

PICKENS COUNTY PLANNING COMMISSION

MINUTES

of

April 8, 2019

6:30pm

PICKENS COUNTY ADMINISTRATION BUILDING Main Conference Room

NOTICE OF MEETING AND PUBLIC HEARING: Pursuant to Section 30-4-80 of the S.C. Code of Laws, annual notice of this Commission's meetings was provided by January 1, 2019 via the Pickens County Website and posted next to the Offices of the County Planning Department. In addition, the agenda for this meeting was posted outside the meeting place (Pickens County Administration Building Bulletin Board) and was emailed to all persons, organizations, and news media requesting notice. Notice for the public hearings was published in the *Pickens County Courier*, posted on the properties subject of public hearing(s), and emailed to all persons, organizations, and news media requesting notice pursuant to Section 1205(d)(1) of the Pickens County Unified Development Standards Ordinance.

MEMBERS PRESENT:

Bill Cato, Chairman
Robert Ballentine
Terry Nation
Bob Young
Moseley Hamilton
Michael Watson

STAFF PRESENT:

Ray Holliday, County Planner
Chris Brink, Community Development Director

Welcome and Call to Order

Mr. Cato, the Presiding Official, called the meeting to order at 6:30 p.m.

Mr. Cato asked those in attendance to join in a moment of silence and for the recital of the Pledge of Allegiance.

Mr. Cato asked each of the members to introduce themselves and identify which County Council district they represent.

Approval of Minutes

Mr. Cato called for a motion regarding the minutes of the March 11, 2019 meeting. Mr. Ballentine motioned to approve the minutes as submitted. Mr. Watson seconded the motion. The motion passed unanimously.

Public Comments

No one signed up or wished to speak.

Public Hearings

Mr. Cato briefly reviewed the public hearing procedures that will be followed.

Mr. Cato opened the public hearing portion of the meeting and called for the first case to be heard.

- 1. LU-19-0001 Land Use request for a proposed 256 unit Multi-Family Residential Development located at 4215 Calhoun Memorial Highway, Easley. The applicant is JJSC enterprises, LLC. The property owner of record is JJSC Enterprises, LLC.
TMS# 5049-15-53-6094**

Mr. Tim Campbell, appearing on behalf of the applicant, provided the Planning Commission an overview of the project; that the proposal is to construct a 256 unit multi-family complex on the site of the former Happy Plant nursery; that the multi-family part of the project takes up about 16 acres where the balance, approximately 3 acres, will be developed as commercial; that traffic studies have been completed and additional improvements will be required at the entrance with US 123 such as turn lanes and median work; that the commercial areas will be padded initially with all the focus on the residential site.

Mr. Ballentine asked Mr. Campbell what were the target demographics for the project.

Mr. Campbell stated that he was not sure, that the applicant was also to be present but was delayed; that it is his understanding that commuters were the target demographic.

Mr. Watson asked about fencing for the project.

Mr. Campbell stated that the project was not going to be fenced in its entirety; that the detention pond was to be fenced but the remainder of the project would be buffered with plantings or with existing vegetation.

Mr. Ballentine asked Mr. Campbell what the project construction timeline was.

Mr. Campbell stated that they are hoping to submit plans in May with construction starting in June.

Mr. Cato asked if anyone else was present that wished to speak in favor of the request. No one wished to speak.

Mr. Cato asked if anyone wished to speak in opposition of the request. No one wished to speak.

There being no additional presentation by the applicant and no additional Commission discussion, Mr. Cato called for a motion.

Mr. Ballentine motioned that the request be approved. Mr. Nation seconded the motion. The motion to approve passed unanimously.

Mr. Cato called for and opened the next public hearing.

- 2. SDV-19-0002 Lucas Anthony, on behalf of Heritage Development Group, LLC, is requesting a subdivision variance from the Pickens County development standards related to road construction standards and permitted building construction in a residential development known as *Riverstead*. The subject development is located on Freeman Bridge Road, Marietta.
TMS# 5135-00-68-8433**

Mr. Lucas, applicant, appeared before the Commission and presented his proposed subdivision variance request; that he was seeking relief from the county requirements that stipulate a road

has to be completed within a development, with asphalt down, prior to building permits being issued; that in the past, that was how the process worked and it was allowed; that when he started his project, he wasn't aware of this requirement.

Mr. Anthony stated that due to delays in permitting and weather, he has several families waiting to start their houses.

Mr. Anthony explained that the county requires the posting of a bond when work hasn't been completed that is 125% of the construction cost; that that bond ensures that the developer will complete the remaining items in the development; that if the developer fails to complete the project, the county then calls that bond and completes the road construction.

Mr. Ballentine asked what type of road he was constructing.

Mr. Anthony stated that he was constructing a road with a binder asphalt course and then a final asphalt surface; that they are now in the process of installing the initial compacted base.

Mr. Nation asked how many lots he had that wanted to close and build.

Mr. Anthony stated that he had approximately 7 lots wanting to close and 3 lots that definitely wanted to start construction immediately.

Discussion continued between several members of the Commission and Mr. Anthony regarding the location of the lots in question, where the binder course will not be down, how far the binder will run, and where in the process is he relative to completing the base course.

Mr. Ballentine and Mr. Anthony discussed the length of the variance request (time); that if it was open ended; and how long will it be until the road binder is down.

Mr. Cato expressed his concerns with emergency vehicle access on gravel roads.

Mr. Anthony stated that the binder course will be down before anyone is allowed to occupy any home constructed within the development.

Mr. Ballentine stated his reservation to an open ended variance request; that he would be more comfortable with voting for a variance request that had a time limit to it.

Mr. Anthony stated that he was only asking for a 4 month window to be allowed to pull building permits before the binder is down; that the variance request is to allow building permits to be issued before the binder is completed.

Mr. Ballentine asked how many permits were anticipated.

Mr. Anthony stated the need to be allowed to pull 5 permits; that he was afraid that limiting the number of permits could impact the 6th person from pulling a permit if that came up.

Mr. Watson asked Mr. Anthony how long was being requested for the variance.

Mr. Anthony stated that he was looking at a 4 month window between when building permits were issued and when the base course would be down.

Mr. Watson asked how long was the initial builder planning for to have the first home completed.

Mr. Anthony stated that the builder is anticipating an 8 to 9 month construction window.

Mr. Ballentine asked staff to explain the procedure the county would take if Mr. Anthony fails to finish construction.

Mr. Brink explained the bonding requirements and the process for the county calling the bond and completing the construction.

Mr. Anthony stated that he was not asking for any variance relative to road constructions; that the request was simply asking to be allowed to pull building permits 4 months prior to the asphalt binder being down.

Lengthy discussion continued regarding road base, asphalt binder, construction timeline, length of time needed to have the binder completed and where in the development the binder would not be completed.

Mr. Cato asked if anyone else was present that wished to speak in favor of the request. No one wished to speak.

Mr. Cato asked if anyone wished to speak in opposition of the request. No one was present that wished to speak in opposition.

There being no additional discussion or questions, Mr. Cato called for a motion.

Mr. Ballentine motioned that the variance be granted for a period of 6 months for the development requirements to be met.

Discussion began relative to Mr. Ballentine's motion related to binder requirements, length of time, and the issuance of building permits.

Mr. Ballentine re-crafted his motion that the variance be granted to allow for building permits to be issued prior to the completion of the development standards relative to road construction and that the required binder course must be down within 6 months of approval.

Mr. Hamilton seconded the motion.

Again, discussion continued relative to the length of time of the requirement and when the binder would have to be completed.

Mr. Cato provided a friendly amendment to the initial motion that would clarify that the binder must be completed from the public road to the home under construction prior to the issuance of a CO (certificate of occupancy).

Planning Commission members discussed this proposed amendment.

After lengthy discussion, Mr. Cato withdrew his friendly amendment.

Again, the members of the Commission discussed adding a requirement relative to the issuance of CO's and when the binder course must be in place.

Mr. Watson offered up an amendment to Mr. Ballentine's motion. His amendment being that no CO may be issued prior to the binder course being completed.

Mr. Ballentine seconded the motion to amend.

The motion to amend passed unanimously.

Mr. Cato called for the original motion to be taken up and that a second had already been made.

The motion to approve the original motion, as amended by the previous amendment action, passed unanimously.

For inclusion in the minutes, the variance request was approved conditionally, allowing the issuance of building permits prior to the completion of the development standards requirements related to road construction, with conditions being:

1. *The required binder course must be down within 6 months of approval of the variance.*
2. *No CO (certificate of occupancy) may be issued prior to the binder course being completed.*

Mr. Cato called for and opened the next public hearing.

3. **SDV-19-0003 Paul Foster, on behalf of Cliffs Keowee Springs Development, LLC, is requesting a subdivision variance from the Pickens County development standards related to road construction standards and minimum right-of-way width in a residential development known as the *Landing at Keowee Springs*. The subject development is located Cofferdam Road/Wellhouse Crossing, Six Mile.
*TMS# 4039-00-47-9542, 4039-00-31-0989, 4039-00-65-4291***

Mr. Paul Foster, applicant and owner representative, appeared before the Commission and presented a very brief explanation of the variance request; that due to changing SCDHEC requirements regarding lakeshore setback requirements for septic a variance request to be permitted to reduce the county minimum right-of-way standards from 50' to 40' would assist property owners in siting homes and required septic within certain areas of the development; that SCDHEC initially required 50' from the lakeshore for septic but recently expanded to 75' after the project had already been approved; that the variance request was limited in scope to just those roads, or portion of roads, that only served 25 lots or fewer.

There being no further presentation and no one present to either speak for or against the request, Mr. Cato closed the public hearing and called for a motion.

Mr. Ballentine motioned that the variance request be approved.

Mr. Young seconded the motion. The motion to grant the variance passed unanimously.

Mr. Ballentine motioned that the request be withdrawn as requested by Mr. Wilcox. The motion was seconded by Mr. Watson. The motion passed unanimously.

Commissioners and Staff Discussion

There were no additional questions or discussion.

Adjourn

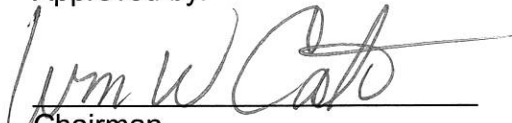
There being no additional matters to be taken up by the Commission, Mr. Ballentine motioned for the meeting to be adjourned. The motion was seconded by Mr. Cato. The meeting was adjourned at 7:45 pm.

Submitted by:


Secretary

5/13/19
Date

Approved by:


Chairman

5/13/2019
Date