

MINUTES
Planning Commission
November 6, 2007

Members

Present: Whit Kennedy, Chairman
Doug Brackett, Secretary
David Burnett
Donna Turner Williams
E Kent Miller
Marion Gramling
John Campbell
Phillip Lawson

Members

Jerry Gaines

Absent:

Staff

Joan Holliday

Present:

Sherry Dull
Mike McGrath
Chris Story
Allison Ezell
Karri Isaac
Savannah Sabo
Edwin Haskell

Freelance Reporting Services, Transcriptionist

1. Call to Order

Whit Kennedy called the meeting to order.

2. Approval of Minutes of September 11, 2007

Marion Gramling made a motion to approve the September 11, 2007 minutes as amended. Doug Brackett seconded the motion. The vote carried unanimously.

Approval of Minutes of October 9, 2007

Marion Gramling made a motion to approve the October 9, 2007 minutes as submitted. Doug Brackett seconded the motion. The vote carried unanimously.

3. Old Business

None

4. Public Hearings

A. Road Name Change

1. Cedar Springs Place petitioned to be Clarke Camp Road

Whit Kennedy informed the Planning Commission that the public hearing for the road name change had been withdrawn.

David Burnett made a motion to amend the agenda and move Item 6.3.B.a. Land Development Major Site plan for Carolina R V Resort Park to the first order of business on the agenda. Donna Turner Williams seconded the motion. The vote carried unanimously.

5. Discussion Items

None

6. Unified Land Management Ordinance #0-99-015

B. Land Development

1. Major Site Plans

- a. Carolina RV Resort Park

Joan Holliday gave a summary on Carolina RV Resort Park to the Planning Commission. She stated that they were still waiting on approval from Spartanburg County Public Works, Engineering Division and DHEC. They have also purchased another parcel since the last meeting.

Matt Henderson, Attorney representing the developer, stated that there had been several changes made to the development since the last Planning Commission meeting. He stated that the following changes were as follows; there would no longer be a long term lease, but a short term rental agreement, the weight limitations would change to a maximum of 4 tons per axle and there would also be a state of the art design for sewage disposal for the site. In addition, they would also agree to honor the

Spartanburg County Comprehensive Land Use Plan and leave as many trees as possible. He stated that this would not be a mobile home park. The vehicles would be slightly narrower than the previously expected motor homes and would fully comply with the road. Mr. Henderson stated that they planned to lease the lots on a short term basis and would only utilize smaller RV vehicles that would comply with the W Frontage Road weight limitations.

The Planning Commission asked the developer about the plans for sewage disposal on the site.

Chuck Piazza, Developer, briefed the Planning Commission on the sewage disposal plans for the site. He stated that they were proposing to put in an Advanced Bio System for sewage disposal. This system has not been used in this area but has in other parts of the country, such as California. Mr. Piazza stated that they had submitted a soil sample to DHEC and the developers were waiting on approval.

Whit Kennedy explained to the developers that the Ordinance required approval from DHEC on the individual RV lots. Several of the Planning Commission Members voiced concern with the soil testing and the new septic system that has never been used in South Carolina. They were concerned that this particular piece of property would not support the Advance Bio System.

Chris Story, Assistant County Administrator, stated that given the fact that this was a unique sewage system and the approval from DHEC would take some time, he advised the Planning Commission to delay conditional preliminary approval until the septic approval was in from DHEC.

Marion Gramling asked what the difference was between giving conditional preliminary approval for a Subdivision or an RV Resort Park. Chris Story replied that this was not a typical residential type subdivision but one with a unique septic system. Marion stated that it's not approved until it meets all the conditions. David Burnett asked about when the vested rights would apply and Marion replied there isn't any until it's approved. Mr. Piazza stated that they were not interested in any vested rights until DHEC approval was in.

Doug Brackett asked about the type of vehicles that would be allowed in the RV Resort Park. In addition, the Planning Commission asked about who would be enforcing weight limitations. Mr. Piazza stated that they

would provide literature and inform the person registering of the weight limitations. They plan to allow 99% of class C, 95.5% of all class B (manufactured) and 100% of all towables and 96.5% of all 5th wheels (manufactured). The owners will accept most of the RV's with the exception of Class A's. They would only accept small Class A's.

David Burnett wanted more information from the developers on how they would weigh the individual RV's.

Pat Knie, of 885 Smith Chapel, stated that the project first came before the Planning Commission as an RV Resort and the Planning Commission referred to this as an RV Subdivision. The RV Subdivision was based on the fact that there would be a transfer of ownership for the lots and this would not qualify as an RV Park due to the subdivision lot size requirements. Mr. Knie stated that there was no provision in the ordinance that dealt with RV Subdivision.

Mr. McDonald voiced concern with sewage drainage on other surrounding properties. He stated that his property was located downhill from the proposed site. Mr. McDonald also voiced concern with the condition of the road.

Madeline Wallace, realtor, stated that she was familiar with the Spartanburg County Comprehensive Land Use Plan. She stated that this was the wrong area of the county to place an RV Resort. Ms. Wallace stated that this particular area of the county was in the watershed for Spartanburg County and this area was residential. She also stated that a number of horses had been quarantined on the property due to an illness.

Mr. Hornung stated that he would like the Planning Commission members to follow the Comprehensive Land Use Plan before approving the RV Resort Park. He stated that if preliminary approval were granted then this would have an impact on the surrounding residential properties and could possibly affect the local water supply.

Edwin Haskell asked for more information on how the developers characterized a short term lease.

Mr. Henderson stated that a short term lease could be anywhere from a month to a year.

Mr. Haskell asked if there would be a signed rental agreement at the time

the applicant signed into the RV Resort. Mr. Henderson stated the written rental agreement would be an agreement for the applicant to pay and abide by the rules of the RV resort.

Gracie Knie, attorney, stated that she admired what the Planning Commission did. She asked if the people coming in would be required to register on the sex offenders list so that surrounding property owners would be informed. She stated that she was concerned with the safety of the local church and school in the area from sex offender predators that may reside in the RV Resort on a short term basis. She advised the Planning Commission members to hold another meeting in order for the local school and church to attend and voice their concern if the owners did not require registry at the time the applicant signed in.

Mr. Henderson was not sure if the sex offender registry would be a requirement before someone entered the resort.

David Burnett made a motion to table the RV Resort until written approval from DHEC was in. He stated that conditional approval did require DHEC approval since this system had never been used in the area. In addition, he was concerned with what constitutes a subdivision and would like more time to research it. Donna Williams Turner seconded the motion.

There was some discussion after the motion.

Marion Gramling stated that there was no difference on DHEC approval on this site or any other site. There was no vested interest for approval from DHEC for conditional preliminary approval. Mr. Gramling stated that he made a motion to deny preliminary approval last month due to weight law issues. He stated that this was out of our bounds and only DHEC could approve or turn down the proposed septic system.

Edwin Haskell recommended for the Planning Commission to table so that they could review the subdivision issues and the character of the development. The County Attorney explained the motion and stated that by tabling they were leaving open the opportunity to look into subdivision issues which could possibly influence the Planning Commission's decision down the road as far as what was required. He stated that if the Planning Commission conditionally approved today then nothing could be done on the project until all conditions were met.

Marion Gramling asked what section were the RV Resort falls under in the

Ordinance for approval, section 3.13 for camper RV's. Edwin Haskell stated that the motion was based on the project as a RV Park today. He feels that the Planning Commission has made the right decision to table so that they can have time to address the definition of a subdivision. Mr. Haskell stated the definition of a subdivision under the Planning & Enabling Act has changed. He stated that dividing or setting aside land for the purpose of a lease met the definition of a subdivision in the Planning Enabling Statue. Mr. Haskell agreed with the motion to table in order for staff and the county attorney to take time to look at the issue.

The vote was four to three in favor of the motion to table until written approval from DHEC was in. The members in favor of the motion were David Burnett, Donna Turner Williams, Doug Brackett and John Campbell. The members against the motion were Marion Gramling, Phillip Lawson and E Kent Miller.

A. Subdivisions

1. Major (Preliminary Plats)

a. Kist Creek Farms

Karri Isaac gave a summary of the project and recommended conditional preliminary approval subject to review and approval from the Public Works, Engineering Division and DHEC application.

John Campbell made a motion to grant conditional preliminary approval subject to review and approval from the Public Works, Engineering Division and DHEC application. Donna Turner Williams seconded the motion. The vote carried unanimously.

b. Waterview

Karri Isaac gave a summary of the project and recommended conditional preliminary approval subject to review and approval from the Public Works, Engineering Division and DHEC application.

Doug Brackett made a motion to grant conditional preliminary approval subject to review and approval from the Public Works, Engineering Division and DHEC application. Marion Gramling seconded the motion. The vote carried unanimously.

c. Shady Grove Hills, Ph 2, Sect II (Withdrawn)

Allison Ezell informed the Planning Commission that the project had been withdrawn from the agenda.

d. Carlton Creek (Revised)

Allison Ezell gave a summary of the project and recommended preliminary approval. All reviews are in and complete.

David Burnett made a motion to grant preliminary approval. Phillip Lawson seconded the motion. The vote carried unanimously.

2. Major (Final Plats)*

- a. Martin Lane Estates
- b. Carolina Forest, Phase 2
- c. Plantation Grove, Phase 2

Sherry Dull recommended that Martin Lane Estates, Carolina Forest, Phase 2 and Plantation Grove, Phase 2 be read into the record as approved.

E. Kent Miller made a motion to read Martin Lane Estates, Carolina Forest, Phase 2 and Plantation Grove, Phase 2 into the record as approved. Doug Brackett seconded the motion. The vote carried unanimously.

3. Minor (Summary Plats)*

- a. Brashears Commons, Section 2
- b. Plantation Grove, Phase 1
- c. Nikolai Denishchich
- d. Aleksandr Denishchich

Sherry Dull recommended that Brashears Commons, Section 2, Plantation Grove, Phase 1, Nikolai Denishchich and Aleksandr Denishchich be read into the record as approved.

David Burnett made a motion to read Brashears Commons, Section 2, Plantation Grove, Phase 1, Nikolai Denishchich and Aleksandr Denishchich into the record as approved. Phillip Lawson seconded the motion. The vote carried unanimously.

4. Minor (Private Road Developments)*

None

5. Minor (Family Property)

None

6. Preliminary Extension Request

None

B. Land Development

1. Major (Preliminary Plats)

a. Old Furnace Road Office Park

Karri Isaac gave a summary of the project and recommended conditional preliminary approval subject to review and approval from Public Works, Engineering Division and SCDOT application.

The Planning Commission agreed to put under the stipulation that only two buildings on the property can be used as medical offices. There will not be enough room for parking spaces for 3 medical buildings.

John Campbell made a motion to grant conditional preliminary approval subject to review and approval from Public Works, Engineering Division, SCDOT application and under the stipulation that only two buildings on the property can be used as medical offices. Donna Turner Williams seconded the motion. The vote carried unanimously.

b. John Martin Road (portion of)

Sherry Dull gave a summary of the project and recommended preliminary approval.

Marion Gramling made a motion to grant preliminary approval. Doug Brackett seconded the motion. The vote carried unanimously.

2. Major (Final Plats) *

- a. John Martin Road (portion of)
- b. Village Courtyards @ Stone Village, Phase 1-A

Sherry Dull recommended that John Martin Road (portion of) and Village Courtyards @ Stone Village, Phase 1-A be read into the record as approved.

Phillip Lawson made a motion to read John Martin Road (portion of) and Village Courtyards @ Stone Village, Phase 1-A into the record as approved. E. Kent Miller seconded the motion. The vote carried unanimously.

3. Major (Site Plans)

- a. Carolina RV Resort Park

Moved to the first order of business on the agenda.

4. Minor (Summary Plats) *

None

5. Major (Summary Plats)*

None

6. Preliminary Extension Request

None

7. Other Business

- A. 2008 Planning Commission Meeting Schedule

The Planning Commission agreed on the meeting schedule for 2008.

8. Adjournment

Marion Gramling made a motion to adjourn. E. Kent Miller seconded the motion. The vote carried unanimously. The meeting adjourned at 6:19 p.m.

By: _____

Doug Brackett, Planning Commission Secretary

Prepared by:
Planning Department Staff