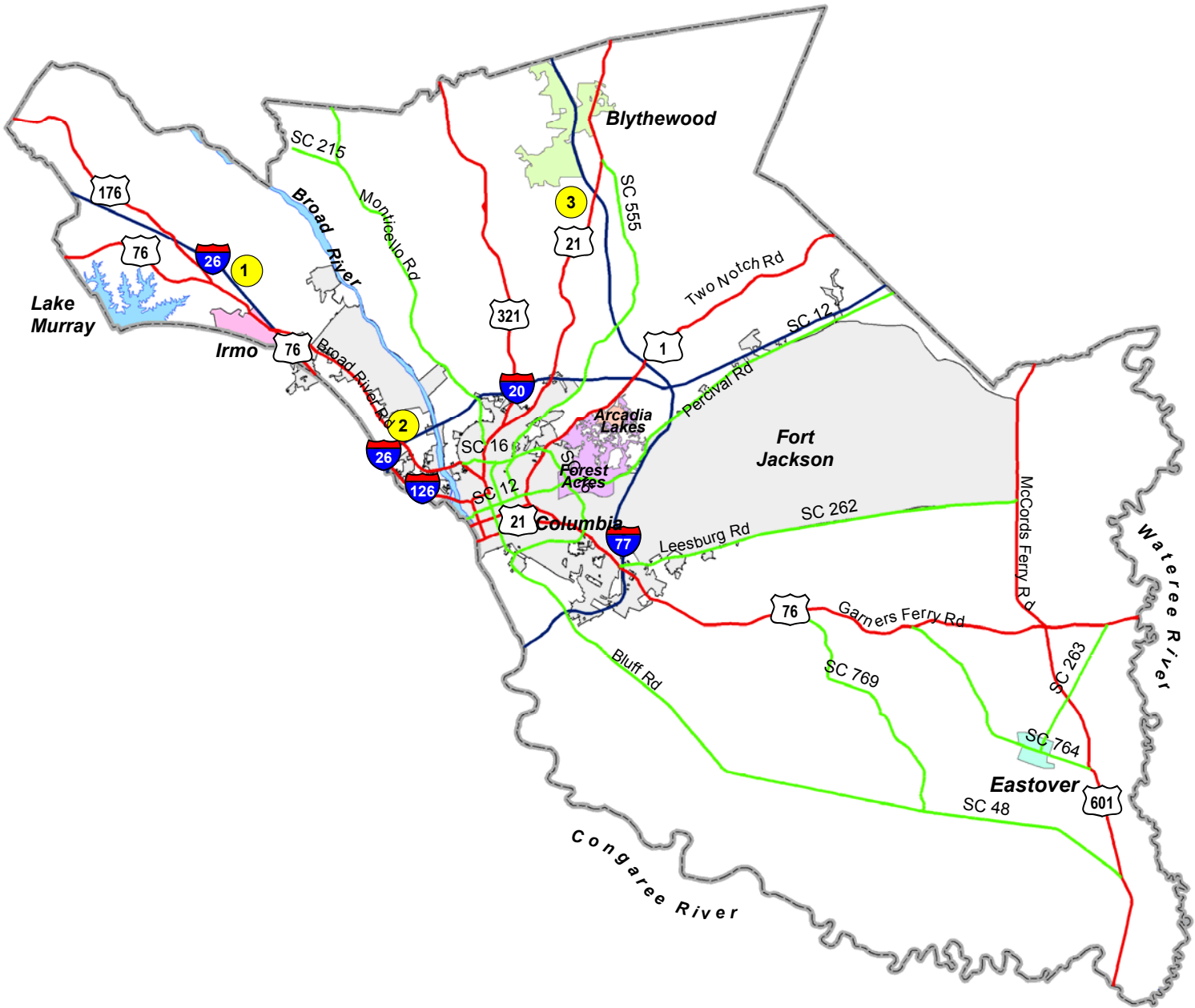


**RICHLAND COUNTY
PLANNING COMMISSION**



FEBRUARY 3, 2004

RICHLAND COUNTY PLANNING COMMISSION FEBRUARY 3, 2004



| CASE NUMBER | APPLICANT | TMS NUMBER | ADDRESS | COUNCIL MEMBER |
|-------------|-------------|---------------------------------|---|----------------|
| 1. 04-33 MA | Tom Margie | 04100-01-06 & 04200-01-37 | Koon Road, 1/2 mile east of Coogler Road | Corley |
| 2. 04-34 MA | Gary Burch | 07402-02-03 | S Side Marley Drive, East of Broad River Road | Tuten |
| 3. 04-35 MA | Greg Lehman | 14900-01-03/05/06 & 14800-01-03 | NW corner of Turkey Farm Road and US 21 | McEachern |
| | | | | |
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| | | | | |
| | | | | |

RICHLAND COUNTY PLANNING COMMISSION

Monday, February 2, 2004

Agenda

1:00 PM

STAFF: Michael P. Criss, AICP.....Deputy Planning Director
 John W. Hicks..... Development Services Manager
 Anna Almeida Land Development Administrator
 Carl D. Gosline, AICP Subdivision Administrator

I. PUBLIC MEETING CALL TO ORDER Gene Green, Chairperson

II. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the December 1, 2003 minutes

Consideration of the January 5, 2004 minutes

III. AGENDA AMENDMENTS (limited to matters NOT covered by the FOI)

IV. OLD BUSINESS

SD-04-108 – Longtown Estates – Redesign Subdivision vv Wetlands Areas 9

V. NEW BUSINESS - SUBDIVISION REVIEW

| PROJECT # | SUBDIVISION NAME | LOCATION | UNITS | Page |
|------------------|-----------------------------------|---|--------------|-------------|
| SD-04-94 | Fisher Woods Phase 3A, 3B & 3C | Northsprings Road TMS # 22900-01-04 | 39 | 15 |
| SD-04-160 | Brookhaven Phase 1 | Villages @ Longtown TMS #17500-03-42 | 97 | 25 |
| SD-04-162 | Brookhaven Phase 2 | Villages @ Longtown TMS #17500-03-42 | 80 | 37 |

| PROJECT # | SUBDIVISION NAME | LOCATION | UNITS | Page |
|-----------|---------------------------------|--|-------|------|
| SD-04-166 | Pine Knoll Minor S/D | Piney Grove Rd TMS # 06201-07-10 | 38 | 47 |
| SD-04-65 | Ashwood Hills | Hiller Road in Hilton TMS # 01501-01-02 | 16 | 57 |
| SD-04-01 | Villages @ Lakeshore Phase 1 | Longtown Rd @ Farrow Rd TMS # 17300-01-05 | 126 | 67 |
| SD-04-171 | Floyd PDS | 3208 Trotter Road TMS # 21900-04-21 | 3 | 79 |

VI. NEW BUSINESS - ZONING MAP AMENDMENTS

| | | |
|--------------------------|--|------|
| CASE | 1. 04-33 MA | Page |
| APPLICANT | Tom Margle | 89 |
| REQUESTED AMENDMENT | RU to RS-2 (29.1 acres) | |
| PURPOSE | Single Family Detached Subdivision | |
| TAX MAP SHEET NUMBER (S) | 04100-01-06 & 04200-01-37 | |
| LOCATION | Koon Road, ½ mile east of Coogler Road | |

| | | |
|--------------------------|---|------|
| CASE | 2. 04-34 MA | Page |
| APPLICANT | Gary Burch | 101 |
| REQUESTED AMENDMENT | M-1 to RG-1 (11.9 acres) | |
| PURPOSE | Multi-family Residential | |
| TAX MAP SHEET NUMBER (S) | 07402-02-03 | |
| LOCATION | S Side Marley Drive, East of Broad River Rd | |

| | | |
|--------------------------|--|------|
| CASE | 3. 04-35 MA | Page |
| APPLICANT | Greg Lehman | 113 |
| REQUESTED AMENDMENT | RU to PUD-1R (371 acres) | |
| PURPOSE | Residential and associated commercial uses | |
| TAX MAP SHEET NUMBER (S) | 14900-01-03/05/06 & 14800-01-03 | |
| LOCATION | NW corner of Turkey Farm Rd and US 21 | |

VII. ROAD NAME APPROVALS

- a. Road Name Change - Public Hearing (s) 137
- b. New Road Name Approvals –

VIII. OTHER BUSINESS

Consideration Of Changes In The Amount Of Required Open Space For Cluster Housing Projects – Section 22-46 [C] Of The County Code

Richland County Planning Commission Residential High-Rise Zoning Permit Review & Approval 139

IX. ADJOURNMENT

MEMO

TO: Planning Commission Members; Interested Parties
FROM: Carl D. Gosline, AICP, Subdivision Administrator
DATE: January 23, 2004
RE: Longtown Estates – Plat Revision – SD-04-108

BACKGROUND

The Commission considered the subject project at the January 5, 2004 meeting. During the discussion of the project, the Commission expressed concern that the initial lot arrangement included several lots with wetland areas on them. Concerns were expressed that some of the lots may not have enough buildable area to meet the D-1 setback.

After considerable discussion, the Commission voted to defer further consideration of the project to the February 2, 2004 meeting. The Commission requested the applicant redesign the project to keep the lot lines out of the wetland areas and to create more common area.

The applicant submitted a revised plat that substantially accomplishes the Commission's request. A copy of the revised plat is attached for your review.

The wetlands delineation on the site has been approved by the US Army Corp of Engineers. The common area designation is consistent with the applicable portions of the Longcreek Plantation Property Owners Association Deeds, Restrictions and Covenants

RECOMMENDATION

The Department recommends approval of the revised plat, subject to the Specific Conditions described below:

Specific Conditions

- a) **PRIOR to any site clearance activity being initiated**, the subdivision plats shall include tree protection certification statements provided by the Department; and
- b) The Department of Public Works must approve the stormwater management plans; and
- c) The Floodplain Manager must approve the flood elevation statement prior to any building permits being issued, or any clearing activity occurs; and
- d) DHEC must issue the sewer line construction permits; and
- e) DHEC must issue the water line construction permits; and
- f) The applicant should be required to dedicate a minimum of 30 feet and a maximum of 60 feet of right-of-way along the western leg of Overlook Drive, depending on a final determination of the property line, prior to any building permits being issued; and

- g) The access to lots 1 thru 35 shall be confined to the interior roads; and
- h) The developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Longtown Road West from lots 31, 32, 33, 35 and 1 and to prohibit direct access to Overlook Drive from lots 1 through 13; and
- i) No building permits shall be issued until all of the conditions cited above are met; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) No Certificate of Occupancy shall be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- l) A Final Plat cannot be approved by the Department until the County accepts the roads for maintenance.

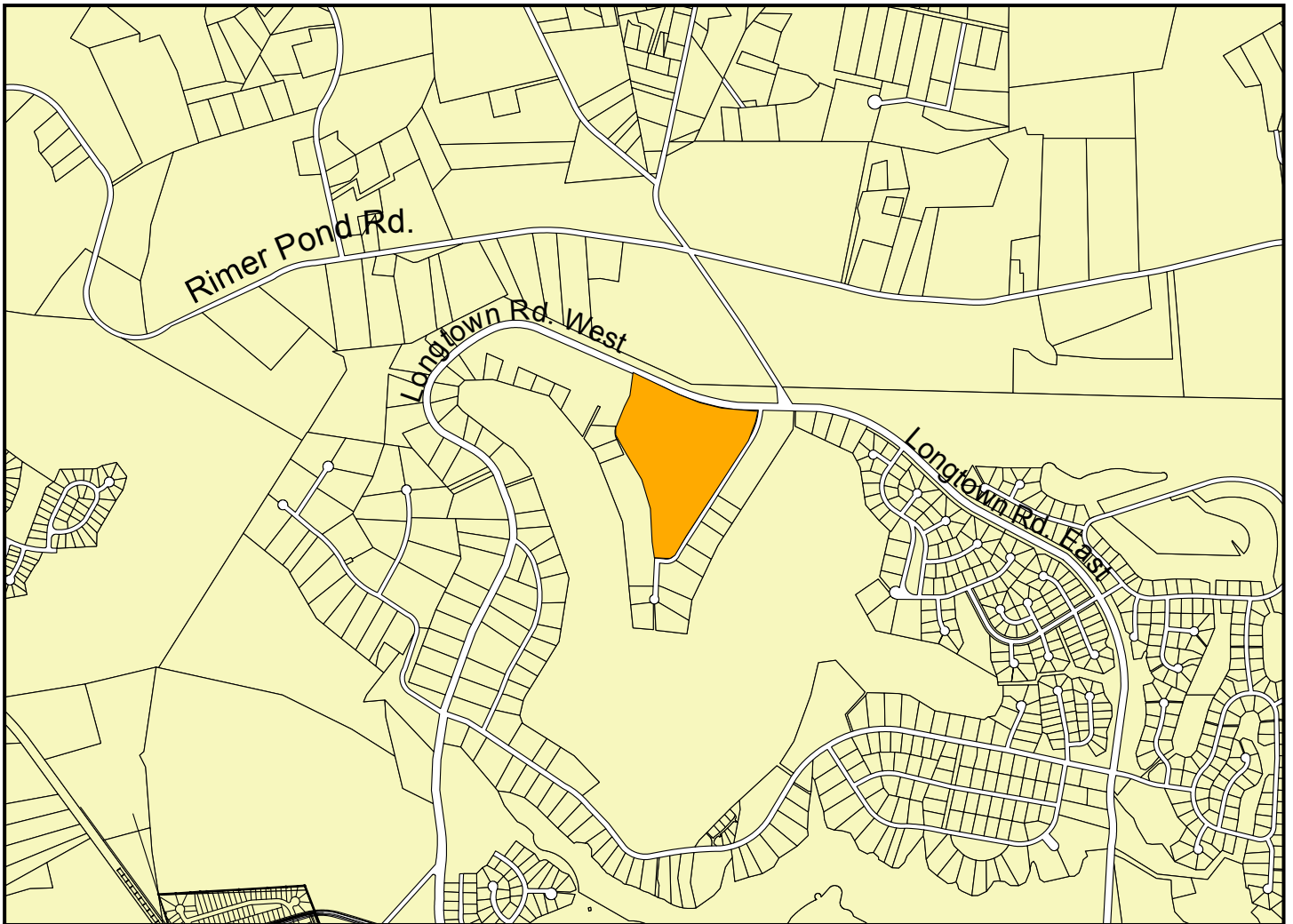
SD 04-108
LONGTOWN ESTATES
TMS 02600-05-10 & 03500-01-32



Site



SD 04-108 LONGTOWN ESTATES



Looking at middle of site
from Longtown Rd. West



Looking at wetland portion of the site
from Overbrook Rd.

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

February 2, 2004

| | | |
|--|---|--|
| Applicant: Edwin Cooper | | Preliminary Subdivision Plans For: Fisher Woods, Phase 3A, 3B & 3C |
| RC Project # : SD-04-94 | | |
| General Location: West of Northsprings Road | | |
| Tax Map Number: 22900-01-04 | | Number of Residences: 39 (8500 sq. ft. lots – min. 60 ft width) |
| Subject Area: 19.8 acres | Sewer Service Provider: Palmetto Utilities | |
| Current Zoning: RS-2 | Water Service Provider: City of Columbia | |

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

| | | |
|---|------------------------------|--|
| Proposed Project Gets Its Principal Access From | Northsprings Road | |
| Functional Classification Of This Roadway | Two lane undivided collector | |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | 8600 | |
| Estimated Traffic Generated By The Proposed Project | 380 | |
| Current Volume At The Nearest Count Station # 492 Located @ Near the Fisher Woods entrance | 10,400 | |
| Estimated Traffic Count With the Proposed Project | 10,780 | |
| Volume-To-Capacity Ratio With The Proposed Project | 1.25 | |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project will result in the LOS E of Northsprings Road being exceeded at SCDOT count station # 492. However, the Department estimates that when the subdivisions in the area which have been approved since July 2000 are builtout, the V/C ratio on this road segment will greatly exceed 1.35, or a LOS of F.

Fire Service Impacts

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

School Impacts

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

| | |
|--|----|
| Elementary School @ 0.20 students per single family DU | 14 |
| Middle School @ 0.13 students per single family DU | 9 |
| High School @ 0.12 Students per single family DU | 8 |

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

Existing Site Conditions

The site slopes steeply down to the north. The site contains some possible wetland areas associated with the lake.

Compatibility with the Surrounding Area

The site is a continuation of a single-family residential subdivision. The project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Low Density Residential on this Map.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Foster new development in areas with adequate infrastructure

The subject project is the last phase of a single family detached residential subdivision. The proposed project implements this Objective.

Principle – The Established Urban Area should contain overall higher density levels...that these density levels should conform to the Proposed Land Use Map

The existing RS-2 zoning conforms to the density levels on the Proposed Land Use Map. This project implements this Principle.

Other Pertinent Factors

- 1) As of January 21, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 21, 2004, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of January 21, 2004, the City of Columbia had not approved the water line construction plans.
- 4) As of January 21, 2004, DHEC had not issued a construction permit for the sewer lines.
- 5) As of January 21, 2004, DHEC had not issued a construction permit for the water lines.

All applicants must be aware that the current Code County has strict requirements about not selling lots, or negotiating the sale of lots within subdivisions before the plat is recorded. Specifically, Section 22-71 (a) of the Code states “...Whoever, being the owner or agent of the owner of any land located within a subdivision, **transfers or sells, agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before that plat has been approved by the planning commission and recorded in the office of mesne conveyance (*Register of Deeds*), shall be guilty of a misdemeanor.** The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring that lot or parcel shall not exempt the transaction from those penalties or remedies herein provided. The county may enjoin such transfer, sale, or agreement by appropriate action...”

Upon receipt of complaints of clearing activities from neighboring residents, the Public Works Dept. issued a Stop Work Order on January 13, 2004. The investigation disclosed that the developer, or his contractors, had failed to get any approvals from the County to begin clearing activities. It is not unusual for developers to begin clearing activities prior to the project being considered by the Planning Commission. However, in this case, **the developer did NOT get a Streets, Drainage and Sediment Erosion Control Permit**, commonly known as the Grading Permit, from the County.

The Department has also received numerous comments/complaints from nearby residents that the proposed lots in Phase 3 will be much smaller, and consequently the size of the residences, will be much smaller than those in Phases 1 and 2. However, the whole Fisher’s Woods project is zoned RS-2, which requires a **minimum** lot area of 8500 sq. ft. and a **minimum** lot width of 60 feet. The lots in Phases 1 and 2 greatly exceeded the minimum requirements.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary subdivision plans for a 39 unit single family detached subdivision, known as Fisher's Woods, Phase 3A, 3B & 3C (Project # SD-04-94), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision will result in the adjacent portion of Northsprings Road operating below a LOS E capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

Specific Conditions

- a) The plat must establish the setbacks, either graphically or by notation, for each lot; and
- b) The Department of Public Works must approve the stormwater management plans; and
- c) The Floodplain Manager (Harry Reed @ 576-2150) **must approve the flood elevation statement prior to building permits being issued**; and
- d) The City of Columbia must approve the water & sewer line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) **No site clearance activity shall begin until** the engineer, or surveyor, of record inspects the site and provides the following certification on the plat. Contact Sean Busbee @ 576-2171, or Skip Limbaker @ 576-2188 for more information; and
- h) No building permits shall be issued until all of the conditions cited above are met; and
- i) Plats shall not be approved for recording until the City of Columbia approves the water & sewer line easement documents; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) A Certificate of Occupancy (CO) **can NOT be approved** until the Department receives a copy of the DHEC Permit To Operate the water system AND a copy of the DHEC Permit To Operate the sewer system; and
- l) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water & sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

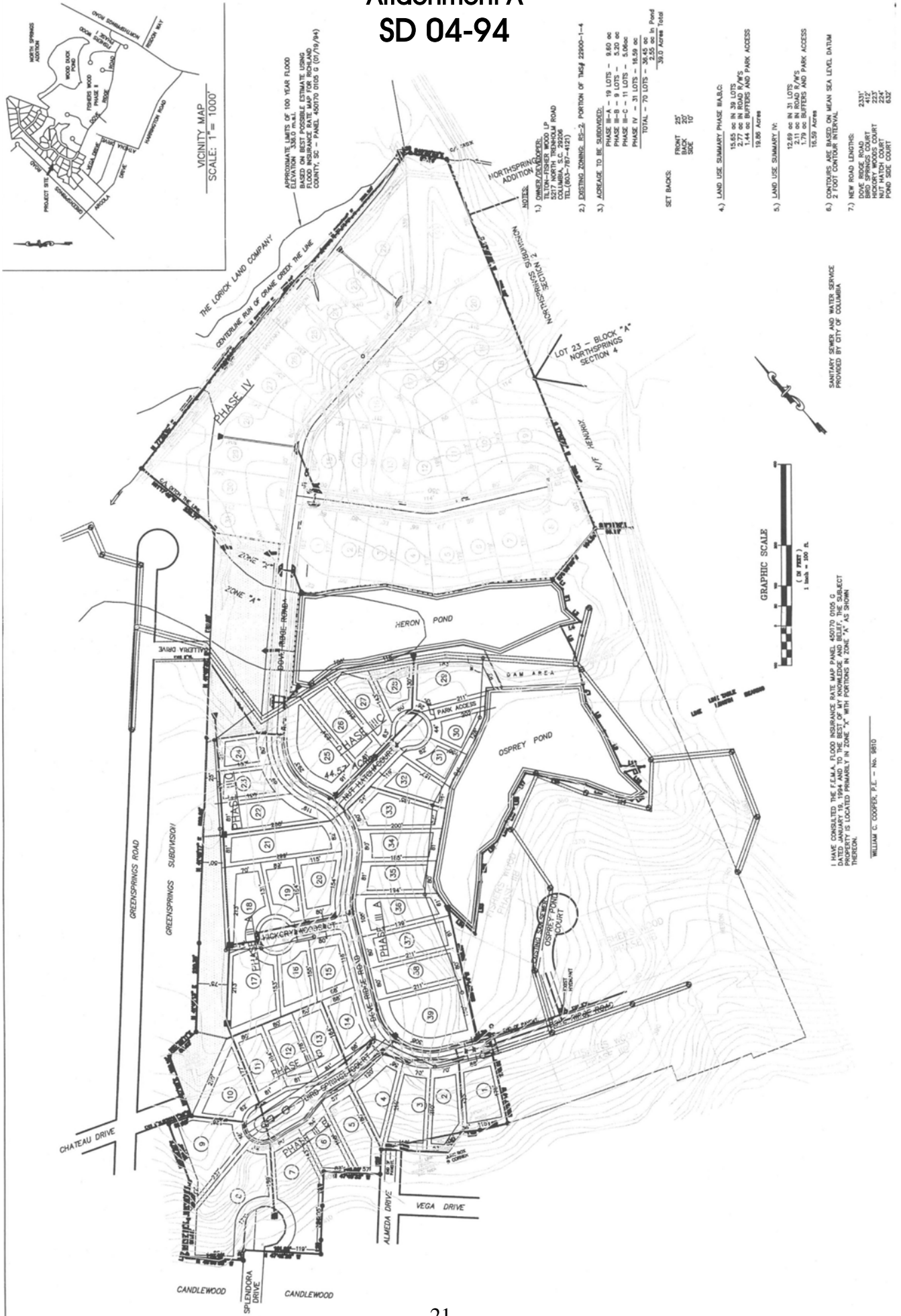
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

Appeal

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

Attachment A SD 04-94



VICINITY MAP
SCALE: 1" = 1000'

APPROXIMATE LIMITS OF 100 YEAR FLOOD
ELEVATION 338.0 M.S.L. ESTIMATE USING
FLOOD INSURANCE RATE MAP FOR RICHLAND
COUNTY, SC - PANEL 450770 0105 G (07/19/94)

1) **OWNER'S NOTES:**
TELTON-JESSE WOOD LP
5217 NORTH TRENDOLM ROAD
COLUMBIA, SC 29209
TEL: (803) 737-4121

2) **EXISTING ZONING:** RES-2 PORTION OF TRACT 22000-1-4

3) **ACREAGE TO BE SUBDIVIDED:**

PHASE III-A - 19 LOTS - 8.60 ac
PHASE III-B - 9 LOTS - 5.00 ac
PHASE III-C - 11 LOTS - 5.06 ac
PHASE IV - 31 LOTS - 18.29 ac
TOTAL - 70 LOTS - 36.95 ac in Pond
- 35.0 Acres total

SET BACKS:
FRONT 25'
BACK 20'
SIDE 10'

4) **LAND USE SUMMARY PHASE IIIA, B, C:**
19 LOTS
90,000 sq ft
1.44 ac BUFFERS AND PARK ACCESS
18.06 Acres

5) **LAND USE SUMMARY IV:**
31 LOTS
12,89 ac in 31 LOTS
1,790 sq ft BUFFERS AND PARK ACCESS
18.59 Acres

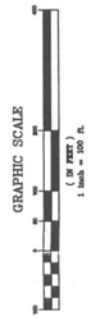
6) **CONTINGENTS ARE BASED ON MEAN SEA LEVEL DATUM**
2' FOOT CONTOUR INTERVAL

7) **NEW ROAD LENGTHS:**
OSPREY DRIVE 431'
HICKORY WOODS COURT 223'
HICKORY WOODS COURT 412'
HICKORY WOODS COURT 412'
POND SIDE COURT 632'

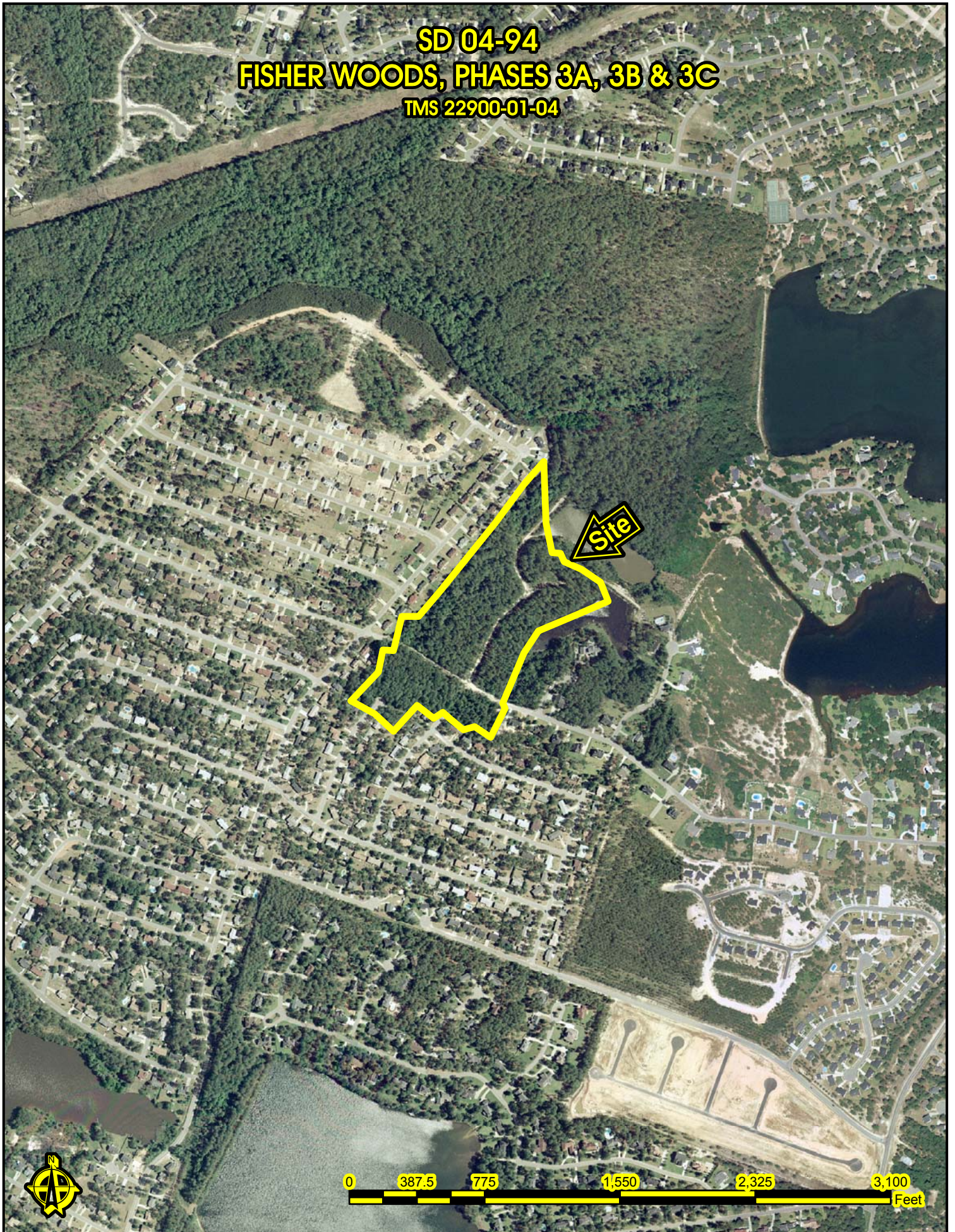
SANITARY SEWER AND WATER SERVICE
PROVIDED BY CITY OF COLUMBIA

I HAVE CONSULTED THE F.E.M.A. FLOOD INSURANCE RATE MAP PANEL 450770 0105 G
DATED JANUARY 1994 AND HAVE DETERMINED THAT THE SUBJECT
PROPERTY IS LOCATED PRIMARILY IN ZONE 'A' WITH PORTIONS IN ZONE 'X' AS SHOWN
THEREON.

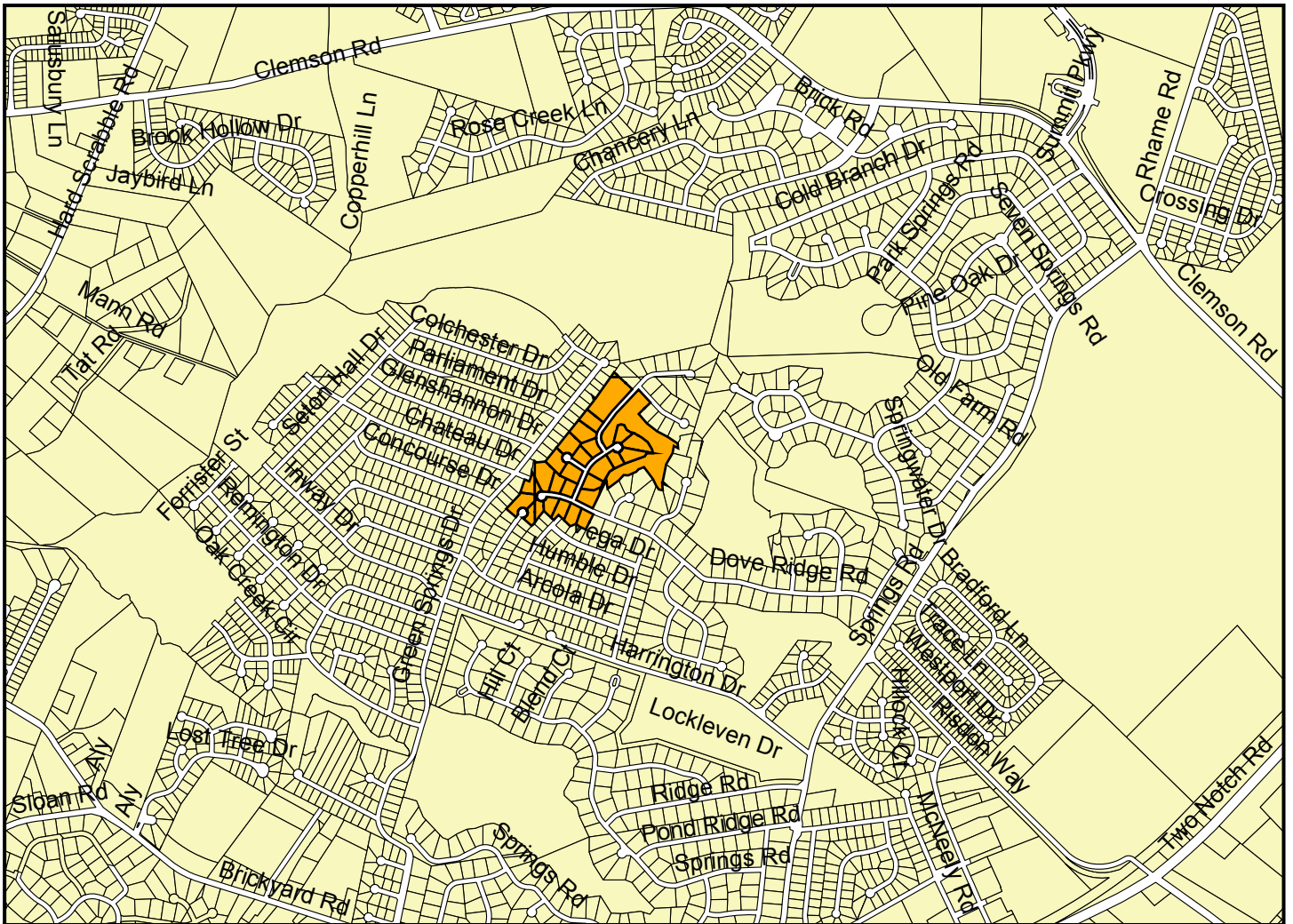
WILLIAM C. COOPER, P.E. - No. 9810



SD 04-94
FISHER WOODS, PHASES 3A, 3B & 3C
TMS 22900-01-04



SD 03-94 FISHER WOODS, PHASES 3A, 3B & 3C



Looking at Dove Ridge Road from interior of project

Looking at interior of the site

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

February 2, 2004

| | | | |
|---|--|--|--|
| Applicant: The Mungo Company | | Preliminary Subdivision Plans For: Brookhaven, Phase 1 | |
| RC Project # : SD-04-160 | | | |
| General Location: West Side of the Villages @ Longtown | | | |
| Tax Map Number: 17500-03-42 (p) | | Number of Residences: 97 | |
| Subject Area: 28.3 acres | | Sewer Service Provider: City of Columbia | |
| Current Zoning: PUD-2 | | Water Service Provider: City of Columbia | |

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

| | | |
|--|------------------------------|--|
| Proposed Project Gets Its Principal Access From | Longtown Road | |
| Functional Classification Of This Roadway | Two lane undivided collector | |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | 8600 | |
| Estimated Traffic Generated By The Proposed Project | 941 | |
| Current Volume At The Nearest Count Station # 711 Located @ South of Lee Road | 4000 | |
| Estimated Traffic Count With the Proposed Project | 4941 | |
| Volume-To-Capacity Ratio With The Proposed Project | 0.57 | |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at count station # 711. **The Department estimates that upon completion of the Villages @ Longtown project, the traffic on Longtown Road will far exceed the minimum LOS F level.**

Fire Service Impacts

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

School Impacts

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

| | |
|--|----|
| Elementary School @ 0.20 students per single family DU | 19 |
| Middle School @ 0.13 students per single family DU | 13 |
| High School @ 0.12 Students per single family DU | 12 |

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

Existing Site Conditions

The site contains scrub oak and pine trees. A large wetland area that is the central natural feature of the project separates this project from the remainder of the project to the east..

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

The I-77 Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Industrial on this Map.

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

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

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

The proposed project will have a density of 3.42 DU/acre. The proposed project implements this Objective.

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

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

Other Pertinent Factors

- 1) As of January 21, 2004, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of January 21, 2004, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of January 21, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of January 21, 2004, DHEC had not issued a construction permit for the sewer lines.
- 5) As of January 21, 2004, DHEC had not issued a construction permit for the water lines.

All applicants must be aware that the current Code County has strict requirements about not selling lots, or negotiating the sale of lots within subdivisions before the plat is recorded. Specifically, Section 22-71 (a) of the Code states “...Whoever, being the owner or agent of the owner of any land located within a subdivision, **transfers or sells, agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before that plat has been approved by the planning commission and recorded in the office of mesne conveyance (*Register of Deeds*), shall be guilty of a misdemeanor.** (b) The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring that lot or parcel shall not exempt the transaction from those penalties or remedies herein provided. The county may enjoin such transfer, sale, or agreement by appropriate action...”

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 97 unit single family detached subdivision, known as Brookhaven, Phase 1 (Project # SD-04-160), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity. **The Department estimates that upon completion of the Villages @ Longtown project, the traffic on Longtown Road will far exceed the minimum LOS F level.**

2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is not consistent with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives of the I-77 Corridor Subarea Plan.
5. The proposed project does not implement the relevant Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The front yard setback shall be a minimum of 25 feet from the street right-of-way; the side yard setbacks shall total 12 feet with a minimum of 6 feet; the rear yard setback shall be a minimum of 20 feet and the maximum lot coverage shall be 25 percent; and
- b) The Department of Public Works must approve the stormwater management plans; and
- c) The Floodplain Manager (Harry Reed @ 576-2150) **must approve the flood elevation statement prior to building permits being issued**; and
- d) The City of Columbia must approve the water and sewer line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) **No site clearance activity shall commence until this Department has issued a written notice of compliance with the tree protection standards in Chapter 27 of the Code.** Contact Anna Almeida @ 576-2168 for more details; and
- h) No building permits shall be issued until all of the conditions cited above are met; and
- i) Plats shall not be approved for recording until the City of Columbia approves the water & sewer line easement documents; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) A Certificate of Occupancy (CO) **can NOT be approved** until the Department receives a copy of the DHEC Permit To Operate the water system AND a copy of the DHEC Permit To Operate the sewer system; and
- l) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water & sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

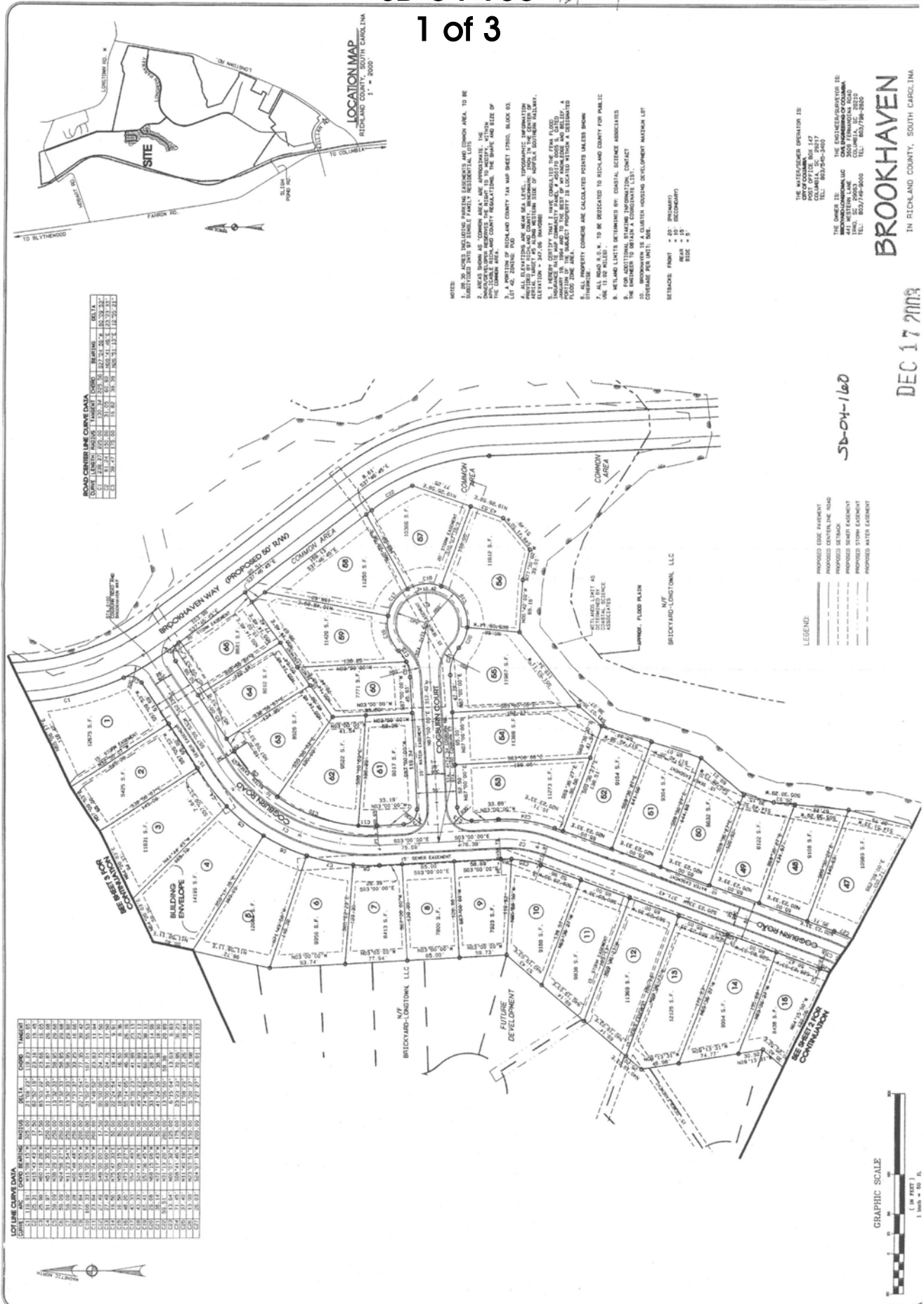
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

Appeal

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

Attachment A SD 04-160

1 of 3



BROOKHAVEN
IN RICHLAND COUNTY, SOUTH CAROLINA

DEC 17 2003

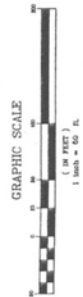
THE INTERFERING JURISDICTION IS
CITY OF COLUMBIA
COLUMBIA, S.C. 29217
TEL: 803/250-2400

THE OWNER IS:
441 WESTERN LANE
COLUMBIA, S.C. 29203
TEL: 803/749-2000

THE ENGINEER/SURVEYOR IS:
3003 FERNWOOD ROAD
COLUMBIA, S.C. 29204
TEL: 803/726-2833

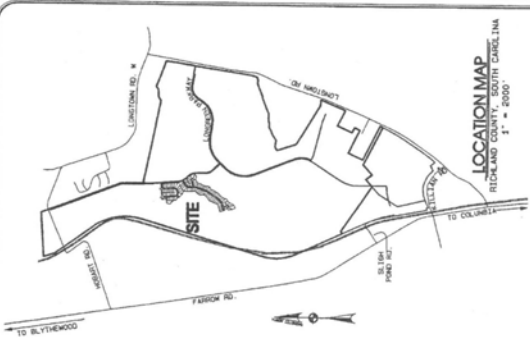
SD-04-160

BRICKYARD-LONGTOWN, LLC



Attachment A SD 04-160

2 of 3



| STATION | VERTICAL CURVE DATA | | | OFFSET | SLOPE | | |
|---------|---------------------|-------|--------|--------|--------|-------|---------|
| | PVI | GRADE | LENGTH | | START | END | PERCENT |
| 0+00 | 102.18 | 10.00 | 200.00 | 0.00 | 102.18 | 10.00 | 0.00 |
| 0+25 | 102.18 | 10.00 | 200.00 | 10.00 | 102.18 | 10.00 | 0.00 |
| 0+50 | 102.18 | 10.00 | 200.00 | 20.00 | 102.18 | 10.00 | 0.00 |
| 0+75 | 102.18 | 10.00 | 200.00 | 30.00 | 102.18 | 10.00 | 0.00 |
| 1+00 | 102.18 | 10.00 | 200.00 | 40.00 | 102.18 | 10.00 | 0.00 |
| 1+25 | 102.18 | 10.00 | 200.00 | 50.00 | 102.18 | 10.00 | 0.00 |
| 1+50 | 102.18 | 10.00 | 200.00 | 60.00 | 102.18 | 10.00 | 0.00 |
| 1+75 | 102.18 | 10.00 | 200.00 | 70.00 | 102.18 | 10.00 | 0.00 |
| 2+00 | 102.18 | 10.00 | 200.00 | 80.00 | 102.18 | 10.00 | 0.00 |
| 2+25 | 102.18 | 10.00 | 200.00 | 90.00 | 102.18 | 10.00 | 0.00 |
| 2+50 | 102.18 | 10.00 | 200.00 | 100.00 | 102.18 | 10.00 | 0.00 |

| ROAD CENTER LINE CURVE DATA | SLOPE | | | SLOPE | DELTA |
|-----------------------------|-------|------|---------|-------|-------|
| | START | END | PERCENT | | |
| 0+00 | 0+00 | 0+00 | 0.00 | 0.00 | 0.00 |
| 0+25 | 0+25 | 0+25 | 0.00 | 0.00 | 0.00 |
| 0+50 | 0+50 | 0+50 | 0.00 | 0.00 | 0.00 |
| 0+75 | 0+75 | 0+75 | 0.00 | 0.00 | 0.00 |
| 1+00 | 1+00 | 1+00 | 0.00 | 0.00 | 0.00 |
| 1+25 | 1+25 | 1+25 | 0.00 | 0.00 | 0.00 |
| 1+50 | 1+50 | 1+50 | 0.00 | 0.00 | 0.00 |
| 1+75 | 1+75 | 1+75 | 0.00 | 0.00 | 0.00 |
| 2+00 | 2+00 | 2+00 | 0.00 | 0.00 | 0.00 |
| 2+25 | 2+25 | 2+25 | 0.00 | 0.00 | 0.00 |
| 2+50 | 2+50 | 2+50 | 0.00 | 0.00 | 0.00 |

- 1. 25.75 ACRES INCLUDING PARKING GARAGES AND COMMON AREA, TO BE SUBDIVIDED INTO 97 SINGLE FAMILY RESIDENTIAL LOTS.
- 2. ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA BY DEED.
- 3. ALL UTILITIES, INCLUDING WATER, SEWER, AND GAS, ARE TO BE LAIN IN THE COMMON AREA AND SHALL BE THE RESPONSIBILITY OF THE COMMON AREA.
- 4. ALL UTILITIES, INCLUDING WATER, SEWER, AND GAS, ARE TO BE LAIN IN THE COMMON AREA AND SHALL BE THE RESPONSIBILITY OF THE COMMON AREA.
- 5. ALL UTILITIES, INCLUDING WATER, SEWER, AND GAS, ARE TO BE LAIN IN THE COMMON AREA AND SHALL BE THE RESPONSIBILITY OF THE COMMON AREA.
- 6. ALL UTILITIES, INCLUDING WATER, SEWER, AND GAS, ARE TO BE LAIN IN THE COMMON AREA AND SHALL BE THE RESPONSIBILITY OF THE COMMON AREA.
- 7. ALL LOTS ARE TO BE CONVEYED TO RICHMOND COUNTY FOR PUBLIC USE AS PER PERMITS.
- 8. THE ENGINEER ASSOCIATES HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT ORDINANCES.
- 9. THE ENGINEER ASSOCIATES HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT ORDINANCES.
- 10. BROOKHAVEN IS A CLUSTER HOUSING DEVELOPMENT. MAXIMUM LOT COVERING FOR LOTS 1-32.

SHEETWORK FRONT - 20' PRIMARY
BACK - 10' SECONDARY
TOTAL - 30'

THE ARCHITECTURE FIRM IS:
BROOKHAVEN ARCHITECTURE
2000 TERMINAL ROAD
COLUMBIA, SC 29217
TEL: 803/749-3400

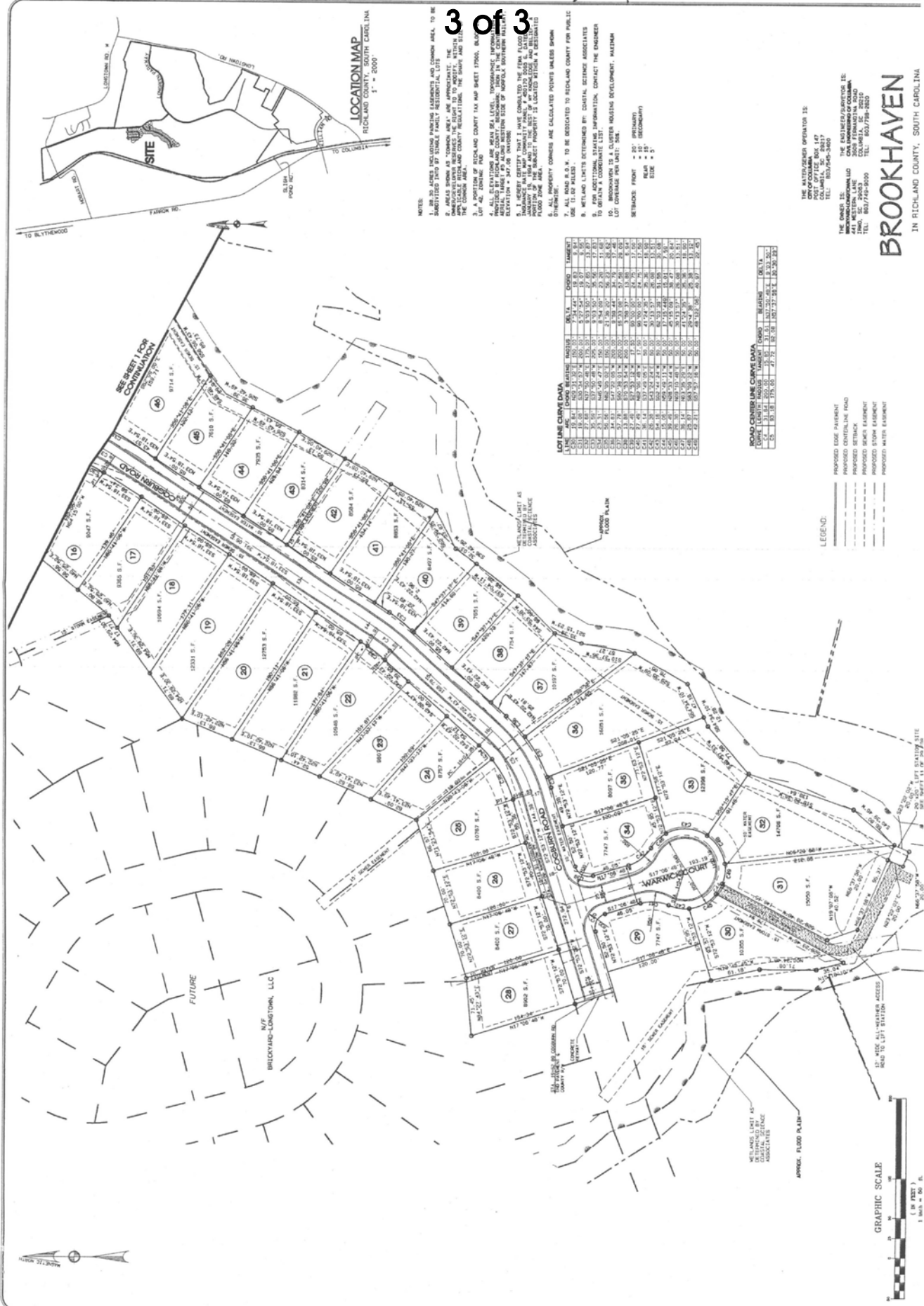
THE ENGINEER ASSOCIATES IS:
ENGINEER ASSOCIATES
2000 TERMINAL ROAD
COLUMBIA, SC 29217
TEL: 803/749-3400

BROOKHAVEN



Attachment A SD 04-160

3 of 3



NOTE:

1. ALL 30' SETBACKS INCLUDING PARKING EASEMENTS AND COMMON AREA, TO BE MAINTAINED PER THE ZONING ORDINANCES OF RICHLAND COUNTY.
2. ALL AREAS SHOWN AS "COMMON AREA" ARE SUBJECT TO THE ZONING ORDINANCES OF RICHLAND COUNTY. THE SHOWN AREAS ARE SUBJECT TO THE ZONING ORDINANCES OF RICHLAND COUNTY.
3. A PORTION OF RICHLAND COUNTY MAP SHEET 17904, BLOCK 10, IS SHOWN FOR REFERENCE. THE ELEVATIONS SHOWN ON THIS MAP SHEET ARE MEAN SEA LEVEL, TOPOGRAPHIC ELEVATIONS. THE ELEVATIONS SHOWN ON THIS MAP SHEET ARE MEAN SEA LEVEL, TOPOGRAPHIC ELEVATIONS. THE ELEVATIONS SHOWN ON THIS MAP SHEET ARE MEAN SEA LEVEL, TOPOGRAPHIC ELEVATIONS.
4. ALL ELEVATIONS ARE MEAN SEA LEVEL, TOPOGRAPHIC ELEVATIONS. THE ELEVATIONS SHOWN ON THIS MAP SHEET ARE MEAN SEA LEVEL, TOPOGRAPHIC ELEVATIONS.
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6. THE ELEVATIONS SHOWN ON THIS MAP SHEET ARE MEAN SEA LEVEL, TOPOGRAPHIC ELEVATIONS. THE ELEVATIONS SHOWN ON THIS MAP SHEET ARE MEAN SEA LEVEL, TOPOGRAPHIC ELEVATIONS.
7. ALL ROAD R.O.W.'S TO BE DEDICATED TO RICHLAND COUNTY FOR PUBLIC USE, 15' OR WIDER.
8. SETBACKS DETERMINED BY DIGITAL SCIENCE ASSOCIATES.
9. TO OBTAIN A COMPLETE LIST OF INFORMATION, CONTACT THE ENGINEER TO OBTAIN A COMPLETE LIST.
10. BROOKHAVEN IS A CLUSTER HOUSING DEVELOPMENT. MATRAN LOT DIVISIONS PER UNIT: 504.

METHODS: FRONT = 20' (STANDARD)
REAR = 25' (STANDARD)
SIDE = 5'

LOT LINE CURVE DATA

| LINE NO. | CHORD BEARING | RADIUS | DELTA | CHORD LENGTH | MARKET | CHORD BEARING | DELTA |
|----------|-----------------|--------|--------|--------------|--------|-----------------|--------|
| 1 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 1 | S 89° 58' 12" W | 100.00 |
| 2 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 2 | S 89° 58' 12" W | 100.00 |
| 3 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 3 | S 89° 58' 12" W | 100.00 |
| 4 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 4 | S 89° 58' 12" W | 100.00 |
| 5 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 5 | S 89° 58' 12" W | 100.00 |
| 6 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 6 | S 89° 58' 12" W | 100.00 |
| 7 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 7 | S 89° 58' 12" W | 100.00 |
| 8 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 8 | S 89° 58' 12" W | 100.00 |
| 9 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 9 | S 89° 58' 12" W | 100.00 |
| 10 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 10 | S 89° 58' 12" W | 100.00 |
| 11 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 11 | S 89° 58' 12" W | 100.00 |
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| 14 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 14 | S 89° 58' 12" W | 100.00 |
| 15 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 15 | S 89° 58' 12" W | 100.00 |
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| 25 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 25 | S 89° 58' 12" W | 100.00 |
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| 30 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 30 | S 89° 58' 12" W | 100.00 |
| 31 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 31 | S 89° 58' 12" W | 100.00 |
| 32 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 32 | S 89° 58' 12" W | 100.00 |
| 33 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 33 | S 89° 58' 12" W | 100.00 |
| 34 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 34 | S 89° 58' 12" W | 100.00 |
| 35 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 35 | S 89° 58' 12" W | 100.00 |
| 36 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 36 | S 89° 58' 12" W | 100.00 |
| 37 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 37 | S 89° 58' 12" W | 100.00 |
| 38 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 38 | S 89° 58' 12" W | 100.00 |
| 39 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 39 | S 89° 58' 12" W | 100.00 |
| 40 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 40 | S 89° 58' 12" W | 100.00 |
| 41 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 41 | S 89° 58' 12" W | 100.00 |
| 42 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 42 | S 89° 58' 12" W | 100.00 |

ROAD CENTER LINE CURVE DATA

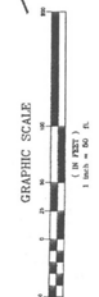
| LINE NO. | CHORD BEARING | RADIUS | DELTA | CHORD LENGTH | MARKET | CHORD BEARING | DELTA |
|----------|-----------------|--------|--------|--------------|--------|-----------------|--------|
| 1 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 1 | S 89° 58' 12" W | 100.00 |
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| 42 | S 89° 58' 12" W | 100.00 | 100.00 | 141.42 | 42 | S 89° 58' 12" W | 100.00 |

THE ENGINEER IS:
THE ENGINEER IS: THE ENGINEER IS: THE ENGINEER IS:
DIGITAL SCIENCE ASSOCIATES, LLC
1000 W. BROADWAY, SUITE 200
COLUMBIA, SC 29201
TEL: 803/749-9000 TEL: 803/749-9800

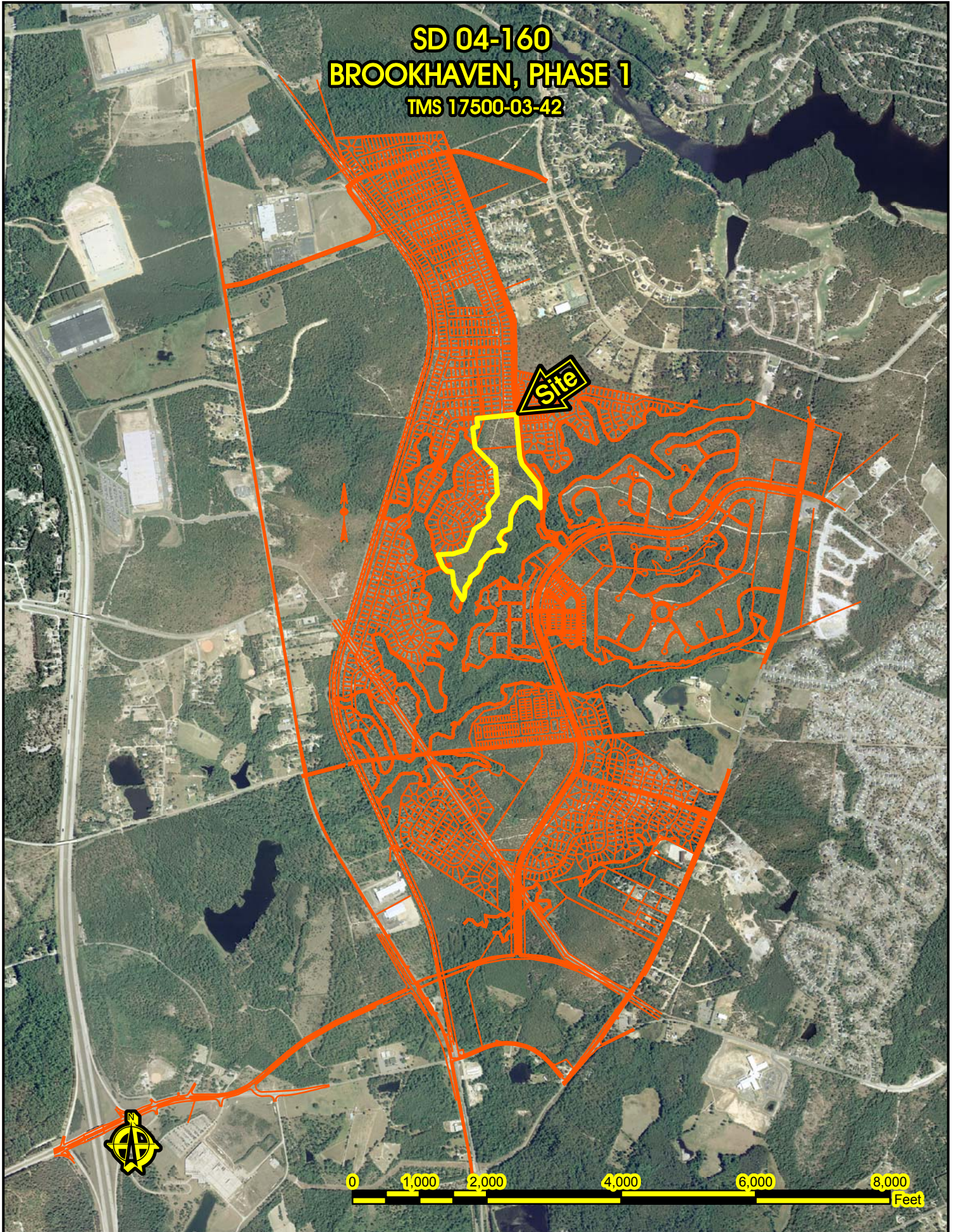
BROOKHAVEN
IN RICHLAND COUNTY, SOUTH CAROLINA

LEGEND:

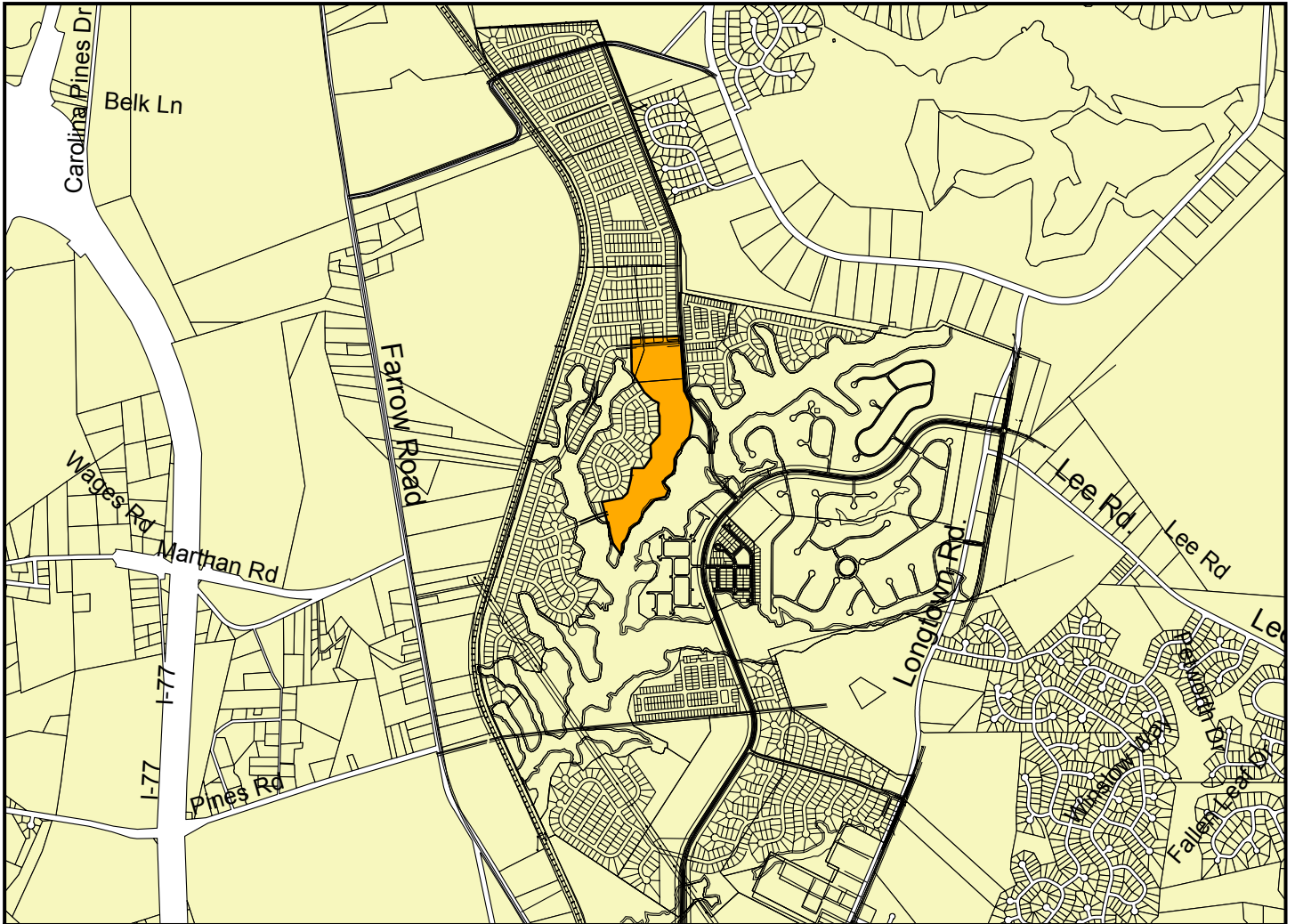
- PROPOSED EDGE PAVEMENT
- PROPOSED CENTERLINE ROAD
- PROPOSED SETBACK
- PROPOSED EASEMENT
- PROPOSED EASEMENT
- PROPOSED WATER EASEMENT



SD 04-160
BROOKHAVEN, PHASE 1
TMS 17500-03-42



SD 03-160 BROOKHAVEN, PHASE 1



Looking at interior of the site

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

February 2, 2004

| | | | |
|---|--|--|--|
| Applicant: The Mungo Company | | Preliminary Subdivision Plans For: Brookhaven, Phase 2 | |
| RC Project # : SD-04-162 | | | |
| General Location: West Side of the Villages @ Longtown | | | |
| Tax Map Number: 17500-03-42 (p) | | Number of Residences: 80 | |
| Subject Area: 21.8 acres | | Sewer Service Provider: City of Columbia | |
| Current Zoning: PUD-2 | | Water Service Provider: City of Columbia | |

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

| | | |
|--|------------------------------|--|
| Proposed Project Gets Its Principal Access From | Longtown Road | |
| Functional Classification Of This Roadway | Two lane undivided collector | |
| Level-Of-Service C Design Capacity (V/C = 1.00) | 8600 | |
| Estimated Traffic Generated By The Proposed Project | 760 | |
| Current Volume At The Nearest Count Station # 711 Located @ South of Lee Road | 4000 | |
| Estimated Traffic Count With the Proposed Project | 4760 | |
| Volume-To-Capacity Ratio With The Proposed Project | 0.55 | |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at count station # 711. **The Department estimates that upon completion of the Villages @ Longtown project, the traffic on Longtown Road will far exceed the minimum LOS F level.**

Fire Service Impacts

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

School Impacts

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

| | |
|--|----|
| Elementary School @ 0.20 students per single family DU | 16 |
| Middle School @ 0.13 students per single family DU | 10 |
| High School @ 0.12 Students per single family DU | 9 |

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

Existing Site Conditions

The site contains scrub oak and pine trees. A large wetland area that is the central natural feature of the project separates this project from the remainder of the project to the east..

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

The I-77 Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Industrial on this Map.

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

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

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

The proposed project will have a density of 3.67 DU/acre. The proposed project implements this Objective.

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

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

Other Pertinent Factors

- 1) As of January 21, 2004, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of January 21, 2004, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of January 21, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of January 21, 2004, DHEC had not issued a construction permit for the sewer lines.
- 5) As of January 21, 2004, DHEC had not issued a construction permit for the water lines.

All applicants must be aware that the current Code County has strict requirements about not selling lots, or negotiating the sale of lots within subdivisions before the plat is recorded. Specifically, Section 22-71 (a) of the Code states “...Whoever, being the owner or agent of the owner of any land located within a subdivision, **transfers or sells, agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before that plat has been approved by the planning commission and recorded in the office of mesne conveyance (*Register of Deeds*), shall be guilty of a misdemeanor.** (b) The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring that lot or parcel shall not exempt the transaction from those penalties or remedies herein provided. The county may enjoin such transfer, sale, or agreement by appropriate action...”

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 80 unit single family detached subdivision, known as Brookhaven, Phase 2 (Project # SD-04-162), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity. **The Department estimates that upon completion of the Villages @ Longtown project, the traffic on Longtown Road will far exceed the minimum LOS F level.**

2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is not consistent with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives of the I-77 Corridor Subarea Plan.
5. The proposed project does not implement the relevant Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The front yard setback shall be a minimum of 25 feet from the street right-of-way; the side yard setbacks shall total 12 feet with a minimum of 6 feet; the rear yard setback shall be a minimum of 20 feet and the maximum lot coverage shall be 25 percent; and
- b) The Department of Public Works must approve the stormwater management plans; and
- c) The Floodplain Manager (Harry Reed @ 576-2150) **must approve the flood elevation statement prior to building permits being issued**; and
- d) The City of Columbia must approve the water and sewer line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) **No site clearance activity shall commence until this Department has issued a written notice of compliance with the tree protection standards in Chapter 27 of the Code.** Contact Anna Almeida @ 576-2168 for more details; and
- h) No building permits shall be issued until all of the conditions cited above are met; and
- i) Plats shall not be approved for recording until the City of Columbia approves the water & sewer line easement documents; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) A Certificate of Occupancy (CO) **can NOT be approved** until the Department receives a copy of the DHEC Permit To Operate the water system AND a copy of the DHEC Permit To Operate the sewer system; and
- l) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water & sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

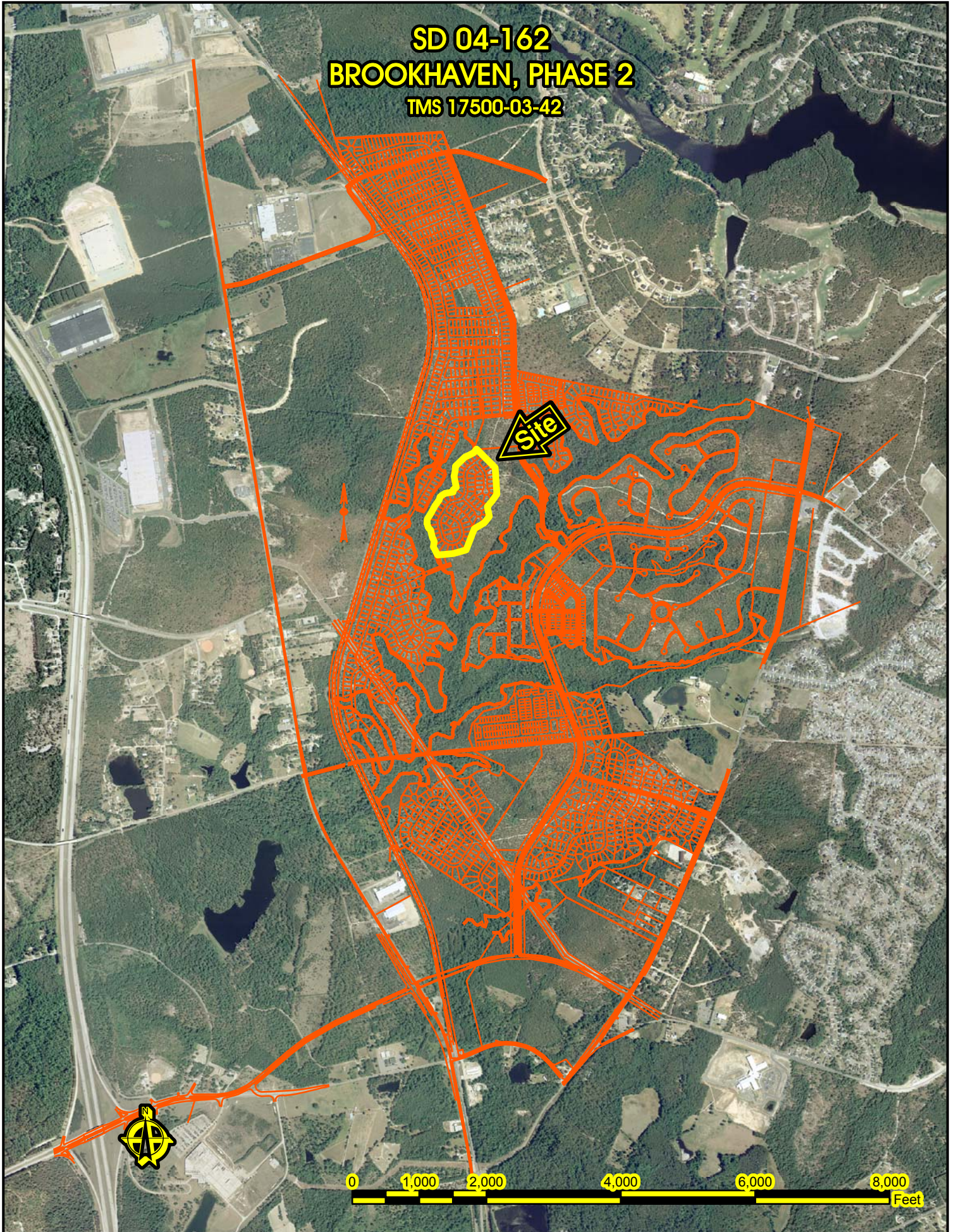
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

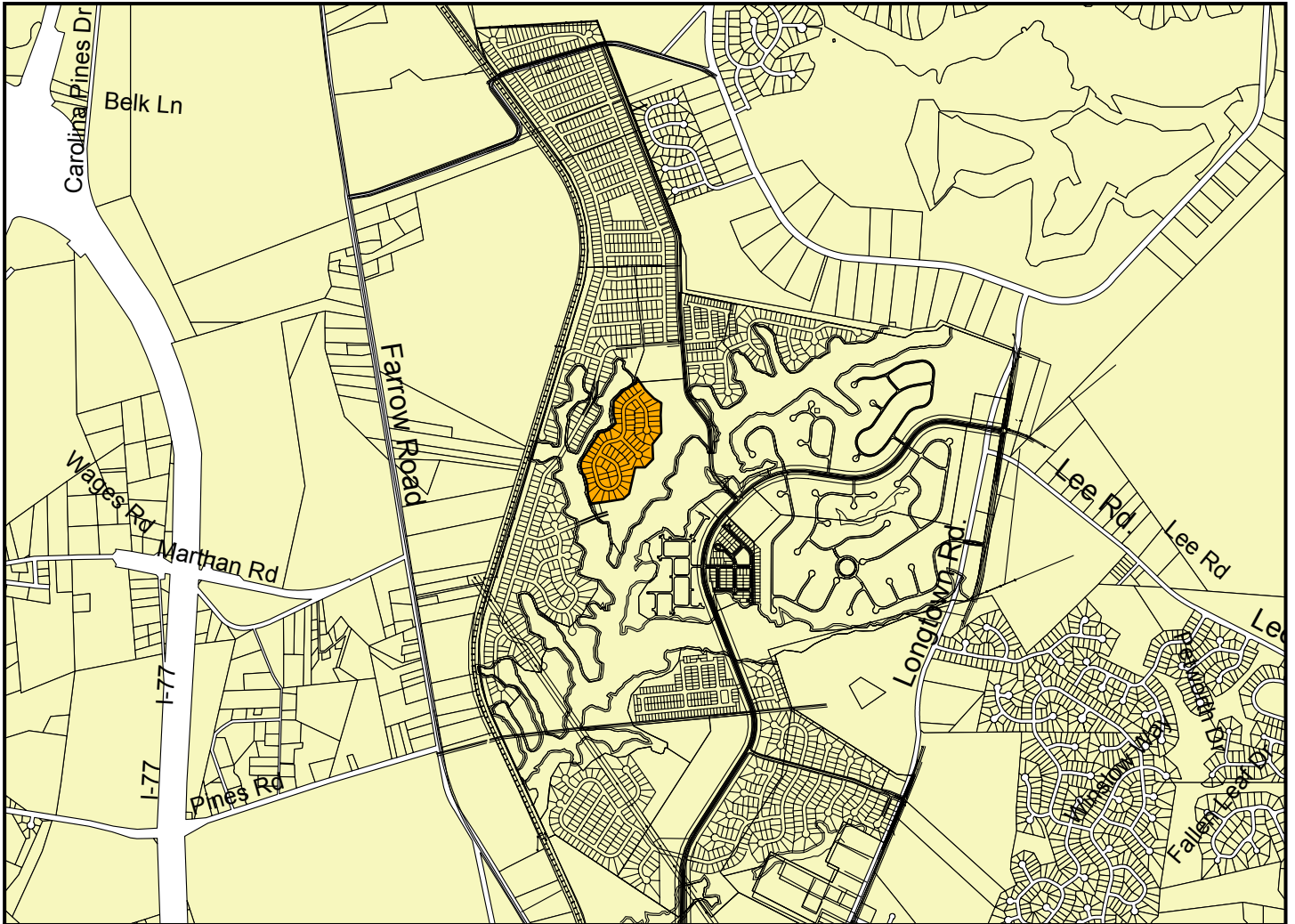
Appeal

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

SD 04-162
BROOKHAVEN, PHASE 2
TMS 17500-03-42



SD 03-162 BROOKHAVEN, PHASE 2



Looking at interior of the site

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

February 2, 2004

| | | | |
|---|---|--|--|
| Applicant: Frank Smith | | Minor Subdivision Plans For: | |
| RC Project # : SD-04-166 | | Pine Knoll S/D | |
| General Location: North side Piney Grove Road west of Broad River Road | | | |
| Tax Map Number: 06201-07-10/11/12; 06201-09-18/20/21/22/29; 06202-01-05/6/7/8; 06202-02-01/2/3 | | Number of Residences: 19 duplexes – 38 total units on vacant lots in an existing duplex/triplex subdivision | |
| Subject Area: 4.0 acres | Sewer Service Provider: Alpine Utilities | | |
| Current Zoning: RG-2 | Water Service Provider: City of Columbia | | |

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

| | | |
|--|-----------------------------------|--|
| Proposed Project Gets Its Principal Access From | Piney Grove road | |
| Functional Classification Of This Roadway | Two lane undivided minor arterial | |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | 10,800 | |
| Estimated Traffic Generated By The Proposed Project | 361 | |
| Current Volume At The Nearest Count Station # 465 Located @ West of site entrance | 6900 | |
| Estimated Traffic Count With the Proposed Project | 7261 | |
| Volume-To-Capacity Ratio With The Proposed Project | 0.67 | |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 465.

Fire Service Impacts

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

School Impacts

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

| | |
|--|---|
| Elementary School @ 0.20 students per single family DU | 8 |
| Middle School @ 0.13 students per single family DU | 5 |
| High School @ 0.12 Students per single family DU | 4 |

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

Existing Site Conditions

The proposed project is an infill development of vacant lots within the existing Pine Knoll subdivision. Public water and sewer service is available to the project. Some road construction with will required to complete Wynn Way Circle.

Compatibility with the Surrounding Area

The existing units are all duplexes or triplexes. The applicant proposes to construct 19 duplex units on the undeveloped lots. The project is compatible with the adjacent development

Discussion of Applicable Comprehensive Plan Issues

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

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as High/Medium Density Residential (**max. density of 9 DU/acre**) on this Map. The proposed project **is not consistent** with this land use designation as submitted.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 34 respectively, are discussed below:

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

The existing development in this project is duplex and triplex residences. The proposed duplex infill project implements this Objective.

Principle – The Established Urban Area should contain overall higher density levels...to a maximum of 9 DU/acre

The proposed project will result in the site exceeding the 9 DU/acre density limit established in the Subarea Plan, i.e., 38 units on 4.0 acres. **Therefore, the project does not implement this Principle.** However, if two units are eliminated from the project (see the discussion below), the proposed project would meet the 9 DU/acre density limit.

Piney Grove Rd is a very narrow road that has a curve at the entrance to the project. There is a bridge on the curve with a small hill to the west of the creek. The site distance from the proposed lot 1 is very poor to the west and is not very good to the east. Therefore, in order to "...assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in...new land developments..." as required by Chapter 6-29-1120 (3), SC Code of Laws, lot 1 should be prohibited from having direct access to Piney Grove Rd.

Other Pertinent Factors

- 1) As of January 21, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 21, 2004, the flood elevation statement had not been approved.
- 3) As of January 21, 2004, the City of Columbia had not approved the water line construction plans.
- 4) As of January 21, 2004, DHEC had not issued a sewer line construction permit.
- 5) As of January 21, 2004, DHEC had not issued a water line construction permit.

All applicants must be aware that the current Code County has strict requirements about not selling lots, or negotiating the sale of lots within subdivisions before the plat is recorded. Specifically, Section 22-71 (a) of the Code states "...Whoever, being the owner or agent of the owner of any land located within a subdivision, **transfers or sells, agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before that plat has been approved by the planning commission and recorded in the office of mesne conveyance (*Register of Deeds*), shall be guilty of a misdemeanor.** The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring that lot or parcel shall not exempt the transaction from those penalties or remedies herein provided. The county may enjoin such transfer, sale, or agreement by appropriate action..."

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the minor subdivision plans for a 19 duplex unit infill project, known as Pine Knoll (Project # SD-04-166), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Piney Grove Road operating below a LOS C capacity.
2. Lot 1 shall be prohibited from having direct access to Piney Grove Road.
3. The proposed subdivision is compatible with existing development in the area.
4. The proposed project is consistent with the Northwest Subarea Plan Map land use designation.
5. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

Specific Conditions

- a) **PRIOR to any site clearance activity being initiated**, the subdivision plats shall include tree protection certification statements provided by the Department; and
- b) The plat must establish the setbacks, either graphically or by notation, for each lot; and
- c) The Department of Public Works must approve the stormwater management plans; and
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; and
- e) The City of Columbia must approve the water line construction plans, if necessary; and
- f) DHEC must issue the sewer line construction permits, if necessary; and
- g) DHEC must issue the water line construction permits, if necessary; and
- h) Plats shall not be approved for recording until the City of Columbia approves the water line easement documents, if necessary; and
- i) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded** Plat
- j) No Certificate of Occupancy shall be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

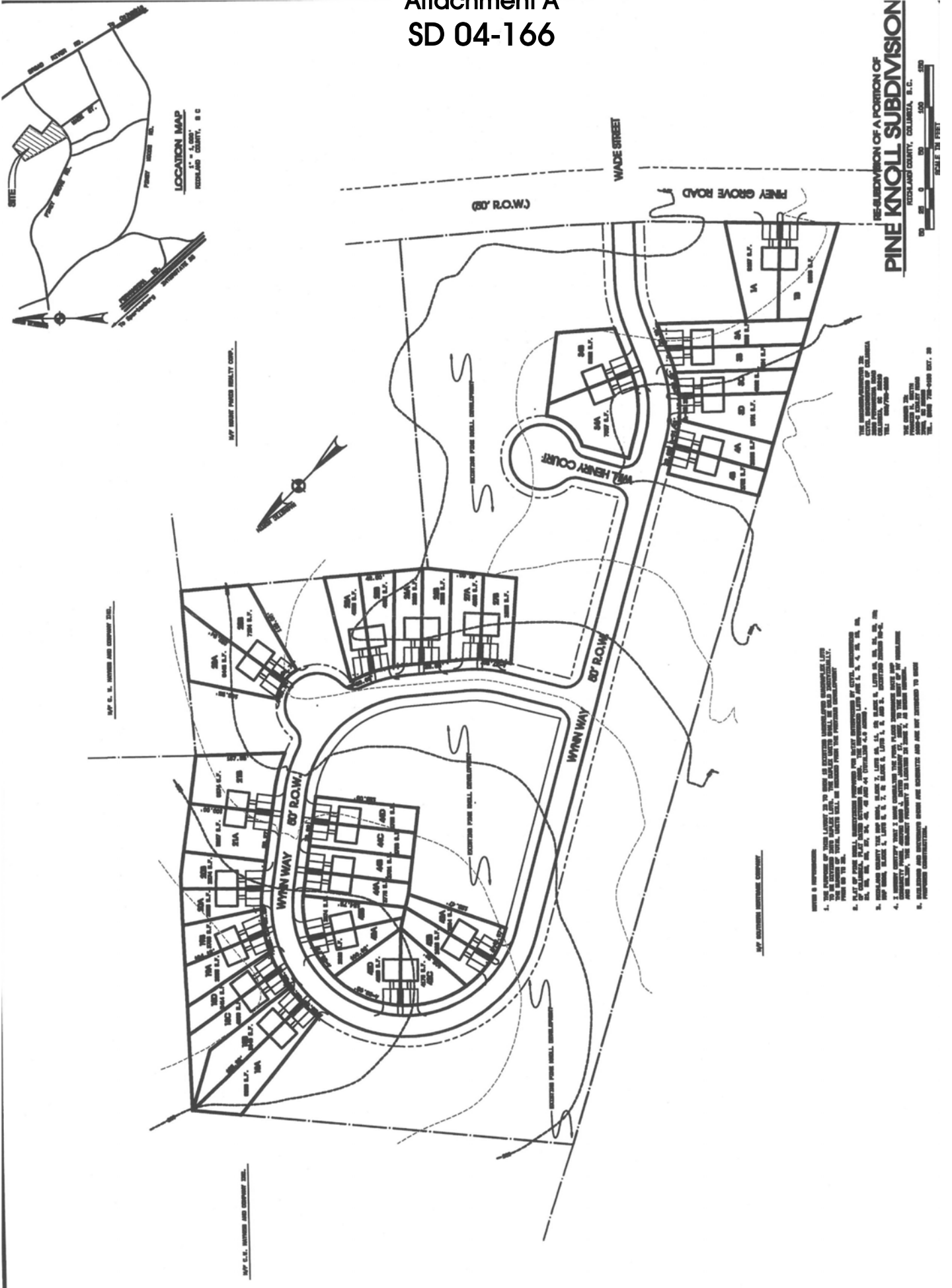
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

Appeal

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

Attachment A SD 04-166



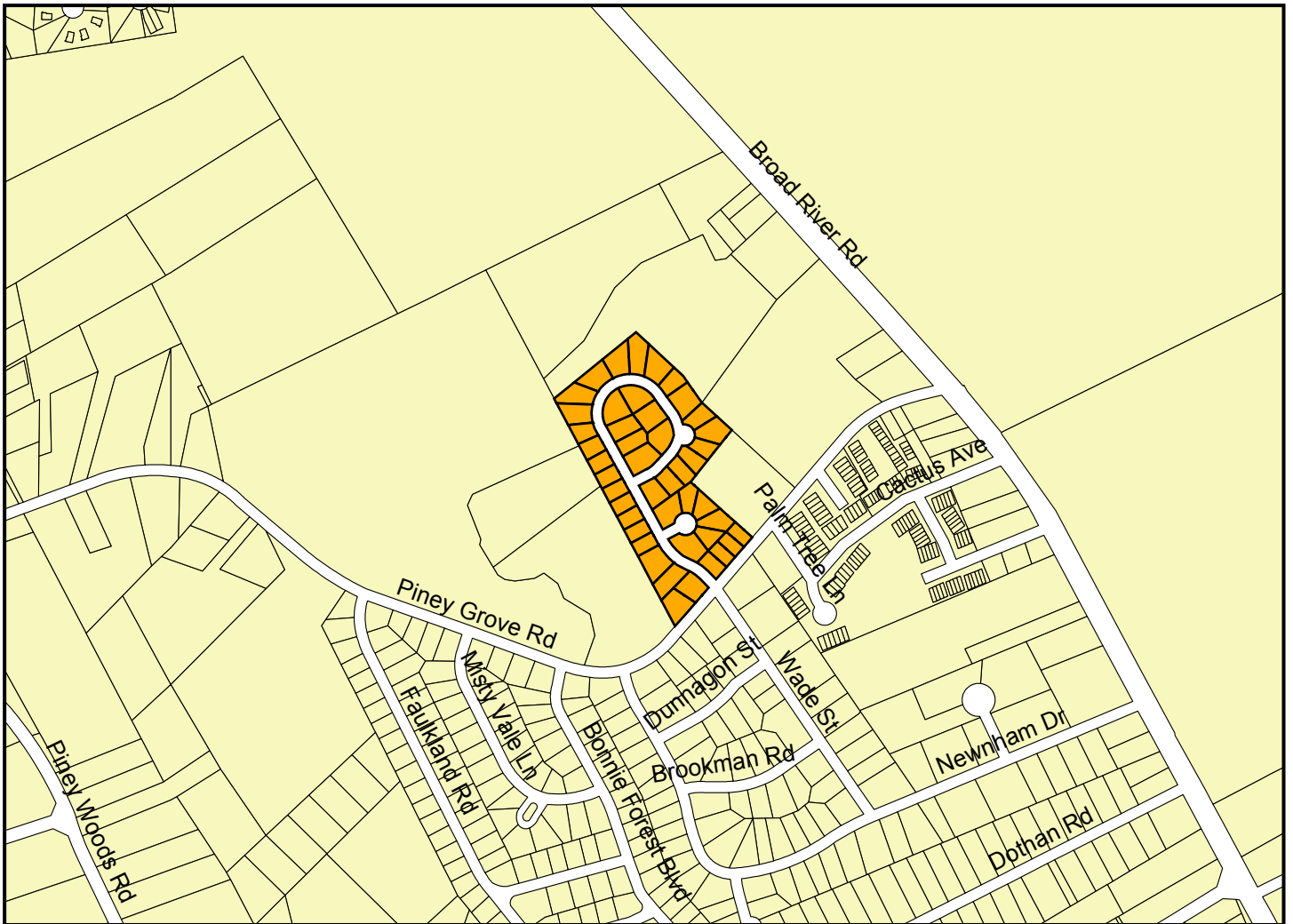
RESUBDIVISION OF A PORTION OF PINE KNOLL SUBDIVISION COLUMBIA, S.C.

- THE INFORMATION ON THIS PLAN IS BASED ON THE RECORDS OF THE CITY OF COLUMBIA, SOUTH CAROLINA, AND THE RECORDS OF THE COUNTY OF COLUMBIA, SOUTH CAROLINA. THE INFORMATION ON THIS PLAN IS BASED ON THE RECORDS OF THE CITY OF COLUMBIA, SOUTH CAROLINA, AND THE RECORDS OF THE COUNTY OF COLUMBIA, SOUTH CAROLINA. THE INFORMATION ON THIS PLAN IS BASED ON THE RECORDS OF THE CITY OF COLUMBIA, SOUTH CAROLINA, AND THE RECORDS OF THE COUNTY OF COLUMBIA, SOUTH CAROLINA.
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SD 04-166
PINE KNOLL (MINOR)
TMS 06201-07-10



SD 03-166 PINE KNOLL (MINOR)



Looking east on Wynn Way



Looking south toward Piney Grove Road

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

February 2, 2004

| | | | |
|---|--|--|--|
| Applicant: Brian Peeler | | Preliminary Subdivision Plans For: Ashwood Hills | |
| RC Project # : SD-04-65 | | | |
| General Location: West Side of Hiller Road, south of Dutch Fork Road | | | |
| Tax Map Number: 01501-01-02 | | Number of Residences: 16 | |
| Subject Area: 14.9 acres | | Sewer Service Provider: Richland County | |
| Current Zoning: RU | | Water Service Provider: City of Columbia | |

SECTION I – ANALYSIS

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

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

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

Traffic Impact Discussion

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

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

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

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

| | |
|---|----------------|
| Proposed Project Gets Its Principal Access From | Hiller Road |
| Functional Classification Of This Roadway | Not Classified |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | NAp |
| Estimated Traffic Generated By The Proposed Project | 152 |
| Current Volume At The Nearest Count Station # Located @ | Not Counted |
| Estimated Traffic Count With the Proposed Project | NAp |
| Volume-To-Capacity Ratio With The Proposed Project | NAp |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project will not significantly increase the average daily traffic on Hiller Road

Fire Service Impacts

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

School Impacts

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

| | |
|--|---|
| Elementary School @ 0.20 students per single family DU | 3 |
| Middle School @ 0.13 students per single family DU | 1 |
| High School @ 0.12 Students per single family DU | 0 |

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

Existing Site Conditions

The site slopes eastward toward Hiller Road. There is a low area through the center of the site to the middle of the curve in Hiller Road

Compatibility with the Surrounding Area

There are single family residences on large lots across the Road. The site is adjacent to the Villages @ Hilton PUD. The project is compatible with the adjacent development in the area.

Discussion of Applicable Comprehensive Plan Issues

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

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Residential Rural on this Map. The proposed project is consistent with this land use designation.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 38 respectively, are discussed below:

Objective – In areas of environmentally sensitive lands of limited infrastructure, low density development is encouraged

The subject project is a low density subdivision with each lot averaging almost 9/10 acre. The proposed project implements this Objective.

Principle –The purpose of the rural area designation is to maintain the open character and natural setting of the landscape

The proposed 9/10 acre lot subdivision is substantially similar to the residential development across the Road. This project implements this Principle.

Other Pertinent Factors

- 1) As of January 21, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 21, 2004, the flood elevation statement had not been approved.
- 3) As of January 21, 2004, the City of Columbia had not approved the water line construction plans.
- 4) As of January 21, 2004, DHEC had not issued a sewer line construction permit.
- 5) As of January 21, 2004, DHEC had not issued a water line construction permit.
- 6) As of January 21, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

All applicants must be aware that the current Code County has strict requirements about not selling lots, or negotiating the sale of lots within subdivisions before the plat is recorded. Specifically, Section 22-71 (a) of the Code states “...Whoever, being the owner or agent of the owner of any land located within a subdivision, **transfers or sells, agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before that plat has been approved by the planning commission and recorded in the office of mesne conveyance (*Register of Deeds*), shall be guilty of a misdemeanor.** The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring that lot or parcel shall not exempt the transaction from those penalties or remedies herein provided. The county may enjoin such transfer, sale, or agreement by appropriate action...”

The Department believes that a potential safety hazard exists when subdivision lots have double frontage, i.e., access to both the interior residential streets and the adjacent roadways. Therefore in order to promote adequate pedestrian and vehicular safety in subdivisions as required by state law, it is necessary to ensure such lots have access only from the interior residential streets. To this end, the developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Hiller Road from lot 1 and lots 11 through 16.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary subdivision plans for a 16 unit single family detached subdivision, known as Ashwood Hills (Project # SD-04-65), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

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

Specific Conditions

- a) **PRIOR to any site clearance activity being initiated**, the subdivision plats shall include tree protection certification statements provided by the Department; and
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission **prior to assigning street addresses** for building permits; and
- c) The Department of Public Works must approve the stormwater management plans; and
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; and
- e) The City of Columbia must approve the water line construction plans; and
- f) DHEC must issue the sewer line construction permits; and
- g) DHEC must issue the water line construction permits; and
- h) The developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Hiller Road from lot 1 and lots 11 through 16; and
- i) No building permits shall be issued until all of the conditions cited above are met; and
- j) Plats shall not be approved for recording until the City of Columbia approves the water line easement documents; and
- k) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- l) No Certificate of Occupancy shall be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- m) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

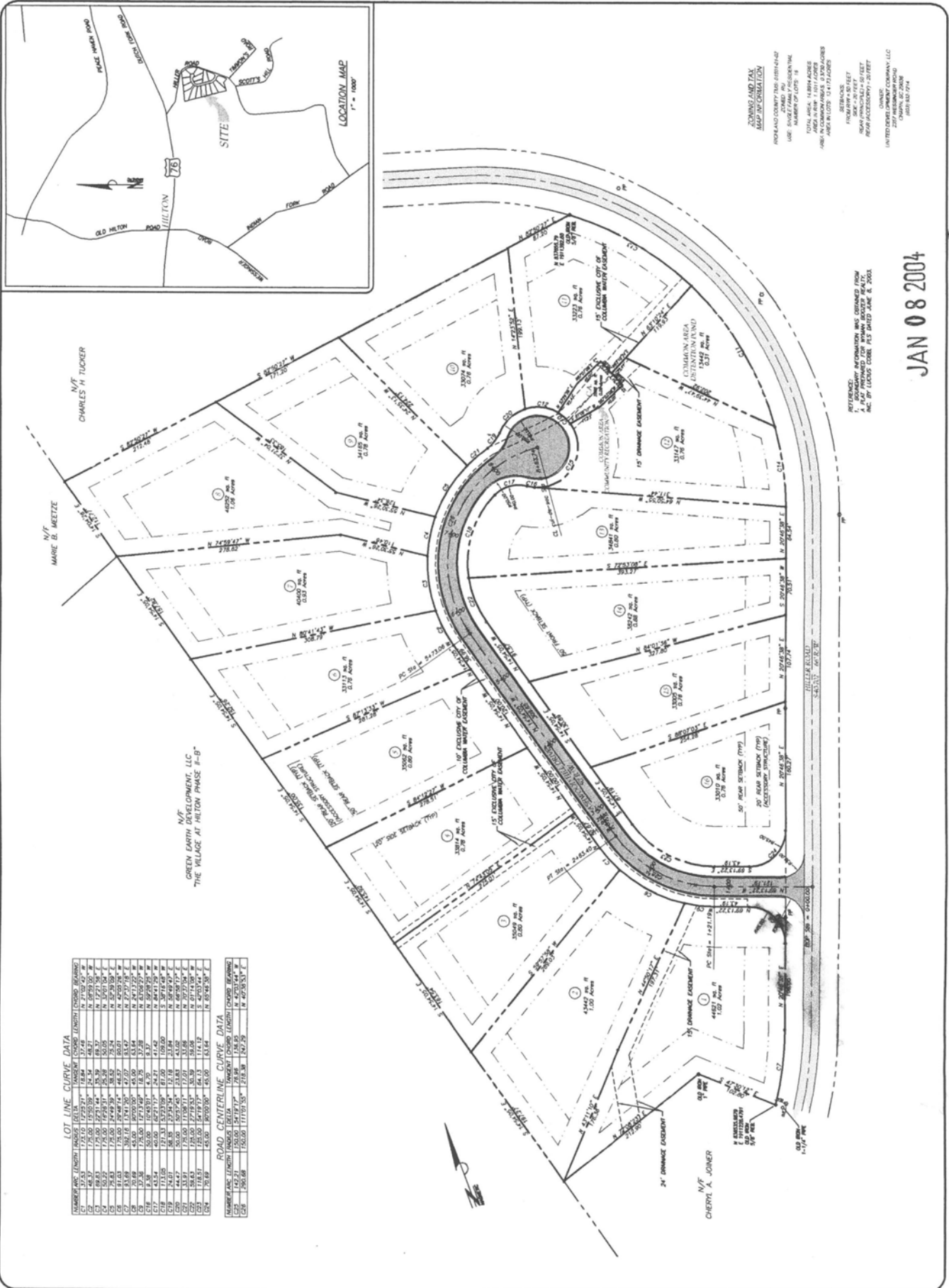
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

Appeal

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

Attachment A SD 04-65

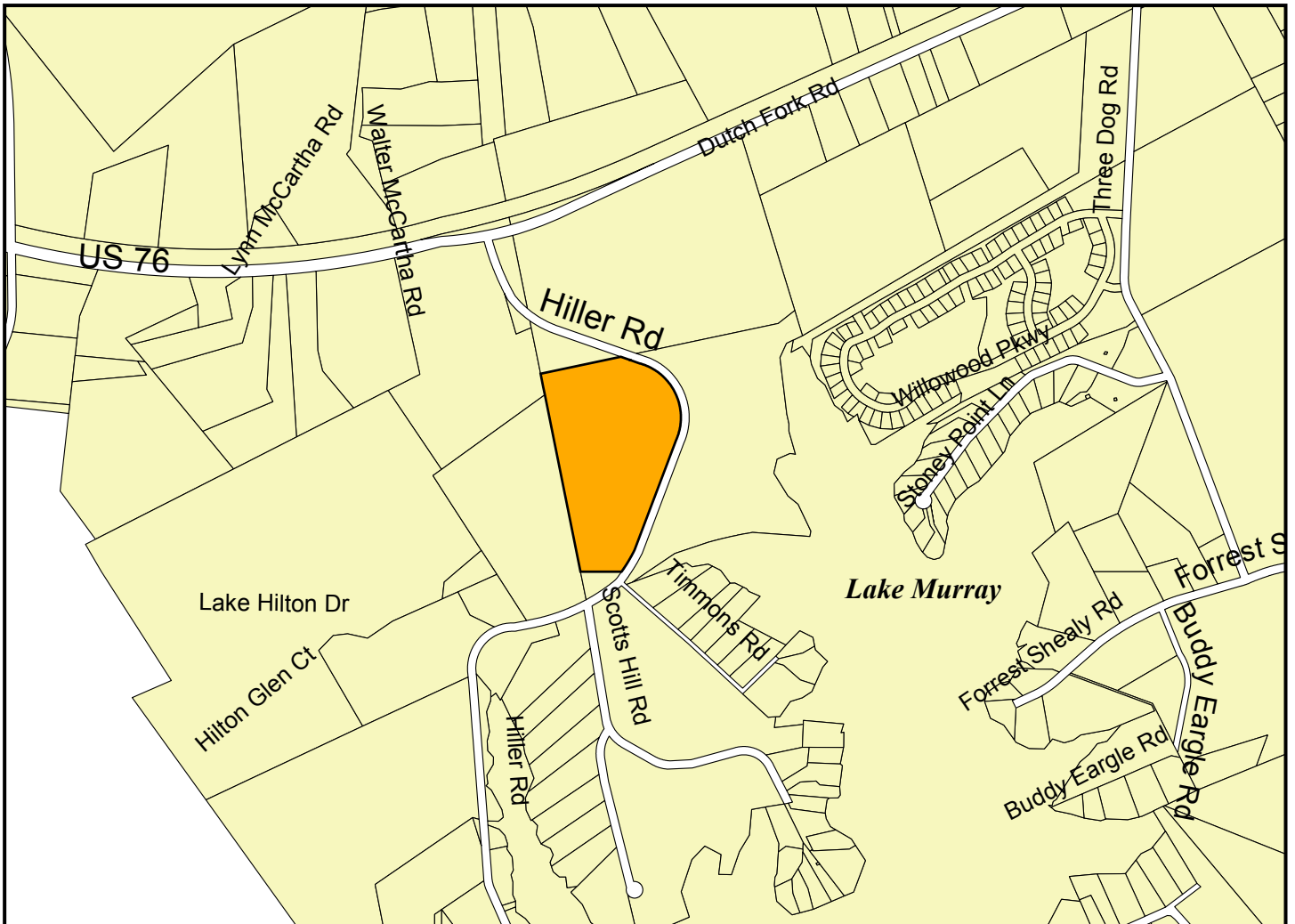


SD 04-65
ASHWOOD HILLS
TMS 01501-01-02

Site →



SD 03-65 ASHWOOD HILLS



Looking north on Hiller Road towards site



Looking south on Hiller Road at site

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

February 2, 2004

| | | |
|--|---|---|
| Applicant: David Winburn | | Preliminary Subdivision Plans For: Villages @ Lakeshore, Phases 1A & 1B |
| RC Project # : SD-04-01 | | |
| General Location: Both sides of Longtown Road East of Farrow Road | | |
| Tax Map Number: 17300-01-05 | | Number of Residences: 126 |
| Subject Area: 121.7 acres | Sewer Service Provider: City of Columbia | |
| Current Zoning: PUD | Water Service Provider: City of Columbia | |

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

| | | |
|--|------------------------------|--|
| Proposed Project Gets Its Principal Access From | Longtown Road | |
| Functional Classification Of This Roadway | Two lane undivided collector | |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | 8600 | |
| Estimated Traffic Generated By The Proposed Project | 1197 | |
| Current Volume At The Nearest Count Station # 785 Located @ almost the subdivision entrance | 4800 | |
| Estimated Traffic Count With the Proposed Project | 5997 | |
| Volume-To-Capacity Ratio With The Proposed Project | 0.69 | |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 785. However, **the Department estimates that upon buildout of the Villages @ Longtown and other subdivisions, the traffic on Longtown Road will far exceed the minimum LOS F level.**

Fire Service Impacts

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

School Impacts

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

| | |
|--|----|
| Elementary School @ 0.20 students per single family DU | 25 |
| Middle School @ 0.13 students per single family DU | 16 |
| High School @ 0.12 Students per single family DU | 15 |

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

Existing Site Conditions

The site contains an extensive amount of pine forest that is in the process of selective clearing pursuant to a plan approved by the Department. The site slopes downward toward the lake in the center of the site.

Compatibility with the Surrounding Area

The project is a residential PUD approved by County Council on May 20, 2003 (Ordinance # 037-03 HR). The single family detached residential subdivision is the same type of product as the adjacent Killian Green S/D. The proposed project is compatible with the adjacent development in the area.

Discussion of Applicable Comprehensive Plan Issues

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

The I-77 Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Commercial am Low Density Residential on this Map. The proposed project is consistent with this land use designation.

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

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Attract quality residential development in the area by restricting uses which would compromise the area’s residential qualities

The proposed project will have a density of approximately 1 DU/acre. There will be substantial open space and onsite recreation facilities throughout the project. None of the lots will encroach into wetland areas or into the 100-year flood elevation. The project implements this Objective.

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

The subject project will have relatively small lots with substantial open space and recreation space throughout the project. This project implements this Principle.

Other Pertinent Factors

- 1) As of January 21, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 21, 2004, the flood elevation statement had not been approved.
- 3) As of January 21, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of January 21, 2004, DHEC had not issued a sewer line construction permit.
- 5) As of January 21, 2004, DHEC had not issued a water line construction permit.

All applicants must be aware that the current Code County has strict requirements about not selling lots, or negotiating the sale of lots within subdivisions before the plat is recorded. Specifically, Section 22-71 (a) of the Code states “...Whoever, being the owner or agent of the owner of any land located within a subdivision, **transfers or sells, agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before that plat has been approved by the planning commission and recorded in the office of mesne conveyance (*Register of Deeds*), shall be guilty of a misdemeanor.** The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring that lot or parcel shall not exempt the transaction from those penalties or remedies herein provided. The county may enjoin such transfer, sale, or agreement by appropriate action...”

One of the conditions of the PUD approval is that the applicant/developer "...shall dedicate 20 feet of R/W to the County along the north side of Brickyard Road and up to 30 feet along Longtown Road within the project boundaries prior to approving any plats for the project..." Although there have been some conversations regarding this matter between the applicant and the Public Works Dept., the dedication must be completed before the plat for Phase 1A & 1B can be approved.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 126 unit single family detached subdivision, known as Villages @ Lakeshore, Phase 1A & 1B (Project # SD-04-01), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

- 1) The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity. However, **the Department estimates that upon buildout of the Villages @ Longtown and other subdivisions, the traffic on Longtown Road will far exceed the minimum LOS F level.**
- 2) The proposed subdivision is compatible with existing development in the area.
- 3) The proposed project is partially consistent with the I-77 Corridor Subarea Plan Map land use designation.
- 4) The proposed project implements the relevant Objectives and Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The plat must establish the setbacks, either graphically or by notation, for each lot; and
- b) The plat must be revised to specifically establish the front, side and rear yard setbacks and the maximum lot building coverage percentage for all the lots in the project either on a lot-by-lot basis or by a general note; and
- c) The E-911 Coordinator must certify the street names have been approved by the Planning Commission **prior to assigning street addresses** for building permits; and
- d) The Department of Public Works must approve the stormwater management plans; and
- e) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; and
- f) The City of Columbia must approve the water and sewer line construction plans; and
- g) DHEC must issue the sewer line construction permits; and
- h) DHEC must issue the water line construction permits; and
- i) The applicant/developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Longtown Road; and
- j) The applicant/developer must complete the dedication of 30 feet of Right-Of-Way along Longtown Road **prior** to the plat being approved and/or building permits being issued; and
- k) No building permits shall be issued until all of the conditions cited above are met; and Plats shall only be recorded by the complete phases identified in the preliminary plan; and

- l) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; and Plats shall not be approved for recording until the City of Columbia approves the water and sewer line easement documents; and
- m) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- n) No Certificate of Occupancy shall be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat cannot be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

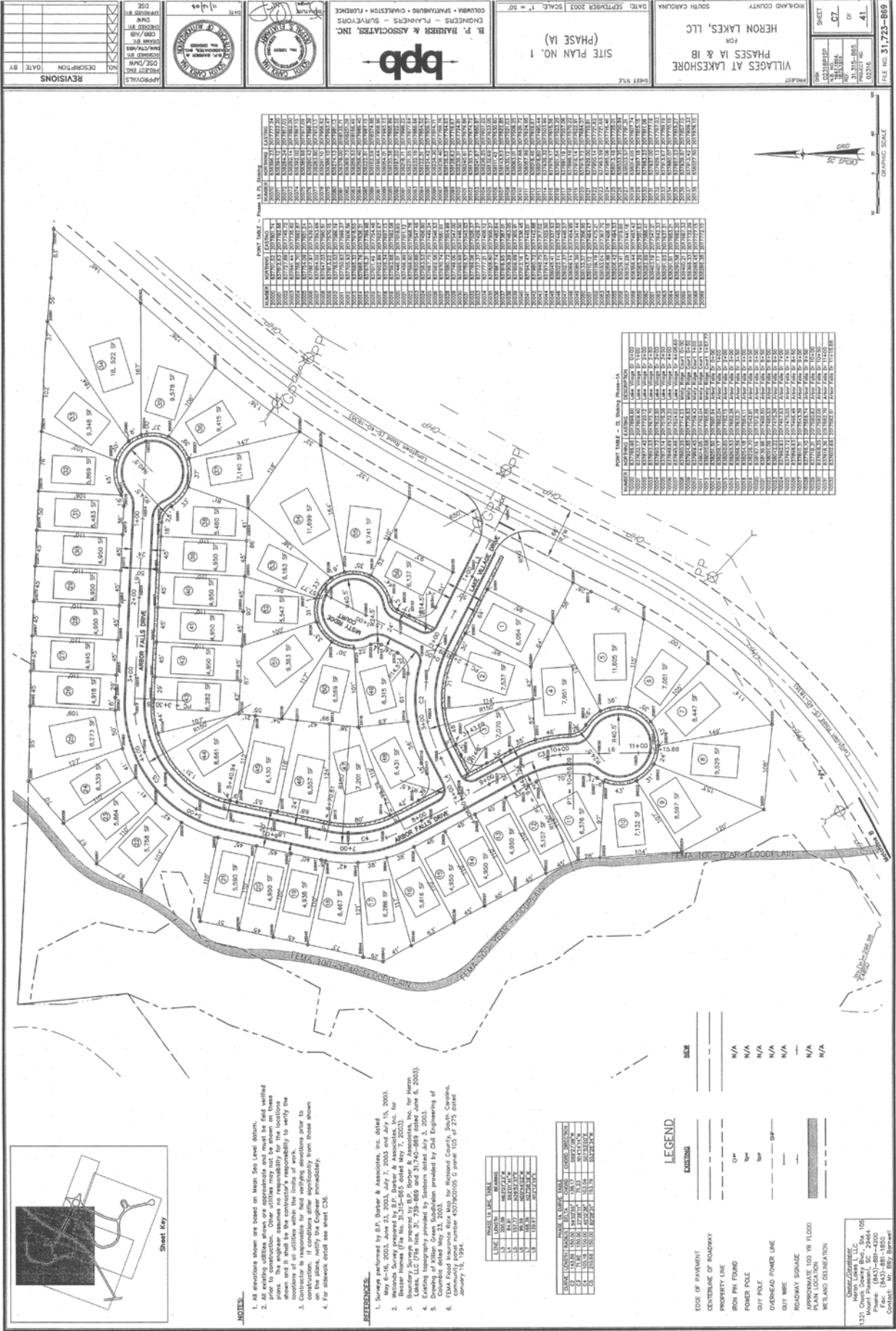
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

Appeal

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

Attachment A SD 04-01 1 of 3



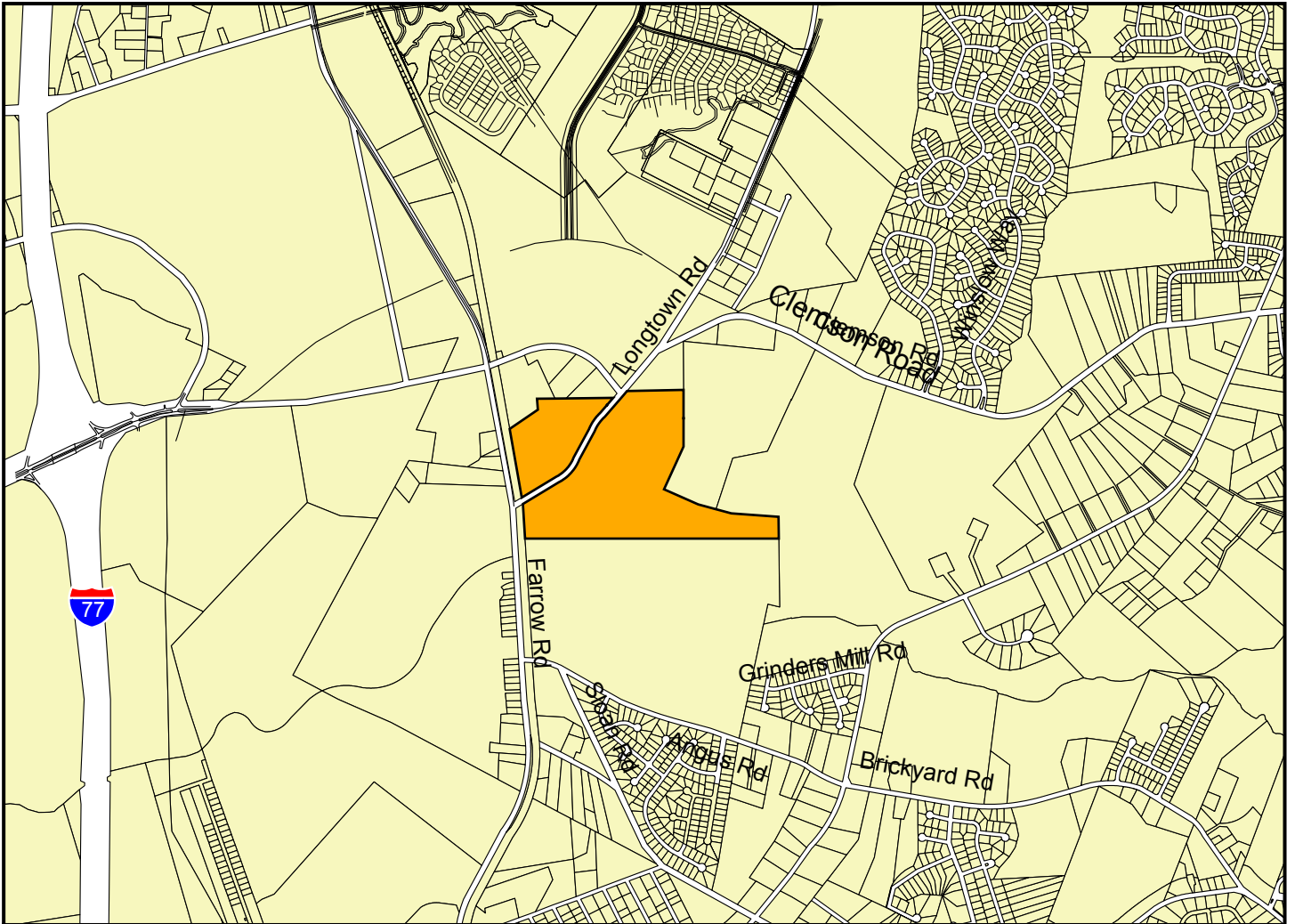
SD-04-01 DEC 31 2003

SD 04-01
VILLAGES @ LAKESHORE, PHASE 1
TMS 17300-01-05

Site →



SD 04-01 VILLAGES @ LAKESHORE, PHASE 1



Looking at interior of subject site



Looking south along Longtown Rd.
from the entrance to Phase 1

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

February 2, 2004

| | | |
|---|---|--|
| Applicant: Deslys Floyd-Russell | | Private Driveway Subdivision Plans For: Deslys Floyd Russell |
| RC Project # : SD-04-171 | | |
| General Location: East Side of Trotter Road north of Rabbit Run Road | | |
| Tax Map Number: 21900-04-21 | | Number of Residences: 3 |
| Subject Area: 5.3 acres | Sewer Service Provider: Septic Tank | |
| Current Zoning: RS-2 | Water Service Provider: Private Well | |

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

| | | |
|--|-----------------------------------|--|
| Proposed Project Gets Its Principal Access From | Trotter Road | |
| Functional Classification Of This Roadway | Two lane undivided minor arterial | |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | 10,800 | |
| Estimated Traffic Generated By The Proposed Project | 29 | |
| Current Volume At The Nearest Count Station # 565 Located @ near project entrance | 3500 | |
| Estimated Traffic Count With the Proposed Project | 3529 | |
| Volume-To-Capacity Ratio With The Proposed Project | 0.33 | |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 565.

Fire Service Impacts

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

School Impacts

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

| | |
|--|-----|
| Elementary School @ 0.20 students per single family DU | NAP |
| Middle School @ 0.13 students per single family DU | NAP |
| High School @ 0.12 Students per single family DU | NAP |

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

Existing Site Conditions

There is an existing single family detached residence on the site. Although public water and sewer service is available in the area, the subdivision will use private wells and septic tanks.

Compatibility with the Surrounding Area

The surrounding area has a variety of single family detached housing types. The project is compatible with the adjacent development in the area.

Discussion of Applicable Comprehensive Plan Issues

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

The Lower Richland Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Residential on this Map. The proposed project is consistent with this land use designation.

The Lower Richland Subarea Plan, adopted in January 1992, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 33 and 40 respectively, are discussed below:

Objective – Vary residential densities and development according to the character of the area

The proposed project will an average lots size of 1.6 acres The proposed project implements this Objective.

Principle – Established low density residential neighborhoods should be protected against penetration or encroachment from higher densities

The proposed project will develop a vacant area, surrounded by single family residences, into a low density residential subdivision. This project implements this Principle.

Other Pertinent Factors

- 1) As of January 21, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 21, 2004, the flood elevation statement had not been approved.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the subdivision plans for a 3 unit single family detached subdivision, known as Deslys Floyd-Russell Private Driveway Subdivision (Project # SD-04-171), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

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

Specific Conditions

- a) The Department of Public Works must approve the stormwater management plans; and
- b) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; and
- c) The applicant will be required to execute a Hold Harmless Agreement exempting the county from the responsibility to ever pave the driveway and any liability therefrom; and
- d) A copy of the recorded plat and Hold Harmless Agreement must be received by the Department prior issuing any building permits on the site; and
- e) **No building permits shall be issued until all of the conditions cited above are met.**

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

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

Attachment A SD 04-171

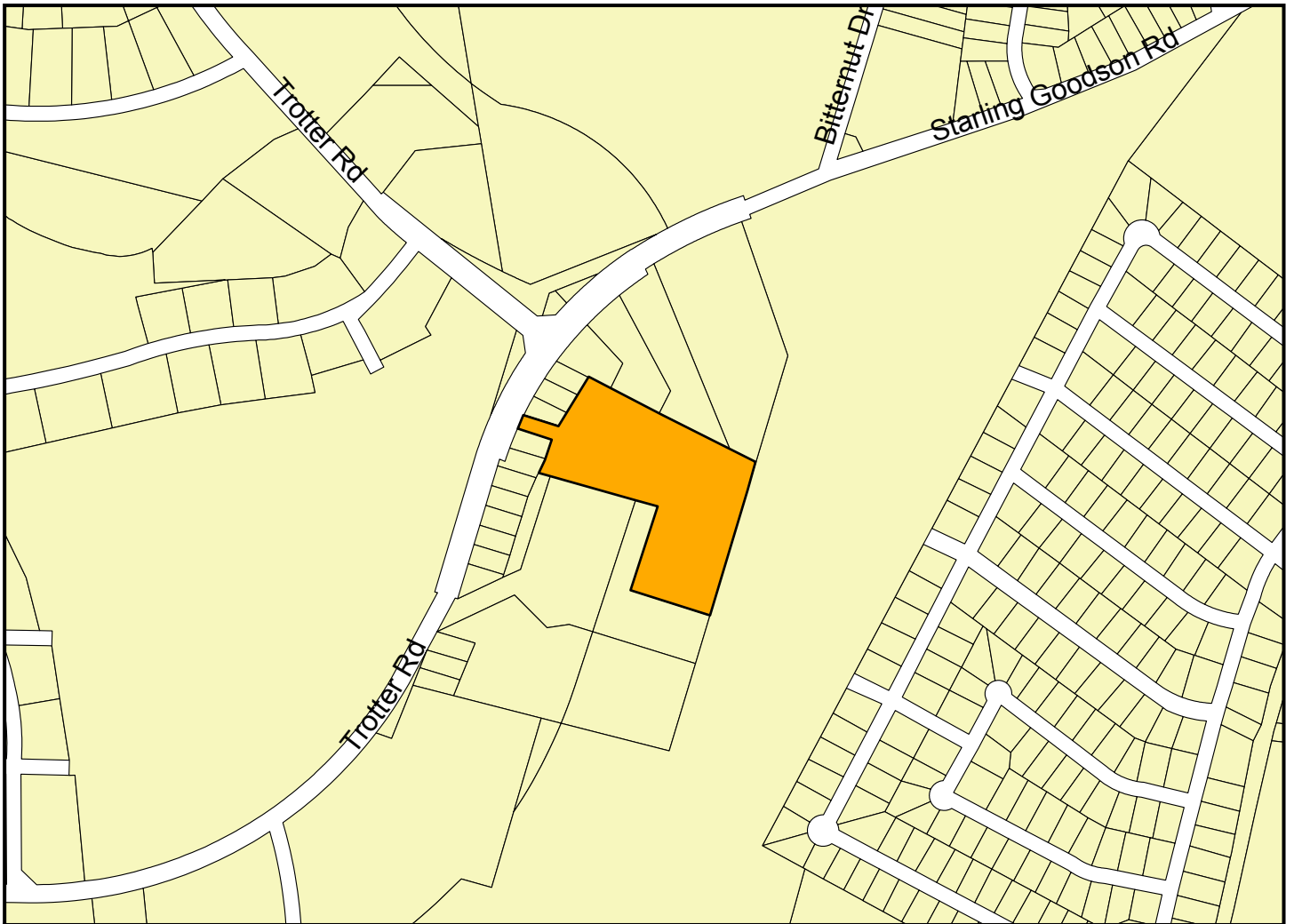


**SD 04-171
FLOYD PDS
TMS 17300-01-05**

Site →



SD 04-171 FLOYD PDS



Looking towards Trotter Rd from site interior



Looking at site entrance from Trotter Rd

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

February 2, 2004

| | |
|---|---|
| RC Project # 04-33 MA | Applicant: Shumaker & Shumaker, Inc. |
| General Location: North side of Koon Road approximately ½ miles east of Coogler Road | |
| Tax Map Number: 04100-01-06 | Subject Area: 29.1 ac MOL |
| Current Parcel Zoning: RU | Proposed Parcel Zoning: RS-2 |
| Proposed Use: Single Family Subdivision | PC Sign Posting Date: January 12, 2004 |

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of a single family residential subdivision.

Compatibility With Existing Development in the Area

| | Existing Zoning | Existing Land Use |
|-----------------------|------------------------|--|
| Subject Parcel | RU | Single family residence with out buildings and undeveloped woodlands |
| Adjacent North | RU | Undeveloped woodlands & large lot single family residences |
| Adjacent East | RU | Large lot single family residences |
| Adjacent South | RU | Large lot single family residences |
| Adjacent West | RU | Undeveloped woodlands & large lot single family residences |

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

| | |
|--|---|
| <p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p> | <p><u>Proposed RS-2 Zoning Designation Intent</u> Intended for single family residences with low to medium densities</p> |
| <p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p> | <p><u>Proposed RS-2 Zoning Permitted Uses</u> Single family detached residences on minimum 8,500 sq. ft. lots and a min. lot width of 60 ft Customary accessory uses</p> |

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

The adjacent residences are on parcels that exceed 2 acres in area. The project is not compatible with the adjacent single family residences on large sized lots.

Traffic Impact Discussion

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

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

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

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

| | | |
|---|----------------|--|
| Proposed Project Gets Its Principal Access From | Koon Road | |
| Functional Classification Of This Roadway | Not Classified | |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | NAp | |
| Estimated Traffic Generated By The Proposed Project | 917 | |
| Current Volume At The Nearest Count Station #632 Located @ north of site on Koon Rd. near Wes Bickley Road | 2,800 | |
| Estimated Traffic Count With the Proposed Project | 3,717 | |
| Volume-To-Capacity Ratio With The Proposed Project | NAp | |

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993. The traffic is calculated by dividing the number of site acres 29 by 35 percent to get the estimated maximum number of development acres = 18.85 times 43,560 = 821,106/8,500 = 97 possible units x 9.5 trips per DU per day = 917.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

Although Koon Road is not classified by SCDOT, it has the characteristics of a collector road. The proposed project will not generate enough traffic to exceed an LOS C for a collector road.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

The Proposed Land Use Element Map (Map) of the Northwest Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Low/Medium Density Residential in the Developing Urban Area portion of the Northwest Subarea Map. **The proposed Zoning Map Amendment is consistent with this land use designation.**

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

Objective –In areas with environmentally sensitive lands of limited infrastructure, low-density development is encouraged

The subject site has two ponds at the rear (north) side of the site. The elevation at the north side of the site is about 30 ft lower than the elevation along Koon Road. The nearest water and sewer connection is almost a mile to the east at Ivy Green subdivision. **The proposed Amendment does not implement this Objective.**

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map. Compatible zoning classifications by density are recommended as follows:

- A. Low-Medium (3 to 5 dwellings/acre): RS-1, RS-1A, RS-2, PUD-1 and PUD-2
The RS-2 zoning conforms to the Low-Medium density range in the Subarea Plan.

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

This Principle is probably intended for infill development proposals located in existing urbanized areas. However, it is also very applicable to rural residential development. This entire area is comprised of single-family residences on parcels of two acres or more. The rural residential lifestyle is becoming more endangered in this area as well as many other portions of the County. The RS-2 zoning would radically alter the rural residential character of this area. **The proposed Amendment does not implement this Principle.**

Other Relevant Issues

The subject property was presented to the Richland County Planning Commission on March 3, 2003 as project #03-34 MA by Centex Homes, Inc. The request was for an Amendment of 29.0 acres from RU to RS-1. The Planning Commission recommended that County Council initiate the ordinance consideration process for the project. The applicant subsequently withdrew the request prior to the first Zoning Public Hearing on April 22, 2003.

The evaluation of the subject request discloses a dichotomy that exists all too often in the County. That is, the Subarea Maps were adopted without the involvement of the residents in the area and without careful consideration of the natural characteristics of the area. In many cases, the Objectives and Principles in the text of the Subarea Plans are inconsistent with the Map's land use designations. Aside from not providing clear guidance to the residents and developers regarding the future plans for the area, this dichotomy is a potentially serious legal flaw in that state law requires a local government's comprehensive plan to be internally consistent and to be a clear statement, both in map form and text form, of the future development plans for the area.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-33 MA **not be changed** from RU to RS-2.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The project will not generate enough traffic to exceed an LOS C for a collector road.
4. The proposed Amendment is consistent with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent with the Objectives** of the Northwest Subarea Plan.
6. The proposed Zoning Map Amendment **is consistent with one Principle**, and **not consistent with another Principle**, of the Northwest Subarea Plan.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of February 2, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-33 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 04-33 MA, the Planning Commission made the findings of fact summarized below:

Attachment A
Case 04-33 MA

Legal Description of Koon Road, North of Coogler Road

29.3 Acres

Property Owner: Mary C. Strickland

We request a zoning of RS-2 for the following parcel:

“All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, being shown and designated as 7.63 Acres, as shown on plat prepared for Henry L. and Mary C. Strickland, by Lucius D. Cobb, Sr., dated April 12, 1993, and said Lot having the following boundaries and measurements on which plat are: Proceeding from an iron pin: on the Northeastern edge of the Right of Way of Koon Road (SC Road S40-498), running S15-15'-35"W for a distance of 403.51' feet to an iron pin: thence turning and running on the South by Lands Now or Formerly Marion Fisher which runs N73-56'-47"W for a distance of 313.75' feet to an iron pin and rock pile: thence turning and running S56-32'-28"W for a distance of 166.20' feet to an iron pin and rock pile: thence turning and running N66-27'-32"W for a distance of 52.59' feet to an iron pin: thence running N67-44'-19"W for a distance of 69.08' feet to an iron pin: thence running N66-18'-59"W for a distance of 118.35' feet to an iron pin and rock pile: thence turning and running on the West by Lands Now or Formerly Floyd Coogler and Lands Now or Formerly Henry and Mary Strickland which runs N17-04'-34"E for a distance of 74.47' feet to an iron pin: thence running N10-46'-00"E for a distance of 106.47' feet to an iron pin: thence running N12-53'-33"E for a distance of 94.15' feet to 24" Hick. Tree the Cor.: thence turning and running N81-16'-17"E for a distance of 57.89' feet to an iron pin: thence turning and running N22-33'-24"W for a distance of 94.51' feet to an iron pin: thence turning and running N34-45'-09"E for a distance of 140.51' feet to an iron pin: thence turning and running N73-51'23"E for a distance of 187.77' feet to an iron pin: thence turning and running S61-15'-22"E for a distance of 482.11' feet to the point of the beginning of Koon Road: all measurements being a little more or less.

This being the identical property conveyed to Henry L. Strickland and Mary C. Strickland by a Deed of Beverly Jean B. Dickson, as recorded June 22, 1993 in said Richland County RMC Office in Deed Book D 1147 at page 492.

TAX MAP NO.: 4100-01-006

ALSO:

All the certain piece, parcel or lot of land, lying and being in the County of Richland, State of South Carolina and being shown as Parcel A, Containing 9.21 Acres on a plat prepared for Henry and Mary Strickland by Lucius D. Cobb, Sr., R.L.S. dated September 12, 1990, and having the following boundaries: Bounded on the North by property now or formerly William Seel and property now or formerly Samuel B. Skinner, whereon it measures a total of 952.47': On the West by property now or formerly Thurmond R. Bauknight, whereon it measures a total of 306.29': On the South by property now or formerly Thurmond R. Bauknight, whereon it measures a total of 627.85': and on the East by property now or formerly Thurmond R. Bauknight and Parcel B, whereon it measures a total of 487.55': all measurements being a little more or less.

This being the identical property conveyed to Henry and Mary Strickland by Deed of Holmes L. Bauknight, Jr., recorded October 30, 1990 on the Richland County RMC Office in Deed Book 1003 at page 0505.

TAX MAP NO.: 4200-01-37

ALSO:

All that certain piece, parcel or lot of land lying and being in the County of Richland, State of South Carolina, and being shown as Parcel B, Containing 4.19 Acres on a plat prepared for Henry and Mary Strickland by Lucius d. Cobb, Sr. R.L.S. dated September 12, 1990, and having the following boundaries: Bounded on the North by property now or formerly William Seel and property now or formerly Rebecca S. Stephens, whereon it measures a total of 1105.58': On the West by Parcel A, whereon it measures 268.63': On the South by property now or formerly Thurmond R. Bouknight and properly now or formerly Beverly Jean B. Dickson, whereon it measures a total of 1332.33': and on the West by Koon Road, whereon it measures 51.05': all measurements being a little more or less.

This being the identical property conveyed to Henry and Mary Strickland by Deed of Beverly Jean B. Dickson, recorded October 30, 1990 in the Richland County RMC Office in Deed Book 1003 at page 0508.

TAX MAP NO.: 4100-01-06 (Portion)

ALSO:

All the certain piece, parcel or lot of land, lying and being in the County of Richland, State of South Carolina and being shown as Parcel A-1 Containing 2.0 Acres and Parcel B-1 Containing 6.0 Acres as shown on a plat prepared for Henry and Mary Strickland by JKB & B Engineers, dated March 13, 1991, and having the following boundaries:

Parcel A-1:

Bounded on the North by property n/f Samuel B. Skinner, whereon it measures 203.88': On the East by Parcel A, whereon it measures a total of 718.76': On the South by property n/f Thurmond R. Bouknight, whereon it measures a total of 526.63': and on the West by the line of a creek, whereon it measures a total of 462.78': all measurements being more or less.

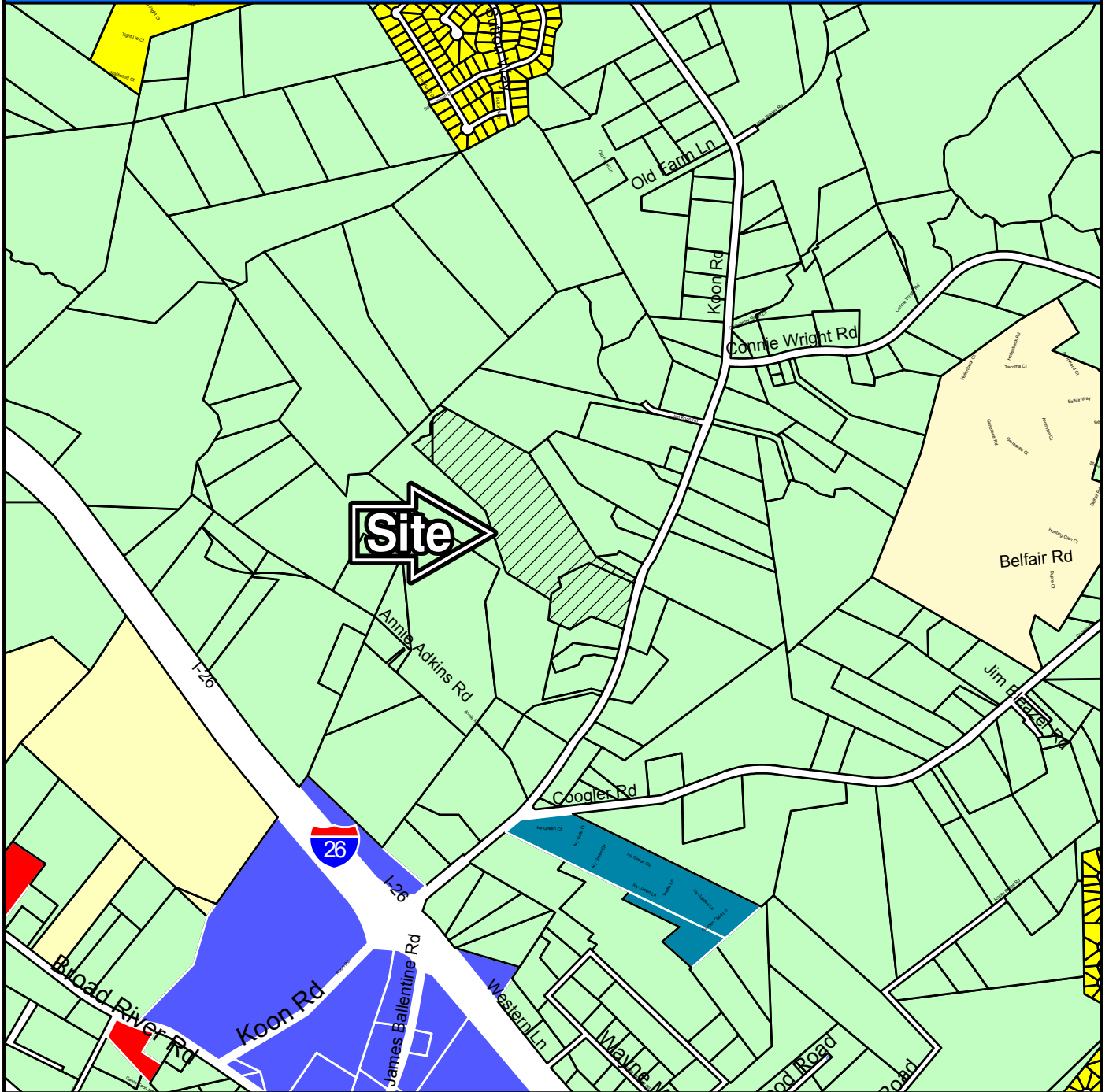
Parcel B-1:

Bounded on the North by Parcel A, whereon it measures 218.92': On the East by Parcel B, whereon it measures 662.45': On the South by property n/f Beverly Jean B. Dickson, whereon it measures a total of 387.06': and on the South by property n/f Thurmond R. Bouknight, whereon it measures a total of 957.67': all measurements being a little more or less.




This being the identical property conveyed to Henry and Mary Strickland by Deed of Kathleen Nancy Bouknight, recorded May 7, 1991 in the Richland County RMC Office in Volume D1031 at page 398.

TAX MAP NO.: 4100-01-001 (Portion)"

CASE 04-33 MA FROM RU to RS-2

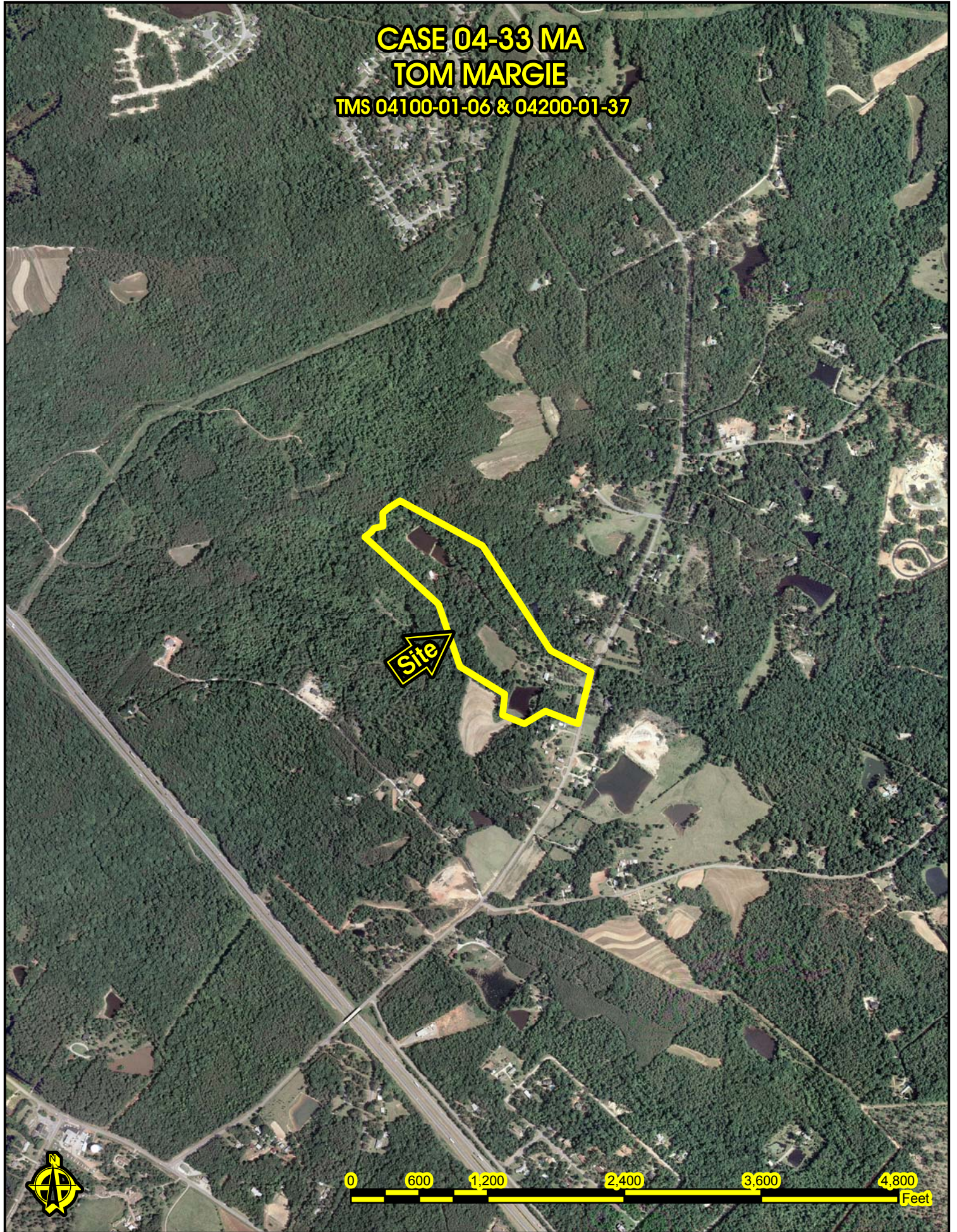


ZONING CLASSIFICATIONS

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



CASE 04-33 MA
TOM MARGIE
TMS 04100-01-06 & 04200-01-37



CASE 04-33 MA FROM RU to RS-2

TMS# 04100-01-06 & 04200-01-37
Koon Road, 1/2 mile east of Coogler Road



Looking at interior of site



Looking at site from Koon Road

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

February 2, 2004

| | |
|---|---|
| RC Project # 04-34 MA | Applicant: Chartown |
| General Location: South Side of Marley Drive approximately 0.2 miles east of Broad River Road (Hwy 176) near Interstate 20 | |
| Tax Map Number: 07402-02-03 | Subject Area: 11.89 ac MOL |
| Current Parcel Zoning: M-1 | Proposed Parcel Zoning: RG-2 (cluster) |
| Proposed Use: Multi-family residential | PC Sign Posting Date: January 12, 2004 |

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of multi-family residential housing (townhomes)

Compatibility With Existing Development in the Area

| | Existing Zoning | Existing Land Use |
|-----------------------|------------------------|--|
| Subject Parcel | M-1 | Undeveloped woodlands |
| Adjacent North | RS-1 | Single family residences across Marley Drive |
| Adjacent East | RG-2 | Multi-family housing (duplexes, apartments) |
| Adjacent South | NAP | Interstate 20 |
| Adjacent West | M-1 | APAC Teleservices (mostly vacant) |

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

| | |
|---|--|
| <p><u>M-1 Zoning Designation Intent</u> Intended to accommodate wholesaling, distribution, storage, processing, light manufacturing and general commercial or agricultural uses</p> | <p><u>Proposed RG-2 Zoning Designation Intent</u> Intended as medium and high density residential areas permitting progressively higher population densities, characterized by single family detached, two family detached, multiple family structures, garden-type apartments, and high rise apartments.</p> |
| <p><u>Existing M-1 Zoning Permitted Uses</u> Wholesaling, distribution & warehousing Freight & passenger terminals Light manufacturing Outdoor Storage Retail, offices and studios Service and repair businesses Eating and drinking establishments Places of worship Communication towers & cemeteries</p> | <p><u>Proposed RG-2 Zoning Permitted Uses</u> Single family detached dwellings Two family detached dwellings Multiple family dwellings Cluster housing developments Parallel zero lot line dwelling units Common zero lot line dwelling units</p> |

The land uses above represent a summary of the permitted uses in Chapter 26-68 and Chapter 26-64, respectively of the County Code. Some Special Exception uses are also possible.

The existing land uses are varied and are comprised of commercial, single-family detached housing, and multi-family housing. Multi-family housing exists to the east of the site and down Marley Drive and is zoned RG-2. The proposed parcel is contiguous to the commercial APAC site which if rezoned would require a buffer to separate the two different uses. The proposed parcel is not adjacent to any single-family residences, as they are located across Marley Drive. The proposed RG-2 zoning is compatible with the surrounding land uses.

Traffic Impact Discussion

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

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

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

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

| | | |
|--|--|--|
| Proposed Project Gets Its Principal Access From | Broad River Rd (Hwy 176) via Marley Dr | |
| Functional Classification Of This Roadway | Five lane undivided major arterial | |
| Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00) | 33,600 | |
| Estimated Traffic Generated By The Proposed Project | 469 | |
| Current Volume At The Nearest Count Station # 181 Located @ south of site on Broad River Road | 43,500 | |
| Estimated Traffic Count With the Proposed Project | 43,969 | |
| Volume-To-Capacity Ratio With The Proposed Project | 1.31 | |

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the generation rate (6.6 trips per DU) for a low rise apartment found on page 9 of the Richland County Long Range Major Street Plan. The calculation is as follows 11.89 total acres – 35% allowance for infrastructure, buffers, etc. and 25% for open space requirement = 4.75 buildable acres x approximately 15 DUs/acre. = 71 units x 6.6 trips per unit = 469 average daily trips

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

Broad River Road at count station # 181 is currently LOS E. The proposed project will increase the amount of traffic by one percent at this location.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

The Proposed Land Use Element Map (Map) of the Northwest Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Light Industrial in an Established Urban Area. **The proposed Zoning Map Amendment is not consistent with this land use designation.**

The Northwest Subarea Plan, adopted in 1993, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 29 and 34 respectively, are discussed below:

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

The surrounding area is comprised of a variety of uses including multi-family housing comprised of duplexes to the east. The proposed development is in accord with the surrounding land uses and would serve as an appropriate transition from the commercial property to the existing multi and single-family housing. The proposed Amendment **implements** this Objective.

Principle – Within single-family areas, higher density development is appropriate where it completes a block face and is oriented toward developments of similar density.

The proposed development is contiguous to the existing multi-family development zoned RG-2. The proposed Amendment **implements** the general provision of the Principle.

Principle – Where single –family development occurs adjacent to higher intensity uses, multi-family development, at a compatible density, may be used as a buffer

There are single-family residences on the north side of Marley Road, across from the subject site. There is an existing multi-family development adjacent to the site on the east and a commercial development adjacent to the site on the west. The proposed project will act as a buffer between the single-family residential area and the commercial area along Broad River Road. The proposed Amendment **implements** the general provision of the Principle.

Other Relevant Issues

Although the Proposed Amendment is not consistent with the Light Industrial designation in the Northwest Subarea Plan Map, it will provide a buffer between the existing commercial use along Broad River Road and the existing single and multi-family dwellings off of Marley Drive. The Department feels that the subject parcel is not appropriate for light industrial use, particularly since the existing APAC structure is vacant.

Due to the designation of “cluster” by the applicant, an open space requirement of 25% must be incorporated into the proposed development. Open space is defined by the Richland County Land Development Regulations Chapter 22 as “an area devoted to common use, active or passive, by all or a portion of the property owners, exclusive of parking areas, streets and street rights-of-way, which is designed to meet the primary objective of supplying open space or recreational needs”.

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the Northwest Subarea Plan’s Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states “...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter (*Chapter 6-29, SC Code of Laws*)...” Therefore, if either the existing, or proposed zoning, **is not consistent** with the land use designation on the Map, the Map should be amended through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing M-1 zoning is consistent** with the Map designation as required by state statutes.

The **proposed RG-2 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be M-1 to be consistent with the Light Industrial designation.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-34 MA **be changed** from M-1 to RG-2.

Findings of Fact:

1. The applicant has provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is compatible with the adjacent existing land uses.
3. Broad River Road at count station # 181 is currently LOS E. The proposed project will increase the amount of traffic by one percent at this location.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The Amendment **is consistent** with the cited Objective of the Northwest Subarea Plan.
6. The Amendment **is consistent** with the cited Principles of the Northwest Subarea Plan.
7. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the Northwest Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to Medium/High Density Residential.
8. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of February 2, 2004, the Richland County Planning Commission agreed (did not agree) with the PSDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-34 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 04-34 MA, the Planning Commission made the findings of fact summarized below:

Attachment A
Case 04-34 MA

BOUNDARY DESCRIPTION

This property consists of 11.89 acres located on the south side of Marley Drive, (5-40-683) approximately 0.2 miles east of Broad River Road, in Richland County, South Carolina.

Commencing from the centerline intersection of Marley Drive with Battleford Road in a southwesterly direction for approximately 175.00' to an old iron pipe corner, being the northeastern most point of the parcel. Said iron being the point of beginning.

Thence from the point of beginning and in a clockwise direction:

S 20° 09' 30" E for a distance of 176.88' to an old iron pipe corner. Said line being bounded on the east by lands of now or formerly Battleford Homeowners Assoc.

Thence, N 72° 24' 26" E for a distance of 4.94' to an old iron pipe corner. Said line being bounded on the north by lands of now or formerly Battleford Homeowners Assoc.

Thence, S 20° 19' 18" E for a distance of 81.12' to an old iron pipe corner. Said line being bounded on the east by lands of now or formerly Coetsee.

Thence, S 20° 16' 23" E for a distance of 81.16' to an old iron pipe corner. Said line being bounded on the east by lands of now or formerly Elrod.

Thence, S 20° 20' 29" E for a distance of 80.82' to an old iron pipe corner. Said line being bounded on the east by lands of now or formerly Caliwag.

Thence, S 20° 29' 25" E for a distance of 80.54' to a calculated point. Said line being bounded on the east by lands of now or formerly Pike.

Thence, S 20° 19' 08" E for a distance of 81.41' to an old iron pipe corner. Said line being bounded on the east by lands of now or formerly Terry.

Thence, S 20° 44' 15" E for a distance of 109.09' to a new iron pipe corner. Said line being bounded on the east by lands of now or formerly Young Gun Industries, Inc.

Thence, S 19° 05' 10" E for a distance of 50.04' to a new iron pipe corner. Said line being the western right-of-way of Emerald Valley Drive.

Thence, S 68° 46' 59" W for a distance of 29.95' to an old iron pipe corner. Said line being bounded on the south by lands of now or formerly Marathon Oil Company.

Thence, S 20° 34' 43" E for a distance of 141.23' to an old iron pipe corner. Said line being bounded on the east by lands of now or formerly Marathon Oil Company.

Page Two
Boundary Description

Thence, S 66° 26' 17" W for a distance of 151.55' to an old concrete monument. Said line being the northern right-of-way of Interstate 20.

Thence, S 70° 35' 54" W for a distance of 144.48' to an old iron pipe corner. Said line being the northern right-of-way of Interstate 20.

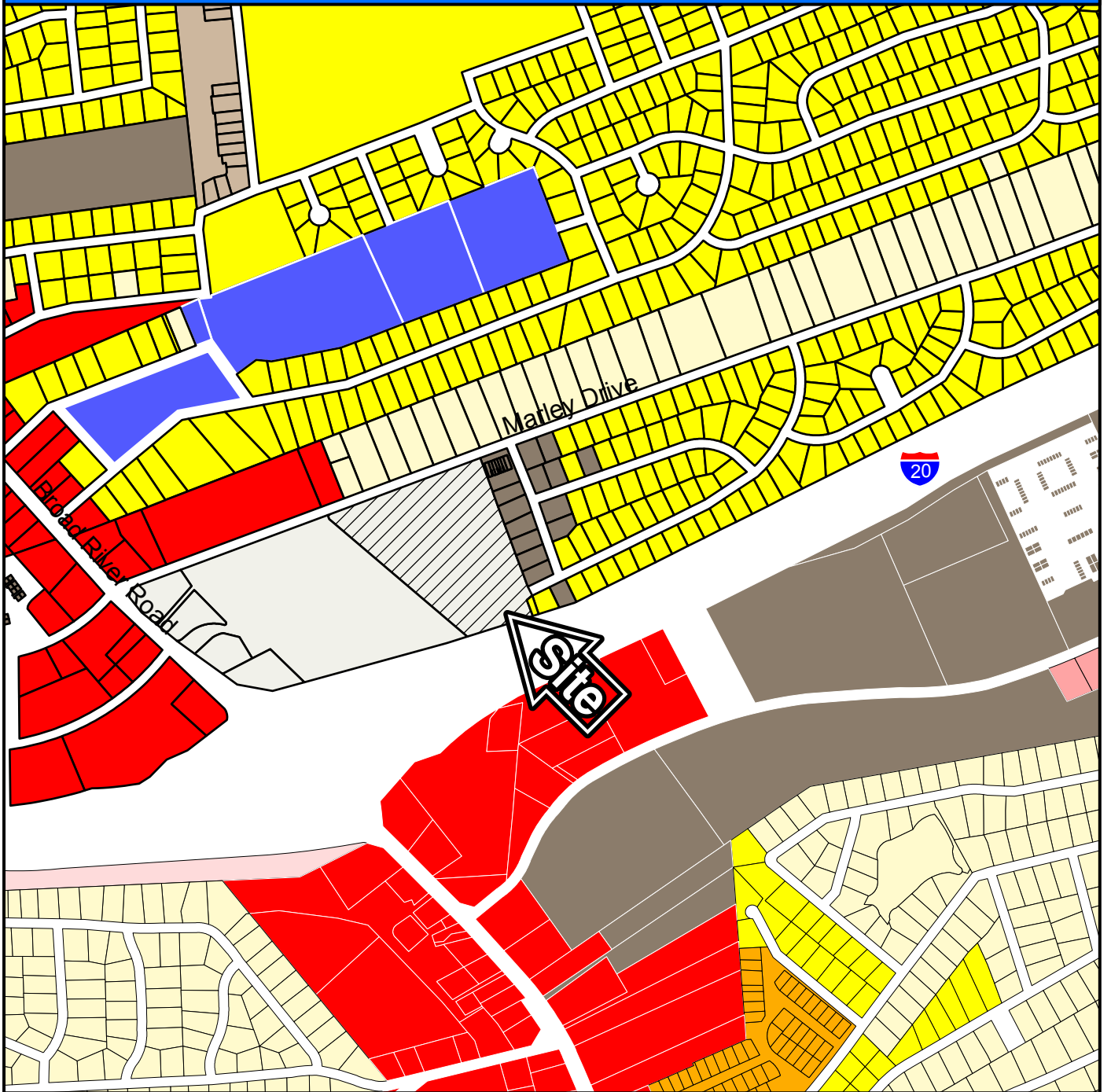
Thence, N 50° 34' 19" W for a distance of 988.89' to an old iron pipe corner. Said line being bounded on the southwest by lands of now or formerly Broad River Mall Assoc.

Thence, N 41° 37' 13" W for a distance of 20.05' to an old iron pipe corner. Said line being bounded on the southwest by lands of now or formerly Broad River Mall Assoc.

Thence, N 27° 31' 38" W for a distance of 25.18' to an old iron pipe corner. Said line being bounded on the west by lands of now or formerly Broad River Mall Assoc.

Thence, N 70° 16' 40" E for a distance of 829.43' to an old iron pipe corner. Said line being the southern right-of-way of Marley Drive. Said point being the point of beginning.

CASE 04-34 MA FROM M-1 to RG-1



ZONING CLASSIFICATIONS

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



CASE 04-34 MA
GARY BURCH
TMS 07402-02-03



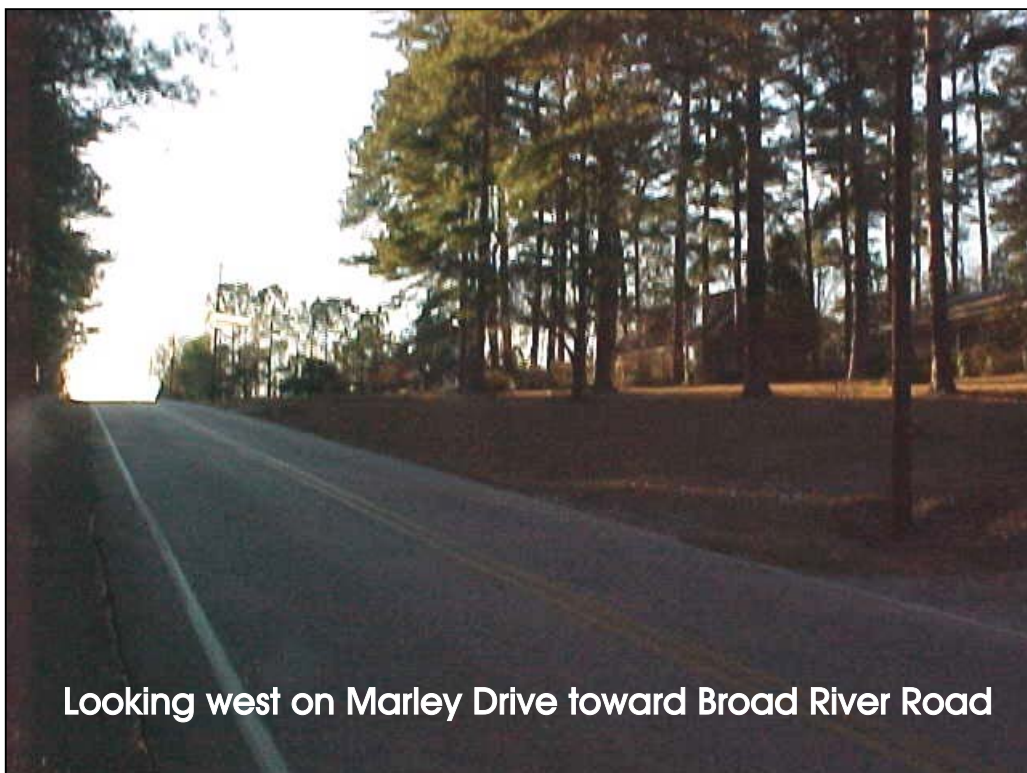
CASE 04-34 MA FROM M-1 to RG-1

TMS# 07402-02-03

S. Side of Marley Drive, East of Broad River Road



Looking at site from Marley Drive



Looking west on Marley Drive toward Broad River Road

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

February 2, 2004

| | |
|---|---|
| RC Project # 04-35 MA | Applicant: Turkey Farm, LLC |
| General Location: North side of Turkey Farm Road west of US Hwy. 21 | |
| Tax Map Number: 14800-01-03, 14800-05-10(p), 14900-01-03,05,06,15 | Subject Area: 371 ac MOL |
| Current Parcel Zoning: RU | Proposed Parcel Zoning: PUD-1R |
| Proposed Use: Single family residential with commercial and institutional uses | PC Sign Posting Date: January 16, 2004 |

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To create a Planned Unit Development 1R District in accordance with the Richland County Zoning Ordinance Chapter 26 Section 26-70 (see Turkey Farm Tract PUD-1R application for complete details).

Compatibility With Existing Development in the Area

| | Existing Zoning | Existing Land Use |
|-----------------------|------------------------|--|
| Subject Parcel | RU | Undeveloped woodlands |
| Adjacent North | M-1 | Northpoint Industrial Park |
| Adjacent East | RU | Undeveloped woodlands & US Hwy. 21 Wilson Blvd. |
| Adjacent South | RU | Undeveloped woodlands & estate size single family residences across Turkey Farm Road |
| Adjacent West | RU | Undeveloped woodland & estate size single family residences across Beasley Creek |

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

| | |
|--|---|
| <p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p> | <p><u>Proposed PUD-1R Zoning Designation Intent</u> Intended to allow flexibility in site design, improved appearance and compatibility of uses</p> |
| <p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p> | <p><u>Proposed PUD-1R Zoning Permitted Uses</u> Limited to the uses and locations shown in the attached Master Development Plan</p> |

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-70, respectively of the County Code. Some Special Exception uses are also possible.

The adjacent land uses include undeveloped woodlands and estate size single family detached residences. The project is compatible with the adjacent residential area south of Turkey Farm road because the southwest corner of the project will have large lot residential development similar to the adjacent area. The densest portion of the project will be in the interior of the site away from adjacent residences.

The commercial area of the project will be located in the northeast corner of the site adjacent to the Northpoint Industrial Park and the I-77 interchange. The District 2 School Board will locate a school between the residential area and the commercial area at the interchange.

Traffic Impact Discussion

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

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

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

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

| | | |
|--|---------------------------------------|--|
| Proposed Project Gets Its Principal Access From | Wilson Boulevard via Turkey Farm Road | |
| Functional Classification Of This Roadway at count station # 135 | Two lane undivided collector | |
| Level-Of-Service C Design Capacity (V/C = 1.00) | 8600 | |
| Estimated Traffic Generated By The Proposed Project | 4,848 * | |
| Current Volume At The Nearest Count Station #135 Located @ south of site on the two lane portion of Wilson Boulevard | 8,479 | |
| Estimated Traffic Count With the Proposed Project | 13,327 * | |
| Volume-To-Capacity Ratio With The Proposed Project | 1.55 | |

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993. This is calculated as follows $450 \text{ DU} \times 9.5 \text{ trips} = 4,275$. The traffic for the institutional area (573) was computed using a trip generation rate of 1.02 per student in an elementary school consisting of an average of 562 students on page 817 of the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM).

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old**.

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

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

The proposed project, without including the commercial area traffic, will increase the traffic on this portion of Wilson Blvd to exceed LOS F levels. However, it is anticipated that the vast majority of the traffic generated by this project will travel north to use I-77 rather than traveling south on Wilson Blvd.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

The Proposed Land Use Element Map (Map) of the I-77 Corridor Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Industrial/Commercial/Technological in a Developing Urban Area. The proposed Zoning Map Amendment **is not consistent** with this land use designation.

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Encourage the development and location of industrial uses in those areas identified by the Plan, and where possible, protect such areas with industrial zoning.

The Map identifies the subject site as Industrial/Commercial/Technological. The purpose of this designation is to encourage the development of a technological corridor along I-77. The main intent of the proposed Amendment is to develop a residential development with commercial and institutional uses as secondary accessory uses. The proposed Amendment **does not implement** this Objective.

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map. Compatible zoning classifications by density are recommended as follows.

- A. High Density (9 dwellings/acre or greater): RS-3, RG-1, RG-2, PUD-1, PUD-2 & PDD.
- B. Medium Density (5 to 9 dwellings/acre): RS-2, RS-3, RG-1, RG-2, PUD-1, PUD-2 & PDD.
- C. Low Density (4 dwellings/acre or less): RU, RS-1, RS-1A, PUD-1, PUD-2 & PDD.

The proposed development implements the use of various housing densities ranging from 0.5 to 5 DU/acre by incorporating them into a Planned Unit Development 1R. The project also has good road access to the interstate system via US 21. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The subject property was presented to the Richland County Planning Commission as RC Project #04-10 MA as an Amendment from RU to RS-2 consisting of 91 acres on September 8, 2003. The Planning Commission recommended that County Council deny the proposed Amendment for the aforementioned project. The applicant subsequently withdrew the Amendment prior to the Zoning Public Hearing in order to reapply as a PUD.

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the I-77 Corridor Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter (*Chapter 6-29, SC Code of Laws*)...")...." Therefore, if either the existing, or proposed zoning, **is not consistent** with the land use designation on the Map, the Map should be amended through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing RU zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be M-1, M-2, PUD-C, or PDD to be consistent with the Industrial/Commercial/Technological land use designation.

The **proposed PUD-1R zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be M-1, M-2, PUD-C, or PDD to be consistent with the Industrial/Commercial/Technological land use designation.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-35 MA **be changed** from RU to PUD-1R.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is compatible with the adjacent existing land uses.
3. The traffic analysis shows that the proposed project will result in the traffic at count station # 135 will exceed the minimum LOS F level.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the cited Objective of the I-77 Corridor Subarea Plan discussed herein.
6. The proposed Zoning Map Amendment **is consistent** with the cited Principle of the I-77 Corridor Subarea Plan discussed herein.
7. The Proposed Land Use Map for the I-77 Corridor Subarea Plan should be revised to significantly reduce the amount of land designated for ICT uses in favor of additional lands being designated for residential and support commercial activities.
8. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PUD Conditions

- a) The site development shall be limited to a maximum of 450 single family detached residences, approximately 145 acres of commercial and institutional use and a minimum of 10 percent open space of the types described in the PUD Plan (applicant's exhibit D); and
- b) The site development shall generally conform to the Sample Layout (applicant's exhibit E); and
- c) All development shall conform to all relevant land development regulations in effect at the time permit application is received by the Department; and
- d) Approval of the Sample Layout shall constitute approval of the Sketch Plan for subdivision purposes; and
- e) The Planned Unit Development Guidelines described below are authorized for application to the subject project; and
 - Part III - District guidelines and classifications – page 3
 - Part IV - Permitted Uses and Structures – page 6
 - Part V – Development Schedule – page 6
 - Part VI – Infrastructure – page 7

- f) The Planning Commission is hereby authorized to make minor amendments to Parts III, IV, V and VI of the Planned Unit Development Guidelines and Sample Layout, or other relevant portions of the provisions of Chapter 26-70.17, or its relevant successor regulations, of the County Code; and
- g) The Department is authorized to make minor adjustments to the construction standards in Part VI of the Planned Unit Development Guidelines described above as may become necessary during the project's construction; and
- h) Access to the subject site shall be limited to one intersection on Wilson Blvd/Community Road and two intersections at Turkey Farm Road; and
- i) Any increase in the number of access points to the external road network, any decrease in the amount of open space/common areas, or a significant increase in the gross project density, shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council; and
- j) The developer shall be required to construct any necessary turn lanes for the project on Turkey Farm Road; and
- k) The applicant shall submit a draft description of proposed procedures of any homeowners association or other group maintenance or group ownership features for the Department's and inclusion in the project records; and
- l) The County shall not be responsible for enforcement of any deed restrictions imposed by the Turkey Farm, LLC, or their successors in interest.

| |
|--|
| SECTION III PLANNING COMMISSION ACTION |
|--|

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

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

At their meeting of February 2, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-35 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 04-35 MA, the Planning Commission made the findings of fact summarized below:

PUD SUBMISSION CHECKLIST

The following are the current requirements for submission of a Planned Unit Development project Zoning Map Amendment as described in Chapter 26-70.16 and 26-71.13 of the Richland County Code of Ordinances. The same submission requirements apply to both Chapters.

Project Number: 04-35 MA

Applicant: Turkey Farm, LLC

TMS#: 14800-01-03, 14800-05-10(p), 14900-01-03,05,06,15

General Location: North side of Turkey Farm Road west of US Hwy. 21

| Chapter # | General Development Plan Requirements | Comply |
|------------|--|--------|
| 26-70.16 | Generalized drawing (s) for entire site showing the general development pattern, including relationship between the various uses | x |
| 26-70.16 a | Statement of major project assumptions and objectives | x |
| 26-70.16 b | Statement of the range of percentages of the total area intended for residential, commercial industrial, open space, social/community uses & major streets and roads | x |
| 26-70.16 c | Statement of intended overall maximum dwelling unit density per acre | x |
| 26-70.16 d | Legal description | x |
| 26-70.16 e | Total acres | x |
| 26-70.16 f | Tentative number of units of various types | x |
| 26-70.16 g | Description of open space & community facilities & adequacy to serve the anticipated demand | x |
| 26-70.16 h | Approximate timing of development by phase | x |
| 26-70.16 i | Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features which may be included | x |
| 26-70.16 j | Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review | x |

Legal Description of Turkey Farm PUD-1R

The tracts to be rezoned as a PUD-1R are shown on the zoning amendment map as being approximately 371 acres and being more particularly described as follows:

This property consists of 336.86 acres near the town of Blythewood, Richland County in the State of South Carolina and is located on the western side of Wilson Boulevard, U.S. Highway 21, southwest of the U.S. 21 and Interstate Highway 77 interchange and shown on the parcel exhibit as parcels 1 and 2 and the Marion Mancini tract exhibit.

Commencing at an iron pin at the Northeastern most corner of TMS 14900-01-06, said corner being a common corner of three parcels located in the Robertson Branch of Beasley Creek, and the POINT OF BEGINNING; thence turning and running along the said eastern boundary of the property S 00° 28' 58" E for a distance of 5.53 feet to an iron pin, thence continuing to run along the said eastern boundary of the property S 00° 28' 58" E for a distance of 693.90 feet to an iron pin, thence continuing S 00° 27' 35" E for a distance of 626.62 feet to another iron pin, thence turning and running S 00° 30' 51" E for a distance of 577.77 feet to a nail in a pine stump on the edge of the Turkey Farm Road right-of-way; thence turning and running along said road right-of-way S 87° 41' 09" W for a distance of 936.50 feet to another iron pin; thence turning and running along said road right-of-way S 79° 59' 20" W for an arc distance of 359.16 feet to an iron pin; thence turning and running S 70° 51' W for a distance of 155.00 feet to another iron pin; thence turning and running S 63° 42' W for a distance of 193.40 feet to another iron pin; thence turning and running S 61° 31' W for a distance of 700.00 feet to another iron pin; thence turning and running N 2° 35' W for a distance of 503.90 feet to an iron pin thence turning and running S 87° 04' 36" W for a distance of 299.67 feet to an axle; thence turning and running S 87° 24' 26" W for a distance of 249.93 feet to another axle ; thence turning and running S 87° 16' 03" W for a distance of 104.42 feet to an iron pin thence turning and running S 87° 17' 33" W for a distance of 104.38 feet to an axle; thence turning and running S 87° 24' 34" W for a distance of 209.19 feet to an iron pin; thence turning and running S 87° 21' 40" W for a distance of 209.17 feet to another iron pin; thence turning and running S 87° 26' 00" W for a distance of 370.00 feet to another iron pin; thence turning

and running S01° 31' 52" W for a distance of 228.70 feet to another iron pin; thence turning and running S01° 24' 05" E for a distance of 293.83 feet to another iron pin; thence turning and running S01° 03' 06" W for a distance of 324.39 feet to another iron pin; thence turning and running N89° 01' 42" W for a distance of 1,849.52 feet to an iron pin being the most Southwestern corner of said tracts; thence turning and running N16° 16' 22" E for a distance of 1,615.83 feet to an iron pin corner located in the center of Beasley Creek; thence turning and leaving said creek and running N71° 29' 32" E a distance of 10.84 feet to an iron pin; thence turning and running N07° 01' 52" E a distance of 263.10 feet to another iron pin; thence turning and running N26° 05' 17" W a distance of 340.63 feet to an iron pin located in the center of Beasley Creek; thence following Beasley N01° 02' 57" W 117.85 feet to another point in Beasley Creek; thence establishing the center line of Beasley Creek and Robertson Branch as the property line it is listed as follows:

Line Bearing and Distance

L1 N05°47'14" E52.72'; L2 N05°46'16" W127.85'; L3 N043°48'38" W32.38'; L4 N68°54'36" W40.05'; L5 N03°12'06" E18.46'; L6 N24°10'32" E23.57'; L7 N38°04'21" E 33.22'; L8 N70°28'51" E23.75'; L9 N45°42'08" E11.07'; L10 N06°36'46" W20.60'; L11 N59°44'10" W52.98'; L12 N16°55'44" W88.17'; L13 N09°53'09" E48.11' ; L14 83°35'28" E40.62'; L15 N75°41'12" E90.38'; L16 S43°55'42" E21.69'; L17 S10°05'14" W34.06'; L18 S65°24'32" E24.46'; L19 N63°25'27" E89.84'; L20 N48°29'23" E68.92'; L21 N48°43'13"E31.10'; L22 N33°52'51" E20.93'; L23 N22°45'38" E21.59'; L24 N71°12'18" E26.32'; L25 N54°19'36" E32.41'; L26 N11°32'10" E44.65'; L27 N38°45'01" E18.65'; L28 N79°51'14"E27.61'; L29 N28°14'16" E20.44'; L30 N01°47'30" W25.84'; L31 N34°01'37" W28.47'; L32 N01°30'53" E24.59'; L33 N12°29'30" E27.52'; L34 N12°22'22" W28.94'; L35 N23°20'41" W30.15'; L36 N56°13'51" W8.53'; L37 S88°49'41" W5.73'; L38 S81°22'55" W8.00'; L39 N34°34'28" W27.74'; L40 N07°59'13" W28.95'; L41 N09°00'59" E29.53'; 'L42 N81°44'38"E45.18'; L43 S59°27'17" E7.46'; L44 S25°38'43" E37.26'; L45 S85°41'41" E8.39'; L46 N18°19'55" E11.45'; L47 N25°52'30" E25.41'; L48 N70°41'27" E9.51'; L49 N18°55'20" E7.36'; L50 N06°54'58" W11.81'; L51 N00°39'03" W22.45'; L52 N49°12'49" W22.10'; L53 N26°29'04" E7.40'; L54 N58°02'13" E19.70'; L55 N09°22'39" E13.89'; L56 N35°33'36" E18.06'; L57 N34°41'36" E23.50'; L58 N86°07'19" E15.85'; L59 S65°40'43" E10.81';

L60 N84°17'52" E19.38'; L61 N22°29'44" E6.81'; L62 N11°43'10" W13.19';
L63 N22°21'03" W8.58'; L64 N12°08'15" E7.93'; L65 N65°10'07" E10.66';
L66 N63°05'40" E16.76'; L67 N46°27'57" E18.84'; L68 N20°24'53"
E28.88'; L69 N44°16'26" E17.57'; L70 S50°48'24" E12.56'; L71 S85°45'57"
E7.95'; L72 N74°08'51" E31.34'; L73 S34°24'09" E9.26'; L74 S31°11'12"
E20.23'; L75 S38°20'17" E23.25'; L76 S14°51'15" W11.29'; L77 S01°59'59"
W4.92'; L78 S49°39'51" E5.46'; L79 N68°51'51" E29.75'; L80 N15°59'32"
E21.64'; L81 N17°48'28" E26.95'; L82 N03°06'43" E17.25'; L83
N17°46'56" E7.78'; L84 N73°33'27" E19.55'; L85 N54°29'38" E29.45'; L86
S72°19'58" E20.43'; L87 S15°04'29" E20.04'; L88 S08°48'19" W18.55'; L89
S09°33'56" E22.90'; L90 S18°33'02" W12.12'; L91 S04°12'48" E13.63'; L92
S34°44'54" E19.57'; L93 S70°22'04" E6.15'; L94 N64°28'17" E49.58'; L95
N51°52'19" E20.56'; L96 N63°27'30" E22.18'; L97 N41°21'03" E4.90'; L98
N26°57'26" E5.89'; L99 N28°13'07" E22.55'; L100 N03°24'38" W8.00';
L101 N47°24'12" W9.17'; L102 N59°32'57" W37.82'; L103 N25°36'35"
W10.19'; L104 N52°00'08" E15.81'; L105 S57°27'18" E17.70'; L106
N58°02'44" E14.15'; L107 N16°52'37" W8.12'; L108 N25°43'14" W9.80';
L109 N08°00'05" E16.79'; L110 S81°58'31" E12.38'; L111 S85°04'32"
E61.69'; L112 N79°32'57" E28.06'; L113 S29°00'45" E21.58'; L114
S66°28'12" E18.19'; L115 N82°14'01" E8.91'; L116 S10°41'36" E21.42';
L117 S45°11'28" E42.08'; L118 S73°15'13" W23.03'; L119 S18°22'15"
W15.35'; L120 S78°09'05" E11.69'; L121 N67°24'33" E12.88'; L122
N74°32'16" E7.35'; L123 S38°29'52" E17.68'; L124 S54°07'29" E14.20';
L125 S61°00'01" E58.08'; L126 S79°18'56" E26.47'; L127 S81°15'25"
E10.74'; L128 N57°51'34" E22.10'; L129 S67°34'11" E22.20'; L130
N88°15'07" E25.27'; L131 N53°01'07" E19.12'; L132 N29°55'19" E13.74';
L133 N82°16'54" E27.42'; L134 N33°50'22" E31.51'; L135 N60°05'15"
E36.29'; L136 N32°14'01" W40.55'; L137 N35°27'30" W10.79'; L138
N17°47'16" E14.40'; L139 N62°43'10" E11.73'; L140 N30°03'39" E33.33';
L141 N63°39'45" E38.27'; L142 N36°38'50" E9.58'; L143 N37°13'14"
E39.87'; L144 N29°19'20" E17.88'; L145 N83°17'47" E6.40'; L146
S72°51'42" E34.28'; L147 S54°18'59" E14.36'; L148 S07°31'12" E13.53';
L149 S08°55'16" E13.20'; L150 S57°15'01" E12.93'; L151 N81°56'24"
E17.36'; L152 N77°28'42" E20.02'; L153 N58°25'40" E33.24'; L154
N37°23'44" E23.08'; L155 N84°00'40" E14.71'; L156 S20°21'01" E9.65';
L157 S31°06'23" W9.59'; L158 S29°44'34" W19.49'; L159 S10°49'55"
W13.09'; L160 S38°05'12" E12.67'; L161 S54°57'03" E17.21'; L162
S32°13'46" E23.02'; L163 S49°35'25" E13.04'; L164 S48°48'02" E69.40';
L165 S71°23'24" E75.27'; L166 S69°46'00" E21.86'; L167 S78°43'41"
E23.52'; L168 N62°58'12" E27.58'; L169 N57°01'14" E38.61'; L170

N24°26'17" E31.74'; L171 N41°36'35" W16.11'; L172 N02°12'23" W14.96';
L173 N44°51'46" E36.85'; L174 S85°18'39" E6.73'; L175 S22°15'52"
E12.15'; L176 S49°41'08" E9.87'; L177 N89°36'16" E17.40'; L178
N39°58'40" E16.17'; L179 N28°27'22" W15.90'; L180 N55°32'20" W14.63';
L181 N24°53'12" W14.44'; L182 N03°41'23" E36.00'; L183 N19°53'17"
E19.69'; L184 N34°30'15" E47.57'; L185 N47°35'44" E11.58'; L186
S74°50'23" E12.04'; L187 S40°45'26" E13.79'; L188 S26°16'23" E21.15';
L189 N81°54'20" E27.05'; L190 N44°46'33" E18.42'; L191 N76°28'54"
E23.63'; L192 S73°59'01" E26.11'; L193 S54°46'56" E32.13'; L194
S56°55'15" E24.48'; L195 S50°19'45" E20.71'; L196 S70°51'41" E20.15';
L197 N48°56'32" E16.44'; L198 N01°17'33" W19.87'; L199 N37°12'41"
E24.91'; L200 N79°04'04" E19.36'; L201 N53°30'22" E21.65'; L202
33°13'32" 8.95'; L203 S65°42'30" E15.87'; L204 S23°13'14" E6.42'; L205
S26°20'20" E30.63'; L206 S00°31'46" E19.28'; L207 S29°11'21" W12.84';
L208 S02°34'27" W7.77'; L209 S66°49'21" E35.90'; L210 N47°15'54"
E17.53'; L211 N75°59'27" E17.16'; L212 N44°09'43" E15.77'; L213
N46°09'07" W14.88'; L214 N64°13'09" W18.84'; L215 N10°27'43"
W14.95'; L216 N53°51'09" E12.41'; L217 N86°54'07" E20.12'; L218
N45°52'04" E10.42'; L219 N20°41'29" E28.59'; L220 N52°10'25" E9.85';
L221 S79°58'56" E6.99'; L222 S69°10'22" E19.27'; L223 S71°58'27"
E39.42'; L224 S52°25'18" E33.61'; L225 S09°46'32" E19.83'; L226
S41°47'43" E29.86'; L227 N77°41'19" E21.04'; L228 S85°40'21" E8.77';
L229 N80°29'12" E29.37'; L230 N71°13'30" E13.74'; L207 S29°11'21"
W12.84'; L208 S02°34'27" W7.77'; L209 S66°49'21" E35.90'; L210
N47°15'54" E17.53'; L211 N75°59'27" E17.16'; L212 N44°09'43" E15.77';
L213 N46°09'07" W14.88'; L214 N64°13'09"; W18.84'; L215 N10°27'43",
W14.95" L216 N53°51'09" E12.41'; L217 N86°54'07" E20.12'; L218
N45°52'04" E10.42'; L219 N20°41'29" E28.59'; L220 N52°10'25" E 9.85';
L221 S79°58'56" E6.99'; L222 S69°10'22" E19.27'; L223 S71°58'27"
E39.42'; L224 S52°25'18" E33.61'; L225 S09°46'32" E19.83'; L226
S41°47'43" E29.86'; L227 N77°41'19" E21.04'; L228 S85°40'21" E8.77';
L229 N80°29'12" E29.37'; L230 N71°13'30" E13.74'; L231 N46°30'50"
E35.89'; L232 S67°18'57" E21.30'; L233 S41°53'20" E17.93'; L234
S12°45'25" E26.14'; L235 S40°04'56" E28.22'; L236 N83°29'45" E20.31';
L237 S78°37'48" E30.86'; L238 S55°49'55" E24.11'; L239 N66°05'40"
E24.66'; L240 N87°47'39" E15.74'; L241 N54°08'52" E42.15'; L242
N30°36'51" E40.59'; L243 N74°28'56" E46.92'; L244 N51°10'33"
E21.74'; L245 S63°53'58" E22.20'; L246 N65°15'21" E23.20';
L247 S69°33'30" E10.40'; L248 S89°12'59" E21.09'; L249 N58°37'23"
E15.59'; L250 N40°21'51" E22.34'; L251 N83°52'20" E35.55';

L252S88°16'07" E44.60'; L253 S62°25'37" E8.13'; L254 S45°16'43" E10.35'; L255 S17°16'25" E83.68'; L256 S43°51'47" E9.35'; L257 S72°29'47" E8.31'; L258 N57°04'31" E30.51'; L259 S80°14'48" E27.43'; L260 S13°06'45" E21.10'; L261 S44°21'11" E13.08'; L262 S83°22'24" E23.40'; L263 N68°51'25" E30.37'; L264 S66°41'06" E42.03'; L265 N45°50'21" E14.27'; L266 N54°53'49" E12.70'; L267 S78°01'39" E9.66'; L268 S78°01'39" E58.33'; L269 S23°04'44" W24.98'; L270 S16°12'22" E22.57'; L271 S42°28'37" W15.63'; L272 S24°43'41" W7.56'; L273 S34°50'51" E8.85'; L274 S83°22'40" E21.91'; L275 N16°49'32" E15.59'; L276 N42°19'02" E13.09'; L277 N71°00'00" E76.74'; L278 S42°47'07" E40.82'; L279 S57°53'43" E15.33'; L280 S65°54'21" E34.42'; L281 S17°11'09" W33.27'; L282 S12°08'50" E41.44'; L283 S50°03'11" E18.29'; L284 N61°14'03" E10.57'; L285 N32°07'40" E19.15'; L286 S49°51'42" E15.45'; L287 S16°41'24" E9.69'; L288 S51°31'40" E9.25'; L289 S84°17'01" E19.04'; L290 S27°25'24" E27.96'; L291 S71°53'06" E11.15'; L292 S88°29'37" E37.83'; L293 S49°15'49" E17.95'; L294 S69°43'32" E24.97'; L295 S81°45'11" E14.94'; L296 S43°00'05" E13.66'; L297 S43°58'30" E13.21'; L298 N56°22'37" E14.76'; L299 N53°16'06" E19.40'; L300 N79°31'06" E8.24'; L301 S84°24'26" E10.11'; L302 N62°08'35" E20.68'; L303 N76°51'11" E8.72'; L304 S60°15'56" E10.79'; L305 S17°01'08" E7.16'; L306 S07°53'17" E8.50'; L307 S39°35'24" E12.61'; L308 N65°32'20" E17.94'; L309 N89°23'28" E19.54'; L310 N26°02'00" E7.75'; L311 N41°37'41" E20.75'; L312 N75°20'21" E12.41'; L313 N54°07'03" E18.11'; L314 N39°19'05" E19.44'; L315 N63°12'53" E6.59'; L316 N73°37'32" E23.34'; L317 S78°46'51" E11.78'; L318 S44°21'25" E9.72'; L319 S29°26'01" E7.31'; L320 S09°55'08" W9.52'; L321 N73°32'32" E13.83'; L322 N78°47'34" E19.43'; L323 N39°19'14" E7.28'; L324 N10°09'48" W13.72'; L325 N26°40'42" E8.07'; L326 S80°43'49" E19.86'; L327 S56°46'04" E6.99'; L328 N87°23'39" E10.35'; L329 N62°33'24" E10.87'; L330 S47°06'10" E15.71'; L331 S31°50'14" E20.31'; L332 S68°54'39" E9.46'; L333 N41°28'48" E12.82'; L334 N04°54'52" E12.74'; L335 N52°28'56" E13.45'; L336 S62°35'07" E14.43'; L337 S37°33'51" E20.22'; L338 S29°41'55" E29.75'; L339 S61°35'49" E14.73'; L340 S84°17'58" E21.11'; L341 S54°27'03" E14.80'; L342 S00°58'13" W11.23'; L343 S16°22'14" W11.21'; L344 S17°59'52" E9.30'; L345 S78°20'02" E22.01'; L346 N72°55'25" E20.63'; L347 N62°07'07" E12.81'; L348 N24°14'09" E18.43'; L349 N56°30'33" E19.60'; L350 S82°11'08" E13.70'; L351 S67°18'30" E57.74'; L352 N65°15'48" E24.45'; L353 N35°21'04" E16.33'; L354 N74°20'20" E22.14'; L355 S69°41'28" E29.31'; L356 S07°13'42" W5.29'; L357 S51°36'31"

E24.46'; L358 N82°56'40" E20.33'; L359 S87°53'25" E18.25' L360 N75°26'38" E13.95'; L361 N25°09'58" E21.85'; L362 N27°26'52" W11.74'; L363 N19°30'47" E49.50'; L364 N51°15'01" E14.95'; L365 S35°54'31" E11.07'; L366 S42°03'18" E9.96'; L367 N88°40'30" E10.49'; L368 N71°24'41" E11.86'; L369 N79°55'42" E8.78'; L370 S46°37'35" E8.23'; L371 S19°03'06"E 20.46'; L372 S64°20'41" E31.15'; L373 S44°33'20" E5.50'; L374 S14°32'37" E7.24'; L375 S09°13'24" W26.56'; L376 S03°56'13" W6.63'; L377 S54°06'41" E7.00'; L378 N80°51'05" E28.58'; L379 S34°32'59" E23.89'; L380 S46°44'14" E4.68'; L381 N74°14'13" E6.64'; L382 N69°41'59" E18.34'; L383 N35°40'51" E35.93'; L384 S76°56'39" E5.10'; L385 S86°38'27" E35.15'; L386 S44°36'20" E31.74'; L387 S66°45'56" E26.97'; L388 S78°51'40" E25.56'; L389 N56°58'01" E11.52'; L390 N82°55'54" E5.00'; L391 S49°54'54" E21.29'; L392 S13°01'45" E30.85'; L393 S48°59'27" E29.45'; L394 N63°40'05" E17.63'; L395 S61°39'14" E5.44'; L396 S55°23'31" E62.45'; L397 S12°57'06" E21.65'; L398 S55°01'58" E45.48'; L399 S77°24'45" E23.53'; L400 S11°57'14" E17.69'; L401 S24°00'02" E15.25'; L402 S58°55'48" E22.38'; L403 S88°37'31" E14.48'; L404 N41°51'40" E54.15'; L405 S74°16'44" E31.75'; L406 N62°18'15" E27.35'; L407 S69°09'13" E27.12'; L408 S04°57'18" E25.93'; L409 N88°06'20" E19.69'; L410 S66°55'09" E29.08'; L411 S26°56'56" E25.48'; L412 S08°19'25" W28.79'; L413 S23°13'05" E9.51'; L414 S56°34'55" E16.11'; L415 S15°45'14" E18.03'; L416 S13°07'02" W24.79'; L417 S51°00'46" E43.82'; L418 N39°47'59" E33.28'; L419 S67°39'37" E30.18'; L420 S34°27'09" E39.27'; L421 N89°24'18" E29.70'; L422 S80°56'24" E51.80'; L423 N25°56'27" E15.41'; L424 N24°04'52" W21.99'; and L425 N24°04'52" W21.99' all along the northern boundary of said property to an iron pin, which is the POINT OF BEGINNING.

THIS PROPERTY CONSISTS OF 23.59 ACRES NEAR THE TOWN OF BLYTHEWOOD, RICHLAND COUNTY IN THE STATE OF SOUTH CAROLINA AND IS LOCATED ON THE WESTERN SIDE OF WILSON BOULEVARD, U.S. HIGHWAY 21, SOUTHWEST OF THE U.S. 21 AND INTERSTATE 77 INTERCHANGE. IT IS DEPICTED AS PARCEL "A" ON THE BOUNDARY SURVEY OF TMS 14900-01-03.

COMMENCING FROM THE CENTERLINE INTERSECTION OF WILSON BOULEVARD WITH COMMUNITY ROAD (S-40-2885) N78°55'49"W FOR A DISTANCE OF 295.78' TO AN OLD IRON PIPE CORNER LOCATED ON THE SOUTHERN R.O.W. OF COMMUNITY ROAD. SAID POINT BEING THE POINT OF BEGINNING. THENCE, S81°01'31"W FOR A DISTANCE OF 173.38' TO AN OLD IRON PIPE CORNER. SAID LINE BEING BOUNDED ON THE SOUTH BY LANDS OF NOW OR FORMERLY ELFRETH'S ALLEY L.P. ETAL.

THENCE, S81°01'51"W FOR A DISTANCE OF 302.11' TO AN OLD IRON PIPE CORNER. SAID LINE BEING BOUNDED ON THE SOUTH BY LANDS OF NOW OR FORMERLY ELFRETH'S ALLEY L.P. ETAL. THENCE, S80°58'29"W FOR A DISTANCE OF 396.17' TO AN OLD IRON PIPE CORNER. SAID LINE BEING BOUNDED ON THE SOUTH BY LANDS OF NOW OR FORMERLY ELFRETH'S ALLEY L.P. ETAL. THENCE, N00°27'32"W FOR DISTANCE OF 626.58' TO AN OLD IRON PIPE CORNER. SAID LINE BEING BOUNDED ON THE WEST BY LANDS OF NOW OR FORMERLY TURKEY FARM, LLC. THENCE, N00°28'39"W FOR A DISTANCE OF 639.91' TO AN OLD IRON PIPE CORNER. SAID LINE BEING BOUNDED ON THE WEST BY LANDS OF NOW OR FORMERLY TURKEY FARM, LLC. THENCE, N00°29'12"W FOR A DISTANCE OF 5.53' TO AN OLD IRON PIPE CORNER. SAID LINE BEING BOUNDED ON THE WEST BY LANDS OF NOW OR FORMERLY TURKEY FARM, LLC.

(THE CREEK BEGINS HERE AND IS BOUNDED ON THE NORTH BY LANDS OF NOW OR FORMERLY SIEMENS DIESEL SYSTEMS/TECH. LLC.)

THENCE, S31°11'28"E FOR A DISTANCE OF 62.48' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF COMMUNITY ROAD. THENCE, S53°16'41"E FOR A DISTANCE OF 80.53' TO A NEW IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF COMMUNITY ROAD. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF S06°18'46"E FOR A CHORD DISTANCE OF 427.97' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF COMMUNITY ROAD. THENCE, S14°17'35"W FOR A DISTANCE OF 460.51' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF COMMUNITY ROAD. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF S08°13'00"E WITH A CHORD DISTANCE OF 234.07' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF COMMUNITY ROAD. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF S41°29'04"E WITH A CHORD DISTANCE OF 124.81' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF COMMUNITY ROAD. SAID POINT BEING THE POINT OF BEGINNING.

THIS PROPERTY CONSISTS OF 5.68 ACRES NEAR THE TOWN OF BLYTHEWOOD, RICHLAND COUNTY IN THE STATE OF SOUTH CAROLINA AND IS LOCATED ON THE WESTERN SIDE OF WILSON BOULEVARD, U.S. HIGHWAY 21, SOUTHWEST OF THE U.S. 21 AND INTERSTATE 77 INTERCHANGE. IT IS DEPICTED AS PARCEL "B" ON THE BOUNDARY SURVEY OF TMS 14900-01-03.

COMMENCING FROM THE CENTERLINE INTERSECTION OF WILSON BOULEVARD WITH COMMUNITY ROAD (S-40-2885) N64°53'31"W FOR A DISTANCE OF 173.33' TO A NEW IRON PIPE CORNER LOCATED ON THE NORTHERN R.O.W. OF COMMUNITY ROAD. SAID POINT BEING THE POINT OF BEGINNING. THENCE, N75°37'52"W FOR A DISTANCE OF 15.84" TO

A NEW IRON PIPE CORNER. SAID LINE BEING THE NORTHERN R.O.W. OF COMMUNITY ROAD.

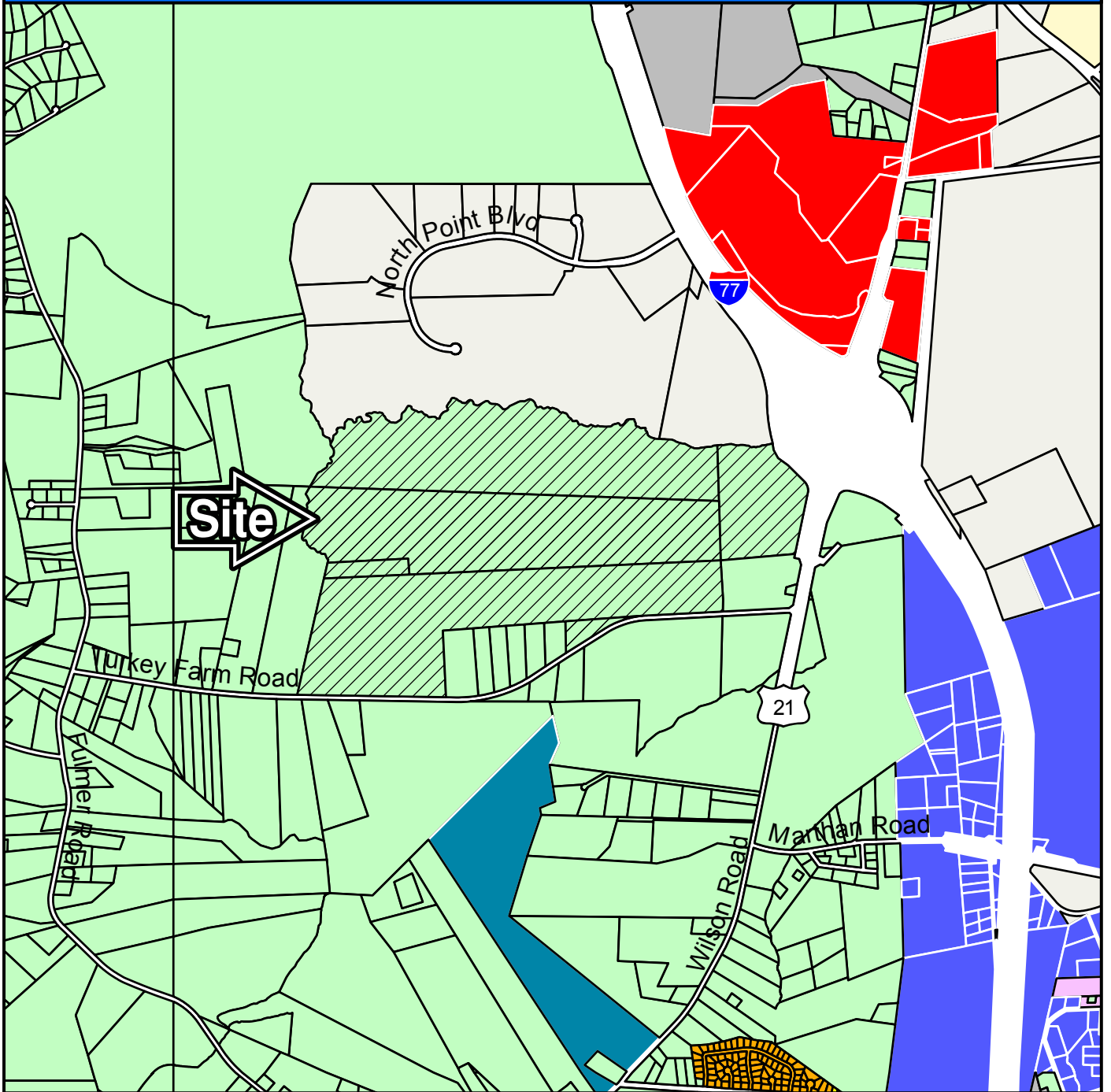
THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF N69°35'34"W WITH A CHORD DISTANCE OF 50.45' TO A NEW IRON PIPE CORNER. SAID LINE BEING THE NORTHERN R.O.W. OF COMMUNITY ROAD. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF N24°40'19"W WITH A DISTANCE OF 301.86' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE NORTHERN R.O.W. OF COMMUNITY ROAD. THENCE, N14°18'20"W FOR A DISTANCE OF 460.62' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE EASTERN R.O.W. OF COMMUNITY ROAD. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF N13°02'27"E WITH A CHORD DISTANCE OF 95.26' TO A NEW IRON PIPE CORNER. SAID LINE BEING THE EASTERN R.O.W. OF COMMUNITY ROAD. THENCE, N08°09'03"E FOR A DISTANCE OF 107.75' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE EASTERN R.O.W. OF COMMUNITY ROAD. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF N16°44'05"W WITH A CHORD DISTANCE OF 329.41' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE EASTERN R.O.W. OF COMMUNITY ROAD. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF S39°12'47"E WITH A CHORD DISTANCE OF 124.81' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF INTERSTATE 77 SOUTHBOUND EXIT RAMP TO U.S. HWY. 21. THENCE, S44°57'03"E FOR A DISTANCE OF 249.73' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF INTERSTATE 77 SOUTHBOUND EXIT RAMP TO U.S. HWY 21. THENCE, ALONG A CURVED LINE WITH A CHORD BEARING OF S15°05'11"E FOR A CHORD DISTANCE OF 248.76' TO AN OLD IRON PIPE CORNER. SAID LINE BEING THE WESTERN R.O.W. OF INTERSTATE 77 SOUTHBOUND EXIT RAMP TO U.S. HWY. 21. THENCE, S14°07'56"W FOR A DISTANCE OF 766.67' TO A NEW IRON PIPE CORNER. SAID LINE BEING BOUNDED ON THE EAST BY LANDS OF NOW OR FORMERLY S.C.D.O.T. SAID POINT BEING THE POINT OF BEGINNING.

CASE 04-35 MA
GREG LEHMAN
TMS 14900-01-03/05/06 & 14800-01-03




Site →



CASE 04-35 MA FROM RU to PUD-1R



ZONING CLASSIFICATIONS

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



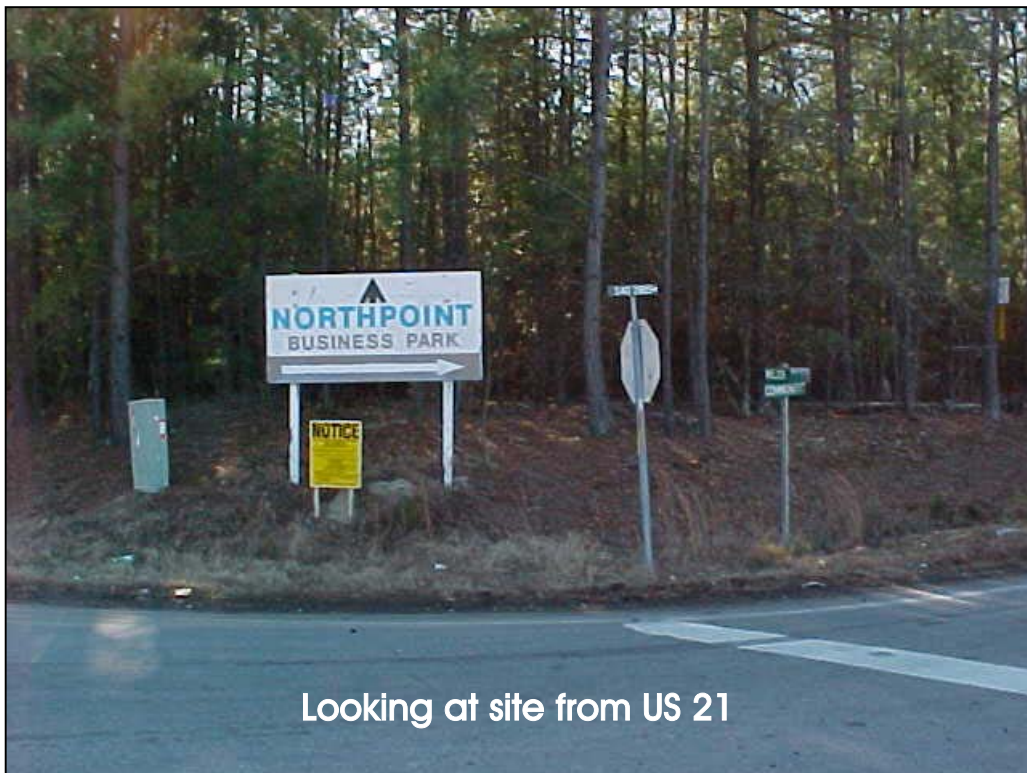
CASE 04-35 MA

FROM RU to PUD-1R

TMS# 14900-01-03/05/06 & 14800-01-03
NW corner of Turkey Farm Rd. and US 21



Interior of the site along the creek



Looking at site from US 21

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

TO: Planning Commission Members
FROM: Carl D. Gosline, AICP, Land Development Administrator
DATE: January 29, 2004
RE: Subdivision and Street Name Approval

Background

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

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

Action Requested

The subdivision names are for information only. **The Department recommends the Commission approve the attached street/road name list.**

| APP'D SUBDIVISION NAMES | RESERVED BY |
|-------------------------|-------------|
| Chapel Oaks | Mungo Co. |
| Castle Oaks | Mungo Co. |
| The Vinyards | Mungo Co. |
| | |

| PROPOSED STREET NAMES | COMPANY & LOCATION |
|------------------------------|--|
| Waterfield | Mungo - unknown |
| Twin Creek | Mungo - unknown |
| Dry Creek | Mungo - unknown |
| Merlot | Mungo - unknown |
| Cabernet | Mungo - unknown |
| Flemish Road | Lake Carolina Dvlpmt. Co. – Lake Carolina Blvd |
| Windjammer Court | Lake Carolina Dvlpmt. Co. – Lake Carolina Blvd |
| Harbour Vista Road | Lake Carolina Dvlpmt. Co. – Lake Carolina Blvd |
| Brookberry Woods | Lake Carolina Dvlpmt. Co. – Lake Carolina Blvd |
| New Stock Drive | Shumaker – Myers Creek – Rabbit Run Road |
| New Stock Court | Shumaker – Myers Creek – Rabbit Run Road |
| Reems Court | Shumaker – Myers Creek – Rabbit Run Road |
| Reems Drive | Shumaker – Myers Creek – Rabbit Run Road |
| Myers Creek Drive | Shumaker – Myers Creek – Rabbit Run Road |
| Keystone Drive | Shumaker – Myers Creek – Rabbit Run Road |
| Keystone Court | Shumaker – Myers Creek – Rabbit Run Road |
| S. Maney Court | Shumaker – Myers Creek – Rabbit Run Road |
| N. Maney Court | Shumaker – Myers Creek – Rabbit Run Road |

* Unless otherwise stated, the suffix used will depend the road type

DRICHLAND COUNTY PLANNING COMMISSION

RESIDENTIAL HIGH-RISE

ZONING PERMIT REVIEW & APPROVAL

February 2, 2004

| | |
|---|---|
| Applicant: | Ben D. Arnold & By the Sirron Group Engineering, LLC |
| Residential High-Rise Review & Approval for: | The Lake Murray Marina Yacht Club |
| General Location: | 1600 Marina Road, Ballentine |
| Tax Map Number: | 02405-01-18, 19 & 20 |
| Subject Lot Area: | Proposed 4.8 acre parcel |
| Number of Dwelling Units: | 224 dwelling units @ 1800 S.F in Five Buildings |
| Height of Building: | Three Stories – High Rise |
| Current Zoning | General Commercial (C-3) |

The Issue:

The Richland County Planning Department received on November 24, 2003, a zoning site plans to construct five residential high-rise structures on property that is now part of the Lake Murray Marina at 1600 Marina Road. This property is zoned General Commercial (C-3) where residential high-rises are permitted after review and approval of the Planning Commission.

Background:

In the Fall of 2001, a development group known as East Cove Partners, offered for discussion a plan to develop the subject site, as well as the parcels to the north and west across Marina Road. The adjacent parcels presented in that proposal were located in a single-family residential district; the entire development proposal would require a map amendment. East Cove Partners apparently judged the probability of successful rezoning to be unacceptable and abandoned their original proposal.

Subsequently, NBJ Marina, LLC, submitted a plan for a zoning permit for a more intense development of the General Commercial parcels alone. That plan showed two high-rise residential towers rising over 140 feet. The Planning Commission found that, although the proposal met the provisions of the zoning ordinance, it was not in harmony with the intent of that ordinance.

The site plan that is now before you shows a mid-rise residential development of 224 dwelling units housed in five buildings of three stories in height. The height of these structures is three stories and therefore is classified as a “high-rise” under the zoning ordinance.

Parking for the residents is located beneath the residential portion of the structures and provides 444 off-street parking spaces. Additional 137 surface parking stalls are provided for guest and off-site leasers of slips at the adjacent docks. Amenities include a pool and a clubhouse intended to serve the marina dockage. The site plan is included with this report for your review.

Discussion:

High-rise residential structures are allowed in General Commercial zones with several safeguards and restrictions set forth in Section 26-80. The primary safeguard is the requirement for a Planning Commission review prior to issuance of a zoning permit.

The Planning Commission is instructed by the zoning code to make two determinations:

- That the proposal meets the requirements stipulated in the zoning code; and
- That the high-rise apartment proposal *is in harmony with the intent of this ordinance.*

The first determination is specific and objective. Section 26-80 of zoning code, *High-rise structures*, requires a minimum lot of one acre with a width of 150 feet. Setbacks must be a minimum of 25 feet. Lot coverage must be 35% or less; however, up to a 10% lot coverage increase is allowed if the building will provide landscaped roof gardens or other open spaces available to the occupants generally. This additional 10% lot coverage allowance is in the form of a one-for-one square foot credit.

The maximum height of the structure within its setbacks is determined by graphically constructing an imaginary pyramid whose invisible walls rise at a slope of two feet vertically from the lot lines for every one horizontal foot slope toward the center of the lot (a two-to-one ratio). The buildings must fit inside this imaginary pyramid with no part touching its invisible walls.

The second determination of *harmony with the intent of the zoning ordinance* is more general than the first. There are no specific instructions in the zoning ordinance to guide the Planning Commission toward making this determination of harmony.

No section of the zoning ordinance is labeled “General Intent”. However, the ordinance opens with a statement of its authority, in **Section 26-11 Authority**, and establishes the foundation of that authority on the County Council’s objective to provide,

in accordance with a comprehensive plan and with reasonable consideration of the character of each area and its peculiar suitability for particular uses, and with a view to promoting desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures, conserving the value of land and buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities.

More specific is the “Intent” section of the General Commercial zoning district.

The district is intended to accommodate a variety of general commercial and nonresidential uses characterized primarily by retail, office and service

establishments and oriented primarily to major traffic arteries or extensive areas of predominantly commercial usage and characteristics.

The SC Code of Laws Section 6-29-540 also requires the Planning Commission to determine if the project is in compliance with the Comprehensive Plan objectives. The Northwest Area Plan designates the general area as a Developing Urban Area; however, the specific location is shown on the proposed land use map as commercial. The plan does not provide recommendation for residential development in a commercial location. In the surrounding Developing Urban Area, beyond the boundaries of this site, the plan recommends that residential development be limited to individual dwelling on individual lots.

The Norwest sub-area plan contains one recommendation about transportation that may be pertinent. This recommendation reads, “Where a request for a change in land use will reduce traffic movement below a “C” level of service, additional highway improvements should be made to mitigate the effects.” Marina Road is classified as a two lane undivided collector with a level of service (LOS) of 8600 trips per day. The latest traffic count at Marina Road Station #485 is 1450 trips per day. The proposed Towers’ 224 dwelling units can be expected to generate 9.5 trips/day each or a total of 2109 additional trips per day. This level of residential development will roughly double the amount of existing traffic but the total of existing traffic counts plus the impact of this development will equal only 2,559 trips – less than half the LOS C noted as a threshold by the Comprehensive Plan.

Reading the General Commercial (C-3) district regulations, one comes to sub-paragraph (30) that lists among the permitted principal uses, “Single, two-family and multifamily dwellings; provided that such uses are developed in accord with ...” certain specific requirements of the General Residential (RG-2) zoning district.

The listed RG-2 requirements are:

| Specific RG-2 Zoning Ordinance Sections | Requirements of the Zoning Code | The Towers @ Lake Murray Proposal |
|--|--|--|
| Minimum lot area, Section 26-64.6 | 5000 square feet for the first dwelling, then 2500 square feet for every additional dwelling, <u>except in high-rise structures.</u> 4.8 acres is 209,088 square feet, which would allow 83 dwelling units in RG-2. The proposed 146 dwelling units would require 8.44 | There is no limit to the number of dwelling units per square foot of lot for high-rise structures. |

| | | |
|---------------------------------------|--|--|
| | acres. | |
| Maximum lot coverage, Section 26-64.9 | 30% of gross lot area | However, maximum lot coverage for high rises in all districts is 35% with up to additional 10% credit given for roof gardens and the like. |
| Maximum height, Section 26-64.10 | High-rise apartments as provided in section 26-80 | The developer will show that the three-story buildings fit within the imaginary pyramid with a side slop of two to one. |
| Off street parking, Section 26-64.11 | As required in Article 7, Off-Street parking. For multifamily dwellings, the requirement is for two spaces per dwelling unit or one space for each 500 square feet of gross floor area, whichever is less. | The project proposes to provide 581 parking spaces. Adequate parking, based upon the requirement of 2 spaces per unit would require 444 spaces for the 224 apartments. |
| Section 26-64.12 | As permitted in Article 8, Signs | Signs will be addressed at the sign permit stage of review. |

Since the proposed development is proposed to meet all of these RG-2 provisions, it may be found to be a **principal permitted use** only subject to the provisions of Section 26-80. Section 26-80 requires, among other things, a review by the Planning Commission and a report of its determinations to the Zoning Administrator. The Code reads,

The planning commission shall certify the findings of its review to the zoning administrator. Such certification shall be made within forty-five (45) days of the submission of all required information, or if such certification is not made within the time specified, the zoning administrator may act upon such proposal as if the planning commission had made affirmative finding in favor of the applicant on all aspects of the proposal.

Recommendation:

Since, uniquely in the Zoning Ordinance, the Planning Commission rather than the Zoning Administrator is responsible for determining compliance with the zoning ordinance, I respectfully request that the Commission determine and to certify to me as the Zoning Administrator:

- If this residential high rise project is in compliance with the provisions of the zoning ordinance. (In making this decision regarding the specific requirements of the zoning code, I find upon examination of the site plan, that the proposed condominium mid-rise structures along with the clubhouse meet the technical requirements of the zoning ordinance. I recommend that the Planning Commission do so likewise.)
- If the project is in harmony with the intent of the ordinance.