

2020 FEB 14 AM 10:03

STATE OF SOUTH CAROLINA

CLERK OF COURT
LANCASTER, SC

ORDINANCE NO. 2020-1638

COUNTY OF LANCASTER

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE ONE PARCEL, 7.00 ACRES, MORE OR LESS, PROPERTY OWNED BY SHRINER'S HOSPITAL FOR CHILDREN AND LOCATED AT HIGHWAY 521, SOUTH OF THE RETREAT AT RAYFIELD, FORT MILL, SOUTH CAROLINA (TMS# 0013-00-107.00) FROM MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT, TO GB, GENERAL BUSINESS DISTRICT AND NB, NEIGHBORHOOD BUSINESS DISTRICT.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Wendell Elliott applied to rezone a 7.00-acre parcel of property, owned by Shriner's Hospital for Children, located at Highway 521, South of the Retreat at Rayfield, Fort Mill, South Carolina (TMS # 0013-00-107.00) from MDR, Medium Density Residential District, to GB, General Business District.

(b) On December 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (3-2), recommended denial of the rezoning.

(c) On January 13, 2020, Applicant requested that the rezoning request be amended to rezone the front portion of the real property to GB, General Business District, and to rezone a rearward portion of the property to NB, Neighborhood Business District, a less intense zoning class designation, with a subdivision plat to reflect subdivision of the real property prior to a third reading of the Ordinance.

(d) The Future Land Use Map identifies this property as Neighborhood Mixed-Use based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from MDR, Medium Density Residential District, to GB, General Business District, and NB, Neighborhood Business District, is compatible with the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from MDR, Medium Density Residential District, to GB, General Business District, for a portion of the property and NB, Neighborhood Business District, for a rearward portion of the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0013-00-107.00 (7.00 acres, more or less)

See Exhibit "1" attached hereto reflecting the proposed subdivision of the real property pending administrative review and approval by Lancaster County.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

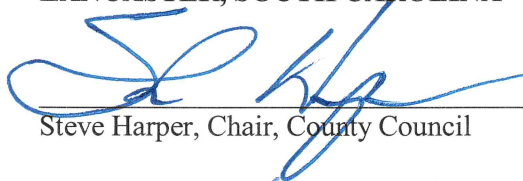
Section 5. Effective Date.

This ordinance is effective upon Third Reading.

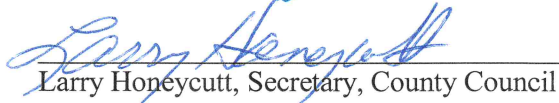
AND IT IS SO ORDAINED

Dated this 10th day of FEBRUARY, 2020.

LANCASTER, SOUTH CAROLINA

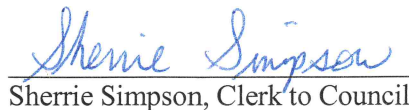


Steve Harper, Chair, County Council



Larry Honeycutt, Secretary, County Council

ATTEST:



Sherrie Simpson, Clerk to Council

First Reading: January 13, 2020
Second Reading: January 27, 2020
Public Hearing: January 27, 2020
Third Reading: February 10, 2020
2nd Public Hearing: February 10, 2020

Approved as to form:



John DuBose, County Attorney



February 5, 2020

To: RZ 19-0916 Case File

From: Rox Burhans, Development Services Director

RE: SPELLMAN DRIVE FUTURE EXTENSION/CONNECTIVITY DISCONTINUANCE

The following will outline the rationale justifying the discontinuance of any future extension of Spellman Drive in the event adjacent parcels are rezoned to a non-residential zoning district in the future.

BACKGROUND

Spellman Drive is a local neighborhood street within the *Retreat at Rayfield* neighborhood. Spellman Drive terminates/stubs into Parcel #0013-00-107.00 (referred to as subject property) so that it may be extended to serve future development and provide enhanced connectivity. The subject property is currently zoned Medium Density Residential and Rezoning Case # 19-0916 contemplates rezoning the subject property to a combination of General Business District and Neighborhood Business District. Stub streets are required to connect to and extended into adjacent parcels in accordance with UDO Section 6.4.2

RATIONALE

Spellman Drive will not connect to or be extended into the subject property if said property is rezoned to a non-residential zoning district. Inherent in any street extension policy is compatibility between the uses connected by the extended street. When Spellman Drive was constructed and stubbed to the subject property, the subject property was residentially zoned and likely to have been developed into a neighborhood or similar use.

If the subject property had been commercially zoned at the time Spellman Drive was constructed, it is unlikely to have been configured for future extension. Commercial zoning districts generally permit uses such as retail sales, restaurants, personal service establishments, and other moderately intense uses. Commercial properties are generally not directly connected with small, interior local neighborhood streets like Spellman Drive in light of the opportunity for large vehicle/truck traffic, opportunity for unreasonably higher traffic volumes, and general cut through traffic opportunities. These impacts can create safety hazards for residents and generally detract from the residential character of the neighborhood.

For the reasons outlined above, Spellman Drive will not connect to or be extended into the subject property if said property is rezoned to a non-residential zoning district.

C: John Dubose, County Attorney
Shannon Catoe, Zoning Manager