

Mr. Barnett to the Lancaster County Planning Commission. We look forward to working with him. For the month of January, we have two Development Review Committee cases. These Development Review Committee cases are new commercial projects. One project is Mr. Brent Whitlock's business and the second project is MGP Retail Site in Indian Land. Just a reminder, it is a new year and all Commissioners need to fulfill their continuing education classes. Judy and I will provide each commissioner some information about the classes in the near future.

SD-015-001 – Springview @ Bailes Ridge – Subdivision application of The Rains Group, LLC, for a proposed subdivision which will consist of 38 Single-Family residential lots.

Alex Moore – Presented the report.

Ronald Pappas made a motion to approve and Jerry Holt seconded the motion.

Ronald Pappas – I would like to withdraw the original motion and Jerry Holt seconded the motion.

Jerry Holt – The letter we received from Kerr America Corporation where they request that we require the developer to inform any future buyers of being adjacent to a textile manufacturer; is that something we can impose on the developer?

Charles Deese – I think through the attorney and county council that is something that could be addressed. I don't see how we can make them do it.

John Weaver – I agree Mr. Chairman. It's not something that the Planning Commission can mandate but I do think it would be a very prudent and wise to advise purchasers. It would be good to put that in writing and have them sign it; or surely there will be thirty seven law suits somewhere down the road. I will ensure that is addressed by county council also.

Ronald Pappas made a motion to approve with the following conditions: subject to planning staff and SCDOT's approval on the traffic issues being resolved that were stated in the report; requested variance for the connectivity be approved and noted in the records; consideration for an out of lane pocket for the mail kiosk's; Jerry Holt seconded the motion.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

Charles Deese – This recommendation will go to County Council on.....

Penelope Karagounis – No sir, subdivisions do not go to County Council. It has been approved and Alex Moore will provide you with the comments. Mr. Rain's has 15 business days to revise the preliminary plan.

SD-015-002 – The Preserve at Barber Rock – Subdivision application of Bonterra Builders, LLC, for a proposed subdivision which will consist of 52 traditional Single-Family lots.

Andy Rowe – Presented the report.

Penelope Karagounis – We received a telephone call from Vic Edwards with SCDOT this morning and he indicated because of the location before they give an encroachment permit they want to see if an increase in radius is needed or if it isn't needed.

Peter Tatge – Peter Tatge with ESP Associates, 3475 Lakemont Blvd., Fort Mill SC. I also here with Mike Kissel who represents Bonterra Builders, LLC. Commissioner Holt had asked that we provide some information on the auto turn diagram. Included in your packet are two emails from Stephen Blackwelder and Jeff Catoe reaffirming that in the event needed we can run the fire truck around the pocket park and they are ok with it. Staff has pointed out reasons for the variance such as unique characteristics of the property, geometric configuration, the entrance in relationship to the frontage of the road; it is a safety consideration and we are fully aware of the need to provide the road profiles that have been discussed. We want to provide some open space and have provided an attractive feature as you enter the community as well as a large pocket park. We also want to provide a location for the mail kiosk that is not in a lane of traffic has been discussed as well. Another issue was the mention of a turn lane; there is a left turn lane.

Penelope Karagounis – An offset right turn lane? Are you talking about a left turn lane into the subdivision?

Peter Tatge – Correct, but no right turn lane.

Penelope Karagounis – The discussion was once you get your encroachment permit if there is a need for a larger radius in order to not stop on Barberville Road.

Peter Tatge – We are certainly in favor of that. With that being said, the other question and discussion was about the planning strip and the placement of the trees; we will be meeting with staff and discussing next week. I think we are open to placing the trees behind the sidewalk and if there is an easement that is going to be required to accomplish that. We do not want to do away with the planning strip. We think that would diminish the character of the community of what we are trying to achieve here at Barber Rock. These homes are \$380,000 to \$400,000 plus thousand dollars. If the tree can't go on the planning strip we are ok with that. We don't want mom pushing a baby in a stroller inches from the curb and the street. I think we can work through the infrastructure issue and the tree placement with staff.

Jerry Holt made a motion to approve with the following conditions: two variance requests to be approved (based on Chapter 26 Article V, Division 1 Section 26-61(3); contingent upon all comments being addressed from the local agencies; also planning and zoning staff completing analysis of street yard trees; Ronald Pappas seconded the motion.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

SD-015-003 – The Overlook @ Barber Rock – Subdivision application of Bonterra Builders, LLC, for a proposed subdivision which will consist of 125 traditional single-family lots.

Penelope Karagounis – Presented the report.

Peter Tatge – Peter Tatge with ESP Associates, 3475 Lakemont Blvd., Fort Mill SC. I'm also here with Mike Kissel who represents Bonterra Builders, LLC. We will be working with staff regarding the comments that have been made. We are in favor of the outcome of your discussions with SCDOT. Also address the tree placement in the yard and not having to eliminate a planning strip to achieve the objective of the zoning administrator. We would not want to push the sidewalk to the back of the curb as noted in the staff report. We would want to keep the planting strip and work with staff to place the tree behind the sidewalk in the yard. If there is an easement required; I believe the applicant is in favor of producing that at final plat stage.

Jerry Holt made a motion to approve with the following conditions: install a 40 foot radius on the entrance/exit road or as modified by SCDOT; the placement of the trees should be behind the sidewalk in accordance with the agreement between the planning and zoning department; Ronald Pappas seconded the motion.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

RZ-015-002 – Rezoning application of Haldenby Holdings, LLC and Landsford River Park, LLC c/o Cynthia Tyson to rezone ±231.66 acres from R-30, Low Density Residential/Agricultural District to I-2, Heavy Industrial District. The applicant is proposing a wood product manufacturing facility.

Nick Cauthen – Presented the report.

Bailey Patrick – Bailey Patrick, Commercial Real Estate with Merrifield Patrick and Vermillion. My address is 255 Cherokee Road, Charlotte NC. The owner's of this property are controlled by Cynthia Tyson who lives in Charlotte and hired our firm to represent her with marketing this property. She has approximately 1,395 acres down in this area that is along Riverside Drive. This property is at the southern point of that. It is accessed by Industrial Drive. The rail line along Riverside Drive I think creates a natural buffer and it also makes sense to have industrial and to have this property utilized as an industrial use. We would be very concerned and conscious of creating buffers greater than maybe the zoning might allow. Our intention is to negotiate a bigger buffer around the perimeter of the site. It seems to me to be a very appropriate zoning and use for the property. This is a great opportunity to create a very large employment center and

industrial park in Lancaster County given almost 1,400 acres here. I think this project could drive some improvements to the road access network and possibly utilities in the future that would make this a good use and a good outcome for the county long term.

Jerry Holt – You mentioned the willingness to make concessions or improvements as necessary to buffer the onsite operations. You alluded to potential improvements to the road. We drove that road this afternoon and that is one of the significant things between Route's 9 and 5. The road right now is in atrocious condition. In fact, we saw at least four different crosses placed where people had been the victims of accidents. What kind of traffic impact would you anticipate being imposed on that thoroughfare?

Keith Tunnel – I'm probably best to answer that Mr. Chairman and members of the commission. We've done a road study that has been completed and we can provide you with a copy. The company that is looking at this property hasn't committed yet. There are still negotiation's to take place. I'm meeting with someone on Thursday to schedule a meeting with SCDOT. They have expressed some willingness to look at that road. If the project comes the funds would be allocated to resurface that entire ten mile stretch of road plus place the widening strips as they did on Highway 5. You are correct; there have been three deaths on that road in the past 90 days. Having this road improved would benefit not only the company but to the community as well. We've done the study and know how much the cost is, we are going to work with different players including the Department of Commerce, Department of Transportation, and the county will also be involved. We are piecing together the infrastructure cost and where the money will come from to pay for those improvements should the company come.

Jerry Holt – The road looks like it needs more than just resurfacing.

Keith Tunnel – I will send you the plan tomorrow when I get back in the office. The plan does call for a build up and resurfacing in order to handle truck traffic. It's a 7.5 million dollar cost to beef that road up.

Penelope Karagounis – In Lancaster County any new commercial or industrial projects go through a development review committee. One of the checklists that we have for new commercial sites or industrial is a traffic impact study or what Mr. Bailey Patrick mentioned about the increase in buffers. That could be worked out with the development review committee as well.

Keith Tunnel – All of the players including the company are well aware that the road has to be improved to locate on Riverside if approved.

Jerry Holt – We also drove up the road a couple miles and noticed a new development going in there that I guess is comprised of almost 1,500 homes?

Penelope Karagounis – That is actually an old development. It was approved back in 2007 but due to the recession they are just now building homes.

Jerry Holt – This one is located between two existing industrial sites and on one hand it does make sense to have some continuity in that particular zone; it does concern me on the other that we are seeing a pretty massive development that will almost be coincidence with the development of this project should it be approved.

Penelope Karagounis – Just a little historical fact, the Riverchase Estates was actually zoned industrial I-2; they thought they could put single-family homes in an I-2 and then they rezoned the property. The developer was aware that the surrounding properties were zoned I-2.

Tommy Dabney – Is road going to be widened from number 9 all the way to 5?

Keith Tunnel – When I talk about widening I mean what they did on Highway 5 which I think is two or three widening strips; that is what the engineering plan calls for, but it would be the entire length from Highway 5 back to Highway 9. The entire length would be resurfaced and re-milled and then the widening strip on the side.

Ronald Pappas made a motion to approve and Vedia Hatfield seconded the motion.

Jerry Holt – I assume notices were mailed to adjacent property owners. Probably people effected may not live in the area but use that as a thoroughfare for their commute. The sign that advertised the rezoning; for such a large tract of land the sign wasn't placed near an intersection where it was really observable. It was placed parallel to the road rather than perpendicular and it was off on the other side of the railroad tracks. We drove by a couple of times and after we had gone by there I didn't think we had seen a sign at all. We really had to look for the sign posted on the property. I have a reservation that perhaps one of the reasons that we didn't get anymore feedback from residents is because they may not have known about it. I realize it was advertised in the paper and nearby residents were notified I assume by certified mail. But for general public who may use that road, I think there is a good chance that the sign for this rezoning was not apparent. We probably did the legal requirements but I do have the reservation that people who might be interested are not aware of it.

Charles Deese – Should staff go and relocate the sign or what do we suggest?

Penelope Karagounis – We don't mind adding another sign.

Jerry Holt – I think that one should be added at the intersection of Industrial Park Road and Riverside. That is the intersection where a great deal of the tract is visible since there are no trees in that section.

Penelope Karagounis – We will go out there tomorrow and put another sign.

Tommy Dabney – Very few people travel in that area and use that road because of the condition it is in but once it gets reconditioned, probably so.

Ronald Pappas made a motion to approve and Vedia Hatfield seconded the motion.

VOTE: 6 AFFIRMATIVE 1 NEGATIVE MOTION CARRIED

The one negative vote came from Jerry Holt.

Penelope Karagounis – This will go to county council on Monday, February 9th at 6:30pm.

RZ-015-003 – Rezoning application of Marty Harper to rezone ±1.153 acres from R-30, Low Density Residential/Agricultural District, to R-30S, Low Density Residential/Manufactured Housing/Agricultural District. The applicant proposes to place a single-wide manufactured home on the property.

Alex Moore – Presented the report.

Jerry Holt made a motion to approve and Tommy Dabney seconded the motion.

Jerry Holt – I understand the concept of spot zoning however when I look at the definition that was sited in here; it talks about a classification that is totally different from the surrounding area and to the detriment of other owners. This is an area where I don't think a manufactured home is going to be a detriment to anybody. If you look at the surrounding areas with B-3, with the reservoir and the treatment plant or pumping station, whatever that is there; that truly is a mixed.....The one neighbor that we did have the comment from being the church. They had no objection to it. It is so far removed from the road you can't tell what's back there and I believe the applicant stated his reasons. If there is a resident back there that can offer more security for his business and it appears that the church may have felt the same way. Generally I would not have been in favor of allowing manufactured homes to go into a residential area, but to me this is more improperly zoned as an R-30 in there. It's currently improperly zoned as I see it.

Sheila Hinson – I agree with everything he just said. The man owns the front and the back. It's his property and who will see him back there anyway. The government gets too involved anyway.

Jerry Holt made a motion to approve and Tommy Dabney seconded the motion.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

UDO-TA-015-001 – The application of Lancaster County Zoning Administrator to delete subsection 6 of Chapter 4, Conditional and Special Exception Uses, Section 4.1.17 Mini-Warehouses of the Lancaster County Unified Development Ordinance. The purpose of this amendment is to delete Subsection 6 which states “None of the side walls of the structure shall be over 12 feet in height.”

Penelope Karagounis – Presented the report.

Charles Deese – Make sure the requirement of the Unified Development Ordinance as far as height is mentioned that they have to meet that. We are deleting the 12 foot requirement but we are making them stay with the Unified Development Ordinance requirement for the maximum height.

Penelope Karagounis -- The text amendment for this is just for the conditional chapter. The height requirements is in I believe Chapter 5, that has not changed.

Charles Deese – This will go to county council on February 9th.

Ronald Pappas made a motion to approve and Vedia Hatfield seconded the motion.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

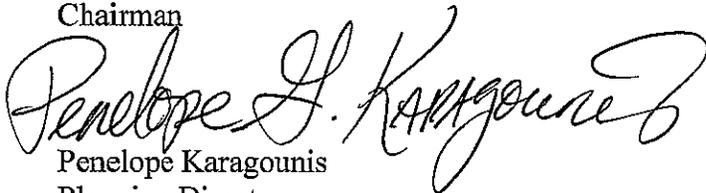
Jerry Holt made a motion to adjourn and Vedia Hatfield seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Respectfully Submitted,



Charles Deese
Chairman



Penelope Karagounis
Planning Director