

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
September 15, 2020**

**Virtual Meeting**

**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](mailto:pkaragounis@fortmillsc.gov)  
Public Access by Phone: Dial (toll free) 1-877-309-2073  
and use access code 665-218-029**

**AGENDA**

**6:30 PM**

- Present:** James Traynor, Ben Hudgins, Hynek Lettang, Matthew Lucarelli, Dan Stout, Chris Wolfe, Andy Agrawal, Planning Director Penelope Karagounis, Planner Nick Cauthen, and Planner Alex Moore
- Guests:** Utilities Director Greg Rushing, Randy Graham (Broker), Cooper Willis (Applicant for Pleasant/Vista MXU), Tom Arcoria (Applicant for Landscape Supply), Ron Scott (Esq. for Pleasant/Vista MXU), Gary Morris (Esq. for Pleasant/Vista MXU), Sarina Davis (Encompass Health), Walter McNeil (SC Hondros), Daniel Renckens (Bohler Engineering), Cait Shaw (LS3P Architect), Shawn Mottern (LS3P Architect), and Darryl Trull (Seller of 1544 Sam Smith Road)

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 August 18, 2020 meeting minutes as presented within the meeting packet. Chairman Traynor mentioned one edit comment for the minutes. On page 3 of the minutes, "Chairman Traynor noted there was nothing controversial about those road names, since (the word "since" needs to be deleted and add "and")York County has signed off on the names."

Dan Stout made a motion to approve the minutes with the corrections submitted. Matt Lucarelli seconded the motion. By a vote of 7-0, the Planning Commission approved the August 18, 2020 meeting minutes.

**NEW BUSINESS ITEMS**

**1. Rezoning Request: Pleasant/Vista MXU Project**

Planning Director Karagounis gave a brief description of the request 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.

Approximately 8 acres of the 156.96 acres 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 are 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.

As approved in 2014, the Development Conditions for the Pleasant/Vista MXU Project allowed for the development of a maximum of 931 dwelling units subject to 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.

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 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 Section 2 (a)(v): allowing the designated senior housing units to be either side of Vista Road and eliminating the Vista Road density barrier. The reason why staff agrees is the proposed amendment is still below the maximum density rate of 8 units per acre and though 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.

Applicant Cooper Willis introduced Ron Scott, Attorney for Haynsworth Sinkler Boyd who is representing Sarina Davis from Encompass Health. Sarina Davis gave a brief presentation for Encompass Health. She talked about how Encompass Health is a full-service rehabilitation facility, and they are excited to have the opportunity to be in the Fort Mill market. Encompass Health is a leading provider of inpatient and home-based care. The facility they are proposing is a post-acute care, which initially would provide 81 full time jobs with an average salary of \$67,000. The facility would be a single-story building with 40 beds, which could grow to 80 beds in the future. They would like to have a groundbreaking in the 4<sup>th</sup> quarter of 2021 and a grand opening in the 1<sup>st</sup> quarter of 2023. She provided some examples of recent rehabilitation hospitals that had a \$31 million initial development cost. They are very excited to be part of the Fort Mill area.

Applicant Cooper Willis discussed with the Commission the Development Standards and Conditions and the Concept Plan for the Pleasant/Vista MXU that was approved on August 25, 2014. This amendment request is for the following:

- Allowing the minimum number of senior housing units to be either north or south of Vista Road; and
- Including hospitals and medical facilities as allowable land use activities within the contemplated commercial development; and
- 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
- Eliminating the Vista Road density barrier

Cooper Willis now owns most of the lots on Vista Road and near Coltharp Road, and wants to eliminate the Vista Road density barrier since the character of the whole area has changed. He also mentioned how the live/work concept did not lend itself today's market conditions as opposed to 2014 when they first proposed the concept. Encompass Health would take all the commercial from the development in regards to developing Parcel 2. Therefore, an increase to the maximum commercial square footage was needed. Cooper Willis explained how there are challenging topographic areas to the South of Vista Road and power lines which would prohibit much density to be developed.

The Planning Commissioners had serious concerns about the density of the site. They wanted to know the exact number and location of where the remaining units would be built with this amendment of increasing the commercial square footage. Mr. Willis could not give the exact number at this time. He explained that until he was able to have his engineers prepare detailed development plans, he would not know how many units could be built. He explained to the Commissioners if the overall unit count does not exceed 931 units, he should be able to move the units throughout different parcels of the Pleasant/Vista MXU.

Matt Lucarelli stated that we do not have to meet the maximum number, but the Planning Commission needs to decide does the hospital use outweigh the benefit of not meeting the density unit. Chris Wolfe stated that the hospital is a good use but people in our community do not want more apartments. He believed the 8 acres of the hospital needed to be taken out to reduce the maximum unit. There was consensus from the Planning Commissioners regarding the hospital being a good use for the Pleasant/Vista MXU project. However, the Commissioners wish there were more details on what was going to be built for the remaining residential sections. The Commissioners were concerned about adequate recreational amenities for each residential component. Planning Director Karagounis mentioned to the Commissioner that this was an amendment for the regulations of the Pleasant/Vista MXU and no engineering drawings were required at this time. More detailed plans would be reviewed administratively when they submit a preliminary plat for the project. Staff will keep in mind the need for adequate recreation amenities for the project during the review. The overall approved density for the project is 5.93 dwelling units per acre.

There was some discussion to continue the meeting until there was more information for the Commissioners to decide on the recommendation to the amendment of the Pleasant/Vista MXU project. Planning Director Karagounis explained to the Commission that they could look at each amendment separately and consider the motion process on each requested amendment.

After continued discussions, Andy Agrawal made a motion to approve the amendment of the Mixed Use Concept Plan and Development Conditions for the Pleasant/Vista MXU with the following condition: "All referenced residential density be adjusted so total number of units would be reduced by any reduction acreage to be used for commercial use." The reduced calculation would be the following: 5.93 units per acre X the acreage of commercial removed would equal the new total residential units allowed. The maximum gross residential unit density of 931 total units shall be reduced by the acreage designated for commercial development, at a rate of 5.93 units per acre. The term "designated for commercial development" shall mean acreage for which a land development permit) is issued by the Town of Fort Mill for any permitted use set forth in Section 2 (b) of the development conditions. The motion with the amendment condition also approved the four requested amendments for the development conditions:

- Allowing the minimum number of senior housing units to be either north or south of Vista Road; and
- Including hospitals and medical facilities as allowable land use activities within the contemplated commercial development; and
- 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
- Eliminating the Vista Road density barrier

Dan Stout seconded the motion. The Planning Commission voted 6-1 to recommend approval for the amendment of the Mixed Use Concept Plan and Development Conditions for the Pleasant/Vista MXU.

## **2. Lot Width Variance Request and Final Plat Review: The Forest at Fort Mill**

Senior Planner Alex Moore introduced the requests from the Town of Fort Mill Utilities Department which included:

1. Lot width variance request
2. Final plat review/approval

Moore noted that these two items should be considered independently with an individual vote by Planning Commission for each respective request.

Moore stated that the purpose of the lot variance request was to facilitate the creation of a lot not meeting the width requirement of 100 feet for the R-15 zoning district. The required width is measured at the minimum front setback line, which in this instance is 35 feet from the front property line. In this case the proposed lot width would be 83 feet. The minimum lot size of 15,000 square feet for the R-15 zoning district would be met with a proposed lot size of 15,492 square feet.

The new lot would be subdivided from a 5.4-acre tract currently owned by The Forest of Fort Mill Homeowner's Association. The Town of Fort Mill Utilities Department desired that the lift station be situated on town owned property rather than on private property.

Moore noted the parameters for granting such a variance as enumerated within Section 32-11 and 32-12 of the Town of Fort Mill subdivision ordinance.

Moore then detailed the obligations for a utility facility such as a lift station located within a residential zoning district in the town of Fort Mill.

These include:

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 in planted and suitably maintained around the facility.

Moore stated that the lift station currently met the first two requirements but was deficient with respect to the third.

Moore then presented the staff conclusions and recommendations as follows:

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.

Moore then noted the additional items within the packet which included:

- Applicant's request letter
- Property owner's acknowledgement letter (HOA letter agreeing with the request)
- Proposed final plat
- Pictures of the existing site conditions

Moore stated that 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).

Moore then stated that 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 and attached to the staff report.

Chairman Traynor then noted that it was very important that the homeowner's association did indeed submit a letter to the town indicating their support of this proposal. He then asked Moore who the current owner of the property was.

Moore responded that the HOA currently owned this property. Chairman Traynor then asked Moore how this would affect the existing open space. Moore stated that the newly created parcel would then no longer be considered part of the subdivision's open space as it would be owned by the Town of Fort Mill.

Chairman Traynor then noted that while The Forest was a reasonably small subdivision, it was illustrative of why Planning Commission was adamant regarding the quality and quantity of proposed amenities and open space within new residential projects.

Planning Commissioner Wolfe then asked for clarification on what comprised the open space area of this subdivision. Specifically, Planning Commissioner Wolfe wanted to ensure that the Town would not be responsible for maintaining any of the open space areas owned by the HOA.

Moore noted the portion of property intended for subdivision from the 5.4-acre area of open space. Moore stated that none of the residual area of common open space would be maintained by the town. Only the newly created lot on which the lift station resides would be maintained by Fort Mill.

Planning Commissioner Wolfe then concurred with Chairman Traynor's thoughts regarding the critical importance of open space with the establishment of new projects in Fort Mill.

There being no other comments, Chairman Traynor entertained a motion on the proposed lot width variance.

Planning Commissioner Wolfe made a motion to approve the variance request as submitted by the Town of Fort Mill Utilities Department for a minimum lot width not meeting the minimum R-15 district requirement of 100-feet, with the condition that the 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). Planning Commissioner Agrawal seconded the motion. Then, by a vote of 7-0 the Planning Commission approved the lot width variance.

Senior Planner Moore then noted the proposed final plat as presented within the Planning Commissioners' packet.

Planning Commissioner Stout asked if there was a minimum distance off the property line. Moore stated that there was a minimum setback, including a side-yard setback of ten feet. Planning Commissioner Lucarelli asked if the requirement that the facility be enclosed with a chain link fence or wall applied only to the equipment area or to the entire parcel.

Moore stated that the zoning ordinance did not specify as to whether the fence or wall needed to encompass the entire parcel. Moore noted that the existing fence was well over six feet in height with the inclusion of barbed wire.

Planning Commissioner Lucarelli indicated that he liked the idea of the fence only encompassing the equipment area rather than the entirety of the parcel. Moore added that the ordinance did state that "such use is enclosed by a painted or chain-link fence..." Thus, Moore opined that in this instance, this provision was met since the lift station, or use, was enclosed by the fence.

Chairman Traynor also stated that the written endorsement from the neighborhood HOA indicated they did not have an issue with the manner of enclosure. There being no other questions or comments, Chairman Traynor entertained a motion on the proposed final plat as presented.

Planning Commissioner Lucarelli made a motion to approve the final plat as presented. Planning Commissioner Stout seconded the motion. Then, by a vote of 7-0 the Planning Commission voted to approve the final plat.

**3. Commercial Appearance Review: SC Hondros and Associates, LLC. (1544 Sam Smith Road):**

Mr. Cauthen provided a brief overview of the request, the purpose of which was to review and consider granting commercial appearance review approval for a landscape supply business located at 1544 Sam Smith Road. Mr. Cauthen provided a site plan and elevations to the Commissioners as part of the staff report. The proposal included a 3,300 sq. ft. building and 17 parking spaces. Staff noted there are also outlined areas on the site plan depicting where the landscaping materials will be located along with evergreen screening. The Planning Department recommended approval of the request with the condition for staff to be able to approve minor adjustments.

Mr. Wolfe asked if the proposal met the material requirements of the proposed UDO. Staff stated they were not certain of the material requirements in the industrial section of the proposed UDO.

Mr. Arcoria (owner) said he was very excited to build in Fort Mill and be a part of the community.

Mr. Renckens (civil engineer) described the site plan and the screening provided for the storage areas. He also noted the entries and parking would be paved.

Ms. Shaw (architect) stated their goals were to create an attractive and durable building considering it is on a major road and has a retail component. Two-thirds of the building will be for storage purposes. The main entrance will be from the parking lot side of the structure. The materials composing the building consist of split face and smooth face concrete block with metal panel accenting.

Chairman Traynor asked the applicant to address the durability of the metal paneling. Mr. McNeil (architect) responded the metal comes with a 25-35 year guarantee on the color. Mr. Traynor said the Commission is wary of metal due to its lack of durability in past experience.

Mr. McNeil said the material could be switched to fiberboard but the metal paneling being proposed is durable and exclusively for the purpose of accenting the building, it will be attached to CMU behind.

Mr. Stout asked how many full-time workers the business would employ because the office appears to be small. Mr. Arcoria stated 4 or 5.

Mr. Lucarelli asked if the business would be open to the general public, the applicant stated that it would be. Mr. Lucarelli also added he would like to see more screening of the project from the Harris Road side such as vegetation directly beside the building to offset the side wall.

Mr. Wolfe asked if there would be walls around the materials or if they would be stored in an open yard. The applicant stated he has not gotten that detailed into his planning, but he would anticipate there would be walls in order to separate the materials.

Mr. Hudgins asked if there would be fencing or a gate. The applicant stated his other projects did have fencing. Mr. Hudgins stated he wanted to ensure that any fencing would be done in a tasteful manner as to not detract from the appearance of the project, particularly along the front.

Mr. Arcoria stated he anticipated a gate at the entrances but not necessarily a fence. Mr. McNeil stated the evergreens in front would be much more effective than a fence anyway. Mr. Hudgins stated he was good with the evergreens but asked how the gate would be addressed from an appearance standpoint.

Mr. Traynor said staff could be authorized to work with the applicant during inspection to

ensure the landscaping screening is sufficient. The applicant said he was good with this.

Mr. Hudgins reiterated that any visible gate must be of a quality material and done in a tasteful manner. The applicant agreed and stated they would adhere to that.

Mr. Lettang said he thought the building looked very good, and he liked the accenting to break up the walls but he would prefer to see a metal alternative if possible, not because of color but because of possible dents related to the nature of the business.

Ms. Shaw said that concern was heard and they will further explore alternative accent wall materials. Mr. Wolfe added he liked the building and the accents as well but he is also wary of the metal.

After no further questions or comments Chairman Traynor asked for a motion.

Mr. Lettang made a motion to grant commercial appearance review approval with the conditions for staff to have additional oversight regarding any potential natural screening needs during various inspections, along with the ability for staff to approve minor modifications to the site plan and elevations if needed. Mr. Agrawal seconded the motion. The motion was approved by a vote of 7-0.

#### **Information/Discussion: Continuing Education Class for Commissioners**

Planning Director Karagounis reminded the Planning Commission about the upcoming virtual continuing education case on September 24, 2020.

There being no other business, Chairman Traynor adjourned the meeting at 10:18 PM.

Respectfully submitted  
Penelope G. Karagounis, MA  
Planning Director  
October 14, 2020