

RICHLAND COUNTY PLANNING COMMISSION
July 7, 2014

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[Members Present: Heather Cairns, Beverly Frierson (in at 1:04 pm), Marilyn Joyner, Patrick Palmer, Stephen Gilchrist (in at 1:23 pm), Bill Theus, Christopher Anderson; Absent: David Tuttle, Wallace Brown, Sr.]

Called to order: 1:00 pm

CHAIRMAN PALMER: We'll call the July meeting of the Richland County Planning Commission 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 and TV stations, newspapers, persons requesting notification, as well as posted on the bulletin board located in the lobby of the County Administration building. Did everybody get a copy of the May and June Minutes? Do we have any motions?

MR. ANDERSON: Mr. Chair, I make a motion that we approve the May 5th Minutes.

CHAIRMAN PALMER: What about June?

MR. ANDERSON: Oh, I'm sorry, June.

MR. THEUS: Both.

MR. ANDERSON: May and June.

CHAIRMAN PALMER: May and June?

MR. THEUS: I'll second it.

CHAIRMAN PALMER: We have a motion and a second. All those in favor say aye. Any opposed?

[Approved: Cairns, Joyner, Palmer, Theus, Anderson; Absent for vote: Frierson, Gilchrist; Absent: Tuttle, Brown]

1 CHAIRMAN PALMER: Any Agenda amendments?

2 MS. HEGLER: Good afternoon, Chairman, Members of the Commission, yes we
3 have a withdrawal on the second Map Amendment Case, that's Case # 14-14. That's
4 been withdrawn at the request of the Applicant. We also need to defer the second Text
5 Amendment in reference to the National Flood Insurance Program. That was advertised
6 in error, it is not ready to be, be heard today.

7 CHAIRMAN PALMER: Okay. Do we have a motion on the Agenda? To adopt the
8 Agenda?

9 MR. THEUS: Move we adopt the Agenda.

10 CHAIRMAN PALMER: A second?

11 MS. JOYNER: Second.

12 CHAIRMAN PALMER: All those in favor say aye.

13 *[Approved: Cairns, Joyner, Palmer, Theus, Anderson; Absent for vote: Frierson,*
14 *Gilchrist; Absent: Tuttle, Brown]*

15 CHAIRMAN PALMER: None opposed. Road Names. Any motion on Road Name
16 approvals?

17 *[Road Names: Red Pine, Spruce Knob, Swiss Pine, Torrey Pine, Quiet Side Court,*
18 *Creekside Cottage Circle, Glenn Village Circle (f/k/a Village Glenn Circle)]*

19 MR. THEUS: Mr. Chairman, I move we approve the Road Names as, as laid out
20 for us.

21 MR. ANDERSON: Second.

22 *[No Road Names provided to insert]*

1 CHAIRMAN PALMER: We have a motion and a second to approve the Road
2 Names. All those in favor say aye.

3 *[Approved: Cairns, Joyner, Palmer, Theus, Anderson; Absent for vote: Frierson,*
4 *Gilchrist; Absent: Tuttle, Brown]*

5 CHAIRMAN PALMER: Map Amendments, Case No. 14-13 MA.

6 **CASE NO. 14-13 MA:**

7 MR. LEGER: Yes, sir, thank you, Mr. Chairman. The Applicant in this case is Mr.
8 Toby Ward. The property's located at 1335 Elm Abode Terrace. It's almost three acres
9 in size, currently zoned RS-LD for the Elm Abode development, subdivision. The
10 Applicant is requesting Office and Institutional District. The original zoning from 1977 is
11 RS-1. In 2005 when the Code was updated it was changed to RS-LD, which is the
12 equivalent to single-family residential district. Properties in the vicinity, to the north it's
13 zoned RS-LD and either undeveloped or residential in nature. To the south we have a
14 church and/or residential. To the east we have property zoned RS-LD, all residences.
15 And to the west property zoned RS-LD and General Commercial, where we have
16 residences and/or a law office on Broad River Road. The property has a little over 300'
17 of frontage on Elm Abode Terrace, as well over 300' of frontage on Thor Drive. It enters
18 into this residential development of Elm Abode. The property has a very large
19 residential structure on it, your typical residential vegetation and a little slope to it.
20 Basically it, it's located at the entrance to this subdivision from Broad River Road. For
21 the most part along Broad River you have commercial and office development, and into
22 the subdivision you have residential. The Comprehensive Plan recommends priority
23 investment in this vicinity for the Dutch Fork area where commercial and office should

1 be located along arterial roads or where other commercial and office uses are located.
2 The Staff has found that the application is in compliance with that as it is adjacent to
3 commercial and office use along Broad River Road. It really sits in the transition
4 between the residential properties to the, to the east and commercial and office along
5 Broad River Road. For that reason, based upon the way it's situated, the types of
6 zoning in the area, the Staff recommends approval of the rezoning request at this time.

7 [Frierson in at 1:04pm]

8 CHAIRMAN PALMER: Any questions for Staff? Okay, when I call your name if
9 you would come down to the podium and if you'd give us your name and address for the
10 Record, and also if you could help us with time by limiting your comments to two
11 minutes we'd appreciate it. And I may call out a couple of names in a row, so if you
12 could come down and kind of get lined up it would shorten things up for us a bit. Toby
13 Ward? Followed by Carol Shroeder and Valerie Aiken?

14 **TESTIMONY OF TOBY WARD:**

15 MR. WARD: I've got some brochures to hand out. Mr. Chair and Members of the
16 Planning Commission, I am Toby Ward. I'm an attorney here in Columbia. I have the
17 pleasure to represent Valerie Aiken whose here today. Ms. Aiken bought what was
18 commonly called the Elmgren House or the Elm Abode Mansion. It's the rather large
19 structure in-between a residential area and a commercial area in, off of Broad River
20 Road. Just to give you some orientation, I have a map which shows Dutch Square,
21 Broad River Road, this is in your materials but right here in the middle of that forested
22 area is the Elm Abode house. Ms. Aiken bought it because she saw it and fell in love
23 with it. She spent a lot of money saving it because as you can tell from the pictures it,

1 and the material, it was in horrible shape. The Staff recommended approval. We think
2 that is what you should do today because the 2009 Comprehensive Plan anticipates
3 that such properties would be rezoned for just the purpose that the Aiken's have asked
4 you to rezone it; that is to make it economically viable. Here's a blow up of that to show
5 you Broad River Road, the mansion and then there is Elm Abode Terrace that it sits on.
6 And that's the main way in and out for people. As I said the 2009 Comprehensive Plan,
7 which is in your materials, clearly demonstrates that this property is located in an area
8 where the county wishes to see transitional zoning. And I think what Staff said is
9 correct, I think they said priority investment. But just to orient you with the transitional
10 nature, we did a blow up that shows this is Broad River Road, here is the Elm Abode
11 House, it's currently zoned Residential, but General Commercial, General Commercial,
12 General Commercial are all along that area and this would allow a transition with the
13 office type use, office/institutional in-between the General Commercial and the
14 Residential, which is contemplated by Richland County zoning ordinance. We think that
15 to address the significant investment that she has made and to, for the county to be
16 able to save structures such as this which have historical significance, this is an
17 innovative and forward looking way to preserve that property. It previously had been
18 zoned Residential and you saw what happened. Several of Ms. Aiken's neighbors are in
19 support, neither of them could be here today. Mr. Schroeder's here, he's in support.
20 Sharon Brooks who lives directly across the street from this property wrote a letter in
21 support. I don't know what the Commission rule is on letters, if you want them or not,
22 and Ms. Shealy who is a longtime resident also is in support. Ms. Aiken is also gonna
23 speak to you, but that's what I have to say; that is, we have Staff approval, it's

1 consistent with the Comprehensive Plan, and it's a beautiful old structure that if it isn't
2 allowed to produce some revenue to offset the cost of maintaining it, it's gonna return
3 eventually back to the state that it was in. Thank you very much.

4 CHAIRMAN PALMER: Thank you. Carl Schroeder? Valerie Aiken?

5 **TESTIMONY OF CARL SCHROEDER:**

6 MR. SCHROEDER: My name is Carl Schroeder and I own a 15-unit complex on
7 Canal Drive, which is about two and a half blocks from the property, and I've had that
8 property for almost eight years. I built it up to where it's a very acceptable piece of
9 property now. The piece of property in question here, I was born and raised in a house
10 very similar to that, I know what the house is and when it came up on the market about
11 two years ago when these people bought it, I was very seriously considering buying it,
12 however I could not figure out a way to make that house a paying proposition other than
13 what they're doing right now. There is no other answer to that house. And it has
14 significant value, I'm familiar with it, and they have spent a bundle on it. But my past
15 experience, I know about what they spent. I am no kin to them, I have no influence on
16 the house whatsoever, I'm just a property owner in that area. I do not live there, though.

17 CHAIRMAN PALMER: Okay, thank you. Valerie Aiken?

18 MS. AIKEN: I would like to defer to the end in case you guys have some
19 questions for me [inaudible].

20 CHAIRMAN PALMER: Okay. Michael Hagler? Jean Byrd and Ian Fort?

21 **TESTIMONY OF MICHAEL HAGLER:**

22 MR. HAGLER: My name is Michael Hagler, I live at 1529 Elm Abode Terrace.
23 I'm also the president of the neighborhood association. We represent over 300

1 homeowners effected by this application and I'd like to ask the residents who are here in
2 opposition to this to please stand briefly. Thank you. In addition to that I have 32 signed
3 petition signatures of people who couldn't be here today. The neighborhood, a little bit
4 of background, it's developed by the Elmgren Family in the 1900's. They also donated a
5 property to build the churches at the entrance to our neighborhood. The neighborhood
6 is developed into a diverse neighborhood representing a wide mix of races, ages and
7 economic backgrounds. The association has worked directly with the county on doing,
8 building an important neighborhood using the Healthy Neighborhoods Program. We
9 appreciate that, we look forward to continue to do that. We also depend on y'all, Staff
10 and city government, county government to protect and enforce our current zoning
11 regulations. The current zoning is single-family residential. It's been the anchor of our
12 neighborhood since it was built. It did stand empty for a while because investors were
13 trying to sell it at a commercial rate and change the zoning at that point, and we, we
14 fought that basically based on encroachment. The current use, the owners are currently
15 using the house primarily for events and for bed and breakfast functions. None of these
16 are allowed under current zoning. We've been discussing this with them for over two
17 years, we've complained to county and the zoning administrators, resulting in a letter
18 coming from the Zoning Administrator telling them to cease those functions. That letter
19 was written on March 28th. Since March 28th, they have not only ignored that order, but
20 have continued unabated doing at least five large events since they've been told to
21 stop. As an executive committee we've met four times with the owners and we've had a
22 public hearing, and we had another meeting last night. We're unanimous in our
23 opposition to this, based primarily on encroachment, and I think if you look at your own

1 map you will see, graphically even, the huge encroachment into an established, intact
2 neighborhood. We appreciate your support of non-encroachment in the past and we're
3 asking you to continue that by denying this application based on, largely based on
4 encroachment and there's some other items that other members will discuss. Thank
5 you.

6 CHAIRMAN PALMER: Thank you. Jean Byrd?

7 **TESTIMONY OF JEAN BYRD:**

8 MS. BYRD: I'm Jean Byrd and I live at 1506 Elm Abode Terrace, less than 500
9 yards from the property in question. I have some issues with the Staff Report that I'd like
10 to address. On, this says that this property is supported by City of Columbia Water &
11 Sewer, it is not supported by City of Columbia Sewer. It is a single-family sewer septic
12 tank system that is inadequate for venues of 100 to 200 people, which have been held
13 in the past. Also, on the Richland County Comprehensive Plan, I have some questions
14 about that. It says in regular suburban it says, commercial office activity should be
15 located along arterial roads, traffic junctions, or areas where existing commercial office
16 uses are located. These uses should not encroach on established residential areas.
17 That last sentence, for suburban areas in this priority investment zone, is not, is not
18 included. I want to know why our suburban area has a lesser standard than others
19 suburban areas in unincorporated Richland County. Additionally, the Comprehensive
20 Plan is simply a guide, it is not law. The traffic impact, the road classifications, and the
21 traffic patterns are of Broad River Road, Bush River Road and some mention of River
22 Drive. It does not mention traffic patterns on Elm Abode Terrace and Thor, which is
23 where the property is located. Those two roads are not major arteries, those two roads

1 are narrow roads not conducive to the traffic that these events, that these events
2 induce. Thank you.

3 CHAIRMAN PALMER: Thank you. Ina Ford?

4 **TESTIMONY OF INA FORD:**

5 MS. FORD: My name's Ina Ford and I've lived at 1801 Carl Road for 35 years.
6 I'm currently the secretary for the homeowners' association and I've held this position
7 for the past 10 years. And again, we have some concerns about the traffic analysis by,
8 that was presented to the Commission. The only traffic reference by Planning Staff were
9 done on Broad River Road, River Drive, but no consideration was made on impact
10 within the neighborhood. In particular, access to 13335 Elm Abode by visitors that are
11 unfamiliar with the neighborhood forces incoming and exiting traffic to try to maneuver
12 the very dangerous intersection at Elm Abode South and Broad River Road. Attracting
13 strangers to the neighborhood would likely lead to dangerous accidents. Events have
14 typically been bringing 70 to 80 new cars into the neighborhood looking for parking.
15 Some park on the grounds of the house, others along the sides of the road, narrowing
16 the already narrow road for safe passage, and blocking driveways. The neighborhood
17 association has adopted a parking policy that's modeled after the City of Columbia
18 preventing parking on front or side yards except in developed parking areas. Parking all
19 over the grounds of the house not only violates this policy but damages the grounds.
20 And I think if you look at your map of Elm Abode, of the neighborhood, there's a
21 horseshoe shape and on one, on the right hand side, the Huffman Heights side of the
22 horseshoe, and the Elm Abode Terrace side, there is a building that now is George Sink
23 Law, Injury Offices. It was, it has been, changed hands from Security Federal to

1 Wachovia to Lutheran Family Services. But it always served, until recently, as the cut-
2 through for the neighborhood, for the people on that side to be able to get to the only
3 light on Broad River Road where you can safely turn left from the neighborhood to
4 Broad River Road. For some reason Mr. Sink has put up gates, cameras, forbidden
5 anyone to park there, even the churches can't use it on Sundays anymore. It is, it is now
6 off limits to everyone, so the people on that side of the horseshoe, to turn left on Broad
7 River Road have to thread all the way through the neighborhood with curved streets,
8 double yellow lines, hills. It is an absolute gridlock in the mornings and afternoon rush
9 hour. We would never leave our house after 4:00 cause you cannot go anywhere.
10 Accidents are many, many regular accidents. There are issues I believe with the traffic
11 analysis that need a closer look from you. Thank you.

12 CHAIRMAN PALMER: Thank you. Next we have Maurice Weber. Charles Aiken
13 and Margaret Weber?

14 **TESTIMONY OF MAURICE WEBER:**

15 MR. WEBER: Yes, my name is Maurice Weber and I live at 2014 Elm Abode
16 Terrace. I've been there since approximately 2001. And I would like to say upon moving
17 in that if you look at the house, that it was run down, that you had all types of people
18 living in the house, drinking out of the house, all types of things going on. And that they
19 have come in and, and upgraded the house and, and if you look at it that it has brought
20 value to the neighborhood. Also I would like to say that it has been offered at times just
21 freely, just for me for bereavement classes, those from hospice and, and not to make
22 anything off of it, but to help others. And I see that this home is beneficial. Although we
23 may, you may have cars and stuff, they can come out and make a right. So it, there is,

1 I'm hoping that we can come to a solution that is good for the situation. That's all I'd like
2 to say.

3 CHAIRMAN PALMER: Thank you. Margaret Weber or Charles Aiken?

4 **TESTIMONY OF MARGARET WEBER:**

5 MS. WEBER: My name is Margaret Weber, I live at 2014 Elm Abode Terrace,
6 and I'd just like to say that I am in support of the rezoning.

7 CHAIRMAN PALMER: Charles Aiken?

8 **TESTIMONY OF CHARLES AIKEN:**

9 MR. AIKEN: I live at 1335 Elm Abode, I'm Valerie's husband, and I'd just like to
10 take this time to hopefully bring some clarity to what we're talking about here. That
11 property had been vacant for 14 years and it was a eyesore in the neighborhood,
12 actually an embarrassment. And my wife saw this property and she wanted to save it.
13 It's a historic house and so she purchased the property and the house was restored. We
14 currently live there and we've been staying there since November. And we think that,
15 you know, that the, it's a huge property, it's 11,500 square feet, and you know, when it
16 comes to it being conducive for residential use, I think that's fairly questionable. But we
17 decided that we would, we would restore the house and we wanted to be able to share
18 that property with friends and families and that's kind of what we've been doing. And we
19 would hope that you all would understand that, you know, we're certainly, we didn't, we
20 didn't come to the neighborhood to destroy the neighborhood in no form or fashion. Our
21 intentions were to take that property and restore that property and we've done that. And
22 unfortunately, you know, there are situations where folk are, are upset because they
23 want the property to be maintained as a residence. And we're, we're doing that, but it

1 also has the ability to function in other ways. And so hopefully, after we leave here
2 today you all will see fit in granting the rezoning. Thank you very much.

3 CHAIRMAN PALMER: Thank you. Kathy Holder? Peggy Fitz and Les Clark?

4 **TESTIMONY OF KATHY HOLDER:**

5 MS. HOLDER: My name is Kathy Holder and I live at 1437 Thor Drive. I live right
6 next door to the Elmgren house and I oppose the rezoning of this property. Even without
7 being rezoned the house has been rented out for large parties and events where cars
8 block the streets, music blares, and the bass rattles our windows. Excessively loud
9 talking and raucous laughter continuing to late into the night. After a long day at work it's
10 disheartening to come home, turn into my little subdivision, and find another party,
11 another event, another function going on. It's been the case for two years. I'm especially
12 disturbed when my young grandchild runs in from playing in my front yard to tell me that
13 the partygoers next door were using the F word. I have a nice home with a grassy front
14 yard, shady trees and a little vegetable garden, but my house property value is roughly
15 the same as it was 17 years ago when I first moved in there. Rezoning the property next
16 door will not improve my property value. I want neighbors next door, not a venue for
17 parties and events.

18 [Gilchrist in at 1:23]

19 CHAIRMAN PALMER: Thank you. Peggy Fitz?

20 **TESTIMONY OF PEGGY FITZ:**

21 MS. FITZ: Hello, my name is Peggy Fitz. For 18 years I've been a homeowner at
22 4475 Bentley Drive. I'm just here to say that the OI or Commercial zoning is not
23 compatible with single-family residential zoning. The proposed zoning would allow a

1 multitude of objectionable uses to encroach into the neighborhood. OI zoning uses are
2 described on 27 pages of possible uses that include dorms, fraternity/sorority houses,
3 group homes, rooming and boarding houses, etc. When property in a neighborhood is
4 granted a change of the zoning designation it creates a domino effect with the
5 continuous properties seeking a change to maintain the marketability of their property.
6 With the events of the current type, the neighborhood homes are no longer conducive to
7 single-family dwellings. Thank you.

8 **TESTIMONY OF LES CLARK:**

9 MR. CLARK: How you doing? My name is Les Clark, I live at 1836 Elm Abode
10 Terrace. I'm gonna speak very briefly on, about five points. The traffic, we have very
11 narrow, very winding streets. Since these events have been held cars are coming
12 through this neighborhood. We have people who walk in the streets, children that play in
13 the streets, people walking their pets in the streets, cars come through at high rates,
14 they ignore the traffic signs, they, most every street in the neighborhood revolves back
15 around to where you basically came out, where you come in. They don't know where
16 they're going, I watch them go down the street, stop in the middle streets. I watched one
17 car the other night stop in the middle of the street, back up through an intersection, and
18 then at a high rate of speed take off again. This happens all the time, I can always tell
19 when there's an event going on. The next day after these events, I pick up litter up out
20 of my yard; party cups, napkins, beer bottles, beer cans. This did not happen until this,
21 they started operating a business, disregarding the law. Noise, I live approximately 300
22 yards from that house, there are trees and other homes between me and there. My den
23 is in the back of my house, I can hear the noise while I'm watching TV at night. I do not

1 make these – I go and make sure when I think it's coming from there, I know it's coming
2 from there, I'm not making this up. Sewerage, they're on a septic tank, it's been told. I
3 have a well in my yard, I wash my dog with that water, I water my lawn, I wash my car.
4 That septic system is not designed to carry that, that is gonna get into the ground water.
5 I don't wanna have to stop using my well. There have been several prior attempt to
6 rezone that property, the reasons that they were denied are still the same; there is no
7 reason it should be changed now. And one of them referred to the entrance that they
8 use as the main entrance that is not the main entrance on their part of Elm Abode,
9 there's not a stoplight there. So the traffic is gonna be a nightmare and is a nightmare. I
10 hope you will oppose this, thank you.

11 CHAIRMAN PALMER: Thank you. Sandra Sims? Followed by Bennett
12 McCarther. Then Lydell and Liz Eason?

13 **TESTIMONY OF SANDRA SIMS:**

14 MS. SIMS: Good afternoon, Chairman Palmer, Commissioners, thank you for this
15 opportunity to come before you all. I come before you in support of the zoning of Elm
16 Abode's mansion. What's happening here is a change, it's change that's been long
17 coming. As it has in many historical homes throughout our city and our county, the
18 change in order to keep that property valuable, beautiful as it is a change will have to
19 occur. As it was with the Keenan House when the neighborhood, the house was there,
20 vacant for 14 years, as has been mentioned it was an eyesore. The association did not
21 come together say, hey county, will you tear it down? No. The property became an
22 eyesore, it is now beautiful, it is now very valuable, it's very conducive to residential as
23 well as being able to use that property for additional commercials. There might be some

1 issues with noise or traffic or things of that nature, but it's nothing I feel like that cannot
2 be worked out. I feel very strongly in the fact that they say there's a narrow road, but
3 there are stop signs, there are lights and right turns and left turns that can be made. It is
4 change time, unfortunately, and sometimes change is difficult. But that property in, in
5 that neighborhood, it's less than 100 yards away from Broad River Road, which is a
6 main corridor for commercial activity in our city. It's very easily, you do not have to pass
7 it unless you don't know where with the zoning change the commercial signs that needs
8 to be put up in order to identify the guests or whoever is visiting that area, they can be
9 told what the direction and where the house is located. So those changes and those
10 signs that needs to take place to keep being lost in the neighborhood, eliminate it, keep
11 things from happening that's causing the residents of that community upset, those
12 things can happen, it's just called change. And change is where we're at today and I
13 think making that change to rezone that property I think will be the best thing for our
14 unincorporated area of Richland County. Thank you very much.

15 CHAIRMAN PALMER: Thank you.

16 [Inaudible discussion]

17 CHAIRMAN PALMER: Hold on, folks. Folks, hold on.

18 FEMALE AUDIENCE MEMBER: We need to know if she lives in our
19 neighborhood.

20 MALE AUDIENCE MEMBER: She did not give her address.

21 CHAIRMAN PALMER: Appreciate it. Bennett McCarther. Followed by Lydell and
22 Liz Eason?

23 FEMALE AUDIENCE: Mr. McCarther had to leave to go to class.

1 CHAIRMAN PALMER: Okay. Lydell and Liz Eason?

2 **TESTIMONY OF LYDELL EASTON:**

3 MR. EASTON: Good afternoon. My name is Lydell Easton, I live at 1618 Carr
4 Road. Been living there for over 20 years. And what the Elm Abode mansion to our
5 neighborhood is, is recreated it, and there is so much more than we as neighbors
6 should be squabbling about in terms of what our neighborhood should be looking like,
7 what our neighborhood should be acting like, honestly. I mean, from an association
8 standpoint I think there's so much more that we can do to reinvent our neighborhood
9 than to squabble over a, a piece of property that has added so much more value to it.
10 And I've been living there long enough to, to witness the Elm Abode mansion when they
11 was trying to, the current owners was trying to zone it for a bread and breakfast inn. And
12 that piece of property stayed vacant, homeless was living there, we were attracting all
13 kinda people in our neighborhood, until the Aiken's came and restored it. I mean, we're
14 at a point now where change is here whether or not we wanna accept it or not, change
15 is here. And the neighborhood is in, is in a diversity type mode right now. So I'm in favor
16 and I wish that everyone would just come together, cause we need a happy means with
17 this. I mean, just like he said about a septic tank, these are issues that we should be,
18 we should have proper sewerage, I mean, as large as that neighborhood is we shouldn't
19 even be on a septic tank. These are the things that we should be squabbling about.
20 Thank you.

21 CHAIRMAN PALMER: Thank you. Mitch Kneece? Followed by Tom Tart, Scott
22 Smoak David Bolton and Rose Tyler.

23 **TESTIMONY OF MITCHELL KNEECE:**

1 MR. KNEECE: Good afternoon, my name is Mitchell Kneece, I live at 1805 Elm
2 Abode Terrace. And as many have already said, we do cherish our neighborhood, we
3 do have a diverse and vibrant neighborhood. And we are asking for your help today to
4 help us protect the integrity of the neighborhood from further commercial encroachment.
5 It seems like every other month we're in here before you all asking to, you to deny
6 further commercial encroachment into our neighborhood, and then we turn around and
7 we're back again from another, with another petitioner. I don't know if y'all have been
8 out to the Dutch Square area lately, but there is no shortage of commercial property that
9 is available. We need single-family investment, we don't need commercial investment.
10 And again, we ask you to please protect the integrity of our neighborhood and not just to
11 cater to the desires of one property owner. The property is residential and they, the
12 petitioners have said they live there. Our invitation is for them to continue living there as
13 a single-family home. Thank you.

14 CHAIRMAN PALMER: Thank you. Tom Tart?

15 **TESTIMONY OF TOM TART:**

16 MR. TART: Good afternoon. My name is Thomas Ford, I live at 1801 Carr Road,
17 I been living in this neighborhood for over 35 years, I was one of the founders and I am
18 the past president of the Elm Abode-Huffman Heights Neighborhood Association. Our
19 organization is also a member of the Broad River Neighborhood Alliance. Broad River
20 Neighborhood Alliance represents more than 12 neighborhoods up and down Broad
21 River Road, all the way from the Broad River bridge to SLED. This organization is made
22 up of neighborhood associations and churches along the Broad River corridor, we meet
23 four times a year to address concerns of any member or organization. I was elected and

1 I am representing the Broad River Neighborhood Alliance. If you will look at your map,
2 that property, it's like a thumb in a pie in our neighborhood. It is surrounded on three
3 sides by residential, it is residential, it is going to destroy this neighborhood if you
4 rezone it. We, at the June meeting the Alliance took this up, we unanimously voted, all
5 the neighborhoods, voted to oppose the zoning at 1335 Elm Abode Terrace. We wish to
6 keep this home as single-family residence.

7 CHAIRMAN PALMER: Scott Smoak?

8 **TESTIMONY OF SCOTT SMOAK:**

9 MR. SMOAK: I'm Reverend Scott Smoak, Virginia Wingard United Methodist
10 Church, 1500 Broad River Road. Our church council has met and we support the Elm
11 Abode home association's petition to deny this zoning request. I understand about
12 change, I am new at this church, I've only been there a couple of weeks. And just
13 because change has happened, and I believe change I think that it is good, but just
14 because I am new there doesn't mean we stopped being the church, doesn't mean that
15 I've stopped being a pastor. We just do things and are going at it in unique ways. What I
16 know about this community in the short period of time I've been there, that we have
17 residents who are members of our church, we also have some widows that we do work
18 with. That community is very central to that area and to our church and the other
19 churches in that community. We feel very strong that we wanna protect these, this
20 livelihood that these people have, have built for many, many years. We support new
21 neighbors and we want people to come into our, our area to be residents. But the
22 zoning for commercial is great along the road, Broad River, but when you get behind the
23 church and where Elm Abode is located, it really becomes an encroachment into that

1 area. My fear as a visionary looking out, that's one step to lead to zoning that goes all
2 the way back to the river and would destroy that neighborhood, and I think that would be
3 a wrong move. Thank you.

4 CHAIRMAN PALMER: David Bolton?

5 **TESTIMONY OF DAVID BOLTON:**

6 MR. BOLTON: My name is David Bolton, I've lived in the neighborhood on
7 Cheryl Drive because of the Elm Abode mansion when it was formed and founded by, I
8 guess, the Elmgren's, they named streets after their daughters. And I guess Thor
9 must've been their dog, I really don't know. But I will say this, I met with Mr. Aiken
10 before he even invested in the property or as he was looking into it to tell him, come on
11 down and meet everybody, explain you're gonna spend a million dollars before you
12 spend it. Find out what you're spending it on. Cause there's a church on the right side of
13 the lawyer's office which used to be Lutheran Family Service Center. There's a church
14 on the left side. There's tons of commercial property and I wish Boozer was alive today
15 because he'd say, I'd like to rent my property, come down here and rent my – drive up
16 and down Bush River Road and look at what's shut down, what's locked down, what's
17 not working. There's a lotta money needs to be spent, there's a whole lot of office that
18 people would love. And as far as it being a beautiful home, I'll give them kudos for that.
19 Ms. Tapp built a beautiful home in my neighborhood, too. Tapp's used to own a big
20 department store. It was commercial, their home is not. Run your commercial, run your
21 home. Football players buy homes all the time, six, seven million dollars. When they
22 throw a party they try to, you know, let the neighborhood know they're gonna throw a
23 party, but it's not designed to throw parties in. For their family they do things, and that's

1 what we ask you to do, let it stay single-family, let them, they got a beautiful family; I
2 think their daughter went to school with my son. Beautiful thing. But can I turn my pool
3 into a commercial swimming pool cause I have a pool and I spend a lotta money taking
4 care of the pool? Change is beautiful and I'll tell you the best change it could ever have
5 is for the community to help the people who put a bad name on their change game to
6 turn it around, stop the violence, stop the killing. And on the others, don't worry about
7 whose running, worry about how to help them run it, and that's what we'd like to help
8 you all do. Help the businesses on Broad River Road, Bush River Road run their
9 businesses and keep the family homes as family homes whether they're Tapp's homes
10 or not, or their new mansion that they bought.

11 CHAIRMAN PALMER: Rose Tyler?

12 **TESTIMONY OF ROSE TYLER:**

13 MS. TYLER: Good afternoon. My name is Rose Tyler, I live at 1434 Thor Drive.
14 I've been there for 10 years. When we first came into the community it was a very
15 peaceful, calm, loving, worth buying a home area. For the past two years since the
16 property has been restored by the Aiken's, it is beautiful, I'll give them that much credit,
17 but I have seen so much traffic. I'm, I live on Thor Drive, the third house on the right and
18 I can sit on my porch and look directly in their yard and it's the noise, it's the traffic, it's
19 the turnabouts in the yard, I mean, with just no respect. You can't, you know, get
20 through when they have functions because the roads are so narrow, so therefore you're
21 squeezing through. If someone trying to come in while you're going out, you gotta wait
22 because you can barely – and if you get to the stop sign as well, the cars are parked so
23 on the hill going down you can't see around them to see what's coming down the other

1 road on Elm Abode in order to get your right turn on Thor, or left turn on Thor. And I
2 have grandkids that plays out there. With all these different people from all different
3 walks of life that's coming to these parties, whatever the functions that they are holding,
4 I mean, you almost afraid because you don't know these people, they're new in your
5 neighborhood, I've had them so much as to ask my grandkids to move out their own
6 driveway so they can turn around. And yes, they have turn around to go to the party that
7 was held at the Aiken's, and that's ridiculous. You, you can't, I, I'm afraid to even let my
8 grandkids play outside. And I, I think that you all should not grant them the zoning.
9 Thank you.

10 CHAIRMAN PALMER: Valerie Aiken?

11 **TESTIMONY OF VALERIE AIKEN:**

12 MS. AIKEN: I'll be real brief and if anyone has any questions, I'll be happy to try
13 to answer them. When we bought the house, Charles is right, it was no intentions to use
14 it for anything other than to just have a house, restore it, and hopefully stay in it. I mean,
15 I, I knew that Charles did not necessarily want to move there, but eventually we started
16 staying there more often and eventually now full time. What, my vision of the property is
17 not all the other 30 uses that have been mentioned that could possibly be, it's for small,
18 seasonal type things. And yeah, there have been some parties, some of them have
19 been mine and yeah, we've decided not to do that parties like that anymore. Because
20 we, you know, we have listened to some of the neighbors, we started fencing so we're
21 doing some additional things to the land to put that barrier there away from the
22 neighborhood. But it is a beautiful home, it is a large home and it's one that we have let
23 people use; friends, family, to have showers and, and that type of thing, and that is what

1 I want to continue doing. I do not feel that we have been bad neighbors, in fact, I would
2 like to be a good neighbor as much as possible, and we've tried to invite the neighbors
3 over, we've had a Christmas party, invited the neighbors. We participate as much as we
4 can in neighborhood activities. We're business people, we do, we have, we do work, we
5 spend a lotta time, we're busy. But for the most part we feel that this is a lovely home,
6 we've spent a lot of time working in that home and getting it ready for, for the
7 neighborhood. My father saw the house, my father showed us the house in 1998, and it
8 was vacant until we bought it in 2011. He helped build all the houses in the
9 neighborhood through Bagnal Builders, and we just fell in love with it. And I do love the
10 house, I plan to stay there, but I also would like to share it. And that is why we have the
11 application before you today.

12 CHAIRMAN PALMER: Thank you. Any questions for Ms. Aiken? Thank you.
13 That's all we've got –

14 MS. AIKEN: Oh, and one last thing. A lot of times most of the events that are,
15 that would be scheduled, like the functions, would be just maybe Fridays and
16 Saturdays, and they're after the traffic rush hour traffic. They're usually in the evenings,
17 there's nothing that would encroach into the traffic period of the high traffic use on
18 Broad River Road.

19 CHAIRMAN PALMER: Thank you. That's all we've got signed up to speak. So
20 we'll close the public input session. I have a few questions for Staff. If this site were to
21 get rezoned – we had talked about the sites in the future that when they're rezoned they
22 would need to have buffering between themselves and the residential uses next door to
23 it, correct?

1 MS. HEGLER: If the change of use triggered that buffer, correct.

2 CHAIRMAN PALMER: Right. And this would also require them to have onsite
3 parking facilities for whatever events they had.

4 MS. HEGLER: Correct, they would have to come in and, and prove that they
5 have parking and adequate landscaping.

6 CHAIRMAN PALMER: Adequate onsite parking.

7 MS. HEGLER: For the use, yes.

8 CHAIRMAN PALMER: For the use, so there wouldn't be any parking allowed on
9 the streets.

10 MS. HEGLER: No, we do not allow parking on the streets.

11 CHAIRMAN PALMER: For the facility.

12 MS. HEGLER: Correct.

13 CHAIRMAN PALMER: And the buffering requirements would be there if there
14 were a change from residential to office/industrial use.

15 MS. HEGLER: Yeah, they may be required now, going from a residential use to
16 an office – I'm not sure, we'd have to look it up. They, that may be already required
17 without the change that's proposed to.

18 CHAIRMAN PALMER: Right. Okay.

19 MS. HEGLER: It's based on the impact. So that may be a low to medium impact
20 change.

21 CHAIRMAN PALMER: Okay.

22 MS. HEGLER: Somebody can be looking that up for you. Geo's nodding, he says
23 yes. I think it would.

1 CHAIRMAN PALMER: Okay, and the noise is not something that the county
2 handles, that would be a Richland County deputy issue for a noise ordinance violation if
3 it's past a certain time at night whether it's this resident or another resident that's having
4 a party, if that noise goes past a certain time, whatever it is, 9:00, 10:00, 11:00,
5 whatever time that the ordinance is set for, then that's how you would handle that issue.

6 MS. HEGLER: The Sheriff's Department handles noise complaints, correct.

7 MS. LINDER: But that would only be in residential. If it's zoned office/institution or
8 commercial at this time they would not; those are exempt from the noise ordinance.

9 CHAIRMAN PALMER: Exempt –

10 MS. HEGLER: If the use, I mean, they would look at the zoning of that site and
11 not look at – so they only address residential noises?

12 MS. LINDER: That's correct. Currently. We do have a proposed noise ordinance
13 that would broaden that, but it's not enacted yet.

14 CHAIRMAN PALMER: Okay. Cause I do know that, that commercial businesses
15 they have a certain time that events have to end, even though they're commercial. Is
16 that –

17 MS. CAIRNS: Is that the city, maybe?

18 CHAIRMAN PALMER: It may be the city.

19 MS. HEGLER: Yeah.

20 CHAIRMAN PALMER: Okay.

21 MS. FRIERSON: I have a question of Staff as well. As I listened to the testimony
22 I heard conflicting information about the stop signs. Are there stop signs there or are
23 there not?

1 MS. HEGLER: I, I didn't hear that. There's not a signal at that intersection on
2 Broad River Road, correct? There's not a signal, a traffic signal on Broad River Road –

3 MS. FRIERSON: But, I mean, not the –

4 MS. HEGLER: - but I don't know about the stop signs within the –

5 MS. FRIERSON: - necessarily the traffic, not the electronic kind but even the
6 stop signs.

7 MS. HEGLER: I don't know.

8 MS. FRIERSON: Are there stop signs or not?

9 MS. HEGLER: That would be a better question for the Applicant, I'm not sure
10 about within the neighborhood.

11 MR. DELAGE: There is a stop sign at Thor Drive and Elm Abode, and one at
12 Broad River Road and the Elm Abode Terrace.

13 MS. FRIERSON: Okay, thank you. One other question, and I don't know if it's
14 appropriate to ask whomever, but what I noticed was that Ms. Aiken acknowledged that
15 there was some problems in the past, and as I listened to the homeowners and they
16 expressed their concerns, and I listened to one gentleman that spoke about how the
17 community needs to come together, what I'm wondering is, is it not reasonable that if
18 errors had been made in the past and they're acknowledged, and homeowners also
19 want to see the integrity of the community maintained, and where's that United
20 Methodist minister, the minister also had a concern, my feeling is that there might be a
21 way wherein the three parties can come together. Cause I certainly understand
22 homeowners wanting the integrity of the neighborhood maintained. I certainly have
23 respect for what the United Methodist minister stated, I'm United Methodist too, and a

1 minister's daughter. But what my overriding concern is is that there might be conflict
2 within the community. If there has been conflict in the past and if the homeowner
3 acknowledges it, is it not possible for the parties to come together perhaps now and
4 work out the previous conflict whereby there might be unity and harmony? That's my
5 concern.

6 CHAIRMAN PALMER: Okay.

7 AUDIENCE MEMBER: Could I -

8 MR. THEUS: I have, I have a question.

9 CHAIRMAN PALMER: No. No, sir, we're not opening up for public input.

10 MR. THEUS: Is it, is it true that there is no public sewer in the neighborhood?

11 MS. HEGLER: I'm gonna ask, Tommy does the research on that. Usually he
12 contacts the city.

13 MR. DELAGE: This is, they are the provider for the area. City of Columbia
14 provides, now whether each individual parcel is on that, that's another question.
15 However, in the immediate area -

16 CHAIRMAN PALMER: Folks, folks, if we can - if we can be respectful. We were
17 very respectful of y'all's time, if y'all could be respectful of our time we would appreciate
18 it.

19 MR. DELAGE: So they are, they are the providers for the area according to the
20 service maps.

21 MS. JOYNER: So there is a sewer line.

22 MR. DELAGE: Yeah, [inaudible] tapped in for the general area, though.

23 MS. JOYNER: Right.

1 MR. DELAGE: According to our maps it says that sewer is for city and the water
2 provides, or the city provides water in that area.

3 MS. JOYNER: Right.

4 MR. DELAGE: So.

5 MR. THEUS: I'm just speaking for myself, but it's, it's hard not to sympathize with
6 both sides in this, in this deal, but where I kinda come off is, if this land were zoned OI
7 already and there were no building on it, I don't know that you could go get a building
8 permit to build an 11,500 square foot house that can be used as a party facility when
9 you don't have sewer, you probably don't have the land area on site to park the people,
10 there are probably accessibility issues dealing with ADA and the like. I don't, I don't
11 know, I think it sounds like something that, that the cart got before the horse and we
12 have a use on a piece of property that may not should be there.

13 MS. CAIRNS: I have a question for Mr. Price about the – so as an event venue,
14 where does that fit into the allowable uses in OI?

15 MR. PRICE: What we have done over the years is we've put – if you're gonna
16 have various type of events, we would have those under the same category as
17 auditoriums, coliseums [inaudible] to gather for various events, so it falls into that
18 category.

19 MS. CAIRNS: So that's here somewhere?

20 MR. PRICE: Yes.

21 MS. CAIRNS: Oh, there it is.

22 MR. ANDERSON: Where is it? I'm having a hard time finding it, too.

23 MS. CAIRNS: It's the first column, about the middle, on page 7.

1 MR. THEUS: So it's considered under auditoriums, coliseums and stadiums?

2 MR. PRICE: Yes. Say, yes, those –

3 MR. ANDERSON: And that, and, and just, just real quick, there's no noise
4 ordinance at all to protect the surrounding areas with an auditorium, coliseum or
5 stadium? Did I hear that correct?

6 MS. LINDER: Not at this time.

7 MR. ANDERSON: Not at this time. Okay.

8 MS. CAIRNS: And would, would you be allowed to build an 11,000 square foot
9 event venue in an OI? I guess you would –

10 MR. PRICE: Yes.

11 MS. CAIRNS: - if you're allowed to build a stadium.

12 MR. PRICE: Yes.

13 MR. THEUS: But you would be, you'd be subject to Code, like how many parking
14 places –

15 MS. CAIRNS: Sure, sure.

16 MR. THEUS: - and, you know, and –

17 MR. PRICE: That, that will still apply. Those requirements will still apply. The
18 rezoning is just the first step to say that these are permitted uses, but as far as the other
19 requirements such as parking, landscaping and everything, that was stated earlier,
20 those will still have to be met.

21 MS. CAIRNS: Have there been any violations issues about, I mean, we've heard
22 of the fact that there have been –

23 MR. PRICE: Yes.

1 MS. CAIRNS: - have those been, I mean, have fines been paid or are they still –

2 MR. PRICE: We're scheduled to go to court.

3 CHAIRMAN PALMER: So if the site were rezoned, I think, and I'm trying to
4 address the concerns that I heard from the community of noise, traffic, and the buffering
5 that would need to occur –

6 MR. PRICE: Sewer.

7 CHAIRMAN PALMER: - and the sewer, for them to get a business license for this
8 site to have the functions that they wanna have, will those issues have to be addressed
9 through our current Code? In other words, if, if they want to be able to host a function
10 for 100 people on this site, they'll have to, they'll be a maximum occupancy that's
11 allotted through –

12 MR. PRICE: Fire Marshal.

13 CHAIRMAN PALMER: - through the Fire Marshal, and then they'll have to have
14 parking per our Code to handle that amount of crowd on site.

15 MR. PRICE: Correct.

16 CHAIRMAN PALMER: Their sewer issue, if they've, if they're gonna be able to
17 have 100 people on site at a function, they'll have to have the sewer capacity through
18 current Code of some kind to handle that -

19 MR. PRICE: It's a DHEC –

20 CHAIRMAN PALMER: - that amount of people.

21 MR. PRICE: - that would be something that would be addressed by DHEC.

22 CHAIRMAN PALMER: Right.

1 MR. PRICE: Cause currently I think they, this is designed for residential use. So
2 if the use changes DHEC will have to look at that, whether the septic tank is capable of
3 accommodating the new use.

4 CHAIRMAN PALMER: And if not they won't even get a permit or they'll, they'll
5 have to tap into sewer somewhere.

6 MR. PRICE: Right.

7 CHAIRMAN PALMER: Okay. And for the lady whose adjacent next door, with the
8 buffering that's required between commercial and residential uses, our Code allots for a
9 commercial buffer, for some sort of buffering to occur between these two uses if they
10 were to change the use.

11 MR. PRICE: Correct.

12 CHAIRMAN PALMER: Okay. So those are the issues that I heard from the
13 community. So now when I take a look at the site and I see that we typically use the OI
14 zoning classification as a gradual down step from General Commercial, and that you've
15 got on this site General Commercial in the front, General Commercial to the south,
16 where that site comes all the way in, back down Elm Abode to the front side of Elm
17 Abode, all along Broad River Road – with none of the other factors being involved with it
18 that we've discussed, just from a pure zoning classification, it seems to be that step
19 down that the OI zoning classification was meant for. So those are my thoughts on the
20 issue, that if any of these commercial businesses, and I'm not sure what this business
21 is, seems to be a church maybe right here on Broad River that's on the south side of
22 Elm Abode –

23 MS. JOYNER: Right.

1 MS. CAIRNS: That's a church, yeah.

2 CHAIRMAN PALMER: - right, if that church wanted to – well it's zoned General
3 Commercial and if somebody else wanted to use that church as this same type use, if
4 they wanted to buy it as a concert venue they certainly could, and you'd have a
5 commercial use that's in this now a church application, this right here, that goes pretty
6 far back into the neighborhood. So those are just how I see it as, as the issues that the
7 surrounding community has can be addressed through our Code if the site were to be
8 rezoned, and because of the all the factors that were outlined in our package from the
9 Staff with the Comp Plan, the way the, the county would like to see itself grow and
10 where it would like to see itself grow and how it would like to see itself grow, I would be
11 in support of the rezoning.

12 MS. CAIRNS: I just, I would offer that, that, I mean, I support the use of OI as a
13 way to transition from commercial to residential. However, in this situation I feel that,
14 that the encroachment is the most phenomenal event that occurs with rezoning this
15 property OI. You know, when I first got my packet and was reviewing it and I saw that
16 huge commercial parcel that goes down Elm Abode and I thought, well wow, that's
17 something else. I pull it up and it's a church that fronts on Broad River. Well, we have
18 always accepted that fronting on a major road and having your backside go into a
19 residential neighborhood is completely different than having your front side in a
20 residential neighborhood. And, you know, the fact that the church, it's a church, it could
21 be zoned all kinds of things, so the fact that it's red is a nuance; granted it could be sold
22 and turned into something else, but it's still gonna have frontage on Broad River Road.
23 And certainly that's the, that's what it's gonna interface with. I don't know any

1 commercial property that has frontage on a major road that turns its back to the major
2 road and puts the access on a residential street. But what we have here, the thing that I
3 just can't get past is the phenomenal encroachment. When we use OI as a buffer it's to
4 soften the commercial as you go into a residential neighborhood. This does nothing to
5 soften. The backside of the commercial properties that front on Broad River is the
6 softening, and that this, I mean, I just can't get past the, the encroachment. And I, you
7 know, I can appreciate that, you know, we have things in our Code to try to soften, you
8 know, buffering, requiring parking on site, this and that, it's interesting about the noise
9 ordinance, that this property would not have to even worry about that once it was zoned
10 into a commercial type use. But I just, I can't look at this and say, whoa that's
11 encroachment. I mean, we had one last week, last month, I'm very bad in time, you
12 know, that somebody was trying to go around the corner and put in commercial, and we
13 denied the recommendation. And I just think when we've got situations where a
14 commercial is looking to go up side roads that, you know, we take a really hard look.
15 And I just, I can't see turning this into OI somehow buffers the neighborhood from the
16 commercial uses of Broad River Road, which is what, if we were to decide that that
17 would be the good use of OI, I don't see it. It's much too much engrained into an
18 existing residential neighborhood. So I, I cannot support the Staff recommendation and I
19 just think it's a misapplication of the buffering use of OI.

20 CHAIRMAN PALMER: Yes, ma'am?

21 MS. FRIERSON: As I look at Section 26-95, OI, Office and Institutional District,
22 Section A it says, Purpose, the OI District is intended to accommodate office,
23 institutional, and certain types of residential uses in an areas whose characteristics are

1 neither general commercial nor exclusively residential in nature, and I won't read the
2 rest of it. But as I listen to Mr. Palmer articulate the concerns that we heard from the
3 neighborhood association and the opposing side, and as I listen to the gentleman in the
4 blue shirt and tie explain what the Code would require if it were changed into OI, I think
5 what we have is a situation wherein there is fear that because there were problems in
6 the past that this situation cannot be overcome. In that to change it to OI requires
7 certain things that are already articulated in the Code, I would support the
8 recommendation of Staff because I do believe that the concerns of the neighborhood
9 would be addressed first prior to a situation of the neighborhood being destroyed by
10 mistakes that were made in the past. Cause I'm looking at what the Code, I mean, not
11 the Code, the exact section states, Section 26-95, letter A under Purpose, and I listened
12 to what you stated would have to occur if a change were made by Code, so I think that
13 this could be reconciled and I'm in support of what the Staff recommended.

14 MR. ANDERSON: I have a general question for Staff. So if I'm coming off Bush
15 River Road heading to Broad River Road and I turn right, can I turn left on Elm Abode?
16 Or is there a median there?

17 MS. CAIRNS: There's no medians.

18 MS. HEGLER: We'll pull up the aerial.

19 MR. LEGER: If you're going north on Broad River Road there's a left turn lane
20 that, that will –

21 MR. ANDERSON: No, if I'm going, if I'm coming up Bush River heading to Broad
22 at the intersection and I'm taking a right to get to Elm Abode, can I immediately turn left
23 onto Elm Abode?

1 [Inaudible discussion]

2 CHAIRMAN PALMER: Okay, so we're pulling it up.

3 MR. ANDERSON: So turning left there would be probably jam up a good bit of
4 Bush River turning right, correct?

5 MR. LEGER: [Inaudible]

6 MS. HEGLER: They would stack up and –

7 MR. ANDERSON: It would stack up, okay. So typically speaking coming off Bush
8 River and that's, that, the highway comes off Bush River, correct? I mean, Bush River
9 hits 26, correct?

10 MS. CAIRNS: Yeah.

11 MS. HEGLER: As does Greystone prior to that.

12 CHAIRMAN PALMER: And Broad River.

13 MS. HEGLER: And Broad River.

14 MR. ANDERSON: I, I'm gonna have to agree with Ms. Cairns, I'm having a hard
15 time with this encroachment into, into the residential neighborhood. That, the entrance
16 to this can't be, I mean, I don't think you can turn left, even if you're coming down Broad
17 River going south or coming from Bush River heading east. I mean, that's a –

18 MS. HEGLER: During rush hour, there's –

19 MR. ANDERSON: And I just, so I'm clear, Virginia Wingard, the pastor, that is,
20 that is actually the site north, or excuse me it'd be north/west of the site, correct, that
21 fronts on Broad River?

1 CHAIRMAN PALMER: Okay, so turning left into this site would be the same as
2 turning left into any site on Broad River Road? If you wanted to go to Advanced Auto
3 Parts you'd have to do that as well?

4 [Inaudible – audience members]

5 CHAIRMAN PALMER: Folks, folks, we appreciate it.

6 MS. HEGLER: The question, is there a median?

7 MR. ANDERSON: Alright, so I see there's an X there for traffic to stop for a left-
8 hand turn. And that the light, the existing light, okay, is right there.

9 CHAIRMAN PALMER: So you're not supposed to stop in that –

10 MS. HEGLER: Here, but not here, right.

11 CHAIRMAN PALMER: - okay. So it's supposed to be an open area for people to
12 turn left if they're stopped at that light.

13 MS. CAIRNS: But there's no turn lane.

14 MR. ANDERSON: Yeah, there's no turn lane at all. That's actually, the lane
15 closest to the left-hand turn lane is, looks like a left-hand turn lane going straight to
16 Bush River.

17 MS. CAIRNS: There is no left-hand turn lane.

18 MR. ANDERSON: Well, I'm saying if you're trying to get on Bush River.

19 CHAIRMAN PALMER: But there's not a left-hand turn lane anywhere on that
20 road, so anywhere you go –

21 MS. CAIRNS: So you're saying coming out of the neighborhood there's a left-
22 hand turn lane.

23 MR. ANDERSON: Correct.

1 MS. CAIRNS: But to get into the neighborhood you're having to turn from traffic.

2 MS. JOYNER: Right.

3 MR. ANDERSON: Correct.

4 CHAIRMAN PALMER: Which is what you have to do anywhere down Broad
5 River Road to turn left to cross Broad River Road to get into any business along it.

6 MS. JOYNER: Yeah, that's true.

7 MR. ANDERSON: Right. Is there a light at Atlantic Avenue?

8 AUDIENCE: No.

9 MS. CAIRNS: So Elm Abode where it comes out between, what, the church and
10 George Sink, it's the next one up that has the traffic light?

11 AUDIENCE: Yes.

12 MS. CAIRNS: Is that also Elm Abode Terrace?

13 AUDIENCE MEMBER: Yeah, it's a horseshoe.

14 MS. CAIRNS: Okay. So that's where the light is, the one just north of Bush River
15 Road is where the light is. This is, the neighborhood, they were saying how they used to
16 come down and cut through the back of George Sink's to catch the light, now they can't
17 even do that. So if you wanna turn left on Broad River you go for a little journey.

18 MR. ANDERSON: Okay.

19 CHAIRMAN PALMER: Anything else? Any other comments? Motions?

20 MR. ANDERSON: Mr. Chair, I'm gonna make a motion that we disapprove Staff's
21 recommendations based on this – we have to make a reason why we disapprove – a. I
22 think the encroachment into residential, not actually fronting the main arterial road, with
23 poor signaling, could generate some traffic issue, and I'll put that as my reason.

1 MS. JOYNER: I would second, because – and I was a little bit torn by this as well
2 because I do think that this does fit into our Comprehensive Plan and that OI serves as
3 some sort of buffer into residential. But my only concern is when we propose for
4 something to be rezoned, we should not be looking at what that use is gonna be, but in
5 five years whose gonna come in there? And just under these use types I just, I think
6 there's some major issues with encroachment into the residential area.

7 CHAIRMAN PALMER: So we have a motion and a second. Any other
8 discussion? All those in favor of the motion please signify by raising your hand. All those
9 opposed?

10 *[Approve to deny: Cairns, Joyner, Theus, Anderson; Opposed: Frierson, Palmer;*
11 *Abstained: Gilchrist; Absent: Tuttle, Brown]*

12 MR. GILCHRIST: Mr. Chairman, I'll be abstaining since I was tardy in this case.

13 CHAIRMAN PALMER: Okay. So folks, we are a recommending Body to County
14 Council. They have this case that'll be on their Agenda on the 22nd of this month So this
15 will go forward to them a recommendation of denial, and if you'd like to come back on
16 the 22nd, you're more than welcome to do so. Thanks. And we'll give y'all a quick
17 second if, to, to clear the room if you can so we can get on to our other cases, if you can
18 carry on conversations outside we'd appreciate it. Okay, our next case, Case No. 14-16
19 MA.

20 **CASE NO. 14-16 MA:**

21 MR. LEGER: Yes, sir, thank you, Mr. Chairman. The Applicant in this case is Mr.
22 Hansel Carter. The property is located on Old Congaree Run, it's about a half an acre in
23 size, currently zoned RU. [Inaudible].

1 CHAIRMAN PALMER: Yeah, hang on one second, I'm missing the signup sheet
2 for it.

3 MS. CAIRNS: Here.

4 CHAIRMAN PALMER: Oh. Okay. Okay, Holland.

5 MR. LEGER: Thank you. The property's on Old Congaree Run, [inaudible] on
6 Farrow Road, it was withdrawn, so on Congaree Run – currently zoned RU, which is our
7 Rural District, and the Applicant is requesting GC, General Commercial. RU is the
8 original zoning from 1977. This is pretty far out into the far reaches of the county, off of
9 Garners Ferry Road and Old Congaree. The property to the north is zoned GC, General
10 Commercial, and is a convenience store with gas pumps, it's Mr. Bunky's store, he sells
11 lots of, an assortment of hardware and, food, groceries and all of the above. To the
12 south the property is zoned General Commercial and is residential in nature. To the
13 east, General Commercial, undeveloped. To the west RU, which is the Bellwood Manor
14 Assisted Living Facility. The property has about 100' of frontage on Old Congaree Run,
15 it's been cleared and currently appears to be used as a parking lot, it's graveled over.
16 Our Comprehensive Plan recommends Rural on this property where commercial and
17 office should be located at major traffic junctions or where existing commercial and
18 office use is located, and should not encroach or penetrate residential areas. Our Staff
19 in looking at this property and the surrounding uses felt like it was compatible with the
20 Comprehensive Plan, compatible with the use in the vicinity, and appropriate at this time
21 so we recommended approval of the rezone to GC.

1 CHAIRMAN PALMER: Okay. Hansel Carter? Okay. Hansel Carter, is the
2 Applicant here? Okay. Alright, we don't have anybody signed up to speak on this. Any
3 comments, motions?

4 MR. THEUS: Mr. Chairman, I move we send this zoning amendment change
5 forward with a recommendation for approval.

6 MR. GILCHRIST: Second, Mr. Chairman.

7 CHAIRMAN PALMER: We have a motion and a second. Any other discussion?
8 All those in favor say aye? Any opposed?

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

11 CHAIRMAN PALMER: Okay, Case No. 14-17 MA.

12 **CASE NO. 14-17 MA:**

13 MR. LEGER: Yes, sir, Mr. Chairman. The Applicant in this case is Mr. Ernest
14 Moore, Jr. The property is located on Geiger Road, it's about 140 acres in size,
15 currently zoned RU, our Rural Residential District. Mr. Moore is asking for the RS-LD
16 District, residential, single-family, low density. The RU District was original from 1977.
17 There was a previous request in the last couple of months for RS-E, which is our
18 residential, single-family estate district, that was withdrawn and the Applicant moved
19 forward with the RS-LD District. In the vicinity, for the most part all the property is zoned
20 RU. The area is made up of rural, single-family, large lot homes for the most part,
21 except for the Oak Pointe Elementary School, which is near Kennerly Road as well as
22 there's a church at the corner of Kennerly and Hollingshed. Geiger Road, the access to
23 the 140 acres is a very narrow residential service street, gravel, curly, mostly

1 unimproved. Within the site there is an asphalt surfaced circular road that has been
2 constructed some years ago, apparently with the intent of developing the, the 140 acres
3 with large lot homes. There is drainage as well to match with the road. Apparently the
4 development didn't take place and the property remains wooded, heavily wooded and
5 undeveloped except for that road. Part of the property is in the flood zone. And again,
6 most of the area is made up of rural residential properties. The Comprehensive Plan
7 recommends for suburban in this area where residential development should take
8 place, are recommended to take place with four to eight units per acre. Staff in our
9 analysis acknowledges that there should be room for kind of a transitional area between
10 our rural and suburban recommendations. However, we felt like that this was really kind
11 of an extreme situation as it's located near the river in, in an area where soils are
12 challenging, you've got a lotta rock and flood plain. And too, oftentimes we would
13 encourage greater density in some of our transitional areas. We felt like because this
14 was a, kind of a special area along the river that allowing that greater density in that
15 transitional area between rural and suburban might not be the best place for it to
16 happen. So for those reasons we recommended disapproval of the rezoning at this
17 time.

18 CHAIRMAN PALMER: Okay. Any questions for Staff?

19 MR. ANDERSON: Did the Applicant ever come in with, for a PDD? No?

20 MR. PRICE: Not that I'm familiar with.

21 CHAIRMAN PALMER: Okay. Ernest Moore?

22 MR. MOORE: Yes, I [inaudible] Mark Caldwell [inaudible].

1 CHAIRMAN PALMER: Okay. Mark Caldwell. Followed by Mark Ridgeway and
2 Roger Hall?

3 **TESTIMONY OF MARK HALL:**

4 MR. HALL: Good afternoon, my name's Mark Hall on behalf of the Applicant for
5 the requested Map Amendment for the 140 acre tract on Geiger Road. We've requested
6 the property be rezoned from its current RU designation to RU-LD (sic), low density, to
7 allow for feasible development of the site. The River Glade property consists of
8 approximately 140 acres total, although only 88 acres of high ground is available. It's
9 heavily wooded with rolling hills. The remaining 52 acres, the area that you see in green
10 along the site plan, which it represents approximately 37% of the site, is heavily
11 restricted due to the river frontage and the flood plains. Minimally developable. We
12 intend to provide the residents of this community with passive recreation in the low lying
13 area, and with several pocket parks within the community, so right now the
14 development, based on our plan now, is in excess of 37% of open space. We've
15 evaluated the site in great detail. Initially the site was proposed for 33 homes. We've
16 evaluated site plans at 77, we've looked at 183 lots, but nowhere have we gotten to the
17 density even recommended for approval by Staff of over 300 units in the, under the
18 Estate zoning, or the approximately 500 units that was in this most recent report. Our
19 site plan right now consists of approximately 166 units. They're all minimum 12,000
20 square feet, although our average is probably closer to 18,000 square feet. We've
21 concluded that the LD design is really the only appropriate and feasible minimum lot
22 size that'll meet market demand. We have studied utilizing density bonuses with open
23 space design with, with Staff, both in RU, RU-E, and RU-LD (sic), and because the site

1 can't be developed economically while avoiding and setting aside all the flood plain and
2 steep slopes that are necessarily required by the open space design. It just simply won't
3 work with this particular piece of property. We are also, I guess, am I outta time here?

4 CHAIRMAN PALMER: We'll allow a little further since you're explaining to us
5 about the site.

6 MR. HALL: Okay. The property as you see is adjacent to Oak Pointe Elementary
7 and relatively new over the past five years or so, public water and sewer now available
8 to the site. This type of plan wouldn't have been achievable 10 years ago because there
9 was no water and sewer, but now we do have public utilities to the site. We've also
10 managed to contract to acquire some offsite property to create a separate entrance that
11 will not utilize Geiger Road. It'll be a four-lane entrance that comes into the property and
12 goes along and connects on the southeastern side to River Bottom. Let's see, we have
13 a builder under contract that's looking for quarter acre lots, they'll be priced in the \$60-
14 70,000 range with a minimum 7,500' and 160' deep, although our lots are typically much
15 deeper due to steep slopes. So we may have, for instance, a 24,000 square foot lot and
16 because of the steep slopes it can't be cut in half. There's area there for two lots but it
17 can only be one. So because of the economic cost of developing this site and the
18 general topography it's virtually impossible for us to get more than about 166 to 170,
19 and I'd say we maybe gain four or five either way. We may lose four or five, but we think
20 that this is the maximum density that this site can be developed in a practical manner.
21 The River Glade lots are large enough to attract move up buyers and our builder thinks
22 that in the \$400-600,000 price range, but if the lots are much bigger they may have to
23 be too expensive to, and may price out many working families that are in the market.

1 We expect the builder product to be priced between, for the local residents, between the
2 Belfair and Ascot pricing. And incidentally, according to Staff both of these communities
3 are zoned LD, so we're looking to be right in, right in-between them price, at the price
4 point. The Comp Plan calls for four to eight units per acre, which would yield 560 to
5 1,100 lots. I think everybody in the room would agree that that would be excessive for
6 this site, so, and in fact based on our plan we are less than 38% of the minimum
7 recommended by the Comp Plan which is four units per acre. Right now our plan is right
8 at 1.2 units per acre. Our plan provides a buffered edge to the rural areas to the west,
9 and a natural transition to higher density homes to the east. If you notice along our site
10 plan on the eastern border, that's almost all designated as green space, open area,
11 buffer, and it's not necessarily cause we're nice guys cause we are, but it's because the
12 site dictates it. That's all low lying area to the, to the east of our site and creates a pretty
13 substantial buffer between the homes and the River Glade community and the adjoining
14 properties. Let's see, one other thing that I would also like to offer, I know there are
15 number of people here to speak, potentially against the project today, but we would like
16 to voluntarily, in the best manner possible, agree to limit the development to probably
17 175 lots or less. It'll all be single-family with a minimum of 12,000 square feet, and
18 we've committed to a quite large amenity package that will really utilize the beautiful
19 riverfront that we have and make this, I think, a very dramatic community that the
20 community can be proud of.

21 CHAIRMAN PALMER: Thank you.

1 MR. HALL: The only other thing is we have a traffic study that has been
2 completed and it indicated no adverse impact based on the design of the entrance road
3 that we have planned. Okay, thank you.

4 CHAIRMAN PALMER: Thank you. Mike Ridgeway?

5 **TESTIMONY OF MIKE RIDGEWAY:**

6 MR. RIDGEWAY: Good afternoon, I'm Mike Ridgeway with SRS Engineering.
7 We conducted the traffic study for the River Glade subdivision. We analyzed 160 single-
8 family homes as part of our study, which could go up or down a little but, we did
9 coordinate our study with the South Carolina Department of Transportation. One of the
10 things that the site benefits from are some significant roadway improvements that were
11 put in as part of Oak Pointe Elementary School a few years ago, so we studied four
12 intersections in the area and found that, you know, the additional traffic related to the
13 site could be accommodated with those intersections. One specific thing that DOT
14 asked us to look at was a potential traffic signal at Hollingshed and Kennerly Road at
15 the northern end. And the traffic is actually fairly light at that intersection outside of
16 school, period. So, I'll be here to answer any traffic questions that you may have, but
17 just wanted to let you know that we didn't find any adverse impacts.

18 CHAIRMAN PALMER: Thank you. Roger Hall?

19 **TESTIMONY OF ROGER HALL:**

20 MR. HALL: Yes, I, Roger Hall. I own the property that this road will be entering
21 through, and I'm adjoined to this subdivision, directly adjoined to it. And I have no
22 problem whatsoever with it. I think it'll be a very positive thing for the area and I see no
23 negatives as far as the impact on property value, it'll be a big plus. And we have an

1 excellent school that's accessible and I just think it will, you know, be enhanced by this
2 property. Upscale, on the river, it's all a very positive thing.

3 CHAIRMAN PALMER: Thank you.

4 MR. MOORE: [Inaudible] I would like to add that we will have homeowners
5 covenants and restrictions and a homeowners association that would be, dictate the
6 square footage of the house and that type of thing. For people living in –

7 CHAIRMAN PALMER: Yes, sir, Mr. Moore, if you would like to come down and
8 take the podium you can, but – give us your name and address for the Record.

9 **TESTIMONY OF ERNEST MOORE, JR.:**

10 MR. MOORE: Ernest Moore, and I live on River Bottom Road, and just that we
11 would have covenants and restrictions and a homeowners association that would
12 dictate how much the square footage would be on the houses. And everybody that lives
13 in Hollingshed, when they leave they don't have to go up towards where the entrance to
14 the subdivision will be, towards the school. Actually they can go to the left and just go
15 out the entrance of Hollingshed, so I really don't think there'd be that much of an impact
16 of the residents, including myself, off Hollingshed. Thank you.

17 CHAIRMAN PALMER: Thanks. Ms. Linder, could you get me a recusal form? I
18 think in light of the information that's been brought to our attention as far as what is
19 planned for this site, none of which we had in our package and we typically don't
20 consider unless somebody brings it up as part of the public testimony, Mr. Theus is
21 gonna recuse himself out of an abundance of caution as having a project in that type of
22 area that may be a competing project. So just out of an abundance of caution is gonna
23 recuse himself from this hearing on this parcel, which I commend him for. After hearing

1 the information that was given to us, so we'll continue along. Brady Bouknight. Followed
2 by Isaac, I'm sorry, I can't make out your last name.

3 MR. GEIGER: Geiger.

4 CHAIRMAN PALMER: And Wendy Bates.

5 **TESTIMONY OF BRADY BOUKNIGHT:**

6 MR. BOUKNIGHT: Pleasant good evening to each of you. I'm Brady Bouknight, I
7 live at 135 Heber Bouknight Road there in Irmo, and I live in the dent, in looking at the
8 layout up here, if you come in the little single dirt road, which is Geiger Road, that's the
9 little small single lane road that we use to get to our homes. My road is Heber Bouknight
10 Road, it pulls off to the left of the circle that these guys have cut in for their potential
11 development. I live on this particular land off of Heber Bouknight Road and been there
12 just about all my life, and my family farm is also there, too. Our family farm is located to
13 the left and my property runs from the beginning of this property all the way to the river
14 to which I farm. So the gentleman mentioned about we have a natural buffering in
15 Green Estates over there, I guess they do cause it's my pastures and my, and my
16 farmland. This property was up for rezoning and it was – I'll just give you a little quick
17 history and I'll talk a little bit faster – this property was named the Quinney Gantt
18 property. We were here for a hearing on October 28, 2003, known as the Gantt
19 property, Case No. 03-33 MA. The individuals, their children wanted to sell this property
20 when their mother passed away to see if they could develop it and make money on it.
21 They wanted to go from RU to RS1-A. This here and here, it was denied. The land was
22 later sold after it was not approved to be rezoned, it was later sold to an individual in
23 Lexington. He kept it for a short time and turned around and he resold it to Precision

1 Property Developer, there's three guys. To my knowledge they still own the property.
2 This case came back again on November the 15th, 2007, the answer was no, it was
3 rural zoned, it was zoned rural. So these guys cut a big circle in this piece of property up
4 on the hill. Certainly you can't cut a circle in the lower part of the property cause it's all
5 in the flood zone. I farmed this land for nearly 20 years and it's adjacent to my farm. So
6 no right-of-way, they cut the circle in on these real steep hills that it seems and the way
7 they talk is very attractive, but I wish that you would come and take a look at it, it's
8 nothing but real steep hills and they cut this paved circle around, which on the lower
9 side now it's cracked up and caved in. Their catch basins are full of rock because
10 there's no tops on the catch basin. And if you wondering where the water goes, I have
11 pictures here, most of it is going into my pond. So there's no right-of-way that they have
12 coming off of Kennerly Road at this time to this potential subdivision. There is no water,
13 no sewer, no curbing and no infrastructure on this, on this property. It is not. So if you
14 look at the last, next to the last page of your handout that they're proposing, they
15 showing a road coming in called Geiger Road, it's a little dirt road going to the property.
16 That's our road and certainly the Geiger's are here to represent their land and speak for
17 themselves here. On August the 19th, 2009, these guys tried to get additional right-of-
18 way from the school, which is School District 5, Oak Pointe School. To get an additional
19 right-of-way to come down Geiger Road to their property that they could develop it and
20 get it rezoned to make more money on it. The answer was no, the school would not
21 allow. It took part of their parking area, playground equipment, so Oak Pointe School in
22 School District 5 says no, we can't do that. Then they made another effort to go on the
23 other side of the road, which is on the Geiger property here. And the answer was no.

1 These guys use this road to get to all of their homes coming down the dirt road, on next
2 to the last page of your handout you'll see it. And as I mentioned earlier, these families
3 are here to represent their properties here. The existing single-lane dirt road which is
4 called Geiger Road is a county maintained road that we use to get to our homes from
5 the early 1950's. It's the only entrance and exit that the Geiger family's here and my
6 family, and myself to get to our homes, to our family property, and also for the Dinkins
7 family here to their property on the end of this subdivision on the river that's adjacent to
8 mine to get to his [inaudible] property. So now they have a new buyer here that wants to
9 come in and rezone it from RU to RS-LD, which is even more homes than first proposed
10 back in 2003. This proposal is very misleading, if you look at your handouts that they
11 have given us here, part of this property is in the flood zone here, and I commend the
12 individual here, he did say about 88 of it was in the flood zone. And it is, the river floods
13 all this land in the flood zone. We take our boats and ride over it when the river floods it
14 cause it covers all my crops and takes all them, so we move all our animals out when
15 the river floods. Their property's adjacent to mine, it does the same thing to theirs. So
16 farmland is the only thing that you can really use it for in the flood plain. The picture
17 shown here on, on the Geiger Road is their entrance and, and they say they have an
18 entrance and exit at the beginning. They do not. Now he says they gone buy this
19 gentleman's property and come in through the Hollingshed side and cut a new entrance.
20 That's a surprise there, and I'm gone tell you why. The water and sewer is at the south
21 side of Oak Pointe School. He said we have water and sewer available, yeah it's
22 available, it's way down the road on the other side of the school here. The other picture
23 posting of the rezoning here it the new entrance and exit, they wanna have a little sign

1 up. So I guess they gone buy this man's property and come out right in the path, right in
2 the two-lane road going into Oak Pointe School that the parents use to bring their
3 children or drop them off, and so forth. I will assure you this, it's a very dangerous
4 intersection to get in and out the school, where they're gonna propose their new
5 driveway. It is impossible for us to get out with our farm equipment. Early in the
6 mornings, late in the afternoon when they take in to school and let out the school, we
7 make no attempts, the Geigers or none of us, nor none of we Bouknights, we make any
8 attempt to get out.

9 CHAIRMAN PALMER: Mr. Bouknight, if you could wrap it up for us we'd
10 appreciate it.

11 MR. BOUKNIGHT: Yes, sir, I will. So there'll be severe problems there. It's
12 impossible for us to get out as I just mentioned because of the traffic below. Mr.
13 Chairman, I have a petition here of nearly six pages of landowners that are adjacent
14 owners, local residents, that oppose this rezoning as they requested, and I certainly can
15 present to you with their names, address, telephone numbers and so forth, and it's all in
16 our little community and people that own land adjacent to this subdivision. We think it's
17 unfair to push this on to the taxpayers, to Richland County, to our School District 5, and
18 certainly to our state. So on behalf of all of us and all the individuals on this petition, we
19 ask that you disapprove this rezoning request, and I thank you very much.

20 CHAIRMAN PALMER: Thank you. Isaac, I'm sorry I still didn't get your last
21 name, Wendy Bates, and Sherry Cannon.

22 **TESTIMONY OF ISAAC GEIGER:**

1 MR. GEIGER: Isaac Geiger, I own property on the Geiger Road but I don't live
2 there. And Brady did such a good job at this, we just disapprove and I don't need to go
3 any further with that.

4 CHAIRMAN PALMER: Thank you. And folks, if you'd like to do the same thing
5 we would, it'd be okay with us if you would do that. Wendy Bates and Sherry Cannon.

6 **TESTIMONY OF WENDY BATES:**

7 MS. BATES: Yes, my name is Wendy Bates and I live at 109 Geiger Road and I
8 have lived there for the last 24 years, and I grew up there and been there 45 years on
9 the road. And I do not approve of this rezoning.

10 CHAIRMAN PALMER: Thank you. Sherry Cannon?

11 MS. BATES: She's not gone speak, she's – she's blind, she's not gone walk
12 down.

13 CHAIRMAN PALMER: Okay. But she's against it?

14 MS. BATES: She is against it.

15 MS. CANNON: Yes.

16 CHAIRMAN PALMER: Gotcha. Edith Brannon?

17 MS. BRANNON: Against it.

18 CHAIRMAN PALMER: Okay. John Geiger?

19 MR. J. GEIGER: Against it.

20 CHAIRMAN PALMER: Gotcha. Helen Bowers?

21 MS. BOWERS: Against it.

22 CHAIRMAN PALMER: Roy Bowers? Followed by Garnett Bouknight? And then
23 Lee Johnson, Brett McGragle. Yes, sir?

TESTIMONY OF ROY BOWERS:

1 MR. BOWERS: Good afternoon, my name is Roy Bowers, and I live at 113
2 Geiger Road, Irmo. I moved there in 1974, after my wife father gave us the land to build
3 there, and back in 1955, Mr. Geiger had the chain gang to come in there to cut that road
4 in there so we can get back in there to his property, which is Geiger Road. He had them
5 to cut that road in there so he can get to his property. And whenever they cut that
6 property, whenever they put that road in there and the county started taking care of it,
7 they closed off the road where the Oak Pointe School is located. The school is located
8 on top of the road, the public road that was supposed to be there. And make a long
9 story short I just, I just oppose of it.

10
11 CHAIRMAN PALMER: Thank you. Garnett Bouknight?

TESTIMONY OF GARNETT BOUKNIGHT:

12 MR. G. BOUKNIGHT: Thank you, I'm Garnett Bouknight and I live at 124 Connie
13 Wright Road, which runs right into some of the property we're talking about. I've lived in
14 this area since 1974, and within about a two mile radius we have four schools there so
15 to hear these gentlemen say the traffic is not a problem you have not been out there
16 during probably certain times of the day. As the other gentleman mentioned the land
17 floods. They talk about entertainment there, the only entertainment I've seen there in 40
18 years is taking a boat and going down through the field picking up pumpkins that's
19 floated out of one field to the other. You know, I, I've heard, I don't know if it's true or
20 not, I've heard the land is landlocked, which is why they're trying to come in a different
21 direction. I've made some investments, I've never made an investment where I did not
22 check out the title and the interest to see if it was feasible to do what they're wanting to
23

1 do. For them to say that they're not putting a burden on the community is not true cause
2 you're gonna be adding, I think I saw a figure of up to 532 houses in the area on 40 or
3 50 acres of land. It's just not gonna work. I've been in this area a long time, there have
4 been times where I've stood before you and I have been in agreement with change, I'm,
5 I'm not against change when change is good. This change is not for the good, it's not
6 gonna better anybody, even the people buying the houses, the houses are gonna be so
7 close together that you're not gonna be able to enjoy it. So I, I do oppose it. Thank you.

8 **TESTIMONY OF MS. JOHNSON:**

9 MS. JOHNSON: Chairman Palmer, Members of the Commission, I will be brief
10 since I cancelled my eye doctor appointment with a lot of the neighbors who couldn't be
11 here today I feel like I must speak to make up for the money that she's missing out on
12 me. I just, Mr. Bouknight could not have done a better job. I just wanted to state I'm a
13 resident of 111 Lookout Lane, my husband Brett McGargle, lives with me also. He's not
14 gonna speak today and that's not because of me, he just chose not to. I just wanna add
15 that another additional source of traffic for the school is also that it now serves as a
16 voting precinct for three different precincts within the area, that's been a relatively new
17 change. And that's 6,000 registered voters in our area, obviously when they're coming
18 in and out there is no school that day but it does present another source of formidable
19 traffic where we are, where we are situated. And also the point of ingress and egress,
20 which is a little confusing for us today because my understanding is their main point of
21 access is going to come out directly into the mouth, not just onto the property but into
22 the mouth of the main entrance to the school, which has a sole ingress and egress
23 point. You don't go in one side and come out there other, it's a loop, everyone comes in

1 and out. And if you've ever seen a parent trying to get their child before the tardy bell
2 rings, you can imagine what we, what we put up with in the, in the neighborhood. So
3 with that being said I thank you for your time and commend you for your work.

4 CHAIRMAN PALMER: Thank you. Brad S., Summer maybe?

5 AUDIENCE MEMBER: [Inaudible]

6 CHAIRMAN PALMER: Tim Williams? Followed by Carl McKellar.

7 **TESTIMONY OF TIM WILLIAMS:**

8 MR. WILLIAMS: Chairman Palmer, Members of the Commission, my name is
9 Tim Williams and I live at 219 Hill Trace Trail which is at the south side of the property
10 that's in question. I was also the architect of record for Oak Pointe Elementary School
11 when it was built. There was quite a bit of review and concern about how the school
12 itself would be accessed and SCDOT came out and studied the property. The only way
13 that the District could, could have a school there would be that the River Bottom Road
14 had to be rerouted to a different intersection on Hollingshed. And as Ms. McGargle
15 stated, Leah, that there was only way in and out of this school, that is the only approved
16 entrance and, and exit for the school district. SCDOT looks at the number of cars, the
17 site lines, the speed limit, and as I understand the proposal the new entrance would
18 indeed, as Leah stated, come directly into the mouth of the only entrance into the
19 school. I oppose the rezoning because it would allow for a more dense development,
20 and I oppose certainly the entrance of this road going into our neighborhood. Certainly
21 as the individuals that live on Geiger Road don't want this impact into their
22 neighborhood, we don't want the impact of 160 houses or however many, 170, which it
23 went up and down, back and forth, we don't feel like we should have that impact there

1 either. And I also was not a part of the studies for SCDOT that the engineer from, I think
2 SRS stated, but I have spoken with members of SCDOT that looked at this intersection,
3 how it was going to be designed, and they've stated to me that there would not be an
4 entrance to that school in that position if there was an entrance into another
5 neighborhood adjacent or in fact in the same intersection with it. So again, I'm opposed
6 to the rezoning and I'm certainly opposed to this entrance going out of our
7 neighborhood into a new neighborhood.

8 CHAIRMAN PALMER: Thank you. Carol or Carl McKellar?

9 **TESTIMONY OF CARL MCKELLAR:**

10 MR. MCKELLAR: My name's Carl McKellar and I live on 115 Hill Trace Trail, and
11 the entrance of this road that they're talking about putting is gonna abut my lot, because
12 my, I'm the second house on Hill Trace Trail and the two houses they are talking about
13 putting the road between, my lot goes past both of those houses, cause I'm 525' deep. I
14 have 3.57 acres of land there and that's gonna – but I'm also fraternal, member of the
15 Fraternal Order of Police and I notice the traffic there in the morning when the people
16 are bringing their kids in and dropping them off and picking them up from school. That is
17 a, that's gonna be, it's gonna be chaos there. All it's gonna take is somebody running
18 late for work and somebody dropping off their kids at school, somebody is gonna get
19 hurt there. I'm opposing this for the simple reason, for the sake of those kids and the
20 sake of the community. Now, Hollingshed is not affiliated with the part, what they are
21 talking about, but it's right next door, and we are two acres zoned; you cannot build in
22 Hollingshed unless you do have two acres or more. And you can't split the lots, you
23 can't have any back lots or anything, so we're situated to put three, four, five houses

1 right in back of our place, I don't see how you could say that it's not gonna lower the
2 value of our homes, cause most of the houses that are in our area are \$250,000 or
3 more. And to put \$120,000 houses in that area is really gonna lower the value, plus it's
4 a hazard; one way in, one way out. And, and, and Kennerly Road is the only way back
5 to Broad River Road. So that's, it's gonna be a chaos there, so I'm opposing it.

6 CHAIRMAN PALMER: Thank you. Heyward Thomas? Followed by Dennis
7 Baker?

8 **TESTIMONY OF HEYWARD THOMAS:**

9 MR. THOMAS: Good afternoon. I'm Heyward Thomas, I'd like to ask a rhetorical
10 question. What time did you leave your house to come to work today? I, myself, I try to
11 be at work at 8:00 in the morning. I live in the neighborhood of Hollingshed, I live on Hill
12 Trace Trail. When I learned of the rezoning that, that there was gonna be an entrance to
13 the neighborhood I was really surprised trying to get out of my neighborhood. So I took
14 pictures – of the traffic that's – I took a picture of the traffic in the morning of the school
15 traffic, and if, from, starting from this car right here with its brake lights on, every one of
16 these cars have break lights, starting from this car going to the school, going around the
17 traffic circle, back up to right there to these cars that are all stopped with their brake
18 lights going out to Hollingshed Road, represents 1/8th of a mile of traffic. Right here is
19 the zoning sign. And they're talking about putting a neighborhood exit somewhere right
20 down here, is that correct? Where the zoning sign is? You know, I woke up, I've woked
21 up a time or two a few minutes late for work, tried to get myself together real quick, try
22 to run out the door. A subdivision right here with an entrance or, entrance coming out of

1 the subdivision, they'd be making a left hand turn against all of this 1/8th of a mile of
2 back to back, bumper to bumper traffic. And this is the reason I'm against it.

3 CHAIRMAN PALMER: Thank you. Dennis Baker?

4 MR. BAKER: Probably don't need to come down. I live in Hollingshed also and
5 that's my entrance and exit and only reason that I'm opposed to it is the fact that they're
6 talking about coming out right in the middle of all that traffic.

7 CHAIRMAN PALMER: Thank you. Michelle Betty?

8 MS. BETTY: [Inaudible] don't need to speak but I'm opposed to it.

9 CHAIRMAN PALMER: Okay. Laney Cone?

10 AUDIENCE MEMBER: She's gone.

11 CHAIRMAN PALMER: Okay. Kim Murphy?

12 **TESTIMONY OF KIM MURPHY:**

13 MS. MURPHY: Good afternoon. I'm gonna try to read my chicken scratch here.
14 This subdivision on the banks of the Broad River was originally designed and is
15 basically constructed as a 43 lot rural subdivision. And I've got the pricing from back
16 when it was originally developed. And rural development is supported in this
17 environmentally sensitive portion of, of the district. During the development process, late
18 in the process the developers apparently discovered that the 12' ditch to ditch county
19 maintained road, Geiger Road, could not be used to access the subdivision. Property
20 owners whose homes from the dirt road did not want to lose their small front yards for a
21 subdivision entrance. And rightly so, Richland County denied the request by the
22 developer to condemn the road. The 140 acre tract is not landlocked because of this, it
23 is landlocked because in 2006, Lexington/Richland District 5 built an elementary school

1 on top of a dedicated 66 (sic) wide easement, apparently without consulting with the
2 developer. It is my understanding the parties are still in litigation and a settlement at this
3 time is unknown. To develop this property now, buy adjacent property from the Hall's,
4 who are also trying to recoup some losses from their, from the school district, construct
5 an entrance road and go back and install public and water lines, the developer says it
6 will be very costly and in order to recoup their losses in addition costs, they are asking
7 for a rezoning from 43 home sites to one that will allow over 500 homes. I find it hard to
8 believe that the attorneys representing the school district didn't discover the easement
9 deed during the title search, and I find it hard to believe the attorneys representing the
10 developers didn't discover the easement for the property that they just purchased. But
11 whether an oversight or a bad investment or a hardship caused by District 5, we should
12 not suffer for them in any way, nor should the environment. Please accept the
13 Department's recommendation to deny the request for the reasons stated in the
14 request. Thank you.

15 CHAIRMAN PALMER: Thank you. Gene Dinkins? Followed by Katherine
16 Dinkins. Then Gene Dinkins, Jr?

17 **TESTIMONY OF GENE DINKINS:**

18 MR. DINKINS, SR.: Thank you, Mr. Chairman and Members of the Planning
19 Commission. I am Gene Dinkins and I live at 2234 Wheat Street. As a past Chairman of
20 the Richland County Planning Commission I am very pleased to have the opportunity to
21 come here and talk to you today. Although I do not live adjacent to the property I have
22 owned property adjacent to this site for over 20 years. I am not opposed to the proper
23 development of this property, however, RS-LD is not, in my opinion, proper for the

1 development of this particular tract of land. Single-family, low density is not compatible
2 with the rural character of this tract of land. In fact, there are no properties within
3 approximately half a mile of this site that are zoned anything other than Rural. In
4 addition to their only being Rural zoned properties in the immediate area, the physical
5 development of this tract of land is not compatible with anything other than the rural
6 zoning category. This property is steep, has rugged terrain with severe ravines running
7 throughout the property. There are extensive rock outcroppings throughout the site that
8 will make this property very difficult to develop. Building sites on this tract of land need
9 the Rural zoning designation in order to not create extensive problems with grading,
10 drainage, and sediment and erosion control difficulties. And I urge you to deny this
11 request. Thank you.

12 CHAIRMAN PALMER: Thank you. Katherine Dinkins? Thanks. Gene Dinkins,
13 Jr.?

14 **TESTIMONY OF GENE DINKINS, JR.:**

15 MR. DINKINS, JR.: I'm Gene Dinkins, Jr. and I live on Wheat Street in Columbia.
16 I just wanna piggyback off, on all the other comments. I think the real issue here is that,
17 you know, us and a lot of the other neighbors, we're not opposed to the property
18 redevelopment of this tract. But what you've got here is you've got 140 acre rural tract
19 left to one of our, you know, last few really rural special areas of this county. And when
20 you, when you look at all the surrounding Rural zoned tracts this is just absolutely
21 inappropriate for this piece of property. Also I come to you today as the current Vice-
22 Chairman of the City of Columbia Planning Commission and I urge you to deny this
23 inappropriate request.

1 CHAIRMAN PALMER: Thank you. That's all we've got signed up to speak, so
2 we'll close the public input session, and let me read this into the Record. Dear Mr.
3 Palmer, I must request to be excused from participating in discussion or voting on
4 Agenda Item No. 14-17 MA regarding rezoning tax map sheet #05400-01-09, which is
5 scheduled for review and/or discussion at today's Planning Commission meeting. It is
6 my understanding of the Rules of Conduct, provisions of the ethics, government
7 accountability and campaign reform laws, that since I am a partner in a development
8 with which this proposed development would be in direct competition, I will be unable to
9 participate in this matter through discussion or voting. I would therefore respectfully
10 request that you indicate for the Record that I did not participate in any discussion or
11 vote relating to this item, representing a potential conflict of interest. I would further
12 request that you allow and direct this letter to be printed as part of the official Minutes
13 and excuse me from such votes or deliberations and note such in the Minutes. Thank
14 you for your consideration in this matter. Sincerely, Bill Theus. Okay.

15 MR. HALL: Mr. Chairman?

16 CHAIRMAN PALMER: Yes, sir? Real quick.

17 **TESTIMONY OF MARK HALL:**

18 MR. HALL: I'm Mark Hall on behalf of the Applicant. We would, in light of the
19 community concerns and in light of the fact that many of the community concerns are
20 obvious that they haven't seen our plan, we'd like some time to sit down with the
21 community, talk through some details, and hopefully garner more community support,
22 and also Staff support. To that end, we'd request that we can defer the vote on this until
23 the next hearing?

1 CHAIRMAN PALMER: We'll have to put that to a vote, but we'll, we'll consider it.

2 MR. HALL: Great, thank you.

3 CHAIRMAN PALMER: Thanks. Generally as a matter of rule I, I would probably
4 be against that motion. With our, with Council's August recess, and the reason I would
5 probably be against it would be that the time for those discussions, in my opinion, is
6 prior to coming into the Planning Commission meeting when these folks have taken
7 time out of their schedule to come down and meet down here. The only reason I
8 personally would consider that would be because of the August recess of Council and
9 that anything that we put forward now would not be resolved, if I'm correct, until
10 September. Is that right?

11 MS. HEGLER: It would still be heard at the zoning public hearing in July, but then
12 there would be a recess for the second and third readings until September.

13 CHAIRMAN PALMER: Till the second and third readings.

14 MS. HEGLER: So it would not be concluded.

15 CHAIRMAN PALMER: But, but this will be heard –

16 MS. HEGLER: If you defer it it won't go forward.

17 CHAIRMAN PALMER: Right, but everything from this meeting will be sent
18 forward for a first reading at the end of this month.

19 MS. HEGLER: Right.

20 CHAIRMAN PALMER: But they won't receive second or third reading until
21 September.

22 MS. HEGLER: Correct.

1 CHAIRMAN PALMER: Right? As a general rule I would be opposed to that. But if
2 the Planning Commission would want to move forward I probably wouldn't be opposed
3 to, in this particular case, but I would want the citizens who did come out to know that if
4 it were deferred, if the Planning Commission did decide to defer, that I hear what you're
5 saying and for me you would not need to come back for this, for – you certainly would
6 be welcome to have another public input session, I'm not sure if the Planning
7 Commission would like to defer or not, we have to put it to a vote, but I can tell you that
8 I, I hear what you're saying and I would take that into consideration, deep consideration
9 at our next meeting as well. So I wouldn't want you to think that you came here today
10 and wasted your time should the Planning Commission decide to do that, and I'm not
11 sure if they will or not. But that's, that's my thoughts. But the Applicant has asked for a
12 deferral, the Planning Commission certainly can, it's the formal process, the motion and
13 second to defer, or to not even consider it, it's up to the Planning Commission
14 Members. Any other thoughts on it?

15 MS. CAIRNS: I'm just awed that the request was to defer only the vote, not the
16 whole request? That's what, I mean –

17 CHAIRMAN PALMER: It would be a deferral of the case until the, it would be a
18 complete re-do of the case at our September meeting.

19 MS. CAIRNS: So it'd be, I mean, yeah it has to get reposted and re-everything.

20 CHAIRMAN PALMER: That's right.

21 MS. CAIRNS: Yeah, and I mean, I know we've heard what we've heard, I
22 understand that. But okay, so it's a deferral of –

1 CHAIRMAN PALMER: The thing, the thing that bugs me on these issues when
2 developers do this or people asking for rezonings is that in my opinion the time to do
3 that is prior to coming to the Planning Commission; that if you don't have your ducks in
4 a row before you come in here and you haven't made every effort to get with the
5 community and find out what their concerns are and address those concerns prior to
6 coming into the Planning Commission when you know it's gonna be a contentious issue,
7 that's the problem that I have. And these folks, we have a meeting at 1:00 on a Monday,
8 which I know a lotta people in the community already dislike, and they take off from
9 work, they cancel appointments and they come out here, and then people who are
10 looking to get properties rezoned then come and say, well let's defer and, and it's
11 somewhat of a delay tactic. So, that's the problem I have with it. But it's up to the
12 Planning Commission if, if they'd like to do it. This is a, somewhat of a different case in
13 that Council takes off August and so it wouldn't be heard anyhow. Mr. Bollin, I
14 appreciate it but if we open for one we've gotta reopen for everyone.

15 MR. GILCHRIST: Mr. Chairman, I, I certainly agree with your sentiment there.
16 Often you've heard me say that any time we have developers that are doing
17 development, it just makes sense before you come here that you have a conversation
18 with people in the community. And I don't know how many more times we have to say
19 that with development going on in this county. So I, if we need to make a motion on that,
20 I certainly make a motion that we defer this to allow them to have an opportunity to
21 speak with the community.

22 CHAIRMAN PALMER: We have a motion to defer. Do we have a second? Okay,
23 the motion dies for lack of a second. So I would assume then that the Planning

1 Commission would not want to entertain the motion. Since we don't have a motion to
2 defer and a second, there's no need for anything else. Let's, so what's the thought
3 process? Yes, ma'am?

4 MS. FRIERSON: I have one question of the lady in the lady in the black if I might,
5 for clarification?

6 MS. JOHNSON: Yes, ma'am?

7 MS. FRIERSON: That's right. You mentioned something about – I don't know if
8 you said the school was used for a voting precinct. Did you say that? Do you say it's
9 used for three different precincts?

10 MS. JOHNSON: They have just recently –

11 CHAIRMAN PALMER: Yes, ma'am, if you could come down to the podium for
12 us? Cause we just have to get all this on Record.

13 MS. JOHNSON: I guess that's what I get for being the homeowners' president.
14 Yes, ma'am, we just recently received notice that they had split Oak Pointe into two and
15 then there's another and I can't think of the name of it right now, but there are three
16 separate precincts that are all operating out of Oak Pointe Elementary. So when you go
17 in there are three separate stations and you have to show your card to have them figure
18 out which one you're in.

19 MS. FRIERSON: I understand.

20 MS. JOHNSON: So there's three different ones with 6,000 registered voters.

21 MS. FRIERSON: Okay.

22 MS. JOHNSON: And with all due respect, this has been deferred already –

23 CHAIRMAN PALMER: Yes, ma'am, please –

1 MS. JOHNSON: - so, just for what it's worth. And I do appreciate it.

2 CHAIRMAN PALMER: Yes, ma'am, thank you. Can you give us your name again
3 for the –

4 MS. JOHNSON: Oh, I'm sorry, Leah Johnson.

5 CHAIRMAN PALMER: Okay, that's just for the transcript.

6 MS. JOHNSON: Sure.

7 CHAIRMAN PALMER: Thanks.

8 MS. FRIERSON: Thank you.

9 MS. JOHNSON: Thank you.

10 CHAIRMAN PALMER: Any, any other discussion on the case? Any thoughts,
11 comments? Concerns? Motions?

12 MS. CAIRNS: Well, with the Staff recommendation of disapproval and what
13 we've heard today, I make a motion that we send matter 14-17 MA forward to Council
14 with a recommendation of disapproval.

15 MR. GILCHRIST: I'll second, Mr. Chairman.

16 CHAIRMAN PALMER: We have a motion and multiple seconds. All those – any
17 other discussion? All those in favor of the motion say aye. Any opposed?

18 *[Approved: Cairns, Frierson, Joyner, Palmer, Gilchrist, Theus, Anderson; Absent: Tuttle,*
19 *Brown]*

20 CHAIRMAN PALMER: Okay. Y'all are welcome to stick around for the rest of the
21 meeting if you like. Y'all wanna take a quick break?

22 MR. ANDERSON: Yes, please.

23 CHAIRMAN PALMER: We'll take a quick five minute break.

1 [Recess]

2 CHAIRMAN PALMER: Is everybody ready?

3 MR. GILCHRIST: Yes, sir, let's do it.

4 CHAIRMAN PALMER: Are we ready? Alright, here we go. Next case, Case No.
5 14-18 MA.

6 **CASE NO. 14-18 MA:**

7 MS. HEGLER: Well, Mr. Leger's gone so I will very briefly, probably more briefly
8 introduce this to you. Map Amendment 14-18, it is located at 22 Bluff Road. It's .12
9 acres and they're requesting a rezoning from M1 to GC. Of course that M1 zoning took
10 place in 1977. It's surrounded mostly by all M1 zoning to the north, south, east and
11 west, with most of those being undeveloped parcels. Keep going? This area is
12 designated as urban in the future land use plan of the 2009 Comprehensive Plan. Staff
13 proposed, or Staff felt that this zoning was not in compliance with the urban category of
14 the Comprehensive Plan because the surrounding parcels are zoned industrial with
15 residential and industrial uses in the immediate area. And it's not at an arterial, which is
16 required. And with that I'll –

17 CHAIRMAN PALMER: Okay. Any questions for Staff? Mark Warther? Yes, sir, if
18 you'd like to – you don't have to add anything or you can. You're the Applicant.

19 **TESTIMONY OF MARK WARTHER:**

20 MR. WARTHER: I'm not really used to this process. I got a letter a few days ago
21 and I wrote a little something about the property, and I guess I'll just read that to you
22 real quick. Try to make it really brief. The current zoning, Light Industrial, was originally
23 adopted on September 7, 1977. Before that went in effect, however, this property had a

1 commercial restaurant downstairs with boarding rooms on the second floor for about 25
2 years. And I purchased this, the property from the original owner in 1998. At that time it
3 didn't have windows, the roof was deteriorated, I hauled about four or five 6' dumpsters
4 worth of trash out of the building, and behind the building up along the walls of the
5 building. And I repaired the roof and put new windows in, and I have been renting it out
6 as artist's studios basically, and storage. I moved to California and while I was in
7 California the city gave part of Bluff Road away to the Aspire Apartments, so that street
8 has now been dead-ended. And when I went into the county to talk about the zoning
9 issue, their main problem with rezoning it, they told me I didn't have enough parking. I
10 approached the two property owners on both sides of me and they have, what I
11 consider inflated property values, you know, they told me they wanted \$85,000 for a
12 little lot next door to me. And the lady owns the house next door, she, I had it appraised,
13 she got, I got an appraisal done to try to buy the property next to me and they told me it
14 was worth about \$35,000. I offered her \$45,000, she wants \$85,000 also. So I have
15 tried to get property next to me because of the parking situation, but I, I think that if the,
16 the city blocked the Bluff Road off I think there could be parking put along the road,
17 along the side of the road where they dead-ended it that would add, help with the
18 parking issue. That property's pretty unique. It's got the Incredible Hulk painted on the
19 front of it. I have repainted that side of the building. I feel like what I wanted to do with
20 this property to make it economically feasible for me, right now with the artist's studios it
21 just pays for the, I paid the building off after a 15 year mortgage, but with the insurance
22 and taxes, renting out as artist's studios I don't make very much money. So I wanted to
23 try to put three apartments upstairs, like one bedroom apartments. It has an L shaped

1 floor plan upstairs, so it's basically cut into three pieces. Back to what I've written. In
2 consideration with the adjacent high density housing over three stories tall that was
3 permitted sometime in the past 10 years, I feel justified in requesting that my property at
4 22 Bluff Road be rezoned multi-use. My proposed use of the second floor for three
5 apartments and ground for offices is consistent with the high density use of the
6 properties adjacent to my property which formerly was commercial but was rezoned for
7 high density housing. The newest development in the area is a Huger and Whaley
8 Streets, includes 200 apartments, primarily for students, with retail spaces on the
9 ground floor level. All I'm asking of the county is that the property rezone in a way that is
10 consistent with the way the city is, is rezoning nearby properties. Richland County's
11 Comprehensive Plan designates areas urban in the Beltway Planning Area with the
12 objective of having commercial or office activity at traffic junctions, intersections or
13 arterial roads. The intersection at 22 Bluff Road was altered by the City of Columbia,
14 which gave the road to the Aspire Apartments adjacent to this property, rendering Bluff
15 Road no longer as an arterial road but rather as a residential road. Hence, my proposed
16 residential use of the property is in keeping with Bluff Road's primary residential use
17 and adjacent residential properties. That's about really all I have to say, I just feel like
18 part, the property is kind of unique in a certain sense, but they, you know, they've talked
19 about putting in a Walmart there at the baseball stadium, which is very close to me.
20 Now they're talking about putting Kroger in over there. So there's gonna be, there's
21 gonna be higher traffic usage in that area with those other apartments. I haven't really
22 seen that much planning by the city as far as traffic goes, but I think my three
23 apartments is gonna make a, be negligible in its effect compared to 200 units being put

1 in there and the other development that's going on in that area. So I guess that's all I
2 have to say.

3 CHAIRMAN PALMER: Okay. I appreciate it. I have a question for you real quick,
4 though, Mr. Warther. Where do your clients or customers park at now?

5 MR. WARTHER: They park in front of the building at a, usually at a 45° slant.

6 CHAIRMAN PALMER: So there's no real onsite parking? Does the building take
7 up most of the lot?

8 MR. WARTHER: It takes up quite a bit of it, but if you park at a 45 in the front,
9 it's, there's enough room for parking between the street and the front of the building.
10 And there's a little sidewalk along the front of the building.

11 CHAIRMAN PALMER: Right.

12 MR. WARTHER: But it's tight.

13 CHAIRMAN PALMER: I agree. And there's no off, there's no street parking on
14 this side either I guess? Nothing allocated for it, legally?

15 MR. WARTHER: Just along that one side, the front, that front side. Now I do
16 have some, there is an area behind the building that you could possibly park maybe two
17 or three cars also. But I was thinking, you know, I'd have to deal with the city, but when
18 the city blocked off Bluff Road, they just have a big sign there where it stops and the, it's
19 actually used as an entrance for those Whaley Street Townhouses. Along the right side
20 there there's probably enough room for maybe six or 10 parking spaces. But it's be
21 across the street.

22 CHAIRMAN PALMER: Okay. Thank you. Mr. Price, I've got a quick question for
23 you. Would a change in zoning for this structure, if he wanted to continue, if the owner

1 wanted to continue using it and the apartment idea didn't work, I mean, obviously
2 there's not enough parking to be allocated for apartments. So he'd have to resolve his
3 parking issue, onsite parking some kinda way in order to put apartments on this site,
4 even three of them. If he then wanted to continue his use and go back to his use as
5 studio apartments, if he changed the zoning would – I wouldn't think this currently meets
6 the parking code for the amount of building that's on here.

7 MR. PRICE: No.

8 CHAIRMAN PALMER: And he's able to do that because of, what, some
9 grandfathering or?

10 MR. PRICE: Looks like it's nonconforming, yes.

11 CHAIRMAN PALMER: It's a legal nonconforming. And if he were to go down this
12 path and get it rezoned and then for some reason not be able to get his permits, his
13 CO's for those apartments, he may actually be hurting himself further by not being able
14 to do what he currently does now.

15 MR. PRICE: If he's gonna add additional apartments to, to the structure, then he
16 would have to bring that parking into compliance for those uses.

17 CHAIRMAN PALMER: Okay.

18 MS. CAIRNS: Even though there's no way, it's impossible on that property to
19 bring it into compliance with parking.

20 CHAIRMAN PALMER: Unless he buys other sites.

21 MR. PRICE: Correct.

22 CHAIRMAN PALMER: Right.

23 MS. CAIRNS: But then he would be in front of BOZA asking for a variance.

1 MR. PRICE: Well, actually he could use, whenever the parking cannot be provide
2 don the site, you can use what we call remote parking, which enters you into an
3 agreement with another property owner in which the county actually has, really, control
4 over that, that, those covenants for that property.

5 CHAIRMAN PALMER: Okay.

6 MR. THEUS: Mr. Chairman, the way, I have a question. Under GC zoning
7 apparently it would only allow one apartment unit is the way I read this thing.

8 MS. CAIRNS: Up to 16. Right?

9 MR. THEUS: Well, this is 12/100ths of an acre. It says based upon a gross
10 density calculation, maximum number of units for this site is approximately one dwelling
11 unit. Is that –

12 CHAIRMAN PALMER: Well, if you get 16 units per acre and you got .12 acres.

13 MR. THEUS: It might be closer to two, but it's –

14 MS. CAIRNS: Yeah, it'd be two.

15 MR. PRICE: That's what's in the Staff Report, yes, sir.

16 MR. THEUS: Hum?

17 MR. PRICE: That's also in the Staff Report.

18 MR. THEUS: Yeah, that's –

19 MR. PRICE: So.

20 MR. THEUS: - so I'm not sure rezoning this would accomplish what he, what he
21 wants.

22 CHAIRMAN PALMER: Well, all that aside, those are just questions, I mean, for,
23 for the Applicant to maybe hear those questions, was –

1 MR. PRICE: Correct, I mean, very similar to, I think the first case you had; the
2 rezoning's just a, it's just the start of it. Any other improvements that would be done to
3 the property would also require compliance with our Code. Whether they can be met or
4 not.

5 CHAIRMAN PALMER: Right.

6 MR. THEUS: I also can't get this through my head, we've got 12/10ths of an acre
7 that would go from M1 to – 12/100ths of an acre – can we have, can we rezone, can it
8 stand alone?

9 MS. CAIRNS: It's supposed to be a two acre –

10 MR. PRICE: No, the two acre, the two acre requirement only applies when
11 certain conditions can't be met. Typically if you're abutting an industrial you could go
12 down to a lesser zoning without having the two acre requirement.

13 MR. THEUS: Okay.

14 CHAIRMAN PALMER: Okay. Thank you, Mr. Price.

15 MR. WARTHER: I'm just saying, what I'm – I'm just saying if I had a retail
16 business in the downstairs of that property, which it would be legal now, I could have
17 much more traffic than three, one-bedroom apartments.

18 CHAIRMAN PALMER: Yes, sir, I, I –

19 MR. WARTHER: And much more parking, so.

20 CHAIRMAN PALMER: - I appreciate it but I – if you were to rezone this to
21 General Commercial you could get one, maybe two, and you would have to bring that
22 into current compliance with the current Code for the parking on site. And that's just
23 really for your knowledge, that's the reason I was asking those questions, didn't know if

1 that's, I mean, I understand what could happen but this is what our Code says so I'm
2 not sure you could do what you wanted to do. But that's just really for your knowledge,
3 but –

4 MR. WARTHER: Well, my point of view is it's a historical building and at one time
5 there were 10 rooms upstairs.

6 CHAIRMAN PALMER: Yes, sir, I understand that but there's not 10 rooms now.

7 MR. WARTHER: Well, there are 10 rooms up there still.

8 CHAIRMAN PALMER: But sir, I, I appreciate it and I was trying to help you out a
9 little bit there, but as far as this site being rezoned to General Commercial and, and I
10 appreciate ya but the surrounding area is zoned for M1, those property owners, whether
11 they're large or small, whether they're current residential or not, that area, in my opinion,
12 and, and there's no one signed up to speak on this so I'm just giving my opinion on the
13 case, is that if those property owners who had that, wanted to put some sort of industrial
14 use, they probably would not appreciate the, the residents on those tracts. I understand
15 what the City of Columbia across the street.

16 MR. WARTHER: Well, I've talked to adjacent property owners and I –

17 CHAIRMAN PALMER: Yes, sir, I, I appreciate it, we're just not – I've given you a
18 lotta leeway here, but it's, it's not a discussion back and forth.

19 MR. WARTHER: I know, but I'm just saying I did talk to the –

20 CHAIRMAN PALMER: Yes, sir, I appreciate it.

21 MR. WARTHER: - other property owners –

22 CHAIRMAN PALMER: I appreciate it. Thank you.

23 MR. WARTHER: - and they weren't –

1 CHAIRMAN PALMER: Yes, sir. Thank you. And that's just, you know, when
2 every surrounding property is, is zoned M1, to come in here and put a General
3 Commercial zoning on .12 acres, I think it's gonna cause more problems than it's gonna
4 resolve issues. Is, is my opinion of it.

5 MR. THEUS: So what you're saying is maybe for the property owner.

6 CHAIRMAN PALMER: Right.

7 MR. THEUS: Mainly for the Applicant.

8 CHAIRMAN PALMER: Right. And for the surrounding owners that if they wanted
9 to do something with their sites or whatever, I know that industrial products, while this
10 area probably will not develop out industrially, if the adjacent property is zoned to allow
11 residents it may cause problems for those that have the industrial zoning. But, I, I
12 personally wouldn't see just changing .12 acres to a General Commercial zoning in this
13 area. Because all the retail uses, the majority, not all but the majority of the retail uses
14 that are allowed under General Commercial are allowed under M1. And the thing that
15 would be picked up would be the residential application, so.

16 MR. WARTHER: [Inaudible]

17 CHAIRMAN PALMER: No, sir, I appreciate it.

18 MR. WARTHER: Can I speak?

19 CHAIRMAN PALMER: No, sir. Not with us, we've closed the public input.

20 MR. WARTHER: Well –

21 CHAIRMAN PALMER: Thank you.

22 MR. WARTHER: You know, there's no other –

23 CHAIRMAN PALMER: Yes, sir, thank you. I appreciate it.

1 MR. WARTHER: [Inaudible]

2 CHAIRMAN PALMER: Okay. Any other thoughts from the Planning
3 Commission? Any motions?

4 MR. GILCHRIST: Mr. Chairman, I recommend that we send Case No. 14-18 MA
5 forward to Council with a Staff supported disapproval.

6 MR. ANDERSON: Second.

7 CHAIRMAN PALMER: We have a motion and a second. Any other discussion?
8 All those in favor of the motion please say aye. Any opposed?

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

11 CHAIRMAN PALMER: Okay. Again sir, we're a recommending Body to County
12 Council, they'll hear this case on the 22nd back in these same Chambers. Okay, Text
13 Amendment #1.

14 **TEXT AMENDMENT #1:**

15 MS. HEGLER: Chairman, may I ask a favor and ask that we do the
16 Comprehensive Plan update quickly? We have Staff that need to get on site to their
17 public meetings in a very short –

18 CHAIRMAN PALMER: Sure.

19 MS. HEGLER: - period of time. So just about, you know, 15 minutes or so, we
20 just wanna go over what we plan to do this week with the public. We have the
21 consultants here so I would like to use their, if we could move that up ahead and then
22 get you back on schedule that would be appreciative.

23 MS. LEANN KING: I've got a little technical switching here, it'll take just a minute.

1 MS. HEGLER: Again, you remember Leann King, she's with Clarion Associates.
2 We do have a number of meetings scheduled for this week; one starts tonight in Spring
3 Valley. We have two scheduled for tomorrow evening and two more for Wednesday, so
4 we just wanted to give you a, kind of a flavor of what we're doing with, with citizens, so
5 you feel very involved. And with that I'll hand off.

6 MS. KING: So good afternoon Mr. Chairman and Commissioners, thanks so
7 much for having us here today. I know it's 3:30 so we'll try to move fairly quickly.
8 There's not a whole lot of new information we're presenting today. You might recall at
9 our last meeting last month we presented to you the first draft of the future land use plan
10 and amendments to the priority investment areas, big components of the
11 Comprehensive Plan. We heard from several of you, got some comments back and
12 made revisions. We had a little extra time after our meeting to make comments on
13 those. And now we're taking those as well as the guiding principles we discussed two
14 meetings ago and some draft goals that have been developed based on those guiding
15 principles, and the goals that you have in your current plan today. So basically what I'm
16 gonna talk you through today is what we're gonna be presenting at the community
17 choices meetings that start tonight and run through Wednesday evening. We've got one
18 tonight, two tomorrow evening, and then one Wednesday morning and Wednesday
19 afternoon. So just to give you kind of a refresher, we've got four key places or key
20 points in the process that we're engaging the community, in April we met with and held
21 five public workshops called the Community Conversations to really raise awareness
22 about the project and get initial input. This week we're hosing the Choices workshops,
23 called them Community Choices workshops and we're really focusing again on the

1 future land use map and priority investment areas as well as the guiding principles and
2 goals. And then in September that's when we take a draft plan out for review to the
3 public. And the, the plan is to take it out for formal public hearings in December of this
4 year, and again here we are in July. So what are we gonna accomplish this week?
5 Really three things, we're gonna share what we learned at the last meetings, especially
6 for those that were able to attend. We wanna make sure that they know that they were
7 heard and, and that we got their input, share with them some additional technical
8 analysis we've done since that series of meetings. We're gonna use polling, which
9 hopefully each of you today have a little keypad in front of you, we're just gonna do a
10 little demonstration so you can see how that's gonna run. And that's how we're gonna
11 get input from them on the guiding principles and the goals for the plan. And then we're
12 gonna ask them to give us, we have several maps that will be up at these meetings and
13 we're gonna give them about an hour or so to really kind of look in-depth at the maps
14 and give us comments in various forms; comment forms and we're gonna have Staff
15 there to kind of facilitate dialogue with the people. So just a couple of things we wanted
16 to make sure you saw, community trends and conditions that you hadn't seen before.
17 So one of the things we looked at in comparison to your 2009 plan was population
18 density, so we looked at population density and I, I can't recall the original date but the,
19 when we looked at it for 2012, one thing we know is obviously you've had growth since
20 2009. But what's happened across the county is that population density, when you look
21 at different census tracts across the county, population density has actually decreased
22 across the county, except for in the northeast area where you have a lot of the denser
23 development that's been going in over the last decade or so. So that's an important

1 thing to think about, you're growing but you're actually becoming less dense as growth
2 moves outward. So that kind of characterizes, you know, how growth has been going
3 over the last decade or so. In terms of what your land uses are, we have done some
4 specialized updates to your 2009 existing land use database, looking specifically at the
5 priority investment areas cause those are some key target areas that we wanna make
6 sure we understand what's happening on the ground there. And so what we learned is
7 that looking at that updated land use layer, you know, almost a third of your land is in
8 agricultural use, which is not a surprise.

9 CHAIRMAN PALMER: Real quick, Leann.

10 MS. KING: Yes, sir.

11 CHAIRMAN PALMER: Is that actual use or zoning?

12 MS. KING: This is actual use. This is not zoning. This is existing land use, so this
13 is, again these are, using the 2009 existing land use as a base, we updated the priority
14 investment areas, it was kind of a strategic update to those 13 areas, and so this is what
15 we have, this is the information that we have on existing land use today. So almost 1/3
16 of the county is in agriculture; 18%, it says government there, that's really kind of a
17 public, quasi-public designation, it's basically anything that doesn't pay property taxes
18 so you'll notice Fort Jackson, Congaree State Forest, you would also see churches and
19 other designations on there as well; 17% residential; 16% residential agriculture, and
20 what that is is it's an agricultural use that has a home located on it; and 11% is in some
21 vacant use that's in an active agricultural use; and then less than 5 for commercial,
22 industrial and other related uses. Another interesting thing we looked at, this according
23 to 2010 numbers, looking at commuting in the county, and they'll see this, kind of zoom

1 in on the City of Columbia, but this is for the entire county, that's what these commuting
2 numbers show. So if you look on the left side, the in-commuters, you've actually got,
3 you know, 123,000 as 2010, workers commuting into the county. And then if you look at
4 the folks living in Richland County commuting out to other places, 53,000, so you've got
5 more than double the number of workers commuting in than you have commuting out.
6 And then the number below on that circle, the 96,094, those are folks that live and work
7 in the county. They're not actually commuting outside of the county. So what this tells us
8 is that you've got, you know, you've got more than double of folks commuting in than
9 you've got commuting out. You've got some opportunities for bringing those people in
10 and have them add to the category of live/work in Richland County. That's a potential
11 opportunity area. Looking at, on down the road at 2040 population, we showed you
12 these numbers before but we just wanted to clarify again, this is again something we're
13 gonna be sharing with, at the five community meetings. And this is really important for
14 people to get and this is why we go through these exercises of doing Comp Plans, it's
15 projected that by 2040 the county's gonna have an additional 30 or 90,000 new housing
16 units, not people, but housing units with multiple people living in it, and so where those
17 housing units go that's the critical, one of the critical questions we're asking in this
18 planning process. Now based on residential development trends that we've seen in the
19 data we've been assessing over the last two decades, there's been basically as much
20 multi-family development going on as single-family development. So we imagine that
21 over the course of the next 20 some odd years, you know, you're gonna get, again, a
22 mix of that multi-family in small and large lot single-family development. It's gonna be a
23 mix, it's not just gonna be the single-family that maybe you saw in the, in previous

1 decades. So there are two kind of main components to the workshop after we go
2 through some of this, the data information. We're gonna be asking folks, you know,
3 where and how should we grow and we're gonna be doing it in a couple of different
4 ways. We're gonna be doing, again, keypad polling and then we're gonna be doing
5 some mapping exercises with folks. So the first one is keypad polling and again we're
6 gonna do just a little demonstration with y'all if you wanna actually pick up you keypads
7 we can, we've just got a couple of quick questions here so you can see how this works
8 and – the first few ones are just really a warm up and they're kind of fun. If you've never
9 done keypad polling before, the great thing about it is it's anonymous, it allows
10 everybody to have a voice, they can do it without having to be worried about being
11 judged by anyone else. You respond by pressing the number that corresponds to the
12 answer you wanna choose. Just pick once, the last one you pick is the one that sticks
13 so if you wanna change your mind can do that before I press the button. But the real
14 value of this is everybody gets to see what everybody else thinks. So even though there
15 might be a few vocal people in the room you get to see what everybody thinks, so this
16 gonna be a powerful tool from that standpoint. Alright, so which is your favorite college
17 football team? Again, this is a warmup question. And you may have one, you know,
18 you've got A through H there are your options, H being other if you're not a fan of one of
19 these. I like the other kind of football for those that are more interested in soccer as we
20 like to call it. I'll just give you another minute or so. Has everybody done it? Okay.

21 CHAIRMAN PALMER: You can't phone a friend either, can you?

22 MS. CAIRNS: No Clemson?

1 MS. KING: So 40% for other; 40% Gamecocks; 20% Bulldogs, okay. What
2 musical artist would best represent you? And you see the options here. Again, this is
3 just kind of fun, get people, make sure they understand how the technology works?

4 MR. ANDERSON: Don't judge me.

5 MS. KING: We won't know, we can't judge you, we don't know what you picked.

6 [Inaudible discussion]

7 MS. KING: Yeah, we didn't offer another here, this is a fun question so you have
8 to pick the one that does fit you. Yeah. I'll give you 10 more seconds. Okay. Let's see,
9 so we got Frank Sinatra, sorry the little lines there don't mix, but that's kinda, that's nice
10 we got some elegant and sophisticated people here. Okay, so we're gonna ask people
11 at these meetings where they live so we can get a sense of who all are coming to the
12 meetings, cause some people might come to one that's in their planning area because
13 it's more convenient, some people might go to a different one because the timing is
14 better for them. So at least get somewhat of a sense. So for those of you – I think I've
15 got – I don't think I've got a laser pointer here. You all are fairly well familiar with the, the
16 geography here. The Beltway basically surrounded by 26 and 77, 77 running up through
17 the northeast in the big red part of this section – oh, thank you, that's what I need.
18 There's Fort Jackson, there's 77, 26, 20, so, and then 77 running around on the other
19 side of the Beltway.

20 MS. CAIRNS: But how do we convert the colors into the letters?

21 MS. KING: So, so here's where you want – and we ask the question, so where
22 do you live in Richland County? And you get to pick which of those areas you live in.

23 MS. CAIRNS: I don't know where I live.

1 MS. KING: And you can pick I don't – not sure is an option for those that just –
2 [Inaudible discussion]

3 MS. KING: Do you know your planning area? Most people probably don't know
4 their planning area.

5 CHAIRMAN PALMER: Somebody's gonna rat themselves out and be like, I don't
6 live in the county.

7 MS. KING: Okay, so most of you are, are in the Beltway area, a few of you are in
8 the –

9 MS. CAIRNS: Oh, that's interesting, we only represent two areas?

10 MS. KING: So how would you characterize Richland County today? And we
11 wanna ask this question, not that it's some, you know, earth shattering question, but
12 we're kind of interested in hearing about people's perceptions of Richland County and
13 how they see it and how that might differ in different parts of the community. Is it
14 primarily rural, primarily suburban, a blend of those, or is it really a mix of urban,
15 suburban, rural; something else; or, you're not sure. Like what do you, how would you
16 characterize Richland County if you were telling a friend or family member that lived
17 elsewhere? Okay, so it's C and D, looks like D gets it, a mix of urban, suburban and
18 rural. So something to think about in thinking about the county's, you know, uniquely
19 urban/uniquely rural, the piece missing there is that suburban piece. So again, the, the
20 next piece of this is really understanding the guiding principles and that's kinda the real
21 point of this polling exercise as well as the goals. You know, the guiding principles are
22 intended to be really, really high level principles that are gonna guide the county in
23 terms of, you know, the direction it wants to head, irrespective of any changes to goals,

1 strategies and management, these are, these are general principles that the county
2 wants to achieve. And those help us in terms of how we are going to complete this
3 planning process and really articulate the planning mission for the county at a very high
4 level. So we've gone through these a couple of times in previous meetings. This is just
5 an example, again, you know, how strongly do you support this draft guiding principle
6 that Richland County will balance land planning and development goals with private
7 property rights? And so people can respond to the extent that they support or oppose
8 that option.

9 MS. CAIRNS: [Inaudible] it be that Richland County should?

10 MS. KING: Will, yes, that Richland County will balance land planning and
11 development goals with property rights.

12 MS. CAIRNS: But no, I mean, my question is, so you're asking whether we
13 support or don't support that concept.

14 MS. KING: Correct.

15 MS. CAIRNS: So it's that Richland County should balance as opposed to will
16 balance, cause I mean, what we do could be very different than what we offer we
17 should be doing.

18 MS. KING: Right, and so the way this is written is more from kind of a future
19 perspective I guess that, you know, in thinking about how we wanna be guided into the
20 future, that the county's gonna balance, will balance –

21 MS. CAIRNS: I mean, I just have a time, you know, but when I see that Richland
22 County will balance, do I strongly support? So in other words am I saying that they will

1 be successful in – I mean, I know I’m being the attorney and I’m sorry about that, but I
2 can’t even figure out how to answer that question.

3 CHAIRMAN PALMER: I see what she’s saying.

4 MS. CAIRNS: It doesn’t make sense because am I – cause to me the question
5 should be, should Richland County balance development goals and private property
6 rights? I may strongly oppose because I may feel that private property rights should be
7 paramount, they shouldn’t in balance. But to say they will balance, well that – it just
8 doesn’t work in my head. I don’t even know how to answer that because it’s like, will
9 they balance it? I don’t know. It doesn’t matter what the plan says either.

10 MS. KING: Well, think of this as an end result –

11 MS. CAIRNS: But I can’t.

12 MS. KING: - that you want this to be the end result.

13 MS. CAIRNS: Cause what Richland County does may have nothing to do with
14 what the plan says.

15 MS. KING: This is a vision guiding document –

16 MS. CAIRNS: [Inaudible]

17 MS. KING: - this is a vision guiding document, we’re really like –

18 MS. CAIRNS: I mean, the only way I could answer that question would be to
19 change will to should.

20 MS. KING: Sure. Okay.

21 MS. CAIRNS: I mean, if the word says should I can, I can venture answer. But
22 whether it will or not –

23 MS. FRIERSON: I propose that we pretend as if it said should.

1 MS. KING: Let's pretend it says should.

2 MS. CAIRNS: I mean, that's the only way I can answer it. I'm sorry.

3 CHAIRMAN PALMER: So you, but, but you would not, in this case then you
4 would answer this, I strongly oppose because you do not think this should be –

5 MS. CAIRNS: Oh, I don't – I'm not, I'm not gonna answer.

6 CHAIRMAN PALMER: - no, no, no, I'm not saying – no, no, no, I'm saying, but –
7 I understand what you're saying exactly, should this be a guiding principle that we have
8 that we vote on as a guiding principle? I guess what you're saying, I understand it's got
9 validity that this should not be a printed guided principle of the county because you don't
10 agree with the statement.

11 MS. CAIRNS: No, no, it's just the word will.

12 CHAIRMAN PALMER: Wait, wait, wait, but you don't agree with the – and I under
13 – I'm not –

14 MS. CAIRNS: I'm not saying I agree or disagree –

15 CHAIRMAN PALMER: No, no, no, no, I'm not saying –

16 MS. CAIRNS: - what I'm saying, I can't even figure out how to answer the
17 question.

18 CHAIRMAN PALMER: What I'm saying is I don't, I'm not saying you agree or
19 disagree with what it implies. What I'm saying is you disagree with the wording of it, so
20 this should not be the wording of the principle.

21 MS. CAIRNS: It's just the word will.

22 CHAIRMAN PALMER: I know! That's what I'm saying. So I agree with you.

1 MS. CAIRNS: No, the question is, should a guiding principle of Richland County
2 be to balance these two things, or –

3 CHAIRMAN PALMER: No, no, no, no –

4 MS. CAIRNS: - should we say that private property rights are strong – cause to
5 me that's the, that's the reverse of this. You have the choice of, should land planning
6 and development goals be more important than property rights, should it be equal to
7 private property rights, or should private property rights be the dominate factor? To me,
8 that's what that question's trying to ask.

9 CHAIRMAN PALMER: Right, but what I'm saying is, that actual verbiage, do you
10 think that verbiage, word for word, should be in the guiding, should be a guiding
11 principle –

12 MS. CAIRNS: Oh, I don't know.

13 CHAIRMAN PALMER: - for the county? I don't think it should because I agree
14 with what you're saying. My answer is I strongly disagree because it should be the word
15 should in there, it shouldn't be the word will. That's why I strongly dis – I don't agree
16 with, I don't disagree that they should be in balance or whatever. What I disagree with is
17 the wording.

18 [Inaudible discussion]

19 MS. HEGLER: Alright, so it says should, let's vote –

20 [Inaudible discussion]

21 CHAIRMAN PALMER: Listen, we are having fun but this goes to, this goes to the
22 overall, this goes to the overall what they're putting in the document and I think that at
23 some point we're gonna have to discuss these things like this.

1 MS. CAIRNS: Well yeah, because that's, that's the final answer. Yeah, I see
2 what you're saying is, you're saying in that, in that statement it's been decided –

3 CHAIRMAN PALMER: Right.

4 MS. CAIRNS: - that we should balance it.

5 CHAIRMAN PALMER: Right

6 MS. CAIRNS: So are you saying that you agree that that's the decision that's
7 been made. You're right, that isn't to find, it's already, the decision's already been
8 made.

9 MS. HEGLER: It, it has, we presented these to you a couple months ago.

10 MS. CAIRNS: Okay.

11 MS. HEGLER: As guiding principles.

12 MS. CAIRNS: Don't give me the deer in the headlights –

13 CHAIRMAN PALMER: No, no, no, no, Tracy, Tracy, Tracy –

14 MS. HEGLER: It may not have said will, correct. What we did is we took what we
15 presented to you as things we heard from the original meeting, and, and gave them to
16 you and then asked do you agree, and we got yes's, do you agree, yes.

17 MS. CAIRNS: Okay.

18 MS. HEGLER: So what we did with that – hear me out – is that turn into
19 something that is actually a vision statement. I mean, if you had a corporation and you
20 were trying to create –

21 MS. CAIRNS: Okay, so it's on the top –

22 MS. HEGLER: - a statement for you will be or you will do. You know, we can
23 certainly change that but this is simply a vision statement.

1 MS. CAIRNS: Okay, well let me offer you one other thing. This is, I actually didn't
2 see the little lettering at the top.

3 CHAIRMAN PALMER: That's what I was talking about, Heather.

4 MS. CAIRNS: I didn't see that.

5 CHAIRMAN PALMER: Yeah, yeah. So –

6 MS. CAIRNS: So we have decided that we're gonna balance, okay. So now the
7 question is, how strongly do you support this principle? So it's still a graphics problem, I
8 never even saw the lettering at the top.

9 MS. KING: Okay, so you thought I was asking you to read a crystal ball and say,
10 will or will it not do this.

11 [Frierson out at 3:48pm]

12 MS. CAIRNS: Right.

13 MS. KING: Okay.

14 MS. CAIRNS: Exactly.

15 MS. KING: Gotcha.

16 MS. CAIRNS: So, I'm sorry, I'm blind. I am, I'm actually getting my eyes worked
17 on again later this month.

18 MS. KING: Okay.

19 MS. HEGLER: And these don't even create – many, many counties and
20 municipalities would use this simply as like the front page of their Comp Plan that says,
21 we strongly believe in the following principles.

22 MS. CAIRNS: We are warm and fuzzy.

1 MS. HEGLER: Right, but I mean, that's what they say, and that builds what the
2 Comprehensive Plan says, which are actual measurable goals and strategies which will
3 follow this. This isn't actually the Comp Plan piece, but it helps us know what to write as
4 goals and strategies depending on what we hear back on this.

5 MS. CAIRNS: Well, I can retract almost everything cause I honestly did not see
6 that. So now I know what I'm answering.

7 MS. KING: Okay. That makes sense.

8 MS. CAIRNS: Yeah.

9 MS. HEGLER: These just help guide us in terms of what we say.

10 MS. KING: Well, and we're testing this out on you, so we'll, I'll make sure when
11 we're doing this at the workshop that they see that top line.

12 MS. CAIRNS: I, I truly did not see it, so that's why I sounded like an idiot. I come
13 by it natural.

14 MS. KING: It was helpful that you interpreted that way, cause most people are
15 probably not gonna speak up and say that.

16 MS. CAIRNS: I think the yellow just jumps at you and you don't go above the
17 dominant thing on a page.

18 MS. KING: Yep. Yeah. Yeah.

19 CHAIRMAN PALMER: Are we supposed to vote?

20 MS. KING: Yeah, so let's – do you wanna take a second to vote? Alright.

21 MS. CAIRNS: Oh, I never voted. Isn't that funny, I was too slow.

22 [Inaudible discussion]

1 MS. KING: And the same here, how strongly do you support this draft guiding
2 principle to support the Midlands Regional Vision for Multi-Nodal Growth within the
3 county. And one thing that I wanna say is that there are probably gonna be a lotta
4 people coming to these meetings that are gonna say, the Midlands Regional Vision for
5 Multi-Nodal Growth, what are you talking about? And it gives us an opportunity to
6 introduce the ULI reality check, give them, you know, give them information about the
7 web site. We give them the I don't know option so they can be honest that they're not
8 that they don't know, they've never heard of this before. But it's an opportunity to
9 educate folks about what, what we do here also is, occurs within the context of the
10 larger Midlands region. So what have we got? Got a mix. I assume y'all are actually
11 entering the choice you strongly support, not just testing if different things work.

12 [Laughter]

13 MS. HEGLER: Yeah, we need to know if the numbers are –

14 [Inaudible discussion]

15 CHAIRMAN PALMER: I'm trying to pick the one nobody else will pick.

16 MS. KING: Yeah, exactly. That's what I thought.

17 MS. HEGLER: And [inaudible] do that too.

18 MS. KING: So, and then, okay so the distinction between guiding principles and
19 goals, like Tracy was saying before, guiding principles are really kind of like, you know,
20 50,000', you know, this is kind of our mission statement, our vision for the community,
21 the goals are really what they said are achievable actions. They are kind of measurable
22 goals that the plan wants to achieve, so they're much specific in nature in the way that
23 you can measure progress on the plan over time. So we've just got a couple – and

1 again, these goals were developed based on the goals you have in your current plan
2 and kind of a blending of that with the guiding principles that we've discussed with you
3 over the last couple of meetings. So we don't have them all here but we've got an
4 example of a couple of them. So how strongly do you support this draft goal to address
5 challenges to redevelopment efforts in urban and suburban communities? Do you
6 strongly support, on down to oppose or don't know. To – how do, how strongly do you
7 support the draft goal to address challenges to redevelopment efforts in urban and
8 suburban communities?

9 MS. CAIRNS: Can we use the prior case as an example of the challenges of
10 redevelopment? That case that we just had in front of us, is that not a challenge in
11 redevelopment? I mean, it's kneecappingly difficult.

12 CHAIRMAN PALMER: I like that term.

13 MS. HEGLER: That was a good one.

14 MS. KING: Kneecapping?

15 CHAIRMAN PALMER: Kneecappingly difficult.

16 MS. CAIRNS: What do you do? What, cause he's got a, he's got a parcel that's
17 basically developed as if it's in a central business district. Where you go edge to edge
18 with your building.

19 MS. HEGLER: With rules that are applicable to mostly suburban growth.

20 MS. CAIRNS: Right.

21 CHAIRMAN PALMER: Right. But he's got to have enough parking on site.

22 MS. CAIRNS: He's got no – yeah, his parking is in the right-of-way.

23 CHAIRMAN PALMER: Yeah.

1 MS. KING: Yeah, and you're limited on what you can do other than just educate
2 them about what his options are.

3 MS. CAIRNS: They're nothing.

4 MS. KING: Yeah.

5 MS. CAIRNS: Yeah, we need something to – how do we help that?

6 CHAIRMAN PALMER: Give them an annexation application?

7 MS. CAIRNS: Do we give them some gasoline and –

8 MS. HEGLER: Code updates is one way to do it.

9 MS. CAIRNS: Yeah, but I mean, we just, I mean, I get so frustrated so many
10 times with some of these existing structure problems.

11 MS. KING: So can't answer that one right now, but –

12 MS. CAIRNS: Oh, come on! [Laughter] It's easy.

13 MS. KING: But yeah, hopefully, I mean, through this process Code updates are
14 gonna be, you know, probably a priority of what would come out of this to address
15 things exactly like that. You know, in the public meetings that we've held, the last round,
16 redevelopment was strongly supported and people wanted to see, you know, wanted to
17 see that happen, so there might need to be new tools brought to bear to do that. And
18 another, I think we've got two more examples of draft goals, how strongly do you
19 support this draft goal to increase the number of successful urban/suburban infill
20 development projects? So looking at, you know, opportunities to maximize your, the
21 existing resources and infrastructure that you have available.

22 MS. CAIRNS: The use of the word successful. We always want to support
23 successful things.

1 CHAIRMAN PALMER: I know.

2 MS. CAIRNS: But do we want to just support – no, I wanna support really bad
3 ones.

4 [Inaudible discussion]

5 MS. KING: Well, and this one of those cases where it's like, you know, you can
6 measure how many projects were developed in infill sites, that kind of thing.

7 MS. CAIRNS: [Inaudible] successes?

8 MS. KING: Yeah, as opposed to just supporting, so. So let's see, yes good
9 support. And the last one we've got, how strongly do you support the draft goal for new
10 suburban residential developments to include a mix of housing types in neighborhood
11 scale, commercial and recreational amenities? So, you know, are people interested in
12 seeing more mixed use development with the neighborhood scale?

13 CHAIRMAN PALMER: I'd like to get all the information in first.

14 MS. CAIRNS: Read the whole slide?

15 MS. KING: Yeah, take a minute to read.

16 [Inaudible discussion]

17 MS. KING: So there's a little opposition to that. Okay.

18 MS. CAIRNS: You need better colors, the brown one doesn't really pop. Or olive,
19 whatever it is.

20 MS. KING: Yeah. Okay, so then what we're gonna do, so we're gonna go
21 through again all of the guiding principles, all of the goals and we'll get that feedback
22 from them. We're also gonna have a station where people can come up afterwards and
23 look at them in print and if they wanna little more time to digest and give some more

1 detailed comment about it, we'll have an opportunity for them to do that. Then what
2 we're gonna do is take a closer look, and that's where we have the mapping exercise.
3 We'll have the future land use map in its current form. This changed slightly since you
4 saw it at the last meeting, I can't remember the date of like June 3rd I think it was,
5 something like that. The couple of adjustments that we made to the map, let me make
6 sure I can remember all of them. We changed this area up here to the suburban
7 neighborhood, low density, and I believe before it was this green rural category. We
8 also extended the economic development corridor all the way up to the edge of the
9 county boundary. And I think we also added this commercial corridor, there it is.

10 MS. CAIRNS: Killian.

11 MS. KING: Yeah.

12 CHAIRMAN PALMER: You think you should put, extend the Beltway to include
13 the area in yellow that's suburban up there, up to the I-77/I-20 interchange? Down?

14 MS. KING: So you're – sorry, I missed that again. Can you describe –

15 CHAIRMAN PALMER: The Beltway?

16 MS. KING: Um-hum (affirmative).

17 CHAIRMAN PALMER: To include the I-77, that – yeah, right there.

18 MS. KING: Um-hum (affirmative).

19 CHAIRMAN PALMER: To the right. Okay. I mean, is that more of a – what is the
20 brown?

21 [Inaudible discussion]

22 MS. KING: - high density.

23 MS. CAIRNS: What's the red?

1 MS. KING: The red is suburban commercial corridor/center.

2 MS. CAIRNS: So can you answer his question and then I'll go?

3 MS. KING: I'm sorry, I didn't quite capture your question. I was more focused on
4 getting the geography right.

5 CHAIRMAN PALMER: Yeah, just that area that's in the Beltway up there, right
6 there where you're at, it's measured as suburban. Just was thinking it should be a
7 higher density area than –

8 MS. KING: Than suburban mixed use?

9 CHAIRMAN PALMER: Yeah.

10 MS. KING: Okay. We've got the, we have the, the next higher up is the urban
11 core, which is really kind of the, the core area in Columbia. So right now the suburban
12 mixed use high density category is the, the highest category that we have. But your
13 suggestion is that maybe we need one that kind of jumps beyond that?

14 CHAIRMAN PALMER: No, if you take a look at –

15 MS. HEGLER: [Inaudible]

16 CHAIRMAN PALMER: Yeah, Tracy's got it.

17 MS. KING: Tracy? Okay, I'm not getting it. I apologize.

18 MS. CAIRNS: I have a question about the Garners Ferry corridor. Like, I, I can
19 see the Two Notch Road corridor and I can see the Garners Ferry corridor. Why is
20 Garners, to me what I see there is that Garners Ferry just looks to be Two Notch on
21 steroids, but why is the red so thick?

22 MS. KING: Right in here?

23 MS. CAIRNS: Yeah. I mean, why is that, like this massive –

1 CHAIRMAN PALMER: It's probably Garners Ferry to Bluff.

2 MS. CAIRNS: Well, but – it's so huge, the thickness. I mean, like Two Notch isn't
3 enough, we gotta do, like Two Notch, like three parallel Two Notch's together before
4 we'll be happy with Garners Ferry?

5 CHAIRMAN PALMER: Why does everybody use Two Notch as a derogatory
6 term?

7 MS. KING: The intent behind the suburban commercial corridor, and the reason it
8 says corridor/center, is that a lot of these areas are existing commercial corridors. You
9 know, they're strip commercial. And the intent is that, you know, over time some of this
10 might actually be created more as center type development. That's, you know, as it's
11 drafted right now the intent of that, so you know, a lot of this – and I'll be honest, I don't
12 recall, it's been a while since I've looked at this section of the map in terms of the
13 existing land use, but I, I know when we were drafting this we were looking at what was
14 on the ground today, trying to pick up –

15 MS. CAIRNS: We, I mean, Garners Ferry is on its way to becoming Two Notch.
16 It's not there yet, but I mean, I just don't understand why it's so fat and, I mean, that's
17 my street. I mean, I drive out Garners Ferry when I head to the beach and –

18 CHAIRMAN PALMER: And I assume you mean that in a positive way.

19 MS. CAIRNS: No, but I mean, I'll have to find a new way to the beach. I mean, I,
20 you know, I don't go east of the, 77 very often. I'm an in-city kid, I know that. But I'm just
21 looking, that horrifies me.

22 MS. HEGLER: I think those are comments we'll likely hear from the public, too.
23 So we, I mean, we just need to –

1 MS. CAIRNS: It's just, I just, you know, graphically it's like why isn't it a skinny
2 little red corridor, why is it -

3 MS. HEGLER: I think part of it's picking up on the expected growth, too, from the
4 Shop Road extension, which actually will come right up to the middle of that.

5 CHAIRMAN PALMER: And I think we'll, we'll get a -

6 MS. HEGLER: Doesn't mean that's what we wanna encourage.

7 MS. CAIRNS: I'll go out Leesburg and then drop south on 601 or something.

8 MS. HEGLER: But that's specifically a policy recommendation y'all need to make
9 if that's not what you want to encourage. Then that's what we need -

10 MS. CAIRNS: I just, graphically it just horrifies me when I see this huge -

11 MS. HEGLER: I mean, it's more than graphic, I mean, that's what it is, so.

12 CHAIRMAN PALMER: But, but to your point, to your earlier question though,
13 Tracy, we're not making any decisions on anything at this point. At this point it's been
14 informational for us and we'll make a decision once it's presented to us.

15 MS. HEGLER: Right. Yeah, we put pen to paper with the input that we've gotten
16 so far, but by all means these lines can and probably should change.

17 CHAIRMAN PALMER: Right.

18 MS. CAIRNS: Oh, sure, sure.

19 CHAIRMAN PALMER: Right, so we'll take a look at this map later on in further
20 detail and maybe shift those lines around this way or that.

21 MS. HEGLER: Right, and I, I - you've taken a look at it once. So it's already had
22 some iteration of problems, so we'll continue to - changes.

23 MS. CAIRNS: Way too detailed for today's discussion, but I just -

1 MS. HEGLER: Definitely.

2 MS. CAIRNS: - once again, I go, ooh there's that big black marker out my road.

3 MS. HEGLER: After we go through this public set of meetings, we'll send you
4 another one to, I mean, you just have to spend time looking at it. It's this massive county
5 with a lotta lines.

6 MS. CAIRNS: Are you, do you have more to go?

7 MS. KING: Just real quick, these are just a couple of other things that we'll have
8 up. So we're gonna have, along with the board with the county map, we're gonna have
9 one that's focused on each of the planning areas, so again the five workshops are held
10 in each of the five planning areas. So we're gonna have a blow up of that planning area
11 so that people can see what the future land use recommendations are in this working
12 draft for that area. Also on here are the priority investment areas. We've got both their
13 current adopted priority investment areas and then laid on top of that the adjusted ones.
14 All of the adjusted ones are either the same size or a reduced size. So that'll be on the
15 map as well. And so we're gonna have another board that'll have a brief description of
16 each of these future land use categories and the priority investment areas and what the
17 recommendation is so people can get an understanding. And again, there'll be Staff
18 there to answer questions. We're also gonna have a comment form that they can draw
19 on maps themselves and get, you know, get input that way. So just, this is the last slide
20 for tonight, and the next few meetings and also for you just a reminder that with the next
21 series of workshops that we'll have are gonna be September 8 through 10. And
22 LaToya's probably already left, hasn't she? I didn't know if there were any questions
23 about public outreach for this meeting, but there's been even more done for this series

1 of meetings that we've got going on this week. We took a lot of the input that you all
2 gave us and others gave us and actually several of you did a lot of work getting the
3 word out on this so we really appreciate that and hope that our numbers are gonna
4 increase as a result.

5 CHAIRMAN PALMER: Well, we all got an email, actually that I just got today
6 from –

7 MS. CAIRNS: Yeah, I got one.

8 CHAIRMAN PALMER: - about the workshop.

9 MS. CAIRNS: I wanna ask, I mean, one question specific to what you said and
10 one question just to sort of throw a bug out there. I think it was early on in your
11 presentation, you offered that in the county we've actually had a decrease in the
12 densities –

13 MS. KING: Um-hum (affirmative).

14 MS. CAIRNS: - since 2009.

15 MS. KING: Except for the northeast area.

16 MS. CAIRNS: Is, but is that good or bad?

17 MS. KING: Well, I don't think that, that's not for me to set value to, that's for sure
18 but that's, you know, an important piece of information into taking –

19 MS. CAIRNS: I mean, is that consistent with our goals? I mean, that's, I mean,
20 I'm just curious, you know, because I could argue it either way and I think a lotta people
21 could. But I mean, I think that we need to have a reaction to that, whether that's been
22 good or bad. Like have we done good that we've had that happen or have we done bad
23 that we've had that happen?

1 MS. KING: Well, it –

2 MS. CAIRNS: But just to offer, but just to toss it out there and say, hey this
3 happened.

4 MS. KING: - well I think that the, I guess the response I would have is I wouldn't
5 necessarily use the term good or bad. What I would say is that we know this information
6 is out there, we know that there has been a decrease in population density. We also
7 know we're hearing from people that they want to see more redevelopment and infill
8 development. And so that's kind of the reaction that we're, the public sentiment that
9 we're hearing is that I don't think they're necessarily thinking of it in terms of we want to
10 be more dense but that we wanna take advantage of what we already have and
11 improve on what we already have is what we're hearing. So I guess that would be my
12 reaction.

13 MS. CAIRNS: But is it – it's just sort of a powerful statement when it's not offered
14 by any quantitative reaction, it just sort of – cause people in the audience, some will
15 take it as very good and some will take it as very bad.

16 MS. KING: Um-hum (affirmative).

17 MS. HEGLER: Do we have a goal question that relates to density? A couple of
18 them are kind of related to that. We didn't give you all of them, so –

19 MS. CAIRNS: Yeah, but I, I mean, it's just –

20 MS. KING: Yeah.

21 MS. HEGLER: Well, that's, I think that would be for the, that's the feedback we
22 wanna gain, do you wanna continue in this pattern?

23 MS. KING: Right.

1 MS. HEGLER: Or do you wanna change that? And so questions like, do you
2 want more mixed use, there's probably one that is related to density. So those goals, if
3 they are supported well by the community and then supported by y'all and ultimately
4 Council, then our goals, things like our Code and our zonings have to do that.

5 MS. CAIRNS: Well, and it almost seems, it almost seems to me that, that – and I
6 don't know if this is quantifiable but it's not necessarily this gross density concept, but
7 where do we have dense development. Because you could take a dense development
8 and throw it out in the hither lands and maybe end up with less density, even though
9 you've created this dense pocket.

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

11 MS. CAIRNS: That, you know, I, I personally don't like these little dense pockets
12 out in the middle of nowhere. I think that's bad planning, you know, or bad result
13 whether it was planning or not. But the other thing just to sort of throw a bug out and
14 stuff is that I would be thrilled if somehow we avoid having a plan at the end of this,
15 cause it seems to me like the question we had about the riverfront development, okay
16 you know, the, the plan says we should have 500 units on that and even in the Staff
17 Report it says, you know, this is too dense even though our Comp Plan says it should
18 be even denser. You know, how do we avoid having a Comp Plan that says we should
19 be doing density everywhere when clearly if you look at it it's like no, no, no, we
20 shouldn't do density here. You know what I'm saying? Like, we've had times not so
21 much recently but going back maybe two months ago, we have map amendments come
22 in front of us that the Staff would be saying disapproval because they weren't asking for
23 enough density. And the reality was it was fine what they were asking for, or maybe it

1 should've even stayed less dense based on the overall area. You see what I'm saying?
2 Like this plan we work under now just says everything should be suburban so
3 everything should be ¼ acre lots. And how –

4 MS. HEGLER: But, I mean, that's precisely what we're attempting to –

5 MS. CAIRNS: No, but that's what I'm saying –

6 MS. HEGLER: - overcome.

7 MS. CAIRNS: - I really hope that we figure out, cause I mean, on the new one
8 when it says Rural, what does that mean for density, is it ¾ acre lots?

9 CHAIRMAN PALMER: Well, I think we just need to –

10 MS. HEGLER: That's the detail that comes later.

11 CHAIRMAN PALMER: - all put some thoughts into –

12 MS. CAIRNS: I know, I'm just –

13 CHAIRMAN PALMER: - into, yeah, yeah – no, it's good.

14 MS. CAIRNS: - that's what I was tossing out saying, I hope.

15 CHAIRMAN PALMER: Yeah, yeah.

16 MS. CAIRNS: I hope to hope that we don't get caught where we are now with the
17 same, well the Comp Plan calls for this but we really don't think that's right.

18 MS. KING: Well, and you're not, I mean, you have discretion cause –

19 MS. CAIRNS: Oh, sure.

20 MS. KING: - the Comprehensive Plan can never get to the level of site analysis
21 that you get into in a rezoning. So there are always gonna be situations where the
22 Comp Plan may not accurately depict the best opportunity for a site, but you do the best
23 –

1 MS. CAIRNS: Okay, sort of common –

2 MS. KING: - yeah.

3 MS. CAIRNS: It's been a common phenomenon [inaudible].

4 MS. KING: Right. But you wanna improve, you wanna make the precision as
5 better, you know, as better as you can, so.

6 MS. CAIRNS: I'll stop.

7 MS. KING: So.

8 CHAIRMAN PALMER: Alright.

9 MS. KING: Thank you very much.

10 CHAIRMAN PALMER: We appreciate it, thanks.

11 MS. CAIRNS: Thank you.

12 MR. GILCHRIST: Thank you.

13 CHAIRMAN PALMER: Alright, we gotta go back to the Text Amendment?

14 **TEXT AMENDMENT #1:**

15 MS. HEGLER: Yeah, if you recall the second one was deferred. The first one, we
16 brought this to you last month and it seemed kind of unclear because it wasn't with the
17 entire section of that Code so I think you had that in your packet, the entire Code itself
18 just so you can see built into it what we were proposing, it wasn't just picked apart as an
19 ordinance. Again, the idea here is that as uses change we just wanted, you know,
20 guidance on, on the buffering that should potentially exist where it doesn't now. It's not
21 a, it's not a pressing, urgent matter it's just something Staff saw as a, as a potential
22 problem. That was in your packet, right, the total –

23 MS. CAIRNS: Yeah.

1 MS. HELGER: It's hard to see sometimes what's actually changing, what's not,
2 when we just pull apart and give you the three pages out of a 20 page ordinance. But
3 the idea behind the buffering section that I think was unclear last month I think really are
4 these tables which tells us how to calculate when a buffer would be required based on
5 their impact. And what those buffers would be.

6 MR. THEUS: I think we got hung up on on what a change in use was, right?

7 CHAIRMAN PALMER: Yes.

8 MS. HEGLER: Right. Right. So, you know, what we were – a lotta the situations
9 that you described last month very likely would not trigger the impact cause it would
10 probably be a medium impact against another medium impact. So you can see an area
11 on the matrix that it probably wouldn't trigger it. It's the, it's the more substantial change
12 in use that we were attempting [inaudible].

13 MR. THEUS: Where's the matrix you're referring to?

14 MS. HEGLER: Page 9.

15 MS. CAIRNS: Page 9.

16 MS. HEGLER: Well, it's a table, buffer, transition yard types.

17 CHAIRMAN PALMER: Can a resident pave as much of their lot as they want to?

18 MS. HEGLER: Can they pave as much of their lot as they want to?

19 CHAIRMAN PALMER: Can they have a concrete yard?

20 MS. HEGLER: Like single resident –

21 CHAIRMAN PALMER: Yeah.

22 MS. HEGLER: - not in a neighborhood?

23 CHAIRMAN PALMER: Like my house.

1 MS. HEGLER: Cause they're not checked by, I mean, I think storm water would
2 trigger it in most places. I am concerned about that, but – yeah, do we have [inaudible]
3 still?

4 MS. CAIRNS: So we have no landscaping requirements for single-family homes?
5 I love it.

6 MS. HEGLER: I know we had a case not too long ago come in that it was just a
7 standalone lot, they, they covered pretty much the entire site. But we also had that
8 commercial one where they couldn't. That was based on the plan, they could've but
9 they had given us plans where they hadn't and so they had violated the plans. I think
10 they could. You can't build within the setbacks [inaudible] the building.

11 MS. CAIRNS: No, you don't.

12 MS. HEGLER: Hmm?

13 MS. CAIRNS: Typically paving's not building cause it's flat. But can a single-
14 family home? You can put your driveway along the side of the property line. Go all the
15 way around, yeah.

16 CHAIRMAN PALMER: No, my thought process was that if somebody wanted to
17 concrete their house they could but if somebody wanted to operate a CPA they couldn't.
18 In order to be a CPA and a –

19 MS. CAIRNS: If I paved every inch of my property and then I go to put an office
20 into it –

21 CHAIRMAN PALMER: Then you're fine.

22 MS. CAIRNS: - I have to chop it up. Chop up the concrete.

23 CHAIRMAN PALMER: No, you gotta –

1 MS. CAIRNS: I'm changing the use. I take my single-family home and I pave all
2 the way to the property line. And then in two years I decide to pull a business permit to
3 put a law office in it, and zoning allows, you know, that, let's assume.

4 CHAIRMAN PALMER: Yeah, if you change the use you have to then landscape
5 the yard.

6 MS. CAIRNS: Dig out the concrete.

7 MS. HEGLER: And you have to take it out.

8 CHAIRMAN PALMER Yeah.

9 MS. CAIRNS: Drill holes in it.

10 CHAIRMAN PALMER: Yeah. So if your, and if your driveway goes down your
11 property line like a lot of them do you'd have to put landscaping in your driveway.

12 MS. CAIRNS: Hanging pots.

13 CHAIRMAN PALMER: Yeah.

14 MR. THEUS: We're getting punchy.

15 CHAIRMAN PALMER: Well, I tell you, for me the thing that really gets this is that
16 that landscaping you put doesn't have to be irrigated but it's gotta live. You understand
17 what I'm saying? If you, if –

18 MR. THEUS: I'm dealing with that in Charleston right now. It's just –

19 CHAIRMAN PALMER: Yeah, so if you're in a rural area and you move into a
20 house to operate your business, you gotta landscape it, that's fine. But if it dies you
21 gotta replant it and stuff, which I understand but, which means that the people need to
22 have it irrigated or get out there every day and water it. So –

23 MS. CAIRNS: That's what I do at my office.

1 CHAIRMAN PALMER: With the landscaping requirement it has to live, right?

2 MS. HEGLER: Right.

3 MR. PRICE: You said in a rural, you're in a rural zoning.

4 CHAIRMAN PALMER: And I have a house out on Langford Road that I now have
5 a CPA that's gonna come in the house and operate his business.

6 MR. PRICE: Like a home occupation.

7 CHAIRMAN PALMER: No, he's not gonna live there.

8 MS. CAIRNS: Then he can't do it.

9 MR. PRICE: Then you would need to rezone the property first.

10 MS. CAIRNS: You have to rezone it. You can't do that.

11 CHAIRMAN PALMER: Whatever's allowed, if you wanna do a dog kennel,
12 whatever you wanted to do that's allowed in rural. A commercial use that's allowed in
13 rural.

14 MR. PRICE: Okay.

15 CHAIRMAN PALMER: Pick one.

16 MS. CAIRNS: Give me one.

17 MR. PRICE: Oh, man.

18 CHAIRMAN PALMER: No, you don't have to use it, just whatever it is.

19 MR. PRICE: I don't wanna make one up.

20 CHAIRMAN PALMER: You wanna build widgets and they're allowed to do that in
21 rural, then they would have to –

22 MR. PRICE: Bring it into compliance as they develop the property under the
23 commercial standards cause it is a commercial use.

1 CHAIRMAN PALMER: So they'd have to landscape the buffers of the property.

2 MR. PRICE: Correct.

3 CHAIRMAN PALMER: What if they got a three acre lot and they gotta landscape
4 the buffer to property?

5 MR. PRICE: Then they'll landscaping, buffering three acres.

6 MS. CAIRNS: [Inaudible], it's not there.

7 MR. PRICE: We've actually had a few cases where they have actually
8 subdivided the property and only used the area that, only used the area where they
9 developed it.

10 MS. CAIRNS: And you probably have some existing buffering if you've got three
11 acres, unless you're cutting three acres of grass?

12 MS. HEGLER: They can use existing trees.

13 MR. PRICE: You know, I think as – well the discussion we had last month of the,
14 we just kind of look at it differently. I think you kind of look at it as the property owner or
15 the person going into that property. And I think we look at it as what the impact on the
16 surrounding property owners.

17 MR. THEUS: What was the example? How'd this come about? What was the,
18 didn't we have a –

19 MR. PRICE: We had, there was one on Bluff Road that came about, existing
20 structure from, you know, years. I think the father had been killed some years ago and
21 the daughter was coming back in to reestablish it and she rezoned it. Now, remember
22 there was already existing structure there and it had a few parking spaces and now that
23 they rezoned the property from Rural to Rural Commercial, they were going to put in a

1 store or some, some type of convenience store in that area. And we noticed that when I
2 was talking to the, I guess, the engineer for the Applicant that they weren't required to
3 do any type of buffering or landscaping for, against the residential properties in that
4 area. And we couldn't, just trying to understand, well why would they not? They rezoned
5 the property, they're introducing a different use than what that area has, why would they
6 not be required to provide some type of, a level of protection to the abutting property
7 owners? But we looked in the, looking in the Code and we realized that was not
8 addressed, existing uses, or existing structures.

9 MS. HEGLER: The residents have been living next to this vacant building and
10 now there's all of a sudden a, a new use in there without any landscaping between
11 them.

12 CHAIRMAN PALMER: Well, you say a new use, there was a use that was there
13 when they built their house. When they bought their house next to this block building
14 that's obviously not a residence.

15 MS. HEGLER: The use became nonconforming.

16 MR. PRICE: The use lost its nonconformity.

17 MS. HEGLER: Right, but at point [inaudible].

18 [Inaudible discussion]

19 CHAIRMAN PALMER: Yeah. What do y'all think?

20 MR. THEUS: Are we facing a lot more of these right now? I mean, is this, is this
21 time sensitive?

22 MR. PRICE: It, it's not. It –

23 MR. THEUS: I know we put it off –

1 MR. PRICE: - it's, it's not. It's, like I say, it's something that we as a Staff, we saw
2 this, we noticed there was a hole in the Code that needed to be addressed. Now, we've
3 had a few items come up where inquiries from, from citizens about rezoning property or
4 reestablishing commercial uses where this would apply, they just haven't gone forward.
5 But we've had some, like I say, I think Mr. Palmer and I were looking at an example. An
6 old club like, right off Lower Richland Boulevard, abutting a residential neighborhood.
7 It's Rural, they can't establish it under the current zoning so they came in and rezoned it
8 and turned it back into, whether it be a club or convenience store, whichever you wanna
9 call it. If they, you know, they would have to provide, you know, some landscaping and
10 parking.

11 CHAIRMAN PALMER: Why do we tie it to zoning instead of use?

12 MR. PRICE: Just any zoning would require it?

13 CHAIRMAN PALMER: If you get it rezoned you have to bring it up to the current,
14 whatever's required for that zoning.

15 MS. CAIRNS: No, cause we have so many mixed uses in our existing zoning
16 code that you could go from – well look at Commercial, you could be zoned for General
17 Commercial that can go from a house to a commercial without a zoning change. But
18 your neighbors are gonna suddenly now be next to a commercial use even though there
19 wasn't a zoning change.

20 CHAIRMAN PALMER: But you're saying it was already zoned General
21 Commercial?

22 MS. CAIRNS: Yeah, but if it was all in residential use, even though it was zoned
23 General Commercial, and then somebody turns it into a commercial use, I think it's

1 appropriate that they have to buffer. Cause now they're gonna have a lot more different
2 kinds of activity going on than they did when it was a house.

3 CHAIRMAN PALMER: No, I think the, I think if you argue it that way you can
4 argue the other way, that if the use is there and it's not zoned properly then the people
5 expected that use to occur, so they, they already knew what was going on there. Just
6 like this –

7 MS. CAIRNS: Well, but the point is protecting – I know what you're saying but it's
8 like no, if you've got a bunch of, like right in General Commercial you could have single-
9 family homes or, or –

10 CHAIRMAN PALMER: No, you can't have single-family, you can have –

11 MS. CAIRNS: Apartments?

12 CHAIRMAN PALMER: - you can have multi-family. Well, you can –

13 [Inaudible discussion]

14 MR. PRICE: [Inaudible] single-family and two family dwellings were allowed in
15 the GC district, in addition to multi-family.

16 CHAIRMAN PALMER: Right. So if somebody buys a house next to a General
17 Commercial zoned piece of property they have an expectation level that that's a
18 commercial tract of land that could be used anything –

19 MS. CAIRNS: I just don't have anything, I mean, that's – when I converted my old
20 house to an office building I had to buffering in. I think that was perfectly appropriate.
21 Cause we were taking a house and making it – we didn't have to rezone but we took
22 what was a house and made it office, we had to put the buffer in to the houses behind

1 us. And I think that's perfectly appropriate. Cause we had to put in a 12 car parking lot
2 and we had to –

3 CHAIRMAN PALMER: If you have to put in a parking lot now you have to do the
4 buffering.

5 MS. CAIRNS: But we didn't have to rezone.

6 CHAIRMAN PALMER: But you have to put in a parking lot.

7 MS. CAIRNS: But we, it's cause we had a change in use that all of a sudden we
8 triggered all the requirements. We were in the City of Columbia, so –

9 CHAIRMAN PALMER: Right.

10 MS. CAIRNS: - that's why we, this ordinance wasn't the one that – but, I mean –

11 CHAIRMAN PALMER: But if that was, if you're saying parcel was in the county
12 you would still have to put in your buffering, because you had to put in parking.

13 MR. PRICE: Yes.

14 MS. CAIRNS: That's true, even –

15 MR. PRICE: Yes. Yes, the, the –

16 MS. CAIRNS: But I, but I mean –

17 MR. PRICE: - the parking would've triggered also landscaping.

18 MS. CAIRNS: We had a six car parking lot and I needed 12.

19 [Inaudible discussion]

20 CHAIRMAN PALMER: You gotta go?

21 MR. THEUS: Yeah, I gotta go.

22 CHAIRMAN PALMER: Alright. Bill's gotta go.

23 MR. THEUS: I'm not alone.

1 MR. GILCHRIST: No.

2 CHAIRMAN PALMER: Bill's gotta go, we gotta [laughter].

3 MR. PRICE: Are you thinking deferring it until we meet again, whenever that is?

4 MR. THEUS: I'm just, I need to dig into it, I'm worried about unintended
5 consequences. I just –

6 CHAIRMAN PALMER: Do we have a motion to defer?

7 MR. THEUS: So moved.

8 CHAIRMAN PALMER: September?

9 MR. GILCHRIST: Second, Mr. Chairman.

10 CHAIRMAN PALMER: We have a motion and a second to defer to September.
11 All those in favor say aye. Any opposed?

12 MS. CAIRNS: Aye.

13 *[Approved: Frierson, Joyner, Palmer, Gilchrist, Theus, Anderson; Opposed: Cairns;*
14 *Absent: Tuttle, Brown]*

15 MS. HEGLER: What is your preference for your August meeting?

16 CHAIRMAN PALMER: Let's, I would suggest that we have August as a work
17 session and not as a, anything that we take action on.

18 MS. HEGLER: Cause we're trying to keep you monthly updated on the
19 Comprehensive Plan, we will have a lot of activity to present to you in August.

20 CHAIRMAN PALMER: Yeah, we can – I think we can have, we can put things on
21 the Agenda for discussion for a work session, but just like Council, if folks wanna take it
22 off, it won't count against your attendance. We won't take any recorded votes for
23 August, because we can't send anything up anyhow.

1 MS. CAIRNS: We get a free absence?

2 CHAIRMAN PALMER: Yeah.

3 MS. HEGLER: [Inaudible] the questions you just asked today at the September
4 meeting. If we went over them in August.

5 CHAIRMAN PALMER: What do y'all think, do you agree with that?

6 MR. ANDERSON: Yeah, I'm good with that.

7 MR. GILCHRIST: So moved, yes, sir.

8 CHAIRMAN PALMER: Alright, do we have a motion to make August a work
9 session and not a regularly scheduled Planning Commission meeting?

10 MR. ANDERSON: So moved.

11 MR. THEUS: Second.

12 CHAIRMAN PALMER: And a second. All those in favor say aye.

13 *[Approved: Cairns, Frierson, Joyner, Palmer, Gilchrist, Theus, Anderson; Absent: Tuttle,*
14 *Brown]*

15 CHAIRMAN PALMER: Okay.

16 MR. THEUS: Motion to adjourn.

17 CHAIRMAN PALMER: Is that everything we've got on the Agenda? Okay, do we
18 have a motion to adjourn?

19 MS. CAIRNS: So moved.

20 CHAIRMAN PALMER: Got a second?

21 MR. THEUS: Second.

22 CHAIRMAN PALMER: All those in favor say aye.

1 *[Approved: Cairns, Frierson, Joyner, Palmer, Gilchrist, Theus, Anderson; Absent: Tuttle,*
2 *Brown]*

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[Meeting adjourned at 4:20pm]