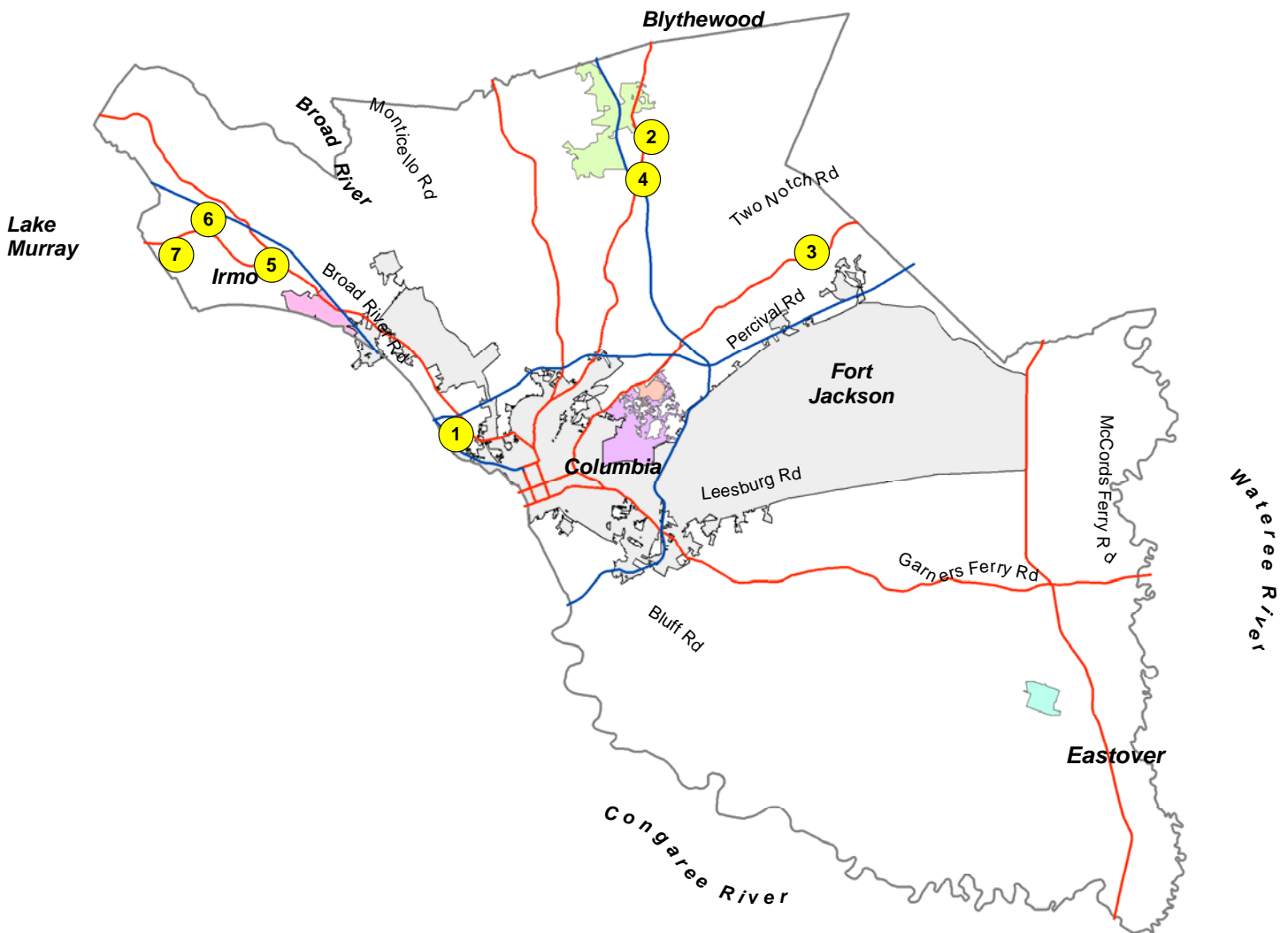


RICHLAND COUNTY PLANNING COMMISSION MARCH 7, 2005



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 05-41 MA	V.W. Cate c/o Leah	07303-02-02	121 Arrowood Dr. south of Bush River Rd.	Smith
2. 05-42 MA	Charles Warrington	150000-04-01/02 & 17700-01-12 (P)	Intersection of Farrow Rd. & Wilson Blvd.	Dickerson
3. 05-46 MA	Pioneer Land Co. LP	25808-03-03	Hwy.1, Spears Creek Rd.	Hutchinson
4. 05-47 MA	Michael Morrison	15000-02-15	Hwy. 21	Dickerson
5. 05-49 MA	Walgreens/Gene Dinkins	02415-03-01/02	Hwy. 76 & Hwy. 6, Ballentine	Corley
6. 05-50 MA	Joe Clark	01500-02-15	Hwy. 76 & Three Dog Rd.	Corley
7. 05-51 MA	Joe Clark	01506-01-05/06/07	Three Dog Rd.	Corley

RICHLAND COUNTY PLANNING COMMISSION

Monday, March 7, 2005

Agenda

1:00 PM

**2020 Hampton Street
2nd Floor, Council Chambers**

STAFF: Michael P. Criss, AICP..... Planning Director
Anna Almeida Development Services Manager
Amelia R. Linder, Esq. Assistant County Attorney
Carl D. Gosline, AICP Subdivision Administrator

I. PUBLIC MEETING CALL TO ORDER Gene Green, Chairperson

II. PUBLIC NOTICE ANNOUNCEMENT

III. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the February 7, 2005 minutes

IV. AGENDA AMENDMENTS

V. OLD BUSINESS

- a. Discussion of an ordinance to modify the Planning Area boundaries for the revision of the Imagine Richland 2020 Comprehensive Plan
- b. Discussion of an ordinance to modify the new Land Development Code to allow Private Driveway Subdivisions in the RU zoning district

VI. NEW BUSINESS - SUBDIVISION REVIEW

PROJECT #	NAME	LOCATION	UNITS	Page
SD-05-97	BJ Glover Priv. Drwy. S/D	Piney Woods Road TMS # 06104-07-02	6	1
SD-05-177	Brookhaven Ph. 4	Brookhaven S/D TMS # 17500-03-42 (p)	76	11
SD-05-173	Alvin Entzminger Priv. Drwy. S/D	Friendly Wood Road TMS # 09900-06-01	4	21

PROJECT #	NAME	LOCATION	UNITS	Page
SD-05-179	Slake Minor S/D	Southlake Road TMS # 20014-02-05	10	31

VII. NEW BUSINESS - ZONING MAP AMENDMENTS

MAP #	CASE # 05 – 41 MA	Page
APPLICANT	V.W. Cate c/o Leah Browder	41
REQUESTED AMENDMENT	RS-1 to C-1 (1.08 acres)	
PURPOSE	Financial Planning Office	
TAX MAP SHEET NUMBER (S)	07303-02-02	
LOCATION	121 Arrowwood Dr. south of Bush River Rd.	

MAP #	CASE # 05 – 42 MA	Page
APPLICANT	Charles Warrington	53
REQUESTED AMENDMENT	RU to C-3 (2.19 acres)	
PURPOSE	Retail Sales and Office Space	
TAX MAP SHEET NUMBER (S)	15000-04-01/02 & 17700-01-12 (p)	
LOCATION	Intersection of Farrow Road & Wilson Blvd.	

MAP #	CASE # 05 – 46 MA	Page
APPLICANT	Pioneer Land Co. LP	65
REQUESTED AMENDMENT	D-1 to C-3 (1.21 acres)	
PURPOSE	Commercial	
TAX MAP SHEET NUMBER (S)	25808-03-03	
LOCATION	Hwy.1, north of Spears Creek Church Rd.	

MAP #	CASE # 05 – 47 MA	Page
APPLICANT	Michael Morrison	77
REQUESTED AMENDMENT	RU to C-3 (1.35 acres)	
PURPOSE	Framing & Art Gallery	
TAX MAP SHEET NUMBER (S)	15000-02-15	
LOCATION	Wilson Boulevard (Hwy. 21)	

MAP #	CASE # 05 – 49 MA	Page
APPLICANT	Walgreens/Gene Dinkins	89
REQUESTED AMENDMENT	RU to C-3 (3.42 acres)	
PURPOSE	Commercial	
TAX MAP SHEET NUMBER (S)	2415-03-01/02	
LOCATION	Hwy.76 & Hwy. 6, Ballentine	

MAP #	CASE # 05 – 50 MA	Page
APPLICANT	Joe Clark	101
REQUESTED AMENDMENT	RU to C-3 (3.47 acres)	
PURPOSE	Commercial	
TAX MAP SHEET NUMBER (S)	01500-02-15	

MAP #	CASE # 05 – 51 MA	Page
APPLICANT	Joe Clark	113
REQUESTED AMENDMENT	RU to RS-2 (23.31 acres)	
PURPOSE	Single Family Residential	
TAX MAP SHEET NUMBER (S)	01506-01-05/06/07	
LOCATION	Three Dog Rd.	

VIII. ROAD NAME APPROVALS

- a. New Road Name Approvals

IX. OTHER BUSINESS

- a. Discussion of the definition of, and requirements for, a Planned Unit Development zoning designation
- b. Further discussion of the work schedule to revise the current Comprehensive Plan

X. PLANNING DIRECTOR'S REPORT

XI. ADJOURNMENT

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

March 7, 2005

Applicant: Belter & Associates		Private Driveway Subdivision Plans For: Glover Private Driveway S/D	
RC Project # : SD-05-97			
General Location: Piney Woods Road near Morningside Drive			
Tax Map Number: 06104-07-02		Current Zoning: RS-1	
Subject Area: 5.6 acres	Number of Units: 6	Gross Density: 1.1 DU/acres	
Sewer Service Provider: Septic		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets...." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Piney Woods Road	
Functional Classification Of This Roadway	Two lane undivided minor arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	10,800	
Estimated Traffic Generated By The Proposed Project	57	
Current Volume At The Nearest Count Station # 643 Located @ between site and Piney Grove Road	1450	
Estimated Traffic Count With the Proposed Project	1507	
Volume-To-Capacity Ratio With The Proposed Project	0.14	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project will not result in the LOS C being exceeded at SCDOT count station 643.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 21 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	1
Middle School @ 0.13 students per single family DU	0
High School @ 0.12 Students per single family DU	0

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

The site is fairly low with a small creek traversing the site from west to east. Most of the vegetation is pine trees.

Compatibility with the Surrounding Area

The surrounding area is all single family detached residential. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

It is the Department’s position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as High Medium Density Residential on the Northwest Subarea Plan Proposed Land Use Map. The proposed project is not consistent with this land use designation because it is a low density residential project in an area designated for medium/high density residential density.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department’s position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The Northwest Subarea Plan, adopted

in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area

The proposed project is a very low-density single family detached residential project. The proposed project implements this Objective.

Principle – Residential development should be limited to individual dwellings on individual lots
See discussion above. This project implements this Principle.

Other Pertinent Factors

- 1) As of February 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) The Flood Hazard Specialist has approved the flood elevation statement.
- 3) As of February 18, 2005, the County Fire Marshal had not provided comments.
- 4) As of February 18, 2005, the City of Columbia had not approved the water line construction plans, if applicable.
- 5) As of February 18, 2005, DHEC had not issued a water line construction permit, if applicable.
- 6) As of February 18, 2005, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

The applicant must comply with all the requirements of Article VIII (Private Driveway Subdivision regulations) of Chapter 22 in the County Code. These requirements include limiting the purchasers of the parcels to immediate family members; execution of a Hold Harmless Agreement absolving the County of any road maintenance responsibility or liability; and execution of Deed restrictions regarding road maintenance and further subdivision of the parcels.

The intent of the Private Driveway Subdivision process is "...to furnish a means of subdividing property in the County without incurring the costs associated with major subdivisions..." Since it has principally been applied in the rural areas of the County, the minimum lot size was established as one acre. The rationale for the minimum one-acre size is that is amount of land necessary for a septic tank and private well.

The subject site is zoned RS-1 or a 12,000 sq. ft minimum lot size. Four of the lots meet the 1 acre minimum lot size in Article VIII. Two of the lots, including the existing family residences, do not meet the one-acre minimum lot size in Article VIII, but do meet the minimum lot size in the RS-1 zoning district. **The Commission needs to decide how to reconcile these contradictory requirements in the Zoning Ordinance and the Subdivision Regulations as applied to this project.**

A preliminary review of water and sewer availability discloses that public water and sewer lines in currently located across Piney Woods Road from the site. Section 24-81 of the County Code states "...The owner of all homes, buildings, or properties used for human occupancy, employment,, recreation, or other purposes situated within the county and abutting on any street,

alley, or right-of-way in which there shall be located a public sanitary sewer is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with provisions of this article within 90 days after written notice from the county to the property owner requiring such property owner make connection thereto, provided that said public sewer shall be within 200 feet of the property line...” Therefore, the residences in this project will likely be required to connect to at least the sewer system and possibly the water system.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the private driveway subdivision plans for a 6 unit single family detached subdivision, known as Glover Private Driveway S/D (Project # SD-05-97). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision will not result in the adjacent portion of Piney Woods Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is not consistent with the Northwest Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

Specific Conditions

- a) The Department must receive a copy of the USCOE wetlands encroachment letter, if applicable; **and**
- b) **A Land Disturbance Permit must be issued by the Department prior to starting any site clearing activity.** Contact Sean Busbee @ 576-2171 for more information; **and**
- c) The final plat must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
- d) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
- e) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- f) The City of Columbia must approve the water line and sewer construction plans, if applicable; **and**
- g) The residences in the subject project will be required to connect to the public sewer system and may be required to connect to the public water system; **and**
- h) DHEC must issue the water and sewer line construction permits, if applicable; **and**
- i) The applicant must comply with all the relevant requirement of Article VIII of Chapter 22 of the County Code; **and**
- j) No building permits shall be issued until all of the conditions cited above are met.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

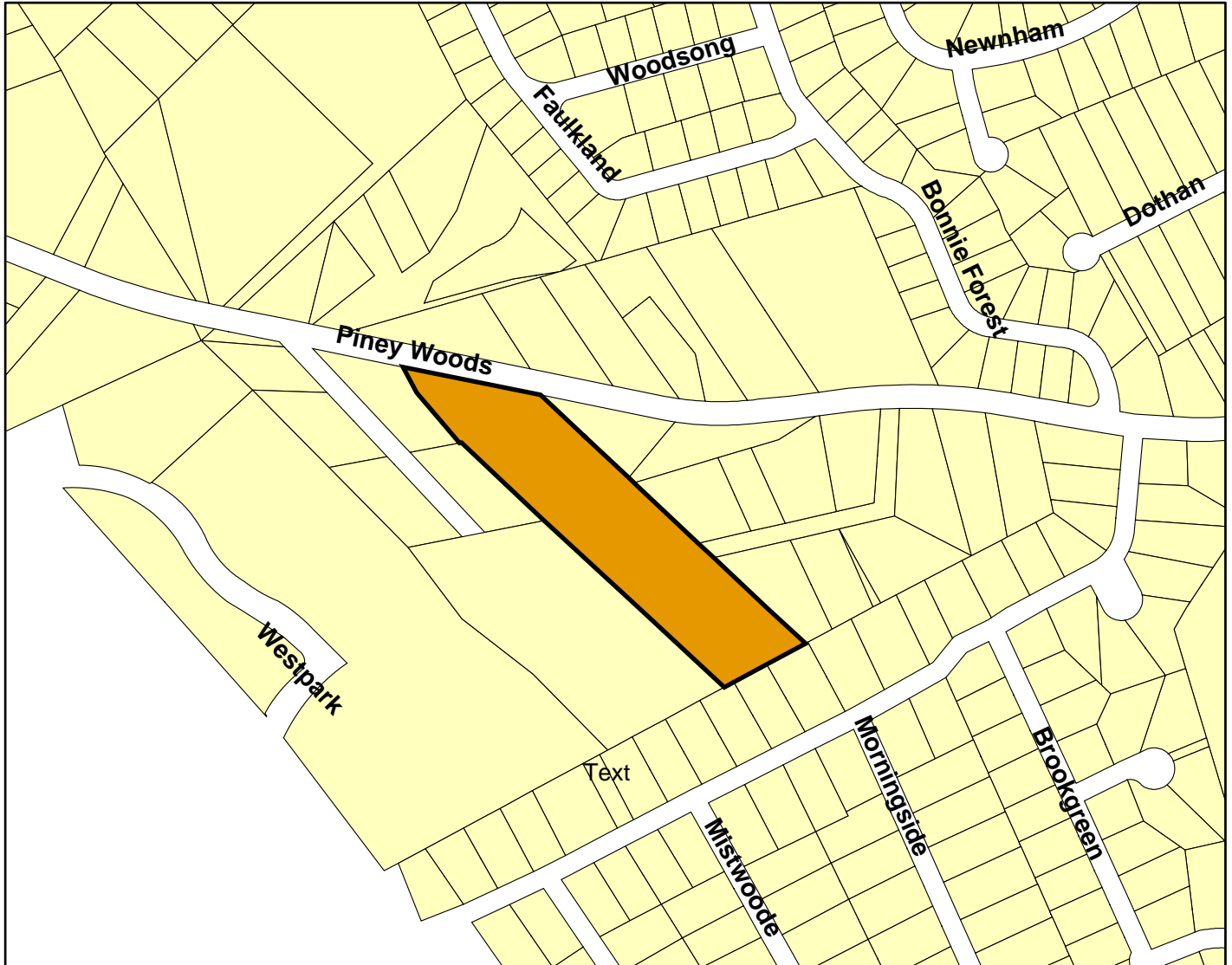
Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.

SD-05-97
PINEY WOODS ROAD
TMS 06414-07-02



SD-05-97 PINEY WOODS ROAD



Looking at site from Piney Woods Road



Looking East on Piney Woods Road

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

March 7, 2005

Applicant: Mungo Company		Preliminary Subdivision Plans For: Brookhaven, Phase 4	
RC Project # : SD-05-177			
General Location: Hobart Road near the RR track			
Tax Map Number: 17500-03-42 (p)		Current Zoning: PUD	
Subject Area: 17.5 acres	Number of Units: 76	Gross Density: 4.3 DU/acres	
Sewer Service Provider: City of Columbia		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets...." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Longtown Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	722	
Current Volume At The Nearest Count Station # 711 Located @ just south of Lee Rd	5000	
Estimated Traffic Count With the Proposed Project	5722	
Volume-To-Capacity Ratio With The Proposed Project	0.67	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 711. **However, the Department estimates that Longtown Road will be operating above LOS F levels upon buildout of the projects approved to date in this area.**

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	15
Middle School @ 0.13 students per single family DU	10
High School @ 0.12 Students per single family DU	9

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

The subject site is mostly flat and vegetated with pine trees and scrub oaks. Water and sewer service will be provided by the City of Columbia.

Compatibility with the Surrounding Area

The proposed project is consistent with the PUD Conceptual Plan, Ordinance # 64-02 HR, for the project now known as Brookhaven.

Discussion of Applicable Comprehensive Plan Issues

It is the Department’s position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Industrial on the I-77 Corridor Subarea Plan Proposed Land Use Map. The proposed project is (not) consistent with this land use designation.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a residential project located in an area designated for industrial development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map. **Even though the County rezoned the entire project to PUD-2, the I-77 Corridor Subarea Plan Proposed Land Use Map was not changed to a residential as required by state law.**

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Accommodate in certain higher density residential areas, a full range of housing opportunities, to meet the various needs of area residents

The proposed project will have a density of 4.3 DU/acre. The proposed project implements this Objective.

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map

The proposed project is a subdivision in an area designated for industrial development This project does not implement this Principle.

Other Pertinent Factors

- 1) As of February 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of February 18, 2005, the City of Columbia had not approved the water and sewer line construction plans.
- 3) As of February 18, 2005, DHEC had not issued a sewer line construction permit.
- 4) As of February 18, 2005, DHEC had not issued a water line construction permit.
- 5) The E911 Coordinator commented that Wilkinson Parkway needs to be renamed Wilkinson Drive on any future plats

The applicant must present a phasing plan for the whole project prior to approval of any plats for recording. The phasing is necessary to allow adequate notice to schedule the public infrastructure facilities needed to support the project.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 76 unit single family detached subdivision, known as Brookhaven, Phase 4 (Project # SD-05-177). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity. **However, the Department estimates that Longtown Road will be operating far above the LOS F when the already approved projects in the area are fully occupied.**
2. The proposed subdivision **is compatible** with existing development in the area.
3. The project **is not consistent with** the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project **implements** the relevant Objectives of the I-77 Corridor Subarea Plan.
5. The proposed project **does not implement** the relevant Principles of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The Department of Public Works must approve the stormwater management plans; **and**
- b) A Land Disturbance Permit must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
- c) The preliminary, bonded and/or final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
- d) The City of Columbia must approve the water and sewer line construction plans; **and**
- e) DHEC must issue the sewer line construction permits; **and**
- f) DHEC must issue the water line construction permits; **and**
- g) **No building permits shall be issued until all of the conditions cited above are met; and**
- h) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- i) Any further division of phase 4 identified herein shall require Planning Commission approval prior to recording; **and**
- j) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water and sewer line easement documents; **and**
- k) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- l) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- m) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

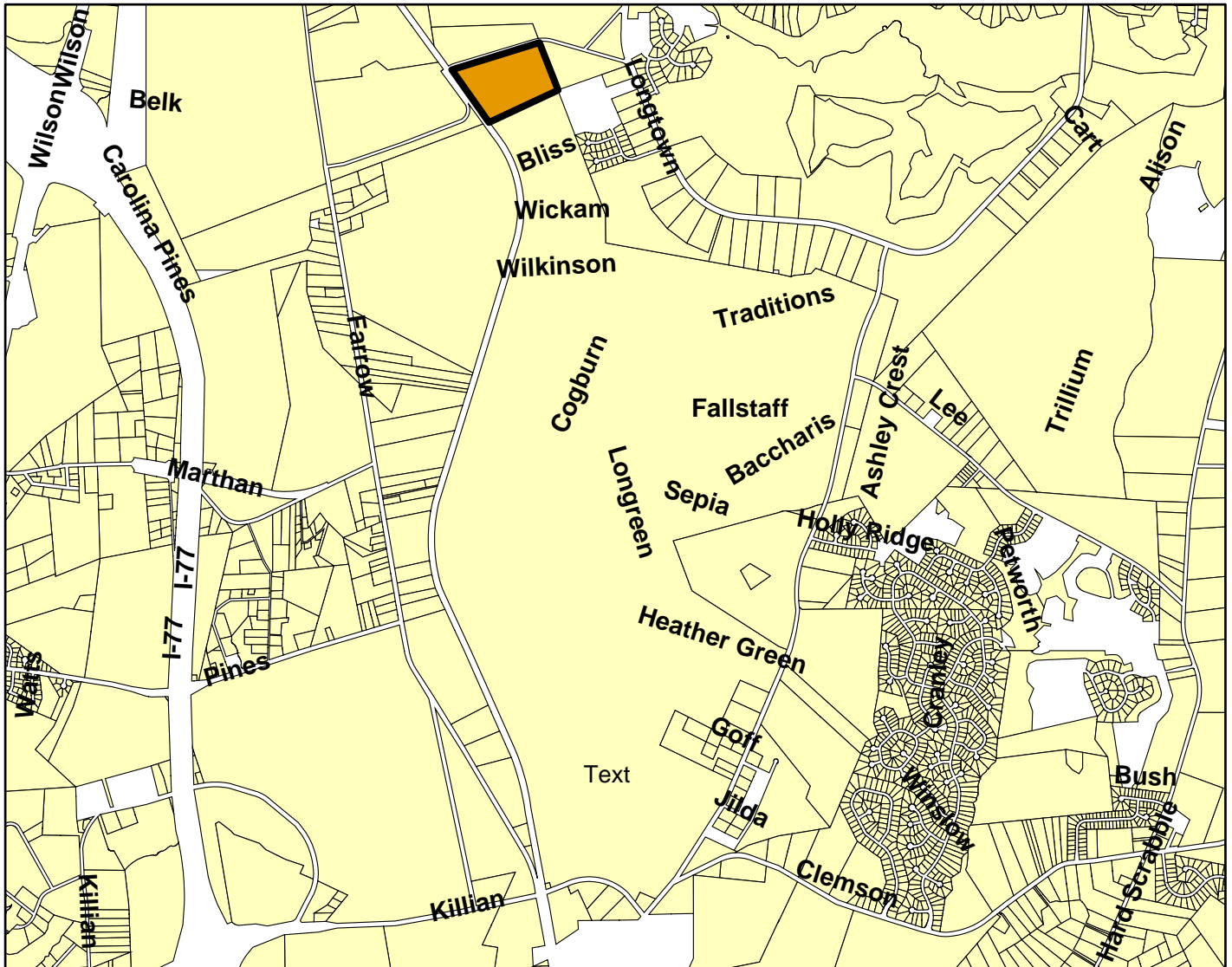
Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.

SD 05-177
BROOKHAVEN PH. 4
TMS 17500-03-42 (P)



SD-05-177 BROOKHAVEN PH. 4



Looking North on Wilkinson Parkway

Looking East toward Plantation Park

Attachment A SD 05-177

PHASE FOUR
BROOKHAVEN
 RICHLAND COUNTY, SOUTH CAROLINA
 SCALE IN FEET
 0 50 100 150

JAN 27 2005
 THE SURVEYOR IS:
 THE ENGINEER IS:
 5008 FERNWOOD ROAD
 COLUMBIA, SC 29910
 TEL: 803-732-2200

THE OWNER IS:
 BRICKYARD-LONGTOWN, LLC
 1900 SOUTH CAROLINA
 COLUMBIA, SC 29910
 TEL: 803-732-2200

THE OWNER IS:
 BRICKYARD-LONGTOWN, LLC
 1900 SOUTH CAROLINA
 COLUMBIA, SC 29910
 TEL: 803-732-2200



- NOTES & REFERENCES:**
- PHASE FOUR: 12.50 ACRES TO BE SUBDIVIDED INTO 12 SINGLE FAMILY RESIDENTIAL LOTS.
 - THE LOTS TO BE SUBDIVIDED INTO 12 SINGLE FAMILY RESIDENTIAL LOTS ARE SHOWN ON THE ATTACHED MAP.
 - A PORTION OF RICHLAND COUNTY THE MAP SHEET 1700, BLOCK 03, LOT 42, ZONING MAP.
 - REFER TO THE 2004 FLOOD HAZARD MAP FOR THE PROJECT AREA AND TO THE BEST OF THE ENGINEER'S KNOWLEDGE AND BELIEF THE SUBJECT PROPERTY IS NOT IN A FLOOD HAZARD AREA.
 - ALL PROPERTY CORNERS ARE CALCULATED POINTS BASED ON THE CORNER DATA.
 - ALL ROAD R.E.C.N. TO BE BY ROAD AND DESIGNATED TO RICHLAND COUNTY FOR PUBLIC USE.
 - RECORD LIMITS DETERMINED BY: CANTAL, SCIENCE ASSOCIATES.
 - FOR CORNER LOTS, THE BUILDING ENVELOPE IS DETERMINED BY WHICH CORNER THE HOME IS FRONTING. SEE SHEET #9 FOR OPTIONS.
 - RECORDS: FROM "30" (PRIMARY); "30" (SECONDARY); "30" (3" x 5").
 - FOR ADDITIONAL STATUTE INFORMATION, CONTACT THE ENGINEER TO OBTAIN A COMPLETE LIST.
 - EACH CONTRACTOR OR SUBCONTRACTOR SHALL OBTAIN COPIES OF ALL APPROVAL LETTERS, PERMITS AND APPROVED PLANS RELATIVE TO THE PORTION OF THE CONSTRUCTION, CONTRACTORS OR SUBCONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY AND COUNTY.
 - THE CONTRACTOR SHALL ALSO OBTAIN A RECONSTRUCTION CONFERENCE WITH THE OWNER AND FINANCER.
 - LOTS 201 TO 202 SHALL NOT HAVE DIRECT DRIVEWAY ACCESS TO THE RELOCATED HIGHWAY ROAD.

ROAD CENTERLINE CURVE DATA

STATION	PC	PVI	PT	CHORD BEARING	CHORD DIST.	CHORD BEARING	CHORD DIST.
1+00.00	1+00.00	1+00.00	1+00.00	0°00'00"	0.00	0°00'00"	0.00
1+00.00	1+00.00	1+00.00	1+00.00	0°00'00"	0.00	0°00'00"	0.00
1+00.00	1+00.00	1+00.00	1+00.00	0°00'00"	0.00	0°00'00"	0.00

LOT LINE CURVE DATA

STATION	PC	PVI	PT	CHORD BEARING	CHORD DIST.	CHORD BEARING	CHORD DIST.
1+00.00	1+00.00	1+00.00	1+00.00	0°00'00"	0.00	0°00'00"	0.00
1+00.00	1+00.00	1+00.00	1+00.00	0°00'00"	0.00	0°00'00"	0.00
1+00.00	1+00.00	1+00.00	1+00.00	0°00'00"	0.00	0°00'00"	0.00

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

March 7, 2005

Applicant: Alvin Entzminger		Private Subdivision Plans For: Alvin Entzminger PDS	
RC Project # : SD-05-173			
General Location: Friendly Wood Rd, 1/4 mile north of Campground Rd			
Tax Map Number: 09900-06-01		Current Zoning: RU	
Subject Area: 6.4 acres	Number of Units: 4	Gross Density: 0.6 DU/acres	
Sewer Service Provider: Septic		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets...." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Friendly Road	
Functional Classification Of This Roadway	Not Classified	
Level-Of-Service C Design Capacity (V/C = 1.00)	NAp	
Estimated Traffic Generated By The Proposed Project	38	
Current Volume At The Nearest Count Station # Located @	Not Counted	
Estimated Traffic Count With the Proposed Project	NAp	
Volume-To-Capacity Ratio With The Proposed Project	NAp	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project will not result in any significant amount of traffic increase on Friendly Rd or Campground Rd.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	1
Middle School @ 0.13 students per single family DU	0
High School @ 0.12 Students per single family DU	0

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

The site slopes downward to a creek at the northwest corner of the site. A 300-foot wide SCE&G powerline easement traverses the northeast side of the site. The site is sparsely wooded.

Compatibility with the Surrounding Area

There are numerous residences on large parcels scattered throughout the area. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

It is the Department’s position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Rural Open Space on the North Central Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department’s position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The North Central Subarea Plan, adopted in November 1992, contains policy guidance relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 26 and 32 respectively, are discussed below:

Objective – Preserve the character and integrity of rural areas

The proposed private driveway subdivision commits the site to low density residential development. The proposed project implements this Objective.

Principle – Very Low Density (maximum of 1.3 DU/acre) development is appropriate within the Rural and Open Space district. Highest residential classification recommended is RU.

The current zoning on the subject site is RU. This project implements this Principle.

Other Pertinent Factors

- 1) The Public Works Dept. commented that the lot layout looks okay.
- 2) The Floodplain Coordinator approval the flood elevation statement on February 2, 2005 and required all lots that encroach into a 100 year elevation line will require each individual site to have a survey depicting the proposed location of the residence.
- 3) As of February 18, 2005, the County Fire Marshal had not provided comments.
- 4) As of February 18, 2005, the City of Columbia had not approved the water line construction plans, if applicable.
- 5) As of February 18, 2005, DHEC had not issued a water line construction permit, if applicable.

The applicant must comply with the requirements of Article VIII (Private Driveway S/D regulations) of Chapter 22 of the County Code. These requirements include limiting the residents to immediate family members; the execution of a Hold Harmless agreement eliminating County responsibility for driveway maintenance and liability; and deed restrictions prohibiting further division of the parcels and providing for road maintenance.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the private driveway subdivision plans for a 4 unit single family detached subdivision, known as Alvin Entzminger (Project # SD-05-173). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The proposed project will not result in any significant amount of traffic increase on Friendly Rd or Campground Rd.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the North Central Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the North Central Subarea Plan.

Specific Conditions

- a) **A Land Disturbance Permit must be issued by the Department prior to starting any site clearing activity.** Contact Sean Busbee @ 576-2171 for more information; **and**
- b) The County Fire Marshal must approve the project with or without conditions; **and**
- c) The City of Columbia must approve the water line construction plans, if applicable; **and**
- d) DHEC must issue the water line construction permits, if applicable; **and**
- e) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents, if applicable; **and**
- f) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system, if applicable; **and**
- g) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds, if applicable; **and**
- h) The applicant must comply with the requirements of Article VIII (Private Driveway S/D regulations) of Chapter 22 of the County Code.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

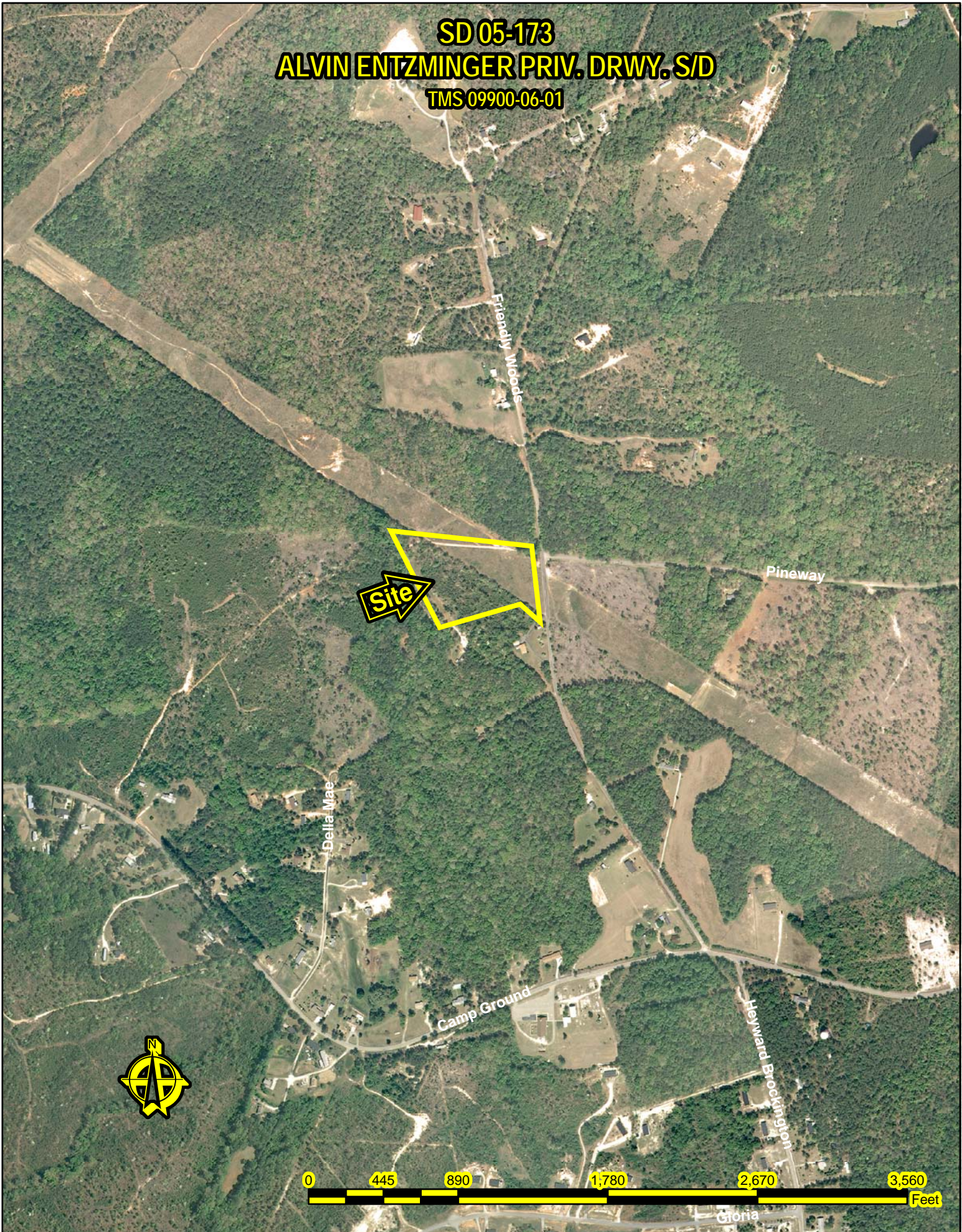
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

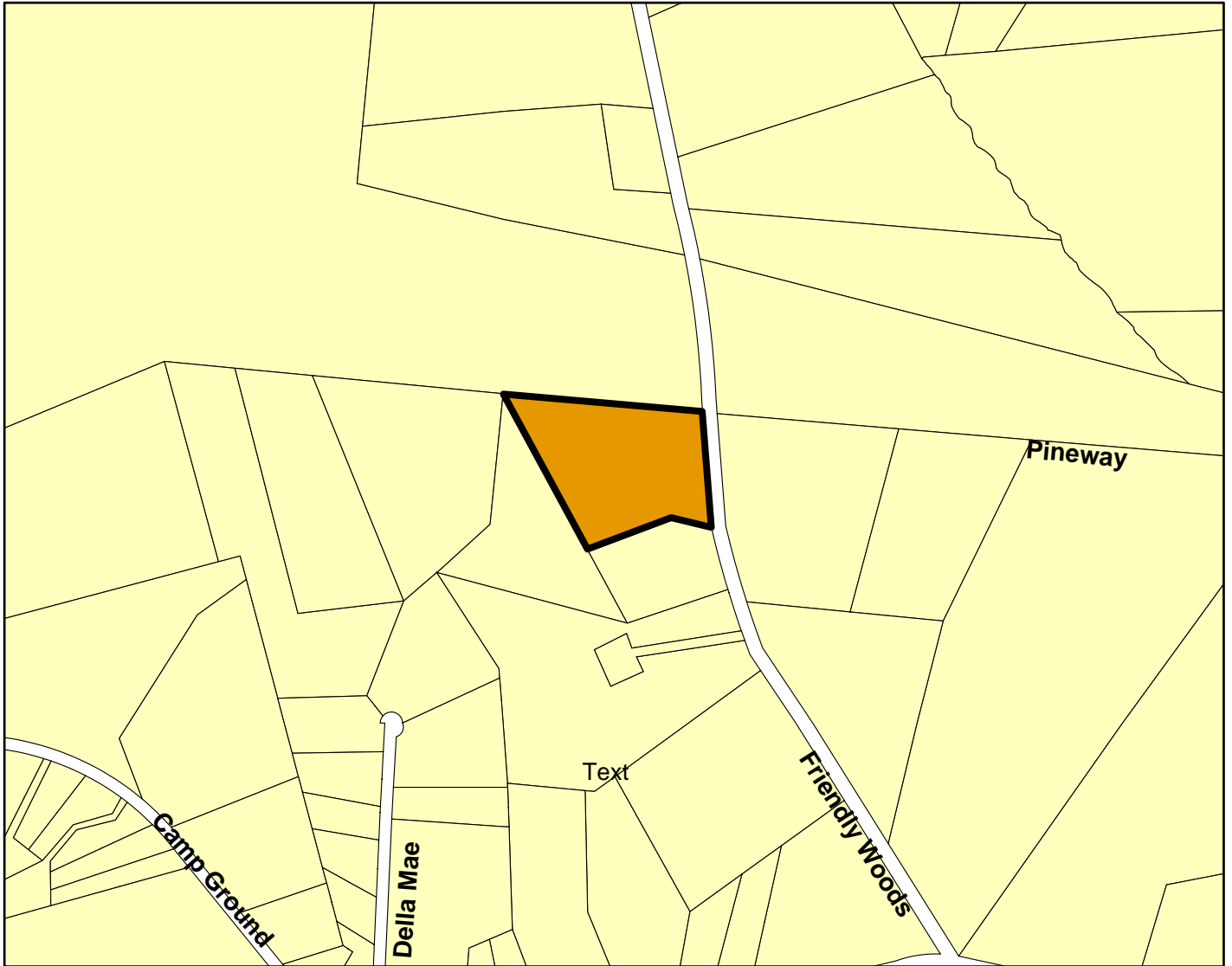
Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.

SD 05-173
ALVIN ENTZMINGER PRIV. DRWY. S/D
TMS 09900-06-01



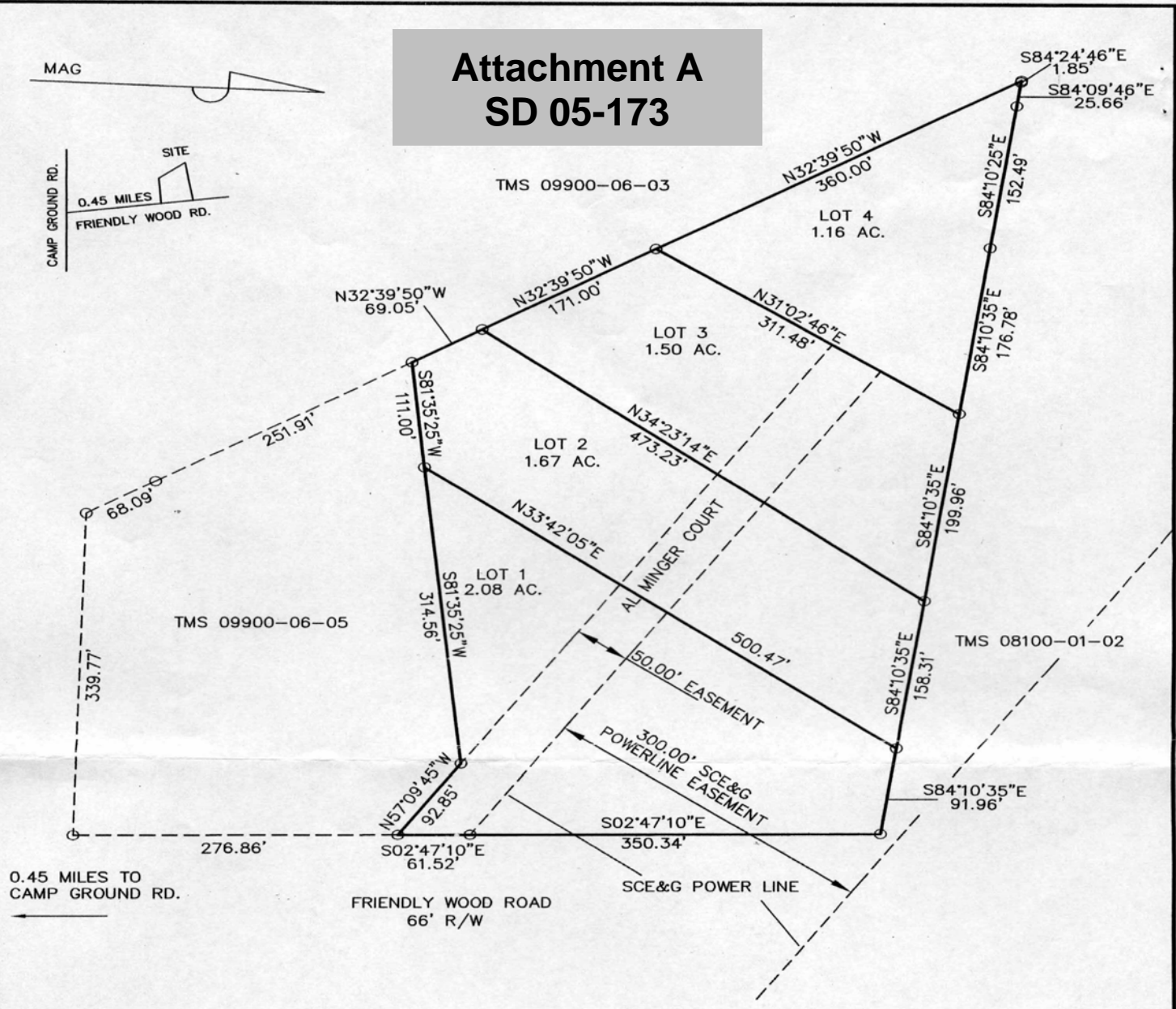
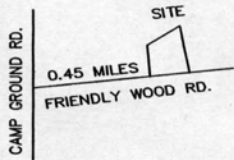
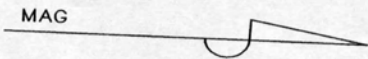
SD-05-173 ALVIN ENTZMINGER PRIV. DRWY. S/D



Looking@ Site from Friendly Woods Rd

Looking South on Friendly Woods Rd

Attachment A SD 05-173



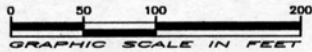
ALL IRONS ARE NEW 1/2" REBAR UNLESS NOTED

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP AND FOUND THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAP NO. 45079C0045 'C', DATED JANUARY 17, 1997

PLAT PREPARED FOR
ALVIN ENTZMINGER

SITE LOCATED IN RICHLAND COUNTY, SOUTH CAROLINA

SCALE: 1" = 100'



DATE: **OCTOBER 28, 2004**
REVISED JANUARY 14, 2005 AS PER
RICHLAND COUNTY RED LINE

REFERENCES:
RICHLAND COUNTY TAX MAP SHEET 09900 BLOCK 06 LOT 01
PLAT PREPARED FOR JAMES C. FLEMING BY TED L. BOOZER DATED DECEMBER 07, 1967
PLAT PREPARED FOR FRANCENA JEFFERSON BY DONALD G. PLATT DATED JANUARY 21, 2003

CERTIFICATION:
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.

Michael T. Arant
MICHAEL T. ARANT S.C. REG # 4547



**MICHAEL T. ARANT & ASSOCIATES, INC. 1020 OLD CONGAREE RUN EASTOVER S.C. 29044
PHONE 803-695-4320**

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

March 7, 2005

Applicant: Gregg Douglas		Minor Subdivision Plans For: Slake S/D	
RC Project # : SD-05-179			
General Location: Southlake Road in Spring Valley			
Tax Map Number: 20014-02-05		Current Zoning: RS-1	
Subject Area: 6.3 acres	Number of Units: 10	Gross Density: 1.6 DU/acres	
Sewer Service Provider: East Richland		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets...." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Southlake Road (Private)	
Functional Classification Of This Roadway	Not Classified	
Level-Of-Service C Design Capacity (V/C = 1.00)	NAp	
Estimated Traffic Generated By The Proposed Project	95	
Current Volume At The Nearest Count Station # Located @	Not Counted	
Estimated Traffic Count With the Proposed Project	NAp	
Volume-To-Capacity Ratio With The Proposed Project	NAp	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	2
Middle School @ 0.13 students per single family DU	1
High School @ 0.12 Students per single family DU	1

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

The wooded site is bounded by the CSX Railroad, Southlake Road and existing residences. Public water and sewer service is currently available to the site.

Compatibility with the Surrounding Area

The site is surrounded by single family detached residences on three sides. The proposed project is compatible with the adjacent development

Discussion of Applicable Comprehensive Plan Issues

It is the Department’s position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Low Density Residential on the Northeast Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department’s position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Foster new development in areas with adequate infrastructure

The existing road, water and sewer systems are adequate to accommodate the proposed project. The proposed project implements this Objective.

Principle – Established residential areas should be protected against penetration or encroachment from higher or more intensive development

The proposed project will utilize currently vacant land. This project implements this Principle.

Other Pertinent Factors

- 1) The Public Works Dept. commented that the lot layout looks okay.
- 2) On February 9, 2005, the Flood Hazard Specialist commented that 100 year flood discharge elevation of the on-site ditch needed to be determined.
- 3) As of February 18, 2005, the County Fire Marshal had not provided comments.

Since the water and sewer lines are already in place, no new line construction will be required. Each residence will be required to connect to the existing transmission lines.

The applicant is aware that Spring Valley has a minimum residence size requirement and other restrictions that must be met. The County can NOT enforce any of these restrictions.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the minor subdivision plans for a 10 unit single family detached subdivision, known as Slake subdivision (Project # SD-05-179). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision will not result in the adjacent portion of Southlake Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

Specific Conditions

- a) The Department of Public Works must approve the stormwater management plans; **and**
- b) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- c) **A Land Disturbance Permit must be issued by the Department prior to starting any site clearing activity.** Contact Sean Busbee @ 576-2171 for more information; **and**
- d) The final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
- e) No building permits shall be issued until all of the conditions cited above are met; and

- f) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

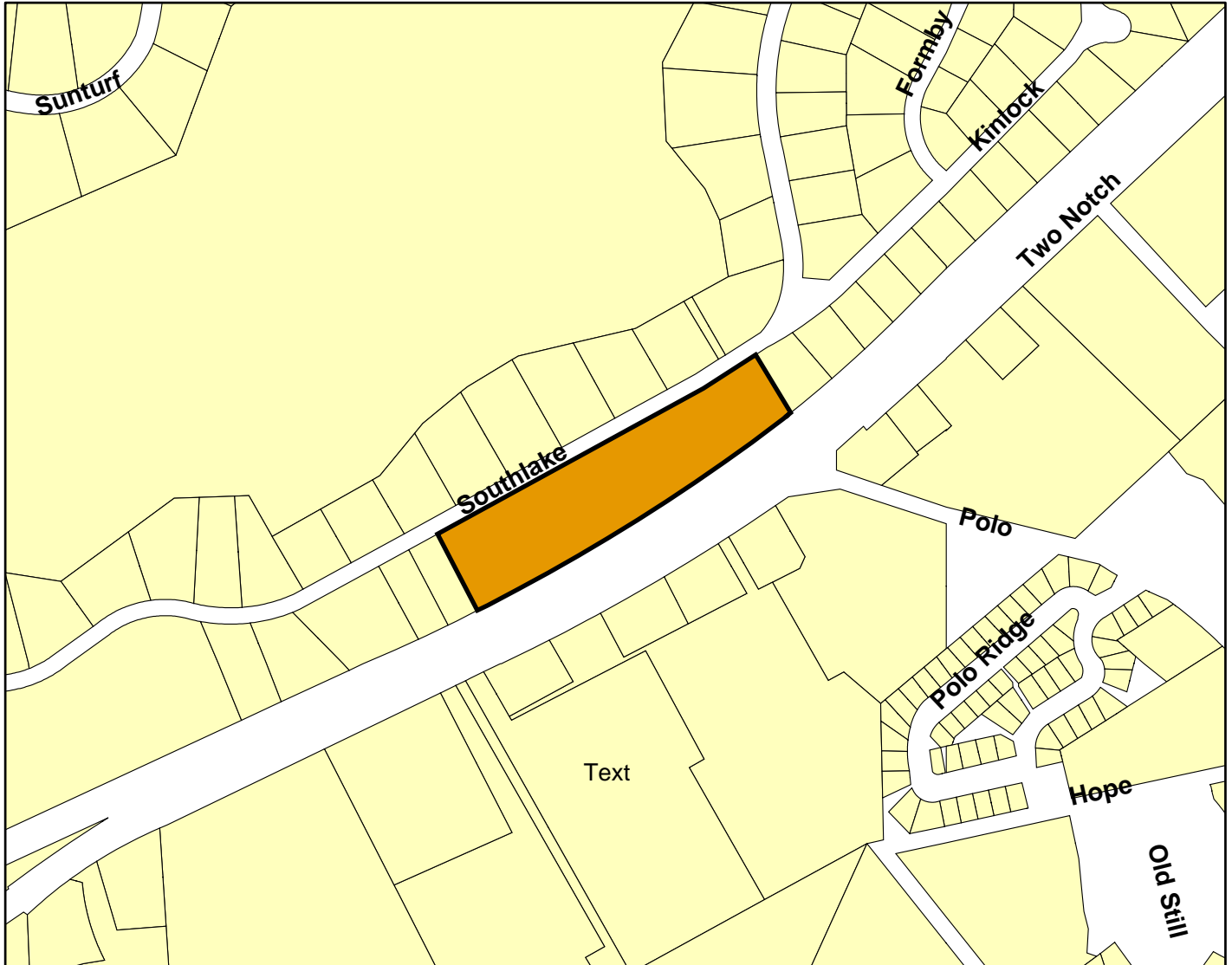
Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.

SD 05-179
SLAKE MINOR S/D
TMS 20014-02-05



SD-05-179 SLAKE MINOR S/D



Looking@ Site from Southlake Dr



Looking North on Southlake Dr

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

March 7, 2005

RC Project # 05-41 MA	Applicant: V.W. Cate c/o Leah Browder
General Location: 121 Arrowwood Drive south of Bush River Road	
Tax Map Number: 07303-02-02	Subject Area: 1.08 ac MOL
Current Parcel Zoning: RS-1	Proposed Parcel Zoning: C-1
Proposed Use: Financial Planning Office	PC Sign Posting Date: February 12, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.

Applicant’s Factual Justification For Proposed Change

For the establishment of a financial planning office

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RS-1	Vacant single family residence
Adjacent North	C-3	Florist/Gift Shop
Adjacent East	C-3	Palmetto Office Machines, Columbia Firefighters Association (for sale), and various commercial businesses
Adjacent South	RS-1	Single family residence
Adjacent West	RS-1	Single family residence

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<u>RS-1 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities.	<u>Proposed C-1 Zoning Designation Intent</u> Intent of his district is to accommodate office, institutional and certain types of residential uses in areas whose characteristic is neither general commercial nor exclusively residential in nature
<u>Existing RS-1 Zoning Permitted Uses</u> Single family detached dwellings or modular building units located on individual lots.	<u>Proposed C-1 Zoning Designation Intent</u> Offices and studio Medical & dental laboratories Hospitals, clinics & rest homes Educational facilities Places of worship & cemeteries Funeral homes and auditoriums & the like Private clubs & the like Single family homes Day care & community service centers

The land uses above represent a summary of the permitted uses in Chapter 26-63 and Chapter 26-65, respectively of the County Code. Some Special Exception uses are also possible.

The proposed Amendment site is contiguous to a similar use (florist/gift shop) on C-3 zoned property to the north and to various commercial uses on C-3 zoned property to the east. The site is contiguous to single family residences to the south and west. The proposed Amendment is compatible with the existing land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Bush River Road via Arrowwood Drive	
Functional Classification Of This Roadway	Four lane undivided minor arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	21,600	
Estimated Traffic Generated By The Proposed Project	23	
Current Volume At The Nearest Count Station #469 Located @ Bush River Road west of the site	34,300	
Estimated Traffic Count With the Proposed Project	34,323	
Volume-To-Capacity Ratio With The Proposed Project	1.59	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate (11.57 per 1,000 sq. ft.) for a Single Tenant Office Building found on page 1071 of the TGM times the proposed square footage of the use. The calculation is as follows; 11.57 trips per 1,000 sq. ft. x 2 = 23 ADT. The Department’s data depicts the house as 2059 sq. ft.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed Amendment would have little to no impact on traffic in this vicinity. It should also be noted that there is a traffic light at the intersection of Arrowwood and Bush River Road north of the site.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1-mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the I-20 Interbeltway Corridor Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Commercial in the Established Urban area.**

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-20 Interbeltway Corridor Subarea Plan, adopted in November 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 9 and 12 respectively, are discussed below:

Objective – Minimize incompatibility between existing and proposed land uses.

The proposed Amendment typifies the use of C-1 zoning as a transition between the more intense uses allowed by C-3 zoning and existing residences in established neighborhoods.

The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to existing zoned areas and/or proposed locations where the following apply:

1. Areas identified on the Proposed Land Use Map.

The Map designates the site as Commercial.

2. Sites that don't encroach or penetrate established residential areas.

As stated in the Objective, the site would serve as a prime transition between the existing commercial uses on C-3 zoned property and the existing single-family residences.

The proposed Amendment **implements** this Principle.

Other Relevant Issues

The site is composed of a vacant single-family residence in disrepair. The proposal is an excellent opportunity to revitalize the structure and property. The site is contiguous to a commercial use (florist/gift shop) on C-3 zoned property to the north and various commercial uses on C-3 zoned property to the east.

The subject property was presented to the Planning Commission on May 7, 2001 for a Zoning Map Amendment from RS-1 to C-3 as case 01-53 MA. The Department recommended denial and the Planning Commission subsequently recommended denial of the project. The Department noted that C-3 zoning was too intense for the site and a zoning designation such as or similar to C-1 was more appropriate. The matter was presented at the Richland County Zoning Public Hearing to County Council on June 26, 2001 where it was denied.

The site directly to the south (125 Arrowwood Drive) of the proposed Amendment site was to be presented to the Planning Commission on May 7, 2001. The Department recommended denial for the project based on the fact that the proposed Amendment would cause too much encroachment of commercial uses into an existing residential neighborhood.. The Zoning Map Amendment proposal was withdrawn prior to the Planning Commission meeting.

The site would have to come into compliance with the Landscape Requirements in Chapter 27 of the Zoning Ordinance if the building or parking area is expanded by 50% or more.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 05-41 MA **be changed** from RS-1 to C-1.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Bush River Road near this location is currently being exceeded at a LOS F.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the I-20 Interbeltway Corridor Subarea Plan.
4. The proposed Zoning Map Amendment is (is not) consistent with the Objectives and Recommendations of the I-20 Interbeltway Corridor Subarea Plan discussed herein.

5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION
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Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

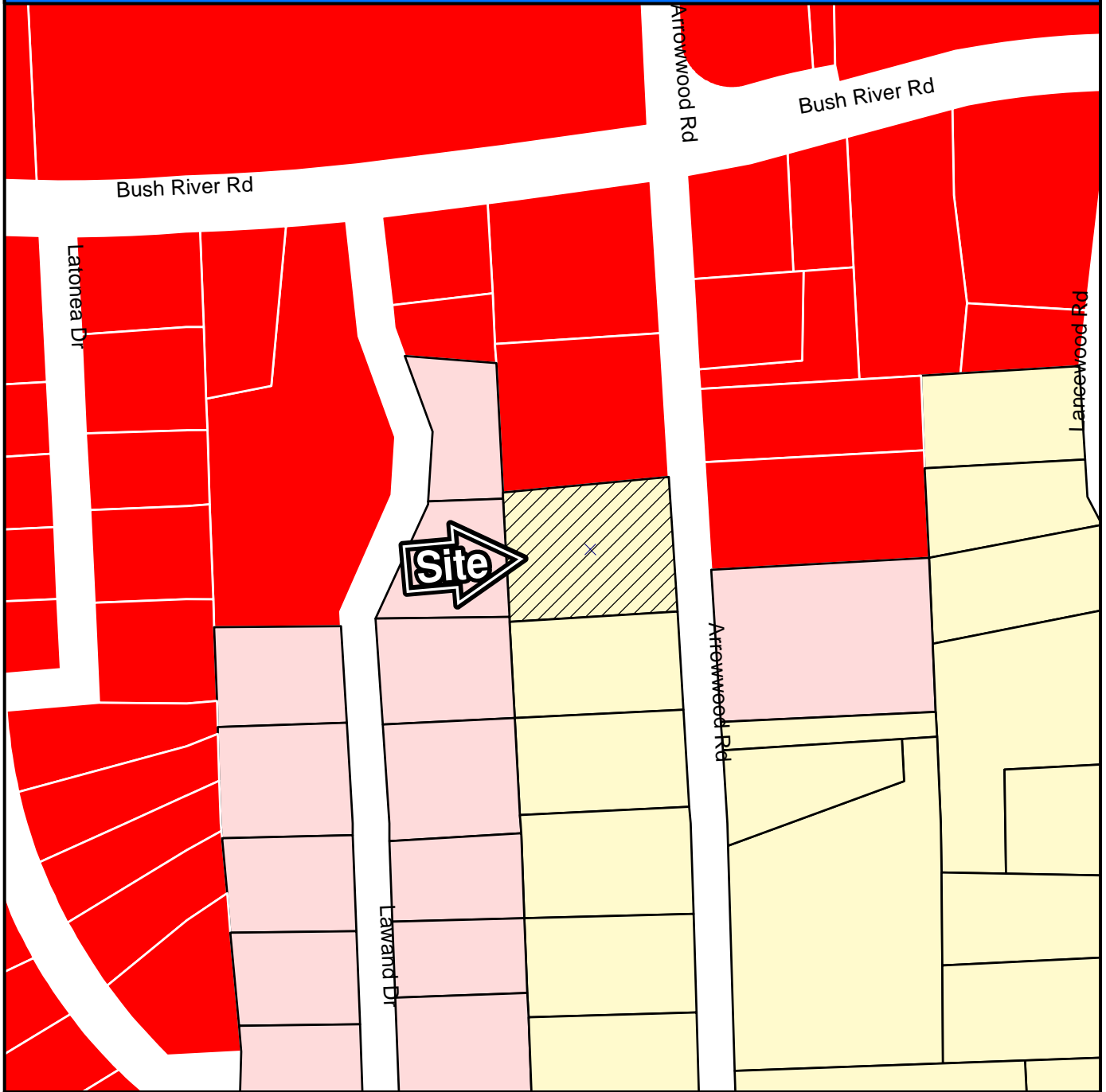
At their meeting of March 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-41 MA at the next available opportunity.

Commission Findings of Fact/Recommendations




















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-41 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-41 MA RS-1 to C-1



ZONING CLASSIFICATIONS

 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU
				 SUBJECT	



CASE 05-41 MA
RS-1 to C-1
TMS 07303-02-02



Bush River

Arrowwood

Bush River

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Site

Arrowwood

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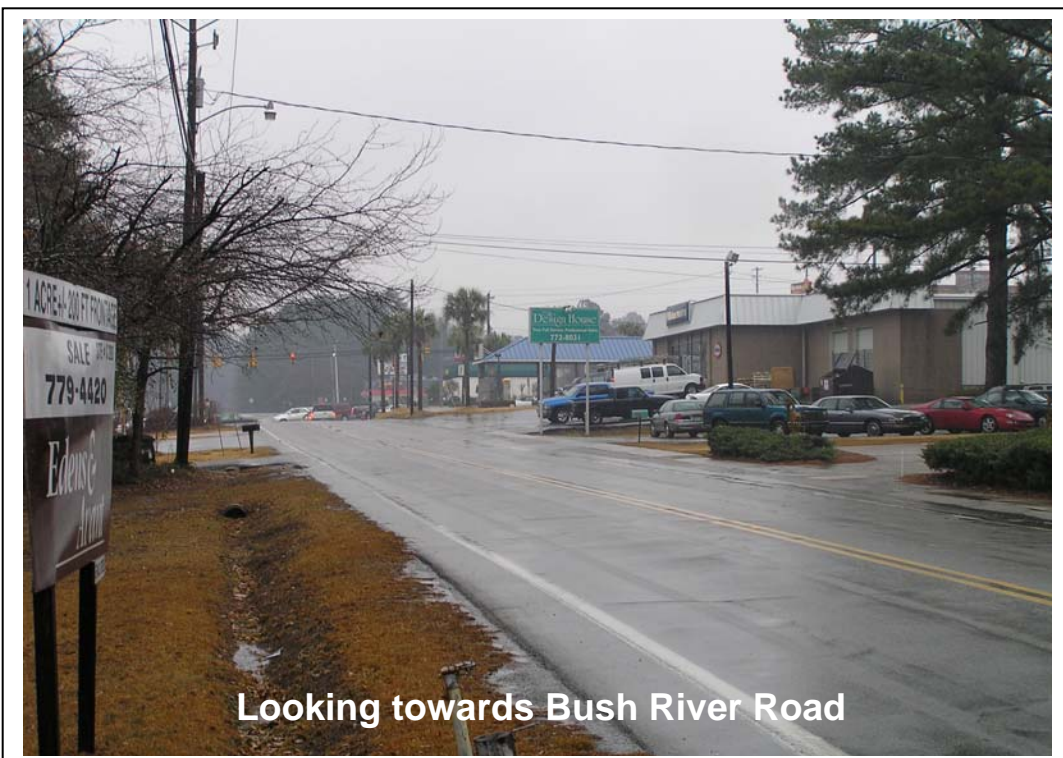
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CASE 05-41 MA

From RS-1 to C-1

TMS# 07303-02-02 / 121 Arrowwood Dr., south of Bush River Rd.



All that certain lot of land, with the dwelling house and improvements thereon, on west side Arrowwood Road, in a development known as "Arrowwood", located about 5 miles northwest; of the State House near Bush River Road, in Fork Township, Richland County, South Carolina, being known, designated, and composed of lot "O" and lot "N" as shown and designated on a plat of "Arrowwood", surveyed for Ellis C. Byrd by James C. Covington, C.E., March 22, 1946, and recorded in the office of the Clerk of Court for Richland County in Plat Book "K" at page 133, said lots together being bounded on the north by lot "P" as shown on said plat and measuring thereon two hundred thirty-three and one-half (233½') feet; on the east by Arrowwood Road and fronting and measuring thereon four hundred (400') feet, that is to say 200 feet to each of the two above mentioned lots; on the south by lot "M" as shown on said plat, and measuring thereon two hundred and thirty-six and one-half (236½') feet; and on the west by property by R. D. Anderson (shown on the plat as property of Lancaster), and measuring thereon four hundred (400') feet, that is, 200 feet to each of ten two said individual lots.

Purchased by M. N. Cato from Ellis C. Byrd on May 13, 1947. This being the same property conveyed to M. N. Cato, the decedent herein, by deed dated April 30, 1951, and recorded in Deed Book Volume 73, Page 11, in the RMC Office of Richland County.

TMS# 07303-02-02

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

March 7, 2005

RC Project # 05-42 MA	Applicant: Charles Warrington
General Location: Intersection of Farrow Rd. (Hwy. 555) & Wilson Blvd. (Hwy. 21)	
Tax Map Number: 15000-04-01/02 & 17700-01-12 (p)	Subject Area: 2.19 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-3
Proposed Use: Retail Sales & Office Space	PC Sign Posting Date: February 12, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.

Applicant’s Factual Justification For Proposed Change

For the continuance of retail sales and proposed office space

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Kathy’s Labels for Less
Adjacent North	RU/PDD	Railroad Tracks and Single Family Residences across tracks
Adjacent East	PDD	Single Family Residences across railroad tracks
Adjacent South	RU	Undeveloped property, Wilson Blvd., railroad tracks
Adjacent West	RU	Undeveloped vacant land

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The adjacent parcels are all undeveloped. There is a non-conforming convenience store, approximately ¼ mile south of the subject site on the west side of Wilson Blvd. The proposed Amendment for commercial zoning is not compatible with the existing land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Wilson Boulevard (Hwy. 21)	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	922	
Current Volume At The Nearest Count Station #137 Located @ Wilson Boulevard north of the site	8200	
Estimated Traffic Count With the Proposed Project	9122	
Volume-To-Capacity Ratio With The Proposed Project	1.1	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed Amendment will cause the LOS C design capacity at count station #137 to be exceeded.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the I-77 Corridor Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process.

The Map designates the subject area as Industrial/Commercial/Technological in the Developing Urban area. The proposed C-3 zoning is consistent with the Proposed Land Use Map designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 39 respectively, are discussed below:

Objective – Establish commercial pockets or clusters as needed to serve the area.

There are existing commercial establishments and vacant commercially zoned parcels less than a mile to the south on Wilson Boulevard near the I-77 interchange. These uses are a restaurant, gas stations, a recent rezoning for a chiropractic office and various other commercial uses. The proposed Amendment **does not implement** this Objective.

Principle – Commercial and office activities should be confined to or expanded at cluster locations as opposed to strip development.

The subject site is not adjacent to existing commercial developments. Granting commercial zoning of any type would create a precedent for commercial strip zoning in direct opposition to this Principle. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

The Wren Creek PUD at the southwest quadrant of I-77 and Wilson Blvd will include 24 acres of office space and 6 acres of retail space. A proposed mixed use development at the southeast quadrant of I-77 and Wilson Blvd would include 55 acres of commercial and light industrial development.

It is the Department's position that commercial development be limited to the area in the immediate vicinity of the I-77 interchange. The Department recommends that commercial zoning north of I-77 on Wilson Blvd should stop at approximately one mile north of the interchange, or about the location of case 05-47 MA located at 10425 Wilson Boulevard (TMS 15000-02-15).

The subject site is currently operating under a Special Exception (93-038 SE) from the Richland County Board of Zoning Appeals for the allowance of a commercial use under 5,000 sq. ft. The Special Exception limits the site's use to furniture sales, consignment shop, and produce sales.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-42 MA **not be changed** from RU to C-3.

Findings of Fact:

1. The proposed Amendment **is not compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Wilson Boulevard at this location **will be** exceeded.
3. The proposed Amendment is consistent with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
4. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION
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Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

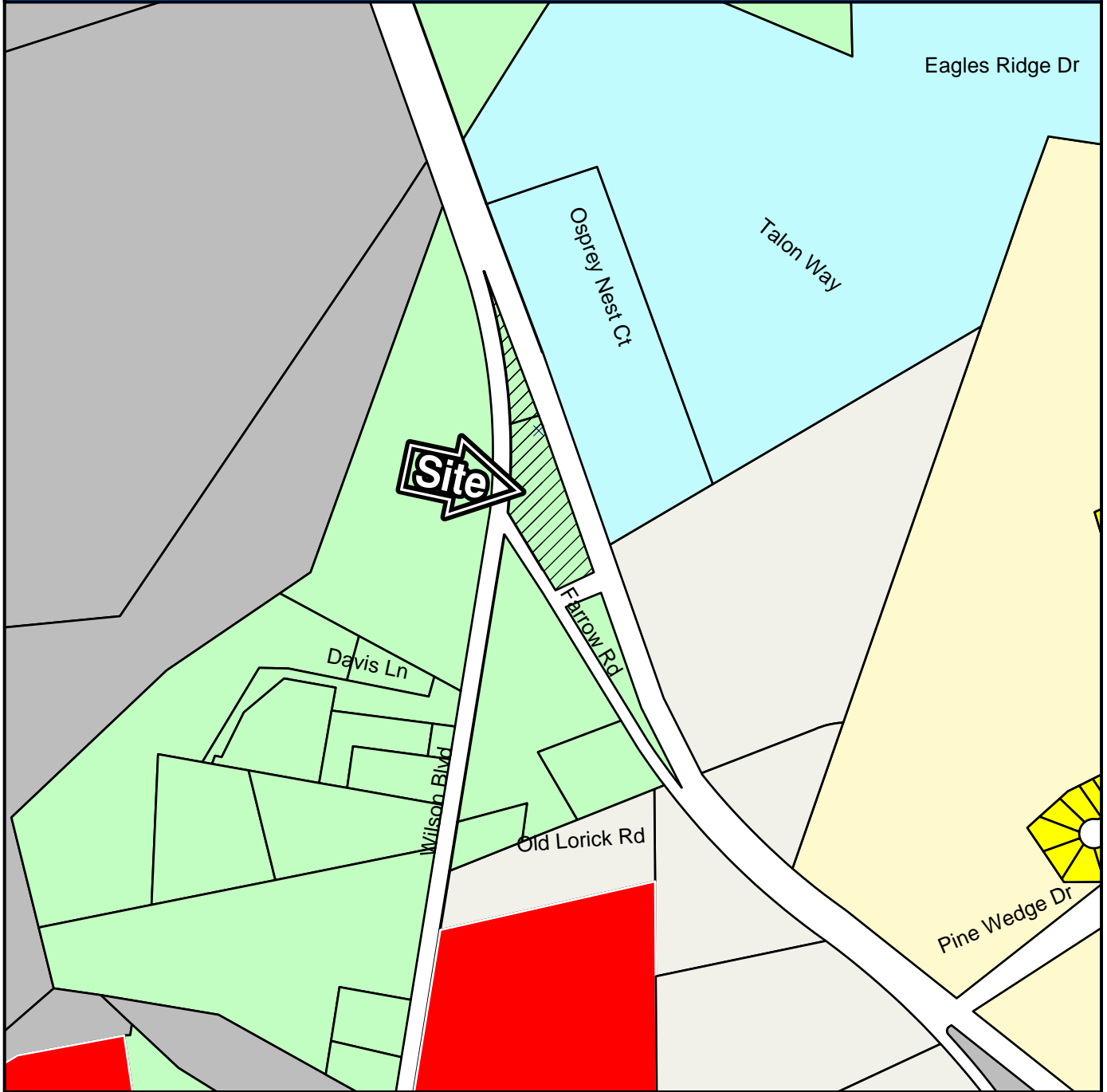
At their meeting of March 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-42 MA at the next available opportunity.

Commission Findings of Fact/Recommendations





















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-42 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-42 MA RU to C-3



ZONING CLASSIFICATIONS

	C-1		D-1		MH-1		PDD		RG-2		RS-2	
	C-2		M-1		MH-2		PUD		RR		RS-3	
	C-3		M-2		MH-3		RG-1		RS-1		RU	
												SUBJECT

CASE 05-42 MA

RU to C-3

TMS 15000-04-01/02 & 17700-01-12 (P)



CASE 05-42 MA

From RU to C-3

TMS# 15000-04-01/02 Intersection of Farrow Rd & Wilson Blvd.



Legal description of Parcels A, A-1, & B

We request a zoning of "C-3" for the following parcel:

All that certain piece, parcel or tract of land, together with any improvements thereon, situate, lying and being near Blythewood, in the county of Richland and the state of South Carolina, containing 2.20 acres (total) and being described as follows. Beginning at an (N) ½" rebar on the eastern right-of-way of Farrow Road being 405.00 feet south of the centerline intersection of Wilson Blvd. (U.S. Hwy 21) and running along the right of way of Farrow Road N30°22'09"W for a distance of 100.04 feet to an (N) ½" rebar (being the division line between tracts A & B), thence continuing along the right-of-way of Farrow Road N30°22'09"W for a distance of 206.96 feet to an (N) ½" rebar, thence turning and continuing along a 100 foot site right-of-way of Farrow road and Wilson Blvd. (U.S. Hwy 21) N11°49'56"W for a distance of 189.62 feet to an (N) ½" rebar, thence turning and running along the right-of-way of Wilson Blvd. (U.S. Hwy 21) along a curve to the left said curve having a radius of 1936.18 feet, an arc length of 69.63 feet, a chord distance of 69.63 feet, an delta angle of 02°03'38" and a chord bearing of N04°11'40"W (being the division line between tracts A & A-1) to an (N) PK nail set in an asphalt drive, thence continuing along the right-of-way of Wilson Blvd. (U.S. Hwy 21) along a curve to the left said curve having a radius of 1936.18 feet, an arc length of 425.48 feet, a chord distance of 424.63 feet, an delta angle of 12°35'27" and a chord bearing of N03°07'52"W to an (N) ½" rebar on the right-of-way intersection of Wilson Blvd. (U.S. Hwy 21) and a 130 foot Southern Railway right-of-way, thence turning and running along the Southern Railway right-of-way S18°40'00"E for a distance of 410.47 feet to an (O) ½" iron pipe (being the division line between tracts A-1 & A), thence continuing along the Southern Railway right-of-way S18°40'00"E for a distance 426.47 feet to an (N) ½" rebar (being the division line of tracts A & B), thence continuing along the Southern Railway right-of-way S18°40'00"E for a distance of 102.53 feet to an (N) ½" rebar, thence turning and running S58°40'26"W for a distance of 103.59 feet to an (N) 1/2" rebar, said rebar being the point of beginning. This tract is 2.20 acres and is more particularly shown on a plat prepared for Charles Warrington by Belter & Associates, Inc. dated: December 27, 2003 and revised: January 06, 2005.

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

March 7, 2005

RC Project # 05-46 MA	Applicant: Pioneer Land Co. c/o Rhett Jacobs
General Location: Two Notch Road (Hwy. 1) 2 lots east of Spears Creek Church Road	
Tax Map Number: 25808-03-03	Subject Area: 1.21 ac MOL
Current Parcel Zoning: D-1	Proposed Parcel Zoning: C-3
Proposed Use: Unspecified Commercial	PC Sign Posting Date: February 12, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.

Applicant’s Factual Justification For Proposed Change

For the future establishment of a commercial use(s)

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Single family residence on estate size lot
Adjacent North	C-3	Allstate, Russell Jeffcoat, and various commercial uses
Adjacent East	D-1	Single family residence
Adjacent South	C-3	Mortgage Company, undeveloped woodlands (proposed car wash?)
Adjacent West	C-3	Eat More Tees Screen Printing & #1 Motors

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semi-developed, with scattered related uses.</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> Agriculture Horticulture Forestry Single family detached dwellings or modular building units located on individual lots Places of worship</p>	<p><u>Proposed C-3 Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-62 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The site is adjacent to commercial uses on C-3 zoned property to the north, west and south. The site is compatible with the existing land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Two Notch Road (Hwy. 1)	
Functional Classification Of This Roadway	Five lane undivided minor arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	24,800	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #117 Located @Two Notch Road just west of the site	15,700	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

NP = Not possible to determine the generation rate from the TGM (use not specific enough)

Without a more specific idea of the intended use, it is not possible to estimate the traffic that could be generated by the use of the site for general commercial uses. For example, the TGM has factors for retail commercial use ranging from 4.8 trips per 1000 sq. ft for unspecified general commercial to 688 trips 1000 sq. ft for a drive-in restaurant to 1855 trips per 1000 sq. ft. GLA for a convenience store with gas pumps.

It should be noted that the SCDOT traffic count station (#117) is located west of Spears Creek Church Road on Two Notch Road that is designated as a four lane undivided minor arterial road. Two Notch Road directly in front of the site is considered a four lane undivided collector with a LOS C capacity of 17,200. The current traffic counts show that the current LOS in this area is not being exceeded and is operating at a LOS C (0.63). The proposed Amendment should not cause the LOS C to be exceeded.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2-mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Northeast Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as General Commercial in the Established Urban area.**

The proposed D-1 zoning is NOT consistent with the Map designation as required by state statutes. The zoning should be C-3 to be consistent with the General Commercial land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 30 and 35 respectively, are discussed below:

Objective – Limit commercial development to select locations such as major intersections, reducing the effects of non-residential intrusion on neighborhoods.

One of the major goals of the Plan is to locate commercial development at major intersections that consist of roads with a minimum classification of a collector. Two Notch Road is classified is classified as a collector road directly in front of the site and as a minor arterial road west of Spears Creek Church Road.

The site does not intrude into a residential neighborhood. The site abuts C-3 zoned property to the south, west, and north with existing commercial uses. The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to existing zoned areas and/or proposed locations where the following apply;

1. Areas identified on the Proposed Land Use Map;
The site is designated General Commercial by the Map.
2. Sites that don't encroach or penetrate established residential areas; and
The site abuts existing C-3 zoned property to the south, west, and north with existing commercial uses.
3. Sites of major traffic junctions and cluster locations as opposed to strip development.
The site fronts on Two Notch Road and is contiguous to existing commercial land uses.

The proposed Amendment **implements** this Principle.

Other Relevant Issues

None

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-46 MA **be changed** from D-1 to C-3.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Two Notch Road at this location **will not** be exceeded.

3. The proposed Amendment **is consistent** with the Proposed Land Use Map designation in the Northeast Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the Northeast Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

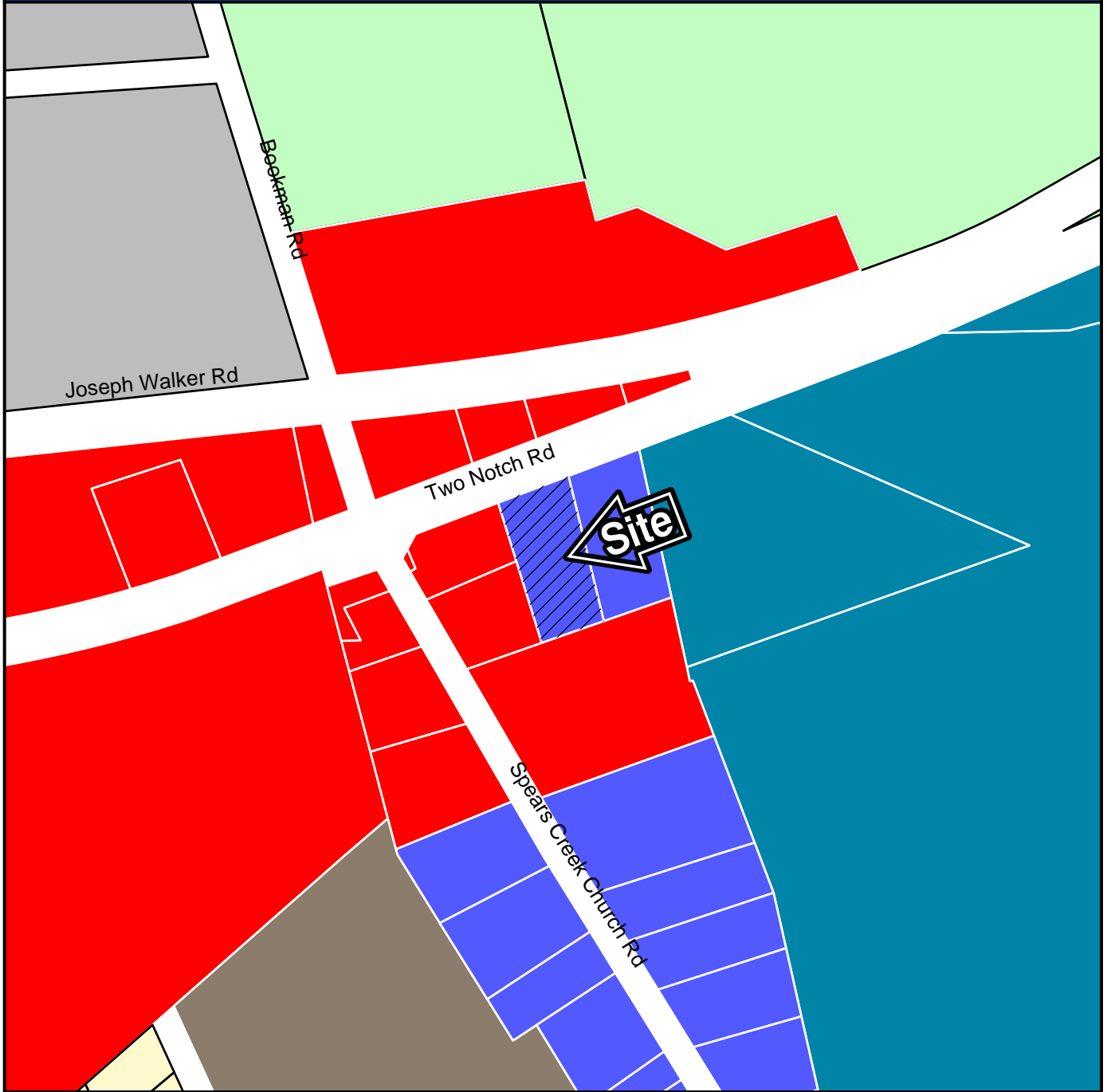
At their meeting of March 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-46 MA at the next available opportunity.

Commission Findings of Fact/Recommendations





















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-46 MA, the Planning Commission made the findings of fact summarized below:

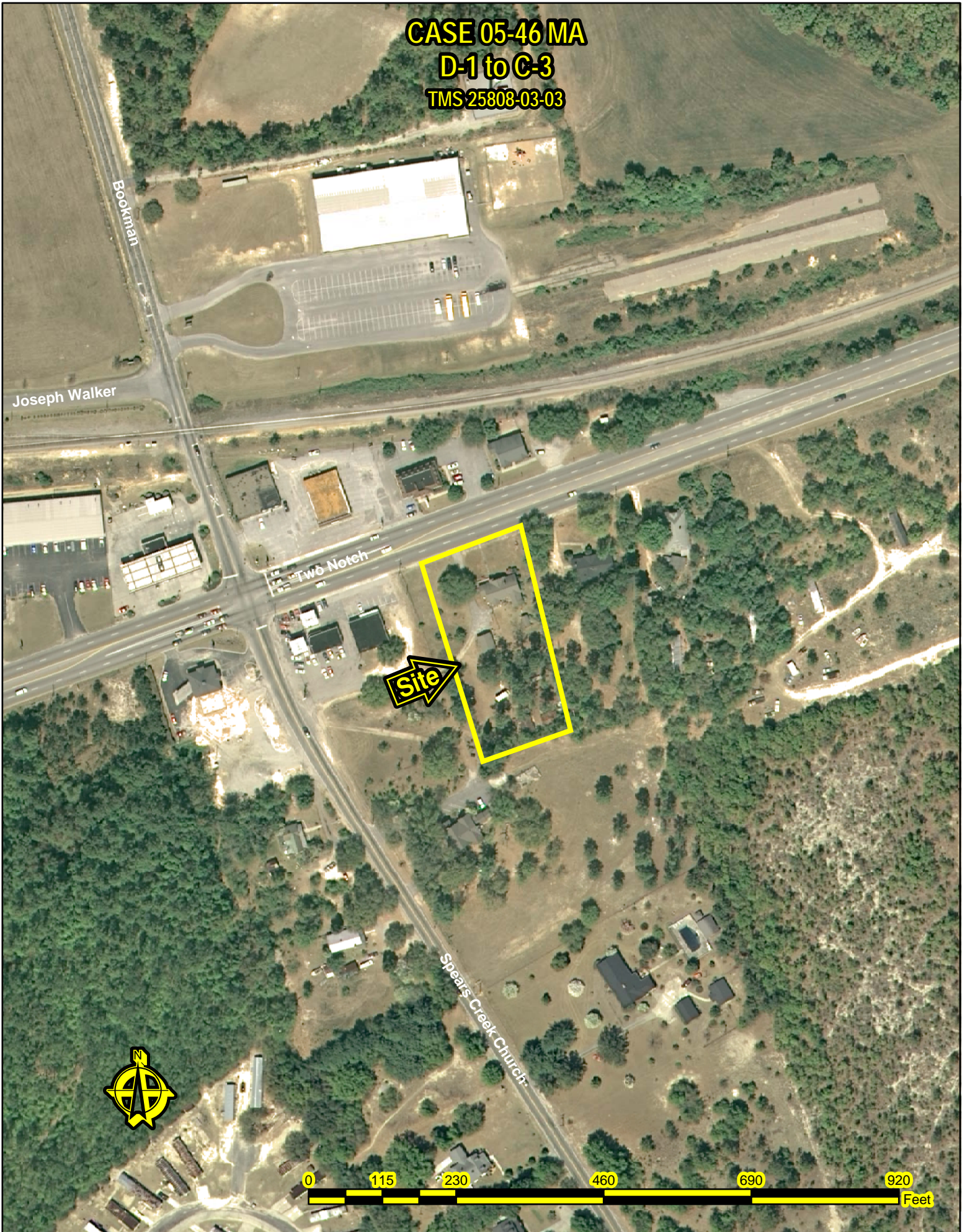
CASE 05-46 MA D-1 to C-3



ZONING CLASSIFICATIONS

 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2		
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3		
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU		
						 SUBJECT	

CASE 05-46 MA
D-1 to C-3
TMS 25808-03-03



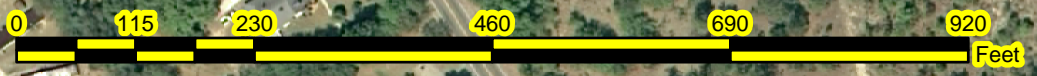
Joseph Walker

Bookman

Two Notch

Site

Spears Creek Church



CASE 05-46 MA

From D-1 to C-3

TMS# 25808-03-03

Hwy. 1, Spears Creek Road



METES & BOUNDS DESCRIPTION:

Richland County TMS 25808-03-03, 1.21 acres, Southside U.S. Highway No. 1 near Pontiac.

Beginning at a No. 4 rebar located on the southern right-of-way of U.S. Highway No. 1, approximately 215 feet from intersection of U.S. Highway No. 1 and Spears Creek Church Road (S-40-53); thence continuing along the southern edge of right-of-way of U.S. Highway No. 1 N72°04'45"E for a distance of 167.62 feet to a No. 4 rebar; thence turning and running S11°42'28"E along property now or formerly of Rhett M. Jacobs (TMS #25808-03-04) for a distances of 336.60 feet to a ¾" open stake; thence turning and running S70°22'39"W along property now or formerly of Carl Brazell (TMS #25807-01-09) and property now or formerly of Mike Taylor Properties, Inc. (TMS #25807-01-01) for a distance of 146.18 feet to a 1" open stake; thence turning and running N15°24'00"W along property now or formerly of Megadrosos (TMS #25808-03-08) and property now or formerly of Rhett M. Jacobs (TMS #25808-03-02) for a distance of 339.29' to the point of commencement.

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

March 7, 2005

RC Project # 05-47 MA	Applicant: Michael C. Morrison
General Location: Wilson Boulevard (Hwy. 21) north of I-77 interchange	
Tax Map Number: 15000-02-15	Subject Area: 1.36 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-3
Proposed Use: Framing/Art Gallery	PC Sign Posting Date: February 12, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.

Applicant’s Factual Justification For Proposed Change

For the establishment of a framing/art gallery

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Vacant single family residence
Adjacent North	RU	Single family residence
Adjacent East	C-3	Undeveloped woodlands
Adjacent South	M-2	Undeveloped woodlands
Adjacent West	RU	Undeveloped woodlands

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The site is contiguous to an undeveloped parcel zoned M-2 to the south and an undeveloped parcel(s) zoned M-1 and C-3 to the east across Wilson Boulevard. The proposed Amendment is compatible with the existing land uses/zoning designations.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Wilson Boulevard (Hwy. 21)	
Functional Classification Of This Roadway	Four lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	17,200	
Estimated Traffic Generated By The Proposed Project	23	
Current Volume At The Nearest Count Station #135 Located @ Wilson Boulevard south of the site near Killian Road	6,200	
Estimated Traffic Count With the Proposed Project	6,223	
Volume-To-Capacity Ratio With The Proposed Project	0.36	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate (11.57 per 1,000 sq. ft.) for a Single Tenant Office Building found on page 1071 of the TGM times the proposed square footage of the use. The calculation is as follows; 11.57 trips per 1,000 sq. ft. x 2 = 23 ADT. A single tenant office building is the most relevant use listed in the TGM to the proposed use.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

It should be noted that the closest SCDOT traffic count station is south of the site on a two lane section of Wilson Boulevard. The site fronts on a four-lane section of Wilson Boulevard and it can be assumed that the majority of traffic accessing the site will be using the four lane section of Wilson Boulevard to access I-77 and will not travel to the SCDOT traffic count station #135.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the I-77 Corridor Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Industrial/Commercial/Technological in the Developing Urban area.**

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 39 respectively, are discussed below:

Objective – Establish commercial pockets or clusters as needed to serve the area.

The site is surrounded by parcels zoned industrial and/or commercial and is in the immediate vicinity of various commercial uses to the south. The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters, and/or locations as identified on the Proposed Land Use Map; and

The site is surrounded by parcels zoned industrial and/or commercial and is in the immediate vicinity of various commercial uses to the south. The site is designated as Industrial/Commercial/Technological on the Map. The proposed Amendment **implements** this Principle(s).

Other Relevant Issues

The site is situated in an area well suited for commercial development due to the proximity of the I-77/Wilson Boulevard interchange, approximately ½ mile to the south. The County has recently rezoned several parcels in the last year in this area to C-3. These parcels are located to the immediate south such as the Shell gas station and the Chiropractic office.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 05-47 MA **be changed** from RU to C-3.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Wilson Boulevard at this location **will not** be exceeded.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

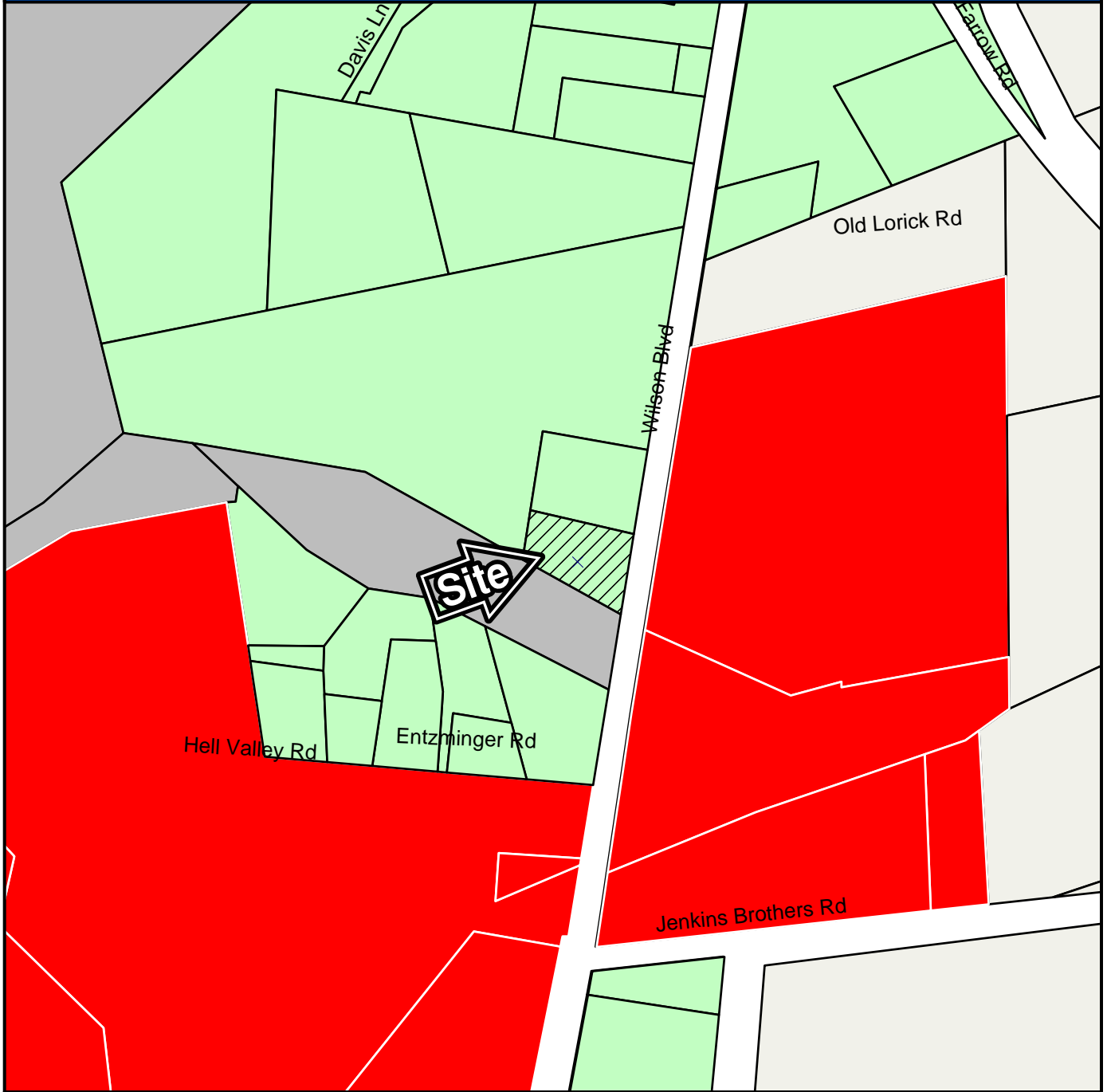
At their meeting of March 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-47 MA at the next available opportunity.

Commission Findings of Fact/Recommendations





















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-47 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-47 MA RU to C-3



ZONING CLASSIFICATIONS

	C-1		D-1		MH-1		PDD		RG-2		RS-2	
	C-2		M-1		MH-2		PUD		RR		RS-3	
	C-3		M-2		MH-3		RG-1		RS-1		RU	
												SUBJECT

CASE 05-47 MA
RU to C-3
TMS 15000-02-15

Old Lorick



Wilson

Entzminger

Hell Valley



Jenkins Brothers

CASE 05-47 MA

From RU to C-3

TMS# 15000-02-15

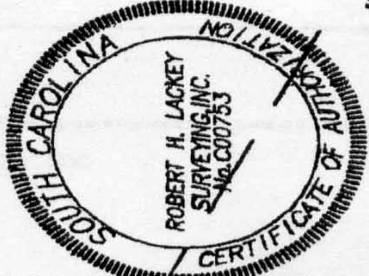
Hwy. 21





(IN FEET)
1 inch = 40 ft.

N/F
ELOISE P. WILSON
D.B. R817, PG. 637



METES & BOUNDS DESCRIPTION:
Richland County TMS 15000-02-15, 1.35 acres on Wilson Boulevard (Highway 21) near Blythewood
Beginning at a 2 1/2" pipe (e), being designated as P.O.B., thence continuing along Wilson Boulevard (Highway 21) S 07°33'55" W for a distance of 250.0' to a calculated point in a ditch, thence turning and running along property of now or formerly Firetower 1-77 Partners N 63°55'42" W for a distance of 317.88' to a #4 rebar (e) in a ditch, thence turning and running along property of now or formerly Eloise P. Wilson N 08°47'02" E for a distance of 142.00' to a 1" pipe (e), thence turning and running along property of now or formerly Larry Sharpe, Sr. S 83°48'15" E for a distance of 298.51' to a 2 1/2" pipe (e), the P.O.B.

Prepared for:

MICHAEL C. MORRISON, SR.

Prepared by: **ROBERT H. LACKEY SURVEYING, INC.**

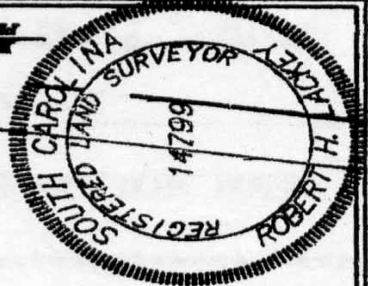
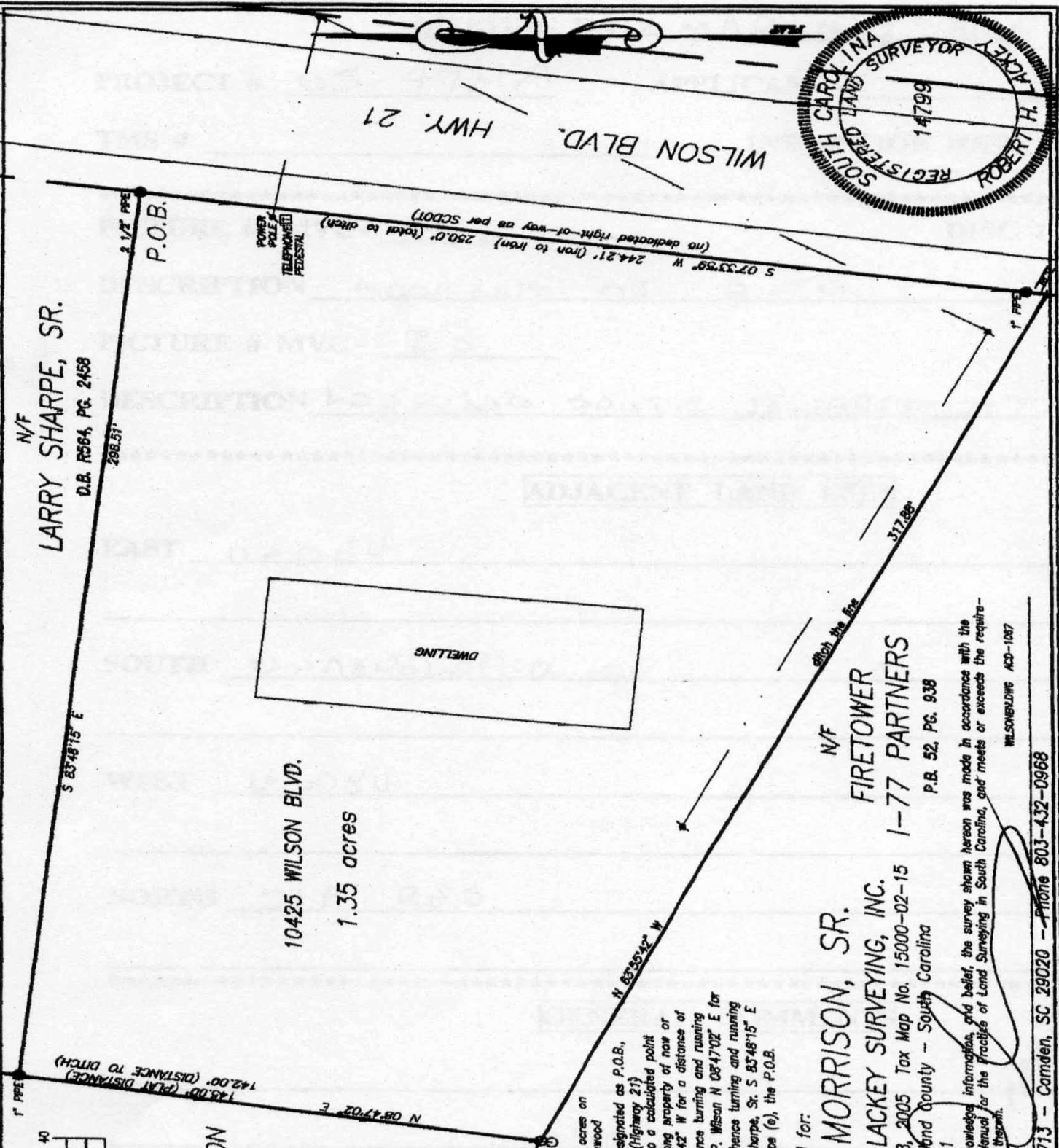
PROPERTY SURVEY January 28, 2005 Tax Map No. 15000-02-15

Located near Columbia - Richland County - South Carolina

References: D.B. D733, PG. 661

I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein.

Robert H. Lackey - P.O. Box 713 - Camden, SC 29020 - Phone 803-432-0968



**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

March 7, 2005

RC Project # 05-49 MA	Applicant: Walgreens c/o Gene Dinkins
General Location: Intersection of Dutch Fork Rd. (Hwy. 76) & Dreher Shoals Road (Hwy. 6)	
Tax Map Number: 02415-03-01/02	Subject Area: 4.32 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-3
Proposed Use: Walgreens Drugstore	PC Sign Posting Date: February 12, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.

Applicant’s Factual Justification For Proposed Change

For the establishment of a Walgreens Drugstore at this location

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	C-3	The Farm House Antiques
Adjacent East	RU	Undeveloped woodlands
Adjacent South	RU	Undeveloped woodlands
Adjacent West	C-3	Exxon, Century 21, and various commercial businesses

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The site is adjacent to existing commercial uses to the west and north. The site is compatible with the existing land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for this level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Dutch Fork Road via Dreher Shoals Road	
Functional Classification Of This Roadway	Four lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	17,200	
Estimated Traffic Generated By The Proposed Project	1,056	
Current Volume At The Nearest Count Station #145 Located @west of site on Dutch Fork Road (Hwy. 76)	16,100	
Estimated Traffic Count With the Proposed Project	17,156	
Volume-To-Capacity Ratio With The Proposed Project	1.00	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate (88 trips per 1,000 sq. ft.) for a Pharmacy/Drugstore found on page 1620 of the TGM times the proposed square footage (12,000) of the use.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed Amendment would not cause the LOS C design capacity of Dutch Fork Road in this area to be exceeded.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1-mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Northwest Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Commercial in the Developing Urban area.**

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use.

The site is abuts existing commercial land uses located on commercial zoned property to the north and west. The site is located at a major intersection of two collector roads (Hwy. 6 & Hwy. 76) with ample access to the site. The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters, and/or proposed locations as identified on the Proposed Land Use Map. The Plan recognizes the Ballentine area as the principal commercial hub for the Developing Urban Area.

As stated in the Objective, the site is located adjacent to existing commercial uses on commercial zoned land and the site is designated as Commercial on the Map. The site lies within the Ballentine “commercial corridor”. The proposed Amendment **implements** this Principle.

Other Relevant Issues

None

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 05-49 MA **be changed** from RU to C-3.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Dutch Fork Road (Hwy. 76) at this location **will not** be exceeded.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

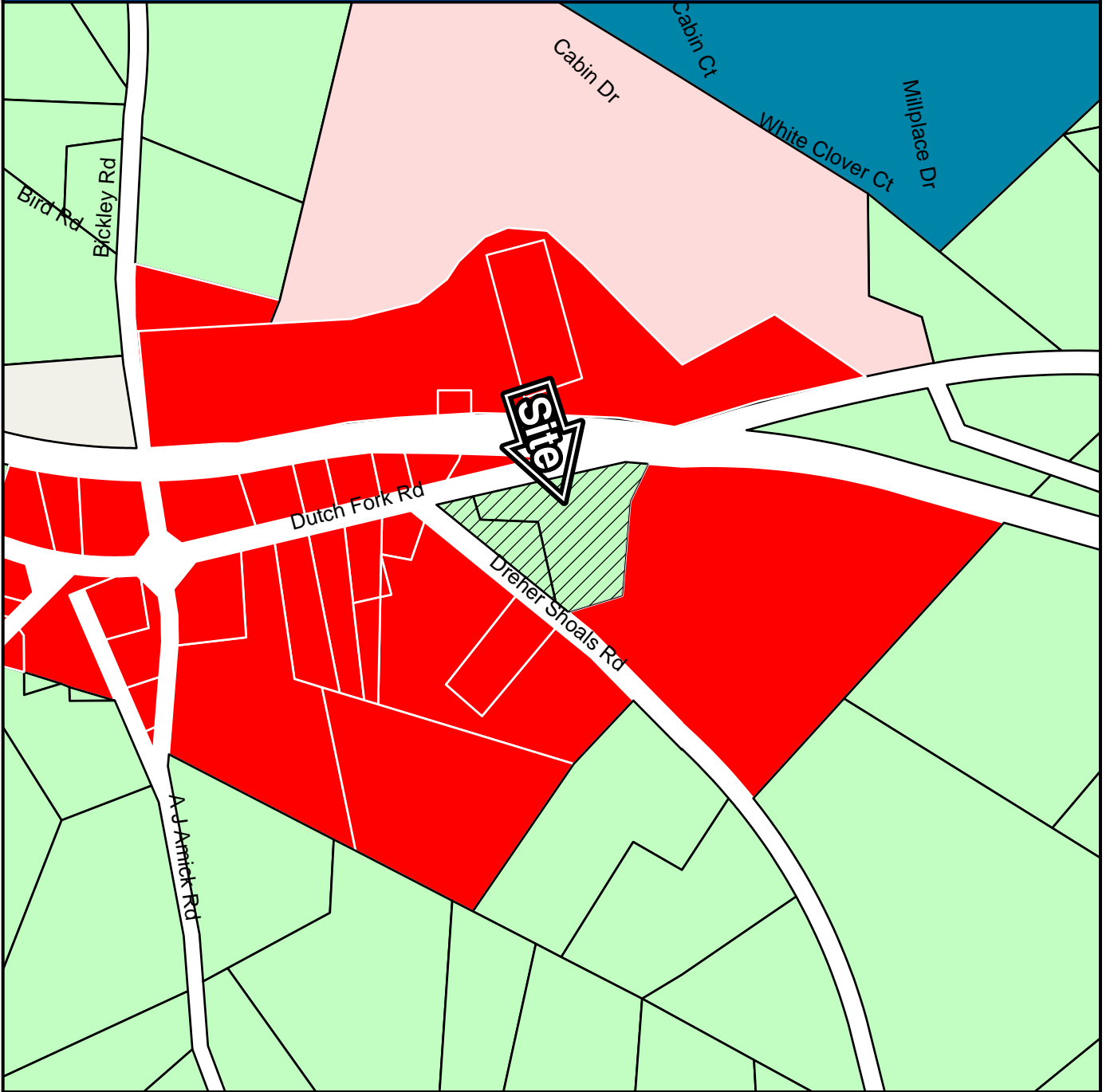
At their meeting of March 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-49 MA at the next available opportunity.

Commission Findings of Fact/Recommendations





















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-49 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-49 MA RU to C-3



ZONING CLASSIFICATIONS

 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2	
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3	
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU	
						 SUBJECT

CASE 05-49 MA
RU to C-3
TMS 02415-03-01/02



Dutch Fork

Site

Ballentine Park
Dreher Shoals

White Cove

Cabin

Bethany

Mithspace



CASE 05-49 MA

From RU to C-3

TMS# 02415-03-01/02

Hwy. 76 & Hwy. 6, Ballentine



LAND DESCRIPTION - TMS PARCEL 02415-03-02

Beginning at the intersection of the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) and the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) at a 1/2" Rebar (o), this being the POINT OF BEGINNING (P.O.B.); thence turning and running N 75°00'17" E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 35.82 feet to a Point; thence turning and running S 09°36'05" E along property now or formerly John Willie Derrick for a distance of 87.85 feet to a Point; thence turning and running N 89°23'55" E along property now or formerly John Willie Derrick for a distance of 157.20 feet to a Point; thence turning and running S 14°16'05" E along property now or formerly John Willie Derrick for a distance of 260.26 feet to a Point; thence turning and running N 50°12'47" W along the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) for a distance of 376.89 feet to a 1/2" Rebar (o); thence turning and running in a curved line of length 109.32 feet along the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) (curve of radius 50.00 feet, chord bearing of N 12°22'22" E, chord distance of 88.81 feet) to a 1/2" Rebar (o), the POINT OF BEGINNING (P.O.B.).

LAND DESCRIPTION - TMS PARCEL 02415-03-01

Beginning at the intersection of the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) and the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) at a ½” Rebar (o), thence turning and running N 75°00’17” E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 35.82 feet to a Point, this being the POINT OF BEGINNING (P.O.B.); thence turning and running N 75°00’17” E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 258.05 feet to a ½” Rebar (o); thence turning and running S 14°59’40” E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 22.50 feet to a ½” Rebar (o); thence turning and running N 75°00’16” E along the southern right-of-way of Dutch Fork Road (U.S Hwy. No. 76) for a distance of 330.35 feet to a 1” Pipe (o); thence turning and running S 19°19’45” W along Tract “A” (TMS 3303-03-03) for a distance of 292.57 feet to a ½” Rebar (o); thence turning and running S 06°38’44” W along Tract “A” (TMS 3303-03-03) for a distance of 189.84 feet to a ½” Rebar (o); thence turning and running S 73°48’55” W along Tract “A” (TMS 3303-03-03) for a distance of 172.25 feet to a ½” Rebar (o); thence turning and running N 50°12’47” W along the eastern right-of-way of Dreher Shoals Road (S.C. Hwy. No. 6) for a distance of 70.24 feet to a Point; thence turning and running N 14°16’05” W along property now or formerly John W. & Blanche B. Derrick for a distance of 260.26 feet to a Point; thence turning and running S 89°23’55” W along property now or formerly John W. & Blanche B. Derrick for a distance of 157.20 feet to a Point; thence turning and running N 09°36’05” W along property now or formerly John W. & Blanche B. Derrick for a distance of 87.85 feet to a Point, the POINT OF BEGINNING (P.O.B.).

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

March 7, 2005

RC Project # 05-50 MA	Applicant: Joe Clark
General Location: SW corner of Dutch Fork Rd and Three Dog Road	
Tax Map Number: 01500-02-15	Subject Area: 3.5 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-3
Proposed Use: Undefined Commercial	PC Sign Posting Date: 2/12/05

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.

Applicant’s Factual Justification For Proposed Change

None offered

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Vacant woodlands
Adjacent North	Nap	Dutch Fork Rd & Railroad
Adjacent East	RU	Scattered residences and vacant woodlands
Adjacent South	RU	Vacant woodlands
Adjacent West	RU	Cemetery

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

There are **three non-conforming commercial establishments** west of the cemetery on the south side of Dutch Fork Rd. All other adjacent land uses are either residential or vacant woodlands.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Dutch Fork Rd	
Functional Classification Of This Roadway	Four lane undivided collector *	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	17,200 *	
Estimated Traffic Generated By The Proposed Project	1440	
Current Volume At The Nearest Count Station # 145 Located approximately 3 miles east in Ballentine	16,100 *	
Estimated Traffic Count With the Proposed Project	17,540 *	
Volume-To-Capacity Ratio With The Proposed Project	1.1 *	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 5th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a general retail business found on page 1097 of the TGM times the proposed square footage of the use. A FAR of 0.2 times was used to determine the estimated GLA of 30,000 sq. ft.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

* Since the nearest SCDOT count station is located approximately 3 miles east in Ballentine, the traffic calculations in this case have little relevance. However, it is unlikely that the proposed commercial development of this site will result in the LOS C of Dutch Fork Rd being exceeded.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Northwest Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Low Density Residential in the Developing area.**

The proposed C-3 zoning is NOT consistent with the Map designation as required by state statutes because it is commercial zoning in an area designated for low-density residential development. The zoning should be RU, RS-1 or PUD to be consistent with the low-density residential land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use

The Plan designated the Ballentine area as the commercial center for the Northwest area of the County. A small shopping center is under development at Rauch Metz Rd and Dutch Fork Rd, approximately two miles east of the subject site. Twenty five acres of retail and office commercial is under development next to the Bickley Rd Elementary School in Ballentine. The proposed Amendment does not implement this Objective.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters and/or proposed locations as identified on the Proposed Land Use Map

The Proposed Land Use Map designates the subject area Low Density Residential. The proposed Amendment does not implement this Principle.

Principle – The Plan recognizes the Ballentine area as the principal commercial hub for the Developing Urban Area

See the discussions above. The proposed Amendment does not implement this Principle.

Other Relevant Issues

The Department suggested that the applicant consider applying for a PUD that combined this site with the adjacent proposed residential project (05-51 MA) to the south. The applicant chose not to do so and submitted separate applications for C-3 and RS-2 zoning respectively.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-50 MA **not be changed** from RU to C-3.

Findings of Fact:

1. The applicant **has not provided sufficient factual information** to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Dutch Fork Rd at this location will not be exceeded.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.

6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

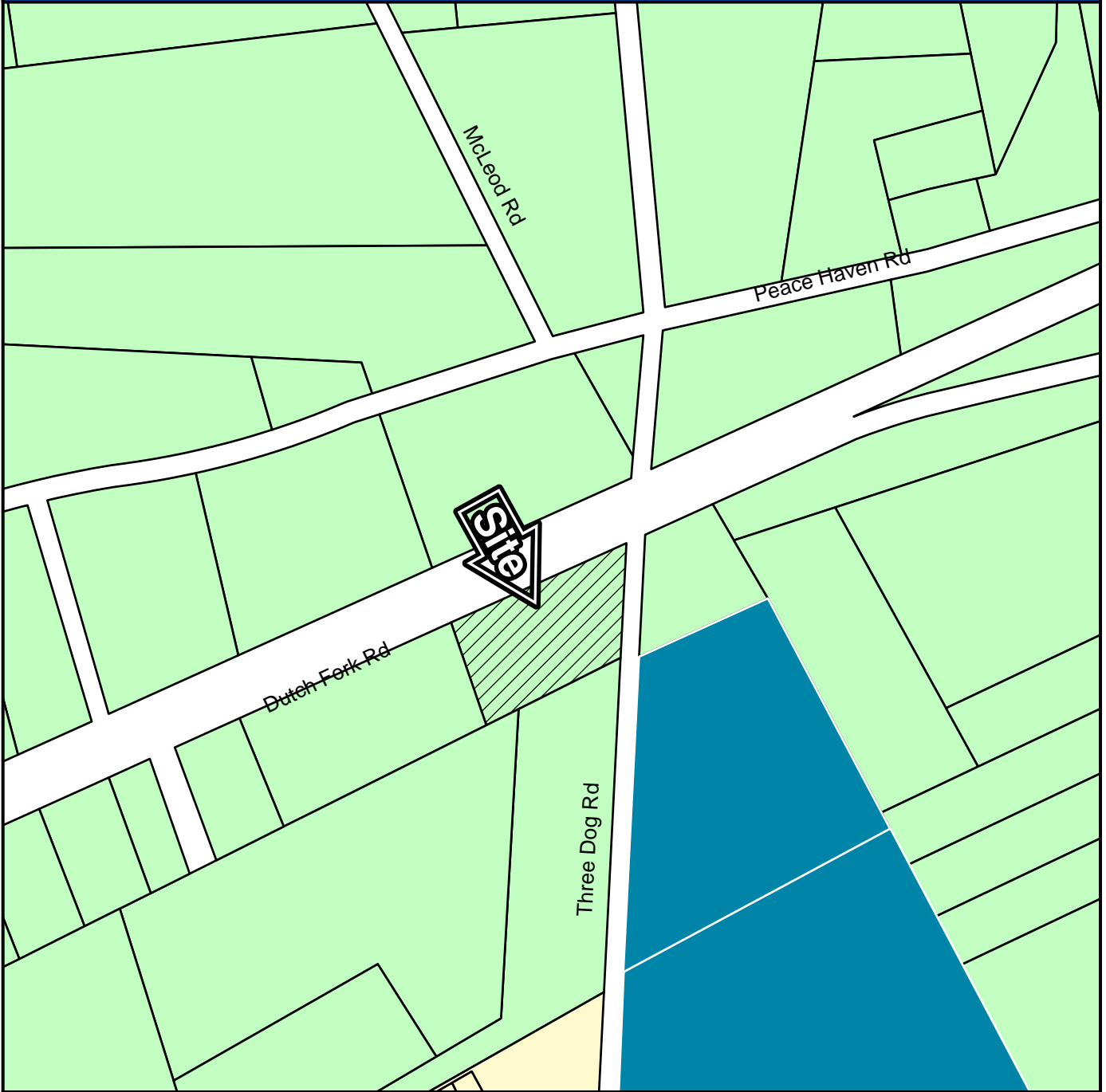
At their meeting of March 7, 2005, the Richland County Planning Commission agreed (**did not agree**) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-50 MA at the next available opportunity.

Commission Findings of Fact/Recommendations





















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-50 MA, the Planning Commission made the findings of fact summarized below:

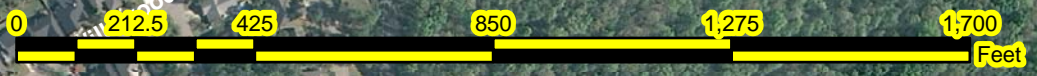
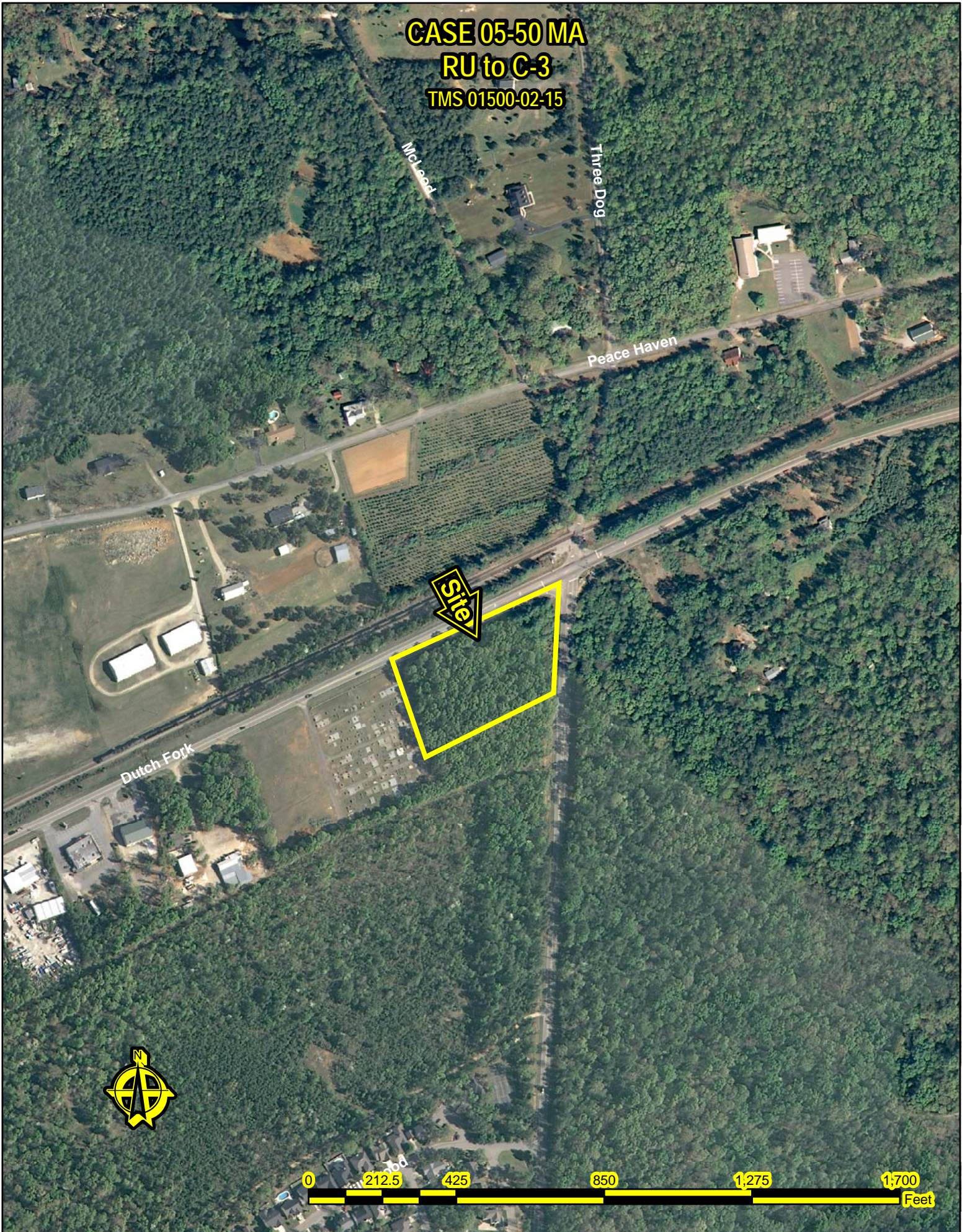
CASE 05-50 MA RU to C-3



ZONING CLASSIFICATIONS

 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2		
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3		
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU		
						 SUBJECT	

CASE 05-50 MA
RU to C-3
TMS 01500-02-15



CASE 05-50 MA

From RU to C-3

TMS# 01500-02-15

Hwy. 76 & Three Dog Road



Property Description

Richland County TMS 01500-02-15, 3.47 Acres at the intersection of US Highway 76 and Three Dog Road between Chapin and White Rock.

All that piece, parcel or lot of land, situate, lying and being in the County of Richland, State of South Carolina containing three and forty-seven hundredths (3.47) acres, more or less, at the intersection of US Highway 76 and Three Dog Road, as shown and noted as Parcel "A" on a plat made by William M. Brasington, RLS, dated May 17, 1993, and recorded in Plat Book 54, at Page 7516, in the office of the RMC for Richland County, which plat is incorporated by reference. This property being more particularly described as follows:

BEGIN AT A PIPE located on the Southwesterly r/w of U.S. Highway at the intersection of US Highway 76 and Three Dog Road thence continuing along the southern right of way at the intersection of US Highway 76 and Three Dog Road S58° 11'52"E for a distance of 51'.11", then continuing along the southwesterly right of way along Three Dog Road S01°04'03"W for a distance of 353.51' to a ½" rebar(N), thence S59°30'40"W for a distance of 208.90' to a ¼" pipe (o), continuing S61°53'00"W for a distance of 144.94' to a ½" rod (N); thence N19°04'08"W for a distance of 371.16' to a ½" rod (N), thence N62°32'14"E for a distance of 442.09' to a ½" rod (N), the point of beginning.

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

March 7, 2005

RC Project # 05-51 MA	Applicant: Joe Clark
General Location: SW corner of Dutch Fork Rd and Three Dog Road	
Tax Map Number: 01506-01/06/05/07	Subject Area: 23.3 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: RS-2 (min. 8500 sq. ft. lots)
Proposed Use: Single family detached residential	PC Sign Posting Date: 2/12/05

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.

Applicant’s Factual Justification For Proposed Change

None offered

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Vacant woodlands
Adjacent North	RU	Vacant woodlands
Adjacent East	RU	Foxport residential PUD (under development)
Adjacent South	RS-1	Cedar Cove S/D
Adjacent West	RU	Woodlands and two residences

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed RS-2 Zoning Designation Intent</u> Intended for single family detached residential development</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed RS-2 Zoning Permitted Uses</u> Single family detached residences and their accessory uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-63, respectively of the County Code. Some Special Exception uses are also possible.

The Cedar Cove S/D is a well-established single-family detached subdivision on minimum 12,000 sq. ft. lots. The proposed RS-2 zoning would yield approximately 75 8500 sq. ft. lots. The actual residential portion of the Foxport PUD project across Three Dog Road from the subject site has small lots. However, it has substantial common open space areas to mitigate the visual impact off-site. The proposed RS-2 zoning is not compatible the residential development in the Cedar Cove S/D nor is it compatible with the developing Foxport S/D.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Dutch Fork Rd
Functional Classification Of This Roadway	Four lane undivided collector *
Level-Of-Service C Design Capacity (V/C = 1.00)	17,200 *
Estimated Traffic Generated By The Proposed Project	713
Current Volume At The Nearest Count Station # 145 Located approximately 3 miles east in Ballentine	16,100 *
Estimated Traffic Count With the Proposed Project	16,813
Volume-To-Capacity Ratio With The Proposed Project	0.9 *

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 5th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a general retail business found on page 1097 of the TGM times the proposed square footage of the use. A FAR of 0.2 times was used to determine the estimated GLA of 30,000 sq. ft.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

* Since the nearest SCDOT count station is located approximately 3 miles east in Ballentine, the traffic calculations in this case have little relevance. However, it is unlikely that the proposed development of this site will result in the LOS C being exceeded.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

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The proposed RS-2 Zoning Map Amendment is not consistent with the Low Density Residential land use designation. The RS-2 zoning is a density of 5.1 DU/gross acre whereas the Low Density Residential designation is equivalent to a density of 3.5 DU/acre or less.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area

The proposed 8500 sq. ft. lot subdivision is not similar in character to the adjacent residential. The proposed Amendment does not implement this Objective.

Principle – Established low-density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development

See the discussion above. The proposed Amendment does not implement this Principle.

Other Relevant Issues

The Department suggested that the applicant consider applying for a PUD that combined this site with the adjacent proposed residential project (05-50 MA) to the north. The applicant chose not to do so and submitted separate applications for C-3 and RS-2 zoning respectively.

The L-shaped subject site is very narrow, particularly along the south side. It will be extremely difficult to develop in a quality manner unless combined with the adjacent parcels to the west.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-51 MA **not be changed** from RU to C-3.

Findings of Fact:

1. The applicant **has not provided sufficient factual information** to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed conventional RS-2 zoning **is not compatible with** the existing residential development in the Cedar Cove S/D **nor is it compatible with** the developing Foxport S/D.
3. The traffic analysis shows that the LOS C traffic capacity of Dutch Fork Rd at this location will not be exceeded.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION
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- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
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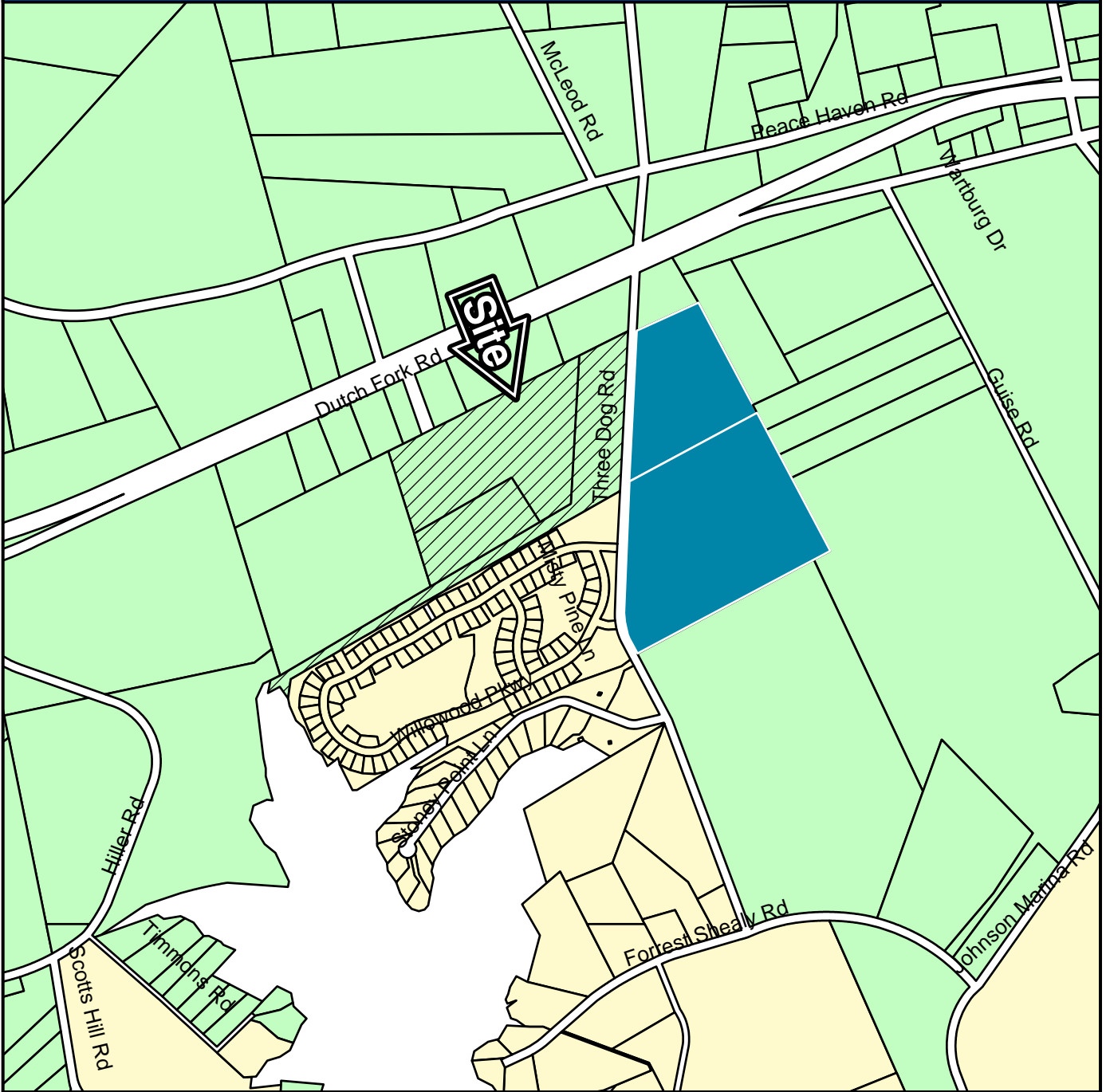
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Commission Findings of Fact/Recommendations




















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-51 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-51 MA RU to RS-2



ZONING CLASSIFICATIONS

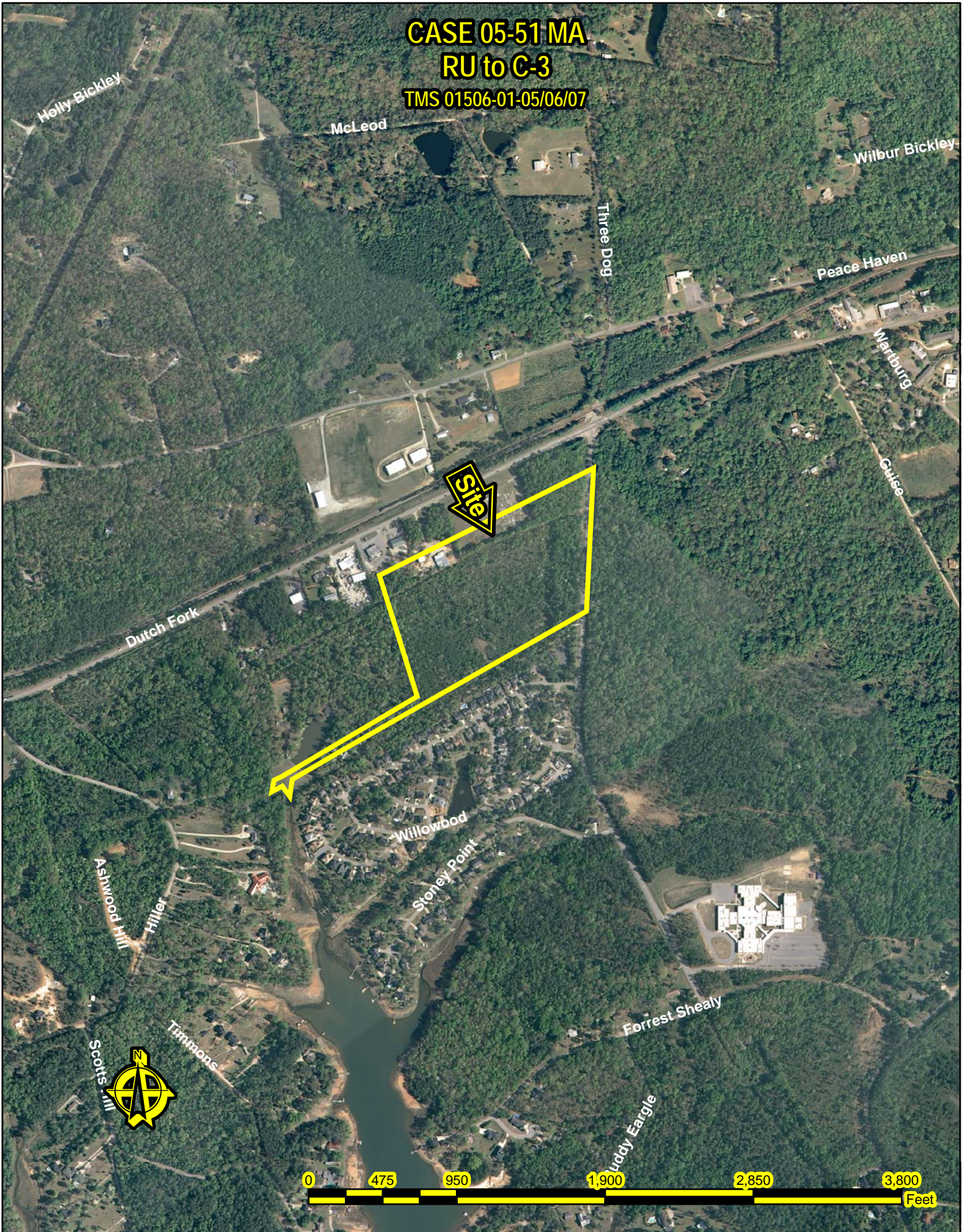
 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU
					 SUBJECT



CASE 05-51 MA

RU to C-3

TMS 01506-01-05/06/07



CASE 05-51 MA

From RU to C-3

TMS# 01506-01-05/06/07

Three Dog Road



Property Description

Richland County TMS A Portion of and/or including 1506-01-04, 23.31 Acres on Three Dog Road
(S.C. Hwy. No. 1403)

Beginning at a ½" rebar (n) at the westerly r/w of Three Dog Road (S.C. HWY NO 1403) south of property of now or formerly Edward P. Shedd & Clara E. Shedd and formerly Susan Eleazer, thence along Three Dog Road S 05°29'51"W for a distance of 866.86' to an iron, thence along property of now or formerly North Bay Associates Cedar Cove, S61°55'42"W for a distance of 1111.65' to an iron, thence S61°55'42"W for a distance of 92.97' to a ½" rebar (n), thence N09°13'01"W for a distance of 53.34' to a rod, thence, N09°13'01"W for a distance of 793.86' to a ½" pipe (o), thence N63°30'08"E for a distance of 112.88' to an iron, thence N64° 40'03"E for a distance of 201.32' to an iron, thence N63° 38'03"E for a distance of 213.93' to an iron, thence N66°28'00"E for a distance of 525.65 to a ½" road (o), thence N66°18'40"E for a distance of 144.99' to a ½" Pipe (o), thence N63°56'20"E for a distance of 208.90' to the point of beginning.

**RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
Development Services Division Memo**

TO: Planning Commission Members
FROM: Carl D. Gosline, AICP, Land Development Administrator
DATE: February 24, 2005
RE: Subdivision and Street Name Approval

Background

Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, the statute states, "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."

The attached list of proposed street/road names has been certified by Alfreda Tindal, Richland County E-911 Addressing Coordinator, as being in compliance with the E-911 system requirements. A list of proposed subdivision names is included for your information.

Action Requested

The Department recommends the Commission approve the attached street/road name list. The subdivision names are for information only. No Commission action is necessary.

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Dockside Estates	Off Carl Shealy Road, Irmo
Longtown Square	Off Longreen Pkwy @ Longtown Road
Rose Oaks S/D	Off Farming Creek Rd, Irmo
Slake S/D	In Spring Valley S/D, Northeast Columbia

PROPOSED STREET NAMES	SUBDIVISION/ ROAD LOCATION
Amber Ridge Trail	Future Rose Oaks S/D / Off Farming Creek Rd
Cowhorn Lane	Brockington Acres S/D / Off Heyward Brockington Road
Ducky Byrd Trail	Private Drive, Off Eastover Road/ Eastover
George Meetze Cove	Off Carl Shealy Road
Gobbler Lane	Brockington Acres S/D / Off Heyward Brockington Road
Goodlet Lane	Private Drive, Off Mt Vernon Church Road/ Irmo
Nickie Byrd Way	Private Drive, Off Coley Road/ Hopkins
Rose Oaks Drive	Future Rose Oaks S/D / Off Farming Creek Road
Spike Lane	Brockington Acres S/D / Off Heyward Brockington Road

