



PUBLIC HEARING NOTIFICATION

You are receiving this notice because you own property within the vicinity of a proposed rezoning within Lancaster County, SC more completely described below. Please refer to the map on the reverse side of this notice for the location of the subject property.

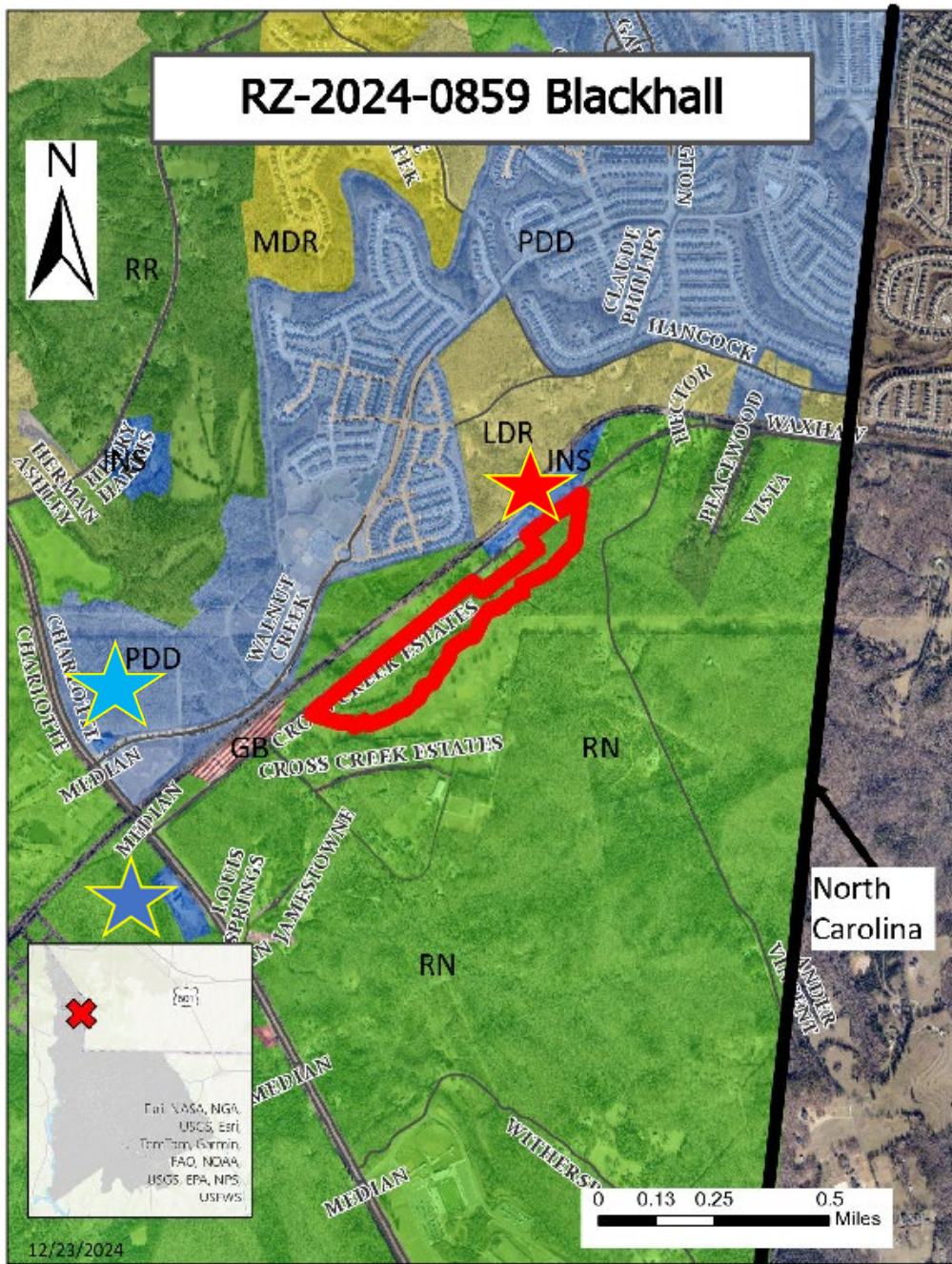
Rezoning RZ-2024-0859 Summary	
Rezoning Location	39.04 acres located at and adjacent to 6872 Waxhaw Highway, Lancaster (TM 0015-00-059.00) See map on reverse side of this notice.
Applicant/Owners	Justin Blackhall
Existing Zoning District	Rural Neighborhood (RN): rural communities with a density of 1.0 dwellings per acre, to protect rural living and farm land.
Proposed Zoning District: Overview	General Business (GB): generally located on major thoroughfares; allows offices, services and retail areas that encourage mixed-use, pedestrian friendly access to auto-dependent communities while avoiding strip commercial development.
Rezoning Intent	To develop a mixed commercial site
County Staff Contact	Matthew Blaszyk, Planner: 803-416-99380 or mblaszyk@lancastersc.net
Public Hearing Information	
Planning Commission	Tuesday, January 21, 2025 at 6:00 p.m.
County Council	Monday, February 10, 2025 at 6:00 p.m.
Location	Lancaster County Administration Building, Council Chambers, 101 North Main Street, Lancaster, SC

Citizens will have an opportunity to provide public comments at each of the above public hearings. The Planning Commission shall review the rezoning request and issue a recommendation for County Council consideration. The County Council makes the final decision on rezoning requests.

If you are unable to the public hearing it will be live-streamed on the County's YouTube page:
<https://www.youtube.com/channel/UCgSImrcYjcYcu1m-e6TV54w>


Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Council agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancastersc.org. The Lancaster County Zoning Map and the Unified Development Ordinance can be viewed at www.mylancastersc.org at the Development Services webpage.




Please feel free to call or email the County staff contact above if you have any questions or comments regarding this proposed rezoning. Thank you.



Proposal:
Rezoning RN to GB



 Subject Property

-  Walnut Creek Development
-  Our Lady of Grace Catholic Church
-  Osceola United Methodist

Prepared by (as Grantor's attorney):
Spencer & Spencer, P.A. (CLW)
226 East Main Street, Suite 200
Rock Hill, South Carolina 29730

LANCASTER COUNTY, SC	
2022015254	DEED
RECORDING FEES	\$15.00
STATE TAX	\$3900.00
COUNTY TAX	\$1650.00
PRESENTED & RECORDED	
09-22-2022	12:49:59 PM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: CANDICE PHILLIPS	
BK:DEED 1591 PG:11-16	

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) **TITLE TO REAL ESTATE**
) **[TITLE NOT EXAMINED BY PREPARER]**

KNOW ALL MEN BY THESE PRESENTS, that **LUGENE SHIRLEY GARLAND** and **HERBERT LEWIS GARLAND, JR.** (collectively, the "Grantor"), for and in consideration of [see Affidavit of Value attached hereto] to Grantor in hand paid at and before the sealing of these presents by **BLACKHALL ACQUISITIONS, LLC**, a South Carolina limited liability company (the "Grantee"), whose address is 104-A Waxhaw Professional Drive, Waxhaw, North Carolina 28173 (the receipt whereof is hereby acknowledged), has, subject to the Permitted Exceptions (defined below and incorporated herein by this reference), granted, bargained, sold and released, and by these presents does, subject to the Permitted Exceptions, grant, bargain, sell and release, unto the said Grantee, its Successors and Assigns, all of Grantor's right, title and interest in and to the following described property (the "Premises"), to wit:

The Premises is conveyed subject to (i) ad valorem real property taxes and assessments for 2022 and subsequent years, (ii) all reservations, conditions, rights-of-way, easements, restrictions, covenants and other matters of public record, (iii) all matters which have been revealed by a survey or which would be revealed by an accurate survey or inspection of the Property; and (iv) governmental requirements and restrictions, such as zoning and building restrictions (collectively, the "Permitted Exceptions").

See Exhibit A attached hereto and incorporated herein by this reference for a description of the Premises.

TOGETHER with all and singular, subject to the Permitted Exceptions, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, subject to the Permitted Exceptions, the said Premises before mentioned, unto the said Grantee, its Successors and Assigns, forever.

AND Grantor does hereby bind the Grantor and the Grantor's Heirs, Executors and Administrators to warrant and forever defend all and singular the Premises, subject to the Permitted Exceptions, unto Grantee, and Grantee's Successors and Assigns, against Grantor and Grantor's Heirs lawfully claiming, or to claim the same, or any part thereof, but against no others.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed, sealed and delivered as of the 20 day of September, 2022.

Signed, sealed and delivered
in the presence of:

Christopher Orso
[Witness #1 Signature]

Amir Garland
[Witness #2 Signature]

Lugene Shirley Garland [SEAL]
Lugene Shirley Garland

Herbert L. Garland, Jr. [SEAL]
Herbert Lewis Garland, Jr.

STATE OF NY)
COUNTY OF WESTCHESTER)

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 20 day of September, 2022 by
Lugene Shirley Garland and Herbert Lewis Garland, Jr.

Thomas Favata
Print Notary Name: Thomas Favata
Notary Public for State of NY
My commission expires: 5-30-2025

[NOTARY SEAL]

THOMAS FAVATA
Notary Public, State of New York
No. 01FA6127926
Qualified in Westchester County
Commission Expires May 30, 2025

EXHIBIT A**Legal Description of the Premises**

All that certain piece, parcel or tract of land together with all improvements located thereon, lying, being and situate in Waxhaw Township, Lancaster County, State of South Carolina approximately thirteen (13) miles North of Lancaster, containing approximately 38.832 acres and being more particularly shown, described and designated as Tract 3 on plat of survey entitled "Plat of Property of Mary T. Witherspoon Estate" prepared by J.C. Crumpler, dated February, 1995 and recorded in the Office of the Register of Deeds for Lancaster County as Plat No. 16449; reference to said plat is craved for a more minute description.

TAX MAP NUMBER: 0015-00-059.00

DERIVATION: Being a portion of the property (i) described in Deed of Distribution from John R. Witherspoon, as the Personal Representative of the Estate of Annie Mae Wright (Case Number: 2015ES2900382; Date of Death: June 20, 2015) to Lugene Shirley Garland dated December 3, 2015, recorded December 3, 2015 in Deed Book 931, at Page 40 in the Office of the Register of Deeds for Lancaster County, South Carolina and (ii) conveyed in Deed from Lugene Shirley Garland to Lugene Shirley Garland and Herbert Lewis Garland, Jr. dated March 16, 2016, recorded March 17, 2016 in Deed Book 953, at Page 150 in the Office of the Register of Deeds for Lancaster County, South Carolina.

6872 Waxhaw Highway Rezoning Request Supplement

The Property: 6872 Waxhaw Highway, Lancaster, South Carolina, 29720
Tax Parcel ID 0015-00-059-00

Owner/Principal: Blackhall, Acquisitions, LLC - Justin Blackhall
(jblackhall@blackhallpc.com)(917 804 5923)

Current Zoning: RN

Zoning Requested: GB

Future Zoning Classification: “Employment”. Small Area Plan, incorporated into the Comprehensive Plan designates this property as to be used for “Employment” purposes

Location Highlights: - 39 acre parcel - 15 acre development site

- located on Waxhaw Highway (Hwy 75) near the intersection with Charlotte Highway (SC Hwy 521) – main outlet for residents of Waxhaw, NC onto 521 and at the entrance to Walnut Creek & Milbridge housing developments with over 1500 single family homes and growing.
- Water, electricity on-site, sewer on adjacent parcel, neighbors are GB business
- Property completely cleared with no mature trees and a two abandoned houses.
- Development will meaningfully reduce traffic to 521 from Waxhaw & Walnut Creek by offering goods/services to thousands residents of surrounding areas who currently access 521 and travel 5-10 mins north to highly congested areas.

Introduction/Overview/Request

The Property was purchased in 2022 by Blackhall Acquisitions, LLC, which is wholly owned by Justin Blackhall, a resident of Waxhaw, NC (“Owner”). As a resident of the local community, Owner has observed the heavy influx of residents and business to the upper Lancaster Panhandle area, especially the 521 Charlotte Highway corridor and the ensuing traffic and congestion caused thereby. Owner had the idea to search for and develop a GB style piece of property in a strategic area offering consumer goods and services that could (1) help reduce the flow of traffic into and out of congested areas from high traffic areas containing very few businesses; and (2) try to provide affordable space with an emphasis on local businesses to stay in the area.

The Property is perfectly located and situated to achieve the above goals because:

1. Property Location Benefit. The Property is located on a primary inlet/outlet road feeding traffic onto to 521 used by residents of from Waxhaw, NC and surrounding NC areas to access 521. Strategic placement of needed business will reduce the need of residents from neighboring exploding residential areas to further clog the 521 corridor. that will cut off hundreds of drivers per day who would otherwise enter 521 and head north for goods/services, adding to traffic and congestion on 521, and
2. Property Condition Benefit. The property is already cleared and is surrounded by unsightly high tension overhead power lines, transformer stations, active cargo railroad tracks, high occupancy roads (the property is long and thin running along Route 75), automotive and self-storage business as well as a mega church are its neighbors; this Property will never be used for true rural neighborhood use. There are no natural open spaces or buildings to be preserved here – the property is currently unsightly and blighted and littered with junk thrown from cars as they pass by and collapsing structures.

Zoning History

1. The property has been zoned RN for entire history that Owner can determine. However, the Property is located within an area covered by the Lancaster, SC Southern Panhandle Small Area Plan dated 2021 (since incorporated into the Master Plan in 2024). This plan was specially commissioned to develop a future development plan for the area and signals to developers that this Property and surrounding areas are ripe for development. The Property and surrounding areas are a priority area for Lancaster County to promote development and employment opportunities. The Property was designated as a site for future “employment” zoning by the Plan. According to the Plan, employment-oriented development includes office, medical, light industrial, and service centers that are compatible with adjacent residential or business districts.

Comprehensive Plan Comment

1. Overview. The Property is currently zoned RN. Owner purchased the Property during pendance of the prior Small Area plan identifying the Property as being one the County wanted to see have “employment” based activity. Owner paid a price for the Property commensurate with this signaled usage and has been reassessed property taxes for property commensurate with a business use. Owner responsibly pursued rezoning options that fit with signals from County of responsible growth.
2. Rural.

a. *Comprehensive Plan Language:* Pursuant to the Comprehensive Plan:

This category is generally applied to lands that lack wastewater access, have accessibility challenges, or have insufficient infrastructure to support urban growth. This category is also assigned to areas which should provide a transition between growth areas or serve as a buffer when

more dense development would present compatibility challenges. Low density residential development, agriculture, rural and crossroads commercial uses should all be permitted so long as they maintain the rural character of the area.

- b. *Comment:* Utilities are readily available to the Property. Water services run along the entirety of the property as does electric service. Sewer is available on the parcel adjacent to the Property; therefore, the Comprehensive Plan's Rural issues are not a concern here. Low density residential, agriculture and rural uses are not applicable because of the conditions present near the property (railroads, electric lines, power station, long exposure to major road, commercial and institutional uses on either sides) – this area does not have a rural character.

3. Panhandle Planning Area.

- a. *Comprehensive Plan Language:* Pursuant to the Comprehensive Plan:

The implementation strategies developed for the Panhandle Planning Area are focused primarily on addressing the significant growth that the area has experienced over the past two decades. As noted previously, this part of Lancaster County was largely rural with an agricultural centered economy until residential housing development began to spill over from south Charlotte, York County and Union County. The infrastructure and public services necessary to provide a high quality of life for the 40,000 residents of this newly urbanized region have lagged with new development. To address this, the implementation strategies specific to the Panhandle focus on growth management, improving mobility and connectivity, addressing service deficiencies, and adding urban amenities. While generally applicable throughout the Planning Area, the majority of the most intensive growth that these strategies are focusing on addressing is located north of Highway 75, as the Future Land Use Map envisions maintaining a more rural landscape in the southern Panhandle as the north urbanizes further.

- a. *Comment 1:* Owner's proposed use for the Property is exactly aligned with the Comprehensive Plan both in terms of motives and location. The property is located ON Highway 75 and will not add ANY new traffic to the congested 521 corridor. It will only reduce traffic to that highway and will "cut off" flow of traffic from the above commented Union County areas for residents who may be able to get good and services from the developer Property rather than having to head north on 521.
- b. *Comment 2:* As illustrated in the traffic maps provided, approximately 10,000 trips per day are added to 521 highway heading north from this area. Development of this parcel will reduce that traffic.



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastercountysc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

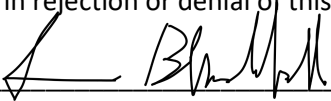
GENERAL INFORMATION

Property Address 6872 Waxhaw Highway (75)
City Lancaster State SC Zip 29720 Tax Parcel ID 0015-00-059.00
Current Zoning RN Current Use vacant, abandoned, cleared land
Proposed Zoning GB Total Acres 39.04
Project Description Development (using up to 15 acres of the property) offering services as well as retail
goods to surrounding, rapidly growing, auto oriented residential communities who currently need to access
Highway 521 and drive 5-10 minutes north into highly congested North Panhandle areas (up to 10,000 added
trips each day according to South Carolina DOT traffic data) to obtain necessary goods and services.
Surrounding Property Description To West: GB zoned auto repair shop, self storage facility and undeveloped GB lot.
To East: high tension power lines.
To North: Highway 75 frontage.
To South: Vacant land.

CONTACT INFORMATION

Applicant Name Justin Blackhall/Blackhall Acquisitions LLC
Address 2012 Connonade Drive
City Waxhaw State NC Zip 28173 Phone 917 804 5923
Fax _____ Email jblackhall@blackhallpc.com
Property Owner Name Justin Blackhall/Blackhall Acquisitions LLC
Address 2012 Connonade Drive
City Waxhaw State NC Zip 28173 Phone 917 804 5923
Fax _____ Email jblackhall@blackhallpc.com

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.


Applicant

11/19/24

Date


Property Owner(s)

11/19/24

Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$435.00
- Rezoning Application Fee – multi parcel \$610.00

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.