

**APPROVED**  
**September 03, 2002**

**MINUTES FOR CHEROKEE COUNTY  
MUNICIPAL PLANNING COMMISSION PUBLIC HEARING  
Tuesday, August 06, 2002**

The Cherokee County Municipal Planning Commission held its regularly scheduled public hearing on Tuesday, August 06, 2002 in the Jury Assembly Room of the Cherokee County Justice Center. In attendance for the Planning Commission were Garland Stewart, Bob Whitaker, Jay Wallace, Greg Elder, Cecil Atchley, Rhon Redwine and Ashley Holcomb. Michael Byrd and Wayne Kosbe were absent. In attendance for Cherokee County staff were Mark Mahler, Louis Zunguze, Jim Cain, Vicki Taylor and Barbara Henderson. The meeting was called to order at 8:10 P.M.

Chairman Stewart laid out the ground rules for the meeting, reminding those who wanted to speak that each side would be limited to ten minutes total. He also reminded people that they would have to fill out a Disclosure Form in order to speak. He asked that people be brief in their presentations.

Chairman Stewart announced that the applicant had withdrawn from consideration Case #02-06-022, ContraVest, Inc.

Case #02-08-026, OCS Enterprises, Inc. requested to rezone ±147 acres from AG to LI. If rezoned, the property would be utilized for light industrial purposes. The property is located on I-575, north of Airport Drive in Land Lots 215, 216, 217, 218, 219, 287, 288, 290, 299 and 360 of the 3<sup>rd</sup> and 14<sup>th</sup> Districts and is further described as Cherokee County Tax Map 03N02, Parcel 013.

Jim Cain read the staff recommendation, which was for approval with the following conditions:

1. Adherence to the I-575 Technology Ridge Tree Buffer Zone requirements.
2. Provision of a 50 foot undisturbed buffer to the north, to screen the R-80 zoned properties.
3. Provision of a 50 foot buffer along Sharp Mountain Creek.
4. Parking areas to be landscaped and shielded from view of external properties.
5. Lighting in the parking areas shall be consistent with the requirements of the county's Outdoor Lighting and Road Glare Ordinance.
6. All utilities are to be installed underground.
7. Buildings within the development should be designed with sensitivity to context and appearance, through the coordination of design and colors.

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8. Free-standing signage shall be monument type, compatible with the principal buildings in terms of materials. If lighting is used, it shall be front lighting. There shall be no interior lighting of the signs.
9. Applicant is to meet with the Planning and Zoning staff prior to submission of detailed design plans, to ensure full compliance with these conditions.

For the record, Mr. Cain said that the applicant had submitted a Public Participation Report to the Planning and Zoning staff.

Attorney Elliott Smith, representing OCS Enterprises, spoke in favor. With him was Dean Myers, the principle of OCS Enterprises. Mr. Smith outlined their plans for development of an industrial park. He handed out examples of other developments that Mr. Myers has been involved with, so that the Commissioners could get an idea of the quality of Mr. Myers' projects. He also introduced a letter from the Mayor of Holly Springs, attesting to the quality of Mr. Myers' developments. Mr. Smith said that OCS is planning on constructing a new road which will go through the proposed development and, therefore, eliminate the necessity of access from Airport Drive. He said they would probably dedicate this road to the county. Mr. Myers described the desired tenants for this project as "Mom and Pop" operations, comparable to the new industrial park in Holly Springs.

George McClure, Chairman of the Cherokee County Airport Authority, spoke in favor. He said he was familiar with Mr. Myers' other projects and thought Mr. Myers did a fine job. He then spoke about issues of concern. A portion of the proposed development is in the path of airport expansion. Mr. McClure said that the Airport Authority and Mr. Myers are negotiating on this matter and would work things out. Mr. McClure also outlined some conditions relating to the airport that he requested to be incorporated into the zoning approval. These conditions included restricting height of buildings for safety purposes and requiring ponds and drainage to be underground, per FAA regulations. Overall, the Airport Authority was in favor of approval of this proposed development, with the aforementioned conditions.

There was no opposition to this case. Bob Whitaker asked Louis Zunguze if a new site plan had been submitted, which addressed the issues that were discussed in the Planning Commission Work Session. Mr. Zunguze said that the new site plan did go a long way to addressing those issues. He further stated that, if the application is approved, then the county would require a much more detailed site plan. Greg Elder asked Mr. Myers if he had seen the letter from the Airport Authority and, if so, did he have any problems with the conditions for rezoning that they were requesting. He answered that he had seen the letter and had no problem accepting those conditions.

Chairman Stewart made a motion to approve the application, with the nine recommendations from Staff and also to include the three conditions put forth by the Airport Authority. Bob Whitaker seconded the motion. The vote was 7-0 in favor of approval.

Case #02-08-027, Laura Ramsey requested to rezone 8.253 acres from R-40 to AG. If rezoned, the property would be utilized for a home and a barn with arenas. The property is located on

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Bluebird Acres Lane in Land Lot 970 of the 15<sup>th</sup> District and is further described as Cherokee County Tax Map 15N29, Parcel 068.

Jim Cain read the staff recommendation, which was for approval, with the following conditions:

1. There shall be no swine or chicken farm related activities.
2. Applicant is to meet with the Planning and Zoning staff and the County Arborist to discuss site location of the horse facilities and an appropriate screening mechanism.
3. Observance of a 25 foot undisturbed state water buffer from the pond.

Laura Ramsey and Joan Arronson spoke in favor. They explained to the Commissioners why they needed this rezone. They are proposing an equestrian facility to be used as therapy for children. Under the present zoning of R-40, they would not be allowed to construct the covered arenas in order to accommodate these children.

A discussion ensued concerning the pond. Ms. Ramsey was asked if she had any concerns about complying with the third condition proposed by Staff. She proceeded to explain that she had received approval from the EPA and the Corps of Engineers to drain the pond and that, indeed, the pond had been drained. Therefore, it was no longer an issue. Chairman Stewart asked Ms. Ramsey if she had proper documentation for draining the pond and she affirmed that she did have. She agreed to submit this documentation to the Planning and Zoning Department.

Chairman Stewart asked if there would be competitive events and Ms. Ramsey said there would not. Parking would not be an issue. Only one child at a time is seen for therapy.

There was no opposition to this case. Chairman Stewart made a motion for approval, with the two remaining staff recommendations. Ashley Holcomb seconded the motion and the vote was 7-0 for approval.

**Other Items on the Agenda**

**Bed and Breakfast Ordinance** – Chairman Stewart presented the ordinance to the Planning Commission members. A discussion followed. Mr. Stewart was reminded that during the Work Session, they had agreed to exclude Bed and Breakfast facilities from any platted subdivision. Bob Whitaker recommended forwarding the ordinance to the Board of Commissioners for approval. The motion was seconded and the vote was 7-0 to forward the ordinance to the Board of Commissioners for approval.

**Freehome and Union Hill Overlay Ordinances** – Chairman Stewart explained that these versions of the ordinances are modifications and improvements of the existing ordinances. Louis Zunguze further defined the changes and clarifications. Gary Hite thanked the PC Commissioners and the BOC for their help and cooperation. He told them that Chris Chandler of Chandler Graphics had streamlined the signage portion of the overlays, thus, facilitating easier interpretation of that part of the ordinances. He elaborated on what Mr. Zunguze had earlier

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outlined. Mr. Hite also covered the fencing issues and underground utilities requirements. Jay Gary of the Union Hill EDC thanked the Commissioners and asked that they please recommend approval of these ordinances. Chairman Stewart made a motion to recommend approval of these ordinances to the BOC. Jay Wallace seconded the motion and the vote was 7-0 for approval.

**Article 5, Section 5.6; Accessory Structures and Uses** – Louis Zunguze explained why this change in the Zoning Ordinance is necessary. When Article 5 was amended back in 1995, there was an oversight in replacing the deleted sections dealing with accessory structure size and setbacks. Fencing requirements were also left out. These issues are now being addressed with this new amendment. A discussion ensued. Bob Whitaker made a motion to recommend approval of the amended Article 5, Section 5.6 to the Board of Commissioners. The motion was seconded by Ashley Holcomb and the vote was 7-0 for approval.

The Planning Commission then voted on approving the minutes for the June 04, 2002 and July 02, 2002 Meetings. Rhon Redwine made a motion to approve the June 2002 Minutes. The motion was seconded by Greg Elder and the vote was 7-0 for approval. Bob Whitaker made a motion to approve the July 2002 Minutes. Cecil Atchley seconded the motion. The vote was 7-0 for approval.

The meeting was adjourned at 9:05 P.M.