



YORK COUNTY
PLANNING COMMISSION
MINUTES • MARCH 13, 2023
FINAL



Planning Commission

York County Government Center
6 South Congress Street
York, SC 29745

6:00 PM

Chair, District 1 Kate Kraxberger: Present, District 2 Jamie Henrickson: Present, District 3 Aubrie Parham: Present, District 4 Antonio Mickel: Present, District 5 Mike Duralia: Present, District 6 Matthew Velkovich: Present, District 7 Thomas Bach: Present, At Large John Segura: Present, At Large Greg Simmons: Present, Planning Manager Diane Dil: Present, Planning & Development Services Director Jonathan Buono: Present, Development Service Manager Josh Reinhardt: Present, Zoning Assistant Marion Ray: Present, Secretary Bonnie Marsiglia: Present.

Approval of the Agenda

Kate Kraxberger called the meeting to order at 6:05 p.m. The agenda was approved with a motion by Matt Velkovich and a second by Tom Bach.

Adoption of Minutes

1. Approval of February 13, 2023 Planning Commission Minutes

ACCEPTED [Unanimous]

MOVANT: Greg Simmons

SECOND: John Segura

New Business

1. Subdivision: Mimosa Farms Applicant: LotSales, Inc/Tracy Ferguson Tax Map Numbers: 246-00-00-038 & -040 Total Acreage: 93.77 acres Total Lots: 10 single-family lots Council District #3: Tommy Adkins Zoning District: Agricultural Conservation (AGC)

Marion Ray presented the Preliminary Plat covering details from the packet. Antonio Mickel motioned to approve and Matt Velkovich seconded the motion that was approved unanimously 8/0.

APPROVED [Unanimous]

MOVANT: Antonio Mickel

SECOND: Matthew Velkovich

AYES: Kraxberger, Parham, Mickel, Duralia, Velkovich, Bach, Segura,
Simmons

AWAY: Jamie Henrickson

2. Rezoning 23-06; Taylor Horry Properties, LLC / Taylor York Properties, LLC (Applicant/Owner); requesting to rezone 4 parcels for a total of +/- 12.5 acres from UD to LI. The subject parcels are located on Highway 51 and Flint Hill Road, Fort Mill. The property is referenced as tax map numbers 725-00-00-022; 725-00-00-302; 725-00-00-303; 726-00-00-081 Council District 7 - Coninger.

Matt Velkovich recused himself for this request.

Diane Dil presented the request. It was noted that these parcels were in code violation because: 1) they are being used without zoning compliance, 2) no site approval for change of use, 3) land clearing without land disturbance permit. Diane also noted that the Comprehensive Plan has been adopted changing the area now to Artisan Employment. The Commissioners expressed concerns regarding buffers. They were informed that buffers would be taken care of in the site plan process.

Jamie Henrickson, Commissioner, joined the meeting at 6:16 p.m. for the discussion. John Segura motioned to approve the request and Tom Bach seconded the motion. This passed unanimously 8/0.

APPROVED [Unanimous]

MOVANT: John Segura

SECOND: Thomas Bach

AYES: Kraxberger, Henrickson, Parham, Mickel, Duralia, Bach, Segura,
Simmons

RECUSED: Matthew Velkovich

3. Rezoning 23-07; Lisa Allen (Applicant/Owner); requesting to rezone 3 parcels for a total of +/- 3.04 acres from RSF-40 to RMX-20. The subject parcels are located on Elks Park Road, Rock Hill. The property is referenced as tax map numbers 639-00-00-055, 639-00-00-055, 639-00-00-112 Council District 6 - Huckabee.

Diane Dil presented the request. The property owner is looking to adjust lot lines with this request. Matt Velkovich motioned to approve. With a second by Kate Kraxberger the motion passed unanimously 9/0.

APPROVED [Unanimous]

MOVANT: Matthew Velkovich

SECOND: Kate Kraxberger

AYES: Kraxberger, Henrickson, Parham, Mickel, Duralia, Velkovich, Bach, Segura, Simmons

4. Rezoning 23-08; Property Advisors, LLC (Applicant/Owner); requesting to rezone 4 parcels for a total of +/- 0.802 acres from RSF-40 to RMX-10. The subject parcels are located on Palmetto Drive, Rock Hill. The property are referenced as tax map numbers 586-01-10-001; 586-01-10-002; 586-01-10-003; 586-01-10-004 Council District 6 - Huckabee.

Matt Velkovich recused himself for this request.

Diane Dil presented the request noting the outstanding stormwater violation. She noted that if Council intends to approve this request, staff is recommending that Council defer third reading until the property is properly stabilized. Antonio Mickel motioned to approve. With a second by Tom Bach the motion passed unanimously 8/0.

APPROVED [Unanimous]

MOVANT: Antonio Mickel

SECOND: Thomas Bach

AYES: Kraxberger, Henrickson, Parham, Mickel, Duralia, Bach, Segura, Simmons

RECUSED: Matthew Velkovich

5. Rezoning 23-09; Ainslee Moss (Applicant) Ainslee Moss, James House, Nolan House; requesting to rezone a total of 6.49 acres from AGC to RUD. The subject parcel is located at 2192 and 2196 Garvin Road, York. The property is referenced as tax map number 337-00-00-015 Council District 3 - Adkins.

Diane Dil presented the request. Tom Bach motioned to approve. With a second by John Segura the motion passed unanimously 9/0.

APPROVED [Unanimous]

MOVANT: Thomas Bach

SECOND: John Segura

AYES: Kraxberger, Henrickson, Parham, Mickel, Duralia, Velkovich, Bach, Segura, Simmons

6. Rezoning 23-10; Fred Gilbert Ramsey (Applicant/Owner) requesting to rezone a total of 7.75 acres from AGC-I to RUD. The subject parcel is located at 2060 Dunlap Roddey Road, Rock Hill. The property is referenced as tax map number 610-00-00-021 Council District 5 - Cox.

Diane Dil presented the request. With the passing of the Comprehensive Plan the future land use for this area is now Rural Residential. Jamie Henrickson motioned to approve. With a second by Mike Duralia the motion passed 9/0.

APPROVED [Unanimous]

MOVANT: Jamie Henrickson

SECOND: Mike Duralia

AYES: Kraxberger, Henrickson, Parham, Mickel, Duralia, Velkovich, Bach, Segura, Simmons

7. Daniel J. Ballou has filed an Administrative Appeal of staff's December 7, 2022 "Not Approved" review of the civil construction plan for Project #20204228. The subject property is located at 976 Stacking Road in the Catawba Community, tax map numbers 680-00-00-050, 614-00-00-036, 680-00-00-002, and 680-00-00-003. District – 5, Cox. Case Number A23-01.

Josh Reinhardt, Development Services Manager, York County introduced the Administrative Appeal to the Commissioners.

Dan Ballou, Attorney, with Morton & Gettys law firm, representing York Preparatory Academy and Indgo Rush spoke to the Commissioners regarding the errors York County staff was making interpreting the ordinances applicable to the civil construction plan review and the grading permit for York Preparatory Academy. He noted that Rock Hill was taking care of the utility extension and securing the required easements for constructing the water line.

Josh Reinhardt presented the civil construction plan, and the roadway and utility time lines. He also presented the relevant code sections. He stated that there was not anything in their code to allow them to waive these requirements.

After hearing from both sides Matt Velkovich motioned for the Commissioners to go into Executive Session. Greg Simmons seconded the motion passed by all.

At 6:58 p.m. the Planning Commission went into Executive Session. At 7:20 p.m. the Planning Commission returned from Executive Session. It was noted that no action was taken.

The Chair opened the floor to those that wanted to speak regarding the appeal. The speakers were: Qwen Mugabe, Craig Crey, Scott Smith, Bryan Meyer, and Kent Chalmers.

After hearing from the public the Commissioners had some questions for the applicant. Attorney Dan Ballou, with assistance from Kelly Clayton, Engineer with Leitner Management Group, and Jack Leitner answered questions. The Commissioners then had questions for York County.

After receiving input from both sides and the public, the Public Hearing was closed at 7:51 p.m. with a motion by Kate Kraxberger and a second by Matt Velkovich.

Matt Velkovich made a motion to uphold the staff decision, denying the request. Mike Duralia seconded the motion. The appeal was denied.

DENIED [Unanimous]

MOVANT: Matthew Velkovich

SECOND: Mike Duralia

AYES: Kraxberger, Henrickson, Parham, Mickel, Duralia, Velkovich, Bach, Segura, Simmons

Other Business

1. Rezoning Tracking Sheet

The tracking sheet was accepted.

Executive Session

Matters for Consideration Following Executive Session

Adjournment

The meeting adjourned at 7:54 with a motion by Tom Bach.