

RICHLAND COUNTY PLANNING COMMISSION
April 4, 2016

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[Members Present: Pat Palmer, Beverly Frierson, Ed Greenleaf [in at 1:16], Heather Cairns [in at 1:05], Stephen Gilchrist, Bill Theus, David Tuttle, Christopher Anderson [in at 1:04], Wallace Brown, Sr.]

Called to order: 1:02 pm

CHAIRMAN GILCHRIST: I'd like to call the April 4th Richland County Planning Commission meeting to order. Please allow me to read this into the Record. In accordance with the Freedom of Information Act, a copy of the Agenda was sent to radio, TV stations, newspapers, persons requesting notification, and posted on the bulletin board located in the County Administration office. Staff, were there any amendments to our Agenda?

MS. HEGLER: No, Chairman.

MR. TUTTLE: Mr. Chairman?

CHAIRMAN GILCHRIST: Yes, sir. Mr. Tuttle.

MR. TUTTLE: Mr. Chairman, I'd like to make a motion that we remove Map Amendment items 1, 2, 3, and 4 from the Consent Agenda, and Item No. 1 under the Text Amendments. And then I also make a motion that we approve the March 2016 Minutes and the Road Names.

CHAIRMAN GILCHRIST: Okay, is there a second?

MR. TUTTLE: I'm sorry, 1 through 5.

CHAIRMAN GILCHRIST: Okay, is there a second?

MR. THEUS: Second.

CHAIRMAN GILCHRIST: Okay, all in favor signify – opposed?

1 *[Approved: Palmer, Frierson, Gilchrist, Theus, Brown; Abstained: Tuttle; Absent for*
2 *Vote: Cairns, Greenleaf, Anderson]*

3 MR. TUTTLE: Mr. Chairman, let the Record reflect I didn't vote because I was
4 not in attendance for the March meeting.

5 CHAIRMAN GILCHRIST: So reflected. Okay. First Map Amendment, Case No.
6 16-07 MA.

7 **CASE NO. 16-07 MA:**

8 MS. HEGLER: Good afternoon.

9 CHAIRMAN GILCHRIST: Good afternoon.

10 MS. HEGLER: Map Amendment 16-07 was put forward by Applicant Michael
11 Green. The address is at 525 Piney Woods Road, a little under two acres and is
12 currently zoned and the Applicant is asking for General Commercial [inaudible – mic not
13 on]. The parcel is on Piney Woods Road, it's immediately characterized by institutional
14 uses, residential uses, and across the street is the ever-popular and well [inaudible]
15 Costco. The parcel's east of Interstate 26. The Richland County Comprehensive Plan
16 identifies this area as mixed residential in its future land use category and this is also an
17 area that's further defined by the City's Comprehensive Plan which calls this mixed
18 residential because of the proximity of the City to these areas. For the County these are
19 densely developed urban and suburban areas for opportunities for dense suburban
20 development. The development pattern should reinforce the guiding principles making
21 neighborhoods and communities more livable. To the extent possible then commercial
22 and office development should be located in activity centers and along mixed use
23 corridors. For the City's urban edge mixed residential neighborhood this is their zoning

1 or their land use classification that accommodates a variety of housing types. Staff, you
2 know, Staff had a lotta conversations about this one and we also [inaudible] because of,
3 of some of the rezonings and the development. We recognize the area is not rural,
4 however, we do still recommend disapproval for the following reasons. It's bordered by
5 residential uses today, it's not within an activity center or along a mixed use corridor as
6 the Comp Plan specifically prefers. We have heard from other rezonings in the past that
7 were denied that Piney Woods does appear to serve as a divider [inaudible] in the past
8 few months by setting a precedence for more of the intense commercial to be close to
9 the interstate than residential [inaudible]. So again at this time Staff would recommend
10 disapproval.

11 CHAIRMAN GILCHRIST: Any questions for Staff?

12 MR. ANDERSON: What was the parcel that came up in front of us, I guess it was
13 a month or two ago?

14 MS. HEGLER: Yeah, they were [inaudible].

15 CHAIRMAN GILCHRIST: Turn your mic on?

16 MR. ANDERSON: Sorry. Was it the ones right at the, the circle when there was
17 two parcels, I guess south of those, south of the –

18 MS. HEGLER: Yeah, we had a couple came in [inaudible].

19 MR. ANDERSON: That one?

20 MR. PALMER: I think it was two on the corner.

21 MR. ANDERSON: Yeah.

22 MR. PALMER: Yeah, but the two on the corner came in last month.

1 MS. HEGLER: I thought there was one on the other, is there not one on the other
2 side? There was some in the other part too. [Inaudible]

3 MR. ANDERSON: And this is just a question to Staff and, and this is more along
4 the, maybe on the Commission could help us, I mean, getting ingress and egress outta
5 those spots there, how difficult would that be with that traffic circle? Cause that's just
6 something we don't typically see in Richland County.

7 MR. PALMER: SCDOT's gonna require them to have certain distances and if
8 they're not –

9 MR. ANDERSON: Uh-huh (affirmative).

10 MR. PALMER: - if they're not able to get that on their own parcel then they're not
11 gonna have access the way they want, they'll have to acquire another parcel to do it.
12 But SCDOT standards would prevail over that.

13 MR. ANDERSON: Okay. Okay, I just, we don't see a ton of those in Richland
14 County so I don't know how that works, ingress/egress, so.

15 MS. HEGLER: Right. It is pretty close to the roundabout.

16 MR. ANDERSON: Sure. That's all Mr. Chair.

17 MR. PALMER: I have a question for Staff.

18 CHAIRMAN GILCHRIST: Mr. Palmer.

19 MR. PALMER: The desired development pattern is for mixed residential areas, is
20 that right?

21 MS. HEGLER: I'm sorry?

22 MR. PALMER: The desired development pattern?

1 MS. HEGLER: Yeah, so again these are areas where we've got a lot of
2 interaction with the City's boundaries and so we kind of worked together when we did
3 our [inaudible]. Where the County, there are opportunities for commercial within that
4 future land use designation but they want them more centered on the intersections
5 [inaudible] or along an already commercial corridor. The City [inaudible] mostly
6 residential.

7 MR. PALMER: But is, isn't General Commercial really our only mixed use, mixed
8 residential zoning classification available to us now? Cause it allows 16 units per acre
9 as well as commercial so it allows the flexibility to do both?

10 MS. HEGLER: Well, I was gonna ask Mr. Price to answer that but I don't think
11 that's the same way in which the City's using that terminology. That would be for a mix
12 of residential uses not mixed use. I, I don't –

13 MR. PALMER: So, so they, so the City doesn't want it to be any commercial.

14 MS. HEGLER: My understanding is that they are, their category is for more the
15 mixed residential type.

16 MR. PALMER: Okay. But us as a County, we desire for it to be what?

17 MS. HEGLER: Consistent with that as much as possible. But under our category
18 of mixed residential where we do support and allow commercial but in certain places.

19 MR. PALMER: Right. And so the GC classification would allow us the ability to do
20 both, do a mixed commercial and residential.

21 MR. PRICE: Just for clarification, residential is multi-family, not single-family.

22 MR. PALMER: Right. And so we, we could put residents on the site and put
23 commercial on the site under the GC classification.

1 MS. HEGLER: I, correct, I don't think you would put both but you, GC would
2 allow for that.

3 MR. PALMER: Right, right. Okay.

4 MS. HEGLER: We don't necessarily have a [inaudible].

5 MR. PALMER: But if, but if multiple parcels were to come in, I know, I know one
6 of the reasons for not approving this is that it, there is residential around it.

7 MS. HEGLER: Right.

8 MR. PALMER: But if we continue to deny things on this side of the road no one's
9 gonna get approved, so then the arguments always gonna be there, well it's always
10 next to a residential. So we had other parcels come in last month and we disapproved
11 those because it's in a residential area. Nothing's gonna change if they come in one at a
12 time, but yet if we approve one then we start to say, okay then this is kinda the area that
13 we see being a mixed use area that – and General Commercial allows that.

14 MS. HEGLER: Right. I mean, I think it's an area that is really ripe for looking at, in
15 a more concentrated manner like that and looking at multiple parcels, maybe one at a
16 time and doing a more detailed land use study. But without that, yes it does, it does
17 [inaudible].

18 MR. PALMER: Right.

19 CHAIRMAN GILCHRIST: Ms. Cairns? Okay. Any additional questions for Staff?

20 MR. THEUS: Is this the piece that came in last month that we deferred, it was
21 deferred?

22 CHAIRMAN GILCHRIST: It, it is. Yeah.

1 MR. THEUS: So we, we've not seen another piece right along Piney Woods
2 Road adjacent to this piece have we?

3 MS. HEGLER: In very close proximity we had [inaudible].

4 CHAIRMAN GILCHRIST: Is the Applicant here? Mr. Michael Greene? We do
5 have several people signed up to speak against and for this property. As I call your
6 name if you will please come to the podium, we ask that you give us three minutes,
7 please try to keep your comments within those three minutes. And give us your name
8 and your address. Corey Harding?

9 **TESTIMONY OF COREY HARDING:**

10 MR. HARDING: Good afternoon ladies and gentlemen, Chairman. My name is
11 Corey Harding. One of our parcels came up a couple months ago and it was denied by
12 this committee. Matter of fact it backs up to a property on Piney Grove Road that the
13 church wanted to use for a Family Life Center. But it was denied. So I don't think it'd be
14 fair if you approve this, you approve the church's, disapprove the church's property for,
15 for a Family Life Center. This wouldn't be right. And I think it'd be kinda disrespectful to
16 the church and, and the people that attends the church if you approve that property
17 without the church's. Thank you.

18 CHAIRMAN GILCHRIST: Thank you, Mr. Harding. Brenda McGriff?

19 **TESTIMONY OF BRENDA MCGRIFF:**

20 MS. MCGRIFF: Good afternoon, I'm Brenda McGriff and I reside at 4617 Wade
21 Street, zip code 29210 in the Bonnie Forest Community right down Piney Woods Road,
22 adjacent from that circle. And I'm here to speak highly against this venture. This is a
23 residential, rural community of older citizens, some of lower economic status that are

1 being squeezed out of their homes due to development. It is not fair. It is not just to
2 these residents who did not choose this when they purchased their homes. And most of
3 them are old, too old and do not desire to be replaced. Those citizens are valuable and
4 this Commission needs to realize that their feelings need to be considered in making
5 decisions like this, because as it snowballs down as I heard the young lady say it's
6 gonna be one resident after another. And it's not enough property to allow for parking or
7 even an easement into that property right there at 525 off of Piney Woods Road. One
8 thing that happens when you allow commercial property or rural property to be zoned
9 commercial, whatever the intent is at that particular time if that building is dissolved
10 we're fighting an issue now where we allowed a daycare center to come into our
11 neighborhood, which is now a convenience store selling beer and wine in the middle of
12 our neighborhood. Which that was not the desire of the neighborhood. But when you
13 allow that that's the, that animal that you get. Those people deserve the right to live
14 where they choose at present until they decide that they wanna move without the
15 inconvenience. Costco is coming in, Costco's a great thing for our area but it's also
16 brought in some inconvenience for them. We don't wanna stack and couple anything
17 else on top of them by bringing in or rezoning or having someone else come in with
18 commercial. Thank you so much.

19 CHAIRMAN GILCHRIST: Thank you, Ms. McGriff. Jennifer Cook.

20 [Greenleaf in at 1:16]

21 **TESTIMONY OF JENNIFER COOK:**

22 MS. COOK: Hello, I'm Jennifer Cook. I live at 517 Piney Woods Road, directly
23 across from the Costco development site. I just wanted to say that it's a huge

1 inconvenience every morning to wake up to tractors, windows rattling, dust, extra dust
2 being kicked up in our, our doors. And I take care of my elderly parents here, Mr.
3 Bradford and Shirley Cook, and it's just a nuisance to tell you the truth. And I'd rather
4 not have to deal with any more than what we already have to deal with. We can't get out
5 of our driveway, we can't, we can barely get in our driveway and it's just, as someone
6 who lives right there, I mean, we've been totally encroached upon by the Costco site.
7 And I mean, it's a good thing, I, I know Costco, I shopped at Costco when I was in
8 Charlotte, I used to live there, I had a membership card. But to have it across the street
9 just, I just want all of you, like all of you, everybody in here to imagine your house, your
10 house, your house, your house, yours, yours, yours, and yours and yours, and a big
11 Costco being developed directly across the street. How would you like it? Thank you.

12 CHAIRMAN GILCHRIST: Thank you, Ms. Cook. That's all we have signed up to
13 speak.

14 MR. THEUS: Mr. Chair, I'd like to make a motion that we move this forward with
15 a, with a recommendation of disapproval.

16 MS. FRIERSON: I second.

17 CHAIRMAN GILCHRIST: It's been motioned and seconded that we move this
18 case forward with a recommendation to Council with –

19 MR. THEUS: Disapproval.

20 CHAIRMAN GILCHRIST: - disapproval.

21 MR. TUTTLE: Mr. Chair, if I could, I'd just –

22 CHAIRMAN GILCHRIST: Yes, sir. Mr. Tuttle.

1 MR. TUTTLE: - with all respect to Mr. Theus, it's just inconceivable to me that
2 over the long, medium term that this land will stay as an RU zoning. I mean, I can't think
3 of a more dense zoning than a Costco store across the street. This is either the second
4 or third similar request from the neighborhood that we've had. Seems to me the market
5 is speaking and that this should change to something. Now whether it should go all the
6 way to GC or not is really probably not for us to determine but for the market to
7 determine. Therefore I would probably be in favor of this rezoning and I just wanted to
8 get that on the Record.

9 MR. ANDERSON: And I'll say too, I – to, to piggyback on what Mr. Tuttle just
10 said it, you know, maybe we're six, eight a year ahead of the times but the reason I
11 voted for the last rezoning was because it's coming. And, and again I, this is one of
12 those contrasting; across the street you got RU and, you know, the highest level of
13 intensity commercial use we have. You know, I, I'm actually gonna – the, the Applicant
14 not being here is, is baffling to me but I'm gonna agree with Mr. Tuttle, too. I would be
15 in, in favor of this moving forward with a recommendation of approval, only because of
16 where it is and I, I feel like the, the commercial sector is in that area. And we can resist
17 it as long as we want but we're probably gonna get eight to 10 to 15 more of these
18 coming in the next year or two.

19 CHAIRMAN GILCHRIST: Thank you, Mr. Anderson. Mr. Brown:

20 MR. BROWN: Mr. Chairman, the entrance and exit for Costco and those
21 commercial properties, are they not on Fernandina Road?

22 MS. HEGLER: Correct.

23 CHAIRMAN GILCHRIST: They are

1 MR. BROWN: They're not on Piney Grove Road, so that's the back of, of those
2 commercial properties, am I correct?

3 MS. HEGLER: There might be a right out only onto Piney Woods. I'm looking at
4 our [inaudible]. Their, mostly their main entrance is on Fernandina so their full access
5 entrance is on Fernandina. But there's a right out only, it's either on Piney Grove or
6 Piney Woods.

7 MR. BROWN: And that's the reason I raise it because if I remember the last
8 discussion that we had relative to properties in that area the entrances, the exits, the
9 egress, all of that was on Fernandina [inaudible] Piney Woods Road. And that was kind
10 of the barrier with respect to the commercial part as opposed to the residential. If I'm
11 wrong I'd like to be corrected on that.

12 MS. HEGLER: I do know the whole intersection is on Fernandina and I think your
13 comment is correct. If there are any other entrances they are just gonna be right outs,
14 not [inaudible] fully operating intersection.

15 MR. BROWN: So that, those, avoids those neighborhoods and residential areas.

16 MS. HEGLER: That's correct.

17 MR. BROWN: Thank you.

18 MS. CAIRNS: I just wanna make a comment about – I mean, I'm not sure how to
19 be fully articulate on this but we are the Planning Commission, we have a Planning
20 Department; if all of our land use decisions were based on market forces only I'm not
21 really sure we'd exist. So I think we do have the right to, to look at market forces but
22 they don't dictate. I also think that it is common and not a bad thing to sometimes have
23 an absolute bright line that on, you know, at some point you've got GC that just simply

1 stops and residential starts. And that just because there's GC doesn't mean that
2 therefore anything adjacent is inevitably gonna go, it only goes if it's allowed to go. And
3 you know, so yeah this, you know, this Costco granted it's a giant commercial
4 installation, but interfaces and articulates with Fernandina, so the fact that the back side
5 might be General Commercial – I mean, if we, if the decision was to rezone this whole
6 area but at some point you're gonna have a line where you say stop and you allow
7 residential to exist. So, and it just seems at this point in time Piney Woods Road is the
8 stop point, whether it stays there forever I don't know, but for right now that's a
9 residential development. So.

10 MS. FRIERSON: I have a comment, too, Mr. Chairman.

11 CHAIRMAN GILCHRIST: Mr. Palmer and then Ms. Frierson.

12 MS. FRIERSON: Oh, I'm sorry.

13 MR. PALMER: Yes, sir. My, my thought process is this, I – coming into this I was
14 somewhat undetermined but the City of Columbia and Richland County's desire to
15 make this the possibility to be a mixed use area, General Commercial's the only
16 classification we have that allows for those two. Does Neighborhood Commercial or
17 Rural Commercial allow residential units in those? Do you know? I know General
18 Commercial does, so with the City of Columbia desiring this to be a mixed use area and
19 also us desiring that, the General Commercial's the one that allows that. Now my
20 thought process is just to, to Heather's point that there be a dividing line between just
21 commercial and just residential, we have a classification in our zoning code that allows
22 for some downgrading of that. From strict commercial to strict residential it, it's, it's not a
23 black and white line, there are different grades of each. And it, our Code is designed to

1 allow gradient, you know, to go from one to the other, from more intense to medium
2 intense to less intense, and this is one of those areas where I think we take a look at it
3 and we say, okay where's a natural line that we don't want any more commercial by,
4 however, we've got a huge giant on this side of General Commercial in a Costco,
5 perhaps we need some migration into the neighborhood, not as intense as General
6 Commercial but perhaps Neighborhood Commercial or Rural Commercial. And this is
7 where I see a prime area for us to be able to do that at as far as perhaps it's not
8 General Commercial but maybe it's Neighborhood Commercial, maybe it's Rural
9 Commercial. Who knows because those classifications probably need some work? But
10 with the Staff and with City of Columbia wanting this to be a mixed use area I know
11 General Commercial allows for that, with the 16 units per acre of multi-family. So I'm a
12 bit torn in I certainly see this as a commercial area, whether I see it as General
13 Commercial or not I don't know. And absolutely the Applicant not being here to speak
14 on his behalf certainly weighs on the decision as well.

15 MR. ANDERSON: Right.

16 CHAIRMAN GILCHRIST: Absolutely. Ms. Frierson?

17 MS. HEGLER: Chairman, may I quickly address that comment Heather -

18 MS. FRIERSON: Thank you.

19 CHAIRMAN GILCHRIST: Oh, excuse me. Sure.

20 MS. HEGLER: I wanna make sure I'm not leading you astray. Mixed residential is
21 not entirely the same thing as mixed use.

22 MR. PALMER: So the, the Comprehensive Plan sees no commercial in this area.

23 MS. CAIRNS: There is commercial in this area.

1 MS. HEGLER: [Inaudible] is that future land use designation but does proscribe
2 that it be not leap frogged, not sprawling, that it be at, in activity centers. So I just wanna
3 be clear there's a difference between the terms mixed residential and mixed use.

4 MR. PALMER: Right, and so this area – but our Comprehensive Plan does allow
5 for commercial on this piece of property.

6 MS. HEGLER: No, I would not say that.

7 MS. CAIRNS: No.

8 MS. HEGLER: If it did then we would not have recommended disapproval. What
9 it allows for within that broad future land use designation is mixed residential with the full
10 range of commercial uses allowed but preferably at, along mixed use corridors or within
11 an activity center, which neither is, this is neither.

12 MR. PALMER: What does the Staff see this area being?

13 MS. HEGLER: I agree with what you started with saying that – I, I started my
14 comment by saying it's not rural.

15 MR. PALMER: Right.

16 MS. HEGLER: You know, we agree that it is changing, it is becoming something
17 it is not today or was not yesterday. Totally agree with that. And think that it's a really
18 good opportunity, and it is within your, your power to do so and certainly Council can
19 look at a more detailed focus on this area since we know it's growing, it's something that
20 we probably would've loved to have known along a lotta corridors.

21 MR. PALMER: But does Staff see this piece as a residential piece of property?

22 MS. HEGLER: Probably not in the long term. But that there are [inaudible]
23 differences between commercial and something we keep wanting to work on is getting

1 some more, you know, clearer definitions and purpose and standards within our
2 different commercial districts, but, but certainly you can scale down or I'm okay with
3 hard edges, too. I mean, I think, I think you could do it both ways, but until you have a
4 better understanding of how you want the whole area to grow GC just, according to
5 Staff, seemed a little too –

6 MR. PALMER: But until we address the Comprehensive Plan we have to go by
7 what we have in place.

8 CHAIRMAN GILCHRIST: Yeah.

9 MS. CAIRNS: Well and I think, I mean, what I find – I'm sorry, Mr. Chairman, but
10 what, I mean, if you look at our page 5 you see mixed use because you've got
11 residential and General Commercial together so this is a mixed use area. I mean, I don't
12 see how you can look at this map and not say, well this is a mixed use area. Which is
13 what we want it to be. I mean, mixed use doesn't mean that everything becomes one
14 particular thing, then it wouldn't be mixed use.

15 MR. TUTTLE: I thought in general when people are talking about mixed use as
16 related to zoning they were talking about within a parcel.

17 MS. CAIRNS: Not off the Comp Plan. I don't know.

18 MR. THEUS: Mr. Chair, I'd like to call for the question.

19 MS. FRIERSON: Thank you.

20 CHAIRMAN GILCHRIST: Yeah. Ms. Frierson, then we'll call for the question.

21 MR. PALMER: The whole County's a mixed use area though.

22 MS. FRIERSON: What I generally do is look at what the Staff recommends to
23 see if it is consistent with the Comp Plan, but then for me the overriding factor is

1 listening to the witnesses that come forward, the neighbors that are directly impacted by
2 what is happening. And while I understand that there is concern for what might happen
3 in the future, what is before us now and what the residents of that area articulated just a
4 few moments ago are the overriding factors for me. And as one lady stated in that when
5 people initially purchased that area and now that they are elderly and some of them are
6 basically trapped I would not want to make it worse. So keeping that in mind along with
7 the specific concerns of our Staff, and they are very competent, I would definitely be in
8 favor to disapprove this because even though as many of you have already stated it
9 does allow for mixed usage, that mixed usage is supposed to be very specifically
10 articulated in terms of that usage being near an activity center, so having confidence in
11 the Staff and listening carefully to what the witnesses and residents that are directly
12 impacted by it right now, not in terms of what might happen in the future, I would state
13 that it would be in our best interest to vote for disapproval of this particular matter before
14 us at this moment.

15 CHAIRMAN GILCHRIST: Thank you, Ms. Frierson.

16 MR. GREENLEAF: Mr. Chairman?

17 CHAIRMAN GILCHRIST: Mr. Greenleaf.

18 MR. GREENLEAF: Thank you, Stephen, for recognizing me. Mr. Chairman, I'm
19 sorry for my late arrival due to progress occurring outside of our doors right here. I'll just
20 draw a couple of observations. I was, as an adult lived in Dallas, Texas and spent a
21 lotta time in North Texas and spent and saw growth either out of control in certain areas
22 or growth being well paced. Just because a commercial district is next to another
23 commercial district does not make it commercial. I saw high rises next to homes in

1 Plano, Texas. It works, with smart planning. And I would like to support the Staff's
2 desire and our, our need as a County that this is not unique. This is just different. And
3 this is occurring all over our County, particularly as the economy continues to rebound.
4 And we, we should really take strong views of, of where things go from here and strong
5 views in the sense of not piece-mealing things. Let's do this thoughtfully, I, I'm not,
6 maybe I am, I'm implying it might be a time to revisit parts of the Plan, but I will be
7 voting with the Staff's recommendation for disapproval by the general nature of we need
8 some smart planning.

9 CHAIRMAN GILCHRIST: Mr. Greenleaf, thank you.

10 MR. GREENLEAF: You're welcome.

11 CHAIRMAN GILCHRIST: You know, obviously this is a very unique situation in
12 the Code that we're gonna have to have conversation about at some point. Because
13 we're gonna see this again, I'm sure, and, and at some point we're gonna have to as a
14 Commission address this. We do have a motion on the table, is there a second to
15 approve this –

16 MR. THEUS: There was a second, she seconded.

17 CHAIRMAN GILCHRIST: Already seconded? So we have a motion and a second
18 to send Case No. 16-07 MA forward to Council with a recommendation of disapproval.
19 All in favor of that motion signify by raising your hand. All opposed?

20 *[Approved to deny: Greenleaf, Frierson, Cairns, Gilchrist, Theus, Brown; Opposed:*
21 *Palmer, Tuttle, Anderson]*

1 CHAIRMAN GILCHRIST: We are a recommending Body to County Council. They
2 will meet back in these Chambers again on April the 26th and they will make the final
3 decision at that time. Thank you. Alright, next case.

4 **CASE NO. 16-09 MA:**

5 MS. HEGLER: Case 16-09, the Applicant is Joe Tran, Broad River Road, not too
6 far from where we just were. The site is two acres zoned GC. The Applicant is
7 requesting Light Industrial. [Inaudible] district obviously is intended to accommodate
8 [inaudible] processing, light manufacturing, as well as general commercial. The parcel
9 has frontage directly on Broad River Road, it's currently undeveloped. The surrounding
10 area is characterized by [inaudible] commercial and residential uses [inaudible]. This
11 area falls within the same classification as the last request in our Comprehensive Plan
12 of a mixed use corridor [inaudible]. And again the City does have some interplay in that
13 area. This is also part of an adopted community master plan, the Broad River Road
14 Corridor Community Master Plan was adopted in 2010 and designates this area as a
15 transition mixed use district. Truly I think more of the, of the type [inaudible] Commission
16 was talking about in the last case, supporting residential makes [inaudible]. It's certainly
17 not, it's not Light Industrial, it's not proposed for that area. Staff recommends
18 disapproval of this request in that the Comp Plan and the Master Plan prefer residential
19 and commercial [inaudible] certainly along the corridor and within the [inaudible].

20 CHAIRMAN GILCHRIST: Okay, great. Any questions for Staff? The Applicant,
21 Chan Tran? Do give us your name and your address, please.

22 **TESTIMONY OF JOE TRAN:**

23 MR. TRAN: My name is Joe Tran.

1 CHAIRMAN GILCHRIST: Is it Joe Tran?

2 MR. TRAN: Yes.

3 CHAIRMAN GILCHRIST: Okay. Okay.

4 MR. TRAN: And my home address or?

5 CHAIRMAN GILCHRIST: Yes, that's fine.

6 MR. TRAN: It's 117 Ascot Ridge Road.

7 CHAIRMAN GILCHRIST: Okay. Anything you wanna tell us about the property?

8 MR. TRAN: Oh yeah, we acquired this property cause I own a shop about a
9 block away from there on Broad Rivers, on the corner of Broad River and Piney Groves,
10 I been running that shop for the last 20 years doing my business there. And I want to
11 own something and that property come up for sale and I bought it. And I talked to this
12 gentleman here he say GC I could do what I need to do, but as far as doing engine work
13 and all that I'm not supposed to and [inaudible] rezone it so I can do those kinda stuff.

14 CHAIRMAN GILCHRIST: Okay.

15 MR. TRAN: Far as, you know, replace engines and stuff like that.

16 CHAIRMAN GILCHRIST: Sure, okay.

17 MR. TRAN: That's the main thing.

18 CHAIRMAN GILCHRIST: Questions for the Applicant?

19 MR. BROWN: Mr. Chairman?

20 CHAIRMAN GILCHRIST: Yes, sir.

21 MR. BROWN: I didn't understand when he said what he wanted to do there that
22 was different.

1 CHAIRMAN GILCHRIST: I think you said you wanted to fix engine parts, is that
2 right?

3 MR. TRAN: No, the – yes, we replace, not rebuild –

4 CHAIRMAN GILCHRIST: Replace engines.

5 MR. TRAN: - replace, most everything's replaced, I mean, replace transmission,
6 replace engine and all that. I don't rebuild them.

7 CHAIRMAN GILCHRIST: So you're saying you replace engines and replace
8 transmissions in, in that facility. Any additional questions for the Applicant? Questions,
9 comments, recommendations?

10 MR. THEUS: I have a question. So a Good Year or an AAMCO Transmission,
11 are those, do they have to be in LI?

12 MR. TRAN: No, sir.

13 MR. PRICE: No, sir.

14 MS. HEGLER: Mr. Price?

15 CHAIRMAN GILCHRIST: Mr. Price?

16 MR. THEUS: I mean, they replace engines, they replace transmissions and –

17 MR. PRICE: The Good Year?

18 MR. THEUS: Yeah. I mean, they'll replace an engine, or AAMCO Transmission
19 out on, or Cottsman Transmission, one of those places on Decker Boulevard. That's got
20 –

21 MR. PRICE: If, if that is their intent and, and they were coming in now, they
22 weren't there prior to our Code, yes they would have to go into an industrial. The places
23 that you typically see with the GC that allow with the minor automobile repair, like your

1 Pep Boys, there's some Good, the Good Years, the places that really you can kind of go
2 in, get quick service and, and leave. The places where you're gonna have mostly body
3 work or paint or the transmission and the engine, those go into the LI district.

4 MR. PALMER: Mr. Theus, I actually brought this language up about a year ago –

5 CHAIRMAN GILCHRIST: Yeah, I remember that.

6 MR. PALMER: - to bring these, because of the Killian Road corridor, to bring
7 these into a General Commercial zoning classification. And the Planning Commission
8 voted no and the Council voted no on it as well I think.

9 MR. THEUS: Hmm. What was the, didn't we, didn't we – was this the body shop
10 on Longtown Road?

11 MR. PALMER: Yeah. Yeah, well body shops have to be in an industrial zoning as
12 well. They can't be in General Commercial because they have outdoor storage. And so
13 we got into the discussion about, well sometimes people leave their cars out there for
14 long periods of time and sometimes it becomes a junkyard, which everybody then
15 naturally gravitated to the worse-case scenario. So yes, you, you cannot do major body
16 repair work in a General Commercial zoning classification. Which I do not think is
17 correct.

18 MS. CAIRNS: Right, but the concern always has been the outdoor storage stuff. I
19 mean, that's –

20 MR. GREENLEAF: Mr. Chair, I have a question for the Applicant.

21 CHAIRMAN GILCHRIST: Go right ahead, Mr. Greenleaf.

22 MR. GREENLEAF: Thank you. Mr. Tran, thank you for appearing before us,
23 that's quite nice. There's a gap at the, at the map we're looking at here, you see right

1 here? You said you were at the corner right there, is that what you indicated? And
2 there's a gap, that little white, that is City of Columbia. Do you own that property as
3 well?

4 MR. TRAN: No, sir.

5 MR. GREENLEAF: And so I would like clarification. You want to do the repair
6 work on property two doors down, is that what you're saying? It's not adjacent and if you
7 don't own it I'm a little confused.

8 MS. CAIRNS: He's bought the parcel that's -

9 MR. TRAN: I bought the two acres.

10 MR. GREENLEAF: But there's a gap and, and so you're -

11 MR. TRAN: I don't know who owned that.

12 MR. GREENLEAF: - but your Shell station's on the corner, is that what I
13 understood?

14 MR. TRAN: On the other side of the road.

15 MR. GREENLEAF: On the other side.

16 MR. TRAN: Yeah.

17 MR. GREENLEAF: Okay, so you're here, okay I see.

18 MS. CAIRNS: He's relocating his shop.

19 MR. TRAN: Other side of Piney Grove.

20 MR. GREENLEAF: I hear you. Okay, on that side.

21 MR. TRAN: Same road but the other side of Piney Grove.

22 MR. GREENLEAF: I hear you. And so your intent is to, not that that's relevant,
23 but you intend to move your property, your, your business -

1 MR. TRAN: Just business, yes.

2 MR. GREENLEAF: - from that corner down two parcels to this new location.

3 MR. TRAN: Yes, sir.

4 MR. GREENLEAF: Thank you.

5 MR. TUTTLE: Mr. Chairman, I have a question for Staff.

6 CHAIRMAN GILCHRIST: Yes, sir, Mr. Tuttle.

7 MR. TUTTLE: It's my understanding that where he is currently he's in a non-
8 conforming use that's grandfathered, is that –

9 MR. TRAN: Grandfathered, yeah.

10 MR. GREENLEAF: Yeah.

11 [Inaudible discussion]

12 MR. PRICE: I haven't been out there but if he's doing major work out there now,
13 then – yes, he would've been grandfathered in, yes.

14 [Inaudible discussion]

15 MR. TUTTLE: Right, I understand, I'm just trying to understand, not that it's
16 necessarily relevant, but he's doing it now three parcels away or whatever it is. And
17 that's a grandfathered, non-conforming use.

18 MR. GREENLEAF: Do, do we have a motion on the table?

19 CHAIRMAN GILCHRIST: Not yet. Ms. Cairns, did you have a comment?

20 MS. CAIRNS: No, I mean, I guess – I mean, I'll offer that I agree with the fact that
21 I think major repair places and body shops and places like that should not be allowed to
22 be in GC. However, what I'm curious is can we have something that limits outdoor
23 storage and/or size so as to allow, you know, an auto repair place that does a little bit of

1 engine work to not get kicked out. You know, so long as there's no outside storage and,
2 you know, to me I don't, I don't think the answer is we allow all auto repair into any GC. I
3 don't think the answer is that we rezone this Light Industrial. I think that the solution may
4 lie somewhere and just trying to tweak our Code so that we can allow businesses that
5 don't do outdoor storage and therefore create the need for Light Industrial to go on. I
6 mean, cause I, I mean, I can see the sort of insanity of, you know, of a fellow, you know,
7 just trying to move his business, you know, a couple hundred feet all of a sudden is put
8 outta business. But at the same time I don't think the solution is to rezone it LI and I
9 don't think the solution is to allow auto repair in GC. You know, cause I mean, if indeed
10 he wants to run a full huge auto repair place, well then, you know, big expansion of what
11 he's been doing, well then maybe he does need to be in LI which would not be a good
12 location on this parcel. But if what he's trying to do is again, a small scale, you know,
13 thing where every once in a while you pull an engine out or swap a transmission it
14 seems like that shouldn't be something we're blocking in GC.

15 CHAIRMAN GILCHRIST: Mr. Palmer.

16 MR. PALMER: Perhaps the compromise then is to allow auto body repair in the
17 General –

18 MS. CAIRNS: No.

19 MR. PALMER: - Commercial classification, only based on a certain lot size, two
20 acres or less.

21 MS. CAIRNS: Well, and outdoor storage restrictions.

1 MR. PALMER: You're gonna have that, we already, we've been around this
2 carousel before, you're gonna have outdoor storage cause sometimes people don't pick
3 up their cars. So you're gonna have that.

4 MS. CAIRNS: I don't think a car outside is outside storage. It's the parts.

5 MR. PALMER: It is. It is. And we went through the whole thing with 8' fences, we
6 went through the, with everything of the, the – and what if this site's below the other one
7 then you're gonna have to have a 20' fence. We've been around this carousel, yes. I
8 think perhaps we do it based on if it's two acres or less or three acres or less or
9 something to that effect then you can have an auto body repair shop in the General
10 Commercial classification. But if you wanna a large scale, something to that effect, you
11 know, then you, you base it on the size perhaps. You know, maybe that's the
12 compromise, but I, I'm definitely in favor of putting General Commercial because no one
13 prefers to drive out into the areas that we only allow industrial to get your auto body
14 repair work done and drop your car off and sit in a lobby for five, six, seven hours where
15 there's nothing to do around there. You can't go get lunch, you can't do anything cause
16 we put industrial out in the middle of nowhere.

17 MS. CAIRNS: Yeah but I think that's a, I mean, I'm, I'm sorry but I just, I mean,
18 we do allow auto repair. It's the heavy auto repair we don't. So.

19 MR. TUTTLE: Mr. Chairman, I have another question for Staff.

20 CHAIRMAN GILCHRIST: Yes, sir, Mr. Tuttle.

21 MR. TUTTLE: And this probably isn't, isn't a fair question, can you give me any
22 estimate as to say within a half mile each direction how many non-conforming LI uses
23 there are in the GC category?

1 MS. CAIRNS: No.

2 MS. HEGLER: [Inaudible]

3 MR. TUTTLE: Cause if, if my memory's correct along Broad River Road there's
4 quite a few auto repair shops and stuff that would probably be non-conforming uses. I'm
5 just trying to frame the picture, I don't need a specific –

6 MR. PRICE: I agree with you but we can't give you that number.

7 MS. HEGLER: [Inaudible]

8 MR. TUTTLE: Thank you.

9 CHAIRMAN GILCHRIST: Thank you, Mr. Tuttle. Any – Mr. Palmer.

10 MR. PALMER: My problem with this, and I, I will be voting for denial but my, my
11 problem with this is the General Commercial classification needs to allow this type use. I
12 don't think we need to rezone this to Light Industrial because I think if this gentleman
13 doesn't use it for that in the future it opens it up to all the uses that are in Light
14 Industrial, which I don't agree with. But I think his use is perfect for this site, however,
15 we don't allow it in the General Commercial classification. And we sit up here all the
16 time and we say, well we need to, well we need to, and we never do. Just like on the
17 last case we need to re-address this area, we don't do it. And it keeps coming up and
18 coming up. In my opinion we need to allow for major auto body repair in the General
19 Commercial classification some kinda way.

20 MR. TUTTLE: One more question, Mr. Chair, I, I apologize.

21 CHAIRMAN GILCHRIST: No problem, Mr. Tuttle.

22 MR. TUTTLE: I'm just trying to understand. So I, I guess, Mr. Price, if a business
23 has a primary use and a secondary use how would you characterize those as it would

1 relate to an auto repair shop? Is the, is the – if they do 10% of their time on engine
2 repair or body repair is that a secondary use or is that a primary use?

3 MR. PRICE: Good question. Like I say typically when someone comes – just
4 going by how we look at it – when someone comes in, and see I don't wanna take into
5 account what's out there now, just [inaudible] with the assumption it's grandfathered in.
6 So someone comes in and we ask them to describe the nature of their business, just
7 from the description of it, if that's anything that they plan on doing then we will put them
8 into that category. So in this case if they're gonna do, well we just do some, some
9 painting or some body repair then that's gonna put them into the industrial, or excuse
10 me, the industrial district, only because, you know, when you start putting a percentage
11 of it on or you try and put certain limitations it's hard for us to kinda monitor that. Cause
12 it's always somebody that's gonna kinda push the envelope and then you have to go
13 back and you try to bring them back in.

14 MR. TUTTLE: I understand but, but we, clearly when we look at projects that
15 have multiple uses we have primary and secondary, I mean, that's a, a –

16 MR. PRICE: Right, but most –

17 MR. TUTTLE: - normal way. I'm just trying to understand how we –

18 MR. PRICE: Well, you know, when it comes to the repair you're either one or the
19 other.

20 MR. TUTTLE: Thank you.

21 CHAIRMAN GILCHRIST: Mr. Tran, we thank you, appreciate it. Motions?

22 MR. BROWN: Are there any other speakers?

1 MR. PALMER: I'd make a motion to send this forward to Council with a
2 recommendation of denial, with the caveat that we need to address major body repair
3 and, in my opinion should be allowed in the General Commercial classification.

4 CHAIRMAN GILCHRIST: Thank you, Mr. Palmer, is there a second?

5 MR. GREENLEAF: Second.

6 CHAIRMAN GILCHRIST: All in favor of sending Case No. 16 – discussion?

7 MS. CAIRNS: No, no, I just want to make sure the motion is just the denial; that
8 we're not also saying the Code needs to change as part of that motion. I mean, was that
9 a two-part motion?

10 CHAIRMAN GILCHRIST: Well the recommendation was not part of the motion,
11 was it?

12 MR. PALMER: It's just a recommendation, it's not a motion and a second to bring
13 something up into Additional Business, no.

14 CHAIRMAN GILCHRIST: Mr. Palmer, why don't you rephrase that, that motion,
15 please?

16 MR. PALMER: I'd like to make a motion that we send this forward to Council with
17 a recommendation of denial.

18 CHAIRMAN GILCHRIST: We have a second. All in favor of sending Case No.
19 16-09 MA forward to Council with denial, please raise your hand? All opposed?

20 *[Approved to Deny: Palmer, Greenleaf, Frierson, Cairns, Gilchrist, Theus, Anderson,*
21 *Brown; Opposed: Tuttle]*

1 CHAIRMAN GILCHRIST: And sir, we're a recommending Body to County
2 Council. They will meet here again on April the 26th in these Chambers, okay? Thank
3 you sir. Alright. Next case.

4 **CASE NO. 16-10 MA:**

5 MS. HEGLER: Case 16-10, Rodney Pendleton is the Applicant at 227 Larger
6 Street, 7.38 acres, currently zoned RS-LD, that's our low density residential zoning. The
7 Applicant is requesting Rural. [Inaudible] The area is surrounded primarily by [inaudible]
8 residential uses and some undeveloped [inaudible]. The Richland County
9 Comprehensive Plan designates this area as [inaudible]. The development pattern is
10 [inaudible] downzoning if you would to a Rural district, there was some [inaudible] about
11 it. Kinda felt pretty mixed that Rural district certainly is consistent with the effect of the
12 neighborhood low density designation based solely on development [inaudible]. You
13 can have low density neighborhood development in our Rural district. However, it is
14 [inaudible] can be more agricultural in nature and have uses that are more [inaudible].
15 Given the fact that you can't really tell what, rural can be so many different things Staff
16 felt uncomfortable approving it and recommends disapproval.

17 CHAIRMAN GILCHRIST: Any additional questions for Staff? We do have several
18 people signed up to speak. The Applicant, Rodney Pendleton? Come right on up sir.
19 Please give us your name and your address for the Record.

20 **TESTIMONY OF RODNEY PENDLETON:**

21 MR. PENDLETON: My name is Rodney Pendleton, I live at 1212 Crane Church
22 Road, Columbia, South Carolina.

23 CHAIRMAN GILCHRIST: Fix the mic for me, please? There you go.

1 MR. PENDLETON: Is that better?

2 CHAIRMAN GILCHRIST: That's a little bit better, yeah.

3 MR. PENDLETON: Alright. My name is Rodney Pendleton, I live at 1212 Crane
4 Church Road, Columbia, South Carolina. Still can't hear me?

5 MS. HEGLER: [Inaudible]

6 MR. PENDLETON: Okay, is that better?

7 CHAIRMAN GILCHRIST: There you go.

8 MR. PENDLETON: Okay. Alright, I bought this property five years ago when I
9 was, before I retired in Baltimore, Maryland. Well, I have a land lease on it for five years.
10 I could not do anything with this property. If I build a house there, if you look on the map
11 there the small blue lot that's right next to it, it's, it's a mobile home. Two lots right
12 across the street they're mobile homes. That kind of L looking shaped lot there, that's a
13 mobile home with three other mobile homes on it. If I build a stick-built house there,
14 \$50,000, as soon as I build it it's worth \$25,000. I need to – and on top of this I bought
15 this land to start a small farm, alright, we're talking, you know, a fruit orchard. But I can't
16 do that with the current zoning. They told me I had to downgrade it to Rural because
17 there's no house on it, and I don't wanna put a \$100,000 house on a property that's
18 gonna degrade to \$50,000 all the value soon as I put it on there. I'd rather much, I'd
19 much rather just go ahead and buy a, a double-wide or something and put it there.
20 Because every, every property that's directly connected to mine property has a mobile
21 home on it.

22 CHAIRMAN GILCHRIST: Okay. Thank you, Mr. Pendleton. Questions for the
23 Applicant?

1 MR. PALMER: I have a question. You have a five year land lease?

2 MR. PENDLETON: No, I, I, I had bought the land five years ago, but I –

3 MR. PALMER: [Inaudible]

4 MR. PENDLETON: I bought the land five years ago. I actually have that and the
5 lot next to it on an option, right. So the total acreage would be right around 20 acres, but
6 I wanna get this one done. Okay, so I could start a small, like I said a small orchard. But
7 I have a, a, a nonconventional mortgage with the owner until I get this thing, the zoning
8 changed and then I'm just gonna go ahead and purchase it out. But I can't do it, I don't
9 wanna invest that much money into a property that I can't get zoned properly.

10 MR. PALMER: And the owner, the owner's given you permission to –

11 MR. PENDLETON: Yes.

12 MR. PALMER: - down zone his piece of property? So you have an option on the
13 property you hadn't, of course you haven't purchased it yet, right?

14 MR. PENDLETON: Okay.

15 MR. PALMER: Not that it matters, I'm just –

16 MR. PENDLETON: I, I have, I have a installment land contract, okay?

17 MR. PALMER: Okay.

18 MR. PENDLETON: Alright, so I have an installment land contract and I've had it
19 for a while, so at the end of this year this land will be paid off.

20 MR. PALMER: Are there other areas in the County that are already currently
21 zoned Rural that you may wanna take a look at that could accommodate what you're
22 looking for, rather than the, this piece of property?

23 MR. PENDLETON: Not for the price I paid for it, no.

1 MR. PALMER: But we do have an ample amount of Rural commercial, Rural
2 property in the County.

3 MR. PENDLETON: Not for this price. No.

4 MR. PALMER: Okay.

5 MR. PENDLETON: And not at this location. Considering, like I said I wanna start
6 an urban farm here. The Rural zoning would be exactly what I need. And I'm not talking
7 like animals or anything like that, this is all vegetables, you know.

8 MR. PALMER: Did you investigate what other, what Rural areas we currently had
9 zoned before you took a look at this piece of property?

10 MR. PENDLETON: I bought this property because it's close to my parents.

11 MR. PALMER: Okay.

12 MR. PENDLETON: And I, I've lived in this neighbor – well, I've lived in
13 Lincolnshire which is on the other side of this area for over 30 years now.

14 MR. PALMER: Right. There's a lot of Rural property in this area.

15 MR. PENDLETON: Yeah. Not for this price.

16 MR. PALMER: Okay. Alright, I appreciate it.

17 CHAIRMAN GILCHRIST: Thank you, Mr. Pendleton.

18 MR. PENDLETON: And I, I was a real estate agent so yeah I have looked.

19 MR. PALMER: Good.

20 CHAIRMAN GILCHRIST: Thank you, Mr. Pendleton. We do have a couple
21 people signed up to speak. Larry Montgomery. Please give us your name and your
22 address, please sir.

23 **TESTIMONY OF LARRY MONTGOMERY:**

1 MR. MONTGOMERY: My name's Larry Montgomery and I live on the back side
2 of that property there at 210 Larger Street. The piece of property, we didn't know exactly
3 what he was building in there yet or what he wanted to put in there. And he's saying
4 agricultural use, but actually that piece of land right there is like a piece of gully land that
5 goes down into a valley right there. It's hilly, it's a lotta of the trees on that land right
6 there. We had a problem one time before when they tried to sell that property before
7 about putting mobile homes back in there. So all that was denied at the timeframe.
8 There are houses around there, residential on that street there. Yes there are some
9 trailers but all that was grandfathered in from a long time ago. And that piece of property
10 right across from his property, y'all went and allowed that piece of property, I think Mr.
11 Brown the realtor wanted to divide that up, but y'all wouldn't let that piece be divided up,
12 which is more of a level land but it's, used to be like trees out there at one time. They
13 used to come and harvest trees outta there one time, but once they, I guess rezone it or
14 whatever, resell it or whatever, it became that. But as far as I see right now I don't see
15 how he can harvest any trees and stuff on that piece of land because I don't know if the
16 Staff been down to look at it because it's just a piece of land that goes down into a
17 valley down to a creek down at the bottom of it. So you know, I'm here to speak against
18 it.

19 CHAIRMAN GILCHRIST: Thank you, Mr. Montgomery. Nicole Roan? Sorry,
20 what's that last name? Rose, okay.

21 **TESTIMONY OF NICOLE ROAN:**

22 MS. ROAN: I'm Nicole Roan, 1311 Heyward Brockington Road. I am the current
23 president of the Bookert Heights Community Organization where this property resides.

1 This property is under a Master Plan which has been approved over several years, so
2 during that time we looked at all of the property in the area and we feel sure that we
3 made the right decisions with the rezoning of any property that was needed at the time.
4 And Rural to us at this time, to go back to Rural would just be too broad of a definition
5 for us in the community. So we'd like to, the request to be denied at this time.

6 CHAIRMAN GILCHRIST: Thank you, Ms. Rose.

7 MS. ROAN: Thank you. Roan.

8 CHAIRMAN GILCHRIST: Roan? Okay. That's all we have signed up to speak.

9 Comments?

10 MR. GREENLEAF: Mr. Chairman, a quick question.

11 CHAIRMAN GILCHRIST: Yes, sir, Mr. Greenleaf.

12 MR. GREENLEAF: Thank you, sir. It's directed to Staff. If I understood Mr.
13 Pendleton correctly he is not currently the owner of the property? He has a, an
14 agreement to purchase the property, is that the way it was presented? My question
15 goes this way, is, can non-owners request rezoning?

16 MR. THEUS: If he has an agency form.

17 MR. GREENLEAF: He has an, excuse me? This is kind of foreign territory for
18 me, I'm just a regular citizen, so.

19 MR. THEUS: The, the owner has agreed to allow him, the deed holder has
20 agreed to allow him to rezone it.

21 MR. GREENLEAF: Is that legal –

22 MR. THEUS: Via a form.

1 MR. GREENLEAF: - legally represented? Thank you, sir, Mr. Theus. Thank you,
2 very much. Thank you, Mr. Theus, appreciate it.

3 CHAIRMAN GILCHRIST: Absolutely. Okay, any additional questions?
4 Comments, recommendations?

5 MR. THEUS: What is it that, what is it that is in the current zoning classification
6 that's keeping him from building a house and having a big garden? That's what I'm
7 hearing. Geo?

8 MR. PRICE: Really nothing. I mean, if he, if, if a person has their own property,
9 has a house there and they build a garden there's nothing that will prohibit that.

10 MR. THEUS: What, what is he wanting to do then that is requiring a rezoning?

11 MR. PRICE: Farm and crop production.

12 MR. THEUS: So it's a commercial operation, is that what –

13 MR. PRICE: By, right, by the definition for crop production it's only allowed in the
14 Rural district and the M1 district.

15 MR. THEUS: Is that not defined by acreage or anything? I mean –

16 MR. PRICE: No, sir.

17 MR. THEUS: So if you have, if you have a two acre lot and a small house on it
18 and you have a big garden you sell some vegetables outta that to your friends, is that a
19 zoning violation? I, I just don't know where the line is.

20 MR. PRICE: Typically they are, I guess more of a commercial type operation,
21 kinda more of a standalone operation. Just by, just by definition the industries that grow,
22 specifically commercially. It's a commercial use.

23 MR. THEUS: So like a fruit stand?

1 MR. PRICE: I mean, if you, if somebody, you know, you grow some strawberries
2 on your property –

3 MR. THEUS: Yeah.

4 MR. PRICE: - you know, you happen to sell some, I don't think that necessarily
5 makes you a, a commercial operation. I think what you're looking at is typically a larger
6 type use where maybe your sales are intended to go more either wholesale or, you
7 know, really commercial. Not just something that you're doing for yourself, for your own
8 benefit.

9 MS. HEGLER: [Inaudible]

10 MR. PALMER: Mr. Chair?

11 CHAIRMAN GILCHRIST: Yes, sir, Mr. Palmer.

12 MR. PALMER: I'll make a motion based on the Comprehensive Plan, Staff
13 recommendation, and the fact that there's been no compelling argument to change the
14 zoning, that we send this forward to Council with a recommendation of denial.

15 CHAIRMAN GILCHRIST: Is there a second?

16 MR. GREENLEAF: I'd like to second the motion, please.

17 CHAIRMAN GILCHRIST: Motion seconded to send Case No. 16-10 MA forward
18 to Council with a recommendation of disapproval. All in favor? Questions, anybody with
19 questions? Alright, all in favor please raise your hand. All opposed?

20 *[Approved to deny: Palmer, Greenleaf, Frierson, Cairns, Gilchrist, Tuttle, Anderson,*
21 *Brown; Opposed: Theus]*

22 CHAIRMAN GILCHRIST: Sir, we are recommending Body to County Council
23 and they'll meet back in these Chambers on the 26th. Thank you, sir. Alright. Next case.

1 **CASE NO. 16-11 MA:**

2 MS. HEGLER: Case 16-11, Angel Lara is the Applicant. That location is 11214
3 Broad River Road. [Inaudible] It's a little over half an acre, currently zoned Rural and the
4 Applicant is requesting GC. It is adjacent to the [inaudible]. The subject parcel is on
5 Broad River Road, contains a non-residential structure that's a non-conforming, used
6 currently, previously it was an antique store and [inaudible]. The immediate area is
7 characterized by residential, commercial and undeveloped parcels and it's located just
8 west of a neighborhood activity center and a priority investment area. The Richland
9 County Comprehensive Plan identifies this area as neighborhood low density. Again
10 these are areas where low density residential is the primary use. [Inaudible] the
11 transition between Rural and Neighborhood [inaudible]. Commercial development
12 should be located within nearby neighborhood activity centers within the [inaudible] near
13 an intersection. The Plan again recommends that commercial be within a neighborhood
14 activity center or near intersections. Staff felt that, that the rezoning would be promoting
15 kind of a leap frog development pattern [inaudible].

16 CHAIRMAN GILCHRIST: Any questions for Staff?

17 MR. ANDERSON: One question. How far back does 02-45 MA go? In that case
18 that we approved, it just says the GC parcel east of the site was rezoned under Case
19 No. 02 -

20 [Inaudible discussion]

21 CHAIRMAN GILCHRIST: Any additional questions for Staff? The Applicant?

22 MR. PALMER: I have one question, I'm sorry.

23 CHAIRMAN GILCHRIST: I'm sorry, Mr. Palmer.

1 MR. PALMER: The stuff across the street zoned M1, M1 allows every – that's too
2 broad of a statement – the majority of every commercial classification allowed under
3 General Commercial, correct?

4 MS. HEGLER: Correct.

5 MR. PALMER: So when we take a look at M1 mentally it can be virtually be a
6 General Commercial. It allows most of those except for the multi-family component.

7 MR. HEGLER: [Inaudible]

8 MR. PRICE: Yes, and also there's Light Industrial.

9 MR. PALMER: And Light Industrial. So really that whole area over there could be
10 classified as a, a red area for General – it allows the –

11 MR. PRICE: The majority of commercial uses, yes.

12 MR. PALMER: - the majority of General Commercial classifications. Okay. That
13 was my only question.

14 CHAIRMAN GILCHRIST: The Applicant, Angel Lara? Please come forward, give
15 us your name and your address, please sir.

16 **TESTIMONY OF ANGEL LARA:**

17 MR. LARA: Hi there. I'm Angel Lara at 8 Summer Creek Court, Irmo, South
18 Carolina 29063. We originally purchased this property a few years ago. The intent was
19 to make it into an auto body shop. At the time we had time we had come in and
20 requested for M1. And prior to buying the property we had asked if we could get
21 rezoned to an adjacent zoning, which M1 would've allowed an auto body shop. We
22 were then told after we purchased the property that M1 had been sunsetted and that we
23 could no longer request M1. In the meantime it sat in a quasi, what are we gonna do

1 with the property. We did have a firework stand on the property. We were then told that
2 unfortunately since it was not inside the building it did not qualify for our grandfathering
3 of it being General Commercial and it had returned back to Rural classification. One
4 thing I would say it'd be nice if you did have an aerial photo or a photo of the front of the
5 building. There is –

6 CHAIRMAN GILCHRIST: We have it, sir.

7 MR. LARA: Okay. There is no way that would ever be a rural residential home,
8 it's a block building, it was built originally, I'm not sure of the time period whether it was
9 in the '50s, as a boat dealership where they did boat sales and boat repairs. At that
10 point that gentleman sold the property to Ms. Jackie in which she made it into a doll
11 store and an antique store and operated that for several years. We then subsequently,
12 like I said, purchased it and, with the goal of changing it to an auto body shop. But as
13 you discussed a few parcels ago there's this issue with the storage of cars with auto
14 body shop and/or auto repair which we're not trying to open a junkyard. You know, the
15 fact of the matter is if you go to Pep Boys which is a General Commercial they have
16 more cars stored on their property than we could ever store on our GC properties.
17 Okay? So it's, it's really ashamed that, you know, our goal was to go, you know, our
18 goal is we wanna make something happen on this property cause it looks rundown.
19 We're, obviously we're not gonna invest money in this property until we can rent it out,
20 and so you look at what, what do you do with the property, let's make it GC.
21 Unfortunately GC is gonna be minimum wage jobs, okay, and that's the reality of it
22 versus if you put an auto body shop or you put an auto repair shop those people can
23 make anywhere from \$40,000 to \$60,000 a year. There are painters that make \$80,000.

1 However, due to this issue with storage for auto body and auto repair we're going to
2 now want to put in minimum wage jobs at this site. So at a minimum we wanna do
3 something with this property so we can invest in it and it not be an eyesore to the
4 community. We have had people dropped their trailers that were a disaster, blown out
5 windows, siding coming off of it, they illegally drop it there. We've had to pick up semi-
6 truck drivers that drop their semi-trucks there every day on the weekend. It's just not,
7 you know, conducive really for us to do anything except, you know, right now at this
8 point, GC based on the restrictions on the property. And I can respect the fact you don't
9 wanna make it Light Industrial cause of what someone else might do with it down the
10 road.

11 CHAIRMAN GILCHRIST: We appreciate that, Mr. Lara.

12 MR. LARA: Yeah, thank you. So I would hope that you would please grant GC so
13 we can invest in this cause it'll never be a residence.

14 CHAIRMAN GILCHRIST: Thank you, sir. We certainly appreciate that.

15 MR. LARA: Thank you.

16 CHAIRMAN GILCHRIST: Any comments for the Applicant? That's all we have
17 signed up to speak.

18 MR. PALMER: Mr. Chair?

19 CHAIRMAN GILCHRIST: Yes, sir.

20 MR. PALMER: I know that a lotta times we're concerned with starting General
21 Commercial in an area that's not at an interchange. This is a half-acre piece of property
22 which normally could not come in by itself. It's in the addition to an adjacent General
23 Commercial tract. And so under the normal circumstances I would think this site should

1 come in as a Rural Commercial or Neighborhood Commercial possibly, but however
2 with General Commercial already being there, this being a half acre addition to that, any
3 other larger parcels the argument could be made that it's an expansion of the General
4 Commercial in an area that it doesn't need it perhaps. But with the size of this being
5 only a half-acre in addition to what's already there, I would make a motion that we send
6 this forward to Council with a recommendation of approval. And those are the reasons
7 for my going against Staff's recommendation is due to the size of the lot, it not being an
8 additional intrusion into the area just because it's a half acre and General Commercial is
9 already there, and the parcels that are around it are much larger. And should those
10 come in I believe those would cause pause.

11 MR. TUTTLE: Second.

12 CHAIRMAN GILCHRIST: There's been a motion and properly seconded. Any
13 questions?

14 MR. GREENLEAF: Yes, sir. It's a Staff question.

15 CHAIRMAN GILCHRIST: Mr. Greenleaf. Yes.

16 MR. GREENLEAF: Mr. Chairman.

17 CHAIRMAN GILCHRIST: Absolutely.

18 MR. GREENLEAF: I, I notice here on the map that we're, like what steps away
19 from a, a neighborhood activity center, is that –

20 MS. HEGLER: [Inaudible]

21 MR. GREENLEAF: What is it, assuming there's a – it's a designation –

22 MS. HEGLER: [Inaudible]

23 MR. GREENLEAF: Just west?

1 MS. HEGLER: [Inaudible]

2 MR. GREENLEAF: And a, and a [inaudible]? Oh, okay thank you. Appreciate
3 that.

4 CHAIRMAN GILCHRIST: Okay, any additional comments? Staff, did you get the
5 motion by Mr. Palmer?

6 MS. HEGLER: I think I did. I mean, [inaudible].

7 CHAIRMAN GILCHRIST: Due to size –

8 MS. HEGLER: [Inaudible] already there and the size.

9 CHAIRMAN GILCHRIST: No additional intrusion.

10 MS. HEGLER: [Inaudible]

11 CHAIRMAN GILCHRIST: Correct. Okay, we have a motion and a second to send
12 this case forward to Council with a recommendation of approval. All in favor please
13 raise your hand. All opposed?

14 *[Approved: Palmer, Greenleaf, Cairns, Gilchrist, Theus, Tuttle, Anderson, Brown:*
15 *Opposed: Frierson]*

16 CHAIRMAN GILCHRIST: Sir, we are a recommending Body to Council and so
17 they'll meet back in these Chambers on the 26th.

18 MR. LARA: Thank you, sir.

19 CHAIRMAN GILCHRIST: Thank you. Alrighty, moving right along. Next case.

20 **CASE NO. 16-12 MA:**

21 MS. HEGLER: Last Map Amendment 16-12, Charlotte Huggins is the Applicant.
22 The parcel is 1010 Coward Road and 10512 Garners Ferry Road, total 5.89 acres.
23 Currently zoned Rural, the Applicant's requesting Rural Commercial. Of course if you're

1 familiar with the commercial district it's the need to provide for areas in Richland County
2 [inaudible] more isolated agricultural in the Rural district, provide them services. Also
3 the RC district is proposed to be within or adjacent to residential neighborhoods where
4 larger commercial uses are [inaudible]. The site is along Garners Ferry Road, it contains
5 two non-residential structures. Immediately – surrounding the area are large lot
6 residential uses to the north and south, and [inaudible]. This is designated as a rural
7 area in the 2014 Comprehensive Plan. Again these are areas where, of, of rural
8 development and smaller agricultural operations to serve as a transition between very
9 low density rural areas and suburban [inaudible]. It should be designed to accommodate
10 single-family residential development in the rural setting. Commercial development
11 should be limited to rural activity centers. Again the, we recommend denial. We've seen
12 this case before, it came in two months ago as Neighborhood Commercial [inaudible].
13 But again because it's not at a rural activity center, it's not adjacent to an intersection,
14 it's in an area where we wanna maintain that rural character, Staff felt it would not be
15 compliant with the Comprehensive Plan.

16 CHAIRMAN GILCHRIST: Questions for Staff?

17 [Palmer out 2:09]

18 MR. BROWN: Is this facility across from [inaudible]?

19 MR. HEGLER: Yes, sir.

20 MR. BROWN: It's across the street.

21 MS. HEGLER: Exactly.

22 MR. BROWN: Thank you.

1 MR. THEUS: So, so the, the – excuse me, the prior case involved less property,
2 they've added property?

3 MS. HEGLER: Yes.

4 MS. CAIRNS: It was for GC though, right?

5 MR. THEUS: They came in just for the front piece, now they've –

6 [Inaudible discussion]

7 MR. PRICE: Previously they were able to come in under, for a GC because of
8 what was across the street. Cause they were contiguous to the General Commercial
9 across the street. In this particular case coming in as Rural Commercial, they needed a
10 two acre minimum.

11 MR. THEUS: So Rural, I gotcha. Okay.

12 CHAIRMAN GILCHRIST: Any additional questions for Staff? We do have some
13 folks signed up to speak. Charlotte Huggins, the Applicant? If you'll give us your name
14 and your address for the Record, please.

15 **TESTIMONY OF CHARLOTTE HUGGINS:**

16 MS. HUGGINS: Charlotte Huggins. I reside at 273 Old Congaree Road, Eastover
17 29044. Been there since 1982. This is, this property is approximately about two, about
18 two miles but we purchased this land in 2014, it was advertised as commercial, which
19 was not, which brings us here again today. In the past it has been under a Special
20 Exception, which of course doesn't qualify now. Yes, I was here a few months back
21 asking for GC because we are adjacent to GC, some of which was grandfathered in and
22 some which was not. I do have the 1.86 there. In the past this existing building has been
23 a restaurant, a daycare, embroidery shop, boat repair. Won't be long I can retire so we

1 would like to put something there. It was suggested by y'all before that maybe to
2 consider something other than GC so with the help of Zoning I'm asking for RC today to
3 move forward. So yes I was short a .14 even though I am adjacent but also we hold the
4 property right next door which is 4.12 and as you can see, maybe not on that map but
5 on the other one in question, showing the 4.12, there is acreage on two sides of the
6 road which is the R.L. Coward, which is not, it's just the way it's shaped. The R.L.
7 Coward is not being used. I'm using this, like I said, to gain the two acre minimum
8 requirement cause it's right next door, to make up the .14 that I am short. Just to use
9 the Garners Ferry side, and like I said there are existing businesses right across the
10 road.

11 CHAIRMAN GILCHRIST: Thank you, Ms. Huggins. Any questions for Ms.
12 Huggins?

13 MR. THEUS: Ms. Huggins, do you own the 4.12 acre piece?

14 MS. HUGGINS: Yes. And like I said that was suggested because, like I said, and,
15 and what was recommended last time to go with the lower zoning other than GC so
16 that's why I refiled under the RC. But yes, under both, you know, I'm well over, what,
17 five or six acres now.

18 MR. THEUS: Is that a home on that piece?

19 MS. HUGGINS: On, you're talking about on the 4.2?

20 MR. THEUS: The larger piece, 4.12 acre piece?

21 MS. HUGGINS: Further back, but even if it has to be subdivided I'm only short
22 that .14 to give me the acreage on the Garners Ferry. The R., the R.L. Coward side is
23 not being used. I mean, it's part of, just the way it's shaped.

1 MR. THEUS: Right. Um-hum (affirmative).

2 CHAIRMAN GILCHRIST: Any additional questions for the Applicant? Thank you,
3 Ms. Huggins. We have a couple people signed up to speak. Sybil, what's that Coward?
4 Okay. Please give us your name and address for the Record.

5 **TESTIMONY OF SYBIL COWARD EASTMAN:**

6 MS. EASTMAN: Okay, Sybil Coward Eastman, right, and I live at 151 Emerald
7 Lake Road, Columbia, but I own property on R.L Coward Road. R.L. Coward was my
8 grandfather and this property has been in our family for, well I'm 78 but way before then.
9 And I think my grandfather would probably turn over in his grave if he knew this was
10 going commercial, so. I'm against it. Thank you.

11 CHAIRMAN GILCHRIST: Thank you, Ms. Coward.

12 MS. EASTMAN: Eastman.

13 CHAIRMAN GILCHRIST: Oh, got it.

14 MR. GREENLEAF: Are others speaking, Mr. Chairman?

15 CHAIRMAN GILCHRIST: Eric Eastman.

16 MS. EASTMAN: Well, he's my husband.

17 CHAIRMAN GILCHRIST: He's your husband, alright very good.

18 MS. EASTMAN: [Inaudible]

19 CHAIRMAN GILCHRIST: We typically don't allow someone to speak that's not
20 on the Agenda, but we'll allow you to come – she's speaking in his presence today.

21 **TESTIMONY OF TAMMY YOUNG:**

22 MS. YOUNG: This is my first time.

23 CHAIRMAN GILCHRIST: Not a problem.

1 MS. YOUNG: My name is Tammy Young. I live at 1232 R.L. Coward Road. And
2 again the property has been in the family for years. Being as there was a sign on the
3 front and on my road threw red flags. The, the road has enough traffic as is. It's rural,
4 we like the country that, you know, people are, my father-in-law's lived there, was born
5 on that road, he's 85 years old. We don't need more traffic, there's enough accidents.
6 And I'm also concerned for the front of this store. I know Mr. Bunky's is adjacent but
7 because the traffic of Mr. Bunky's, that is actually a Hot Spot right there, there are
8 accidents there constantly. And if we put another business right across the street they're
9 definitely gonna, we're gonna need road, you know, red lights, I mean, we're just gonna
10 have, how many deaths is it gonna take before we start doing something with, you
11 know, with our traffic coming in and out. But I more was coming for, cause the sign was
12 on my road and I, we don't want traffic coming up and down that road, we don't want no
13 business coming in, we want it to stay quiet, rural, family type. Thank you for your time
14 and I thank you for listening.

15 CHAIRMAN GILCHRIST: Thank you, Ms. Young.

16 MR. GREENLEAF: Mr. Chairman?

17 CHAIRMAN GILCHRIST: Yes, sir, Mr. Greenleaf.

18 MR. GREENLEAF: I'd like to introduce a motion that we support Staff
19 recommendation to move this forward with disapproval.

20 CHAIRMAN GILCHRIST: We have a motion, is there a second?

21 MS. FRIERSON: I second.

22 CHAIRMAN GILCHRIST: Any additional comments?

1 MR. ANDERSON: Yes, sir. I, I have a comment. So last time this came before us
2 I was in support of it and I still am in support of it for this main reason. Somebody that
3 travels that road a lot, you know, sometimes we have to rezone things to preserve the
4 character of the neighborhood and to centralize some of the services. On an existing
5 commercial use that's already there at an intersection on a Level B, I mean, I, again I, I
6 supported this last time, I'll support it again. I feel like it, it makes sense. Mr. Bunky's is
7 right there, and again I'm not using Mr. Bunky's as the only reason for the rezoning, but
8 you know, even downgraded as Rural Commercial I, I still think it fits. It is at an
9 intersection and again I, I just, I really don't have a problem with it at all. It's a little more
10 land than I thought but I really don't have a problem with it.

11 CHAIRMAN GILCHRIST: Any other comments?

12 MS. CAIRNS: I was, I was just gonna offer my, my recollection is that I supported
13 the rezoning last time but, and while Rural Commercial is less intense than General
14 Commercial, I think because of the nature of grabbing that second parcel and all of the
15 second parcel under the request I would not support the way it is now just because it's
16 too much land. But the fundamental idea of General Commercial being on both sides of
17 the roads, or commercial of some nature being on both sides of the road, I don't
18 disapprove. So that's all.

19 CHAIRMAN GILCHRIST: Any additional comments?

20 MR. BROWN: I understood Heather's point, if it was reduced to what was
21 required for the, to change the zoning [inaudible]. I apologize. If I understood Heather's
22 point if this request was reduced to the size needed just simply to make this two acres
23 then that would not create a problem. Did I understand that?

1 MS. CAIRNS: Yeah.

2 CHAIRMAN GILCHRIST: Additional comments? We have a motion -

3 MR. TUTTLE: Mr. Chairman, if I could [inaudible] to that.

4 CHAIRMAN GILCHRIST: Yes, sir, Mr. Tuttle.

5 MR. TUTTLE: I, I appreciate the fact that, that Ms. Huggins isn't a registered land
6 surveyor and she probably didn't know that she could subdivide the other parcel and still
7 qualify. At this point I think she was just doing what she was asked to do, so therefore I
8 don't think, I'm personally not gonna hold it against her that she, she put her whole
9 property up against this. I don't think she has an ulterior motive to, to create a strip
10 center or something on that other parcel, so. Just my opinion.

11 CHAIRMAN GILCHRIST: Yes, sir, Mr. Tuttle. Additional comments? We have a
12 motion and a second on the floor to send Case No. 16-12 MA forward to Council with a
13 recommendation of disapproval. All in favor signify by raising your hand. All opposed?
14 *[Approved to deny: Greenleaf, Frierson, Cairns, Gilchrist, Theus; Opposed: Tuttle,*
15 *Anderson, Brown; Absent: Palmer]*

16 CHAIRMAN GILCHRIST: That was, did y'all get that? Okay. Disapproval. Ms.
17 Huggins, we are a recommending Body to County Council and they will meet back in
18 these Chambers on April 26th. Okay? Thank you, ma'am. Alright. Text Amendment.

19 **TEXT AMENDMENT #1**

20 MS. HEGLER: Mr. Chairman and Commission, the Text Amendment before you
21 today, this was deferred last month to establish special requirements [inaudible] a lot of
22 conversation, good conversation about that last month and that's [inaudible] were asked
23 to float this by some restaurant associations [inaudible] which we did. Mr. Price reached

1 out to some folks that y'all suggested and we have not heard anything back, so we
2 wanted to [inaudible] and then have a conversation with you again. You know, and I
3 would just say that, you know, just as a reminder we did a lotta research when we put
4 this together, this is nothing that we pulled out of air. We [inaudible] in other places and
5 certainly there's particular items or requirements within it that you are uncomfortable
6 with you can put those changes to that. It would help Staff immensely in, in their day to
7 day operations. [Inaudible]

8 CHAIRMAN GILCHRIST: Mr. Theus.

9 MR. THEUS: Mr. Price, I think I see the copy you had, there you go. I called John
10 Durst and, and we had an email exchange and he never, he never got together? He
11 talked about Williams, the Lizards Thicket owner being the president and they, he didn't
12 make himself available to you or anything?

13 MR. PRICE: The last correspondence, and I took a look at that before I came in
14 today, the last correspondence I had with him he just wanted to know the, the reasoning
15 behind the amendment [inaudible] the last I heard. He said he was going to again, you
16 know –

17 MR. THEUS: So he never, he never, once you sent him the Text Amendment he
18 never responded?

19 MR. PRICE: No, sir.

20 MS. HEGLER: And, and certainly there are [inaudible] meetings than this and it
21 [inaudible] an opportunity before Council [inaudible]. Should you choose to move today
22 we can always reach out again [inaudible] they still have another chance to [inaudible].

23 MR. THEUS: Okay. Well, we tried.

1 CHAIRMAN GILCHRIST: Yep.

2 MR. GREENLEAF: Mr. Chairman?

3 CHAIRMAN GILCHRIST: Yes, sir, Mr. Greenleaf?

4 MR. GREENLEAF: Chairman, I'd like to move this ordinance forward with our
5 approval.

6 MR. ANDERSON: Second.

7 CHAIRMAN GILCHRIST: We have a motion and a second to move this Text
8 Amendment forward with approval. All in favor please signify by raising your hand. All
9 opposed?

10 *[Approved: Frierson, Greenleaf, Cairns, Gilchrist, Theus, Tuttle, Anderson, Brown;*
11 *Absent: Palmer]*

12 CHAIRMAN GILCHRIST: Alright.

13 MR. PRICE: While, while Ms. Hegler is getting her stuff together, just kinda
14 wanted to point out I guess from today's meeting, one of the things that you do see is
15 that from a Staff that sometimes we are kind of caught in making determinations on
16 whether a use is permitted or not. Cause I think one of the words that comes up a lot
17 with us is primarily. So one of the things that you may be seeing more of as we go
18 forward, whether it be through the text amendment or just, excuse me, or we go to
19 rewrite the Code, also as issues come before you such as what we had to do for, like I
20 say restaurants and the bars previously. But we may bring before you some text
21 amendments to kinda clarify and actually just kinda give just better direction, not only to
22 Staff but also to the Applicants, because I think you brought up some valid points today,
23 you know, could this happen, could this not. And so we always look at more of the

1 protective intent of the Code when we make our determinations. So you will be seeing
2 more amendments coming before you.

3 CHAIRMAN GILCHRIST: Mr. Price, I appreciate that cause I certainly was gonna
4 make a suggestion along those same lines, so we certainly appreciate that. Cause this
5 certainly was very eye opening for me today to hear some of the cases that we heard
6 about some of the nuances of, of the Code that obviously needs to be looked at.
7 There's no question about it, so. We have Other Business here? Planning Retreat? I
8 guess that – and zoning definitions?

9 MS. HEGLER: Well, that's a wonderful segway.

10 CHAIRMAN GILCHRIST: Yeah, it is.

11 MS. HEGLER: What you just said. That this has been on the Agenda a number
12 of months now. [Inaudible] our three commercial districts, specifically the purpose and
13 intent of those districts. Then maybe a [inaudible] some other time we go to the
14 standards. You know, you saw today we had so many commercial requests and you
15 had a lot of conversation about the [inaudible] and I think we just have a hard time
16 applying them all the way that we want to, and I think that's because they're not –
17 sometimes [inaudible]. So we just really wanted to have a conversation with you and,
18 you know, I don't know what, certainly it's at your discretion how deep you wanna go
19 into this, but we did prepare a few slides, thought it might be helpful to give you just a
20 few, just a framework to work from. We have not proposed anything. I think that's still
21 something we really just wanna have a conversation with you about or have you
22 propose. But thought we would talk a little bit about what, what a purpose statement
23 does, what it means, what – and maybe even then get to kind of a point of what it isn't

1 or what it shouldn't be, because we do often hear you use the purpose statements and
2 we use them as well in some of our decision making points. So we need to make sure
3 that they are actually creating the vision we want them to create. So just, what you have
4 before you is just a general understanding and a planner's guide of what a purpose
5 statement should do. It should reflect state statute and the goals of our Comprehensive
6 Plan. We have a new one, it was very well vetted. It's supposed to be there to help you
7 in the event of a lawsuit. It kind of, in addition to stated overall purpose it contains
8 specific information about the zones. But I would say it doesn't do is it's not the
9 standards themselves. So you can take this to be kind of a – they're your vision, they're
10 kind of frames or characterizing what it is you want for the area. And so what we did is
11 we broke out the three different zoning districts that we wanted to talk about today;
12 Rural Commercial, Neighborhood Commercial, and General Commercial. These are
13 existing, or our existing purpose statements. We've added the [inaudible] these are the
14 things that we think cause us problems and potentially y'all too. Specifically with the
15 Rural Commercial the thing that keeps popping up is it, it's supposed to be in an
16 isolated agricultural and rural area, but then it's also supposed to be within or adjacent
17 to residential neighborhoods. So if you kinda see the places that we've underlined, this,
18 this causes us concern and, and probably you as well. It's where large parcel uses are
19 inappropriate but where small neighborhood oriented businesses are useful and
20 desired. These are very hard things for us to measure, but again that's why this is a
21 vision statement, it's a purpose statement, not, not necessarily supposed to be
22 measurable. The district is further designed to be located at or near intersections of
23 arterials and major collector roads. So sometimes I think when you read all this together

1 it's easy to stop at the first sentence and say, oh well this is no longer an isolated area,
2 or you know, cause there are services there and a request may then not seem like it
3 should be approved. Then if it's within or near or adjacent to neighborhoods then there
4 probably are other services around so it's no longer isolated. So those are the things
5 that just pop as, as problematic. We were asked for a few examples, I'm not here to say
6 they're pretty but I'm saying what you'll see is that these are places where we think that
7 from a location perspective they do make sense, they are in areas where Staff would
8 envision Rural Commercial meeting that vision. So, you know, this is –

9 MS. CAIRNS: Is that an existing Rural Commercial use?

10 MS. HEGLER: These may not be, and some of these may be in the City but
11 they're what our vision for them are. And Tommy you'll have to tell me if it is or isn't.

12 MR. DELAGE: This was a previous rezoning. There's a non-conforming
13 residential use to the west but this was originally I believe some kind of embroidery
14 shop that it lost its non-conformity. This went before Council within probably the last few
15 years.

16 MS. HEGLER: Is this Congaree Run?

17 MR. DELAGE: The Congaree Run and then Bluff Road.

18 MS. HEGLER: Okay. Yeah. Alright, so this is at Congaree and Bluff, so yes it has
19 been rezoned. It was before you a couple of years ago. And this actually is within a rural
20 activity center, one of those nodes that we've identified as a major intersection where
21 we would like to concentrate certain commercial districts. So forgetting the structure this
22 is an ideal site we think, I mean, that's what the character of the Rural Commercial
23 place should be.

1 MS. CAIRNS: It's interesting cause going back to the purpose statement I would
2 offer there is no such thing as the ideal site, that it's supposed to be both. So I don't, so
3 it's, which half of the purpose statement did it fit perfectly cause it sure didn't fit all of it.

4 MS. HEGLER: Right, the segway would be that you have, I think you have to pick
5 one or the other on those, it couldn't be – I don't think that purpose statement works for
6 us anymore. And the, because of that conflict. So no I would not, I would not, you
7 couldn't match both.

8 MS. CAIRNS: Is there anywhere else in the Code that gives any guidance as to
9 what should or shouldn't be Rural Commercial, or is it just from there it's, this is what's
10 allowed? Is that, I mean, that's the only place where you're given any concept.

11 MS. HEGLER: Within the Code, correct.

12 MS. CAIRNS: Okay. And it's useless.

13 MS. HEGLER: Correct.

14 MS. CAIRNS: So we really don't have any way to decide whether something
15 should be Rural Commercial. It's, I mean, there could be -

16 MS. HEGLER: Well you have, you've got, I'm not – you work with what you have,
17 I mean, and –

18 MS. CAIRNS: We have brains, I mean, I mean, we have brains and stuff, but I
19 mean, but, but in terms of if someone were to challenge that something was either
20 appropriate or inappropriate for Rural Commercial the size is irrelevant, right? There's
21 nothing in the Code that says it should be big or small.

22 MS. HEGLER: There are [inaudible], there is a square footage of the building.

1 MS. CAIRNS: On the building but not in terms of the acreage of the lots. Okay,
2 so – and, and with any good surveyor and builder you could have a lotta, you could end
3 up with an awful lot of Rural Commercial commercial, without any limitation on the size
4 of the lot.

5 MS. HEGLER: So now it's no longer isolated. The first part of the –

6 MS. CAIRNS: Well, it could be totally isolated. I mean, Mr. Bunky's is, I mean, is
7 Mr. Bunky's too big?

8 MS. HEGLER: [Inaudible] yeah.

9 MS. CAIRNS: Yeah, yeah. But I mean, but, but there's, so that's interesting that
10 basically we have really nothing to guide whether something should be Rural
11 Commercial, in our, in our Code. Okay.

12 MS. HEGLER: I think it's, it would be almost, like you said impossible to find that
13 one place that met both of those requirements or those intents. But again they're not
14 requirements, they're intents. So I think you look at each situation separately, but you
15 do set up the possibility for a challenge if you kind of go between – well it's not your fault
16 is what you're –

17 MS. CAIRNS: Well but, but even – you know, I guess, I guess, you know, for me
18 personally when I think of Rural Commercial it's more the small isolated spot where you
19 can get something.

20 MS. HEGLER: Correct.

21 MS. CAIRNS: Whether or not it's in a rural area or in a residential area.

22 MS. HEGLER: Right.

1 MS. CAIRNS: It's isolated in terms of isolated from other commercial uses, not
2 isolated from homes necessarily.

3 MS. HEGLER: Could be.

4 MS. CAIRNS: Right. But, I mean, but our Code doesn't say that. So that's
5 interesting. I just, I'm not asking for an answer [laughter].

6 MS. HEGLER: Right. And so we just try to pick out the things that we thought,
7 and it's just purely Staff, these are just examples of locations that made sense to us
8 based on what we would think Rural Commercial would be. We would think it should be
9 kind of a standalone. It's providing a convenience that is not being [inaudible] in some
10 other way.

11 MS. CAIRNS: I guess it's just sort of the, and I mean, this is nothing new for me
12 but the use of the word rural in our Code I think is a total placeholder and not
13 descriptive. Because $\frac{3}{4}$ acre lots is not rural. I mean, we don't have rural zoning. We
14 have something we call rural zoning but it's not rural. And so, you know, to me calling
15 this Rural Commercial doesn't mean that it should be out in what your mind might think
16 of as rural because our Code allows basically everything to be rural, because $\frac{3}{4}$ acre
17 lots is suburban development. I mean, so that's, that's the juxtaposition I always have in
18 my head, so to me, like RC I always think of it as sort of like commercial light because I
19 think of it as small and maybe not all of our commercial uses, but not necessarily rural
20 cause in my mind we haven't zoned anything rural. And so it doesn't need to be out in
21 the area that your mind would think of as rural, that it could be in an area that's fully
22 developed but if it's an isolated standalone to me – so, I mean, that's, yeah.

23 CHAIRMAN GILCHRIST: Yes, sir, Mr. Anderson.

1 MR. ANDERSON: Well, I totally agree cause, I mean, that, again we have this
2 stark contrast with the, the Piney Grove where clearly that is not rural, that's a
3 neighborhood. So I, I agree with Heather in that having that differentiation between
4 larger size, more really rural, and it's true, it's nature not the way we use it. I mean,
5 possibly a hybrid. And I, and I use the Piney Grove as, as a segway into this is I, I
6 mean, you could put the Rural Commercial designation on the, the Piney Woods, Piney
7 Woods Road, because I mean, it does, it meets that purpose statement. Just like you
8 said, I mean, it, you can't, you're not gonna 100% meet the, the purpose statement. So
9 I'll just throw in cause, and I'm okay with the purpose statements, but I'll just throw out
10 some type of hybrid transitional zoning that's a commercial type zoning that would
11 possibly fit something like Piney Woods, but is in no way ever gonna be some type of
12 standalone like Mr. Bunky's or in this particular image you're putting right there. And I
13 would even go so far as to say to protect those neighborhoods. I mean, I know we have
14 Neighborhood Commercial, but Neighborhood Commercial – I mean, I guess I'm, I'm
15 looking for that more transition type, like downgrading and I don't think Neighborhood
16 Commercial really does that going from that rural characteristic, even though Piney
17 Woods we know is not all rural, and again I'm just looking for ideas and throwing stuff
18 out. You know, bigger barriers, you know, protecting light pollution. You know, cause we
19 know that, for example, Costco's gonna have big lights out there that's gonna create a
20 lotta light pollution. Well if there's a, a hybrid commercial zoning that could have some
21 more intense buffers maybe that's something that can transition that down just a little bit
22 more. And again I'm looking for, I'm just throwing stuff out just because I feel like we did
23 have some very black and white rezonings today.

1 MS. HEGLER: We, we did. And this is exactly what we were hoping to have, this
2 kinda conversation. You know, in terms of having transitions or I like to look for just
3 greater variety maybe –

4 MR. ANDERSON: Um-hum (affirmative).

5 CHAIRMAN GILCHRIST: Um-hum (affirmative).

6 MS. HEGLER: - is another way to look at it, with a much better, I guess, set of
7 land uses more distinct within each of those. And we did the same thing with the future
8 land use map and the Comp Plan. If you remember we used to have everything, it was
9 either suburban, rural or urban, and just assumed everything was treated equal within
10 those three very broad categories. And I think these three kinda act the same way from
11 the zoning sense. When we updated the Comp Plan and the land use map we actually
12 bifurcated those and created more variety of different suburban, different rural, and
13 different urban. Getting closer to that idea that we could get more in line with the
14 character of that area. So I can see that happening in a commercial sense of, I don't
15 wanna necessarily create a whole lot more uses but get better or, or zoning uses but to
16 differentiate the uses so that they clearly would not be or have the negative impact that I
17 think forced us to deny a lot today, and have in the past because it was so broad. And
18 somebody used the term really well that rural is just too broad, Rural Commercial, that
19 they weren't comfortable with that and I think that's because we haven't given it enough
20 of a characterized –

21 CHAIRMAN GILCHRIST: Definition, yeah.

22 MS. HEGLER: - differential that would fit better, so you know, whether you call it
23 transition or you just create better more distinct categories I think that's an option.

1 MS. CAIRNS: I mean, it's just interesting cause I would say the Piney Grove area
2 would never qualify for anything like Rural Commercial as I see it because it's not
3 commercially isolated. There's tons of commercial stuff out there.

4 MR. ANDERSON: But my point was that it was, I mean, you're dealing with
5 abutting rural designations going straight to General Commercial.

6 MS. CAIRNS: I mean, to me the fact that it's designated as rural is, is of no issue
7 to me because it's a residential area.

8 MR. ANDERSON: Sure, I agree.

9 MS. CAIRNS: You know, and I mean we have so many things mis-zoned to me
10 it's more what's going on there.

11 MS. HEGLER: Right, but remember that you could also, that Rural Commercial
12 purpose statement stated that it needed to be within or adjacent to neighborhoods and it
13 is. I mean, if you choose to use that part of the purpose statement you could've
14 potentially, you know, that, that's your dilemma. So we have Neighborhood Commercial
15 here too, and I think you're right, I think it just doesn't go from RC to NC to GC. There's
16 that, there's something that doesn't flow.

17 MR. ANDERSON: I don't know where you draw that line.

18 CHAIRMAN GILCHRIST: Yeah.

19 MR. ANDERSON: And I don't know, I mean, I don't think you necessarily have
20 to, I think you have to draw it with the Code, you can't draw it with purpose statements.
21 Even though purpose statements are a guiding element. I mean, what are the thoughts
22 on that? Mr. Price? Cause you stood up.

23 MR. PRICE: I was just stretching. [Laughter]

1 MS. CAIRNS: All stretched out are ya?

2 MS. HEGLER: I guess there's two ways to do this. I mean, you're talking a lot
3 about standards and requirements. Those are a lot easier to write if you know what your
4 vision is.

5 MS. CAIRNS: If you know what your –

6 MS. HEGLER: If you know what your vision is. So it's like we do the Comp Plan
7 before we re-write the Code. If you were to take those purpose statements and make
8 them exactly what you envision that district looking like, then we could propose
9 standards pretty easily. And I don't think you have to fit it within those three, I think you
10 may have some sort of transitional. You may change the name from Rural Commercial
11 to Commercial Light, Commercial Medium, Commercial Intense; that might make more
12 sense with what you're trying to do. So we could go about it any way you, you want. I
13 would think that doing the vision and the purpose first makes the standards really easy
14 to write.

15 MS. CAIRNS: You know, I guess it's sorta like there's, so there's, one is where
16 do we think these things should exist? Like if we have something called Rural
17 Commercial, that the purpose statement seems to try to address maybe –

18 CHAIRMAN GILCHRIST: Bill? Excuse me one second.

19 MS. HEGLER: Can I break for a minute and make an announcement before we
20 [inaudible].

21 CHAIRMAN GILCHRIST: Sure.

22 MS. HEGLER: I just wanted to let you all know that with very heavy heart Amelia
23 Linder is retiring.

1 MR. ANDERSON: Congratulations.

2 CHAIRMAN GILCHRIST: Congratulations.

3 [Applause]

4 MS. HEGLER: Her heart gets lighter every day, she's been counting down. The
5 15th, so.

6 CHAIRMAN GILCHRIST: You've been a huge resource for this County, no
7 doubt.

8 MR. ANDERSON: Buy an RV and go as far as you can.

9 MS. LINDER: I've enjoyed working with everyone. So I appreciate Tracy's
10 announcement. I'm gonna miss y'all, but yes I do have future plans, so thank you very
11 much.

12 CHAIRMAN GILCHRIST: Well great, congratulations to you.

13 [Applause]

14 MR. GREENLEAF: Mr. Chair before we lose any more Members and lose out a
15 quorum –

16 CHAIRMAN GILCHRIST: Yes, sir. Go right ahead.

17 MR. GREENLEAF: At the previous meeting I made a request and, and there was
18 unison around the fact that we would like to see the report coming out of County Council
19 to reflect what we did.

20 MS. HEGLER: Is it not in there?

21 CHAIRMAN GILCHRIST: Yes, it is.

22 [Inaudible discussion]

1 MR. GREENLEAF: I know. That's okay, we, we have lots going on and it was
2 relatively soon. But the last Council meeting was on the 22nd of March and either I'm, I
3 don't see it or – doesn't show what we voted. It was supposed to show what we voted,
4 what the vote was and what Council did.

5 MS. HEGLER: The wrong one is in there, we do have one prepared we just put
6 the wrong one in there, sorry.

7 MR. GREENLEAF: Oh, great! So if you could send that to us? We wanna
8 basically see, okay Council appoints us to these seats. Are we doing their job or are
9 they just overruling us every single time.

10 MS. CAIRNS: It could be the second.

11 MR. GREENLEAF: It could be, whatever. I just wanna, I wanna, I'm curious, I
12 wanna know.

13 MS. HEGLER: We prepare, yeah we prepare two versions of this cause one
14 goes out to the general public and one we prepare just for you with that information. We
15 must've put the wrong one in there.

16 MR. GREENLEAF: Thank you.

17 MS. HEGLER: I apologize.

18 MR. GREENLEAF: Appreciate it.

19 CHAIRMAN GILCHRIST: Alright, we're losing the quorum, so.

20 MS. HEGLER: Well try to see what else you have for action if you wanna –

21 CHAIRMAN GILCHRIST: Just the, the planning retreat, you guys I just wanted to
22 mention to you all we had suggested at our last Planning Commission that we wanted to
23 try to have a planning retreat for, one purpose is to address some of the things that we

1 were talking about with the purpose statements, but I also would like for us to review the
2 statute that governs what we do as a Planning Commission. I was gonna suggest that
3 maybe Suzie could talk with someone at the Association about getting someone there
4 to come and maybe help facilitate us through this process, Tracy.

5 MS. HEGLER: Okay.

6 CHAIRMAN GILCHRIST: And maybe, you know, there may be some potential for
7 those of you who need credit hours, that that could potentially be used as an opportunity
8 for that. So just wanna put that out there to being to think about, but I think in light of our
9 conversation at our last Planning Commission meeting, it's important for us to not only
10 being, now I think we're gonna have some people that's gonna stay on the Planning
11 Commission for a while, so I think it's an opportunity for us to begin to come together
12 and gel a little bit, but also have an opportunity to ask you all some questions about just
13 kinda how we're doing business in a way that we can be a little bit more effective in
14 what we do, and be able to address some of these nuances that continue to arise, so.

15 MS. HEGLER: Do you want to do that as part of a regular meeting? You wanna
16 have a separate –

17 CHAIRMAN GILCHRIST: Actually I would like to have a separate meeting and,
18 and at our last meeting we had talked about potentially having maybe a half day or a
19 day long deal, so I certainly wanna try to have – and I wanna try to do it where we all
20 can –

21 MR. GREENLEAF: In tandem with a meeting?

1 CHAIRMAN GILCHRIST: No, no, I want it to, I actually want it to be a separate
2 day for us to come together and maybe we could, you know, we'll find some lunch or
3 something.

4 MR. THEUS: [Inaudible]

5 MR. TUTTLE: Mr. Chair I don't know what your vision is but I certainly will
6 volunteer, we could certainly meet at the lake house at Lake Carolina for an afternoon.

7 CHAIRMAN GILCHRIST: Perfect, okay.

8 MR. TUTTLE: We'd certainly be willing to provide lunch for everybody [inaudible].

9 CHAIRMAN GILCHRIST: Thank you, sir, Mr. Tuttle. That'll be great. Absolutely.

10 MR. TUTTLE: [Inaudible]

11 CHAIRMAN GILCHRIST: So, so –

12 MR. GREENLEAF: You have to advertise it.

13 MS. HEGLER: We would have to advertise it, but I think you could do that, yeah.

14 CHAIRMAN GILCHRIST: Yeah, because – all of us, yeah we have to advertise it.

15 But the other part of it we need to, I don't wanna go too far in the year, we're already in

16 April so I don't wanna go too far without trying to settle this thing and try to set it up, so

17 potentially sometime in May. You know, I know we're getting into the summer months.

18 So what's the pleasure of the Commission to, to begin to look at this, do y'all just wanna
19 email some dates out and we just kinda figure it out?

20 [Inaudible discussion]

21 CHAIRMAN GILCHRIST: Okay, we'll do that. I can do that. And, and we'll set it
22 up that way. Thank you all, appreciate it.

23 [Tuttle, Theus out 2:45]

1 CHAIRMAN GILCHRIST: Thank you, Mr. Tuttle.

2 MR. ANDERSON: Are there any more slides?

3 MS. HEGLER: There are. I'm sorry, we got off course a little bit.

4 CHAIRMAN GILCHRIST: Yes, sir. Can you send, I mean, did you send this -0

5 MS. HEGLER: No, it was hot off the press.

6 CHAIRMAN GILCHRIST: Oh, okay, alright. Then I think, are we all still here
7 together, I mean?

8 MS. HEGLER: So, I mean, the point is we did put these together because we
9 wanted to give you kind of some framework to work with.

10 CHAIRMAN GILCHRIST: Right.

11 MS. HEGLER: You know, and if you wanna take this with you today again, or, or
12 however you wanna do it. We can email it to you. So we've got just these ideas for RC
13 and then we do a few for NC as well. But again, don't focus so much on the, the
14 structure of the fixture but really its relationship to its surrounding community is what we
15 kind of focused on. Neighborhood Commercial is probably a lot harder for us within the
16 unincorporated part of the County. We have a lotta good examples that we could point
17 to within the City where Neighborhood Commercial works. There's a few places that we
18 could think of them working in the County; this is actually one of them, a neighborhood
19 off of Broad River Road. So just, it's nestled within a community, you could walk to it,
20 you know, grab a gallon of milk or, or pick up your dry cleaning or whatever. And then
21 the other recommendation or the photos we show you are those within the City that
22 kinda fit what we might could imagine finding in the County.

1 MS. CAIRNS: So you're saying that that would, that that's zoned Neighborhood
2 Commercial or that that would be a good thing to have as zoned Neighborhood
3 Commercial? I mean, that looks more, that looks more GC to me.

4 MS. HEGLER: That's a little more GC but, I mean, it's North Main Street. And we
5 can look at a few of these others. I don't know what they're zoned in the City, I mean,
6 the point was we were just trying to envision its, its, again its relationship to it
7 surrounding neighborhood was more important to Staff in helping to think through the
8 differences between these.

9 MR. ANDERSON: I mean, that, yeah, that's getting a little –

10 MS. CAIRNS: I mean, again that's where –

11 MR. ANDERSON: - but I understand the – go ahead.

12 MS. CAIRNS: No, go ahead.

13 MR. ANDERSON: I was just gonna say I understand the, the Neighborhood
14 Commercial. I, so just, just to be clear on what you're asking of us, you want some
15 specific direction on the purpose statements so that they're not kinda counteracting
16 each other?

17 MS. HEGLER: Yeah, I mean, what is your vision for the commercial zoning
18 districts for Richland County and if they're not this what are they, if they are this would
19 they need to be tweaked, how would they be tweaked? And this is, this is kind of vision
20 building and we can certainly do it together but, you know, I think it's, this isn't, this
21 doesn't seem to be working for us [laughter] because we, we find ourselves at every, in
22 every zoning case talking about –

23 CHAIRMAN GILCHRIST: Right.

1 MS. HEGLER: - how it doesn't have the one use we think it should have or it's
2 got a conflicting purpose statement. You know, the one at Rimer Pond Road comes up
3 as one that was really hard for us from a Rural Commercial perspective because of that
4 purpose statement. And so if you're going to use the purpose statements the way that
5 you have been I would just wanna make sure that they fit exactly what your vision is.

6 MR. GREENLEAF: May I have a quick question? Tracy –

7 CHAIRMAN GILCHRIST: Yes, sir.

8 MR. GREENLEAF: - can I address Tracy? There are models, there have to be.

9 MS. HEGLER: Um-hum (affirmative).

10 MR. GREENLEAF: And some that come to mind of places I've been to or visited
11 or, I've only lived here and where I grew up in Dallas, but there're locations in North
12 Texas that are, are beautifully planned and designed effectively. Not that we're not
13 beautiful but we have, we could do better. Around the Cary, Raleigh, North Carolina
14 area they have greater populations but you would never know it sometimes by driving
15 through because the way the planning was either addressed by state law or what may
16 be. Those are to me representative of things I'd like to see, what did they do in those
17 locations and maybe we could do some modeling. Maybe save some Staff some
18 resources to, to pull some examples maybe?

19 MS. HEGLER: Happy to do that but that's what we need to hear. I mean, cause
20 we could do that, we could pull codes from thousands of places but it's better if it's more
21 in line with what you're thinking you wanna see. So that's exactly the kind of interaction
22 we need.

1 MR. ANDERSON: Mr. Chair, I would just say the things that I, I mean, when I see
2 NC district, the NC district is intended to accommodate commercial and services
3 oriented primarily to serve the needs of persons who live and work in the neighborhood
4 areas or in the neighborhoods that it surrounds. Where General Commercial intensifies
5 [sic] are too heavy. I mean, I don't, I think that's fine just in that statement right there,
6 this [inaudible]. I mean, I think that says it all so, I mean, my thing is I like NC, Rural
7 Commercial would be better defined in my mind as a, instead of just – I mean, really in
8 its truest sense a more rural like, you know, out 378 that we talked about or, I don't
9 even, I mean, again we use rural so much that it almost kills it. So how do you, what's
10 another word for rural other than rural? I mean, where do you go?

11 [Inaudible discussion]

12 MS. FRIERSON: [Inaudible] country.

13 MR. ANDERSON: Put in, you know, it's –

14 MS. CAIRNS: To me it's isolated.

15 MR. ANDERSON: Yeah, isolated, isolated works good.

16 MR. GREENLEAF: I'm sure there're words.

17 MR. ANDERSON: Yeah. So that's something that I would like to see. And then
18 again the Neighborhood Commercial I think if you defined the Neighborhood
19 Commercial as kind of an ancillary use that it is there as a transition into more rural, or
20 excuse me, into more, to separate larger, like GC zonings or in some case OI.

21 MS. CAIRNS: I totally, I, I mean, I think Neighborhood Commercial and Rural
22 Commercial are things that are on some level intended to be away from other
23 commercial uses, not as transition. I mean –

1 MR. ANDERSON: Not as transition?

2 MS. CAIRNS: - we've got OI, we've got other things to transition with. But I, you
3 know, and then we have buffers. You know, but I, but I think that – and you can have,
4 like I say, I mean, I've lived where there's some amazingly awesome bright lines where
5 you have intense use and then it just ends and you go into much lower use, and it's not,
6 doesn't cause problems. But I think to me the Neighborhood Commercial and Rural
7 Commercial are, you know, not –

8 MR. ANDERSON: Transition.

9 MS. CAIRNS: - not transition zones. I just don't think that's what they're for.

10 CHAIRMAN GILCHRIST: But you know, you don't – here's something I wanna
11 suggest to you. Because we can have these conversations all day about what it should
12 look like, but I think going back to something Greenleaf kinda alluded to and I think you
13 may have mentioned it as well, Tracy, it'd be nice to be able to see what some of these
14 various districts would look like. For example in the case of there being some great
15 places where Neighborhood Commercial and some of these places works well. I would
16 like to see some examples of some of that kinda stuff. Because I think for purposes of,
17 of trying to determine, you know, a. what we think we want the County to look like in the
18 future, and b. what does that mean when we're sitting here having to make a quick
19 decision about something. Does that make sense?

20 MS. HEGLER: Right. It does, but I, but don't – these conversations help us to
21 potentially identify places that might start to hint at more of what it is you're –

22 CHAIRMAN GILCHRIST: No, I'm clear about that. I'm just suggesting that as we
23 have these conversations and, and the, you know, having some ability to be able to

1 actually see – very similar to what you’re doing today with showing that. But I would like
2 to be able to really see some of those, you know, what it really looks like in terms of
3 some, some development in places like Charlotte or whatever, wherever.

4 MR. ANDERSON: Well so, and I mean, this, this is, this is just an idea that
5 popped into my head and I’m looking at the, the Piney Woods. So let’s say, and Piney
6 Woods, I don’t know how deep that lot is, okay? So if you look at how deep that lot is
7 what if you said, okay as a transition type zoning, I mean, I’m assuming that lot’s 150’
8 deep, okay? As a transition zoning you need two acres or an acre, okay, and the, 50%
9 of the property must be designated to something like sidewalks.

10 CHAIRMAN GILCHRIST: Um-hum (affirmative).

11 MR. ANDERSON: Or, you know, natural vegetation type buffering.

12 [Inaudible discussion]

13 MR. ANDERSON: No, I’m just saying 50% designated for sidewalks so that you
14 could get in that Subway, so that you could get that Subway but in the Subway there is
15 some type of buffer.

16 MS. CAIRNS: But the thing about the Piney Grove is you, that road – granted on
17 that one road, on the one side it’s gonna be a Costco, we’ve got that.

18 MR. ANDERSON: Correct.

19 MS. CAIRNS: But the other side you’ve got this whole string of houses and
20 you’re taking one person who’s saying I’m gonna pierce right into this neighborhood, not
21 across the street but right into the neighborhood and put a commercial use. And it’s like,
22 no! No! I mean, it’s not like it’s vacant land where somebody’s had the right to build a

1 house, these are houses, these are people's homes and I'm like, no. If they all come
2 forward it's a different issue.

3 MR. ANDERSON: Well and that's, I guess that's my point is, so if, if we're here, if
4 we're starting to see rezonings coming in, okay, why don't we proactively plan, create
5 some type of transition zoning so that when they do come in, if they come in we have
6 something to accommodate that transition so that we're not suddenly getting the people
7 that are – I mean, again I'm looking straight at it, there's three long pieces that go, you
8 know, straight down so that we're not having the same argument with those people that
9 have the, those three parcels right behind it. And again I'm just offering up suggestions,
10 what if there was that small – again, they could use 75' of a 150' lot size, they could use
11 75' for, you know, a commercial use but their restrictions are, okay you have to have
12 some type of common area with a natural buffer behind it. And again, conceptually
13 that's all I'm saying.

14 [Mr. Brown out 2:54]

15 MS. CAIRNS: Does Costco have to buffer the fact that there's houses across
16 Piney Woods or does the road give them their required buffer?

17 MS. HEGLER: They just have to do a street protective yard, but. They only have
18 to buffer next to adjacent –

19 MS. CAIRNS: Which is what, 10'?

20 MS. HEGLER: - uses.

21 MS. CAIRNS: But we don't, because it's a, because there's a road that might be,
22 I mean, that's – I don't know.

1 MS. HEGLER: Well no, I mean, that helps. I think what he's saying is that you,
2 you described it as commercial light.

3 MS. CAIRNS: But see, I still, I mean –

4 MS. HEGLER: But you could create, I think it's a, it's a commercial district that
5 you don't have currently. That's why you're having, it's hard to envision what he's saying
6 cause I think it's creating something.

7 MS. CAIRNS: But I still, I mean, I would, I don't care what kind of commercial
8 designation we have I wouldn't support it on any one of those lots. Not at all. And I don't
9 think that you, I mean, this almost harkens back to what happened up there on, oh what
10 was that ledge, the, the bed and breakfast, the big giant house.

11 CHAIRMAN GILCHRIST: Um-hum (affirmative).

12 MS. CAIRNS: Elm Abode, okay. Elm Abode or whatever it's, Elmwood Abode
13 [laughter. Okay but, I mean, again it's like you, you won't convince me that you're
14 transitioning by increasing the use of something. You know, you've got existing uses,
15 you're, you're trying to intensify the use and telling me that you're creating a buffer?
16 Like, no you're not, you're bringing more intense uses into an area that's less intense in
17 use.

18 MR. ANDERSON: Well, but I would offer this question.

19 MS. CAIRNS: And it's got uses.

20 MR. ANDERSON: But I, but I would offer this, so if eight of those came forward
21 and we didn't have a, a hybrid classification to give them, we give them NC, RC, GC –

22 MS. CAIRNS: If that whole street came forward I may very well support GC.

1 MR. ANDERSON: If the whole – but again, okay so we're also talking about,
2 we're doing the exact same thing to the three parcels behind it.

3 MS. CAIRNS: But then you've got the back, then you've got the issue –

4 MR. ANDERSON: It's the same [inaudible].

5 MS. CAIRNS: - about are you gonna back buffer, are you gonna require – but
6 then they'd have to buffer unless they all came forward too.

7 MR. ANDERSON: Well, but look at the size of those lots. And I mean, again I'm
8 just saying, I'm just offering up some type of hybrid transitional so that if those eight did
9 come and, and they said they wanted GC and it was gonna, I mean, and the lady, the
10 same lady sat up here and said, no way, you know, we gotta lotta elderly people –

11 MS. CAIRNS: Right.

12 MR. ANDERSON: - we don't want that in our neighborhood, we don't, don't, don't
13 want it, but we as Planning Commission Members know that the market is moving and
14 trending toward that area. Okay? Why not offer some hybrid type of role that is kind of
15 the dividing line, that it says, boom this stops right here because here's the hybrid. So
16 we're defining that line by the zoning.

17 MS. CAIRNS: We've never, we, we, I mean, I'm sorry but I don't – I just don't buy
18 that somehow a hybrid is gonna let us draw a line. We don't draw lines, and when we sit
19 here and say, well the market's coming, we gotta do it, it's like no, we're a Planning
20 Department, we decide. We can decide that you know what, this needs to stay rural and
21 if we're hard fast on that the developers aren't gonna even try it cause they're gonna
22 say, we've got existing homes. Now if all the homes get together and they decide to sell
23 in mass, that's a whole different issue.

1 MR. ANDERSON: Well, but my point is, my point is if they, if the neighbors
2 behind them wanted that, that dividing line, if they wanted that dividing line, which they
3 clearly did, I mean, again y'all draw it up, see what a hybrid zoning looks like. I'm just
4 throwing out ideas and that means that's the line. So –

5 MS. CAIRNS: I think I'm in a foul mood today, too. So I'm [inaudible].

6 MR. ANDERSON: Okay, so let's just, let's put this, let's put this image out there.
7 So if there's, and I wish I had another case to think about, but let's just say it's a 20 acre
8 tract of land, okay? And it is the Walmart, the Walmart on Clemson Road, remember
9 that one? Okay, so as you're going down Clemson Road it was on the right.

10 MS. CAIRNS: Um-hum (affirmative).

11 CHAIRMAN GILCHRIST: Um-hum (affirmative).

12 MS. CAIRNS: The other side of the interstate.

13 MR. ANDERSON: And it was kind of a thin strip.

14 CHAIRMAN GILCHRIST: Um-hum (affirmative).

15 MR. ANDERSON: Remember that?

16 MS. HEGLER: Like a triangle?

17 CHAIRMAN GILCHRIST: Yeah, I remember that.

18 MR. GREENLEAF: Hardscrabble and Clemson, recommended denial.

19 MR. ANDERSON: It was, it was a real thin strip of land.

20 MS. CAIRNS: The grocery store?

21 MS. HEGLER: Yeah.

22 MR. ANDERSON: Right there. Right there.

23 MS. CAIRNS: Yeah.

1 MR. ANDERSON: Okay. So that piece of property is directly across the street
2 from all that heavy intense commercial. So what if we drew a line, what if we offered a
3 commercial type zoning, and I wish I had a, can you follow the, the, just the edge of the
4 right side all the way across the neighborhood? So what if we took that tract of land and
5 offered a hybrid type zoning and said, alright on the right hand side that is, you have to
6 create some type of biking or some type common area with a berm buffer so that we
7 draw, we drew the line with a buffer, and not just a buffer like a fence or that type of
8 buffer that we sometimes separate with commercial right against residential or RU.
9 What if we offered some type of hybrid where yes, you've gotta reduce your footprint but
10 we're gonna, with natural buffers, gonna draw that line behind that neighborhood,
11 directly to the south, the neighborhood to the, to the east, but offer some type of hybrid
12 there. Now, that one right there everybody was, it was either GC or nothing. And it's
13 clearly not rural. I mean, that is not a rural designation.

14 [Frierson out 3:01]

15 MS. CAIRNS: Yeah.

16 MR. ANDERSON: So what's wrong with having that hybrid in there?

17 CHAIRMAN GILCHRIST: Yes, we're losing a quorum here.

18 MS. LINDER: Mr. Chairman, since you've now lost a quorum you may want to
19 end your meeting and just have an informal discussion.

20 CHAIRMAN GILCHRIST: Okay. So do we need to make a motion to adjourn the
21 meeting?

22 MS. HEGLER: Yeah.

23 CHAIRMAN GILCHRIST: Okay.

1 MR. ANDERSON: We can't adjourn because we don't have a quorum? Does that
2 mean we have to stay here? I'm just kidding.

3 MS. HEGLER: No, but I mean, it's fine to have a conversation, but I mean, this is
4 what we need to hear and I think we just need to have more like this. However you can
5 build that into your schedule is what we need to do. Cause by the way when we start to
6 rewrite the Code this is gonna be happening every meeting, so.

7 CHAIRMAN GILCHRIST: So let me ask you, when is the rewrite?

8 MS. HEGLER: Well, the RFP's on the street right now to get a consultant, so
9 maybe start by the end of the fiscal year, summertime.

10 CHAIRMAN GILCHRIST: Okay.

11 MR. PRICE: Yeah, I think, Mr. Anderson, as, where you were kinda going and
12 maybe I just saw it this way, I think it's almost you just take out the districts that we
13 have. That's my suggestion, just take out all of the commercial districts that we have,
14 and you look at an area and you think about what kinda uses you would like to see
15 there cause I think that's where we're gonna end up coming up with these new districts.

16

17

[Meeting adjourned at 3:05pm]