

Chester County Planning Commission Minutes of February 27, 2018

The February 27, 2018 meeting of the Chester County Planning Commission was held at 6:30 pm in Council Chambers at the R. Carlisle Roddey Government Building in Chester, SC.

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, Chester County Building and Zoning Dept.; and published in the February 9, 2018 Chester News & Reporter. All properties were also posted.

Meeting Agenda: Agendas providing requests to come before the Commission were posted in the Chester County Government Complex, Chester County Court House, and the Chester County Building and Zoning Dept.

Quorum Established: Chairman Raines, Vice Chairman Cabrey, Commissioners Hill, Smith, Williams and Grant were present.

Absent: Commissioner Tate was absent.

Staff: Nancy Forlaw and Mike Levister were present.

Call to Order: Chairman Raines called the meeting to order and asked Commissioner Cabrey to open the meeting with prayer.

Approval of Agenda: Chairman Raines asked if there were any additions or amendments to the Agenda as published. There were none.

Approval of Minutes: Chairman Raines stated next order of business is approval of the minutes for the January 22, 2018 Planning Commission meeting. Chairman Raines stated he would entertain any corrections or additions to the minutes; indicating they are pretty lengthy with the discussion on the proposed housing project.

Commissioner Hill indicated several items needed to be corrected:

- Page 4: ¶ 1- last sentence: “foot” should be “feet”
- Page 5: ¶ 2 – Line 7: “\$72 million dollars to put sewage in Richburg.” is not a complete sentence; and “sewage” should be “sewerage”
- Page 5: ¶ 4 - Line 2: “acer” should be “acre”
- Page 6: ¶ 3 - Line 1: “rezone” should be “rezoning”
- Page 6: ¶ 3 - Line 5: “waking” should be “walking”
- Page 6: ¶ 5 - Line 2: “Fifteen to twenty feet between homes.” is not a complete sentence
- Page 6: ¶ 5- Line 7: “Homes are one to two and acre.” should be “Homes are one to two an acre.”
- Page 6: ¶ 5 - Line 8: “include “Planned Development” after “PD” - when using an acronym include text name the first time the acronym is used in a document
- Page 6: ¶ 5 - Line 11: “the swage” not sure but possibly “the sewerage company”
- Page 6: ¶ 5 - Line 11: “the line” should be “The sewerage line”
- Page 6: ¶ 5 - Line 11: “its six inches” should be “the line is six inches”
- Page 7: ¶ 2 - Line 1: “Mulvaney’s” should be “Mulvaney’s”
- Page 7: ¶ 3 - 1st & 2nd sentences: Run on sentences, please reword

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Approval of Minutes: (Cont'd)

- Page 7 ¶ 3 - Line 4: include “Community Covenant Restrictions” when using its acronym “CCR”
- Page 7 ¶ 4 - Line 5: “than” should be “from”

Commissioner Hill stated this was as far as she had gone; and requested the minutes be again reviewed by staff from this point forward. Commissioner Hill asked staff to pay particular attention to page 9, last paragraph. She indicated it’s awkward there and should be revised.

Chairman Raines asked if there were other corrections or additions, there were none. Commissioner Hill made the motion to approve the minutes, with corrections; seconded by Commissioner Cabrey. Vote was 6-0 to approve.

Chester County Zoning Ordinance – Rezoning Requests

Reference: CCMA00-04
Request: Rezone from Restricted Industrial (ID-1) to General Commercial (GC)
Location: A 42-acre parcel located between Highway 9 and TMN 124-00-00-027-000
(Address to be determined)
Tax Map #: TMN 124-00-00-029-000
Applicant: St. Katherine Properties, LLC; represented by Judson Stringfellow

Chairman Raines asked Mr. Stringfellow to approach the podium. Mr. Stringfellow was not present. Staff indicated it was unusual for Mr. Stringfellow not to be present; indicating something last minute must have come up that needed his attention. Chairman Raines asked staff if she had any input of his intent that she could share with the Commission. Staff indicated he only stated they were looking into some items that would fall better in General Commercial instead of an industrial zoning district.

Chairman Raines indicated this was the first time an applicant was not present at a Planning Commission meeting to present his request. Commissioner Grant asked what would happen if the Commission delayed the request until Mr. Stringfellow could get here. Staff indicated the request could be moved to the next meeting. Chairman Raines asked Commission members if they felt it necessary to move the application to the next meeting. Commissioner Grant stated he didn’t have a problem with the request; especially since the property would move from an Industrial District to a Commercial District. Chairman Raines indicated he felt the same way. Commissioner Cabrey stated there is a lot of General Commercial in this area.

Chairman Raines again asked if any commission member had a strong feeling that the request should be tabled; or move on with the request. Several commissioners indicated the Commission should go ahead and move on with the request. Chairman Raines asked if there was any members of the public present that wished to speak in favor of this request; there were none. Chairman Raines ask if there was any members of the public present that wished to speak in opposition to this request; there were none.

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Commissioner Grant made the motion to approve the request as presented; seconded by Commissioner Cabrey. Chairman Raines indicated he agreed the property was more in tune with adjoining properties by going to General Commercial; also stating there is a lot of potential growth in this area. Chairman Raines called for the question; vote was 6-0 to approve.

Reference: **CCMA18-05**

Request: Rezone from Rural Two (R-2) to General Commercial (GC)
Location: A 0.735-acre portion of Tax Map # 125-00-00-039-000 shown on plat provided
Tax Map #: TMN 125-00-00-039-000
Applicant: Marion B. & Peggy M. Kee; represented by F. Shawn Hough

Chairman Raines asked Mr. Hough to come to the podium and state his name and address; and state the intentions for this rezoning request. Mr. Hough stated his name and gave his home address as 4438 Wiley's Mill Road, Edgemoor, S.C. Mr. Hough stated the property in question is 3570 Lancaster Hwy., Richburg; and was formally known as Bo Kee's service station which Mr. Hough now owns. Mr. Hough stated he is buying a small amount of land from the adjoining rear property owner to provide additional room at the rear of his property.

Chairman Raines asked if Mr. Hough's intention is to reopen the store. Mr. Hough answered no, his intention is to move his office there; right now, the building is being used for storage. Chairman Raines asked if Mr. Hough is still in the home building business. Mr. Hough responded he is a general contractor builder. Mr. Hough stated he intends to purchase the additional land to provide room for any potential repairs needed at the rear of his property.

Commissioner Williams asked if this would affect the fence that separates the property from the house behind the portion Mr. Hough plans to purchase. Mr. Hough stated the house is Bo Kee's house and the fence is almost the property line so this will not affect the fence. His plans are to leave the fence as is.

Chairman Raines stated staff asked to make approval, if given, be contingent upon the property being deeded to the applicant; as of meeting preparation the property title had not been changed. Mr. Hough stated the property has been purchased and title is now in his name.

Commissioner Smith asked if there is still a vehicle on cinder block at the rear of the property. Mr. Hough stated he had everything cleaned up, the vehicle and a former carport are no longer there. Chairman Raines asked if there were any members of the public present that wished to speak in favor of this request; there were none. Chairman Raines ask if there were any members of the public present that wished to speak in opposition to this request; there were none. Hearing none, Chairman Raines indicated he would entertain a motion. Commissioner Cabrey made the motion to accept the petition as written; seconded by Commissioner Smith. Chairman Raines indicated this is a very small lot and this would only enhance the property; and is in tune with what else is going on in the area. Chairman Raines called for the vote - all in favor of approval to raise their right hand. Vote was 6-0 to approve.

Chairman Raines stated the Commission's recommendation is advisory. County Council has final decision and must have three readings in order to approve or deny the request. Applicants can track the meetings through staff.

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Reference: CCMA18-06
Request: Rezone from General Commercial (GC) to Single Family Residential (RS-1)
Location: 577 Beltline Road, Chester, SC
Tax Map #: TMN 079-05-08-006-000
Applicant: Michael Wade

Chairman Raines asked the applicant to come to the podium and state his name and address. Mr. Michael Wade is present but will be represented by his brother, Donnie Wade. Donnie Wade came to the podium, stated his name and address as 637 Hilltop Dr. He indicated Commissioners could see from documents provided by staff, Chairman Raines confirmed receipt of same documents, that all parcels around this property are zoned General Commercial; and Commissioners can also see across the road that property was rezoned to RS-1. The property in this area was formally owned by Mr. Jones.

Michael Wade bought the property not knowing the property was zoned General Commercial. Michael Wade is now attempting to sell the property but its zoning is now causing problems. Chairman Raines asked if the zoning has caused loan issues; Donnie Wade confirmed that is correct. He stated the property was under contract and the buyers were going to back out; but have since agreed to hold on a while longer in hopes of getting the property rezoned.

Commissioner Cabrey stated this looks like another grandfathered issue the Commission has hit before; the entire neighborhood is General Commercial for reasons no one knows. Chairman Raines stated he doesn't remember an application from Mr. Jones' family requesting a zoning change. Chairman Raines remembered combining two lots in this area in order to build a home. Mr. Donnie Wade commented there are other residences in this same area as can be seen on documents provided.

Chairman Raines asked if there were any members of the public present that wished to speak in favor of this request; there were none. Chairman Raines ask if there were any members of the public present that wished to speak in opposition to this request; there were none.

Chairman Raines made the motion to approve the request as presented; indicating this would be a good fit as there are houses all around. Motion was seconded by Commissioner Cabrey. Vote was 6-0 to approve. Chairman Raines reminded the applicant the Commission's recommendation goes to County Council who must have three readings; and has final approval. Applicant can check with staff for dates.

Road Name Change

Reference: CCRNC18-02
Request: Approval of road name change from "Denae Street" to "Market Street"
Location: Located in Lowrys, SC also identified as a Section of SC Hwy 78; see attached Plat
Tax Map #: None
Applicant: Joseph H. Wilson

Chairman Raines asked Mr. Wilson to come to the podium and state his name and address. Mr. Wilson stated his name as Joseph H. Wilson and his address is 2204 Old York Rd. Mr. Wilson stated he purchased old buildings and store fronts in Lowrys to develop into offices; fronting on what is currently Denae Street. Mr. Wilson stated he is requesting the name change to represent a more appropriate business (office) area instead of its current residential name. Mr. Wilson stated one of his tenants requested a name change.

Chairman Raines asked if "Denae" is an old family name from the community. Mr. Wilson stated the street was named after the previous owner's granddaughter; his understanding is the name was actually picked out of the air.

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Road Name Change: CCRNC18-02 (Cont'd)

Chairman Raines asked for discussion, there was none. Chairman Raines stated this isn't really a public input matter. Motion to approve request as presented by Commissioner Grant, seconded by Commissioner Hill; vote was 6-0 to approve.

General Discussion After Agenda Items: Chairman Raines stated this concludes all items on the agenda. Commissioner Raines asked what the Commission did about 2018 officers; Vice Chairman Cabrey stated the 2017 existing slate of officers were re-elected for 2018.

Chairman Raines asked if there was any additional business to address. Commissioner Hill asked if the Planning Commission will have a meeting in March; staff indicated there will be a meeting since requests have already been received to present to the Commission.

Chairman Raines asked if there would be a make-up meeting for the educational training sessions just held; staff indicated a make-up would not be needed since there will be a second training session offered later in the year, normally in October. Staff stated attendance at the recent training session was excellent; indicating several Commissioners and Board Members from Fort Lawn and Great Falls will need to attend the October meeting. Chairman Raines asked for verification that no one on the Commission would be invalid to vote or anything. Staff stated all Commissioners are okay, those still needing the required training hours can get them in October, or attend a class at York Technical College. They have until the end of 2018 to get their required educational hours.

Commissioner Cabrey asked how many ZBA officials attended the training session; staff indicated she didn't bring the records with her but estimated three (3) Board Members were present. Commissioner Cabrey asked this was out of how many Members; staff stated three (3) out of seven (7).

Chairman Raines asked if all Planning Commissioner's terms were up-to-date; Vice Chairman Cabrey stated he would be up for re-appointment in June. He asked that Staff tell Supervisor Stuart that as long as he (Commissioner Cabrey) is still breathing, he is willing to serve.

Commissioner Smith asked if the meeting package was mailed out a week before the meeting. Staff asked if he was still having problems getting his mail. Commissioner Smith stated the meeting envelope had the correct address but he didn't receive it until about a week before the meeting date. Staff checked the record and stated the packets were mailed out on 2/14/18. Staff reminded everyone this Commission meeting was moved this month due to County Council taking the Commission's regular monthly meeting date. Commission should be back on its regular scheduled meeting dates from here out. Commissioner Cabrey stated the Commission has had this problem before with mail delivery, and found out that when you complain the problem only gets worse.

Chairman Raines asked if there was any further business. Commissioner Hill asked if the Commission's April meeting date will change since County Council normally observes Easter Holiday the following Monday. Staff stated she would find out and let everyone know.

Commissioner Cabrey made the motion to adjourn; seconded by Commissioner Williams. Vote was 6-0 to approve.

This is a summary of proceedings at the February 27, 2018 meeting of the Planning Commission; and not a verbatim transcript of the meeting. This summary, and an audio recording of the meeting is retained by the Chester County Building & Zoning department, and available if requested. This summary represents the facts of this meeting; not the opinion or interpretation of the Secretary.