



**TOWN OF FORT MILL
PLANNING COMMISSION MEETING
September 15, 2020
6:30 PM**

**Live Viewing Online: Request Access by emailing before 5:00 pm on Tuesday, September 15, 2020 to Penelope G. Karagounis, Planning Director at pkaragounis@fortmillsc.gov
Public Access by Phone: Dial (toll free) 1-877-309-2073
and use access code 665-218-029**

AGENDA

1. Regular Meeting: August 18, 2020 [Pages 2-3]

NEW BUSINESS ITEMS

1. **Rezoning Request: Pleasant/Vista MXU Project** [Pages 4-39]
An ordinance amending the Mixed Use Concept Plan and Development Conditions for the Pleasant/Vista MXU Project, consisting of York County Tax Map Numbers 020-09-01-027, 20-09-01-028, 020-09-01-030, 020-09-01-31, 020-09-01-032, 020-09-01-033, 020-09-01-034, 020-09-01-035, 020-09-01-036, 020-09-01-078, and 020-09-01-079 containing approximately 156.96 acres at the intersection of Pleasant Road and Vista Road.
2. **Lot Width Variance Request & Final Plat Review: The Forest at Fort Mill** [Pages 40- 52]
A request from Town of Fort Mill Utilities Department (applicant) and The Forest at Fort Mill Homeowner's Association, Inc. (Owner of Tax Map 020-12-03-040) for a lot width variance request and final plat review.
3. **Commercial Appearance Review: SC Hondros & Associates** [Pages 53-59]
A request from Walter McNeil, SC Hondros and Associates (applicant) to grant commercial appearance review approval for a landscape supply company located at 1544 Sam Smith Road.

INFORMATION/DISCUSSION

1. **Continuing Education Class for Commissioners**

ADJOURN

The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI; Fort Mill Times and WBTV. The agenda was also posted at the entrance to Town Hall the required length of time and on the Town website. The Town of Fort Mill is committed to assuring accessibility with reasonable accommodation, of Town services and facilities for all individuals, in compliance with federal law. Please contact the Town Manager's Office at 803-547-2116 if you need assistance.

**MINUTES
TOWN OF FORT MILL
PLANNING COMMISSION MEETING
August 18, 2020**

Virtual Meeting

Live Viewing Online: Request Access by emailing before 5:00 pm on Tuesday, August 18, 2020

to

Penelope G. Karagounis, Planning Director at pkaragounis@fortmillsc.gov

Public Access by Phone: Dial (toll free) 1-877-309-2073

and use access code 517-654-645

AGENDA

6:30 PM

Present: James Traynor, Ben Hudgins, Hynek Lettang, Matthew Lucarelli, Dan Stout, Chris Wolfe, Andy Agrawal, and Planning Director Penelope Karagounis

Guests: Mark Nosacka (Amisub of SC, Inc.) and Ramona Pickens (Amisub of SC, Inc.)

Chairman Traynor called the meeting to order at 6:30 pm.

Chairman Traynor gave opportunity to the Planning Commission to review and comment on the July 21, 2020 meeting minutes as presented within the meeting packet.

Chairman Traynor mentioned he had one question and one edit comment for the minutes. First, he did not recognize the name Nicole Gaunt as a citizen that attending the July 21st, 2020 Planning Commission Meeting. Planning Director Karagounis stated that Nicole Gaunt did not speak at the virtual meeting but logged on to the virtual call. Therefore, her name was added to the list of guests for the July 21st, 2020 Planning Commission meeting minutes.

Chairman Traynor stated a grammatical issue on page 6 of the minutes. He stated to strike the word “have” and insert “the” after the word (“complete the tree survey of the project site). He added the period after site and then began a new sentence with “The survey will delineate those specimens that need to be either saved or mitigated.”

Chris Wolfe made a motion to approve the minutes with the corrections submitted. Ben Hudgins seconded the motion. By a vote of 7-0, the Planning Commission approved the July 21st, 2020 meeting minutes.

NEW BUSINESS ITEMS

- 1. Master Road Name List: Fort Mill Medical Center**

Planning Director Karagounis gave a brief description of the request from Mark Nosacka (Amisub of SC, Inc.), to approve the road names of the Fort Mill Medical Center. As a result, Planning Commission approval is required to authorize new road names with the subdivision. The developer has provided the proposed names Wellness Way and First Responders Drive for approval. The names have been approved and are being reserved by York County Addressing.

Commissioner Lettang stated that First Responders Drive was stated as First Responders Way in the staff report. Planning Director Karagounis stated that it was a type error and the correct road name request is First Responders Drive.

Commissioner Wolfe asked if the road name approval letter was from York County. Planning Director Karagounis answered yes.

Chairman Traynor noted there was nothing controversial about those road names, since York County has signed off on the names.

Commissioner Wolfe make a motion to approve the road names for the Fort Mill Medical Center. Commissioner Agrawal seconded the motion. The road names Wellness Way and First Responders Drive was approved by a vote of 7-0.

2. Information/Discussion: Continuing Education Class for Commissioners

Planning Director Karagounis mentioned to the board she is working in partnership with the City of Tega Cay on a proposal to be reviewed by the Municipal Association about a virtual continuing education class for our commissioners. The tentative continuing education class will be for 1.5 hours of credit scheduled (pending approval) on Thursday, September 24th at 6:00 pm. The continuing education class will be about the Ann Springs Close Greenway and the Carolina Thread Trail. More information will be sent out to all board members once our continuing education class is approved. It is important to fulfill 3 hours of continuing education classes each year after you have completed your Orientation 1 (3 hours) and Orientation 2 (3 hours) and staff will try to provide more virtual continuing education classes in the future.

There being no other business, Chairman Traynor adjourned the meeting at 7:00 PM.

Respectfully submitted
Penelope G. Karagounis, MA
Planning Director
August 31, 2020



Meeting Information	
Meeting Type	Planning Commission
Meeting Date	September 15, 2020

Request Summary						
Request Type		Action (Old Bus.)	X	Action (New Bus.)		Info/Discussion
		Public Hearing		Executive Session		Other

Case Summary						
Case Type		Annexation	X	Rezoning		Text Amendment
		Subdivision Plat		Appearance Review	X	Other

Property Information	
Applicant	Cooper Willis
Property Owner	ABI Pleasant Road Land I LLC, ABI Pleasant Road Land II LLC, ABI Pleasant Road Land III LLC, Vista Road Rentals LLC, Legacy Fort Mill 98 LLC, CSC Inc., ad C. Cooper Willis
Property Location	Corner of Springfield Parkway and U.S. HWY 21 Bypass
Tax Map Number	020-09-01-027, 020-09-01-028, 020-09-01-030, 020-09-01-31, 020-09-01-032, 020-09-01-033, 020-09-01-034, 020-09-01-035, 020-09-01-036, 020-09-01-078, and 020-09-01-079
Acreage	156.96 +/- acres
Current Zoning	MXU
Proposed Zoning	MXU
Existing Use	Vacant/Wooded and the Fort Mill Legacy Apartments

Title

An ordinance amending the Mixed Use Concept Plan and Development Conditions for the Pleasant/Vista Project, consisting of York County Tax Map Numbers 020-09-01-027, 020-09-01-028, 020-09-01-030, 020-09-01-31, 020-09-01-032, 020-09-01-033, 020-09-01-034, 020-09-01-035, 020-09-01-036, 020-09-01-078, and 020-09-01-079 containing approximately 156.96 acres at the intersection of Pleasant Road and Vista Road.

Background Information

Site Characteristics The property is currently located at the intersection of Pleasant Road and Vista Road, consisting of approximately 156.96 acres of currently vacant/wooded land. Approximately 8 acres of the 156.96 consists of the Fort Mill Legacy Apartments that have been developed

(Parcel 1 identified on the Pleasant/Vista MXU Concept Plan). These parcels were previously annexed into the town limits in 2008 with a zoning designation of MXU. Pleasant Knoll Elementary and Pleasant Knoll Middle School is located to the south and southwest of the Pleasant/Vista MXU. The schools are zoned Institutional District and the other surrounding properties are zoned in York County.

**Zoning
Summary**

The Mixed Use Concept Plan & Development Conditions for the Pleasant/Vista MXU Project was adopted for the above referenced parcels as required by Article II, Section 19(5)(D)(1)(a), of the Zoning Ordinance for the Town of Fort Mill on August 25, 2014.

The MXU district is intended to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the provision of infrastructure; and to preserve the natural and scenic features of open areas. This district is intended for the appropriate integration of a wide range of residential and non-residential uses. The district is intended for use in connection with developments where the town has determined that the quality of a proposed new development there under will be enhanced by flexibility in the planning process. Any use proposed by an applicant and considered by the town council as compatible with the surrounding area may be permitted within the project area upon approval by the town council.

In the attached amendment for the Pleasant/Vista MXU Concept Plan and Development Conditions, the applicant is proposing four amendments. Under the proposed development conditions, the proposed setbacks and minimum lot specifications would be as defined in development standards per Article II, Section 19-4{A} of the Zoning Ordinance. The Commercial/Mixed Use Development would also be defined in the development standards per Article II, Section 19-4{A} of the Zoning Ordinance.

**Concept Plan &
Development
Conditions**

As approved in 2014, the Development Conditions for the Pleasant/Vista MXU Project allowed for the development of a maximum of 931 dwelling units and with the following criteria:

- A minimum of 10% of the residential units located on the north side of Vista Road will be dedicated as seniors housing for occupancy by residents 55 years old, or older;
- Subject to the information listed below, a minimum of 10,000 square feet to a maximum of 50,000 square feet of building space shall be designated for commercial use. Retail space will be limited to 15,000 square feet. A minimum of 5,000 square feet of the commercial paces will be dedicated to live work space;
- The maximum Gross Residential Unit density will not exceed 5.93 units per acre and/or 931 total units. Individual phases may have higher or lower densities, however the parcels south of Vista Road will be limited to 384 units or 3.26 DUA in total.

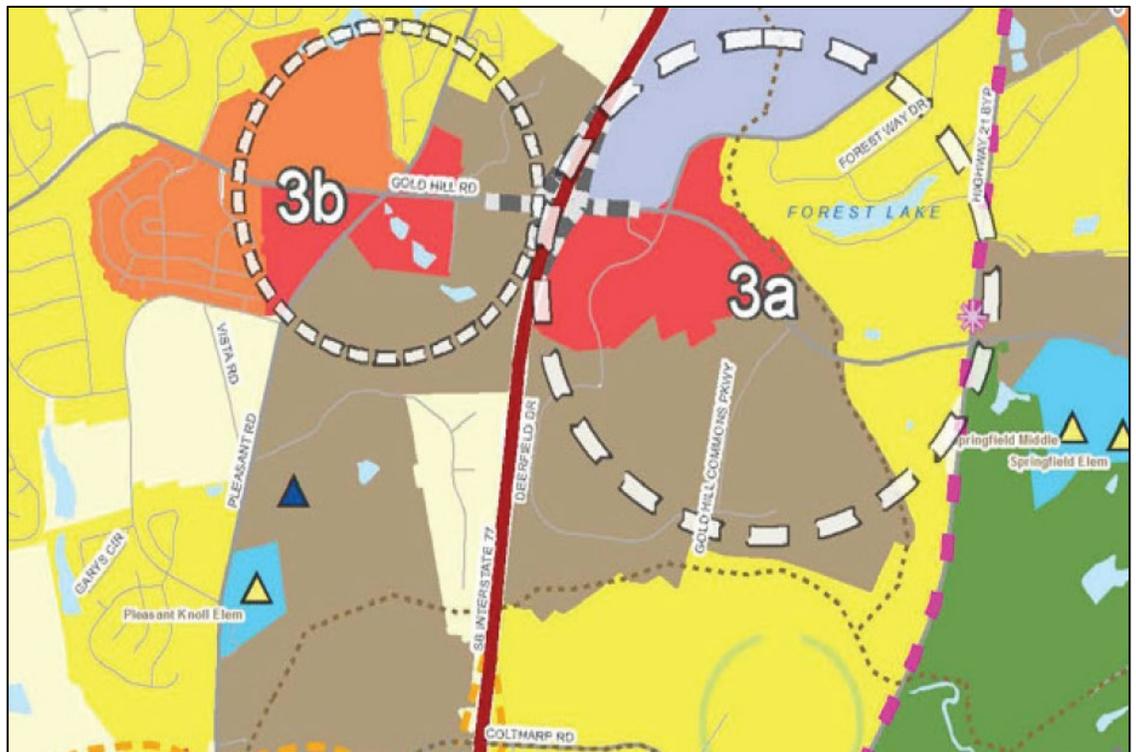
The proposed amendment to the Pleasant/Vista MXU Project Development Conditions (Exhibit A) & Concept Plan (Exhibit B) would:

- Amend Pleasant/Vista MXU Conditional Notes – Section 2(a)(v): allowing the designated senior housing units to be either side of Vista Road;
- Amend Pleasant/Vista MXU Conditional Notes – Section 2(b)(i): including hospitals and medical facilities as allowable land use activities within the contemplated commercial development; and
- Amend Pleasant/Vista MXU Conditional Notes – Section 2(b)(ii): increasing the maximum allowed square feet of commercial building space to 80,000 square feet and removing the minimum square fee dedicated to live-work space; and
- Amend Pleasant/Vista MXU Conditional Notes – Section 3: removing the limitation of higher density residential development to parcels exclusively north of Vista Road.

Comprehensive Plan

The subject property is located within an area that has been designated as “Mixed Use” on the Town of Fort Mill’s Future Land Use Map. The comprehensive plan defines “Mixed Use” as “a neighborhood, tract of land, building or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public and recreation, in a compact urban form.”

A portion of the property is also located within a development node identified as “Node 3b” on the future land use map. The 2013 comprehensive plan identifies Node 3b as a transitional area between I-77/Gold Hill Interchange and surrounding large commercial/warehouse uses to the east, and large residential developments to the west.



The 2013 comprehensive plan recommends the following uses and densities for Node 3b:

Node 3b should have a continuation of a mix of uses near the interchange. The form and type of development in this node could include commercial structures of one to two stories concentrated around the major intersections oriented towards the streets. Attached apartment, condominium, and townhome housing products of up to eight DUA; and two to three-story mixed-use buildings where ground level retail has residential uses above it on the second and third floors. Single family lots of lower densities of 0.5 to two gross DUA will occur on the west side of Pleasant Road as one travels to the south. A mix of housing types, including single family homes, townhomes and apartments, could be accommodated on the east side of Pleasant Road, providing housing opportunities in close proximity to Pleasant Knoll Elementary and the proposed school.

Traffic Impact

Properties zoned MXU would require a traffic impact analysis (TIA) prior to the development of the property. The review of the proposed development and TIA would be coordinated with SCDOT and may require the completion off-site transportation improvements to mitigate the development's impact to the transportation network.

Any off-site transportation improvements deemed necessary by the Town and SCDOT would be the responsibility of the developer.

Fire Impact

The property is located approximately 3.9 miles (10 Minutes) ordinary driving distance from the town's main fire station on Tom Hall Street.

Utility Impact

The subject property is currently located within the York County water and sewer service district. The applicant would be required to work with York County to determine the improvements necessary to serve the property.

School Impact

The applicant's request would not impact the school with this amendment.

Discussion

As mentioned above, the subject property is located within an area that has been designated as "Mixed Use" on the Town of Fort Mill's Future Land Use Map. The proposed amendment to the Mixed Use Concept Plan & Development Conditions is consistent with the future land use plan.

The overall residential density of 5.93 dwelling units per acre appears to conform with the recommendations of the comprehensive plan. The proposed commercial component is also consistent with the comp plan recommendations. We believe including hospitals and medical facilities as allowable land use activities within the contemplated commercial development and increasing the maximum allowed square footage from 50,000 square feet to 80,000 square feet would create a more sustainable Mixed-Use development and complement the mixed of land uses near the I-77 interchange. Also, adding the land uses of Hospital and Medical Facility under the permitted uses in the Commercial/Mixed Use

provides clarity for the permitted land uses in the development conditions of the Pleasant/Vista MXU.

Staff agrees with the amendment of allowing a minimum of 10% of the residential units will be dedicated as seniors housing for occupancy by residents 55 years old, or older to not have to be located on the north side of Vista Road only and eliminating the Vista Road density barrier. The reason why staff agrees with the amendment is the propose amendment is below the maximum density rate of 8 units per acre and a traffic impact analysis will have to be prepared and approved before a Preliminary Plat is submitted.

Staff recommends in favor of approval of the ordinance amending the Mixed Use Concept Plan and Development Conditions for the Pleasant/Vista MXU Project.

Alternatives	
1.	Recommend approval of the ordinance amending the Mixed Use Concept Plan & Development Conditions for the Pleasant/Vista MXU Project.
2.	Recommend approval of the ordinance amending the Mixed Use Concept Plan & Development Conditions for the Pleasant/Vista MXU Project with Changes.
3.	Recommend denial of the ordinance amending the Mixed Use Concept Plan & Development Conditions for the Pleasant/Vista MXU Project.

Staff Recommendation	
Recommendation	Staff recommends in favor of APPROVAL of the ordinance amending the Mixed Use Concept Plan & Development Conditions for the Pleasant/Vista MXU Project.
Name & Title	Penelope Karagounis, Planning Director
Department	Planning Department
Date of Request	September 15, 2020

Legislative History	
Planning Commission	Scheduled: 09/15/2020
First Reading	TBD
Public Hearing	TBD
Second Reading	TBD
Effective Date	Upon adoption

Attachments

- Application
- Aerial Map
- Zoning Map
- Redlined Pleasant/Vista MXU Ordinance
- Draft Ord. Amending the Pleasant/Vista MXU Development Conditions and Concept Plan

August 14, 2020

Penelope G. Karagounis, MA
Planning Director
Town of Fort Mill, SC
200 Hall Street
Fort Mill, SC 29715

Re: Amendments to the Development Standards and Conditions and Concept Plan for the Pleasant/Vista Mixed Use Development (MXU) District in the Town of Fort Mill, South Carolina

Dear Ms. Karagounis:

On August 25, 2014, the Town of Fort Mill approved Ordinance No. 2014-16 establishing the Development Standards and Conditions and the Concept Plan for the Pleasant/Vista MXU. The properties shown on the Concept Plan as parcels 1, 2, 3, 4, 5a, 5b, 5c, 5d, 5e, 6a, 6b, 7a, and 7b are principally owned by the following entities and/or persons: ABI Pleasant Road Land I LLC, ABI Pleasant Road Land II LLC, ABI Pleasant Road Land III LLC, Vista Road Rentals LLC, Legacy Fort Mill 98 LLC, CSC Inc., and C. Cooper Willis. As a principal owner of each of the aforementioned entities and as a separately named property owner, I submit this letter regarding proposed changes to the Pleasant/Vista MXU.

Please find attached a draft ordinance setting forth the following amendments to the Development Standards and Conditions for the Pleasant/Vista MXU:

1. Allowing the minimum number of seniors housing units to be either north or south of Vista Road; and
2. Including hospitals and medical facilities as allowable land use activities within the contemplated commercial development; and
3. Increasing the maximum allowed square feet of commercial building space to 80,000 square feet from 50,000 square feet and removing the 5,000 square feet of live-work space; and
4. Eliminating the Vista Road density barrier.

Along with the proposed amendments to the Development Standards and Conditions, I have included an updated Concept Plan for the Pleasant/Vista MXU. By copy of this letter, I request that this proposed amendment to Ordinance No. 2014-16 be placed on Town Council's agenda for consideration.

Should you have questions regarding this letter, please contact Gary Morris by phone at (803) 540-7961 or by email at gmorris@hsblawfirm.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Cooper Willis', with a long horizontal flourish extending to the right.

C. Cooper Willis

CC: Gary Morris, Esq.



Town of Fort Mill

200 Tom Hall Street
Fort Mill, SC 29715
Phone: 803-547-2034
Fax: 803-548-4722

August 11, 2020

Sarina R. Davis
Director, Real Estate
Encompass Health
9001 Liberty Parkway
Birmingham, AL 35242

Re: Property bounded by Pleasant Road and Vista Road in Fort Mill, South Carolina (York County Tax Map Number 020-09-01-030) and located within the Pleasant/Vista Mixed Use Development District

Dear Ms. Davis:

You have requested a letter regarding the proposed development of Encompass Health Rehabilitation Hospital of Fort Mill, LLC (“Encompass”) on the above referenced property. In response to your request, the Town of Fort Mill, South Carolina certifies to the following matters:

1. The property known as York County Tax Map Number 020-09-01-030 is located within the municipal boundaries of the Town of Fort Mill, South Carolina (the “Town”) and is zoned as a Mixed Use Development District (MXU) that has been designated as the Pleasant/Vista MXU.
2. Based on information provided to the Town, Encompass intends to construct an inpatient rehabilitation hospital at the above referenced property to provide physical rehabilitation healthcare services for patients. This type of development will be designated as a “hospital” land use activity as defined under Article I, Section I of the Town’s Zoning Ordinance.
3. Section 2(b) of the Development Standards & Conditions governing the Pleasant/Vista MXU allows “Residential” and “Commercial/Mixed Use” as permitted land use activities. However, the Development Standards and Conditions do not specifically reference a hospital as being an allowed land use activity. Therefore, Town staff determined that the ordinance governing the Pleasant/Vista MXU must be amended to expressly allow development of the proposed hospital. Upon receipt of a request for an amendment to the ordinance governing the Pleasant/Vista MXU, Town staff will likely recommend an amendment allowing the inclusion of a “hospital” as an allowable land use activity. Approval of the ordinance amendment will

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TELEPHONE (803) 547-2034 • FAX (803) 548-4722

require approval by Town Council. Should the ordinance amendment be approved by Town Council, the rehabilitation hospital proposed by Encompass will be an allowed land use activity within the Pleasant/Vista MXU.

Should you have questions regarding this letter, please contact me by phone at (803) 835-1161 or by email at ncauthen@fortmillsc.gov.

Sincerely,



Nick Cauthen
Zoning Administrator

~~Exhibit A.~~ EXHIBIT A

Development Standards ~~&~~ and Conditions Pleasant/Vista MXU Project (Amended)

DEVELOPMENT STANDARDS ~~&~~AND CONDITIONS
Pleasant/Vista MXU Project

Development Standards

PLEASANT/VISTA ~~=~~ MXU ~~=~~ PROJECT CONDITIONS

1. Purpose of district

The purpose of the mixed use development (MXU) district is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the provision of infrastructure; and to preserve the natural and scenic features of open areas. This district is intended for the appropriate integration of a wide range of residential and non-residential uses. The district is intended for use in connection with developments where the town has determined that the quality of a proposed new development there under will be enhanced by flexibility in the planning process.

2. Platting requirements

Platting requirements will be in accordance with ARTICLE II PLAT REQUIREMENTS, of Chapter 32-SUBDIVISIONS, of the Town of Fort Mill Municipal Ordinance. Where possible, plats will comply with Article II, Section 19.3(C) of the Zoning Ordinance.

3. Bonding requirements

Bonding requirements will be in accordance with Section 32.104-SURETY BOND, Article IV-REQUIRED IMPROVEMENTS, of Chapter 32-Subdivisions, of the Town of Fort Mill Municipal Ordinance.

Pleasant/Vista MXU Conditional Notes

1. General Provisions

~~(a)~~ ~~a)~~ Each proposal for the development under MXU district is anticipated to be unique. Except as provided by this section, an MXU district shall be subject to all of the applicable standards, procedures and regulations in other sections of the zoning ordinance.

~~(b)~~ ~~b)~~ The development depicted on the Concept Development Plan (RZ-1.0) is intended to reflect the arrangement of proposed uses on the site, but the final configuration, placement and the size of individual site elements may be altered or modified within the limits of the Ordinance and the standards established on the Development Standards Sheet during design development and construction phases. Street alignment and lot layout width and depth dimensions may be modified to accommodate final building layout and lot locations. The Petitioner reserves the right to modify the total number of lots identified within individual parcels or phases, reallocate units from a parcel or phase to another, or reconfigure lots and street layouts, provided the density for the entire mixed use development does not exceed the permitted density set forth in [Section 3 of these](#)

Development Standards, ~~or the density for the parcels located south of Vista Road does not exceed the restrictions outlined in Section 3.~~

- (c) ~~e)~~ These standards, as established by the Pleasant/Vista Technical Data Development Standards Sheet, as set out below and as depicted on the Mixed Use Development Site Plan shall be followed in connection with development taking place on the site. Standards established by these Development Standards Sheet and Pleasant/Vista Mixed Use Development Site Plan shall supersede the Fort Mill Subdivision Ordinance and Zoning Ordinance in effect at the date of approval.

2. Permitted uses

(a) ~~a)~~ Residential Use:

- (i) ~~i)~~ Subject to the information listed below, a maximum of 931 dwelling units may be constructed on the site.
- (ii) ~~ii)~~ Residential use shall be allowed throughout all areas of the development having minimum dimensional standards as specified in section 15, along with any incidental or accessory uses in connection therewith, which are permitted by right or under prescribed conditions in the Mixed Use Zoning District or as part of the Pleasant/Vista Mixed Use Development.
- (iii) ~~iii)~~ Common Open Space: May include conservation lands, natural areas, formal greens, plazas, power line easements, courtyards, and buffers.
- (iv) ~~iv)~~ Amenities: Amenity buildings, pool and pool facilities, athletic fields, parks, trails, playground equipment, picnic shelters and other accessory uses commonly associated with amenity facilities.
- (v) ~~v)~~ A minimum of 10% of the residential units ~~located on the north side of Vista Road~~ will be dedicated as seniors housing, for occupancy by residents 55 years old, or older.
- (vi) ~~vi)~~ 7a-b will be restricted to for-sale product only. Construction materials will be similar, or better, than the construction materials used in the existing Whitley Mills development. A minimum 35' wooded buffer will be provided between the Development and the Whitley Mills subdivision. A landscaped, natural area will remain in place along Pleasant Road. Final design to be approved by Fort Mill staff.

(b) ~~b)~~ Commercial/Mixed Use:

- (i) The following commercial land use activities, as defined in Article I, Section 1 of the Zoning Ordinance for the Town of Fort Mill, shall be allowed within the Pleasant/Vista Mixed Use Development:

a. Hospital

b. Medical Facility

- (ii) ~~i)~~ Subject to the information listed below, a minimum of 10,000 square feet to a maximum of ~~50,000~~80,000 square feet of building space may ~~shall~~ be designated for commercial/mixed use. Retail space will be limited to 15,000 square feet. ~~A minimum of 5,000 square feet of the commercial space will be dedicated to live-work space.~~
- (iii) ~~ii)~~ Commercial use shall be restricted to parcels 2 and 3 and shall have minimum dimensional standards as specified in section 15, along with any incidental or accessory uses in connection therewith, which are permitted by right or under prescribed conditions in the Mixed Use Zoning District or as part of the Pleasant/Vista Mixed Use Development.

3. Density

The maximum Gross Residential Unit density will not exceed 5.93 units per acre and/or 931 total units. Individual phases may have higher or lower densities; ~~however, the parcels south of Vista Road will be limited to 384 units or 3.26 DUA in total.~~ Open space areas shall be included in the calculations for gross residential density.

4. Streets

Minimum dimensions and design standards for each street type shall follow a consistent standard. The standards for each street shall follow one of the following:

- (a) ~~a)~~ Public Residential and Commercial Streets: In accordance with the Town standards outlined in the Fort Mill Subdivision Ordinance.
- (b) ~~b)~~ All Residential Streets: Shall be designed to provide a stop condition no more than 2,000 feet apart. This will be accomplished by "T" intersections where practical. Where this is not practical due to site constraints, posted stop signs at intersection(s) within the 2,000-foot street length will be installed.
- (c) ~~c)~~ Cul-de-sacs: Shall conform to standards in the Fort Mill Subdivision Ordinance, except that alternative cul-de-sacs and loop streets shall be permitted to have landscaped islands, provided that the dimensions of these islands will accommodate the turn-around of fire trucks without backing up. Subdrains will be provided behind the island curb if irrigation is installed within the cul-de-sac island. Cul-de-sac lengths may vary as shown on the Pleasant/Vista MXU Site Plan. The Pleasant/Vista Mixed Use Development will provide landscaped island where feasible. Landscaped islands are subject to approval of the Town of Fort Mill Fire department.
- (d) ~~d)~~ Sidewalks: Will be installed on at least one side of all streets adjoining the Development, including Pleasant and Vista Roads, providing sidewalk connectivity from the Pleasant/Vista Mixed Use Development to all current and future schools adjacent to the Development. The Developer shall coordinate with the Fort Mill School District regarding the location of future sidewalk connections.

- ~~(e)~~ Fort Mill staff will require that the developer of the proposed phase two of the Legacy Fort Mill apartment project install a sidewalk in front of the new, phase two and in front of the existing phase one.
- ~~(f)~~ Block Lengths: Block lengths shall be a maximum of 2,000 feet.

5. Vehicular Access and Road Improvements

- ~~(a)~~ Vehicular Access: Access shall be provided to Pleasant Road (Highway 22) and Vista Road, in the general location as shown on the Pleasant/Vista Concept Development Plan. Minor adjustments to the locations of street and driveway entrances may occur, as required to meet state and local agency standards, or as a result of further site investigation and coordinate with final subdivision and site plan design.
- ~~(b)~~ Improvements to Existing Roads: A traffic impact analysis (TIA) shall be completed prior to the commencement of any land clearing or construction activities. The developer shall be responsible for installing any necessary public roadway improvements identified within the TIA as required by SCDOT and the Town of Fort Mill, to the extent such improvements are found necessary to accommodate future traffic from the Pleasant/Vista Mixed Use Project.
- ~~(c)~~ Coordination: The developer shall coordinate where feasible with neighboring property owners regarding stub road locations and future roadway connections.

6. Landscaping

Landscaping will be provided in accordance with Article II, Section 19.4(J) of the Zoning Ordinance. Existing vegetation will be retained and maintained to the extent feasible.

7. Open Space

Common open space will be provided, to be platted and recorded separately from other uses. Open space will be owned and maintained by a Homeowner's Association or Property Owner's Association. At the Developer's option, open space lands may also be dedicated to a non-profit land trust for the perpetual ownership and conservation. A minimum of 20% of the total site will be maintained as preserved open space or built open space. The following may be counted towards required dedicated open space: conservation lands, natural areas, formal greens, plazas and courtyards, trails, buffers held in common ownership, power line easements and parks and recreation areas, including ball fields, golf courses (excluding vertical structures: clubhouse and maintenance facilities), tennis and basketball courts, playgrounds, and other areas used for active or passive recreation. Water quality ponds, rain gardens, and other types of public (non-fenced) stormwater facilities may also be counted towards the open space requirements.

Developer will install public access that will include parking, if feasible, for the southernmost portion of the Development that will be donated to the Nation Ford Land Trust.

Additionally, Developer will provide park-like amenities at the entrance to include a water fountain and dog park.

8. Parking and Loading

Parking, loading, and other requirements for each permitted use and platted lot will be in accordance with the requirements of Article I, Section 7, Subsection I for the Fort Mill Zoning Ordinance subject to the petitioner's ability to include parking spaces located within units with garages as eligible spaces meeting said requirements.

9. Access to Lots

Access (curb cuts) to each platted lot must comply with standards set forth in the Fort Mill Zoning and Subdivision Ordinances.

10. Signage

A proposed project signage package shall be provided for approval to the town. All signs shall meet the requirements of Article II, Section 19.4(1), Subsections 1, and 2 of the Zoning Ordinance. Approval to not be unreasonably withheld.

11. Building Heights

Proposed building heights will not exceed 55 feet. Building height shall be measured in accordance with Article II, Section 19.4 {D) of the Zoning Ordinance.

12. Improvements

The developer will be responsible for installation of required streets, utilities, common areas, amenity improvements, open space, storm drainage, and buffer yards, which pertain specifically to the project.

13. Changes

Petitioner/Developer understands that upon approval of the Mixed Use Development by the Town Council, any changes that are proposed which are considered to be of a minor nature such as adjustments or relocation of streets, lots, and open space; or adjustments to interior parcel boundaries, parcel sizes, or lot sizes and quantities, may be approved by the Fort Mill staff through an administrative review process. Other minor changes may be made to the list of permitted uses, unit mixture, reallocation of unit types, relocation of uses, buffer yards, landscaping and open space standards throughout the project, shall be subject to review and approval through an administrative process by the Fort Mill staff.

Significant changes to the Mixed Use Development Site Plan which include changes increasing overall project dwelling unit count, land use summary, location of primary access points to the property and adding acreage are all considered to be major site plan changes and are subject to approval by the Town Council in accordance with Chapter 32 of the Fort Mill Municipal Ordinance.

14. Construction Schedule and Phasing

This Pleasant Vista Mixed Use Development will be constructed in phases. The following commitments are made for the development sequencing/phasing:

- (a) ~~a)~~ With the exception of parcels 1, 6a-b and 7a-b, as shown on the Concept Plan attached as Exhibit B, no vertical building permits will be issued for any other parcel until each of the following conditions have been met:

 - (i) ~~1-~~SCDOT required traffic improvements at the intersection of Pleasant Road (Highway 22) and Gold Hill Road (Highway 98) shall be substantially completed and open to traffic.
 - (ii) ~~2-~~Interchange improvements at ~~I-771-77~~/Gold Hill Road (exit 88) shall be substantially completed and open to traffic.
 - (iii) ~~3-~~Plans for the proposed middle school ~~plans~~ at the intersection of Pleasant Road and Vista Road, including all associated road improvement plans, shall be finalized and approved by SCDOT.
 - (iv) ~~4-~~Any project-related improvements to Pleasant Road, Vista Road, and other surrounding roads and intersections, as deemed necessary by SCDOT and the Town of Fort Mill following completion of the TIA (see paragraph 5b), shall be substantially completed and open to traffic.
- (b) ~~b)~~ Provided all other requirements of these Development Conditions have been satisfied, the provisions of Paragraph 14(a) shall not apply to parcels 1, 6a-b and 7a-b, or to any associated improvement related to a community recreation area, greenway, trail, and/or sidewalk within the Pleasant/Vista Mixed Use Development.

15. Development Standards

Design Standards-Storm drainage and utilities (including sanitary sewer, gas, electric, telephone and cable television) may be located within landscape corridors.

- (a) ~~a)~~ Maximum Residential Density: 5.93 dwelling units per acre
- (b) ~~b)~~ Impervious Surface Ratio: 90% for residential, 100% remaining uses
- (c) ~~c)~~ Residential Development - Development Standards per Article II, Section 19-4(A) of the Zoning Ordinance.
- (d) ~~d)~~ Commercial/Mixed Use Development - Development Standards per Article II, Section 19-4(A) of the Zoning Ordinance.
- (e) ~~e)~~ Buffer Yards: Perimeter Buffer yards between the Pleasant/Vista Mixed Use Development and adjacent properties will be in accordance with Article II, Section 19.4(K.) of the Zoning Ordinance. The buffer shall be a natural, undisturbed wooded area where possible, and shall count towards the provision of open space for the development where the buffer is not platted and made part of an individual, privately owned lot. Where

an existing natural, undisturbed wooded area does not exist, a planted buffer shall be required in conformance with the buffer standards of Article II, Section 19.4(K) of the Zoning Ordinance.

- ~~(f)~~ ~~(f)~~ Petitioner reserves the right to construct a minimum 6-foot high opaque fence, wall, berm, or combination thereof in order to satisfy buffer and/or screening requirements. In the event that the petitioner or their assignee decides to install a fence, wall, or berm, they may reduce buffer area dimensions by 25%. Buffer Yards will be designed in a manner to allow openings of an appropriate width in order to allow pedestrian connectivity. Utilities and right of way are allowed to be located in buffer areas where needed.
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Model homes may be constructed within residential areas at the developer's discretion. Mobile temporary sales offices shall be allowed on site at the developer's discretion. The developer will be permitted a minimum of 4 model homes with offices or mobile temporary sales offices and mobile temporary construction offices.

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Lots may be transferred or recorded by means of posting appropriate surety bonds as referenced in Sec. 32.104.

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The Developer understands that water and sewer will be provided by York County for all lots within the Mixed Use Development. The Developer shall construct or cause to be constructed at Developer's cost all necessary water and sewer service infrastructure to, from, and within the Property. The developer will comply with all DHEC and York County water and sewer specifications. The Property shall be subject to all current and future water connection/capacity fees imposed by the County. A water and sewer "willingness and capability letter" must be received from the County prior to obtaining a grading permit for any portion of the development utilizing the York County water and sewer. Should the Town of Fort Mill and York County elect to enter into a service agreement whereby the Town provides retail service to the Mixed Use Development, then the developer shall comply with the specifications, fees, and permitting requirements of the Town of Fort Mill.

19. Applicable Ordinances

This development will be subject to the standards and requirements for the Fort Mill Subdivision Ordinance and Zoning Ordinance in effect at the date of approval by the Town of Fort Mill or as superseded by the provisions of the Pleasant/Vista Concept Development Plan and Development Standards, as approved by the Town of Fort Mill.

20. Ten Year Vested Right

Due to the size of the proposed development and the level of Petitioner's investment, the Petitioner requests a ten (10) year vested right for construction of this project.

21. Binding Effect of the Rezoning Documents

If this Rezoning Petition is approved, all conditions applicable to development of the site imposed under the Rezoning Site Plan and Development Standards Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the site and their respective successors in interest and assigns. Upon approval of the Rezoning Site Plan and Development Standards Sheet by the Town of Fort Mill the Petitioner agrees to record above listed documents at the York County register of deeds office within 120 days.

22. Restrictive Covenants

Restrictive Covenants will be created and recorded with the office of the county clerk of court prior to the approval of a plat or issuance of a building permit for a vertical building on the property. Covenants shall be in accordance with Article II, Section 19.3(D) of the Fort Mill Zoning Ordinance.

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Portions of the Property are currently designated as floodplain areas. Should the applicant seek to develop any property within a floodplain area, a Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) shall be required from FEMA before any development activities may commence.

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The Property shall be subject to all current and future development impact fees imposed by the Town, provided such fees are applied consistently and in the same manner to all similarly-situated property within the Town limits. For the purpose of this Agreement, the term "development impact fees" shall include, but not be limited to, the meaning ascribed to such term in the South Carolina Development Impact Fee Act, Sections 6-1-910, et seq, of the SC Code of Laws.

EXHIBIT B

Concept Plan for the Pleasant/Vista MXU Project (Amended)

Document comparison by Workshare 10.0 on Friday, August 28, 2020 9:13:17 AM

Input:	
Document 1 ID	file://C:\Users\rscott\Desktop\Encompass Compare 1.docx
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Document 2 ID	file://C:\Users\rscott\Desktop\Encompass Compare 2.docx
Description	Encompass Compare 2
Rendering set	Standard

Legend:	
Insertion	
Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
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Deleted cell	
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Padding cell	

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Moved to	0
Style change	0
Format changed	0
Total changes	135

STATE OF SOUTH CAROLINA
TOWN COUNCIL FOR THE TOWN OF FORT MILL
ORDINANCE NO. 2020-_____

AN ORDINANCE AMENDING ORDINANCE NO. 2014-16,
“AN ORDINANCE ADOPTING A MIXED USE CONCEPT PLAN &
DEVELOPMENT CONDITIONS FOR THE PLEASANT/VISTA MXU PROJECT”

WHEREAS, the parcels currently or formerly known York County Tax Map Numbers 020-09-01-027, 020-09-01-028, 020-09-01-030, 020-09-01-031, 020-09-01-032, 020-09-01-033, 020-09-01-034, 020-09-01-035 and 020-09-01-036, containing approximately 156.96 acres at the intersection of Pleasant Road and Vista Road, were annexed to and made a part of the Town of Fort Mill, South Carolina (“Town”) by ordinance of the Fort Mill Town Council (“Town Council”) adopted on November 10, 2008 (Ordinance No. 2008-33); and

WHEREAS, by ordinance of the Town Council, the above referenced parcel was zoned as a Mixed Use Development (MXU) District; and

WHEREAS, by ordinance of the Town Council, pursuant to Article II, Section 19(5)(D)(1)(a), of the Zoning Ordinance for the Town, Town Council approved the Concept Plan and Development Standards and Conditions for the Pleasant/Vista MXU Project on August 25, 2014 (Ordinance No. 2014-16); and

WHEREAS, pursuant to Article II, Section 19(5)(F)(2) of the Zoning Ordinance for the Town, the applicant has submitted amended Development Standards and Conditions for the Pleasant/Vista MXU Project for approval by the Town Council as shown within the attached “Exhibit A” and an amended Concept Plan as shown within the attached “Exhibit B,” both of which have been reviewed by the Town Planning Commission and the Town Council and found to be consistent with the Town’s Comprehensive Plan;

NOW, THEREFORE, pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:

Section I. Pursuant to Article II, Sections 19(5)(D)(3) and 19(5)(F)(2), of the Zoning Ordinance for the Town, the amended Development Standards and Conditions for the Pleasant/Vista MXU project are hereby adopted as shown within the attached “Exhibit A” pertaining to:

- A. Pleasant/Vista MXU Conditional Notes – Section 2(a)(v): allowing the designated senior housing units to be on either side of Vista Road; and
- B. Pleasant/Vista MXU Conditional Notes – Section 2(b)(i): including hospitals and medical facilities as allowable land use activities within the contemplated commercial development; and

- C. Pleasant/Vista MXU Conditional Notes – Section 2(b)(ii): increasing the maximum allowed square feet of commercial building space to 80,000 square feet and removing the minimum square feet dedicated to live-work space; and
- D. Pleasant/Vista MXU Conditional Notes – Section 3: removing the limitation of higher density residential development to parcels exclusively north of Vista Road.

Where any conflicts exist between the Development Standards and Conditions and the Subdivision Ordinance or Zoning Ordinance for the Town, the provisions specified within the Development Standards and Conditions shall apply. A copy of these Development Standards and Conditions shall be maintained on file in the office of the Town Clerk and the Zoning Administrator.

Section II. Pursuant to Article II, Sections 19(5)(D)(4) and 19(5)(F)(2), of the Zoning Ordinance for the Town, the amended Concept Plan for the Pleasant/Vista MXU Project is hereby adopted as shown within the attached “Exhibit B.” A copy of this Concept Plan shall be maintained on file in the office of the Town Clerk and the Zoning Administrator.

Section III. The provisions of this ordinance shall apply to the parcels currently or formerly known as York County Tax Map Numbers 020-09-01-027, 020-09-01-028, 020-09-01-030, 020-09-01-031, 020-09-01-032, 020-09-01-033, 020-09-01-034, 020-09-01-035 and 020-09-01-036, containing approximately 156.96 acres at the intersection of Pleasant Road and Vista Road.

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

Section V. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section VI. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2020, having been duly adopted by the Town Council for the Town of Fort Mill on the ____ day of _____, 2020.

First Reading: _____
 Public Hearing: _____
 Second Reading: _____

TOWN OF FORT MILL

 Guynn Savage, Mayor

APPROVAL AS TO FORM:

 Town Attorney

ATTEST:

 Town Clerk

EXHIBIT A

Development Standards and Conditions Pleasant/Vista MXU Project (Amended)

DEVELOPMENT STANDARDS AND CONDITIONS
Pleasant/Vista MXU Project

Development Standards

PLEASANT/VISTA – MXU – PROJECT CONDITIONS

1. Purpose of district

The purpose of the mixed use development (MXU) district is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the provision of infrastructure; and to preserve the natural and scenic features of open areas. This district is intended for the appropriate integration of a wide range of residential and non-residential uses. The district is intended for use in connection with developments where the town has determined that the quality of a proposed new development there under will be enhanced by flexibility in the planning process.

2. Platting requirements

Platting requirements will be in accordance with ARTICLE II PLAT REQUIREMENTS, of Chapter 32-SUBDIVISIONS, of the Town of Fort Mill Municipal Ordinance. Where possible, plats will comply with Article II, Section 19.3(C) of the Zoning Ordinance.

3. Bonding requirements

Bonding requirements will be in accordance with Section 32.104-SURETY BOND, Article IV-REQUIRED IMPROVEMENTS, of Chapter 32-Subdivisions, of the Town of Fort Mill Municipal Ordinance.

Pleasant/Vista MXU Conditional Notes

1. General Provisions

- (a) Each proposal for the development under MXU district is anticipated to be unique. Except as provided by this section, an MXU district shall be subject to all of the applicable standards, procedures and regulations in other sections of the zoning ordinance.
- (b) The development depicted on the Concept Development Plan (RZ-1.0) is intended to reflect the arrangement of proposed uses on the site, but the final configuration, placement and the size of individual site elements may be altered or modified within the limits of the Ordinance and the standards established on the Development Standards Sheet during design development and construction phases. Street alignment and lot layout width and depth dimensions may be modified to accommodate final building layout and lot locations. The Petitioner reserves the right to modify the total number of lots identified within individual parcels or phases, reallocate units from a parcel or phase to another, or reconfigure lots and

street layouts, provided the density for the entire mixed use development does not exceed the permitted density set forth in Section 3 of these Development Standards.

- (c) These standards, as established by the Pleasant/Vista Technical Data Development Standards Sheet, as set out below and as depicted on the Mixed Use Development Site Plan shall be followed in connection with development taking place on the site. Standards established by these Development Standards Sheet and Pleasant/Vista Mixed Use Development Site Plan shall supersede the Fort Mill Subdivision Ordinance and Zoning Ordinance in effect at the date of approval.

2. Permitted uses

(a) Residential Use:

- (i) Subject to the information listed below, a maximum of 931 dwelling units may be constructed on the site.
- (ii) Residential use shall be allowed throughout all areas of the development having minimum dimensional standards as specified in section 15, along with any incidental or accessory uses in connection therewith, which are permitted by right or under prescribed conditions in the Mixed Use Zoning District or as part of the Pleasant/Vista Mixed Use Development.
- (iii) Common Open Space: May include conservation lands, natural areas, formal greens, plazas, power line easements, courtyards, and buffers.
- (iv) Amenities: Amenity buildings, pool and pool facilities, athletic fields, parks, trails, playground equipment, picnic shelters and other accessory uses commonly associated with amenity facilities.
- (v) A minimum of 10% of the residential units will be dedicated as seniors housing, for occupancy by residents 55 years old, or older.
- (vi) 7a-b will be restricted to for-sale product only. Construction materials will be similar, or better, than the construction materials used in the existing Whitley Mills development. A minimum 35' wooded buffer will be provided between the Development and the Whitley Mills subdivision. A landscaped, natural area will remain in place along Pleasant Road. Final design to be approved by Fort Mill staff.

(b) Commercial/Mixed Use:

- (i) The following commercial land use activities, as defined in Article I, Section 1 of the Zoning Ordinance for the Town of Fort Mill, shall be allowed within the Pleasant/Vista Mixed Use Development:
 - a. Hospital

b. Medical Facility

- (ii) Subject to the information listed below, a minimum of 10,000 square feet to a maximum of 80,000 square feet of building space may be designated for commercial/mixed use. Retail space will be limited to 15,000 square feet.
- (iii) Commercial use shall be restricted to parcels 2 and 3 and shall have minimum dimensional standards as specified in section 15, along with any incidental or accessory uses in connection therewith, which are permitted by right or under prescribed conditions in the Mixed Use Zoning District or as part of the Pleasant/Vista Mixed Use Development.

3. Density

The maximum Gross Residential Unit density will not exceed 5.93 units per acre and/or 931 total units. Individual phases may have higher or lower densities. Open space areas shall be included in the calculations for gross residential density.

4. Streets

Minimum dimensions and design standards for each street type shall follow a consistent standard. The standards for each street shall follow one of the following:

- (a) Public Residential and Commercial Streets: In accordance with the Town standards outlined in the Fort Mill Subdivision Ordinance.
- (b) All Residential Streets: Shall be designed to provide a stop condition no more than 2,000 feet apart. This will be accomplished by “T” intersections where practical. Where this is not practical due to site constraints, posted stop signs at intersection(s) within the 2,000-foot street length will be installed.
- (c) Cul-de-sacs: Shall conform to standards in the Fort Mill Subdivision Ordinance, except that alternative cul-de-sacs and loop streets shall be permitted to have landscaped islands, provided that the dimensions of these islands will accommodate the turn-around of fire trucks without backing up. Subdrains will be provided behind the island curb if irrigation is installed within the cul-de-sac island. Cul-de-sac lengths may vary as shown on the Pleasant/Vista MXU Site Plan. The Pleasant/Vista Mixed Use Development will provide landscaped island where feasible. Landscaped islands are subject to approval of the Town of Fort Mill Fire department.
- (d) Sidewalks: Will be installed on at least one side of all streets adjoining the Development, including Pleasant and Vista Roads, providing sidewalk connectivity from the Pleasant/Vista Mixed Use Development to all current and future schools adjacent to the Development. The Developer shall coordinate with the Fort Mill School District regarding the location of future sidewalk connections.

- (e) Fort Mill staff will require that the developer of the proposed phase two of the Legacy Fort Mill apartment project install a sidewalk in front of the new, phase two and in front of the existing phase one.
- (f) Block Lengths: Block lengths shall be a maximum of 2,000 feet.

5. Vehicular Access and Road Improvements

- (a) Vehicular Access: Access shall be provided to Pleasant Road (Highway 22) and Vista Road, in the general location as shown on the Pleasant/Vista Concept Development Plan. Minor adjustments to the locations of street and driveway entrances may occur, as required to meet state and local agency standards, or as a result of further site investigation and coordinate with final subdivision and site plan design.
- (b) Improvements to Existing Roads: A traffic impact analysis (TIA) shall be completed prior to the commencement of any land clearing or construction activities. The developer shall be responsible for installing any necessary public roadway improvements identified within the TIA as required by SCDOT and the Town of Fort Mill, to the extent such improvements are found necessary to accommodate future traffic from the Pleasant/Vista Mixed Use Project.
- (c) Coordination: The developer shall coordinate where feasible with neighboring property owners regarding stub road locations and future roadway connections.

6. Landscaping

Landscaping will be provided in accordance with Article II, Section 19.4(J) of the Zoning Ordinance. Existing vegetation will be retained and maintained to the extent feasible.

7. Open Space

Common open space will be provided, to be platted and recorded separately from other uses. Open space will be owned and maintained by a Homeowner's Association or Property Owner's Association. At the Developer's option, open space lands may also be dedicated to a non-profit land trust for the perpetual ownership and conservation. A minimum of 20% of the total site will be maintained as preserved open space or built open space. The following may be counted towards required dedicated open space: conservation lands, natural areas, formal greens, plazas and courtyards, trails, buffers held in common ownership, power line easements and parks and recreation areas, including ball fields, golf courses (excluding vertical structures: clubhouse and maintenance facilities), tennis and basketball courts, playgrounds, and other areas used for active or passive recreation. Water quality ponds, rain gardens, and other types of public (non-fenced) stormwater facilities may also be counted towards the open space requirements.

Developer will install public access that will include parking, if feasible, for the southernmost portion of the Development that will be donated to the Nation Ford Land Trust.

Additionally, Developer will provide park-like amenities at the entrance to include a water fountain and dog park.

8. Parking and Loading

Parking, loading, and other requirements for each permitted use and platted lot will be in accordance with the requirements of Article I, Section 7, Subsection I for the Fort Mill Zoning Ordinance subject to the petitioner's ability to include parking spaces located within units with garages as eligible spaces meeting said requirements.

9. Access to Lots

Access (curb cuts) to each platted lot must comply with standards set forth in the Fort Mill Zoning and Subdivision Ordinances.

10. Signage

A proposed project signage package shall be provided for approval to the town. All signs shall meet the requirements of Article II, Section 19.4(1), Subsections 1, and 2 of the Zoning Ordinance. Approval to not be unreasonably withheld.

11. Building Heights

Proposed building heights will not exceed 55 feet. Building height shall be measured in accordance with Article II, Section 19.4 {D) of the Zoning Ordinance.

12. Improvements

The developer will be responsible for installation of required streets, utilities, common areas, amenity improvements, open space, storm drainage, and buffer yards, which pertain specifically to the project.

13. Changes

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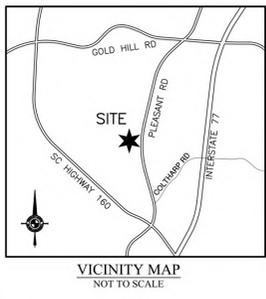
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EXHIBIT B

Concept Plan for the Pleasant/Vista MXU Project (Amended)

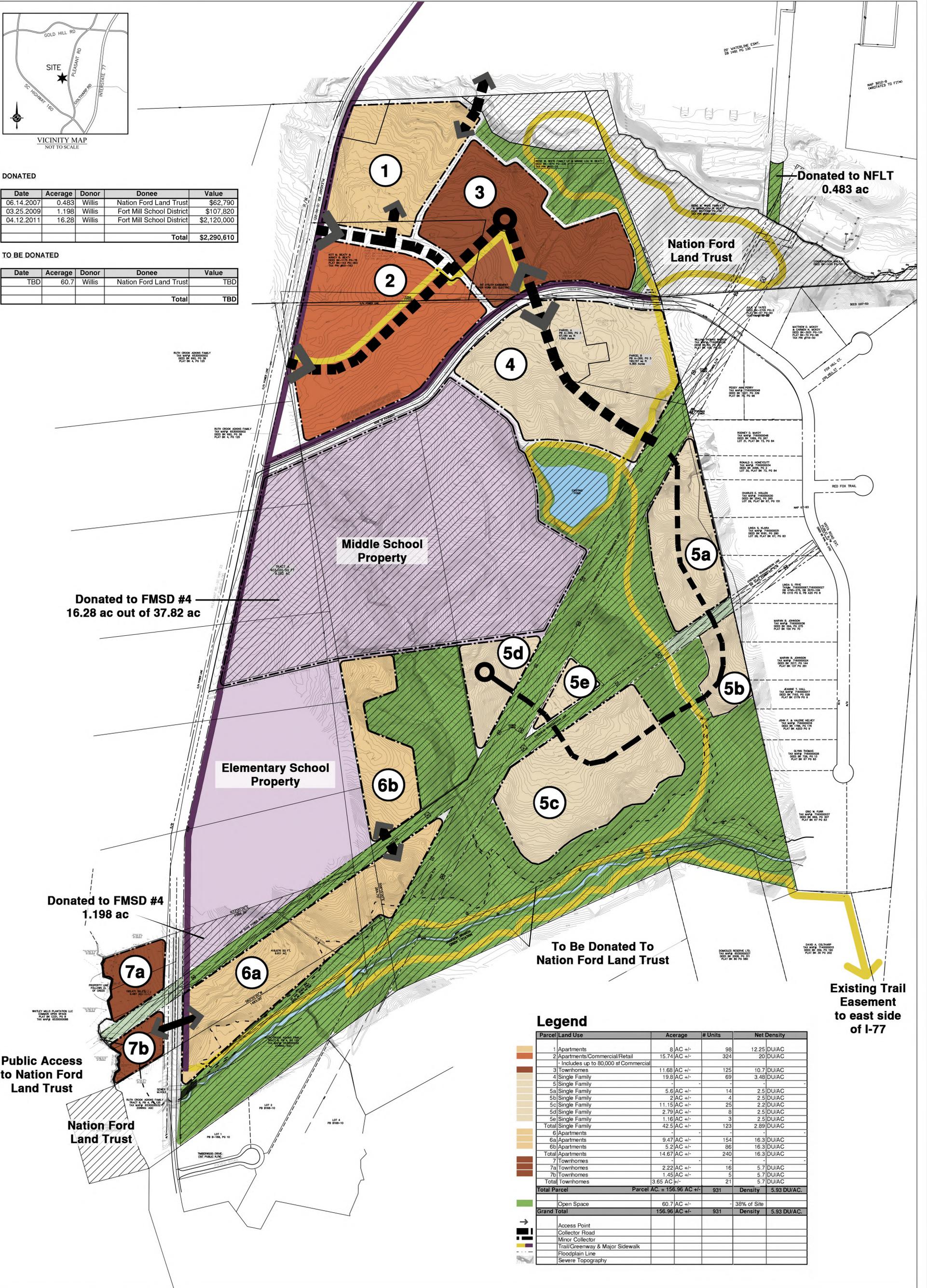


DONATED

Date	Acreage	Donor	Donee	Value
06.14.2007	0.483	Willis	Nation Ford Land Trust	\$62,790
03.25.2009	1.198	Willis	Fort Mill School District	\$107,820
04.12.2011	16.28	Willis	Fort Mill School District	\$2,120,000
Total				\$2,290,610

TO BE DONATED

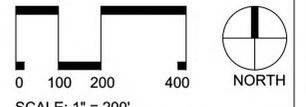
Date	Acreage	Donor	Donee	Value
TBD	60.7	Willis	Nation Ford Land Trust	TBD
Total				TBD



AUGUST 14, 2020
PLEASANT / VISTA
 CONCEPT PLAN
 FORT MILL, SOUTH CAROLINA

PREPARED FOR:
ATLANTIC BEACH, INC.

PREPARED BY:
STEWART





**PLANNING COMMISSION MEETING
SEPTEMBER 15TH, 2020
NEW BUSINESS ITEM: ZONING CASE 2020-0562**

LOT VARIANCE REQUEST AND REQUEST FOR FINAL PLAT APPROVAL

There are two components which comprise this business item:

- (1) A request from the **Town of Fort Mill Utilities Department** (Applicant), and **The Forest at Fort Mill Homeowner's Association, Inc.**, (Owner of Tax Map 020-12-03-040) for a variance from the requirements of the Town of Fort Mill Subdivision Ordinance.
- (2) If Planning Commission determines that a variance may be granted, this commission may then subsequently consider whether to approve the final plat at this meeting. Subdivisions which do not involve the platting, construction, or opening of new streets, water, or sewer facilities, or improvements to existing streets shall be accepted by the Planning Commission in the form of a final plat per Sec. 32-42(b) of the Town of Fort Mill Subdivision Ordinance. A draft version of the final plat is attached to this staff report.

BACKGROUND / DISCUSSION

In order to grant a variance from the requirements of the subdivision ordinance, the following parameters must be considered:

Sec. 32-11. Variance. Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the chapter would result in substantial hardship or inequity, the planning commission may vary or modify, except as otherwise indicated, requirements of design, but not of procedure or improvements, so that the subdivider may develop his property in a reasonable manner, but so, at the same time, the public welfare is protected and the general intent and spirit of this chapter is preserved. Such modification may be granted upon written request of the subdivider stating the reasons for each modification and may be waived by an affirmative vote of two-thirds of the membership of the planning commission.

Sec. 32-12. Conditions of Modification. In granting variations and modifications, the planning commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

The subject parcel currently contains a lift station which is owned by the Town of Fort Mill. Public utilities are conditionally allowed within the R-15 Zoning District with the following requirements.

1. Such use is enclosed by a painted or chain-link fence or wall at least six feet in height above finish grade,
2. There is neither office nor commercial operation nor storage of vehicles or equipment on the premises, and
3. A landscaped strip not less than ten feet in width is planted and suitably maintained around the facility. Note: It appears that the existing landscaping strip does not meet the minimum requirement of ten feet.

The subject property consists of 5.402 acres and is highlighted below in yellow. This parcel, as well as the entirety of The Forest at Fort Mill is zoned R-15, One-family residential. The minimum lot size for the R-15 Zoning District is 15,000 square feet. **The minimum lot width requirement is 100 feet.** The applicant and property owner are requesting that a lot width variance be granted for the 15,492 square feet to be parceled off and deeded to the Town of Fort Mill. The result would be a substandard lot with regard to R-15 lot width requirements at 83 feet in width versus the required 100 feet of width.



Below is an orthophotograph which indicates the location of the proposed new parcel. The parcel is indicated in blue and is located on Monterey Oaks Circle within The Forest at Fort Mill.



Below is an additional orthophotograph with a closer view of the existing town owned lift station.



CONCLUSIONS

The regulations which apply to the R-15 Zoning District are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on lots of at least 15,000 square feet, and to discourage any encroachment by commercial, industrial, or other uses capable of adversely affecting the residential character of the district.

Thus, the following points are relevant to forming a conclusion on this variance application:

- The applicant does not face a substantial hardship or inequity in being required to adhere to the current subdivision ordinance.
- Conversely, the creation of this parcel with less than 100' of width will not endanger the public welfare. While the existing use consists of a lift station, rather than a single-family home, the residential character of the neighborhood will remain intact with ample, residual open space. Thus, the general intent and spirit of the subdivision ordinance would be upheld with the granting of this variance.
- While this lift station is an existing facility, it appears that it is deficient with regard to the 10' wide landscaping requirement as noted on the second page of this report.

PLANNING STAFF RECOMMENDATIONS

1. Planning Staff recommends that this request for a variance from the minimum lot width be approved, with the condition that existing landscaping be increased up to ten feet in width, where possible, adjacent to the existing single-family lot southeast of the lift station (TMS 020-12-03-064).
2. If Planning Commission votes to approve the request for a variance from minimum R-15 lot width, Planning Staff subsequently recommends that the commission approve the final plat as prepared. The draft version of this final plat is attached to this staff report.

ATTACHMENTS

1. Applicant's request letter
2. Property owner's acknowledgement letter
3. Proposed final plat
4. Pictures of the site

Alex J. Moore, AICP
Senior Planner
September 10th, 2020



September 10th, 2020

Ms. Penelope Karagounis, MA
Town of Fort Mill Planning Director
200 Tom Hall Street
Fort Mill, SC 29715

RE: Subdivision Variance & Final Plat Request

Ms. Karagounis,

The Town of Fort Mill Utility Department wishes to cause to be subdivided that portion of TMS 020-12-03-040 containing an existing lift station. Upon approval of this subdivision of property, the newly created parcel would be deeded to the Town of Fort Mill.

The entirety of TMS 020-12-03-040 is zoned R-15. Any new parcel created within the R-15 zoning district must have a minimum lot size of 15,000 square feet and a minimum lot width of 100 feet. The proposed subdivision of this property would result in a parcel of property consisting of 15,492 square feet and a lot width of approximately 83 feet. While the minimum lot size of 15,000 square feet is met, the lot width measurement falls short of the minimum R-15 standard of 100 feet.

Thus, the Utility Department respectfully requests that the Planning Commission grant a lot variance so that portion of TMS 020-12-03-040 containing the existing lift station may be subdivided with the result being a substandard R-15 lot with regard to the width.

If you have any questions or comments about the contents of this letter, please feel free to contact me by phone at (803) 547-7158, or by email at Grushing@fortmillsc.gov

Sincerely,

R. Gregory Rushing, PE
Town of Fort Mill Utilities Director

September 10th, 2020

Ms. Penelope Karagounis, MA
Town of Fort Mill Planning Director
200 Tom Hall Street
Fort Mill, SC 29715

RE: Subdivision Variance & Final Plat Request

Ms. Karagounis,

The Home Owner's Association, The Forest at Fort Mill, agrees with the said parcel to be subdivided, that portion of TMS 020-12-03-040 containing an existing lift station, from our existing common open space. The portion to be subdivided consists of 15,492 square feet.

Additionally, The Forest at Fort Mill HOA concurs with the Utility Department request that the Planning Commission grant a lot variance so that portion of TMS 020-12-03-040 containing the existing lift station may be subdivided with the result being a substandard R-15 lot in terms of minimum lot width. The resulting lot width of the portion to be subdivided consists of approximately 83 feet.

If you have any questions or comments about the about the contents of this letter, please feel free tgo contact me by phone at (412) 716-7080, or by email at Marianne.e.koehl@gmail.com

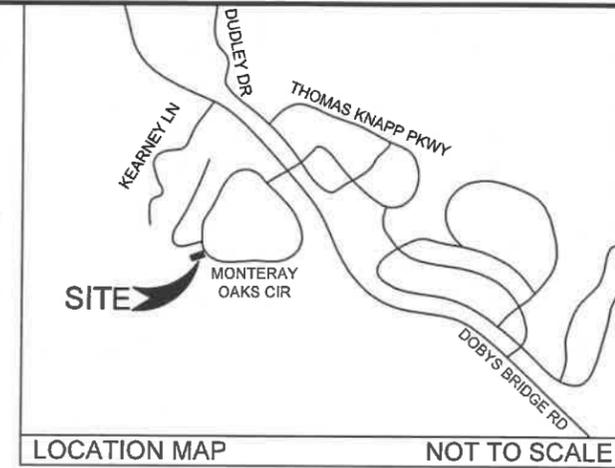
Sincerely,

Marianne Koehl
HOA President

IPS
1/2" RB
W/ CAP

CURVE TABLE			
CURVE	RADIUS	CHORD	CHORD DISTANCE
C1	275.06	S56° 17' 30"E	17.65'
C2	275.06	S49° 05' 00"E	51.49'

REMAINDER OF
TMS# 0201203040
N/F
THE FOREST AT FORT MILL
HOMEOWNERS ASSOC. INC.
DB 14588, PG 293
PB E-212, PG 1

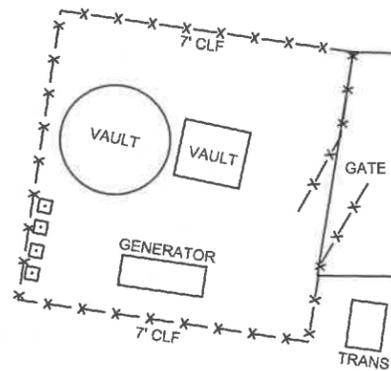


N58° 02' 51"W 135.96'

N55° 21' 08"E 169.32'

0.35 ACRES
15,492 SQ FT

PART OF TMS# 0201203040
TO BE MADE A COMPLETE
AND SEPARATE PARCEL



PAVED DRIVEWAY

MONTERAY OAKS CIRCLE
50' R/W

REF. PLAT

±890 TO
PELA VISTA CT

LEGEND

IPF-○	IRON PIN FOUND
IPS-●	IRON PIN SET
OT-	OPEN TOP
RB-	REBAR
CT-	CRIMP TOP
R/W-	RIGHT OF WAY
OHP-	OVERHEAD POWER
◇PT	CALCULATED POINT
□	ELECTRIC METER
⊕	POWER POLE
-x-x-x-	FENCE LINE
⊙	SSMH
⊕	SDMH
⊞	TELE PED
⊞	WATER METER

I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE SHOWN.

H & M Surveying, LLC

35 OELAND DRIVE, GREENVILLE, SC 29609
Phone: 864-335-8995 www.hmsurveying.com

FINAL PLAT TOWN OF FORT MILL

THE FOREST AT FORT MILL, PHASE 2
MONTERAY OAKS CIRCLE
FORT MILL, SC 29715

TOWN OF FORT MILL YORK COUNTY

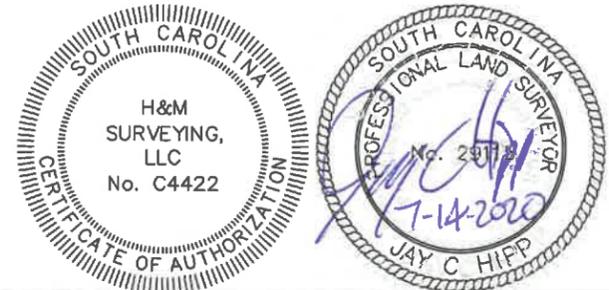
DATE: 7/14/2020 PROJECT #20-128

SCALE: 1" = 20' TMS# 0201203040

JAY C. HIPPI, PLS REG. #29115

- NOTES:
- REFERENCE:
 - PLAT ENTITLED "THE FOREST AT FORT MILL PHASE 2", DATED MAY 13, 2013, PREPARED BY MERRICK & COMPANY, RECORDED IN PLAT BOOK E-212, PAGE 1 IN THE R.O.D. OFFICE OF YORK COUNTY.
 - THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 - SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
 - THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY AND/OR RESTRICTIONS OF RECORD OR NOT OF RECORD.
 - THIS PARCEL IS NOT IN A DESIGNATED FLOOD HAZARD AREA.

TMS# 0201203064
N/F
ERIN BOWMAN
DB 15333, PG 316
PB E-212, PG 1















Meeting Information	
Meeting Type	Planning Commission
Meeting Date	September 15, 2020

Request Summary						
Request Type		Action (Old Bus.)	X	Action (New Bus.)		Info/Discussion
		Public Hearing		Executive Session		Other

Case Summary						
Case Type		Annexation		Rezoning		Text Amendment
		Subdivision Plat	X	Appearance Review		Other

Property Information	
Applicant	SC Hondros & Associates (Walter McNeil)
Property Owner	Darryl W. Trull
Property Location	1544 Sam Smith Road
Tax Map Numbers	020-01-14-265
Acreage	4.5 +/- acres
Current Zoning	LI – Limited Industrial
Existing Use	Vacant

Title

Request from SC Hondros & Associates to grant commercial appearance review approval for a landscape supply company located at 1544 Sam Smith Road.

Background Information

Site Characteristics The property is located at the northeastern corner of Sam Smith Road and Harris Road. It consists of 4.5 +/- acres and is currently vacant. The property has approximately 500 linear feet of road frontage on Sam Smith Road and 30 linear feet of road frontage on Harris Road.

Neighboring Uses

Direction	Zoning	Existing Use
North	RC-I (YC)	Single-Family Residence
South	LI/RC-II	Warehouse/Single-Family Residence
East	LI	Vacant
West	BD-III/RC-I (YC)	Body Shop/Single-Family Residence

Zoning Summary

The site is currently zoned LI, Limited Industrial.

Purpose of District

- It is the intent of the ordinance that the LI zoning district be developed and reserved for limited industrial purposes. The district is designed to promote the economic development of the area by providing for location of light industrial, distribution, and commercial uses which do not create nuisance by noise or emissions beyond the premises. The district is intended to protect nearby residential areas from undesirable aspects of industrial development.

Buffer Requirements

- Nonresidential vehicular areas shall be set back at least 25 feet from any property line abutting land used for residential purposes or located in a residential zone. Screening shall be in the form of evergreen trees, a minimum of eight feet high planted not more than ten feet apart, along the extent of the vehicular area facing a residential zone or use.
- Within LI, a suitable buffer screen, wall, or fence, six feet in height, to restrict visibility of land use, shall be provided along property lines adjacent to residential districts.

Applicant Proposal

The applicant has provided a site plan showing the proposed layout of the project. The project includes a 3,300 sq. ft. building along with outdoor storage areas for landscaping materials. Per the applicant the materials sold and stored onsite are anticipated to be: Topsoil, Bedmix, Bio-Soil, Mulch, Compost, Limestone, Sand, Garden Stone, Patio Stone, Wall Stone, Pallets of Stone, Brick, Seed, Fertilizers, and Straw. The project will also include 17 paved parking spaces located beside the building.

The proposed building elevations have been provided (attached). They primarily consist of split face CMU with a metal panel or fiberboard accent wall, along with an aluminum awning.

Staff Recommendation

The site plan is pending review and approval by the town's Fire Marshal and Building Official. Should the Planning Commission wish to grant commercial appearance review approval, staff would request including language in the approval motion to allow for minor modifications to be made to the site plan to accommodate comments or concerns made by the Fire Marshal and/or Building Official.

The site plan and landscape plan generally comply with all zoning requirements. The proposed building elevations meet the requirements of the zoning ordinance and feature a mix of colors, with variations in vertical and horizontal depth.

Staff recommends in favor of approval, with a condition allowing staff to approve minor adjustments to the site plan, landscape plan, signage plan, and lighting plan to satisfy the comments and requirements of the town’s Fire Marshal, SCDOT, and/or the town’s Utilities and Planning Departments.

Alternatives	
1.	Grant commercial appearance review approval with conditions.
2.	Grant commercial appearance review approval.
3.	Deny commercial appearance review approval.
Staff Recommendation	
Recommendation	Staff recommends in favor of APPROVAL for the request, conditioned upon allowing staff to administratively approve minor adjustments to the site plan, landscape plan, signage plan, and lighting plan to satisfy the comments and requirements of the town’s Fire Marshal, SCDOT, and/or the town’s Utilities and Planning Departments.
Name & Title	Nick Cauthen, Planner II
Department	Planning Department
Date of Request	September 15, 2020
Legislative History	
Town Council	4/11/16: Annexation Approved
Planning Commission	9/15/20: Scheduled

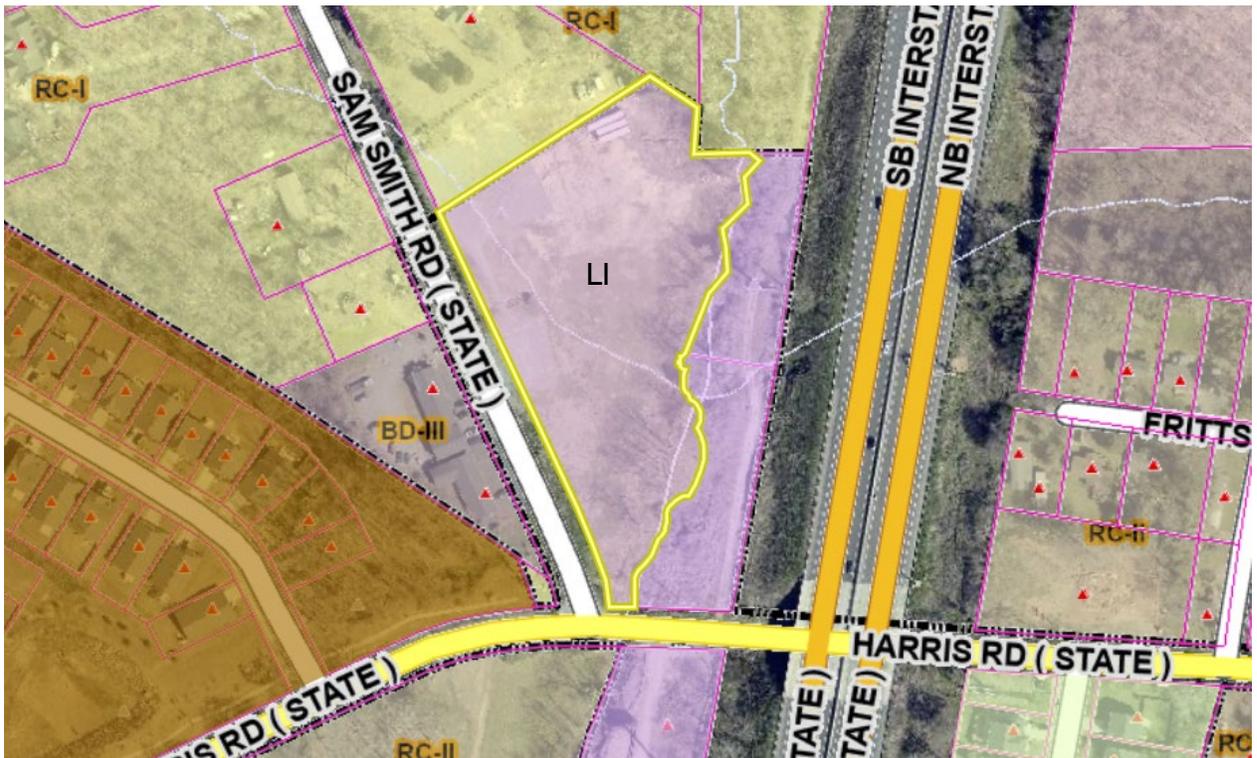
Attachments

- Aerial Map
- Zoning Map
- Proposed Plans and Building Elevations

Aerial Map

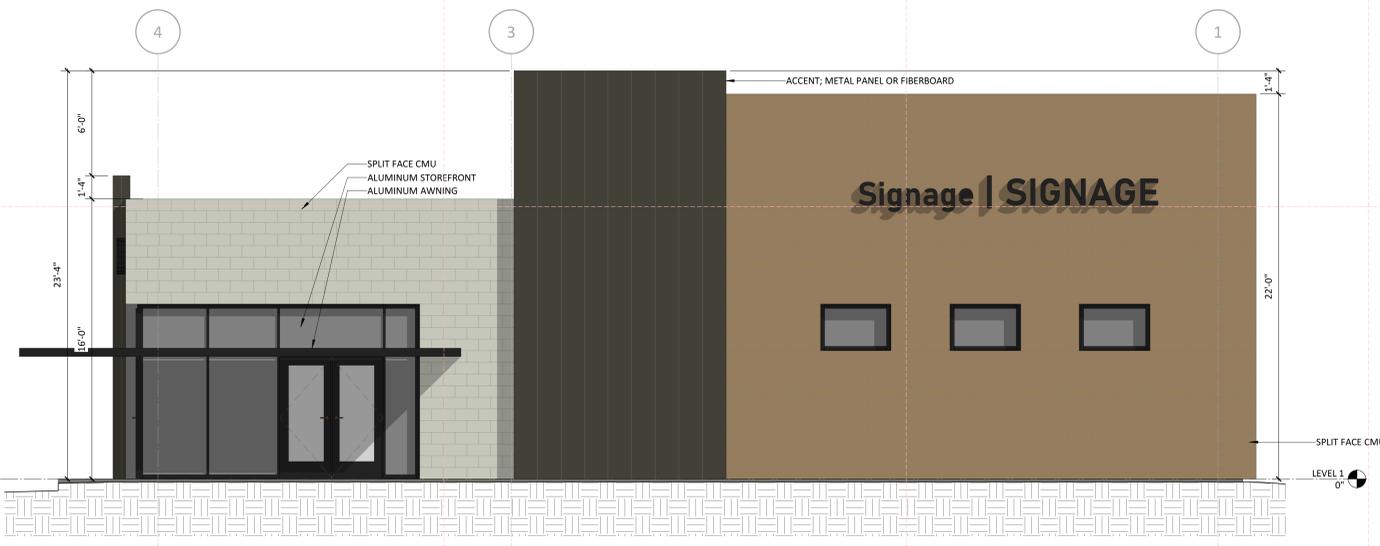


Zoning Map





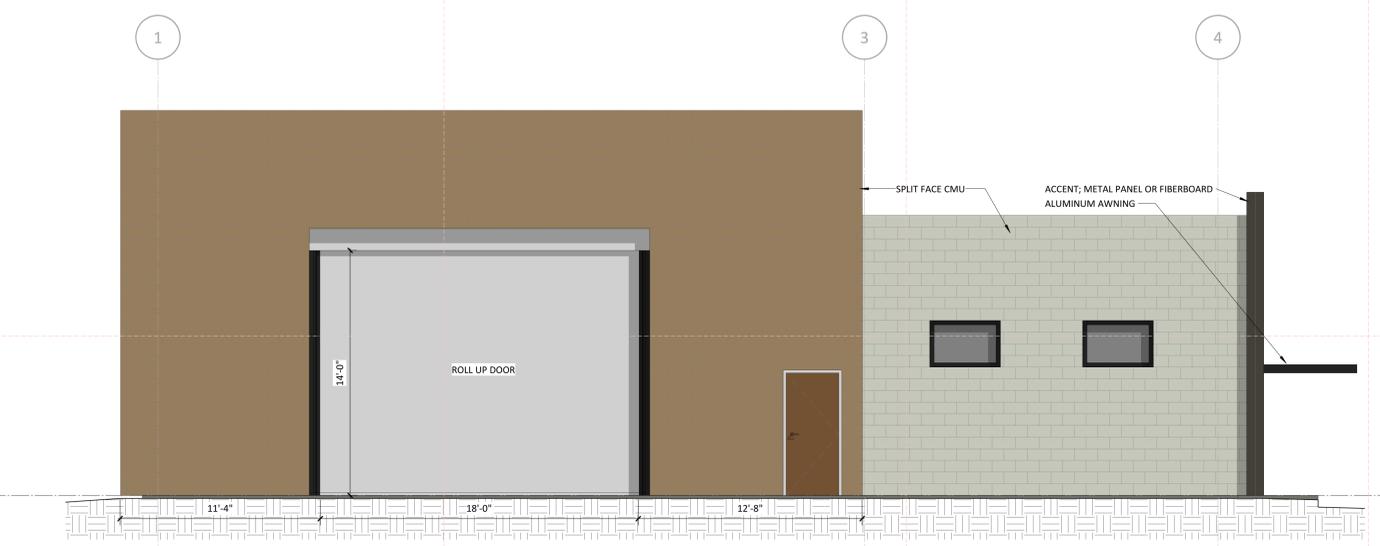
5 Perspective from Sam Smith Road
AP-001



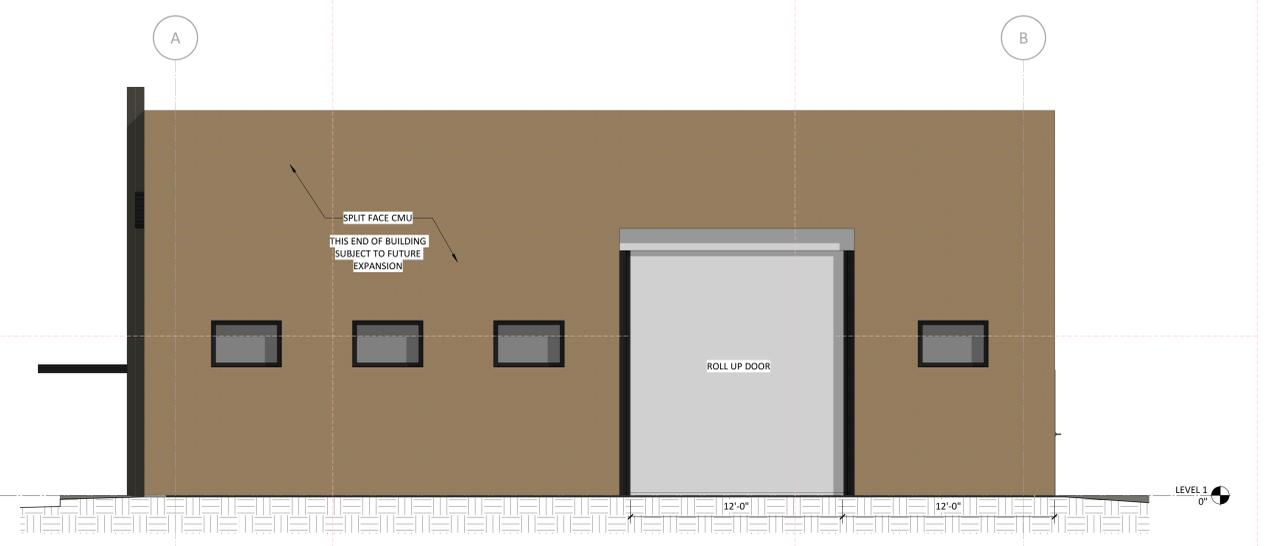
1 NORTH ELEVATION - SAM SMITH RD FACADE
AP-001 1/4" = 1'-0"



3 EAST ELEVATION - MAIN ENTRY
AP-001 1/4" = 1'-0"



2 SOUTH ELEVATION - SUPPLY DOOR
AP-001 1/4" = 1'-0"



4 WEST ELEVATION
AP-001 1/4" = 1'-0"

HARRIS RD.

SAM SMITH RD. 66' R/W

EX. ASPHALT DRIVEWAY (APPROX.)

N 24°15'57" W

N24°15'57" W 650.19'

N24°15'57" W

N24°15'57" W 123.25'

N24°15'57" W 100.00'

253.3943'

48.70'

9 SHUMARD OAK

6 AMERICAN HORNBEAN

44 AMERICAN HOLLY

SHERRY FUNDERBURK
Parcel Number: 657000008
Deed Book: 10508, Deed Book Page: 239
Plat Book D372 Page 2
1.89 Acs.

DARRYL W TRULL
Parcel Number: 657000014
Deed Book: 13203, Deed Book Page: 175
Plat Book D372 Page 2
4.48 Acs.
ZONING LI

TAX MAP 657-00-00-080
RICKEY & MICKIE
RUTHERFORD
LOT #57
WIMBLETON WOODS
PB: 114, PG: 3

TAX MAP 020-01-14-263
TOWN OF FORT MILL
DEED BOOK 4910 PAGE 118

TAX MAP 657-00-00-035
NATIONAL ADVERTISING CO.
DEED BOOK 838 PAGE 125
PLAT BOOK 53 PAGE 145

LANDSCAPE SCHEDULE

KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.	SIZE	Remarks
OVERSTORY TREES							
OSH	9	Quercus shumardi	Shumard Oak	23" CAL	B-B	15-18 HT	F&B Central Leader
SUBTOTAL:	9						
UNDERSTORY TREES							
CACA	6	Carpinus caroliniana	American Hornbeam	2" CAL	B-B	8-10 HT	F&B
SUBTOTAL:	6						
EVERGREEN TREES							
ELP	44	Ilex opaca	American Holly	2" CAL	B-B	8 HT	F&B
SUBTOTAL:	44						

BOHLER
BOHLER ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT	DRAWN BY	CHECKED BY

811
Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

PRELIMINARY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: NCC202053
DRAWN BY: TAM
CHECKED BY: SS
DATE: 8/4/2020
CAD ID:

PROJECT:
COMMERCIAL APPEARANCE REVIEW PLANS
FOR
S.C. HONDROS & ASSOCIATES
PROPOSED RETAIL LANDSCAPE SUPPLY
1544 SAM SMITH RD, FORT MILL, SC 29708

BOHLER
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132
1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com



SHEET TITLE:
CONCEPTUAL LANDSCAPE PLAN

SHEET NUMBER:
C-701

ORG. DATE - 8/4/2020

