

**Planning Commission Members**

District 1: Rosa Sansbury  
District 2: Vedia Hatfield  
District 3: Charles Deese, Chair  
District 4: James Barnett, Vice-Chair  
District 5: Tommy Dabney  
District 6: Sheila Hinson  
District 7: Ben Levine

**County Attorney**

John K. DuBose III

**Clerk to Planning Commission**

Judy Barrineau

**Planning Director**

Rox Burhans

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**January 21, 2020**

**6:00 PM**

**101 North Main Street  
Lancaster, SC 29720**

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**LANCASTER COUNTY PLANNING COMMISSION  
County Council Chambers, County Administration  
Building, 101 North Main Street, Lancaster, SC 29720**

**AGENDA**

1. **Call to Order Regular Meeting and Roll Call Vote - Chairman Charles Deese**
2. **Citizen's Comments**
3. **Approve Minutes**
  - a. November 19, 2019 Regular Minutes
4. **Public Items**
  - a. Pleasant Dale Baptist Church: RZ-019-1046  
Request to rezone two properties from Rural Neighborhood (RN) to Institutional (INS).  
Location: Southeast of the intersection of Pageland Highway and South Potter Road; east of church located at 133 South Potter Road. (TM# 0069-00-044.00 and a portion of 0069-00-047.00) {Public Hearing}
  - b. CU-019-1295  
Request for conditional use application to permit a small, non-franchise car sales lot. Located at 1722 Springdale Road (TM # 0086C-0D-012.00). {Public Hearing}
5. **New Business**
  - a. Overview of next month's Agenda
  - b. Other
6. **Adjourn**

*Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Planning Commission agendas are posted at the Lancaster County Administration Building and are available on the Website: [www.mylancaster.org](http://www.mylancaster.org)*

## Agenda Item Summary

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Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Judy Barrineau

Department: Planning

Date Requested to be on Agenda: 1/21/2020

**Issue for Consideration:**

Approval of minutes from November 19, 2019 Regular Meeting

**Points to Consider:**

November 19, 2019 Regular Minutes are attached for consideration

**Recommendation:**

Approve or Amend

**ATTACHMENTS:**

Description	Upload Date	Type
November 19, 2019 Minutes	1/15/2020	Backup Material



**DRAFT**

MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

ROSA SANSBURY, DISTRICT 1  
VEDIA HATFIELD, DISTRICT 2  
CHARLES DEESE, CHAIRMAN DISTRICT 3  
JIM BARNETT, VICE-CHAIRMAN DISTRICT 4  
TOMMY DABNEY, DISTRICT 5  
SHEILA HINSON, DISTRICT 6  
BEN LEVINE, DISTRICT 7

**MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION  
REGULAR MEETING**

**NOVEMBER 19, 2019  
MINUTES**

Members Present: Charles Deese, Jim Barnett, Vedia Hatfield, Tommy Dabney, Sheila Hinson, Rosa Sansbury, Ben Levine. A quorum of Lancaster County Planning Commission was present for the meeting.

Others Present: Rox Burhans, Planning Director; Katie See, Senior Planner; Judy Barrineau, Clerk to Planning Commission; John Dubose III, County Attorney.

Others Absent: Ashley Davis, Planner; Steve Willis, County Administrator; Alison Alexander/ Deputy County Administrator.

The following press were notified of the meeting by email in accordance of the Freedom of Information Act: The Lancaster News, Kershaw News Era, The Rock Hill Herald, The Fort Mill Times, Cable News 2, Channel 9, and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building the required length of time and on the County website.

Call meeting to order

Chairman Deese called the meeting to order at 6:00 p.m.

Approval of the Agenda

Sheila Hinson made a motion to **approve** the agenda and Vedia Hatfield seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Approve Minutes

Ben Levine made a motion to **approve** the October 03, 2019 Workshop Minutes and the October 15, 2019 Regular Minutes; Jim Barnett seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

**RZ-019-0717 – Application by Ramon Salazar to rezone Tax ID# 0081N-0A-017.00 from General Business (GB) to Manufactured Home (MH).**

Rox Burhans/Planning Director – Mr. Burhans stated the request is to rezone one parcel approximately 3.08 acres in size and located east of the intersection of Kershaw Camden

Hwy. and Lineberger Industrial Drive. The purpose of this request is to permit a manufactured home on the property. Rox Burhans provided a PowerPoint presentation to the Planning Commission generally following the structure of the submitted Planning Commission staff for the agenda item.

### **Analysis & Findings**

The property is currently zoned General Business (GB) District. The General Business (GB) zoning district is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto-dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development. (UDO section 2.3).

The requested Manufactured Home (MH) District accommodates manufactured homes in a variety of settings, including manufactured home parks, manufactured home subdivisions, and a single-lot mobile home district.

### **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

The future land use designation of this property is the Place Type known as Urban, which, according to the 2024 Comprehensive Plan is synonymous to the Community Type “Walkable Neighborhood”. The Comp Plan states that this Community Type has 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 have their roots in the traditional character of American communities during the early part of the 20<sup>th</sup> century, and has been revived in recent decades as a relevant option for future development.

The requested Manufactured Home District is inconsistent with the Comprehensive Plan. The rezoning site and its surrounding parcels comprise a commercial/institutional node. Rezoning a single parcel in this area to the Manufactured Home District without a broader change in the overall character of the area would be inconsistent with the underlying intent of the Comprehensive Plan to ensure a well-organized growth pattern. As a means for reference, the closest manufactured home district appears to be approximately 1,000 linear feet away located at the intersection of Stevens Hill Road and Old Camden Road.

Staff recommends **denial** of this rezoning request.

Chairman Deese asked if there were any questions for staff.

Commissioner Sansbury – Ms. Sansbury asked about the two parcels to the right and the parcel located at the back.



Rox Burhans/Planning Director – Mr. Burhans stated that the two properties to the right are all zoned General Business consistent with the subject property. The parcel to the right has some type of storage yard or junk yard type activity going on. To the left of the subject property is a church and directly across the street is a home but it is commercially zoned.

Chairman Deese asked if the applicant had any comments to provide.

Ramon Salazar – 1953 Springdale Road, Lancaster SC – Mr. Salazar stated he bought the property because he is also in business with the property owner right next door. He added that he wanted to put a residence next to the business that they will be operating. Mr. Salazar did ask why only three parcels in that area are General Business and the rest are residential.

Rox Burhans/Planning Director – Mr. Burhans stated the parcels are zoned commercial and the homes on these parcels are considered non-conforming so they would have restrictions on how they could expand or if they burned down how they could be rebuilt. At some point there was commercial zoning established there regardless of the houses being there.

Ramon Salazar – Mr. Salazar asked if that was something he could be considered for since he wants to put a home next to the business property.

Rox Burhans/Planning Director – Mr. Burhans stated that the General Business District does not allow a single family home to be constructed on it. The homes that are out there are considered “grandfathered” and are fine today but are not allowed to be constructed new.

Chairman Deese opened the public hearing on the matter, no one signed up to speak so public hearing was closed.

Chairman Deese asked for a motion.

Ben Levine made a motion to **approve** and Tommy Dabney seconded the motion.

Chairman Deese asked for any discussion.

Commissioner Levine – Mr. Levine stated the area of this rezoning is good for a business but not necessarily where you would put a manufactured home.

Chairman Deese asked for a roll call vote.

VOTE:           1 AFFIRMATIVE    6 NEGATIVE       MOTION FAILED

Chairman Deese stated that the motion to approve failed by a vote of 1-6.

**RZ-019-0816 – Application by Crossridge Center, LLC to rezone Tax ID # 0010-00-056.00 & 0010-00-057.00 from Mixed Use (MX) to Regional Business (RB).**

Rox Burhans/Planning Director – The request is to rezone two parcels totaling approximately 11.04 acres in size. The purpose of this request is to develop the properties for commercial uses and to eliminate the MX zoning district. Rox Burhans provided a PowerPoint presentation to the Planning Commission generally following the structure of the submitted Planning Commission staff for the agenda item.

**Analysis & Findings**

The property is currently zoned Mixed-Use (MX) District. The Mixed-Use (MX) zoning district is established as a pedestrian-scaled, mixed-use district which caters to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles and pedestrians. This district accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office and civic uses in both vertically mixed-use, as well as free-standing (UDO section 2.3).

The requested Regional Business (RB) District is generally located on the major thoroughfares in the community and provides opportunities for the provision of offices, services, and retail goods to meet the surrounding region. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development until such time that transportation network is retrofitted to accommodate more urban development patterns (UDO section 2.3).

**Development Requirements**

The Mixed-Use districts require that properties include a minimum of 25 acres of highland property. This property does not meet the minimum development requirement, which makes it a non-conforming lot. In order to develop the property, the applicant has requested to rezone the property to RB.

**COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

The future land use designation of this property is the Place Type known as Neighborhood Mixed-Use, which, according to the 2024 Comprehensive Plan is synonymous to the Community Type “Walkable Neighborhood”. The Comp Plan states that this Community Type has 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 have their roots in the traditional character of American communities during the early part of the 20<sup>th</sup> century, and has been revived in recent decades as a relevant option for future development.

The requested Regional Business District is consistent with the Neighborhood Mixed-Uses future land use category. The proposed RB zoning district will provide more consistent zoning across the CrossRidge property.

Staff recommends **approval** of this rezoning request.

Chairman Deese asked if there were any questions for staff.

Chairman Deese asked if the applicant had any comments to provide.

Matt Levesque/ESP Associates – 3475 Lakemont Blvd., Fort Mill SC – Mr. Levesque stated the rezoning request would allow the project to be consistent with adjacent parcel zoning (RB) and eliminate non-conforming zoning (MX).

Chairman Deese opened the public hearing on the matter, no one signed up to speak so public hearing was closed.

Chairman Deese asked for a motion.

Ben Levine made a motion to **approve** and Jim Barnett seconded the motion.

Chairman Deese asked for any discussion.

Chairman Deese asked for a roll call vote.

VOTE:            7 AFFIRMATIVE      0 NEGATIVE            MOTION CARRIED

Chairman Deese stated that the motion to approve was recommended for approval by a vote of 7-0.

**RZ-019-0952 – Application of Lancaster County Water & Sewer District to rezone TM# 13, Parcels 85, 88, 88.01, 88.02, 89, 90, 91, and a portion of parcel 87 on River Road, from Rural Neighborhood (RN), Low Density Residential (LDR) and Medium Density Residential (MDR) to Institutional (INS).**

Katie See/Senior Planner – This request is to rezone seven parcels at this time with an additional parcel at the December Planning Commission. The seven parcels total approximately 12.31 acres in size. The property is located at 7864 River Road. The purpose of this request is to accommodate future improvements to the Indian Land Wastewater Treatment Plant facility and to achieve consistency in the zoning. Katie See provided a PowerPoint presentation to the Planning Commission generally following the structure of the submitted Planning Commission staff for the agenda item.



### **Analysis & Findings**

The properties to be rezoned are currently zoned Low Density Residential (LDR), and Rural Neighborhood (RN) District. See UDO section 2.3 for descriptions of these districts (below).

LDR 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.

RN is established to protect the residential character of communities and neighborhoods in the rural area at a density of 1.0 dwelling unit per acre. The district is intended to promote rural living, protect farmland, and to maintain the low density residential.

The requested Institutional (INS) District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.

### **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

#### **Companion Case: UDO-TA-019-0953**

The applicant has requested an amendment to the UDO to permit Utilities – Class 3 in the Institutional (INS) District, which is what the existing facility is currently zoned. Under the previous UDO, the property was zoned R-30P, a predominantly single-family residential district. As the result of the 2016 UDO, the property was rezoned to Institutional and as a result, became a non-conforming use.

### **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

The future land use designation of this property is the Place Type known as Neighborhood Mixed-Use, which, according to the 2024 Comprehensive Plan is synonymous to the Community Type “Walkable Neighborhood”. The Comp Plan states that this Community Type has 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 have their 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.



Critical infrastructure such as a wastewater treatment plant is generally needed to serve walkable neighborhoods and other development found in the Neighborhood Mixed Use classification. The requested Institutional District is consistent with the Neighborhood Mixed Use future land use category.

Staff recommends **approval** of this rezoning request.

Chairman Deese asked if anyone had questions for staff.

Chairman Deese asked if the applicant had any comments to provide.

Brad Bucy/LCWSD – Mr. Bucy stated he was available for any questions.

Chairman Deese opened the public hearing on the matter, no one signed up to speak so public hearing was closed.

Chairman Deese asked for a motion.

Jim Barnett made a motion to **approve** and Sheila Hinson seconded the motion.

Chairman Deese asked for any discussion.

Chairman Deese asked for a roll call vote.

VOTE:            7 AFFIRMATIVE      0 NEGATIVE            MOTION CARRIED

Chairman Deese stated that the motion to approve was recommended for approval by a vote of 7-0.

**UDO-TA-019-0875 – Application of Clyde Tant to amend UDO Chapter 5.7.2 (update of Section 2.5.3 Use Table) to allow child/adult daycare centers in the Light Industrial District.**

Rox Burhans/Planning Director – Currently Chapter 5.7.2 does not allow daycares in the Light Industrial zoning district. The applicant has asked that child/ adult daycare centers be added as “permitted with review” to the Light Industrial District. This text amendment would allow the ability to provide adult/child care services within close proximity to the larger businesses within the County’s business parks and other Light Industrial areas. Rox Burhans provided a PowerPoint presentation to the Planning Commission generally following the structure of the submitted Planning Commission staff for the agenda item.

**Findings and Conclusions**

The proposed text amendment, if modified as described below, would enable child/day care center uses to be located in close proximity to Lancaster County’s largest employers providing convenience to its citizens while also reducing traffic on adjacent streets.

Enabling daycare center uses within Light Industrial areas, if properly sited, could also increase the competitiveness of a particular business park or industrial area.

### **Planning Staff Recommendation**

Due to the complex nature of Light Industrial Districts, Planning Staff recommends Child/ Adult Daycare Centers be subject to a **Special Exception** process through the Lancaster County Board of Zoning Appeals and not permitted with review as requested by the applicant. This would enable a site-specific examination of the use to ensure it was compatible with the surrounding area to prevent public safety related impacts. While many industrial businesses operate with relatively minimal external impacts, some may produce unhealthy sounds, lighting, vibrations, odors, gases, dust, and/or have significant large vehicle traffic that may make them incompatible with an adjacent child/adult daycare center use. The Special Exception process would provide a site-specific review to ensure compatibility (see attached Special Exception criteria). Staff also recommends adding a new finding criteria in UDO Section 9.2.13 for child/adult daycare center uses within Light Industrial districts to ensure the above noted factors are specifically taken into account in the Special Exception review.

In addition to requiring a Special Exception permit, staff also recommends that any outdoor play or recreation space be screened with a solid wood or vinyl fence (min. 6-ft in height).

If Planning Commission recommends modification of the proposed text amendment as noted above, staff will prepare formal ordinance language for Council consideration.

Chairman Deese asked if there were any questions for staff.

Commissioner Levine – Mr. Levine asked who would handle the review process and asked about an industrial use coming in later that would not be consistent with a daycare.

Rox Burhans/Planning Director – Mr. Burhans stated that Special Exceptions are reviewed by the Board of Zoning Appeals at a public hearing and is a quasi-judicial board. The same notification is completed as public hearings for the Planning Commission. It gives the opportunity for folks to share with comments and feedback. Mr. Burhans added that the Board of Zoning Appeals should also look at how the facilities are designed around them and see if they are supportive of having a daycare nearby regardless of who the tenant might be.

Commissioner Dabney – Mr. Dabney asked if staff consulted with Economic Development on this matter. Mr. Dabney added if this rezoning will bring in jobs to Lancaster County and meets the criteria for Light Industrial, then we certainly need it.

Rox Burhans/Planning Director – Mr. Burhans stated that any business allowed in the light industrial district would be allowed anywhere. He also stated that he talked with Jamie Gilbert of Economic Development to get his feedback. He added that they were supportive of the text amendment, particularly where the applicant wishes to locate the



facility. They did have some reservations about daycare being allowed anywhere in a light industrial district and if this use could take away prime sites that are more job generating sites. Jamie Gilbert liked the idea of the special exception process since it had the site specific review verses being permitted out right.

Commissioner Sansbury – Ms. Sansbury stated that on page 31 it lists the findings of facts for BZA and looking at letter “d” it states that the proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas. She asked who would have the right to be located there, light industrial industry or the daycare.

Rox Burhans/Planning Director – Mr. Burhans stated that specific criteria for a daycare would be added and if any of the adverse findings were present then that would be criteria for denial of the application.

Commissioner Sansbury – Ms. Sansbury stated that the case tonight has industrial on both sides of it and is alarming to her.

Rox Burhans/Planning Director – Mr. Burhans stated that Planning Commission can make a recommendation as it sees fit but if they are supportive of the staff recommended modifications then they would just need to include that in the motion tonight.

Commissioner Barnett – Mr. Barnett asked if this pertains to one specific area or all light industrial throughout the county.

Rox Burhans/Planning Director – Mr. Burhans stated all light industrial.

Commissioner Barnett – Mr. Barnett stated the board should be able to look at one piece of land individually instead of everybody being able to do it when they want to.

Commissioner Dabney – Mr. Dabney stated what concerns him is the fact that they would be adding an element in there that could eliminate an industrial site.

Commissioner Barnett – Mr. Barnett asked for clarification regarding 9.2.13 Special Exceptions on page 30 of packet.

John Dubose/County Attorney – Mr. Dubose stated if it is generally compatible with the permitted by right within the zoning district then that is what BZA is required to determine.

Commissioner Levine – Mr. Levine asked if putting a daycare in light industrial is an issue in the county.

Rox Burhans/Planning Director – Mr. Burhans stated the property is across from Rosemont and representatives were in attendance tonight to elaborate on their intent. He added it was not uncommon to have non industrial uses such as a daycare, fitness centers,

or a deli in order to try and provide some services near a business with high employee counts.

Commissioner Sansbury – Ms. Sansbury stated on page 26 the legal document from Springland Associates states that SLA consents to Cooper Road Properties. She asked if this was under contract.

Rox Burhans/Planning Director – Mr. Burhans stated he would let the applicant clarify. He did add that a daycare operator would like to open a facility within the specific property owned by Springland Associates. They wanted permission from Springland Associates to apply for this text amendment on their behalf which is why they have this kind of consent document and which is not uncommon with these types of applications.

Commissioner Sansbury – Ms. Sansbury asked if Springland Associates would continue to own the property.

Rox Burhans/Planning Director – Mr. Burhans stated he would ask the applicant to clarify.

Chairman Deese asked if the applicant had any comments to provide.

David Rogers – 1311 Stovall Street, Augusta Georgia – Mr. Rogers stated he represents Clyde Tant who he works for. He stated he has the site under contract with SLA. He also added they have been developing and building daycare centers across the southeast and in the past they have been used as an industrial office park developer as an amenity to help take care of employees kids and be close to their employment. He stated they do not see it as possibly detracting from the office park and bringing in other employers. He added it was really like more of an amenity such as a personal service establishment that is convenient to the people there. Their biggest neighbor is Continental Tire's headquarters and they are expanding their campus and they actually approached economic development about putting daycare in this park. The site is already under contract due to the recognized need there.

Brandon Pridemore/R Joe Harris & Associates – 1186 Stonecrest Blvd., Charlotte NC – Mr. Pridemore stated they were here to help consult with Cooper Road Properties and Tri-South Contractors as well as Springland Associates and have been given the authority to act on their behalf. He added they did not want to get into spot zoning to allow this but make it more appropriate and to be able to look at the factors that a special exception would allow. They are looking a piece that really is not well suited for industrial, the parcel is a very difficult shape. This is a good supplemental use for this project will fit in between two existing uses and there will not be a lot of heavy trucking. Mr. Pridemore added that there is a lot of criteria to meet by the BZA board.

David Rogers – Mr. Rogers stated it was not uncommon to see daycare as a special exception only. He added that people want the ability to decide if a property is really a good place for a daycare.



Chairman Deese opened the public hearing on the matter, no one signed up to speak so public hearing was closed.

Chairman Deese asked for a motion.

Ben Levine made a motion to **approve** including staff's recommendations of a Special Exception process through the Board of Zoning Appeals and the outdoor play or recreation space be screened with a solid wood or vinyl fence minimum six (6) foot in height; Jim Barnett seconded the motion.

Chairman Deese asked for any discussion.

Commissioner Hinson – Ms. Hinson stated that the location of these daycare places are quite prevalent near businesses to enable employees to be close to their children.

Commissioner Sansbury – Ms. Sansbury asked if the board is voting tonight to allow daycares in all industrial sites and not just this one.

Chairman Deese stated they will be voted on individually by the Board of Zoning Appeals.

Commissioner Levine stated he could see the benefits of the text amendment if the county handles it properly.

Chairman Deese asked for a roll call vote.

VOTE:            4 AFFIRMATIVE    3 NEGATIVE            MOTION CARRIED

The three negative votes came from Vedia Hatfield, Tommy Dabney, and Rosa Sansbury.

Chairman Deese stated that the motion to approve was recommended for approval by a vote of 4-3.

**UDO-TA-019-0953 – Application of Lancaster County Water & Sewer District to amend UDO Chapter 2 by amending Section 2.5.3 Use Table to a permitted use to accommodate sewer treatment facilities. Use regulations will be added to Chapter 5 and a definition will also be added to Chapter 10, Definitions.**

Katie See/Senior Planner - This is the request to amend the UDO and the intent is to permit public and private utility infrastructure which includes the Utility Class 3. Katie See provided a PowerPoint presentation to the Planning Commission generally following the structure of the submitted Planning Commission staff for the agenda item.

### **Project Summary & Proposal**

The Lancaster County Water & Sewer District (LCWSD) has been continuously operating a wastewater treatment plant on the River Road since 2001. The previous UDO permitted water and sewer facilities as a permitted use with Planning Commission review in the property's previous zoning district, R-30P. When the UDO was rewritten in 2016 and the companion zoning map was updated, the property was rezoned Institutional (INS). The UDO reclassified water and sewer facilities as Utilities-Class 3 and did not identify them as a permitted use in the Institutional (INS) district. The existing facility is currently operating as a legal non-conforming use.

Non-conforming uses cannot be expanded or made more non-conforming. The applicant has requested that the INS district be amended to permit Utilities – Class 3 as a permitted use. This will also enable improvements to be made at the plant in conformance with State and County requirements.

### **Companion Case RZ-019-0952**

The applicant has requested a zoning map amendment for eight parcels totaling approximately 12.31 acres in size. The properties are currently zoned LDR, and RN and the requested zoning district is INS.

### **Outline of Text Amendment**

Chapter 2 will be amended to permit Utilities – Class 3 as a permitted use in the Institutional District. The Use Regulations and Definition chapters will also be amended.

The following chapter(s) of the UDO have been amended or created:

Chapter 2, District Standards: Amend table by permitting Utilities – Class 3 as permitted use in Institutional (INS) District. Also amending INS description.

Chapter 5, Use Regulations: Amend chapter to add supplemental regulations for Class 3 utility facilities.

Chapter 10, Definitions: Add applicable definitions.

### **Findings and Conclusions**

The proposed amendment will enable the wastewater treatment plant to operate as a conforming use, which will make it possible for the LCWSD to make improvements and expansions as necessary, with applicable approvals.

Staff recommends **approval** of the proposed changes.

Chairman Deese asked if there were any questions for staff or the applicant.

Hearing none, Chairman Deese opened the public hearing on the matter, no one signed up to speak so public hearing was closed.

Chairman Deese asked for a motion.

Ben Levine made a motion to **approve** and Jim Barnett seconded the motion.

Chairman Deese asked for any discussion.

Chairman Deese asked for a roll call vote.

VOTE:            7 AFFIRMATIVE    0 NEGATIVE            MOTION CARRIED

Chairman Deese stated that the motion to approve was recommended for approval by a vote of 7-0.

**New Business:** Rox Burhans/Planning Director – Mr. Burhans stated the new business items for heelsplitter credits on the agenda is not completed so staff is not prepared to discuss at this meeting. These items will be deferred to the December meeting. Mr. Burhans asked Planning Commission members to refer to draft agenda that was passed out by Judy Barrineau. The planning department will adapt our agenda to the Novus format and template which will be very similar to the County Council agenda. Ms. Barrineau will discuss the changes to the agenda and the implementation of Novus software that will take effect January 2020.

Judy Barrineau/Clerk to Planning Commission – Ms. Barrineau stated that the Novus software will help improve the work flow for staff, County Council clerk, as well as John Dubose in writing the ordinance. Please contact planning department if you have any questions or concerns.

Chairman Deese – Mr. Deese reminded everyone of the Joint Planning Commission meeting held at the November workshop to consider the name change of the bypass. Mr. Deese added that SCDOT stated it is no longer considered a bypass. It is six and a half miles long and has six different names. He asked that everyone please consider a new name.

Rox Burhans/Planning Director – Mr. Burhans stated there were ten items on the agenda for next month. He added that the planning department was going to notify everyone as soon as possible of future cases. Mr. Deese had a great idea of emailing everyone the proof of the ad from the Lancaster News so everyone can see the cases coming up. Planning Commission members will still receive the email of case information prior to the workshop. Mr. Burhans stated that staff is working on a comprehensive rezoning in the panhandle area for the MX districts. There are several parcels in the panhandle area that do not meet the minimum 25 acre threshold. Those parcels will need to be rezoned to an appropriate classification by looking at past zoning and also look at the zoning surrounding these areas today. Mr. Burhans added that the next step is to field verify every parcel for accuracy. The information will be added to GIS and actually share it with the public and share with the property owners that are effected so they can give staff the green light in terms of if they are happy with the district that has been proposed or if they have another district that they think is more appropriate. The Planning Commission



will be involved in this next year and he wanted to let everyone know that staff is making progress on this.

Chairman Deese – Mr. Deese asked for clarification regarding the change in the minimum 25 acre threshold.

Rox Burhans/Planning Director - Mr. Burhans stated that the existing MX districts do have the opportunity for a reduction that brings it down to 20 which helps a hand full of property owners but there are still quite a few that need to be addressed.

All in favor to adjourn say "I".

VOTE:                      UNANIMOUS                      MOTION CARRIED

The meeting was adjourned at 7:06p.m.

Respectfully Submitted,

Charles Deese  
Chairman



## Agenda Item Summary

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Ordinance # / Resolution #: RZ-019-1046

Contact Person / Sponsor: Ashley Davis / Planning

Department: Planning

Date Requested to be on Agenda: 1/21/2020

**Issue for Consideration:**

See Staff Report.

**Points to Consider:**

See Staff Report.

**Recommendation:**

See Staff Report.

**ATTACHMENTS:**

Description	Upload Date	Type
Planning Staff Report: Pleasant Dale Baptist Church	1/15/2020	Planning Staff Report
Exhibit 2: Location and Zoning Map	1/15/2020	Exhibit
Exhibit 3: Property Plat	1/15/2020	Exhibit

**Proposal:** Request to rezone a 4.62 acre property as well as a 3.683 acre portion of TM# 0069-00-047.00 to combine with adjacent 7.913 acre parcel currently zoned INS at TMS# 0069-00-046.00

**Property Location:** Southeast of the intersection of Pageland Highway and South Potter Road; east of church located at 133 South Potter Road. (TM# 0069-00-044.00 and a portion of 0069-00-047.00)

**Current Zoning District:** RN, Rural Neighborhood

**Proposed Zoning District:** INS, Institutional

**Applicant:** Pleasant Dale Baptist Church

**Council District:** District 3, Billy Mosteller

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## Overview

### *Site Information*

Site Description: The property is currently vacant.

### *Compatibility with Surrounding Area*

The current zoning for the surrounding area is Rural Neighborhood (RN), Low Density Residential (LDR), and Institutional (INS). Existing zoning for the subject property as well as surrounding properties can be seen in *Exhibit 2*. The proposed zoning of INS is generally consistent with the area. See table below for adjacent property zoning and use comparison.

### Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Rural Neighborhood (RN)	Single Family Residence
South	Lancaster County	Institutional (INS)	Pleasant Dale Baptist Church
East	Lancaster County	Rural Neighborhood (RN)	Vacant
West	Lancaster County	Institutional (INS)	Pleasant Dale Baptist Church

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
RZ-019-0598	Modie Walters Sr. (INS to LDR)	12-17-2019	In process

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## Photos of Project Area

Looking at the parcel from South Potter Road



Looking across from the parcel on South Potter Road





Looking south on South Potter Road



Looking north on South Potter Road





### Analysis & Findings

The property is currently zoned Rural Neighborhood District on the Lancaster County Zoning Map. The zoning district of Rural Neighborhood (RN) *is established to protect the residential character of communities and neighborhoods in the rural area at a density of 1.0 dwelling unit per acre. The district is intended to promote rural living, protect farmland, and to maintain the low density residential.*

The requested Institutional (INS) district *is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like. (UDO section 2.3).*

### COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

The future land use designation of this property is Rural Living, according to the 2024 Comprehensive Plan. The Comp Plan defines this Community Type as including a variety of residential types, from farmhouses, to large acreage rural family dwellings, to ecologically-minded “ conservation subdivisions” whose aim is to preserve open space, and traditional buildings, often with a mixture of residential and commercial uses that populate crossroads in countryside locations.

The requested Institutional District is consistent with the rural living future land use category.

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### Staff Recommendation

Staff is recommending approval of this request.

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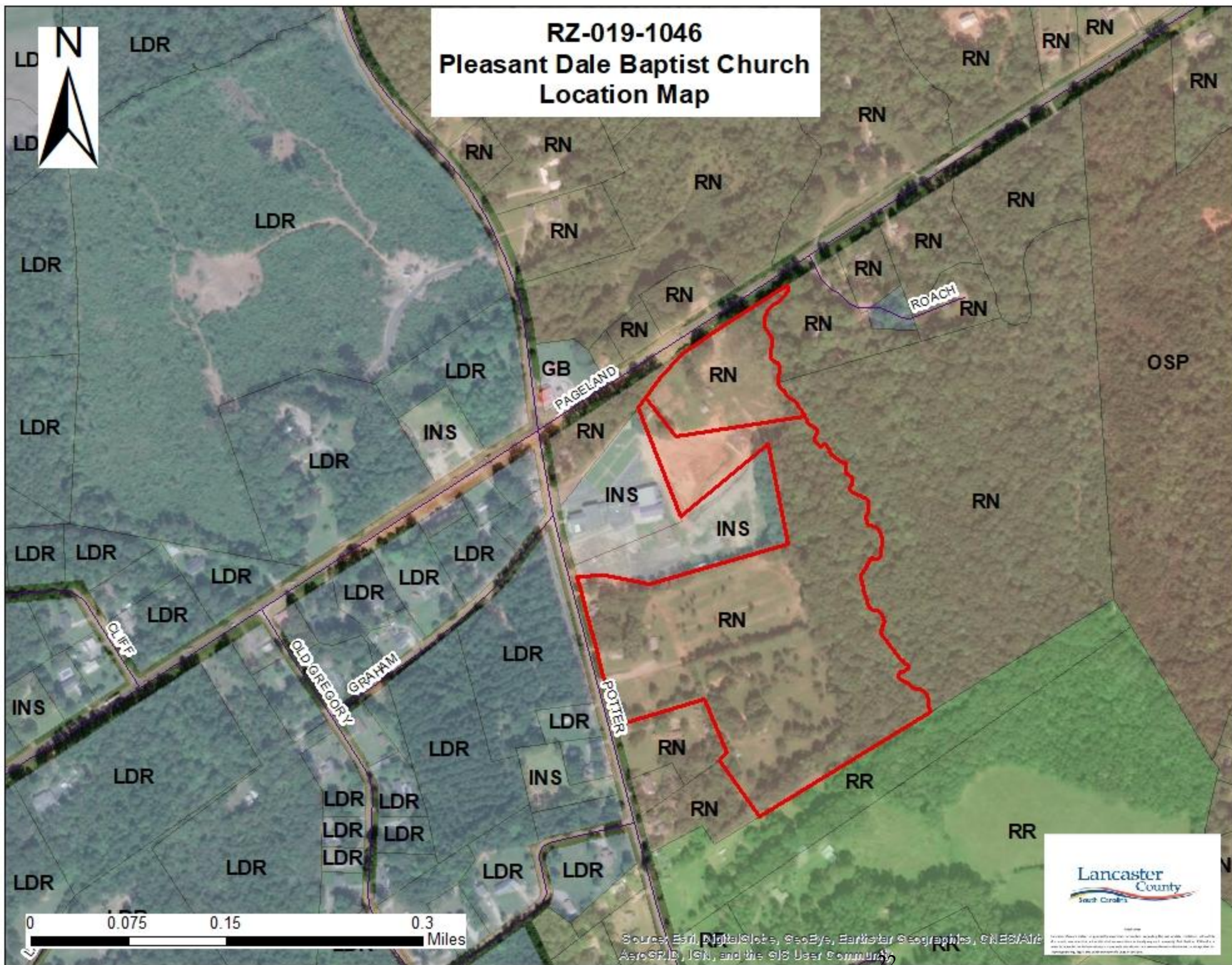
### Attachments

1. Rezoning Application
2. Location Map/ Zoning Map
3. Property Plat

### Staff Contact

Ashley Davis  
Planner  
[adavis@lancastersc.net](mailto:adavis@lancastersc.net)  
803-416-9433

RZ-019-1046  
Pleasant Dale Baptist Church  
Location Map



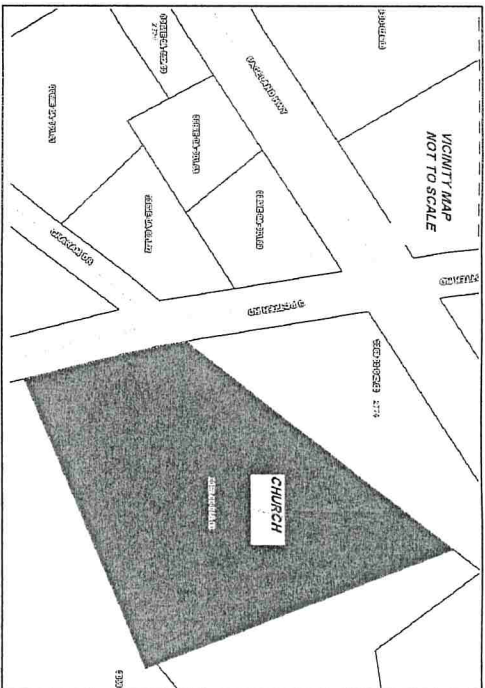
0 0.075 0.15 0.3 Miles

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Airphoto, AeroGRID, IGN, and the GIS User Community

Lancaster  
County  
South Carolina



LINE TABLE		
LINE	LENGTH	BEARING
L1	45.91	N14°50'08"W
L2	98.93	N11°56'36"W
L3	82.48	N35°27'44"E
L4	99.75	S89°05'14"W
L5	60.50	S21°48'58"W



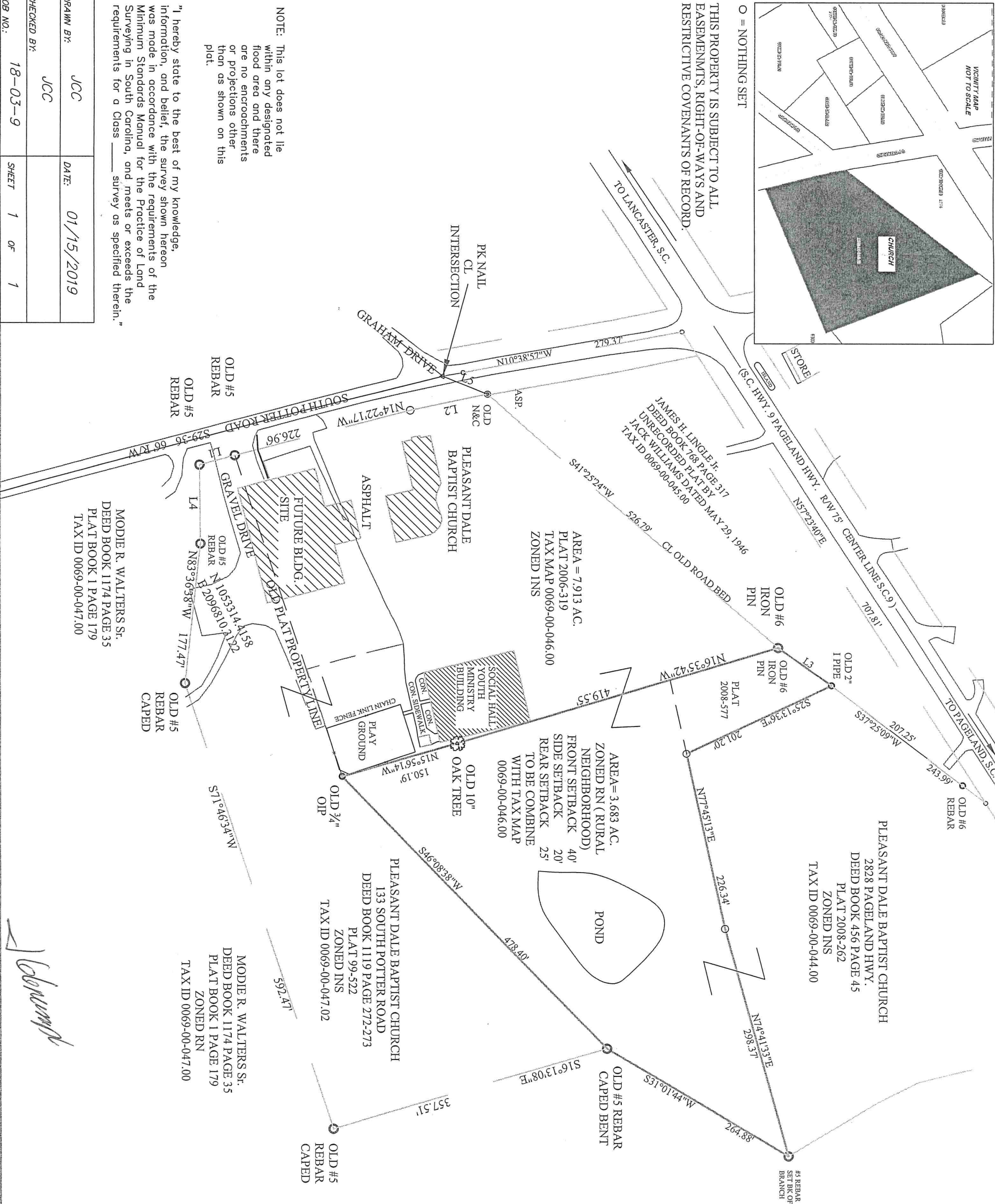
O = NOTHING SET

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIVE COVENANTS OF RECORD.

NOTE: This lot does not lie within any designated flood area and there are no encroachments or projections other than as shown on this plat.

"I hereby state to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class \_\_\_\_\_ survey as specified therein."

DRAWN BY:	JCC	DATE:	01/15/2019
CHECKED BY:	JCC		
JOB NO.:	18-03-9	SHEET	1 OF 1



MODE R. WALTERS Sr.  
DEED BOOK 1174 PAGE 35  
PLAT BOOK 1 PAGE 179  
ZONED RN  
TAX ID 0069-00-047.00

Plat Of Property Of  
*Pleasant Dale Baptist Church*  
Located At  
133 South Potter Road  
5 Miles East Of  
Lancaster, South Carolina  
Lancaster County

Scale 1" = 120' Date 01/14/2019

GRAPHIC SCALE



Survey By: J. C. Crumpler  
S.C. Reg. No. 6574  
207 Chesterfield Avenue  
Lancaster, South Carolina  
1-803-283-9818  
email : iseleysurvey@comporium.net



## Agenda Item Summary

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Ordinance # / Resolution #: CU-019-1295  
Contact Person / Sponsor: Katie See/Planning  
Department: Planning  
Date Requested to be on Agenda: 1/21/2020

**Issue for Consideration:**

**Points to Consider:**

**Recommendation:**

**ATTACHMENTS:**

Description	Upload Date	Type
Staff Report	1/15/2020	Planning Staff Report
Ex 1: Application	1/15/2020	Exhibit
Ex 2: Zoning Map	1/15/2020	Exhibit
Ex 3: Concept Plan	1/15/2020	Exhibit

**PROPOSAL:** Conditional use application to permit a small, non-franchise car sales lot

**PROPERTY LOCATION:** 1722 Springdale Road (TM# 0086C-0D-012.00)

**CURRENT ZONING DISTRICT:** General Business (GB) District

**APPLICANT:** Madgy Macharios

**COUNCIL DISTRICT:** District 2, Charlene McGriff

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**OVERVIEW & BACKGROUND:**

***Site Information***

This parcel is currently improved with a vacant auto repair/garage building with office, a garage and mobile home. A plat was prepared in 1980 to subdivide the garage buildings from the mobile home but the lots were never separated. The mobile home is still located on the same lot (not two lots) as the garage buildings.

***Existing Condition***

The existing mobile home is a non-conforming use because the property is zoned General Business (GB) District. Staff informed the applicant that he has two options to bring the proposed car lot property into compliance:

1. Prepare a survey to submit to the Planning Department for review that subdivides the garage buildings from the mobile home. This would be required to be received and approved prior to going before County Council; or,
2. Remove the mobile home from the property, as the residential structure is a non-conforming use in the GB District.

At the time this staff report was prepared, the applicant indicated that their intention is to have a new survey done for the property and submit it prior to the County Council meeting.

***Compatibility with Surrounding Area***

Surrounding Property	Use
North	Commercial office building
South	Time Outs (Pool Hall)
East	Auto maintenance business
West	Single-Family Residential (Zoned GB)

**PHOTOS OF PROJECT AREA:**



*Looking directly at property from Small Street*



*Looking directly across property – at auto maintenance business*



*Looking south along Springdale Road*





*Looking north along Springdale Road*

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**APPLICABLE UDO PROVISIONS:**

***5.1.1. - Conditional Use (CU)***

- A. Conditional Uses are uses which are generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the County as a whole, require individual consideration in their location, design, configuration, and/or operation at the particular location proposed.
- B. All Conditional Uses shall at a minimum meet the standards for the zoning district in which they are located and the specific standards set forth in this article for that use.
- C. Individual consideration of the use may also call for the imposition of individualized conditions in order to ensure that the use is appropriate at a particular location and to ensure protection of the public health, safety, and welfare.
- D. Approval procedures for Conditional Use permits are found in Chapter 9, Administration.

***5.8.5. - Vehicle Rental/Leasing/Sales***

- A. Outdoor Vehicle Display: No vehicles displayed for sale or awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any public rights-of-way.
- B. Conditional Use Permit Required for Non-Franchised Dealerships: All such uses that are within 200 feet of a Residential use and are not a manufacturer-franchised dealership must obtain a Conditional Use permit.
- C. Screening: All boundaries of a property containing such uses that directly adjoin a Single Family residential district shall be buffered with a solid fence extending from the ground to a height of not less than 6 feet and a Type B buffer in accordance with Section 7.1.5.

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**STAFF RECOMMENDATION:**

Staff recommends approval **with the following condition** for this conditional use application to permit a small, non-franchise car sales lot with the applicant doing one of the following:

1. Prepare a survey to submit to the Planning Department for review that subdivides the garage buildings from the mobile home. This would be required to be received and approved prior to going before County Council; or,
  2. Remove the mobile home from the property, as the residential structure is a non-conforming use in the GB district.
- 

**ATTACHMENTS:**

1. Conditional Use Application
2. Location Map/ Zoning Map
3. Concept Plan

**STAFF CONTACT:**

Katie See, AICP  
Senior Planner  
[ksee@lancastersc.net](mailto:ksee@lancastersc.net)  
803-416-9395



Planning Department  
P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721  
Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)  
[www.mylanastersc.org](http://www.mylanastersc.org)

## CONDITIONAL USE APPLICATION

### SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- All items noted on the Conditional Use Plan Checklist
- Fees associated with review

### GENERAL INFORMATION

Property Address 1722 Spring Dale RD.  
City Lancaster State SC Zip 29720 Tax Parcel ID 0086C-00-012.00  
Current Zoning General business Current Use car garage  
Total Acres 0.974 Surrounding Property Description Surrounding property General Business  
Proposed Conditional Use used car dealership

### CONTACT INFORMATION

Applicant Name Magdy Macharios  
Address 13620 Kensal green Dr  
City Charlotte State NC Zip 28288 Phone 704-719-6861  
Fax 803-228-0892 Email maxauto cars@yahoo.com  
Property Owner Name Newman Randy E. Jr.  
Address 1622 partridge Circle  
City Lancaster State SC Zip 29720 Phone 803-320-3088  
Fax \_\_\_\_\_ Email \_\_\_\_\_



### APPLICATION CERTIFICATIONS

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Magdy Machari's  
Applicant

12/02/2019  
Date

[Signature]  
Property Owner(s)

12-2-19  
Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

*Notary Dail Vincent*

*my commission expires - 6/16/2021*

### LANCASTER COUNTY OFFICE USE ONLY

Application Number CU-019-1295 Date Received 12-2-19 Receipt Number 1669

Amount Paid \$325.00 Check Number — Cash Amount \$325.00

Received By JB Planning Commission Meeting Date ~~12-2-19~~ 1-21-20

### SCHEDULE/PROCESS

#### 1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Conditional Use Application Fee - \$325.00

#### 2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

#### 3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires a resolution for approval.
- Subsequent to County Council action, notice of action will be provided to the applicant,



# Map Title

## Map Description

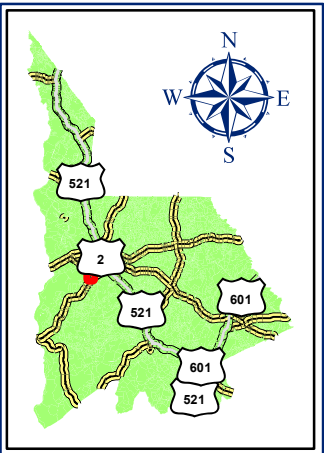
Map Title: <full path and name>  
Map Date: <Date map created>  
Map Created By:

Case Number: CU-019-1295

Proposal: Car Lot

Parcel Description: 0086C-0D-012.00

Applicant: Madgy Macharios



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The County of Lancaster provides this data for reference only. All data must be field verified before the information is used for design/project work. The County of Lancaster is not responsible or liable for any inaccuracies. Any design using this data is at users' sole risk. Also note that information is subject to change at any time.

