

**Chester County Planning Commission**  
**Minutes of April 17, 2018**

The April 17, 2018 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, Chester County Building and Zoning Dept.; and published in the March 30, 2018 Chester News & Reporter. All properties were also posted.

**Quorum Established:** Chairman Raines, Vice Chairman Cabrey, Commissioners Hill, Smith, and Grant were present.

**Absent:** Commissioners Tate and Williams were absent.

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

**Call to Order** Chairman Raines called the meeting to order and asked Commissioner Hill to open the meeting with prayer.

**Approval of Agenda:** Chairman Raines asked if there were any additions or amendments to the Agenda as presented by staff. There were none. Chairman Raines made the motion to approve the agenda as presented; seconded by Vice Chairman Cabrey. Vote was 5-0 to approve.

**Approval of Minutes:** Chairman Raines asked if there were any additions or amendments to the March 27, 2018 minutes. Vice Chairman Cabrey indicated one correction was needed to the last paragraph on the first page, fifth sentence from the top. Minutes state "Chairman Raines ask if this will be funeral sessions with no embalming, and Ms. Washington stated that was correct." Statement should read "Chairman Raines ask if this will be funeral sessions with embalming but no cremation, and Ms. Washington stated that was correct" Vice Chairman Cabrey made the motion to approve the minutes with this correction; seconded by Commissioner Smith. Vote was 5-0 to approve.

**Chester County Zoning Ordinance – Rezoning Requests**

**CCMA18-08:** J.D. Rinehart Jr, authorized agent for Hackett Limited Partnership, request Tax Map # 124-00-00-009-000, located at 3303 Edgeland Rd, Richburg, SC; be rezoned from R2 (Rural Two) to RG-1 (Multi-Family Residential).

Chairman Raines called Mr. J.D. Rinehart Jr to the podium. He stated his name as Jay Rinehart of York County, 1930 Hall Hawks Place. He is requesting this rezoning on behalf of Hackett Limited Partnership for an apartment complex, which will be built in two phases. Six buildings total. Three stories, walk up buildings. 216 to 225 total units on site. Phase one will be 108 to 115 units. They will be a mix of one, two and three bedrooms. 30% of one bedroom one bath, which is around 800 square feet. 60% of two-bedroom two bath, which is around 1,050 square feet. 10% of three-bedroom two bath, which is around 1,300 square feet. The current Magnolia Hill home will be used in the development as the amenity center. It will house the office of the amenity center, a manager's apartment upstairs, a gathering area with a pool, a pool house, an outdoor fire pit, and an entertainment room. This will be in the center of all the buildings to help with any noise that would come from the amenity center.

Phase two will be the same number of units with the same mix of one, two and three bedrooms. Additional amenities will be added as the complex matures. Mr. Rhinehart refers to the pictures which were presented to the Chairmen, Commissioners and staff before the meeting. He said the apartments are nice buildings. They are brick and hardie board, with the southern columns built to match the Magnolia Hill home. The rent will range from \$875.00 to \$1300.00 The apartments are built for the needs of Chester County with the new Giti Tire plant and school teachers. Chester does not currently have high end apartment buildings which are in demand. The entrance and exit will be off a new road, which is being built in line with Victorian Hills Dr. This will not be on Edgeland Road. This is a new road being built to help with traffic concerns. Chairman Raines asked about the one entrance at the back. Mr. Rhinehart said that was correct, just the one entrance and exit. Chairman Raines then asked the commissioners if they had any other questions. Commissioner Grant asked about the road on the drawing presented by Mr. Rhinehart. Mr. Rhinehart stated that was a proposed road for future use. Chairman Raines then asked if any member of the public wished to speak in opposition of this rezoning request. Four people had signed up for citizens comments. Chairman Raines asked them to take a few minutes and work together to prepare a presentation from one spokesperson. One member of the public asked to see the pictures of the apartment complex that Mr. Rhinehart presented.

A gentleman from the public came to the podium as the spokesperson in opposition of the rezoning. He stated his name as Lyle Dickerson, of 3564 Victorian Hills Drive. He stated that he called the office asking for information about this and was told he wasn't allowed to get any information prior to this meeting. He also had a PowerPoint Presentation to give and was told he couldn't show the presentation because he was just a citizen. Chairman Raines told him he was welcome to present his view as a citizen and that Mr. Rhinehart had a presentation for his plan. You are allowed to state your opposition to this, but we are not in a court of law. Mr. Dickerson stated that this area is zoned for residential where they want to put the apartments. There is commercial property on down the road that would be better accessible. Right now, this is on a two-lane rural road which is mainly residential, and they want to put 200 – 225 homes and maybe more homes which will cause a lot of traffic coming in and out. He hopes they will move to a better place with better access. There will be a hill going north when they pull out and can't see traffic coming. He states again that this is a residential area for single family homes on one or two acres per home. Now they are saying 200 – 400 more students are coming. The schools are at capacity. No plans are going in to figure how to have them. Right now, 1,240 students coming in there. We can't grow. In the paper in Rock Hill they were congratulating Chester County for watching for growth instead of blindly going and putting stuff in. Thinking about it and having some plans. He said he knows economic development has a plan for what they want to do, but nothing is implemented to develop it, it's just on paper. We want all of these things developed, but we go to build the schools and nothing is there for building the schools. No impact fees. I know they are talking about it, but if you go to Fort Mill, they are talking about impact fees and found out that York County, it has to be developed for each county. They can charge \$12,500.00 per apartment complex, per unit for impact fees just for schools. Which would help a great deal. Then you got impact fees for the fire department, police, water and sewer, and utilities. But we are not allowed to. Chester County needs a plan before we just put one in. Why can't we as citizens see this information beforehand. We're just not allowed to see it. I think this is being underhanded. The county talks about being open, but it's not. He said he knows he is opposed and his neighbors are too. That's it.

Director Mike Levister approached the podium. He stated he would like to address what Mr. Dickerson said about calling the office today. He did call the office, but there was nothing to present at that time. We seen the same presentation you did tonight when Mr. Rhinehart presented it. He saw the same packet when we saw it. It wasn't anything for him to be presented to look at and I just wanted that stated for the record. Mr. Dickerson stated from the audience that he wasn't given anything. Mr. Levister said you just looked at what we just got from Mr. Rhinehart when he got here. Mr. Dickerson then said, oh, sorry.

Chairman Raines stated their packet that they received a month ago didn't have that information in it that you have now. He said he got that tonight when he got here. No one is trying to pull the wool over anyone's eyes here, no matter how much you're opposed to it or in favor of it. We're here to conduct business. Mr. Dickerson said in York County they have to have that prior to going to the meeting. Chairman Raines said so noted.

A lady from the public asked to speak. Chairman Raines asked her to step to the podium and make it brief. She stated her name as Maurine Gause of 3569 Victorian Hills Drive. She stated that her husband is retired from the air force and they have lived in a lot of apartments. You can't get a nice apartment for less than \$1,300.00 a month. You might get a decent one for \$1,000.00 a month. And this is pricing from ten years ago. Chairman Raines thanked her.

Another gentleman from the public asked to speak. Chairman Raines asked him to step to the podium. He stated his name as Terry Fellowes of 3537 Victorian Hills Drive. He stated he had two concerns. One was already presented, the entrance way to the apartment complex. The other thing is the mix of units. Seems a mixed proportion of single units. He said that's all I want to say. Chairman Raines asked Mr. Rhinehart if in his presentation did he state that 60% of the units were two bedrooms. Mr. Rhinehart said that was correct with 10% being three bedrooms. The remaining would be one bedroom.

Chairman Raines asked if any member of the public wanted to speak in favor of this rezoning request. With no further comment, he entertained we make a motion. Vice Chairman Cabrey made the motion to approve; seconded by Commissioner Grant. Chairman Raines said he thinks at some point the county is going to have to grow. He doesn't know of a place around that goes and build schools for 500 or 1000 people in anticipation of them coming. He said he thinks this would be as crazy as them having to catch up. We have a great need for housing, and I think this is reasonable. Not like the 800 we proposed before. All things said, I think this will be a great thing for Chester County and what Chester County needs. We need taxed based, we need residences to move in. Commissioner Grant said he wanted to add that Chester county is looking at impact fees now. Chairman Raines said that is correct. He's not sure what that entails or how long it will take, or how far York county is as much strength as they have. Vice Chairman Cabrey said with all due respect, he was real tired of hearing about York County. They have their own problems. This is Chester County. Chairman Raines said there are some things we can learn from them, but not much. He then stated he was ready for a vote. Vote was 4 – 1 in favor, with Commissioner Smith opposed.

**CCMA18-09:** Perry Isenberg, authorized agent for Harry J. Callahan Jr, request Tax Map # 079-01-17-013-000, located on York Rd, Chester, SC; be rezoned from RG-1 (Multi-Family Residential) to RG-2 (General Residential)

**CCMA18-10:** Perry Isenberg, authorized agent for Harry J. Callahan Jr, request Tax Map # 078-01-01-034-000, located on York Rd, Chester, SC; be rezoned from RG-1 (Multi-Family Residential) to RG-2 (General Residential)

Chairman Raines asked the commissioners about combining CCMA18-09 and CCMA18-10 since it was the same applicant. The all agreed.

Chairman Raines called Perry Isenberg to the podium. He stated his name as Perry Isenberg of 210 Walnut Street. He is requesting this rezoning on behalf of Harry J. Callahan Jr. for a manufactured home facility on the approximately fifty-acre site. He stated that they didn't have a master plan yet because they didn't want to go through the expense if the rezoning wasn't approved. This will be provided if approved. They will have all new roads. The entrance will be off Cochran by-Pass, with another entrance off Lodge Street at the back of the property that could be used as an emergency entrance and exit. The main entrance would be off J.A. Cochran By-Pass.

The plan will show water and sewer and everything we propose to do. Chairman Raines asked if water and sewer were available to the track. Mr. Isenberg stated that they are along with gas. Chairman Raines then asked if Mr. Callahan is actually the developer of this. Mr. Isenberg said that's correct, and that he will be heavily involved with all of the grading. Vice Chairman Cabrey asked for verification of the second entrance. Commissioner Grant pointed out Lodge Street on the beacon map for Vice Chairman Cabrey. Commissioner Grant then asked if this track touched old York Road. Mr. Isenberg stated that it did not. Commissioner Grant then pointed out a place on the beacon map that would be a better second exit. Mr. Isenberg said that was a sewer man hole there, coming in from Old York Road. Not unless the sewer company would allow us to access their easement, then we could have an exit or entrance out that way if they would allow that. Commissioner Grant stated that it looked as if it was enough room for a second entrance/exit on J.A. Cochran By-Pass. Mr. Isenberg said there was a gas easement in the corner of the property that blocked the entire corner access next to the railroad track. Chairman Raines asked if there were any further questions. Commissioner Hill asked if this was near the B&D Homes? Mr. Isenberg stated that was correct, just over the railroad tracks. She then asked if the entrance would be right at B&D? He said that it would be about 250 yards up the road. Chairman Raines asked if this park would be subject to what the other – not saying that it looks bad. Mr. Isenberg said that he lives here and he is representing Mr. Callahan, and that he would have his hands in anything that happened here. Chairman Raines then asked for any further questions. There being none, he asked if any member of the public wished to speak in favor or in opposition of this request.

A lady of the public said she had a question. Chairman Raines asked her to step to the podium. She stated her name as Tammy Williams of 515 Dove Farms Drive. She asked when we would know if this was approved or disapproved and whether or not the gas people give permission to use their right away. Chairman Raines stated that he could only speak for what happens here tonight and the county. He said if we approve, or disapprove this, it goes before County Council either way. They then have three readings and it's up to them. They have the final approval, we're just advisory. That would be sometime in the next two months. They meet every two weeks. After that, he will have to submit plans to the staff and sewer district and so forth. Ms. Williams then thanked him. Chairman Raines stated that he votes we entertain a motion. Vice Chairman Cabrey made the motion to approve; seconded by Commissioner Hill. Chairman Raines said personally, he questioned the potential because of the eyesore across the tracks. We need to raise the bar just a bit. Plus, everything around, is RG-1. This is a step back in zoning. Especially up against the housing on the backside and across the street. Vice Chairman Cabrey said the one across the railroad has probably been there since before zoning and it is an eyesore. He then asked Director Levister how many inspectors he had. Mr. Levister said he has two full time inspectors. Vice Chairman Cabrey then asked Mr. Levister if he had ever sent his inspectors out and got them on anything. Mr. Levister said no. Vice Chairman Cabrey said that was one of the problems. They know what they can get away with over there. He then addressed Mr. Isenberg that they wouldn't put up with the crap out there. We already have the crap. We need to dress it up and make it look like it belongs to Chester County. With the underpinning, all the zoning laws have changed and are much more specific about what they have to look like. Chairman Raines asked if they had to have paved parking, two for each. Mr. Levister said they would have to meet all land regulations for the mobile home park, and it would have to be paved. Commissioner Grant said that was a step in the right direction. Chairman Raines called for a vote, 3-2 with Chairman Raines and Commissioner Smith opposed.

**CCMA18-11:** Stephanie Gill Stradford request Tax Map # 160-05-04-035-000, located at 2360 Barnes Rd, Great Falls, SC; be rezoned from RG-2 (General Residential) to RG-1 (Multi-Family Residential)

Chairman Raines called Stephanie Gill Stradford to the podium. She stated her name as Stephanie Stradford of 2360 Barnes Rd. She is requesting this rezone to access her property. James Brown owns the property beside my home, the pizza shape by my driveway. He is going to give me that property if I can get it approved so I can continue to have that driveway when he sells his property. He is in the process of selling his land. Chairman

Raines asked if any member of the public wished to speak in favor or in opposition of this request. There being none, he asked for a motion from the council. Commissioner Hill made the motion to approve; seconded by Vice Chairman Cabrey. Vote was 5-0 to approve.

Chairman Raines asked if there was any new business that needed to be discussed. Vice Chairman Cabrey said he had a concern about help from Catawba Regional with the Comprehensive Plan. The pain, growth and effort in Richburg needs to be addressed. Chairman Raines said it was told to him that they were starting to redo it. Director Levister said that's what he was told when he took this new position.

John Agee stepped to the podium. I'm representing the Gateway Steering Committee, I'm the new Vice Chairman. County council discussed this last night. Richburg Situation, if you think them people out there are not mad, you are seriously mistaken. Mr. Wilson on County Council is very concerned about the rule from York County that only 140 houses in a development can have one way in and one way out. That's a real issue with council. Also about the impact fees. They charge these fees per house and if not used in a certain amount of time, it will be refunded back to the payer. Rooftops are coming to Richburg. We might as well face it, and we've got to process all of this information. 200 apartments, 500 houses at the top of the hill at Lando, and maybe 400 or 500 houses in the property that was turned down the last time. Dr. Bain the other day at our meeting, she almost dropped her teeth out of her head because there is no plan. If we could get this done right we would be much better off. Vice Chairman Cabrey said it's like the Chairman said, we're not going to build the schools and wait on people to come. I don't know anyone that would do that. Mr. Agee said that he's been asking for the Comprehensive Plan for four years. 1,000 kids per Mr. MacNaughton, another 1,000 kids at the top of hill in Lando, and now 400 at the apartments. We have to have a plan. Vice Chairman Cabrey says with the schools, they will fill them up, then buy so many mobiles until the parents start fussing. We're not there yet. We do need to write a plan. Not fund it, just write a plan, for the schools, the fire department and the police department. Someone needs to know what it's going to cost so we will know on our end to pay for it. Chairman Raines said but its more than that, we need the leadership to present that image to the public and build a trust so we have a referendum that gets approved. We don't need to guess what the real intention is.

John Agee states that the state of South Carolina, in 2015, had 4 million 900 thousand residents. Three million six hundred thousand, in round figures, live in nine urban areas in the state of South Carolina. State legislation passed act 388. Act 388 absolutely stops Chester County from raising one dime in new taxes. Can't do it. Fort Mill has the same problem with act 388 but they have growth. They passed a bond where the citizens overrode act 388 and funded \$197 million in new school money. They also got York County to charge \$10,000 per house in impact fees. The healthcare funded a foundation of University of South Carolina upstate to look at education levels in Chester, York, Lancaster and Union counties. The only figures that stick out in my mind are the ones for Chester cause it's disgraceful. 80.4% of children in third grade can't read above third grade level. 84.7% in eighth grade can't do mathematics above eighth grade level. That's the disgrace. We worry about everything else but educating our children. Chairman Raines thanked Mr. Agee for this information.

Chairman Raines made the motion to adjourn; seconded by Vice Chairman Cabrey. 5-0 to approve.

This is a summary of proceedings at the April 17, 2018 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.

