



### Chairman's Report

We represent every district of this county. There are seven voting districts and there is a member from each on this commission. We spend a lot of time discussing everything that comes before this commission in our workshops and our regular meetings. We do appreciate your time to come out and sit in these meetings and see what we try to do to make this county better for everybody.

### Director's Report

Lancaster County has a new standing committee policy. There are three committees that have been created: Administration Committee; Infrastructure and Regulation Committee; and Public Safety Committee. The Planning Department is part of the Infrastructure and Regulation Committee. Councilman Larry Honeycutt is the Chairman of the Committee; Councilman Larry McCullough is the Vice Chairman of the Committee and Councilman Jack Estridge is a member of the Committee. The monthly meetings will be held the 2<sup>nd</sup> Tuesday at 3:00 p.m. in the Lancaster County Council Chambers/Conference Room. It depends on the size of public participation if the meetings will be in the Council Chambers or in the Conference Room. We had our first Infrastructure and Regulation Committee meeting on Tuesday, March 11, 2015 and it was primarily an introduction to this new process. For the month of March, we have a second meeting scheduled for Tuesday, March 24, 2015. This committee replaces the Development Agreement Committee. For example, we have a rezoning application for the former MI Homes site on Harrisburg and Barberville Road for a Cluster Subdivision Overlay District. The applicant is Sinacori Builders that have also submitted a Development Agreement. We will have a public hearing at the Planning Commission meeting on April 21, 2015 for the rezoning and also for the Development Agreement. After the Planning Commission makes a recommendation, this will get forwarded to the Infrastructure and Regulation Committee in May and then it will be forwarded in June to County Council. We will also use this committee to discuss any future text amendments and projects, specifically the one that we have currently which is the UDO rewrite. Basically it's just an educational type of committee; even though there are three members of County Council, other members of County Council can also attend the meeting. The public is invited to listen during these meetings but are not allowed to speak. We have been very busy the past two months with the Development Review Committee. Movement Mortgage went through the DRC process on February 24, 2015. On March 02, 2015, we held the DRC for the Preserve at Tree Tops. On March 10, 2015, we had the Indian Land Storage case and they are the first development to be required to do the Highway Corridor Overlay Standards. The applicant is Johnson Development which has met all regulations in the Highway Corridor Overlay District. They also elected to provide more landscaping to the rear of the property that faces the Cobblestone residential community. They also went a step further by following my recommendation to meet with the Home-Owners Association since their property did not have to go through a rezoning process. The property was already zoned B-3, General Commercial District and mini-warehouses is a conditional use in the B-3, General Commercial District. We appreciate the communication and transparency effort which Johnson Development made with the homeowners of Cobblestone. We are excited to see the first commercial project in Indian Land meet these standards since the incorporation of the regulations of the Highway

Corridor Overlay District. We appreciate all the efforts that the Planning Commission members contributed during the Highway Corridor Overlay creation. On March 24, 2015, we have three applications. The MGP Retail is returning for a second time with modifications. First Federal Properties and Heritage Hall Phase 2, Map 1 is also being heard at the DRC. On April 14, 2015, we have the Southlands Construction project going through the DRC process. Staff is working with Kara Drane, Catawba Regional Council of Government throughout the month of March with the rewrite of the Unified Development Ordinance. At the Planning Commission meeting on March 17, 2015 we will finalize the selection of the UDO Review Committee which we handled during the first part of our meeting for the February 17<sup>th</sup> agenda items. The three members that will be part of the UDO Review Committee will be Jerry Holt, Tommy Dabney, and Charles Deese. We look forward to working with all of you on the UDO Review Committee. The UDO Review Committee meetings will be posted and notified to the press.

Ronald Pappas – You mentioned the public would not necessarily be able to speak but will other members of the council and other members of this planning commission be able to have input?

Penelope Karagounis – The Planning Department is one department, and we have probably ten of us that are separated into the Infrastructure and Regulation Committee. So for instance, we are going to have deadlines a week before the meeting dates because there is an agenda. Whoever is presenting, there may be months lets say Kenneth Cauthen, Zoning Administrator, may not have anything but my department usually has controversial cases; so if there is something that a planning commissioner wants to come to a meeting to discuss, they would have to submit an agenda summary to Virginia Burgess, Deputy Clerk to Council. I do have a couple things for the April meeting for the Infrastructure and Regulation Committee and I will need to complete the appropriate forms as well. I guess from Planning Commission if the Chairman cannot attend then the Vice-Chairman can attend. This meeting will be advertised and the public can come listen but there are no public comments.

**SD-015-005 – Tree Tops – Preliminary subdivision plan application of Lennar Carolinas, LLC. The property is located at 9070 Van Wyck Road and consists of 613.613 acres.**

Alex Moore – Presented the report. (Name has been changed from Preserve at Tree Tops to “Tree Tops”).

Jerry Holt – Regarding the length of the cul-de-sac, variance request number 1 states the cul-de-sac is not to exceed the length of 1,750; the proposed design that they have in here indicates the proposed length is 1,641. Is there a difference or does that just give them flexibility?

Alex Moore – I think what they are asking for is flexibility but maybe they can clarify that. When it gets to construction plans they may find they need that extra length.

Stephen Blackwelder – Stephen Blackwelder, Fire Marshal, Lancaster County. As Mr. Moore stated, Jon Hardy, myself, and Darren Player met together and discussed this issue. An ideal world we would have two separate ways to get in and out of a subdivision. We have come up with a good compromise and one that will work. If we were to have to get those people out of that neighborhood, we could use both ways. In fact, we could probably have three lanes going out if we needed to. He looked at the option of going off his land onto the Nesbitt land and what happens five years from now when no one has touched that road and it hasn't been maintained. He would rather have it on his land so that it can be maintained in a readiness condition. As I stated, it's not an ideal situation but it is good and I appreciate them working with us and having it geared towards public safety.

Charles Deese – We have seen this happen in the past and often wonder what is going to happen and now we know what will happen here. We appreciate your input.

Jon Hardy – Jon Hardy/Lennar, 3434 Millstone Creek Road, Lancaster, SC. I have with me today, Tom Johnson, Lennar and Mark McAuley, Marshall Giles with ColeJenest & Stone. We are really pleased to be here representing Tree Tops and to have the staff recommendation that we do. It really was worthwhile to work with Stephen Blackwelder and his group to alleviate the concerns from the workshop. I have a greater appreciation for their sincerity and dedication for what they do on a daily basis. In addition to the quantity of open space that we have; I also want to mention that although the zoning is for at least 50% age restricted, we really plan on going as much age restricted as we can for a low impact on the schools. We had the opportunity since we met the timelines to submit for public roads. Lennar chose not to, and there was no pressure from the committee at the time to that. We really wanted to alleviate more roads to maintain for the county. As we did our analysis we believe our fee structure will be lower than the Sun City monthly fee structure and still do private roads and gates. We feel really proud that this first real cluster subdivision is going to help the county rather than hurt the county. I do want to say in defense of these guys that worked three straight nights until eleven or twelve in the morning; it really isn't a quick and dirty drawing but really is something they spent a lot of time energy and effort on. I want to also state for the record that we will have a variety of architecture in building materials; in that we plan on preserving trees that are twenty four inches or greater in the common open space. I think it's important and we plan on doing that. You have the product pallet in front of you. I don't think the drawing or the brochures do it justice. There are two and three car garages because we obviously heard the planning staff's recommendation for on street parking. We didn't want to create more impervious area so we've actually designed some homes with three car garages. We think we've heard the planning staff on that as well. There are a couple of plans that are not complete yet so I can't show them to you but they are of the fifty foot wide nature and not the forties. We are working with the Sewer and Water Commission right now and we have staked out where we would like the pump station to be. They have already come back and asked us to look at moving that pump station. So the length of that cul-de-sac may vary based upon the needs, more of, the Water and Sewer Commission than it does to drive people to an amenity. I wanted to make sure I addressed that.

Jim Barnett – I want to commend you because I had some sleepless nights worrying about this thing flushing because of a minor issue and the solution seems to fit everybody. In the future I think the County has to be more aware of not letting these things happen.

Jon Hardy – Thank you very much. We had lengthy discussion about what is commercial development going to look like? It's a little scary but it's necessary and a good solution. It keeps it on the private property. They have to maintain it and they have to keep it up. It can be inspected any time Fire and EMS want to. I think it's a reasonable solution.

Ronald Pappas- I appreciate staff, the Fire Marshal, and your team and your consultant team for thinking it through a little bit more and coming up with a solution. You just don't find too many flat square pieces of land that are easy to develop. I appreciate all of your efforts in coming to a conclusion on this. If I remember correctly there was some dedication of some land across the street immediately contiguous for Fire and EMS.

Jon Hardy – That is correct.

Ronald Pappas – Was it a couple of acres?

Jon Hardy – It's approximately 2.2 acres and at some point we will providing sewer and water to that location.

Ronald Pappas made a motion to approve with the conditions and conclusions by staff and the recommendations by staff; and also to make it allowable for the opportunity to grant the variances and the road changes as discussed; Jerry Holt seconded the motion.

VOTE:            7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

**UDO-TA-015-003 – Proposed text amendment to the Lancaster County Unified Development Ordinance by Lancaster County to amend the title of Chapter 4 Conditional and Special Exception Uses, Section 4.1.19 Recycling Facilities, Convenience Centers, and Resource Recovery Facilities.**

Nick Cauthen – Presented the report.

Ronald Pappas – This has no effect on the ordinance or anything?

Nick Cauthen – Correct.

Penelope Karagounis – Since this board continued the one from February, staff doesn't have a problem if you would like to continue this as well. That way both text amendments can go simultaneously at one time.

Charles Deese – I did speak with Mr. Willis about this prior to him having to leave and he agreed that since the other one was continued it would be fine with him to continue this one to the same period that the other one comes back.

Jerry Holt – This doesn't impact anything though.

Charles Deese – We could complete it as it states tonight.

Jerry Holt – I proposed that we get it off the table and do it.

Penelope Karagounis – Just go into public hearing, if anybody signed up.

Gary Holland – 8728 Collins Road, Indian Land, SC – (803) 547-2614. Section 4.1.7 is titled Convenience Centers and Section 4.1.19 is titled Recycling Facilities, Convenience Centers, and Resource Recovery Facilities. The regulation in these two sections are not exact duplicates; Section 4.1.19 is more restricted. I can see why Lancaster County Government wants to delete the convenience center reference because of this more restrictive regulation. They both 4.1.7 and 4.1.19 are five hundred foot setbacks from residential use or district. The main difference as I read it is 4.1.7 is center line setback from the road at 75 feet and 300 feet for 4.1.19. The zoning department has stated that Section 4.1.19 and it was just repeated by Nick Cauthen in his presentation, is not used for convenience center regulations at present. On June 10, 2014 Lancaster County made a variance application – BZA 014-010 where it did site 4.1.19 Convenience Center Regulations. It has been used and used just recently. For me this should be the section 4.1.7 that we would be interested in deleting if there is some confusion because of duplication. When I read in the paper and when I heard the planning director state that Mr. Willis and Mr. McCullough are planning on changing the name in Lancaster County from Convenience Center to Recycling Facility; then I'm wondering at what point do we stop doing text amendments related to this item. If we do a text amendment to delete Convenience Centers from 4.1.19 and then they come right back and change the name of a Convenience Center to a Recycling Facility; now 4.1.19 is titled Recycling Facility. To me I would be in favor of eliminating Section 4.1.7 Convenience Center because they are going to do away with that name anyhow and that would leave 4.1.19 that would cover Convenience Center, Recycling Facilities, or Resource Recovery Facilities. That way in the future if the paper is correct and Mr. Willis does desire to change the name to a Recycling Facility, then there would not be a need for a further text amendment.

Penelope Karagounis – Something that I have stated at the workshop and I know not everyone attended on March 05, 2015; I have told Mr. Willis when he provided this text amendment to me that I was not in favor of it because of having the perception from the public think that this is for the Indian Land Convenience Center. He told me it basically was not and it was for the other sites of the County. What Mr. Holland is referring to regarding the word "Convenience Centers"; that has been discussed and Larry McCullough has approached me about how he wanted that name changed. I have not received anything. There could be text amendments that are initiated by County Council at a later date. One of the reasons why I did not want the first text amendment that we are referring to, 4.1.7, to come through this process is because we are rewriting the UDO but my boss felt otherwise. I just wanted to state for the record that the Planning Department informed the County Administrator. I actually did a memo to him asking him not to proceed and he decided to proceed. As far as this text amendment for this

month, Section 4.1.19, the Planning Department is separate from the Zoning Department. The Zoning Administrator, Kenneth Cauthen was present when we were reviewing the February packet of Section 4.1.7. We identified this other section and we reapproached Mr. Kenneth Cauthen and asked him when people come into your office, which conditions do you require for Convenience Centers? He stated it was 4.1.7. I cannot speak for Mr. Cauthen, he is not here tonight. That is something that I will take your comments to Mr. Cauthen to see if there are further issues. I will review the 2014 case and see if he was referring to both conditions. From the past month Nick Cauthen and I approached Kenneth Cauthen and he said that they were not using 4.1.19; so obviously there needs to be consistency. It should not be where one year we are doing one thing and the next year something different. I will be talking with Kenneth Cauthen about this. I guess at this point, my recommendation because we have continued the first text amendment; this needs to be continued. I'm going to try my best again, to restate my concern for having these text amendments going through the process. We are rewriting the UDO and I think it is very important to include some of these gray areas that we see. We have two sections and the Zoning Administrator needs to identify which section are they following when people come in to get a zoning permit. My office does not deal with zoning permits. I need to be on the same page with the Zoning Administrator. My recommendation for tonight is to continue this as well and not to move forward to County Council.

Ronald Pappas – This is just a word change even though we are dealing with another aspect of it and the UDO change. Does that now change your recommended direction?

Penelope Karagounis – My recommendation for that convenience center was based on the deletion from the conversation with Kenneth Cauthen. He instructed me that it needed to be deleted. However, from the public comments that I've heard tonight from Mr. Holland; I want to further research that accusation of how Mr. Cauthen siting the BZA in 2014. I have concerns right now and valid concerns. That is why my recommendation right now is to just continue it. My recommendation again to Steve Willis and to the County is to wait and if there are changes that need to be done; we are working on the rewrite for the UDO. We need to be sitting down with the consultant, Kara Drane and Kenneth Cauthen to discuss. My recommendation even to Steve Willis would be to include it in the rewrite so we can do it correctly.

Jerry Holt made a motion to continue until such time that the County owns the property as related to the last text amendment and they bring both of these back to give staff a chance to research; Tommy Dabney seconded the motion.

VOTE:            7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

New Business: Nomination for Board Member of the Year – Vedia Hatfield made a motion to nominate Charles Deese and Jerry Holt seconded the motion.

VOTE:                            UNANIMOUS                    MOTION CARRIED

Penelope Karagounis – We will forward that information to Debbie Hardin. Mr. Deese will represent the Planning Commission. The other commissioners will be receiving a gift certificate and a monetary gift. These will be delivered to your board during the month of May and each member will need to sign for their gift card.

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