**Chester County Planning Commission**

**Minutes of May 21, 2019**

The May 21, 2019 meeting of the Chester County Planning Commission was held at 6:30 pm in Council Chambers at the R. Carlisle Roddey Government Building in Chester, SC.

**Notice of Meeting:** Public Notices providing time, date and place for this meeting were posted in the Chester County Government Complex, Chester County Court House, and published in the May 01, 2019 Chester News & Reporter. All properties were also posted.

**Quorum Established:** Vice Chairman Smith, Commissioners Howell, Williams, Hill, Walley and Grant were present.

**Absent:** Chairman Raines was absent with prior notification.

**Staff:** Director Mike Levister and Nicole Hutchins were present

**Call to Order:** Vice Chairman Smith called the meeting to order.

**Approval of Agenda:** Vice Chairman Smith pointed out an amendment to the agenda presented by staff. Let the records show, Mr. Charles A. Boyd withdrew his applications for cases CCMA19-10 and CCMA19-11. Commissioner Hill made the motion to approve the agenda with the amendment to remove Mr. Boyd’s applications; seconded by Commissioner Howell. Vote was 6-0 to approve the agenda with the amendment.

**Welcome New Commissioner Nancy Walley:** Vice Chairman Smith welcomed Nancy Walley to the board and thanked her for volunteering her time for Chester County.

**Approval of Minutes:** Vice Chairman Smith asked if there were any additions or amendments to the April 16, 2019 minutes as presented by staff. There were none. Commissioner Howell made the motion to approve the minutes as presented; seconded by Commissioner Grant. Vote was 5-0 to approve. (Commissioner Walley couldn’t participate in the vote due to not being present at the April 16th meeting)

**New Business:**

**CCMA19-09:** Lin Yun Guanhg request Tax Map # 145-00-00-009-000 located on Lancaster Hwy, Chester, SC be rezoned from (R2) Rural Two to (RG-1) Multi Family Residential.

Vice Chairman Smith called Mr. Guanhg to the podium. Mr. Berry Strickland, a representative for Mr. Guanhn, stepped to the podium. The property we’re looking to rezone on Highway 9 has water and sewer access and should it the availability to go down to the 10,000 square foot per lot vs. the 2 acre per lot which is required in R2. This is why we’re requesting to change to RG-1 for additional residential lots.

Vice Chairman Smith asked if the commissioners had any questions. Commissioner Howell said so you’re looking to put more than one home, or apartments. Mr. Strickland said we’re looking to do residential not commercial, and because this property does have water and sewer available we’re looking at the higher yield than the two acres on the R2. Commissioner Howell asked how many units he was looking at? Mr. Strickland stated with the RG-1 10,000 square foot minimal, I could do about eight, however I do not believe SCDOT would approve that many drives (driveways) there and we have to get their approval.

Commissioner Grant stated that he wasn’t clear on what Mr. Strickland was trying to do. He asked you’re trying to take 3.7 acres and divide that into more lots? Mr. Strickland said yes sir. Actually, with the new survey and the road right away, its really 2.58 acres. It had 370 foot of road frontage. Mr. Strickland again states he wants to yield the most use of the property. Commissioner Grant said okay, that’s all I have.

Vice Chairman Smith asked Mr. Strickland if he had had any feedback from the adjoining neighbors. Mr. Strickland said he has not. Even with the sign out front, he had not gotten any calls from the neighbors.

Commissioner Howell asked if the lots would be divvied up to have Highway 9 road frontage? Mr. Strickland said he would think so. He said whatever Mr. Hipp, the surveyor, used or whatever he recommends is the way he would go. And then he would still have to check with DOT about the driveways on the highway.

Vice Chairman Smith asked if any member of the public wished to speak in favor or against this request. Mr. John Agee of 3302 Lancaster Highway stepped to the podium. He said he was curious where lot 145 is, it’s got to be in Richburg? He was informed by Mr. Strickland and Commissioner Walley that it was the second lot over from Bryant Corner Road.

Vice Chairman Smith asked if there were any other questions. Commissioner Howell asked staff if this property falls under the Gateway Management Plan? Director Levister said yes. Commissioner Howell said does it fit the use that was designated in the Gateway Management plan? Director Levister said I’m not sure if the Gateway even goes that far out, I think we’re fine on that part.

Commissioner Hill made a motion to approve the request to rezone the property from R2 to RG-1; seconded by Commissioner Walley. Vote was 6-0 to approve.

Vice Chairman Smith explains the approval from the Planning Commission is just advisory. The case would now go before County Council for three readings for a final decision, and to check in with staff for additional information.

**The two below cases were withdrawn by Charles A. Boyd**

**~~CCMA19-10:~~** ~~Charles A. Boyd request Tax Map # 077-00-00-137-000 located on Aaron Burr Rd, Chester, SC, be rezoned from (RS-1) Single Family to (R2) Rural Two.~~  **Withdrew Application**

**~~CCMA19-11:~~** ~~Charles A. Boyd request Tax Map # 077-00-00-138-000 located on Aaron Burr Rd, Chester, SC, be rezoned from (RS-1) Single Family to (R2) Rural Two~~. **Withdrew Application**

**Chester County Land Development**

**CCLDV19-01:** Joshua C. Dahnke request a street access easement. Article 5 § 4.8 for Tax Map # 072-00-00-009-000 located at 2634 Douglas School Rd, Chester SC. This property is currently zoned R-2 (Rural Residential)

Vice Chairman Smith asked Joshua Dahnke to step to the podium and state his name and address. Mr. Dahnke stated his name as Joshua Dahnke of 2298 Columbia Highway, Blackstock. We are looking to build a house on family land. He stated originally the package sent to you guys had a plat included with it where we had two acres surveyed with an easement. That plat of land did not pass soil perk test evaluations per DHEC. We had to pick out another two acres which did pass. I’ve provided you guys a copy of where that’s going to be along with aerial views of it, so you can see. Mr. Hipp’s schedule wouldn’t allow him to come out and do another survey until next Thursday. We’re just here to get an easement so my family and I can travel back and forth to the house.

Vice Chairman Smith asked the commissioner if they had any questions. Commissioner Hill stated she started down Columbia Road, as far as she thought Douglas School Road was, and didn’t see it. Mr. Dahnke told her it’s out there. Head 321 South, towards Winnsboro, turn right onto Cornwell Road. Roughly down two to three miles down Cornwell Road, turn right onto Douglas School Road. It’s about two miles down on the right. Commissioner Hill said she started down Cornwell and turned around at the church. Mr. Dahnke told her she was almost there. She stated she was more familiar with the other end on Ashford Road.

Commissioner Howell said he wanted to caution them about proving easement for power. Mr. Dahnke said through the field power lines are already ran, and we would tie in to one of those. He said if I need to do something to get easement I will do that as well. Commissioner Howell said that will be between you and Duke, but I came out of a utility background and that’s why I’m suggesting it.

Vice Chairman Smith asked if any member of the public wished to speak in favor or opposition of the request. There were none. Commissioner Grant made a motion to approve the easement; seconded by Commissioner Howell. Vote was 6-0 to approve.

**CCLDV19-02:** Mahendra Patel, owner of HMS, request a Private Rural Community Dr. Article 5 § 2.7 for Tax Map # 124-00-00-013-000 and 125-00-00-152-000 located on Lancaster Hwy, in Richburg, SC. ***Applicant request the name for the Private Rural Community Dr. be HMS Dr.*** This property is currently zoned RS-1 (Single Family)

Vice Chairman Smith called Mahendra Patel to the podium. He stated his name as Bahavin Patel of 3104 Commerce Drive, Richburg South Carolina. The main request is to have this Private Rural Community Drive so that we can access the different parcels that we are going to create within the five acres that we do have back there. There’s already one residential home there. I would like to add on four more for predominantly family and staff because we do have businesses in the Chester County area, and we family operate the businesses and bring in other employees from around the states to help us operate.

Commissioner Howell asked where does this fall within the Gateway Master Plan here? Director Levister said y’all have already approved the rezoning of the property before we even suggested the Private Rural Community Drive. It was rezoned from R2 to the current zoning now.

Vice Chairman Smith asked if any member of the public wished to speak in favor or against this request. Mr. John Agee of 3302 Lancaster Highway stepped to the podium. He said we would not be here tonight if I had not sold this land to Mr. Patel. So, let’s get the issue squared away. I sold the property to Mr. Patel with an understanding that there would be two houses, now we are talking about four or five houses. We both are on the Gateway Steering Committee which is a master plan, and regardless of what’s been said, all of that property there is potentially to be commercial property. Duke Power just bought the 16 acres behind this piece of property and my residential house or an electrical sib station. Mr. Agee said he doesn’t have a problem with Mr. Patel and he hopes they are friends. But if we’re going to not pay attention to certain things then what’s the purpose of serving on these things and doing what we’re trying to do out there in Richburg. And that’s to grow the community in a reasonable way. Mr. Agee said he understands he has employees and he understand exactly what he’s trying to do. Mr. Agee financed the property for Mr. Patel to purchase and feels he should say one thing and then do something different. He said the decision the commission makes tonight is fine with him. Richburg is going to grow and being the fire chief out there is really important. This property y’all just changed is going to help my fire district. He asked to be please cognizant of what the growth out there is going to be. If Duke Power is putting a sub station right there behind it, that’s all going to be commercial. It can’t be anything else but that. Mr. Agee said that’s his two cents and thanks the commissioners for what they do for the County.

Commissioner Grant told Mr. Agee I missed your whole point. Are you against this or are you for this? Mr. Agee said my whole point is the County adopted the master plan for the Gateway in Richburg and that master plan says all of that property should be commercial. Mr. Agee said his property that he sold to him was zoned RS-1, Single Family Residential. Commissioner Grant said so it’s already zoned residential. It’s not ID-1 or General Commercial is it? Mr. Agee said my house that I’ve lived in since 1980 is zoned residential. Everything else around it has been changed to commercial. Mine will stay residential and there’s nothing anybody can do abut it unless I change it. That’s what happened here. I sold it to them with the understanding it would stay residential with two houses on it. Commissioner Grant said so your beef is that he’s putting more than two houses? Mr. Agee said right. The beef is this, Mr. Grant, Chester County spent a whole lot of money developing the Gateway Master Plan, which is 11,000 acres surrounding exit 65. And that says that property should be commercial property. All of it. Now were going to make it residential with five or six houses. The whole 100 acres behind it is commercial. I think if I was sitting in your seat I would want everything to be the same. And I’d want to take into consideration what the Gateway Master Plan says as opposed to picking and choosing stuff. Commissioner Grant said so you’re against these little pieces cut out to be residential? Okay, I understand your point now.

Vice Chairman Smith asked if there were any other questions or comments. Commissioner Walley asked Director Levister, the land he’s talking about behind there that Duke Power has purchased, all of that’s commercial now? Director Levister said it seems that Mr. Agee knows more than I know. He’s the only one aware of a Duke Power substation because I 0. Commissioner Walley then asked is it in the Gateway Master Plan for that area to be commercial? Director Levister said it’s suggested, but it’s already residential. It’s not like we’re trying to rezone it. Commissioner Grant said he’s looking at the map and its R2, R1, R2 and RS-1 all around there. Now, my understanding is, the long range forecast of the Gateway 20-year master plan we got, all of Lancaster Highway was supposed to be Industrial or General Commercial. Am I correct? Director Levister said correct. Commissioner Grant said but that was a wish, am I correct? Director Levister said it was like a suggestion.

Vice Chairman Smith said if there are no more questions, he would entertain a motion. Commissioner Grant made a motion to approve the private rural community drive names HMS Dr.; seconded by Commissioner Hill.

Vote was 5-1 to approve with Commissioner Howell opposed.

**Comments and Discussions:** Vice Chairman Smith asked if anyone had any questions or comments, or did staff have any information for the commissioners. Commissioner Walley wanted to clarify that it was already zoned residential. Director Levister and Ms. Hutchins said correct. She again asked so we’re not changing anything. Director Levister and Ms. Hutchins said no. Commissioner rant asked if we have a meeting next month. Ms. Hutchins said no sir.

**Adjourn:** Commissioner Grant made the motion to adjourn; seconded by Commissioner Howell. Vote was 6-0 to adjourn

This is a summary of proceedings at the May 21, 2019 meeting of the Planning Commission; and not a verbatim transcript of the meeting. This summary, and an audio recording of the meeting is retained by the Chester County Building & Zoning department, and available if requested. This summary represents the facts of this meeting; not the opinion or interpretation of the Secretary.