

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
September 19, 2023
112 Confederate Street
6:00 PM**

Present: James Traynor, Dan Stout, Mark Kerr, Sarah Curtis, Matt Lucarelli, Erin Pratt, Planning Director Penelope Karagounis, Senior Planner Alex Moore, David Buist (Ferrara Buist/Vulcan), Shannon Boiling (David Weekly Homes-Restore at River Crossing), Krista Long (David Weekly Homes-Restore at River Crossing), Deborah Bell (Resident), Christina Martins (Resident), Addi Berry (Restore at River Crossing), Tony Berry (Restore at River Crossing), Luke Woodburn (Clear Springs), Dan Mummey (Clear Springs) Matt Ragona (Ragona Architectural and Design), Michael Newman (MOV Engineering), Ashok Patel (Holbrook Road Annexation), and Ben Hudgins (Town Council Member)

Absent: Jason Therrell

Chairman James Traynor called the Planning Commission meeting to order at 6:00 pm on Tuesday, September 19, 2023.

APPROVAL OF MINUTES

Chairman Traynor gave an opportunity to the Planning Commission to review and comment on the August 15, 2023, Planning Commission meeting minutes.

Chairman Traynor had the following corrections that he discussed with the Planning Commission: Second paragraph under Commercial Appearance Review: Fort Mill Vision Center first sentence to read "Chairman Traynor mentioned that he does not believe the Planning Commission has approved a metal building." Then the last paragraph the following correction to read There was discussion again "about using an alternative veneer to the metal siding, so there would not be any metal showing on the building." Commissioner Curtis made a motion to approve the commercial appearance review with conditions that alternate material options" should be provided to staff to cover the metals; stone "veneer was acceptable;" and the appearance of the new building should complement the existing building's feature of Hardieplank or similar building material.

Commissioner Stout made a motion to approve the minutes with those edits, and Commissioner Kerr seconded the motion to approve with edits. The vote passed 6-0

NEW BUSINESS ITEMS

1. Commercial Appearance Review: 601 Springcrest Drive

Planning Director Penelope Karagounis read the staff report. This is a request from Samantha Kriegshauser for an Adult Enrichment Center to grant commercial appearance review approval for a new proposed canopy to the existing building located at 601 Springcrest Drive.

The property was previously the Fort Mill Pharmacy. The future use is an Adult Enrichment Center. The applicant is proposing to construct a canopy over the existing drive thru lane with the following:

- The columns will either be 4" X 4" or 6" X 6" depending on the final structural design.
- The canopy metal will be a baked on painted finish to match the existing white accents on the building.
- The canopy dimensions are 14' X 10'.
- The applicant will be utilizing a Sunbrella woven acrylic fire treated fabric in Forest Green color (samples were provided).

The applicant has noted the proposed improvements have been preapproved by Clear Springs. Matt Ragona explained they are attaching it to the roof with the green color. The drop off is a requirement from DHEC to have a covered drop off area to enter the building. They will work with the engineer for the prefabricated to be able to accommodate the look of the structure and to align with the roof line of the building. Commissioner Lucarelli recommended green columns to match instead of white columns. Commissioner Lucarelli made a motion to approve pending review by Town staff and to allow for minor modifications as recommended today by the Planning Commission. Commissioner Stout seconded the motion, and the vote to approve was 6-0.

2. Commercial Appearance Review: 368 Fort Mill Parkway

Planning Director Penelope Karagounis read the staff report. This is a request from Vulcan Property Group to grant commercial appearance review approval for a proposed canopy to 368 Fort Mill Parkway. The building is currently permitted for construction. Planning Commission originally approved the building for Commercial Appearance Review on July 19, 2023. To plan for future tenant Adult Daycare Town Square, the applicant is proposing to amend the original approval to construct a canopy to modify the original approved plans. The canopy dimensions are 20' 10" X 35' 8" and will consist of the approved Dark Anodized Bronze color. Updated elevations were provided.

David Buist brought the samples of the materials to show to the Planning Commission. He mentioned that the canopy is required for licensure for this Adult Daycare Center by DHEC. There will be some canopy lighting required. Commissioner Pratt asked about

the handicap parking spot. Mr. David Buist shifted the handicap parking spot further down so this area for the canopy will not delete the current required handicap parking spot.

Commissioner Lucarelli made a motion to approve with allowing staff to make any minor modifications. Commissioner seconded the motion and the vote to approve was 6-0.

3. Annexation Request: Ashok Patel

Planning Director Karagounis read the staff report. The Town has received an annexation petition for York County Tax Map Number (s) 738-00-00-063 and a portion of 738-00-00-062. The subject property consists of 5.25 +/- acres and is located at the intersection of Fort Mill Parkway and Holbrook Road. The applicant would like to annex and receive the HC, Highway Commercial zoning district. His proposed development is to include an 8,760 square foot strip retail plaza, 7,200 square foot high turnover sit down restaurant, and 7,500 square foot fast food restaurant with a drive thru. The applicant shared a draft site plan for a Traffic Impact Analysis to be completed and approved before the annexation application. A transportation mitigation agreement (TMA) has been agreed and signed by both the applicant and the Town for the applicant to be obligated to the traffic improvements for this site. These parcels are contiguous to the town limits and is therefore, eligible for annexation.

Michael Newman highlighted the area in red to explain the portion of the parcel and the other existing parcel to explain the location of the proposed property. Chairman Traynor questioned if the +/- 23,000 square footage would be all the development on the 5.25 acres. Planning Director Karagounis and Michael Newman (MOV Engineering) explained to the board, a traffic impact analysis was required, and we need to know all uses that they would like to propose on the site. Planning Director Karagounis explained that no civil plans have been submitted so the +/- 23,000 square feet could decrease but for the purpose of potential land use uses/intensities we needed to know the square footage of those uses to conduct the Traffic Impact Analysis.

Commissioner Stout has if there would be access available to the existing gravel drive to a single-family house. Mr. Newman stated they would be provided access to the portion of the parcel that will remain in the County.

Chairman Traynor asked if staff had considered to give the zoning designation LC, Local Commercial. Planning Director Karagounis stated because the parcel at the corner of Fort Mill Parkway and the adjacent parcels which are in the Town are zoned HC, High Commercial, staff felt it would be comparable for this annexation request to ask for a similar zoning district to comply with the surrounding zoning.

Commissioner Stout cited a date error on the draft Ordinance. Commissioner Kerr

made a motion to recommend approval the annexation with HC, Highway Commercial zoning district. Mr. Stout seconded the motion and the vote for the recommendation of approval was a vote of 4-2. This will be forwarded to Town Council at the Monday, October 9, 2023, Town Council meeting with a public hearing.

4. Annexation Request: Clear Springs

Senior Planner Alex Moore presented the staff report. The Town has received an annexation petition for York County Tax Map Number (s) 731-00-00-011 and right-of-way area as described in attached, quitclaims deeds recorded in BK: 20053 PG: 351-355 and BK: 20472 PG: 27-30 containing approximately 14.29 +/- acres and is located along Springfield Parkway, between the Merritt Road intersections. These parcels are currently zoned AGC in York County and if the parcels are annexed, their zoning district would be MXU, Mixed Use.

The annexation request was initiated at the request of the Town of Fort Mill to facilitate improved emergency response. This area is comprised of existing Springfield Parkway/SC HWY 460 road right-of-way. Thus, there will be no increased traffic due to this annexation. Based on the future land use map, and recommendations from the 2040 Town of Fort Mill Comprehensive Plan update, staff believes that the zoning request is consistent with previously adopted plans.

Luke Woodburn (Clear Springs) stated these are strips of land are left over from Springfield Parkway and Steele Street old ROWs. Dan Mummey (Clear Springs) also stated these are left over strips from the roads to be deeded over to the greenway so we can clean it up for emergency services. They were approached by the Town to help clean up the area of the road for emergency services since the greenway is in the Town limits.

Commissioner Lucarelli made a motion to recommend annexing the parcels into the Town limits with a zoning designation of MXU, Mixed-Use. Commissioner Stout seconded the motion and the vote to recommend approval of the annexation with a MXU, Mixed-Use zoning district was 6-0.

5. Rezoning Request: Restore at River Crossing (Tony Berry)

Planning Director Karagounis presented the staff report. The property is currently zoned HC, Highway Commercial. The applicant has requested to change the zoning designation from HC, Highway Commercial to MXU, Mixed Use. The applicant is seeking to rezone this property to allow for a mixed residential development to serve the needs of the 55 and up community in Fort Mill.

The applicant provided a site plan for his proposed project and is proposing 364 age-restricted residential dwelling units. The breakdown of the unit type is:

Assisted Living: 12 units
Independent Living: 24 units
Active Adult: 328 units

These units represent a mixture of building types from apartments, duplex, quadraplex, and single-family homes. The proposed density is +/- 7.24 dwelling units per acre.

The rezoning application did require 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 to connect sidewalk along the extension of River Crossing Drive to existing sidewalk on both sides, to provide a stop bar on the Brookmead Drive approach and to construct a northbound left-turn lane along US 21 with 150 feet of storage. A copy of the transportation mitigation agreement (TMA) is attached to this report.

According to the Fire Marshal, Eric Werner there are potential issues with the number of dead-end turnarounds. Various dead ends depicted on sketch appear to be greater than 150 feet, which would require apparatus turnarounds conforming with 2021 IFC Appendix D. The number of dead ends proposed poses issues with emergency response. The internal duplex and quadraplex units pose issues for emergency response as it seems they do not have direct access from the street.

Tony Berry did mention that all streets and trash pickup will be maintained privately, and the Town will not be responsible for those services.

Commissioner Stout mentioned that the location of the amenity areas and the need for closer proximity of open space near the proposed units was a concern of his. He also mentioned there could be a need for more parking. Mr. Berry stated that he was meeting the requirement for parking and the stack units did offer two car garages. Mr. Berry stated that the site is 50 acres, and he has more than the 20% requirement for the open space. He has designed the amenity center to serve as a "cruise ship on the land" and provides this in a centralized location.

Mr. Berry did mention at the meeting that the units would be less than 364 age-restricted residential dwelling units and his new number was 352 units. Planning Director Karagounis stated this is the first-time hearing of the reduction and any changes of the development conditions needs to be amended and reflected in the MXU Development Conditions.

Commissioner Pratt did have some concerns for the landscaping and buffer to help the noise since the property abuts Interstate 77. Mr. Berry stated a retaining wall would be needed to build up the site. He stated he would ask SCDOT to work with him on providing landscaping or fence buffer along the interstate.

Commissioner Pratt also asked if the intersection at River Crossing Drive and Sutton Road would have a traffic signal. Mr. Berry stated the traffic signal is not warranted at this time and SCDOT would not allow a traffic signal at the intersection unless if it is warranted for one.

There was discussion between the applicant and Commissioner Lucarelli about how the proposed development meets the traffic standards. However, Commissioner Lucarelli emphasized just because it meets the traffic standards does not mean we should approve higher densities. The intent of the MXU development is to be able to be in conformity with the comprehensive plan and to meet the standards of the MXU development where you have a variation of all land uses for the proposed development. Currently, the project does not comply with the future land use map of the Comprehensive Plan. There were some questions if Council would amend the future land use map. Planning Director Karagounis stated in the past when there is a Development Agreement, Council has amended the future land use map of the Comprehensive Plan. However, this rezoning request does not have a development agreement and she did not believe Council would amend the future land use map at this time.

Mr. Berry mentioned that the proposed development does not have the traditional commercial uses, but his development does propose a variation of residential uses with open space with natural surface trails. There was discussion on the type of natural surface trail. Mr. Berry stated a “plantation mix” which is semi pervious and considered ADA compliant for natural surface. Planning Director Karagounis mentioned details of items like types of natural surface should be detailed in the development conditions of the MXU, which currently does not have the detailed information. Her suggestion would also have engineering drawings to determine the location of the natural surface trail so there would not be any slope or drainage issues with the natural surface trail.

There was some discussion about what “Independent Living” means and Mr. Berry stated that one meal a day is offered and one cleaning of room a week is offered for the resident.

Chairman Traynor stated tonight there is no public hearing meeting at the Planning Commission meeting, but he wanted to recognize two residents who came out to listen to the Restore at River Cross rezoning proposal. The two citizens were Deborah Bell and Christina Martins. They were concerned about buffer issues and how it would affect the privacy of their backyards. Ms. Bell wanted to understand what TIA meant, and Planning Director Karagounis explained to her a TIA was a Traffic Impact Analysis. Chairman Traynor suggested to the citizens to attend the public hearing on Monday, October 9, 2023, at the 6:00 pm Town Council meeting to voice their concerns.

After much discussion, Commissioner Kerr made a motion to recommend denial of the MXU rezoning request. Commissioner Lucarelli seconded the motion and the vote to recommend denying the rezoning request was 6-0. The meeting adjourned at 7:45 pm.