



**YORK COUNTY  
COUNTY COUNCIL**

**AGENDA • 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 to address Council regarding the Earth and Woods proposed rezoning.

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

**Public Hearing(s)**

**Old Business**

1. Consider 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:

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
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:

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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: Consider 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: Consider 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;

Location: Sandra B. McDonald; Barbara C. Funderburk; Patricia Lee Lewis, et al; N. Kathryn Jennings and David W. Jennings  
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. CONSIDER 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. Council to consider 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. CONSIDER 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**

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1. Informational presentation by MGT representative regarding salary study as requested by Council.
2. Monthly Comprehensive Plan Update - Audra Miller, Planning Director
3. Consider approval of 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. REQUEST 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. CONSIDER 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**

1. Minutes of County Council Workshop - Workshop - Jan 26, 2016 6:00 PM
2. Minutes of Finance & Operations Committee - Finance & Operations Committee - Feb 1, 2016 5:00 PM
3. Minutes of Transportation Committee - Transportation Committee - Feb 1, 2016 5:55 PM
4. Minutes of County Council - County Council Meeting - Feb 1, 2016 6:00 PM

### **Committee and Other Reports**

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

### **Council Member New/Non-agenda Comments**

**Executive Session: Personnel Matter - Executive Administrative Assistant, Crime Analyst, Chief Detention Center Administrator, Assistant Chief Detention Center Administrator,**

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**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**