



*Chester County, SC*

## ECONOMIC DEVELOPMENT PROJECT

Rezoning and Special Exception Permit Application and Conditions







Since becoming a member of the South Carolina business community in 2018, our family-owned company has created strong and lasting relationships with business partners and community members. Luck Companies has been welcomed as an active participant in the **Kershaw County, Fairfield County, and Spartanburg County**

communities. Growth through new locations provides Luck Companies the opportunity to expand our mission of igniting human potential and positively impacting the lives of others.

Chester is uniquely positioned for growth, with proximity to natural resources and economic trends in the county's favor. We want to support this growth with locally produced, high-quality materials and development that can serve as the county's foundation. Our excitement for a potential partnership with the Chester County community led us to our previous application effort which began in 2019. However, prioritizing health and safety during the pandemic and feedback from the community led us to withdraw our application in 2020. We have used the past two years to engage with and learn from community residents, schools, business owners and non-profit organizations. This time has provided us the opportunity to finalize the purchase of the land considered in our previous application, introduce additional property in Chester County and solicit input and approval from the state agencies responsible for regulating our three business units.

The community's input and Chester County's updated Comprehensive and Economic Development Plans have informed our revised approach. Luck Companies has prepared a new application which aligns to community goals, passions, and culture.

Our project will create:

- local jobs
- tax revenue for the county
- outdoor recreation areas for the community
- a community impact fund
- business park and retail space

Key amendments to our application include:

- **Down-zoning an adjacent parcel** to provide additional buffer from a northern residential neighborhood and facilitate agricultural education opportunities
- **New development to accommodate a market void** of medium square footage business park space
- **Large dedicated acreage** for governmental use, developed in coordination with the Board of Commissioners, and structured to facilitate citizen tax dollar savings

We are inspired by the opportunity to be longstanding members of the Chester community and look forward to continuing our conversation. We remain committed to collaboratively working towards a sustainable development plan that benefits Chester County now and for generations to come.

Sincerely,

Ben Thompson,  
Director, Greenfield Development

## Our Ask



**APPROVE A REZONING**  
to support a Quarry



**APPROVE A REZONING**  
to support a Business Park  
and Retail Center



**APPROVE A DOWNZONING**  
to eliminate industrial use and  
provide additional buffer for  
residential neighbors



**BLESS THE CREATION**  
of a Community Fund that  
administers 1% of annual net sales  
(of the Chester County Quarry)  
up to \$35k to Chester County  
Non-profits and initiatives



**BLESS THE CONDITIONS**  
of the associated rezonings  
to further ensure responsible  
actions and enable the donation  
of recognized acreage for  
Chester County Government use  
and growth



# WE LISTENED, WE LEARNED

Our previous rezoning process and community involvement over the past 2 years has supported our understanding of what is critically important to Chester County.

Throughout each of our many conversations with key stakeholders, Luck Companies remains inspired by the immense amount of pride, care and engagement shown and communicated by the great communities that make up Chester County.

The unwavering commitment to hospitality, care for others and desire to make Chester County the best it can possibly be were themes evident in each interaction.



Luck team members interacted with and learned from the community at Chester High School Career Readiness Day, May 2021

## Passions Articulated by the Community

**Giving Back** Safety



*Agriculture*

**Family**



Small Business



**Community**

*Sustainable Growth*

**Honor History**

Collaboration

*Environment*



**Hometown Feel**

Rural Charm

Arts



Hospitality

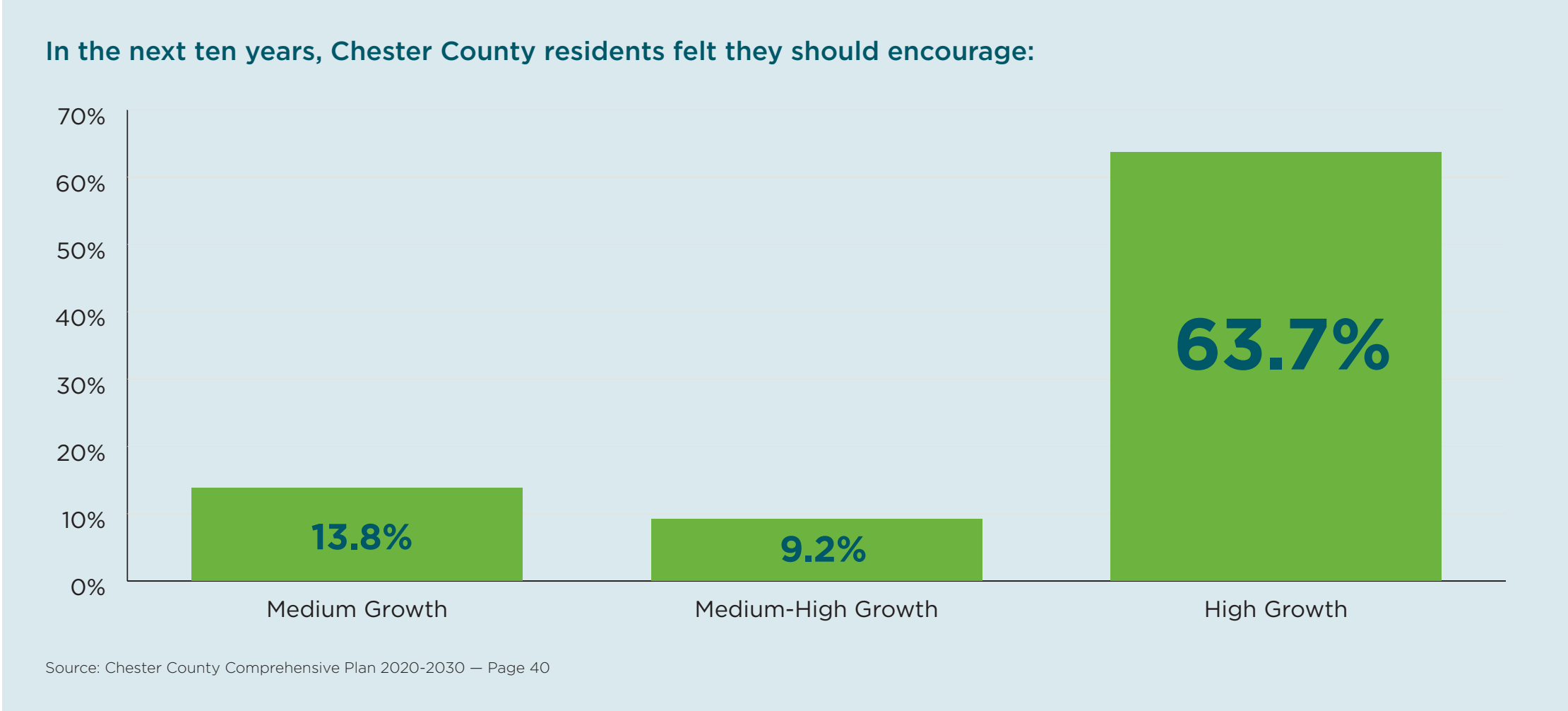
*Culture*



# CHESTER COUNTY GROWTH PRIORITIES

As referenced in the **Chester County Comprehensive Plan**, the community is interested in responsible growth aligned with the County’s growth goals.

Throughout the redesign process, we have worked diligently to incorporate growth goals as outlined in the **2020-2030 Chester County Comprehensive Plan** (see below).



## Community Growth Interests in the *Chester County Comprehensive Plan*



Recreation/Natural Tourism



Transportation



Agriculture



Aesthetics



Preservation of Hometown Feel



Workforce Development



Investment in the Community



# OUR ENHANCED PLAN

## BENEFITS TO CHESTER COUNTY

<div>Recreation/Natural Tourism</div> <div><div>1.39 MILES</div><div>of trail and community recreation space</div></div>	<div>Investment in the Community</div> <div><div>15.8 ACRES</div><div>donated to Chester County for development of a government facility</div></div>	<div>Aesthetics</div> <div><div>40%+ OPEN SPACE</div><div>presented through vegetative buffers, recreational space, and berms</div></div>	<div>Investment in the Community</div> <div><div>291k SQ. FT.</div><div>of business park to facilitate new industry in Chester</div></div>
<div>Investment in the Community</div> <div><div>55.7 ACRES</div><div>in which Luck will partner with the Chester County Economic Development team to facilitate additional businesses <b>Choosing Chester</b></div></div>	<div>Agriculture</div> <div><div>90.39 ACRES</div><div>donated for environmental and agricultural education use</div></div>	<div>Investment in the Community</div> <div><div>180k SQ. FT.</div><div>of commercial retail space to facilitate a brick and mortar option for small businesses</div></div>	<div>Workforce Development</div> <div><div>90% ASSOCIATES</div><div>engage in continued education through technical training classes hosted by the company. Classes range from welding to leadership and business acumen</div></div>

Luck Companies is asking for help in our long-term and continued commitment to **Choosing Chester** with the approval of rezoning on our properties as laid out in this application.

Using what we learned from the community and the 2020-2030 Chester County Comprehensive Plan, Luck Companies re-imagined the positive impact that an economic development project can have on the Chester County community.

Local feedback and input from residents and community representatives alike helped to reformat a plan for the property that Luck purchased off Hwy. 9. We believe that this latest plan supports the passion points articulated by stakeholders and the Chester

County Growth Goals outlined in the recent comprehensive plan while providing the following benefits to Chester County:

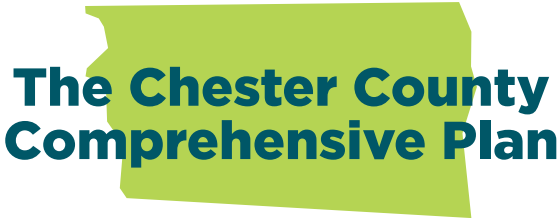


# OUR ASK

LUCK STONE FORMALLY AND RESPECTIVELY ASK THAT YOU **AGREE WITH:**



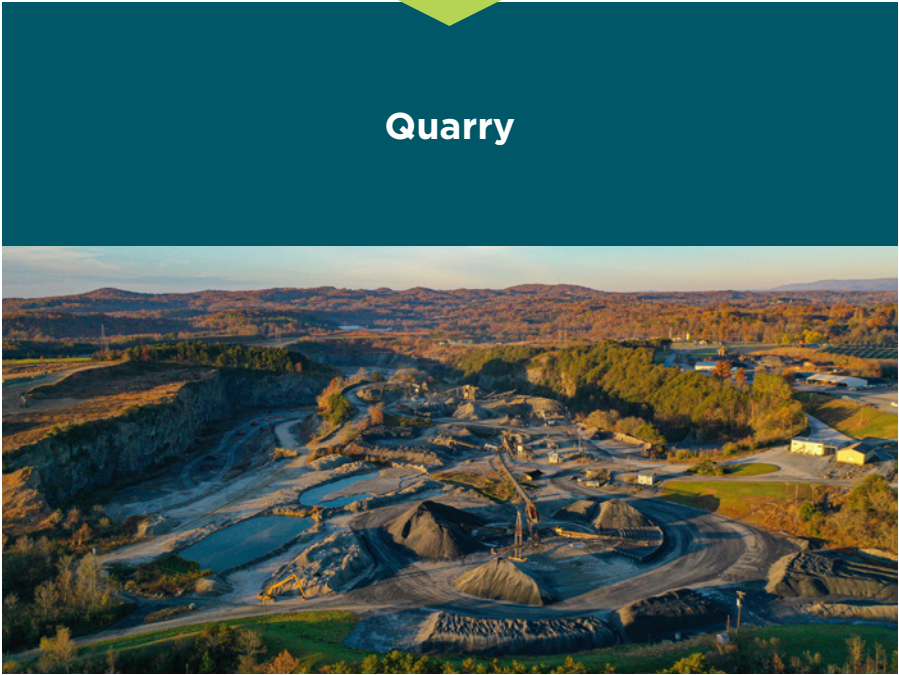
*DHEC and the Army Corps of Engineers issued mining, surface, water, and air permits illustrating their confidence in this as a positive site with a responsible owner.*



*Our enhanced plan was built using the Comprehensive Plan as our guide.*



*Chester County residents express in the Comprehensive Plan an interest in additional recreation areas, preservation of nature, agricultural education and careers.*





## WHY TRUST US



Our mission to ignite human potential through our values of **Leadership, Integrity, Commitment and Creativity** fuels the way we show up each day. We set high expectations for ourselves through this challenging, purposeful work which inspires us to positively impact those we proudly serve.

With nearly **100 years** of history and three generations of Luck Family leadership, we recognize that the success and growth of our company is generated by the inspired people who have chosen to work with us—our associates, customers and communities.

As we continue to focus on opportunities that propel our people-focused culture and broaden the reach and impact of our mission, we are expanding our geographic footprint and working alongside customers and communities to turn visions into collaborative realities. In addition to one of our newest locations in Kershaw, South Carolina, we are in active development of a new site in Fairfield County and have achieved permits for an additional site in Spartanburg, South Carolina. These exciting new projects have provided the opportunity to support these great communities and the state's growing infrastructure and development.

We remain focused on exciting greenfield opportunities in South Carolina. For the State and its residents, **this means we will invest in communities to create long-term and beneficial outcomes that preserve the values that South Carolina holds dear.**

My grandfather, Charles Luck Jr., who founded our company in 1923, is remembered for having said, “If you take care of your people, they will take care of you.” My father, Charles Luck III who led the company for the next 40+ years, translated that commitment to people into the phrase and company tagline, “We care.” These words were more than a declaration to our customers; they were a sincere promise to people—inside and outside of our company.

Our commitment to communities in South Carolina is no different: **we are driven to make a positive impact in the lives of others** and committed to ensuring that experiences with us are exceptional. We are incredibly excited about the prospect of joining new communities and building lasting partnerships, so that we can support the growth of South Carolina or decades to come.

Sincerely,

Charlie Luck IV, President & CEO, Luck Companies



For generations, our family-owned company has focused on people: the people who work here, and the lives we touch every day. We believe that

*people are our purpose*

and that our commitment to activating our mission and our values through the work that we do enables us to make a lasting and sustainable contribution to our communities.

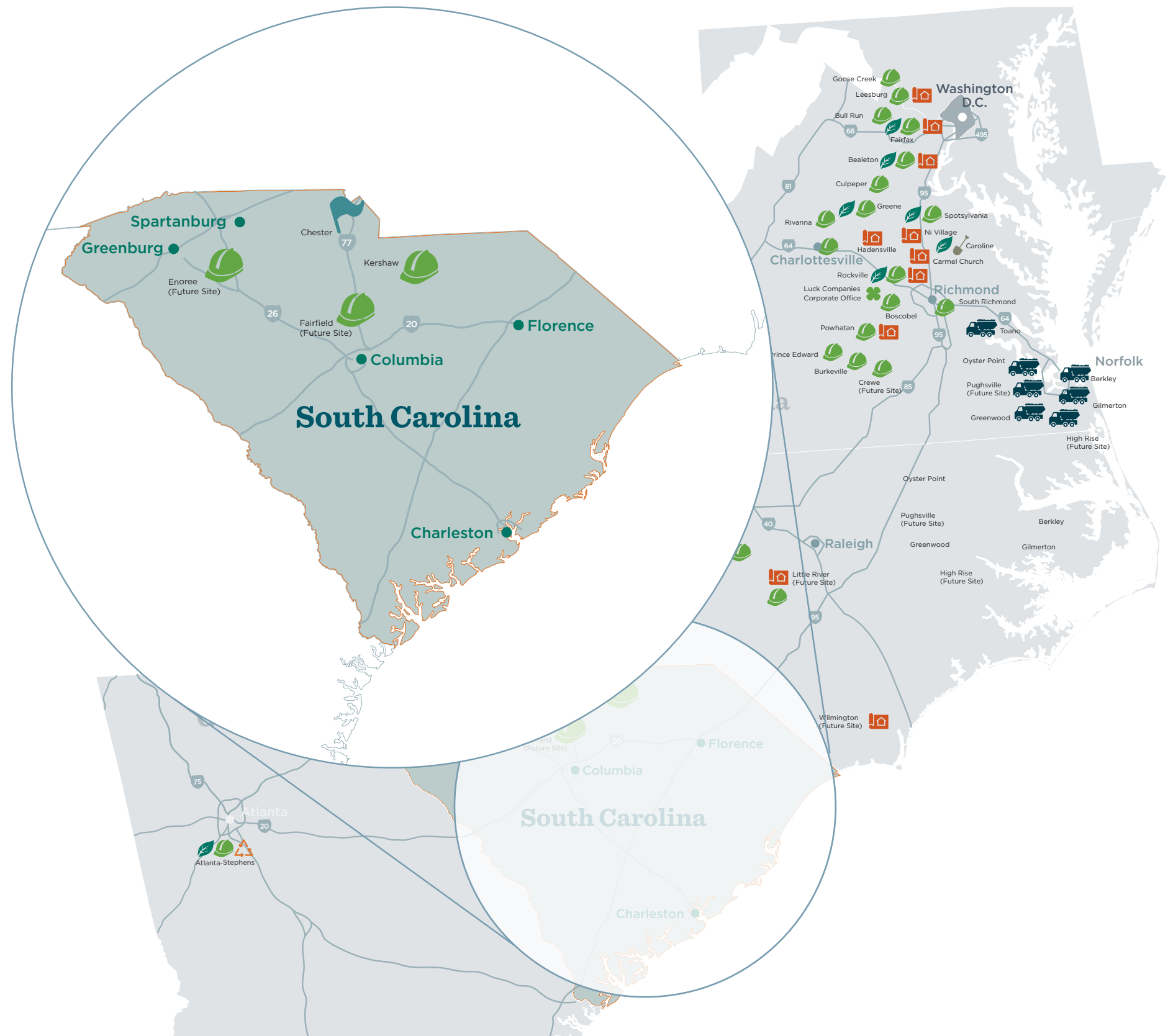




## HELP US CHOOSE CHESTER

Recently, our company has grown to **Kershaw, Spartanburg and Fairfield Counties**. We are inspired by the state's belief in our commitment to South Carolina and remain driven to "Choose Chester, For Business. For Life."

Chester County's location, and proximity to Charlotte, will undoubtedly attract growth in the future. With this growth, comes the need for local materials and services to support and activate the growth. As a part of this community, we will provide high quality aggregate materials and real estate development opportunities that will support the managed growth through capital investment, lowering environmental impact and increasing tax revenue.



## OUR LOCATIONS



## Quarry



## Sand and Gravel



## Luck Ecosystems



## Distribution Yard



**Economic  
Development Land**



## Construction and Demolition



## Greenfields



# COMMITMENT TO RESPONSIBLE DEVELOPMENT

We are committed to ongoing, transparent dialogue and engagement with the citizens of Chester County. The process outlined below has enabled us to ensure sustainable and responsible growth that aligns with the aspirations of Chester County.

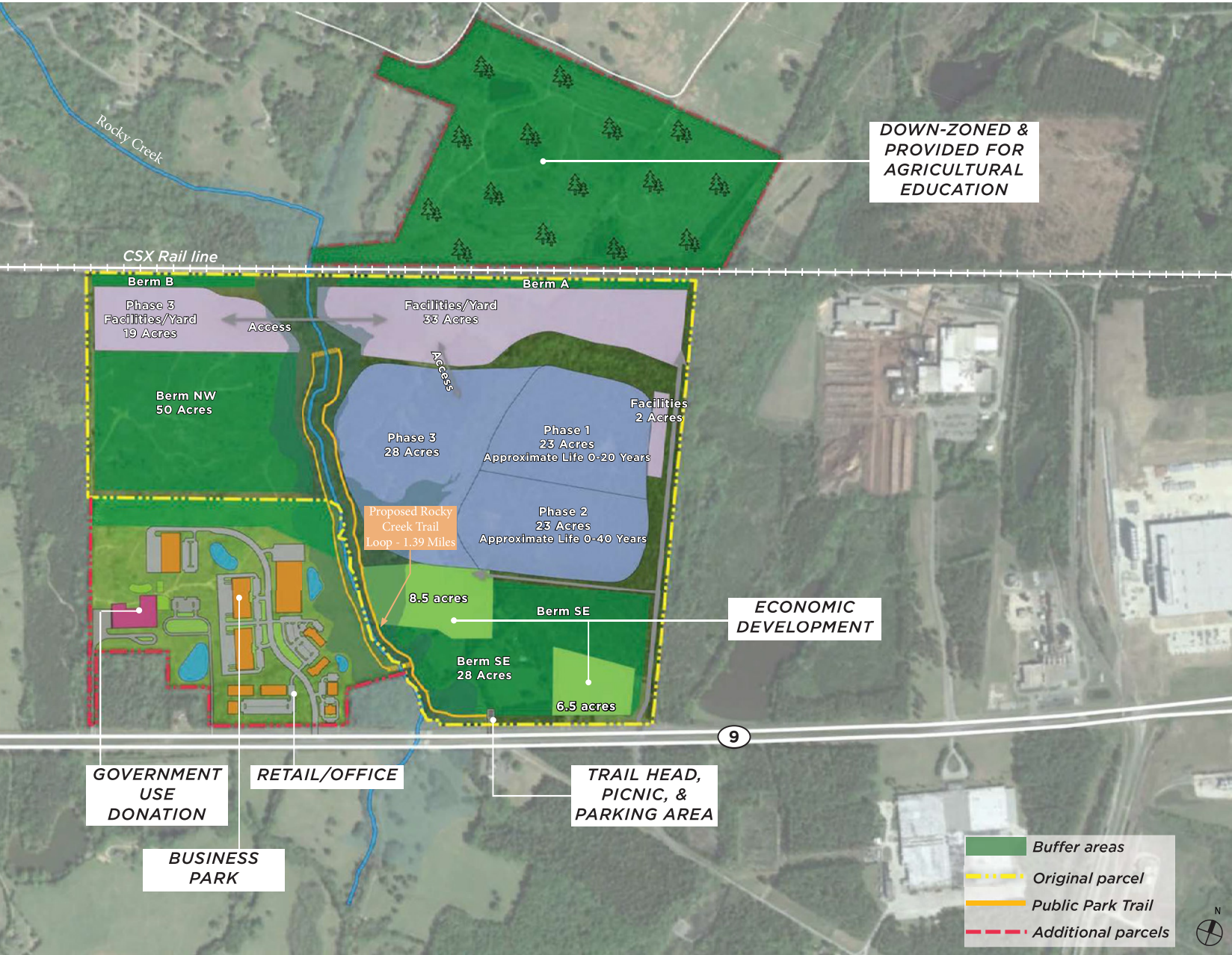




# ENHANCED PLAN FOR OUR PROPERTY

## GENERAL DEVELOPMENT PLAN

Portions of our property along HWY 9 are currently designated by the County Comprehensive plan as **UNDERDEVELOPED** (source: Page 29 Chester County Comprehensive Plan 2020-2030). To help realize the full potential of the site, Luck Companies has updated and added to our plans for development in hopes of increasing the positive impact on Chester County. These plans can be seen below:




## BENEFITS TO CHESTER COUNTY

### Recreation/Natural Tourism

 **1.39 MILES**

of trail and community recreation space

### Investment in the Community

 **291k SQ. FT.**

of business park to facilitate new industry in Chester

### Investment in the Community

 **55.7 ACRES**

in which Luck will partner with the Chester County Economic Development team to facilitate additional businesses  
**Choosing Chester**

### Workforce Development

 **90% ASSOCIATES**

engage in continued education through technical training classes hosted by the company. Classes range from welding to leadership and business acumen

### Aesthetics

 **40%+ OPEN SPACE**

presented through vegetative buffers, recreational space, and berms

### Investment in the Community

 **15.8 ACRES**

donated to Chester County for development of a government facility

### Investment in the Community

 **180k SQ. FT.**

of commercial retail space to facilitate a brick and mortar option for small businesses

### Agriculture

 **90.39 ACRES**

donated for environmental and agricultural education use



# RETAIL AND BUSINESS CENTER ADDITION

## ECONOMIC DEVELOPMENT AND GOVERNMENT SPACE

Thanks to the feedback we received, Luck is supplementing our application with a thoughtful addition of an Economic Development and Government Space for Chester County



### Alignment with Community Growth Interests in Chester County Comprehensive Plan



#### Investment in Community

Donation of 15.8 acres to the county for a municipal building will help to create space for community events and proceedings.



#### Workforce Development

Business park, commercial and retail space would be certain to create additional jobs within Chester County.



#### Recreation and Natural Tourism

Undisturbed nature area for employees of the business park, commercial and government center to enjoy along with the public.

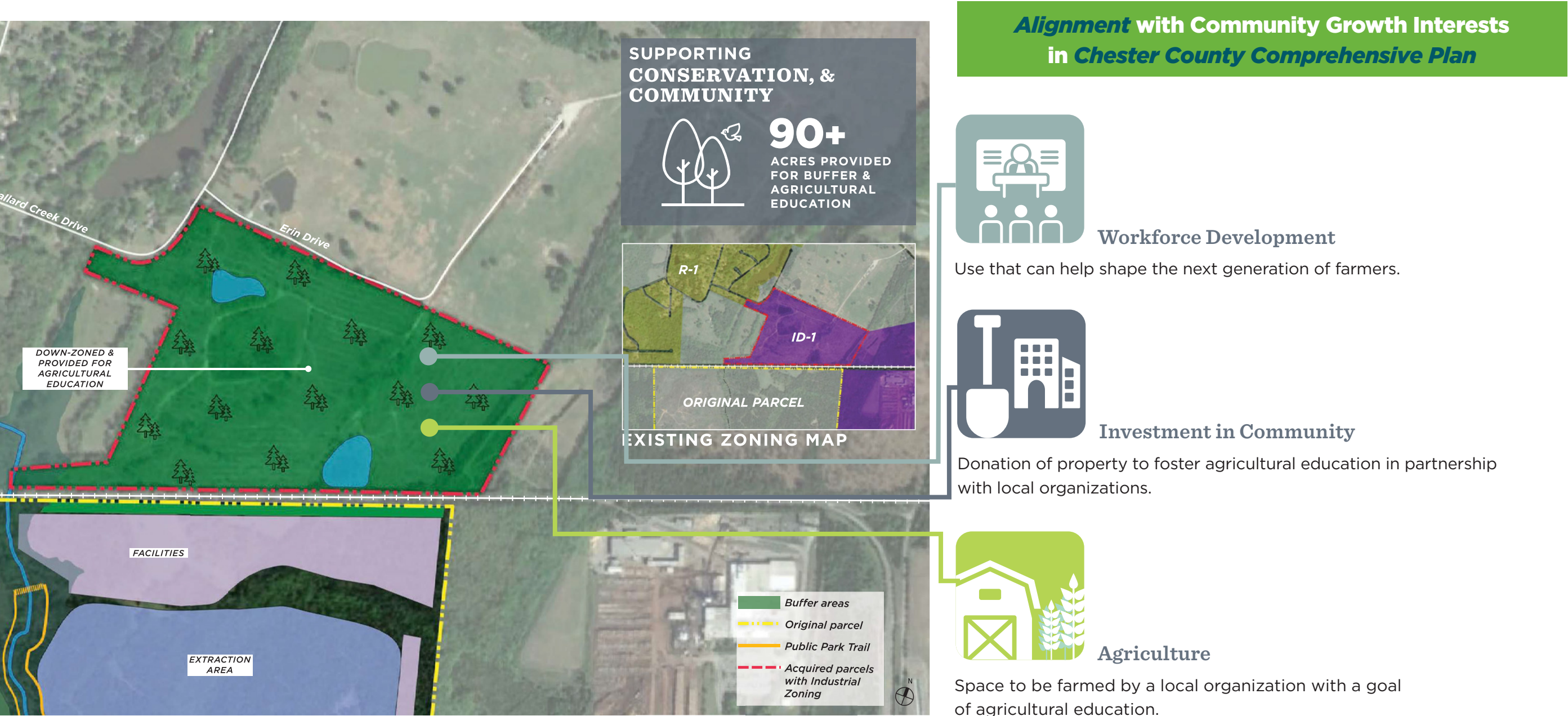
The end-use is desired to provide a space for small local businesses, industry and county government to grow and operate. A **rezoning** of this property is required to achieve this design which will foster additional tax income and county saving.



# BUFFERING PROPERTIES AND PARTNERING ADDITION (INDUSTRIAL TO AGRICULTURAL)

## INCREASED AGRICULTURAL BUFFER SPACE

Thanks to the feedback we received, Luck is supplementing our application with added greenspace buffer that will foster agricultural education.



In an effort to ensure an enlarged buffer for the Craigbrow neighborhood and create an opportunity for increased agriculture, this property will require **down-zoning** from an Industrial classification to Agricultural.



# ZONING MAP SUMMARY

The map below captures a summary of how Luck Stone is asking to continue Choosing Chester. This plan reflects community feedback while remaining in alignment with the Chester County Comprehensive Plan and our mission of having a positive impact on the community:



Luck Companies is asking for help in our long-term and continued commitment to **Choosing Chester** with the approval of rezoning on our properties as laid out in this application.

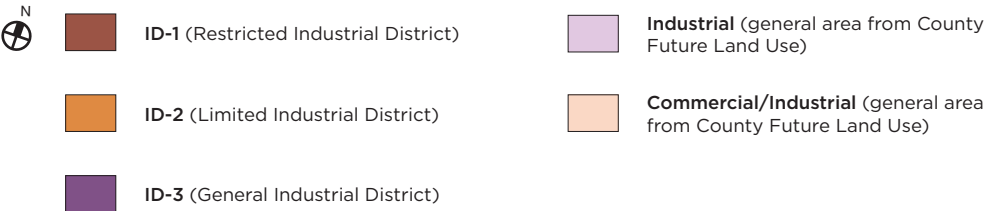
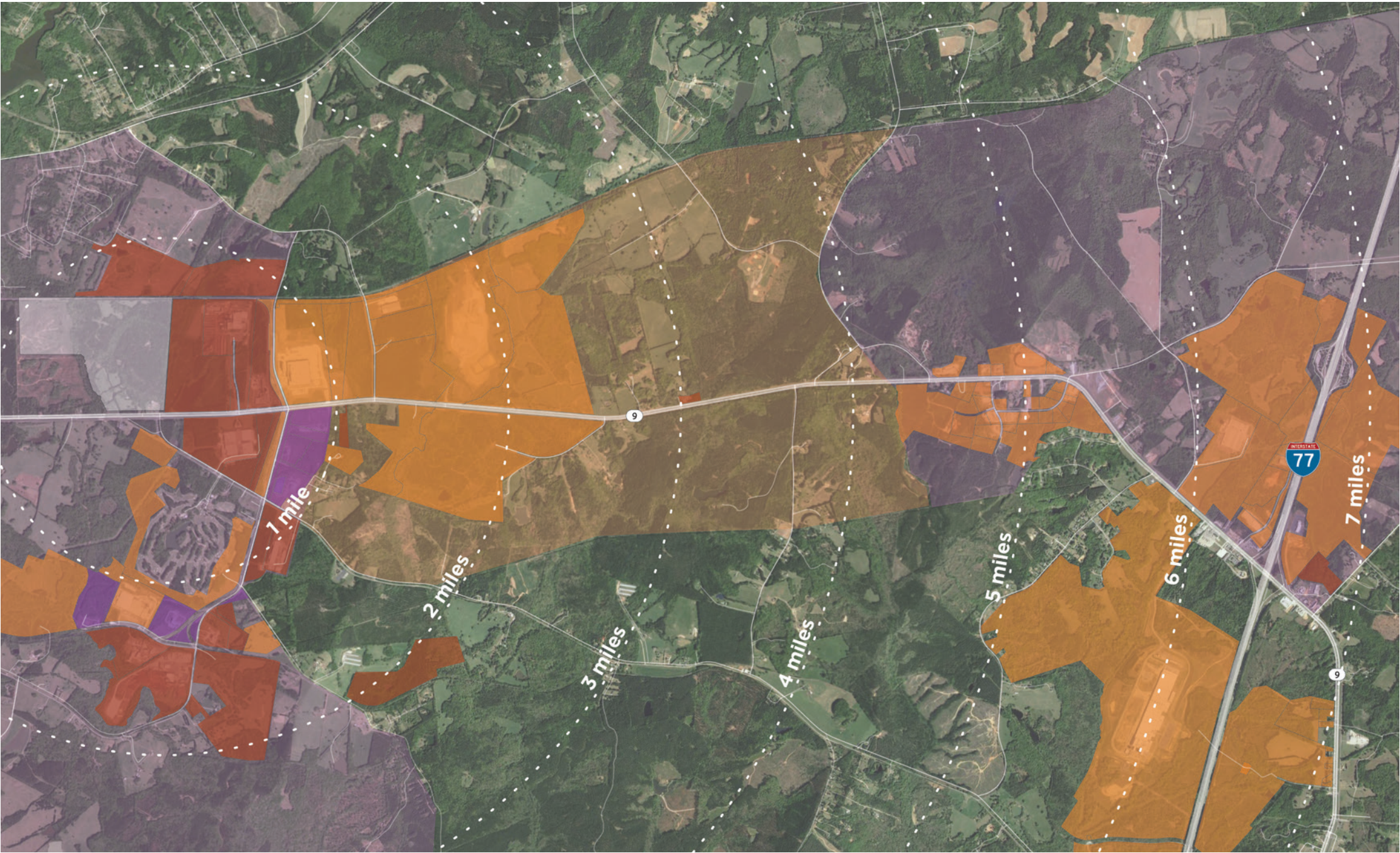


# PROJECT ALIGNMENT WITH CHESTER COUNTY COMPREHENSIVE PLAN

SITE SURROUNDED BY INDUSTRIAL TO EAST AND HIGHLIGHTED AS AN AREA TO FOCUS FUTURE DEVELOPMENT

The highest degree of industrial use within our application, the construction aggregate extraction area, is proposed to locate directly adjacent to an existing industrial use. Also, our parcel north of the CSX Rail is currently zoned for industrial use; however, with the adjacent residential development, we are asking to down-zone to agricultural to better support surrounding use and create additional buffer.

EXISTING CONDITIONS: PROXIMITY MAP





LOCATED IN A  
**HWY 9**  
DEVELOPMENT  
CORRIDOR

**79** INDUSTRIAL  
PROPERTIES WITHIN  
5 MILES OF SITE

**124** INDUSTRIAL  
PROPERTIES WITHIN  
7 MILES OF SITE

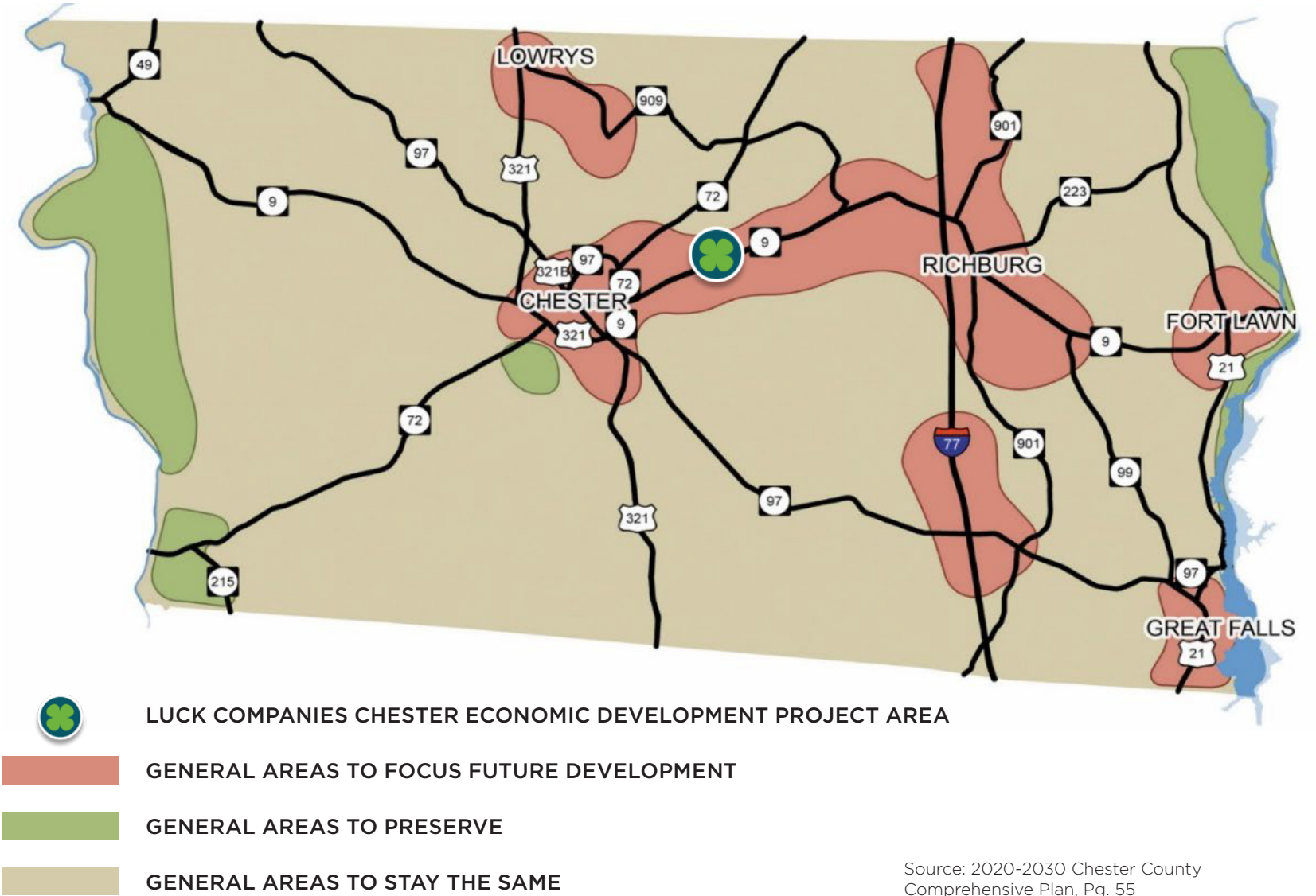


# PROJECT ALIGNMENT WITH CHESTER COUNTY COMPREHENSIVE PLAN

The Luck Companies Chester County Economic Development Project is believed to not only support the desires of county residents and county action plan within the 2020-2030 Chester County Comprehensive Plan, it distinctly aligns with the Future Land Use Plan found on Page 55. The **Future Land Use Plan** works to generally demonstrate desired development patterns which are in the best interest of the county. The project site is located along HWY 9, which is illustrated on the Chester County Future Land Use Map as an area to focus future development.

Numerous parcels along HWY 9 between the Luck Companies project area and Richburg city limits are already zoned for an industrial use as illustrated in the Future Land Use map on Page 56 of the Chester County Comprehensive Plan.

Surrounding use classifications were considered when designing the site plan to ensure that desired use within the project aligned with surrounding parcels.



Source: 2020-2030 Chester County Comprehensive Plan, Pg. 55



# WE ARE GRATEFUL FOR YOUR TRUST

Since 2018, Luck Companies has been working with Chester County to develop a legally binding project to ensure that the development is in the best interest of the community. The attached conditions and proffers in Exhibit A are a **voluntary** measure by Luck Companies to try and provide an additional sense of comfort for the community and control for the county as our site is developed. Our commitments have no expiration and therefore the outlined conditions for each piece of the application area are applicable through the life of our site.

Several Examples of our Proposed Conditions



## WELLS & WATER

“If DHEC determines that Mining Operations has caused the drying of the property owner’s well, Operator shall be **responsible for providing an alternative water source** [...] for the aggrieved party at Operator’s expense.”



## COMMUNITY FUND

“Annually, Operator shall contribute the lesser of **(i) one percent (1%) of the adjusted net sales** [...] during the year or **(ii) Thirty Five Thousand Dollars (\$35,000.00)** to one or more organizations within Chester County...”



## BLASTING

“Ground vibration caused by blasting activity shall not exceed the **maximum peak particle velocity allowed** pursuant to South Carolina Code of Regulations Section 89-150(E)...”



## DUST

“In connection with the issuance of the Air Quality Permit, Operator shall develop and implement a facility-wide plan for **controlling fugitive dust and emissions** from Mining Operations...”



## DONATION OF PROPERTY

“...the Applicant shall offer for dedication to the County of one or more parcels containing a total of **not less than fifteen (15) acres** for governmental uses...”



## NOISE

“Airborne noise produced from Mining Operations other than blasting **shall not exceed 80dba** of continuous noise for greater than five (5) minutes...”

See **Exhibit A** for the full expansive list of conditions



## WE CARE

Charles Luck III, who previously led our company, is remembered for always saying, “We care.” These words were a sincere promise to people inside and outside of our company, and they continue to guide us today. Our product is stone, but **our mission is to make a positive impact on people’s lives.**

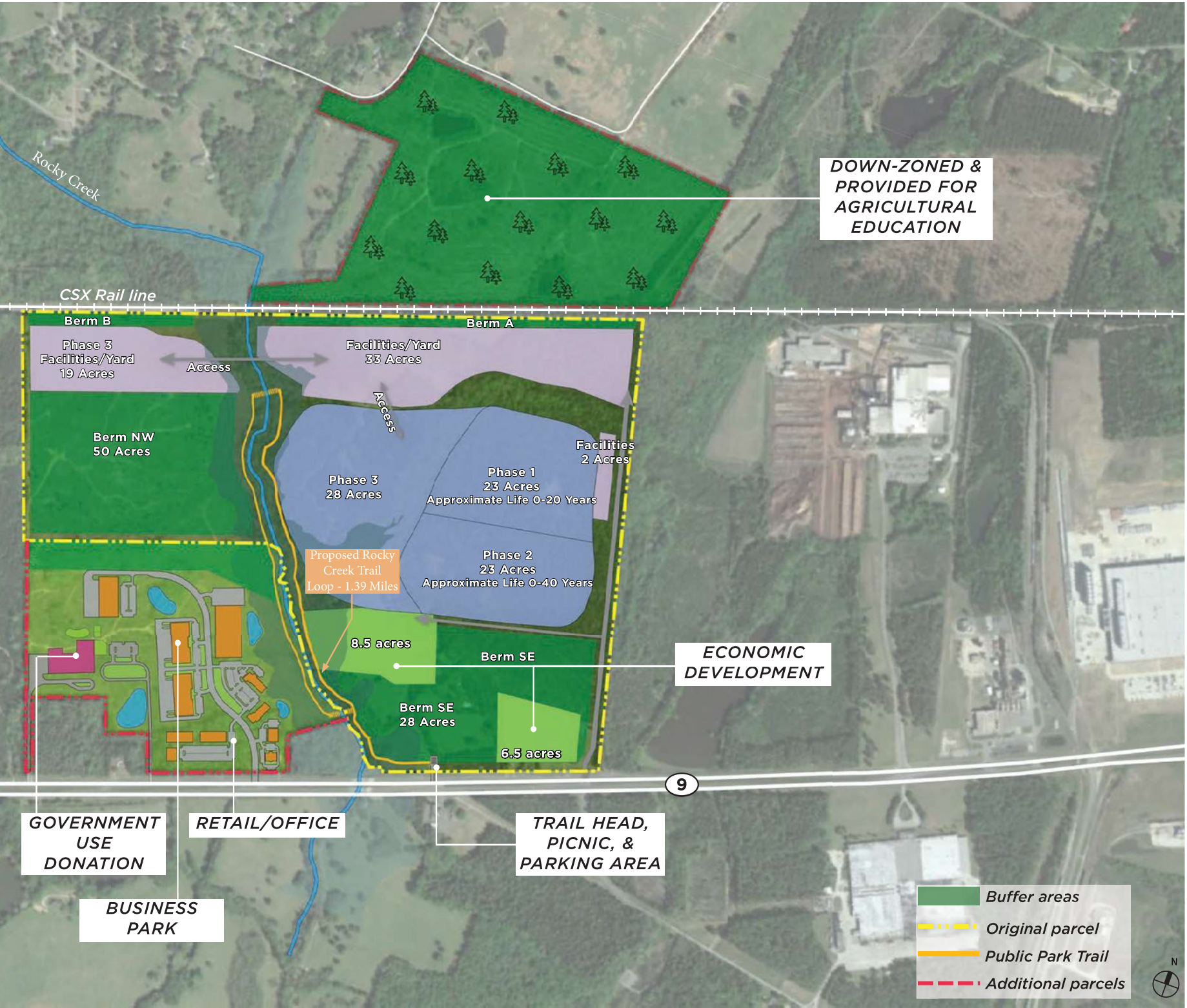
As we **Choose Chester**, we have engaged with the community through volunteer efforts and local sponsorships. Luck Companies is fortunate to have had the opportunity to work with local schools, the Chamber of Commerce, and local nonprofits, and we are excited to continue to partner with these groups in the future.





# LET'S GROW TOGETHER

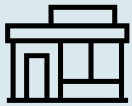
We are asking for your help in allowing us to continue **Choosing Chester, For Business. For Life.**



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of the associated rezonings  
to further ensure responsible  
actions and enable the donation  
of recognized acreage for  
Chester County Government  
use and growth





 **LUCK COMPANIES**

**positive impact**







## APPENDIX (LEGAL CONDITIONS AND PLAN SET)



# REZONING SUMMARY MAP





# CONDITIONS

Conditions applicable to properties included within the Luck Stone Corporation (the “Applicant”) application for rezoning of properties located in Chester County, South Carolina shown on the plan dated November 11, 2022, entitled “Proposed Zoning and Special Exception Plan” as (i) “ID1” containing 79.4 acres (the “ID1 Property”), (ii) “GC” containing 25.72 acres (the “GC Property”), (iii) “ID3” containing 247.88 acres (the “ID3 Property”) and (iv) “AG” containing 90.39 acres (the “AG Property”).

## Condition Applicable to all Properties:

Prior to issuance of any County permits for development of the parcels included within the application for rezoning, the Applicant shall submit an application for subdivision/ boundary line adjustment of all parcels included within the application for rezoning to provide for the adjustment of parcel boundaries by zoning classification so that no parcel shall be split-zoned (include more than one zoning classification) and that all parcels are in compliance with the County subdivision ordinance.

## Conditions Applicable to the ID1 Property:

- 1. Prohibited Uses.**  
No portion of the ID1 Property shall be used for any of the following uses:
  - a. Grain Milling**
  - b. Reconstituted wood products**
  - c. Converted Paper Products**
  - d. Mineral and Earth**
  - e. Misc. Nonmetallic Mineral**
  - f. Aluminum Production**
- 2. Dedication of Easement for Public Park.**  
Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres

(the “Park and Trail Easement”) shown on the plan included in this application dated November 11, 2022 and entitled “Updated and Compiled General Development Plan” (the “GDP”) on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.

- 3. Entrance Landscaping and Beautification.**  
The entrance to the ID1 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID1 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the GC Property and the ID3 Property to provide a consistent appearance for all such entrances.

## Conditions Applicable to All Areas Rezoned to the GC Classification (the “GC Property”):

- 1. Dedication of Property for Governmental Use.**  
Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement

of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County of one or more parcels containing a total of not less than fifteen (15) acres for governmental uses (the “Governmental Use Property”) as generally shown on the plan included in this application entitled “Updated and Compiled General Development Plan”. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a current survey of the Governmental Use Property and payment of costs to prepare and record the deed of dedication. The deed of dedication shall restrict use of the Governmental Use Property to use by the County or other governmental entities unless otherwise approved by the owner of the ID3 Property.

- 2. Entrance Landscaping and Beautification.**  
The entrance to the GC Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the GC Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the ID3 Property to provide a consistent appearance for all such entrances.
- 3. Cemetery Access.**  
The cemetery located on the GC Property will remain undisturbed and reasonable access will be provided to relatives and descendants of persons buried in the cemetery for the limited purposes of visiting graves, maintaining the gravesite or cemetery or conducting

genealogy research. Such access shall not include the right to operate motor vehicles on the GC Property other than within any driveways and parking areas as may be located on the GC Property from time to time.

## Condition Applicable to the Area Rezoned to the Ag Classification (the “Ag Property”):

The Applicant will enter into discussions with representatives of the County schools to explore the use of a portion of the AG Property for an agricultural education program which may include the cultivation of trees or other crops to provide a hands-on learning experience. If the County schools are interested, the Applicant will work with the County schools in good faith to agree upon the terms and conditions of a lease of up to one half (1/2) of the AG Property for \$1.00/year for a term of up to fifteen (15) years or as may otherwise be agreed upon by the County schools and the Applicant.



# CONDITIONS

## Conditions Applicable to All Areas Rezoned to the ID3 Classification (the “ID3 Property”):

- 1. No portion of the ID3 Property shall be used for any of the following uses:**
  - a. Biological and allied wholesaling**
  - b. Manufacturing of animal, chemical, gas, or arms and munitions**
  - c. Petroleum storage for wholesaling (except to supply uses on the ID3 Property)**
  - d. Fuel dealers, retail (except to supply uses on the ID3 Property)**
  - e. Hazardous waste carriers**
  - f. Municipal solid waste landfill**
  - g. Airport**
- 2. Entrance Landscaping and Beautification.**

The entrance to the ID3 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID3 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the GC Property to provide a consistent appearance for all such entrances.
- 3. Screening and Visual Line of Sight.**

Mining activities and related uses on the ID3 Property shall be screened from visibility from Highway 9 using berms and landscaping or other means proposed by the Applicant and approved by the County in connection with the review and approval of a site plan for development of the ID3 Property.
- 4. Dedication of Easement for Public Park.**

Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement

of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the “Park and Trail Easement”) shown on the plan included in this application dated November 11, 2022 and entitled “Updated and Compiled General Development Plan” (the “GDP”) on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.

## Conditions for a Special Exception to Allow Mining Operations and Associated Uses on the ID3 Property (“Mining Operations”)

Development and use of the ID3 Property for Mining Operations pursuant to the requested Special Exception shall be subject to the following conditions:

- 1. Hours of Operation.**

Hours of operation shall be limited as follows:

  - a. Extraction Area, Primary Plant and Equipment:**

6:00 a.m. to 9:00 p.m. Monday through Saturday (“Standard Operating Hours”) only except as provided below.
  - b. Shipping, Loading and Limited Processing:**

Standard Operating Hours except as otherwise required in the event a federal, state or local agency or authority requests or requires that such activities be conducted during other hours.

- c. Processing Plant (secondary and/or finishing phases of plant operations):**

Hours of operation for the processing plant shall be unrestricted when operated without the use of trucks and loaders utilizing audible back-up alarms (when operated with trucks and loaders utilizing audible back-up alarms, Standard Operating Hours shall apply). Any vehicular operations during hours other than Standard Operating Hours shall be for processing activities only and shall not be for extraction activities.
- d. Blasting.**

Blasting shall not occur before 9:30 a.m. or after 5:00 p.m. Monday through Friday, except when a blasting charge has been set before 5:00 p.m. and is delayed due to reasons beyond the reasonable control of Operator or due to safety considerations. In such a case, Operator may then complete the blast after 5:00 p.m. but no later than thirty (30) minutes after sunset. There shall be no blasting on Saturdays or Sundays except to complete a blast where the charge was set and blasting delayed as described above.

- 2. Buffers.**

Buffers shall be provided in the locations and of the widths shown on the on the plan included in this application dated November 11, 2022 and entitled “Updated and Compiled General Development Plan” (the “GDP”). Buffers shall consist of undisturbed natural vegetation supplemented by berms, additional vegetation or otherwise as necessary to comply with the requirements of the mining permit (the “State Mining Permit”) issued to Operator for Mining Operations by the South Carolina Department of Health and Environmental Control (“DHEC”). Encroachments into buffers shall be allowed for utility lines, roads, access points and such other encroachments or breaks as necessary to conduct Mining Operations in accordance with the State Mining Permit.

- 3. No Trespassing Signs.**

“No Trespassing” signs shall be posted and perpetually maintained around the perimeter of the processing and extraction areas. Signs shall not be more than 300 feet apart.
- 4. Wetlands.**

All necessary permits to allow disturbance of jurisdictional wetlands on the ID3 Property shall be obtained from the applicable governmental authority (e.g., U.S. Army Corps. of Engineers, Chester County Government, or DHEC).
- 5. DHEC Mining, Water Discharge and Air Permits.**
  - a.** Prior to commencement of any land disturbance associated with Mining Operations, Operator shall obtain the State Mining Permit from DHEC. The State Mining Permit shall address all relevant issues including soil erosion, stormwater management, air quality and reclamation. Completion of the reclamation plan shall be secured by a bond posted with DHEC in accordance with its regulations.
  - b.** Prior to commencement of Mining Operations, Operator shall obtain an NPDES General Permit for Discharges Associated with Nonmetal Mineral Mining Facilities from the DHEC Bureau of Water pursuant to the Pollution Control Act of South Carolina and the Federal Clean Water Act which is administered by DHEC in South Carolina.
  - c.** Prior to commencement of Mining Operations, Operator shall obtain an Air Quality Permit from the DHEC Bureau of Air Quality to ensure compliance with the Federal Clean Air Act which is administered by DHEC in South Carolina. In connection with the issuance of the Air Quality Permit, Operator shall develop and implement a facility-wide plan for controlling fugitive dust and emissions from Mining Operations including process operations, truck traffic, storage piles, and any other areas within the ID3 Property



# CONDITIONS

where fugitive dust emissions can be generated. Fugitive dust generated from direct Mining Operations shall be controlled by wet suppression and/or dry dust collection systems. Fugitive dust generated by vehicular traffic within Mining Operations shall be controlled by the application of water or equivalent wetting agent to roadways and other traveled surfaces on the ID3 Property.

- d. Operator shall maintain copies of all federal and state records pertaining to permits and approvals on-site and, upon reasonable prior notice from County zoning officials, Operator shall make copies of permits and approvals to County zoning officials for review.

## 6. Entrance Road.

- a. Operator shall pave and maintain in good condition the entrance road providing access to Mining Operations from Highway 9 for a distance of approximately 1000 feet as generally shown on the on the GDP.
- b. Permanent access to Mining Operations shall be limited to a single point on Highway 9 as generally shown on the GDP and approved by SC Department of Transportation. The portion of such access located between Highway 9 and the area used for active mining may be shared by other uses as authorized by Operator.
- c. Operator shall inspect the intersection of the Mining Operations entrance road and Highway 9 daily for loose stone. Operator shall remove any loose stone material at or around the entrance road outside of the right of way of Highway 9 if removal can be completed safely and without interruption of traffic on Highway 9. Operator shall solicit the assistance of the appropriate agency (SCDOT, County Sheriff, etc.) with respect to removal of stone within the right of way of Highway 9 or as otherwise

required for safe removal without interruption of traffic on Highway 9.

## 7. Monitoring Wells.

Operator shall construct five (5) monitoring wells at locations determined by an independent qualified professional (i.e., certified hydrologist or geologist) and approved by DHEC. A plan describing the procedures and timing of observance for the monitoring wells shall be developed by an independent qualified professional and approved by DHEC and to be followed by Operator.

## 8. Water Well Impacts.

Upon submission of a formal complaint by an adjacent property owner or as requested by the County, pursuant to the State Mine Permit DHEC shall determine if any activity associated with Mining Operations has caused a well or wells on the adjacent property owner's land to become dry. If DHEC determines that Mining Operations has caused the drying of the property owner's well, Operator shall be responsible for providing an alternative water source (e.g., drill well deeper, new well, or connect to public water source at the discretion of Operator) for the aggrieved party at Operator's expense.

## 9. Blasting.

- a. Blasting Data shall be monitored and recorded for all blasts, shall be maintained on-site at the scale house for a period of three (3) years and shall be made available to County zoning officials for review at the scale house. Blasting Data shall include the time and date of blast, pounds of blasting material per delay, total pounds of blasting materials per blast, seismograph readings of ground vibration levels and air over-pressure levels in decibels.
- b. Operator shall provide notice prior to the first blast associated with Mining Operations (not site development/construction) either by (i) written notice

via direct mail to all property owners and/or occupants of existing dwellings within one-half (1/2) mile of the areas where blasting will occur or (ii) advertisement two (2) times in a local newspaper of general circulation at least ninety (90) days prior to the first blast associated with Mining Operations blast. Upon receipt, pursuant to the above described notice, by DHEC and Operator of a written request from the owner of any existing structures within one-half (1/2) mile of the areas where blasting will occur, a third party consultant selected and engaged by Operator shall conduct an inspection of the applicable structures to determine the structural condition of the structures prior to the first blast associated with Mining Operations. The property owner shall have the right to supervise the inspection by the third-party consultant and shall be provided with a copy of the consultant's report.

- c. Ground vibration caused by blasting activity shall not exceed the maximum peak particle velocity allowed pursuant to South Carolina Code of Regulations Section 89-150(E) as measured at the immediate location of any dwelling, public building, school, church, or commercial or institutional building existing as of the date of approval of the Special Exception to allow Mining Operations. The maximum peak particle velocity requirement does not apply to structures within the permitted area, or any area that is owned or leased by Operator or any structures on which Operator has acquired waiver to damage rights.
- d. If a formal claim is made by any private or public landowner that the landowner or the property (real or personal) of the landowner has been damaged by blasting activities associated with Mining Operations, whether by ground vibration, air over-pressure or otherwise, an independent, qualified professional with experience in the effects of blasting

shall be engaged to determine if any damage was caused by blasting activities associated with Mining Operations. If it is determined that damage was caused by blasting activities associated with Mining Operations, Operator shall correct the damage or reimburse the landowner for such damage. The amount of any reimbursement shall be determined by an independent, competent professional with expertise in estimating the damage (for example, a licensed builder or building contractor where the damage is to a residence). The independent professionals performing assessments pursuant to this paragraph shall be agreed upon by both Operator and the property owner and retained at the expense of Operator.

## 10. Lighting.

Exterior light fixtures associated with Mining Operations shall be of a type and installed in a manner to reasonably minimize light spillage from Mining Operations onto adjoining parcels.

## 11. Noise.

Airborne noise produced from Mining Operations other than blasting shall not exceed 80dba of continuous noise for greater than five (5) minutes at any one time as measured along the northern and western boundaries of the ID3 Property (the "Noise Limit"). The Noise Limit shall not apply to individual events lasting less than five (5) minutes. Operator shall install monitoring devices on the northern and western property lines of the ID3 Property to monitor decibel levels to assure that noise from Mining Operations does not exceed the Noise Limit.

## 12. Reclamation Plan.

As a condition of the Special Exception, the reclamation plan approved by DHEC as part of the State Mining Permit shall be complied with by Operator, including, but not limited to, the following tasks which shall be completed upon completion of Mining Operations: (i) all debris, scrap metal, concrete foundations, sidewalks



# CONDITIONS

and structures will be removed and (ii) the stockpile, office and plant areas will be graded, sloped back to as natural a contour as reasonably possible (but no steeper than a 3h:1v slope) and seeded. Perimeter berms and buffers may be left in place and the pit area may be allowed to fill up with water.

## **13. Community Interest Engagement Group.**

Operator shall work with interested parties in the community to establish a Community Interest Engagement Group (the “CIEG”) comprised of representatives of homeowner associations or similar residential groups and interested individual property owners located within a two (2) mile radius of Mining Operations. Operator shall facilitate meetings with the CIEG on a quarterly basis or as otherwise mutually determined by Operator and the CIEG to allow for information exchanges with respect to historical Mining Operations, future plans for Mining Operations and other community issues or opportunities of concern or interest of the CIEG and Operator. This condition is intended to provide a forum for communications among the CIEG and Operator and does not grant any approval rights to the CIEG with respect to Mining Operations.

## **14. Community Fund.**

Annually, Operator shall contribute the lesser of (i) one percent (1%) of the adjusted net sales of construction aggregate materials excavated from the ID3 Property and sold to third parties during the year or (ii) Thirty Five Thousand Dollars (\$35,000.00) to one or more organizations within Chester County in support of local Chester County non-profit initiatives, workforce development programing or general community improvement opportunities. This funding will be managed by Operator and distributed to organizations selected by Operator after consultation with the CIEG. For purposes of this condition, “adjusted net sales” shall mean total sales dollars of construction aggregate materials mined or extracted from the ID3 Property excluding any transportation (whether by truck, rail or other method), hauling, loading or unloading charges and less deductions for cash discounts, price adjustments, additive materials, allowances, volume discounts and sales, use and other similar taxes or governmental charges. Annually, a report of contributions made by Operator pursuant to this condition shall be provided to the CIEG and to the County.



MAP PACKAGE COVER PAGE



VICINITY MAP

LUCK COMPANIES-  
GREENFIELD / ECONOMIC  
DEVELOPMENT PROJECT

CHESTER COUNTY, SC



For Business. For Life.



NOVEMBER 11, 2022

**ZONING MAP AMENDMENT (REZONING) /  
SPECIAL EXCEPTION APPLICATION**

Project Name: Chester Economic Development Project

Parcel ID References: 089-00-00-002-000  
089-00-00-001-000  
089-00-00-025-000  
088-00-00-054-000  
089-00-00-008-000  
089-00-00-005-000

Applicant: Luck Stone Corporation  
P.O. Box 29682  
Richmond, VA 23242  
(804) 476-6485  
chester@luckcompanies.com


Contact: Ben Thompson



Existing:  
Site Area (in acres): 443.39  
Parcels Zoning: R-2, ID-1

Requested:  
Site Area (in acres): 443.39  
Parcel Zoning: ID-1, ID-3, GC, AG  
Zoning Map Amended Acreage: 443.39  
Special Exception Zoning Ordinance: § 4-123-1  
Special Exception Acreage: 247.88

Post Development Features:  
Parking Per Chester Co Zoning Ord Chapter 5, Article IV  
Landscape Per Chester Co Zoning Ord Chapter 5, Article III  
Retained Open Space 177 acres +/- (40% +/-)

DRAWING TITLE:	SHEET:
COVER SHEET	1 OF 4
COMPILED SITE SURVEY	2 OF 4
PROPOSED REZONING AND SPECIAL EXCEPTION PLAN	3 OF 4
UPDATED AND COMPILED GENERAL DEVELOPMENT PLAN	4 OF 4

 LUCK COMPANIES RICHMOND, VIRGINIA	
REVISION:	DATE:

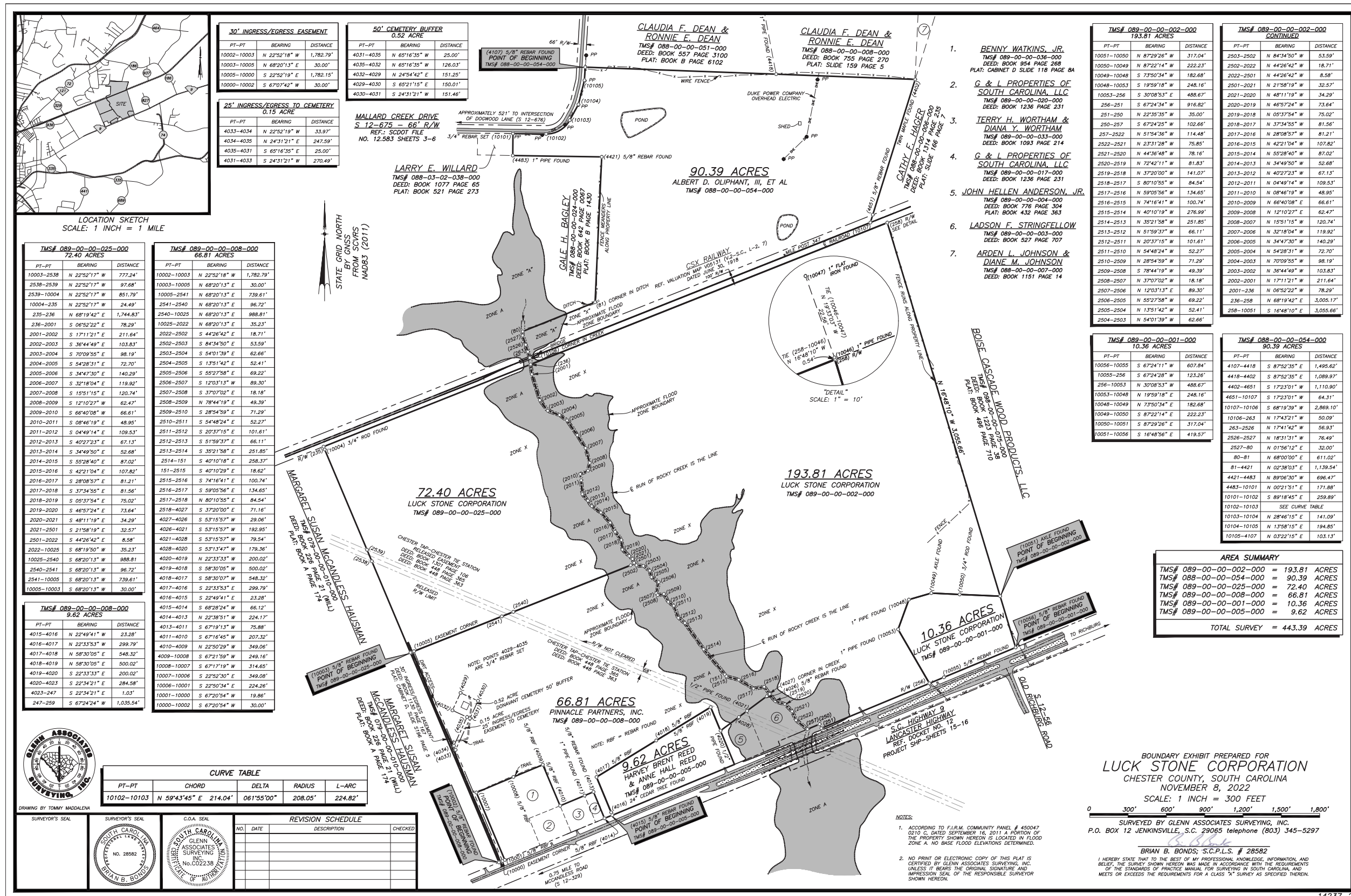
<b>LUCK COMPANIES</b> RICHMOND, VIRGINIA			
		Chester County Economic Development Project	
Date: 11/11/22	Photo / Topo Date: USGS Topo	Scale: 1:7000	Page: 1 OF 4
Drawn By: Patrick Hess			
<small>While every effort has been made to ensure the accuracy, correctness and timeliness of materials presented, the areas depicted by these maps, photos, and data are approximate, and are not necessarily accurate to surveying or engineering standards.</small>			







# COMPILED SITE SURVEY

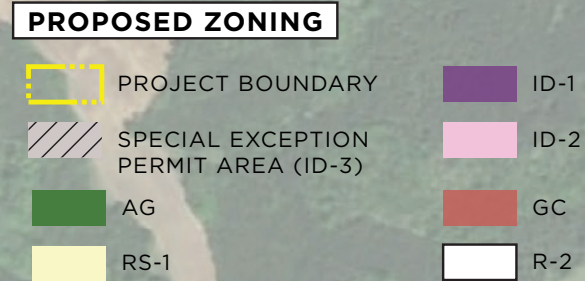
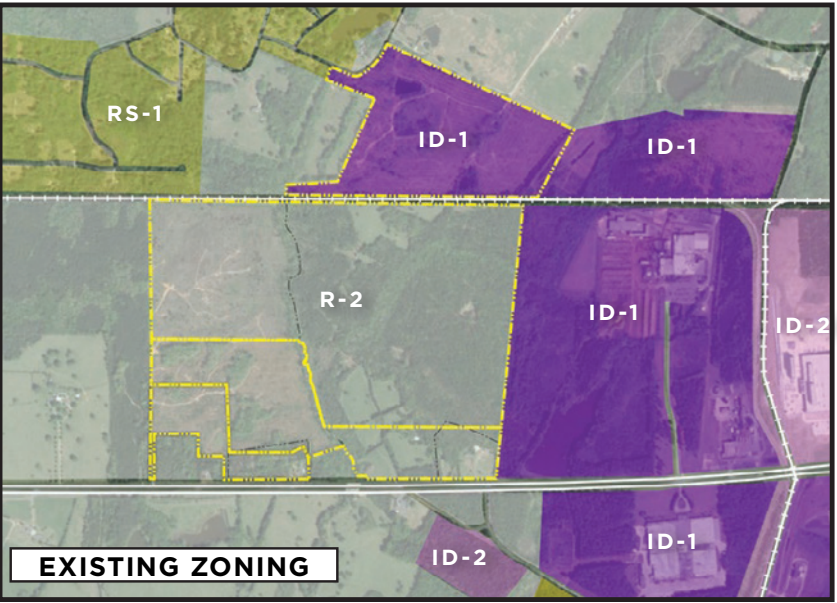








# REZONING SUMMARY



<b>LUCK COMPANIES</b> RICHMOND, VIRGINIA				
<b>LUCK</b> REAL ESTATE VENTURES	<b>LUCK</b> STONE	Chester County Proposed Rezoning and Special Exception Plan		
Date: 11/11/22	Source: Chester County GIS, Google Maps	Scale: Approx. 1" = 700'	Page: 3 OF 4	Drawn By: Patrick Hess
While every effort has been made to ensure the accuracy, correctness and timeliness of materials presented, the areas depicted by these maps, photos, and data are approximate, and are not necessarily accurate to surveying or engineering standards.				







# UPDATED AND COMPILED GENERAL DEVELOPMENT PLAN

