

PICKENS COUNTY PLANNING COMMISSION

MINUTES

of

March 8, 2021

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, 2021 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:

Bobby Ballentine, Vice-Chairman (Presiding Official)
Phil Smith
David Cox
Gary Stancell
Bobbie Langley
Jon Humphrey
Michael Watson

STAFF PRESENT:

Ray Holliday, County Planner
Chris Brink, Community Development Director

Welcome and Call to Order

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

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

Approval of Minutes

Mr. Ballentine called for a motion regarding the minutes of the February 8, 2021 meeting. Mr. Watson motioned to approve the minutes as submitted. Ms. Langley seconded the motion. The motion passed unanimously.

Public Comments

No one signed up or was otherwise present to speak.

Old Business

- 1. SDV-20-0006 Randall Molloseau requesting a subdivision variance from the Pickens County development standards regarding the division of property on a private residential access. The subject**

**tract is located on Smith Memorial Highway, Six Mile. The property owner of record is Tony Stephens.
TMS# 4048-00-70-1884**

Mr. Ballentine called for a motion to remove this item from the table; the item was tabled from the last meeting pending the submittal of supplemental information by the applicant.

Mr. Smith motioned that this item be removed from the table.

Mr. Stancell seconded the motion. The motion to remove from the table passed unanimously.

Mr. Ballentine asked if the applicant was present and wished to speak.

Mr. Molloseau appeared before the Commission and briefly went over the additional material that was submitted; that a new, updated right-of-way and maintenance agreement was approved and signed by all the respective property owners, Mr. Stephens, Mr. David Hendricks, Mr. Mark Hendricks, and themselves; that this agreement was also recorded with the County Register of Deeds office.

Mr. Watson asked about the gate on Creek Bend Road.

Mr. Molloseau stated that the gate is beyond the properties owned by either him and his wife or the Hendricks and is not part of any right of way or maintenance agreement; that it involves a property owner further up Creek Bend Road.

There being no further questions or discussion from either the applicant or the Commission, Mr. Ballentine called for a motion.

Mr. Watson motioned that the request be approved. Mr. Stancell seconded the motion.

The motion to approve the subdivision variance request was approved unanimously.

Public Hearings

Mr. Ballentine briefly went over the procedures that will be followed for this evenings public hearing.

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

- 1. LU-21-0001 Land Use approval for a RV Park and Campground.
The subject property is located on Gap Hill Road, Six Mile. The applicant is Mountain Lakes Marina, LLC. The property owner of record is Nimmons Bridge Smith Estates, LLC.
TMS#s 4130-00-61-4015, 4130-00-61-0769**

Mr. Marty Kocot, Landworks Engineering, appeared before the members of the Planning Commission and gave a detailed overview of the proposed project and presented a brief video of a representative project located in Lake Toxaway, North Carolina.

Mr. Kocot gave a general layout and overview of the project relative to the surrounding community and the associated tracts, on some of which is located Sunset Marina; that the owners and investors wish to create a destination resort with Lake Keowee being the destination and draw; that the project will consist of 65 sites with each being approximately 6,000 square feet in size; that they are well below the allowed density for such projects and are well above the minimum for each site.

Mr. Kocot continued with information on prospective tax benefits to the county and what the target market will be relative to the resort and potential site leases.

Mr. Kocot explained and gave site details on the project's layout, utilities, and access to personal transportation (golf carts) for travel within the facility and to the adjacent marina; that the resort will also allow for small, coach houses to be built on each site with kitchens, living areas, storage, but no bedrooms; that the request also entails allowing the resort an exception to the county's requirement for leasing or site occupation of no longer than 180 days; that the way the resort will be set up, with long term site leases, this would not fit their model.

Mr. Kocot explained that all internal roads will be built to minimum county standards but be privately maintained.

Ms. Langley stated she was concerned about the allowed or permitted sizes of the motor homes allowed in the resort and what can fit on the proposed sites.

Mr. Watson asked about the entrance and exit design and the turning radius within the project and that with the steep grade leaving the project out on Gap Hill Road that there may issues with the motor homes being able to get up to speed in a reasonable time.

Mr. Kocot stated that they will address grades within the project but was not sure how to address acceleration issues once on the state road.

Ms. Langley asked about how many trees would be removed; that the grades on the property appear to require mass grading to make all the sites work.

Mr. Kocot explained that yes, they may have to clear-cut the entire tract but they will leave plenty of trees along the perimeter as required by the county.

Ms. Langley stated her concern with boat access/towing and fitting a motorcoach, boat, car all on the individual sites.

Mr. Kocot stated that the marina will offer storage as part of that project but that most will only be towing a car for travel around the area; that the marina will offer boat rentals or dry storage for someone who would like those services.

Members of the Commission and applicant continued discussion relative to project access, grades, turning lanes, turning radiuses.

Mr. Shea Airey, project owner/investor, spoke as a proponent of the request and explained the nature of the leasing program and the nature of potential sub-leases of sites for rental by the general public through AirBnB, VRBO, etc.

Mr. Smith asked about the cottages and who would be allowed or who would be building them and if there would be an HOA to manage the resort.

Mr. Airey stated that they are not in the construction business and would not be interested in designing and building the cottages; that they would be permitted and constructed by the individual site leases; that there would be some form of an HOA or other property management arrangement created.

Ms. Langley asked about septic and if the cottages would be tied to the septic serving the motorcoaches.

Mr. Kocot stated that they have not yet met with SCDHEC to go over the requirements but he would assume they would all be tied to a community system that they are proposing; that the system would be designed to handle flows from 65 sites and 65 cottages.

Commission and the applicant continued to discuss topics such as the cottage designs, project examples in South Carolina, and limits on type and sizes of motorcoachs allowed, project entrance design, ADA sites and accessibility.

Commission members, staff, and Mr. Airey discussed the 180 day limitation on site occupancy and the construction of the cottages; related to staff recommendations.

Mr. Tom Smith spoke, not as a proponent or opponent but stated that he was sure that the proposed project would be better than what was there previously but had a question regarding sewage treatment and stormwater.

Mr. Kocot stated that they are designing, according to SCDHEC standards, a community septic system that will gravity flow to a central collection system and use a majority of the previous campground site as the treatment area.

There being no additional discussion or presentation by the applicant or anyone else wanting to speak in favor of the proposal, Mr. Ballentine opened the public hearing for those who wished to speak in opposition.

Mr. Mitch Greene appeared before the commission and spoke in opposition; that with the redevelopment of the marina and now this project, there will be an influx of people and cars creating traffic problems; that all the members or residents of the resort will be using golf carts to access the marina creating a hazard on Gap Hill Road; that this project will require additional public water that the residents in the area has asked for; that there would really be no true tax benefit to Pickens County since the multimillion dollar motorcoaches would likely be taxed in the home state of the owner, not in Pickens County.

Mr. Tom Smith spoke again, this time in opposition; that traffic is continually getting worse along Gap Hill Road due to recent residential development and the redevelopment of the marina; that during specific times during the day, the intersection with SC 183 becomes clogged with cars waiting to enter the highway from Gap Hill Road.

There being no additional citizens wishing to speak in opposition, Mr. Ballentine asked the applicant if they wish to offer any rebuttal.

Mr. Donald Payne, applicant and investor/owner appeared and explained that they are trying to clean up the area and remove a use that had a troubled past; that the development of the marina and now the resort should help alleviate traffic and get people off Gap Hill Road and onto parking being provided by the marina.

There being no additional presentation or discussion, Mr. Ballentine closed the public hearing and opened the floor to the Commission for questions or a motion.

Mr. Watson asked about security of the property.

Mr. Kocot stated that the resort will be gated.

Ms. Langley asked about the width of the road right-of-ways in the resort and if they would be private or public and if a deceleration lane would be required on Gap Hill Road.

Mr. Brink gave background information on the roads proposed and the nature of the comments offered by the County Engineer and Public Works Staff.

Mr. Smith stated his concerns with the overall size of the project, in terms of number of sites and perhaps limiting the number could help alleviate some of the concerns about traffic.

Mr. Stancell asked staff if SCDHEC would ultimately be the agency that will dictate the final number of sites in the project.

Mr. Brink affirmed; that SCDHEC, based on soils, capacity, and proximity to Lake Keowee could require the number of sites, and cottages, be reduced from what is being proposed.

Mr. Humphrey asked about subleases or if sites could be opened up for AirBnB or nightly rentals.

Mr. Airey indicated that the resort restrictions being proposed and developed would not allow such sub-leases or nightly rentals.

Ms. Langley asked about vegetation and tree replacement needed due to the proposed mass grading of the site and using native species.

Mr. Kocot indicated that based on the project design and vegetation being removed, there may or may not be opportunities for replacement.

There being no additional comments or discussion, Mr. Ballentine called for a motion.

Mr. Smith motioned that the project be approved with no more than 50 sites, deceleration and accelerations be provided along Gap Hill Road, and that site leases not extend beyond or be for longer than 5 years.

Due to the lack of a second, the motion died.

Ms. Langley motioned that the request be tabled for additional Commission research.

Due to the lack of a second, the motion died.

Mr. Stancell motioned that the request be approved with no restriction on occupancy, no 180 day rule.

Mr. Cox seconded the motion for discussion.

Mr. Stancell added to his original motion that the property management company be responsible for the construction of all structures and coach houses.

Mr. Cox seconded this addition to the original motion.

Ms. Langley stated her concerns with the 180 days.

Mr. Smith stated that he would like to at least limit the number of sites as a way to mitigate traffic concerns.

Mr. Cox noted that the nature of the lease terms proposed by the applicant must be allowed to match the project investment being made.

Mr. Brink interjected that to make sure the intent of the Commission is accurately relayed in the motions being made and to make the motion period more clear, that we deny both of the previous motions and start with differently worded motions.

Mr. Ballentine called for a vote on the motion to amend the original motion. The motion to amend the original motion failed unanimously.

Mr. Ballentine called for a vote on the original motion to approve. The original motion to approve the request failed.

There being no successful motion to approve, a new motion would be in order.

Mr. Humphrey motioned to approve the request with the following conditions:

1. *Approval shall be considered site specific and is based on the conceptual plans submitted with the Land Use Application and reviewed by the Planning Commission. Any substantial changes to what has been reviewed by this Commission must be sent back for review as a change in conditions of this land use permit action.*
2. *County Public Works/Engineering staff must review project plans during the development permitting stage for compliance of all internal roads and associated infrastructure for compliance to both county UDSO standards for local streets and typical road design. A full set of Street Improvement Plans will be required for review. This is not in lieu of any other development permit submittal that may be required for the project.*
3. *Sites within the RV Park/Campground shall be limited to a single (one) recreational vehicle, travel trailer, motorcoach, camper, motorhome, etc. Occupancy by multiple RVs on any particular site is not permitted.*
4. *Permanent structures shall be erected or constructed utilizing a consistent architectural style approved by the Commission. Such structures must be primarily "open air" but may contain a small restroom (sink, commode, shower), kitchen, and accessory storage. No structure may have indoor living spaces or be used or otherwise have a space or room that can be separately occupied or inhabited and the use of the structures may only accompany the use and occupancy of the associated recreational vehicle.*
5. *If a site has upon it a permanently constructed structure, the area of the structure cannot count towards or otherwise be considered in the calculation of the minimum lot area required by Section 302(b)(4) of the UDSO.*
6. *All structures located on individual sites must be permitted and constructed according to the South Carolina Building Code.*
7. *When a site is leased to an individual, group, or corporation and not otherwise available for rent to the general public, a copy of that lease must be furnished to the County's Parks, Recreation, and Tourism Director to ensure compliance with the County's Accommodation Tax ordinances.*

Mr. Stancell seconded the motion.

Mr. Smith offered and motioned that Mr. Humphrey's initial motion be amended to add:

8. *Number of sites may not exceed 50*
9. *SCDOT may require, at their discretion, the construction of acceleration and deceleration lanes as appropriate on Gap Hill Road.*

Ms. Langley seconded the motion to amend Mr. Humphrey's motion.

Mr. Ballentine called for a vote on the motion to amend.

The motion to amend Mr. Humphrey's motion was approved unanimously.

Mr. Ballentine called for a vote on the amended motion.

Mr. Humphrey motioned to amend his original motion to eliminate and provide for an exception to the 180 day occupancy limitation for the proposed project.

Mr. Smith seconded the motion to amend.

Mr. Ballentine called for a vote on the amendment.

The motion to amend the original motion made by Mr. Humphrey passed unanimously.

Mr. Ballentine called for a vote on the amended motion.

Ms. Langley offered an amendment and motioned that Mr. Humphrey's motion be further amended to change his condition number three (3) to read:

3. *Sites within the RV Park/Campground shall be limited to one, Class A motorcoach of twenty-six (26) feet or larger.*

Mr. Cox seconded the motion to amend. The motion to amend the original motion made by Mr. Humphrey, and amended twice before, passed unanimously.

Mr. Ballentine called for a vote on the original motion made by Mr. Humphrey and subsequently amended three times.

The original motion, as amended, passed unanimously.

The request was approved with the following conditions:

1. *Approval shall be considered site specific and is based on the conceptual plans submitted with the Land Use Application and reviewed by the Planning Commission. Any substantial changes to what has been reviewed by this Commission must be sent back for review as a change in conditions of this land use permit action.*
2. *County Public Works/Engineering staff must review project plans during the development permitting stage for compliance of all internal roads and associated infrastructure for compliance to both county UDSO standards for local streets and typical road design. A full set of Street Improvement Plans will be required for review. This is not in lieu of any other development permit submittal that may be required for the project.*
3. *Sites within the RV Park/Campground shall be limited to one, Class A motorcoach of twenty-six (26) feet or larger.*
4. *Permanent structures shall be erected or constructed utilizing a consistent architectural style approved by the Commission. Such structures must be primarily "open air" but may contain a small restroom (sink, commode, shower), kitchen, and accessory storage. No structure may have indoor living spaces or be used or otherwise have a space or room that can be separately occupied or inhabited and the use of the structures may only accompany the use and occupancy of the associated recreational vehicle.*
5. *If a site has upon it a permanently constructed structure, the area of the structure cannot count towards or otherwise be considered in the calculation of the minimum lot area required by Section 302(b)(4) of the UDSO.*
6. *All structures located on individual sites must be permitted and constructed according to the South Carolina Building Code.*

7. *When a site is leased to an individual, group, or corporation and not otherwise available for rent to the general public, a copy of that lease must be furnished to the County's Parks, Recreation, and Tourism Director to ensure compliance with the County's Accommodation Tax ordinances.*
8. *Number of sites may not exceed 50*
9. *SCDOT may require, at their discretion, the construction of acceleration and deceleration lanes as appropriate on Gap Hill Road.*
10. *Allow an exception to the 180 day occupancy limitation for the proposed project.*

Commissioners and Staff Discussion

Mr. Ballentine asked for an update on the Coal Ash issue.

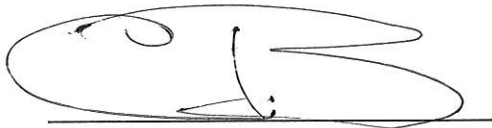
Staff stated that this was not the forum to speak about an ongoing legal matter; that they would reach out to the County attorney to provide an update as necessary.

Staff also spoke about upcoming training opportunities for the new members and that that information would be provided at the next meeting.

Adjourn

There being no additional matters to be taken up by the Commission, Mr. Stancell motioned that the meeting be adjourned. The motion was seconded by Mr. Smith. The meeting was adjourned at 9:10pm.

Submitted by:


Secretary

4/12/21
Date

Approved by:


Chairman

4/21/2021
Date