



YORK COUNTY
COUNTY COUNCIL



ACTIONS • FEBRUARY 15, 2016

County Council Meeting

Agricultural Building
Council Chambers

6:00 PM

6 S. Congress Street, York, SC 29745

Call to Order

Chairman, J. Britt Blackwell, District 6

Invocation and Pledge of Allegiance

Council member, William "Bump" Roddey, District 4

Oath of Office for newly appointed Board and Commission Members

Antonia Barnes, Catawba Regional Workforce Investment Board

Appearances

Tom Smiley did not address Council regarding the Earth and Woods proposed rezoning.

Public Forum Session (limited to thirty (30) minutes, two (2) minutes per person)

Tom Kutz with Meritage Homes, 11605 N. Community House Drive addressed Council regarding their proposed rezoning in Fort Mill. Mr. Kutz feels that they have presented a plan that is fair to all individuals involved.

Public Hearing(s)

Old Business

- 1. Deferred Second Reading of AN ORDINANCE TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE OF ORDINANCES, SECTION 33.018, PAY POLICY, TO ADD NEW SUBSECTION 33.018(D) TO PROVIDE FOR AN ELECTED OFFICIAL DISCRETIONARY PAY POLICY; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.
2. Rezoning Action: Consider Third Reading: (This application has been formally withdrawn to end pursuit of the rezoning and any new rezoning request would need to be reinitiated.)

Case # 15-34
Tax Map # 6480000005
Zoning Request: Request to rezone property from RUD TO BD-III
Acres: 6.59 +/-
Council District: One (1) Johnson
Applicant: Earth and Woods, LLC
Owner: Wells Fargo Bank
Location: 3354 Hwy 160 in the Fort Mill community

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Planning and Development Staff: DENIAL
Planning Commission: APPROVAL with Condition (6-0) (Heinsohn (7) Recusal)

Staff Recommendation: Denial based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning is not consistent with the Comprehensive Land Use Plan for the area.
2. The proposed rezoning is not consistent with the character of the surrounding area.

Planning Commission Recommendation:

At its December 14, 2015 meeting the Planning Commission recommended approval of the rezoning and limited uses within the site to the following:

1. The use is limited to garden and lawn equipment sales and services

At its January 19, 2016 meeting the Council approved second reading with the following Condition:

1. Uses will be limited to permitted RUD uses allowed in BD-III and (§155.146) R5, S5, and S10 uses.

3. Rezoning Action: Gave Second Reading:

Case # 15-35
Tax Map # 7260000088P
Zoning Request: Request to rezone property from RD-I and BD-III to RD-II
Acres: 26.79 +/- of a 47.88 tract of land
Council District: One (1) Johnson
Applicant: Meritage Homes
Owner: Fresh Water Industries, Inc
Location: Regent Parkway in the Fort Mill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (8-0)

Staff Recommendation: Approval based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning is consistent with the Comprehensive Land Use Plan for the area.
2. The proposed rezoning is consistent with the character of the surrounding area

4. Rezoning Action: Gave Second Reading:

Case # 15-38
Tax Map # 6530000015P, 6550000005, 6550000006, 6550000010, 6550000031, & 6550000054

Zoning Request: Request to rezone property from RD-II and LI to BD-III
 Acres: 7.48 +/-
 Council District: Seven (7) Williams
 Applicant: Lidl US, LLC
 Owner: Forestar Real Estate Group; Ronald R and Debra E. Myers;
 Sandra B. McDonald; Barbara C. Funderburk; Patricia Lee
 Lewis, et al; N. Kathryn Jennings and David W. Jennings
 Location: 302 Hampton Trail Drive; 1060 Isom Road; 1051 RPC
 Road; 1740 & 1760 Pleasant Road, in the Fort Mill
 community
 Planning and Development Staff: APPROVAL
 Planning Commission: APPROVAL (8-0)

Staff Recommendation: Approval based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. While the proposed rezoning is not consistent with the Comprehensive Plan there are similar uses found in the immediate area.
 2. The proposed use identified within the rezoning application is compatible with the uses found in the surrounding.
5. GAVE SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT AND AN INFRASTRUCTURE FINANCE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND PROJECT EAGLE, THE CODE NAME FOR CERTAIN LIMITED LIABILITY COMPANIES AND/OR CORPORATIONS WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, AND SUCH COMPANIES AND/OR CORPORATIONS WILL RECEIVE CERTAIN INFRASTRUCTURE CREDITS IN RESPECT OF INVESTMENT IN RELATED INFRASTRUCTURE; AND OTHER MATTERS RELATED THERETO.
 6. Gave second reading of an Ordinance authorizing the execution and delivery of a Fee In Lieu of tax agreement by and among York County and Project Raven ("Sponsor") and Beacon Waterford LLC. and/or its Affiliates ("Sponsor Affiliate"), whereby York County will enter into a Fee In Lieu of tax arrangement with the sponsor and sponsor affiliate and providing for payment by the sponsor and sponsor affiliate of certain Fees in Lieu of Ad Valorem taxes; providing for the allocation of Fees in Lieu of taxes payable under the agreement for the establishment of a Multi-County industrial/business park; and other matters relating thereto.
 7. GAVE SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND HARRELL INDUSTRIES, INC.; TO PROVIDE FOR A FEE IN LIEU OF TAXES; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

New Business

1. Due to inclement weather the Informational presentation by MGT representative regarding salary study as requested by Council was postponed.
2. Monthly Comprehensive Plan Update - Audra Miller, Planning Director.
3. Approved nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on January 19, 2016, along with nominations from the floor: Darren Brittain, Planning Commission (At Large-5) and Rodney Hicks, Zoning Board of Appeals (District 7).
4. GAVE AUTHORIZATION TO APPLY AND TO ACCEPT IF AWARDED, A SOUTH CAROLINA COORDINATING COUNCIL ECONOMIC DEVELOPMENT SETASIDE GRANT FOR PROJECT COTTON CANDY IN THE AMOUNT OF \$200,000. NO LOCAL MATCH IS REQUIRED.
5. GAVE FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO AN EXISTING FEE-IN-LIEU OF TAX AGREEMENT BETWEEN YORK COUNTY AND THE LASH GROUP, INC. AND KINGSLEY #9, LLC (THE "FEE AGREEMENT") SO AS TO ADMIT ONE NEW SPONSOR AFFILIATE (THE "TRANSFEREE"); TO BIFURCATE THE FEE AGREEMENT AS TO THE OBLIGATIONS OF THE EXISTING AFFILIATE SPONSOR, KINGSLEY #9, LLC, AND THE TRANSFEREE AS AN ADDITIONAL SPONSOR AFFILIATE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Consent Agenda

Approved the Consent Agenda and approved the minutes from the January 26, 2016 County Council Workshop, with amendments, the February 1, 2016 Finance & Operations Committee meeting, the February 1, 2016 Transportation Committee meeting and the February 1, 2016 County Council meeting.

Committee and Other Reports

Zoning Committee, Monday, February 15, 2016, 5:00pm, Chairman, Bruce Henderson

Council Member New/Non-agenda Comments

Council member Michael Johnson requested that an ordinance be drafted by staff and on the first County Council agenda no later than the first meeting in April that says the following: Effective immediately York County shall stop the issuance of either preliminary or final plat approvals within the unincorporated areas of the Fort Mill Township and Bethel Township as it relates to residential housing to include but not be limited to apartments, town homes, single family homes, and condominiums until such time that the County Council lifts the temporary freeze, enacts a public facility ordinance or enacts a comprehensive road plan to include but not limited

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to addressing connectivity, future road placement, road capacity, and detailing how the County will alleviate congestion on the roads while allowing additional homes to be built. Council member Johnson would also like to see this happen with the land use plan.

Council member Christi Cox agreed with Council member Michael Johnson but would like to see something prior to the first meeting in April. Also, Council member Cox would like to see something on the next agenda regarding amending notice requirements for rezoning. Also, Council member Cox would like some type of mechanism developed for automatic emailing to citizens if they have a rezoning in their area.

Council member William "Bump" Roddey would like staff to continue addressing the litter issue in the County and looks forward to the litter presentation by staff at the next Council meeting.

Chairman Britt Blackwell stated that Watts Huckabee, Chairman of the Hospitality Tax Committee requested that Council meet with the School Boards, municipalities, etc. to discuss H-Tax funds. Chairman Blackwell requested that this be scheduled sometime in March. Council member Christi Cox requested that the committees, such as, H-Tax, Planning Commission, York County Forever, coordinate together so that they each know how much funding they have and what projects they are using it for.

Executive Session: Personnel Matter - Executive Administrative Assistant, Crime Analyst, Chief Detention Center Administrator, Assistant Chief Detention Center Administrator, Security Captain-Detention Center, Public Information Officer, Paralegal Supervisor, Financial Specialist, IT Systems Manager/Engineer and IT Specialist/Application Coordinator

Matters for consideration following Executive Session

Adjourn