**Chester County Planning Commission**

**January 28, 2020**

The January 28, 2020 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 January 10, 2020 Chester News & Reporter. All properties were also posted.

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

**Absent:** Commissioner Williams was absent without prior notification.

**Staff:** Mike Levister, Nicole Hutchins and Katie Jordan were present

**Call to Order:** Chairman Raines called the meeting to order.

**Approval of Agenda:** Chairman Raines asked if there were any additions or amendments to the agenda presented by staff. There were none. Commissioner Howell made motion to approve the agenda, seconded by Chairman Raines. Vote 6-0 to approve

**Approval of Minutes:** Chairman Raines asked if there were any additions or amendments to the November 19, 2019 minutes as presented by staff. Commissioner Walley stated she wasn’t counted as present and needed to be updated. Chairman Raines made a motion to approve the minutes with this correction. Seconded by Commissioner Hill. Vote 6-0 to approve

**New Business:**

**CCLDV20-01:** Phillip A. Thompson-King request a Utility Easement, for Tax Map Number 125-00-00-021-000, located off of Lancaster Highway, Chester, SC.

Phillip Thompson King stepped to the podium and stated his name as Phillip Thompson King with Chester Wastewater Recovery. He’s requesting this easement to correct and error made over forty years when property wasn’t deeded to Chester County Sewer District, and now this infrastructure that’s already in place, pipes are already the in ground, the pump station is already there, they just need to uplift the pump station and this is how this error was discovered.

Chairman Raines asked if anyone had any questions. There were none. Commissioner Grant made the motion to approve this utility easement as requested; seconded by Commissioner Howell. Vote was 6-0 to approve.

**CCMA20-01:** Donovan M. Steltzner, ESQ request Tax Map # 107-00-00-001-000 located at 1704 Old Richburg Rd be rezoned from R2 (Rural Two) to LC (Limited Commercial)

Donovan Steltzner stepped to the podium and stated his name as Donovan Steltzner, with Steltzner Law Firm in Rock Hill located at 454 South Anderson Rd, Suite 302. Personal Address is 217 Pinewood Lane in Rock Hill SC. He stated he is here on behalf of his client Linda Calloway and Illumination Wines. They wish to open a small-scale craft winery in their house under the name of Illumination Wines, in accordance of Federal and State guidelines. Just this week they received their TTB bit permit to operate wine license. They are requesting the rezone from R2 to LC because R2 doesn’t allow the retail sale or manufacturing of wine, even with special exception. Basically, they’re wanting to open this small-scale craft winery, mostly right now opening on Friday’s and Saturday’s. Couple notable things: low traffic impact. Looking at maybe 15 to 100 cars on a weekend. Little to no disruption. This isn’t a bar or a restaurant. This is a winery. No loud music on the outside. Noise impact will be minimal to nonexistent. All production will be inside the building. It’s a three-acre lot. There are no close neighbors, being about 1300 feet to the nearest house, with large buffers on both the north and the south. He stated he thought Chester County would benefit from having a winery to provide tax revenue. While we don’t have estimates of rate of production, please keep in mind the primary owner, Linda Calloway, and her partners are only going to be able to produce a certain amount if wine. The audience may be small, it might grow. Ultimately, its going to be in that house. They have no plans for expansion in the future for a large making facility of the kinds you see in larger operations. We anticipate low impacts on the community, there may be concerns about drinking and driving. All employees will be trained and will be certified to recognize persons over the legal limit and not sale them anymore wine. No beer, liquor or spirits will be produced.

Chairman Raines asked for production facility, will you have to add any structures for that, or can you do it in the existing building? Mr. Steltzner said in the existing building. Chairman Raines asked if you’re required to sell food at a venue like this. Mr. Steltzner said no, we are not required to sell food. However, generally speaking when it comes to serving food, you have to have other licenses and other inspections and they do not intend to sell food. They may give away maybe certain tiny snacks, popcorn or crackers or something like that. Intimately, no service food. Chairman Raines then asked where will you get your grapes. Mr. Steltzner said the grapes will be juice. He didn’t have the exact details as to where they will get them, but his guess would be North Carolina producers.

Chairman Raines asked the commissioners if they had any questions for the applicant. There were none.

Chairman Raines asked if they are buying this property or leasing it? Mr. Steltzner said the property is actually owned by one of the partners of the business. Illumination Wines will have a lease agreement for the property. Chairman Raines asked your long-term growth projections are to buy property and have a winery and larger facility, would you say that’s fair characterization? Mr. Steltzner said I don’t think that’s fair characterization except to say, let’s say you have a house and you need more room; you build onto the house in a reasonable amount of square footage on the house. You could add the additional porch, or maybe an extra bedroom, or maybe a mother-n-law suite, something of that nature. Something consistence with the architecture in place and with residential construction.

Commissioner Walley asked if this partner would be living at the facility? Mr. Steltzner said no.

Amanda stepped to the podium. She said she is one of the partners of Illumination Wines LLC. She is the daughter of the owner, Linda Calloway. Her personal address is 10396 Palamarrow Drive Tega Cay SC.

Commissioner Howell asked if anyone would be living in the house. Ms. Amanda said no. Commissioner Howell asked, there will be no one staying overnight. Ms. Amanda said no sir.

Chairman Raines asked if there were any other questions. There were none. He stated he had a couple of people signed up to speak in opposition of this rezoning request.

Shelly Ehrmanntraut stepped to the podium and stated her name as Shelly Ermentrout of 2727 Knox Station Road. She said she can hear everything from this house pretty well. When someone lived there, she could hear her dogs barking. She said right now currently, it’s a very quiet neighborhood. Its agriculture and residential only. I don’t see any point in a commercial structure there that I know as they’re saying it might eventually grow, might eventually need expansion. Which means there might be tents out. Which means they might eventually have bands. They might eventually have DJ’s, parties. And this all at a time when we’re tying to come home and enjoy our home and instead, we will be listening to people parting and drinking and all that fun stuff. I understand she needs to make a living, but I don’t see why it has to be in this particular location. Especially since they are going to abandon the house and make it primarily commercial. Stating that right now, that’s going to be on Friday’s and Saturday’s. Saturday, great, when everyone is at home and trying to enjoy themselves. That’s my opposition. I’m concerned about the noise; I’m concerned about the eventual growth. I’ve heard its going to become a venue They want it to become where people come, someplace like the Watershed, where you can have a wine event. I know this is probably rumors after what the attorney stated, but those are my concerns. I don’t want to see my quiet neighborhood turn into party central.

Mr. Odell Steel stepped to the podium. He stated his name as Odell Steel of 1744 Old Richburg Road. My wife and I moved there 21 years ago. We talked to Ms. Calloway about her plans, and I would encourage her to start a business in Chester, but I can not support the location she has chosen. Chester County’s master plan has industrial zones. They have commercial zones. And they have residential zones, to me zoning is a place for people to know what’s going to be beside them. Or in this case in front of them. I want to correct him on his 1300 feet. Its more like 800 feet. I live directly behind them. This decision of rezoning could significantly impact the future of this whole area. The precedent would be set to rezone. And zoning would have no effect. If you want to change the zoning from residential you just apply. I’d love for Ms. Calloway to stay here and be a neighbor. But the business should be in a commercial zone not a residential zone. Thank you for your time.

Mr. James Knox stepped to the podium. He stated his name as Dr. James D. Knox III. The Knox’s have been at Knox Station for 2 ½ centuries, and I own some of the property across the road. The last business to have been at Knox Station were operated by my Great Grandfather. He operated at the corner of Knox Station and Old Richburg Road. There was a store. A cotton gin. A mule and a house barn. The next thing that had come to that community that I supported was the Richburg Fire Department. I went to Carlisle Roddey and I worked diligently to get a fire department and supported it and was pleased to see it. Now if I was concerned about noise, I wouldn’t want the Richburg Fire Department to turn on their siren and run up and down the road all the bloody time scaring the devil out of my cows. I like cows. I like pastures. I like tress. I like ponds. I like the creeks that’s on my property. I like it all. I was brought up there and at one point I plan to return there and live. I’m very well aware of Ms. Calloway and her plans. After she bought that property that she has purchased, she shared in interest with me of doing something with wine tasting. I have discussed that with her in the past. And I am not opposed to it. I have gone to wineries across this country and I’ve enjoyed visiting them. The wineries that I’ve been to are not bars. They’re not honky-tonks. They are not a place with loud music. They are usually populated with people that have a little but of money and a little bit of class and a little but of culture. And they like to get out and see the countryside. To see the country and the pastures and the cows and the mountains or whatever it might be. I think this proposal of hers gives us an opportunity here in Chester County to bring in some people. Spend a few dollars with her. Maybe spend a few dollars down at The Front Porch. Maybe go down to some other of our restaurants here in the County. Put a few dollars in the pockets of people in Chester County. I am very much in support of what she wants to do. But as I told her, my big concern would be if the day came that she passed this property on, I would have a concern about someone else obtaining the property and making this place into nothing but a bar, a honky-tonk, with a bunch or drinkers and drunks disturbing the peace. I hope you will give her some consideration. I think she will also bring a few tax dollars to the County. As a tax payer in this County, it bothers me a little bit that our County Council, and I told Carlisle this a long time ago, that we let big business and industries come into this county and we don’t require them to pay any state tax, any county tax. No school tax. We give them millions of dollars in property. She’s not asking you for anything but I do believe she’s going to return a few dollars in Chester County, And I think she’s going to sell Chester County to the people from outside of the County that come here to visit, because it is one of the best kept secret’s in the state of South Carolina, except for Pawley’s Island. My name is Dr. James D. Knox III. My Chester address is 1719 Old Richburg Road, my permanent address is 11140 Scullers Run, Tega Cay SC. Thank you for listening and have a nice evening.

Amanda Teller had signed up to speak, but actually spoke earlier after Mr. Steltzner. Just wanted the record to reflect the second signed to speak in favor of the request.

Chairman Raines said okay, we’ve heard several people opposed. We’ve heard concerns expressed about noise and long term what the property would amount to being its in an area that is exclusively residential and agriculture.

Commissioner Grant asked staff what happened to reverter clause that we did in the past? I know we did some. Did that property revert back to it’s original? Director Levister said yes. Commissioner Walley asked so if she was to sale the property it would revert back, or it would stay. Director Levister said that would be a recommendation of the Planning Commission. Y’all have that authority. Commissioner Grant asked so we have to put that in our motion. Director Levister said correct. It will be noted on the map and the paperwork that it reverts back to the current zoning if the winery closes.

Commissioner Walley asked just to clarify, convenience store and all that’s allowed under that zoning if we changed it, what’s to say does she have to go with the winery, or she can do any of these other things that under this zoning. Director Levister said if its documented that it got rezoned, then it goes back to that, but she’s making a recommendation for a winery. Chairman Raines stated that we can specify that this use is the only permitted use. If it ceases to be the permitted use there, then it reverts back to the original. Director Levister said it would be whatever y’all’s recommendation is. Chairman Raines stated to be specific in wording the motion.

Commissioner Grant made a motion to approve the rezoning as requested for a winery, with a reverter clause, if the winery ceases to exist in the future that it reverts back to its original state; seconded by Commissioner Howell. Vote was 4-2 to approve with Commissioners Walley and Howell opposed.

**RNC20-01:**  Blain Horne request an easement be named for Tax Map # 127-00-00-015-000 located at 2296 Mtn Gap Road, Richburg, SC. Request road name to be ***Hatton Road***

Blaine Horne nor a representative was in attendance at the meeting.

Commissioner Grant made the motion to approve the name Hatton Road for the easement as requested; seconded by Commissioner Walley. Vote was 6-0 to approve.

Chairman Raines reminded the commissioners that they annual training would be this Saturday, February 1st at 8:30 to 12:00 here in the council chambers with snacks and biscuits provided and asked everyone to plan to participate.

**Election of Chairman and Vice Chairman**

Commissioner Grant made the motion to keep the officers the same as we have currently; Robert Raines as Chairman and Nathan Smith as Vice Chairman; seconded by Commissioner Walley. Vote was 6-0 to approve.

Chairman Raines made the motion to adjourn; seconded by Vice Chairman Smith. Vote was 6-0 to adjourn.

This is a summary of proceedings at the January 28, 2020 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.