





Keith Rains – My name is Keith Rains and my address is 3333 Harmony Road. We will be providing sidewalks along Harrisburg. It is not a requirement within the development.

Charles Deese – I’ve been told that these motions going in and out of public hearing are not necessary, is that correct?

John Weaver – Yes sir that is up to the chairman’s discretion to do that without the necessity of having a vote on that. A public comment is a requirement. You have the authority as the chairman to begin the public comment and to close the public comment.

Charles Deese – At this time I declare we go into public hearing.

Greg Miller – My name is Greg Miller and my address is 22076 Preswick Drive, Lancaster SC. I spoke last month pertaining to this property and the request for a 50 foot buffer and tree line. We worked closely with Shawn Calloway and his team. They worked hard trying to come up with options. In the end they come up with a compromise of a 25 foot tree line. We believe that is probably as fair a compromise as we can look for. The tree line does preserve the trees and the privacy and a degree of security. We continue to think that is very important and it needs to be deed restricted to preserve that in the future. Due to the addition, we are highly supportive of this plan.

Charles Deese – I declare the public hearing closed on this matter.

Ronald Pappas made a motion to approve subject to the following conditions: lot sizes conform to the existing zoning requirement in it’s entirety, property set aside for the future right-of-way be designated as a specific lot number on that development – Lot 1A, 1B, etc., also to provide for granting of the variance for the connectivity; Jerry Holt seconded the motion.

VOTE:           7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

**Lancaster County Comprehensive Plan 2014-2024**  
**Robert Moody (Catawba Council of Governments) – Presented the report.**

Charles Deese – No one signed up to speak regarding this so no public hearing is necessary.

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

VOTE:           7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

**UDO-TA-014-015 – Amend Future Land Use Map of Lancaster County – Preserve @ Tree Tops**

Alex Moore – Presented the report.

Charles Deese – I declare we go into public hearing.

John Wilt – My name is John Wilt and my address is 903 Rock Hill Highway, Lancaster SC. In August of 2013 57 Van Wyck residents signed a petition requesting that county council not develop a cluster development ordinance and apply it to the Treetops property in northern Van Wyck. County Council ignored this request and developed and approved a cluster development ordinance and approved first reading of the ordinance to be used regarding the Tree Tops site. On October 13, 2014 about 90 Van Wyck residents attended a public meeting and listened to a presentation by Jon Hardy, President of Lennar Homes. After the presentation they voted to reject the Lennar proposal with the Tree Tops site by a 10 to 1 margin. Property owners have property rights, one of which is the right to sell the property; neighbors in the community as a whole also have rights, one of which is the right to quiet enjoyment of their property. The proposed cluster development will have a large negative impact on both the neighbors and the community in the form of traffic, noise and congestion, and the loss of the valuable community asset that the Treetops camp had become. We believe that the property could be sold with its current zoning as a camp. There is an active market for camps if the property is priced appropriately, particularly considering the damage that Thompson has allowed to be inflicted on the property; Thompson should be able to sell it.

Charles Deese – I declare that we go out of public hearing.

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

VOTE:           7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

**RZ-014-025 – Application of David L. Nelson, V.P. of Lennar Carolinas, LLC to rezone property located at 9070 Van Wyck Road in Lancaster County, South Carolina from PDD-6 (Tree Tops), Planned Development District to R-30P, Low Density Residential/Agricultural District with CSOD, Cluster Subdivision Overlay District. The applicant proposes to construct single family homes at this location, 50% of which will be age restricted. The property is located 2 miles southwest of Highway 521 along the eastern edge of Van Wyck Road and consists of ±622.48 acres.**

Alex Moore – Presented the report.

Charles Deese – I declare that we go into public hearing.

John Wilt – My name is John Wilt and my address is 903 Rock Hill Highway, Lancaster SC. The citizens and residents surrounding this area strongly oppose this.

Jon Hardy – My name is Jon Hardy and I represent Lennar. My address is 3434 Millstone Creek Road, Indian Land SC. The proposed community Preserve @ TreeTops as a private gated community; the residents within the Preserve through recorded legal documents will be responsible for the upkeep and cost of all roads within the community. The roads will be built to the county fire and rescue standards. There will be no burden financially or otherwise on the county and any residents within the county except those within the community. In addition, Lennar intends to widen the road approaching the entry of the proposed community and add a left turn lane as Alex stated as well as acceleration and de-acceleration lanes. These improvements are in addition to the road improvements at the intersection of Highway 521 and Van Wyck Road and a shared responsibility with SCDOT to repave two miles of Van Wyck Road at a cost of approximately 350 per entity. The second issue of overcrowding schools at the Indian Land school complex is also being addressed. At least 50% if not 100% of these homes will be age-restricted; the 50% stipulation in the proposed development agreement that I've yet to meet with anybody on, is there only due to economic conditions. If the economy tanks then we want the opportunity to potentially change and only do 50% age-restricted. So should there be any traditionally family homes on the Preserve, we welcome the chance to integrate our children with those at the Lancaster school complex and their elementary, middle, and high school. I happen to have two children that go to Lancaster and they are both in South Middle School and they receive a fabulous education. There is no reason why these children can't go South. As Mr. Gene Moore politely told me, it's much less expensive to buy buses than it is to build schools. At least half of the Preserve will have no school age children and will conservatively contribute \$552,000 dollars per year in real estate taxes of build out with zero impact on the schools. These active adults are the volunteers in the community. They are the ones out there devoting their time, energy, money, and brain power to help our orphan children and also the Lancaster County Center for the Aging.

Ronald Pappas – This is a rezoning application from PDD-6 to R-30P with Cluster Subdivision Overlay.

Alex Moore – That is correct, this is just rezoning.

Ronald Pappas – I just wanted to make that clear.

Charles Deese – I declare we go out of public hearing.

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

VOTE:           7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

Charles Deese – I will now entertain a motion to change the zoning from R-30P on the same subject property to add Cluster Subdivision Overlay District to that property.

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

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

Charles Deese – This will go to County Council with the recommendation that the rezoning and the cluster subdivision overlay district be approved.

**DA-014-008 Development Agreement – Lennar Carolinas, LLC (The Preserve at Tree Tops)**

Alex Moore – Presented the report.

Charles Deese – Section 401.B Funds for Public Safety – I’m speaking as a member of the committee and not as chairman, but a member of the public. I have a problem with all the funds from all the development agreements that the county is doing; with the developers being designated for the panhandle use only. Everything that happens in that panhandle affects the entire community, the entire county; having discussions with Sheriff Faile and Clay Catoe with EMS, Chris Nunnery and Russell, they all feel the same way. Those funds should be available for use in the county.

Charles Deese – I declare that we go into public hearing. Mr. John Wilt signed up.

John Wilt – I’ve already stated what I wanted to say. I don’t need anymore time.

Charles Deese – I declare that we go out of public hearing.

Jerry Holt – I still believe that this is a convoluted process because we are not voting on anything in particular. What we are doing here is formulating recommendations to go back to the committee that gave us this document to begin with; who will then make recommendations to the council for approval. This is not like an up and down vote, it’s more of a discussion prior to that, maybe even prior to a motion I guess is what I’m really getting to. I’m not sure what a motion would be at this state. I would like to make some other comments.

Charles Deese – The motion would be to recommend this as is or however, back to the development agreement committee. This will go back to them with our recommendation to approve or deny.

Jerry Holt – I would move that we send a recommendation of approval to the development agreement committee subject to the conditions that we discussed and agreed to in the course of this meeting.

Charles Deese – Hearing none, the motion failed.

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

Jerry Holt – In the agreement there were a number of department heads and other staff members in the county that made some specific recommendations. Among those recommendations one of them had to do...look at page 61 of our package, section 4.01(A); the proposal was that the developer pay \$500.00 for each home that is built that is not age restricted. I would propose that we recommend that the \$500.00 fee be applied to each home that is built whether age restricted or not. Next, in Section 4.01(B) Funds for Public Safety – In prior development agreements, rather than having a set amount; this developer's agreement states that it would be a payment of \$500,000.00. A previous development agreement set that fee at a \$1,000.00 per rooftop or per home. I would propose that we also make the recommendation that it be a fee per home rather than a fixed amount. In Section 4.04 I, it deals with a tax or a fee for the fire district and the recommendation was that the area be designated as a fire district and there are a number of others throughout the county and I think in this particular area currently it does not apply but in other areas of the county a fee of \$75.00 dollars is applied for each residence. I would recommend that the \$75.00 fee be applied to this development for the fire district. This development is going to have an impact on the services provided by the Van Wyck Fire Department. One final recommendation that I would offer; in one section it states that it will be 100% age restricted and in others it states 50% age restricted depending on market conditions at the time. I would propose that we recommend to the development agreement committee that initially for a period of two years or three years it be 100% age restricted. If the developer wants to change that restriction, then the developer would need to come back either to the Planning Commission or the Board of Zoning Appeals for a hearing and then a subsequent recommendation to the County Council. This is so the County Council can either accept or reject the request to move away from the 100% age restriction.

Charles Deese – You say 100% age restriction for a period of?

Jerry Holt – Let me propose three years.

John Weaver – Mr. Chairman, you mentioned for the Public Safety that you preferred a per house rather than a flat fee; is that \$1,000.00 or \$500.00?

Jerry Holt - \$1,000.00 for Public Safety and \$500.00 for the schools.

John Weaver – Thank you sir.

Jerry Holt – Part of my motion that the Planning Commission make the recommendation for approval to the development agreement committee based on these conditions; Vedia Hatfield seconded the motion.

Charles Deese – The motion is to approve and sent back with a recommendation for approval to the development agreement committee with the following conditions: Section 4.01 (A) read all homes, be charged \$500.00 dollars for the schools and not just the age restricted homes; Section 4.01 (B) the fee for Public Safety be fixed at \$1,000.00 dollars per home instead of a fixed amount of \$500,000.00; Section 4.04 (I) the \$75.00 per house

fee apply to the fire department; 100% age restriction for a period of three years at which time if the market requires, the applicant can come back to the development agreement committee or to the Planning Commission to make a change.

Jerry Holt – I had also indicated Board of Zoning Appeals because I wasn't sure about those changes and which it would be.

Charles Deese – Board of Zoning Appeals wouldn't be involved.

Jerry Holt – I would stick with Planning Commission.

Ronald Pappas – We are getting out of sequence here.

John Weaver – The appropriate method of handling this procedurally would be for there to be a vote on Mr. Holt's amendment; then if that passes, then you consider the primary motion as amended, two votes.

Charles Deese – Yes sir.

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

VOTE:           7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

Charles Deese – Now back to the original motion. Jerry Holt made a motion to recommend approval to the development agreement committee and a second by Vedia Hatfield.

VOTE:           7 AFFIRMATIVE    0 NEGATIVE       MOTION CARRIED

Charles Deese – The motion and the amendment passed 7-0 and will go back to the development agreement committee and they will make a recommendation to county council as they see fit.

**RZ-014-026 – Rezoning application of Kevin Varnadore to rezone ±0.5 acre from R-15, Moderate Density Residential/Agricultural District, to R-15D, Moderate Density Residential/Manufactured Housing/Agricultural District. The applicant proposes to place a double wide manufactured home on the property.**

Andy Rowe – Presented the report.

Charles Deese – I declare that we go into public hearing.

Kevin Varnadore – My name is Kevin Varnadore and my address is 2079 Summerton Court, Mt. Pleasant SC. I grew up here in Lancaster County and I already own two pieces of property including the slot in this neighborhood. My parents were one of the first property owners in this neighborhood. I currently inherited the house that they owned for

over fifty years. I'm keen on what this neighborhood is and what it has become and the potential it can have. I appreciate the comments from the planning staff but I would like to rebuke some of the stuff that he said in the staff report. The neighborhood is actually comprised of fifteen manufactured homes throughout the neighborhood. I was informed that I could use a projector; I've got the complete map of the neighborhood here that will show you all of the manufactured homes.

Alex Moore – There is not a way to load that right now. You can submit to the chairman.

Steve Willis made copies and passed out to board members and staff.

Kevin Varnadore – All the manufactured homes in this neighborhood are well visible from the street and several of them actually sit on their lots by themselves. You will have a single family stick built dwelling and then you will have a single wide manufactured home somewhere on that lot with it. Inclusive of the adjacent lot which I also own; recently purchased where it's a single family dwelling on the lot and then behind it is a single wide manufactured home. I would put forth that my intention is to install a double wide manufactured home and permanently affixing it to the property, De-titling it, converting it to real property and landscaping it like the surrounding homes. It's a double wide but I will convert it to a single family residence through the De-titling process and permanently affixing it to the property. Due to the fair market value of Poovey Farm and the surrounding properties in the area, it is economically inefficient for me to site built a stick built single family residence. I would say that at the current 90 to 100 dollars square foot to construct a property, I cannot economically stick build a home for a resident. By utilizing a double wide manufactured home, this vacant lot can be converted into a single family dwelling with the ability to obtain a reasonable capitalization rate of my investment and provide housing at an affordable rental rate. I've got property rented next door to it and it is at a very reasonable rate. With the existence of the fifteen manufactured homes, fourteen of them being a single wide and one of them being a double wide currently in this neighborhood; the granting of this rezoning classification would not convert the subject properties use to be totally different from that of the surrounding area. I appreciate and understand the spot zoning concern but as he pointed out, in spot zoning as we take it; spot zoning is a process of singling out a small parcel of land for the use classification totally different from that of the surrounding area. So again, I put forth by my exhibit here the sheer amount of manufactured homes and the bulk of them being a single wide and mine being a double wide; that it is not totally different from the surrounding areas. I would also like to say that it is not to the detriment of the other owners in the area because I would be in a sense improving a current vacant lot with a dwelling that is going to look and feel like a single family residence when I'm done with it. By De-titling the double wide manufactured home, the county would then realize an increased property tax rate because the county would then be able to tax this is if it was a single family residence permanently affixed and the tax base would go up. There would be a positive impact on the area by having an additional family, labor force, consumer, and tax paying individuals in residence in this neighborhood. The economic fragile state of this neighborhood is not due to the sheer amount of manufactured homes that are in this neighborhood or would be remotely

impacted by me adding a double wide manufactured home in the neighborhood; it is currently suffering from 12 vacant and abandoned homes in that neighborhood. So my goal is to put another family in this neighborhood in an attempt to improve it. I currently own this vacant lot, the house next door to it which includes the single wide mobile home and the house on the other side of that which was the house that my mom and dad bought it the mid 1950's. On the surface my plan doesn't look so great but it actually is positive for the neighborhood and my further plan is to continue to put forth capital investment in the neighborhood and to acquire more properties in the neighborhood and to continue the revitalization of this neighborhood. I would appreciate your consideration and I thank you for your time.

Charles Deese -- I declare that we go into public hearing.

John Wilt -- My name is John Wilt and my address is 903 Rock Hill Highway, Lancaster SC. My comment is here, I agree with the owner. I don't know the man but the argument presented in the agenda packet makes no sense. This project should be approved.

Charles Deese -- I declare that we go out of public hearing.

Sheila Hinson -- I don't know a whole lot about things that are discussed but I do know about what he is talking about. There are a lot of mobile homes in this area as you can well see and to deny somebody from putting it there with all these others there is wrong. I will vote against.

Tommy Dabney -- I rode that area today and I'm in agreement with Sheila. It won't distract from the neighborhood to put it there. When you've got a house and a mobile home sitting on one lot, certainly a good clean lot with a double wide will not distract.

Sheila Hinson -- I'm a real estate agent and I work these areas and they can be very nice. You can underpin it and do whatever Lancaster County requires; sometimes it looks better than a home. A lot of people think it brings property values down but if it's done right, it doesn't. I do it every day.

Jerry Holt -- We also drove through the area this afternoon and agree there are a number of existing mobile homes there now but just with a quick glance of this entire surrounding area there are approximately 150 homes or so, of the mobile homes that do exist on these lots most of them look like they have been there for a long time. I would support the argument that says we shouldn't further that problem. As we drove through a number of the streets in that neighborhood the stick built houses seemed to be well kept and it looks like there is a lot of pride in that neighborhood. I think we should do all that we can to uplift the standards rather than to continue the spiral down.

Sheila Hinson -- Pride can be also in a mobile home when it is done correctly.

Jerry Holt -- I agree with that.

Sheila Hinson – Some people can't afford a lot and it's more moderate living. In the area where this is; it is more moderate living.

Jerry Holt – The difference here is that we are looking at fostering a business venture as opposed to finding a home for somebody who doesn't have many other alternatives.

Sheila Hinson – I'm just so glad we do have people that will do a business and will keep it up.

Kevin Varnadore – I understand your concerns very much that there is a stigmatism that comes along with manufactured housing. I would also like to put forth that in this neighborhood there are manufactured homes that have actually been converted to real property even added on to, and as you drove through this neighborhood you wouldn't even know it was a manufactured home. The spiraling down of the neighborhood is exactly what I'm attempting to counter by acquiring the property through inheritance and by acquiring through open market purchase. I'm trying to convert this area to be stabilized and to thrive; I have a vested interest in that. And sir it is a business venture from the regards that I will be a landlord tenant relationship with who would reside there. But again, for me to take a raw piece of land and put a family there, I've got to be able to economically do that. In order to stick build a house at \$90.00 a foot for 11 hundred or 12 hundred square feet; I cannot do that because then I would have to rent that out at a cap rate of one percent. I would have to rent that out for close to \$900.00 dollars a month. In this venture I'm able to rent this out in that range in which I have the other ones rented out at \$450.00 dollars a month. So therefore sir, it is a business venture but at the positive outcome for citizens in this town to achieve affordable housing. Thank you for allowing me to speak one more time.

Ronald Pappas – Being in the business as well, we are talking about changing the entire face of the community that has existed for quite some time; yes there are some existing mobile homes in there right now that are placed with probably no real great consideration in the past. As Jerry pointed out, we rode through the neighborhood this afternoon and we looked at approximately plus or minus 150 lots in there right now. To further the argument that we should stand again what our neighborhood plan is; we should stand on what that existing zone is right now and not change the face of this neighborhood to become as the applicant is calling, a rental neighborhood. This right now is mostly a for sale neighborhood and I think we should foster it's rebirth if you will and not necessarily based on the monetary considerations but what we want the community to look like.

Charles Deese – I lived in this community back in the early 1960's and I knew his mother and father, and I knew the people who owned the lot that you have right now. There was a house there then that looked extremely well. I lived four lots away from it on Converse Street. I've watched that neighborhood go down and I would like to see it come back. I also lived on the Williams Estate and it went down. I would like to see it back too. I've seen what can be done with double wide homes. People call them mobile homes I don't; I call them manufactured houses and I have to agree with some of the people on the

commission when I say that I would like to see the community come back and if it takes this and it's done right to get it back, so be it.

Jerry Holt – This is a rezoning hearing and the applicant mentioned some of the self imposed conditions are his plans to De title. Do we have the authority or do we have any ability to impose enforcement on those kind of conditions? We could say based on what he told us we agree to rezone it and no ability to follow up to enforce compliance to these understandings at all.

Charles Deese – All we are doing is rezoning the property.

Sheila Hinson – Can we place conditions on that?

Charles Deese – Not on a rezoning.

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

Jerry Holt – So a for vote is for denial?

Charles Deese – Yes, for is the motion to deny and against is not in favor of the motion.

VOTE: 4 AFFIRMATIVE 3 NEGATIVE MOTION CARRIED

The three negative votes came from Tommy Dabney, Sheila Hinson, and Charles Deese.

New Business: Planning Commission Calendar of meeting dates for 2015 – Dates were approved by Planning Commission and will notify Debbie Hardin to release for press.

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

VOTE: UNANIMOUS MOTION CARRIED

Respectfully Submitted,



Charles Deese  
Chairman



Penelope Karagounis  
Planning Director