

Kershaw County Planning Commission
Minutes – Regular Session
October 11, 2007, 5:30 p.m.
County Council Chambers

Members Present: Lewis Shaw, David Brown, Charles Cottingham, Karen Eckford, and Richard Simmons

Members Absent: George Gibson and Dan Matthews

Staff Present: Carolyn Hammond and John Newman

I. Call to Order

- Chairman Lewis Shaw called the meeting to order at 5:34 p.m.

II. Public Comment Period

- Larry Kincaid of Elgin asked the Commission to consider placing their minutes and agendas on the website. He would like Commissioners to approve the minutes by e-mail shortly after their meeting so that the public will not have to wait a month before they are published.

III. Public Hearing on Rezoning Request of Reid Irwin

- Reid Irwin requests a zoning change of approximately 45 acres from R-15 Residential to PDD Planned Development District. The property is located on 2749 US Highway 1 South, approximately ¼ mile west of Elgin. TMS# 347-00-00-056 and 347-00-00-156.
- John Newman described the project and said that by incorporating R-15 type housing, townhouses, commercial uses, and office space, it is a genuine mixed use PDD.
- Reid Irwin called the project a town center/village type development. It will contain both single and multi-family housing along with a retail element. There will be a 14 ½ acre commercial area containing 99,000 square feet of retail/office space along with twenty-five 2000 square foot town homes with two car garages. A 30.7 acre area will consist of forty-five R-15 type residences on 15,000 square foot lots and 18 ½ acres of amenity and green space.
- Paula Hastings, daughter of adjoining property owner Paul Ross, told the Commission her father is not opposed to the project. He does, however, want two conditions to be required of the developer. The first is a fence installed by the developer to protect his property and liability. The second condition is the exclusion of “sin uses” such as tattoo parlors, adult bookstores, pawn shops, etc. She presented the Commission with photographs of a similar development in Sewanee, Georgia.
- Larry Kincaid asked if the project would be connected to septic or sewer. He also asked the same of the new Sentinel Health Partners office.
- John Potter was at the meeting to find out more about the proposed development. He and members of his family own adjacent property. One family member objects to the rezoning. There is a pond and a creek on their property that they are concerned about.
- Carolyn Hammond reported that Planning and Zoning had received a telephone call from William Hinson, an adjacent property owner residing at 2721 Highway 1, South. He opposes the rezoning.

IV. Approval of Minutes

- Karen Eckford motioned that the minutes of the September 13, 2007 regular meeting be approved. Richard Simmons seconded. All voted in favor.

V. Discussion and Recommendation of Planning Commission to County Council on Rezoning Requests of Harold Pickrel and Reid Irwin.

- Chairman Shaw announced that Harold Pickrel had withdrawn his request to rezone property at 1335 Fort Jackson Road from I-1 to R-15. He gave the audience an opportunity to speak on the matter. No one spoke and the Chairman moved on to the Irwin request.
- Richard Simmons asked what effect Reid Irwin's development would have on traffic. John Newman replied that a PDD automatically triggers consideration of a Traffic Management Study. Site development plans will have to first be submitted and the applicant also submits traffic counts and trip generation rates. The Planning Commission then decides if it will require a Traffic Management Plan or a portion of one. DOT could require a Traffic Impact Study. If so, the Commission would defer to that.
- John Newman answered Larry Kincaid's earlier question by saying that this project is sewer dependent. The developer is proposing to install a pump station to the Kershaw County sewer line. Capacity will be available upon completion of the new wastewater treatment plant.
- Lewis Shaw asked to see the location of the Ross property. Mr. Irwin pointed it out and added the owner he represents is in agreement with the conditions of Mr. Ross and Ms. Hastings, and will restrict use as they've requested.
- John Newman reported that Public Works has reviewed this plan and will review the site development plans when submitted.
- David Brown asked about time frame and sewer capacity. Mr. Irwin said immediate sewer capacity is available for the commercial component, but the residential component would have to wait. They had planned to develop the residential area first, but would start the commercial segment as soon as possible. David Brown advised Mr. Irwin to get on the sewer service request list as soon as possible.
- Lewis Shaw said he was impressed with the project. John Newman added the project had received staff approval. Chairman Shaw said he was pleased the developer was willing to listen to concerns of the property owners, but made it clear the Planning Commission is not involved in that process.
- Richard Simmons motioned that the Planning Commission recommend to County Council the approval of the rezoning of approximately 45 acres of property located at 2749 US Highway 1, South from R-15 to PDD. David Brown seconded, and all voted in favor.
- Ms. Hastings wanted to know who would make a binding agreement between her father and the developer. Lewis Shaw stated that would be between her and the developer, and that the Planning Commission had just voted for approval of the PDD as submitted. The only way to get the conditions included in the PDD is for County Council to amend the PDD. He went on to say that the County does not want to be in the business of maintaining fences. John Newman added that Council would probably be reticent to amend the PDD for a fence for one piece of property. Richard Simmons explained that Ms. Hastings and her father can hire an attorney to draft an agreement that will run with the land and the property. It will be binding when recorded with the Register of Deeds. Lewis Shaw ended by adding that, if the Planning Commission thinks fences are to be an integral part to developments, they would recommended to Staff that the Ordinance be changed.

VI. Staff status report on CIP program

- Lewis Shaw reported that he had given County Administrator, Bobby Boland the Commission's list of CIP recommendations, and that Mr. Boland will begin formulating the team.
- John Newman told the group that Penney Harvey had recently submitted the Library's long range facilities plan to the County.

VII. Staff Report on County Council Actions Concerning Planning & Zoning Commission

- John Newman reported the following County Council actions at their September 25th and October 9th, 2007 meetings:

September 25, 2007 County Council meeting

3rd reading on the Henry Walker rezoning from RD-2 to R-15. Council approved 7-0.

1st reading on Greenwood Development rezoning from RD-2 to PDD. Council approved 7-0.

1st reading on Edwin Cooper's White Pond Road rezoning from R-15 to PDD. Council approved 7-0.

Reappointment (2nd term) of George Gibson and Lewis Shaw to the Planning & Zoning Commission. Council approved 7-0.

October 9, 2007 County Council meeting

2nd reading on Greenwood Development's rezoning from RD-2 to PDD. Council approved 7-0.

2nd reading on Edwin Cooper's White Pond Road rezoning from R-15 to PDD. Council approved 7-0.

VIII. Other Items

- In response to Larry Kincaid's request about the minutes, John Newman said minutes are not minutes until they are approved by the body. No minutes will be published until they are approved. Under the law, minutes are to be approved by the body at an advertised public meeting. He went on to say that the website will be "live" in November, and that Staff had already planned to post the Commission's meeting dates, times, agendas, and minutes.

IX. Adjournment

- Karen Eckford motioned to adjourn. Richard Simmons seconded, and all voted in favor. The meeting adjourned at 6:18 p.m.

Respectfully submitted,

Carolyn B. Hammond
Secretary