

LANCASTER COUNTY PLANNING COMMISSION

November 17, 2015
6:30 PM
Lancaster Co.
Adm. Bldg.,
Room 224
(803) 285-6005

Type of meeting:	General Business Meeting	Facilitator:	Planning Staff
Clerk:	Judy Barrineau		
Please read:	Agenda Packet		
Please bring:	Agenda Packet & UDO		
Call To Order	Chairman		
Roll Call	Chairman		
Approve Agenda	Chairman		
Citizen's Comments	Chairman		
Approval of Minutes – October 08, 2015 Workshop Minutes & October 20, 2015 Regular Minutes	Chairman		
Chairman's Report - Welcome	Chairman		
Director's Report – DRC Cases, UDO rewrite update and Continuing Education Class	Penelope Karagounis		
RNC-015-023 – Road Name Change Application – Spring St. – Heath Springs {Public Hearing} pgs. 1-8	Nick Cauthen		
RNC-015-024 – Road Name Change Application – Springs St. - Kershaw {Public Hearing} pgs. 9-16	Nick Cauthen		
RNC-015-025 – Road Name Change Application – Railroad Ave. – Heath Springs {Public Hearing} pgs. 17-24 TMS# 0133I-0D-001.00, 0133I-0D-008.00	Andy Rowe		
PDD-015-027 – Avondale – The applicant (Sinacori Homes) as submitted a rezoning application for an amendment to the official zoning map of Lancaster County. The applicant proposes that the zoning designation of Planned Development District (PDD-27) be applied to ± 179.35 acres of property. {Public Hearing} pgs. 25-56 TMS#: A portion of 0005-00-074.03, The entirety of the following TMS#: 0005-00-0075.00, 75.01, 76.00, 77.00, 078.00, 079.01, 089.00, 089.01, 091.00, 091.03, 092.00, 093.04, 093.05.	Penelope Karagounis & Alex Moore		
DA-015-002 – Avondale Development Agreement – Sinacori Builders, LLC (Avondale Development) has submitted an application to enter into a development agreement with Lancaster County. The site is located between Calvin Hall Road and Harrisburg Road in the Indian Land section of Lancaster County, South Carolina (Tax Map 5, Parcels, 75, 75.01, 76, 77, 78, 79.01, 89, 89.01, 91, 91.03, 92, 93.04, 93.05 and a portion of 74.03). The site contains +/- 179.35 acres. The Avondale development is a proposed Planned Development District. The current zoning of the property is R-15P, Moderate Density Residential/Agricultural Panhandle District and B-3, General Commercial District. {Public Hearing} Pgs. 57-85	Penelope Karagounis		

<p>DA-015-003 – Ansley Park – This is a stand alone Development Agreement relating to a 2005 rezoning of a parcel known as PDD-21, Ansley Park, Ordinance 650. {Public Hearing} pgs. 86-112</p>	<p>John Weaver</p>
<p>RZ-015-016 – Rezoning application of Lina Hovey to rezone a ± 1 acre portion of a ± 9.64 acres from R-30, Low Density Residential/Agricultural District, to R-30D, Low Density Residential/Manufactured Housing/Agricultural District. The applicant wishes to place a double wide manufactured home on the property. {Public Hearing} pgs. 113-135 A portion of Tax Map 60, Parcel 92</p>	<p>Andy Rowe</p>
<p>RZ-015-017 – Rezoning application of John Mathis to rezone a 1 acre portion of a ± 15.987 acre tract from R-30, Low Density Residential/Agricultural District, to R-30S, Low Density Residential/Manufactured Housing/Agricultural District. The applicant wishes to relocate a manufactured home to the property. {Public Hearing} pgs. 136-160 A portion of Tax Map 80, Parcel 88</p>	<p>Andy Rowe</p>
<p>New Business: 2016 Planning Commission Meeting Dates</p>	<p>Penelope Karagounis</p>

Lancaster County Planning Department

101 N. Main St., Ste. 108

P.O. Box 1809

Lancaster, South Carolina 29721-1809

Telephone (803) 285-6005

Fax (803) 285-6007

Memo

To: Lancaster County Planning Commission Members

From: Penelope G. Karagounis, Lancaster County Planning Director

Date: November 11, 2015

Re: Director's Report for the November 17, 2015 Planning Commission meeting

Message:

For the month of November we have two DRC cases. On November 10, 2015 we had the Family Dollar in Kershaw on the DRC agenda. Our second DRC will be held on Tuesday, November 24th for a new Jim and Nick's BBQ restaurant in Indian Land. The DRC cases are reviewed by the local agencies of Lancaster County and Water and Sewer District.

On November 10, 2015, Kara Drane and I presented at the Chamber of Commerce Policy meeting about our proposed zoning districts, definitions, table of uses, and zoning map. They were appreciative for us taking the time to provide information about our UDO rewrite process. It was a positive meeting and they provided us with lots of feedback. They thanked us for allowing them to be part of the process before it goes to the public hearing process.

In addition to working on completing the chapters for the UDO, Kara Drane and I are in the process of following up with submitted comments from property owners and with property owners that have expressed an interest in participating in the process and providing comments on the new proposed zoning districts. Due to the time needed to finalize the remaining chapters of the new UDO, the focus group sessions will need to be conducted in January, 2016. The public hearings on the new UDO and Zoning Map are planned for February, 2016. We will be providing you an updated timeframe and work program for the Lancaster County Unified Development Ordinance Update for Phase 2.

For Planning Commissioners that need continuing education classes, please sign up with Judy Barrineau in regards to the Orientation 1 and Orientation 2 for new board members. As for the other requirement each year for Commissioners of 3 hours, the County will be

offering one last opportunity to meet your continuing education class requirement on Thursday, December 10, 2015 at 4:30 p.m. in the Lancaster County Council Chambers.

The entire Planning Department would like to wish everyone a Happy and Safe Thanksgiving. We are thankful to have such committed and responsible Planning Commissioners on our board.

**RNC-015-023 – Road Name Change
Application – Spring St. – Heath Springs
{Public Hearing} pgs. 1-8**

Nick Cauthen

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

PLANNING STAFF REPORT: RNC-015-023
APPLICANT: LANCASTER COUNTY PUBLIC SAFETY COMMUNICATIONS

I. FACTS

A. GENERAL INFORMATION

Proposal: This is the road name change application for a proposed road name change for Spring Street.

Property Location: Spring Street is located in the Heath Springs area of Lancaster County.

Legal Description: TMS # 0133O-0B-008.00, 0133P-0C-014.00, 0133O-0A-005.00, 0133O-0E-002.00, 0133O-0B-003.00, 0133O-0B-002.00, 0133O-0A-006.00, 0133O-0D-003.00, 0133O-0D-005.00, 0133O-0D-004.00, 0133-00-066.00, 0133O-0D-002.00, 0133O-0A-009.00, 0133O-0E-003.00, 0133O-0A-003.00, 0133P-0C-008.00, 0133P-0C-009.00, 0133O-0B-001.00, 0133-00-057.00, 0133O-0B-006.00, 0133O-0B-007.00, 0133O-0B-009.00, 0133P-0D-008.00, 0133O-0B-005.00, 0133P-0C-015.00, 0133O-0A-004.00

Description of Plan: Change the existing road name of Spring Street to Kershaw Camden Highway.

B. SITE INFORMATION

Site Description: Spring Street is located off South Main Street and continues until the road changes to Kershaw Camden Highway.

C. EXHIBITS

1. Road Name Change Application
2. 911 Aerial
3. Verification from Trish Hinson – 1st letter sent out
4. Lancaster County Notification to the property owners
5. Spring Street comments

II. FINDINGS

CODE CONSIDERATIONS

Chapter 14, Streets and Sidewalks

Section: 14.1.5 Procedure for Changing the Name of an Existing Road.

1. Any person, firm, or corporation shall submit a written request to the planning department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the planning department; designate a spokesperson by name, address, and telephone number; provide first and second road name choices; and be accompanied by a petition, signed by seventy-five (75) percent of the owners

addressed on the affected road. The request must also include a reason for the name change. When the request is submitted by the Public Safety Communications Department, or its successor entity, for a road name change based on the provisions of Section 23-47-60(C)(2) of the Code of Laws of South Carolina 1976, as amended, or when needed to rename road segments for computer aided dispatch database purposes, the requirement for the request to be accompanied by a petition does not apply.

2. Upon receipt of such request, the planning department shall schedule consideration of same by the Lancaster County Planning Commission. The planning commission's consideration shall be conducted during any regular meeting of the planning commission. The public notice requirement for this type of application shall be the same as is contained in section 18.5.

3. The proposed road name change shall be posted at integral points along the affected road.

4. Within sixty (60) days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the planning commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

5. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the planning department.

6. After reasonable notice in a general circulation newspaper in the community, the Lancaster County Planning Commission may change the name of an existing street or road within its jurisdiction. The commission can make the change when one of the following occurs.

a. There is a duplication of names which tends to confuse the public or persons delivering mail, orders or messages.

b. A change may simplify markings or giving directions to persons looking for an address.

c. Any other good and just reason that may appear to the commission.

After reasonable opportunity for public hearing, the planning commission issues its certificate designating the change. It is recorded in the office of the clerk of court. The change and certified name becomes the legal name of the street.

(Ord. No. 916, 6-2-08; Ord. No. 1269, § 1, 5-12-2014)

III. CONCLUSIONS

This road name change is being requested by Lancaster County Public Safety Communications. The new Computer Aided Dispatch System is a map driven system, therefore the accuracy of address points, street names, and ranges are vital. The reason for the proposed road name change is that Spring Street is similar sounding or duplicate to others in Lancaster County. By changing the proposed road name, Lancaster County Public Safety Communications will be able to locate addresses more effectively and without confusion in regards to similar sounding road names or duplicate road names. The facts and findings of this report show that the renaming of Spring Street to Kershaw Camden Highway should be approved.

IV. RECOMMENDATION

It is therefore the recommendation of the Planning Staff that the above road name change be APPROVED.

LANCASTER COUNTY PLANNING COMMISSION
PO Box 1809
Lancaster, SC 29721
Phone: (803) 285-6005
Fax: (803) 285-6007

**** NEW ROAD NAME/CHANGE APPLICATION ****

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following applicant information as completely and accurately as possible.

Date of Application: November 2, 2015

Name: LCPSC Address 1941 Pageland Hwy.

City, State, Zip Code: Lancaster SC 29720

Telephone (H): — Telephone (W) or (Cell): 803-416-9325

Please provide the following new road name information as completely and accurately as possible.

Location of new road: off S Main St & continues until road name changes to Kershaw Camden Hwy

Road name as it exists now (if applicable): Spring St

Proposed new road name (1st Choice): Kershaw Camden Hwy

Proposed new road name (2nd Choice): —

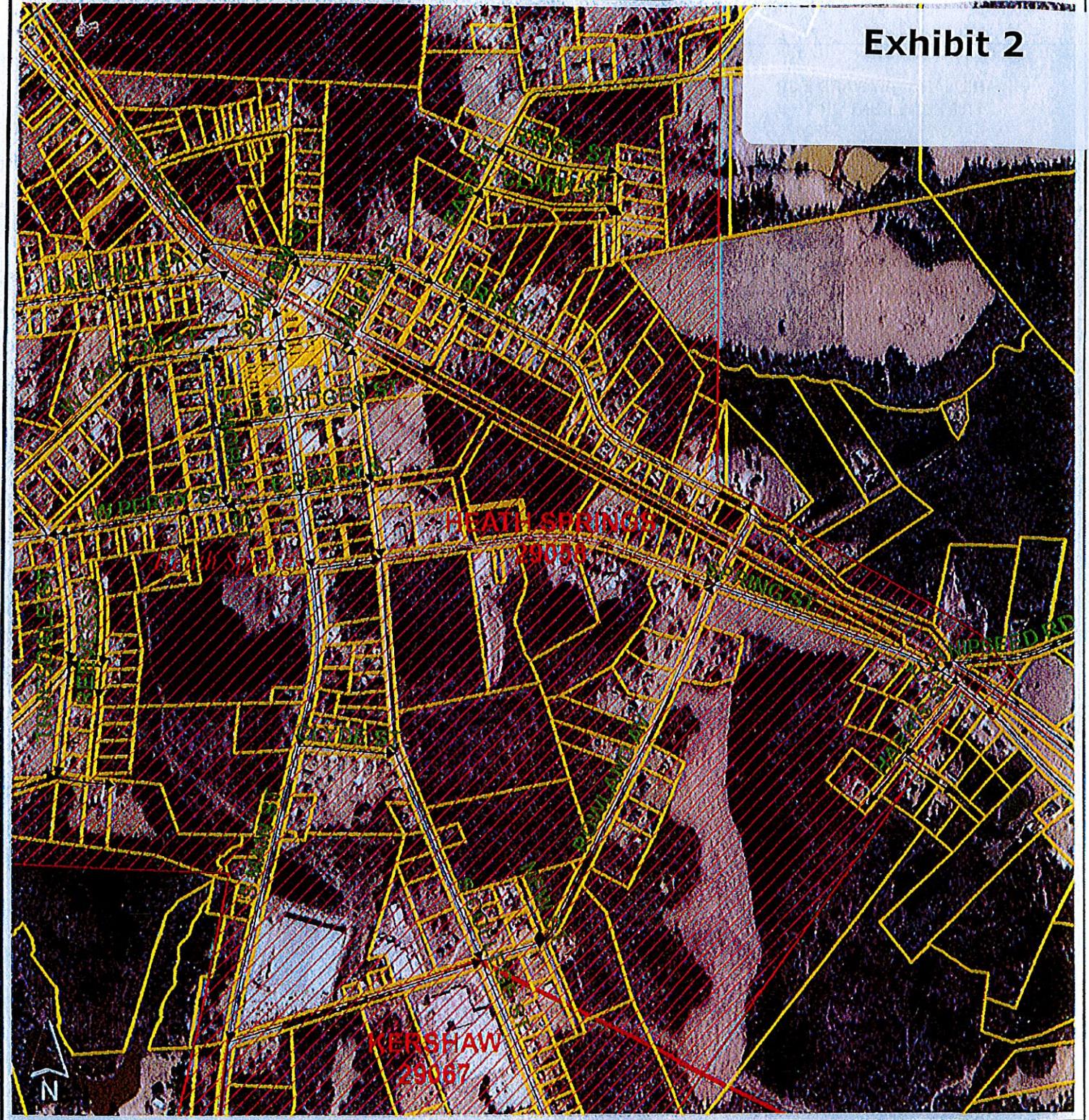
Will this be a private road? Yes — No (US)

If applicable, do you plan on deeding this new road to the county in the future?
Yes — No ✓

Please attach the following items to this application:

- *A map to approximate scale depicting the location of the new road.
- *A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Lancaster County Public Safety Communications



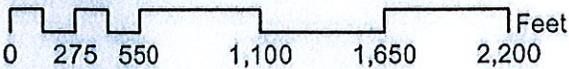
Address Info Spring St., Heath Springs



Public Safety Communications

Address Slip

A Few Serving Many



1 inch = 823 feet

Note: This map is a graphic representation and should only be used for illustrative purposes. In no way should this map be used for exact locations.

Author: Lancaster County SC

Date: 10/8/2015

HILLIARD HEYWARD E JR
1106 EDMONT DR
LANCASTER, SC 29720
TM 133-057.00

BRIDGES MARK H & LISA
THOMAS
P O BOX 297
HEATH SPRINGS, SC
29058-0000
TM 1330-0A-004.00
HEATH SPRINGS TOWN OF
TOWN HALL
HEATH SPRINGS, SC
29058-0000
1330-0A-009.00

MCCARTER ROBERT P
117 CLEGGAN RD
ROCK HILL, SC 29732
1330-0B-003.00

REEVES CASSIE LYNN
274 SPRING ST
HEATH SPRINGS, SC
29058-0000
1330-0B-007.00

WILLIAMS RICHARD
239 TURNIPSEED RD
HEATH SPRINGS, SC 29058
01330-DE-003.00

TRUESDALE PAUL JR
TRUESDALE VERA S
PO BOX 583
HEATH SPRINGS, SC
29058-0000
01330-0D-005.00

STARNES CHRISTINE B
P O BOX 64
HEATH SPRINGS, SC
29058-0000
01330-0E-008.00

LANCASTER COUNTY
PO BOX 1809
LANCASTER, SC 29721-0000
01330-0C-015.00

PERRY GREGORY
81 GENESEE LN
WILLINGBORO, NJ 08046-0000
TM 133-066.00

BLACKMON JANE B & ALLEN N
P O BOX 86
HEATH SPRINGS, SC
29058-0000
TM 1330-0A-025.00

SPRINGLAND INC
951 MARKET ST SUITE 204
FORT MILL, SC 29708.
1330-0A-006.00

BRIDGES C KENNETH JR ETAL
264 SPRINGS ST
HEATH SPRINGS, SC
29058-0000
1330-0B-005.00

WILLIAMS CLARICE F
280 SPRINGS ST
HEATH SPRINGS, SC 29058
1330-0B-008.00

GAITHER ELIZABETH
PO BOX 213
HEATH SPRINGS, SC
29058-0000
01330-0D-003.00

MCCAIN WILLIAM BOB & MARY
JANE
403 E SPRINGS ST
HEATH SPRINGS, SC
29058-0000
01330-0E-002.00

BRUCE JANIE STACKS
PO BOX 302
HEATH SPRINGS, SC
29058-0000
01330-0C-007.00

SPRINGLAND INC
951 MARKET ST SUITE 204
FORT MILL, SC 29708
01330-0D-008.00

HAYNES MARCIA HUNTER
PO BOX 62
HEATH SPRINGS, SC
29058-0000
TM 1330-0A-003.00

SPRINGLAND INC
951 MARKET ST SUITE 204
FORT MILL, SC 29708
1330-0B-002.00

SPRINGLAND INC
951 MARKET ST SUITE 204
FORT MILL, SC 29708
1330-0B-001.00

MACKEY WALTER A MACKEY
SHANNON MILLS
270 SPRING ST
HEATH SPRINGS, SC 29058
1330-0B-006.00

WILLIAMS CLARICE F
280 SPRINGS ST
HEATH SPRINGS, SC
29058-0000
01330-0B-009.00

PROCTOR PHILIP C JR
325 MERRITT DR
LAWRENCEVILLE, GA
30044-0000
0133-0D-004.00

WILLIAMS RICHARD
239 TURNIPSEED RD
HEATH SPRINGS, SC 29058
01330-0D-002.00

AFULUKWE FOSTER % HEATH
SPRINGS MEDICAL
PO BOX 49089
CHARLOTTE, NC 28277
01330-0C-014.00

Spring St, Heath Springs
Letters mailed out; town of H.S. & LCPSC decided to name this sector
Kershaw Camden Hwy to flow w/ existing KCH 10-7-15

Lancaster County Planning Department

101 N. Main St., Ste. 108

P.O. Box 1809

Lancaster, South Carolina 29721-1809

Exhibit 4

Telephone (803) 285-6005

Fax (803) 285-6007

NOTICE OF ROAD NAME CHANGE REQUEST AND PUBLIC HEARING

TO: Property Owners Adjacent to Spring Street

FROM: Lancaster County Planning Department

SUBJECT: Public Hearing on Road Name Change Application RNC-015-023

DATE

MAILED: Monday, October 26, 2015

MEETING

DATE: Tuesday, November 17, 2015

TIME: 6:30pm

PLACE: Lancaster County Administration Building
101 North Main Street, Room 224

This letter serves as official notification that property owned by you is adjacent to a road subject to renaming.

At the above referenced meeting, the Lancaster County Planning Commission will hold a public hearing on the application from the Lancaster County Public Safety Communications for a road name change for Spring Street, located in Heath Springs, SC. In accordance with Chapter 14 of the Unified Development Ordinance, the Planning Commission shall review all proposed road name changes.

A public hearing regarding this matter will be held TUESDAY, NOVEMBER 17th, 2015 AT 6:30 P.M. at the Lancaster County Administration Building, 101 North Main Street, Room 224. The Planning Commission will accept public input either for or against the road name application at that time. If you cannot attend the hearing in person, you may submit a written, signed statement expressing your position to the Planning Department and it will be submitted to the Commission at the hearing.

Copies of all forms and maps pertaining to this application are available at the Lancaster County Planning Department. If you have any questions or concerns, either call the Planning Department at (803) 285-6005 or write the Planning Department at P.O. Box 1809, Lancaster, SC 29721. Thank you.

NOVEMBER 17TH PC MEETING

SPRING ST: RNC-015-023

- Spring St is located off S Main St. in Heath Springs, and continues until the street name changes to Kershaw Camden Hwy (See attached map)
- Twenty-six (26) street name change notification letters were mailed out on 10-7-15; no suggestion forms were mailed due to LCPSC making the suggestion to the Town of Heath Springs to name this segment Kershaw Camden Hwy; they were in agreement
- LCPSC felt it would be best to name this segment **KERSHAW CAMDEN HWY**, giving one continuous street name for this street as soon as you make the turn off S Main St

RNC-015-024 – Road Name Change
Application – Springs St. - Kershaw
{Public Hearing} pgs. 9-16

Nick Cauthen

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

PLANNING STAFF REPORT: RNC-015-024
APPLICANT: LANCASTER COUNTY PUBLIC SAFETY COMMUNICATIONS

I. FACTS

A. GENERAL INFORMATION

Proposal: This is the road name change application for a proposed road name change for Springs Street.

Property Location: Springs Street is located in the Kershaw area of Lancaster County.

Legal Description: TMS # 0156H-0E-022.00, 0156H-0E-018.00, 0156H-0D-001.00, 0156H-0E-017.00, 0156A-0K-004.00, 0156A-0H-001.00, 0156H-0E-003.00, 0156H-0C-008.00, 0156H-0D-002.00, 0156A-0J-001.00, 0156H-0E-020.00, 0156A-0H-019.00, 0156A-0J-023.00, 0156A-0J-024.00, 0156A-0K-007.00, 0156A-0H-018.00, 0156A-0K-003.00, 0156H-0C-007.00, 0156A-0K-005.00, 0156H-0E-021.00, 0156A-0J-025.00, 0156H-0C-006.00, 0156H-0D-003.00, 0156H-0C-009.00, 0156A-0K-002.00, 0156H-0E-019.00, 0156A-0K-006.00, 0156H-0D-004.00, 0156H-0E-002.00

Description of Plan: Change the existing road name of Springs Street to Day Street.

B. SITE INFORMATION

Site Description: Springs Street is located off East 1st Street in Kershaw.

C. EXHIBITS

1. Road Name Change Application
2. 911 Aerial
3. Verification from Trish Hinson – 1st letter sent out
4. Lancaster County Notification to the property owners
5. Springs Street comments

II. FINDINGS

CODE CONSIDERATIONS

Chapter 14, Streets and Sidewalks

Section: 14.1.5 Procedure for Changing the Name of an Existing Road.

1. Any person, firm, or corporation shall submit a written request to the planning department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the planning department; designate a spokesperson by name, address, and telephone number; provide first and second road name choices; and be accompanied by a petition, signed by seventy-five (75) percent of the owners addressed on the affected road. The request must also include a reason for the name change. When the request is submitted by the Public Safety Communications Department, or its successor entity, for a road name change based on the provisions of Section 23-47-60(C)(2) of

the Code of Laws of South Carolina 1976, as amended, or when needed to rename road segments for computer aided dispatch database purposes, the requirement for the request to be accompanied by a petition does not apply.

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3. The proposed road name change shall be posted at integral points along the affected road.

4. Within sixty (60) days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the planning commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

5. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the planning department.

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- b. A change may simplify markings or giving directions to persons looking for an address.
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After reasonable opportunity for public hearing, the planning commission issues its certificate designating the change. It is recorded in the office of the clerk of court. The change and certified name becomes the legal name of the street.

(Ord. No. 916, 6-2-08; Ord. No. 1269, § 1, 5-12-2014)

III. CONCLUSIONS

This road name change is being requested by Lancaster County Public Safety Communications. The new Computer Aided Dispatch System is a map driven system, therefore the accuracy of address points, street names, and ranges are vital. The reason for the proposed road name change is that Springs Street is similar sounding or duplicate to others in Lancaster County. By changing the proposed road name, Lancaster County Public Safety Communications will be able to locate addresses more effectively and without confusion in regards to similar sounding road names or duplicate road names. The facts and findings of this report show that the renaming of Springs Street to Day Street should be approved.

IV. RECOMMENDATION

It is therefore the recommendation of the Planning Staff that the above road name change be APPROVED.

LANCASTER COUNTY PLANNING COMMISSION
PO Box 1809
Lancaster, SC 29721
Phone: (803) 285-6005
Fax: (803) 285-6007

**** NEW ROAD NAME/CHANGE APPLICATION ****

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following applicant information as completely and accurately as possible.

Date of Application: November 2, 2015

Name: LCPSC Address 1941 Pageland Hwy.

City, State, Zip Code: Lancaster SC 29720

Telephone (H): — Telephone (W) or (Cell): 803-416-9325

Please provide the following new road name information as completely and accurately as possible.

Location of new road: off East 4th St., ends on East 1st St

Road name as it exists now (if applicable): Springs St

Proposed new road name (1st Choice): Day St.

Proposed new road name (2nd Choice): —

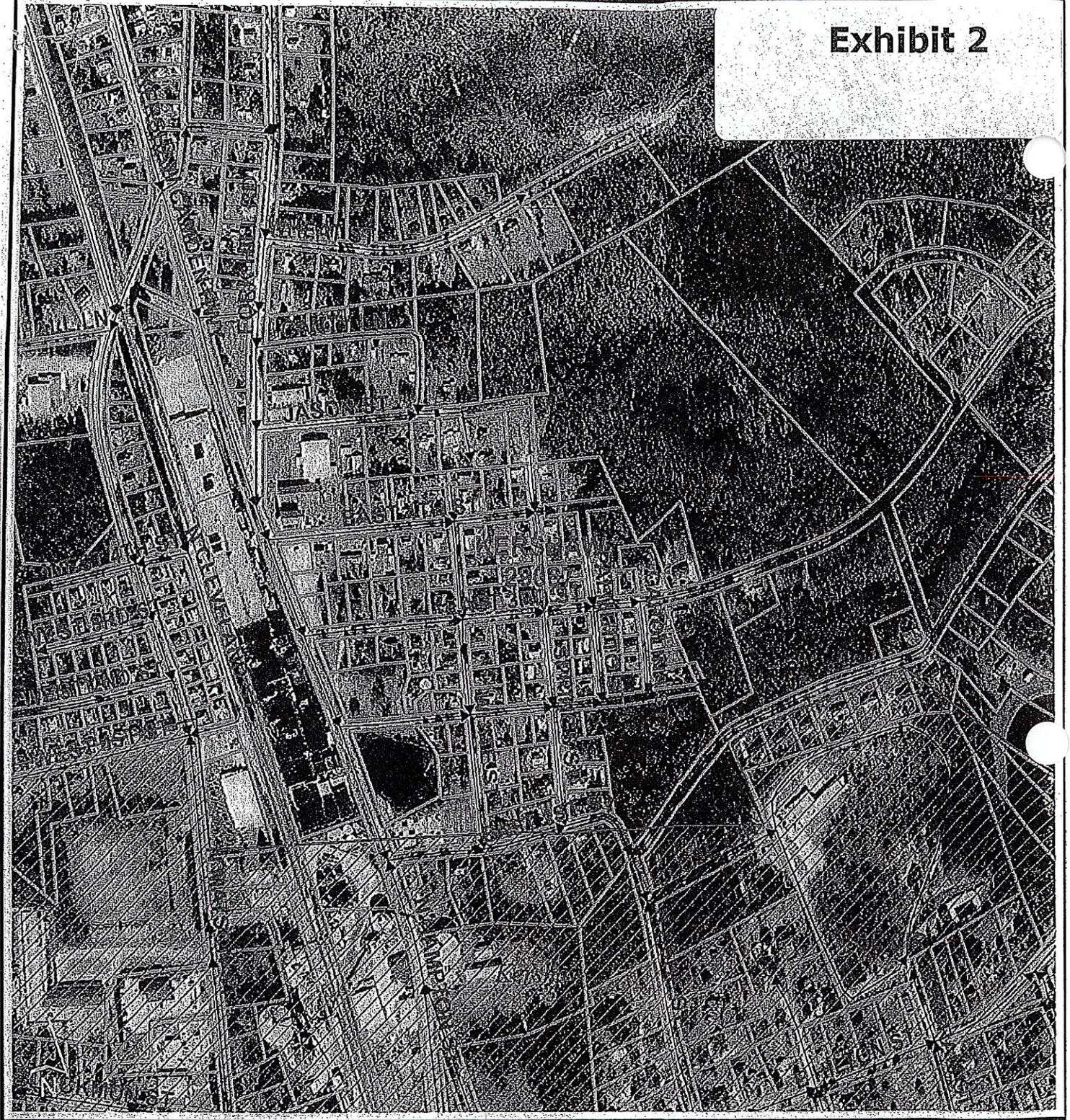
Will this be a private road? Yes No (County)

If applicable, do you plan on deeding this new road to the county in the future?
Yes No

Please attach the following items to this application:

- *A map to approximate scale depicting the location of the new road.
- *A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Lancaster County Public Safety Communications



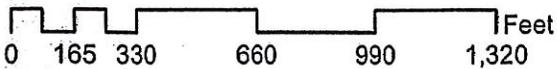
Address Info Springs St., Kershaw

Public Safety Communications



Address Slip

A Few Serving Many



1 inch = 499 feet

Note: This map is a graphic representation and should only be used for illustrative purposes. In no way should this map be used for exact locations.

Author: Lancaster County SC

Date: 10/8/2015

HORTON ALBERTA
6504 SPRINGS ST ✓
KERSHAW, SC 29067-0000
0156A-OH-019.00

ANTHONY PATRICIA LOUISE
ETAL % REGINA A
510 W MARION ST ✓
KERSHAW, SC 29067-0000
0156A-OH-018.00

HORTON ALBERTA M
6504 SPRINGS ST
KERSHAW, SC 29067-0000 ✓
0156A-OH-001.00

CRAIG MICHAEL L HUNTER
JANET N
182 EAST 4TH ST ✓
KERSHAW, SC 29067
0156A-OJ-001.00

RONE JIMMY D
6522 WHITE ST
KERSHAW, SC 29067-0000 ✓
0156A-OJ-023.00

FAULKENBERRY PERRY F &
NANCY ALICE ✓
1239 BUFFALO ROAD ✓
KERSHAW, SC 29067-0000
0156A-OJ-024.00

MICKLE LINDA ✓
6528 SPRINGS ST
KERSHAW, SC 29067
0156A-OJ-025.00

BOWMAN HELEN R ✓
6505 SPRINGS ST ✓
KERSHAW, SC 29067-0000
0156A-OK-002.00

RONE JIMMY D ✓
6522 WHITE ST
KERSHAW, SC 29067-0000
0156A-OK-002.00

JONES STEPHEN C & CHET B
1072 ARBOR DR ✓
KERSHAW, SC 29067-0000
0156A-OK-004.00

JONES CHET B & STEPHEN C
1072 ARBOR DR ✓
KERSHAW, SC 29067-0000 ✓
0156A-OK-005.00

KNIGHT GENE JR ✓
6252 SHILOH UNITY RD ✓
LANCASTER, SC 29720-0000
0156A-OK-006.00

MAHAFFEY JAMES W
1475 N ROCKY RIVER ROAD ✓
LANCASTER, SC 29720-0000
0156H-OE-003.00

MAHAFFEY JAMES W ✓
1475 N ROCKY RIVER ROAD ✓
LANCASTER, SC 29720-0000
0156H-OK-007.00

HOLLAND RUSSELL G SIMS
ANGELINE D ✓
6562 SPRINGS ST ✓
KERSHAW, SC 29067
0156H-OC-007.00

BROOME ISONYA ✓
1546 SUMMIT RIDGE LN ✓
KANNAPOLIS, NC 28083
0156H-OC-008.00

MAHAFFEY JAMES W ✓
1475 N ROCKY RIVER ROAD ✓
LANCASTER, SC 29720-0000
0156H-OC-006.00

SOWELL DARREN T ✓
248 WHEAT ST. ✓
KERSHAW, SC 29067-0000
0156H-OD-001.00

FAULKENBERRY PERRY F
FAULKENBERRY NANCY ✓
1239 BUFFALO CREEK ROAD ✓
KERSHAW, SC 29067
0156H-OD-002.00

PARKER DOUGLAS A ✓
6563 SPRINGS ST ✓
KERSHAW, SC 29067-0000
0156H-OD-003.00

MAHAFFEY JAMES W
1475 N ROCKY RIVER ROAD ✓
LANCASTER, SC 29720-0000
0156H-OC-009.00

KERSHAW PROPERTY LLC ✓
16 CAUSEWAY DR ✓
OCEAN ISLE BEACH, NC 28569
0156H-OE-008.00

MAHAFFEY JAMES W ✓
1475 N ROCKY RIVER ROAD ✓
LANCASTER, SC 29720-0000
0156H-OD-004.00

PHILLIPS MELISSA A ✓
165 LITTLE RIVER TRAIL ✓
INDIAN LAND, SC 29707
0156H-OE-017.00

TWITTY LUCY S ✓
6596 SPRINGS ST ✓
KERSHAW, SC 29067-0000
0156H-OE-018.00

JONES CHET B ✓
P O BOX 805
KERSHAW, SC 29067-0000
0156H-OE-020.00

JONES CHET ✓
P O BOX 805
KERSHAW, SC 29067-0000
0156H-OE-019.00

MOSELEY ROGER D & CATHY
6595 SPRING ST
KERSHAW, SC 29067-0000
0156H-OE-021.00

JONES CHET ✓
P O BOX 805
KERSHAW, SC 29067-0000
0156H-OE-022.00

Springs St, Kershaw

Letters mailed out; town Kershaw chose street name; no suggestion letter mailed out 10-7-15

Lancaster County Planning Department

101 N. Main St., Ste. 108

P.O. Box 1809

Lancaster, South Carolina 29721-1809

Exhibit 4

Telephone (803) 285-6005

Fax (803) 285-6007

NOTICE OF ROAD NAME CHANGE REQUEST AND PUBLIC HEARING

TO: Property Owners Adjacent to Springs Street

FROM: Lancaster County Planning Department

SUBJECT: Public Hearing on Road Name Change Application RNC-015-024

DATE

MAILED: Monday, October 26, 2015

MEETING

DATE: Tuesday, November 17, 2015

TIME: 6:30pm

PLACE: Lancaster County Administration Building
101 North Main Street, Room 224

This letter serves as official notification that property owned by you is adjacent to a road subject to renaming.

At the above referenced meeting, the Lancaster County Planning Commission will hold a public hearing on the application from the Lancaster County Public Safety Communications for a road name change for Springs Street, located in Kershaw, SC. In accordance with Chapter 14 of the Unified Development Ordinance, the Planning Commission shall review all proposed road name changes.

A public hearing regarding this matter will be held TUESDAY, NOVEMBER 17th, 2015 AT 6:30 P.M. at the Lancaster County Administration Building, 101 North Main Street, Room 224. The Planning Commission will accept public input either for or against the road name application at that time. If you cannot attend the hearing in person, you may submit a written, signed statement expressing your position to the Planning Department and it will be submitted to the Commission at the hearing.

Copies of all forms and maps pertaining to this application are available at the Lancaster County Planning Department. If you have any questions or concerns, either call the Planning Department at (803) 285-6005 or write the Planning Department at P.O. Box 1809, Lancaster, SC 29721. Thank you.

NOVEMBER 17TH PC MEETING

SPRINGS ST: RNC-015-024

- Springs St is located off East 4th St and end on East 1st St in Kershaw
- Twenty-nine (29) street name change notification letters were mailed out on 10-7-15; no suggestion forms were mailed due to the Town of Kershaw submitting the proposed street name to be used
- The proposed street name submitted by the Town of Kershaw is **DAY ST**; the original street name choice submitted by the Town of Kershaw was Indigo St. I received a couple of phone calls; one from a property owner stating since this was an area in Kershaw known for not being a very safe street, she did not want to see it named "Indigo", as this was a known name referencing drugs. The other concern was from a Pastor who leads a weekend Vacation Bible School in this area. He stated he would like to see it named Day St., (meaning light and hope). I spoke with Tony Starnes about this and he was on board for naming it Day St.

Handwritten note: Springs St

Handwritten notes:
I spoke with Tony Starnes about this and he was on board for naming it Day St.
The other concern was from a Pastor who leads a weekend Vacation Bible School in this area.
He stated he would like to see it named Day St., (meaning light and hope).

From: Larry <larryodell98@yahoo.com>
 Sent: Wednesday, October 21, 2015 3:56 PM
 To: Patricia T. Hinson
 Subject: Street renaming

Hi Trish, I contacted Planning with my question and they directed me to you. I have read that the county is going to rename several streets/roads to avoid duplicate names. I'm not sure how far along that process has come. Our church, Landmark PH owns the lot at the end of East 3rd St. in Kershaw and we do a weekly outdoor Sidewalk Sunday School for the kids in Kershaw. We are also in our 4th year of walking the streets of Kershaw and praying every Wednesday night. Many of those Wednesdays have been spent in the former mill hill section. We have made a long term commitment to the old mill hill neighborhood. We know change doesn't come quick or easy. From what I understand of how the selection is made according to the least number of addresses, I believe many of the streets in this area will have to be renamed. Is this something that the public, or property owners can have any input in? If they are going to be renamed we would love to some of them with names that reflect the hope and light that we believe exist there.

I know it may sound a little crazy, but my interest was brought about by something that took place recently concerning Springs St. It's no secret that the crossing of 3rd St. & Springs St. is known as the worst intersection in town. Springs street is the most troublesome area outside of Foxwood in Kershaw. We have increased our time spent walking that street and praying for that area. I shared recently with those that walk with us how I felt led to call that street by what we want it to become instead of the name that is known for trouble. It's just a private thing among us, but we call it 'Day St.' (Meaning light & hope).

That's the short version of the story.

If it possible for any outside input during this renaming process, I'd love to talk with you.

Please feel free to reply or use any of the contact info below.

Thanks

Pastor Larry Hancock

(803) 804-1860

Pastorlarry2003@gmail.com

Sent from my iPad

Day St for Spring St

Sent from my iPad

10-22-15: Recd call from Cathy Mosely; property owner; does not want to see this street named Indigo St as this is a name used on the streets to reference drugs. This neighborhood is already known for drugs & violence.

RNC-015-025 – Road Name Change
Application – Railroad Ave. – Heath Springs
{Public Hearing} pgs. 17-24

Andy Rowe

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

PLANNING STAFF REPORT: RNC-015-025
APPLICANT: LANCASTER COUNTY PUBLIC SAFETY COMMUNICATIONS

I. FACTS

A. GENERAL INFORMATION

Proposal: This is the road name change application for a proposed road name change for Railroad Avenue.

Property Location: Railroad Avenue is located in Heath Springs, S.C.

Legal Description: TMS # 0133I-0D-001.00, 0133I-0D-008.00

Description of Plan: Change the existing road name of Railroad Avenue to Cannon Street.

B. SITE INFORMATION

Site Description: Railroad Avenue is located off Liberty Street or Salem Street.

C. EXHIBITS

1. Road Name Change Application
2. 911 Aerial
3. Verification from Trish Hinson – 1st letter sent out
4. Lancaster County Notification to the property owners
5. Railroad Avenue comments

II. FINDINGS

CODE CONSIDERATIONS

Chapter 14, Streets and Sidewalks

Section: 14.1.5 Procedure for Changing the Name of an Existing Road.

1. Any person, firm, or corporation shall submit a written request to the planning department which proposes to change the name of a previously named road. Such request shall include any descriptive/locational information required by the planning department; designate a spokesperson by name, address, and telephone number; provide first and second road name choices; and be accompanied by a petition, signed by seventy-five (75) percent of the owners addressed on the affected road. The request must also include a reason for the name change. When the request is submitted by the Public Safety Communications Department, or its successor entity, for a road name change based on the provisions of Section 23-47-60(C)(2) of the Code of Laws of South Carolina 1976, as amended, or when needed to rename road segments

for computer aided dispatch database purposes, the requirement for the request to be accompanied by a petition does not apply.

2. Upon receipt of such request, the planning department shall schedule consideration of same by the Lancaster County Planning Commission. The planning commission's consideration shall be conducted during any regular meeting of the planning commission. The public notice requirement for this type of application shall be the same as is contained in section 18.5.

3. The proposed road name change shall be posted at integral points along the affected road.

4. Within sixty (60) days of first consideration, the Lancaster County Planning Commission shall render a decision on the request, which decision shall be final and binding. Such decisions of the planning commission, along with reason(s) for any denied request, shall be provided in writing to the spokesperson of the affected petitioning group.

5. Where road name signs have been installed and replacement is necessitated as a result of a road name change approval, the petitioning group involved shall pay the expense of new sign materials prior to installation in the form of an application fee collected by the planning department.

6. After reasonable notice in a general circulation newspaper in the community, the Lancaster County Planning Commission may change the name of an existing street or road within its jurisdiction. The commission can make the change when one of the following occurs.

a. There is a duplication of names which tends to confuse the public or persons delivering mail, orders or messages.

b. A change may simplify markings or giving directions to persons looking for an address.

c. Any other good and just reason that may appear to the commission.

After reasonable opportunity for public hearing, the planning commission issues its certificate designating the change. It is recorded in the office of the clerk of court. The change and certified name becomes the legal name of the street.

(Ord. No. 916, 6-2-08; Ord. No. 1269, § 1, 5-12-2014)

III. CONCLUSIONS

This road name change is being requested by Lancaster County Public Safety Communications. The new Computer Aided Dispatch System is a map driven system, therefore the accuracy of address points, street names, and ranges are vital. The reason for the proposed road name change is that Railroad Avenue is similar sounding or duplicate to others in Lancaster County. By changing the proposed road name, Lancaster County Public Safety Communications will be able to locate addresses more effectively and without confusion in regards to similar sounding road names or duplicate road names. The facts and findings of this report show that the renaming of Railroad Avenue to Cannon Street should be approved.

IV. RECOMMENDATION

It is therefore the recommendation of the planning staff that the above road name change be APPROVED.

(Faint, mostly illegible text from a form, possibly a road name change application, including fields for name, address, and phone number.)

LANCASTER COUNTY PLANNING COMMISSION
PO Box 1809
Lancaster, SC 29721
Phone: (803) 285-6005
Fax: (803) 285-6007

**** NEW ROAD NAME/CHANGE APPLICATION ****

Please note: A fee of \$250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The \$250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the \$250.00 fee plus \$50.00 for each additional sign.

Please provide the following applicant information as completely and accurately as possible.

Date of Application: November 2, 2015

Name: LCPSC Address 1941 Pageland Hwy.

City, State, Zip Code: Lancaster SC 29720

Telephone (H): Telephone (W) or (Cell): 803-416-9325

Please provide the following new road name information as completely and accurately as possible.

Location of new road: off Salem St or Liberty St; Heath Springs township

Road name as it exists now (if applicable): Railroad Av

Proposed new road name (1st Choice): Cannon St

Proposed new road name (2nd Choice):

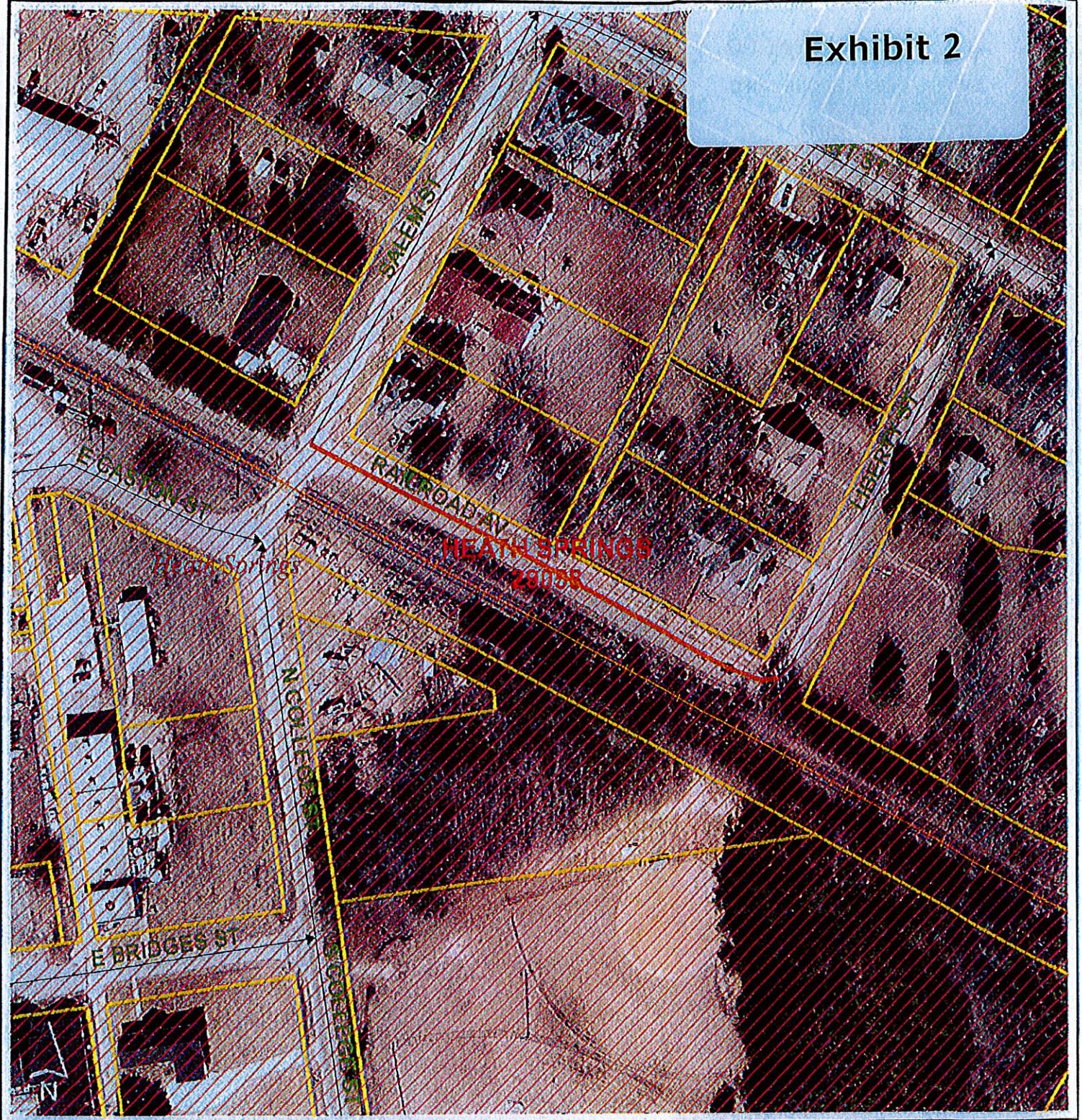
Will this be a private road? Yes No (Secondary)

If applicable, do you plan on deeding this new road to the county in the future?
Yes No ✓

Please attach the following items to this application:

- *A map to approximate scale depicting the location of the new road.
- *A petition signed by at least 75% of the property owners with parcels having frontage on the affected road.

Signature of Applicant: Lancaster County Public Safety Communications



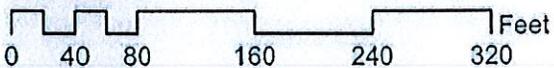
Address Info Railroad Av., Heath Springs



Public Safety Communications

Address Slip

A Few Serving Many



1 inch = 125 feet

Note: This map is a graphic representation and should only be used for illustrative purposes.

In no way should this map be used for exact locations.

Author: Lancaster County SC

Date: 10/8/2015

Tm# 0133I-0-001.00

SHORE JAMES G SHORE JAN C
6207 THRAILKILL RD
FORT LAWN, SC 29714

Corner lot

QR = addressed from
Liberty St.

Tm# 0133I-00-008.00

TUCKER ARTHUR J & EARLEN
P.O. BOX 245
HEATH SPRINGS, SC
29058-0000

corner lot

QR = addressed from Salem St

Exhibit 3

both properties have frontage from Railroad Av.

RNC-015-025

~~Railroad Av~~ = off Liberty St. | Salem St ; Heath Springs

* No homes / structures addressed from this street.

✓ Letters mailed out; town of Heath Springs chose street name 10-7-15; no suggestion letters mailed out..

Lancaster County Planning Department

101 N. Main St., Ste. 108

P.O. Box 1809

Lancaster, South Carolina 29721-1809

Mailed 10/27/15 AR

FILE COPY

Telephone (803) 285-6005

Fax (803) 285-6007

NOTICE OF ROAD NAME CHANGE REQUEST AND PUBLIC HEARING

TO: Property Owners Adjacent to Railroad Avenue
FROM: Lancaster County Planning Department
SUBJECT: Public Hearing on Road Name Change Application RNC-015-025

DATE MAILED: Tuesday, October 27, 2015

MEETING DATE: Tuesday, November 17, 2015

TIME: 6:30pm

PLACE: Lancaster County Administration Building
101 North Main Street, Room 224

This letter serves as official notification that property owned by you is adjacent to a road subject to renaming.

At the above referenced meeting, the Lancaster County Planning Commission will hold a public hearing on the application from the Lancaster County Public Safety Communications for a road name change for Railroad Avenue located between Liberty Street and Salem Street in Heath Springs, SC. In accordance with Chapter 14 of the Unified Development Ordinance, the Planning Commission shall review all proposed road name changes.

A public hearing regarding this matter will be held TUESDAY, November 17, 2015 AT 6:30 P.M. at the Lancaster County Administration Building, 101 North Main Street, Room 224. The Planning Commission will accept public input either for or against the road name application at that time. If you cannot attend the hearing in person, you may submit a written, signed statement expressing your position to the Planning Department and it will be submitted to the Commission at the hearing.

Copies of all forms and maps pertaining to this application are available at the Lancaster County Planning Department. If you have any questions or concerns, either call the Planning Department at (803) 285-6005 or write the Planning Department at P.O. Box 1809, Lancaster, SC 29721. Thank you.

Exhibit 4

NOVEMBER 17TH PC MEETING

RAILROAD AV: RNC-015-025:

- Railroad Av is located off Salem St or Liberty St in Heath Springs (See attached map)
- Two (2) street name change notification letters were mailed out ON 10-7-15; no suggestion forms were mailed due to the Town of Heath Springs submitting the proposed street name to be used
- The proposed street name submitted by the Town of Heath Springs is **CANNON ST**

PDD-015-027 – Avondale – The applicant (Sinacori Homes) as submitted a rezoning application for an amendment to the official zoning map of Lancaster County. The applicant proposes that the zoning designation of Planned Development District (PDD-27) be applied to ± 179.35 acres of property. {Public Hearing} pgs. 25-56

**Penelope Karagounis &
Alex Moore**

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

PLANNING DEPARTMENT STAFF REPORT
PDD-015-027(AVONDALE)
APPLICANT: SINACORI HOMES (MR. RUSS SINACORI)

I. FACTS

A. GENERAL INFORMATION

Proposal: The applicant (Sinacori Homes) has submitted a rezoning application for an amendment to the official zoning map of Lancaster County. The applicant proposes that the zoning designation of Planned Development District (PDD-27) be applied to ± 179.35 acres of property.

Property Location: The properties which are proposed to be rezoned are located between Calvin Hall Road and Harrisburg Road in the Indian Land Section of Lancaster County, South Carolina.

Legal Description: TMS No: a portion of 0005-00-074.03. The entirety of the following TMS No: 0005-00-0075.00, 0005-00-75.01, 0005-00-076.00, 0005-00-077.00, 0005-00-078.00, 0005-00-079.01, 0005-00-089.00, 0005-00-089.01, 0005-00-091.00, 0005-00-091.03, 0005-00-092.00, 0005-00-093.04, 0005-00-093.05.

Zoning Classification: R-15P, Moderate Density Residential/Agricultural Panhandle District and B-3, General Commercial District.

Voting District: Brian Carnes, District 7

B. SITE INFORMATION

Site Description: The parcels that comprise this rezoning application are located in the panhandle area of Lancaster County. The property consists of existing homes and vacant land. The applicant has provided a very detailed existing features exhibit. See the exhibits section of this report.

C. VICINITY DATA

Surrounding Conditions: The parcels that are included within this rezoning application are surrounded by the following immediately adjacent zoning districts: Adjacent parcels to the **SOUTH** are zoned R-15P Moderate Density Residential/Agricultural Panhandle District and PDD-5 (Bailes Ridge), Planned Development District. Adjacent parcels to the **EAST** are zoned B-3, General Commercial District and R-15P, Moderate Density Residential/Agricultural Panhandle District. Adjacent parcels to the **NORTH** are zoned R-15P, Moderate Density Residential/Agricultural Panhandle District and PDD-12 (Calvin Hall), Planned Development District. Adjacent parcels to the **WEST** are zoned R-15P, Moderate Density Residential/Agricultural Panhandle District and R-15, Moderate Density Residential/Agricultural District.

D. EXHIBITS

1. Avondale Mixed Use District Ordinance PDD-27 (**RE-SUBMITTED 11-11-15**).
2. Avondale Density Exhibit (**RE-SUBMITTED 11-11-15**).
3. Avondale Preliminary Master Plan, Existing Features, Existing Features Notes & Aerial (**RE-SUBMITTED 11-11-15**).
4. Third-party TIA Review (**SUBMITTED 11-6-15**).

II. FINDINGS

A. CODE CONSIDERATIONS

The **R-15P, MODERATE DENSITY RESIDENTIAL/AGRICULTURAL PANHANDLE DISTRICT (EXISTING ZONING DISTRICT)** is designed to accommodate single-family residential developments (not including manufactured homes) in the northern part of the panhandle. This zoning district will allow residential uses and related residential uses such as religious institutions, fire stations, etc. The maximum density allowed in this zoning district is 1.5 dwelling units per acre (1.5 DU/AC). The minimum lot size is 29,040 square feet and the minimum lot width is 130 feet. The availability of water and or sewer shall not change: (1) the maximum density allowed; (2) the minimum lot size, and (3) the minimum lot width from what is stated above.

The **B-3, GENERAL COMMERCIAL DISTRICT (EXISTING ZONING DISTRICT)** is designed to accommodate a wide variety of general commercial uses characterized primarily by retail, office and service establishments which are oriented primarily towards major traffic corridors and/or extensive areas of predominantly commercial usage and characteristics. Commercial uses encouraged in this district are generally patronized in single purpose trips and emphasize large general merchandise establishments, sale of large bulky items, commercial services, repair services, automobile related sales and repair, various types of convenience stores, restaurants, and other recreational and entertainment uses. The district is also suited to accommodate travel oriented uses such as hotels and motels and gas stations.

The **PDD, PLANNED DEVELOPMENT DISTRICT (PROPOSED ZONING DISTRICT)** is designed to accommodate a mixture of compatible residential, office, commercial, or other uses of land which are planned and developed as an integral unit and which, due to such mixture of uses or other aspects of design, could not be located in other districts established in the Lancaster County UDO without compromising the proposed concept of integrated and flexible development.

B. PROPOSED AVONDALE PDD-REVISED NOVEMBER 11TH, 2015

On November 11th, 2015 the applicant re-submitted a revised version of the proposed Avondale Planned Development District (PDD-27). The revised Avondale Master Plan indicates the following:

1. The number of units proposed within Avondale consists of 530 lots and 200 senior apartments for a total of 730 dwelling units.
2. The revised components of the proposed Villages as listed on the revised Master Site Plan are as follows:
 - **VILLAGE A:** civic/institutional use
 - **VILLAGE B:** up to 200 maximum senior residences
 - **VILLAGE C:** up to 165 townhome units (fee-simple lots)
 - **VILLAGE D:** up to 162 single-family lots
 - **VILLAGE E:** up to 70 single-family lots
 - **VILLAGE F:** up to 133 single-family lots

730 DWELLING UNITS (11-11-15)

III. CONCLUSIONS

Upon reviewing the revised Avondale Master Site Plan and associated PDD Ordinance (**SUBMITTED ON 11-11-15**), Planning Staff has commented on the items enumerated below in subcategories **A, B, C, D, E, F, G, H**

A. Density

- 1) The aggregate number of dwelling units within the proposed PDD consists of 730 units.
- 2) The Avondale PDD density figures are now in compliance with UDO Section 13.12.1.11(b)(c)(vii). This UDO section is noted as follows:

DENSITY: DENSITY IS BASED ON BUILDABLE LAND. COMMON OPEN SPACE CANNOT BE USED TO CALCULATE DENSITY. ROADS WILL BE ALLOWED TO BE INCLUDED WHEN DETERMINING DENSITY.

- 3) The applicant has removed the proposed open space from the acreage by which density is calculated. This is in accordance with the above requirement.
- 4) The applicant has also now provided the total acreage for each respective Village within the Avondale PDD.
- 5) Please note the Density Exhibit that has been provided by the applicant (Exhibit 2). This illustrates the manner in which density will be calculated within the Avondale PDD.

- 6) The respective densities for the Avondale PDD are in accordance with those mandated by the Lancaster County PDD regulations which allow a maximum 4 DU/AC for single-family and 8 DU/AC for multi-family.

B. Open Space

- 1) The applicant has updated Section 23 (Open Space) within the Avondale PDD Ordinance. Areas of storm water detention which are integrated into the open space design with features such as walking trails may be used in calculating open space. Additionally buffers of at least 50' in width may be included as open space in accordance with Section 13.12.1.11(b)(ii) of the Lancaster County PDD Ordinance.
- 2) The overall, minimum required open space of 35.87 acres (20%) has been met for the Avondale PDD.

C. Sidewalks

- 1) Sidewalks, six-feet (6') in width, will be provided along all portions of Calvin Hall Road and Harrisburg Road which are impacted by the Avondale PDD. The applicant has noted this within Section 10(b) (2) of the Avondale PDD document. *The Avondale Master Site Plan should be updated to reflect that 6' sidewalk will be provided at these locations.*
- 2) Sidewalks, four-feet (4') in width, will be provided on at least one side of all interior, local streets within Avondale and on both sides of all interior, collector streets including the entrance road within Avondale.

D. Dimensional

- 1) Per the Master Site Plan submitted on **11-11-15** there are up to 530 lots proposed. These lots consist of 165 fee-simple, town-home lots and 365 single-family lots. The applicant proposes the following minimum lot widths within Avondale:
 - **22' lots** ► 165 fee-simple, town-home lots (31% of 530 lots)
 - **55' lots** ► 174 fee-simple, single-family lots (33% of 530 lots)
 - **57' lots** ► 58 fee-simple, single-family lots (11% of 530 lots)
 - **61' lots** ► 98 fee-simple, single-family lots (18% of 530 lots)
 - **70' lots** ► 35 fee-simple, single-family lots (7% of 530 lots)
- 2) The proposed mix of lots is in compliance with Lancaster County PDD requirements. The PDD requirement is that a maximum of 33% of the lots in residential developments are allowed to have the same street frontage (UDO Section 13.12.1.11(b)(ix).
- 3) The applicant has clarified that the town-homes will be constructed on fee-simple lots. Thus these lots may be included in the calculation per the above noted UDO section.

E. Buffering

- 1) The Avondale PDD will include a 40', undisturbed buffer as required by the Lancaster County PDD Ordinance in Section 13.12.1.11.(i)(i). This is noted by the applicant within Section 10(4) of the PDD document as well as on the Master Plan.
- 2) In some areas of the Avondale PDD this 40' undisturbed buffer shall be part of an overall 50' buffer. In this instance the entirety of the 50' wide buffer may be used in calculating the required open space. See Section B above as well as the open space section within the Lancaster County PDD regulations (Section 13.12.1.11.(b)(ii)). Lancaster County PDD regulations allow for buffers that are at least 50' wide to be used in calculating open space.
- 3) These 50' buffers will have sidewalks, walking trails, or some other feature which allows them to be integrated into adjacent open space areas and conducive for passive recreational purposes.

F. Traffic Impact Analysis (TIA)

- 1) The TIA has been revised and was resubmitted on November 2nd. The Master Plan within the resubmitted TIA and the Master Plan submitted by the applicant are the same.
- 2) The third-party reviewer submitted his report in response to the above TIA on November 6th. See Exhibit 4 for this third-party review.
- 3) This third-party review has been provided to the applicant's traffic engineer and the response/resubmittal will be forthcoming prior to 1st reading at County Council. Additionally, the applicant's traffic engineer will be at the Planning Commission meeting to address any questions or concerns.
- 4) The applicant has agreed to support the construction of a roundabout at the future, realigned intersection of Calvin Hall Road and Harrisburg Road. See Section 4.04(e) of the Development Agreement.

G. Proposed Building Elevations (Typical)

- 1) The Avondale PDD document indicates that the following architectural standards will be observed within the project: The permitted exterior building materials for all principal buildings and structures below the roofline that are located in the Development shall be face brick, stone, manufactured stone, pre-cast stone, synthetic stone, cementitious siding, shake, EIFS, stucco and wood. Vinyl shall not be a permitted exterior building material provided, however, that vinyl may be utilized on the soffits, trim and railings, and vinyl windows may be installed on the buildings and structures located in the Development.

H. Variances

- Two variances are proposed for the Avondale PDD via the Development Agreement. These include:
 - 1) A variance to allow a reduction in the width of the required perimeter buffers located within Village C and adjacent to the southernmost access road into Avondale. It is proposed that the perimeter buffer at this location be reduced from 40 feet to a range of between 10 to 20 feet. The proposed buffer variation is illustrated on the Avondale Master Plan.
 - 2) The second variance is provided to eliminate the requirement that a berm be installed within the 30 foot buffer to be established along the buffer of all existing roads. The purpose of this variance is to place a 6'-wide sidewalk along with landscaping within this 30'-wide buffer area.

IV. RECOMMENDATION BASED ON SUBMITTAL OF NOVEMBER 11TH, 2015

Navigational tests have confronted both Planning Staff and the applicant throughout the trek to an equitable Avondale PDD. Though the entitlement phase has been challenging, both parties have worked diligently to produce a just and fair-minded plan.

The only outstanding item(s) with regard to the Avondale PDD involves the Traffic Impact Analysis (TIA). Specifically, the County's third-party traffic engineer has noted several points regarding trip generation and capacity/level of service issues (Exhibit 4). Planning Staff understands that the applicant's traffic engineer will be updating and resubmitting the TIA based on these comments.

On a related point, Planning Staff requests that the applicant provide a cost estimate of the proposed roundabout versus a fully designed, signalized intersection at the realigned Calvin Hall Road and Harrisburg Road. This report should be submitted prior to first reading at County Council.

Additionally, the County's third-party traffic engineer points out two opportunities for traffic mitigation related to the Avondale Project. Planning Staff feels obligated to disclose these mitigation opportunities. The County's third-party traffic engineer did not provide these mitigation comments on previously reviews because there were discrepancies between the site plan and the applicant's trip generation report.

The first opportunity for mitigation exists at the intersection of US 521 and Sandra Lane. It is likely that a great deal of traffic generated by the Avondale PDD will attempt to access US 521 North at this point. This is one of the few intersections that can provide a signalized left turn onto this major arterial.

The "no-build" scenario for the eastbound approach to US HWY 521 and Sandra Lane results in a level-of-service D (LOS D). The "build" scenario for the eastbound approach to US HWY 521 and Sandra Lane results in a level-of-service E (LOS E).

Secondly, the County's third-party traffic engineer has indicated an opportunity for mitigation at the intersection of SC HWY 160 and Calvin Hall Road. Planning Staff would like to point out the likelihood that SCDOT plans to signalize this intersection. Staff will confirm this with Mr. Vic Edwards, PE of SCDOT upon his return from

vacation on Monday November 16th. This information will be presented at Planning Commission on November 17th.

The “no-build” scenario for the southbound approach to SC HWY 160 and Calvin Hall Road results in a level-of-service C (LOS C). The “build” scenario for the southbound approach to SC HWY 160 and Calvin Hall Road results in a level-of-service F (LOS F).

With regard to the Calvin Hall Road and Harrisburg Road intersection, the applicant has acknowledged that Lancaster County prefers the construction of a roundabout rather than a signalized junction. Thus, the proposed Development Agreement reflects the applicant’s intention to support the roundabout in concept before SCDOT and other governmental entities.

Moreover, the applicant has agreed to (1) dedicate the necessary right-of-way for construction of this roundabout at no cost to Lancaster County or the State of South Carolina and (2) contribute a maximum of \$175,000 toward the construction of this roundabout.

The Indian Land section of Lancaster County is experiencing vigorous change as are many communities in this region. This is largely due to the inertia generated by an improved economy coupled with a major metropolis on our doorstep. These circumstances in turn trigger development proposals within the panhandle of our county.

The Avondale Planned Development District has been conceived within this incubator of expansion. The project is predicated on an assimilation of land. Thus, the entitlement of this acreage based on PDD guidelines will result in uniform design standards. This model presents the opportunity for a master-planned neighborhood within the fluid panhandle section of Lancaster County.

Conversely, Planning Staff recognizes the impact that Avondale will have on the County. Any development on this scale will cause infrastructure and resources to be stretched. As a result, the applicant has proposed several items within the Development Agreement to offset this impact. These dedications, fees, and related agreements are enumerated within Article IV of the Avondale Development Agreement.

Each of the below items contributes to an amalgam which makes the Avondale PDD a palatable land development proposal:

- Acceptable density numbers
- Pedestrian connectivity
- Realignment/redesign of an inadequate, major intersection
- Additional road improvements
- Project dedications and fees
- Adequate open space
- Aesthetically pleasing building design/materials
- Housing choices/recreational opportunities for seniors

Thus, Planning Staff advises that Planning Commission recommend **APPROVAL** of the Avondale Planned Development District.

12.	SETBACKS AND YARDS _____	10 <u>11</u>
13.	BUILDING HEIGHT _____	11 <u>12</u>
14.	LOT SIZE _____	11 <u>12</u>
15.	LOT WIDTH _____	11 <u>13</u>
16.	FRONT LOADED SINGLE FAMILY RESIDENCES.....	12 <u>13</u>
17.	BUFFERS _____	12 <u>13</u>
18.	PARKING _____	12 <u>14</u>
19.	ROADWAYS AND TRAFFIC _____	13 <u>14</u>
20.	STREET LIGHTING _____	13 <u>15</u>
21.	MODEL HOMES AND OTHER BUILDINGS _____	14 <u>15</u>
22.	MASS GRADING AND TIMBER HARVESTING _____	14 <u>15</u>
23.	OPEN SPACE _____	14 <u>15</u>
24.	DENSITY _____	14 <u>16</u>
<u>25.</u>	<u>ARCHITECTURAL STANDARDS</u>	<u>16</u>
<u>26.</u>	<u>DEDICATION OF VILLAGE A TO THE COUNTY</u>	<u>16</u>
<u>27.</u>	25. SEVERABILITY _____	14 <u>17</u>
<u>28.</u>	26. UDO	14 <u>17</u>
<u>29.</u>	27. CONTROLLING ORDINANCE _____	14 <u>17</u>
<u>30.</u>	28. EFFECTIVE DATE _____	15 <u>17</u>
	EXHIBIT A _____	17 <u>19</u>
	EXHIBIT B _____	<u>20</u>

Section 1. Citation. This ordinance may be cited as the Avondale Mixed Use Planned Development District (PDD-27) Ordinance or as the PDD-27 Ordinance.

Section 2. Purpose; PDD-27.

- (a) The purpose of this ordinance is to establish the Avondale Mixed Use Planned Development District (PDD-27), to approve the Master Plan for the development of the Property (as defined below) and to provide the regulations that will apply to the development of the Property.
- (b) The Avondale Mixed Use Planned Development District (PDD-27) Ordinance (the “Ordinance”) establishes specific land use controls over the development of the Property to ensure that it is developed in accordance with existing and future needs and to promote the

health, safety and general welfare of future residents. At the same time, the intent of this Ordinance is to provide the flexibility needed to develop the Property in response to evolving innovative development techniques for the protection of the natural environment and the quality of life of future residents.

- (c) The Avondale mixed use development is a mixed use, master planned development comprised of a combination of residential (single-family detached and multi-family townhome residences), senior residences and uses and accessory commercial, retail and service uses, civic and institutional uses and open space uses organized around an integrated development concept that utilizes a series of Villages or components that support the various land uses (the "Development").

Section 3. Authority. This Ordinance is enacted pursuant to the authority of Chapter 29, Title 6 of the Code of Laws of South Carolina 1994, as amended, entitled South Carolina Local Government Comprehensive Planning Enabling Act of 1994, and the Unified Development Ordinance of Lancaster County, as amended (the "UDO").

Section 4. Jurisdiction. This Ordinance applies to the property known as the Avondale mixed use development property which consists of approximately 179.35 acres (the "Property"). The Tax Map Numbers for the Property are 0005-00-093.05, 0005-00-078.00, 0005-00-083.00, 0005-00-089.01, 0005-00-089.00, 0005-00-076.00, 0005-00-077.00, 0005-00-093.04, 0005-00-092.00, 0005-00-091.03, 0005-00-091.00, 0005-00-075.01, 0005-00-075.00, 0005-00-079.01 and a portion of 0005-00-074.03.

Section 5. Official Zoning Map. The Official Zoning Map is amended to show the Property as a Planned Development District (PDD-27).

Section 6. Master Plan. The Master Plan for the Development, prepared by ESP Associates and dated ~~August 25~~, November 2, 2015 (the "Master Plan"), is attached hereto as Exhibit A and incorporated into this Ordinance by reference.

Section 7. Master Plan Amendments.

- (a) Unless otherwise provided in this Ordinance, all amendments to the Master Plan shall be made in accordance with the UDO in effect at the time of the adoption of this Ordinance.
- (b) Development depicted on the Master Plan is intended to reflect a generalized arrangement of proposed land uses on the Property, but the exact configuration, placement or size of the individual site elements may be altered or modified within the limits prescribed by this Ordinance during the design and development and construction phases.
- (c) Subject to the terms of this Section 7 and pursuant to Section 13.12.2.5 of the UDO, a change in the proportion of housing types, lot widths or lot sizes by 15 percent or less of the approved dwelling unit count shall be considered to be a minor amendment of the Master Plan and shall be administratively approved once such change or changes are determined to be in accordance with the regulations specified herein.
- (d) A total maximum of 365 single-family detached residences may be developed within Villages D, E and F.

- (e) A maximum of 165 multi-family townhome residences may be developed in Village C.
- (f) A maximum of 200 Senior Residences (as described below) may be developed in Village B.
- (g) ~~In lieu of the Mixed Use Senior Village proposed to be developed within Village B as described below and on the Master Plan, Developer may, at its option, develop single family detached residences in Village B to respond to market conditions. In such event, a maximum of 65 single family detached residences may be developed in Village B.~~ No more than 33% of the residential lots in the Development may have the same lot width. For purposes of this requirement, residential lots shall include lots for single-family detached residences and lots for multi-family townhome residences.
- ~~(h) No more than 33% of the lots for single family residences may have the same lot width.~~
- (i) Alterations may be made to lot lines and dimensions, roadway alignments, and other configurations as necessary to implement the changes in land use authorized in this Section 7. These alterations shall be administratively reviewed and approved once they are determined to be in accordance with the regulations specified herein.
- (j) Land use changes authorized by this section are effective upon the property owner filing with the Planning Department a document showing the change. These land use changes shall be administratively reviewed and approved once they are determined to be in accordance with the regulations specified herein.

Section 8. Land Uses.

- (a) The land uses authorized for the Development are as follows:
 - (1) Village A: Civic, Institutional, Park and Recreation Uses. Notwithstanding the foregoing, in the event that the County does not accept the dedication and conveyance of Village A as more particularly described in Section 26 below, Village A may be incorporated into Village B and Village A may be developed with a freestanding building containing a maximum of 6,500 square feet of gross floor area devoted to commercial, retail and service uses that are accessory to and in support of the senior uses described in Section 8 below. This 6,500 square feet of gross floor area in Village A shall be in addition to the 15,000 square feet of gross floor area that may be developed in Village B and devoted to commercial, retail and service uses in support of the senior uses.
 - (2) Village B may be developed with up to 200 Senior Housing/Residences/Senior Apartments. Village B will have a mixture of Senior Housing/Residences/Senior Apartments that may or may not include the following: independent living, assisted living, memory care, respite care, continuing care facilities and hospice or nursing type units and facilities. In addition to the foregoing, a Senior Day Care facility may be located within Village B. These senior uses are intended to be supported by accessory commercial, retail and service uses that will be located internal to and within the building(s) containing the Senior Housing/Residences/Senior Apartments ~~facilities~~. These accessory commercial, retail and service uses may include one or

more of the following based on market conditions and operator/user programming preferences: Beauty Shop, Barber Shop, Ice Cream Shop, Coffee Shop, Ancillary food services, Newsstand, Pharmacy, Eye Care Shop, Doctor's Office, Dental Office and Fitness, Workout and/or Exercise Club Room areas. These accessory commercial, retail and service uses shall be allowed administratively as a use by right within Village B of PDD- 27 and shall not require an amendment to the PDD zoning or a variance, change of use permit or special use permit to initiate occupancy from a zoning standpoint, only a building permit. These commercial, retail and service uses are intended to serve the individuals living in the senior community or the patrons enrolled in the Senior Day Care facility.

In no event may the Senior Housing/Residences/Senior Apartments be owner occupied dwelling units. As a result, the Senior Housing/Residences/Senior Apartments shall be deemed to be a commercial use for purposes of Section 13.12 of the UDO.

(3) Village C: Multi-Family Townhome Residences.

(4) Villages D, E and F: Single-Family Detached Residences.

(b) As noted above in ~~subparagraph~~subparagraphs 8(a)(1) and 8(a)(2), commercial, retail and service uses that are accessory to the senior uses may be located in Village A and Village B. These accessory commercial, retail and service uses may be comprised of any land use allowed in the Table of Permissible Uses in the UDO for the commercial land use district designation unless otherwise provided in this Ordinance.

(c) Notwithstanding anything contained herein to the contrary, the following land uses are prohibited in PDD-27:

- (1) Adult entertainment;
- (2) Auto business, etc.;
- (3) Automobile wrecking and/or junk salvage yard;
- (4) Commercial kennels;
- (5) Industrial mining;
- (6) Livestock auction house;
- (7) Lumber and/or building materials dealer;
- (8) Manufactured home type units;
- (9) Modular housing;
- (10) Motorized race and testing track;
- (11) Pistol, rifle, skeet range or turkey shoot;
- (12) Private or commercial horse stables;
- (13) Rooming and boarding houses;
- (14) Agricultural; and

(15) Solid waste disposal and recycling station.

~~(d) In lieu of the Mixed Use Senior Village proposed to be developed within Village B as described herein and on the Master Plan, Developer may, at its option, develop single family detached residences in Village B to respond to market conditions. In such event, a maximum of 65 single family detached residences may be developed in Village B.~~

Section 9. Definitions. In this Ordinance, each of the following terms shall have the meaning assigned to it:

Accessory Uses – A use that is incidental or insubstantial in and of itself or in relation to the principal use.

Assisted Living - A system of housing and limited care that is designed for senior citizens who need some assistance with daily activities but do not require care in a nursing home.

Assisted Living Apartments - A system of housing and limited care that is designed for senior citizens who need some assistance with daily activities but do not require care in a nursing home. Residents are housed in Apartments style units

Attached Housing - A single dwelling unit attached to another dwelling unit on one or more sides.

Civic Use - Police stations, libraries, daycare facilities, fire stations, emergency medical service stations, meeting halls, recreational facilities, government buildings, museums, schools, performing arts centers, religious buildings, picnic areas, recreation centers, water towers, public parks or any other cultural, civic or social use.

Commercial Use - Business and retail establishments providing consumer services and products.

Continuing Care – A facility that contains independent living units, assisted living units and skilled nursing facilities. Residents can transfer among levels of care as needs change. These facilities are commonly referred to as CCRCs.

Cul-de-sac – A cul-de-sac is a street that terminates in a vehicular turn-around. Cul-de-sac length shall be measured from the first point of intersection with an existing street to the center radius of the cul-de-sac bulb.

Density – The amount of residential and non-residential development permitted on ~~a given parcel of land, typically measured in dwelling units per acre (total residential units/total development land area) as specified and described in the UDO~~ the Property. The manner in which the permitted maximum density of the Development is calculated or determined is more particularly set out on the Density Exhibit attached hereto as Exhibit B and incorporated herein by reference. The maximum permitted density is set out on the Master Plan and in Section 11 below.

Dependent Living Facility - Nursing homes, rest homes and homes for the aged which are designed for persons who need a wide range of health and support services located on the site, such as medical and nursing care, central dining, and transportation services. Residents are generally housed in apartment style units.

Developer - Sinacori Builders, LLC or its assignee(s), as provided in the Development Agreement.

Development Agreement – means the Development Agreement by and between Sinacori Builders, LLC and the County of Lancaster, dated as of _____, 2015, and approved by the County Council by passage of Ordinance No. 2015-1370.

Hospice – A home providing care for the sick, especially the terminally ill.

Independent Living - Nursing homes, rest homes and homes for the aged which are designed for older or disabled persons who do not require health and support services located on the site, such as medical and nursing care, central dining and transportation services. Each living unit within the facility is a self-contained dwelling unit.

Detached Housing - A single dwelling unit not attached to any other dwelling unit, with an open yard on all sides of the structure.

Land Use Designations- The use to which a particular area of the Property may be put as shown on the Master Plan.

Master Plan- The conceptual master plan for the development of the Property.

Memory Care - A distinct form of long-term skilled nursing that specifically caters to patients with Alzheimer's disease, dementia, and other types of memory problems.

Multi-Family ~~Housing~~ ~~Attached housing~~ Residence - A residential use consisting of a building containing ~~two~~^{three} or more dwelling units ~~on a single lot. Multi-family housing may include but not be limited to the following: quadraplexes, townhouses, apartments, and condominiums.~~ For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch). For purposes of this Ordinance, a multi-family residence shall only include a senior multi-family residence.

Multi-family Apartment - A multi-family residential use other than a multi-family conversion or multi-family townhome. For purposes of this Ordinance, a multi-family apartment shall only include a senior multi-family apartment.

Multi-family Townhome Residence - A multifamily residential use in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one (1) other dwelling unit and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

Nursing Care – A facility that offers long-term care for individuals who need rehabilitation services or who suffer from serious or persistent health issues.

Open Space - Any area on the Property designated for use as a Park or Amenity Center, Floodway, Floodplain and/or Open Space on the Master Plan.

Property - All of the land comprising the Avondale mixed use development property and that is more particularly described above in Section 4.

Property Owner - The Developer of the Property or, as to a particular Village or component, any single sub-developer the Property Owner designates in an Assignment of Property Owner Rights, as provided in Section 11(d) of this Ordinance.

Residential - Any residential land use permitted in the UDO.

Respite Care - Short-term care accommodation in a facility outside the home in which a loved one may be placed, providing temporary relief to caregivers

Retail Use - Any use associated with the sale of consumer goods, products or merchandise.

Retirement Community – Senior living facility that offers group dining services, basic housekeeping and laundry services, transportation to appointments and errands, activities, social programs, and access to exercise equipment. Typically supported by emergency live-in managers, management agency offices, and support amenities like pools, spas, clubhouses, and on-site beauty and barber salons, etc.

Senior Apartments – Most common type of independent senior living. Services usually include recreational programs, transportation, and meals service.

Senior Housing/Residences – Senior communities that offer single-family detached homes, duplexes, townhomes, cottages, condominiums or apartment-style independent senior living units and which offer residents the option to rent or buy their dwelling units.

Senior Day Care - A facility for the supervised care of older adults, providing activities such as meals and socialization one or more days a week during specified daytime hours. The participants, primarily persons with physical and/or mental limitations who need socialization, physical assistance, and/or psychological assistance, return to their homes, or senior apartments each evening. The program is often used as respite by family members caring for an older person who cannot be left alone safely in the home.

Single-Family Detached Residence - A residential use consisting of a single detached building containing one (1) dwelling unit and located on a lot containing no other dwelling units.

Villages- any one of the Components depicted on the Master Plan.

Section 10. Development Regulations.

- (a) Unless otherwise provided in this Ordinance or the Development Agreement, the development of the Property must comply with the UDO. To the extent that the Development Agreement contains zoning and development standards that are in conflict with any provision of this Ordinance or the UDO, the zoning and development standards set out in the Development Agreement shall control the development of the Property and supersede the provisions of this Ordinance and the UDO. To the extent that this Ordinance contains zoning and development standards that are in conflict with any provision or provisions of the UDO, including, without limitation, Section 13.12 of the UDO, the zoning and development standards set out in this Ordinance shall control the development of the Property and supersede the UDO provisions. Zoning and development standards shall include, without limitation, minimum lot width, minimum lot size, setback and yard requirements, maximum building height, buffers and open space requirements.
- (b) Notwithstanding the applicable provisions of the UDO, the following development regulations shall apply to the development of the Property:
 - (1) Block and Roadway Configuration - Block lengths, block widths, and cul-de-sacs may vary, provided that they do not exceed 1,000 feet and adequate fire protection criteria is maintained.
 - (2) Sidewalks and Public Crosswalks -- Connectivity shall be provided through the use of sidewalks to link various areas of the Property. Sidewalks will be provided on one side of the secondary streets and along both sides of all collector roads in the

development and the entrance road. The sidewalks installed by Developer along the Property's frontages on Harrisburg Road and Calvin Hall Road shall have a minimum width of 6 feet as more particularly depicted on the Master Plan. All other sidewalks shall have a minimum width of 4 feet as more particularly depicted on the Master Plan.

(3) Driveways - No restriction applies to the location of driveways for non-residential uses, provided, that all access roads into the residential or commercial areas from Harrisburg Road, Calvin Hall Road and other external surrounding roads are subject to approval by the South Carolina Department of Transportation ("SCDOT").

(4) Buffers ~~—Buffers and setbacks for the perimeter of—~~ Except as otherwise specifically provided herein or on the Master Plan, the Development shall ~~be in accordance~~ comply with the buffer requirements set out in Section 13.12 of the UDO unless otherwise specifically provided in this Ordinance. ~~A 30-foot wide perimeter buffer meeting the requirements of Section 12.9 of the UDO. A 50-foot buffer shall be provided along those portions of the exterior boundaries of Village B that abut public roads as depicted on the Master Plan, and a 50-foot wide perimeter buffer meeting the requirements of Section 12.9 of the UDO shall be provided along those portions of the exterior boundaries of Village B that abut residential land uses as~~ the Development that are more particularly depicted on the Master Plan. Except for the 50-foot buffer established adjacent to a portion of Calvin Road, the outer 40 feet of the 50-foot buffer shall be undisturbed as more particularly depicted on the Master Plan. As provided in Section 13.12.1.11(i) of the UDO, within the undisturbed portion of the buffer, ingress/egress to the Property shall be allowed, as well as utility easements and sidewalks.

Notwithstanding the foregoing, two variances from the buffer standards have been provided through the Development Agreement. First, a variance to allow a reduction in the width of the required buffer located in Village C adjacent to the southernmost access road into the Development from Harrisburg Road has been provided. More specifically, the minimum width of this buffer shall range from 10 feet to 20 feet as more particularly depicted on the Master Plan due to the width of that portion of the Property. Second, a variance has been provided to eliminate the requirement that a berm be installed within the 30-foot landscaped buffer to be established on the frontage of all roads.

(5) Parking - Parking shall be provided in accordance with Section 17 of this Ordinance. Parking may be shared for uses located within Villages A and B provided that fully executed and recorded cross access agreements and shared parking agreements are provided to the Lancaster County Planning Department.

(6) Open Space Requirements - For purposes of applying ~~Section 17.1(2)(b)(i) of the UDO to the Development, the narrow strip of common area must be at least twenty-five feet (25') in width.~~ ~~(7) —the~~ Open Space Requirements ~~—For purposes of applying Section 17.1(2)(a)~~ requirements of Section 13.12.1.11.b of the UDO to the Development, sidewalk ~~trails, utility easements and utility crossings and any~~

associated improvements required to construct and maintain such crossings, encroachments or facilities may be included in the areas designated for incorporation into the Development's Open Space calculations provided that they meet the requirements of Section 13.12.1.11.b.ii.C of the UDO.

- (87) Floodway Restrictions - In addition to the uses allowed by Section 16.1.3.2 of the UDO for land within a floodway, the following uses are allowed: (i) Open Space and non-buildable portions of single family residential lots; and (ii) roadway crossings, utility crossings and any associated improvements necessary to develop such crossings.
- (98) Floodplain Restrictions -- In lieu of the provisions of Section 16.1.4 of the UDO, the following requirement shall apply: No building or fill material shall be located within a distance of the stream bank equal to five (5) times the width of the stream at the top of the bank area unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (109) Submission Requirements -- Environmental Characteristics of the Site - When submitting flood frequency information as a part of the subdivision approval process, the entity seeking subdivision approval is required to submit only one hundred (100) year frequency flood information, provided, however, buildings or fill material shall not be placed within a FEMA one hundred (100) year floodplain without a LOMR-F.
- (110) Connectivity - The minimum connectivity index required for PDD-27 is 1.4.
- (11) Street Trees – Street trees shall be installed back of sidewalk and outside of the public right of way.

Section 11. Density/Intensity.

(a) Development density or intensity for a particular use shall not exceed the following use densities:

<u>Land Use</u>	<u>Density/Intensity</u>	<u>Total Number of Acres/Units/ Facilities</u>
Single-Family Detached - Villages D, E and F	Up to 3.5 Dwelling Units/Acre, On Average	Up to 365 Total Single-Family Detached Residences
Multi-Family Townhomes - Village C	Up to 6.6 Dwelling Units/Acre, On Average	Up to 165 Total Multi-Family Townhome Residences
Senior Mixed Use - Village B		
Senior Residences/Apartments/ Senior Housing	Up to 8.0 Dwelling Units/Acre	Up to 200 Total Dwelling Units
Senior Daycare	N/A	Up to 6000 sq. feet of gross floor area
Commercial/Retail/Service in support of Senior Uses		Up to 15,000 sq. feet of gross floor area
<u>Village A – Commercial/Retail/Service</u>		<u>Up to 6,500 sq. feet of gross floor area</u>

~~(b) In lieu** In the event that the County does not accept the dedication and conveyance of the Mixed Use Senior Village proposed to be developed within Village B as described herein and on the Master Plan, Developer may, at its option, develop single family detached residences in Village B to respond to market conditions. In such event, a maximum of 65 single family detached residences Village A as more particularly described in Section 26 below. Village A may be incorporated into Village B and Village A may be developed with a freestanding building containing a maximum of 6,500 square feet of gross floor area devoted to commercial, retail and service uses that are accessory to and in support of the senior uses described in Section 8 above. This 6,500 square feet of gross floor area in Village A shall be in addition to the 15,000 square feet of gross floor area that may be developed in Village B and devoted to commercial, retail and service uses in support of the senior uses.~~

(eb) The number of lots for single-family detached residences located within each of Villages D, E and F as depicted on the Master Plan may be altered by Developer in its discretion, provided that the total number of lots for single-family detached residences located in Villages D, E and F does not exceed 365.

(dc)(1) Developer may transfer development uses or intensity (the number of residential units or the number of acres devoted to any particular use) within the Property by transferring density or units from any Village within the Property to any other Village within the Property, so long as the total intensity of development within the Property as a whole (measured in total number of residential units or acreage, as applicable) does not increase. If any density (total number of dwelling units or building area) allocated to a Village by an Assignment of Property Owner Rights is not utilized, as determined with reference to approved site plans for all areas within the Village, the unused density shall revert to the Developer for allocation to any other Village.

(dc)(2) As used in this subsection (d) and in the definition of "Property Owner" in Section 9 of this Ordinance, "Assignment of Property Owner Rights" means a written instrument in recordable form by which the Developer assigns its rights as property owner under this Ordinance to another person or entity with respect to a particular Village designated in the Assignment of Property Owner Rights. The Assignment of Property Owner Rights may include such limitations on the assignee as the Developer desires including, without limitation, restrictions on the type of units that may be constructed within a Village, the location where those units may be constructed within the Village, the number of units of a particular type that may be constructed within the Village, the minimum lot requirements for the Village (including requirements for setback, lot area, building height, lot width, buffers, and number of units per lot). All restrictions contained within the Assignment of Property Owner Rights are binding on the assignee and each person who ultimately owns any real estate within the designated Village. Any such limitations shall be in addition to any private contractual restrictions placed upon all or any part of any Village by the Property Owner. The Assignment of Property Owner Rights shall not be used as a method to change the Master Plan which may be changed only in accordance with the provisions of this Ordinance and Section 13.12.2.5 of the UDO.

(d)(3) Developer shall issue a certificate stating the maximum development intensity allowable on any tract within the Property consistent with this Ordinance prior to the sale of any such parcels or before building permits are issued for that specific area of the Property. The certificate will state the number of dwelling units and/or the amount, in acres, of commercial, retail or service uses, as applicable, that may be developed on the applicable various tracts. Developer must file a copy of the certificate with the Planning Department. The County shall be responsible for creating and maintaining a record of the number of dwelling units and/or acres allocated to each tract as well as the total number of dwelling units or floor area actually constructed on each tract.

Section 12. Setbacks and Yards. (a) All lots within PDD-27 shall meet or exceed the following setback and yard requirements from a public right of way:

Land Use	Min. Setback	Min. Side Yard	Min. Rear Yard
Single-Family Detached Villages D, E and F	20'	5'	25'
Multi-Family Townhome - Village C	20'	7'	25'
Senior Mixed Use Village B	25'	<u>5'</u>	<u>15'</u>
<u>Village A</u>	<u>25'</u>	5'	15'

(b) Eaves, cornices, chimneys, gutters, vents and other minor architectural features may project up to 24" into the setback area.

(c) HVAC equipment may encroach up to 2' into side or rear yards. HVAC units shall be located on opposite sides of the lots for adjacent homes to prevent HVAC units being located next to each other.

(d) Setbacks along a private road within any residential/ multifamily use shall be measured from the ~~back-of-curb~~ lot line and shall satisfy fire access and emergency management vehicular requirements.

(e) Single family homes, multi-family townhomes, senior housing/residences/apartments, non-residential buildings and any other types of buildings may not encroach into the required buffers.

Section 13. Building Height. (a) Except as provided below, maximum building heights must comply with the requirements of the UDO:

Land Use	Maximum Building Height
Single-Family Detached - Villages D, E and F	35'
Multi-Family Townhome - Village C	50'

Senior Mixed Use - Village B	50'
<u>Village A if not accepted by the County</u>	<u>50'</u>
Civic/Institutional/Park and Recreation Uses	N/A

(b) A sprinkler system is required for non-residential structures greater than 35 feet in height. No structure may be over 50' in height unless approval is obtained from the emergency preparedness department and the building and zoning department.

Section 14. Lot Size. (a) All lots shall contain the minimum number of square feet (sf) indicated in the following table:

Land Use	Minimum Lot Size*
Single-Family Detached - Villages D, E and F	6,500 sq. feet
Multi-Family Townhome - Village C	1,000 sq. feet
Senior Mixed Use – Village B	
Commercial/Retail/Service in support of Senior Uses	Up to 15,000 square feet of gross floor area
Senior Day Care	<u>No minimum lot size</u>
<u>Village A if not accepted by the County</u>	<u>No minimum lot size</u>
	Up to 6,000 square feet of gross floor area <u>No minimum lot size</u>
Civic/Institutional/Park and Recreation Uses	No Minimum <u>minimum</u> Lot Size

(b) Lot size excludes all required buffers, road right-of-way, common open space, easements, 100 year floodplain, and other areas within a subdivision that typically are not controlled or developed by the lot owner.

Section 15. Lot Width. All lots shall meet or exceed the minimum widths indicated in the following table:

Land Use	Minimum Lot Width
Single-Family Detached - Villages D, E and F	55' front loaded type lots
Senior Mixed Use - Village B	100'
Multi-Family Townhome - Village C	22'
<u>Village A if not accepted by the County</u>	<u>100'</u>
Civic/Institutional/Park and Recreation Uses	No Minimum

Section 16. Front Loaded Single Family Residences. All lots for single family detached residences shall be front loaded.

Section 17. Buffers.

- (a) ~~A perimeter buffer is not required where the uses are adjacent to an existing or proposed road. The external border of the proposed PDD that is not adjacent to an existing or proposed road must be buffered by a minimum 40 foot wide buffer.~~ Except as otherwise specifically provided herein or on the Master Plan, the Development shall comply with the buffer requirements set out in Section 13.12 of the UDO. A 50 foot wide buffer shall be provided along those portions of the exterior boundaries of the Development that are more particularly depicted on the Master Plan.

Where steep topography is present or pedestrian/vehicular access, utility easements, or sidewalks are needed, grading will be allowed in these buffers. The ~~buffer yards~~ buffers are to remain as open space, except to the extent necessary to accommodate berms, walls, fences, signs and graphics, lighting fixtures, access points, drainage easements, utility lines, sidewalks and other facilities, and other uses identified in the UDO. Where there is an insufficient natural buffer, plantings will be installed by the Developer. ~~If the proposed use is adjacent to a similar use, on an adjacent tract, or adjacent to similar zoning or a parcel providing its own required buffer due to zoning or land use requirements for that use, this perimeter buffer may be removed with the approval of the Zoning Administrator.~~

- (b) Notwithstanding the foregoing, two variances from the buffer standards have been provided through the Development Agreement. First, a variance to allow a reduction in the width of the required buffer located in Village C adjacent to the southernmost access road into the Development from Harrisburg Road has been provided. More specifically, the minimum width of this buffer shall range from 10 feet to 20 feet as more particularly depicted on the Master Plan due to the width of that portion of the Property. Second, a variance has been provided to eliminate the requirement that a berm be installed within the 30 foot landscaped buffer to be established on the frontage of all roads.

- (~~b~~c) If the Developer can demonstrate to the Chief Zoning Administrator ~~Officer~~ that the topography or elevation of a development site, the size of the parcel to be developed, or the presence of a buffer or screening on adjacent property would make strict adherence to the buffer requirements of the UDO serve no meaningful purpose, then the Chief Zoning Administrator ~~shall~~ Officer shall refer the matter to the Planning Commission for consideration and the Planning Commission may waive the buffer requirements for that site.

- (c) ~~A 50 foot wide buffer shall be established along the boundary line of the PDD (Lancaster County Tax Map Number 0005-00-018.00) that is adjacent to a portion of Lancaster County Tax Map Number 0005-00-077.00 as depicted on the Master Plan, and a 50 foot wide buffer shall be established along the boundary line of the PDD adjacent to property owned by Glen Laurel Homeowners Association (Lancaster County Tax Map Number 0005H-0C-001.01), as depicted on the Master Plan.~~

Section 18. Parking.

- (a) All uses within the PDD may utilize on street parking to meet the requirements of Section 11.2 of the UDO. If parking is allowed on any road within this Development regardless of which section it is allowed in, the road must be wide enough to allow the parking of vehicles on the street and the travel width of the road must be at least 24 feet excluding the parking areas. Multi-level parking garages are an allowed use in Village B of the PDD.
- (b) For commercial, retail or service uses located within the Senior Mixed Use Village B, no additional parking is required since these uses are only intended for use by the senior residents.

Section 19. Roadways and Traffic.

- (a) The number, location and alignment of the internal roadways shown on the Master Plan may be modified, provided that they are constructed in conformance with the roadway design and construction standards set forth in this section.
- (b) All internal roadways shall be built to the County's construction standards set forth in the UDO and Chapter 26 of the Lancaster County Code, except as otherwise specified in subparagraphs (c) through (e) of this section.
- (c) Any portion of the Property may have private roads.
- (d) All internal roads will be constructed with curb and gutter.
- (e) All internal roadways will be constructed in accordance with the following minimum standards:

	Street Standards	R/W Width
1. Local Limited Res. Street	22' Asphalt 24' BC/BC	40' r/w
2. Local Residential	22' Asphalt 27' BC/BC	50' r/w
3. Residential Collector Street	32' Asphalt 36' BC/BC	66' r/w
4. Private Street/Drive Townhomes/Commercial	22' Asphalt 23' BC/BC (Standard 1' – 6" Curb)	30' Clear Zone

- (f) All connections to SCDOT roadways must meet SCDOT regulations and be approved by SCDOT.

Section 20. Street Lighting.

- (a) Community street lighting shall be provided within the Property, and shall be designed and constructed in accordance with the requirements of this section and the UDO.

- (b) All community street lighting within each Village shall be of uniform design and all lighting throughout the Property shall be complementary.
- (c) The community street lighting shall be part of an overall street lighting program for the Property. The street lighting shall be maintained and operated by the appropriate electric utility, a property owners association, or some other non-profit entity.
- (d) Nothing in this section shall be construed to limit or otherwise impair the ability of any individual resident or lot owner to construct or install lighting anywhere on such resident's or owner's lot. Such lighting, however, shall be appropriately shielded so that it does not interfere with the reasonable enjoyment of neighboring properties.

Section 21. Model Homes and Other Buildings. Within the boundaries of tax parcels 0005-00-093.05, 0005-00-078.00, 0005-00-083.00, 0005-00-089.01, 0005-00-089.00, 0005-00-076.00, 0005-00-077.00, 0005-00-093.04, 0005-00-092.00, 0005-00-091.03, 0005-00-091.00, 0005-00-075.01, 0005-00-075.00, 0005-00-079.01, and a portion of 0005-00-074.03, prior to the installation of water and sewer for the Development or any of its components, the Developer at any given time may be issued not more than eleven (11) building permits of which ten (10) may be for model single family residences for sale ("Model Homes") and one (1) for a sales office. ~~The Model Homes may be connected to temporary water and sewer services, including septic tanks, provided that the Model Homes shall be connected to central water and sewer services as soon as the central services are available. Prior to issuing the building permits for the Model Homes, the Developer shall provide the County with proof of applicable approvals by other governmental entities, including, but not limited to, provided that all applicable requirements of the Lancaster County Water and Sewer District are satisfied by Developer, and all applicable requirements of the South Carolina Department of Health and Environmental Control. Except for the water and sewer connections, the Developer must comply with all ordinary requirements for the issuance of building permits including, but not limited to, any then applicable county wide building, housing, electrical, plumbing, and gas codes. A certificate of occupancy for the Model Homes shall not be issued until the Model Homes are connected to central water and sewer services and must meet otherwise applicable requirements. — and other relevant governmental agencies are satisfied by Developer.~~ The absence of a certificate of occupancy does not prevent developer from using the Model Home for Model Home purposes.

Section 22. Mass Grading and Timber Harvesting. The Developer may mass grade all or any portion of the Property, sell or relocate excess soils resulting from such mass grading, and harvest and process timber within the Property, provided that the Developer complies with section 12.11 of the UDO.

Section 23. Open Space. ~~Storm water detention facilities and project buffers may be included as Open Space provided that these areas meet the requirements of Section 13.12.1.11(b)(ii)(A)(1)-(4) of the UDO.~~ In addition to any other areas of the Development considered to be Open Space under the UDO, the facilities or areas set out in subparagraphs (a) and (b) below shall be considered to be Open Space.

- (a) A storm water detention facility shall be considered to be Open Space provided that the storm water detention facility meets the requirements of Section 13.12.1.11(b)(ii)(A) of the UDO. The requirement set out in Section 13.12.1.11(b)(ii)(A)(4) of the UDO may be met by

providing a walking trail to and around the storm water detention facility so that the storm water detention facility is accessible to the public.

(b) Buffer areas shall be considered to be Open Space provided that the buffer areas meet the requirements of Section 13.12.1.11(b)(ii)(A) and 13.12.1.11(b)(ii)(B) of the UDO. The requirement set out in Section 13.12.1.11(b)(ii)(B)(2) of the UDO shall be met by the provision of a minimum 6 foot wide sidewalk located adjacent to or within the buffer areas as more particularly depicted on the Master Plan so that the buffer areas are conducive to actual use for passive recreational purposes by residents of the Development.

(c) If a storm water detention facility does not meet the applicable requirements of Section 13.12.1.11(b)(ii)(A) of the UDO such that it does not qualify as Open Space, then the area of the storm water detention facility may be utilized to calculate density as provided below in Section 24.

Section 24. Density. ~~Storm water detention facilities, creeks, streams, wetland areas and tree save/preservation areas, along with internal open space areas, pocket parks and perimeter buffers that do not front along public roadways can be utilized to calculate density. Additionally, the~~

(a) The land area of Village A, which shall may be devoted to civic/institutional/park and recreation uses, shall be utilized and considered when calculating the overall permitted density of the entire Development.

(b) If a storm water detention facility does not meet the applicable requirements of Section 13.12.1.11(b)(ii)(A) of the UDO such that it does not qualify as Open Space, then the area of the storm water detention facility may be utilized to calculate density.

(c) The manner in which the permitted maximum density of the Development is calculated or determined is more particularly set out on the Density Exhibit attached hereto as Exhibit B and incorporated herein by reference. The maximum permitted density is set out on the Master Plan and in Section 11 hereof.

(d) For purposes of determining the maximum permitted density, pursuant to Section 13.12.1.11(b)(vii) of the UDO, any calculation which results in a fraction equal to or greater than .51 shall be rounded upward to the next number. For example, 6.6 dwelling units per acre shall be considered to be 7 dwelling units per acre.

Section 25. Architectural Standards. The permitted exterior building materials for all principal buildings and structures below the roofline that are located in the Development shall be face brick, stone, manufactured stone, pre-cast stone, synthetic stone, cementitious siding, shake, EIFS, stucco and wood. Vinyl shall not be a permitted exterior building material provided, however, that vinyl may be utilized on the soffits, trim and railings, and vinyl windows may be installed on the buildings and structures located in the Development.

Section 26. Dedication of Village A to the County. As provided in the Development Agreement, Developer shall offer for dedication and conveyance to the County that approximately four (4) acre portion of the Development designated as Village A on the Master Plan for civic, institutional, park and/or recreation uses. Village A is intended to be developed by the County or its designee for civic,

institutional, park and/or recreation uses and is being provided by Developer as a means of satisfying the commercial development requirement set out in Section 13.12.1.11(d)* of the UDO. (This is in addition to Village B, which on its own shall satisfy this commercial development requirement). County and Developer acknowledge that whether Village A is ultimately accepted and developed by the County or its designee is dependent on the availability of funding to pay for the development of Village A and that the decision to accept and develop Village A is a discretionary decision for County Council. If the County determines to accept the dedication and conveyance of Village A, then Developer shall convey Village A to the County free of any encumbrances and by way of a general warranty deed conveying marketable and insurable title to the County. No recycling centers, convenience site or trash or solid waste transfer stations or similar type of land uses can be included as an eligible land use on Village A. If the County should, in its discretion, decide not to accept Village A, then Developer shall be permitted, in its discretion, to retain Village A and either remove it from the PDD-27 or keep it in the PDD-27 and combine Village A with Village B, the Mixed Use Village. In the event that Developer determines to keep Village A in the PDD-27 and to combine it with Village B, then Village A may be developed with a freestanding building containing a maximum of 6,500 square feet of gross floor area devoted to commercial, retail and service uses that are accessory to and in support of the senior uses described in Section 8 above. This 6,500 square feet of gross floor area in Village A shall be in addition to the 15,000 square feet of gross floor area that may be developed in Village B and devoted to commercial, retail and service uses in support of the senior uses.

If the County should, in its discretion, decide not to accept Village A, then Developer shall nonetheless be deemed by the County to have satisfied the commercial development requirement of Section 13.12 of the UDO because of Developer's planned use of Village B.

Section 27. Severability. If any section, subsection or clause of this Ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section 26-28. UDO. Any reference to the UDO set out in this Ordinance shall be deemed to refer to the requirements of the UDO in effect as of the effective date of this Ordinance.

Section 27-29. Controlling Ordinance. Except as otherwise provided in Section 10(a) of this Ordinance, to the extent this Ordinance contains provisions that conflict with provisions contained in the Lancaster County Code or other County ordinances, resolutions, policies, procedures and actions, the provisions contained in this Ordinance shall supersede all other such provisions and this Ordinance is controlling.

Section 28-30. Effective Date. This Ordinance is effective upon third reading, provided, however, the rezoning of the Property to Planned Development District provided for in Section 5 of this ordinance is effective when Sinacori Builders, LLC, delivers to the County Administrator clocked-in copies, with book and page numbers, of the recorded deeds conveying the Property identified in Section 4 of this Ordinance to Sinacori Builders, LLC, or a Sinacori Related Entity. If Sinacori Builders, LLC, or a Sinacori Related Entity has not delivered to the County Administrator recorded deeds conveying the Property identified in Section 4 of this Ordinance to Sinacori Builders, LLC, or a Sinacori Related Entity by 5:00 p.m., Friday, ~~April~~ July 29, 2016 then the rezoning of the Property to Planned Development District provided for in Section 5 of this Ordinance shall not become effective. As used in this section, 'Sinacori Related Entity' means (i) an entity that is owned or controlled by Sinacori Builders, LLC, a

North Carolina limited liability company, or is owned or controlled by an entity that owns at least a fifty percent (50%) membership interest in Sinacori Builders, LLC; and/or (ii) any entity that is the successor in interest to Sinacori Builders, LLC via merger or operation of law.

And it is so ordained this ____ day of _____, 2015.

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

1st reading:
2nd reading:
3rd reading:

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

EXHIBIT A to Ordinance No. 2015-1369 (PDD-27)

Avondale Site

Planned Development District (PDD-27)

Master Plan

See attached.

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EXHIBIT B to Ordinance No. 2015-1369 (PDD-27)

Avondale Site

Planned Development District (PDD-27)

Density Exhibit

See attached.

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Document comparison by Workshare Compare on Wednesday, November 11, 2015 10:50:12 AM

Input:	
Document 1 ID	interwovenSite://WORKSITE/WSACTIVE/7597322/5
Description	#7597322v5<WSACTIVE> - Avondale PDD - 27 Ordinance 8.12.15
Document 2 ID	interwovenSite://WORKSITE/WSACTIVE/7597322/8
Description	#7597322v8<WSACTIVE> - Avondale PDD - 27 Ordinance 8.12.15
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	126
Deletions	79
Moved from	3
Moved to	3
Style change	0
Format changed	0
Total changes	211

Exhibit 2

Density Exhibit

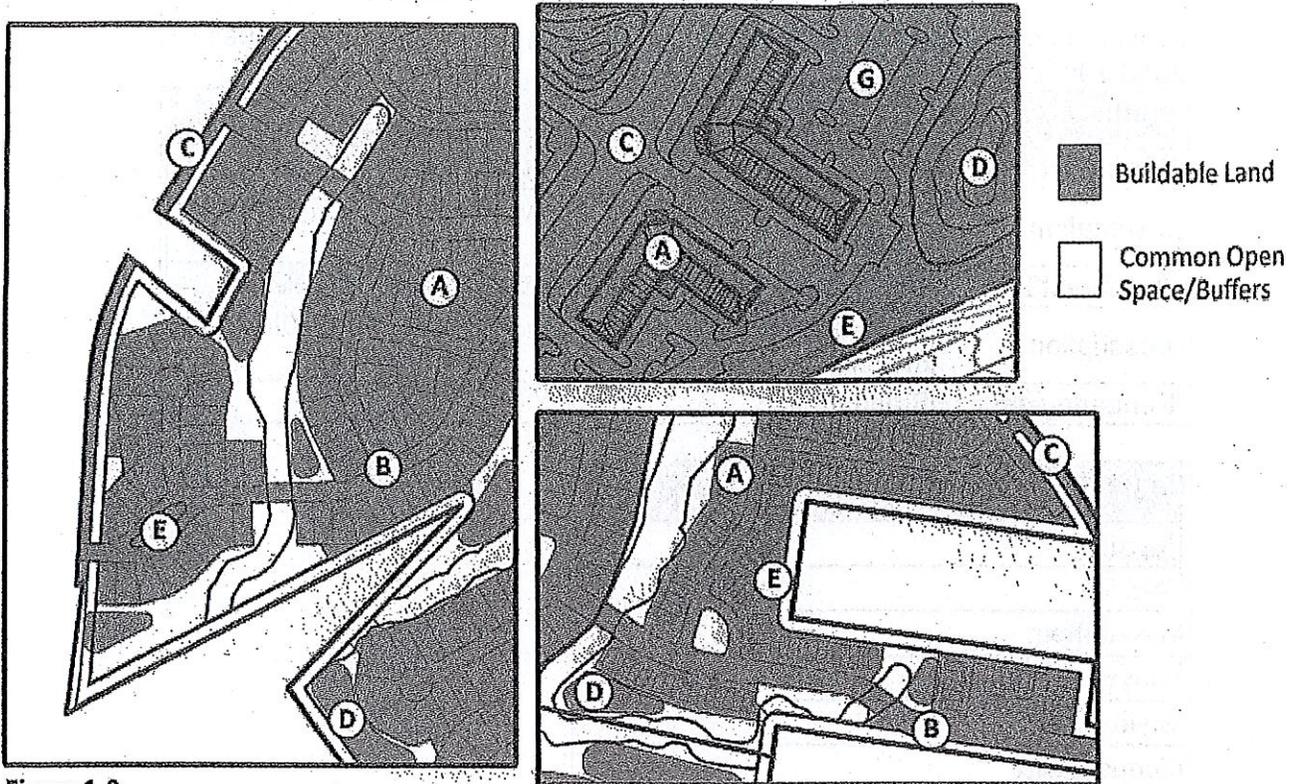


Figure 1.0
Conceptual layouts, for example only; not to scale.

Per Lancaster County UDO, Section 13.12.1.11.b.viii - "Density": Density is based on buildable land. Common Open Space cannot be used to calculate density. Roads will be allowed to be included when determining density.

Buildable Land Includes (See Figure 1.0 above):

- (A) Lots (single family/multi-family/townhomes) and Buildings
- (B) Proposed rights-of-way
- (C) Existing rights-of-way
- (D) Stormwater/water quality ponds/BMPs that are NOT included as Common Open Space
- (E) Strips of improved open area that are less than 50' wide and therefore do not qualify as Common Open Space and are NOT part of a required perimeter or road buffer
- (G) Parking lots

Example Density Calculation:

Proposed Lots/Units:	100 Lots
Buildable Area:	50 Acres
Proposed Density:	100 Lots/50 Acres = 2.0 DU/Acre



121 West Trade Street
Suite 1950
Charlotte, NC 28202
Main: 704-342-5401
Fax: 704-342-8472

www.pbworld.com

TO: Penelope Karagounis
FROM: Jason Gorrie, PE
DATE: November 5, 2015
RE: Avondale Development Traffic Impact Study Dated November, 2015 - Comments

Trip Generation

- Page 7: The trip generation table is provided in the report showing the number of trips for each land use but there is no documentation of whether a trip generation rate or equation was used. According to the SCDOT Access and Roadside Management Standards (ARMS), the reason for using the rate or equation should be documented. (*Previous Comment*)
- Page 7: The site plan does not match Table 2:Site Trip Generation for the allowable size of the Medical Office. The site plan allows for up to 6,500 SF but the table only accounts for 6,000 SF. (*Previous Comment*)

Capacity and Level of Service at Study Intersections

- Page 14 (Table 6 – US 521 and Patterson Lane): SimTraffic Queue table does not match report for 2018 Build Improved PM for the EBR movement.
- Page 16 (Table 7 - US 521 and SC 160): SimTraffic Queue table does not match report for EBL movement for all scenarios.
- Page 20 (Table 9 – SC 160 and Calvin Hall Road): SimTraffic Queue table does not match report for several movements for multiple scenarios.

Mitigation

- The eastbound approach to the US 521 & Sandra Ln degrades from LOS D to LOS E when comparing the No-Build and Build scenarios. This intersection will likely serve as a major access point to US 521 since it is one of the few intersections that will provide a signalized left turn movement for site vehicles traveling north on US 521. Recommend constructing an eastbound left turn lane at this intersection with 150' of storage.

- There is considerable degradation at the SC 160 & Calvin Hall Rd. The southbound approach degrades from LOS C to LOS F when comparing the No-Build and Build scenarios. With the addition of a southbound left turn lane, the southbound left remains LOS F. The Peak Hour Warrant for signalization is met with the Build volumes; Warrant 3 - Peak Hour Warrant (*MUTCD, 2009*). Recommend signalization at this intersection.

DA-015-002 – Avondale Development Agreement – Sinacori Builders, LLC (Avondale Development) has submitted an application to enter into a development agreement with Lancaster County. The site is located between Calvin Hall Road and Harrisburg Road in the Indian Land section of Lancaster County, South Carolina (Tax Map 5, Parcels, 75, 75.01, 76, 77, 78, 79.01, 89, 89.01, 91, 91.03, 92, 93.04, 93.05 and a portion of 74.03). The site contains +/- 179.35 acres. The Avondale development is a proposed Planned Development District. The current zoning of the property is R-15P, Moderate Density Residential/Agricultural Panhandle District and B-3, General Commercial District. {Public Hearing} Pgs. 57-85

Penelope Karagounis

Discussion:

Conclusions:

Action items:

Person responsible:

Deadline:

Planning Staff Report

I. Facts

A. General Information

Sinacori Builders, LLC (Avondale Development) has submitted an application to enter into a development agreement with Lancaster County. The site is located between Calvin Hall Road and Harrisburg Road in the Indian Land section of Lancaster County, South Carolina (Tax Map 5, Parcels 75, 75.01, 76, 77, 78, 79.01, 89, 89.01, 91, 91.03, 92, 93.04, 93.05 and a portion of 74.03). The site contains +/- 179.35 acres. The Avondale development is a proposed Planned Development District. The current zoning of the property is R-15P, Moderate Density Residential/Agricultural Panhandle District and B-3, General Commercial District.

The plan is to develop the site with a maximum of 365 single-family lots, 165 town-home lots and a maximum of 200 multi-family, senior units. Additionally, the applicant has proposed up to 21,500 square feet of commercial space. Under this development agreement, Avondale Development (Sinacori Builders, LLC) would be vested for five years.

A development agreement is an agreement between the developer and the County. This development agreement needs to comply with the state and local requirements for development agreements. The state requirements and Ordinance #663, which establishes the county's requirements for a development agreement, are also attached.

TEXT:

See Attached Document – Exhibit 1

II. Findings

- 1) While the development schedule is an estimate, the applicant needs to update the proposed development schedule (Exhibit C) to reflect the correct number of units (730 DU) within the Avondale PDD. The current development schedule indicates that there will be a total of 425 dwelling units within the project.

----- (Space above this line for recording use) -----

STATE OF SOUTH CAROLINA) DEVELOPMENT AGREEMENT
)
COUNTY OF LANCASTER) AVONDALE DEVELOPMENT

This DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into as of the ___ day of ~~October~~January, ~~2015~~2016 ("Agreement Date"), by and between SINACORI BUILDERS, LLC ("Developer"), a North Carolina limited liability company, and the COUNTY OF LANCASTER (the "County"), a body politic and corporate, a political subdivision of the State of South Carolina.

RECITALS

WHEREAS, Developer has obtained the right to acquire certain real property consisting of approximately 179.35 acres, more or less, located between Calvin Hall Road and Harrisburg Road in the Indian Land section of the County and known as the Avondale development.

WHEREAS, Developer has submitted an application to the County requesting that the property comprising the Avondale development be rezoned to Planned Development District.

WHEREAS, Developer and County have determined that it is in the best interests of the County and Developer to enter into this Agreement to set forth the terms and conditions of the development in order to more fully protect the Developer's development rights, thereby providing certainty and predictability to the Developer of those rights and providing certainty and predictability to the County on the scope and terms of the development.

WHEREAS, the Developer desires to obtain from the County in connection with the development, and the County is willing to provide, assurances: (1) that the property will be appropriately zoned for the duration of this Agreement; (2) that upon receipt of its development and construction permits it may proceed with the planned development and construction; and (3) that the development rights will be vested for the duration of this Agreement.

WHEREAS, in connection with the proposed development, Developer and County recognize that the scope and term of the planned development under this Agreement accomplish the statutory aims of comprehensive, orderly planning and development within the County, thus providing benefits to the citizens of the County and providing public benefits through, among other things, the donation of funds or financing of those public facilities and services described and identified in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the terms and conditions set forth in this Agreement, the receipt and sufficiency of such consideration being acknowledged by the parties, and pursuant to the South Carolina Local Government Development Agreement Act, codified as Sections 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended (the “Act”) and the Development Agreement Ordinance for Lancaster County, South Carolina (“Ordinance No. 663”), the parties to this Agreement, intending to be legally bound to a development agreement in accordance with the Act and Ordinance No. 663, agree as follows:

ARTICLE I

GENERAL

Section 1.01. Incorporation. The above recitals are incorporated in this Agreement as if the recitals were set out in this Agreement in its entirety. The findings contained in the Act are incorporated into this Agreement as if they were set out in this Agreement in its entirety.

Section 1.02. Definitions. (A) As used in this Agreement:

- (1) “Act” means the South Carolina Local Government Development Agreement Act, codified as Sections §§ 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended.
- (2) “Agreement” means this Development Agreement.
- (2A) “Agreement Date” means the date of this Agreement as set forth above.
- (3) “County” means the County of Lancaster, a body politic and corporate, a political subdivision of the State of South Carolina.
- (4) “County Council” means the governing body of the County.
- (5) “Developer” means Sinacori Builders, LLC, a North Carolina limited liability company, and its successors in title to the Property who undertake Development of the Property or who are transferred Development Rights.
- (6) “Development Rights” means the right of the Developer to develop all or part of the Property in accordance with this Agreement.
- (7) Reserved.
- (8) “Laws and Land Development Regulations” means the County’s applicable rules and regulations governing development of real property as set forth on Exhibit E hereto. A copy of the Laws and Land Development Regulations, as of the Agreement Date, is on file in the County Planning Department.
- (9) “Ordinance No. 663” means Ordinance No. 663 of the County which is cited as the Development Agreement Ordinance for Lancaster County, South Carolina.
- (10) “Ordinance No. 2015-1369” or “PDD-27” means Ordinance No. 2015-1369 of the County zoning the Property Planned Development District.

(11) “Ordinance No. 2015-1370” means Ordinance No. 2015-1370 of the County approving this Agreement.

(12) “Parties” means County and Developer.

(13) Reserved.

(14) “Property” means the land, and any improvements thereon, described in Section 1.04.

(15) “Sinacori Related Entity” means (i) an entity that is owned or controlled by Developer, or is owned or controlled by any entity that owns at least a fifty percent (50%) membership interest in Developer; and (ii) any entity that is the successor in interest to Developer via merger or operation of law.

(16) “UDO” means Ordinance No. 309, as amended, as of the Agreement Date and which is cited as the Unified Development Ordinance of Lancaster County. The UDO includes Ordinance No. 328, as amended, as of the Agreement Date and which is cited as the Land Development Regulations of Lancaster County.

(B) Unless the context clearly indicates otherwise, terms not otherwise defined in this Agreement have the meanings set forth in the Act and Ordinance No. 663.

Section 1.03. Parties. The parties to this Agreement are County and Developer.

Section 1.04. Property. This Agreement applies to the land described in Exhibit A, attached hereto and incorporated herein by reference as if the exhibit were set out in this Agreement in its entirety. The Property is generally known as the Avondale development.

Section 1.05. Zoning. The Property is zoned Planned Development District pursuant to Ordinance No. 2015-1369.

Section 1.06. Permitted Uses. (A) PDD-27 provides for the development uses on the Property, including population densities, building intensities and height.

(B) All lots for the Development must meet all of the standards contained in this Agreement and if no specific standard is contained in this Agreement, then the standards contained in PDD-27 apply and if no specific standard is contained in PDD-27, then the standards contained in the UDO apply.

Section 1.07. Development Schedule. (A) The estimated development schedule for the Property is set forth on Exhibit C, attached hereto and incorporated herein by reference as if the exhibit were set out in this Agreement in its entirety.

(B) County and Developer acknowledge that the development schedule is an estimate. The failure of the Developer to meet a commencement or completion date does not, in and of itself, constitute a material breach of this Agreement, but must be judged based on the totality of the circumstances. The development schedule is a planning and forecasting tool only. County and Developer acknowledge that actual development is likely to take place at a different pace than set forth in the development schedule because of future market forces.

(C) County agrees that if Developer requests an adjustment to the development schedule, including commencement dates and interim completion dates, then the dates must be modified if

the Developer is able to demonstrate and establish that there is good cause to modify those dates. “Good cause” includes, but is not limited to, changes in market conditions.

(D) Periodic adjustments to the development schedule do not require a formal amendment to this Agreement and are not considered a major modification. To adjust the development schedule, the Developer shall submit a proposed adjustment to the Clerk to Council who shall forward copies of the proposed adjustment to each member of County Council. The proposed adjustment must be accompanied by an explanation and justification. The proposed adjustment is effective sixty (60) days from receipt by the Clerk to Council unless the County Council has disapproved the proposed adjustment by passage of a resolution to that effect within the sixty (60) day period.

Section 1.08. Relationship of Parties. This Agreement creates a contractual relationship among the Parties. This Agreement is not intended to create, and does not create, the relationship of partnership, joint venture, or any other relationship wherein any one of the parties may be held responsible for the acts of any other party. This Agreement is not intended to create, and does not create, a relationship whereby any one of the parties may be rendered liable in any manner for the debts or obligations of any other party, to any person or entity whatsoever, whether the debt or obligation arises under this Agreement or outside of this Agreement.

Section 1.09. Benefits and Burdens. (A) The Parties agree that the burdens of this Agreement are binding upon, and the benefits of this Agreement shall inure to, all successors in interests to the Parties to this Agreement.

(B) Except for the owners and lessees of completed residences on individual lots who are the end users and not developers thereof and the owners and lessees of individual lots, who are not developers and who intend to build a residence on the lot for the owner or lessee to occupy, any purchaser or other successor in title is responsible for performance of Developer’s obligations pursuant to this Agreement as to the portion of the Property so transferred. Developer must give notice to the County of the transfer of property to a developer in the manner prescribed in Section 3.05.

(C) Developer acknowledges and agrees that it (i) is responsible for the development of the Property when Developer acquires title to or development rights for the Property, and (ii) will develop the Property in accordance with the terms and conditions of this Agreement. It is the express intention of the Parties that the obligations of this Agreement are intended to run with the Property. If the Property is sold, either in whole or in part, and the Developer’s obligations are transferred to a purchaser or successor in title to the Property as provided herein and in Section 3.05 below, Developer shall be relieved of any further liability for the performance of Developer’s obligations as provided in this Agreement as it relates to the portion of the Property sold if the Developer is then current with its obligations pursuant to this Agreement.

Section 1.10. Term. The term of this Agreement commences on the Agreement Date and terminates five (5) years thereafter.

Section 1.11. Required Information. Ordinance No. 663 requires a development agreement to include certain information. Exhibit D contains the required information or

identifies where the information may be found in this Agreement. Exhibit D is incorporated herein by reference as if the exhibit were set out in this Agreement in its entirety.

ARTICLE II

REPRESENTATIONS AND WARRANTIES

Section 2.01. Representations and Warranties of County. (A) The County represents that it finds the development permitted by this Agreement is consistent with the County's comprehensive plan and land development regulations.

(B) The County represents that it has approved this Agreement by adoption of Ordinance No. 2015-1370 in accordance with the procedural requirements of the Act, Ordinance No. 663 and any other applicable state law.

(C) The County represents that prior to the final reading of Ordinance No. 2015-1370 that at least two public hearings were held after publication of the required notice and the publication of a notice of intent to consider a proposed development agreement.

Section 2.02. Representations and Warranties of Developer. (A) Developer represents that the number of acres of highland contained in the Property is twenty-five (25) or more, the same being approximately one hundred and seventy-seven (177) acres.

(B) Developer represents that, as of the Agreement Date, it has contractual rights to acquire the Property and that, following acquisition, Developer shall be the only legal and equitable owner of the Property.

(C) Developer represents and warrants that the execution, delivery and performance by the individual or entity signing this Agreement on behalf of the Developer has been duly authorized and approved by all requisite action on the part of Developer.

ARTICLE III

DEVELOPMENT RIGHTS

Section 3.01. Vested Right to Develop. (A) County agrees that the Developer, upon receipt of its development permits as identified in Section 3.04, may proceed to develop the Property according to the terms and conditions of this Agreement. The right of Developer to develop the Property as set forth in this Agreement is deemed vested with Developer for the term of this Agreement when the Developer has complied with all of the requirements of Section 5.19.

(B) County agrees that the specific Laws and Land Development Regulations in force as of the Agreement Date as set forth in Exhibit E to this Agreement, attached hereto and incorporated herein by reference as if the exhibit were set out in this Agreement in its entirety, shall govern all aspects of the development of the Property, according to the terms and standards as stated in this Agreement, for the term of this Agreement.

(C) The Developer has a vested right to proceed with the development of the Property in accordance with the zoning classification set forth in PDD-27, the UDO and the terms of this Agreement when the Developer has complied with all of the requirements of Section 5.19.

(D) Except as may be otherwise provided for in this Agreement, the Act or Ordinance No. 663, no future changes or amendments to the Laws and Land Development Regulations shall apply to the Property, and no other local land development legislative enactments shall apply to the development, the Property, or this Agreement which have a direct or indirect adverse effect on the ability of the Developer to develop the Property in accordance with the Laws and Land Development Regulations.

(E)(1) To the extent that this Agreement may contain zoning and development standards which conflict with existing zoning and development standards, including zoning and development standards contained in PDD-27 and the UDO, the standards contained in this Agreement supersede all other standards and this Agreement is deemed controlling.

(2) To the extent that PDD-27 may contain zoning and development standards which conflict with zoning and development standards in the UDO, the standards contained in PDD-27 supersede all other standards and PDD-27 is deemed controlling except as provided in subsection (E)(1).

(F) For purposes of Subsection (D) of this Section 3.01 and Section 3.03(A)(3), the Laws and Land Development Regulations are anticipated to be amended subsequent to the Agreement Date to provide for requirements and standards applicable to storm water runoff conveyance systems and drainage improvements. The anticipated amendments are expected to include, but not be limited to, minimum standards for the design and sizing of storm drainage piping systems and access easements. These amendments to the Laws and Land Development Regulations will apply to the Property.

Section 3.01A. Buffer/Berm Variances Allowed. Two variances from the buffer standards are hereby granted. First, a variance to allow a reduction in the width of the required buffer located in Village C adjacent to the southernmost access road into the Development from Harrisburg Road has been provided. More specifically, the minimum width of this buffer shall range from 10 feet to 20 feet as more particularly depicted on the Master Plan due to the width of that portion of the Property. Second, a variance has been provided to eliminate the requirement that a berm be installed within the 30 foot landscaped buffer to be established on the frontage of all roads.

Section 3.01B. Sidewalks. Developer agrees to include sidewalks on Calvin Hall Road, Harrisburg Road, and within the development. The sidewalks on Calvin Hall Road and Harrisburg Road will be built in coordination with the South Carolina Department of Transportation's road section requirements and shall be built to a width of six (6) feet. The responsibility of maintaining those sidewalks shall rest with the Property Owners Association. The sidewalk construction requirement on Calvin Hall Road and Harrisburg Road is limited to the areas where Calvin Hall Road and Harrisburg Road abut the Developer's Property identified herein that the Developer controls. At the Developer's discretion, sidewalks may be built within the Project's buffer areas. The purpose for the sidewalks is to promote the walkability of the development.

Section 3.02. Effect on Vested Rights Act and County Ordinance No. 673. The Parties agree that vested rights conferred upon Developer in this Agreement are not affected by the provisions of the Vested Rights Act, codified as Sections 6-29-1510 to -1560, Code of Laws of

South Carolina 1976, as amended, or the provisions of Ordinance No. 673, the County's ordinance relating to the Vested Rights Act.

Section 3.03. Applicability of Subsequently Adopted Laws and Land Development Regulations. (A) County may apply laws adopted after the execution of this Agreement to the development of the Property only if the County Council holds a public hearing and determines:

(1) the laws are not in conflict with the laws governing this Agreement and do not prevent the development set forth in this Agreement and "laws" which prevent development include, but are not limited to, a moratorium, or any other similar restriction that curtails the rate at which development can occur on the Property;

(2) the laws are essential to the public health, safety, or welfare and the laws expressly state that they apply to the development that is subject to this Agreement;

(3) the laws are specifically anticipated and provided for in this Agreement;

(4) that substantial changes have occurred in pertinent conditions existing at the time this Agreement was approved which changes, if not addressed by County, would pose a serious threat to the public health, safety, or welfare; or

(5) that this Agreement was based on substantially and materially inaccurate information supplied by the Developer that materially affected the terms and provisions of this Agreement.

(B) Developer agrees to comply with any county-wide building, housing, electrical, plumbing, fire and gas codes adopted by County Council after the Agreement Date and in force at the time plans for buildings are submitted to the County for review. Nothing in this Agreement is intended to supersede or contravene the requirements of any building, housing, electrical, plumbing, fire or gas code adopted by County Council.

Section 3.04. Development Permits. (A) Developer agrees to obtain all local development permits for the development of the Property. Local development permits, approvals and processes, some of which may have been obtained or complied with as of the Agreement Date, include, but are not limited to:

(1) Development Review Committee process;

(2) Preliminary plan approval;

(3) Final plat approval;

(4) Zoning permits;

(5) Building permits; and

(6) Sign permits.

(B) The failure of this Agreement to address a particular permit, condition, term, or restriction does not relieve the Developer of the necessity of complying with the law governing the permitting requirements, conditions, terms or restrictions.

Section 3.05. Transfer of Development Rights. Developer may, at its sole discretion, transfer its Development Rights to other developers. The transferring Developer must give notice to the County of the transfer of any Development Rights. The notice to the County must include the identity and address of the transferring Developer, the identity and address of the acquiring Developer, the acquiring Developer's contact person, the location and number of acres of the Property associated with the transfer and the number of residential units subject to the transfer,

and, if applicable, the amount of non-residential development subject to the transfer. If the acquiring Developer is an entity, then, at the request of the County, the acquiring Developer shall provide the County the opportunity to view a listing of the names and addresses of the entity's officers and owners. Any Developer acquiring Development Rights is required to file with the County an acknowledgment of this Agreement and the transfer of Development Rights is effective only when the County receives a commitment from the acquiring Developer to be bound by it. This provision does not apply to the purchaser or other successor in title to the Developer who is the owner or lessee of a completed residence and is the end user and not the developer thereof or who is the owner or lessee of an individual lot, who is not a developer and who intends to build a residence on the lot for the owner or lessee to occupy.

ARTICLE IV

DEDICATIONS AND FEES AND RELATED AGREEMENTS

Section 4.01. Purpose of Article. The Parties understand and agree that Development of the Property imposes certain burdens and costs on the County, including those for certain services and infrastructure improvements. Eventually, *ad valorem* taxes collected from the property may meet or exceed the burdens and costs placed upon the County, but certain initial costs and capital expenditures are now required that are not to be funded by any increase in taxes paid by existing residents of the County. The purpose of this article is to identify the matters agreed upon to be provided by the Developer to mitigate such burdens and costs.

Section 4.01A. School Payments. Developer agrees to pay to the County for the benefit of the Lancaster County School District THREE HUNDRED SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$365,000.00) upon the earlier of either ~~February~~May 1, 2017 or the closing on the sale of any portion of the Avondale development to an individual or entity other than a Sinacori Related Entity (the "School Payment"). Developer acknowledges and agrees that County is responsible only for the remittance of the School Payment to the Lancaster County School District and that the County has no other obligation or responsibility for the School Payment. As used in this section, "Developer" means Sinacori Builders, LLC, a North Carolina limited liability company, and does not include its successors or assigns but does include a Sinacori Related Entity that holds title to the Property.

Section 4.01B. Funds for Public Safety. Developer agrees to pay County SEVEN HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$730,000.00) upon the earlier of either ~~February~~May 1, 2017, or the closing on the sale of any portion of the Avondale development to an individual or entity other than a Sinacori Related Entity (the "Public Safety Payment"). Upon receipt of the Public Safety Payment, the monies must be accounted for separate and distinct from other monies of the County. The Public Safety Payment must be used for non-recurring purposes for law enforcement, fire and emergency medical service in the panhandle area of the County. The determination of the specific uses for the Public Safety Payment is at the discretion of the County Council. As used in this section, "Developer" means Sinacori Builders, LLC, a North Carolina limited liability company, and does not include its successors or assigns but does include a Sinacori Related Entity that holds title to the Property.