

Chester County Planning Commission Minutes

July 19, 2022

1. **Call to Order** – Chairman Raines called meeting to order.

**Quorum Established:** Chairman Raines, Commissioners Marvin Grant, Nathan Smith, Carolyn Williams, Joe Howell, Azzie Hill, and Nancy Walley arriving to the meeting at 6:35 PM, seven members present, making it a full quorum. **Staff:** Mike Levister and Jaime Chappell

2. **Approval of Agenda** – Chairman Raines stated the first applicant CCMA22- 11 had withdrawn their application, so, that will not be considered tonight. Commissioner Smith motioned to approve the agenda as present except for Case number CCMA22-11 being withdrawn, second by Commissioner Hill. Vote 6-0 to approve.

3. **Approval of Minutes from June 21, 2022, Meeting**

Commission Howell motioned to approve, second by Commissioner Smith. Vote 6-0 to Approve.

4. **New Business**

- A. **Withdrew CCMA22-11** Gail Martin Okoro request Tax Map # 060-02-04-026-000 on Meadowbrook Road to be rezoned from Multi-Family Residential District (RG-1) to General Residential District (RG-2).

- B. **CCMA22-12 George Wilmore request Tax Map # 160-03-01-008-000 on Louise Drive to be rezoned Multi-Family Residential District (RG-1) to General Residential District (RG-2).** Mr. Wilmore has property that's on Louise Drive, he would like to give his cousin, a piece of the property to put a home on and to live comfortably in the small community of Georgetown with her family.

Chairman Raines asked Mr. Wilmore according to his application his intent is to place a manufactured home on the property. Mr. Wilmore responded that's correct.

Chairman Raines then stated, "that's why you need that rezoned to allow for that." Mr. Wilmore responded, that's correct.

Chairman Raines then asked if he had water and sewer available on this property? Mr. Wilmore stated yes sir, there used to be a home there before, but we tore it down.

Chairman Raines then stated to Mr. Wilmore, you are putting the new home on the same site where the previous home was? Mr. Wilmore answered, "that's correct."

Chairman Raines asked the commissioners if they had any questions for the applicant? None

Chairman Raines motioned to approve this request, second by Commission Smith. Vote 7-0 to approve.

- c. **CCMA22-13 James Alex Shelton and Austin Taylor Rhodes request Tap Map # 080-01-02-001-000 on Transportation Drive to be rezoned Multi-Family Residential District (RG-1) to Limited Industrial District (ID-2).** Tim Helling (from Carolina Farms and States, who was representing the family selling 75 acres) and Austin Rhodes (applicant) stepped to podium. Mr. Rhodes stated he was trying to buy six acres and wanted to change the zoning from residential to industrial. They are starting a trucking company, nothing big. It'll probably be maximum of 10 trucks. Right now, the land is set up with two acres that is already cleared. They don't plan on taking any more than the 2 acres, with no intentions of cutting down any more trees. The two acres currently cleared is the part they are fencing in and using for the business. They plan to do daily and long hauls, so the trucks would not be on the lot most of the time. It's located in that little pocket on Transportation Drive, behind SCDOT and Dialysis Center located on the J A Cochran Bypass.

Commissioner Grant asked if the only access to the business would be on Transportation Drive?

Tim Helling answered that is correct, there is no access to Hilltop Drive or Ashford Road, only Transportation Drive.

Tim Helling stated that the land with road frontage to J A Cochran Bypass and Transportation Drive was the only acreage he was selling from the family's 75 acres that would be Industrial use. Preserving the rest for residential use. Mr. Helling was asked if water and sewer was available. He indicated that the property has access with water and sewer.

Chairman Raines asked if there was any member of the public present that would like to speak in opposition to this rezoning request. A member of the neighborhood from Hilltop Drive, Troy Canupp stood up and step to the podium.

Troy Canupp spoke on behalf of the Hilltop Drive neighborhood. He stated that most of the concerns were address by Mr. Rhodes and Mr. Helling after hearing their rezoning request. He then stated that himself and the neighborhood still had some concerns that were not addressed regarding the trucking business, such as hours of operations, sight, and sound nuisances, and concerned with the business being small now but could grow in the future and how they may affect their neighborhood and tax values of their properties.

Chairman Raines answered Troy Canupp's question about the tax value by stating that businesses add to the tax base, and they are taxed differently.

Mr. Rhodes answered Troy Canupp's question about hours of operation, with tentatively 7 AM to 5 PM.

Mr. Helling answered Troy Canupp's question regarding the sight and noise nuisance by explaining the location of the rezoning request, and his plans with the remaining 68 acres that the family he represents is selling.

Chairman Raines ask if there were any questions for the speaker? None

Chairman Raines ask if there were anyone wanting to speak in favor of the rezoning? None

Commissioner Howell motioned to approve, seconded by Chairman Raines. Commissioner Smith suggested a reverter clause stating if the trucking company stopped being a business that the property would revert back to Multi-Family Residential District (RG-1). Chairman Raines reminded the Commissioners that the property in question does not touch the neighborhood that opposes the rezoning. Commission Howell and Chairman Raines removed their original motions. Commissioner Howell motioned to approve with reverter clause, seconded by Chairman Raines with a statement of reservations about putting a reverter clause on everything that the Planning Commission approves, but second the motion to approve. Vote 7-0 Approved

- D. CCLDV22-10 John D Morton request a Street Access Easement for Tax Map # 134-00-00-008-000 located on Morton Drive, Edgemoor, SC 29712.** John Morton stated that his father is deeding him 5 acres that his home has been currently on for the last 30 years. He recently married and wants legal access to his property to protect his family. Chairman Raines motioned to approve, seconded by Commissioner Smith. Vote 7-0 Approved.

- 5. Comments/Discussion** - Commissioner Grant made the statement that he agrees with Chairman Raines that they cannot put a reverter clause on everything that is presented to the Planning Commission, plus it's hard for the staff. Commissioner Grant agreed that applicant CCMA22-13 (Trucking Company) needed the reverter clause because of the location to the neighborhood of Hilltop Acres.

Chairman Raines commented by stating that it puts constraints on the applicant as well. The applicant is looking at it from an investment standpoint. Chairman Raines also stated that the county is going to change and grow.

Commissioner Howell had a question for the staff. He addressed Planning Director Levister and asked why applicant CCMA22-13 (Trucking Company) could not rezone to ID-1, why did it have to be rezoned to ID-2?

Planning Director Levister answered by saying that the North American Industry Classification System (NAICS code) that Mr. Rhodes provided requires the zoning to be ID-2. The applicant initially applied for General Commercial, but the NAICS code would not allow that type of zoning.

Commissioner Howell asked if there was a way around the reverter clause?

Chairman Raines stated that in his opinion that the concept or character of change going forward can't remain the same as it was 40 -50 years ago. Chester County is growing.

**6. Adjourn**

Commissioner Howell motioned to adjourn, seconded by Commissioner Williams. Vote 7-0 to adjourn. Time 7:12 PM.

**Notice of Meeting:** Public Notices providing time, date, and place for this meeting were posted in the Chester County Government Complex, Chester County Court House, and published in the June 29<sup>th</sup>, 2022, Chester News & Reporter. All properties were also posted.