
PROPOSAL:	RZ-2022-1357: Application by D.R. Horton to rezone approximately 95.85 acres from Low Density Residential (LDR) District to Medium Density Residential (MDR).
PROPERTY LOCATION:	West of the intersection of Old Bailes Road and Possum Hollow Road (0007-00-022.00, 0007-00-022.01, 0007-00-022.02, 0007-00-022.03, 0007-00-022.04, 0007-00-022.05, 0007-00-023.06)
CURRENT ZONING:	Low Density Residential (LDR) District
PROPOSED ZONING:	Medium Density Residential (MDR) District
APPLICANT:	D.R. Horton
COUNCIL DISTRICT:	District 7, Brian Carnes
STATUTORY NOTICES:	Sign(s) posted 9/22/2022, near Asbury Lane and on Old Bailes Rd. Hearing notice published 10/1/2022 in The Lancaster News Mailed notices 9/30/2022 Posted agenda in lobby 10/11/2022

OVERVIEW:

Site Information

The 95.85-acre site is zoned Low Density Residential (LDR) District and located on the west side of the intersection of Old Bailes Road and Possum Hollow Road. The site is predominantly vacant land with residential structures dispersed around the site predominantly located along Asbury Lane.

Subject Property History

The subject properties (with the exception of parcel 0007-00-022.05) comprised part of a previous unsuccessful application for rezoning and development agreement for 140.39 acres, 283 lots by the same developer: RZ/DA-2021-0847 Asbury Lane. The project was seeking a rezoning from Low Density Residential (LDR) to Medium Density Residential (MDR) District to support development of a Cluster Subdivision. The overall project previously consisted of 283 single-family residential units with a density of 2.02 dwelling units per acre. The applicant ultimately withdrew the applications before its October 19, 2021 Planning Commission date.

The County's Economic Development Department also previously explored the feasibility of developing the site as a business park. The project's proximity to the exiting Old Bailes Business Park and access to SC 160 and US 521 made it a desirable site for this use. The Department ultimately chose to not move forward with this concept in light of the infrastructure investment that would be needed. The Department had previously indicated that the northwestern portion of the previous rezoning subject property that is accessed off Olin Yarborough Road may still be well-suited for future industrial uses. This section of the previous rezoning proposal is not included in the current rezoning request.

Proposal

The proposal consists of rezoning 95.85 acres from LDR District to MDR District. The applicant has indicated the subject property would be developed with 196 single-family residential units, at a density of 1.98 dwelling units per acre. The proposed development would be provided access via Possum Hollow Road and Old Bailes Road. Prior to submittal of a rezoning application, the applicant had submitted a sketch plan reflecting how they could potentially develop the site (Attachment 4)

The rezoning subject property is adjacent to two existing subdivisions (Fox Ridge and Bridgemill). The following table will provide a comparison of the MDR District minimum lot sizes to typical lots in these communities.

Subdivision Name	UDOMDR Standard	Bridgemill Phase 4 (PDD)	Meadow Ridge
Lot Area min	10,000 sf	14,250 sf	46,000 sf
Lot Width	70ft width	90ft	90ft-250ft
Front Setback	30ft	20ft	70ft
Side Setback	15ft	5ft	20ft
Rear Setback	25ft	25ft	25ft

The following will provide a general summary of adjacent zoning districts and uses.

Summary of Adjacent Zoning and Uses

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	LDR; PDD	Large Lot Single-Family; Bailes Ridge Corporate Park
South	Lancaster County	LDR	Large Lot Single-Family
East	Lancaster County	LDR; PDD	Large Lot Single-Family; Bridgemill
West	Lancaster County	LDR	Large Lot Single-Family/Undeveloped

ANALYSIS & FINDINGS:

Zoning Districts

Pursuant to UDO Chapter 2.3, the current LDR District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

The proposed MDR District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban*

development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

Compatibility with Surrounding Area

The subject parcels are predominately surrounded by other parcels zoned LDR, and PDD. The requested MDR District is intended to maintain previously developed or approved single-family residential subdivisions.

While the subject parcels are immediately adjacent to low density residential uses, they are near parcels zoned either Light Industrial or PDD (Bailes Ridge Corporate Park). Bailes Ridge is largely defined by light industrial uses, as well as some office uses. Staff finds the proposed rezoning to be compatible with the surrounding area.

Consistency with Comprehensive Plan.

The adopted Comprehensive Plan establishes that the Future Land Use Category of the subject parcels to be Neighborhood Mixed-Use, which corresponds to the Community Type of Walkable Neighborhood.

According to the adopted Comprehensive Plan, The Community Type “Walkable Neighborhood” is synonymous with the Place Type “Neighborhood Mixed-Use.” This is due to its very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type has its roots in the traditional character of American communities during the early part of the 20th century and has been revived in recent decades as a relevant option for future development.

The Neighborhood Mixed-Use Future Land Use Category extends across the northern half of the panhandle, terminating at Highway 75/Waxhaw Highway. The Neighborhood Mixed-Use Future Land Use Category and Walkable Neighborhood Community Type are, by default, intended to be compatible with the existing suburban character of the area.

Walkable Neighborhood: Land Use Considerations		
Church	Condominium/Apartment	Community Park / Pocket Park
Government Building	Natural Area	Neighborhood Commercial
Professional Office	Restaurant	School
Single-Family Attached Home (Townhome/Duplex)	Single-Family Detached Home	

A TIA was not submitted with this rezoning application; however, a TIA was prepared with the larger 2021 rezoning application that was withdrawn. The following is a brief summary of the findings from the TIA dated July 14, 2021.

TIA Findings: (see TIA submitted for Project RZ-2021-0847)

Intersections studied:

- Possum Hollow Road at Old Bailes Road,
- Possum Hollow Road at SC 160,
- Possum Hollow Road at US 521,
- Old Bailes Road at SC 160,
- Old Bailes Road at Olin Yarborough Road,
- SC 160 at Barberville Road,
- SC 160 at US 521.

Estimated Generation		
AM	PM	Weekday
210	281	2,760

Proposed Improvements:

The TIA submitted by the applicant recommends no mitigation or improvements.

Third-Party Review:

The County requires a third-party review for all incoming Traffic Impact Analysis (see Attachment 3). The following were major comments noted in the third-party review:

- No PE stamp on the report.
- Analysis period did not show a 2026 No-Build comparison to 2026 Build (Build plus 1 year).
- The TIA did not cover SCDOT's ARM compliance relating to driveway sight distance and spacing.
- No real identification of mitigation was issued for intersections with unacceptable LOS.

Public Comments:

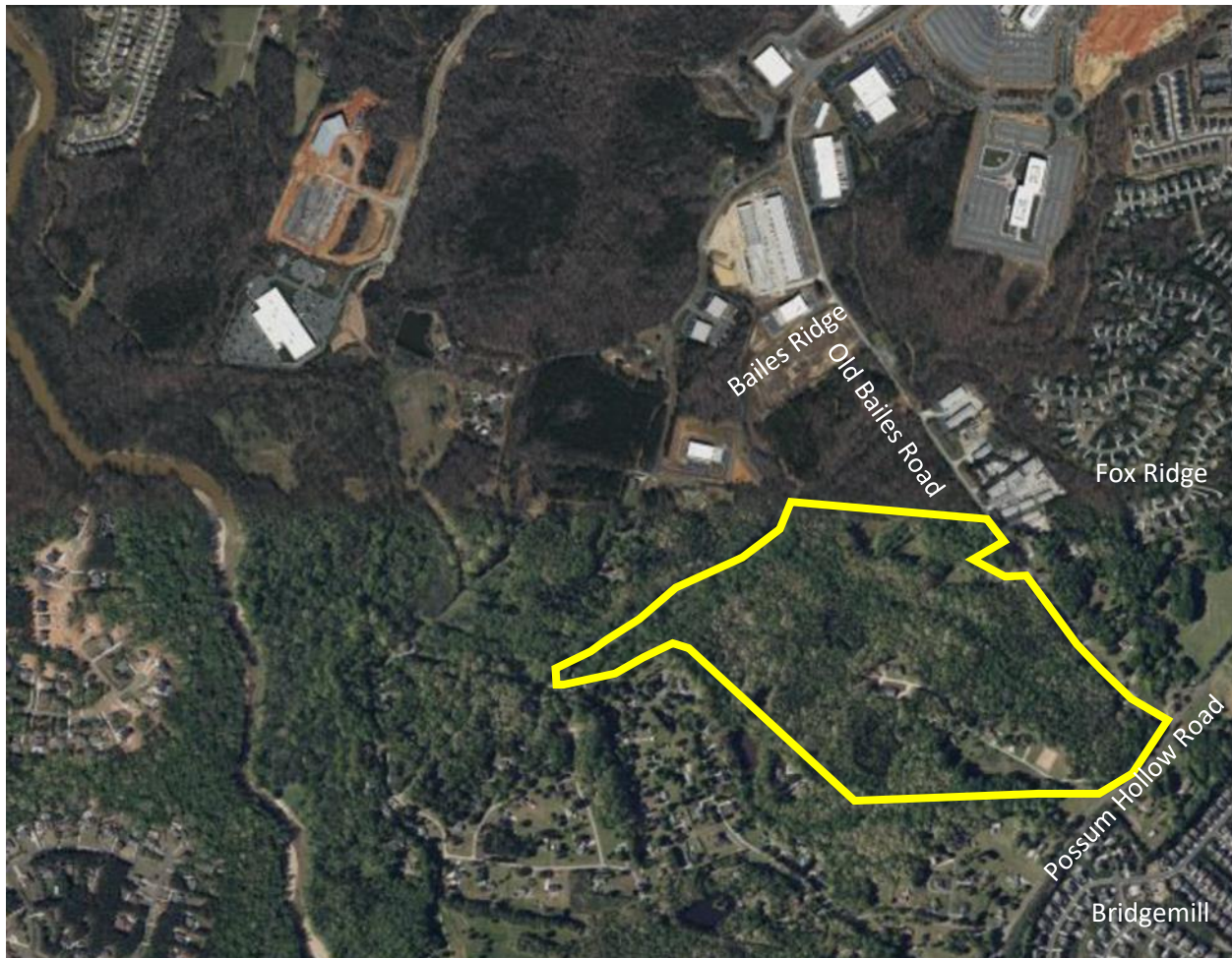
Staff has received multiple phone calls about the proposed development.

Utilities:

Lancaster County Water and Sewer District,

There is a water line running off Possum Hollow Road. A sewer line is located north of the property located off Old Bailes Road. At a minimum, a sewer line and pump station upgrade will be needed.

PHOTOS OF PROJECT AREA:



Aerial of subject property and nearby Corporate Parks



Facing Subject Parcel off intersection of Possum Hollow Road and Asbury Lane.



Facing South on Possum Hollow Road



Facing South on Old Bailes Road



Facing North on Old Bailes Road

10/18/2022 Planning Commission:

Planning Commission recommended approval with a vote of 5-0 under a recommendation that the property is developed by right MDR and not as a cluster subdivision.

STAFF RECOMMENDATION:

The proposed rezoning from LDR to MDR is consistent with the adopted Comprehensive Plan. While the MDR District's minimum lot width and area are smaller than lot sizes in adjacent subdivisions, MDR communities are fairly common in the Indian Land area.

While staff is able to recommend **approval** of the rezoning for the reasons identified above, it is important to note there has been recent discussion from the Indian Land community and some County Council members regarding the timing and pace of growth and its impact on public services (schools, transportation, fire protection, etc.). If it is desired to have staff expand its review criteria of rezoning proposals, a future policy discussion with Council (possibly including the Planning Commission as well) would be needed. This recommendation is provided pursuant to the following findings of fact:

Findings of Fact:

1. That the subject property consists of 95.85 acres of land generally located at West of the intersection of Old Bailes Road and Possum Hollow Road (0007-00-022.00, 0007-00-022.01, 0007-00-022.02, 0007-00-022.03, 0007-00-022.04, 0007-00-022.05, 0007-00-023.06);
2. That the subject property is zoned Low Density Residential (LDR) District;
3. That 95.85-acres are proposed to be rezoned Medium Density Residential (MDR) District;
4. The proposed development is consistent with the Comprehensive Plan and the Future Land Use Category of Neighborhood Mixed-Use, which corresponds to the Community Type of Walkable Neighborhood

ATTACHMENTS:

1. Application
2. Location Map/ Zoning Map
3. RZ-2021-0847 TIA Summary & Technical Review Memo
4. Sketch Plan 20221357

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380