

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
April 20, 2021
112 Confederate Street
6:30 PM**

**Live Viewing Online: Request Access by emailing before 5:00 pm on Tuesday, April 20, 2021 to
Penelope G. Karagounis, Planning Director at pkaragounis@fortmillsc.gov
Public Access by Phone: Dial (toll free) 1-866-899-4679
and use access code 235-834-213**

Present: James Traynor, Dan Stout, Andy Agrawal, Hynek Lettang, Chris Wolfe, Ben Hudgins, Matthew Lucarelli, Planning Director Penelope Karagounis, Planner II Nick Cauthen, Senior Planner Alex Moore, Travis Tolson (Applicant), Duane Juell (Applicant), RJ Manoni, Brian Pace, Cooper Willis, David Faulkner, Wink Rea, Susan Rosenblatt, Rusty and Polly Adkins (Applicant), Jon Visconti, and Owen Langston

Chairman James Traynor called the Planning Commission meeting to order at 6:30 PM on Tuesday, April 20, 2021. Chairman Traynor gave opportunity to the Planning Commission to review and comment on the March 16, 2021 meeting minutes. Chairman Traynor mentioned third paragraph of page 5 to delete the word “with” from the following sentence “Mr. Holcomb then stated that the DR Horton team had worked through multiple plan iterations until the current designed was deemed acceptable by town staff for consideration by Planning Commission”. Chris Wolfe also stated that Ben Hudgins was not in attendance and should reflect in the minutes. Andy Agrawal mentioned on page 5 with the 4th paragraph the word “attention” should be looked at. Chairman Traynor suggested changing the word “attention” to “commented upon”. For example: “Mr. Holcomb commented upon the site open space that the plan contains along with the challenges of site design due to the topographic fall toward the Catawba River.” Chris Wolfe made a motion to approve with those changes and Andy Agrawal seconded the motion. The minutes for March 16, 2021 were approved with conditions by a vote of 7-0.

NEW BUSINESS ITEMS

1. Final Plat Review: Nims Village

Senior Planner Alex Moore provided a brief overview of the request, the purpose of which was to review and consider granting approval to the Nims Village Phase I, Map 4 Final Plat. Moore stated that Nims Village is being developed by Pace Development and that the overall project consists of 65 lots on 43.39 acre for a density of 1.49 DU/AC. The average lot size within Nims Village is 17,886 square feet or .41 AC. Moore then noted that Nims Village Map 4 consists of 12 lots on 6.807 acres and that this is the last remaining final plat within Nims Village.

Moore stated that water and sewer had been connected for Map 4 and that this plat was now in good standing with the Town of Fort Mill Utilities Department.

Moore then pointed out that the staff report indicates that the bridge between Nims Village and Whitegrove was to be removed. However, since the staff report went out, Pace Development has reported that the Whitegrove HOA may allow the bridge to remain pending approval of the HOA.

Moore then indicated that the Planning Department now possessed the original bond from Pace Development in the amount of \$162,820.31. This is based on the sealed bond estimate provided by ESP Associates. Moore also noted the correspondence in the packet from Pace Development regarding the bonding company indicates that they are in good standing with the SC Department of Insurance. This final plat now meets all criteria and is now eligible for sign off by the Planning Director upon an affirmative vote from Planning Commission.

Chairman Traynor then stated that he believed there should be a deadline within which the Whitegrove HOA should agree or not agree for the bridge to remain.

Moore then stated that David Faulkner was in attendance and that he could likely clarify the bridge situation.

Mr. Faulkner then indicated that he had engaged in multiple conversations with Ann Morgan, the vice-president of the Whitegrove HOA. He stated that he informed Ms. Morgan that Pace Development would endeavor to be good neighbors to the Whitegrove property owners. Thus, if the Whitegrove HOA was agreeing to allow the bridge to remain then Pace Development would do that. But, if the Whitegrove HOA wished for the bridge to be removed then Pace Development would honor that as well.

Mr. Faulkner then stated that it sounded to him as if this decision would not take very long. He noted that Ms. Morgan stated that she was waiting on a couple of HOA board members to respond back and that she would get him an answer relatively quickly. Mr. Faulkner stated that he did not see this taking more than a few months to get resolved. He stated that Pace Development would provide correspondence indicating what the decision was on the bridge by the Whitegrove HOA.

Chairman Traynor thanked Mr. Faulkner for his input on this. He then asked if anyone else had any questions or comments.

Dan Stout asked if the new street that was contained in Map 4 would continue to be a stub-out or if it would connect into another development.

Senior Planner Moore stated that this street would remain a stub-out and that there were no immediate plans for the street to be extended into the adjacent property.

David Faulkner interjected that the property to the south was owned by Harris-Teeter.

There being no other comments, Chairman Traynor asked if any commission member would care to make a motion.

Andy Agrawal made a motion to approve the final plat as submitted.

Chris Wolfe seconded the motion.

A roll call vote was then taken and the motion to approve the final plat as submitted was confirmed by a vote of 7-0.

2. Commercial Appearance Review – Fort Mill Brewery 113 Railroad Avenue

Mr. Cauthen provided a brief overview of the request, the purpose of which was to review and consider granting commercial appearance review approval for a building addition and façade upgrades to establish a new brewery. The Planning Department recommended approval of the request, contingent upon the submittal of an updated site plan to meet the landscaping requirements and for staff to be able to approve minor adjustments.

Mr. Wolfe asked if additional property had been purchased for parking. Mr. Tolson stated there is an agreement in the works with the adjacent property owner to the south to allow parking on a portion of their property for this project.

Mr. Wolfe asked if buffering will be required between the parking area and adjacent residential property. Staff noted that evergreens would be required per the zoning ordinance.

Mr. Agrawal asked about the proposed signage for the front of the building. The applicant stated they were still trying to finalize a name for the brewery and would share the information with the Town as soon as it was determined.

Mr. Stout asked how the grain silo will be accessed. Mr. Tolson stated a tractor trailer can access it from the front or the rear and will have an air pump that fills the silo.

Mr. Lettang asked for details relating to the proposed wood screening. Mr. Tolson stated it would be similar to the wood cooler screening currently located at their Main St. location. Mr. Lettang also asked what color the building would be painted. The applicant stated the house portion would be painted white, the metal roofing black or gray, and the metal warehouse building gray. The silo will be painted a dark red in order to distinguish the location and make it visible from Main Street.

Mr. Lettang followed by asking if a low-cost trim or wall system had been considered for the first few feet from the ground regarding the warehouse portion of the building in order to prevent future damage. The applicant stated that had not been considered due to budgetary concerns, but the plan was for the parking spots to have railroad ties instead of typical concrete parking blocks to hopefully prevent any damage.

After no further questions or comments Chairman Traynor asked for a motion.

Mr. Hudgins made a motion to grant commercial appearance review approval with the condition for staff to have the ability to approve minor modifications to the site plan and elevations if needed and contingent upon the updated landscaping plans being approved by staff. Mr. Lettang seconded the motion. The motion was approved by a vote of 7-0.

3. Annexation Request: Duane and Doris Juell

Senior Planner Alex Moore provided a brief overview of the request, the purpose of which was to review and consider recommending approval to annex 0.99 acre located at 1029 Spratt Street, owned by Duane and Doris Juell. Moore stated that the current York County zoning designation was BD-III, Business Development District. He noted that the BD-III parameters were within the commissioners' packets.

Moore then indicated that with this annexation request that the property owner was also asking that the property be zoned to MXU, Mixed Use Development District. He stated that the property contained a single-story, masonry building. A print shop was currently operating within this building. In addition to this print shop, the applicant is proposing additional uses which would be considered on the subsequent agenda item.

Moore stated that though this property was designated as low-moderate density on the Fort Mill Land Use Map, it was also adjacent to property currently zoned MXU. Additionally, since the subject property is less than two acres, the Fort Mill Zoning Ordinance specifies that the zoning designation should be an extension of an existing district rather than a "stand-alone" zoning district. Thus, in this instance, MXU would be appropriate in that it would be an extension of the adjacent MXU district.

Moore noted that with annexations the potential traffic needed to be analyzed. To that end, a transportation technical memorandum (TTM) was prepared by Kimley-Horn, the town's consulting traffic engineering firm. This TTM indicated that neither the minimum number of daily trips nor the minimum number of peak hour trips would be triggered.

In sum, Moore stated that the property is contiguous to the Fort Mill town limits and thus was eligible for annexation. The annexation with a zoning designation of MXU is consistent with the recommendations of the town's comprehensive plan and with the designation of nearby properties. Thus, the MXU zoning request is consistent with previously adopted plans.

Chairman Traynor then asked about the parking as shown on the property survey.

Moore stated that the site currently contained 17 parking spaces including a van-accessible space. Additionally, there was existing asphalt to the east of this parking. Moore stated that at some point they would likely use this asphalt area to accommodate additional parking.

Chairman Traynor then indicated that he believed that more parking would most likely be needed for the proposed brewery use within the building.

Moore stated that the current number of 17 spaces was determined based on initial information given to staff. However, Moore then stated that if it was determined that the businesses necessitated more parking, then it must be provided prior to the issuance of the brewery's certificate of occupancy by the town.

Chairman Traynor indicated that he was still unsure if 17 would be adequate for both the brewery and the existing printing business. Thus, he asked staff to double check this requirement.

Planning Director Penelope Karagounis stated that staff would indeed check these requirements.

Ben Hudgins then asked if the plan should be redrawn to reflect that a formal parking arrangement would be included in the recently asphalted area of the site.

Senior Planner Moore reiterated that the site would have to comply with minimum code parking requirements prior to the issuance of the certificate of occupancy for the brewery.

Planning Director Karagounis interjected that the current discussion item was for annexation and that as the project moved forward that staff would ensure that adequate parking was in place.

Matt Lucarelli then asked for clarification about the MXU site plan which seemed to indicate that a portion of the subject property was located on the north side of Spratt Street.

Moore responded that the site plan was drawn with the intention of indicating that the property on the north side of Spratt Street also contained a York County zoning designation, rather than it being a part of the subject property.

Chairman Traynor then asked if there were any other questions from commission members.

Chris Wolfe stated that he was for the annexation. However, he had concerns about traffic ingress and egress in relation to this property.

There being no other comments, Chairman Traynor asked if any commission member would care to make a motion.

Dan Stout made a motion that Planning Commission recommend approval of this annexation proposal.

Andy Agrawal seconded the motion.

A roll call vote was then taken and the motion to recommend approval to annex the .99 acre property located at 1029 Spratt Street was confirmed by a vote of 7-0.

4. MXU Concept Plan and Development Conditions: Duane and Doris Juell (Crayton Heritage)

Senior Planner Alex Moore provided a brief overview of the next request, the purpose of which was to review and consider recommending approval on the MXU concept plan and associated development conditions for the property located at 1029 Spratt Street.

Moore stated that while the current use of a print shop at this location is permitted under the York County zoning designation of BD-III, the property owner had also proposed the additional of a brewery at 1029 Spratt Street. The brewery use is not permitted under the current BD-III zoning designation. Thus, the request for an MXU zoning designation was brought forth with the annexation proposal.

Moore then added that to facilitate the establishment of the MXU zoning district on this property, a concept plan and associated development conditions had to be developed. Along with the print shop and brewery, the proposed development conditions included allowances for a bike repair shop within the brewery area of the building. This would be permitted as accessory commercial use under the Fort Mill zoning ordinance.

In addition to these three uses, the applicant has also proposed that general commercial, retail, and office be permitted within this MXU zoning district. Moore then stated that the MXU concept plan and associated development conditions do meet Town of Fort Mill criteria as submitted.

Chairman Traynor asked if outdoor music and entertainment would be permitted as part of this MXU proposal.

Moore stated that he was not certain if the applicant intended to have outdoor music and entertainment as part of the brewery.

Planning Director Karagounis indicated that both the property owner, Duane Juell, along with RJ Manoni of Little York Brewery, were attending the meeting virtually and that could take the question.

Mr. Manoni stated that there would be a deck for outdoor seating, but that there would be no outdoor music or entertainment.

Chairman Traynor thanked Mr. Manoni for the information and asked if there were any other questions or comments.

Chris Wolfe then noted several points that he wanted to make sure were covered in the review of the MXU plan and conditions. These included the issue of parking that had been

discussed previously, the requirement of 20% open space within this MXU, along with buffering of the outdoor seating area.

Senior Planner Moore stated that the MXU plan indicated that the 20% open space requirement was met. Regarding the buffering of the outdoor seating, Moore stated that buffering had not been discussed thus far in the proceedings, but that Mr. Wolfe could certainly make this a condition.

Mr. Wolfe reiterated that buffering the outdoor seating was very important so that the new use would be a good neighbor to previously existing residential uses near the site. Additionally, Mr. Wolfe brought up his concern with the allowable building height of 60-feet within the MXU district as noted in the development conditions. He did not believe this to be appropriate for this location.

Senior Planner Moore recommended that Planning Commission institute a condition within the development standards for this MXU district which limited the height to a more agreeable level.

Mr. Wolfe stated that he just wanted to make sure that the heights were congruent with the existing residential surroundings. Additionally, Mr. Wolfe stated that he wanted to ensure that traffic ingress and egress on the site was looked at for safety.

Planning Director Karagounis stated that the transportation technical memorandum that was completed indicated that all minimum safety standards would be met regarding ingress and egress to the site.

In terms of addressing the other concerns that Mr. Wolfe had brought forth, Planning Director Karagounis stated that with the form of a motion, we could ensure that height, parking, and buffering could each be dealt with as appropriate.

Hynek Lettang then asked how close the building was to the 30 MPH transition zone.

Mr. Wolfe stated that this building was within the 30 MPH zone.

The owner of the property, Duane Juell, stated that the property was within this zone. Mr. Juell then asked if there might be a way for speed bumps to be placed within this 30 MPH zone.

Planning Director Karagounis stated that this was not a possibility as Spratt Street is a state road.

Mr. Juell then asked if an additional curb cut could be added to his property in the vicinity of Peachtree Lane.

Senior Planner Moore responded that this would also be under control of SCDOT and would be unlikely.

Mr. Juell then stated that he did indeed plan to expand the parking lot into that portion of the site containing unmarked asphalt and that he hoped to obtain a total of 40 parking spaces on the site.

Chairman Traynor asked Planning Director Karagounis if this parking would be reviewed as part of the plan submittal process.

Planning Director Karagounis responded affirmatively.

Zoning Administrator Nick Cauthen then interjected that there would be a vehicular area setback requirement of 25-feet adjacent to a residential use or zoning district.

Chairman Traynor then asked if there were any other questions or comments.

Hynek Lettang then asked if the required parking minimums could be looked at with respect to the time of day within which each of the two principal uses were operating.

Chairman Traynor stated that it was not likely that such a proposal would meet zoning requirements.

Ben Hudgins and Chris Wolfe each reiterated their concern about the need for screening on the west side of the building.

Senior Planner Moore stated that staff would ensure that this use met all screening requirements. Additionally, he noted that language could be added which required additional buffering at this location.

Planning Director Karagounis stated that this could be added to the development conditions.

Mr. Wolfe agreed with this.

There being no other comments, Chairman Traynor asked if any commission member would care to make a motion.

Chris Wolfe made a motion to recommend that the MXU plan and development conditions be approved subject to the following conditions: (1) Parking for all businesses shall meet

current codes for the Town of Fort Mill; (2) The maximum building height shall be 40-feet; (3) Appropriate buffering shall be implemented to provide screening for adjacent neighbors.

Ben Hudgins seconded the motion.

A roll call vote was then taken and the motion to recommend approval of the MXU concept plan and associated development conditions, including the three additional conditions as stated within the motion, for the property located at 1029 Spratt Street was confirmed by a vote of 7-0.

5. Annexation Request: William R. Adkins (Pleasant/Whitley Project)

Planning Director Penelope Karagounis presented the information for the ordinance annexing York County Tax Map Number 653-00-00-210, containing approximately 7.30 +/- acres located at the southwest corner of Pleasant Road and Whitley Road. The applicant is proposing a MXU zoning district for this project. The property is contiguous to the Town limits, is therefore, eligible for annexation. This annexation had previously come through the Planning Commission meeting in September 2018. However, it was denied by Town Council in 2018 and the applicant completed a new annexation request. Before the annexation request, a TIA was completed and approved.

Chairman Traynor asked if Mr. Adkins lived on the property? Wink Rea answered that the property is raw land and no one lives on the property.

There being no other comments, Chairman Traynor asked if any commission member would care to make a motion. Commissioner Lucarelli made a motion to recommend approval of the annexation ordinance with a zoning designation of MXU. Commissioner Stout seconded the motion.

A roll call vote was then taken and the motion to recommend approval to annex the property located at the southwest corner of Pleasant Road and Whitley Road was confirmed by a vote of 7-0.

6. MXU Concept Plan and Development Conditions: Pleasant/Whitley Project:

Planning Director Penelope Karagounis presented the information for the ordinance adopting a Mixed-Use Concept Plan and Development Conditions for the Pleasant/Whitley MXU project. The applicant is proposing to develop up to 69 townhomes on the site. Fifty-one units of the sixty-nine are located on the proposed Adkins property. The remainder eighteen townhome units will be developed on the approved site of the Pleasant/Vista MXU project owned by Cooper Willis (Tracts 7a and 7b). The density is at 6.28 units per acre. There will be an emergency access (entrance) only off Pleasant Road. However, the main access point for the townhomes will be on Whitley Road.

A TIA was completed, and a Transportation Mitigation Agreement (TMA) was agreed by the applicant, Town of Fort Mill, and York County. The TMA summarizes the development plan, site access, and points of ingress/egress along with on and off-site improvement requirements, which would be the responsibility of the developer.

Chairman Traynor asked if the roads will be private? Assistant Town Manager, Chris Pettit mentioned they would need to build to town standards, but they can choose to keep the roads private.

Commissioner Wolfe discussed amending Section 16, Model Homes to have similar language that Commissioners proposed during the Pleasant/Vista MXU development conditions. There was also discussion between Commissioner Wolfe and Wink Rea about adding the language for the open space dedication to the Nation Ford Land Trust to the south of the property with Tracts 7a and 7b. Wink Rea mentioned that he would provide clarification of the language of the open space to Director Karagounis in the morning so it can be added to the development conditions of the Pleasant/Whitley MXU.

There being no other comments, Chairman Traynor asked if any commission member would care to make a motion. Commissioner Wolfe made a motion to approve the Pleasant/Whitley MXU Concept Plan and Development Conditions with the following conditions: include language for the open space in regards to donation of property south of the overhead power easement for the Cooper Parcel (Pleasant/Vista MXU) to the Nations Ford Land Trust; modify the model home section 16; modify the proposed building height to 45 feet; and for staff to be able to make minor adjustments as necessary regarding any overall design changes. Commissioner Lettang seconded the motion. The Planning Commission approved the Pleasant/Whitley MXU project by a vote of 7-0.

There being no further business, the meeting was adjourned at 8:08 pm.