

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
June 15, 2021
112 Confederate Street
6:30 PM**

**Live Viewing Online: Request Access by emailing before 5:00 pm on Tuesday, June 15, 2021 to
Penelope G. Karagounis, Planning Director at pkaragounis@fortmillsc.gov
Public Access by Phone: Dial (toll free) 1-877-309-2073 and use access code 683-201-285**

Present: James Traynor, Dan Stout, Andy Agrawal, Hynek Lettang, Chris Wolfe, Ben Hudgins, Assistant Town Manager Chris Pettit, Planning Director Penelope Karagounis, Senior Planner Alex Moore, Chairman of Tega Cay Planning Commission, Chris Leonard, Dan Mummey, Kerri Robusto, Phil Hayes, Steve McRae, Carmen Hamilton, Terry Boatwright, Glenn House, Wendy Montgomery, Ashok Patel, Owen Langston, Wink Rea, Epcon Communities: John Shamp, Bob Kardos, Ken Kardos, Mike Davis, and Phil Fankhauser.

Absent: Matt Lucarelli

Chairman James Traynor called the Planning Commission meeting to order at 6:30 pm on Tuesday, June 15, 2021. Chairman Traynor gave opportunity to the Planning Commission to review and comment on the May 18, 2021 meeting minutes. After no discussion, Commissioner Wolfe made a motion to approve the minutes and Commissioner Stout seconded the motion. The minutes for May 18, 2021 were approved with conditions by a vote of 6-0. Commissioner Lucarelli was absent.

NEW BUSINESS ITEMS

1. Road Name Approval: Springfield Town Center Phase II

Planning Director Penelope Karagounis indicated that Mr. Dan Mummey of Clear Springs Development Company, LLC would be providing an overview of the request for approval of new road names in Springfield Town Center Phase II.

Mr. Mummey stated that the Town of Fort Mill had informed him that a recently revised list of county approved street names had not been sent to the town planning department. Rather, the current list of road names within the Planning Commission packet were not correct. Clear Springs Development, LLC had in fact requested that the road names now present in the packet be revised with those approved by York County Public Safety Communications on April 9th, 2021.

Mr. Mummey then handed out a site plan reflecting these revised names and locations for the respective streets within Springfield Town Center Phase II. The revised street names as approved by York County on April 9th, 2021, were as follows: Pasture Crossing, James

Traynor Lane, Heirloom Court, Dairyman Drive, Plough Street, Threshing Court, Plowman Lane, Commodity Drive, Hops Alley, and Barrel Alley.

Mr. Mummey pointed out that there were more street names within this approved list than there were streets on the current plan. The reason was twofold. First, York County Public Safety Communications typically provides street names in groups of ten, and second, this list will also provide them with the ability to name additional streets that may be needed within Springfield Town Center Phase II which are not currently depicted on the plan. Planning Commission member Ben Hudgins made a motion to approve the Springfield Town Center, Phase II, street names as presented. Planning Commission member Hynek Lettang seconded the motion.

Chairman Traynor then asked if there were any questions or comments on the street names. Planning Commission member Chris Wolfe stated that a stipulation should be added to the motion that the approved street names shall be as submitted tonight rather than those included within the agenda packet. Mr. Wolfe indicated that this needed to be done to clarify which street names were approved.

Mr. Hudgins accepted that this stipulation be added to his motion. There being no further questions or discussion, Chairman Traynor indicated that a vote could now be taken with the caveat that he would abstain.

The street names as submitted were then approved by a vote of 5-0. Chairman Traynor abstained from voting on this matter and Commissioner Lucarelli was absent.

2. **Annexation Request and Rezoning Request for Crossroads Development Partners, LLC; Amendment to Comprehensive Plan; and Development Agreement Request for the Crossroads Development Partners, LLC:** Before the Planning Director presented the information. Phil Hayes from the Crossroads Development Partners, LLC gave a presentation about the Crossroads development project.

Planning Director Karagounis discussed how the Crossroads project had four ordinances and it was beneficial to present the information as one project by discussing the annexation, rezoning, amendment of the Comprehensive Plan and Development Agreement request.

The applicant, Crossroads Development Partners, LLC requested an annexation request for Tax Map Numbers: 738-00-00-059, portion of 738-00-00-094, 738-00-00-077, & 738-00-00-046. The subject property consists of 36.71 +/- acres and is located on Fort Mill Parkway and off of Haire Road.

The annexation development application required the completion of a traffic impact analysis (TIA). Preparation of this TIA was completed by the town's traffic engineering consultant and included coordination with SCDOT. Completion of this TIA indicated the necessity of off-site transportation improvements to mitigate the development's impact to

the transportation network. Construction of these off-site transportation improvements will be the responsibility of the developer.

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

Commissioner Agrawal made a motion that the Planning Commission recommend approval of this annexation proposal. Commissioner Stout seconded the motion. A roll call vote was then taken and the motion to recommend approval for annexation was confirmed by a vote of 4-2.

The rezoning application was also requested for Tax map Numbers 020-17-01-064 & 020-17-01-065. The properties are currently undeveloped and is located at the intersection of North Dobys Bridge Road and Williams Road, and along the Fort Mill Parkway. The property consists of 78.26 +/- acres. A transportation mitigation agreement (TMA) was completed and signed.

The properties are currently zoned PND Planned Neighborhood Development. The applicant has requested to change the zoning designation from PND to MXU Mixed-Use, with the intent of entering into a development agreement with the town.

While the Town's Comprehensive Plan recommends "Low-Moderate Density" as the preferred land use in this location, in this case, amending the Future Land Use Map contained within the Town of Fort Mill 2040 Comprehensive Plan to Mixed Use – Neighborhood is deemed consistent with the applicant's proposal as noted above. In addition to the agenda item regarding annexation and recognizing the applicant is seeking to enter into a development agreement with the town, These parcels meet Town of Fort Mill criteria for rezoning and the property is eligible for a rezoning request and the proposed request meets all zoning requirements.

Commissioner Agrawal made a motion that the Planning Commission recommend approval of the rezoning request to MXU. Commissioner Stout seconded the motion. A roll call vote was then taken and the motion to recommend approval for rezoning was confirmed by a vote of 4-2.

The third ordinance is an ordinance amending the Town of Fort Mill 2040 Comprehensive Plan, which was adopted December 14, 2020 to amend the Future Land Use Map. Commissioner Agrawal identified the error on the ordinance and Planning Director noted for the record that the adopted Comprehensive Plan was adopted on December 14, 2020.

The South Carolina Local Government Comprehensive Planning Enabling Act, specifically § 6-29-510(D)(7), requires that a municipal comprehensive plan shall include a land use element which considers existing and future land use by categories, including residential, commercial, industrial, agricultural, forestry, mining, public and quasi-public, recreation, parks, open space, and vacant or undeveloped.

The Crossroads Development Partners, LLC are requesting to enter into a development agreement with the Town of Fort Mill for a Mixed Use (MXU) project called Crossroads. Currently the parcels located in this development are classified as Residential Low/Moderate Density. The proposed amendment to the future land use map for these parcels will be Mixed-Use – Neighborhood.

Staff recommends in favor of modifying the comprehensive plan to update the Future Land Use Map contained in the Town of Fort Mill 2040 Comprehensive Plan. This amendment would allow the Development Agreement for Crossroads to meet the requirement of complying with the future land use map.

Commissioner Hudgins had major concerns about going against the Comprehensive Plan and amending the future land use map. Chairman Traynor explained to the Commissioners that some of the land was not in the Town limits. Planning Director Karagounis explained that if the land was vacant in the Town limits, they might have left it low-moderate on the future land use map.

Commissioner Agrawal made a motion to recommend approval of the amendment of the Comprehensive Plan Future Land Use Plan. Commissioner Stout seconded the motion. A roll call vote as then taken and the motion to recommend approval for the amendment of the future land use map in the Comprehensive Plan was confirmed by a vote of 3-3. Since the vote tied, the motion failed.

The fourth request is an ordinance authorizing the entry by the Town of Fort Mill into a development agreement with Crossroads Development Partners, LLC, a North Carolina limited liability company, J. Max Hinson, LLC; J. Max Hinson, Jr; J. Max Hinson, III; Marshall Odell Hinson; J. Max Hinson, Jr., as Custodian for Adam Jason Hinson; Raynold Lee Saar and Christy Lee Saar; Lynnell Simmons Bailey, Judith Alesia Kimbrell, James Wayne Lancaster, Ronald Allen Vogel, John W. Maye, Sr., Brenda B. Tyson and Ronald H. Bailey; Christopher Robert Blanton, Vonnie James Blanton and Kenneth Dwayne Blanton and Thomas G. Haire for property located at York County Tax Map Numbers 020-17-01-064, 020-17-01-065, 738-00-00-046, 738-00-00-059, 738-00-00-077, and portion of 738-00-00-094, containing approximately 114.97 acres located on Fort Mill Parkway; authorizing the execution and delivery of such development agreement; and other matters relating thereto.

The six parcels contained within the proposed development agreement are currently pending annexation or rezoning. The applicant has requested a zoning designation of MXU Mixed Use for all six parcels. The MXU district allows any mixture of permitted uses proposed by the applicant and approved by the town council. Such uses and densities must be defined and approved in project-specific development standards/conditions, or in a development agreement between the applicant and the town.

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

The applicant proposed the following uses and densities as part of the draft development agreement.

Use	Max./Min. (As Applicable) Floor Area (SF) or Units
Commercial	Minimum 239,500 Square Feet

Independent & Assisted Living, Memory Care	Maximum 220 units*
Residential (Total)	Up to 240 units*
Residential (Single-Family Detached)	Up to 150 units
Residential (Townhome)	Up to 90 units

* All of the total 240 residential units and all 220 units in the Independent & Assisted Living and Memory Care Facility or Facilities shall be Age-Restricted Units.

As stated in the previous agenda items, staff believes that the annexation and rezoning requests and the amendment of the future land use map, as well as the proposed development plan, are consistent with the town’s comprehensive plan. As with all mixed-use projects, however, permitted uses and densities are ultimately left to Town Council’s discretion.

After all the reports were presented by Planning Director Karagounis, a discussion began with the Planning Commission members. There were various dialogue themes with this project in regard to safety of connectivity, preservation of trees, the necessary right of way that the Fort Mill Parkway has, the width of the proposed sidewalks, traffic, and security.

Commissioner Wolfe and Agrawal mentioned that more language about the design and type of trail is needed in the development agreement and development conditions. Commissioner Wolfe asked about pedestrian tunnel. Planning Director Karagounis mentioned that the applicant wanted to propose a pedestrian tunnel but when they looked at the costs of the pedestrian tunnel, it was not feasible.

The applicant explained he would provide a safe crosswalk at one of the access locations on the Fort Mill Parkway for citizens to cross. It is anticipated once a signal warrant analysis is completed, the crosswalk would be part of a controlled signal intersection. A Transportation Mitigation Agreement (TMA) has been signed and is included in the development agreement.

Commissioner Wolfe had concerns for the existing residents and how this was going to affect them. The discussion was made about having more civil drawings to know more about the proposed open space and trails for this project.

Commissioner Wolfe discussed for staff to review the width of sidewalks in relation to the Highway Corridor Overlay- Node.

Commissioner Lettang mentioned the importance of amenities and cited a lawsuit that the Sun City, Carolina Lakes HOA filed against Pulte in Lancaster County, South Carolina. Chairman Traynor mentioned that Pulte was not the master developer for the proposed Crossroads development.

Chairman Traynor asked what happens if you develop more than the minimum that was stated in the TIA? Planning Director Karagounis answered the question that the TIA would need to be amended. Commissioner Wolfe concerned with already traffic on Fort Mill Parkway and the already projects that have been approved before the Crossroads development consideration.

There was discussion about the right-of-way width along the Fort Mill Parkway. The applicant mentioned he believes there is approximately 100 feet or more of right-of-way reserved on the Fort Mill Parkway.

Commissioner Stout was concerned about the safety of the age-restricted residents. Applicant, Phil Hayes said he did not have an answer at this time for what type of security would be in place for the age-restricted townhomes or patio homes.

Commissioner Lettang and Commissioner Hudgins wanted to know if there was any feedback from the community about this proposed new project? Planning Director Karagounis mentioned how Mrs. Carmen Hamilton had reached out to Davy Broom and the Planning Director also talked to Glenn House on the phone. Planning Director Karagounis mentioned to the applicant, Phil Hayes before submission to reach out to the community surrounding their project. Phil Hayes mentioned he is working on setting up a meeting with the residents of White Grove and Sandy Pointe, as well as other residents.

Regarding the question from the Planning Commission members on why there was a lack of community feedback before the Planning Commission meeting? The public hearing is held at the Town Council meeting, where the Planning Staff advertises the notice in the newspaper, and we post the property before the public hearing. The public is allowed to make comments at the public hearing section of the Town Council meeting.

Planning Director Karagounis mentioned that she would like for the Commission to consider the following conditions to add to the development agreement and development conditions:

- No convenience store or gas station will be allowed as a permissible use in this development
- A percentage of the assisted living, independent living, and memory care facility is needed
- An explanation of details for the design of the proposed trails
- There will be only dumpster service for the proposed assisted living/independent living/memory care facility.
- Add "portion of" to Tax Map 738-00-00-094

Planning Director Karagounis asked if the Planning Commission had anything else to add? Commissioner Wolfe wanted some verbiage to protect the existing trees. Phil Hayes mentioned that he could provide some assurance to protect 30 inch or greater trees in the open space natural areas.

The Planning Commission had concerns about the following topics in the development agreement and in the development conditions:

1. A gas station or convenience store shall not be a permitted use in this development.
2. A more detail of the percentage of the mix in types of independent and assisted living and memory care facility.

3. The width of sidewalks on the FM Parkway to be not less than 8 feet along the proposed project frontage and not less than 5 feet in width shall be constructed along all the project's frontage on Williams and Dobys Bridge Road.
4. More detailed description of the open space section and the proposed trails.
5. Clarification on streetscape buffers
6. Adding "portion of" to the Blanton Property for Tax Map Number 738-00-00-094. The portion on the eastern side of the Fort Mill Parkway known as the Blanton property would only be including in this development agreement and MXU project known as the Crossroads.
7. For the Independent and assisted living and memory care facility, an enclosed dumpster service would be the source of collecting their trash.

These above items were made in a motion by Commissioner Hudgins and seconded by Commissioner Agrawal for recommendation of approval with the above conditions. The Planning Commission authorized Town Staff to work with the developer to amend the language in the development agreement and development conditions to address their concerns. Planning Commission recommended approval by a vote of 4-2 to approve the development agreement and the development conditions to reflect the above conditions.

There being no further business, the meeting was adjourned at 8:27 pm.

There being no further business, the meeting was adjourned at 8:06 pm.