

Anderson County Planning Commission

Will Moore, Chair, District #4
Thomas Dunaway, District #1
Brad Burdette, District #3
Jane Jones, District #6
Bryan P. Boggs, At Large

Wesley Grant, Vice-Chair, At Large
Donna P. Mathews, District #2
David Cothran, District #5
Dan Harvell, District #7

Memorandum

To: Anderson County Planning Commission
From: Brittany McAbee
Date: April 5, 2022
Cc: County Council
Re: April 12, 2022 Regular Commission Meetings

The Anderson County Planning Commission is scheduled to hold its next meeting on **Tuesday, April 12, 2022 6:00PM** at the **Historic Courthouse**, located at **101 S Main St, Anderson, SC 29624**.

The meeting agenda and packet are attached for your review.

Please email bdmcabee@andersoncountysc.org or call 864-260-4720, to inform staff whether or not you will be in attendance. This ensures a quorum prior to arrival. Thank you.

Anderson County Planning Commission

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April 12, 2022
Regularly Scheduled
Meeting 6:00 PM

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes
 - A. February 8, 2022
 - B. March 8, 2022
5. Public Hearings
 - A. Land Use Permit Application: Tiger Cove RV Park, located at 4023 Whitehall Rd
[Council District 5]
 - B. Land Use Permit Application: Eden Farms RV Park, located on Highway 8 **[Council District 7]**
 - C. Land Use Permit Application: Patriot Substation, located on Highway 81 N **[Council District 6]**
6. Old Business
7. New Business
 - A. Discussion of Robert's Rule of Order
8. Public Comments, non-agenda items – 3 minutes limit per speaker
9. Other Business
10. Adjournment

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
PLANNING COMMISSION MEETING
FEBRUARY 8, 2022

PRESENT:

WILL MOORE
FIELD DUNAWAY
BRAD BURDETTE
JANE JONES
BRYAN BOGGS
DONNA MATTHEWS
WESLEY GRANT
DAN HARVELL

ALSO PRESENT:
ALESIA HUNTER
BRITTANY MCABEE
TIM CARTEE
HENRY YOUMANS
TYANNA HOLMES

1 WILL MOORE: Good
2 afternoon. I would like to call the Anderson County
3 Planning Commission to order. Sorry about that. Good
4 afternoon. Welcome to the Anderson County Planning
5 Commission. I'd like to call this meeting to order.
6 The first thing I would like to do is go ahead and
7 start with the pledge of allegiance. If everybody
8 would please join me.

9 **PLEDGE OF ALLEGIANCE**

10 WILL MOORE: First thing
11 on the agenda, I'd like to have a motion for approval
12 of the agenda.

13 DAN HARVELL: Motion to
14 approve, Mr. Chairman.

15 JANE JONES: Second.

16 WILL MOORE: All in favor.
17 All right.

18 The next thing we'll move on to is the election
19 of officers. And I'll go ahead and turn this over to
20 the staff.

21 ALESIA HUNTER: Thank you,
22 Mr. Chairman. We'll go ahead and accept nominations
23 from the floor for the officers for 2022. We need a
24 motion on the floor for a Chairman and Vice Chairman.

25 WESLEY GRANT: Ms. Hunter,
26 I make a motion for Mr. Will Moore as Chairman.

27 BRYAN BOGGS: Second that
28 motion.

29 ALESIA HUNTER: We need a
30 vote.

31 WILL MOORE: All in favor.

32 ALESIA HUNTER: Unanimous.
33 Okay. Vice Chairman.

34 WILL MOORE: I'd like to
35 make a motion for Wes Grant.

36 BRYAN BOGGS: I'll second
37 that motion.

38 WILL MOORE: All in favor.

39 ALESIA HUNTER: The vote is
40 unanimous. Thank you.

41 WILL MOORE: Thank you.

42 The next thing we want to move on to is the
43 approval of the minutes of December 14 and January 11.
44 Those are pending completion.

45 So we'll move on to public hearings.

46 ALESIA HUNTER: There are no
47 public hearings, Mr. Chairman.

48 WILL MOORE: No public
49 hearings.

50 All right. Then we'll move on to old business.

1 No old business.
2 We'll move on to new business. And turn it over
3 to staff for preliminary subdivision, Leatherdale
4 Estates in District 3.
5 BRITTANY MCABEE: Thank you,
6 Mr. Chairman. Sixty-six property owners within 2000
7 feet were notified via postcard. The intended
8 development is single-family residential off
9 Leatherdale Road, which is county maintained, in
10 Council District 3. Surrounding land use is
11 residential and it is unzoned. Tax map number is
12 there for your viewing. 3.21 acres with three lots.
13 This is before the Planning Commission as the property
14 has exceeded the seven lot maximum within a three-year
15 period. There will be a total of nine lots with six
16 lots already built. The commission will need to
17 approve the final three lots.
18 Traffic analysis, that Leatherdale is classified
19 as a minor collector and has no maximum trips per day.
20 This is the summary plat with the three new lots.
21 This is the aerial of the lots to the east.
22 Staff recommends approval as the plat meets the
23 requirements of Chapter 38.
24 This concludes the staff report.
25 WILL MOORE: Okay. We'll
26 move on to the developer presentation.
27 ALEX STAMEY: Hi, I'm Alex
28 Stamey (phonics). I met with Brittany and Tim Cartee
29 before. This is the first time I've been in front of
30 the Planning board, so I'm not real sure what you guys
31 area expecting. But I plan to just build three more
32 houses very similar to what's already -- I've already
33 developed the other six. They range in square footage
34 from like thirteen hundred to maybe seventeen hundred.
35 Be happy to answer any questions if anybody has any.
36 WILL MOORE: Okay. Thank
37 you, sir. I guess we'll move on to public comments.
38 I appreciate your effort. Move on to public comments.
39 You're here on the list, as well, to speak on the
40 public comments.
41 ALEX STAMEY: I just signed
42 it when I came in.
43 WILL MOORE: All right.
44 Sounds good. We'll move on to David Wofford.
45 DAVID WOFFORD: I just
46 signed it, as well.
47 WILL MOORE: Okay.
48 Tanner Brown. Speak your name and state your address,
49 please, sir.
50 TANNER BROWN: I'm Tanner

1 Brown at 511 Leatherdale Road. And I also have 505
2 Leatherdale Road.

3 And my only question is, is why is there a
4 maximum -- set lot maximum for a subdivision that
5 doesn't have a road going to it. It's just on a main
6 road.

7 WILL MOORE: I'm sorry.
8 This is not question and answer. It's just for public
9 comments to express your concerns about the project.

10 TANNER BROWN: Okay. I
11 have no further comment.

12 WILL MOORE: Okay. Thank
13 you, sir.

14 All right. We'll move on to a vote. Do we have
15 anybody that would like to move forward to make a
16 motion?

17 BRAD BURDETTE: I'll make a
18 motion to approve.

19 WILL MOORE: Mr.
20 Burdette, you have -- you want to make a motion to
21 approve?

22 BRAD BURDETTE: Yes.

23 BRYAN BOGGS: Brian Boggs.
24 I'll second the motion.

25 WILL MOORE: All in
26 favor. That was unanimous. Motion passes.

27 All right. We'll move on to the preliminary
28 subdivision, the Village at White Pine in Council 4.
29 Turn it over to staff for a presentation.

30 BRITTANY MCABEE: Thank you,
31 Mr. Chairman. This is the Village at White Pine I, II
32 and III. A hundred and thirty property owners within
33 two thousand feet were notified via postcard. You
34 recently reviewed this subdivision as part of a
35 rezoning application in August 2021. County Council
36 voted to rezone the property to IZD, Innovative Zoning
37 District, in October 2021.

38 The intended development is single-family
39 residential and the applicant is Phillip Day with
40 Falcon Real Estate. It is located on Welpine Road,
41 which is state maintained, in Council District 4.

42 Surrounding land use includes commercial,
43 residential and vacant property. It has been recently
44 rezoned to Innovative Zoning District. TMS map
45 numbers are there for your viewing. There's three
46 parcels total. The property is 48.56 acres, with a
47 hundred and fifty-three lots proposed. The project is
48 seeking a variance to allow one additional lot,
49 thirty-one lots total, on a single cul-de-sac.
50 There's a limit to thirty lots on a single cul-de-sac,

1 and they are asking for thirty-one lots. The reason
2 is to keep the original layout of the project,
3 preserving open and green space as expressed in the
4 approved statement of intent.

5 Traffic impact: Welpine Road is classified as a
6 collector with no maximum trips per day. The traffic
7 impact analysis conducted has been reviewed and
8 approved by both South Carolina DOT and Anderson
9 County Roads and Bridges.

10 This is the preliminary plat with the lots, the
11 green space and the proposed amenities. This is an
12 aerial view of the property. And this is the zoning
13 map.

14 Staff recommends approval of both the variance as
15 it does preserve the original layout with green space
16 and amenities. Staff also recommends the approval of
17 the preliminary plat which meets the requirements of
18 the approved statement of intent for the innovative
19 zoning district.

20 Mr. Chairman, the commission will need to vote on
21 the variance and the preliminary plat separately as
22 two items.

23 WILL MOORE: Okay.

24 BRITTANY MCABEE: This
25 concludes the staff report.

26 WILL MOORE: Thank you,
27 staff.

28 And I'm going to move on to developer
29 presentation. Is there anybody here from this project
30 that would like to speak? State your name and
31 address, please, sir.

32 WESLEY WHITE: Wesley
33 White. I'm with Ridgewater Engineering & Survey.
34 We're located here in Anderson at 211 Society Street.

35 So the staff did a great job of kind of
36 refreshing you guys' memory. This did come before
37 y'all as part of the rezoning approval. The project
38 was rezoned to IZD with this exact layout. The
39 variance obviously is to allow for thirty-one versus
40 thirty lots at the end of that one cul-de-sac. That's
41 the only variance that we should need going forward.
42 And this is for all hundred and fifty-three lots to be
43 developed in phases. Phase I is currently under
44 permitting right now pending this approval and then
45 we'll move into Phase II and II, as well. But like
46 she said, it does meet the state letter of intent
47 that's already been approved as part of the rezoning.
48 So we appreciate your support.

49 Any questions, I'm happy to answer.

50 WILL MOORE: Thank you,

1 sir.

2 All right. I'll move on to public comments. I
3 didn't have anybody sign up, but would anybody like to
4 speak? Seeing none and hearing none, we'll move on to
5 a motion. Do I have a motion for the variance? We'll
6 start with the variance.

7 BRYAN BOGGS: Mr.
8 Chairman, I make a motion we approve the variance.

9 WILL MOORE: I second the
10 motion. All in favor. Let's see, one, two, three,
11 four, five, six. Brad, are you in favor?

12 DONNA MATTHEWS: He is.

13 WILL MOORE: Okay. That
14 is unanimous on the variance. The variance approves
15 or passes.

16 All right. Now I'm looking for a motion for the
17 preliminary plat.

18 BRYAN BOGGS: I'll make a
19 motion, Bryan Boggs, to approve.

20 WESLEY GRANT: Second.

21 WILL MOORE: All in
22 favor? Unanimous. Motion passes.

23 All right. Moving on to public comments. Any
24 non-agenda items -- anybody want to speak in regards
25 to any non-agenda items?

26 Seeing none and hearing none, we'll move on to
27 other business. I would like to turn the presentation
28 of proposed School District One Impact Fee over to
29 staff or ---

30 ALESIA HUNTER: Mr.
31 Chairman, we're going to upload his presentation.

32 Brittany is doing that.

33 WILL MOORE: Okay. Thank
34 you.

35 ROBBIE BINNICKER: Thank you,
36 Mr. Chairman. Really appreciate the opportunity to
37 speak to the Planning Commission. And I hate the fact
38 that you guys had a really short, uneventful meeting
39 and now you've got to listen to this. I was thinking
40 there might be a little bit more rigamarole before I
41 got up here.

42 But you are getting three things from Anderson
43 One. You're getting the actual PowerPoint that'll be
44 up on the screen, so you're getting that. You're also
45 getting the capital improvement plan and the actual
46 impact fee study. And then you're getting the
47 Anderson School District One referendum. You're
48 getting that resolution, as well. So you'll have all
49 of that.

50 I'm Robbie Binnicker. I'm the Superintendent in

1 Anderson School District One. Our board, in November,
2 passed a resolution requesting that the County Council
3 and the Planning Commission to actually approve an
4 impact fee for Anderson School District One. I know
5 that several of you were at the meeting when we
6 presented information to County Council. I apologize.
7 There's a little bit new information. But a lot of
8 this will be very similar to what we proposed and gave
9 County Council in December.

10 If you'll look at the first page of the -- first
11 page of the report of the PowerPoint, and that is why
12 an impact fee? And the first person I'd like to
13 introduce today is Dr. Tiffany Estes. Y'all get to
14 see Dr. Estes quite a big as she talks about the
15 school districts and the numbers. So just very
16 briefly I'll ask Dr. Estes to come and address the
17 Planning Commission.

18 TIFFANY ESTES: Good evening,
19 everyone. It's great to see everybody. Again, I'm
20 Tiffany Estes with Anderson School District One,
21 Director of Planning and Development. I do try to
22 come to the monthly meetings. And you know, when we
23 do come to the meetings, you know, I give you our
24 current enrollment numbers. And we know Anderson One
25 is a great school district. We have people
26 consistently calling because they want to send their
27 children to our district. We take pride in that.
28 We're a tradition of excellence. But we're running
29 out of room.

30 So in order for us to continue that tradition of
31 excellence, we would like you to review everything
32 that we're going to present tonight. And look at all
33 the information because, you know, we want to provide
34 the best optical learning environment for our
35 students, and this is one way that we can keep up with
36 the growth, especially in the Powdersville/Wren areas.

37 So thank you.

38 WILL MOORE: Thank you.

39 ROBBIE BINNICKER: Thank you,
40 Dr. Estes.

41 The first point really talks about the enrollment
42 in Anderson One and the increase in enrollment that
43 we've seen. We normally see about a hundred to two
44 hundred to three hundred students a year increase in
45 Anderson One. We're pretty good with projecting our
46 numbers out into the future. And it looks like, right
47 now, if current trends were to continue, it looks like
48 in the next ten years we'll see about two thousand
49 more students. The problem is, we don't have anywhere
50 near room in order to accommodate those two thousand

1 more students. The problem is, we don't have anywhere
2 near room in order to accommodate those two thousand
3 new students.

4 Right now in Anderson One, we have a finite
5 number of places for those kids to live. So let's
6 just say that number that twenty thousand. There's
7 twenty thousand houses or apartments or places that
8 kids could live in Anderson One. Well, if that number
9 stays the same, then there's no increased possibility
10 of more places for students to reside in order to go
11 to school in Anderson One. When you increase housing
12 in Anderson One -- which is not a bad thing for a
13 school district. It's actually a pretty good thing
14 for a school district when we increase the number of
15 houses in our school district. But when you do that,
16 you increase the number of seats that are needed
17 inside your school building. So you actually increase
18 the potential demand that's needed inside of our
19 school district.

20 The current residents that we have in Anderson
21 One right now are now creating this increased
22 capacity. It's new homes and new development that's
23 actually increasing the capacity.

24 In South Carolina school districts, buildings are
25 built by debt service and millage. That's how we
26 build school buildings in South Carolina. And all the
27 property owners in Anderson One, whether that be a
28 residential property or whether it be a car owner or a
29 business owner, all of those people actually help pay
30 for debt service. And all of those people should pay
31 some of the debt service. The problem is our current
32 residents, our current business owners, are not the
33 ones that are creating this increased demand. So
34 since the new construction actually drives the
35 increase in school enrollment, it's actually the new
36 construction homeowners that actually should pay a
37 proportional share of this money. And the legislators
38 down in Columbia saw that this was an issue throughout
39 the state. Saw that there were school districts and
40 municipalities that were growing really quickly. And
41 as those school districts were growing, it was the
42 current residents that were actually put under the
43 pressure of actually paying the future taxes for the
44 new schools and the new buildings.

45 An impact fee, what it does is it places a
46 proportion of that impact onto the new homeowner,
47 which is actually the person causing all the problem
48 in the first place. So that's really the big idea.

49 At this point I'd like to introduce Carson Bise.
50 Carson is the President of TischlerBise. Carson and

1 his company actually did the -- the law requires a
2 very comprehensive study to make sure that a district
3 or a municipality qualifies for an impact fee and just
4 how much that impact should be. Carson's company,
5 they do this all over the southeast and the country.
6 In fact, if anybody is having an impact fee question,
7 this is the company that they're probably going to.

8 So let me introduce Carson.

9 CARSON BIASE: Thank you.

10 Good evening, Mr. Chairman, members of the
11 commission. I'm Carson Bise, President of
12 TischlerBise. A little about us. As Robbie
13 mentioned, we do specialize in impact fees as well as
14 fiscal and economic issues. We've done more of this
15 type of work than anybody in the country. As you can
16 see here, we've got quite a bit of South Carolina
17 impact fee experience. We did the Fort Mill School
18 District impact fee. We did the Clover School
19 District, Lancaster. We're working in Anderson One
20 right now. Beaufort County, Jasper County, York
21 County School District, as well as the Chester School
22 District.

23 Let's start with the basics. A little bit about
24 impact fees. I know some of you all were at the
25 county commission -- or the County Council briefing
26 and some of this may not be new to you. But impact
27 fees are a one-time payment. They're designed to
28 offset new developments' impact on different
29 infrastructure categories. In this case we're talking
30 about schools. We can't use the money for operations,
31 replacement, you know, rehab, etcetera. We do have to
32 account for the money separately. It's not a tax.
33 And the reason I say that is I can't tell you how many
34 meetings I've been to around the country where
35 somebody calls an impact fee a tax on new development.

36 A tax is something that is primarily a revenue
37 raising mechanism. Depending on the state that you're
38 in, you may have to go to the voters to approve a tax.
39 A fee is very different. A fee is typically designed
40 to cover the costs of a service. So for instance if
41 someone comes to Anderson County to get a building
42 permit, there's a building permit fee. And that fee
43 has been designed to cover the costs or the direct
44 costs, as well as the indirect costs of providing that
45 service.

46 Impact fees are very similar. They have to meet
47 a much more stringent test which we call the rational
48 nexus test. And there's really three prongs to that.
49 One is we have to show the need. And so that's part
50 of why you go about doing the study. The study

1 documents how the school district has grown, how that
2 growth is projected to continue into the future, and
3 that that growth is going to generate the need for
4 additional school children, and thus additional school
5 infrastructure capacity.

6 We also have to show benefit. And the way we
7 show benefit is two ways. One is through the timing
8 of the expenditure. And so many of the state impact
9 fee acts around the county actually prescribe how long
10 you have to spend the money. Like for instance in
11 Arizona you have ten years to spend the money. In
12 Idaho you have seven years to spend the money. South
13 Carolina is a little different. We'll talk about that
14 in a few slides.

15 The second way we show benefit is through
16 location or geography. Typically in a smaller school
17 district we don't have to dice the district up into
18 collection and expenditure zones based on attendance
19 areas because there are capacity needs throughout the
20 districts. Districts are rezoned in order to
21 reallocate capacity. But however, in Lancaster
22 County, which I'm pretty sure you most are familiar
23 with, we did a school impact fee there. And as you
24 can imagine, that's a tail of two counties. The
25 northern part of the county is, you know, -- basically
26 is a feeder to the Rock Hill, Charlotte MSA, and
27 that's where all the growth is. So the school fee
28 there has two zones, one the -- is the north where
29 there is a school fee for elementary and middle
30 schools. The south where there's very, very little
31 growth does not a fee. And that's because we can't
32 meet the benefit test. Because if we collect money in
33 the south and then provide capacity in the north, that
34 fee pair doesn't receive a benefit. So that's what we
35 mean by geography.

36 Finally we have to make sure that fees are
37 proportionate. So that's why we just don't have a
38 residential fee. It's usually broken up into single-
39 family, multi-family, sometimes mobile home, because
40 the demographics of the community can vary from place
41 to place. And typically what we see is single-family
42 homes typically have more people than apartments or
43 multi-family units and that usually trickles down into
44 more public school age children. And so typically
45 they generate more public school students per housing
46 unit.

47 As part of the methodology we have to guard
48 against new development paying twice. That's why we
49 have a credit, for lack of a better term, baked into
50 the methodology. And there's two types of credits

1 that we need to provide for. The first is outside of
2 the study. First is part of the implementing
3 ordinance that the county council would ultimately
4 adopt on behalf of the school district. And that is
5 for site-specific credits. So in the case of a
6 developer coming in the door and proffering or
7 donating a site or land for an elementary school and
8 the school impact fee has a land component, well, we
9 need to negotiate a development agreement where that
10 developer is made whole either through a future stream
11 of benefactees or a reduction in the impact fee for
12 that development until they get made whole. So that's
13 outside of the study.

14 Within the study itself, we have to guard against
15 new development paying twice through existing or
16 future debt service, as well as any dedicated revenue
17 sources that may go to the same thing that the impact
18 fee is collected for. So for example, if I build a
19 home in Anderson School District One, I'm going to pay
20 you the impact fee, but I'm also going to generate
21 property tax that'll go to pay for retired debt for
22 which the impact fee was collected. I may also
23 generate local option sales tax that'll go toward that
24 same capacity. So we have to make sure there's a
25 credit within the methodology itself.

26 I did mention that many states have impact fee
27 enabling statutes. South Carolina is one of twenty-
28 nine states that has specific impact fee acts. There
29 are some states in the country where impact fees are
30 collected based on home rule powers. But in South
31 Carolina there are -- there is a unique distinction
32 within the acts and some of the things are somewhat by
33 rote, if you will, and are basically part and parcel
34 of every impact fee act, and that is that you have to
35 maintain the revenue within a separate interest-
36 bearing account. That's pretty standard.

37 The act does say that the monies must be spent
38 within three years of the scheduled date of
39 construction and the CIP. Remember, I said in Arizona
40 it just says you have to spend the money within ten
41 years. South Carolina is a little different. If we
42 think that we're going to build a new elementary
43 school in year 2026, let's say, we have to spend the
44 money by 2029. So that's the only constraint we have
45 relative to time.

46 We have to publish an annual report. That's
47 pretty typical. Have to do a comprehensive review and
48 update every five years. Any fee changes have to be
49 supported by a study. But the interesting thing about
50 the South Carolina act and this is the only act in the

1 country that has this provisions, is that it requires
2 an analysis that estimates the effect of opposing
3 impact fees on affordable housing within the district.

4 Well, the act is also moot on what remedies have
5 to be implemented. The act says nothing about how you
6 go about conducting the study. It provides no
7 definition of affordable housing. It provides no
8 ratios for affordability. It just says you have to
9 provide an analysis of the impact on affordable
10 housing. And again, that is very unique to South
11 Carolina.

12 In terms of the impact fee study components for
13 Anderson School District One, there is a component for
14 the bricks and mortar school construction. Also for
15 future land purchases. Credits are given for future
16 payments on existing or future debt, as well as a
17 credit for future sales tax dedicated to capacity
18 projects.

19 The first part of going about the study is to
20 determine what we call demand indicators. And so in
21 the case of schools, it's the number of public school
22 aged children generated by different types of homes.
23 If we were doing a transportation impact fee, that
24 demand indicator may be, you know, average daily
25 vehicle trips or average daily vehicles miles of
26 travel. For parks it would be persons per household,
27 etcetera.

28 So what we did in order to determine the pupil
29 generate rates is we used the public use micro sample
30 data published by the U.S. Census Bureau for Anderson
31 County in order to determine the school aged children
32 per housing unit. So you can see here, and this is
33 very in keeping with the demographics that we see in
34 most counties that have the same characteristics that
35 Anderson County does, and that is that single-family
36 units generate more public school aged children than
37 multi-family units do. And it's important to note
38 that within the single-family category that does also
39 include mobile homes and they -- and the way to look
40 at this is that for every single-family house --
41 excuse me, for every one hundred single-family homes,
42 you would expect to see forty-four public school aged
43 children. The same with multi-family. For every one
44 hundred apartments, you would expect to see almost
45 thirty-four school aged children generated by those
46 apartments.

47 The second part is to look at enrollment
48 projections, and I'm not going to spend a lot of time
49 on this because Mr. Binnicker basically presented the
50 same data. But this is based on historic enrollment

1 trends, and we're projecting approximately two
2 thousand new students in the next ten years. And I
3 think Mr. Binnicker would agree with me that this is
4 somewhat of a conservative projection.

5 This summarizes one chapter of the report. What
6 we do is we determine existing levels of service by
7 the three school levels. So you can see here that
8 we've summarized the system in terms of elementary,
9 middle and high schools. Our current enrollment at
10 the high school level -- excuse me -- the elementary
11 school level is four thousand nine hundred thirty-five
12 students. When we compare that to the existing
13 capacity within the system, which is fifty-six hundred
14 and seventy-five seats, we currently have a
15 utilization rate of about eighty-seven percent at the
16 elementary school level.

17 Same sort of analysis was done at the middle
18 school and high school levels; middle schools are at
19 the eighty-nine percent utilization rate and eighty-
20 six percent is the high school utilization rate.

21 Sort of a rule of thumb when you're talking about
22 school construction, and this is pretty standard from
23 state to state in terms of where we were relative to
24 school impact fees, is when you're in the upper eighty
25 percent utilization rate, that's sort of when you're
26 in that danger zone. If you had a color coated system
27 of green where we've got plenty of capacity, yellow is
28 when we're approaching our capacity where we need to
29 start building schools, and then red is when we're
30 over capacity. That red zone is ninety percent
31 because of the lag time and lead time it takes to
32 plan, fund and construct the schools in order to
33 provide the seats. So at all three schools levels
34 we're in that sort of yellow light, so to speak, that
35 caution light.

36 The next component within the study is we have to
37 determine, well, on average what does it cost to buy
38 an acre of land. And I know this table is very hard
39 to read. But unfortunately we don't have a lot of
40 good examples of recent land construction -- or excuse
41 me -- land purchases within the district. And so this
42 is a very, very conservative figure. I think it's
43 less than -- it's hard for me to read from here -- but
44 it's less than fourteen thousand, I believe; is that
45 right?

46 ROBBIE BINNICKER: Yeah.

47 CARSON BISE: It's less
48 than fourteen thousand dollars an acre. And you'd be
49 hard pressed to find a parcel of the size appropriate
50 for school construction that would be at fourteen

1 thousand dollars per acre. So this is a very
2 conservative cost factor.

3 What we do have better information on is the
4 actual bricks and mortar construction cost factors.
5 And so the elementary school average right now is
6 about two hundred fifty-three dollars a square foot.
7 Middle school is about two hundred and forty dollars a
8 square foot. And high schools are around two hundred
9 and ninety-three dollars a square foot.

10 This table here summarizes within the next ten
11 years what the school district plans to construct.
12 It's likely that if the enrollment projections are
13 conservative and that growth is higher than expected
14 within the next five years, the district would
15 probably identify additional capacity projects,
16 whether they are additions to existing schools or
17 another schools.

18 But we have the new elementary school in the
19 Powdersville area that would add six hundred seats.
20 Spearman Elementary addition, which is two hundred
21 seats. Two hundred fifty seats at Powdersville Middle
22 School. And then there's a Palmetto High School
23 addition at two hundred fifty square feet. Or excuse
24 me, two hundred and fifty seats.

25 So here are our debt service credits. This
26 basically looks at credits for payments on existing
27 debt principal. And we get a net present value there
28 of two thousand nine hundred something? Yeah, twenty-
29 nine fifty eight. So that looks at your future debt
30 payments compared to your projection of existing
31 enrollment to get a net present value per student.

32 Then there's a credit here for future local
33 option sales tax that is dedicated to planned capacity
34 projects. It is important to note that not all of the
35 local option sales tax goes to capacity. Some of it
36 goes to technology and other types of improvements.
37 And so that gives us a credit per student of four
38 hundred and sixty-seven dollars.

39 And then this table here summaries all the
40 information that we've seen in the other slides where
41 we see at the top of the table our student generation
42 rates. Then we have our levels of service in terms of
43 the bricks and mortar of the square footage per
44 student at the different grade levels. And then we
45 get our land cost per student. And so we get a net
46 capital cost per student of I think it's twenty-two
47 thousand five three four, I think, for the elementary
48 school. So that's our gross capital costs.

49 And from that we then start to deduct those
50 credits for all those different debt issuances, as

1 well as the credit for the local sales tax, in order
2 to get our net local costs per student at the
3 elementary level. I think what -- it's nineteen two
4 hundred and seventeen.

5 So we multiply that by the number of elementary
6 students by type of housing unit to get our impact fee
7 of, I think it's thirty-seven forty-seven per at the
8 elementary school level. We do the same thing for the
9 middle school, the same thing for the high school to
10 get our impact fee for a single-family house of eleven
11 thousand two hundred forty-nine. And I think it's
12 seventy-eight fifty-five for the multi-family unit.

13 We also have to do this assessment on the
14 availability of affordable housing. So what we do is
15 we do two scenarios. One is a scenario without the
16 impact fee and then one where you add the impact fee.
17 So basically in a nutshell we look at, well, what are
18 the average incomes? What is the average for the
19 medium value of housing units? And then we look at,
20 you know, what are the average utility costs, the
21 property taxes, the electric bills, etcetera, and any
22 other impact fees there may be in the area, etcetera,
23 to get an idea of what percentage a house pays of
24 their disposable income on housing. So for instance,
25 if you have a purchase price of a hundred and seventy-
26 five thousand dollars without the impact fee, we make
27 assumptions about what your down payment is, what your
28 loan amount is, the interest rates, etcetera, then add
29 in these different things like property tax, your
30 utilities, your cable and internet, solid waste,
31 etcetera, to get your average monthly cost. So you
32 can see here that the imposition of the impact fee,
33 if adopted at its full rate, moves the average monthly
34 payment from twelve hundred and seventy-seven dollars
35 to thirteen hundred and thirty-two dollars. And so
36 that is a cost burden of 29.6 percent. And if you're
37 familiar with, you know, going out and getting a
38 mortgage in today's market, a good rule of thumb is
39 you shouldn't be spending more than thirty-three
40 percent or a third of your income on housing. And so
41 this is within an acceptable range, so to speak, in
42 terms of meeting today's mortgage requirements.

43 And so with that I'm happy to answer any
44 questions. Mr. Binnicker is here, as well.

45 WILL MOORE: Does anybody
46 have any questions in regards to the impact fees?

47 WESLEY GRANT: Mr.
48 Chairman, perhaps I overlooked it, but I was just
49 curious. Have we ran any projections on how much the
50 impact fee would help the school district over a

1 period of time? Do we have any projections that would
2 show that?

3 ROBBIE BINNICKER: I couldn't
4 hear what he said.

5 CARSON TISE: Any
6 projections of the revenue. Yes, we do have that. I
7 can get that for you in a second.

8 WILL MOORE: Anybody
9 else?

10 DAN HARVELL: Yes. May I
11 ask about the bonded indebtedness of the district?
12 How much of the debt is within the eight percent
13 assessment cap of total properties in the district
14 versus how much is on referendum that might have been
15 approved for that bonded debt above and beyond that?

16 CARSON BISE: So the credit
17 we have now is for the existing debt and the future
18 payments on the existing debt. So it doesn't take
19 into account the referendum at this point.

20 DAN HARVELL: Okay. I was
21 just wondering what the debt load is that they're
22 carrying -- that you're carrying now in the district
23 on the bonded debt.

24 ROBBIE BINNICKER: Yes. We're
25 carrying all of -- well, not all. But we're still
26 carrying -- the debt in the district is still carrying
27 our -- obviously our 2019 bond referendum which is a
28 hundred and nine million dollars, and our 2009
29 referendum, which is the referendum which built
30 Powdersville High School. The exact millage, I don't
31 have that off the top of my head, but I can definitely
32 get you the millage that we're still for all of that
33 bonded indebtedness.

34 DAN HARVELL: I was just
35 concerned about the current debt load based on the
36 debt.

37 ROBBIE BINNICKER: Yes. And
38 quite frankly, that's exactly what we're concerned
39 about. We're concerned about having to borrow
40 additional money in order to build schools. Because
41 we all know that who pays for that is businesses and
42 home owners and car owners and boat owners. And we're
43 trying to limit the amount of that future debt.

44 This is an example that I gave to County Council,
45 which I think may be helpful. Let's say that the
46 school in 2029 -- if I make it to 2029 and not build
47 an elementary school, I'll be really surprised. As
48 Carson said, these numbers are extremely conservative.
49 More than likely I'm going to have to build these
50 buildings prior to that. And let's say in the future,

1 five, six, seven years down the road, I know one of
2 the things I'm going to have to do is build an
3 elementary school in Powdersville. I just added eight
4 rooms onto Powdersville Elementary. I have two rooms
5 left. I just added -- Concrete Primary, which is in
6 Powdersville, as well, I have a portable there now,
7 and I don't have any available seats there now. So I
8 know I'm going to have to build a school in
9 Powdersville. In fact, if I build it today, all three
10 schools would have five hundred kids in it. Which
11 that's a good size elementary school.

12 Let's say it costs thirty million dollars to
13 build those schools. And let's say that the district
14 has saved ten million dollars in local option sales
15 tax. So we would use ten million dollars for that
16 school. So we now only have to do twenty million
17 dollars. Without this, we -- without the impact fee,
18 we would have to borrow twenty million dollars. We
19 would have to sell twenty million dollars worth of
20 bonds. With the impact fee, we're going to have --
21 new construction is going to be adding to this escrow
22 account. Let's just say there's six million dollars
23 in that account for elementary schools by, you know,
24 by five or six years. Well, that means I don't have
25 to borrow twenty million dollars. I only have to
26 borrow fourteen million dollars. So obviously, to the
27 taxpayer, to the property owner, the school district
28 borrowing fourteen million dollars is a heck of a lot
29 better than the school district borrowing twenty
30 million dollars. So it really helps all of the
31 property owners, all of the taxpayers in the district.

32 DAN HARVELL: Okay. Thank
33 you.

34 ROBBIE BINNICKER: Yes, sir.

35 There were a couple of questions that are on here
36 that we have been asked. I'd like to ask our Chairman
37 of the board, Ms. Nancy Upton, just to very briefly
38 address the board before I go over some of these
39 questions.

40 WILL MOORE: Thank you.

41 NANCY UPTON: Thank you,
42 Mr. Binnicker.

43 ROBBIE BINNICKER: Sure.

44 NANCY UPTON: Let me say
45 thank you for letting us come tonight and listening to
46 our impact fee request. I am a lifelong resident of
47 Anderson County in School District One. As you know
48 from the previous presentations to the Planning
49 Commission and County Council, we are a primary target
50 for residential development because of its proximity

1 to the local business development areas. New
2 businesses need employers -- need employees; excuse me
3 -- and employees need a place to live. They also need
4 adequate facilities for educating their children. And
5 this is the primary focus of our request.

6 Act 388 severely restricted the ability of a
7 school district to increase millage to meet rampant
8 growth. Taxpayers living in the district have paid
9 for the facilities to educate their children. They
10 should not be asked to bear the burden of additional
11 facilities to service an increasing population.

12 No parent has ever had to pay the total cost of
13 educating a child. They should never have to. School
14 infrastructure has a life of approximately sixty
15 years. The initial cost of the infrastructure is the
16 burden that needs to be faced. Our schools may last a
17 long time, but we cannot stretch and expand them like
18 a rubber band to serve more students. You can't put
19 fifteen hundred students in a one thousand school --
20 built for one thousand students and expect their needs
21 to be met.

22 As more houses are built, the population
23 increases, so the public needs revenue to pay for the
24 infrastructure expansion beyond our present buildings.

25 And we appreciate your help. We also appreciate
26 your patience. And if you have any questions.

27 WILL MOORE: Thank you,
28 ma'am.

29 ROBBIE BINNICKER: Thank you,
30 Ms. Upton.

31 If you'll turn to the next slide, and you guys
32 have those questions and answers there. These are
33 things that we've been asked. And I think it is
34 really, really important that the Planning Commission,
35 along with our County Council, really understand the
36 details of the plan.

37 First of all, will all ASD1 owners pay the impact
38 fee? Well, no, just new construction. Those are the
39 only folks that pay the impact fee.

40 What if I add on to my existing house? You're
41 not adding capacity just because you add a room or a
42 carport. You're not paying an impact fee.

43 Are impact fees good for current ASD1 residents,
44 property owners and businesses? And obviously it is
45 because it's decreasing that future tax burden. The
46 school district is going to have borrow less money in
47 the future.

48 If I currently live in Anderson One and want to
49 build a new house will I be responsible for impact
50 fee? Well, yes, if you build a new home you're

1 increasing the capacity, so you would have to pay the
2 impact fee.

3 And I promise, I actually did this question.
4 What if I live in a house now, but I want to build a
5 new house on the same property and tear my old house
6 down? Well, again, you are not increasing the
7 capacity, so you would not -- you wouldn't pay the
8 impact fee.

9 Will people who qualify for Homestead Exemption
10 Act who build a new home have to pay the impact fee?
11 And the answer is yes. If you increase the capacity
12 of the district, you pay the impact fee regardless of
13 your age.

14 How does the impact affect affordability? And I
15 think Carson really addressed that in his
16 presentation.

17 How have impact fees affected growth in other
18 South Carolina school districts or municipalities? I
19 get this question quite a bit. Well, if you implement
20 this impact fee, won't it stop growth? Won't it
21 prevent people from buying houses and building houses
22 and selling houses in Anderson One? And the answer to
23 that is absolutely no. It's not going to happen in
24 Anderson One, and it's not happened in other areas.
25 We can't find an area that has implemented impact fees
26 where houses have stopped being built, where
27 developers have stopped developing property. We can't
28 even find areas where that has slowed down. So people
29 are still going to be developing. They're still going
30 to be building.

31 Dr. Estes talked about lots and lots of families
32 who call us to ask about how do I get my kid in
33 Anderson One? And well, there's really only one way
34 to get into Anderson One, and that's to live in
35 Anderson One. And the next question they say, well,
36 we can't find a house. We can't find an apartment.
37 So we know the developers, we know that builders are
38 going to be building in Anderson One. And we also
39 know there's going to be a line to buy that property.
40 So we don't really see any impact in growth.

41 The next slide talks about why not use local
42 option sales tax in order to build the new schools?
43 Well, our board is very conscientious to make sure
44 that we are very good about utilizing our local option
45 sales tax. Let me just give you an example. When we
46 built a six-room addition onto Concrete, we built
47 every penny of that with local option sales tax.
48 Hundred and nine million dollar bond referendum. Our
49 board chipped in twenty additional million dollars
50 from local option sales tax. We use local option

1 sales tax in order to replace roofs. In order to
2 replace HVAC systems. So we are definitely using
3 local option sales tax in order to help us with our
4 infrastructure issue, as well as our capacity issue.
5 And I think that twenty million dollars certainly
6 speaks for itself that our board is definitely willing
7 to spend local option sales tax in order to help us
8 increase capacity.

9 We've been asked, why not use your fund balance
10 to build this? The school district has a reserve.
11 Why don't you just use that reserve? Well, if you
12 know anything about school district financing, you
13 know that you need a healthy reserve. The auditors
14 typically say that you need about two to three months'
15 worth of expenses in reserve. Kind of a savings
16 account just in case.

17 One of the reasons that we need this is because
18 of cash flow. We don't get much of our federal money
19 until January, February, March. We have to pay for
20 all of those federal programs until we start getting
21 federal money. Our local money doesn't normally --
22 our local taxes don't normally start really coming in
23 until the wintertime. We have salaries, we have all
24 kinds of things we have to pay. And if we don't have
25 that reserve fund in order to draw from, then we'll
26 actually have to borrow the money with tax
27 anticipation notices and the like. And obviously, all
28 of us have a little bit of a reserve fund just in case
29 something were to happen. You have HVAC system, a
30 roof, some kind of huge computer network issue, and we
31 need a little bit of fund in order to do that. It has
32 taken us years to build back up our fund balance from
33 that time when the economy crashed and we had to spend
34 an enormous amount of fund balance just to keep the
35 number of teachers that we needed in our classroom.

36 The next to the last question says, is it correct
37 that ASD1 receives less money per student than most
38 school districts? And I guess I want to be really
39 clear about this. Particularly if you don't
40 understand the way school districts are funded, school
41 districts are funded very, very unevenly in South
42 Carolina. Now, if you want to know why that is, just
43 call me and we can have a really long conversation.
44 It's a whole bunch of laws and regulations that are
45 stacked on top of each other. But it doesn't really
46 matter why it is. What matters is that we are. Year
47 in and year out, Anderson School District One is one
48 of the lowest per pupil revenue districts in the
49 state. That means we have less money to spend on our
50 student than just about any other district in the

1 state. Sometimes we're as high as seventh from the
2 bottom. Sometimes we're third from the bottom.
3 Sometimes we're the lowest school district in the
4 state as far as the amount of money that we have. And
5 when I say amount of money, I'm talking about local,
6 state and federal funding. Right now -- and you have
7 that number down here -- last year we received twelve
8 thousand three hundred and four dollars per student.
9 The average school district in South Carolina receive
10 fifteen thousand four hundred and fifty-three. If
11 Anderson One received what the average school district
12 in South Carolina received, we would have thirty-three
13 million dollars more per year in order to spend on our
14 students and buildings.

15 Our entire general fund budget is eighty-five
16 million. So thirty-three million dollars is a lot of
17 money for us to not have, just because of the way that
18 the funding formula works in South Carolina. That's
19 not your fault. That's not my fault. That's not my
20 board's fault. It's -- there's a lot of reasons for
21 that. I'm just telling you what the facts are. And
22 if someone were to say, well, the school district has
23 plenty of money. I'm telling you, Anderson One does
24 not. We have one of the highest teacher/student
25 ratios in the entire state. We have lots and lots of
26 kids in our classes because our budget doesn't allow
27 us to hire more teachers.

28 The last deficiency study that the state did, we
29 had the lowest administrator cost per student of
30 anybody else in the state. We have less
31 administrator's costs, administrator's per student,
32 than anybody else in the state. We have a reputation
33 of really doing a good job with spending our money
34 wisely. And why? Because we have very little of it.
35 So we have to do that.

36 The last question talks about Act 388. And I
37 know Ms. Upton addressed that. Act 388 is simply the
38 law that the legislators passed in 2006 or '08,
39 somewhere there about.

40 DAN HARVELL: 2006; enacted
41 in '07.

42 ROBBIE BINNICKER: 2006; enacted
43 in '07. Thank you very much.

44 DAN HARVELL: You may not
45 like me, I'm the state chairman of nomoretaxes.org
46 that initiated that effort starting in 2002. But I do
47 have some things I'll mention about that.

48 ROBBIE BINNICKER: Very good.
49 Well, and the problem is what Act 388 has done for
50 school district that are rapidly growing. Right now,

1 this past school year, we lost seven million dollars
2 because of Act 388. And again, Act 388, essentially
3 what the state did, and you know this quite well, what
4 the state did was they removed the operational
5 property taxes -- the operational expense from school
6 district for owner-occupied homes. So all of us loved
7 that because our property taxes on our homes that we
8 live in went to zero. That means anybody that moves
9 into Anderson One, they don't pay a dime in
10 operational taxes for Anderson One if that's their
11 owner-occupied home.

12 If we were still funded the way we used to be
13 funded through property taxes, we would have seven
14 million more dollars per year. And that number is
15 increasing every year. It started out, you know,
16 pretty low, and it's gotten higher and higher and
17 higher. And you can imagine why that is in a district
18 like mine that has lots of subdivisions, but not a lot
19 of business and industry. That business and industry
20 really take a hit on that.

21 All right. Let me stop and see if there's any
22 other questions that the committee may want to ask.

23 WILL MOORE: Anybody
24 else?

25 WESLEY GRANT: What is this
26 going to cost each family, roughly, on a yearly basis
27 or a monthly basis, the addition, if it were to pass?

28 ROBBIE BINNICKER: I'm sorry,
29 guys. I had a sinus infection and it's messed up my
30 ears. It's really hard for me to hear.

31 WESLEY GRANT: The impact
32 fee, what is the actual monetary impact per family?

33 ROBBIE BINNICKER: Oh, oh,
34 typically that cost would be passed on to the
35 homeowner. And the homeowner typically would roll it
36 into their mortgage. So the average home, the median
37 home in South Carolina is about a hundred and seventy-
38 eight thousand, somewhere thereabout. And it's on the
39 -- it's on one of these sheets. It's about fifty-five
40 bucks is what that would mean. Was that the question?

41 WESLEY GRANT: Yeah. Yes,
42 sir.

43 ROBBIE BINNICKER: I'm sorry,
44 guys. It's just really hard for me to hear in a big
45 room like this.

46 And of course, my board chairman wants me to say
47 we do pretty well academically, which we do. We do
48 well. We've got great kids, and we think we do a
49 really good job. Big bang for the buck that we get in
50 Anderson One.

1 DAN HARVELL: May I ask a
2 question? In Act 388, there was a hold harmless
3 clause in there saying that if the revenue created by
4 the extra one cent of sales tax fell short, the
5 general fund would make up the difference. Have you
6 spoken with the lawmakers in Columbia about why that
7 is not happening? They are actually breaking their
8 own Act.

9 ROBBIE BINNICKER: Yeah, that's
10 a great question. I think the problem is that -- one
11 of the things Act 388 did was cap the millage. And so
12 -- maybe if the -- maybe if we had the same amount of
13 property owners, maybe that might be more true. I
14 don't know that I can answer why we get less money
15 than we're supposed to.

16 DAN HARVELL: Now, when you
17 say capped the millage, are you referring -- are you
18 referring to the reassessment cap that comes every
19 five years whereby it could not be -- assessment
20 couldn't increase more than fifteen percent, which is
21 part of Act 388 by Constitutional Amendment in the '06
22 general election?

23 ROBBIE BINNICKER: Right. No,
24 what I'm referring to is the millage cap on the
25 operations for school operations. Wherever you were
26 in 2006-2007, that's where it stayed. One of the
27 problems with Anderson One is we had a ridiculously
28 low millage rate. And the reason we did was because
29 we had more houses. The more houses you had, the more
30 income that you had.

31 DAN HARVELL: Right.
32 Right.

33 ROBBIE BINNICKER: So we were
34 able to keep -- the board was able to keep property
35 taxes really, really, really low. Almost artificially
36 low. But wherever you were when the legislation was
37 passed, that's where you stayed. So that's what I'm
38 talking about a cap. The only thing that the board
39 can do is to raise the CPI and the growth, the
40 consumer price index and the growth.

41 DAN HARVELL: Right.
42 Because that's what they're based on. That's right.

43 ROBBIE BINNICKER: Right.
44 That's the only thing that the board can do. They
45 can't raise the millage beyond that.

46 DAN HARVELL: There's such
47 a pounding on Act 388 by the school districts and some
48 of the other entities, too. But I do want to remind
49 people why that occurred. It occurred because leading
50 up to the early 2000s there was basically a run-away

1 in property tax increases. There were people across
2 the state actually being threatened with the loss of
3 their homes because there was no -- there were no
4 breaks on this. It was like the government entities
5 had an ATM that they could go to and just keep raising
6 and raising. And for those citizens out there, if you
7 look at your property tax bill, you will see that
8 enormous exemption that's over there. It doesn't
9 state that it's Act 388. But the exemption is, like
10 the superintendent says, that is the credit for the
11 school operations part.

12 Now, it does not include any of the bonded debt.
13 You're still getting taxes by the schools for the
14 bonded debt that's there. And you know, if it's over
15 the eight percent cap that you're allowed for the
16 debt, you know, that had to be put on by voting by
17 public referendum. So that was a public choice that
18 that tax is on there.

19 But a little bit in defense of 88, just please
20 under -- 388 -- understand that hold harmless clause
21 is not being followed, and that is the fault of the
22 general assembly. Okay? So you need to look to them
23 for that; not necessarily for trying to repeal Act
24 388, which would basically double everybody's property
25 taxes at this point.

26 ROBBIE BINNICKER: That's right.

27 DAN HARVELL: So in 19 --
28 sorry -- in 2005, a one-cent sales tax increase raised
29 six hundred and sixty million dollars, and that was
30 the break-even point at that time. Okay. So to just
31 explain that a little bit more for the people, because
32 it's editorialized a lot that Act 388 is so bad, but
33 it's great for the homeowners. We didn't get
34 everything we wanted. We wanted a lot more out of
35 that than we got. But you know, sausage is made at
36 the state house in politics, and that's the way it
37 turned out. So, anyway.

38 ROBBIE BINNICKER: Mr. Harvell,
39 I would agree with you one hundred percent. I think
40 everything you said is spot-on with that. And I'm
41 making a call tomorrow to find out where my seven
42 million dollars is.

43 DAN HARVELL: Uh-huh
44 (affirmative). Good.

45 BRYAN BOGGS: If I may ask
46 a question, as well. Is there a term -- Bryan Boggs
47 here. Is there a term on this impact fee, like how
48 long y'all are proposing it? Is it one year; we'll
49 come back next year and vote on it again? Or is this,
50 you know, we can vote to stop it later or what is the

1 request?

2 CARSON BIASE: Once the fee
3 would be adopted, it would be in place until the next
4 study, which would be in five years. It would be re-
5 evaluated, recalculated, hopefully, re-adopted. But
6 it would only -- I mean, obviously it's up to the
7 County Council to -- they have the ultimate say of
8 whether they would repeal it or not, but as long as a
9 district is growing, they typically leave the impact
10 fees in place until you can't meet that benefit test
11 anymore. Meaning that, you know, you don't collect
12 money if you're not going to spend it on additional
13 school capacity. And that happens sometimes.

14 You know, we've got several school districts
15 we're working with in Florida, where, for instance,
16 they've repealed the high school fee because they've
17 got plenty of high school capacity. Their needs are
18 only at the elementary school or middle school level
19 and so that's where the fees are. And some of them go
20 away as the demographics change.

21 BRYAN BOGGS: Is part of
22 the request a mandatory five-year review or is it
23 subject to a county council request or anybody can
24 request it within the five-year period?

25 CARSON BIASE: Well, it's
26 sort of two-fold. One is the act requires that it be
27 basically the same way of the comprehensive plan is
28 reviewed every five years. But in general, if you're
29 a growing jurisdiction, whether this is the county
30 implementing a road fee or a town implementing a park
31 fee, etcetera, the fee generally has a horizon that
32 the CIP has, which is typically five years, because
33 it's reflecting some of the assumptions that are going
34 into that planning document. Plus every five years
35 you need to be adjusting relative to the demographic
36 conditions within a community, because, you know,
37 things are changing, you know, every decade. So you
38 want to pick up those trends. You also want to pick
39 up what's happening on the development side so that
40 your land use assumptions are accurate.

41 You know, we've got some clients right now we're
42 working with that, you know, they haven't done their
43 fee since 2005 and you know what's happened since
44 2005. So everything is, you know, out of date and
45 doesn't reflect reality, so ...

46 BRYAN BOGGS: Okay. Based
47 on y'all's study, how long would you expect this --
48 using a current trend, to the -- you know, a suggested
49 fee to cover the growth forecasted?

50 CARSON BIASE: Well, from my

1 own perspective, as long as the -- I would expect that
2 the growth in the district would continue for the next
3 ten years. So I would expect the fee to probably be
4 in place ten years, but ...

5 BRYAN BOGGS: I understand,
6 it's all subject to the area, but I was just curious
7 to what y'all's forecast was. Thank you.

8 WILL MOORE: All right.
9 Anybody else? Thank you, Dr. Binnicker.

10 DAN HARVELL: One other
11 statement I'd like to make. I'm not trying to hog the
12 microphone, but I want to say that I have been told by
13 multiple people over the years that there's no school
14 district in Anderson County that does a better job of
15 managing their money than School District One. So I
16 also wanted to tell you that, too.

17 ROBBIE BINNICKER: Well, I
18 appreciate that. We put out as much propaganda as we
19 possibly can. So I'm glad it's working.

20 DAN HARVELL: Well, it's
21 working.

22 ROBBIE BINNICKER: Thank you.

23 WILL MOORE: Thank you,
24 Anderson School District One, and Dr. Binnicker.

25 And I think this concludes this presentation.

26 If y'all are ready for adjournment, just stand
27 up. That'll be the motion to leave. Thank y'all.

28
29

MEETING ADJOURNED AT APPROXIMATELY 7:14 PM

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ANDERSON COUNTY
PLANNING COMMISSION MEETING
MARCH 8, 2022

PRESENT:

WILL MOORE, CHAIRMAN
BRAD BURDETTE
JANE JONES
BRYAN BOGGS
DONNA MATTHEWS
DAVID COTHRAN
DAN HARVELL

ALSO PRESENT:
ALESIA HUNTER
BRITTANY MCABEE
TIM CARTEE
HENRY YOUMANS
TYANNA HOLMES

1 WILL MOORE: Welcome to
 2 the Anderson County Planning Commission meeting. I
 3 would like to call this meeting to order.
 4 (VOLUME ADJUSTMENT)

5 WILL MOORE: Good
 6 afternoon. Welcome to the Anderson County Planning
 7 Commission. I'd like to call the meeting to order and
 8 I'd like to start out with the pledge of allegiance.
 9 Please stand.

10 **PLEDGE OF ALLEGIANCE**

11 WILL MOORE: All right. I
 12 would like to move on. And do I have a motion for
 13 approval of agenda?

14 BRYAN BOGGS: Motion to
 15 approve.

16 WILL MOORE: Second?
 17 DONNA MATTHEWS: Second.
 18 WILL MOORE: All in favor.
 19 All right. Let's move on to the approval of the
 20 minutes for December 14th, 2021.

21 DAN HARVELL: Mr. Chairman,
 22 motion to approve as written.

23 BRAD BURDETTE: I second.
 24 WILL MOORE: All in favor.
 25 All right. Let's -- the January 11th, 2022
 26 minutes, do I have a motion to approve?

27 DONNA MATTHEWS: Motion.
 28 WILL MOORE: Second? All
 29 in favor.

30 All right. Moving on to public hearings. A
 31 rezoning request of 5.39 acres located at Evergreen
 32 Road. I'm going to turn it over to staff for the
 33 presentation.

34 BRITTANY MCABEE: Thank you, Mr.
 35 Chairman. This is a rezoning from R-20 to R-10.
 36 Twenty-nine property owners within a two thousand foot
 37 radius were notified via postcard. It's located on
 38 Evergreen Road. The tax map number is there for your
 39 viewing. The current zoning is R-20 and it's
 40 requesting an R-10. Both are single-family residential
 41 districts. The purpose is to develop a sixteen-lot
 42 subdivision. Applicant has stated that the developer
 43 will make sewer available to all lots since the back
 44 portion of the lots have a creek running on the real
 45 portion of the lots.

46 It's located in Council District 4 in School
 47 District 1. The voting precinct is North Pointe, which
 48 was formerly Hopewell. That is not supposed to happen.
 49 The R-20 and R-10 residential district is established
 50 to provide for medium population density. Principal

1 use of the land is for one-family and some two-family
 2 dwellings and recreational, religious and educational
 3 facilities are allowed via special exception.

4 The chart shows the difference between the R-20
 5 and the R-10. The lot area in R-20 is twenty thousand
 6 square feet and the lot area in R-10 is ten thousand
 7 square feet.

8 This is a proposed layout of the subdivision and
 9 what the applicant intends to do. And this is the plat
 10 that created the parcel. You can see the parcel to the
 11 south. And this is an aerial view of the property.
 12 The future land use map, which designates it as
 13 residential. And the zoning map. And the required
 14 posting.

15 The staff evaluation of the applicant's purpose to
 16 develop a sixteen-lot subdivision with sewer. The
 17 future land use map does identify the area as
 18 residential. The original zoning for that parcel was
 19 R-20. It was zoned in 2000 by Ordinance 2000-025 as
 20 part of the Hopewell voting precinct. The property is
 21 adjacent to other residential zonings and zero
 22 availability can support the higher density R-10
 23 zoning. Evergreen Road is classified as a collector
 24 with no maximum trips per day.

25 As a result, staff does recommend approval of the
 26 rezoning. This concludes the staff report.

27 WILL MOORE: Thank you,
 28 staff. All right. Do we have a developer presentation
 29 for this project? State your name and address, please,
 30 sir.

31 TONY CIRELLI: Tony Cirelli,
 32 148 Hark Road, Pendleton, South Carolina.

33 WILL MOORE: Thank you,
 34 sir.

35 TONY CIRELLI: Council
 36 members, commission members I should say, I am just
 37 going to ask you if you have any ---

38 WILL MOORE: Speak into
 39 your microphone so we can hear you.

40 TONY CIRELLI: I'm hard of
 41 hearing so -- there we go. All right. I'm here, if I
 42 can, to answer any questions you might have. These
 43 lots are all along Evergreen Road. The rear of the
 44 lots are -- do have a creek running back there. These
 45 will be single-family homes. And they're built a lot
 46 like garden style with a lot of rock/brick, Hardy
 47 board. Very nice looking, attractive homes. Unless
 48 you have any questions, I really appreciate staff
 49 giving us that recommendation.

50 WILL MOORE: Thank you,

Anderson County - Planning Commission Meeting - March 8, 2022

1 sir.
2 JANE JONES: I have a
3 question.
4 WILL MOORE: Okay. Go
5 ahead.
6 JANE JONES: You said in
7 the materials that we were presented that you would
8 provide sewer for the other people. Who is your sewer
9 supplier?
10 TONY CIRELLI: I'm sorry,
11 ma'am?
12 JANE JONES: Who will
13 supply your sewer to this project?
14 TONY CIRELLI: The sewer?
15 JANE JONES: Yes.
16 TONY CIRELLI: It will flow
17 back to Six & Twenty Creek. Anderson County will
18 provide sewer.
19 JANE JONES: Anderson
20 County. Okay.
21 TONY CIRELLI: Yes.
22 JANE JONES: You said you
23 would make that available to the other people
24 adjoining. I assume that's what you meant. Would that
25 not be up to the sewer company or can you do that
26 yourself?
27 TONY CIRELLI: Well, we
28 would make it available by coming up Evergreen Road and
29 then if you look at the plat there's an easement cut in
30 between lots. I can't quite see that.
31 JANE JONES: That's okay.
32 That was -- that answers my question.
33 TONY CIRELLI: But the rest
34 of the property will be available through that easement
35 to tap on. But we'll have the sewer line directly
36 available to every one of those lots and to the rear.
37 JANE JONES: And are you
38 the builder on this project? Will you be building the
39 houses?
40 TONY CIRELLI: My client
41 will be building the houses.
42 JANE JONES: So we don't
43 have any assurance that your client would honor what
44 you just said about the sewer? I mean we don't have
45 any way of -- you'll pass that on to the buyer ---
46 TONY CIRELLI: Yes.
47 JANE JONES: --- who
48 buys the project from you?
49 TONY CIRELLI: There's a
50 sewer line down near the curves of the road where it

1 parallels the interstate. But we'll bring it all the
2 way up this way. It'll be available to all those
3 parcels on up the road going up closer to the barbecue
4 house.

5 JANE JONES: But that'll
6 be up to the builder?

7 TONY CIRELLI: That'll be
8 up to the builder; yes, ma'am.

9 WILL MOORE: Any other
10 questions, concerns, comments? Thank you, Mr. Cirelli.

11 All right. Mr. Cirelli was the only one signed up
12 to speak on this. We'll move on for a motion for
13 approval or denial.

14 With it being in District 4, I would like to go
15 ahead and make a motion to approve this project.

16 BRAD BURDETTE: Second.

17 WILL MOORE: I got a
18 second. All in favor of the approval. Unanimous.

19 Okay. I'm going to turn it over to staff for the
20 presentation for the land use permit application at
21 Hurricane Creek Industrial Park.

22 TIM CARTEE: Thank you, Mr.
23 Chairman.

24 This is Hurricane Creek Industrial Park. This is
25 an economic development project. A hundred and ninety-
26 nine property owners within two thousand radius were
27 notified via the postcards. This is an industrial
28 park, and the applicant is Hurricane Creek Industrial
29 Park, LLC and Edward Wilson. It's located on LaCannon
30 Road and Hurricane Creek Road just west of I-85. This
31 is Council District 6.

32 And this project will consist of three sixty-
33 thousand and four twelve thousand square foot
34 buildings. These are spec buildings at this time. We
35 don't know who the persons will be obtaining these
36 buildings.

37 The surrounding land use is commercial and
38 residential. This area is unzoned. It's 32.65 acres.
39 No variance is requested. And the letter that I have
40 given you earlier was from the Powdersville Water
41 Department and addressing the fire protection.
42 Preliminary plan layout does not require an approval up
43 front. If the project is approved, then the design
44 aspect begins to move forward at that point. These are
45 spec buildings, like I said earlier, and each building
46 will be evaluated based upon the use for adequate fire
47 protection under the National Fire Protection with
48 International Building and Codes.

49 If the layout and design approval of water is not
50 approved through Powdersville Water, there are other

1 alternatives such as having a water tank on the site
2 for adequate fire protection.

3 The traffic impact analysis, the proposed
4 Hurricane Creek Industrial Park is located on Hurricane
5 Creek Road and it includes a total of 228,000 square
6 feet. The TIS was conducted by Roger Dyar and dated
7 February 22, 2022 of this year. The TIS was generally
8 conducted according to Anderson County requirements,
9 and no roadway improvements are required. The TIS is
10 approved by Roads & Bridges.

11 Here you see the proposed layout for this site.
12 You see the two roads, entrances coming off of
13 Hurricane and two coming onto LaCannon. This is the
14 overall aerial. And you can see to the left and to the
15 right are commercial buildings and residential is
16 across the street.

17 Staff recommends approval. This application has
18 met the requirements in Chapter 38 of Land Use. Thank
19 you, Mr. Chairman.

20 WILL MOORE: Thank you,
21 staff. Do we have an engineer or anybody representing
22 the project? Please state your name and address,
23 please, sir.

24 SHAWN PARMELEE: My name is
25 Shawn Parmelee, 113 Harbrooke Circle, Greer, South
26 Carolina. I'm the engineer for the project. The
27 developer actually had an emergency and wasn't able to
28 make it tonight. I'll try to answer any questions that
29 you guys have.

30 DONNA MATTHEWS: I have a
31 question about the tank, the water tank.

32 SHAWN PARMELEE: Yes, ma'am.

33 DONNA MATTHEWS: How does that
34 work? If you supply this tank, then the local fire
35 department would have access to it or would you do it
36 ---

37 SHAWN PARMELEE: That's for
38 the volume of water. So for fire protection there's a
39 certain amount of volume that you require to basically
40 sprinkler these buildings. And so that would just
41 provide the volume. If Powdersville Water couldn't
42 provide say the volume that they need to fire protect
43 these buildings, you'd have a tank that would hold that
44 volume for you. So they would use that when the fire
45 sprinkler comes on.

46 DAN HARVELL: Could I ask
47 the staff, have these auxiliary tanks been in use
48 within recent years? Is that something that's common
49 now?

50 ALESIA HUNTER: Yes, Mr.

1 Harvell. The tanks, the water tanks, are common.

2 DAN HARVELL: All right.

3 And I assume they would be specified enough to impact
4 the homeowners' insurance in a favorable way?

5 ALESIA HUNTER: Yes. They
6 have to be designed to meet, as Mr. Cartee mentioned,
7 as soon as we know what the actual use of the property
8 will be, then the design aspect will start. They don't
9 know what to design it to until we have the clients
10 there because you can have stock pile, you can broken
11 tile. It just depends on what the actual use of the
12 property for the building will be. But water tanks are
13 common. We've done one before. We've done several of
14 them.

15 DAN HARVELL: Okay. Thank
16 you.

17 WILL MOORE: Anything
18 else?

19 JANE JONES: Yes. I have
20 these comments I guess. I just want to make it clear
21 that we are not against this project. The property is
22 on I-85. It's an ideal location for you and for us and
23 Anderson County and the Powdersville area welcomes
24 industry.

25 But I had intended to read this letter from the
26 water company, but everybody has a copy of it, so I
27 won't do that. But the gist of it is he says he really
28 didn't know about this ahead of time and he's not sure
29 he can provide the protection, is the main concern
30 here; fire protection. And you know, you've got a lot
31 of square footage in these buildings and you want to
32 make sure that that's there.

33 But I just don't think right now it's in the best
34 interest of the community or the county to move forward
35 until you resolve this issue with the water company.
36 And the other utilities. I don't see any indication
37 that you talked with the sewer people either. But it's
38 to your benefit to get all this information. When
39 you're talking about water towers, that's something you
40 probably don't want to talk about off the top of your
41 head right now. You need to sit down and have a plan.
42 I think it would save money for everybody in the long
43 run for that plan to be in place before we approve this
44 project.

45 And as I stated, you're not required to do this up
46 front. You don't have to do this until after we vote
47 to approve this or not. But it just behooves you and
48 the community to know what's out there. You need to
49 plan your expenses and just how you're going to operate
50 it. I think you probably, being an engineer, you know

1 the value of sitting down and getting a plan, putting
2 it on paper.

3 And this ordinance that we're using here, county
4 council, they may want to take a look at that and in
5 the future do something up front.

6 Another point of concern is, and I have two
7 letters here from people that live in that area, and I
8 have discussed this with my county councilman. You've
9 got two entrances onto Hurricane Creek. That's right
10 through residential property. And it was suggested
11 that what would be the possibility -- and you'll have
12 to sit down and look at this also -- of running one
13 entrance over to LaCannon Road. That would take
14 everything off Hurricane Creek. It's not going to
15 handle the truck traffic that you're going to have.
16 And plus with all the residences there and, you know,
17 it's going to create its own problems. But if you
18 would look at that possibility of putting your entrance
19 over to the other road.

20 Do you have plans to buffer any of this?

21 SHAWN PARMELEE: Yeah, it'll
22 all be buffered with landscaping.

23 JANE JONES: We didn't
24 have any information on that. But that's just part of
25 it because a lot of people live there are elderly and
26 they're concerned about if they're going to be able to
27 hear their TV.

28 But I just think at this time we need to deny the
29 project until you can get with the utility company to
30 work these things out. Again, we know it's not
31 required, but it's probably going to be a money savings
32 on both ends. We do look forward to working with you
33 in the future. I'm not trying to run you off.

34 SHAWN PARMELEE: No, you're
35 fine.

36 JANE JONES: Just want to
37 get this right. Thank you.

38 TIM CARTEE: Mr. Chairman,
39 as far as the buffer yard, that's during the permitting
40 process. If Planning Commission approves it, that will
41 be part of the requirement in our land use. And we
42 also have Gaye Sprague, our traffic engineer, here to
43 answer any questions concerning the site.

44 WILL MOORE: Ms. Gaye,
45 could you come forward and elaborate on the traffic
46 study on this particular project, please, ma'am?

47 GAYE SPRAGUE: Yes, sir, Mr.
48 Chairman and commission members. The study indicated
49 that the increase in delay that would result in the
50 traffic that will be added would not require any

1 improvements. So we have standards that we go by. And
2 if it increases it by a certain amount we require them
3 to add a left turn land or a right turn lane. And none
4 of those thresholds were met at this location with the
5 traffic it will generate.

6 WILL MOORE: Thank you so
7 much.

8 GAYE SPRAGUE: Thank you.
9 WILL MOORE: Anything
10 else? Anybody? All right.

11 SHAWN PARMELEE: Would you
12 mind if I just respond to Ms. Jane here for a second?

13 WILL MOORE: That's fine.
14 SHAWN PARMELEE: Just to go
15 back to what you were saying about utilities. We have
16 talked to ReWa and we were working through that before
17 we send in the capacity request. The capacity request
18 is in and they're reviewing it now. But ReWa has
19 allowed us to tie on to their force main that's along
20 Hurricane Creek Road. They're going to be abandoning
21 it later this year, the actual lift station that
22 provides that, but they're going to leave it open to
23 the point where we tie in. So we'll be able to tie in
24 at that point. So we will have sewer provided.

25 WILL MOORE: Thank you.
26 SHAWN PARMELEE: We're also
27 working with the sprinkler company to get those fire
28 flows so we can provide this into power supplier. So
29 we're working with those right now.

30 WILL MOORE: Thank you,
31 sir. Now I'll open it up to public comments. I'll
32 start with Adam Lee. State your name and address,
33 please, sir.

34 ADAM LEE: My name is
35 Adam Lee. My address is 312 Shadow Ridge Circle,
36 Simpsonville, South Carolina. I'm an attorney from
37 Greenville. I'm here representing Ryan and Reid Long
38 who are, like myself, a resident -- previous resident.
39 They're residents of Anderson County now. I grew up in
40 Anderson County. But they own the property that's
41 adjacent to this proposal.

42 And in addition to the concerns that Ms. Jones
43 has, upon review of the plans and upon hearing the
44 testimony from the engineer provided tonight, it's
45 clear that the anticipated construction that they're
46 going to create, the surrounding landowners, some
47 issues that they're going to have, almost any change
48 that people make to the natural landscape of real
49 property will alter the flow of surface water. And
50 that often creates problems that grow into legal

1 disputes.

2 New buildings and parking lots as proposed in the
3 Hurricane Creek proposal will likely result in water
4 washing out surrounding land, flooding previously
5 unflooded areas, polluting surrounding properties and
6 can ultimately decrease the value of those exact
7 surrounding properties.

8 While we typically see these problem emerge in
9 urban developments, disputes can often arise anywhere
10 that there's a change in water flow. The problem
11 almost always centers on how construction diverted the
12 previous natural flow of the surface water after
13 rainfall. And the disagreement usually is over whether
14 the new path of the water creates a nuisance.

15 As I'm sure the commission is aware, South
16 Carolina follows the common enemy rule with respect to
17 the diversion of surface waters. The common enemy rule
18 is subject to the law of nuisance, and an individual
19 may not obstruct or alter the flow of water to create a
20 nuisance.

21 Further, an upper landowner, which in this case is
22 where this property will be located compared to my
23 client's property, is not allowed to divert water in
24 any way onto its own land and then cast it upon its
25 neighbors. Based on a review of the proposal and the
26 plans, this is exactly what appears to be going to take
27 place with Hurricane Creek Industrial Park. This will
28 specifically affect the surrounding areas and Mr.
29 Long's property. Construction of that type will cause
30 significant concerns that surface water will be
31 prevented from being absorbed into that soil and will
32 be transferred onto my client's property. This would
33 most likely satisfy tradition tests for determining the
34 existence of a nuisance and would probably result in
35 unnecessary litigation unless we can resolve something
36 before then.

37 In addition to the surface water issues, the
38 ability of the Hurricane Park development to obtain
39 access to utilities is a concern. Powdersville Water,
40 I know, has a concern. We have a specific concern in
41 regards to whether they intend to utilize access to the
42 sewer through our client's properties. So I think that
43 needs to be looked at.

44 I appreciate the commission's time and attention.
45 We would ask at the very least this proposal be
46 rejected.

47 WILL MOORE: Thank you,
48 sir.

49 TIM CARTEE: Mr. Chairman,
50 do you mind if I speak on that? That site will be

1 covered under the stormwater, so they would have to get
2 with DHEC and Anderson County to provide storm drainage
3 and retain all their water onsite to meet the DHEC
4 requirements.

5 WILL MOORE: Thank you.
6 Chris Rasco.

7 CHRIS RASCO: Yes. My name
8 is Chris Rasco. I'm the engineer with Powdersville
9 Water. Basically without repeating everything that was
10 already stated, we learned about this project on March
11 2nd. And we had just requested that this project, you
12 know, be denied at this time so we can get more
13 information on the fire flow requirements for this
14 particular project.

15 Right now it's kind of a -- what I want to say is
16 water deficient -- but it's not a very, very strong
17 area of our system. And without knowing exactly what
18 kind of requirements and demands they would need, we
19 can't provide any kind of availability to that.

20 So as Ms. Jones has already referred to in the
21 letter that you received, we just wish that you would
22 just postpone and kind of table this right now until we
23 can get more information.

24 WILL MOORE: Thank you,
25 sir. Ryan Lory.

26 RYAN LORY: (Inaudible.)

27 WILL MOORE: Thank you.
28 Ed McDuffie.

29 ED MCDUFFIE: I'm Ed
30 McDuffie. I'm here to represent my mother, who's
31 ninety-five years old and lives on Hurricane Creek
32 Road. Our concern, which has been addressed because of
33 the residential area across the street. We also have a
34 concern of the two entrances because of the trucks that
35 will be coming through and we have kids there. And my
36 mother still drives. We're concerned with the large
37 trucks on Hurricane Creek Road.

38 We ask that all entrances, including -- or all
39 entrances to be on LaCannon. And if at all possible,
40 worst case scenario, that any trucks, eighteen
41 wheelers, ten wheelers, have to use LaCannon Road
42 rather than Hurricane Creek Road.

43 That's basically it. Thank you.

44 WILL MOORE: Thank you,
45 sir. All right. Any discussion? Any concerns of
46 Planning Commission? Dan? Jane?

47 JANE JONES: I've said all
48 I need to say. I'll make a motion when you're ready.

49 WILL MOORE: All right.
50 Well, I'll go ahead and open it up for a motion. Does

1 anybody have a motion?
2 JANE JONES: I make the
3 motion to deny the application and give the parties
4 time to solve some of these issues before it comes back
5 to us.
6 WILL MOORE: Do I have a
7 second?
8 DONNA MATTHEWS: Second.
9 WILL MOORE: All in favor
10 of the denial.
11 DAN HARVELL: Can we
12 discuss?
13 WILL MOORE: Yeah.
14 DAN HARVELL: Okay. I
15 don't know if Ms. Jones would want to, but I mean is
16 this -- the denial -- instead of a denial, this is a
17 tabling; right?
18 JANE JONES: No.
19 DAN HARVELL: It's not a
20 tabling?
21 JANE JONES: No. A
22 tabling will require them -- you can explain -- but
23 there's a certain number of days you have to come back
24 with it. To me it's easier to deny the project and
25 give them all the time they need to do what they want
26 to do and then bring it back through the normal
27 process.
28 DAN HARVELL: Okay. Thank
29 you for that clarification. Appreciate that.
30 WILL MOORE: Okay. So we
31 have a motion and a second for denial. All in favor of
32 the denial, raise your hand. The motion passes four to
33 three.
34 Okay. Moving on to new business. If the staff
35 will go ahead and do the staff presentation for the
36 preliminary subdivision Creekbed Heights, Council
37 District 4.
38 TIM CARTEE: Thank you,
39 Mr. Chairman. This is a single-family development.
40 Seventy-four property owners within two thousand feet
41 were notified. And this is a private road subdivision.
42 This is the first one we have since the new ordinance
43 was adopted last year for this type of development.
44 This property was previously approved in 2000 with
45 thirty-one lots. The applicant is Rymples, LLC. It's
46 located on Dalrymple Road, which is state maintained.
47 It's Council District 4. And these will be -- the
48 surrounding land use is residential. The area is
49 unzoned. And it's approximately 22.1 acres. Number of
50 lots is nine. And they're not requesting any variance.

1 Dalrymple Road is classified as a collector with no
2 maximum average trips per day.

3 Here is the proposed preliminary plat layout.
4 Nine lots. Here is the aerial showing the property.

5 Staff recommends approval. This preliminary plat
6 has met the requirements in Chapter 38 Land Use.

7 That's all I have, Mr. Chairman.

8 WILL MOORE: Thank you,
9 sir. Do I have a developer or engineer representing
10 this project that would like to come forward?

11 WILLIE POOLE: Willie Poole,
12 405 Cattail Hollow Way, Simpsonville. I lived in
13 Anderson for thirty-something years prior.

14 This original project was -- when it first started
15 I think in 2004, it was there for a manufactured
16 housing subdivision. We have now taken it and we're
17 going to take these two and a half to three acre lots,
18 the building retail price will ultimately be anywhere
19 from four eighty to five fifty. Beautiful piece of
20 property.

21 GREG HARDING: (Inaudible.)

22 WILL MOORE: Yeah, if you
23 could restate what you're ---

24 WILLIE POOLE: Yeah.
25 Originally it was a manufactured housing community that
26 was intended for forty-one lots. And then as we've
27 been through the process with Mr. Cartee, we greatly
28 increased the size of the properties in order to build
29 a much better product for that area. It will be a
30 local builder which is Cox Builders out of Williamston,
31 South Carolina. And we'd just love the opportunity to
32 get started.

33 WILL MOORE: Thank you,
34 sir.

35 WILLIE POOLE: And it's not
36 a typical private road. The road base and everything
37 was already in place. So I mean we've been through
38 DHEC. We've been through as if we were going to be a
39 subdivision. But this was the only avenue that we
40 could take, was the ten homes or nine homes on a
41 private road, so that's the direction we went.

42 WILL MOORE: Thank you,
43 sir.

44 WILLIE POOLE: Thank you.

45 WILL MOORE: I'll go ahead
46 and open this project up for public comments. Carol
47 Green. State your name and address, please, ma'am.

48 CAROL GREEN: My name is
49 Carol Green. My husband Bill and I have lived at 341
50 Old Brickyard Road since 1986. The property that's

1 being discussed butts up against two sides of our
2 property.

3 TIM CARTEE: Excuse me,
4 Mr. Chairman. We're speaking on Creekbed Heights. The
5 development, I believe, ma'am, that you're talking
6 about will be the next one.

7 CAROL GREEN: Old Brickyard
8 Road?

9 TIM CARTEE: Yeah. We
10 haven't got to that yet.

11 WILL MOORE: I'm sorry. I
12 had the wrong sign-in sheet. I apologize.
13 Greg Hendricks or Holliday.

14 GREG HARDING: Could it be
15 Harding?

16 WILL MOORE: Yes, sir,
17 Greg Harding. Couldn't read your writing.

18 GREG HARDING: Sorry about
19 that. I don't write very well. Can you hear me from
20 here?

21 WILL MOORE: Yes, sir.

22 GREG HARDING: I don't walk
23 too well. Up ---

24 WILL MOORE: State your
25 name and address, please, sir.

26 GREG HARDING: (Inaudible.)

27 WILL MOORE: Thank you,
28 sir. Staff.

29 TIM CARTEE: We'll let the
30 developer answer those questions.

31 WILLIE POOLE: The first two
32 spec homes are going to be -- the first one is going to
33 be twenty-eight hundred square feet. The second one is
34 going to be thirty-two hundred square feet. It's going
35 to be craftsman style. We're going to actually start
36 in the back of the property because of the manufactured
37 houses that are up front. We've already got a
38 tentative plan for the one on the right hand side as
39 you enter the property. We've been in negotiations
40 with the gentleman that's on the left. We are going to
41 start in the back.

42 From a road ownership standpoint, if you'll notice
43 on the plat, the actual property lines run up each lot
44 and actually go to the center of the road. And we have
45 formed a -- there will be an HOA in place to where the
46 actual owners and the residents of the property will be
47 the owners of the road. We currently have one lot sold
48 and we've got another potential lot sold as soon as we
49 get an approval. One is a banker that actually wants
50 to build there.

1 The quality of home that we're going to put there,
2 it's got to substantiate our price point.

3 GREG HARDING: (Inaudible.)
4 WILLIE POOLE: Yes, sir.
5 GREG HARDING: (Inaudible.)
6 JANE JONES: Excuse me
7 just a minute, sir.

8 WILLIE POOLE: Yes, ma'am.
9 JANE JONES: Mr. Cartee,
10 would it help, since this private road ordinance is
11 new, would it help to get some of this together if you
12 explained the particulars of that ordinance?

13 TIM CARTEE: Right. The
14 preliminary plat that was submitted for the private
15 road subdivisions, the roads will belong to the actual
16 each individual owners. They'll be responsible for the
17 maintenance and the upkeep. They're not even required
18 to have asphalt. They can have gravel. But they have
19 asphalt already in place. And they will have to sign
20 off and certify. An engineer will have to do that to
21 make sure everything is up to the ordinance that's in
22 place for these type of developments.

23 WILL MOORE: Thank you.
24 Thank you, sir. Any other ---

25 DONNA MATTHEWS: I have a
26 question for Mr. ---

27 GREG HARDING: (Inaudible.)
28 WILL MOORE: Sir, this is
29 a preliminary project. We're approving the preliminary
30 project. I mean we can't put anything in writing here
31 today that's going to guarantee him to that.

32 GREG HARDING: (Inaudible.)
33 WILL MOORE: I'm sorry.
34 GREG HARDING: (Inaudible.)
35 WILL MOORE: Okay.
36 TIM CARTEE: Point of
37 order, Mr. Chairman. This will not come back up. He
38 will have to meet the county ordinance. And in the
39 ordinance it states everything that they have to do to
40 move forward with this project. At this point it's
41 just a preliminary.

42 WILL MOORE: Thank you,
43 sir. Thank you. Janie Rucka (phonics).

44 JANIE RUCKA: I have
45 questions along the same line. Are you going to put in
46 septic tanks?

47 WILL MOORE: Ma'am, I'm
48 sorry. This is not a question and answer. It's for
49 public comments only. So just, you know, go ahead and
50 make a public comment and tell us what your thoughts

1 are.

2 JANIE RUCKA: Well, I live
3 right across the road. And my thoughts are, you know,
4 I'd feel better knowing they're going to be stick built
5 home; not mobile homes. But who's going to oversee --
6 if the owners own the road, who's going to oversee that
7 the road stays maintained?

8 WILL MOORE: The property
9 owners. Each individual property owner, just like he
10 stated, will maintain that together. That's what he
11 told us.

12 JANIE RUCKA: But nobody is
13 going to oversee to make sure that happens?

14 WILL MOORE: They will
15 elect -- that's up to them and we can't get into that.
16 Okay?

17 JANIE RUCKA: Okay. Thank
18 you.

19 WILL MOORE: Thank you,
20 ma'am.

21 TIM CARTEE: Mr. Chairman,
22 just to address that. It will be in the covenants for
23 them to have to maintain that. That's part of the
24 agreement.

25 WILL MOORE: Dave Baker.

26 DAVE BAKER: Hey, I'm Dave
27 Baker. I live at 1764 Dalrymple Road downstream from
28 this project. And appreciate the acknowledgment of the
29 twenty-eight hundred to thirty-two hundred square foot
30 stick built homes from Cox Builders. Greatest fear was
31 that would be a mobile home park back behind what now
32 is at the entrance. However that's pulled off to put
33 those kind of homes in that development; I applaud who
34 can do that.

35 My comment that -- I want more money for Anderson
36 County. All right. So I want growth. I want
37 development. I'm not anti that. But I am anti in
38 development from what I've seen thus far on Creekbed
39 Heights is the private road behind the gate as the
40 concerns that have been mentioned, but I've had DHEC
41 out to my place once already due to the runoff that, as
42 you can see in the plat, that pond is muddy there right
43 now. And I spent over forty grand to build that pond.
44 And to put a development upstream that is going to --
45 without curbs and all that, the stormwater pond that's
46 on that plat is a joke, guys -- ladies and gentlemen.
47 It's an absolute joke. And I want you to know that as
48 a property owner who has been here nineteen years
49 downstream from this project.

50 I'm asking the council to ensure that this is done

1 right and everybody wins. I'm all for green space, but
 2 we've got to have a development there that is done
 3 properly so that the Jones Creek that feeds the pond
 4 that goes all the way into Lake Hartwell, all that is
 5 done right. I can tell you up to now it has not been
 6 done right. And if you can't tell I'm a little bit
 7 irritated with that... Appreciate your patience. Thank
 8 you.

9 WILL MOORE: Thank you,
 10 sir. Staff, I mean, they're held to a standard with
 11 stormwater; correct?

12 TIM CARTEE: Yes. They'll
 13 be governed by DHEC to make sure they maintain their
 14 water runoff on this project.

15 WILL MOORE: Thank you.

16 GREG HARDING: (Inaudible.)

17 TIM CARTEE: I can't
 18 answer that question. I don't know. This is just a
 19 preliminary plan.

20 GREG HARDING: (Inaudible.)

21 TIM CARTEE: Mr. Chairman,
 22 this is not a question and answer.

23 GREG HARDING: (Inaudible.)

24 WILL MOORE: Sir, sir?

25 GREG HARDING: Yes, sir.

26 WILL MOORE: Please use
 27 character. We're here trying to work on this project
 28 just like everybody else. And I'm appreciate your --
 29 if you want to speak come forward and come to the
 30 microphone and state your name and address. Okay?

31 TIM CARTEE: Mr. Chairman,
 32 I will say that this is not the original developer that
 33 once had this property. Somebody else is coming in to
 34 improve this property.

35 WILL MOORE: Thank you,
 36 sir. Kimberly Boyle. State your name and address,
 37 please, ma'am.

38 KIMBERLY BOYLE: Good
 39 afternoon. I'm going to probably hit this or
 40 something. I'm Kimberly Boyle; it's 1723 Dalrymple
 41 Road. I am, I guess depending on which way you go, I'm
 42 downstream as well as Mr. Baker.

43 WILL MOORE: Speak into
 44 the microphone, please, ma'am.

45 KIMBERLY BOYLE: Okay.

46 DAN HARVELL: That's
 47 better. Thank you.

48 KIMBERLY BOYLE: Oh, good.
 49 This is scary.

50 DAN HARVELL: Don't be

1 scared. Just ---
2 KIMBERLY BOYLE: I never did
3 public speaking ever. And this is just really -- I'm
4 shaking. So I'm sorry.
5 WILL MOORE: Just pour it
6 out on us.
7 KIMBERLY BOYLE: Okay. I
8 wanted to also comment on the rain. Rainwater is a
9 huge issue. I live on the side of the road, the
10 opposite. But right beside my driveway I have a huge
11 ditch. And it continues to run away. I've got two
12 large trees that are being dug like underneath the
13 roots where the rainwater continues. And it's washed
14 away two side of my driveway. So I continue to go and
15 get more dirt from other places. Dig up different
16 areas and try to replace that already. So it becomes a
17 huge issue with the rain that comes directly across the
18 road from that area.
19 I do believe it could be helped if the county,
20 which from what I understood he said it was a county
21 maintained road, but the ditches along the side are not
22 recut or recleared or whatever it is that you call it.
23 So maybe, hopefully, that can help eventually, just
24 knowing that that's a huge issue.
25 My second concern are the roadways itself.
26 Dalrymple Road, yes, it is county maintained, but it's
27 not maintained very well. We've got potholes galore.
28 And right in front of my home, the front of it has two
29 potholes that have been filled four times in the past
30 two years. And to be perfectly honest, I filled one of
31 them and went and got dirt and put in the middle of it
32 so I'd quit hearing trailers sound like they're about
33 to break off. When it comes to the roadways
34 deteriorating, their cracked edges, I was looking at
35 them today, where the white lines go across, there's so
36 many cracks in it that the white line is no longer
37 complete on this road.
38 So with that, the extra traffic coming from a
39 potential subdivision, as well as the traffic --
40 because Dalrymple is a major cut-through road for
41 whenever we have major incidents on the interstate. So
42 there's time I won't even let my kids out front because
43 the traffic is so busy. Massive eighteen wheelers
44 coming through for hours upon end depending on how long
45 the interstate is closed.
46 WILL MOORE: I'm sorry,
47 ma'am, your time is up. We're limited to a three-
48 minutes ---
49 KIMBERLY BOYLE: That's it.
50 WILL MOORE: Okay.

1 KIMBERLY BOYLE: Thank you.
2 WILL MOORE: Thank you,
3 ma'am. All right. I'll open this up for discussion
4 for the Planning Commission. Does anybody have
5 anything they would like to add?
6 DAN HARVELL: I will ask
7 this. In relation to the last speaker, now she lives
8 across the road from this project; correct? Across the
9 road?
10 KIMBERLY BOYLE: Yes, sir.
11 DAN HARVELL: Is there any
12 potential impact on her based on what's done concerning
13 the drainage on that side of the road?
14 TIM CARTEE: No, sir, Mr.
15 Chairman, the majority of that water will drain back
16 into the subdivision itself. It has a draw for where
17 the water will go. And that road is state maintained
18 and they have the jurisdiction on that; not the county.
19 DAN HARVELL: Okay. Thank
20 you.
21 WILL MOORE: Thank you.
22 All right. I'll open it up for a motion.
23 BRYAN BOGGS: Motion to
24 approve.
25 WILL MOORE: Do we have a
26 second? Brad. We got a second. All in favor of the
27 approval raise your right hand. Unanimous.
28 All right. I'll turn it over to staff for the ---
29 TIM CARTEE: Thank you,
30 Mr. Chairman. This is Anna's Ridge Subdivision. Two
31 hundred and fifty-seven property owners were notified
32 within a two thousand foot radius. This development is
33 a single-family. The applicant is Divine Capital, LLC.
34 Its location and access is Rogers Road, which is the
35 county, and Old Brickyard Road is state. It's in
36 Council District 7. The surrounding land use is
37 residential. This area is unzoned. It's approximately
38 14.12 acres. Number of lots is thirty-seven. They're
39 not requesting any variance. And the traffic impact on
40 Rogers Road and Old Brickyard are classified as
41 collector roads with no maximum average trips per day.
42 This is the proposed layout for this development.
43 And this development does have sewer. There's the
44 overall aerial photo.
45 Staff recommends approval. This preliminary plat
46 has met the requirements in Chapter 38 Land Use.
47 That's all I have, Mr. Chairman.
48 WILL MOORE: Thank you,
49 sir. All right. I'll open it up for the developer
50 presentation. Come forward and state your name and

1 address, please, sir.

2 ALEX ZUENDT: My name is
3 Alex Zuendt with Zuendt Engineering, 301 North Main
4 Street, Greenville, South Carolina. We're the engineer
5 for the project. The project is about fourteen acres.
6 We plan on one road, which is going to connect to both
7 Old Brickhouse (verbatim) and Rogers Road. All the
8 stormwater is going to be connected or contained in a
9 detention pond along Rogers Road and discharged into a
10 storm system that is on Rogers Road. The site does
11 have sewer, as Mr. Cartee said. It is being controlled
12 by ReWa and we already have approval from ReWa for the
13 proposed sewer on this site. And I can answer any
14 other question. And the developer is here to ...

15 The houses are going to be built by a national
16 builder, Dan Ryan Homes, and the price point is going
17 to be somewhere around the high twos to low threes for
18 the project. And all lots are about a quarter of an
19 acre plus, or ten thousand acres -- or ten thousand
20 square feet plus.

21 WILL MOORE: Okay.
22 Anybody from the commission want to comment, questions?

23 DAN HARVELL: Yes, sir.
24 This was in County Council District 7, but now it's
25 been -- and 6. But now it's been changed to 7 due to
26 the redistricting. And I've talked with some people
27 concerning this. Tried to do some due diligence here.
28 And I have some questions that have been asked of me
29 concerning the buffers on Old Brickyard Road. Can you
30 address that? Or lack thereof, rather.

31 ALEX ZUENDT: Well, so
32 there's going to be an entire open space along Old
33 Brickyard Road because there is -- there's no place to
34 put lots if you can -- any chance you can pop the plot
35 back up?

36 TIM CARTEE: Yes, Mr.
37 Chairman, if I could respond to the buffer yard
38 question. In subdivisions that back up to other
39 subdivisions, it's not a requirement for buffer yards.

40 DAN HARVELL: All right.
41 That's all I have until I hear what the neighbors might
42 say.

43 ALEX ZUENDT: Talking about
44 the subdivision, my right side, there is a sewer
45 easement that runs the entire length. So even if there
46 was, we couldn't put a buffer yard in there because it
47 would be trimmed up by ReWa to handle all the sewer
48 lines that go into -- and maintain that area.

49 DAN HARVELL: I had asked
50 Mr. Davis, the council member of 6, if a pre-session

1 meeting had been held on this, and it has not; correct?

2 TIM CARTEE: Mr. Chairman,
3 we had talked with Councilman Davis in a session on
4 another project and presented this also to him at the
5 same time.

6 DAN HARVELL: Okay. All
7 right. I must have gotten incorrect information on
8 that then, because I was assured that he had not had a
9 pre-session on this.

10 TIM CARTEE: Yes, sir.
11 This goes back to like December of last year when it
12 was first submitted.

13 DAN HARVELL: Okay. That's
14 all for now.

15 WILL MOORE: All right.
16 Thank you, sir. I'm going to open it up to public
17 comments. Okay, Ms. Carol Green, I've got the right
18 list now.

19 CAROL GREEN: My name is
20 Carol Green. My husband Bill and I have owned the
21 property 341 Old Brickyard Road since 1986. Long time.
22 And the back of our property, as well as the side of
23 our property, butts up to this what's going to be
24 subdivision. And I had a couple of comments that I
25 wanted to make.

26 One was when I looked on that plat which was
27 impossible to look at. I don't know why they have to
28 be so small. But I didn't see any mention of that
29 county sewer line that runs the whole length of that
30 development. Comes down and makes an elbow turn, comes
31 behind our house and comes out -- another elbow turn,
32 comes out on Brickyard Road. Right there at Brickyard
33 Road where they're planning to have that entrance,
34 there is a manhole -- I don't know the proper name for
35 it -- a manhole cover and then there's, across the
36 road, there's like four manhole covers for that sewer
37 line, all the way over to Highway 29.

38 So to me I thought there had to be some kind of
39 easement on each side of those county sewer lines. And
40 there's no way, looking at the plat, what I interpret,
41 there's no way there could have been an easement
42 between that and where the road will come out.

43 Not only that, it's very hilly terrain. Old
44 Brickyard Road actually is two hills that come down.
45 Our property is at the bottom of it. And right there
46 where that's going to come in at the bottom of the
47 hill, there's another dip down to the sewer line. So
48 it's going to be some major work to get a road in
49 there, at least from my point of view. An engineering
50 might not be.

1 culvert in at the bottom of that hill that's like this
2 high. And so all the runoff comes under the road
3 through that culvert into our pond. And that pond --
4 when we moved there that wasn't a pond. It was just a
5 swampy area. And my husband had it dug out because
6 when it would rain very much, it would flood all the
7 way up to the driveway. So he had it dug out. It
8 follows a natural drainage line that goes down right
9 behind his property on Colonial Drive. There's like
10 one house after the other. The backside of all of that
11 property drains down to Rogers Road, a swamp and a
12 pond.

13 My concern is that if they do anything that
14 changes that flow, it's going to be a mess. Because
15 that has been there for eons.

16 The other thing is we have already had a problem
17 with water under our house. And when they were just
18 doing the construction on that sewer line fifteen years
19 ago, we had to have somebody come out and do a berm to
20 keep that water coming off that hill from going under
21 our house. So my thinking is, if that's a street that
22 doesn't have good drainage or ditches or whatever,
23 we're going to be flooded. And the problem is, even
24 though they have a retention pond on the other side,
25 the land doesn't flow like that. So if it doesn't have
26 some kind of really good engineering, the water is not
27 going to go that way, it's going to come down the hill
28 to us. So that's my thing.

29 And the other thing I wanted to mention is Old
30 Brickyard Road has two churches on it. So even though
31 the state doesn't do any kind of traffic analysis or
32 whatever, there is a lot of traffic. That road runs
33 from Highway 8 over to Highway 29. So we get a lot of
34 through traffic. Now that they've put that big
35 subdivision on Rogers Road, we get that. We have a lot
36 of commercial traffic. We have concrete trucks that
37 are going to a business that's on the other side of the
38 interstate that comes down our road, sometimes twenty
39 trucks a day come down that road.

40 So we have a lot of concerns and we want it done
41 right. We don't want a mess.

42 WILL MOORE: Yes, ma'am.
43 I understand. I'm sorry, your time is up, Ms. Green.
44 Thank you.

45 CAROL GREEN: Thank you.

46 WILL MOORE: All right.

47 I'm going to open this up for discussion amongst the
48 Planning Commission. Anybody like to say anything
49 before we move to a motion?

50 DAN HARVELL: I will state,

1 since this is in District 7, that I've spoken at length
2 with the council person, Ms. Wilson, that represents
3 this area, and she has some concerns about the density
4 here. I'm assuming these will be slab on grade type
5 homes? No raised slab; slab on grade; correct?

6 MALE: Yes.

7 DAN HARVELL: All right.
8 I've heard from some people that are not here tonight.
9 I don't know why they're not. I expected them to be
10 here that had concerns about this. And their main
11 concern was one had a concern about drainage. The
12 others had the concern about the density of how these
13 houses are packed in so tightly together.

14 So based on that, this being the district that I
15 represent now, I'm going to make a motion that we -- I
16 was going to say we table it for a little more
17 discussion about the possible reduction in the density
18 here. Is that proper to do the tabling rather than the
19 denial and then coming back for more discussion?

20 DAVID COTHRAN: Point of
21 order. Dan, that would just move it to the next
22 meeting. I mean if thirty days is enough, then a table
23 would be appropriate. But just from history, you've
24 got to deal with it at the next meeting. And I don't
25 know that thirty days is enough on a table.

26 DAN HARVELL: Well, let me
27 just say I appreciate a pre-session sit-down with this
28 with the developer like, you know, we have had before.
29 And for that reason, and to honor the people that have
30 discussed this with me, as well as the Council member
31 Wilson, I'm going to make a motion to delay this for a
32 month. However we should do that, either a month -- I
33 mean a table or denial at this time. Not that it's a
34 denial permanently but just to delay so we can have
35 some more conference on it.

36 JANE JONES: You've got to
37 pick one.

38 WILL MOORE: You've got to
39 pick one; approval or denial.

40 JANE JONES: I'll make a
41 motion if you want me to.

42 DAN HARVELL: All right.
43 Well, okay, I'll defer to you Ms. Jones. What do you
44 prefer, a table or denial? Obviously denial; right?

45 JANE JONES: I make the
46 motion to deny this project. And my reason being, it's
47 not compatible with the surrounding community, that
48 meaning this is a more high density. And from what I
49 can see from the plat and the information that I was
50 given, it doesn't appear to be compatible.

1 But I also have another concern that comes up at
2 all our meetings. This project is -- the children will
3 go to school in School District 1, even though it's in
4 another county council district. They will come into
5 the school. Am I right, Ms. Estes? And as we say
6 every month, we're looking at a backlog of at least
7 twelve hundred houses in this very community that will
8 feed into the same part of District 1. And I can't
9 support any more growth in that area until we catch up.

10 WILL MOORE: Okay.
11 JANE JONES: My motion is
12 to deny.

13 WILL MOORE: We've got a
14 motion to deny. Do we have a second?
15 DAN HARVELL: I will second
16 that.

17 WILL MOORE: All in favor
18 of the denial, raise your right hand. Unanimous. The
19 motion is denied -- motion passes.

20 All right. I'm going to move on to public
21 comments, non-agenda items. I've got a list of folks
22 signed up to speak on non-agenda items. I'll go ahead
23 and start with Eric Hansborough (phonics).

24 ERIC HANSBOROUGH: Thank you for
25 not butchering my name.

26 WILL MOORE: I try my
27 best.

28 ERIC HANSBOROUGH: I've got
29 copies of the data that I'm about to present if you
30 guys would like copies of it.

31 WILL MOORE: If you can go
32 ahead and pass those copies up, I'd appreciate that.
33 State your name and address, please, sir.

34 ERIC HANSBOROUGH: My name is
35 Eric Hansborough. I'm at 225 Cherokee Drive in
36 Fairplay. And I'm here to comment on the Anderson
37 School District 1 impact feasibility study.

38 I'd like to address the affordable housing
39 analysis in that feasibility study. Can you hear me
40 okay?

41 WILL MOORE: Yes, sir. My
42 chair sank. I'm sorry.

43 ERIC HANSBOROUGH: No problem.

44 So in that feasibility study there's a -- the
45 interest rate using the study was three and a quarter
46 percent when the study was completed in November 2021.
47 Since that time the Federal Reserve has begun
48 tightening the interest rate policy in an attempt to
49 stave off inflation. The Feds currently propose to
50 implement nine additional rate hikes in a row from a

1 quarter to .5 percent in the next year. That being
 2 said, the current average currently is 4.598 percent
 3 based on an average South Carolina credit score of six
 4 eighty to six ninety-nine.

5 Although Federal funds rates are not tied to
 6 mortgage-backed securities, historically must follow a
 7 ten-year treasury bonds at estimated rate changes in
 8 the mortgage-backed securities market. The feasibility
 9 study used an average of 3.25 percent and a down
 10 payment of twenty percent. Rates have increased
 11 substantially in just four months since the study
 12 completed. Assumptions made on the study of twenty
 13 percent down payment and a three and a quarter percent
 14 rate, along with homeowner's insurance only being
 15 sixty-one dollars a month are problematic at best.

16 I will illustrate this for you now. Attached here
 17 for the Planning Commission are several graphs and
 18 charts. The current rates reflect an average interest
 19 rate currently at 4.598 percent. Number of times rates
 20 are expected to rise in the next twelve months is six
 21 times and twenty-five base point minimum or another one
 22 and a half percent this year.

23 The average South Carolina home buyer credit
 24 scores are between six eighty and six ninety-nine. The
 25 average home sale price in South Carolina is two
 26 hundred and ninety-four thousand dollars. In District
 27 1, it's two hundred and thirty-nine thousand dollars.
 28 And with a 22.9 percent appreciation just in one year.

29 Currently there's another graph in the study that
 30 showed twenty percent down payment was being used. And
 31 sixty-eight percent of people buying new homes don't
 32 put twenty percent down. Actually thirty-two percent
 33 in the documentation you have.

34 I also included a District 1 salary chart from
 35 Indeed showing that the average person's salary in
 36 District 1 would not be able to afford a house based on
 37 this hundred and fifty-seven thousand and some change
 38 that the feasibility study was set up at.

39 So in summation, the feasibility study used an
 40 interest rate of three and a quarter percent and the
 41 interest rate currently is 4.598 percent. That'll be
 42 increased one and a half percent this year.

43 WILL MOORE: I'm sorry,
 44 your time is up.

45 ERIC HANSBOROUGH: Thank you.

46 WILL MOORE: We're only
 47 limited to three minutes.

48 ERIC HANSBOROUGH: I understand.

49 Thank you.

50 WILL MOORE: Sue Ann

1 Guthman (phonics).

2 SUE ANN GUTHMAN: Hi. I'm Sue
3 Ann Guthman and I'm a mortgage banker with BankSouth
4 Mortgage. My address is 214 South Craggmore Drive in
5 Salem. And I do business in Anderson County.

6 My reason for being here is my concern with the
7 proposed impact fee, that it will affect lower income
8 buyers who cannot find affordable housing. House
9 prices have already increased due to a short supply and
10 higher demand. The shortage has caused multiple bids
11 on properties, which have driven prices up. The cost
12 to build a home has increased due to high material and
13 labor costs. Impact fees will increase prices, values
14 and property taxes which will create a higher cost for
15 home buyers. This higher cost will make home buying a
16 struggle for lower income buyers. At the same time we
17 have higher interest rates and higher prices due to
18 inflation. Home prices have already gone up twenty-two
19 percent. And any fee that will be charges to the
20 builder will be passed to the consumer. It will not
21 only affect the home buyers, but raise monthly rents.
22 There's an impact study dated November 20, 2021 that
23 shows an example of a mortgage with a rate of 3.25
24 percent. A lot has changed since then and rates have
25 increased and could continue climbing.

26 Most of District 1 is eligible for USDA one
27 hundred percent financing. The typical example is a
28 teacher who's making forty-two thousand dollars per
29 year who would like to purchase a house for a hundred
30 and seventy thousand. Her payment with taxes,
31 insurance and guaranty fee is estimated at one thousand
32 fifty dollars. She also has a car payment that is four
33 hundred dollars, a student loan of fifty dollars per
34 month, and a credit with a twenty-five dollar minimum
35 payment. Her debt to income ratio is forty-three. If
36 you raise that price to one hundred and eighty-one
37 thousand two hundred, not only her loan amount
38 increases, her taxes and insurance increase and her
39 guarantee fee increases. Her new payment is one
40 thousand one hundred twenty-two dollars, or seventy-one
41 dollars more per month. Her debt to income ratio is
42 now forty-six and she doesn't quality for the same
43 house.

44 If the area is not eligible for USDA, the borrower
45 must come up with a down payment. As the prices go up,
46 the borrower needs more money to put down. As rates
47 continue to increase, the payment will increase, the
48 combination will continue to make home ownership out of
49 reach for people with median salaries such as teachers,
50 manufacturing, construction, law enforcement, medical

1 assistance and service industries. Those who are
2 unable to qualify for a home will be hoping to find an
3 affordable place to rent. The impact fee charged for
4 apartment units will also be passed to the consumer in
5 higher monthly rents. This impact fee has an
6 appropriate name since it certainly will have an impact
7 on affordable housing. Thank you.

8 WILL MOORE: Thank you.
9 Michael Day. Michael Day.

10 MICHAEL DAY: Thank you,
11 Mr. Chairman. I'm Michael Day. My address is 1924
12 McConnell Springs Road, Anderson. I'm with the Home
13 Builders Association. And I'm here to speak on the
14 same topic, the impact fee proposal and the study
15 that's been presented by Anderson School District 1.
16 And what I'm going to talk about for a minute is
17 the effect that growth has had on Anderson 1's revenue.
18 In 2017 their total revenue that was reported to the
19 state of South Carolina was a hundred and six million
20 dollars. In 2021 their total revenue rose to a hundred
21 and twenty-six million dollars. That's a nineteen
22 percent increase in five years.

23 Their federal revenue was the only part of that
24 that fell. It fell about a million dollars. But every
25 school district has seen a drop in Federal support.
26 But it's only five percent of their budget. Their
27 state revenue rose by about 5.6 million dollars, which
28 is about ten percent of the state revenue that they
29 receive. And their local revenue grew by forty million
30 dollars. Excuse me. Grew from forty million dollars
31 to fifty-six million dollars per year. That's a
32 sixteen million dollar increase in five years, which is
33 a forty percent rise. And that's resulted in an
34 overall amount to the school district of a nineteen
35 percent increase.

36 And why is that happening? Well, it's happening
37 because of growth. Without growth you would not have
38 seen that. And what new development has done is add
39 about fifteen percent to the district's total revenue
40 in five years, just in local revenue. And without it
41 the school district in Anderson 1 would be -- have
42 stagnant revenue. Just like Districts 2, 3 and 4 in
43 the county, if you look at the same report, their
44 revenues have been flat over the last five years.

45 Growth is generating nearly four million dollars a
46 year in new revenue just in local revenue. And about
47 five million dollars in total revenue over the last
48 five years in Anderson 1. And their per student amount
49 is rising, as well. It's currently twelve thousand
50 three hundred dollars per student, which is low

1 compared to other school districts in the county, but
2 it's still higher than at least four other school
3 districts in the state, which have substantially lower
4 per pupil, students, funding.

5 So twenty-five million dollars over five years,
6 twenty-one hundred houses and a hundred apartments are
7 what they're forecasting for the future. And growth is
8 making a significant contribution to Anderson 1's
9 current revenue stream. But the impact fee is
10 proposing to double that. Twenty-five million dollars
11 over the next five years.

12 And I guess I question the validity of the study
13 and I'm concerned about the impact on affordability of
14 drawing that much out of new growth that's already
15 contributing a substantial amount to the school
16 district. Thank you.

17 WILL MOORE: Thank you,
18 sir. Deana Powell.

19 DEANA POWELL: (Inaudible.)

20 WILL MOORE: Okay. State
21 your name and address, please, ma'am.

22 RUTH MURRAY: Ruth Murray
23 and I live at 116 Century Court in Pendleton.

24 I am here as a banker, a CPA, a first responder
25 and just a citizen that's looking for a home within
26 that school district at the moment. And my eyes were
27 opened when I started my EMS training. Everyone was
28 shocked because I am a controller at a bank and don't
29 need to be doing this. But I wanted to volunteer in my
30 community. And through that I've met a lot of amazing
31 people.

32 Most of my time has been at the Powdersville Fire
33 Department. I bake a lot of cookies for them. And
34 what I have found out is that the majority of the
35 people that come when you call 911 make between eleven
36 and thirteen dollars an hour. Most of them are working
37 two and three jobs. But also the majority of them
38 volunteer their services in the area that they live on
39 top of working so many jobs. I had no idea.

40 And so then that seventy-two dollar a month
41 increase, when you're making that kind of money, you're
42 asking them to work an extra seven hours every month to
43 pay for that. That's a lot when you're already working
44 so much. And in the community you need your first
45 responders. It's a volunteer fire department. And I
46 can tell you that they get called out all the time for
47 helping lift people, for helping with CPR. And if you
48 can't get your first responders able to live there,
49 that's going to be an issue.

50 And also, my father happens to be the President of

1 the Oconee County Habitat for Humanity. And while
2 that's not in Anderson, that means an extra eleven
3 thousand dollars for every Habitat for Humanity house.
4 I don't know how many are done in that particular
5 district or what other charitable organizations are
6 trying to provide housing, but that seems really
7 terrible to me, to have to come up with that kind of
8 cash.

9 So that's pretty much all that I have to say.
10 WILL MOORE: Thank you,
11 ma'am. We need more folks like you in our community.
12 Thank you.

13 All right. Other business. Anybody have anything
14 else on the commission?

15 DAN HARVELL: As a point of
16 information, Mr. Day, could you possibly put your
17 presentation in a concise format and submit that to the
18 staff so that we on the board could have that emailed
19 to us?

20 MR. DAY: Yes, sir. I
21 will do that.

22 DAN HARVELL: Thank you.
23 DONNA MATTHEWS: I have a
24 question for the gentleman that had the graph that said
25 there were four other schools -- only four other
26 schools lower per pupil. That's out of how many
27 schools?

28 ERIC HANSBOROUGH: I don't know,
29 but I'll count them.

30 DONNA MATTHEWS: Okay.

31 WILL MOORE: Thank you,
32 sir. Anybody else? All right. I guess we'll go ahead
33 and adjourn. If you're in favor of that, just stand
34 up.

35
36

MEETING ADJOURNED AT 7:20 P.M.

Anderson County Planning Commission Meeting

April 12, 2022

6:00 PM

Staff Report

186 property owners within 2000' of the proposed development were notified via postcard

Preliminary Project Name:	Tiger Cove RV Park
Property Owner of Record:	Becky Lash
Authorized Representative:	Hartwell Resort, LLC
Existing Development:	RV Park
Location:	4023 Whitehall Rd.
Details of Development:	The redevelopment of 9.58 Ac. RV Park located on Lake Hartwell at the dead-end portion of Whitehall Road. The development will consist of 126 RV parking spots, 8 "tiny" homes (RV-Park Models), and an office and laundry of approximately 3,000 sf. The restaurant and the existing house will be cut out of the property and not a part of the development.
Surrounding Land Use:	Residential, Lake Hartwell, Green Pond Landing
Total Site Area:	9.58 Acres
Number of Dwelling Units:	126
County Council District:	5
Zoning:	Un-zoned
Tax Map Number:	47-03-01-04, -005, -006, -007
Extension of Existing Dev:	No
Existing Access Roads:	Whitehall Rd. (State)

Sewer Supplier: Anderson County

Power Supplier: Duke Energy

Water Supplier: West Anderson

Variance: No

Traffic Impact Analysis: Whitehall Rd. is classified as an arterial road with no maximum average trips per day.

The applicant is required to obtain an encroachment permit from SCDOT.



Development Standards

APPLICATION FOR: **Land Use**

Project Name: Tiger Cove Development

Note to Applicant: All applications must be typed or legibly printed and all entries must be completed on all the required application forms and submitted by 3:00pm. Incomplete applications or applications submitted after the posted deadlines will be delayed due to advertisement submittal date.

Name of Applicant Hartwell Resort, LLC

Mailing Address _____

Telephone 704.614.7786 E-mail <nate.mcdaniel@mcdanielret.com>

Applicant is the: Owner's Agent Property Owner Please see attached Letter of Agency

Property Owner(s) of Record Becky Lash

Mailing Address 4023 Whitehall Rd

Telephone _____ E-mail _____

Authorized Representative _____

Mailing Address _____

Telephone _____ E-mail _____

Address/Location of Property 4023 Whitehall Rd

Existing Land Use RV Park

Proposed Land Use RV Park

Tax Map Number(s) 470301007,470301004 470301006, 470301005

Total Size of Project (acres) 9.58

Utility Agreement Services Letter of Approval, Please attach to application.

Proposed Water Source Wells Public Water Water District Anderson County

Proposed Sewage Disposal Septic Public Sewer Sewer District Anderson County

Power Company Duke Energy

SCDOT/ Roads & Bridges must be contacted for this development prior to Planning Commission review, please attach conformation letters. A traffic impact study shall be required along the County road-network when a development will generate 100 or more trips per hour during the peak hour of the adjacent street, see section 38 - 118 Intensity Standards in the Anderson County Code of Ordinances. This traffic study must be submitted with the application.

Application for Land Use Review

Anderson County, South Carolina

REQUEST FOR VARIANCE (IF APPLICABLE):

Is there a variance request?

Yes

No

If YES, applicant must include explanation of request and give appropriate justifications.

RESTRICTIVE COVENANT STATEMENT

Pursuant to South Carolina Code of Laws 6-29-1145:

I (we) certify as property owner(s) or as authorized representative for this request that the referenced property:

IS subject to recorded restrictive covenants and that the applicable request(s) is permitted, or not otherwise in violation, of the same recorded restrictive covenants.

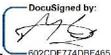
IS subject to recorded restrictive covenants and that the applicable request(s) was not permitted, however a waiver has been granted as provided for in the applicable covenants. (*Applicant must provide an original of the applicable issued waiver*)

IS NOT subject to recorded restrictive covenants

SIGNATURE(S) OF APPLICANTS(S):

I (we) certify as property owners or authorized representative that the information shown on and any attachment to this application is accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for postponement of action on the request and/or invalidation of this application or any action taken on this application.

I (we) further authorize staff of Anderson County to inspect the premises of the above-described property at a time which is agreeable to the applicant/property owner.

DocuSigned by:

602C0F774DBF465

Signature of Applicant

3/7/2022 | 18:23:21 PST

Date

PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application and understands that an application affecting the use of the property has been submitted for consideration by the Anderson County Planning Commission.

DocuSigned by:

523F05E11395492

Signature of Owner(s)

3/8/2022 | 09:05:09 PST

Date

Staff Use Only:

Application Received By: _____

Date: _____

Planning Commission Date: _____

Planning Commission Decision: _____

Fee Paid Yes No Credit Card/Check# _____

Site Plan Revision Fee \$ **100.00**



Anderson County, South Carolina
LAND USE REVIEW
 Application Process and Requirements

Division 5
38-171-173

This application applies to the following uses when proposed in the unincorporated areas of the county:

1. Hazardous Waste and Nuclear Waste Disposal Site Fee **\$650.00**
2. Motorsports facilities and testing track Fee **\$650.00**
3. Mining and Extraction Operation Fee **\$650.00**
4. Gun Clubs, Skeet Ranges, Outdoor Firing Range Fee **\$650.00**
5. Stockyards, Slaughterhouses, Animal Auction House Fee **\$650.00**
6. Certain Public Service Uses Fee **\$650.00**
 - a. Land Fills
 - b. Water and Sewage Treatment facilities
 - c. Electrical Substations
 - d. Prisons
 - e. Recycling Stations
 - f. Transfer Stations
 - g. Schools
 - h. Water and Sewer Lines
7. Large Scale Projects Fee **\$300.00**
 - a. Any project that is capable of generating 100 or more off-road parking spaces, as determined by section 38-210, excluding single-family subdivisions.
 - b. A truck or bus terminal, including service facilities designed principally for such uses.
 - c. Outdoor sports or recreational facilities that encompass one (1) or more acres in parking and facilities.
8. Tattoo Facilities Fee **\$300.00**
9. Mobile Home Parks/Manufactured Home Parks/RV Parks Fee **\$300.00**
10. Sexually Oriented Business Fee **\$650.00**
11. Salvage, junk, and scrap yards Fee **\$650.00**

APPLICATION PROCESS

- 1) An application is submitted, along with any required filing fee, to the Development Standards Department according to the set deadline schedule, **\$300.00** legal advertisement & posting. **Site plan revision Fee \$100.00.**
- 2) The Development Standards Department shall review the application for completeness within 5 business days of submission. Incomplete or improper applications will not be accepted at the time of submittal.
- 3) If the application is considered complete and proper then the Development Standards staff will further review the application and may make a written recommendation.
- 4) Legal notice is required to be printed in a newspaper of general circulation in Anderson Independent Mail at least 15 days before public hearings in the legal notice section.
- 5) A public hearing sign is erected on the property at least 15 days before the public hearing. This sign will be erected and removed by staff.

- 6) The Planning Commission reviews the proposed land use request and takes action on the request following the public hearing. The Planning Commission meets the second Tuesday of each month. Meetings are held at 6:00 P.M. in the County Council Chambers, second floor of the Historic Courthouse.
- 7) The Commission shall review and evaluate each application with respect to all applicable standards contained within the Development Standards Ordinance (DSO). At the conclusion of its review, the Planning Commission may approve the proposal as presented, approve it with specified modifications, or disapprove it.
- 8) In consideration of a land use permit, the Planning Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, or general welfare against the right of the individual to the unrestricted use of property and shall consider specific, objective criteria. Due weight or priority shall be given to those factors that are appropriate to the circumstances of each proposal.
- 9) A decision of the Planning Commission may be appealed as provided for in Title 6, Chapter 29 of the South Carolina Code.
- 14) Within 15 days of the Planning Commission taking action on the request, planning staff will send the applicant a Notice of Action.
- 15) Any applicant wishing to withdraw a proposed land use permit prior to final action by the Planning Commission shall file a written request for withdrawal with the Development Standards Department.
- 16) All associated fees are non-refundable. If a case is withdrawn or postponed at the request of the applicant, after the notice has been placed with the newspaper, the applicant is responsible for all associated cost of processing and advertising the application.

REQUIRED ITEMS

1) **APPLICATION FORM:**

One (1) copy of the appropriate Application form with all required attachments and additional information must be submitted.

2) **LETTER OF INTENT:**

- a. One (1) copy of a Letter of Intent (must be typed or legibly printed).
- b. The Letter of Intent must give details of the proposed use of the property and should include at least the following information:
 1. A statement as to what the property is to be used for;
 2. The acreage or size of the tract;
 3. The land use requested;
 4. The number of lots and number of dwelling units or number of buildings proposed;
 5. Building size(s) proposed;
 6. If a variance of the regulations is also being requested, a brief explanation must also be included.

3) SKETCH PLAN (multi-family and non-residential): Site Plan Information Guide Form

- a. An application for a land use permit for a multi-family project or a non-residential project shall be accompanied by a sketch plan.
- b. A sketch plan must be prepared by a professional engineer, a registered land surveyor or a landscape architect.
- c. The sketch plan shall be drawn to approximate scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract.
- d. The sketch plan shall show, at a minimum, the following:
 1. Proposed name of the development
 2. Acreage of the entire development
 3. Location map
 4. Proposed building(s) location(s)
 5. Anticipated property density stated as a FAR (Floor to Area Ratio)
 6. Setbacks, with front setbacks shown, side and rear may be stated
 7. Proposed parking areas
 8. Proposed property access locations
 9. Natural features located on the property
 10. Man-made features both within and adjacent to the property including:
 - a) Existing streets and names (with ROW shown)
 - b) City and County boundary lines
 - c) Existing buildings to remain
 11. Required and proposed buffers and landscaping
 12. Flood Plains and areas prone to flooding
 13. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

5). ATTACHEMENTS

All attachments must be included in order for the application to be considered complete

- Attachment A – “Standards For Land Use Approval Consideration”
- Attachment B – “Application Checklist”



Anderson County, South Carolina
Attachment A
LAND USE REVIEW
Standards of Land Use Approval Consideration

In consideration of a land use permit, the Planning Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, and general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Due weight or priority shall be given to those factors that are appropriate to the circumstances of each proposal.

Please respond to the following standards in the space provided or you may use an attachment as necessary:

- (A) Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?

Yes

- (B) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

Yes

- (C) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Yes

- (D) Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?

Yes

- (E) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Yes



Anderson County, South Carolina
Attachment B
LAND USE REVIEW
Application Checklist

The following is a checklist of information required for submission of a Land Use Review application. Incomplete applications or applications submitted after the deadline **may be delayed.**

- Completed application form
- Letter of intent
- Sketch Plan one (1) copy 8 ½" x 11"
- Attachment "A"

3/8/2022

Development Standards
401 East River Street
Anderson, SC 29624
Sent via e-mail

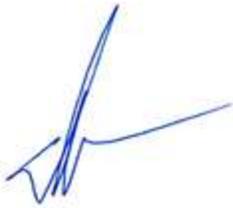
**RE: Letter of Intent
Application for Land Use Review Hearings
Proposed Tiger Cove RV Park**

Dear Development Standards Review Board,

We are writing to provide a Letter of Intent from EL Robinson Engineering on behalf of Hartwell Resort, LLC to the Anderson County Development Standards office to state our intent to improve an existing RV park at 4023 Whitehall Road, Anderson, SC 29626. The size of the tract is 9.58 acres, of which 9.28 acres is proposed to be redeveloped. The existing land use is the same as proposed. 126 RV lots and 8 tiny house cabins are proposed. No variance is being requested.

If you have any questions, please contact Mason Brandes of my staff at 803-760-9680, or by email at mbrandes@elrobinson.com.

E.L. ROBINSON ENGINEERING CO.



David Brandes, P.E.

Principal



TIGER COVE RV PARK REDEVELOPMENT SKETCH PLAN

NOTES

1. 9.58 Ac. +/- TOTAL - 9.28 REDEVELOPED
2. THE CURRENT LAND USE IS AN RV PARK, THE SAME LAND USE IS PROPOSED.
3. NO VARIANCE IS REQUESTED.
4. POWER IS DUKE POWER
5. WATER AND SEWER IS ANDERSON COUNTY
6. 20'X45' RV SITES - 106
7. 20'X60' PULL THRU RV SITES - 20
8. TOTAL 126
9. 8 TINY HOUSE CABINS - 800 SF FOOTPRINT
10. OFFICE / LAUNDRY - 3,000 SF (2-STORY)
11. THE EXISTING RESTAURANT AND HOUSE WILL REMAIN AND WILL NOT BE A PART OF THIS PROJECT.
12. SEWER WILL BE COLLECTED IN A CENTRAL PUMP STATION AND PUMPED TO ANDERSON COUNTY TO A

13. FAR FLOOR TO AREA RATIO FOR JUST THE BUILDINGS (USING FOOTPRINT OF CABINS AND OFFICE) = .023
14. SETBACKS ARE 10' ALL SIDES.
15. A MIN. 10' LANDSCAPE BUFFER WILL BE PRESERVED ALONG THE ENTIRE PROPERTY. WHERE FEASIBLE, A 20' BUFFER WILL BE PRESERVED DEPENDING ON GRADING NEEDS.
16. FLOODPLAIN IS NOT LOCATED ON THE PROPERTY.



EL-ROBINSON ENGINEERING
 1301 Concess St, Suite 450
 Columbia, SC 29201
 Phone: (803) 400-6031
 www.elrobinsoneengineering.com



TIGER COVE REDEVELOPMENT
 ANDERSON COUNTY, SOUTH CAROLINA

Project No.	SKP-1
Client	
Drawn By	
Checked By	
Date	03/18/2022
Scale	As Shown
Drawn By	
Checked By	
Date	03/18/2022
Scale	As Shown

SKETCH PLAN

Drawing No. **SKP-1**

Anderson County Planning Commission Meeting

April 12, 2022

6:00 PM

Staff Report

196 property owners within 2000' of the proposed development were notified via postcard

Preliminary Project Name: Eden Farms RV Park

Property Owner of Record: Jeremy DeSota

Authorized Representative: Same

Intended Development: RV Park

Location: Hwy 8 (Pelzer)

Details of Development: These 12 sites will be for non-permanent stays, and we will provide complete hookups for each site including water, sewer, power, and internet. The RV sites would be located within the existing tree line with a planted hedge for further sight and sound barrier. The area being developed will be approximately 2 acres including a portion of the field in front along HWY 8 containing the Drain fields for the septic system. The total acreage of the property is just under 44 acres. Eden Farms (the property) is currently being built out as a small vegetable and fruit permaculture style farm, while keeping as much of the treed landscape as possible.

Surrounding Land Use: Residential, vacant land/undisturbed wood land

Total Site Area: 2.0 Acres

Number of Dwelling Units: 12

County Council District: 7

Zoning: Un-zoned

Tax Map Number: 219-00-07-013

Extension of Existing Dev: No

Existing Access Roads: Hwy 8

Sewer Supplier:

Septic

Power Supplier:

Duke Energy

Water Supplier:

Big Creek

Variance:

No

Traffic Impact Analysis:

Highway 8 is classified as an arterial road with no maximum average trips per day.

The applicant is required to obtain an encroachment permit from SCOOT for encroachment along Highway 8



Development Standards

APPLICATION FOR: **Land Use**

Project Name: Eden Farms RV Park

Note to Applicant: All applications must be typed or legibly printed and all entries must be completed on all the required application forms and submitted by 3:00pm. Incomplete applications or applications submitted after the posted deadlines will be delayed due to advertisement submittal date.

Name of Applicant Jeremy DeSota

Mailing Address 190 Black Rd, Pelzer SC 29669

Telephone 810-874-0408 E-mail jc.desota@gmail.com

Applicant is the: Owner's Agent Property Owner

Property Owner(s) of Record _____

Mailing Address _____

Telephone _____ E-mail _____

Authorized Representative _____

Mailing Address _____

Telephone _____ E-mail _____

Address/Location of Property 190 Black Rd, Pelzer SC 29669

Existing Land Use Farm land mostly forested

Proposed Land Use Same as above with small RV park for those looking to learn about healthy Living

Tax Map Number(s) 219-00-07-013

Total Size of Project (acres) 2-acres

Utility Agreement Services Letter of Approval, *Please attach to application.*

Proposed Water Source Wells Public Water Water District Big Creek

Proposed Sewage Disposal Septic Public Sewer Sewer District _____

Power Company Duke

SCDOT/ Roads & Bridges must be contacted for this development prior to Planning Commission review, please attach conformation letters. A traffic impact study shall be required along the County road-network when a development will generate 100 or more trips per hour during the peak hour of the adjacent street, see section 38 - 118 Intensity Standards in the Anderson County Code of Ordinances. This traffic study must be submitted with the application.

REQUEST FOR VARIANCE (IF APPLICABLE):

Is there a variance request?

Yes

No

If YES, applicant must include explanation of request and give appropriate justifications.

RESTRICTIVE COVENANT STATEMENT

Pursuant to South Carolina Code of Laws 6-29-1145:

I (we) certify as property owner(s) or as authorized representative for this request that the referenced property:

IS subject to recorded restrictive covenants and that the applicable request(s) is permitted, or not otherwise in violation, of the same recorded restrictive covenants.

IS subject to recorded restrictive covenants and that the applicable request(s) was not permitted, however a waiver has been granted as provided for in the applicable covenants. (*Applicant must provide an original of the applicable issued waiver*)

IS NOT subject to recorded restrictive covenants

SIGNATURE(S) OF APPLICANTS(S):

I (we) certify as property owners or authorized representative that the information shown on and any attachment to this application is accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for postponement of action on the request and/or invalidation of this application or any action taken on this application.

I (we) further authorize staff of Anderson County to inspect the premises of the above-described property at a time which is agreeable to the applicant/property owner.



Signature of Applicant

Feb 25, 2022

Date

PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application and understands that an application affecting the use of the property has been submitted for consideration by the Anderson County Planning Commission.

Signature of Owner(s)

Date

Staff Use Only:

Application Received By: _____

Date: _____

Planning Commission Date: _____

Planning Commission Decision: _____

Fee Paid Yes No Credit Card/Check# _____

Site Plan Revision Fee \$ **100.00**



Anderson County, South Carolina
LAND USE REVIEW
Application Process and Requirements

Division 5
38-171-173

This application applies to the following uses when proposed in the unincorporated areas of the county:

1. Hazardous Waste and Nuclear Waste Disposal Site Fee **\$650.00**
2. Motorsports facilities and testing track Fee **\$650.00**
3. Mining and Extraction Operation Fee **\$650.00**
4. Gun Clubs, Skeet Ranges, Outdoor Firing Range Fee **\$650.00**
5. Stockyards, Slaughterhouses, Animal Auction House Fee **\$650.00**
6. Certain Public Service Uses Fee **\$650.00**
 - a. Land Fills
 - b. Water and Sewage Treatment facilities
 - c. Electrical Substations
 - d. Prisons
 - e. Recycling Stations
 - f. Transfer Stations
 - g. Schools
 - h. Water and Sewer Lines
7. Large Scale Projects Fee **\$300.00**
 - a. Any project that is capable of generating 100 or more off-road parking spaces, as determined by section 38-210, excluding single-family subdivisions.
 - b. A truck or bus terminal, including service facilities designed principally for such uses.
 - c. Outdoor sports or recreational facilities that encompass one (1) or more acres in parking and facilities.
8. Tattoo Facilities Fee **\$300.00**
9. Mobile Home Parks/Manufactured Home Parks/RV Parks Fee **\$300.00**
10. Sexually Oriented Business Fee **\$650.00**
11. Salvage, junk, and scrap yards Fee **\$650.00**

APPLICATION PROCESS

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- 2) The Development Standards Department shall review the application for completeness within 5 business days of submission. Incomplete or improper applications will not be accepted at the time of submittal.
- 3) If the application is considered complete and proper then the Development Standards staff will further review the application and may make a written recommendation.
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- 7) The Commission shall review and evaluate each application with respect to all applicable standards contained within the Development Standards Ordinance (DSO). At the conclusion of its review, the Planning Commission may approve the proposal as presented, approve it with specified modifications, or disapprove it.
- 8) In consideration of a land use permit, the Planning Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, or general welfare against the right of the individual to the unrestricted use of property and shall consider specific, objective criteria. Due weight or priority shall be given to those factors that are appropriate to the circumstances of each proposal.
- 9) A decision of the Planning Commission may be appealed as provided for in Title 6, Chapter 29 of the South Carolina Code.
- 14) Within 15 days of the Planning Commission taking action on the request, planning staff will send the applicant a Notice of Action.
- 15) Any applicant wishing to withdraw a proposed land use permit prior to final action by the Planning Commission shall file a written request for withdrawal with the Development Standards Department.
- 16) All associated fees are non-refundable. If a case is withdrawn or postponed at the request of the applicant, after the notice has been placed with the newspaper, the applicant is responsible for all associated cost of processing and advertising the application.

REQUIRED ITEMS

1) **APPLICATION FORM:**

One (1) copy of the appropriate Application form with all required attachments and additional information must be submitted.

2) **LETTER OF INTENT:**

- a. One (1) copy of a Letter of Intent (must be typed or legibly printed).
- b. The Letter of Intent must give details of the proposed use of the property and should include at least the following information:
 1. A statement as to what the property is to be used for;
 2. The acreage or size of the tract;
 3. The land use requested;
 4. The number of lots and number of dwelling units or number of buildings proposed;
 5. Building size(s) proposed;
 6. If a variance of the regulations is also being requested, a brief explanation must also be included.

3) SKETCH PLAN (multi-family and non-residential): Site Plan Information Guide Form

- a. An application for a land use permit for a multi-family project or a non-residential project shall be accompanied by a sketch plan.
- b. A sketch plan must be prepared by a professional engineer, a registered land surveyor or a landscape architect.
- c. The sketch plan shall be drawn to approximate scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract.
- d. The sketch plan shall show, at a minimum, the following:
 1. Proposed name of the development
 2. Acreage of the entire development
 3. Location map
 4. Proposed building(s) location(s)
 5. Anticipated property density stated as a FAR (Floor to Area Ratio)
 6. Setbacks, with front setbacks shown, side and rear may be stated
 7. Proposed parking areas
 8. Proposed property access locations
 9. Natural features located on the property
 10. Man-made features both within and adjacent to the property including:
 - a) Existing streets and names (with ROW shown)
 - b) City and County boundary lines
 - c) Existing buildings to remain
 11. Required and proposed buffers and landscaping
 12. Flood Plains and areas prone to flooding
 13. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

5). ATTACHEMENTS

All attachments must be included in order for the application to be considered complete

- Attachment A – “Standards For Land Use Approval Consideration”
- Attachment B – “Application Checklist”



Anderson County, South Carolina
Attachment A
LAND USE REVIEW
Standards of Land Use Approval Consideration

In consideration of a land use permit, the Planning Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, and general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Due weight or priority shall be given to those factors that are appropriate to the circumstances of each proposal.

Please respond to the following standards in the space provided or you may use an attachment as necessary:

- (A) Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?

Yes, we believe it is. There are many farms as well as commercial operating businesses along Hwy 8.

- (B) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

No, the proposed amount of sites will allow privacy and foliage to remain and the design will be above the standard for the area. No other property's usability will be impacted by the development of the prop

- (C) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

No. The total number of sites will not add significantly to the already busy area.

- (D) Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?

Yes, there is ample space to meet the requirements.

- (E) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

As the mission of Eden Farms is to help people Thrive, we believe this development will aid in not only bringing more people into the area but improving the health and general welfare of the area.



Anderson County, South Carolina
Attachment B
LAND USE REVIEW
Application Checklist

The following is a checklist of information required for submission of a Land Use Review application. Incomplete applications or applications submitted after the deadline **may be delayed.**

- Completed application form
- Letter of intent
- Sketch Plan one (1) copy 8 ½" x 11"
- Attachment "A"

Eden Farms

Jeremy & Carla DeSota
190 Black Rd
Pelzer, SC 29669
(810)874-0408
jc.desota@gmail.com

26th of February 2022

Letter of Intent

To Whom it May Concern:

Eden Farms is pleased to submit this application for a 12 site RV park at 190 Black Rd Pelzer, South Carolina. These sites will be for non-permanent stays and we will provide complete hookups for each site including water, sewer, power, and internet.

The RV sites would be located within the existing tree line with a planted hedge for further sight and sound barrier. The area being developed will be approximately 2 acres including a portion of the field in front along HWY 8 containing the Drain fields for the septic system.

The total acreage of the property is just under 44 acres.

There is no land use change necessary as the property is currently unzoned with no restrictions.

Eden Farms (the property) is currently being built out as a small vegetable and fruit permaculture style farm, while keeping as much of the treed landscape as possible.

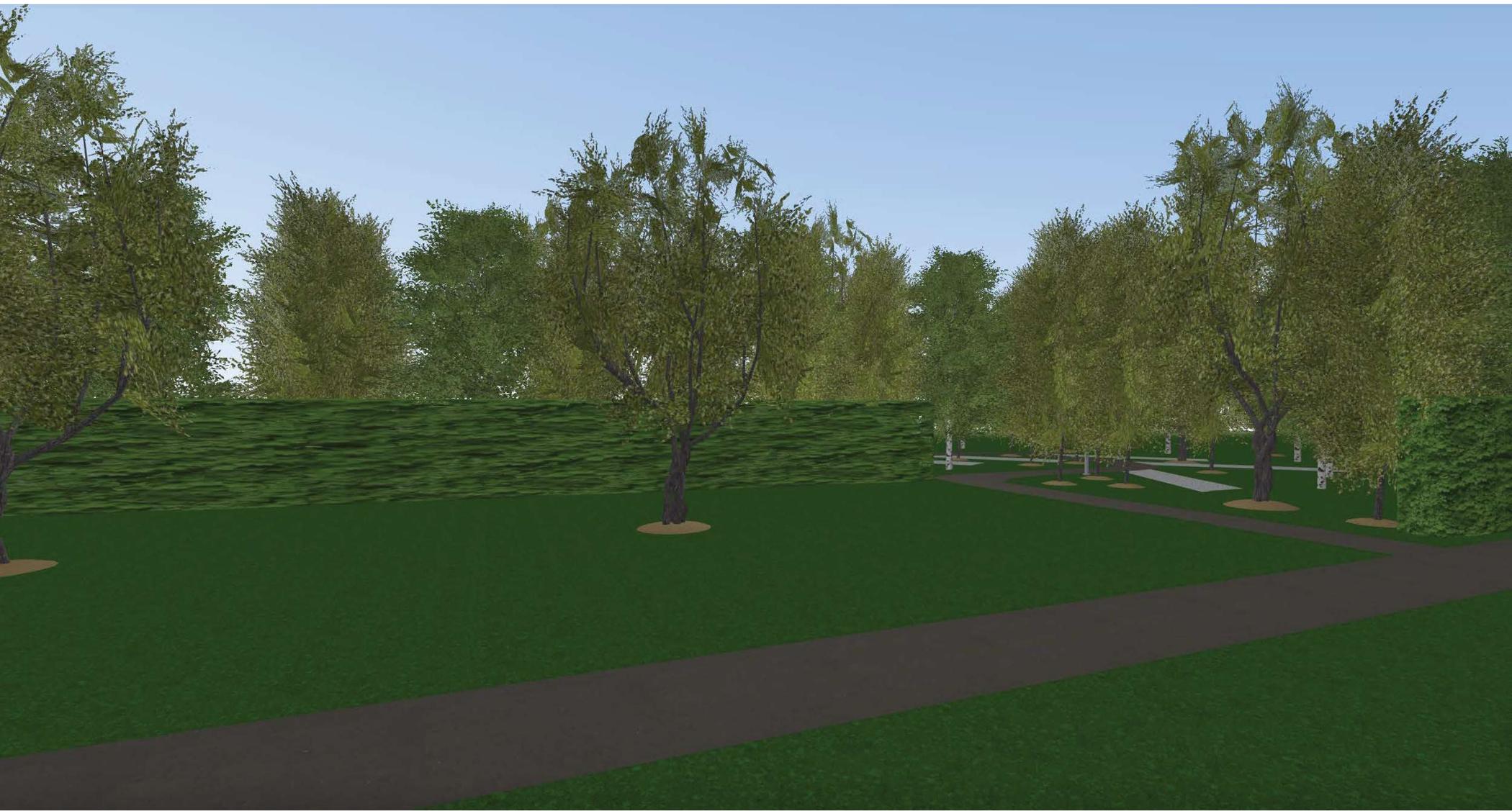
Our vision for the property is to create a place where people can be equipped physically, mentally, and spiritually to thrive so that they can live their best life as God designed.

The RV park will allow us to invite others into this journey with us. We are excited about the development in the area with multiple small towns within 10 minutes that will benefit as this vision expands.

Sincerely,



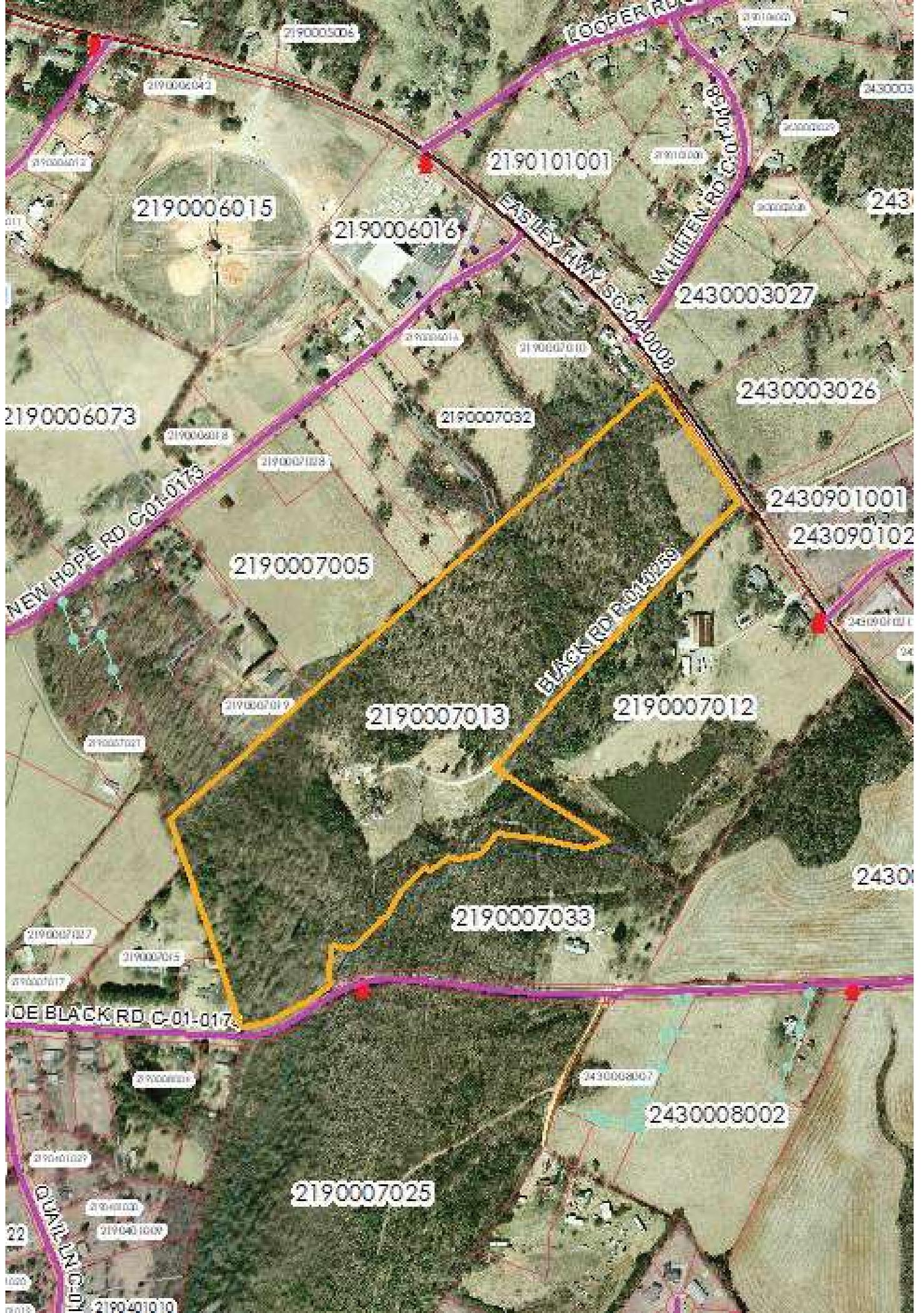
Jeremy and Carla DeSota











Anderson County Planning Commission Meeting

April 12, 2022

6:00 PM

Staff Report – Public Service Use (Duke Energy)

Virtual Information meeting was held on January 11, 2022. 99 parcels were identified within 2000' of the substation. There were approximately 15 attendees.

Preliminary Project Name: Duke Energy Patriot's Substation
Property Owner of Record: Duke Energy Carolinas, LLC

Authorized Representative: Nathan Bass, Pike Engineering
Intended Development: Electrical Substation

Location: Highway 81N (Anderson Road)

Details of Development: This application involves a new electrical substation to meet the current and future electrical energy demands for the extreme northern portion of Anderson County which has seen a rapid growth of residential development. System planning studies have projected that four of the remaining five electrical circuits that serve the area will have limited capacity by the year 2020. The new Patriot Substation will be a vital part of Duke Energy's service commitment public service obligation to continue to provide and supply reliable and affordable electrical energy. Four benefits of the new electrical substation;

1. Adequate supply of reliable energy
2. Service reliability by decreasing length of distribution lines.
3. Improvement of Duke's Energy existing Easley Main, Powdersville and Wren Substation that can be transferred to the new substation.
4. Duke compliance with established industry standards and will increase redundancy and reliability for the area.

The site plan details the layout of the electrical substation setbacks, landscaping, bufferyards, and existing land uses.

Surrounding Land Use: YMCA/Grace Church is 1000' to the east, and a single family residential home site of 450' to the west and vacant land/undisturbed farm land

Total Site Area:	16.1 Acres
County Council District:	Six
Zoning:	Un-zoned
Tax Map Number:	214-00-04-009
Extension of Existing Dev:	No
Existing Access Roads:	Highway 81 N (Anderson Road)
Power Supplier:	Duke Energy
Variance:	None requested

Traffic Impact Analysis:

Highway 81 is classified as an arterial road with no maximum average trips per day requirement. The applicant is required to obtain an encroachment permit from SCDOT for encroachment along Highway 81 prior to commencing with construction.

Staff Recommendation:

Staff recommendation will be presented at the public hearing.
If approved; the developer must obtain all necessary permits, and approvals.

- Provide a full disclosure of all emergency procedures and analysis regarding the project.
- Provide an Environmental Impact Analysis.
- Proper Screening of Landscaping and Buffers.
- Anderson County Storm Water Department and SCDHEC for NPDES-National Pollutant Discharge Elimination System approval and coverage. Land Disturbance cannot begin until after a grading permit is issued from Development Standards Department and a Pre-Con Meeting is set up with Anderson County Stormwater Department.
- Anderson County Sewer Department/Re Wa if any sewer services are requested.
- SCDOT for encroachment permitting on Highway 81N for access.
- Detailed site plans must be submitted to Anderson County Development Standards Department along with a commercial land use permit application.
- Any wetland delineation and or land disturbance approval from US Corps of Engineers Office, if applicable.
- All floodplains and streams must be identified and additional permitting requirements will be applicable if development occurs in or around the 100- year floodplain.
- A grading permit must be issued prior to commencing with development and construction.



Development Standards

APPLICATION FOR: **Land Use**

Project Name: Patriot Substation

Note to Applicant: All applications must be typed or legibly printed and all entries must be completed on all the required application forms and submitted by 3:00pm. Incomplete applications or applications submitted after the posted deadlines will be delayed due to advertisement submittal date.

Name of Applicant Duke Energy Carolinas, LLC / Kevin Mason

Mailing Address 526 South Church Street, Charlotte, NC, 28202 (Mail Code EC09Q)

Telephone 980.373.3634 E-mail Kevin.Mason@Duke-Energy.com

Applicant is the: Owner's Agent Property Owner

Property Owner(s) of Record Duke Energy Carolinas, LLC

Mailing Address 550 S Tryon St, Charlotte, NC, 28202

Telephone 980.373.3634 E-mail Kevin.Mason@Duke-Energy.com

Authorized Representative Pike Engineering, LLC (Nathan Bass)

Mailing Address 123 North White Street, Fort Mill, SC, 29715

Telephone 803.835.7929 E-mail nbass@pike.com

Address/Location of Property Highway 81 N (Anderson Road)

Existing Land Use Undeveloped Land

Proposed Land Use Public Utility - Electrical Substation

Tax Map Number(s) 2140004009

Total Size of Project (acres) 16.1

Utility Agreement Services Letter of Approval, Please attach to application.

Proposed Water Source Wells Public Water Water District Powdersville

Proposed Sewage Disposal Septic Public Sewer Sewer District Anderson County

Power Company Duke Energy

SCDOT/ Roads & Bridges must be contacted for this development prior to Planning Commission review, please attach conformation letters. A traffic impact study shall be required along the County road-network when a development will generate 100 or more trips per hour during the peak hour of the adjacent street, see section 38 - 118 Intensity Standards in the Anderson County Code of Ordinances. This traffic study must be submitted with the application.

REQUEST FOR VARIANCE (IF APPLICABLE):

Is there a variance request?

Yes

No

If YES, applicant must include explanation of request and give appropriate justifications.

RESTRICTIVE COVENANT STATEMENT

Pursuant to South Carolina Code of Laws 6-29-1145:

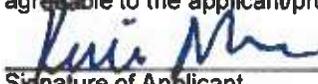
I (we) certify as property owner(s) or as authorized representative for this request that the referenced property:

- IS subject to recorded restrictive covenants and that the applicable request(s) is permitted, or not otherwise in violation, of the same recorded restrictive covenants.
- IS subject to recorded restrictive covenants and that the applicable request(s) was not permitted, however a waiver has been granted as provided for in the applicable covenants. (Applicant must provide an original of the applicable issued waiver)
- IS NOT subject to recorded restrictive covenants

SIGNATURE(S) OF APPLICANTS(S):

I (we) certify as property owners or authorized representative that the information shown on and any attachment to this application is accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for postponement of action on the request and/or invalidation of this application or any action taken on this application.

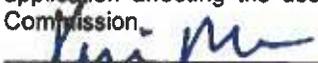
I (we) further authorize staff of Anderson County to inspect the premises of the above-described property at a time which is agreeable to the applicant/property owner.


Signature of Applicant

2/17/22
Date

PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application and understands that an application affecting the use of the property has been submitted for consideration by the Anderson County Planning Commission.


Signature of Owner(s)

2/17/22
Date

Staff Use Only:

Application Received By: _____

Date: _____

Planning Commission Date: _____

Planning Commission Decision: _____

Fee Paid Yes No Credit Card/Check# _____

Site Plan Revision Fee \$100.00



Anderson County, South Carolina
Attachment A
LAND USE REVIEW
Standards of Land Use Approval Consideration

In consideration of a land use permit, the Planning Commission shall consider factors relevant in balancing the interest in promoting the public health, safety, and general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Due weight or priority shall be given to those factors that are appropriate to the circumstances of each proposal.

Please respond to the following standards in the space provided or you may use an attachment as necessary:

- (A) Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?

See Attachment A

- (B) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

See Attachment A

- (C) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

See Attachment A

- (D) Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?

See Attachment A

- (E) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

See Attachment A



March 1, 2022

Ms. Alesia Hunter
Development Standards Manager
Anderson County Development Standards Office
401 East River Street
Anderson, South Carolina 29624

Re: Letter of Intent for Duke Energy's Patriot Substation

Dear Ms. Hunter,

Duke Energy's South Carolina service area includes Anderson County. The extreme northern portion of Anderson County has experienced above-average growth as a result of its proximity to the City of Greenville, South Carolina, whose downtown is located less than 18 miles to the north along Highway 81. This short and convenient commute to the City of Greenville for work and entertainment promote Anderson County as a desirable place for residential and commercial growth.

The area is currently served by six distribution circuits from three surrounding substations; the Easley Main 100/12.5 kV Substation, located 6.3 miles to the northwest of the load center, the Powdersville 44/12.5 kV Substation, located 4.8 miles to the northeast, and the Wrenn 100/12.5 kV Substation, located 4.1 miles to the southeast. System planning studies project that many of the distribution circuits that serve the area will have little remaining capacity in the near future as growth continues. To keep pace with an increasing demand for electrical energy in the area, Duke Energy must add a new 100 kV/12.5 kV electrical substation and transmission line by 2026. The transmission line route will be determined in 2022/2023 after executing a comprehensive line routing study that will include public involvement.

Duke Energy is respectfully seeking approval from the Anderson County Planning Commission to construct this new substation, which will be called the Patriot Substation. The new Patriot Substation will be a vital part of Duke Energy's service commitment and public service obligation to provide a continuous supply of reliable, affordable electrical energy. It will benefit the region in the following ways:

1. The new substation will provide the additional electrical capacity that is needed to assure an adequate supply of reliable electrical energy;
2. Service reliability in the region will be improved by decreasing the average length of distribution lines from substations to customers. The reduction in line length will reduce the potential for lengthy storm-related outages to customers in the region; and,
3. The new substation will improve the service reliability at Duke Energy's existing Easley Main, Powdersville, and Wrenn Substations as a result of electrical load that can be transferred to the new substation.



Duke Energy personnel conducted a pre-submittal meeting with Anderson County Staff on September 28, 2021, to discuss the project and Land Use Review application and requirements. Following the pre-submittal meeting Duke Energy invited property owners within 2,000 feet of the substation property to a Virtual Information Meeting, which was held on Tuesday, January 11, 2022. The purpose of the meeting was to inform nearby property owners of the need for the project, timeline, display the conceptual site plan, and address any questions or concerns. Approximately 19 members of the community attended the meeting. A summary of the informational meeting and correspondence with community members is included within Attachment C.

As previously stated, the substation needs to be placed in service in 2026 to meet the electrical needs of the community. The projected timeline for the project is listed below:

- **September 28, 2021:** Pre-submittal Meeting with Anderson County Staff
- **January 11, 2022:** Virtual Information Meeting with nearby property owners
- **April 14, 2022:** Planning Commission Meeting for the Patriot Substation
- **April/May 2022:** Commence transmission line routing study, which will include two community information meetings (specific dates TBD)
- **2023:** Substation site preparation
- **2026:** Construct the electrical substation and transmission line

Thank you for your consideration of this critical energy supply and reliability project.

Please let me know if I can provide additional information or assistance. I can be reached via email at Kevin.Mason@Duke-Energy.com or telephone at 980-373-3634.

Kindest Regards,

A handwritten signature in black ink that reads "Kevin Mason".

Kevin Mason, RLA
Senior Transmission Permitting Manager
Duke Energy – Carolinas West



ATTACHMENT 'A' – STANDARDS OF LAND USE APPROVAL CONSIDERATION

- (A) Is the proposed use consistent with other uses in the area or the general development patterns occurring in the area?**

The area where the new substation is planned is typical of rural-residential communities on the fringes of urban centers. While the area still conforms to the rural aesthetic (currently), multiple new residential subdivisions have been developed, transitioning the area into more of a suburban environment. Electrical facilities, such as substations, are found in all types of communities across the county; rural-suburban-urban. Substations are a necessary public facility that is needed to support everyday life in these communities, similar to water towers and cell towers.

- (B) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?**

The proposed Patriot Substation will not affect the use or usability of adjacent or nearby property. Adjacent properties include the YMCA to the east, a residence to the west, pastureland to the south, and large acreage residential/farm property to the north. After construction the substation will exist virtually dormant on the property. The substation will not produce any noises that are noticeable off the property and security lighting will largely be screened by retained tree cover and landscape plantings.

- (C) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?**

As previously mentioned, the substation will remain virtually dormant after construction. Public utilities, such as water and sewer, and public facilities such as schools will not be needed. Electricity will be provided by the facility itself. In addition, police and fire protection will only be needed as much as any other unoccupied public utility facility and are not expected to be burdensome. Lastly, public road improvements, such as widening or turning lanes, are not anticipated since the site will be accessed infrequently (only once or twice a week after construction, or less).



ATTACHMENT 'C' – VIRTUAL INFORMATION MEETING SUMMARY

Duke Energy personnel conducted a pre-submittal meeting with Anderson County Staff on September 28, 2021, to discuss the project and Land Use Review application and requirements. At that meeting, Anderson County Staff requested that Duke Energy conduct a community meeting to inform nearby property owners of the need for the project, timeline, display the conceptual site plan, and address any questions or concerns. Due to Duke Energy's COVID-19 safety protocols in place at the time the meeting was announced, the meeting was held virtually. Duke Energy held the Virtual Information Meeting for the Patriot Substation on January 11, 2022, between 6:30 p.m. and 7:30 p.m. Ninety-nine (99) parcels were identified within 2,000 feet of the substation site, of which the property owners were invited by letter to attend. The meeting was hosted on the Microsoft Teams Live platform, and a call-in option (audio only) was also provided to invitees. There were approximately fifteen (15) attendees during the Teams Live meeting and four (4) attendees who joined the call-in meeting.

Duke Energy representatives included Emily DeRoberts (Government and Community Relations Manager), Brian Greenawalt (Project Manager), Kevin Mason (Senior Transmission Permitting Manager), and Erin Degutis (Senior Transmission Siting Manager). Emily DeRoberts provided a welcome greeting to begin the event, encouraged attendees to submit questions through the chat, and then introduced both Brian Greenawalt and Erin Degutis. Brian Greenawalt introduced the Patriot Substation project and explained why the new substation was needed. He presented the timeline for the project activities, which included highlighting that the transmission line routing study would begin in April 2022 and that there would be two community meetings for residents to share input and ask questions regarding the transmission line. Next, Erin Degutis explained the process used to select the substation site, presented an example of a similar substation, and explained how the Patriot Substation conforms with Anderson County standards. She shared the proposed substation site plan followed by photos of the site in its current undeveloped condition. Emily DeRoberts then wrapped up the presentation component of the event and initiated the Q&A session. Duke Energy representatives answered various questions pertaining to the following topics:

- General substation and/or project information
- Outages
- Vegetation/landscaping
- Health and safety (including EMF)
- Project beneficiaries
- Transmission line details
- Connection to a nearby solar farm
- Mechanisms for project updates
- Future substation development

Following the Q&A session, Emily DeRoberts concluded the event and stated that the event recording would be posted on the project website and that a list of the event questions and answers would be mailed to all who were sent the event invitation. The follow-up letter and Q/A handout that was mailed to property owners is included herein:



ATTACHMENT 'C' – VIRTUAL INFORMATION MEETING SUMMARY

At the request of the Anderson County Planning Staff, Duke Energy held a Virtual Information Meeting for the Patriot Substation on January 11, 2022, between 6:30 p.m. and 7:30 p.m. Ninety-nine (99) parcels were identified within 2,000 feet of the substation site, of which the property owners were invited by letter to attend. The meeting was hosted on the Microsoft Teams Live platform, and a call-in option (audio only) was also provided to invitees. There were approximately fifteen (15) attendees during the Teams Live meeting and four (4) attendees who joined the call-in meeting.

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- Connection to a nearby solar farm
- Mechanisms for project updates
- Future substation development

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Project: Patriot Substation Virtual Information Meeting Follow-up

Important information about a Duke Energy project to improve the electric service in your area

Dear Community Member and Property Owner,

Duke Energy is committed to providing customers with reliable, safe, and increasingly cleaner energy, now and into the future. As part of this commitment, Duke Energy plans to construct the Patriot Substation, a new electrical substation that will accommodate the increasing energy demand in Anderson County and surrounding communities. The Patriot Substation will be located on Highway 81 North in Piedmont, SC. You are receiving this letter because you own property or live near the Patriot Substation project site.

In December, we mailed you an invitation for an online community meeting that was held on January 11th to go over the Patriot Substation project and provide an opportunity for you to ask questions and give feedback. As a follow-up to that meeting, we have posted the following on the project website (duke-energy.com/patriot):

- The Patriot Substation project presentation
- A recording of the online community meeting
- Frequently asked questions
- Additional resources
 - Get Connected
 - Delivering Electricity to You
 - Electric and Magnetic Fields
 - Environmental Responsibility
 - Environmental Stewardship
 - Why Must Duke Energy Remove Trees?

We have enclosed a list of questions from the online community meeting along with their answers.

We appreciate your interest in the Patriot Substation project, and we encourage you to visit duke-energy.com/patriot to learn more. If you have questions, please leave us a message on our automated voicemail system (toll free at **800.365.8979**) that includes your name, telephone number, and project reference (Patriot) or send an email to CarolinasTransmissionEnhancements@duke-energy.com.

Sincerely,

A handwritten signature in black ink that reads "Brian Greenawalt".

Brian Greenawalt
Project Manager



(D) Is the property suitable for the proposed use relative to the requirements set forth in this development ordinance such as off-street parking, setbacks, buffers, and access?

Prior to selecting the property for the new substation Duke Energy completed a series of due diligence studies to ensure the property was suitable for the new electrical facility. The property is approximately 860' wide along the road, and 730' deep at its narrowest depth, which is of sufficient size to accommodate setbacks, appropriate landscape buffers, vehicular access, off-street parking, and the principle use of the electrical substation facility. Existing mature trees can be retained along the rear and eastern side of the property, and landscape plantings are expected to only be needed along the roadside and western side of the property to aid in screening.

Code of Ordinances Requirements Summary Table

Standard	Requirement	Reference
Parcel Zoning	Unzoned	Anderson County GIS Website
Proposed Use	Public Utility - Electrical Substation - Permitted Use	§ 38-180 & § 7:2
Zoning Setback	Front (50'), Side (10'), Rear (10')	§ 38-120
Impervious	80% maximum	§ 38-119
Bufferyard Requirements	Level 5	§ 38-122
Height Requirements	For structures above 30' tall, the structure must be set back one horizontal foot for every foot increase in height. The measurement begins at the setback line.	§ 38-121

(E) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

As a Public Utility Company, Duke Energy is committed to providing safe and reliable power that serves to protect and enhance the health, safety, and general welfare of the public in the following ways:

Health: The health of the general public is directly linked to the quality of the environment to which they live. Duke Energy plans to take every precaution necessary to ensure that the health of the public and the environment is maintained. During grading operations, Duke Energy will apply and diligently abide by the guidelines



detailed in the North Carolina Sediment and Erosion Control Manual to minimize site disturbance, control storm water, and stabilize graded slopes; thereby preventing sediment from exiting the property and entering local streams and reservoirs. Duke Energy will also implement a suitable oil spill prevention plan that involves the installation of an intensive oil containment system under the substation that will collect all spills in the rare event of infrastructure failure.

Since the 1970's, there have been concerns and debates regarding the possible health effects of electric and magnetic fields (EMF), some of which were identified by attendees during the January 2022 Virtual Information Meeting. EMF exist anywhere there is electricity, whether that electricity is being produced, distributed, or consumed. Thus, EMF is created by power lines, residential wiring, appliances, and even by the earth itself. Because EMF levels dissipate sharply with increased distance from a power source, the EMF levels measured at the substation fence are negligible and comparable with ambient levels. Duke Energy encourages those concerned with EMF to visit our website for more information and links to independent studies that have been conducted (<https://www.duke-energy.com/safety-and-preparedness/electric-safety>).

Safety: To provide for public safety and protection, Duke Energy will design and construct the proposed substation in a manner that will comply with the National Electrical Safety Code in effect when construction begins. Furthermore, Duke Energy commits to continue its long-standing tradition of operating and maintaining facilities in a manner that will ensure public safety. To that end, Duke Energy will follow standard operating procedure by installing security fencing around the substation infrastructure. Standard fencing consists of woven steel fabric (minimum height of 7') with additional barbed-wire extension arms (1-foot in length) on the top which will prevent people from climbing over. The substation fence will also include warning signage to the effect of "Danger! High Voltage." Gates to the property and to the substation itself will be locked at all times. During construction, appropriate traffic control measures will be utilized when working in close proximity to the road and when large equipment is being delivered.

Welfare: While providing safe and reliable power to the general public is Duke Energy's primary mission, satisfying this mission will not be at the disposal of the rural character



or quality of living in the general area. Within the 16-acre site, Duke Energy will sufficiently maintain existing vegetative cover along the perimeter of the station and/or supplement with additional landscape screening elements per the requirements found within the Anderson County Code of Ordinances. Duke Energy has not only retained a significant amount of existing tree cover along the rear of the property, but we have also prepared a landscape plan that we believe will not only blend in with the surrounding area but also sufficiently screen and minimize direct views of the substation to the greatest extent practical. Noise generated from the equipment will be minimal and not noticeable outside the property boundary.



PHOTOGRAPHIC DATA
PROPERTY OWNER:
 DUKE ENERGY CAROLINAS LLC
 960 S TRYON ST CHARLOTTE, NC 28202

PROJECT NAME:
 PATRIOT SUBSTATION

PROJECT LOCATION:
 PIR # 214000008
 PROJECT # SC 20472

PROPERTY DATA:
 ZONING CLASSIFICATION UNZONED
 TOTAL PROPERTY SIZE: 14.81 ACRES (SURVEY)
 DEVELOPED AREA (BLDG. & ACCESS) 165,233 ACRES
 FLOOR AREA RATIO: N/A (NO HABITABLE BUILDINGS)
 PLANNING: N/A

FLOOD:
 FIRM PANEL: 48070304E AND 48070312E
 PROJECT SITE IS NOT IN A FLOOD HAZARD AREA

ZONING SETBACKS:
 FRONT YARD: 50 FEET (ARV. RAIL ROAD)
 SIDE YARD: 10 FEET
 REAR YARD: 10 FEET

LANDSCAPE BUFFERS:
 TYPE 1 ALONG HWY 41 (TYPE 4 PROVIDED FOR ADDITIONAL SCREENING)
 TYPE 3 BETWEEN INSTITUTIONAL LINES TO EAST
 TYPE 5 BETWEEN RESIDENTIAL LINES TO NORTH AND WEST

PURPOSE STATEMENT:
 THE SUBSTATION IS BEING CONSTRUCTED TO INCREASE ELECTRICAL LOAD CAPACITY AND FOR IMPROVED DISTRIBUTION RELIABILITY FOR THE SURROUNDING AREA.

NOTE:
 PLANS ARE SHOWN FOR CONCEPTUAL PURPOSES ONLY AND IS NOT MEANT FOR CONSTRUCTION. THE PRECISE LOCATION(S) OF DESIGN ELEMENTS MAY CHANGE DURING FINAL DESIGN.

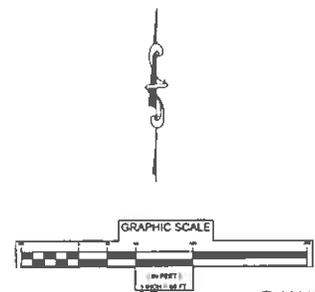
PREPARED BY:
 PIKE ENGINEERING, LLC
 1411 N. MAIN ST. PL. A
 SC 29117

TYPE 3
 40' BUFFER YARD
 MIN. 3' EARTHEN BERM

TYPE 5
 60' BUFFER YARD
 MIN. 4' EARTHEN BERM

TYPE 5
 75' BUFFER YARD
 MIN. 3' EARTHEN BERM

10' SIDE/REAR
 SETBACK (TYP.)



PROPOSED ACCESS
 LOCATION

NO.	DATE	DESCRIPTION	BY	CHKD.	APP'D.	DATE
1	08/01/2024	PRELIMINARY				
2	08/01/2024	AS BUILT				

REVISION HISTORY		DATE	
NO. 0	NC-SC	TBD	TBD

		PATRIOT 100KV-12KV SUBSTATION CONCEPTUAL SITE PLAN	
PREPARED BY MOH 0	CHECKED BY NC-SC	DATE TBD	DATE TBD

CSA REV 0



Site Photographs



View from Hwy 81 looking at eastern boundary



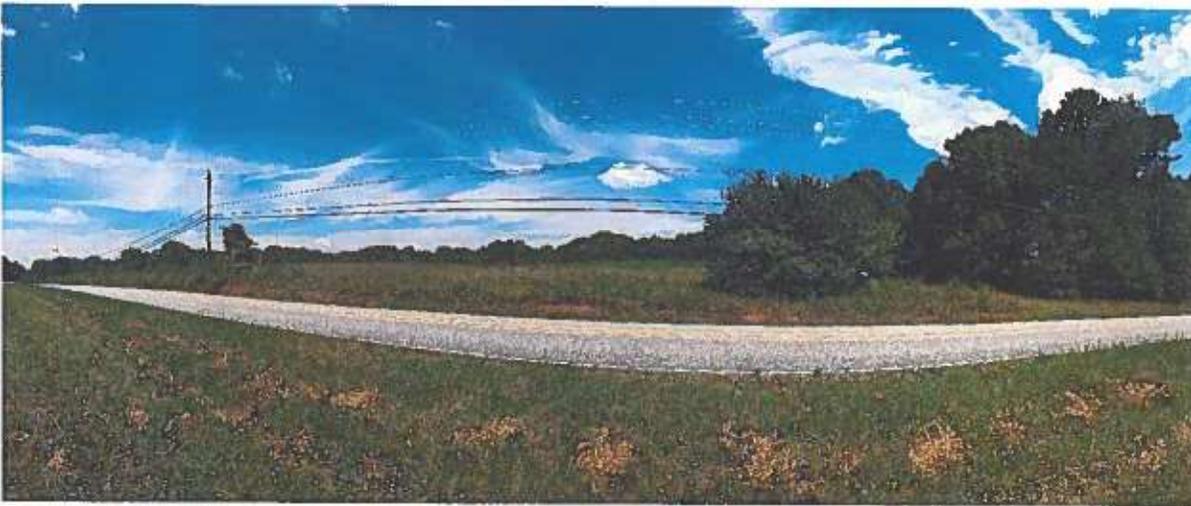
View from Hwy 81 looking northeast into site



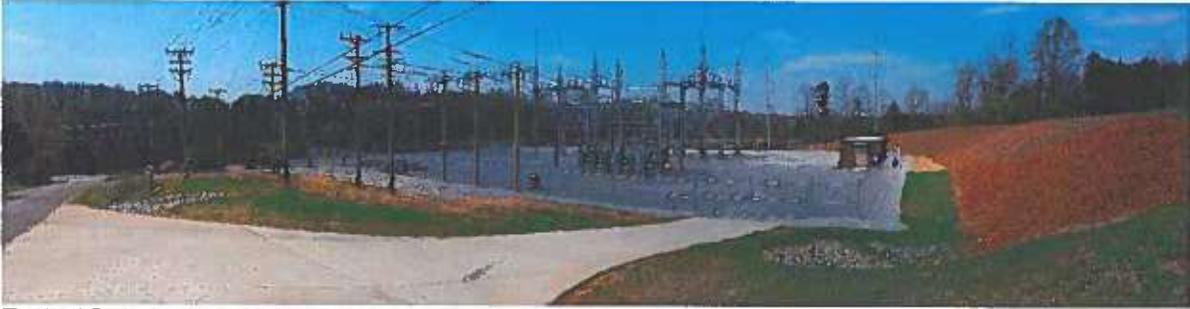
Vegetation along the site's eastern boundary



View from Hwy 81 looking north



Panoramic view of the site from the southeastern boundary of the site looking north



Typical Duke Energy Substation (Near Ellenboro, NC)