** LENNAS CAROLINA LLC  
ADDRESS: 11230 CARROLL COMING BLVD  
CHARLOTTE, NC 28218  
PHONE: (704) 548-8000  
CONTACT: THOMAS JOHNSON

**TOWN AGENT:** DIRECTOR OF LAND DEVELOPMENT  
ADDRESS: 1110 COMMERCE STREET  
FORT MILL, SC 29716  
PHONE: (803) 547-2114

**PROJECT INFORMATION:**

PROJECT NUMBER: 16  
DESIGNED BY: MM  
DRAWN BY: JMM  
PROJECT REVISION: ADDL  
ISSUE DATE: 03/20/24  
SHEET: COVER



ESP ASSOCIATES, P.A.  
P.O. BOX 1000  
241 LAWRENCE BLVD  
FORT MILL, SC 29716  
803-547-1100  
www.essp.com

**ESP**

LENNAS CAROLINA LLC  
ASSOCIATES  
145-C

TOWN OF FORT MILL, SC

PRELIMINARY PLAT (OVERALL)

WATERSIDE AT THE CATAWBA

TOWN OF FORT MILL, SC

LENNAS CAROLINA LLC

# DRAFT



## FORT MILL

REQUEST FOR PROPOSALS:  
TO DEVELOP A UNIFIED DEVELOPMENT ORDINANCE  
AND  
RECOMMEND CHANGES TO THE  
TOWN CODE OF ORDINANCES  
For the Town of Fort Mill, South Carolina

**Proposal Deadline: October 17, 2014, 12:00 Noon EST**

## **I. Introduction**

The Town of Fort Mill is seeking proposals from qualified consulting firms to assist with the review and revision of the Town’s land development ordinances (zoning, subdivision, etc.) with the goal of modernizing the ordinances and incorporating policies as recommended in the Town’s Comprehensive Plan. The resulting land development regulations shall be combined into a single document to create a Unified Development Ordinance (UDO).

## **II. Background**

Fort Mill is located along the I-77 corridor in the northernmost part of South Carolina. The Town is approximately 15 minutes from downtown Rock Hill, SC and 25 minutes from uptown Charlotte, NC. Residents enjoy a high quality of life and a strong sense of community, which in part has led to the Fort Mill area being one of the fastest growing areas in South Carolina.

In January of 2013, Town Council adopted the Town’s Comprehensive Plan in order to continue ensuring the orderly development of the Town. The Comprehensive Plan outlines the Town’s desired development patterns and provides policy recommendations for improving land development practices. To implement these recommendations and properly develop the Town’s vision, the Town is requesting the services of a planning consultant to do a complete revision to the land development ordinances to account for changes in current development trends and/or best practices.

The Town’s current land development regulations can be found within the Zoning Ordinance and Code of Ordinances accessible via the Planning Department’s webpage at <http://www.fortmillsc.org>. The Town’s Comprehensive Plan, which is broken into two volumes, may also be found on the Planning Department’s webpage.

## **III. Objectives**

It is anticipated that the new UDO will:

- Support the future land use patterns, goals, and strategies outlined in the Town’s Comprehensive Plan;
- Be user-friendly, easy to read, understand, and interpret for all users, including staff, citizens, developers, and elected and appointed officials;
- Provide detailed and specific development procedures for all application types;
- Provide simple and flexible regulations for easy and effective administration by Town staff;
- Be heavily illustrated, with considerable graphics depicting the requirements, recommendations, and concepts detailed in the code;
- Be innovative and creative in approach to land-use regulations; and,
- Comply with applicable State and Federal regulations.

## **IV. Scope of Work**

The selected firm will work closely with the Town’s Planning Department, Planning Commission, Town Council, legal staff, as well as members of the development community and general public in order to complete the revision of the Town’s land development regulations and create the UDO.

The services being sought of the selected consultant shall include but not be limited to the following:

- Review the Town’s Comprehensive Plan to understand its vision, goals, and objectives;
- Review and assess the existing Code of Ordinances including the Zoning Ordinance, Subdivision Regulations, and all other land development regulations with Town staff to determine deficiencies and/or areas of potential improvement;
  - Identify regulations that are inconsistent with the goals of the Comprehensive Plan and/or conflict with State and Federal Regulations
  - Provide recommendations on how best to revise the regulations to implement the Comprehensive Plan
  - Identify methods to enhance the usability of the ordinances
  - Incorporate methods, principles or “best practices” for effective growth management
- Review the Town’s development review process with Town staff and provide specific recommendations on how to improve, streamline, and/or simplify the process to ensure that the Town’s regulations are properly administered, that the process is user friendly, and that the goals of the Comprehensive Plan are met;
- Tour the Town of Fort Mill and surrounding areas with Town staff and officials to gain an understanding of the Town’s existing built environment;
- Attend a joint meeting of the Town’s Planning Commission and Town Council to obtain input and guidance on the UDO;
- Organize, with the assistance of Town staff, and attend a public meeting for citizen and stakeholder input;
- Complete a draft UDO for presentation to the Town’s Planning Commission and Town Council. Revisions will be made by the consultants as directed by the Town;
- Present, with the assistance of Town staff, the draft UDO for adoption by the Town’s Planning Commission and Town Council; and,
- Provide the Town with digital copies of the final UDO document, including any graphic files and supporting documentation.

## **V. Proposal Requirements**

The proposal should provide background information about the firm(s), employees, and experience with related projects.

The proposal package shall include all of the following information in the order listed below:

1. Cover letter/letter of interest which includes contact information for the firm(s) and any point of contact;
2. Brief history and background of the firm(s) including year started, number of staff members, organizational chart, office locations (specifying which office will be performing the work), etc.;
3. Names and qualifications of staff that will play key roles in the project. Proposal shall clearly identify the firm's personnel who will be conducting the work;
4. Description of up to five (5) past similar projects that the firm has conducted including links to webpages containing the associated planning documents. Staff contact information for those localities referenced shall be provided including names, titles, addresses, and telephone numbers;
5. Proposed project approach, describing in detail how the firm plans to complete the scope of work;
6. Proposed project schedule organized by task;
7. Estimated range of fees including estimates on number of hours required for each proposed work task and hourly rates of staff that will work on the project; and,
8. Additional information the respondent believes to be relevant to the selection efforts of the Town of Fort Mill.

## **VI. Submittal Procedures**

In order to be considered, three (3) hard copies and one (1) electronic copy of the proposal must be received by the Town of Fort Mill Planning Department on or before **Friday, October 17, 2014 at 12:00 Noon, EST.**

Hard Copies of the proposals may be mailed via a sealed envelope labeled “Unified Development Ordinance RFP” to the following address:

Town of Fort Mill  
ATTN: Planning Department  
PO Box 159  
Fort Mill, SC 29716

Hard Copies of the proposals may also be hand delivered via a sealed envelope labeled “Unified Development Ordinance RFP” to the following address:

Town of Fort Mill  
ATTN: Planning Department  
112 Confederate Street  
Fort Mill, SC 29715

Electronic copies (PDF format) shall be submitted via email to [cpettit@fortmillsc.gov](mailto:cpettit@fortmillsc.gov); Subject line: Unified Development Ordinance RFP.

All questions regarding this project should be directed to Planning Director Joe Cronin at 803-547-2116 or [jcronin@fortmillsc.gov](mailto:jcronin@fortmillsc.gov). Contact with any other staff or officials of the Town of Fort Mill regarding this RFP is prohibited.

There is no expressed or implied obligation for the Town of Fort Mill to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

## **VII. Tentative Project Schedule**

The following is a tentative schedule for hiring a consultant and beginning the project. Firms submitting a proposal shall generally base their project schedule around the following dates:

**Wednesday, October 8, 2014:** Proposals due to Town

**Thursday, October 16, 2014:** Consultant shortlist interviews

**October 23, 2014 – November 3, 2014:** Selection and contract negotiation

**November 10, 2014:** Council consideration of contract & award

**November 10, 2015:** UDO completed and submitted to the Planning Commission

**February 8, 2016:** UDO adopted by Town Council

## **VIII. Selection Process**

The Town of Fort Mill will have a selection team consisting of the Town Manager, Planning Staff, and two members of the Planning Commission. After reviewing all submitted proposals, the selection team may choose up to three (3) firms for interviews. Upon completion of the interviews, the Town will negotiate a final scope of work and fee with the highest ranking firm. The selection will be submitted to the Town Council for approval, tentatively scheduled for the Council's November 10<sup>th</sup> meeting).

The Town of Fort Mill shall award the contract to the most qualified firm based on specific criteria, including but not limited to the following:

1. Experience of the firm on projects with a similar scope;
2. Experience of key project team members, including experience with similar projects;
3. Familiarity with local, state, and federal laws related to land use regulation;
4. Client references; and,
5. Successful negotiation of fee for the selected work.

The Town of Fort Mill reserves the right to reject any or all proposals, to waive technical or legal deficiencies, and to accept any proposal that it may deem to be in the best interest of the Town. The Town reserves the right to negotiate directly with the firm(s) selected for additional project work. The Town also reserves the right to make sure inquiries regarding the firm's qualifications and reputation as it deems necessary to evaluate the firm.