

RICHLAND COUNTY PLANNING COMMISSION

February 2, 2004

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5 *[Members Present: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
6 *Absent: McBride]*

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8 Called to Order: 01:05 p.m.

9 CHAIRMAN GREEN: We will be anxious to move the agenda forward very
10 quickly today. Call the meeting of the Richland County Planning Commission to order.
11 First thing on our agenda is to consider the December 1st, 2003 minutes.

12 MR. FURGESS: I move that we pass them with the necessary corrections.

13 CHAIRMAN GREEN: A motion on the floor to accept the minutes of December
14 2nd with necessary corrections. Do I hear a second?

15 MS. LUCIUS: Second.

16 CHAIRMAN GREEN: All those in favor? Opposed?

17 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
18 *Absent: McBride]*

19 CHAIRMAN GREEN: Next agenda item is consideration of January 5th, 2004
20 minutes.

21 MS. LUCIUS: It says January 5th, 2003 on there but I'm assuming it's 2004.

22 CHAIRMAN GREEN: With the correction of the dates, do I hear a motion we
23 approve those minutes?

24 MS. LUCIUS: Move to approve.

25 MR. VAN DINE: Second.

26 CHAIRMAN GREEN: All those in favor?

1 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
2 *Absent: McBride]*

3 CHAIRMAN GREEN: Next is our - any amendments to the agenda.

4 MR. GOSLINE: Yes, Mr. Chairman, we have two amendments. One, Project
5 SD-04-166, that's Pine Knoll Minor Subdivision has withdrawn. That's the copy of page
6 6 of your agenda package. The next, the first zoning case 04-33 MA would like to be
7 deferred until the March meeting. You all will probably have to take action on that.
8 That's [inaudible]. That's all I know about.

9 CHAIRMAN GREEN: Does Staff have any objection to the deferral of 04-33
10 MA?

11 MR. GOSLINE: No, sir.

12 MR. VAN DINE: I move that we defer the first zoning map amendment that we
13 have in front of us for today. Do I hear a second?

14 MS. LUCIUS: Second.

15 CHAIRMAN GREEN: All in favor?

16 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
17 *Absent: McBride]*

18 CHAIRMAN GREEN: That item will be deferred. Is anybody here to speak on
19 this? Let me look real quickly. We did have a couple of people signed up on this
20 particular item and it will be held at our next meeting which on March 1st.

21 MR. GOSLINE: We'll re-post it.

22 CHAIRMAN GREEN: Next item on our agenda is a reconsideration of the
23 redesign of the Longtown Estates subdivision, SD-04-108. I will note to Planning

1 Commission Members that your packets contain the old site plan that we reviewed last
2 month. That you have handed out to you, separately, the new site plan was given out
3 today. Carl?

4 **PROJECT SD-04-108**

5 MR. GOSLINE: Mr. Chairman and Members, as you recall, we discussed the
6 project at the last meeting and there was some concern about some of the lot
7 arrangements going into the wetlands and/or the 100-year flood – below the 100-year
8 flood elevation. The applicant has revised the plan to show the lot out of the wetlands
9 area for the most part. There still some portion of some of the lots, but the Staff
10 recommends approval. We think that they've done about the best they can do in terms
11 of that sort of totally redesign, whatever. So Staff recommends approval. The
12 applicant's here if you wish to address anything.

13 CHAIRMAN GREEN: Does anybody have any questions for the applicant or for
14 Staff?

15 MR. VAN DINE: Just so that everybody is clear, the top of the map - we have a
16 shaded map. I think the map I saw over there was a little different from the map that
17 was shaded.

18 APPLICANT: If I may pass it around.

19 MR. GOSLINE: This is [inaudible].

20 APPLICANT: I think it's sort of the same map, it's just outlined a little differently.

21 MR. VAN DINE: It's according to the map we have, if you will note that these
22 upper lots here to be still in white aren't actually included in the common area itself. So

1 I think you look at the dark outlines as being the outline of the lot, it runs along Overlook
2 Drive at the top.

3 MS. LUCIUS: I noticed that [inaudible].

4 MR. FURGESS: It's lot number 38?

5 MS. LUCIUS: 39 and 39. Now they only have access onto Overlook Drive, right?

6 MR. GOSLINE: That's correct, yes.

7 MS. LUCIUS: And 41 and 42, also, and 40.

8 MR. GOSLINE: Correct.

9 MR. VAN DINE: And all the other one's have except for 36 and 37 will be
10 accessed off of the internal road now.

11 MR. GOSLINE: That's correct.

12 MR. VAN DINE: Your recommendations limit the access making sure that 32, 35
13 lot line and all the other ones do not have access onto either Overlook or Longtown. Is
14 that correct?

15 MR. GOSLINE: That's correct. Condition #8, that's condition #G. We could add
16 another one to be more specific, if you care to. But lots 36 and 37 would lead onto
17 Longtown Road West. Lots 38, 39, 40, 41 and 42 would be on Overlook Drive.
18 Overlook Drive's a dirt road.

19 CHAIRMAN GREEN: Would any of the Commission Members like to see the
20 larger map?

21 MR. FURGESS: Well you have 5 going to Overlook Drive? Right, Carl?

22 MR. GOSLINE: Excuse me. Five lots?

23 MR. FURGESS: Five lots.

1 MR. GOSLINE: Correct.

2 MR.: VAN DINE: I would move approval of the revised plan subject to the
3 conditions on pages 9 and 10. And also I want to make sure that the map that was just
4 shown to us, which shows the common area actually going up onto the edge of
5 Overlook Drive, make sure that is the correct map not the map we have in front of us.

6 APPLICANT: If I may, to clarify a little bit, the heavy shaded is not the common
7 area. That's just the wetlands. The common area's, I mean, they do come up to this.
8 It's just not totally clear, but it's not a different map.

9 MR. VAN DINE: But I'm – what I said, our map shows the common areas only
10 being the shaded area. And I want to make sure that –

11 MR. ANDREWS: All of it will be common area.

12 MR. VAN DINE: I just want to make sure we have the right map associated with
13 the approval.

14 CHAIRMAN GREEN: We have a motion on the floor.

15 MS. WYATT: I second the motion.

16 CHAIRMAN GREEN: Motion is seconded. Discussion? All those in favor of
17 approving Longtown Estates, SD-04-108, please signify by raising your hand.
18 Opposed?

19 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
20 *Absent: McBride]*

21 APPLICANT: Thank you.

22 MR. VAN DINE: Carl, do you have a copy of that map which you showed us
23 which has the outline of the common area?

1 MR. GOSLINE: Yes. I think it's just a matter of drawing the more clear at the
2 scale we're looking at.

3 MR. VAN DINE: There wasn't a dark line at the top, which is these. I want to
4 make sure that those dark lines are gone.

5 MR. GOSLINE: Yes, sir.

6 **CASE SD-04-94**

7 CHAIRMAN GREEN: The next item on our agenda under New Business
8 subdivision review is new is SD-04-94, Fisher Woods. We do have, you will note,
9 Commission Members, a letter from Fisher Woods Property Owners' Association. Why
10 don't we take about two minutes and give everybody an opportunity to read the
11 communication.

12 MR. GOSLINE: Mr. Chairman and Members, this is a continuation of a project
13 that's been going on for some time. Phases 1 and 2 were built quite a while ago.
14 They're just now getting around to doing Phase 3 and eventually 4. The property is
15 zoned RS-2. Staff recommends approval based on the conditions on pages 28 and 29.

16 CHAIRMAN GREEN: Is that page 19? 19 and 20?

17 MR. GOSLINE: Yes, I'm sorry. Yes, I'm sorry.

18 MS. LUCIUS: 19.

19 MR. GOSLINE: Getting ahead of myself here.

20 MS. LUCIUS: I noticed there's no mention of tree protection. I supposed that's a
21 moot point now?

22 MR. GOSLINE: Not entirely.

23 MS. LUCIUS: The land was cleared without any sort of -

1 MR. GOSLINE: Well, no. A lot of clearing activity took place before they got
2 stopped. The clearing activity did so without any approvals from the county. Most of
3 what was cleared was burned right away. That sort of thing.

4 CHAIRMAN GREEN: Would the applicant like to say anything? We have, while
5 this is not a public hearing, we have gotten a letter from the Fisher Woods Property
6 Owners' Association and would invite, I guess, the president of that group if they'd like
7 to say anything for considerations by the Commission. If you would just identify yourself
8 for us for the Record.

9 **TESTIMONY OF JAY MARTIN:**

10 MR. JAY MARTIN: My name is Jay Martin. I'm the president of the Fisher
11 Woods Property Owners' Association. We have several concerns here as most of the
12 residents of northeast Columbia have about traffic. And the fact that the LOS rating on
13 our area's already bad, and this will certainly exacerbate the problem. There doesn't
14 seem to be any comprehensive plan to deal with traffic in northeast Columbia. We just
15 [inaudible] as relates to future development. The other issue is that we believe, based
16 on the change – substantial change in the lot sizes that are being proposed, that
17 potentially the nature and character of the subdivision that many of the original residents
18 were sold will be changed very dramatically. Going from an average of 140' frontage
19 lots down to 90, roughly 90' – 80 or 90' frontage lots. The subdivision is single-family,
20 very large lots and that's a big selling point, very large yards. And we're just concerned,
21 very concerned, that going to the much smaller lots is going to completely change the
22 neighborhood's character. It's going to go to a much higher density issue and therefore
23 potentially have a negative impact on property values as well as quality of life of those

1 living there. Certainly the additional traffic is a major, major concern as we've already
2 had, in the last six months, four major accidents in the subdivision. And it already takes
3 sometimes in excess of five to six minutes just to gain access to North Springs Road
4 just based on the current population of the subdivision and the traffic pattern. So those
5 are our major concerns. Thank you very much.

6 CHAIRMAN GREEN: Any questions for Staff?

7 MR. PALMER: Has this property come up to be rezoned or has it always been
8 zoned RS-2?

9 MR. GOSLINE: It's been zoned RS-2 for some years. I'm not exactly sure how
10 many.

11 MR. PALMER: So when the initial phases were completed, it was zoned RS-2?

12 MR. GOSLINE: I'm not sure about that, Mr. Palmer. That was almost 10 years
13 ago.

14 MR. VAN DINE: This isn't a PUD. This is RS -

15 MR. GOSLINE: This is straight RS-2 zoning. That's correct.

16 MR. PALMER: We wouldn't have any of those plans that homeowner's may have
17 been presented when they bought there. We wouldn't happen to have any of those
18 plans, would we?

19 MR. GOSLINE: We have the plats for Phases 1 and 2 in our files, but we've
20 never addressed housing size or price in any discussions.

21 MR. PALMER: I would make a motion for approval subject to conditions on page
22 19 and 20. From what I can tell this has been zoned properly. And from what Carl said,

1 has been zoned that way for quite a while. And that's what's allowed in RS-2. That's
2 what's allowed. I would make a motion for approval.

3 MR. DUNBAR: Second that motion. It's not as if - If there's an issue, it seems
4 to be an issue between the developer and the current homeowners that probably
5 doesn't involve the county.

6 MR. VAN DINE: I think that whatever marketing material, whatever items were
7 actually delivered to the homeowners of Phases 1 and 2 in essence become a contract
8 between them. And if there is some dispute as to whether or not they've been
9 modifying that agreement they might have had, then that's a legal matter. And I'm not
10 sure that is something that we on this panel can deal with in relation to it. So I would
11 have to agree with this motion at this point in time as it seems to fit within the
12 classifications. And if there is a legal dispute, we would suggest that that be taken up in
13 the correct forum and that wouldn't be here.

14 CHAIRMAN GREEN: Further comments? We have a motion on the floor to
15 approve SD-04-94 subject to conditions on pages 19 and 20 of our agenda. All those in
16 favor? All those opposed?

17 *[Approved: Palmer, Furgess, Green, Van Dine, Dunbar; Opposed: Lucius, Jackson,*
18 *Wyatt; Absent: McBride]*

19 MS. LUCIUS: I would just like to add my reasoning for opposing that. I agree
20 that apparently technically it does fit the requirement, but to me it's just so different. It's
21 just such a change from what's there now. I just feel like that this changes the whole,
22 this is just so different whole tenor of the surrounding. I guess my 'no' vote is just purely

1 [inaudible]. I can't even think. My brain's gone dead. But, you know what I'm thinking
2 about.

3 MS. WYATT T: And I'll just add my negative vote also relates to the fact that
4 when you look we subdivision review, we are changing the whole character of the
5 neighborhood. In this case not one neighborhood, but two. And we don't allow the
6 citizens, and I'd like to commend the Chair for recognizing the homeowners' association
7 is here and that they were upset about this. I think this is also an example why
8 developers need to meet with homeowners. I happen to know in this case that's it's
9 been requested not once, not twice, but about 10 times, including me, encouraging the
10 developer to meet with the homeowners and that has not happened. And I, you know,
11 for that reason, because it's a big character change - I think when you've lived
12 somewhere for 10 years you have the right not to wake up and see the trees going
13 down and know that your whole neighborhood has changed literally overnight. So I
14 have to support the 'no' vote.

15 MR. JACKSON: I just have concerns about the original zoning. Since the
16 information was not available, I couldn't support the rezoning. I'm not sure if it was
17 zoned RS-1 previously. It was changed immediately after the subdivision was
18 developed. So that's the reason why I did not support it.

19 CHAIRMAN GREEN: Thank you for your comments. The next item on our
20 agenda is SD-04-160, west side of the Villages at Longtown, Brookhaven Phase 1.

21 **CASE SD-04-160**

22 MR. GOSLINE: Mr. Chairman and Members, this is another portion of the
23 Villages at Longtown project at Longtown and Lee Road. Staff recommends approval.

1 This portion is on the opposite side of the wetland from the ones you've seen
2 previously. Look at the aerial on page 74 gives you a little bit of an idea and the map on
3 page 35 gives you a little bit more of an idea where it sits in relation to the ones you've
4 looked at previously.

5 MR. VAN DINE: Mr. Chairman, I have a couple of questions for the – page 35.
6 This is listed as SD-03-160. Is it 03 or 04?

7 MR. GOSLINE: 04.

8 MR. VAN DINE: The second is there's a whole lot of red marked up on the aerial.
9 We haven't approved this have we?

10 MR. GOSLINE: Well, this represents the sketch plan that was done to the PUD
11 for this project – the red. And what we've trying to do is give y'all some kind of an idea
12 as these projects come in where they sit in relation to the ones you've already looked at.
13 Ones you've already looked at are along Longreen Parkway, which is kind of in the
14 center of the aerial, right center.

15 MR. VAN DINE: They're the ones that have lots?

16 MR. GOSLINE: Right. Now we're still working on the right visual way to depict
17 these projects as they come in. But this, the red that you see is based on the sketch
18 plan that was done as part of the PUD.

19 MR. VAN DINE: Where does it stand as far as that road realignment changes
20 that were discussed at our last meeting? We had approved that subdivision on
21 Longtown West and they were talking about straightening the roads. Has here been
22 any more discussion of that? Has there been anything?

23 MR. GOSLINE: This has got nothing to do –

1 MR. VAN DINE: I understand that. I'm just asking if there has been any further
2 discussion of the realignment of the road. Hobart.

3 MR. GOSLINE: Yes. What Mr. Van Dine is talking about is if you look at the top
4 center of the aerial right behind the label, that property was up for rezoning last time.
5 And that's rezoning to RS-1. The applicants for that project and the Mungo Company
6 have been talking about running Hobart Road straight across to Longtown Road.
7 Hobart now is the straight line coming off Farrow and that's at the end of the project at
8 the railroad track. The county has for years been trying to get a straight connection
9 through there to Longtown West Road. The applicant for the rezoning agreed to
10 dedicate the right-of-way but had some discussions with the Mungo Company about
11 redesigning this portion of the project to allow the road to come straight across.

12 MR. VAN DINE: Do we know – has it gone anyplace?

13 MR. GOSLINE: You have to ask Mr. Dixon.

14 CHAIRMAN GREEN: Mr. Dixon?

15 **TESTIMONY OF BILL DIXON:**

16 MR. DIXON: The - an agreement has been drafted between that developer,
17 Richland County and the Mungo Company. We're moving forward with the
18 straightening of the road.

19 MR. VAN DINE: How does the railroad fit into that? Obviously if they're at grade
20 crossing I think they would have something to say about that.

21 MR. DIXON: Richland County has taken that on as part of their responsibility.

22 MR. VAN DINE: Congratulations, Mr. Gosline.

23 MR. GOSLINE: Not me.

1 MR. DIXON: No, Public Works.

2 MR. VAN DINE: Okay. Do we have any idea of where that stands? Has contact
3 been made or anything?

4 MR. DIXON: Yes, we've drafted an agreement. Richland County, Ralph Pierson
5 has drafted an agreement and it's been to us and [inaudible].

6 MR. VAN DINE: The question was more has contact been made with the railroad
7 at this point in time?

8 MR. GOSLINE: No, but it, as you can imagine, will be a laborious process.

9 MR. VAN DINE: This subdivision that's being asked to approve would actually, at
10 this time, exit out on to the main road that would go out to Lee Road, so you wouldn't be
11 trying to go out through the back?

12 MR. DIXON: That's correct.

13 MR. GOSLINE: Yes. Eventually you'll see that where it connects to the wetland
14 there's a connection, a major connection, that runs north. And once you get up around
15 where Hobart comes across, there'll be some redesigning taking place there.

16 MR. VAN DINE: It's my understanding there's been some discussions,
17 difficulties, or whatever regarding that particular stretch of wetlands - crossing it, bridges
18 and some other things.

19 MR. GOSLINE: Correct. The issue is under the current floodplain ordinance it
20 says you can't impede the flow. So there's, well, a lot of discussion about what that
21 means exactly.

22 MR. VAN DINE: How would us approving this subdivision impact upon that
23 building [inaudible] because obviously a bridge can't be put it or some other access

1 across it. And there has to be a different route between these subdivisions to
2 [inaudible].

3 MR. GOSLINE: Well, the ideal thing is to get that resolved and then be able to
4 connect to the main spine road. But the reality is that, worse comes to worse, they can
5 go north out to Hobart Road.

6 MR. VAN DINE: But that –

7 MR. GOSLINE: Conceivably you could set everything to the west of the wetland
8 could go out to the north. Nobody wants it that way, but it could get access that way.

9 MR. VAN DINE: As I recall our discussion, this whole issue was discussed of
10 why Hobart Road was going to be minor access. Now this may change if it's
11 straightened out and all the rest of it. This is going to be a minor access. If we're
12 having problems with that wetland area and we should approve this subdivision and it
13 goes in then there can't be a minor access in that direction. It has become the major
14 and focal access.

15 CHAIRMAN GREEN: The applicant is – Mr. Dixon, if you would just for the
16 record, if we could just get you to – kind of sign in to respond to the questions.

17 MR. DIXON: I'm Bill Dixon with the Mungo Company. Clarification, the floodway
18 crossing that you're talking about is on the main road, not the access into Brookhaven.

19 MR. VAN DINE: Does this little stretch that crosses over have any of the same
20 issues?

21 MR. DIXON: No. It's a wetland crossing but not a floodway crossing that's the
22 issue with the bridge. That's on the main road.

23 CHAIRMAN GREEN: Any other questions for the applicant?

1 MR. DUNBAR: I move approval subject to conditions listed on page 29.

2 CHAIRMAN GREEN: There's a motion on the floor to approve SD-04-160
3 subject to the conditions on page 29 of Staff Report. Do I hear a second?

4 MR. JACKSON: Second.

5 CHAIRMAN GREEN: Seconded. Any further discussion? All those in favor?
6 Opposed?

7 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Dunbar; Opposed: Van*
8 *Dine; Absent: McBride]*

9 MR. VAN DINE: And I'd only like to state that my opposition is I don't have
10 enough information concerning the wetlands and the other issues that deal with the
11 roads and the access and then the other stuff that's going on there. Not so much that
12 I'm opposed to the subdivision. I just think that there was additional information we
13 should get before we actually approve this subdivision.

14 CHAIRMAN GREEN: Thank you, sir. The next agenda item is SD-04-162, which
15 is also west side of the Villages at Longtown, Brookhaven Phase 2.

16 **CASE SD-04-162**

17 MR. GOSLINE: Mr. Chairman and Members, this is immediately adjacent to the
18 previous one. You see on the maps. Staff recommends approval.

19 MR. DUNBAR: I move approval subject to page 41 conditions.

20 MR. JACKSON: Second.

21 CHAIRMAN GREEN: A motion and second for approval. Discussion by the
22 Commissioners?

1 MR. VAN DINE: I have the same issues concerning that one as I had for the
2 other.

3 CHAIRMAN GREEN: Further discussion? Comments? We have a motion on
4 the floor to approve SD-04-162 subject to the conditions outlined on page 41 of the Staff
5 Report. All those in favor please signify by raising your hand. Opposed?

6 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Dunbar; Opposed: Van*
7 *Dine; Absent: McBride]*

8 CHAIRMAN GREEN: Next on the agenda is SD-04-166.

9 MR. GOSLINE: Mr. Chairman, this is one that's been withdrawn.

10 CHAIRMAN GREEN: Correct. This item's been withdrawn. The next is SD-04-
11 65 Ashwood Hills.

12 **CASE SD-04-65**

13 MR. GOSLINE: Mr. Chairman and Members, this is a subdivision out off of Hiller
14 Road, just south of Dutch Fork Road. It's single-family, detached subdivision. Staff
15 recommends approval. The access to this will all be off an internal road [inaudible].

16 CHAIRMAN GREEN: I'm sorry, I couldn't hear you.

17 MR. GOSLINE: The access to the project will all be off the internal road network.
18 [Inaudible] If you look at condition G on page 61, it, in effect, prohibits access directly to
19 Hiller Road.

20 MR. PALMER: There's a – I don't know how they're doing this, but there's a
21 burgundy colored van that's parked in an employee parking spot that's about to be
22 towed. This is a service to the community. If it's your van, you could have checked with
23 the officer here. License tag 447 NDJ. We'd appreciate it.

1 MS. LUCIUS: They're parked in an employee space?

2 MR. PALMER: Employee handicap spot and they will be towed.

3 MR. DUNBAR: Carl, is this effectively – is this directly adjacent to the Villages
4 [inaudible]?

5 MR. GOSLINE: It backs up to those. This brown curved path, you know, inside
6 the curve on the way to your house.

7 CHAIRMAN GREEN: Mr. Van Dine, did you have your question answered?
8 About the item G?

9 MR. VAN DINE: Yes. It was item H he was referring not G.

10 CHAIRMAN GREEN: Any further questions of Staff?

11 MR. VAN DINE: I move approval subject to conditions on page 61.

12 CHAIRMAN GREEN: We have a motion for approval. Do I hear a second?

13 MR. DUNBAR: Second.

14 CHAIRMAN GREEN: Discussion? All those in favor of approval of SD-04-65
15 please indicate by raising your hand.

16 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
17 *Absent: McBride]*

18 CHAIRMAN GREEN: Next on our agenda is SD-04-01, Villages at Lakeshore,
19 Phases 1A and 1B.

20 **CASE SD-04-01**

21 MR. GOSLINE: Mr. Chairman and Members, this is a subdivision of - a PUD that
22 was approved about a year ago at Longtown Road and Farrow Road. This is the first

1 portion of that Planed Unit Development. Staff recommends approval subject to the
2 conditions.

3 MR. VAN DINE: Is this what was used to what was referred to as Heron Lake
4 before?

5 MR. GOSLINE: Yes. Yes.

6 MS. LUCIUS: Referred to as what?

7 MR. GOSLINE: Heron Lake. This is the Heron Lake PUD.

8 MR. VAN DINE: Has this been sold, has it changed?

9 MR. GOSLINE: No, sir. They're implementing exactly what – I mean
10 substantially. What I consider substantially.

11 MR. VAN DINE: Has anybody from the Department been out there to view this
12 site recently?

13 MR. GOSLINE: Yes.

14 MR. VAN DINE: Was there not, as part of this, some requirement for tree
15 preservation?

16 MR. GOSLINE: The words used in the PUD agreement were 'selective clearing.'

17 MS. LUCIUS: I hope this is not a photograph of selective clearing. It looks like
18 Mars.

19 MR. VAN DINE: The selective clearing that was done out there was a clear cut
20 and then a track hoe in the back to dig it all up and down to bare earth. There isn't a
21 tree left in the entire area except along [inaudible]. If that is the way we are enforcing
22 our tree preservation, then perhaps we need to get some more Staff that can go around

1 and to implement our tree preservation [inaudible]. That is not tree preservation. That
2 is clear cutting by anybody's definition.

3 MR. CRISS: Mr. Chair, if we may respond. Anna Almeida from Planning
4 Development Services.

5 MS. ANNA ALMEIDA: Mr. Van Dine, unfortunately our existing tree ordinance
6 does not protect pines and does not protect hardwoods under 28 inches in
7 circumference. And that is what you get, unfortunately.

8 MR. VAN DINE: My understanding [inaudible] selective cutting. I don't care how
9 you house it. I don't care how you phrase it. That is not selective cutting by anybody's
10 book.

11 MS. ALMEIDA: They did provide Staff, the Department, with a selective
12 harvesting plan and it did indicate trees under that circumference. And Staff, I mean,
13 our hands are tied.

14 MR. VAN DINE: I'm going to get on my soapbox again. This is the prime reason
15 why development community that was in here constantly yelling and screaming about
16 we're trying to do things that are so hard on them. And they'll never, ever do anything
17 like this. This is a perfect example of what they do when given the latitude. This is not,
18 in any way, tree preservation or protection of any sort. To say that the home building
19 community is going to protect trees is just BS and this is why we have to end up going
20 harder on the tree preservation ordinances than we have in the past. The areas can't
21 be trusted to do what they're supposed to be doing. And I think that when it comes time
22 to look at the landscape ordinance later today, we better take a real hard look at what

1 we're getting ready to approve because this is an example of what the home building
2 community does. And we need to stop them now.

3 MR. DUNBAR: I take offense at what you just said.

4 MR. VAN DINE: I'm glad.

5 MR. DUNBAR: You have pulled every homebuilder in this whole area into one
6 brush, and it just is not right. And what we've got here is high-density development, 55'
7 lots. It's difficult and impossible to preserve. It is very possible to replant once they get
8 buildings in and do the landscaping. We've talked about it in our landscape ordinance.
9 For high-density developments it's very difficult, if not impossible, to preserve trees, but
10 you have to go back and do some re-planting. So this is not a typical subdivision where
11 you have 100' lots and you can preserve trees. You got 55' lots and the homes are
12 covering the majority of the lot.

13 MS. LUCIUS: This is not high-density [inaudible].

14 MR. DUNBAR: Well 55' lot is about as narrow a lot as you can develop.

15 MS. LUCIUS: I'm looking at 126 residences on 121 acres. That doesn't seem –

16 MR. DUNBAR: Yeah, but if you look at the typical lot size on page 73 and
17 [inaudible] others [inaudible] 55' lot [inaudible]. And it's literally impossible to preserve
18 trees with that size building pad. But typically what's done – it's done fairly regularly on
19 these – some of them are called patio lot developments. They are clear cut, but they go
20 back and plant after the fact for landscape purposes so that they can market houses
21 because people want some trees.

1 MS. LUCIUS: Since there's a lake in the center of the site. The site slopes
2 downward toward a lake in the center of the site. Was that protected in any way? Was
3 any buffer left around the lake?

4 MR. GOSLINE: Yes, ma'am. If you look at the plan when the PUD was done,
5 there was substantial buffer area around the lake and the wetlands in the overall
6 planned development. That's why the density is, the overall density, is low. And what
7 we're doing is packing stuff in and protecting wetlands and that sort of thing. So the
8 overall density is [inaudible] one. But, as Mr. Dunbar says, when you get in there and
9 start clearing the lot and development areas, you know, there's not a whole lot you can
10 do. The other thing is that this happens a lot in the developments around here is that
11 until you get down into the gullies, so to speak, of these projects most of what you have
12 up on the quote 'buildable areas' is PUD. And most of it is not very big. Very seldom
13 you get big hardwood trees of any kind. So it's not a whole lot different than the general
14 characteristics of the Summit PUD 10 years ago. And the same thing on the Villages at
15 Longtown. When you get up out of the gullies and of the wetlands area up on the dryer,
16 developed land, it's mostly small pine trees. And as Anna said, current Code doesn't
17 protect that.

18 MS. LUCIUS: I understand.

19 MR. GOSLINE: In this project and in other ones that we've had, the
20 development gets crammed up into the smaller lots so that you can save the valuable
21 stuff that's lower down and provide buffers around, in this case the lake [inaudible].

22 MS. LUCIUS: I understand. But it –

23 MR. GOSLINE: It looks pretty bad.

1 MS. LUCIUS: It does. It looks pretty bad.

2 MS. WYATT: I want to jump in and say that I agree with both of the gentlemen. I
3 agree with Mr. Van Dine that it's terrible what we're doing to our children and our
4 grandchildren's land. At the same time, from the homebuilder's standpoint, I do know
5 that it's awfully hard to take a 55' lot. The problem that we've got in a lot of these cases,
6 Pat, with all due respect to you and to the homebuilders, you say we'll replant. You'll go
7 out there and stick one tree up next to the sidewalk and it's about 2 ½ feet tall and you
8 call that replanting. You're not putting the proper numbers back, not the proper sizing or
9 anything else, to truly [inaudible].

10 MR. DUNBAR: Well that's what we've dealt with in our landscaping ordinance
11 when we have trees. And you can't plant multiple trees on a 55' lot because they won't
12 grow to the maturity.

13 MS. LUCIUS: But I think we just point out the importance of what we've done on
14 that landscaping ordinance and I hope it doesn't die on the vine.

15 MR. DUNBAR: I agree. I think what we're dealing with here is kind of a cluster
16 development.

17 MS. LUCIUS: Right.

18 MR. DUNBAR: And we're trying to encourage cluster development to encourage
19 green spaces. And those green spaces will be where the trees are. But if you have the
20 green spaces for the trees and cluster the houses, you're going to sacrifice some trees
21 on the building plan.

22 MS. LUCIUS: I understand.

1 MR. DUNBAR: But its just part of the definition. If we don't want to do cluster
2 housing, then we could go back to the traditional suburban lots of 120' and we'll
3 preserve trees. But you won't have any green space.

4 MS. LUCIUS: I agree. I mean I understand you and I agree with you 100%. But
5 I'm not [inaudible]. And I also understand what Mr. Van Dine has said. That it looks like
6 the surface of Mars.

7 MR. PALMER: We'll you're looking at one snapshot of it. I guess we need to get
8 a snapshot of the trees all around the lake did we?

9 MR. GOSLINE: No.

10 MR. VAN DINE: We could also [inaudible] down to certain sizes [inaudible].

11 MR. GOSLINE: Mr. Chairman?

12 MR. VAN DINE: I have been on the site. I walked around the site and they're
13 going all the way down into pond and creek bed removing trees.

14 MR. PALMER: That's what we said they could do. Don't chastise them for doing
15 that.

16 MS. WYATT: [Inaudible].

17 MR. PALMER: That's what we said they could do.

18 CHAIRMAN GREEN: Mr. Gosline?

19 MR. GOSLINE: I don't know what I was going to say, now. Must not have been
20 real important.

21 CHAIRMAN GREEN: Do we have a motion on the floor with regards to this –

22 MR. VAN DINE: Does this lay out match the layouts that were designed - to be a
23 part of the PUD?

1 MR. GOSLINE: Yes, on that one right there. As part of the PUD, they left a
2 buffer area along Longtown Road so that, and around - I don't have the PUD with me,
3 but, you know, around the lake on both sides. This particular project going on the north
4 side of the lake, will be a second or third phase that goes on over to the east and
5 essentially connects up with the back of Killian Green. But they have left substantial
6 open space throughout, [inaudible] as the lake. And at the east end of the lake there's a
7 huge wetland area that goes right over to Hardscrabble Road, the Crane Creek bridge.

8 MS. LUCIUS: Is Mr. Van Dine correct? Have they cleared out along the bridge
9 down -

10 MR. GOSLINE: I haven't been - I take that back. I was out there Wednesday or
11 Thursday last week and I went down to the lake. And they haven't gotten all the way
12 down. I don't really know for sure if they gone below the 100-year elevation. They
13 aren't supposed to do that. They're supposed to stay - not clear below the 100-year
14 elevation around the lake.

15 MS. LUCIUS: I was concerned about clearing along the creeks that feed into the
16 lake.

17 MR. GOSLINE: Well, they aren't - the only real creek is Crane Creek, which
18 comes from the east across Hardscrabble and through a huge wetland.

19 MS. LUCIUS: Is it protected?

20 MR. GOSLINE: Yes. They aren't going to do anything there. There's a
21 substantial number of beavers there, actually. There is some gullies, what I would call
22 gullies. Sort of little valleys that come down. So I don't know if you'd really call those
23 creeks exactly.

1 MR. PALMER: Mr. Chairman, I'd make a motion for approval subject to
2 conditions on page 71 and 72.

3 CHAIRMAN GREEN: There's a motion forward for approval of SD-04-01 subject
4 to conditions in the Staff Report, pages 71 and 72. Do I hear a second?

5 MR. DUNBAR: Second.

6 CHAIRMAN GREEN: Further discussion.

7 MR. VAN DINE: Mr. Chairman, just the one comment. In light of the fact they're
8 complying with the PUD as far as the layout of the lots [inaudible] both favor of the
9 subdivision. Again I want to reemphasize, however, that I don't believe that the words
10 'selective cutting' as used in their PUD in anyway can be related to what occurred out
11 there. So I think that we need to be closer before we review these things to get better
12 definitions of what is meant by 'selective cutting' in other areas like that.

13 CHAIRMAN GREEN: Thank you, sir.

14 MR. JACKSON: Did you mention that the people's cut an area where it was not
15 supposed to be cut?

16 MR. GOSLINE: Mr. Jackson, according to the plan that they submitted to us
17 many months ago and that we approved, they're not supposed to cut below the 100-
18 year flood elevation line. I can't tell you precisely whether they have done so. But we
19 will be out there to check it. They have, as Mr. Van Dine said, they have the new drive
20 in off of Longtown Road and it looks pretty bare.

21 CHAIRMAN GREEN: Further discussions? We have a motion on the floor,
22 again, to approve SD-04-01 subject to Staff recommendations. Those in favor, please
23 raise your –

1 MS. WYATT: Mr. Chairman, may I ask Legal a question? When they said
2 'selective cutting', and of course based under our current Ordinance they can do that,
3 however, under a PUD do we have any authority to request that they come back and
4 replant as part of the approval?

5 MS. LINDER: Are you saying the zoning - that there was requirement in the
6 granting the zoning that they plant?

7 MS. WYATT: No. Trees was not a part of the zoning. But under the PUD they
8 were to do selective -

9 MS. LINDER: I don't know that -

10 MS. WYATT: A lot of that was - a lot of that property I'm familiar, with was pine
11 trees, which currently are exempt. Carl?

12 MR. GOSLINE: Mr. Chairman, one of the conditions of the PUD approval was
13 compliance, kind of [inaudible], compliance of all land development regulations in place
14 at the time. So whatever the landscaping provisions are at the time they come in for
15 building permits, they'll have to comply with that. When the Department made the
16 determination that they had provided us with a clearing plan, which was required in the
17 PUD, and that outlined areas that they were going to clear, one of them that was
18 'selective clearance' - you can argue about the definition of 'selective', I suppose - but
19 unless they had gone below 100-year flood elevation line, they have complied with the
20 plan approved by Department based on the PUD approval granted last May [inaudible].

21 CHAIRMAN GREEN: Any further questions for Staff? Anything else from Staff?
22 We have a motion on the floor that's been seconded. All those in favor of approval,
23 please raise your hand.

1 [Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;
2 Absent: McBride]

3 CHAIRMAN GREEN: Move forward to SD-04-171 this side of Trotter Road north
4 of Rabbit Run Road.

5 **CASE SD-04-171**

6 MR. GOSLINE: Mr. Chairman and Members, this is a three lot private driveway
7 subdivision and Staff recommends approval. It's pretty much surrounded with areas
8 [inaudible] but there's a lot of development to the south. In the aerial you can see
9 substantial subdivision development in the area. The man who owns the property has
10 been there forever and wanted to divide it into three lots for the family. Staff
11 recommends approval.

12 CHAIRMAN GREEN: Am I correct in assuming that egress to entrance to the
13 rear two lots are provided there, sometimes it's hard to read these, the 25' easement?

14 MR. GOSLINE: This is, yeah, that's an existing – the lot comes out on to Trotter
15 Road and that's an existing cut. So all three of the people would use the one entry.

16 MS. LUCIUS: I looked back at my extensive file of minutes of previous meetings
17 and is this not the same tax map piece of property that we rezoned to rural back in
18 1998?

19 MR. GOSLINE: [Inaudible]

20 MS. LUCIUS: Yes. [Inaudible]

21 MR. GOSLINE: There is some rural zoning around there and this particular piece
22 is zoned rural.

23 MS. LUCIUS: But you have under your current zoning it's RS-2.

1 MR. GOSLINE: I'm sorry. It's zoned RS-2.

2 MS. LUCIUS: And maybe I'm not looking at the same piece of property, but back
3 in September 14th, 1998, it was the same applicant, same name, we rezoned from RS-2
4 to RU for a catfish farm and a horse farm.

5 MR. GOSLINE: 1998?

6 MS. LUCIUS: Yeah. Is that not the same? Because that was 5.8 acres and this
7 is 5.3.

8 MR. GOSLINE: I'll have to check.

9 CHAIRMAN GREEN: Is the applicant here? Please, if you would put your name
10 in the Record for us and –

11 **TESTIMONY OF DESLEY FLOYD RUSSELL:**

12 MS. RUSSELL: I'm Desley Floyd. I'm remarried and I'm Desley Floyd Russell.
13 Yes, it's the same piece of property. It's the same piece of property.

14 MS. LUCIUS: Well if we rezoned it to RU, why is it being shown here as RS-2?

15 MR. GOSLINE: The map. When you look at the map there's a lot of hodge-
16 podge in this particular area and I suspect it's just the map area that never got changed.

17 MS. LUCIUS: So it is RU?

18 MR. GOSLINE: Yeah.

19 MS. RUSSELL: Yes. I have Council's letter approving that.

20 MS. LUCIUS: Okay. That was not mentioned in here anywhere. Thank
21 goodness I keep archives.

22 MS. RUSSELL: It's the same piece of property and all I want to do is the
23 additional –

1 MS. LUCIUS: Okay.

2 CHAIRMAN GREEN: I think we need to elect a historian for the Commission.

3 MS. LUCIUS: I don't have a life.

4 MR. PALMER: I just have a quick comment. The zoning on these things plays a
5 major part of decisions that I personally come to on these things. How do we mess up a
6 zoning on something?

7 MR. GOSLINE: Well, we go by the zoning maps. The Department has the official
8 zoning maps. But what happens is occasionally on some these over time they get
9 missed for whatever reason and the maps don't get changed with the Assessor's office.
10 We run into this probably half a dozen times a month with the maps. That the
11 Assessor's records and our records are wrong and it would take a major research by us
12 to try to figure it out.

13 MR. PALMER: Is there –

14 MR. GOSLINE: And a lot of what happens, Mr. Palmer, what happens is that
15 particularly in these smaller pieces like this – this is a five acre piece surrounded by, you
16 know, a 100 acre piece – that sometimes particularly in these small [inaudible] that's
17 going to happen, you know.

18 MR. PALMER: But what happens when somebody goes to buy a piece of
19 property next to this and they see it's zoned RS-2 and they buy their property. Maybe
20 they want to live next door to RS-2. I mean we run into this all the time that people do
21 their research to see what the property's zoned and come to find out it's not zoned
22 properly. It's not in your records properly.

1 MR. GOSLINE: Well what we do, you know – like I say you know, there's some
2 of this is just pretty much unavoidable, you know, I mean, there's so much going on
3 you're going to miss things. We try, both us and the Assessor's office, try to be very
4 careful and that's about all we can do. Occasionally this happens and [inaudible].

5 MR. PALMER: Well in our packages does somebody not go through and proof
6 this stuff?

7 MR. GOSLINE: Well we go through and look at the maps and we assume that
8 those official zoning maps are correct.

9 MS. LUCIUS: And they're not.

10 MR. GOSLINE: Occasionally, that, you know, we do have map mistakes and
11 usually the way we find out is this sort of discussion with an applicant and we have to go
12 back and do some research.

13 MR. PALMER: Well this is something I would really like you guys to double check
14 because it plays a major part in my thinking on a lot of issues. And, you know, if you
15 guy would go back and check the zoning and such just to make sure it's correct; that
16 what you put in our package is right.

17 MR. GOSLINE: Yeah, we do, I mean we do, you know, occasionally, you know,
18 after you go down there awhile you see things and you think, "Oh, that doesn't look
19 quite right." You go back and do a check. But there's, you know, we have to assume
20 some facts and the fact that we assume is that the zoning maps are correct.

21 MR. PALMER: Well, we don't have, you know –

22 MR. GOSLINE: Unless we get something to cause us to go through extra
23 research just to check it [inaudible].

1 MR. PALMER: Well, I mean, I could probably look these things up maybe in, you
2 know, 30 minutes until you guys have somebody that can punch the stuff in the
3 computer.

4 MR. GOSLINE: Well, but that's what I'm trying to tell you, Mr. Palmer, is
5 occasionally when you pull up the records from the Assessor's office they'll be different
6 from our maps. And then we'll go look and see which one is right. In a situation like this
7 where somebody says, "Well, I thought we rezoned that several years ago?" Then we'll
8 go check. Sometimes they think they've done it, but they've never done it. So the only
9 way we can know is when, on a case by case basis, you go back and do the research
10 and something triggers us to believe the maps are wrong.

11 MR. PALMER: I'm just saying for me if, I would prefer it if you guys would, just
12 take the extra time to double check that because it's a major part in my decision
13 making. And there's not that many of these in there.

14 MR. CRISS: We would agree, Mr. Palmer. It's a serious concern that the
15 computerized land records would show a different zoning classification for a parcel than
16 the official ink on mylar tax maps, but they come from the same department. As part of
17 the data conversion project, converting the ink on mylar tax maps to computerized
18 digital parcel maps in the next 18-24 months, we'll be doing a comprehensive review of
19 every parcel in an unincorporated area to make sure that those records are reconciled.
20 But, to date, all we've been able to do is catch the mistakes as they are uncovered or
21 even presented to us sometimes in these public forums.

22 CHAIRMAN GREEN: Is it a fair statement that whatever is on the map is what is
23 considered to be law, so to speak?

1 MR. CRISS: The maps prevail unless there are zoning map amendment files that
2 indicate clear evidence to the contrary, such as the letters presented by the property
3 owner signed by official representatives of the county with the proper authority at the
4 time to represent zoning matters. We'll go look at all available evidence. But the maps
5 are presumed to be the authoritative source, not the computerized land map that's –

6 MR. VAN DINE: Mr. Chairman, I don't think the zoning classification impacts the
7 [inaudible].

8 CHAIRMAN GREEN: No, not this one.

9 MR. VAN DINE: [Inaudible] whether it's RS-2 or RU and I would move approval.

10 CHAIRMAN GREEN: We have a motion before us for approval.

11 MS. LUCIUS: Mrs. Russell got up to speak. Are we not going to let her say
12 anything?

13 MS. WYATT: Second.

14 CHAIRMAN GREEN: Is any further questions for the applicant?

15 MS. WYATT: I have seconded, Mr. Chair.

16 CHAIRMAN GREEN: There is a second that we send this forward with approval I
17 assume subject to Staff recommendations on page 82?

18 MR. VAN DINE: Mr. Chairman, I don't believe this is sent forward. This is a –

19 CHAIRMAN GREEN: I mean, I'm sorry, approved subject to the Staff
20 recommendations on page 82?

21 MR. VAN DINE: That's correct.

22 CHAIRMAN GREEN: Any further discussion? All those in favor?

1 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
2 *Absent: McBride]*

3 MR. CRISS: Mr. Chairman, before you move on to New Business zoning map
4 amendments, we neglected to ask you to add to the agenda under 'Other Business' a
5 discussion of the Landscaping Standard Section of Draft Land Development Code.

6 CHAIRMAN GREEN: My understanding is that we can discuss that but take no
7 action on that today by adding it to our agenda?

8 MR. CRISS: Correct.

9 CHAIRMAN GREEN: [Inaudible] officially will add discussion of the latest
10 information we've got from the landscape ordinance to our agenda.

11 MR. CRISS: Thank you.

12 CHAIRMAN GREEN: We can only discuss it anyway since it wasn't advertised.
13 04-33-MA has been deferred. Next on our agenda is 04-34-MA.

14 **CASE 04-34 MA**

15 MR. GOSLINE: Mr. Chairman, Members, this is a request to rezone an
16 approximately 12 acre parcel of property bounded by Marley Road and I-20 and it's
17 about a block off of Broad River Road. It's currently zoned M-1. Proposal is to go to
18 RG-2. Staff recommends approval for the reasons cited subject to the conditions on
19 page 106.

20 CHAIRMAN GREEN: We have a number of people signed up to speak on this
21 particular application. Is the applicant here? Applicant like to speak?

1 **TESTIMONY OF GARY BURCH:**

2 MR. BURCH: I'm Gary Burch with Lacy and Associates in North Augusta, South
3 Carolina. We're a residential –

4 MS. WYATT: We can't hear you.

5 MR. BURCH: We're residential homebuilders. We primarily develop townhome
6 communities, quadra-plex units. We're looking today to request a zoning change from
7 M-1 commercial, light industrial, I'm sorry, to RG-1 zoning. We have a plot plan, I
8 assume, that we turned in.

9 CHAIRMAN GREEN: I hate to interrupt you, but our package shows RG-2 cluster
10 zoning on page 101 and it says RG-1 on page 109.

11 MR. GOSLINE: It's RG-2.

12 MR. BURCH: It is RG-2.

13 MS. LUCIUS: We don't have a plan of that.

14 MR. BURCH: You don't have a site plan?

15 MR. GOSLINE: No, we just want to –

16 CHAIRMAN GREEN: I guess this – would you review this is an RG-1 or an RG-2
17 since it says different things in the Staff Report?

18 MR. BURCH: When we first –

19 CHAIRMAN GREEN: This is just a question for Staff subject to their review.

20 MR. GOSLINE: RG-2.

21 MR. BURCH: When we had our preliminary meeting prior to this they talked
22 about RG-1 but they told us that that would not work. It'd be RG-2.

23 CHAIRMAN GREEN: Proceed. I'm sorry.

1 MR. BURCH: I've got a site plan that shows what we propose to do. We turned
2 in a bunch of little ones.

3 MR. GOSLINE: Just for Record, the gentleman did give a site plan but we don't
4 do that for conventional zoning. It's not part of the requirement. That's why it wasn't in
5 your package. It is required, obviously, for PUDs but not for convention zoning.

6 CHAIRMAN GREEN: Mr. Burch?

7 MR. BURCH: Yes, sir.

8 CHAIRMAN GREEN: Anything else you want to [inaudible]?

9 MR. BURCH: Well, let me preface it. Well, initially when we came to Mr.
10 Gosline's office we talked about doing a special exemption to the M-1 zoning in order to
11 permit this type of development. When we came to the special exemption meeting we
12 were met with some opposition from the neighborhood, Emerald Valley Homeowners'
13 Association. They had three major concerns. The traffic, naturally, was the biggest
14 concern. They had a drainage issue that they said that they had a severe problem with.
15 They also had some concerns about the sewer line capacity, whether the local
16 municipality sewer line wouldn't handle what we proposed to do. Spent a little time
17 researching these things and spoke with several people. On the traffic situation they
18 say they have a problem getting off of Marley Drive onto Broad River. Made some calls
19 to DOT. Spoke with several traffic engineers from DOT and they were not aware of any
20 problems but they said they would look into it. They gave us some suggestions of
21 things they could do to correct it. They could adjust the timing on the light to allow more
22 traffic onto Broad River. Some of the complaints we heard was even though the light
23 was long enough they weren't able to merge on to Broad River because of Broad River

1 traffic. Mentioned that to him. He said there were some timing issues they could work
2 out from light to light to allow this to flow better. He said, if need be, they could add a
3 turn lane and a turn signal. He said these are things they can do to alleviate some of
4 the traffic problems. Naturally he didn't agree to do any of those things, but he said that
5 they can do this if it warrants it. But as far as he knew and the people I spoke with
6 knew, they had not heard any complaints. Didn't know. And I'm sure they have
7 complained, but bureaucratic as it is, the DOT's got many people and I'm sure that
8 maybe it got lost in the paper work or something. But they didn't seem to know anything
9 about it. The drainage issues we were not aware of when we first started, but we spoke
10 with some of the homeowners and they say that they have flooding coming off of this
11 property onto Marley Drive. We spoke with the City of Columbia and they were not
12 aware of any problems. We also approached DOT, which controls the right-of-ways on
13 Marley Drive road and the drainage culverts on the driveways. They said they did they
14 did have some problems with driveway culverts clogging and running out in the roads
15 and they were aware of some of that. But as far as a problem with flooding, they were
16 not aware of it. 'No significant drainage problem' was exactly what they said. I spoke
17 with Robert Junkins at DOT. And to the sewer issue, I spoke with a Howard Boyd from
18 the Richland County Sewer Department Authority. The homeowners said they problem.
19 They were afraid the capacity of the line would not accept what we're trying to do. Mr.
20 Boyd said that he was not aware of any, there again nobody want's to say "you can do
21 this" or "you can't do this", but he said he was not aware of any problems that they've
22 had in the past on their main line. Said they were aware of some problems they had
23 from the homes to the main line. The old terracotta pipe systems that had decayed over

1 the years and they had replaced them. He was aware of some problems with that. But
2 as far as the main line, they saw no problem handling anything we chose to put there.
3 Those were a few of the issues that they had and I see that they're here, again, the
4 homeowners' association. I made several attempts to contact the president, which is
5 the only man I had his number was Al Whitt of the Emerald Valley Homeowners'
6 Association. We left five messages for Mr. Whitt. I spoke with him at one time
7 sometime around the middle of December and told him I'd be glad to meet him and tell
8 him what we had found. And he said it'd be two to three weeks before he could meet
9 me and I said that'd be fine, which would have been after Christmas and after the first of
10 the year. And I haven't been able to contact him since. Left repeated messages, but I
11 haven't had any response. So we have made an attempt to get in touch with him. The
12 property to the west of this property is M-1 light industrial already. There's an old
13 warehouse or trucking facility or something there. I think at one time it was a Home
14 Quarters warehouse facility, where they truck merchandise in and out. It is abandoned
15 at this time. The last time I was by there it was abandoned. I say abandoned. It was
16 not in use. The property on the other side of this 11.9 acre parcel is single-family
17 residential. We feel like this would be a good transition from industrial to the residential
18 that is already there. And if you have any questions, I'll be glad to answer them.

19 CHAIRMAN GREEN: Thank you, sir. Next signed up to speak is Leon Williams.
20 If we could get you to come down and – for the Record, everybody that I'll be calling, if
21 you will give us your name and address when you come us so we just have that for the
22 Record.

1 **TESTIMONY OF LEON WILLIAMS:**

2 MR. WILLIAMS: Yes. My name is Leon Williams. I'm a member of the
3 homeowners' association. I live at 2018 Marley Drive. There's a number of residents
4 that's here and we'll just have one person to speak for the members if that's all right
5 with you.

6 CHAIRMAN GREEN: Thank you, Mr. Williams. Mr. Merriott.

7 **TESTIMONY OF BOB MERRIOTT:**

8 MR. MERRIOTT: My name is Bob Merriott. I am a resident of Emerald Valley.
9 Mr. Al Whitt, our president, was unable to be here today so I reckon I got elected to take
10 his place. Twenty or 22 years ago Richland County did a superb job of convincing the
11 Emerald Valley subdivision that this particular property needed to be zoned light
12 industrial. We worked with the county. We worked with the owners. Came up with
13 some protection for the residents which included buffers, limited access onto Marley
14 Drive, and no access off of Emerald Valley. And in these restrictions, they would be in
15 place as long as the property's used for industrial use. We feel comfortable with that.
16 And when I say Richland County did a superb job, whether they were supposed to get
17 involved or not, the Zoning Administrator, the County Council, everybody came to our
18 meetings and advised us. So we feel comfortable with the protections that we have
19 under the light industrial zoning. Even in your Staff Report here, it indicates that the
20 zoning today is consistent with your land-use plan whereas the proposed zoning is not
21 consistent. They indicate that traffic – Mr. Burch spoke on traffic. One reason DOT
22 may not be aware of the problem, the City of Columbia controls the traffic lights out
23 there and they are aware because we call them on a regular basis. Marley Drive is the

1 only access to our subdivision. What they're asking is, according to Staff's projections,
2 469 cars per day come out on to Marley Drive in the last block or block and a half
3 between the residents and Broad River Road. Back when this other rezoning was
4 done, traffic was a concern then. And I can assure you, it hasn't gotten any better in the
5 last 20 years. I reckon all – the main thing we would ask is that you uphold the wishes
6 of Richland County back when they convinced us to rezone it before and let it remain
7 light industrial. As long as these protections are in place, we feel comfortable with it. I'll
8 be happy to answer any question you might have.

9 CHAIRMAN GREEN: Thank you, Mr. Merriott. Ernest Robinson.

10 **TESTIMONY OF ERNEST ROBINSON:**

11 MR. ROBINSON: I'm the vice-president of Emerald Valley Homeowners'
12 Association. I'm here in the place of Al Whitt. He's our president. And due to the
13 comment that the young man said he tried to get in touch with Mr. Whitt, it was talked
14 about. And Mr. Whitt felt like, you know, it should have been addressed in front of
15 everybody at the homeowners' association at one of our meetings. And I guess that's a
16 good reason why he didn't follow up on, you know, the request. But as Bob, you know,
17 said, we do have a problem there with getting in and out of Broad River Road. And I've
18 been there for the last 22 years and since the time that I've been there we certainly do
19 have a big problem on access to Broad River Road. That's one of our biggest
20 concerns. And this, you know, is just awful the way the traffic is. And he indicated that
21 he talked to somebody about the access on Broad River Road and what they could do.
22 If they could do it, I would like to see it because I've been having problems ever since,
23 me personally, I've been having problems ever since I've been there getting in and out.

1 And when HQ was there we had a main concern about traffic. They moved out and
2 then some other people took possession of the building. And at 5:00 o'clock or so it
3 would be an hour, a hour and a half, before we could either get home or get out on
4 Broad River Road when they knock off of work. And the main concerns of a, you know,
5 getting in and out of Broad River Road. And I would like for y'all to look closely at it
6 because we have a big concern. And everybody in there, I would say, thinks highly of
7 their home ownership. They think highly of it and they wouldn't want to have to move
8 because of heavy traffic. And I would like for y'all to look closely into it and see what,
9 you know, see what y'all can do about it. Thank you.

10 MR. GOSLINE: Would you repeat your name and address for the Record,
11 please?

12 MR. ROBINSON: 1916 Squashwood Drive, Ernest Robinson.

13 CHAIRMAN GREEN: Thank you. Next is Dean Wilson.

14 **TESTIMONY OF DEAN WILSON:**

15 MS. WILSON: My name is Dean Wilson. I live at 1920 Marley Drive. I've lived
16 there for 36 years. Talk about select cutting on the other subdivision; that acreage is
17 mostly pine trees. And if you just let them in there like I think they're going to do, it's
18 going to be barren. And then you will have a watershed problem. And, you know, we're
19 not trying to be mean to anybody. We're just trying to protect our neighborhood. And
20 we take pride in our neighborhood. And when you add 400 and some odd more cars to
21 Marley Drive, you're going to have a problem. Those empty buildings that Mr. Burch
22 was talking about, they're being renovated for offices. And every time somebody goes
23 in there we have a problem because they have to go out onto Marley and the stop sign

1 is not regulated by the Highway Department because it's on private property. And
2 they've had accidents up there. And I don't know, I'm just very, very upset because I
3 worked all my life to have my home and my neighborhood and I don't want it destroyed.

4 Thank you.

5 CHAIRMAN GREEN: Thank you. Next is Margie Prather. And then following
6 that is Rubin Stout.

7 AUDIENCE MEMBER: [inaudible] she stated, the lady stated mine.

8 CHAIRMAN GREEN: Okay. Thank you. Rubin Stout is next.

9 MR. STOUT: Yes.

10 CHAIRMAN GREEN: Followed by Gloria Latham, if she would like to come down
11 and be ready to speak when Mr. Stout's finished.

12 **TESTIMONY OF RUBIN STOUT:**

13 MR. STOUT: My name is Rubin Stout. I live at 1519 Marley Drive. There's quite
14 a situation there in that it's zoned now, I mean, restricted until there is only one entrance
15 that can be made in this property to Marley Drive as this is zoned now. We saw to that
16 in the first meeting. When the first people came in there, Intertech, it was a big data
17 processing outfit, they zoned that thing. And Mr. Newman's house is the first one on
18 Marley Drive on the left. At that time that was the only place the houses were so there
19 was an entrance there. And they said that would only be as an emergency exit. Okay.
20 Some way that zoning, county zoning, zoned his property as commercial in order to
21 bring the road farther so they could bring a big – they made an 'in' and 'out' there on top
22 of the hill. Well that cut it down to only coming down. So his property tax skyrocketed
23 so he got excited. He went over and they changed it back. But we have that situation

1 on top of the hill now where you break over an entrance to the extent the existing
2 property there now, instead of which would have been, had they not zoned his property
3 commercial, for what reason I don't know. Somebody knew somebody or something. I
4 don't know. But that is a grave concern there because that leaves it only one entrance
5 to Marley Drive. And that's down to Battle Forge and there's no way in the world that
6 you could put that many people coming out one little entrance there onto Marley without
7 creating a hazard. And now they have nothing but problems with that sewer line. When
8 I came out there, they were running raw sewage into Broad River where the water
9 system of Columbia at that time was taking it in, raw sewage. Okay. I tried to get the
10 paper to do something about it. They wouldn't. Finally got the TV out there and they
11 got DHEC involved and they stopped, I mean, they thought they had it stopped. But
12 there was still, anytime it rained, the load would overflow raw sewage going right into
13 the system there. So I don't think that, that the sewer system, it doesn't handle what
14 they have now. So I don't know how they [inaudible]. But that concern of sewer is
15 mainly mine and the access to Marley Drive. I don't think they handle that many people.

16 CHAIRMAN GREEN: Thank you, sir.

17 MR. STOUT: Thank you.

18 CHAIRMAN GREEN: Gloria Latham.

19 **TESTIMONY OF GLORIA LATHAM:**

20 MS. LATHAM: Well I concur with Mr. Merriott and his comments.

21 CHAIRMAN GREEN: Thank you. Thomas Latham.

1 **TESTIMONY OF THOMAS LATHAM:**

2 MR. LATHAM: We're husband and wife and we're same address and we're
3 concerned about the traffic, sewer, and the drainage.

4 CHAIRMAN GREEN: That's all I have signed up to speak on this request.
5 Commission Members? Yes, sir.

6 MR. BURCH: In light of the facts they've brought up, we would be glad to sit
7 down with them and meet with them and try to iron out some of these if we can defer
8 this to another meeting and maybe meet with them and resolve some of these
9 problems. If the DOT – the DOT official I spoke to said they do control the intersection.
10 I don't know about the City of Columbia. But we'd be glad to meet with them and have
11 the sewer authority back out because, you know, we want to know that it's going to
12 work, also, before we go into it. And if we can defer this until we do meet with them.
13 Like I said, we have attempted to meet with them and I haven't had any response and
14 didn't know how to – it's not something in the phone book you can call Emerald Valley
15 Homeowners'. All I have is one contact. Just haven't been able to get in touch with
16 him. But I'd like to try to resolve the problems here before we do meet them. Now they
17 have some legitimate concerns and we'd like to iron it out first.

18 CHAIRMAN GREEN: Thank you, sir. I guess this is an issue whether the
19 Commission wishes to defer or proceed with addressing the request.

20 MS. WYATT: Mr. Chairman, I'll make a statement in the form of a motion that we
21 do approve deferral. And I'm going to do so because this gentleman has made the
22 attempt to meet with the homeowners, which is something that we as a Commission
23 have done everything we can to encourage [inaudible] earlier to that. And the fact that

1 a gentleman does not return a phone call as a president of the homeowners'
2 association is no excuse. And if you want to meet with, you know, and learn what's
3 going on, you need to meet with developers when they call. So I'm certainly going to
4 make the motion that we defer this. Give this gentleman a chance to meet with the
5 homeowners. At such time if they do not want to meet and learn what's going on – I
6 certainly think you need to hear from DOT. You need to hear from the sewer people.
7 Learn what you can and then, you know, bring the matter back to us.

8 CHAIRMAN GREEN: We have a motion on the floor for deferral. Do I hear a
9 second?

10 MR. DUNBAR: Second.

11 MR. PALMER: Mr. Chair, I'd like to make a comment if I could.

12 CHAIRMAN GREEN: Please.

13 MR. PALMER: I would be in favor to defer it as well if that's the will of the
14 Commission. I've got to tell you I agree with Ms. Wyatt. In fact, that this developer has
15 made every effort he could. Not only did he try to get in contact with the president of the
16 homeowners' association, but just what he heard through the grapevine happened to be
17 their concerns, he tried to follow up on them with DOT and got answers to the
18 questions. Personally, I would, with the information I have in front of me and the
19 information he supplied from the DOT and the problems possibly with the sewer is not a
20 main sewer line problem, it's the distributing lines to the main sewer line, and those are
21 individual property owner's responsibility to get those fixed. I would be inclined to vote
22 for it. But if the will of the Commission is to defer it, I would certainly be in favor of that.
23 But I would agree with Ms. Wyatt, that the president of the homeowners' association, it's

1 his job to get in contact with these guys and that's why he's the president. I would hope
2 he would do so in the future.

3 MR. VAN DINE: Mr. Chairman, can I ask a question?

4 CHAIRMAN GREEN: Certainly.

5 MR. VAN DINE: Will we be deferring it to next meeting or would it – what is the
6 deferral? I mean, I don't want to just put it as a deferral. I might have some definitive
7 time in which we're deferring to so that we can have it back before us.

8 MR. GOSLINE: Mr. Chairman, I guess we need to know when the association
9 might meet because obviously whatever comes out of that meeting we'll need to reflect
10 in the Staff Report. And that'd be awful tough to do by March because it's a very short
11 month. Maybe the thing to do is defer it to the April meeting to give everybody plenty of
12 time.

13 MR. VAN DINE: I would think that it would take at least a month for those
14 discussions to take place. So the April meeting would be more realistic for them. I don't
15 think I'd want to push it much past the April meeting.

16 MR. JACKSON: I say that I misunderstood that the issue was the sewer system
17 and the problem with DOT. When we do these subdivisions now we look at how much
18 access we have to so many houses. And in the past if there's a new subdivision with
19 only one access to like 200 houses or more we deny it. We just have to make sure we
20 have so many access. In this case I just have concern in adding to more houses on a
21 street that has only one access to a subdivision. So that's all my main concern. And I
22 hope when they discuss it with the homeowners that will be addressed also.

1 MS. LUCIUS: I would like to vote – you know, I want to second what Mr. Jackson
2 just said. If you all notice that blue area right there on the map, that’s the Nunamaker
3 major project. That’s the one that there was so much controversy about because
4 there’s so many homes going in there coming on [inaudible] Drive which can’t handle
5 the traffic. So we’re going to come to a crucial point right there – Marley, Nunamaker
6 and Young. The traffic is a serious problem right there. I think it will be. And I’m
7 concerned about the density I saw there. So I would be inclined, if we were voting
8 today, to probably deny it I think. But I would like to go along with the deferral. I think
9 we have a motion and second on it.

10 MS. WYATT: Mr. Chair, at this time I am going to amend my motion to state that
11 the developer comes back not later than April meeting to have this case heard.

12 CHAIRMAN GREEN: Who was the second?

13 MR. DUNBAR: I was. I will amend my second.

14 CHAIRMAN GREEN: We have a motion on the floor to defer until the April
15 meeting? Or no later than the April?

16 MS. WYATT: Until the April.

17 CHAIRMAN GREEN: Until the April meeting on 04-34-MA.

18 MR. BURCH: Can we make it “no later”? I feel like I can have my stuff by the
19 March meeting if they meet with me in the next 30 –

20 MS. WYATT: Do you feel that you can meet with the homeowners, that you can
21 get those DOT questions, you can get to – Columbia I’m assuming has the sewer out
22 there – you can get all those things back to us, to these guys? I mean, the problem is
23 you’ve already missed the deadline for March.

1 MR. PALMER: You see the problem is the president of the homeowners'
2 association is not here today, either.

3 MS. WYATT: Right, I understand that.

4 MR. GOSLINE: It's going to be virtually, practically impossible.

5 MR. ROBINSON: Pardon me. I am the vice-president and I think if he wants to
6 meet, we meet every second Tuesday of every month. And by him getting in touch with
7 Al Whitt, Al Whitt, although he's the president, he can't make the decision. It would
8 have to be a body existing of the homeowners. And he needs to get in touch with the
9 homeowners and find out when we meet and we'll be glad to talk with them.

10 MS. WYATT: Mr. Chair, I'm going to do this one more time and hopefully I'll get it
11 right this time. I'm going to amend my motion again. Motion for deferral until not later
12 than the April. Therefore if you get your act together, you meet with these folks, they
13 meet with you. Staff, I'm telling you that if he has it ready we would like to see him
14 again in March. I know he's not listening, but I'm used to that.

15 CHAIRMAN GREEN: The motion's been amended that we defer this to not later
16 than the April meeting, which will occur on April the 5th at 1:00 o'clock. Those in favor of
17 deferral.

18 MS. WYATT: Sir, we need the amendment seconded.

19 MR. DUNBAR: I amend my second.

20 MS. LUCIUS: And also I wanted to add we do need to address the clear-cutting,
21 too, because those pine trees will be gone, all of them.

22 CHAIRMAN GREEN: All those in favor of deferral as the motion was made
23 please raise your hand. Opposed?

1 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
2 *Absent: McBride]*

3 CHAIRMAN GREEN: It is deferred. Next is 04-35-MA. Since we don't have a -
4 since I have to recuse myself on this issue, we're going to shift chairs a little bit. If you
5 would allow us about a two minute quick break, we'll be back in session.

6 *[BREAK]*

7 VICE-CHAIRMAN WYATT: If I could have everybody's attention. Before we
8 start with case number 04-35 MA, I must read into the Record the following dated today.
9 "Barbara Wyatt, Vice-Chair: Dear Mrs. Wyatt, I'm requesting to be excused from
10 participating in discussion or voting on agenda item 04-35 MA regarding rezoning that's
11 been scheduled for review and/or discussion at today's Planning Commission meeting.
12 It is my understanding of the Rules of Conduct Provisions of the Ethics, Government
13 Accountability and Campaign Reform laws that since I 'work for the company
14 representing the seller [inaudible] property' I will be unable to participate in this matter
15 through discussion or voting. I would therefore, respectfully request that you indicate for
16 the Record that I did not participate in any discussion or vote related to this item
17 representing a potential conflict of interest. I would further request that you allow and
18 direct this letter to be printed as part of the official minutes and excuse me from such
19 votes and deliberations and note such in the minutes. Thank you for your
20 consideration. Eugene C. Green." At the same time that I hand you this, since it was
21 referred to in the Fishers Wood, I'm also going to give you a copy of that letter to be
22 introduced to the minutes and homeowners' association. Okay. We're ready on case
23 04-35 MA. Mr. Dixon, are you going to be the spokesperson?

1 MR. DIXON: Ron Anderson will be.

2 VICE-CHAIRMAN WYATT: Okay.

3 **TESTIMONY OF RON ANDERSON:**

4 MR. ANDERSON: My name's Ron Anderson. I reside at 2901 Earlwood Drive in
5 the City of Columbia. I'll be making presentation today on the Turkey Farm Road
6 property. I apologize for not having the case number off the top of my head. If I could
7 direct your attention to the screen we've added some materials that we think will be
8 relevant to your decision. We're requesting that this property be rezoned to a PUD as
9 outlined in your package. On the first slide in the tan area you can see the site. I would
10 direct your attention to US Highway 21 running north and south and I-77. The two rings
11 in the middle are radii, radiuses, from the intersection of US 21 and I-77. The interior is
12 ½ mile radius from that intersection. The outer one is one mile, a one mile radii from
13 that intersection. So you can see that the site lies within a mile, all of the site lies within
14 a mile and a half of the interchange. Turkey Farm Road is on the south side. I've
15 delineated the Richland 2 school boundary to the south, although this lies within
16 Richland 2 school district. In dotted red lines on the bottom right hand side are the
17 Clemson realignment project which will patch into Killian Road, and then what I call the
18 Lee Road connector, which is the spine road that runs through the Longtown property
19 that Mungo Company is currently developing. Immediately to the east, or to the right, is
20 that dark area, is the lake that is at the center of Longcreek Plantation, which is a
21 planned unit development, which was developed probably back in the 1980's. And
22 Blythewood would be to your north just off the map. Greg, would you move to the next
23 slide, please. On this slide what I've shown, or added to this same map essentially, are

1 all the active residential subdivisions in that area. They're shown in pink and their labels
2 are kind of a pale green. On the west side of the freeway where our site is to the
3 northwest of the site is Ashley Oaks. It's actually in the city of, I mean incorporated in
4 the town of Blythewood. It is a 300 acre subdivision which can accommodate, we
5 believe, up to about 600 additional housing units. And there's about 90 housing units
6 there already immediately north of that. That fronts upon Fulmer Road. South of the
7 site, south of Turkey Farm Road, is Stonington subdivision. It will, when built out, will
8 have about 208 single-family housing units, then Heritage Hills, which has 178 housing
9 units. There's a number of other - there's one other small subdivision on that side,
10 Summer Pines, which I believe y'all approved in the last six months or so. As you cross
11 the interstate on the left side, two of the larger subdivisions in Richland County or two of
12 the larger planned developments in Richland County, Longtown which the Mungo
13 Company is developing was approved for, I believe, 3,000 to 3,500 units. And at
14 buildout the Mungo Company estimates that there'll be about 2,300 housing units. And
15 then Longcreek Plantation, which will have 1,350 units when built out. This also better
16 shows the Lee, what I call the Lee Road connector, and the Clemson realignment
17 project. Also the Heron Lakes project to the south is not labeled. And then there's
18 Killian Station, Hester Green, and Killian Green are all along there as well. If you could
19 move to the next slide, please. On this slide I've added what I've called major
20 employment clusters. The reason this is relevant is this intersection, US 21 and I-77, as
21 you know has been a target of intense - of the State Department of Commerce and the
22 Central Carolina Economic Development Alliance and Richland County and the City of
23 Columbia has really been ground zero for major economic development projects in

1 Richland County. The county, as you can see the yellowish-green dots represent
2 existing major employers. Many are immediately north in the Northpoint Industrial Park.
3 That includes the Siemens' facility, Modine, Acutech, Hute Foils, Patterson Fan. Across
4 the interstate is Belk distribution, Lands and Sessions, Thermal Engineering, [inaudible].
5 And then catty-corner across is the CSC campus, which is now split between CSC and
6 the South Carolina Department of Public Safety. That campus has 800,000 square feet
7 of office space on the ground today and can accommodate, as built, about 3,500
8 employees. And that's all, as you see, within a mile or so of the site. The other two
9 things I would point out, north of the Northpoint site is a very large shaded green area.
10 That's approximately a 2,000 acre tract that is now inside the Town of Blythewood. And
11 it has been zoned as a industrial business park. That's how they've slated it and they're
12 working with CCDA and the South Carolina Department of Commerce to attract major
13 industry to that area immediately north of the Northpoint site. Across the interstate from
14 that is the Lucent site that the county and city, or that the city purchased and turned
15 over to the Department of Commerce. It's approximately 350 acres and then there's
16 another 150 acres between it and the interstate. All total, that's about a 500 acre site.
17 The Lucent site is now owned by the State Department of Commerce and they
18 obviously are marketing that to put a large manufacturing or business location at that
19 point. At one point, had the Lucent site been built, it would have been 70 acres under
20 one roof, in the building on that site. So it would have been one of the largest
21 manufacturing facilities in the Southeast. If you could, the next slide, please. For some
22 guidance, we also looked at the comprehensive plan, both the 1994 plan for the I-77
23 corridor which designates this site – this site entirely lies within the – what is called the

1 Developed Urban Area, which when reading the plan suggests that area should be
2 industrial and commercial and residential growth should be directed into areas with
3 infrastructure, which this site has both sewer and water on site today. Turn to the slide,
4 please. With respect to the Imagine 2020 Plan, our plan meets a number of those
5 goals, interconnectivity between the different uses. It's adjacent to a transportation
6 node as you saw. It all lies entirely within a mile and a half of a major interstate
7 interchange. It's an infill site. You know, we're growing inside the urbanized boundary.
8 And it includes a mix – or it adds to or creates a mix of uses by adding residential to
9 what is already a very heavily established employment node in Richland County. Next
10 slide, please. From there we began to drill down and look at the site itself. This is an
11 overlay of the parcels on the topographic map. You can see that it's flat on the eastern
12 side and becomes – it slopes back towards the creeks that are on both the north and
13 the eastside of the site. Next slide, please. This is the wetlands. This is the National
14 Wetlands Inventory delineation. The only wetlands on the site, according to the site –
15 this is not an Army Corps of Engineer delineation, this is National Wetlands Inventory. I
16 want to distinguish the two. The only thing on the National Wetlands Inventory is that in
17 the upper right-hand side of the site there is a patch of wetlands up in the northeast
18 side. Obviously we'll have to comply with wetlands law, Federal wetlands regulations,
19 and get through normal Army Corps of Engineer delineation. Next slide, please. We
20 also looked at traffic. North of Turkey Farm Road, between Turkey Farm Road and the
21 interchange, US 21 is actually a four-lane divided highway. The capacity, according to
22 the numbers that Carl uses on that segment, is about 19,600 vehicles per day. The
23 actual use of the road – and the only place there's a count is to the south where it's a

1 two-lane road, but in the southern segment there is a – I believe the existing traffic's
2 about 8,500 cars a day in the southern segment below Turkey Farm Road. Turkey
3 Farm Road is not on the Richland County road plan. It's designated as a local road, but
4 assuming that since it's built the same as what a lot of roads are called "collectors" in
5 the county, it should hold about 8,600 vehicles per day. And that's according to the
6 numbers that DOT and Richland County uses. Next slide, please. This is what I call a
7 "bubble map" of the site and how it'll work. Point out a few things here. The residential
8 is on the western side of the site. There's a low-medium area, a low-density area, a
9 medium density area all on the west side of the site. That area has two principal
10 ingresses and egresses and those are public roads. The second one, that's delineated
11 with the small red arrow, we have added since last time that we appeared before this
12 Body, we added that at the – in order to provide alternative access to the property. So
13 not so many folks would have to drive past that little pocket of property that this property
14 surrounds. And heading eastward, the institutional section will be purchased by
15 Richland 2 School District for future land, for future school use. And I don't know that
16 they've necessarily finalized what their plans are there, yet. But it's approximately 115
17 acres that they intend to use at some point in the future. There's also an
18 ingress/egress off of Community Road through the commercial section and that
19 connects into the institutional section. Also on this plan, if you note, there is a
20 connection to the school site via pedestrian entrance. We did request principal road
21 access into the school site and Richland School 2. And we have a letter stating such.
22 Richland 2 does not grant that sort of access because they can't secure the site with the
23 road access. Next slide, please. This is entirely an illustrative sketch plan. It is not how

1 things are going to lay out on the site. And in fact, sorry about – this shows – this is
2 mostly so y'all can get a sense of how it's going to lay out, the low density areas. And
3 this is if you had - if we were able to develop to it's full capacity at the densities we
4 proposed, you'd be, in the median section, be able to put 210 units, the low median 462
5 and the low 13. However we, as part of PUD agreement, have agreed or have
6 established a cap of a total of 450 residential units on the property, okay. So those
7 densities are – that's the density of the zoning district that we set up inside the PUD, but
8 that does not represent the actual density at which it will be built. Similar to the
9 Longtown property I spoke of before where we, I think, we're approved for 3,500 units
10 and we're only going to end up putting about 2,300 units on the property. Similar sort of
11 thing. And that accounts for the open space and the roads and things like that. You
12 can see the institutional area and we did draw out a school that does not, in any way or
13 shape or form, indicate that's what it's going to look like. That is just so you can get a
14 sense of how it'll sit or how it would generally look. And then the commercial areas over
15 off Community Road. Next slide, please. And that's it. Any questions?

16 VICE-CHAIRMAN WYATT: Questions for the applicant?

17 MR. VAN DINE: What things are commercially proposing for those commercial
18 areas?

19 MR. ANDERSON: I believe [inaudible] said that anything that would be allowable
20 in C-3 or M-1 would be allowed in this commercial area.

21 MR. VAN DINE: Are there any restrictions on any of the uses that might possibly
22 be in C-3? Not limited, I might add, to sexually oriented businesses under C-3 or
23 anything like that. Are there restrictions at all as to types of C-3?

1 MR. ANDERSON: For that I'd might defer to Bill Dixon of Mungo Company. I
2 think he can answer that more specifically.

3 **TESTIMONY OF BILL DIXON:**

4 MR. DIXON: The PUD plan does restrict any type of sexual activity allowed
5 under C-3. I don't remember the page number, but I was going to try to point that out.

6 MR. VAN DINE: Any type of sexual activity?

7 [Laughter]

8 MR. DIXON: Sexual district.

9 VICE-CHAIRMAN WYATT: There goes your sales.

10 MR. DIXON: No, this is in the commercial, not the residential.

11 [Laughter]

12 MS. LUCIUS: It is [inaudible] on page 4 in the packet pages at D. It says
13 sexually oriented businesses as defined blah-blah-blah shall be excluded. Is that what
14 we're talking about?

15 MR. DIXON: Yes, ma'am.

16 MS. LUCIUS: Okay.

17 VICE-CHAIRMAN WYATT: Then you've also got [inaudible].

18 MS. LUCIUS: Speaking of being close to the school, I didn't understand - say
19 that again. I must have been not listening. When you were talking about the access to
20 the school district's property, something about School District 2 didn't allow - what was
21 it?

22 MR. DIXON: There was a lot of discussion about having access to the residential
23 portion of the PUD -

1 MS. LUCIUS: That was my concern – walkable schools.

2 MR. DIXON: Through the school. But the school cannot allow a public road
3 going through their campus for safety of the kids. So we are going to have connectivity

4 -

5 MS. LUCIUS: There will be connectivity?

6 MR. DIXON: With the residential, but it won't be a public road with public traffic.

7 MS. LUCIUS: But there will be connectivity between – I'm looking here - the
8 neighborhood and the school. There will be connectivity.

9 MR. DIXON: That's correct. Yes, ma'am.

10 MS. LUCIUS: You won't have to go out on the road to get to the school?

11 MR. DIXON: That's right. The children will be able to go to school without going
12 onto Turkey Farm Road.

13 MR. VAN DINE: This seems like it's unclear on the commercial, it's both uses in
14 M-1 and C-3?

15 MR. DIXON: Yes, sir.

16 MR. VAN DINE: Would M-1 create a problem for – I understand commercial. M-1
17 is a whole different ballgame, putting it next to a school area and also with the access
18 point through that area into it.

19 MR. GOSLINE: Is that a question?

20 MR. VAN DINE: Yes.

21 MR. GOSLINE: Madam Chairman and Members, the – what we typically do in
22 these PUDs is to get some sense of the kind of commercial activity the applicants' want
23 and then establish some sort of limit in terms of square footage or something like that.

1 So we have not had that discussion with the applicant in this case. It might be
2 appropriate to do that. Because you're right. I mean, the current zoning under both C-3
3 and M-1 is very, very broad and so I think it would be appropriate to have some sort of
4 limitation, either square footage or general office-commercial or retail, something – so
5 many square feet of office, so many square feet of retail – something on that order so
6 that we can determine more, particularly offside impact on the –

7 MR. ANDERSON: To elaborate on a question and that's something that I meant
8 to point as well, those roads, those arrows you saw on the site plan, those are road
9 access. That does not include driveway access. So if the school has a driveway
10 entrance off of Turkey Farm, that would not – we don't consider that a principal access
11 to the site. The same with on the low residential area where we have single-family
12 homes on Turkey Farm Road to keep in character with the homes that are already on
13 the road there, we have some large lots there, they would also have driveways and we
14 did not show the layout of the streets in every one of those or for the school. Don't
15 know if I made that more clear or less clear.

16 MR. GOSLINE: Madam Chairman, I think that what Ron is saying. Those are
17 good points that everybody needs to be very clear about and we would, as we're talking
18 about it, add them into the conditions, those conditions end up being the language in the
19 proposed ordinance. So the points, the clarifications that Ron and Bill are making are
20 very important.

21 VICE-CHAIRMAN WYATT: Any other questions for the Staff or the applicant?
22 Okay, at this time we have a number of folks that have signed up to speak against this.
23 I'm going to call your name and ask you to come to the podium. You are limited to two

1 minutes? Three minutes, excuse me. When you come up, please make sure that you
2 state your name and address for the Record. We'll start with Tim McSwain. And I
3 apologize if I say anyone's name wrong.

4 **TESTIMONY OF TIME MCSWAIN:**

5 MR. MCSWAIN: Hello. I'm Tim McSwain and I live at 438 Turkey Farm Road.
6 My family and I have lived there for about 13 years and we live on 10 acres of land on
7 this road. A majority of the folks that live on this road do live on acreage, typically at
8 least three to four acres, and that's the common theme for this road. It's a country type
9 setting. That's the reason that we have moved to this area is to live in this type setting
10 and not to live in a subdivision or be surrounded by a subdivision. Turkey Farm Road
11 itself, is not a "proper" asphalt road. It is an oil with rock pressed into it type road. It's
12 not designed for and built out as an asphalt road like a secondary highway. Due to that
13 you have several places on this road, the edges of it, that are breaking down. They get
14 patched or don't get patched. So you have a road that, although the speed limit is 45
15 miles an hour, you are still in a situation that you would be careful driving down this
16 road. The type atmosphere that our neighborhood, and then we do have the
17 neighborhood association out there, has promoted this to have, you know, rural type
18 setting. A majority of the houses, well I'd say at least half of the houses as you drive
19 down our road, you would have to turn into their driveway to actually see the house. It's
20 not houses right there beside the road. It is in a country, lots of trees, that kind of
21 setting. My family's interest in preserving our way of life there would be to continue to
22 have the same type zoning around where we live for the property that is close to us.
23 And, you know, although when a large piece of property is sold, you know whoever

1 buys it does want to do something with it, but what we would ask is that the zoning
2 maintain the same type atmosphere that we have. Thank you.

3 VICE-CHAIRMAN WYATT: Thank you, sir. Glenn Didyoung.

4 **TESTIMONY OF GLENN DIDYOUNG:**

5 MR. DIDYOUNG: Good afternoon. I'm Glenn Didyoung. I live at 260 Turkey
6 Farm Road, Blythewood. I'm in what was referred to that little pocket of land around
7 which that entire 371 acres lays. I'm very concerned about this proposed development
8 because this is a rural community as Tim said. Folks move in a few at a time. We all
9 have multiple acreage. And growth comes as it is needed. A development like this
10 would negatively impact the natural rural setting of the community. Blythewood, itself,
11 cannot yet support a development of this size and density. It's inappropriate and
12 unnecessary. It's serves to satisfy the developer, not the community. Blythewood is
13 desirable because it is rural. When developers get through crowding it will no longer be
14 desirable. It will be like much of the rest of northeast Richland County. Rural zoning
15 was put in place to protect the rural countryside. Why do we have zoning ordinances in
16 place if the developer can change them to suit his plans? This development will open
17 the door to more and more crowding. This type of dense development is only practical
18 close to city limits. It's impractical in rural towns. It's serves only to increase the sprawl.
19 Blythewood will not be losing an opportunity for growth if this development doesn't come
20 to our town, but we will be losing opportunity to grow sensibly. This is not smart growth.
21 There is no indication that Blythewood is even ready yet for this increased development.
22 Nearby Ashley Oaks subdivision is far from full to capacity and there're over a thousand
23 yet unoccupied acres allotted for the commercial and light industrial just up the road.

1 And we also, at this point, have a high school still under construction. Why do we want
2 to just satisfy the developers? The existing residents who have worked hard over their
3 lifetimes to make this rural community what it is today. We will also only need this
4 additional proposed school on Turkey Farm Road if we add the additional proposed
5 homes there. We don't really want another school placed inappropriately forcing rural
6 residents to have to contend with congested traffic, super-bright security lighting, noise,
7 and litter on a rural, unimproved, winding road. We taxpayers would be forced to
8 support this school and others along with the immediate need for increased public
9 services, need for a larger post office, library, increased fire and police protection. Will
10 the developers also be providing all of these increased services for us? I don't think so.
11 We taxpayers will be paying for all these services. I've also wondered if there has been
12 an environmental impact study done. This is an area rich in wildlife habitat, wetlands,
13 and watersheds for ponds and creeks on the property. I hope y'all have been out there
14 to see what you're voting for because if you're just looking at a piece of paper you can't
15 possibly see what's about to take place. The promise of a dotted open space here and
16 there is not enough to secure and protect the rural flavor of our community. The Mungo
17 Company has shown what they can do in preparation for their mega-subdivisions. They
18 can look at the vast wasteland they have left along Killian Road. The tree ordinance is
19 not restrictive enough to protect the hundreds of old-growth hardwood trees on these
20 371 acres. Who will protect them? It will be a sad day for Blythewood when this denser
21 kind of development is allowed to come to our rural town. Thank you.

22 VICE-CHAIRMAN WYATT: Thank you, sir. I'm not going to attempt the next one.
23 I'll spell it. Mary P-A-O-LL. Would you say it for me, ma'am?

1 MS. PAOLI: Paoli.

2 VICE-CHAIRMAN WYATT: Thank you.

3 **TESTIMONY OF MARY PAOLI:**

4 MS. PAOLI: Hi. My name is Mary Paoli. I lived on 441 Turkey Farm Road for 15
5 years and the reason I moved out there was to have some land. I've got 13 acres and
6 it's just beautiful countryside. If you rezone this to allow them to put this development in
7 the whole character of the street's going to change. Like Glenn said, the road was not
8 properly constructed for this type of traffic. The road is hazardous as it is now. You put
9 another thousand cars on it its going to be undoable. And there's also the other
10 residents of Turkey Farm Road that don't get to speak to [inaudible], the white-tailed
11 deer, the wild turkeys, the herons, the red-tailed foxes. We have great horned owls
12 along with the regular wood animals. There's not going to be any place for them to go.
13 They're going to be in the road. There's going to be more accidents. Growth is
14 inevitable. You're going to build houses but keep the zoning the same. Grow it at the
15 same rate it's growing now. This is just totally ridiculous. There's too many people.
16 Thank you.

17 VICE-CHAIRMAN WYATT: Okay. Next is Pete Didyoung.

18 AUDIENCE MEMBER: He had to leave.

19 VICE-CHAIRMAN WYATT: Larry Branham.

20 **TESTIMONY OF LARRY BRANHAM:**

21 MR. BRANHAM: My name is Larry Branham. I live at 1401 Swygert Road, been
22 out there about 24 years now. And talking about traffic on Turkey Farm Road, I have
23 some pictures here of Mr. Fulmer's – has some land at the end of Turkey Farm and

1 Fulmer Road. A truck went through there, 2003 Dodge, straight across the road,
2 Fulmer Road, about 100 yards back in there and hit two pine trees. This has been the
3 third incident in about the last 14-15 months. This happened 4:00 o'clock in the
4 morning. A truck just went straight across the road. What happened was the state
5 come out and voluntarily moved his driveway. So instead of running in his yard and
6 hitting their cars or personal items, now they can hit the bank. State voluntarily moved
7 the driveway. Traffic out there is just unbelievable. And now with Ashley Oaks the way
8 it is – years ago when I moved out there you heard a car coming you got straightened
9 up because you got company. And now a days it's not like that. It's just unbelievable.
10 And you put this out there is just going to be – it's just too congested. We just need to
11 keep it as rural as we can. Thank you.

12 VICE-CHAIRMAN WYATT: Mr. Branham, do you want to pass those pictures
13 down?

14 MR. BRANHAM: Sure.

15 VICE-CHAIRMAN WYATT: [Inaudible]. Thank you, sir. Next is Evan Thayer.

16 **TESTIMONY OF EVAN THAYER:**

17 MR. THAYER: My name is Evan Thayer. I live at 232 Turkey Farm Road. I'd
18 like to read something that was in The State paper on October 15th of last year
19 concerning northeast and specifically Blythewood issues and Blythewood growth.
20 There was a little block on the bottom. It says, "Why Blythewood? Country living with
21 large lots, plenty of space between neighbors, popular for horse pursuits and less
22 traffic." That's exactly why I chose to move out there. The development that they're
23 proposing is just not consistent with the local character. My lot is over four acres and

1 it's got a pond on it. You may have noticed the pond that was in that section that's
2 going to be surrounded by this proposed development. The area where the school is
3 proposed, that's the wetlands that feeds our pond. I'm concerned. I've not heard
4 anything mentioned about what they're going to do to protect that area. The spot where
5 they showed the second road on the parcel of land that they've recently acquired, that's
6 the lot next to my house. When I bought my property – that's this lot right here and this
7 is my lot right here. When I bought that this is all part of what was called the Caroline
8 subdivision where the Didyoung's live, the Baker's, myself. All the land that's going to
9 be surrounded by this was divided up and it all has deed restrictions of minimum square
10 footage. And, you know, that's a five acre lot. I thought that was my buffer zone where
11 somebody next to me has a five acre lot with one house just like mine. Now I find
12 they're trying to put a road through there. So I'm going to be a corner lot. That's not
13 what I build a half a million-dollar house to live on. I don't want traffic coming down right
14 next to my house. And that's going to cross right across where the end of my pond is
15 and that's the end that feeds the pond. You know, that's where they want to put a road.
16 So I'm extremely concerned. I've heard the Commission talk about their concerns for
17 clearcutting. I've got all kinds of hardwood trees. It's not just pine trees in this area. All
18 that lowland where the pond is and the land that feeds it, there a lot of hardwood trees
19 in there. And, you know, I'm just concerned about the increase in traffic and especially
20 concerned about what's going to happen on that five acre parcel of land that I thought
21 was safe and secure with the same covenants that my property had. And, you know,
22 those are my concerns. The density is just totally inconsistent. The only area is that
23 one little spot where they have that red arrow is where they're even attempting to put

1 homesites that are similar to what we all live on. And those are, you're only talking
2 about acre or acre and a half lots, they are not four and five acre lots like we live on, or
3 10 acres as some of the other folks have. And that's why I consider this inconsistent
4 with the area that's there now and the residents that are there now.

5 VICE-CHAIRMAN WYATT: Thank you, sir. Next is Virginia Sanders.

6 **TESTIMONY OF VIRGINIA SANDERS:**

7 MS. SANDERS: Yes. Thank you for having me. My name is Virginia Sanders. I
8 live at 7049 Glengary Drive, Columbia, and I'm here representing the Sierra Club and
9 the homeowners on Turkey Farm Road. First thing I would like to clarify is that was a
10 nice presentation done but a lot of that presentation isn't reality. It's pie-in-the-sky. All
11 of those developments and that industrial area does not have all those people in it.
12 That's something that you hope might come. It's not here. The best-laid plans go awry.
13 The presenter also talked about an urban boundary line as it is prescribed in the land
14 plan. The land plan does not have a growth boundary line in it. So I would like to get to
15 the points that I would like to make. For those of you who haven't been out there to see
16 Turkey Farm Road, if this development is approved for Turkey Farm Road it is going to
17 forever change the character of this neighborhood and this community. You're going to
18 ignite a development fire that you can never go back and correct. This kind of
19 development is not appropriate for that area. And there are a couple of other points I
20 would like to make. I take exception to the fact that the developers decides where a
21 school should go. You buy land and then you go to the School Board as a developer
22 and you coerce the School Board into saying we're going to put a school here. I
23 thought this was a country "of the people, by the people, and for the people." The

1 people of Blythewood should be deciding where a school should go in their community,
2 not a developer. My second point is the federal government has an all-time high deficit.
3 That means, at this level of local government, we're going to be getting less and less
4 money for roads and for other infrastructure. I beg you to take that into consideration
5 before approving major developments like this that's going to require so much subsidy
6 from the taxpayers. Our taxes are going up at a rapid rate as it is. And this type of
7 development the developer does not pay or defray enough of that cost. That cost is
8 going to lie, fall, right back to us the taxpayers. I'm a resident of Richland County and I
9 think that should be taken into consideration. And another thing about this, every dollar
10 that we spend in a new development is one dollar less than we have to put into existing
11 neighborhoods. I live in an old neighborhood. I have needs in my old neighborhood. I
12 want more money to be spent on me. I've been paying taxes for a long time. I want
13 more money to be spent in existing neighborhoods and less in new neighborhoods. We
14 have no housing shortage in Richland County. In yesterday's State newspaper we had
15 10+ pages of 'For Sale' houses in Richland County. And one other thing, Richland
16 County is trying to pass a land plan. This development represents sprawl. And I beg
17 you to consider how can we go to the people of Richland County and ask them to pass
18 a land plan, which should control sprawl, when you're approving a development that's
19 sprawl personified. Thank you.

20 VICE-CHAIRMAN WYATT: Thank you. Janice Davis.

21 **TESTIMONY OF JANICE DAVIS:**

22 MS. DAVIS: Good afternoon. My name is Janice Davis and I live at 828 Swygert
23 Road and been there about 29 years. And I'm here because I would like to keep this in

1 rural. I came down and talked to some of the staff [inaudible]. And they were talking
2 about, well, are there any businesses out there rural? What makes it rural? I started
3 thinking about that. Right next to [inaudible]. The next door, my neighbor, has
4 chickens. Their seven kids are raising chickens and these are some of their eggs.
5 They have five roosters to wake you up early in the morning. Also off of Swygert Road,
6 off the dirt road we also have hogs. On Turkey Farm Road we have horses. And over
7 on Lorick Road, which is not too far from Turkey Farm Road, there is a couple that
8 raises organic blueberries. And if you go on out to Blythewood, you know, you have
9 goats. You have all kind of businesses out there with farms. We have a garden. We
10 have a large garden. I don't see gardens fitting into homeowners' association that
11 they're going to put in there. But I really think that we ought to keep it rural. That's one
12 reason we moved out there. I don't want to be in a subdivision. And, just like has been
13 said, once it gets started it's going to be easier for each developer to come in and go,
14 "Well, Mungo's developed this over here. You know, we got growth coming we need to
15 - ." Okay. But that's not what we need. We need some areas that will continue to be
16 rural. They can put a subdivision in. Keep it rural. That's all that we're asking here.
17 I'm also concerned about the road situation like everybody else. Like I say, if y'all would
18 just go out there looking at that road you would know what we were talking about. It's
19 just not going to support it. And so I just ask that y'all would consider these things for
20 our desire to stay rural. I also would like to thank y'all. I came the last time this came
21 up. I like to sit here and listen to you guys because y'all do ask questions and I think
22 you are interested in what the residents have to say as well as the developers and other

1 people. I do appreciate that. Thank you very much. And I would like to give these to
2 Mr. Dixon.

3 [Laughter]

4 VICE-CHAIRMAN WYATT: Chris Talbert. I don't see him here. That's it. Any
5 questions or comments from Commission Members?

6 MR. VAN DINE: I have a couple of questions [inaudible]. In your write up you
7 indicate that institutionally [inaudible] provide for public education facilities. Is that
8 correct?

9 MR. DIXON: Yes, sir.

10 MR. VAN DINE: Then you immediately afterwards say, "However, it can be
11 anything that can fit into institutional as provided by the code Section 26-61-22. "

12 MR. DIXON: Rural zoning.

13 MR. VAN DINE: That seems to expand beyond the [inaudible] part of the plan
14 that you are asking us to vote on.

15 MR. DIXON: That is correct. The intent of our PUD, if you'll remember at the last
16 meeting you, yourself, had significant questions about what was going on and the intent
17 of the School District on that site. The school can go in rural as it is without this zoning
18 change. And we showed the school merely for informational purposes. We called it
19 "institutional" because that is the intent of the School District to build a school. But it's
20 essentially staying like it is. It's remaining rural.

21 MR. VAN DINE: Is there a contract-of-sale that is pending on this piece of
22 property from the school?

1 MR. DIXON: The school already owns the 30 acres abutting Turkey Farm Road.
2 And they're under contract to buy directly from the property owners. The Mungo
3 Company did not have anything to do with the school locating here, as stated earlier.
4 They're buying directly from the current property owners the back two pieces and they
5 are under contract.

6 MR. VAN DINE: I want to go back again to commercial. Commercial seems to
7 be wide open, both commercial and M-1. It seems to me to be a whole lot more things
8 that need to be allow that area [inaudible]. I don't know if discussions would be
9 something that should have taken place before this or not, but it seems to me that there
10 ought to be some restriction as to the type of things that go into that commercial
11 considering the nature of the area that's out there.

12 MR. DIXON: If I could speak to that. The frontage road that goes on up and
13 accesses Northpoint Industrial Park and all the other commercial and light industrial
14 development along that road - the current owner, which we, the Mungo Company does
15 not own that - the current owner requested, actually, commercial on the six acres and
16 light industrial on the 24 acres being that most everything down Community Road is
17 zoned M-1 currently. Because we did a PUD instead of a straight zoning district, we
18 just combined the two for flexibility.

19 MR. VAN DINE: I guess this may be a combination both for you and the Staff. If I
20 look at your layout, commercial seems to straddle frontage road - go to the other side
21 whereas the map that's here being shown does not seem to straddle the road.

22 MR. DIXON: Which map are you referring to?

23 MR. VAN DINE: I'm looking at our zoning map, our parcel map.

1 MR. DIXON: It is on both sides of the frontage road. There's six acres in
2 between Highway 21 and the frontage and 24 acres on the school side of the frontage
3 road. It's just like shown. Oh, that, that road. It's going to the school, too. We'll be
4 able to split – [inaudible].

5 MR. GOSLINE: Madam Chairman, the reason why the map and the applicant's
6 material is more detailed is it's correct, but when we pull up the parcel maps at that
7 scale that six acres kind of gets hidden in the overall [inaudible]. But there is a six acre
8 piece between Wilson and Community Drive is the actual name, not frontage road.

9 MR. VAN DINE: Did I hear you correctly when you said that that 30 acre parcel is
10 presently owned by the school district?

11 MR. DIXON: Thirty acres of the 115 –

12 MR. VAN DINE: Oh, okay.

13 MR. DIXON: Has already been closed on at this [inaudible].

14 MR. VAN DINE: Not the 30 acres that you have listed as commercial?

15 MR. DIXON: No, sir.

16 MR. VAN DINE: Okay.

17 VICE-CHAIRMAN WYATT: Any other questions?

18 MS. LUCIUS: Is 10% open space? Is that –

19 MR. GOSLINE: Excuse me?

20 MS. LUCIUS: 10% open space?

21 MR. GOSLINE: Ma'am, what was the question about?

22 MS. LUCIUS: Is that sufficient?

1 MR. GOSLINE: I guess that's a question you all need to answer. Current, I
2 believe that the PUD ordinance specifies any amount.

3 MS. LUCIUS: [Inaudible]

4 MR. DIXON: It requires a minimum of 10. It's a minimum of 10. And we do
5 intend on putting at least that much just on the residential part. And if, you know, the
6 school has any along the creek or whatever else, then that's going to be over and above
7 what the minimum required by the zoning ordinance.

8 VICE-CHAIRMAN WYATT: I guess I share that same concern that [inaudible].
9 This certainly looks more like buffering than it does green space when you look at the
10 physical –

11 MR. DIXON: Correct. The sample layout that's in your package, a lot of the
12 green space is along the creeks. That's set aside for wildlife corridors and for protection
13 of the natural resources that are on the site. Some of the green space will be used for
14 recreational facilities for the neighborhood residents.

15 VICE-CHAIRMAN WYATT: Where? I mean give me an indication of where?

16 MR. DIXON: Well in the middle of that circle, for instance.

17 MR. FURGESS: Those [inaudible] there?

18 MR. DIXON: Yes, sir.

19 VICE-CHAIRMAN WYATT: That's not a traffic-calming device there? [Inaudible]
20 calming device.

21 MR. DIXON: Well, it's that, but I'm building one of those in another neighborhood,
22 for instance, and we're putting a swimming pool and clubhouse in the middle of the

1 circle. And that's just an example of the type of recreational facility that can be done in
2 an area like that.

3 MS. LUCIUS: A vote to approve would be approving this. [Inaudible]

4 MR. DIXON: No, ma'am.

5 MR. GOSLINE: No, this is not a –

6 MR. DIXON: That is a sample conceptual layout. We would have to do –

7 MS. LUCIUS: I thought with a PUD – I thought with a PUD it was [inaudible].

8 MR. DIXON: The actual PUD plan is fine, but that sample layout is not. I've got
9 another sample layout here that's different than that one.

10 MS. LUCIUS: I'm sorry, Mr. Gosline. I thought that since we were voting on the
11 PUD that this was binding.

12 MR. GOSLINE: Yes.

13 MS. LUCIUS: That's what I thought.

14 MR. GOSLINE: But the Villages at Longtown had a schematic diagram which
15 was approved as part of the PUD as a conceptual diagram and then in ordinances
16 some provision for the Planning Commission to make minor changes to that sketch
17 plan.

18 MS. LUCIUS: [Inaudible] It would be this and if they came back before us then
19 they'd have to change it, right?

20 MR. GOSLINE: Well, it's always been the Staff's preference to – that the plan
21 would be an exhibit 'E' and with some density limits in each of the pods and some, as
22 we've been discussing in the commercial, some limitation on the amount of commercial
23 space and the type of commercial space. We have – because we don't think it's

1 appropriate to get into the layout details. Now the applicants are kind of in a bind in a
2 sense because y'all are looking for the 'E' type information.

3 MS. LUCIUS: Right.

4 MR. GOSLINE: So it would – the answer is the more correct answer to your
5 question is the ordinance. Would be up to you whether you want to specify exhibit 'D'
6 and exhibit 'E'.

7 MR. DUNBAR: The problem with using that though is that the developer gets his
8 zoning but can't spend the money [inaudible]. He has no idea what he's [inaudible].

9 MS. LUCIUS: I understand. I know it's like a 'Catch-22'. [Inaudible].

10 MR. DUNBAR: It's a conceptual thing. So it was my thought we would deal with
11 exhibit 'D'. The rest of [inaudible].

12 MR. GOSLINE: Yeah, because the issue at this stage is the density of the
13 residential and the amount of commercial and you're going to provide whatever
14 limitations that is. But you [inaudible].

15 MR. VAN DINE: Again, all these would have to come back with the subdivision
16 review, correct?

17 MR. GOSLINE: Correct. But they would have to, obviously like all the stuff in the
18 Villages at Longtown, it's all been consistent with – it would have to be consistent with
19 whatever PUD map gets adopted in the ordinances.

20 MS. LUCIUS: Which would be Exhibit D.

21 MR. GOSLINE: As well as the text, the accompanying text.

22 MR. DIXON: Yes, ma'am.

23 MS. LUCIUS: Exhibit 'D'.

1 MR. GOSLINE: Excuse me?

2 VICE-CHAIRMAN WYATT: Exhibit 'D'.

3 MR. GOSLINE: That would be –

4 MS. LUCIUS: That would be what we'd go by.

5 MR. GOSLINE: Yes, ma'am. That would be our preference.

6 VICE-CHAIRMAN WYATT: If that's the development you want.

7 MS. LUCIUS: Right. If it's approved. [Inaudible].

8 MR. GOSLINE: What we would also suggest to you that we need to have some
9 kind of, particularly in the commercial, some kind of limitation in the text about the
10 amount of commercial space and some limitation about the kind. Is it going to be
11 office? Well it certainly in the interchange it'd be perfect for office development. We
12 could make a case that it'd be more appropriate for office development than general
13 retail. You could also make a case on the reverse that some retail associated with the
14 businesses to the north and to the residences would also be appropriate. Those are the
15 kinds of decisions that you all need to discuss and decide.

16 MR. DUNBAR: Well it seems to me like that a major interchange at the interstate
17 would have some mixed use. That's going to be driven by [inaudible] by demand of the
18 market. So for us to determine the exact mix would be a little bit difficult to do I would
19 think.

20 MR. GOSLINE: Well, I'm not saying exactly. I'm saying that you ought to provide
21 what's - just for the sake of discussion. Say that the six acres would be general retail,
22 the 29 would be 24 acres of office/commercial up to 200,000 or whatever the number of
23 square feet is, something like that. Just because it's on the interstate doesn't mean it

1 has to be commercial. It does – I mean, you can argue either way and we certainly
2 have, should have some interchanges where we have a lot of residential. Can't think of
3 one right off of the top of my head. Well, yeah, there is Garners Ferry and I-77. The
4 two northern corridors have a lot of residential on it.

5 MR. DIXON: Could I add a few points?

6 VICE-CHAIRMAN WYATT: You may.

7 MR. DIXON: Addressing some of the open space questions, by putting the
8 minimum 37 acres, at a minimum, completely on the residential part of the residential
9 area's 220 acres. I don't know what that comes to but as much – it's over 15% if you
10 look at it, you know, like that. And when we come in normally for the rezoning of a
11 residential piece of property, that's the way the percentage is calculated. Now we're
12 calculating that minimum 10% on an entire PUD that includes a school site and going
13 up without minimum common area there.

14 MR. VAN DINE: Are you – did you just say or maybe I heard it wrong, but the
15 10% was going to include areas on the school site itself?

16 MR. DIXON: No, sir. No, sir. It's calculated including the acreage of the school
17 site.

18 MR. VAN DINE: You're talking open space. You're only talking open space on
19 the residential portion?

20 MR. DIXON: We have agreed to put the entire minimum 10% on our 220 acres.
21 What the school does will be over and above that.

22 MR. VAN DINE: You're designating 22 acres on the residential portion, not 37?

1 MR. DIXON: No, I'm going to put the entire 37 on my 220 acres. That's what I
2 was trying to get across.

3 MR. VAN DINE: Okay.

4 MR. DIXON: Also the reason that this is submitted as a sample layout and not
5 something that would be part of the PUD ordinance is because, as Mr. Dunbar pointed
6 out, we still have to do engineering. Army Corps has to visit the site and approve a
7 delineation on the wetlands that we've done. And we have to engineer around all those
8 things. And we have to design our green space to fit those. So those are issues that,
9 you know, we can't finalize until all that takes place.

10 MR. GOSLINE: Madam Chairman, one of the discussions, the questions about
11 the open space, really relates to a lot of the discussion we've all had for the many
12 months pertaining to Land Development Code about what should constitute open
13 space. So the fact that a lot of it will be in the wetland area is good. Maybe it ought to
14 be more, the definition ought to be more inclusive though.

15 MR. DIXON: Another reason –

16 MR. GOSLINE: This sort of depends on how you define it.

17 MR. DIXON: Another reason is this property has beautiful hardwoods but they're
18 predominately along your low areas. The tops of the hills, as was discussed earlier, the
19 tops of the hills, especially on the back part of the property, are a lot of planted pines.
20 They've been timbered over the years, varying sizes. You know, that's not something
21 too desirable to have for a common area or an open space is a lot of small pines. We
22 would rather save areas where the bigger nicer hardwoods are.

1 MR. DUNBAR: I have a suggestion. Seems like one stickler point is the
2 commercial area, not knowing what it's going to be [inaudible]. I would feel
3 uncomfortable with us coming up with a percentage base and not having any real
4 reason for it. I doubt if Mr. Dixon's got an idea what that mix should be at this point.

5 MR. DIXON: I can safely say that the owner of the property would agree to the
6 light industrial on the 24 acres and the C-3 commercial on the six, if y'all felt a need to
7 designate it and tie it down a little better.

8 MR. DUNBAR: That'd be somewhat stronger to me. I feel that there probably
9 would [inaudible] if you leave that open.

10 MR. DIXON: Okay.

11 MR. FURGESS: Was a traffic study done on this?

12 MR. DIXON: No, sir. Just the current traffic counts for 21. None were available
13 for Turkey Farm Road.

14 MR. VAN DINE: M-1 is designated as general commercial as part of its allotted
15 use. Is that general commercial the same as C-3? In essence M-1 is C-3 plus more.

16 MR. CRISS: The current M-1 district, as you probably recall, does allow a great
17 variety of what are often referred to as 'general commercial' land uses. I could read
18 from the current ordinance the M-1 permitted uses.

19 MR. GOSLINE: Madam Chairman, I think, you know, we're getting to a point
20 where we're locking in this commercial or industrial portion. It would be – I'm not
21 exactly sure how we get there, but if we could come up with some broad – like we could
22 have done this with the – we did this with the Richardson Industrial Park. There is some

1 broad statement of 'X' amount of a truly light industrial zone rather than say anything
2 that's M-1 use.

3 VICE-CHAIRMAN WYATT: The Kahn property.

4 MR. GOSLINE: Excuse me.

5 VICE-CHAIRMAN WYATT: We also did it with the Kahn property Village at
6 Sandhills.

7 MR. GOSLINE: That's correct. And then with the six acre piece it's not quite as
8 critical because it will, having dual frontage, it's not going to be, you know – they're very
9 – the problem [inaudible] are going to get are going to be pretty small in comparison to
10 the [inaudible]. So maybe what we can do is, if you all are of the mind to it, is to
11 approve some sort of conditions on that that'll get established before it goes to the first
12 reading with some limitations on these two pieces. I'm hearing that this is really the only
13 significant issue that y'all have? If that's not correct it's –

14 MR. VAN DINE: I'm not sure that that's true.

15 MR. GOSLINE: Well it's, I mean, it's one of significance. So maybe something
16 along that line. We could look at some sort of ratio or something and then – I would
17 assume, though, that they would want similar stuff that's up the road like warehousing
18 and light manufacturing as opposed to anything allowed in M-1. That's what I'm –
19 We're getting closer to kind of boxing in the problem [inaudible] the issue. Just a
20 thought.

21 MR. DUNBAR: The way it's been proposed, does that allow 20% commercial and
22 allow 80% light industrial?

1 MR. DIXON: Yeah, if you split it up into the two different parcels shown on the
2 map.

3 MR. DUNBAR: That's a total of around 38.

4 MR. VAN DINE: But that's not quite true because general commercial runs
5 through M-1 so in essence you've got 100% general commercial potential, but you're
6 only reducing the M-1 uses by 20%.

7 MR. GOSLINE: I guess that, you know, I don't know that we'd be terribly
8 comfortable with just saying M-1 or C-3 uses. Let me ask Mr. Dixon, Bill, do you know
9 in the Northpoint Park don't they have some kind of restrictions on the type of uses? I
10 don't know off of the top of my head but that might be a starting -

11 MR. DIXON: I'm not sure if - most of them are just light manufacturing or
12 assemblage type operations.

13 MR. GOSLINE: That might be a starting point if we have similar - If we had - get
14 with them and see if they have, you know, what kind of restrictions so that we - that it
15 would be a continuation of the Northpoint, in essence, the Northpoint Park development
16 on the 24 acres. And the six acre may be appropriate to be general retail. [Inaudible],
17 you know, if you said - see if you say M-1 or C-3, you get a body shop. You know,
18 nobody wants that, including us.

19 MR. DIXON: Well, being that this touches a major interstate interchange, that's,
20 you know, why I think the landowner want's the flexibility. Tom Milliken, with Edens &
21 Avant, represents that landowner so he might can speak to some of those issues.

1 **TESTIMONY OF TOM MILLIKEN:**

2 MR. MILLIKEN: Madam Chair, Tom Milliken of Edens & Avant. The landowner is
3 willing to commit [inaudible] is what offered the flexibility. The landowner was always
4 willing to commit to C-3, which would be in keeping with directly across the interstate at
5 the entrance to CSC, the old BMS, for the front six acres and for the 24 acres that would
6 back up to the school site currently M-1 to BLI would be satisfactory with the landowner.
7 We have no contentions to have C-3 from Community Road back to the school site.
8 We'd be willing to commit to that in way shape that y'all would like it or Carl would find
9 satisfactory.

10 MR. PALMER: In the PUD could you not zone it M-1 and take out of the
11 requirements of M-1 the 'General Commercial' sections?

12 MR. GOSLINE: The applicant has requested PUD zoning, so what we have to
13 do, Mr. Palmer, is box in, so to speak, the kind of light industrial development that we're
14 talking about so that we don't get a situation, which I'm sure they don't want or anybody
15 else wants, is used car lots and, you know, all the other stuff that we don't really care
16 about for a high value piece of property like this.

17 MR. PALMER: That's what I'm saying. Would the M-1 zoning we currently have
18 without the 'General Commercial' application do it?

19 MR. GOSLINE: Way too broad. Way too broad. What I think –

20 VICE-CHAIRMAN WYATT: That's under the new development code that you
21 think it was too broad.

22 MR. GOSLINE: But I hear that the applicant's saying that what they're really
23 looking for is something similar to what Northpoint.

1 VICE-CHAIRMAN WYATT: Exactly.

2 MR. GOSLINE: And so what we need to do is try to figure out how to word the
3 conditions and ultimately the ordinance so that we get that Northpoint type development
4 and the way it's been done. It's been done pretty well. There's lots of landscaping up
5 there. So it really has been done pretty well and we just need to get the right words to
6 make that happen. The six acres of general commercial I personally not as concerned
7 about except I would hate to see, you know, [inaudible] because that's awful high-value
8 property sitting on an interchange. We ought to have something a little better than the
9 normal commercial stuff. They're talking about crossing an entrance to CCI or CSI or
10 whatever it is. CSI is on at 10:00 o'clock, but. So, I mean, I'm not exactly sure how we
11 get there from where we are right now, but that's what I think we're trying to do. I think
12 we're all trying to do the same thing here.

13 MR. MILLIKEN: The PUD application itself is what is confusing in this particular
14 issue. The PUD allows commercial or M-1 as we know it today. But, as I say, we're
15 perfectly willing to restrict it any way y'all want it to commercial on the east side of
16 Community Road and M-1 to BLI someday on the west side of Community Road. Six
17 acres and 24 acres I [inaudible].

18 MR. GOSLINE: I'm sure y'all understand. Make sure everybody understands
19 that when you do a PUD what it basically is it's "Let's Make a Deal". And you can put in
20 just about anything you want but you need to limit, put in what you want and make sure
21 it's got – gives you some flexibility in terms of marketing and so on, but not an open
22 slate. But that's what we're struggling with. It doesn't entitle you to everything in M-1 or
23 entitle you to everything in C-3. What we're trying to do is get the right words.

1 MR. CRISS: The current Planned Unit Development Guidelines on page 4, if I'm
2 right, not only lists the permitted uses for C-3 and M-1 but also the special exceptions
3 without have to go to the Board of Zoning Appeals. So this is a broad list of land uses
4 at present as submitted to you.

5 MR. DUNBAR: Let me try to [inaudible] an idea here. First of all, I think to deal
6 with this issue and get some consensus, if we were to approve it based on the six and
7 24 acre split with further restrictions to be developed between the developer and Staff.
8 For example, if it's body shops or if it's other things that we want to leave out, that you
9 want to leave out that would help make it more palatable and we approved it subject to
10 that being done prior to maybe third reading – I think that was your idea Carl, or
11 somebody's.

12 MR. GOSLINE: I guess the decision, setting aside that there might be some
13 other issues, but on this particular thing I guess the issue for you all to decide is whether
14 you want to see in writing the commitments that we end up with, with more discussions
15 with the applicant. Or we would certainly want to do it as soon as possible so that it
16 gets into the draft ordinance at first reading, which is three weeks. And again, setting
17 aside that there aren't any other really burning issues. So maybe the thing to do is
18 make sure that this is the one that's going to hold these things up because –

19 MR. DUNBAR: [Inaudible] have any consensus?

20 MR. VAN DINE: Just procedurally, are we able to, for lack of better words, hold
21 back a portion of the ordinance because it seems to be that this is something that we
22 want to see or we want to have to look at before sending the ordinance - of this
23 particular thing lets assume everybody agreed and went forward but we're saying, "But

1 we want to see the list.” I’m not sure we can do that. We’re piece-mealing things and I
2 don’t think we can send a portion forward and not send other portions and hold them
3 back because it’s a unified document and package. So I don’t think that we can
4 piecemeal it. We have to decide the entire issue and send the entire thing forward. Am
5 I wrong? Am I –

6 MS. LINDER: My recommendation is that if you have concerns about any
7 portion of what would go into the ordinance that you would allow yourself to carry over
8 until the next month, to bring back, and have those questions addressed. To defer this
9 item. It gives maybe the developer time to meet with Staff.

10 MR. GOSLINE: We would have had – I mean I – just from a practical point of
11 view, we would prefer that everything’s clean. We want to make sure that there aren’t
12 any else, that there isn’t some other issues that y’all have so that we can take care of it
13 all at once, if that’s what you decide to do.

14 VICE-CHAIRMAN WYATT: Are there any Members of the Planning Commission
15 that have other questions other than the M-1?

16 MR. VAN DINE: I do have another [inaudible] several questions. Mr. Furgess.

17 MR. FURGESS: I have some. One of the problems I’m having with this, I’m not
18 getting a clear understanding of what is presented to us. The other part is that I live out
19 that way and I understand what the people are talking about, the road situation, the
20 traffic, and the whole development. If you’ve moved in a place, you want to keep it
21 rural, just say that you want to go with rural. Sometime we have to look at the total
22 picture. And I haven’t got the total picture of what this developer really wants to do.

1 That's my personal opinion of what I've observed today. So I'd rather wait until we get
2 some more information or some more questions to be answered with Staff on this.

3 VICE-CHAIRMAN WYATT: Thank you, Mr. Furgess.

4 MR. GOSLINE: Madam Chairman? In what since don't you have – I mean I don't
5 know what it is we're supposed to ask them or discuss with them.

6 MR. FURGESS: Well, it was already our concern about the business in the front.
7 That's a big concern. Along a school line, why would you have C-1 or M or PUD, you
8 know? I have concerns of the type of business might go in the front of the school and
9 the traffic that would be involved in there. That's a big concern. Then you're talking
10 about problems that you're going to have with safety problems. It's going to come up
11 with issues with the type of business you will have in the front. And when you get to the
12 green space, you're going to talk about the environment part of developing – whether to
13 clear cut where you have the right type of trees that you'll cut down or save for that
14 development area, you know. Some of these things need to be answered on that line,
15 Carl.

16 VICE-CHAIRMAN WYATT: Mr. Van Dine.

17 MR. VAN DINE: A number of the issues that I have concerns with have been
18 addressed already in relation to the commercial, in relation to the open space and it
19 seems to me the open space, basically the drainage patterns, are there. I don't know if
20 there's anything in addition to that that needs some modification. I guess one of my
21 fundamental problems with this is this area is a rural character area. Part of our
22 planning and part of our decision process has to be to take into consideration what is
23 there and what is planned to be there. And if I look at the recommendation it says at the

1 moment the amendment is not consistent with the proposed land-use map and it's not
2 consistent with the objectives of the I-77 corridor area. The number of houses, the
3 amount of traffic that's going to be dumped onto what amounts to a rural secondary
4 road, no matter what it's classified as, is going to create problems in those areas.
5 [Inaudible] relates to the school is not bound by the number of access points. They can
6 dump all of their traffic on to Turkey Farm and we would be in three times the worse
7 condition. They may not wish to run through the commercial area out onto Northpoint.
8 They may want to go directly out the other way. That means all of the school traffic now
9 comes onto that road and it comes from both directions, not just from Wilson Boulevard,
10 but from the other direction as well. I guess – I mean, what is being planned is for a
11 rather extensive invasion of what is, amounts to, a rural areas in a community that is not
12 proposed to be invaded this way. There is plenty of building sites in other areas that
13 have already been approved and already been proposed and those areas are not built
14 out yet. I'm not sure why we need to extend it and start an entirely new area in that
15 area. So those are the concerns I have with the entire issue, setting aside the
16 commercial and the other things of that nature as well.

17 MR. DIXON: Granted, Turkey Farm Road is a rural road, rural character, and
18 that's why we're proposing the low density facing Turkey Farm Road on our portion of it.
19 However, when you've got a piece of property, and you can see on the map, that is that
20 close to an interstate interchange, there's no better place for development. And Town
21 and Country says that, 2020 Vision says that. It's adjacent to currently existing light
22 industrial. And the reason it does not, is inconsistent I should say, with the I-77 corridor
23 plan is because the I-77 corridor plan calls for these tracks of land that we're asking to

1 be rezoned to be M-1, light industrial. We feel that what we're proposing is a much
2 better transition from the existing M-1 to the rural area than more M-1 would be, which
3 was in the I-77 corridor plan.

4 MR. DUNBAR: Seems to me like the main issue we have with it is the rural
5 character in the area. And while there are areas in the county that I think we could
6 preserve for rural to try to preserve a major interstate interchange as a rural area seems
7 to me to be not consistent with where we need to take advantage of the infrastructure
8 that we've got, the transportation infrastructure that we've got. A development like this
9 that's within a ½ mile of the interchange is not going to create a lot of secondary traffic
10 on too many collector roads around. I think Mr. Dixon said this is the natural place for
11 development. There are areas of Richland County that need to be preserved to protect
12 their rural character and the large lots. But to do that around the interchange is going to
13 require – where are we going to go for development if we don't even do it around the
14 interchanges?

15 MS. LUCIUS: I agree with you, Mr. Dunbar. If you look at this picture, from the
16 air it looks like a perfect place. But then again, sometimes like [inaudible] said, we get
17 on the ground that's a rural – that's a rural community established there and I have a
18 problem with that. I'm not saying it's this case, so much in this case, but, and I've told
19 other people this, sometimes I think we look rural as a holding pattern for M-1. That it's
20 just sitting there until it can become something better, as industrial or commercial. I
21 don't disagree with you, but if you look at this from the air it's a perfect spot for
22 development except that this community's already established there, rural community.

1 And I have a real problem with going in and doing this. It's really a tough call. It really
2 is. I've struggled with it.

3 MR. DUNBAR: There's a number of areas of the county - we've dealt with one off
4 of [inaudible] Road a little while ago [inaudible]. I live out there. I've lived there for 23
5 years [inaudible]. Nothing I'd love better than to just maintain the rural character, but we
6 have growth, where's the growth going to go?

7 MS. LUCIUS: I know. I understand.

8 MR. DUNBAR: So at some point rural areas have to be either developed or we
9 got to determine we just don't want any more development.

10 MS. LUCIUS: But I do think we have to look at the ongoing – what's going on, not
11 just the map. The, you know, the established view. And the established view right now
12 is a rural community, farming. And I have trouble with it.

13 MR. ANDERSON: If you wouldn't mind, ma'am, I would disagree with that. I
14 think that the intent of the County Council, the intent of the State Department of
15 Commerce, has turned this interchange over the last 15 years to one of the major
16 employment centers in Richland County. I mean it's -

17 MS. LUCIUS: I understand there's some there.

18 MR. ANDERSON: No, it's not 'some'. I mean it's about 5% of all the employment
19 in Richland County and in Lexington and Richland County combined works at this
20 interchange and there's more coming. Lots more. And that's absent the residential
21 development. So the question comes back to what Mr. Dunbar is asking which is
22 residential development under the 2020 plan is supposed to be directed into areas that
23 are already developed so that you can get people living near where they work –

1 MS. LUCIUS: Right.

2 MR. ANDERSON: And living near the transportation centers and that's the logic
3 of this, in my opinion. Yes, I agree it's going to require that if an area that is woods and
4 farms and stuff is going to turn into something else. But if you say, "We'll we're not
5 going to allow development anywhere that there's woods and farms," we might as well
6 just send everybody to Kershaw and Lexington County.

7 MS. LUCIUS: I'm not saying that. I'm trying to say [inaudible]. This one, I'm
8 having a problem with.

9 MR. VAN DINE: [Inaudible] as a question right now as to whether or not, setting
10 aside my other concerns, whether or not there is a desire to see more information
11 regarding the commercial aspect of the project or is this in a position now where people
12 can vote on it as it sits right now? I'm not sure I know whether there's an agreement.
13 I'll ask anybody else whether they want to see more information or whether they deem
14 this is something we ought to be moving forward now.

15 MR. PALMER: I need to be clear what other information people may or may – I
16 mean, Mr. Dunbar, do you want some more information on the commercial area? Is
17 that right?

18 MR. DUNBAR: Well I'm trying to figure – I was getting the feeling other people
19 did. And rather than sit here and discuss this for four or five hours and not do anything
20 with it I was trying to put forth some kind of a – try to find a good answer. So I don't
21 know if we've got a consensus on anything to be honest with you.

22 MR. PALMER: Would you mind -

1 MR. FURGESS: My problem is that, if we go ahead and approve this like they
2 want us to and later on it's not going to be developed like we think we approved it, do
3 we have any way of going back?

4 MR. DUNBAR: I understand and that's a good point. It [inaudible] commercial
5 [inaudible]. One way to deal with that would be to take off the commercial parcel off the
6 front. Delete it from the PUD. And then deal with the rest of it as an issue. Then when
7 they have a sale for commercial property, and they usually could come in and say we
8 need C-3 on this, we can deal the zoning issue. I don't know that the commercial on the
9 front of this is key to the PUD because it's really not adjacent to the residential
10 development. It's got [inaudible] of the plan. So if I was the developer I don't know that
11 I'd even include that but that's their prerogative to do so. But I mean if we didn't have
12 the commercial on there right now we could deal with the other issue and find out
13 whether we even have a consensus on that.

14 MR. PALMER: From what I can understand that's the major [inaudible]. Is there
15 anything else that you have other than the commercial area?

16 MS. LUCIUS: Well, and too, like Mr. Furgess [inaudible], I think it's kind of broad.
17 I don't really understand what's going in there.

18 MR. GOSLINE: Madam Chairman, we counseled the applicants to try to get all
19 the properties – you'll notice the corner at Turkey Farm is not included. We counseled
20 them to come back as a package and lets deal with the whole issue. You're right, Pat,
21 they could, if they wanted to but I just want to – you need to know that we counseled
22 them not to do that and not to fragment it but to try to take care of this as one “swell
23 foop”.

1 VICE-CHAIRMAN WYATT: I believe that we recommended that as a
2 Commission, also, when they were here for – what – 23 acres or something. [Inaudible]
3 you mentioned that you had options on the other we could do it all at one whack.
4 [Inaudible]. Sir, you've got two minutes.

5 MR. MCSWAIN: Okay. I just wanted to – the discussion of the commercial as it
6 relates to really what our folks have been talking about are really two different things. I
7 don't think you've heard any of us say that the commercial piece is inconsistent with that
8 Community Road because it's not on Turkey Farm Road. I would like to see us put that
9 in there two different ways. Our concern is not that commercial piece that's going to be
10 on Community Road. It's not accessing Turkey Farm Road and that kind of thing. I just
11 wanted, just so you'll take that in consideration that we're not – I don't think you heard
12 any of us speak against that but if you'll look at the concerns for the other piece.
13 Certainly everything on Community Road today is a commercial type atmosphere.
14 None of us are saying it shouldn't be that way.

15 VICE-CHAIRMAN WYATT: [Inaudible] stepped out of the room [inaudible].

16 MR. GOSLINE: That's our [inaudible].

17 VICE-CHAIRMAN WYATT: My question was that we made discussions about the
18 applicant coming back for more information but we've had no request from the applicant
19 to defer. We've had no motion appear. So [inaudible] where do you want to go?
20 Whether it be from you or –

21 MR. DIXON: We would certainly prefer to move forward at this meeting if there's
22 something that we can do to clear the air on the questions of the uses within the
23 commercial and limit those to some satisfactory level.

1 VICE-CHAIRMAN WYATT: So basically what Staff – what he would be doing
2 would be amending the PUD?

3 MR. GOSLINE: Well – I'm not sure I understand why you say that.

4 MR. VAN DINE: In essence what I heard was he wants to move forward but he's
5 willing to continue to talk to you down the road. I'm not sure -

6 MR. GOSLINE: I think that the decision for y'all is whether you want to defer to
7 the next meeting and give us opportunity to resolve the questions that have come up –

8 VICE-CHAIRMAN WYATT: I don't think we have the power to do that.

9 MR. GOSLINE: Sure you do.

10 MR. DUNBAR: What I'm concerned with is if we do that and we don't have any
11 consensus or anything, we just defer a decision that's going to follow on that [inaudible].

12 MR. GOSLINE: Then if we don't have any new business [inaudible] here to vote.

13 MR. DUNBAR: [Inaudible]

14 MR. CRISS: Madam Chairman, I believe the recommendation that goes from this
15 Body to Council needs to be clean and clear, a complete package. No unresolved
16 issues.

17 MR. DUNBAR: Well, I'll state my own position and then we can go where we go.
18 If the community's concern is the density issue, the fact that it's not protected, my
19 personal position on that is we're in proximity to a major interchange with [inaudible] is
20 not realistic. So from that standpoint if they're not concerned about the M-1 and
21 commercial and that can be property restricted then let the developers do so because
22 they to sell it. Property behind it they're not going to put – the market would indicate
23 they're going to put things there that are going to help them. And if the area's not

1 concerned about the M-1 and C-3, then I would make a motion that we approve the
2 request as stated with the C-3 limited to six acres, the M-1 zoned into the 24 acres, and
3 the rest as is. And I make that as the form of a motion. It really comes down to the
4 issue of the rural character and the size of the lots. And again, to my way of thinking to
5 expect that that's going to stay that way within a half-mile radius of the - a mile radius of
6 a major interchange is not realistic.

7 MR. PALMER: I would second that motion. The road – it looks like the homes
8 that are going to be on Turkey Farm Road, while they're not five acres, they are low-
9 density and kind of I guess as large as we can make them. And they've come and
10 gotten their entrance to the medium and low-medium density stuff as early as they could
11 and the school district's not going to allow them to come through their school. They've
12 gotten that entrance as early as they could on Turkey Farm Road. I would like to
13 second the motion and reiterate what Mr. Dunbar said.

14 MR. VAN DINE: Madam Chair, I'd like to [inaudible]. I don't believe that based
15 upon what I've seen and what I've heard that I can support the motion. I think that the
16 development would be out of character with area. I believe that there are too many
17 unopened and unanswered questions as to what has been proposed and what is not
18 being proposed, which I have some concerns with the access points. I have some
19 concerns with the open space and the other issues that are present. I have a concern
20 with the magnitude of the development on this type of an area. I don't believe I can
21 support that.

22 MR. JACKSON: Madam Chair, I just have a concern – commercial piece is okay.
23 A public school on Turkey Farm Road, I'm not sure how that's going to affect the traffic

1 on – and the rural character, are we saying that’s – rural character doesn't matter, or
2 eventually there’ll be no rural community? I know we have to expand, yes, but I have
3 got some concerns with rural characters, also, in this rural. I just have concern with that
4 piece. For the commercial piece, the access on Highway 21, that’s fine. [Inaudible]
5 school that has an access there. That would be great.

6 VICE-CHAIRMAN WYATT: Okay. There’s a motion and a second on this. Any
7 further discussion? I’m sorry. Go ahead.

8 MR. PALMER: I have a comment. From what I’m hearing this – we as Richland
9 County have designated this area for future growth is to M-1, all this area. Is that
10 correct?

11 MR. GOSLINE: No. That’s not entirely true. The designation is industrial,
12 technological, or is not necessarily only M-1.

13 MR. PALMER. Okay. Well, that being said it’s – we see this corridor as needing
14 to develop as general commercial, technological, or industrial. Is that right?

15 MR. GOSLINE: Correct.

16 MR. PALMER: So if that’s the way we see this area going, we don’t see it staying
17 rural.

18 MR. GOSLINE: That’s true, but you could argue that it also would not include
19 relatively low-density residential, either. The problem we have with these land use
20 designations in the sub-area plans that are now 10 years old is there is no definition
21 about what they mean.

22 MR. PALMER: Right.

1 MR. GOSLINE: So it means different things to different people. So the argument
2 could be made that what the applicant has proposed is way under development at the
3 interchange and that –

4 MR. PALMER: I hear people –

5 MR. GOSLINE: And that you shouldn't approve it because it's way under
6 development from what the plan says is should be.

7 MR. PALMER: Well one thing we need to do is, as we said time and time again,
8 is update those plans [inaudible]. I don't see that anyone needs to use those as an
9 argument for or against their desires for a certain piece of property to be zoned because
10 what we hear one time is, "Well, it's not consistent with what we want it to be." And then
11 if it goes along with the argument the other way you say, "Well, it's outdated so we don't
12 need to look at it anyhow." So people will just use these as any way they want to so,
13 you know, I don't think we need, as a Planning Commission, if we're not going that way
14 then we don't need to use that in our arguments for rezoning a piece of property
15 because it could be done either way.

16 MR. GOSLINE: Madam Chairman?

17 VICE-CHAIRMAN WYATT: Yes.

18 MR. GOSLINE: The state statute requires y'all, in rezonings, to make findings on
19 the consistency of the application with the Comprehensive Plan. The Comprehensive
20 Plan is both text and maps. Every one of these Staff Reports that we do for both
21 subdivisions and rezonings tries to address the relative policies and they're very unclear
22 as you go from month to month. So we take our shot at getting to that consistency
23 charge by the state statute, which is one of the reasons why you're seeing us more and

1 more now saying when the zoning isn't consistent with the land-use designation we're
2 going to say so.

3 MR. PALMER: Right.

4 MR. GOSLINE: And then y'all are going to go do whatever you want to do.

5 MR. PALMER: In this case –

6 MR. GOSLINE: We're trying to make sure that y'all – bring all these facts out.

7 MR. PALMER: Right. And in this case your opinion is that it's not consistent
8 because it needs to be – it's underutilized with this plan? It needs to be more intense
9 use on this piece of property?

10 MR. GOSLINE: The argument can be made that it is under utilizing.

11 MR. PALMER: Is that the reason you put it there – that it's not consistent?

12 MR. GOSLINE: That's the reason on page 118, that's correct.

13 MR. PALMER: And if they had come in with a more intense development, you
14 could have possibly changed that and said that it is consistent.

15 MR. GOSLINE: Correct.

16 MR. PALMER: That's all I was saying.

17 MR. VAN DINE: Madam Chairman, I'd call the question.

18 MS. LUCIUS: But yet that's not the only thing we look at.

19 MR. PALMER: No, it's not, but -

20 MS. LUCIUS: That's one thing we look at -

21 MR. PALMER: No, it's not, but some people use that as a -

22 MS. LUCIUS: And, yeah, and we do need at what the land use is now whether or
23 not it's consistent with what we thought 10 years ago it was going to be.

1 VICE-CHAIRMAN WYATT: Question's been called.

2 MR. CRISS: Madam Chairman, I'd like to get a clarification of the motion before
3 we vote.

4 VICE-CHAIRMAN WYATT: I'm sorry?

5 MR. CRISS: May I get a clarification of the motion before your vote? Do the C-3
6 and M-1 land uses include the special exceptions as advanced by the applicant in your
7 packet without having to go to the Board of Zoning Appeals for actual special exception
8 votes? In other words, the applicant has suggested that C-3 and M-1 land uses are
9 those that are permitted outright and those that are listed as "special exceptions"
10 without have to go before the Board of Zoning Appeals. There are two lists in each
11 district that are referenced in the guideline submitted by the applicant and I'm just trying
12 to clarify if you intend to include both or just the principle permitted uses.

13 MR. DUNBAR: I think it would be my intent to just include the permitted principle
14 uses and not give a blank check on all the special exceptions.

15 MR. CRISS: Thank you, sir.

16 VICE-CHAIRMAN WYATT: Would you like to amend your motion so that it
17 includes that?

18 MR. DUNBAR: Yes.

19 VICE-CHAIRMAN WYATT: [Inaudible].

20 MR. PALMER: I would amend my second.

21 MR. CRISS: Thank you, Madam Chairman.

1 VICE-CHAIRMAN WYATT: Alright, the question's been called. We have an
2 amendment. All those in favor of the motion for approval with the special exceptions
3 being removed from M-1, please signify by raising your hand. All those opposed?

4 *[Approved: Palmer, Dunbar; Opposed: Furgess, Lucius, Jackson, Wyatt, Van Dine;*
5 *Recused: Green; Absent: McBride]*

6 MR. VAN DINE: Madam Chairman, in light of the failure of the motion, I would
7 move that we send this forward with recommendation of denial.

8 VICE-CHAIRMAN WYATT: Is there a second?

9 MS. LUCIUS: Second.

10 VICE-CHAIRMAN WYATT: All those in favor of the motion please raise your
11 hand. Opposed?

12 *[Approved to deny: Furgess, Lucius, Jackson, Wyatt, Van Dine; Opposed: Palmer,*
13 *Dunbar; Recused: Green; Absent: McBride]*

14 CHAIRMAN GREEN: Thank you.

15 MR. GOSLINE: Who seconded the motion, please? Madam Chairman, who
16 seconded the motion?

17 MR. VAN DINE: Ms. Lucius.

18 MS. LUCIUS: I did.

19 VICE-CHAIRMAN WYATT: Okay, at this time we're going to take about a one
20 second so I can let Mr. Green know he's back in charge here.

21 CHAIRMAN GREEN: Road name changes.

22 MR. GOSLINE: Mr. Chairman and Members, you have your list before you. Staff
23 recommends approval.

1 MR. VAN DINE: So moved.

2 CHAIRMAN GREEN: Have a motion to approve the road name changes that we
3 have in front of us.

4 MR. DUNBAR: Second.

5 CHAIRMAN GREEN: It's seconded. Any discussion? All those in favor of the
6 motion please raise your hand.

7 MS. LUCIUS: I'm going to live on Merlot.

8 CHAIRMAN GREEN: All those opposed.

9 *[Approved: Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar; Abstained:*
10 *Palmer; Absent: McBride]*

11 MR. GOSLINE: I'm a Cabernet person myself.

12 MS. WYATT: I like [inaudible] myself.

13 CHAIRMAN GREEN: The next item of business on our agenda is "Consideration
14 Of Changes In The Amount Of Required Open Space For Cluster Housing Projects,
15 Section 22-46 (C) Of The County Code".

16 MR. VAN DINE: [Inaudible], do you have any of those?

17 MS. WYATT: I don't have any of that. [Inaudible]

18 MS. LUCIUS: I don't either.

19 MR. GOSLINE: Mr. Chairman?

20 CHAIRMAN GREEN: Yes, sir.

21 MR. GOSLINE: Members, on the cluster issue we met Friday with Earl and a
22 couple of other people and the Department's – we didn't put anything in the Staff Report
23 because the Department's position is that we should not do anything with this issue right

1 now because it's in the Land – a lot of the issues that have come up as a result of this
2 topic are covered in the proposed Land Development Code. Michael can speak more.

3 CHAIRMAN GREEN: Was this request set to us by County Council to review?

4 MR. CRISS: Yes. This is an initiative from essentially the Ballentine-Dutch Fork
5 Civic Association. I believe Phil Savage, their president, is with us today. And
6 Councilwoman Doris Corley sponsored a zoning text amendment to alter the
7 percentage requirements for open space in cluster developments. And we asked, John
8 Hicks, asked the Zoning Administrator at the last meeting that we defer the item from
9 the Planning Commission consideration so we'd have time to get the homeowner's
10 association and get the industry perspective. And we haven't had time since we just
11 met late last week to put anything in writing. But it's Staff opinion that we should stick
12 with ordinance as is for now and take up this issue as part of the debate about the
13 adoption of the new Land Development Code. But the proponents, of course, think
14 otherwise.

15 CHAIRMAN GREEN: We've already dealt with the issue in the new Land
16 Development Code from our standpoint, have we not? I mean we've made our
17 proposal to the County Council [inaudible].

18 MR. CRISS: You could argue that, indeed, the Planning Commission has taken a
19 position on open space. It's a different approach than this particular text amendment.

20 MR. DUNBAR: It seems to me that if we've dealt with that and proposed that, to
21 go back and to modify the existing ordinance when we proposed the new ordinance be
22 adopted seems would be a waste of time.

1 MS. LUCIUS: Would County Council take up the Land Development Code that
2 we've already sent to them? It can't be –

3 MR. CRISS: Indeed, they are considering the draft Land Development Code in
4 work sessions and have a calendar reading scheduled in [inaudible] January 1, 2005,
5 but of course that presumes that the new code may not take affect until such time. And
6 development, in the interim –

7 MS. LUCIUS: And she feels the need to go ahead and make a change now.

8 MR. CRISS: Right, and the proponents are suggesting that changes are needed
9 sooner.

10 MS. LUCIUS: Right.

11 CHAIRMAN GREEN: From an administrative standpoint, it seems me then that
12 what, correct me if I'm wrong, if Council has asked us to review the language and has
13 referred to Staff, we've got to wait until we see something from Staff before we take it up
14 as an agenda item. Since this is a new issue to all of us here, there's no need for us to
15 debate it until we have a document to look at, from a procedural standpoint. I mean we
16 haven't advertised it. We haven't seen anything. So for us to discuss something we
17 haven't even seen yet.

18 MR. SAVAGE: It's on the agenda. You may not be able to make a decision.

19 CHAIRMAN GREEN: We have not seen any – you know.

20 MS. WYATT: I [inaudible].

21 MR. SAVAGE: Can I make a comment for a minute?

22 MS. WYATT: I mean I have nothing here about it.

1 CHAIRMAN GREEN: If we don't have something to discuss on the agenda, I'm
2 just asking from Staff and from legal we have a request that's been made of Planning
3 Commission to review the language. They've sent that to Staff first to make
4 recommendations to us. If the Staff – I don't know if Staff intends to make a
5 recommendation beyond simply recommending to us we not take it up. I just want to
6 make sure procedurally how we're handling this issue.

7 MS. WYATT: I have to ask a question. I'm [inaudible] their name was
8 mentioned, so. I mean the question to me is [inaudible].

9 MR. SAVAGE: Let me go up and talk and testify –

10 [GAVEL RAP]

11 MS. WYATT: Apparently is creating problem already or is it a problem because
12 we don't have something in the current ordinance?

13 MR. SAVAGE: Have I been recognized?

14 CHAIRMAN GREEN: Please, I'm trying to find out where we are procedurally in
15 dealing with this issue.

16 MR. SAVAGE: That's fine.

17 CHAIRMAN GREEN: We don't need to sit here and talk in circles for 30 minutes
18 if we don't have something to look at.

19 MS. LINDER: Mr. Green, are we going to talk about the changes to cluster
20 housing projects? That's what you're talking about?

21 CHAIRMAN GREEN: Yes.

22 MS. LINDER: Okay. There was – Staff has drafted a change based on some
23 language that was on the books a number of years ago. And then subsequent to the,

1 let's say there's a first draft, which is similar to what I've got now but in between a long
2 time ago, and I don't have the dates in front of me, but a long time ago and then about
3 10 years ago the language that's on the books now got into place. And now it's being
4 recommended that we go back to the original language on the spacing of cluster house
5 issue.

6 MR. VAN DINE: We don't have anything in front of us. We don't have a
7 document. We don't have any word. There's no words here for us to look at to figure
8 out what we're even talking about. I'm not sure why we're talking about it.

9 MS. WYATT: I mean we weren't even handed anything 10 minutes ago. We
10 have absolutely nothing on this.

11 CHAIRMAN GREEN: We need to defer this to our agenda for next meeting so
12 we at least have some basis under which to start thinking it through.

13 MR. CRISS: Indeed you could and by that time you'll have a written
14 recommendation from Staff.

15 CHAIRMAN GREEN: Okay.

16 MR. JACKSON: It's on the agenda but not in the agenda.

17 CHAIRMAN GREEN: It's not in your package.

18 MR. JACKSON: There's nothing there in the package on it.

19 CHAIRMAN GREEN: Does anybody, just to make sure I – does anybody on the
20 Planning Commission want to discuss this issue before we have anything to look at?

21 **TESTIMONY OF PHIL SAVAGE:**

22 MR. SAVAGE: Would you be willing to hear a comment in the weighting of doing
23 that?

1 CHAIRMAN GREEN: Very briefly.

2 MR. SAVAGE: Since we have been waiting here for several hours. I'll make a
3 brief comment. I'll do it. Let me just tell you that we came here. It was on the agenda
4 on January 5th. We came down here. We sat and we waited only to find out that it had
5 been tabled, apparently through a discussion, so you could go meet with the
6 Homebuilders' Association. Well Earl had called me. The day it was proposed before
7 Christmas they knew about it. What's happened here is it's been delayed. This is the
8 second time it's been delayed. The young lady right here, this man right here, man right
9 here, we've all been here through all of the entire stuff that y'all have just been through
10 solely so we could say a word about this thing. Last time, y'all didn't get packages and
11 you specifically told them, "Why don't we have packages?" And I don't know.
12 Somebody's playing games here. I don't like the whole process.

13 MR. VAN DINE: Well I'd appreciate you got something to say, say it. We don't
14 need to hear about past history. But you were asked to say something. Say what you
15 have to say. Let's not worry what Staff did or didn't do.

16 MR. SAVAGE: Okay. We did – all right. Let me – yeah, I would like to give you
17 a quick history of it and you'll understand better when you get your package.

18 CHAIRMAN GREEN: I would sincerely appreciate that but we don't have a thing
19 to look at. We would welcome you back to the next meeting.

20 MR. SAVAGE: Yeah, but you're not going to vote on it.

21 CHAIRMAN GREEN: We welcome you back at the next meeting when we have
22 actually something to read and discuss. We don't have any idea whether we're tripling
23 the open space, cutting it in half –

1 MR. SAVAGE: I'm not asking you to anything except just listen to what we came
2 here to say.

3 CHAIRMAN GREEN: And we're happy to do that when we have something on
4 the agenda we can discuss.

5 MR. SAVAGE: When I came to you before the meeting and asked you if you
6 were going to allow me to speak, why did you say yes?

7 CHAIRMAN GREEN: Because I allowed you to speak, number one, and number
8 two I didn't know we weren't going to see anything.

9 MR. SAVAGE: I sat right here through this whole meeting just so we could –

10 CHAIRMAN GREEN: You know, I'm here as a volunteer just like everybody else
11 is and I appreciate you –

12 MR. SAVAGE: Well, I was going to come here anyway because I'm going to
13 speak on the next issue. But none of these other folks would have been here.

14 CHAIRMAN GREEN: I appreciate that. You know, we thought we would see
15 something. We haven't.

16 MR. SAVAGE: Okay. Well, those things –

17 CHAIRMAN GREEN: There's really nothing, no action, for us to take. Next on
18 our agenda – yes – next on our agenda is Richland County Planning Commission
19 Residential High-Rise Zoning Permit Review & Approval. I will again turn the Chair over
20 to Barbara Wyatt.

21 VICE-CHAIRMAN WYATT: Dated today. Let me ask her, I really need to read to
22 every bit of this for a second time?

23 MS. LINDER: Yes, ma'am. I recommend it.

1 VICE-CHAIRMAN WYATT: All right. "Ms. Barbara Wyatt, Vice-Chair. Dear Ms.
2 Wyatt, I must request to be excused from participating in discussion or voting on
3 agenda item 'Residential High-Rise Zoning Permit' regarding the Lake Murray Marina &
4 Yacht Club, which is scheduled for review and/or discussion at today's Planning
5 Commission meeting. My understanding of the Rules of Conduct, Provisions of the
6 Ethics, Government Accountability and Campaign Reform laws that since I work for a
7 company with ongoing business relations with the applicant, I'll be unable to participate
8 in this matter for discussion or voting. I would therefore, respectfully, request that you
9 indicate for the Record that I did not participate in any discussion or vote related to this
10 item representing a potential conflict of interest. I would further request that you allow
11 and direct this letter to be printed as part of the official minutes and excuse me from
12 such votes or deliberation and note such in the minutes. Thank you for consideration in
13 this matter. Eugene Green." I might point out that, in his haste to leave the room, this is
14 not signed, so please make sure it's signed. Mr. Arnold, would you like to come
15 forward, please? Oh, I'm sorry. Excuse me procedure. Take a seat. I skipped Staff
16 here.

17 MR. HICKS: Let's find staff, then. At this late hour isn't terribly upset about being
18 skipped. I appreciate the courtesy. In your packet on page 139 is Staff's write up on
19 this issue. It's similar to a report that you received before when another high-rise
20 proposal for this particular site on Marina Road was submitted. This one is significantly
21 different. I really think I said pretty much what I meant to say in that report. However,
22 there's one thing that I want to point out that – It's three stories over 1st floor parking.
23 That's what puts it in the high-rise category [inaudible] four-story structure so it's a little

1 bit higher than that and we think that that requires you all to make a certification to
2 [inaudible] meets the requirement of the ordinance and whether it's in harmony with the
3 intent of the ordinance [inaudible].

4 VICE-CHAIRMAN WYATT: Okay. I'll turn it over to Mr. Arnold. [Inaudible] sign-
5 up sheet in front of me. If you addressed, even though you were planning to speak on
6 issues, we did not have a sign-up sheet outside. But just to make [inaudible], anybody
7 else there that plans to speak on this issue? Oh, just one. Okay. I'm sorry, sir. Please
8 go ahead.

9 **TESTIMONY OF BEN ARNOLD:**

10 MR. ARNOLD: Okay. My name's Ben Arnold. I live at 119 East Sims Avenue,
11 Richland County. And, to make this brief because we've been through an extensive
12 day, we have an 11.85-acre site which we propose to do a condominium project as
13 outlined in your packets. And I have with me John Morris who is with the Siron Group,
14 they're civil engineers, developers, and they're going to be my partners in this venture.
15 And we met with the Civic Association numerous times and met with the county Staff.
16 And what we have to show you today is what we believe is a very workable situation for
17 a three story wood-frame condominium project over one level of concrete structured
18 parking located at 1600 Marina Road. I'm not sure what's in your packet, but we
19 submitted site plans. Because we also have a short agreement with the Civic
20 Association that I'd like you to at least be aware of. I'm Phil's going to address it, but I'll
21 just pass a few out. I only brought a few copies. Anyway, we've make every effort to
22 address buffers, set back, aesthetic appeal and the buildings will not exceed 65' to the
23 peak. And [inaudible] I might have turn this over to the expert, John Morris.

1 MR. JOHN MORRIS: Well, that's fine. You should have a basic site layout in
2 your package. You don't have a site plan.

3 MR. ARNOLD: It's a good thing I brought some of those, too.

4 **TESTIMONY OF JOHN MORRIS:**

5 MR. MORRIS: Ah, we have some. This is the site plan, the lake is right here. It
6 starts at this point and runs all the way around. Just wanted to let [inaudible] out on the
7 lake. You can see these are the buildings and their basic location. We have an
8 [inaudible] that is in the center right here of the complex. We're going to convert the
9 existing restaurant that's out on the point to a clubhouse. We have a walkway, putting
10 green, gazebo where you walk down by the clubhouse. This entire area will be totally
11 fenced in [inaudible] private entry. We have an entry right here off the main road and
12 we also have an entry off the side road. It's a gated community. And these are upscale
13 condominiums. They will – each condominium will have the option of being able to
14 lease a slip on the existing marina and should be a tremendous asset to the community.
15 As you can see, these are the – this is the typical building that we're proposing right
16 here. And if you have any questions, I'll be glad to try to help in answering those.

17 VICE-CHAIRMAN WYATT: Any questions?

18 MR. DUNBAR: I just have two just to clarify. We're being asked basically two
19 things. None of them related to zoning. They're related to the two items at the bottom
20 of 142. Is that right?

21 MR. HICKS: Yes, sir. This is not a rezoning of some purposes for this use. It's
22 not a subdivision piece of property. It's not being subdivided. It's merely a unique

1 provision of the Code requires that the Planning Commission has to certify [inaudible]
2 the provision of the ordinance or [inaudible] intent if the structure be classified high-rise.

3 MR. DUNBAR: And the technical point is if it's meets the technical requirements,
4 is would really come down to the same issue that it's classed "high-rise".

5 MR. HICKS: Yes, sir. It's a part of the issue, a part of the issue.

6 MR. DUNBAR: Has it had any other – from what I understand, the community
7 has been consulted and there's support.

8 MR. HICKS: I think they can speak for themselves.

9 VICE-CHAIRMAN WYATT: I think that's what he wants. For our [Inaudible] state
10 your name and address for the record please.

11 **TESTIMONY OF PHIL SAVAGE:**

12 MR. SAVAGE: Okay, my name is Phil Savage. Address 30 Manus Road, M-A-
13 N-U-S. It's the other side of Ballentine. And y'all are all familiar I think with this issue
14 from a 14-story high-rises and whatnot, we didn't feel that they were appropriate. But
15 we have a new development plan and a new developer. [Inaudible]. Also it was a
16 different developer at the time. And they're proposing, I think, it's 225 condominiums
17 on, 224, three story, one parking underneath. There was some movement in our group
18 and some in the community that still thought it was a little dense or a little high, but it -
19 what we basically did was we came to Mr. Arnold with an agreement. We said in the
20 spirit of compromise we made him an offer that if he would agree to restrict the six acres
21 that's across the street. We were more concerned – this piece of property's zoned C-3.
22 So we felt like, you know, short of going back in time and undoing that, the man's got a
23 right to assume a certain amount of density on that piece of property and there's nothing

1 we could do about it. It's not something everybody's happy about but it's a reality we
2 have to live with. So we said what we were really more concerned about was the
3 spreading, to keep this from spreading out into the rest of the residential community.
4 He had six acres across the street that's zoned RS-1. He bought as RS-1. Never really
5 had any intention. We said, "Hey, you restrict that to single-family detached dwellings
6 and we'll support the overall plan." He says, "You got a deal." We shook hands. We
7 signed an agreement. You've seen a copy of the agreement. And like I said it's a
8 written and signed agreement. And we're here to thank Mr. Arnold for working with us
9 and to work together. We hope to work together to build a better community. And we
10 stand in support of the plan and assist any way. At this point I feel like we're in the
11 same boat. We're going to work as hard as we can to help him make that a successful
12 development. And he's going to work to help us keep the rest of the property right
13 around it – there's not a whole lot of undeveloped properties there anyway. But
14 sometimes when you have a little piece like that to come in and something beside it, the
15 guy beside it says, "We'll I want to build some two story condos." And then it goes on
16 and it spreads out and out. And this is near the water. It hasn't got, you know, but one
17 way in and one way out. It's a dead end road. And it just is not the right place for high
18 density. He's agreed not to do that. And now he's basically going to end up supporting
19 us in trying to keep the density down. So it's been a real good relationship. And we
20 hope to, like I said, we want to help any way we can.

21 VICE-CHAIRMAN WYATT: That's what we like to hear. Good relations.

22 MR. SAVAGE: Well, it only took, what, 3 ½ - ?

23 [Laughter]

1 MR. SAVAGE: But I do think he's going to do a good job with it and that's what
2 our position is. Y'all, obviously, are the ones to make the decision. But it seemed to me
3 a fair way to work out a situation that, you know, we couldn't do anything about.

4 MR. VAN DINE: Madam Chair, I believe I was one of the people who was vocally
5 opposed to the last project. I believe that what we have before us now has resolved
6 most of the issues and frankly is a good compromise from what we had out there
7 before. I think one of the issues concerning fire trucks and other issues that we were
8 concerned with have been removed. And I am in support of this proposal that has been
9 put before us.

10 MR. JACKSON: I second the motion.

11 MS. LUCIUS: I like the parking under the structure, too. That's good for the
12 water quality, less run off. I'd like to ditto what he just said. I'm glad when things, when
13 a plan comes together.

14 VICE-CHAIRMAN WYATT: Okay, we've got a motion on the floor and a second.
15 All those in favor of approval signify by raising your hand. Any opposed?

16 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Van Dine, Dunbar; Recused:*
17 *Green; Absent: McBride]*

18 MR. HICKS: Madam Chairman, I will essentially invite you to [inaudible].

19 VICE-CHAIRMAN WYATT: Mr. Savage, I apologize. I've just been told in the
20 back room that we will be talking about clustering. I don't know what - so you might
21 want to have a seat.

22 MR. SAVAGE: Okay. I [inaudible] –

1 VICE-CHAIRMAN WYATT: Stop! No! No! My [inaudible] over. I'm telling
2 everybody that, while we're switching around here, we're going to take a fix, six minute
3 break and then we'll be back.

4 MR. VAN DINE: Before we break, I think Mr. Hicks has –

5 MR. HICKS: We're still on this subject. [Inaudible].

6 VICE-CHAIRMAN WYATT: Oh, I'm sorry Mr. Hicks. I just keep – you're so soft
7 spoken I keep forgetting.

8 MR. HICKS: [Inaudible]. What [inaudible] follow up on the Commission's vote is
9 to draft a certification to you to essentially sign and return back to me that this
10 Commission has found that it's in harmony with the intent of the ordinance. It doesn't
11 [inaudible].

12 VICE-CHAIRMAN WYATT: [Inaudible].

13 MR. VAN DINE: In light of that, we need to ask you, perhaps, another question.
14 Has the law suit file, is that moot at this point in light of the revision and the approval?

15 MS. LINDER: I'll get back with you on that, Mr. Van Dine.

16 MR. VAN DINE: It seems to me that we need to have that dismissed by all
17 parties [inaudible]. There are court documents.

18 MR. HICKS: [Inaudible].

19 MS. LINDER: I'll certainly do that, Mr. Van Dine.

20 MR. VAN DINE: Thank you.

21 VICE-CHAIRMAN WYATT: Okay. We stand adjourned for about five, six
22 minutes.

23 *[BREAK]*

1 CHAIRMAN GREEN: We do have some other agenda items we need to get to,
2 but if you could take a brief three minutes and give us the highlights, you're certainly
3 welcome [inaudible] we discuss this in further detail at the next meeting.

4 MR. SAVAGE: Yeah, I can try. I was speaking for about five or six people so I've
5 had to look back 2 ½ pages so it'll take more than three minutes. First of all let me tell
6 you I am a land developer. I've got a development called Harbor Watch on the
7 Lexington side of the lake, 280 homes out there, so I'm not anti-growth. But let me just
8 tell you that I honestly believe - I'm trying to take this concept of cluster housing and
9 sell it to the people. It ain't selling. And you know why it's not selling? The same
10 reason that y'all were up here arguing about percentage open space requirements on
11 this development. The same reason that when Stewart Mungo came to us, he was
12 going this Johnson Marina Road development, he volunteered 25% open space. I don't
13 know - I think it came up before the Board of Zoning Appeals so you all may not have
14 seen it. He won that vote after promising 25% common space and maximum of 250
15 units and a bunch of other concessions. He won that vote on a three to two margin.
16 Now, what I'm trying to tell you is it occurred to me that this 10% is just really screwed
17 up and something's wrong. And it becomes a loophole because of the way the density
18 calculations are done. You take acreage and divide by 12000 square feet and that's
19 how many units you can go put into an existing residential community. And that is
20 wrong. That's what's getting these people up. They were all ready to lynch poor Mr.
21 Mungo up there and it's all because of that. Well I started flipping back through my old
22 books I've been keeping around kind of like Marsha is and I found this book I picked up
23 in 1996. And I'll just take a quick look, but at the bottom of the book it lists the

1 percentage requirements for open space. They're the exact opposite of what they're in
2 here. Word for word they just somehow flipped it around. In RS-1 it requires 30%. In
3 RS-2 it's 25% and it goes down to 10%. Whereas now they do the exact opposite.
4 Nothing is switched. So I go there and I meet with them and have them to go check.
5 And, you know, obviously if it's changed on purpose it would have been changed on
6 purpose by putting it on an agenda, discussing the item and changing it on purpose. It
7 wasn't. From what everything we can tell, it was simply a typographical error. And so
8 being president of the local civic association I was asked to come in here and see what
9 we can do to get it straight. I realize it's just between now and the end of the year. But
10 it sends a very important message to the people out there that we truly are going to put
11 some teeth in these Town and Country type cluster home plans. Then I can convince –
12 I can't take a full room and everybody buy into it, but I convince them that with enough
13 green space the concept of taking houses, same number of houses now – don't
14 increase the number, take the houses and push them on one side of your property and
15 then you've got this green space that forever, in perpetuity, remains green. That's a
16 good concept. And now I'm going, "Yeah, but show me your green space." On the first
17 plan that Stuart submitted it had a little band around the outside. It's 10%. And then, of
18 course, later he went up to 25%. Well 25% of the 80 acres was 20 acres forever will be
19 perpetually maintained as common area in that project. That I sold to the people. And
20 that's all I'm trying to say. The easiest thing to do for this year flip it back the way it
21 should have been anyway. In my opinion that's the way it should have been. Put it
22 right back in that and sell it to the people and we can, you know, I really think that's the
23 right thing to do. And you know we can't make a decision. Y'all haven't got it now. I

1 apologize for the way I acted earlier but I'm very frustrated. After coming down two
2 times being very busy myself. And our Ballentine Civic Association meeting is at 7:00
3 o'clock tonight and I've got to tell them something, what's going on, you know. Is our
4 Commission out here helping us? We would have liked to have seen a
5 recommendation. Doris [inaudible] make a proposal. I don't understand why it got
6 sidetracked and then sidetracked again and you all didn't get your package. Well I'm
7 not going to go into that. But I would have liked to have seen a recommendation go to
8 County Council with your positive recommendation as a good correction. But either way
9 it seems to me that it ought to go to County Council and we ought to be able to move on
10 with it.

11 CHAIRMAN GREEN: Thank you, Mr. Savage.

12 MR. SAVAGE: Thank you.

13 CHAIRMAN GREEN: Next agenda item we have is our landscape ordinance.

14 MS. LUCIUS: Can I ask one question? Is that the way it is in the current
15 ordinance if we flip it? I mean if that is what [inaudible].

16 MR. HICKS: It's exactly this way except the strikes-outs, the 10%, 15%, 25% and
17 the 30% down that percent of land open space [inaudible].

18 MS. LUCIUS: So [inaudible] sometimes got –

19 MR. HICKS: That's the way it is. The way this ordinance is proposing it is the
20 [inaudible].

21 MS. LUCIUS: And so today when we looked at that plan, the Mungo project, it
22 should have had 30% open space.

1 MR. DUNBAR: I think the statement that that was a typo is not necessarily
2 correct because I was around back when that happened. And I don't remember that
3 being the case. So I don't think we need to take that as a given.

4 MS. LUCIUS: It looks like these numbers just got turned upside –

5 MR. PALMER: Are we enforcing 30% open space on C-1?

6 MR. HICKS: I haven't received a C-1 cluster housing project, but if we did, this is
7 what we'd enforce.

8 MS. LUCIUS: [Inaudible].

9 MS. WYATT: But that's what we're looking at possibly.

10 MR. HICKS: But because of that it's not likely to get one.

11 MR. PALMER: Oh, yeah.

12 MS. LUCIUS: Remember cluster houses - I know, but 30% on C-1. That doesn't
13 make sense either. It's got to be wrong.

14 MR. JACKSON: Ten percent.

15 MR. DUNBAR: Well I can tell you it was never our intent, as a group, when we
16 did that we'd have 30% on RS-1, either. So to say we're reversing the typo - we just
17 need to just automatically do it isn't right. If we're going to do anything, we need to look
18 at – we spent a lot time on the new ordinance discussing open space and we got a
19 proposal that has a consensus of all us on it. I don't know why we need to go back on
20 the issue and deal with it.

21 MS. LUCIUS: I was just wondering how this compares with the new ordinance.

22 MR. HICKS: The new ordinance says cluster housing, which gives credits for
23 open space. It's a different scheme and a different situation.

1 MS. LUCIUS: [Inaudible] in the ordinance at all?

2 MR. HICKS: In the new ordinance there's a minimum 10% common area in the
3 larger subdivisions. And then for 20%, for example, you get a 20% reduction in your lot
4 area setbacks. So it's a *quid pro quo* formula in the new Land Development Code
5 which, obviously, for a cluster housing provision as such it doesn't [inaudible].

6 MR. VAN DINE: [Inaudible].

7 MR. HICKS: Yes.

8 CHAIRMAN GREEN: I would ask that the Commission would be fully ready to
9 discuss this next time. And the ordinance we've recommend to Council as well and
10 hopefully we will get that dispensed of at our next monthly meeting. Next on our
11 agenda is the Landscape Ordinance. You all should have received changes to the
12 ordinance. I at least went through my version of all the changes that were submitted to
13 me. And all the changes that were submitted to me by Planning Commission <embers
14 from the previous version were made in the current version. The one thing that we have
15 for the first time, have not seen before, is Table 78, which is the Buffer Yard
16 Requirements, which is something we have not discussed or reviewed or voted on.

17 MR. PALMER: I need a copy. I left mine at the office.

18 MR. VAN DINE: Mr. Chairman, if I could, also, please?

19 CHAIRMAN GREEN: Yes, sir.

20 MR. VAN DINE: From our January 5th minutes, there was a motion made by Ms.
21 Wyatt that if the changes that were requested were made, which we have in fact made,
22 this document was to be sent to County Council at that time. I see no reason, since

1 those changes were made, for us to be discussing anything more than, perhaps, that
2 chart.

3 CHAIRMAN GREEN: That's all we plan to discuss.

4 MR. VAN DINE: And I think that the rest of the document should be forwarded to
5 County Council immediately. And that that other document that we're going to hold off
6 discussions until later on will be sent at a later time. That was the motion that was
7 passed. That was seconded and was voted on by this Commission.

8 CHAIRMAN GREEN: I don't disagree with you.

9 MR. VAN DINE: So I'm not sure why we are holding any of this document at this
10 time. The rest of it should have gone. As we were discussing, that's just the one chart,
11 let's discuss the chart. The rest of it ought to be gone. It ought to be up there now.

12 MS. WYATT: It should have been up there on the 15th. The deadline was
13 January the 14th.

14 MR. CRISS: Staff promised the Commission that you would see the revised
15 version to make sure that we followed your instructions.

16 CHAIRMAN GREEN: Did you get all the changes people sent in? They went to
17 Anna and they've all been made. So I agree everything with the exception of Table 78
18 is completed as far as the Planning Commission.

19 MR. VAN DINE: And based upon our last motion that was passed, it should be
20 forwarded tomorrow to County Council. That was the motion that was made, seconded
21 and passed. I see no reason to delay further sending that up for people to review. I
22 would have you look at Table 78. The rest of it needs to go and needs to go
23 immediately.

1 CHAIRMAN GREEN: I guess my first question for Staff on Table 78 is did we use
2 another ordinance as a model for this table?

3 MS. ALMEIDA: No. What we did was we took in certain problems that we've
4 been having through the years on people meeting buffer areas and being more flexible
5 as far as widths go. Property isn't always in a 90 degree angle, so sometimes M-1's
6 edge of a property will have more of a buffer area than they can use versus another
7 edge of an area. So we just took several problems that we have encountered through
8 the years and tried to address them with innovative concepts from bits and pieces from
9 other jurisdictions that have worked, and tried to organize it in such a way. For
10 instance, trying to – one of our biggest complaints from the public was the cost of
11 stockade fencing. It is about \$16, installed, per linear foot. And people were
12 complaining that in addition to along the buffer areas they were required to landscaping
13 and then also into putting up a stockade fence. So we were trying to eliminate that
14 stockade fence situation. And then using a provision that if the applicant did not want to
15 do the buffering as far as the actual landscaping material and wanted to reduce that by
16 50%, then they would have the option to put in a stockade fence, giving them a little
17 more flexibility. So this table was trying to give a little more flexibility to the applicant.

18 *[Dunbar out]*

19 CHAIRMAN GREEN: I just run out some quick calculations and how often – for
20 instance, and I know that A, B, C, and D in this table is not directly, absolutely
21 comparable to the A buffer, B buffer, C buffer, and D buffer, but they're somewhat close.

22 MS. ALMEIDA: Right.

1 CHAIRMAN GREEN: In terms of comparison. And I just sat down and did a
2 table of the old A and the new A. And then the old A – and this is not to say that the old
3 A was the goal we should shoot for – but I see such a – the amount of change,
4 especially in some of the higher ones. But in the A zone if you had a 15' wide buffer
5 that ran from 200' along a boundary line, you'd have to plant large canopy trees up to 12
6 ½' apart on center and that just seems that what the definition of a large canopy tree -
7 and a 200 by 15 buffer, that's 3000 square feet, in an A zone, which turns out to be 15
8 canopy trees –

9 MS. ALMEIDA: No.

10 CHAIRMAN GREEN: No? It's says one large canopy tree per 200 square feet.

11 MS. ALMEIDA: Right. Well, what you do is – If you're putting in a 15' buffer, and
12 let's use the same 100 linear feet of the existing landscaping ordinance, okay, or let's
13 use 10 to be a little more easier for calculation sake, which is 1000 square feet. In an A
14 buffer if you put in a 10' wide buffer and you have 100 linear fee., that gives you 1000
15 square feet. If you divide that by 200 that's five canopy trees. That's one canopy every
16 25', which is usually the norm. And you have to understand you're not just putting them
17 in a linear row. You're staggering them.

18 CHAIRMAN GREEN: I'm sorry. If you have a buffer that's 200' long by 15' wide
19 in and A zone, that's 3000 square feet. Right? Divided by 200 – one large canopy tree
20 per 200 square feet calculates out to 15 large canopy trees along that 200' boundary.

21 MS. ALMEIDA: Along that 3000.

22 CHAIRMAN GREEN: That 3000 square foot area.

23 MS. ALMEIDA: Right.

1 CHAIRMAN GREEN: Two hundred feet long.

2 MS. ALMEIDA: Right.

3 CHAIRMAN GREEN: That calculates out to one large canopy tree every 12-½' of
4 length. So what I'm saying, if it's a large canopy – I don't know whether it's a large
5 canopy tree – but [inaudible].

6 MS. ALMEIDA: It's not. It's not.

7 CHAIRMAN GREEN: Twenty-five feet - is it our intention to plant large canopy
8 trees every 12-½'?

9 MS. ALMEIDA: Well, if you go through the remainder of the Code, you can reduce
10 that. If you have a power line you can do under story. There's a lot of flexibility.

11 CHAIRMAN GREEN: It's just an open 200' long run of a boundary and there
12 were no – and it's just pretty straight forward – wouldn't that be a large canopy tree
13 every 12 ½'?

14 MS. ALMEIDA: Yeah, but you're also – you have to take into consideration that
15 you have 15' of width plus 20' of length.

16 CHAIRMAN GREEN: But your spread is 25', you're pretty much going to plant
17 those trees in the center of that 15' wide strip. I mean, otherwise you're going to be
18 hanging over somebody else's property or over the parking lot. So –

19 MS. ALMEIDA: At full maturity.

20 CHAIRMAN GREEN: If you assume that they are centered in that 15' wide strip,
21 you're then planting them 12 ½' on center, which means those trees are on – on top of
22 that you've got 17 under-canopy trees between that 12 ½', and then you've got,

1 probably, 20 or 30 shrubs. I don't know where you're going to – you don't have room to
2 plant all these things.

3 MR. VAN DINE: I may be wrong and [inaudible] flip-flopping numbers, but seems
4 to me the numbers would work out more in line with, in what Mr. Green is saying,
5 instead a large canopy every 200 square feet, it's every 400 square feet that you have
6 under the deciduous under story. The under story's a smaller tree. And the larger
7 canopy trees at 400. In Mr. Green's example is six or seven trees that are larger
8 canopy, then you really would be accomplishing the full maturity so that they're basically
9 touching at maturity as opposed to interlocking.

10 MS. ALMEIDA: Well, you also have to take into consideration that's at maturity.
11 So, yes.

12 MR. VAN DINE: But I guess what doesn't make sense to me if I look in this chart
13 is that for smaller trees you're saying you want, on a greater space, than you are the
14 smaller trees.

15 MS. ALMEIDA: They're going to be staggered in between the larger trees to kind
16 of close the gap. And that was something that the Appearance Commission had
17 wanted to beef up, the intensity of the landscaping. That was one of their goals.

18 MR. VAN DINE: How do you stagger smaller trees underneath – the larger trees
19 are actually in closer – the larger trees based on that, the numbers that you're using,
20 are actually closer together than the smaller ones. If you're trying to close up it seems
21 to me your closing needs to be in the smaller. The larger trees, then, are over the top.
22 Does that make sense what I'm saying?

23 MS. ALMEIDA: We would need stronger numbers.

1 MR. PALMER: The table directly reflect the language that we past?

2 CHAIRMAN GREEN: Well, the language just says that you will plant according to
3 the table.

4 MS. ALMEIDA: Right.

5 CHAIRMAN GREEN: As I look at C, and again I don't know that these are
6 directly comparable, but if you look buffer C in our current ordinance if you had a 20'
7 wide, 100' long C buffer in the current ordinance you'd be required to have three large
8 canopy trees, eight under story trees, and nine shrubs. In the new ordinance you'd be
9 required to have 10 large canopy trees instead of three, 10 under story trees instead of
10 eight, and 80 shrubs instead of nine. Because 100 times, I mean 2000 square feet
11 divided by one shrub every 25 square feet is 80 shrubs.

12 MS. ALMEIDA: But you have to understand, the shrubs are 18 inches high at
13 planting. And you're trying to provide a green opaque screening.

14 CHAIRMAN GREEN: It's nine times what we require now, not that we don't need
15 to improve on what we're doing. Don't get me wrong. But some of the numbers were
16 just startling to me, the difference between –

17 MS. ALMEIDA: And you have to understand that in a lot of these buffers now, we
18 also require a stockade fence.

19 CHAIRMAN GREEN: Not on a 20' wide buffer.

20 MS. ALMEIDA: Right. But some of the other ones we do.

21 CHAIRMAN GREEN: That's why I tried to pull the ones out that didn't have a
22 stockade requirement in either one.

23 MS. ALMEIDA: Right.

1 CHAIRMAN GREEN: But we go in a 10' wide buffer in a B-type from one large
2 canopy tree, two under story trees and three shrubs to five large canopy trees, four
3 under story trees and 20 shrubs.

4 MS. ALMEIDA: Right.

5 CHAIRMAN GREEN: Which is like a six or seven fold. Again, I'll acknowledge
6 we probably need more planting than we have now. I don't know the – somehow this
7 seems almost to be so clustered in on one another the stuff can't survive.

8 MS. WYATT: They can't breathe.

9 MS. ALMEIDA: Right. We did contact some of the landscape nurseries and
10 some of the landscape architects in the area and, through plans that we have seen,
11 these are some standards of the industry. But, again, that's just –

12 MR. PALMER: I would think nurseries and landscape architects would be all for
13 it.

14 [Laughter]

15 MR. PALMER: More shrubs than [inaudible].

16 [Laughter]

17 MR. VAN DINE: It just seems to me that the A numbers ought to be flip-flopped
18 because -

19 MR. PALMER: Because this [inaudible] to 90 shrubs, too.

20 MR. VAN DINE: I mean 200 linear feet and 15' wide, if you did it at 400 you'd
21 have 80. And that would be, basically, 25' on center, which would allow for your spread
22 to basically meet as opposed to interlocking by 12 ½'. Then below that you would put
23 under story.

1 MS. ALMEIDA: Well, I guess the question is how long do you want to wait to see
2 the plantings reach their maturity. We do –

3 MR. VAN DINE: Well, what you're setting up is the situation here where if you
4 plant it the way you've got it –

5 MS. ALMEIDA: Within three to five years you're –

6 MR. VAN DINE: You're establishing a clearing requirement later on because
7 you've got them so jammed together that they can't possibly live.

8 MS. ALMEIDA: Well, you would see, I mean, a lot of the complaints that we've
9 been hearing is that the vegetation is so small or there's not enough of it and it takes
10 years and years and years to reach the proposal or the intent of the ordinance. And
11 that is true because there's not enough of material in order to achieve that goal. And
12 this is one way of doing it. If that is not the pleasure of the Board, then, yes, I mean you
13 could reduce that.

14 MR. JACKSON: I mean, the cost is so much. I mean, you have a cost factor also
15 in terms of so many trees.

16 MS. ALMEIDA: A lot of times the cost of the trees comes with the caliber at
17 installation. The bigger the caliber, larger the caliber, the more costly. Just like the
18 larger the height of a tree, the more you're going to pay.

19 MR. JACKSON: I'm just concerned about cost, also, regardless of [inaudible] for
20 so many trees for this type of zoning.

21 MS. ALMEIDA: And again, this is to shield different uses from each other. So I
22 mean, it's really up to the Board.

23 MR. JACKSON: I understand.

1 MR. PALMER: So this is something that we'll put between, say, two commercial
2 shopping centers? You'll have an area like this?

3 CHAIRMAN GREEN: I think that if there're of the same density there's no buffer
4 required.

5 MS. ALMEIDA: There is if they have parking against each other. But there was a
6 change that there were no canopy trees to be put in between in a use like that on a side
7 yard. This is basically on a, mostly on a back property if you have residential against
8 commercial or industrial against another non-compatible use.

9 CHAIRMAN GREEN: Two shopping centers don't have any buffer transition yard
10 requirements. They fall in the same [inaudible]. They're the same type.

11 MS. LUCIUS: Which one is on that [inaudible]?

12 MR. PALMER: Type D [inaudible]. Or C was it, Gene?

13 CHAIRMAN GREEN: C.

14 MR. PALMER: Where it went from like nine to 90 or something?

15 CHAIRMAN GREEN: Well, I was just calculating with a 20' wide buffer that was
16 [inaudible] long.

17 MR. PALMER: Right.

18 MS. LUCIUS: They're bigger and thicker depending on what they're trying –

19 MR. PALMER: They're just denser stuff. Certainly a large increase from nine
20 that we require now to 90 or eight to 90 or something like that – nine to 80. That's a
21 tremendous increase.

22 MS. WYATT: Well I think when you, you know, when you consider and I think
23 [inaudible], maybe more, forgetting we're talking buffers. Clearly talking buffers.

1 MS. LUCIUS: It's not [inaudible].

2 MS. WYATT: And [inaudible] looking at this and listening to everybody in my own
3 thoughts, and I know – I don't think, maybe, [inaudible] was involved. I don't think
4 Michael was around at the time. But when the Target shopping center was coming in
5 on Two Notch, and still the people are complaining there's not enough buffering back
6 there on – I mean, I think that's something key that, you know, we're trying to address
7 through our changes. Lighting pollution, noise pollution. And one of the ways of solving
8 that, and I think the developers would have to agree, it's a whole lot cheaper to put a
9 few trees up than it is stockade fencing, you know, these kinds of things. I mean, I
10 know it sounds like a lot, but I certainly would not want to buy a home in an area that
11 didn't have the adequate buffering. And we sit up here all the time and we talk to
12 developers about buffering, you know, changes, things we're doing.

13 MS. ALMEIDA: And it is a good plan, actually, Mr. Jackson, that if there is an
14 existing vegetation on the back of the property we do give you credit for that. We're not
15 going to make you, on top of, if you have a 10' existing with pines and underbrush, that
16 you would on top that –

17 CHAIRMAN GREEN: We end up with credit, you know. And if you have your –
18 which section the credit was in – I thought we did something under the credits.

19 MS. ALMEIDA: I think it was just a blanket statement. That we stated that credit
20 would be given in all areas where existing vegetation was to be retained.

21 MR. VAN DINE: But on page 194 there's a tree replacement plan.

22 MS. ALMEIDA: Right.

23 MR. VAN DINE: Is that what we're talking about?

1 CHAIRMAN GREEN: That's been taken out.

2 MR. VAN DINE: Okay.

3 CHAIRMAN GREEN: I thought for some reason we took the credit out. And I
4 don't remember why or where.

5 MS. WYATT: [inaudible].

6 CHAIRMAN GREEN: One of the things that confused me is that in other places
7 when we talk about planting large maturing trees we're making people space them 40'
8 apart. Here, this table has them a lot closer than 40'.

9 MS. ALMEIDA: Well, Mr. Green, like we just said, the street protective yard,
10 where you're going to find that is the front of a property, you're objective is one thing.
11 You provide some shade and a buffer area you're [inaudible] is something else. It's to
12 screen. So –

13 CHAIRMAN GREEN: You're right.

14 MS. WYATT: I mean, I clearly think we're getting lost in what we would call the
15 buffer area.

16 CHAIRMAN GREEN: I don't see credit mentioned in [inaudible].

17 MS. ALMEIDA: I believe it was just that blanket statement that if you retained
18 whatever vegetation was there.

19 MS. LUCIUS: I wish I could see this. It's hard to look at the numbers for
20 visualization of –

21 CHAIRMAN GREEN: Well, it is here. You really have to sit here and kind of
22 draw it out if you're – That's what I -

23 MS. LUCIUS: I know. And it's hard.

1 MS. WYATT: Well, picture it like this. Instead of the fence –

2 MS. LUCIUS: Right. Well, that's what I was telling Mr. Furgess. That it's like a
3 wall. It's supposed to be a wall of trees.

4 MS. WYATT: Right. That's exactly the intent. It's call buffering.

5 MS. LUCIUS: Right. It's a buffer. It's supposed to be thick. I mean, we sort of
6 visualize – diagramming. Do you have some examples of where it's been used?

7 MS. ALMEIDA: Well, we could put something together.

8 MS. LUCIUS: I'd love to see what we're talking about.

9 MS. ALMEIDA: A cross-section.

10 CHAIRMAN GREEN: Not that we should go by what the city's done, but how
11 does this buffer yard planning compare to the city ordinance?

12 MS. ALMEIDA: Well, you have to understand, on top of that they have "tree
13 points". They go by tree points and points on bushes. And so –

14 CHAIRMAN GREEN: It's hard to compare.

15 MS. ALMEIDA: It is different, but their landscaping ordinance in other areas are
16 much more stringent because you need to - if you're just so many tree points on a
17 property regardless before you start landscaping.

18 MS. WYATT: Gene, I think it – before I [inaudible] along – but I think it was
19 slightly before your time on the Planning Commission, we were spending a good bit of
20 our time over at the – what's the name of that facility, Milton? The old printing shop that
21 we were going to work with a [inaudible].

22 MS. LUCIUS: Eauclaire Printing Shop.

1 MS. WYATT: When the Planning Commissions were looking at doing a joint
2 thing. They were so far off base on it that I couldn't have lived in Richland County. So
3 to answer your question, they're quite a bit more intense than ours.

4 MS. ALMEIDA: Which is one cross-section of each of these buffer types
5 [inaudible] to look at.

6 CHAIRMAN GREEN: Would that be helpful to the Commission?

7 MS. LUCIUS: I would love to see it to visualize what we're talking about. Looking
8 at the numbers doesn't really convey it.

9 CHAIRMAN GREEN: If I were asked to vote today, I would vote "no". I just think
10 that -

11 MS. LUCIUS: Well, and I would probably vote "yes" because I think we don't
12 have enough now.

13 CHAIRMAN GREEN: Right. So what's -

14 MS. LUCIUS: I just wish I could see what we're talking about. I mean to say 80
15 shrubs, it sounds like a lot. But then when you see it, it's not as shocking as you think it
16 was.

17 MR. JACKSON: From nine to 80, though.

18 MS. LUCIUS: Yeah, but what we've got now is just so minimal.

19 MS. ALMEIDA: You'd be shocked with the Kahn development, [inaudible]
20 landscaping and even Sparkleberry Crossing in their 4' buffers how many small plants
21 they use. You'd be shocked when you're doing [inaudible].

1 MS. WYATT: Especially when you start talking, and I know Mr. Kahn's doing a
2 lot, you know, there again, to protect the existing neighborhoods across the street, when
3 you start getting into burams you are going to use a lot more shrubs.

4 MS. ALMEIDA: And you have to understand, depending on the type of shrub, it
5 gets really complicated. But if you use a, you know, a specie that will not grow very
6 wide you have to use more of them.

7 MR. PALMER: I understand that, you know, oftentimes this Planning
8 Commission, to some extent the County Council, don't take into consideration the cost
9 of things. It somehow doesn't enter in to people's thinking. But I think is should enter in
10 to people's thinking sometimes, the cost of stuff. And an 800% increase just on the
11 shrubbery to a small developer and then, what, three times more the cost of trees, the
12 large canopy trees and that kind of stuff. It's a tremendous load for a small developer to
13 take. And it's just something I think that I know sometimes we don't take into account.
14 But that's just my personal opinion. Just wanted to say that, you know, everybody
15 would love to have a 20' strip that looks like a rainforest between a commercial area and
16 a residential. It's just may not be that practical. And I just wanted to say that I guess.

17 MS. WYATT: Well, it – you know, Pat, my thoughts are, and certainly correct me,
18 if I were developing and I'm looking long-range planning type things, it would be a whole
19 lot cheaper for me to come in and plant to these standards, okay, than it would be to put
20 that stockade fence up and then have to worry, in a lot of cases, about maintaining that
21 stockade fence. I mean, I'm just the opposite. I see this as being cheaper, in the long
22 run, for development.

23 MR. PALMER: I guess it's just two different ways of looking at it.

1 MR. JACKSON: What about those developers who have to have a security
2 fence? They have to fence. There's no waiver on that. There's nothing but a fence and
3 the trees.

4 MS. ALMEIDA: Well, they would get a 50% reduction [inaudible]. They get –

5 MR. PALMER: They get a 50% reduction? So they gotta put a fence and trees?
6 If they put up the fence they also have to put up the trees, as well?

7 MS. ALMEIDA: Nine.

8 MR. PALMER: Shouldn't it be one or the other?

9 MR. VAN DINE: Fifty percent of the trees.

10 MR. PALMER: Basically one or the other or –

11 MR. VAN DINE: There's also aside to the normal things that everybody thinks
12 about with plant material. Building with plant material doesn't soften noise. With
13 something as – I have to agree with what's being said. I think the expense at which
14 we're expanding numbers here are a little out of line with what we're really trying to
15 accomplish. And as I say, whether at nine, 10, whatever the total increase in the
16 number of plants, I'm not sure it accomplishes what we're trying to do. I think we're
17 trying to get, ultimately, to have some landscaping and some ability for air purification
18 and noise [inaudible]. This in essence sets up an almost complete wall around
19 everything. And a certain amount of airflow, a certain amount of safety issues need to
20 be considered in those as well. And I'm not sure –

21 MS. ALMEIDA: In the buffering area?

22 MR. VAN DINE: Yeah.

1 MR. PALMER: Perhaps even some connectivity between the residential and the
2 – If it's too dense residents won't be able to walk in these areas, walk back and forth.
3 I'm not –

4 MR. VAN DINE: I think we need to go back and look at the numbers a little bit,
5 that are in here. As I said, under A and B it seems to me that if the deciduous under
6 story and the large canopy numbers are flip-flopped. Because what you're saying is I'm
7 going to put less under story trees and more over story trees in this. And it seems to
8 me that [inaudible] the other way. And then you may want to look at the number of
9 shrubs per square foot and just get an idea of whether or not that's truly a realistic
10 number to consider, because I think Mr. Palmer's correct. The cost of these things has
11 to be considered in writing these because there is a balance that we have to make. I
12 would suggest that this chart be reviewed. I don't have any specific numbers or
13 suggestions in mind. But I think that the numbers here are pretty intense for what we're,
14 maybe, really trying to accomplish. And that's only me.

15 CHAIRMAN GREEN: Well, folks?

16 MS. LUCIUS: And a way to visualize it. I mean, if you have any examples,
17 graphics or pictures of somebody that's actually has used a buffer that meets
18 approximately these numbers. I love to see that. Would that be possible?

19 MR. PALMER: Do you know anyone off hand? Do you know anyone off hand
20 that has rules right close to this?

21 MS. ALMEIDA: When we do a search we might be able to find something.

22 MR. PALMER: Where did these come from?

1 MS. ALMEIDA: We might be able to find something. I mean, it's not as easy as
2 you might think. I mean, we could good examples of buffer areas that would probably
3 either exceed or come close.

4 MS. LUCIUS: I thought maybe –

5 MS. WYATT: I don't think we have any in Richland County.

6 MS. LUCIUS: Well, where were these – you said you did get these numbers
7 from, from somewhere.

8 MS. ALMEIDA: Right. Several other ordinances.

9 MS. LUCIUS: It may be [inaudible]. I mean, I know the important thing is not
10 what it looks like. I just want to see what we're talking about.

11 MS. WYATT: So where does this leave us as far as the landscaping?

12 CHAIRMAN GREEN: I think everything's gone before the Council except for this
13 table. Is there a sense of how the Planning Commission's comfortable with that sense
14 of direction?

15 MS. LUCIUS: To do what, now? Say it again.

16 CHAIRMAN GREEN: As Howard said, to ask them to revisit the density and if
17 there's a way to show us some graphics on it that might be helpful.

18 MS. LUCIUS: It's possible. But I agree with Howard. It looks to me like A and B
19 the distances of square feet look like they're flipped with the large trees closer together
20 than the under story trees.

21 MR. PALMER: [Inaudible] those numbers, too.

22 MS. WYATT: Mr. Chair, are we looking at them in March?

23 MR. VAN DINE: We're looking at Table 78.

1 CHAIRMAN GREEN: So there's another issue. Does anybody else have any
2 comments on the Landscape Ordinance?

3 MS. LUCIUS: Were we to vote on that or [inaudible]?

4 MR. VAN DINE: [Inaudible]. This is the only issue that –

5 MS. LUCIUS: I mean we don't need to vote a motion [inaudible].

6 CHAIRMAN GREEN: At the work session. You have in front of you a section,
7 just something on development impact fees. This is simply for information. Howard ran
8 across it and it's an issue we're going to have coming up, so I thought it would be a
9 good idea to just ask Howard to copy it so we can start getting ourselves familiar with it.

10 MS. LUCIUS: I didn't know this.

11 MR. JACKSON: [Inaudible]

12 MS. LUCIUS: So we have the – the county does have the, apparently, the right to

13 –

14 MS. WYATT: They've always had the right to do it.

15 MS. LUCIUS: Not without – because I've gone back to a lot of reading on impact
16 fees and you have the legislative authority to deal with it.

17 MR. VAN DINE: This is the Municipal Association and they have provided this
18 just as a sort of a summary of what was in the Act. I don't think it has any – It doesn't
19 say much in the way of what they believe one way or the other. It just sort of goes down
20 section by section and says this is what's in this section, this is what's in this section.
21 And I got it from Mr. Cannon [inaudible]. He's the – I just decided it might be something,
22 you know –

1 MS. WYATT: Have we still, since you brought this subject up I have to ask the
2 question. I know at one time we had, before we started the Land Development Code I
3 think even, we had been asked by Council to look at this, make recommendations. I'm
4 saying recommendations loosely.

5 CHAIRMAN GREEN: That's why we passed the stuff because this is going to be
6 coming back our way probably this year.

7 MS. WYATT: Okay.

8 MR. CRISS: Indeed there was a –

9 MS. WYATT: That's my question. Is this something that we're going to be giving
10 serious look at?

11 MR. CRISS: Council asked the Commission to consider a preliminary
12 assessment of impact fees for Richland County by April 15th of this year. As I
13 understand it from the Council's retreat in January, they understand that impact fees
14 would have to be predicated on a valid capital improvements plan.

15 MS. WYATT: Which we don't have.

16 MR. CRISS: And doing an impact fee assessment ahead of having a capital
17 improvements plan is somewhat reversed. And I think it's their consensus, though I
18 haven't seen anything in writing yet, that they're going to relieve you from that charge
19 and instead focus attention on developing a true countywide capital improvements plan
20 with impact fees and other issues subordinate to that larger effort. And I'm trying to get
21 you something tentative in writing to that effect.

22 MR. VAN DINE: Problem is we still need to know something about impact fees in
23 order to be dealing with –

1 MR. CRISS: Indeed. Absolutely. It is certainly a valid topic. It's just not as
2 urgent as we thought it might be when the Council issued that directive late last year.
3 The item I passed out is a notice from Central Midlands Council of Governments
4 regarding some rural transportation planning going on in the region and a series of
5 forums, which you're, of course, welcome to attend.

6 CHAIRMAN GREEN: There was another issue – another issue that was raised to
7 me for possible consideration by the Planning Commission this evening, although we
8 haven't seen any language on it, is some modification to the cell tower language that's
9 in our existing ordinance that, apparently, is to receive First Reading and is scheduled
10 for Second Reading at County Council and we have not seen the document yet. Is
11 there any wish on the part of the Planning Commission to have a special meeting to
12 consider this or is it the wish of the Commission that we take that proposed language up
13 at our next regularly scheduled Planning Commission meeting?

14 MS. LUCIUS: Next scheduled.

15 MR. VAN DINE: Do we have anything on it?

16 MR. CRISS: No, we don't. This was an internal initiative by the departments that
17 Planning Commission and Staff now have to catch up with.

18 MR. PALMER: Do you have a quick two minute "Cliff Notes" version?

19 MR. CRISS: I have one copy here.

20 CHAIRMAN GREEN: Could you just highlight for us what the central issue or
21 issues are?

22 MR. CRISS: Yes, I'll try. I've been in some discussions with the private sector on
23 what is anticipated to be a rash of cell tower applications in metropolitan areas like

1 Columbia because of market demands and the current state of technology. As you
2 know, signals drop out. Calls get lost. Coverage is incomplete and there's fierce
3 competition to fill in with either Federal requirements for carriers to provide a certain
4 level of coverage. And the private sector is suggesting that this is becoming so
5 technical and fast paced and complicated that it might make sense to outsource the
6 regulation of cell towers. And the Information Technology Department in Richland
7 County is proposing such an initiative. It would still preserve the authority of the Board
8 of Zoning Appeals to issue a special exception for the location of the cell towers in a
9 rural district, as you have now, but would provide engineering and other technical
10 expertise to analyze industry proposals for new tower locations, height of tower, co-
11 location of antennas from multiple vendors, electromagnetic interference, health effects
12 and so forth on the neighbors. In other words, give local government bodies more
13 technical background on each and every application. This ordinance, I believe, is trying
14 to put in a temporary moratorium on new cell tower applications in order to get a full-
15 fledged zoning text amendment in place. So.

16 MR. VAN DINE: Is Columbia not – didn't they just do something [inaudible]?

17 MR. CRISS: The City of Columbia is also looking at cell tower location issues.
18 They're getting more persistence in their denser environment from neighbors, from
19 surrounding residents especially, largely over the aesthetics but there are other
20 concerns. Bird strikes and electromagnetic radiation and –

21 MR. VAN DINE: Have they done anything? For some reason in the back of mind
22 – either somebody either presented it or voted on it or [inaudible].

23 MR. CRISS: They did a hearing that I could not attend.

1 MR. FURGESS: With the neighborhood of Earlwood. They wanted to put
2 another tower up there, another tower in their neighborhood. So City Council hasn't
3 taken a vote on it yet.

4 MR. CRISS: Thank you. So it does seem to be an open issue. There was talk a
5 few years ago that satellite's taking over from the land-based towers, but it looks like
6 that's not going to happen in the next few years. And indeed there will be a peak of
7 tower requests and location applications in the next few years that local body's are
8 going to have to deal with. So - and this was not Planning Development Services'
9 initiative. We're responding to a sister department and trying to catch up to the proposal
10 ourselves.

11 CHAIRMAN GREEN: I'm happy to call a special meeting of the Commission if
12 you want to have one before our next regular schedule meeting if that's your
13 preference. If your preference is to discuss this at our –

14 MR. VAN DINE: I think we're going to have enough meetings in the month on the
15 Land Development Code with Council on certain area issues, so –

16 MR. CRISS: Was it the Commissioners' understanding that there was going to
17 be a work session this Thursday or not?

18 CHAIRMAN GREEN: My understanding was that they may have one but we
19 weren't necessarily invited to attend because we encumbered their rapid progress
20 through the review process.

21 MR. CRISS: Huh. I think you facilitated, myself. I thought they scheduled one,
22 but now I'm hearing from administration that, no, it was never officially decided. That
23 the next meeting is the February 10th Public Hearing on the Land Development Code.

1 MS. WYATT: It's my understanding [inaudible].

2 MR. CRISS: Thank you.

3 MS. WYATT: That's what I heard. That they said no meeting scheduled.

4 MR. CRISS: The next work session already scheduled was the 17th of February?

5 MS. WYATT: I think that's public input, isn't it?

6 MR. CRISS: February 10th is the Public Hearing, next Tuesday.

7 MS. WYATT: Oh, next Tuesday. Okay.

8 MR. CRISS: Week from will be tomorrow, 7:00 o'clock here. And then I've got
9 the 17th as a Land Development Code work session 5:00 to 7:00 in the evening
10 presumably -

11 MS. WYATT: [Inaudible].

12 CHAIRMAN GREEN: I don't think we need to hurry for County Council on the cell
13 tower ordinance, do you?

14 MR. PALMER: No.

15 MS. WYATT: No, I don't think we need a special meeting.

16 MR. VAN DINE: I think the cell tower, if something's proposed, are you trying to
17 give us what the impact or the implications are of the language where we can
18 understand it?

19 MR. CRISS: Yes, sir. I have not had time to do that yet but -

20 CHAIRMAN GREEN: Any further business to come before the Commission?

21 MR. VAN DINE: Move we adjourn.

22 MR. JACKSON: Second.

23

1

CHAIRMAN GREEN: [Gavel]

2

Adjourned: 5:47 p.m.