



**YORK COUNTY
COUNTY COUNCIL**

MINUTES • AUGUST 15, 2016

FINAL



County Council Meeting

**Agricultural Building
Council Chambers**

6:00 PM

6 S. Congress Street, York, SC 29745

District 1 Michael Johnson: Present, District 2 Bruce Henderson: Present, District 3 Robert Winkler: Present, District 4 William "Bump" Roddey: Present, District 5 Christi Cox: Present, Council Chairman District 6 Britt Blackwell: Present, District 7 Chad Williams: Present.

Notice of Meeting

Notice of the meeting was forwarded to members of Council, the news media, to staff, to the York County Library and all branches, to citizens requesting notification and posted to the county's web page.

Oath of Office for newly appointed Board and Commission Members

David Williams, York County Economic Development Board
Wendi Michael, Library Board (District 1) **ABSENT**
Alan Abernathy, York County Forever (District 2) **ABSENT**
Stephen Strokis, Riverview Fire Tax District Board
Lonnie Manus, Riverview Fire Tax District Board
Manning Kimmel, Rock Hill/York County Airport Commission
Pickens Freeman, Rock Hill/York County Airport Commission

Appearances

(6:04pm) Introduction of Trish Startup, Public Information Officer and Kevin Madden, Treasurer/Finance Director

(6:06pm) James Thoroughman, 412 Double Eagle Trace, York, SC addressed Council requesting an extension of his Temporary Dwelling Permit.

CJ Ramsey to address Council regarding the water contamination in the Travis Acres neighborhood. **ABSENT**

(6:07pm) Xavier Tufty addressed Council regarding a sewer spill in the Regent Park neighborhood that caused extensive damage to 3 separate homes. Mr. Tufty would like a definite approval and/or denial from the County to move forward with the process.

(6:18pm) Carey Tilley provided Council with an update on the McCelvey Center.

(6:22pm) Presentation by Rob Weaver, Tax Assessor regarding the SC & NC Boundary Line.

(6:29pm) Jim Britton with Cumming Construction presented the schematic design for the Public Works Facility.

(6:36pm) DP3 Architects gave a presentation regarding the proposed Public Works Facility.

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

(6:43pm) Will Mitchell, President of the York County Greater York Chamber, 1044 N. Beersheba Road, Clover, South Carolina addressed Council regarding their support for the York County Economic Product Development Fund.

(6:45pm) Robb Hudson, Chairman of the York County Economic Development Board, 568 Sweet Peach Lane, Fort Mill, South Carolina addressed Council regarding their support for the York County Economic Product Development Fund.

Public Hearing(s)

1. **Public Hearing**

The following individuals spoke in opposition of the proposed rezoning:

(6:48pm) Leah Youngblood, 58 Honeysuckle Woods, Lake Wylie, South Carolina, addressed Council regarding her opposition to the proposed rezoning.

(6:50pm) Teresa Berenni, 23 Woodvine Lane, Clover, South Carolina addressed Council regarding her opposition to the proposed rezoning.

(6:52pm) Pete Goodson, 56 Honeysuckle Woods, Lake Wylie, South Carolina addressed Council regarding his opposition to the proposed rezoning.

(6:54pm) Karen Summers, General Manager of the River Hills Community Association addressed Council regarding their opposition to the proposed rezoning.

(6:57pm) Ray and Mary Williams, members of the Lake Wylie Civic Association, 313 Squirrel Lane, Lake Wylie, South Carolina addressed Council regarding their opposition to the proposed rezoning.

(7:03pm) Frank Tucker, 41 Honeysuckle Woods, Lake Wylie, South Carolina addressed Council regarding his opposition to the proposed rezoning.

(7:04pm) Scott Clinton, 43 Honeysuckle Woods, Lake Wylie, South Carolina addressed Council regarding his opposition to the proposed rezoning.

The following individuals spoke in favor of the proposed rezoning:

(7:05pm) Russ Davey, 4609 Pleasant Hill Road, Charlotte, North Carolina. Mr. Davey is the owner of the property and he addressed Council regarding his support for the proposed rezoning.

(7:10pm) There being no other individuals interested in speaking for or against the proposed rezoning a motion was made by Council member Robert Winkler and seconded by Council member Michael Johnson to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler

SECOND: Michael Johnson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

Rezoning Action: Consider Second Reading and Public Hearing:

Case # 16-11
Tax Map # 5750000026
Zoning Request: To rezone from RC-I to BD-III
Acres: +/- 4.69 acres
Council District: Two (2) Bruce Henderson
Applicant: Russell Davey
Owner: Lake Wylie Partners, LLC
Location: 4581 Charlotte Hwy in the Lake Wylie community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (7-0)
Planning Commission Date: June 13, 2016

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

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

Staff has provided three additional documents to this agenda item:

- Conditions from applicant
- River Hills Community Association opposition letter
- Petition against rezoning

The applicant has proposed the following conditions to be applied to their rezoning request (This is also provided as an attached document.):

Restrictions on uses:

1. No uses that are not allowed in the BD-III zoning district as of August 2016
2. None of the following uses that otherwise would be allowed by right in the BD-III

- zoning district:
- a. Automobile and boat service, repair, or customization
 - b. Hospitals, medical clinics, animal hospitals, veterinary clinics, or kennels
 - c. Grocery stores
 - d. RV parks
 - e. Trucking operations
 - f. Funeral homes
 - g. Lodges and civic clubs
 - h. Apartments
 - i. Motels and hotels
3. None of the following uses that otherwise could be allowed by special exception in the BD-III zoning district:
 - a. Adult entertainment
 - b. Bars
 4. No vehicular or pedestrian access onto Honeysuckle Woods

(7:13pm)

DENIED [1 to 6]

MOVANT: Bruce Henderson

SECOND: Michael Johnson

AYES: Bruce Henderson

NAYS: Johnson, Winkler, Roddey, Cox, Blackwell, Williams

Motion to approve with conditions/restrictions as previously stated in addition to a 50ft. buffer.

(7:28pm)

ADOPTED [6 to 1]

MOVANT: Michael Johnson

SECOND: William "Bump" Roddey

AYES: Johnson, Winkler, Roddey, Cox, Blackwell, Williams

NAYS: Bruce Henderson

2. Close Public Hearing

(7:32pm) There being no one interested in speaking for or against the proposed rezoning a motion was made by Council member Michael Johnson and seconded by Council member Robert Winkler to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

COUNCIL TO CONSIDER 2ND READING AND HOLD A PUBLIC HEARING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, SECTIONS 92.30 (FIRE CODE), 150.04(A) (BUILDING CODE), 150.04(B) (RESIDENTIAL CODE), 150.06 (ELECTRICAL CODE), 150.08 (GAS CODE), 150.09 (PLUMBING CODE), 150.10 (MECHANICAL CODE), AND ADD 150.12 (INTERNATIONAL EXISTING BUILDING CODE); IN ORDER TO INCORPORATE CERTAIN PROVISIONS OF THE FIRE CODE AND CERTAIN ADMINISTRATIVE PROVISIONS OF CONSTRUCTION RELATED CODES AS MODIFIED AND ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:32pm)

APPROVED [6 to 1]

MOVANT: Michael Johnson

SECOND: Chad Williams

AYES: Johnson, Winkler, Roddey, Cox, Blackwell, Williams

NAYS: Bruce Henderson

Old Business

1. Consider Approval of an Agreement by and among York County, the Culture and Heritage Commission, and the Nation Ford Land Trust for the implementation of a 25 year commitment to a trail easement with public access for a segment of the Carolina Thread Trail.

(7:32pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

2. Consider Third Reading of AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 32, SECTIONS 32.36(A)(1) AND (A)(2) FOR THE PURPOSE OF CREATING STAGGERED THREE YEAR TERMS FOR BOARD MEMBERS SERVING ON THE CULTURE AND HERITAGE COMMISSION; TO SET OUT THE TRANSITION OF SITTING MEMBERS TO THE NEWLY ESTABLISHED INITIAL STAGGERED TERMS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:32pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: William "Bump" Roddey

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

3. Consider third reading of AN ORDINANCE TO AMEND CHAPTER 35 OF THE YORK COUNTY CODE, RELATING TO TAXATION AND FINANCE, SO AS TO ADD NEW SECTION 35.150 ENTITLED "ECONOMIC DEVELOPMENT PROJECT DEVELOPMENT FUND"; TO PROVIDE FOR THE CREATION OF THE FUND AND ITS PURPOSES AND USES; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(7:32pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Michael Johnson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

Motion to amend the original motion to add a sunset provision of two years.

(7:35pm)

DEFEATED [3 to 4]

MOVANT: Christi Cox

SECOND: Bruce Henderson

AYES: Bruce Henderson, William "Bump" Roddey, Christi Cox

NAYS: Michael Johnson, Robert Winkler, Britt Blackwell, Chad Williams

4. Summary of TIA, Subdivision and Rezoning Ordinances - Planning Director

(7:49pm) Audra Miller, Planning Director provided a summary on the TIA, Subdivision and Rezoning Ordinances. Ms. Miller stated that staff is going to make it mandatory for anyone submitting a rezoning application for them to attend a pre-submittal meeting which are every Thursday or schedule a meeting with staff so that staff can explain the details and have a chance to understand the project going forward. Also, when the application is submitted, staff will review and make sure it is complete and then it will be forwarded to the transportation planner and the zoning administrator and staff will only take 5 days to respond back to the applicant. Ms. Miller also stated that it will most likely be October or November Council will receive a summary of the traffic impact analysis which will include what the recommendations are of the TIA. Finally, rezoning site plans will have a site plan with every rezoning application.

5. CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, ENTITLED ZONING CODE, SECTIONS 155.009, DEFINITIONS; 155.571, INITIATION OF AMENDMENT, SUBSECTIONS (B), (C) AND (D); AND 155.572, PLANNING COMMISSION REPORT, SUBSECTION (B); IN ORDER TO AMEND THE DEFINITION OF SITE PLAN; REQUIRE A SITE PLAN AND TRAFFIC IMPACT ANALYSIS BE SUBMITTED FOR ALL APPLICATIONS FOR AMENDMENT (REZONING); TO PRECLUDE THE PLANNING COMMISSION FROM CONSIDERING APPLICATION FOR AMENDMENT (REZONING) UNTIL AN APPLICATION IS COMPLETE; TO ADD TRAFFIC IMPACT FACTORS AS A CONSIDERATION FOR THE PLANNING COMMISSION REPORT; TO PROVIDE FOR A PUBLIC HEARING; TO TAKE EFFECT SEPTEMBER 1, 2016; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:57pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

6. CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 154, ENTITLED SUBDIVISION CODE, SECTIONS 154.029, PRELIMINARY PLAT REVIEW, SUBSECTIONS (B) AND (D); AND 154.030, PRELIMINARY PLAT APPLICATION AND SUPPORTING DATA (REQUIREMENTS), SUBSECTIONS (A)(1) AND (A)(4); IN ORDER TO REVISE PRELIMINARY PLAT REVIEW PROCEDURES BY REQUIRING ALL APPLICATION REQUIREMENTS BE MET BEFORE THE PLANNING COMMISSION MAY REVIEW AN APPLICATION FOR PRELIMINARY PLAT; TO ESTABLISH FINDINGS FOR PRELIMINARY PLAT APPROVAL BY THE PLANNING COMMISSION; TO AMEND THE APPLICATION REQUIREMENTS FOR A PRELIMINARY PLAT TO INCLUDE TRAFFIC IMPACT ANALYSES; CLARIFY THE APPLICATION REQUIREMENTS REGARDING SCDHEC APPROVAL OF SEPTIC SYSTEMS; TO PROVIDE FOR A PUBLIC HEARING; TO TAKE EFFECT SEPTEMBER 1, 2016; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(7:58pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

7. CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 154, ENTITLED SUBDIVISION CODE, SECTIONS 154.004, DEFINITIONS; AND 154.037, PLAT APPROVAL PROCESS: STREETS; IN ORDER TO ADD DEFINITIONS FOR AVERAGE DAILY TRIPS, AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS, INSTITUTE OF TRANSPORTATION ENGINEERS, AND TRAFFIC IMPACT ANALYSIS METHODOLOGY GUIDELINES; TO AMEND TRAFFIC IMPACT ANALYSIS REQUIREMENTS IN THEIR ENTIRETY; TO PROVIDE FOR A PUBLIC HEARING; TO TAKE EFFECT SEPTEMBER 1, 2016; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(8:00pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Michael Johnson
AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

8. Rezoning Action: Consider Third Reading:

Case # 16-07
Tax Map # 5350000152
Zoning Request: To rezone from RC-II to BD-III
Acres: +/- 9 acres
Council District: Four (4) William "Bump" Roddey
Applicant: Brent A. Finley
Owner: Sherry Stillwell/Estate of Frances Johnston
Location: 1626 Darby Road in the Rock Hill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL with condition (8-0)
Planning Commission Date: May 9, 2016

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

1. The proposed rezoning request is consistent with the Comprehensive Land Use Plan for the area.
2. The proposed rezoning request is consistent with the character of the surrounding area.
3. The proposed rezoning request is located within a small mixed use node that includes commercial development.

At their May 9, 2016 meeting, the Planning Commission recommended the following condition:

1. Restrict all uses except "ministorage" and permitted accessory uses.

(8:00pm)

Motion to approve with conditions

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey
SECOND: Christi Cox
AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

New Business

1. Consider approval of a lease agreement for office space for the Solicitor's Office.

(8:01pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Christi Cox

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

2. CONSIDER FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND RUDOLPH-VENTURE CHEMICAL, INC., TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXES, ESTABLISHING THE APPLICABLE ASSESSMENT RATIO AND MILLAGE RATE AND PROVIDING FOR OTHER MATTERS RELATING THERETO

(8:01pm)

APPROVED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

3. CONSIDER FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE TO CRESCENT LAKEMONT EAST, LLC (INCLUDING ITS AFFILIATED AND RELATED ENTITIES) (FORMERLY IDENTIFIED AS PROJECT CRESCENT); THE INCLUSION OF CERTAIN PROPERTY IN YORK COUNTY, SOUTH CAROLINA IN A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK; AND OTHER MATTERS RELATED THERETO.

(8:01pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Michael Johnson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

4. Consider approval of a Venue Agreement with the York Chamber of Commerce for the utilization of County properties for staging of Summerfest activities

(8:02pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

5. Council to consider contract approval with Kimley-Horn a not-to-exceed amount of \$100,000 for cost estimation/risk assessment for potential roadway improvement projects associated with the 2017 Capital Projects Sales and Use Tax Initiative.

(8:02pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

6. Council to consider contract approval with HDR Engineering, Inc. of the Carolinas in a not-to-exceed amount of \$100,000 for cost estimation/risk assessment for potential roadway improvement projects associated with the 2017 Capital Projects Sales and Use Tax Initiative.

(8:03pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Robert Winkler

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

7. Council to consider approval of Change Order No. 1 to Granite Contracting LLC's construction contract in the amount of \$263,250.25 For Construction Of a 10-inch sewer force main on the Tega Cay/Gold Hill Road Connector Project for York County.

(8:03pm)

APPROVED [6 to 1]

MOVANT: Michael Johnson

SECOND: Chad Williams

AYES: Henderson, Winkler, Roddey, Cox, Blackwell, Williams

NAYS: Michael Johnson

8. Council to consider approval of Black & Veatch engineering contract in a not-to-exceed amount of \$253,496.00 which includes a 10% Contingency for updating the master plan for the Western Water Distribution System.

(8:11pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

9. Council to Consider and Approve Clarification to the Current Membership of the Building Board of Appeals as designated by the Finance and Operations Board at their June 20, 2016, so that Mr. Sieck and Mr. Harper should serve as members and so that Mr. Crenshaw and Mr. Ferrara should serve as alternates.

(8:12pm)

APPROVED [Unanimous]

MOVANT: Bruce Henderson

SECOND: Robert Winkler

AYES: Henderson, Winkler, Roddey, Cox, Blackwell, Williams

ABSTAIN: Michael Johnson

10. Consider approval of adding approximately 400 feet of Crosby Lane to the list of County Council approved road closure candidates due to roadway safety concerns and authorize the County Attorney's Office to petition the court for road closure.

(8:12pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

11. Council to approve the Planning Commission's Recommendation to rename McKinney Street (J4-008) to Legion Road (S-1230).

(8:13pm)

APPROVED [Unanimous]

MOVANT: Chad Williams

SECOND: Bruce Henderson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

12. Council to approve the Planning Commission's Recommendation to rename Fort Mill Southern By-Pass to Fort Mill Parkway beginning at the intersection of Dobys Bridge Road and Holbrook Road and ending at the intersection of Tom Hall Street and Highway 160 E.

(8:13pm)

The original motion was approved.

DEFERRED [4 to 3]

MOVANT: Robert Winkler
SECOND: Bruce Henderson
AYES: Bruce Henderson, Robert Winkler, William "Bump" Roddey, Chad Williams
NAYS: Michael Johnson, Christi Cox, Britt Blackwell

Motion to reconsider

(8:15pm)

ALLOWED [Unanimous]

MOVANT: Bruce Henderson
SECOND: Chad Williams
AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

Motion to defer agenda items 12, 13 and 14.

(8:18pm)

ALLOWED [Unanimous]

MOVANT: Michael Johnson
SECOND: Christi Cox
AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

13. Council to approve the Planning Commission's Recommendation to rename Hensley Road (S-242) to East Hensley Road from Fort Mill Southern Bypass east to the 1299-1300 block of Tom Hall Street and E. Highway 160.

DEFERRED [Unanimous]

MOVANT:
SECOND:
AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

14. Council to approve the Planning Commission's Recommendation to rename Hensley Road (S-242) to West Hensley Road from Fort Mill Southern Bypass west to the 1300 block of N. Dobys Bridge Rd. (S-36).

DEFERRED [Unanimous]

MOVANT:

SECOND:

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

15. Rezoning Action: Consider First Reading:

Case # 16-12
Tax Map # 5350000226
Zoning Request: To rezone from AGC-I to RC-I
Acres: +/- 5.59 acres
Council District: Four (4) William "Bump" Roddey
Applicant and Owner: Henry Massey, Jr.
Location: 1399 Falls Road in the Rock Hill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (7-0)
Planning Commission Date: July 11, 2016

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.

(8:20)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Michael Johnson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

16. Rezoning Action: Consider First Reading:

Case # 16-14
Tax Map # 7580000042
Zoning Request: To rezone from AGC-I to RUD
Acres: +/- 5.28 acres
Council District: Five (5) Christi Cox
Applicant and Owner: Donald N. Zimmerman III

Location: 555 Rowells Road in the Catawba community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (7-0)
Planning Commission Date: July 11, 2016

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

1. The proposed rezoning is consistent with the recommended land uses of the 2025 Comprehensive Plan
2. The proposed rezoning is consistent with the character of the community

(8:20pm)

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Michael Johnson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

17. Rezoning Action: Consider First Reading:

Case # 16-15
Tax Map # 2290000034
Zoning Request: To rezone from RC-I to AGC
Acres: +/- 10.01 acres
Council District: Three (3) Robert Winkler
Applicant and Owner: Marissa A. Wells
Location: North Burris Road in the McConnells community
Planning and Development Staff: DENIAL
Planning Commission: APPROVAL (7-0)
Planning Commission Date: July 11, 2016

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

- The AGC rezoning request is not consistent with the character of the area.
- The rezoning request is not consistent with the Comprehensive Plan's recommended land use designation. However, it is less intensive than what the Plan recommends.
- The subject parcel could be further subdivided under the RUD zoning and still accomplish the goals the applicant is pursuing.
- RUD zoning would be more appropriate for the area.

(8:21pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

18. Rezoning Action: Consider First Reading:

Case # 16-16
Tax Map # 6170000001, 6170000026, 6170000077, 6170000084
& 6170000085
Zoning Request: A Major Modification to the Lazy Hawk Planned
Development
Acres: +/- 179.12 acres
Council District: Five (5) Christi Cox
Applicant and Tom Cat Too, LLC and Blackwell Family Properties,
LLC
Owner: Cat Real Estate Holdings, LLC and Lazy Hawk
Property Owners Association
Location: Lazy Hawk Road in the Rock Hill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (7-0)
Planning Commission Date: July 11, 2016

Staff Recommendation: Approval

Based on the information prepared by staff outlined within this Planning Commission report, staff recommends partial approval because of the following considerations and findings:

1. The proposed major amendment is consistent with the Comprehensive Plan.

Staff Supports:

1. The proposed amendment to increase the maximum building height from 35 to 50 feet which will allow the site to be developed at a height consistent with existing zoning and development standards.
2. Modification of the of the landscape buffer language regarding the maintaining of adequate screening, eliminating tree harvesting, and conditions permitting tree removal.

Staff Opposes:

1. Removing the language restricting loading dock orientation towards residential areas because this will create noise impacts that cannot be adequately mitigated by existing natural buffers. ***The applicant requested removal of this proposed amendment.**

This proposed modification was removed at Planning Commission.

(8:21pm)

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Michael Johnson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

Motion to reconsider

(8:23pm)

ALLOWED [Unanimous]

MOVANT: Christi Cox

SECOND: Bruce Henderson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

Motion to approve

(8:24pm)

ALLOWED [Unanimous]

MOVANT: Christi Cox

SECOND: William "Bump" Roddey

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

19. Council to consider rejection of all bids received regarding Bid #2362 for the 2015-2016 C Fund Resurfacing Project.

(8:22pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

20. CONSIDER FIRST READING BY TITLE ONLY OF AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF A FINANCING AGREEMENT NECESSARY TO PROVIDE FUNDING FOR THE CONSTRUCTION OF A NEW STATION FOR THE RIVERVIEW SPECIAL FIRE TAX DISTRICT; TO AUTHORIZE THE EXECUTION AND DELIVERY OF ALL DOCUMENTS AND/OR INSTRUMENTS NECESSARY OR APPROPRIATE TO THE CONSUMMATE SUCH AGREEMENT; AND, TO PROVIDE FOR OTHER MATTERS RELATED THERETO

(8:25pm)

Move to the Justice & Public Safety Committee for further review.

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Robert Winkler

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

21. Consider First Reading by Title Only of an Ordinance amending the York County Procurement Code by amending Section 35.007(B)(8) in order to clarify the role of the York County Purchasing Director, and the related process, in authorizing or seeking participation in the contracts negotiated and established by the State of South Carolina (State Contracts) and by amending Section 35.010(D)(3) in order to clarify the County's use of State Contracts while maintaining other requirements in the Code; and, to provide for other matters related thereto.

(8:27pm)

APPROVED [Unanimous]

MOVANT: William "Bump" Roddey

SECOND: Michael Johnson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

22. Council to consider declaring a 1986 KME fire truck apparatus and associated equipment as surplus and award the fire truck and equipment to York County's Oakdale Fire Department.

(8:28pm)

APPROVED [Unanimous]

MOVANT: Christi Cox

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

23. Council to consider award of Bid #2356 regarding the purchase of 34 sets of peak performance turnout gear on behalf of the Department of Fire Safety, to the lowest responsible bidder, Newton's Fire and Safety of Graham NC for a total amount of \$71,668.60.

(8:28pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Chad Williams

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

24. Consider approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on July 18, 2016, along with nominations from the floor: Jeff Bushardt, York County Economic Development Board, Jimmy Sprouse, York County Economic Development Board, Mark Hamrick, Keep York County Beautiful-6, Marilyn Hakim, Keep York County Beautiful-At Large, Valerie Lynch, Board of Assessment Appeals-2, and Teresa Bass, Employee Grievance Committee.

(8:32pm)

APPROVED [Unanimous]

MOVANT: Michael Johnson

SECOND: Robert Winkler

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

Consent Agenda

(8:32pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

AYES: Johnson, Henderson, Winkler, Roddey, Cox, Blackwell, Williams

1. Approval of July 18, 2016 Regular Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

2. Approval of July 18, 2016 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

3. Approval of July 18, 2016 Transportation Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

4. Approval of July 18, 2016 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

5. Approval of July 27, 2016 Special Called Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Robert Winkler

SECOND: Bruce Henderson

Committee and Other Reports

(8:33pm) Pennies for Progress Committee, August 15, 2016, 4:30pm, Chairwoman Christi Cox

Chairwoman Christi Cox provided the following recommendations from the Pennies for Progress Ad Hoc Committee:

1. The program stay in house management
2. All projects on Pennies 3 be completed
3. We need to reduce and control utility right of way costs and define the scope of our projects at the outset.
4. Insure that the Commission is providing clear and costs estimates of projects at the outset.

(8:45pm) Justice & Public Safety Committee, August 15, 2016, 5:00pm, Chairwoman Christi Cox

Council Member New/Non-agenda Comments

(8:46pm) Council member Chad Williams informed Council about an email that he and Council member Robert Winkler received from a citizen that was pleased with the early reopening of Adnah Church Road and with the Public Works staff for removing a tree in a timely manner.

Executive Session

Contractual Matter - Carolina Water Service

Personnel Matter - Assistant County Manager and the Library Director

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 9:26pm.



Karen M. Brogdon, Clerk to Council