

# **MINUTES**

## **PICKENS COUNTY PLANNING COMMISSION**

August 13, 2018

Vice Chairman Holmes called the Pickens County Planning Commission to order at 6:00 p.m.

### **I. ATTENDANCE**

Members of the Pickens County Planning Commission in attendance were:

Jim Fowler  
Maurice Hendrix  
Harold Hensley  
Pat Holmes

County Staff in attendance:

Richard Osborne - Director-Planning & Development  
Phil Landrum – County Attorney

Others in attendance:

Dan Pool – Progress  
Mari Livsey - KnowPickens.com  
Saralynn DeMarcus  
Brian Smith  
David Smith  
Nicolas and Myada Baudry  
Dona Webb  
David Oles  
Jody Waldroup  
Jim and Tanya Akins  
Sue Fuller  
Donald and Jayde Tatum  
Don Murray  
Scott Cooley  
Ralph Peterson  
Ken and Susan Simpson  
Jeanne Edwards  
Tracey Osborne  
Wesley and Kelly Kirk  
Other Pickens County Citizens & Other Interested Parties

### **II. INVOCATION AND PLEDGE OF ALLEGIANCE**

### **III. MINUTES**

A motion was made by Commissioner Hensley, seconded by Commissioner Fowler, to adopt the minutes of the July 9, 2018, meeting as written. Members voted unanimously 3 (yes) to 0 (no) to approve the minutes as written.

### **IV. OLD BUSINESS**

None.

## V. NEW BUSINESS

Richard Osborne noted the following:

1. Per state and local requirements, all advertising and notices of the properties have been met for each of the items under new business.
2. For each application, the case file in its entirety is being submitted to become part of the record.
3. This meeting is being videotaped to become part of the record.

### A. RZ-7-18-1244

A public hearing was held regarding a rezoning request submitted by Saralynn DeMarcus on approximately 3.5 acres of a surveyed portion of parcel 063-125 at 3429 Upper Bethany Road from AG (Agricultural) to Rural Residential (RR) to enable her to sell the house and a small portion of the larger 47.2 acre tract.

Richard Osborne presented the staff report to Planning Commission, in which he stated that:

1. The proposed RR district may be suitable for this property given the single-family residential uses in the area.
2. The proposal is consistent with the comprehensive plan. The area is identified for Rural Development, which includes single-family residential development.
3. Staff recommends approval of the application.

Applicant Saralynn DeMarcus was present at the Planning Commission meeting and confirmed that the purpose of the rezone request, if approved, is to split the 3.5 acres out of the larger tract so that she can sell the property and single-family house built in approximately 2011.

There was no opposition to the application.

After reviewing the application; receiving the staff report recommending approval; listening to testimony from the applicant; and hearing no public opposition, the public hearing was closed.

Commission member Fowler, seconded by Commission member Hendrix, made a motion to recommend approval of the application as submitted. The Planning Commission voted unanimously 3 (yes) to 0 (no) to recommend approval of the rezoning request for the surveyed 3.5 acres portion of parcel 063-125 from AG (Agricultural) to RR (Rural Residential).

### B. RZ-7-18-1245 with Conditional use

A public hearing was held regarding a rezoning application with conditional use request submitted by Brian Smith on approximately 8.46 acres (parcel 033-147, 1.05 acres and surveyed portion of parcel 033-148-003, 7.41 acres) from AG (Agricultural) and RR (Rural Residential) to HB (Highway Business) with Conditional use to allow for Wholesale Trade Establishment as part of the business, Smith Tool & Design.

Richard Osborne presented the staff report to Planning Commission, in which he stated that:

1. The proposed HB district and Conditional use request may be suitable for this property given the commercial and other mixtures of uses adjacent to the property.
2. The proposal is consistent with the comprehensive plan. The Hinton area includes a mixture of land uses, including commercial on main roads such as Hwy 136 Connector.
3. Staff recommends approval of the application.

Applicant Brian Smith was present at the Planning Commission meeting and gave an overview of the proposed business relocation from its existing nearby site to the subject tract. Commissioner Holmes asked about test firing, and Mr. Smith stated that suppression techniques would be used.

There was no opposition to the application.

After reviewing the application; receiving the staff report recommending approval; listening to testimony from the applicant; and hearing no public opposition, the public hearing was closed.

Commissioner Hendrix made a motion, seconded by Commissioner Fowler, to recommend approval of the rezoning application with conditional use request as submitted. The Planning Commission voted unanimously 3 (yes) to 0 (no) to recommend approval for approximately 8.46 acres (parcel 033-147, 1.05 acres and surveyed portion of parcel 033-148-003, 7.41 acres) from AG (Agricultural) and RR (Rural Residential) to HB (Highway Business) with Conditional use to allow for Wholesale Trade Establishment as part of the business.

### **C. SUSE-7-18-1246**

A public hearing was held regarding a conditional use request submitted by Myada Baudry on three adjoining vacant tracts totaling approximately 80.94 acres on Henderson Mountain Road (parcels 055-044, 055-044-002, and 055-044-003). The applicant proposes to use the land for a retreat center and special events venue to include overnight stays in treehouses; café; spa; pool; playground; and platform to host weddings and other activities.

Richard Osborne presented the staff report to Planning Commission, in which he stated that:

1. The proposed use is consistent with the goals and objectives of the comprehensive plan. The 2018-2028 comprehensive plan states the following:
  - Actively promote and pursue new and innovative businesses to diversify and strengthen our local economy.
  - For this section of the county, the comprehensive plan states that one implementation strategy is to work cooperatively with business representatives and landowners for development and redevelopment for agri-business and agri-tourism.
2. All county department representatives had been requested, if they had concerns, to submit comments or objections to Planning & Development staff before the Planning Commission related to traffic and roads; fire; emergency management; environmental factors (floodplain, topography, etc.); and other matters as applicable to individual departments. No objections had been received. Water department staff had informed Planning & Development staff that the 6-inch county water line along Henderson Mountain Rd had extra capacity and that the existing line was adequate for new service.
3. Staff recommends approval with condition that operations must cease at or before 10:00 PM.

Applicant Myada Baudry was present at the Planning Commission meeting and gave an overview of the proposal. The treehouses would be located toward the rear (east) of the property. A significant amount of existing tree buffering and vegetation would remain on the property for a natural, tranquil experience for guests and would help minimize potential impacts such as noise. Parking would be adequately provided and would be self-contained within the property. The applicant has met with various department representatives about development of the property and would ensure that new development conforms to required codes. The applicant stated that operations would end at a reasonable time. The applicant stated that the development would offer quality, nature-oriented amenities to guests and that the development would not be open for general public access in an effort to provide a secure, lower-impact experience.

Several citizens spoke in opposition to the application. Concerns that were mentioned included:

- Traffic – some speakers stated that there is already a significant amount of traffic on Henderson Mountain Rd and adding this business would increase traffic. This section of the road is curvy and hilly; visitors to the area might not be able to easily navigate the treacherous section of road and could increase the already challenging traffic situation in the area. Although the section of road is marked for a very slow speed limit due to curves and hills, drivers already speed through the area and opposition speakers did not want more traffic and potential speeding on this section of the road.
- Noise – some speakers were concerned that the addition of this business might cause an increase in noise that could carry significant distances based on the topography of the area.
- Trees/buffer/vegetation – some speakers were concerned that large areas of the property could be clearcut and graded and that, without a required condition of a buffer, grading could occur right up to one or more of the property lines

- Water – some speakers were concerned that the addition of this business could deplete county water resources (existing 6-inch water line along Henderson Mountain Rd) in an area where there are already occasional water pressure changes; water line breaks; and water maintenance concerns that sometimes result in patching of the road.
- Business expansion - some speakers were concerned about any business opening on this rural section of Henderson Mountain Rd since currently the majority of nearby uses appear to be residential and agricultural. Some speakers were concerned about short-term construction traffic and some speakers were concerned about long-term precedent of possible more businesses.
- Lighting - some speakers were concerned about possible effects of increased lighting for the business.

Applicant Myada Baudry addressed comments mentioned by opponents as part of rebuttal. The applicant summarized the proposal, which includes the overall intent to have a low-impact, nature-oriented atmosphere for guests who would be on the property – the business would not be open to the general public as it would be open to paying guests who had previously made reservations or were visiting the property specifically related to an activity in which they were participants such as weddings. The applicant also stated that each treehouse would be fairly small – no more than a few hundred square feet with the majority approximately 200 or 300 square feet.

Commissioner Fowler asked about development standards. Mr. Osborne stated that all required federal, state, and local codes, including plan review; permitting; and licensing; would need to be followed. Commissioner Holmes asked the design. The applicant confirmed the small size of the treehouse and small size of all other buildings as the majority of buildings would be in the hundreds of square feet. The applicant stated that the overall design of the property would be intended to maintain a wooded, low-impact, nature-oriented, tranquil atmosphere for guests. Commissioner Fowler stated that he understood some of the traffic concerns mentioned and also stated that it would be good for the Sheriff’s office to be made aware of the speeding concerns. Commissioner Holmes asked about the café and the applicant stated that it was intended for paying guests. Commissioner Hensley stated that this proposal could have less of an impact on the area than a new single-family residential subdivision on the 81 acres.

After reviewing the application; receiving the staff report recommending approval with the condition that operations must cease at or before 10:00 PM; listening to testimony from the applicant; and listening to significant public input; the public hearing was closed.

Commissioner Hensley made a motion, seconded by Commissioner Fowler, to recommend that the application be Tabled for further deliberation and to obtain additional design information from the applicant. The Pickens County Planning Commission voted unanimously 3 (yes) to 0 (no) to Table the request.

## **VI. BOARD COMMENTS**

Commissioner Fowler thanked everyone who turned out for the hearings stating that input was helpful.

## **VII. PUBLIC COMMENTS**

Brian Smith thanked the Planning Commission members for their time.

## **VIII. ADJOURNMENT**

Motion made by Commissioner Hensley, seconded by Commissioner Fowler, to adjourn the meeting at 7:45 PM. Unanimous approval 3 (yes) to 0 (no).