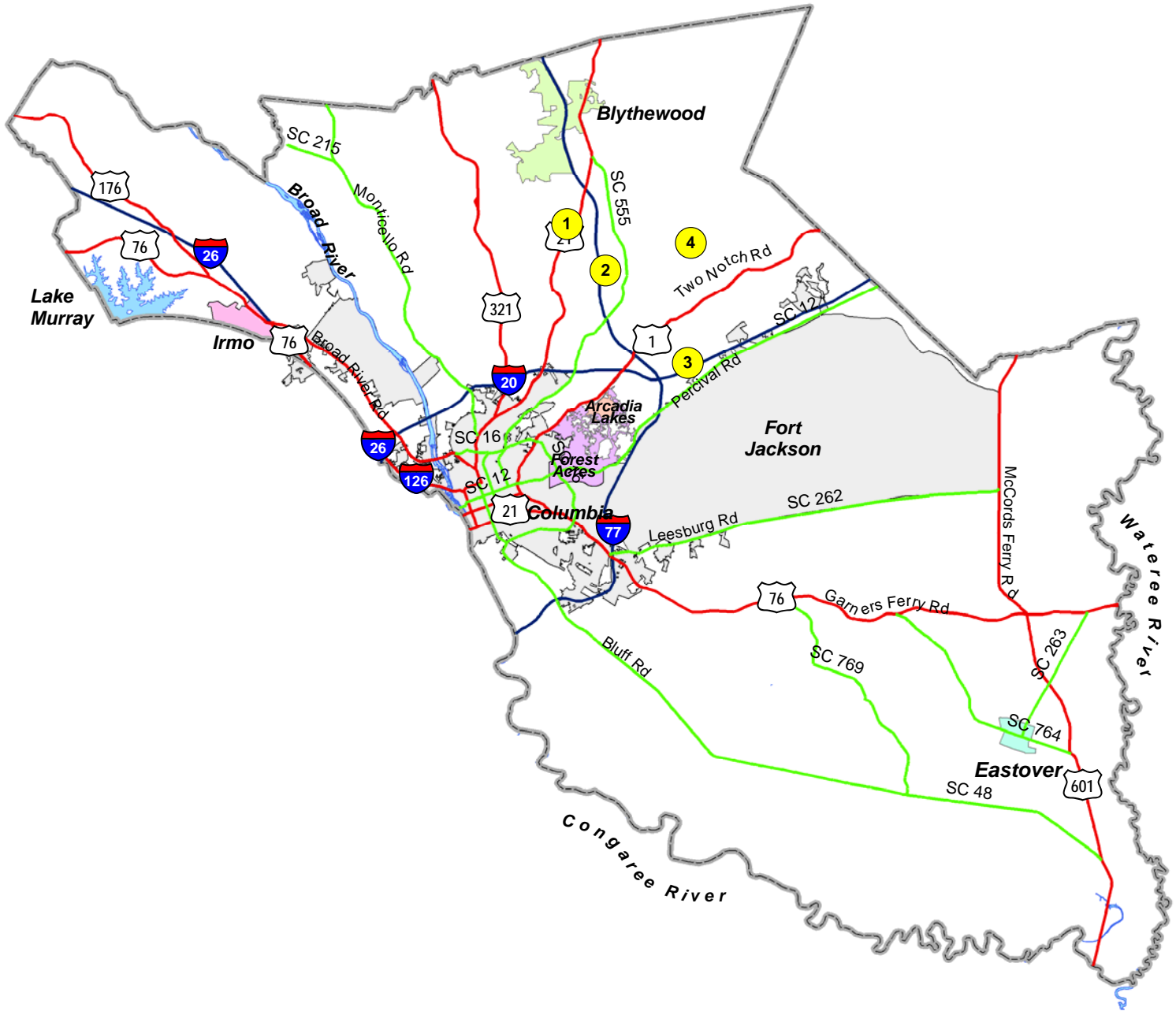


RICHLAND COUNTY
PLANNING COMMISSION



FEBRUARY 7, 2005

RICHLAND COUNTY PLANNING COMMISSION FEBRUARY 7, 2005



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 05-36 MA	Kerry Lee	14800-05-22	US Highway 21	McEachern
2. 05-37 MA	Windsor/Aughtry Co. c/o Paul Aughtry	17300-02-01 & 17400-09-13 (p)	I-77 & Killian Road	McEachern
3. 05-38 MA	Richland County School District Two c/o Jacqueline Myers	19811-01-02	Polo Road East of Alpine Road	Montgomery
4. 05-39 MA	Robert Fuller	20200-03-49 & 50	Clemson Road near U.S. Post Office	Hutchinson

RICHLAND COUNTY PLANNING COMMISSION

Monday, February 7, 2005

Agenda

1:00 PM

2020 Hampton Street

2nd Floor, Council Chambers

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

I. PUBLIC MEETING CALL TO ORDER Howard Van Dine, Chairperson

II. PUBLIC NOTICE ANNOUNCEMENT

III. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the January 10, 2005 minutes

IV. AGENDA AMENDMENTS

V. OLD BUSINESS

None

VI. NEW BUSINESS - SUBDIVISION REVIEW

PROJECT #	NAME	LOCATION	UNITS	Page
SD-05-115	Canary Woods S/D Phase 1	Padgett Rd near Bitternut Dr TMS # 22012-01-02; 22015-02-01; 22016-01-03/06/07 22109-01-09; 22109-02-05	63	09
SD-05-108	Arden Park	Longtown Road West TMS # 17700-01-88	12	19
SD-05-127	Paradise Cove Minor S/D	Old Road near Lake Murray TMS # 02403-01-07	4	29
SD-05-150	Stoney Pastures @ Jacobs Creek Phase 2	Old Two Notch Rd & Bookman Rd TMS # 25900-03-14	27	39

VII. NEW BUSINESS - ZONING MAP AMENDMENTS

(MAP #) CASE #	(1) 05-36 MA	Page
APPLICANT	Kerry Lee	49
REQUESTED AMENDMENT	RU to PUD-1R (25.88 Acres)	
PURPOSE	Single family residential	
TAX MAP SHEET NUMBER (S)	14800-05-22	
LOCATION	US Highway 21	

(MAP #) CASE #	(2) 05-37 MA	Page
APPLICANT	Windsor/Aughtry Co. c/o Paul Aughtry	63
REQUESTED AMENDMENT	M-2 to M-1 (79.846 acres)	
PURPOSE	Highway commercial services and light industrial	
TAX MAP SHEET NUMBER (S)	17300-02-01 & 17400-09-13 (p)	
LOCATION	I-77 & Killian Rd.	

(MAP #) CASE #	(3) 05-38 MA	Page
APPLICANT	Richland County School District Two c/o Jacqueline Myers	77
REQUESTED AMENDMENT	C-3 to C-1 (26.76 acres)	
PURPOSE	Elementary School	
TAX MAP SHEET NUMBER (S)	19811-01-02	
LOCATION	Polo Rd. east of Alpine Road	

(MAP #) CASE #	(4) 05-39 MA	Page
APPLICANT	Robert Fuller	87
REQUESTED AMENDMENT	RU to PDD (21.22 acres)	
PURPOSE	Commercial Business Park	
TAX MAP SHEET NUMBER (S)	20200-03-49 & 50	
LOCATION	Clemson Road near U.S. Post Office	

VIII. NEW BUSINESS

- a. Ordinance to modify Planning Areas of the Imagine Richland 2020 Comprehensive Plan
- b. Ordinance to allow Private Road Subdivisions in the RU Rural Zoning Districts 103

IX. ROAD NAME APPROVALS

- a. New Road Name Approvals 107

X. OTHER BUSINESS

- a. Theodore Bose Road Funding Presentation
- b. Status Report Regarding the Hobart Road Project
- c. Status Report Regarding Killian Green/Villages at Lakeshore
- d. Status Report on the Landscaping plan for Villages @ Lakeshore
- e. Report Regarding The Protection of Isolated Wetlands
- f. Status Report Regarding the Alternative Road Paving Study
- g. Further Discussion Regarding Alternative Planning Area Arrangements
- h. Further Discussion Regarding Revision of Comp Plan Schedule

XI. PLANNING DIRECTOR'S REPORT

XII. ADJOURNMENT

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

February 7, 2005

Applicant: Motley & Peake, LLC		Preliminary Subdivision Plans For: Canary Woods, Phase 1
RC Project # : SD-05-115		
General Location: Padgett Road, 1/2 mile west of Lower Richland Blvd		
Tax Map Number: 22015-02-01; 22016-01-03/06/07 22012-02-02; 22019-01-09; 220109-02-05		Current Zoning: RS-2 & RS-3
Subject Area: 23 acres	Number of Units: 63	Gross Density: xxx DU/acres
Sewer Service Provider: City of Columbia		Water Service Provider: City of Columbia

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Padgett Road	
Functional Classification Of This Roadway	Not Classified	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	627	
Current Volume At The Nearest Count Station # 507 Located @ between site and Lower Richland Blvd	3300	
Estimated Traffic Count With the Proposed Project	3927	
Volume-To-Capacity Ratio With The Proposed Project	0.46	

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 and used in the CMCOG long range transportation planning process.

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

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

The proposed project will not result in the LOS C being exceeded at SCDOT count station 507.

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	13
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

There is a low area with a small creek that traverses the site from east to west in the front part of phase 1. The remainder of the site slopes upward to the north and west.

Compatibility with the Surrounding Area

The adjacent subdivision, Padgett Woods, is a single family detached residential subdivision. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The subject site is designated as Residential within the Developing Urban Area on the Lower Richland Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation because the proposed project is a single family detached residential subdivision.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations of the Comprehensive Plan. 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 adjacent parcels on the west, north and east are zoned RS-3, or a density of 8.7 DU per gross acre, or 5.6 DU per developable acre. A developable acre assumes that an average of 35 percent of a subdivision area is required for infrastructure purposes. Phase 1 will have density of 5.1 DU per gross acre and 3.3 DU per developable acre. The proposed project implements this Objective.

Principle – Moderate to low level densities (maximum of 9.0 DU/acre) are appropriate within the Developing Urban Area

See the discussion above. This project implements this Principle.

Other Pertinent Factors

- 1) As of January 19, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 19, 2005, approval of the flood elevation statement, if applicable, had not been received.
- 3) As of January 19, 2005, approval of the wetlands encroachment permit, if applicable, had not been received
- 4) As of January 19, 2005, the County Fire Marshal had not provided comments. In the past, the Fire Marshal has requested a secondary access point for projects with more than 30 lots.
- 5) As of January 19, 2005, the City of Columbia had not approved the water and sewer line construction plans.
- 6) As of January 19, 2005, DHEC had not issued a sewer line construction permit.
- 7) As of January 19, 2005, 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...”

The plans submitted for phase 1 of this project are NOT substantially in conformance with the approved Sketch Plan as required by Chapter 22-11 (f) of the County Code. The missing items listed below were identified in the Department's letter to the applicant regarding the Sketch Plan on November 23, 2004, hereafter referred to as the Letter:

- 1) No phasing plan was provided as required by Comment # 5 in the Letter. The plat, or staking plan, must be revised in this regard.
- 2) The Phase 1 lot numbers were changed to be consecutive within phase 1 rather than retaining the consecutive lots numbers for the whole project provided in the Sketch Plan and as required by Comment 6 in the Letter. The revised staking plan must be revised in this regard.

The zoning for the proposed Canary Woods S/D is NOT all RS-2. Only 3 of the 7 tax parcels involving the entire project were rezoned to RS-2 by Ordinance # 019-04 HR on April 20, 2004. The remaining 4 tax parcels remain zoned RS-3. In order to ensure that building permits are issued in compliance with the lot dimension requirements for the appropriate zoning district, the entire project phasing plan discussed above, and the plat/staking plan, must be revised so that no lots or phases are located in two zoning districts.

The phase 1 plat identified 52 acres of RS-2 zoning, but the application form identifies only 23 acres of RS-2 zoning. Ordinance # 019-04 HR rezoned 23 acres from RR and RS-3 to RS-2. The phase 1 plat must be revised to show 23 acres of RS-2 zoning.

There are some discrepancies between the data shown on the proposed plat and data provided on the application form. The discrepancies listed below must be corrected before the phase 1 plans can be approved:

- 1) The application form identifies all seven tax parcels in the entire project when only three of the parcels are involved in phase 1. A revised application must be submitted to identify only the tax parcels involved in phase 1.
- 2) The proposed staking plan states in the notes that there will be 66 lots when only 63 lots are depicted. The application form also states there will be 63 lots. The application form and the plat should be consistent in this regard.

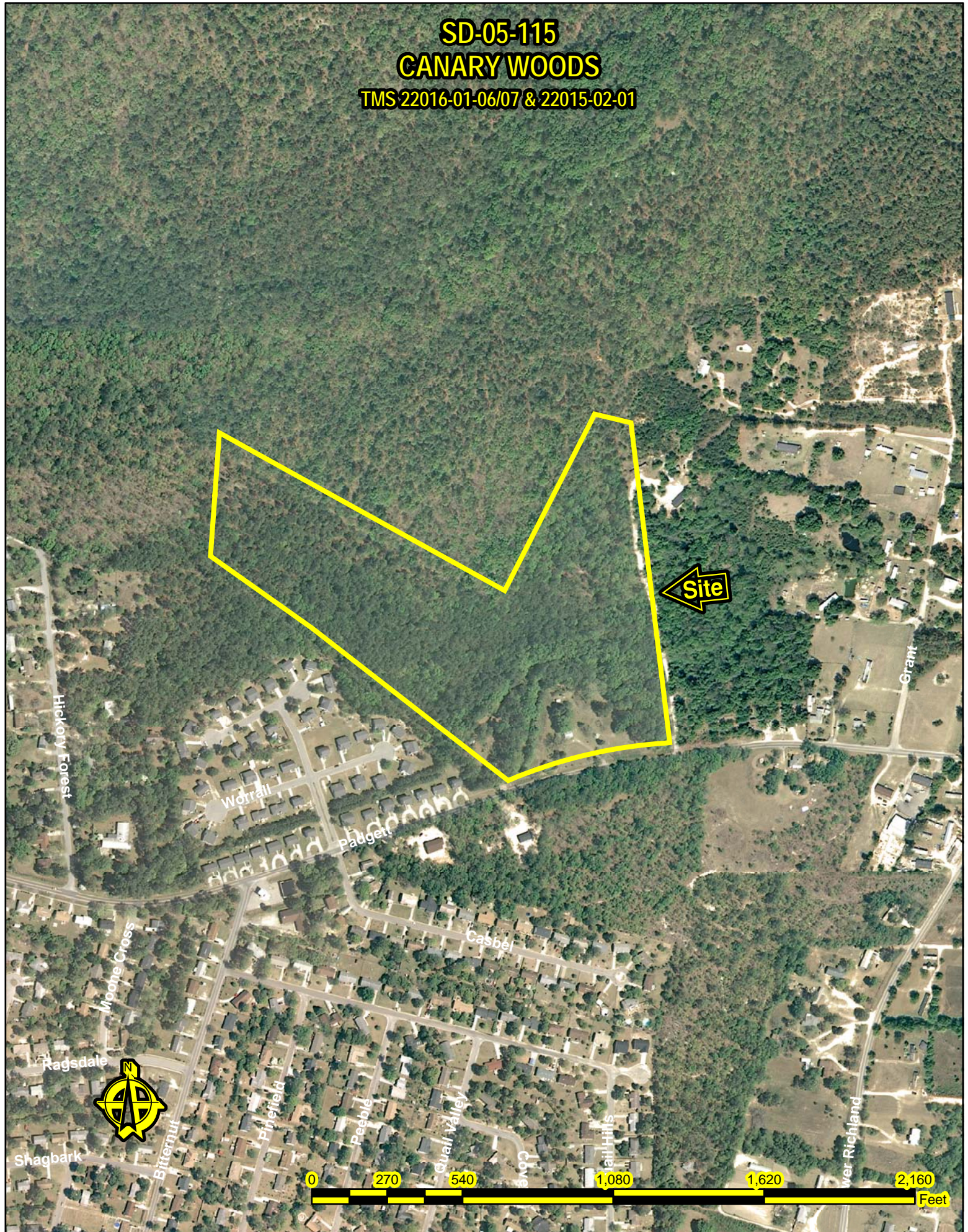
The RS-2 zoning district requires a minimum lot width of 60 feet at the front building line. Lots 2, 3, 4, 5, 6, 15 & 26 do not have 60 feet of lot width at the front setback line. The plat needs to be revised to move the front setback line on these lots back away from the street until 60 feet of lot width is achieved at the front building line.

In the Sketch Plan comment letter described above, the Department suggested that the applicant identify the 100-year elevation of the two creeks that traverse the project because no building permits can be approved until 100-year flood elevation is approved by the Department. The proposed plat for phase 1 shows some common area along the creek, but does NOT delineate the 100-year flood elevation line. In addition, the applicant should be aware that significant revision to the proposed plat, including but not limited to renumbering ALL the lots in the whole project, may be required to accommodate the 100-year elevation line.

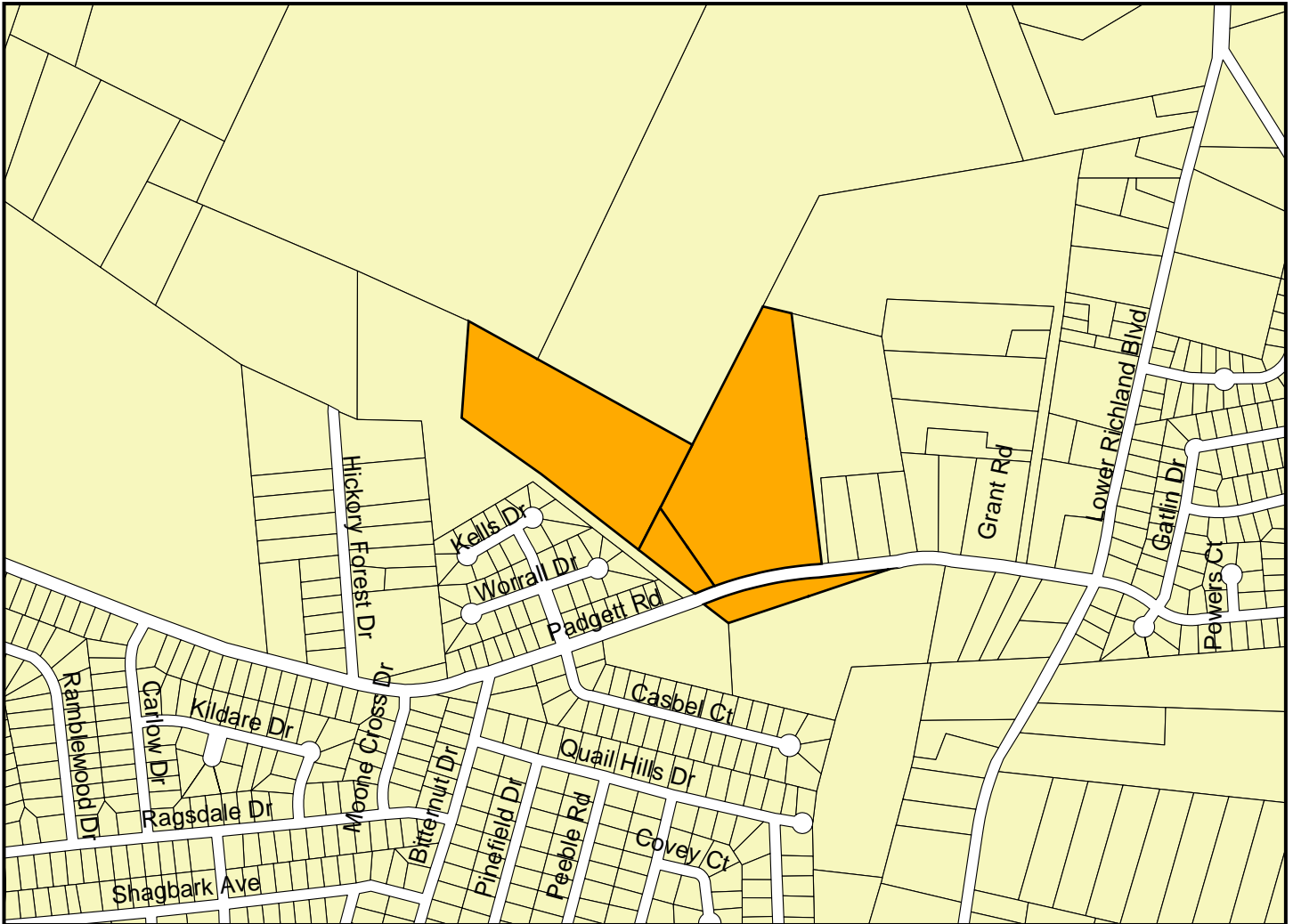
SECTION II – STAFF RECOMMENDATION

Based on the findings of fact described above, the Planning and Development Services Department (PDS) recommends the preliminary subdivision plans for a 63 unit single family detached subdivision, known as Canary Woods, Phase 1 (Project # SD-05-115) **be deferred** to the March 7, 2005 Planning Commission meeting, **PROVIDED** the revised plats are received by the Department no later than 5:00 PM February 14, 2005.

SD-05-115
CANARY WOODS
TMS 22016-01-06/07 & 22015-02-01



SD 05-115 CANARY WOODS S/D, PHASE 1



Looking at the site from Padgett Rd.

Looking west along Padgett Rd.

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

February 7, 2005

Applicant: Daniel Litchford		Preliminary Subdivision Plans For: Arden Park	
RC Project # : SD-05-108			
General Location: Longtown Road West			
Tax Map Number: 17700-01-88		Current Zoning: D-1	
Subject Area: 16.6 acres	Number of Units: 12	Gross Density: 0.7 DU/acres	
Sewer Service Provider: Septic		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Longtown Road West	
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	114	
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 and used in the CMCOG long range transportation planning process.

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

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

The estimated traffic generated by the proposed project will not result in the LOS C on Longtown Road West being exceeded in this area.

Fire Service Impacts

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

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

Existing Site Conditions

The existing site is mostly flat and most of the vegetation is small to medium pine trees.

Compatibility with the Surrounding Area

The adjacent land use on the north, east and south is single family detached residential. The project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The subject site is designated as Medium Density Residential within the Developing Urban Area on the I-77 Corridor Subarea Plan Proposed Land Use Map. The proposed project is not consistent with this land use designation because the proposed project has density of 0.7 DU/acre, i.e., far below the allowable 5.0 to 9.0 DU/acre for the designated land use.

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

Objective –
None Applicable

Principle – Established low-density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development
The proposed single family detached subdivision will prevent the possibility of a higher density project from using the site. This project implements this Principle.

Other Pertinent Factors

- 1) As of January 19, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 19, 2005, approval of the flood elevation statement had not been received.
- 3) As of January 19, 2005, approval of the wetlands encroachment permit had not been received
- 4) As of January 19, 2005, the City of Columbia had not approved the water line construction plans.
- 5) As of January 19, 2005, DHEC had not issued a water line construction permit.
- 6) As of January 19, 2005, 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...”

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 12 unit single family detached subdivision, known as Arden Oaks (Project # SD-05-108). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The estimated traffic generated by the proposed project will not result in the LOS C on Longtown Road West being exceeded in this area.
2. The proposed subdivision is compatible with existing development in the area.
3. The project **is not consistent** with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The Planning Dept. must issue a Controlled Clearing Certificate letter **PRIOR to any land clearing activity being initiated; 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, if applicable, prior to building permits being issued; **and**
- e) The Department must receive a copy of the USCOE wetlands encroachment statement; **and**
- f) The City of Columbia must approve the water line construction plans; **and**
- g) DHEC must issue the water line construction permits; **and**
- h) Street addresses must be issued; **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) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system; **and**
- l) 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

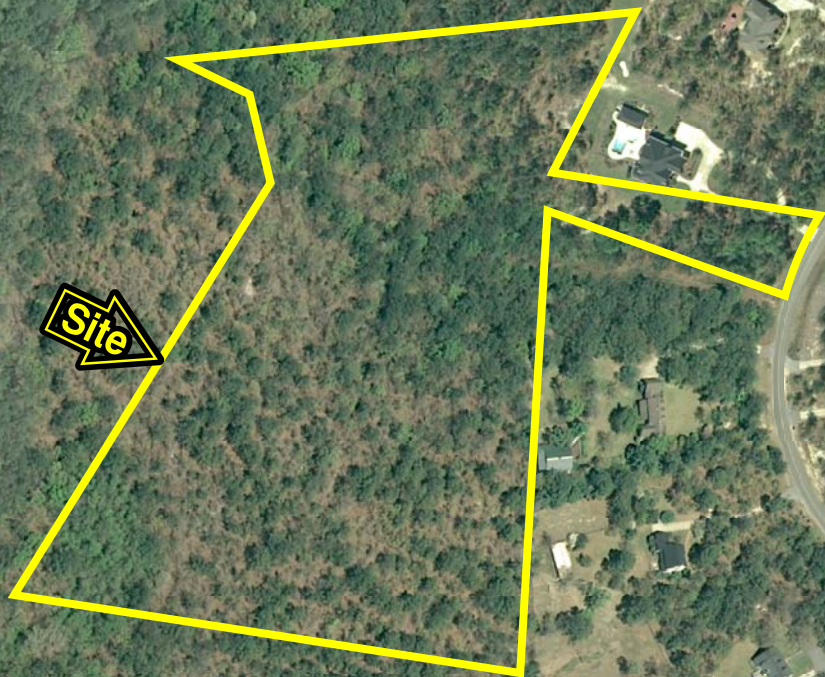
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

SD-05-108
ARDEN PARK
TMS 17700-01-88



Site

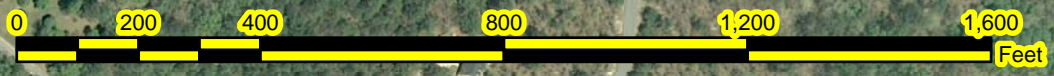


Lake Farm

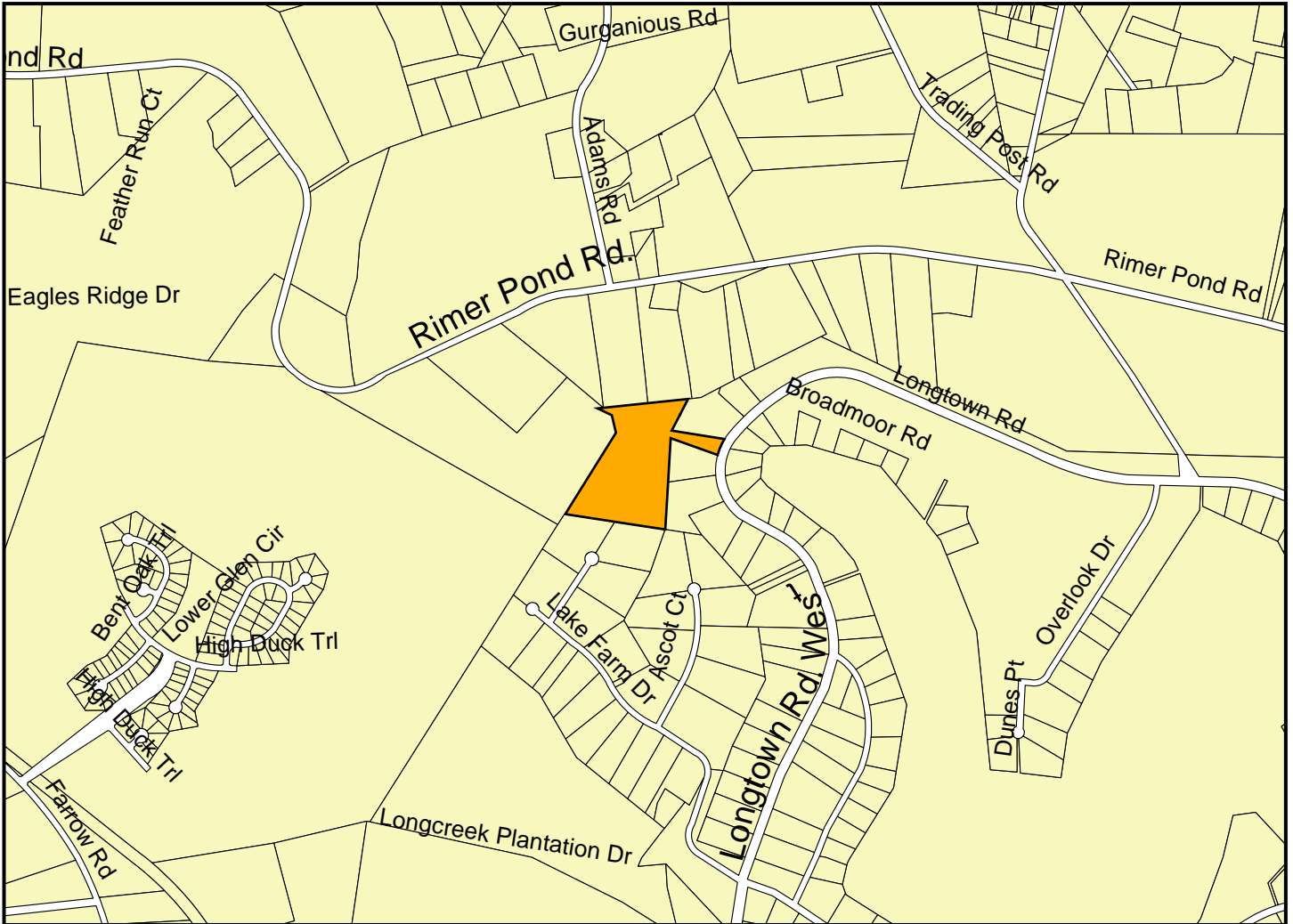
Derby Run

Ascot

Longtown



SD 05-108 ARDEN PARK

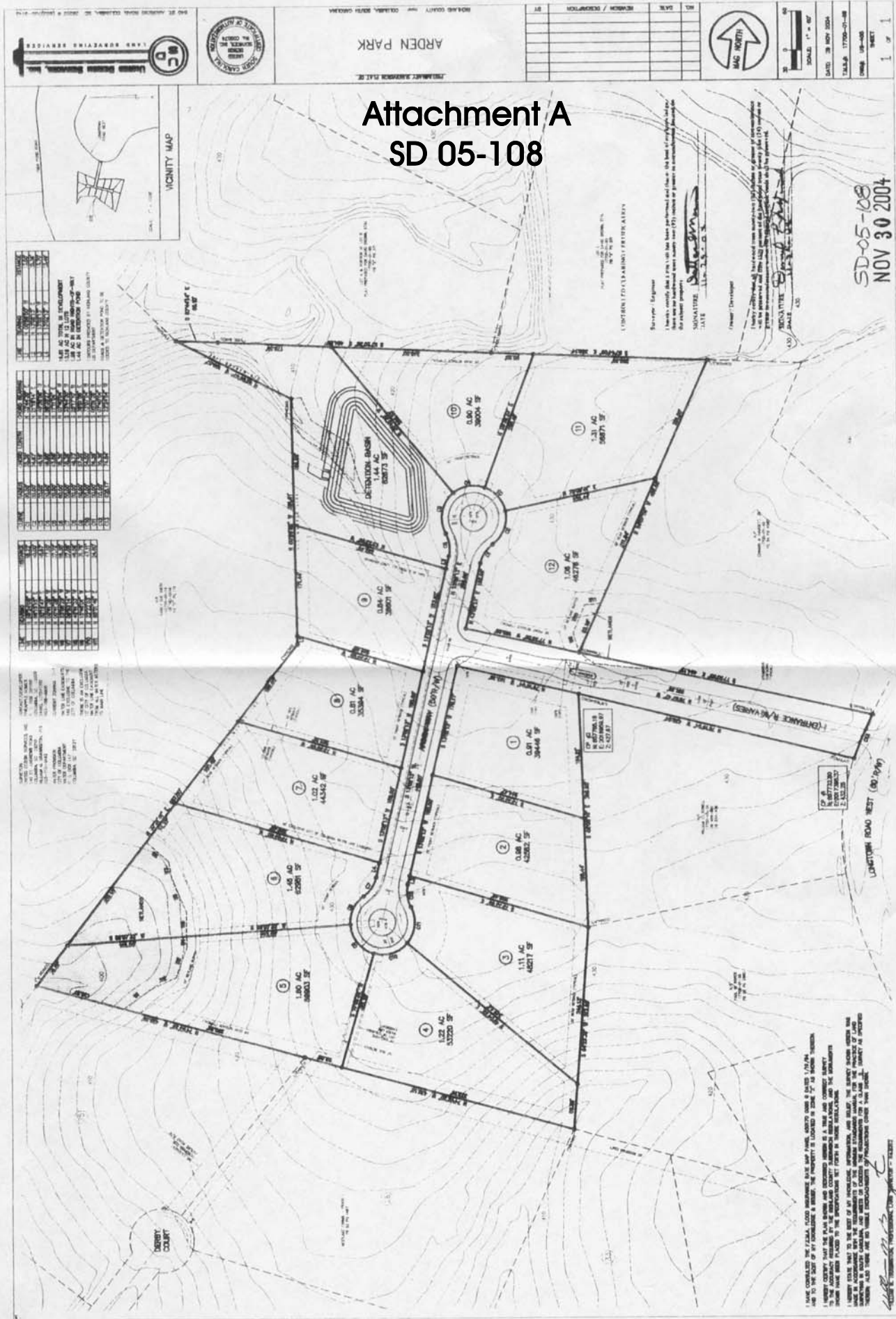


Looking at the site from Longtown Rd. West



Looking across Longtown Rd. West

Attachment A SD 05-108



SD-05-108
NOV 30 2004

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

February 7, 2005

Applicant: Tom Kendall		Minor Subdivision Plans For:	
RC Project # : SD-05-127		Paradise Cove	
General Location: Old Road off Richard Franklin Road in Ballentine			
Tax Map Number: 02403-01-07		Current Zoning: RU	
Subject Area: 3.9 acres	Number of Units: 4	Gross Density: 1.0 DU/acres	
Sewer Service Provider: Richland Co. Util.		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Richard Franklin Road via Old Road	
Functional Classification Of This Roadway	Not classified	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	27	
Current Volume At The Nearest Count Station # 637 Located @ between R. Franklin Rd and Dutch Fork Road	3100	
Estimated Traffic Count With the Proposed Project	3127	
Volume-To-Capacity Ratio With The Proposed Project	0.36	

Notes:

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

The estimated project traffic is determined by applying the traffic generation 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 and used in the CMCOG long range transportation planning process.

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

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

The proposed project will not result in the LOS C being exceeded at SCDOT count station 637.

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	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

The site slopes away from Old Road toward the Lake. The existing residence will be demolished and replaced

Compatibility with the Surrounding Area

Since there is single family detached residences all around the subject site, the project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

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

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department’s position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations of the Comprehensive Plan. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

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

Since the proposed project has a density of 1.0 DU/acre, it implements this Objective.

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

The proposed subdivision will eliminate the possibility of a more intensive development on the site. This project implements this Principle.

Other Pertinent Factors

- 1) As of January 19, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 19, 2005, approval of the flood elevation statement, if applicable, had not been received.
- 3) As of January 19, 2005, the City of Columbia had not approved the water line construction plans, if applicable.
- 4) As of January 19, 2005, DHEC had not issued a sewer line construction permit.
- 5) As of January 19, 2005, DHEC had not issued a water line construction permit.

Section 24-81 of the County Code requires **ALL** buildings to connect to a public water and/or sewer system if a water or sewer line is within 200 feet of the project' s property line. The City of Columbia has a water line in the area and the Richland County Utilities has a sewer line in the area. The proposed project will be required to connect to both the City of Columbia water system and the Richland County Utilities sewer system.

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 4 unit single family detached subdivision, known as Paradise Cove (Project # SD-05-127). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision will not result in Richard Franklin 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) The Planning Dept. must issue a Controlled Clearing Certificate letter **PRIOR to any land clearing activity being initiated; and**

- b) The Department of Public Works must approve the stormwater management plans; **and**
- c) The Floodplain Mgmt. Specialist must approve the flood elevation statement, if applicable, prior to building permits being issued; **and**
- d) The City of Columbia must approve the water 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) Richland County Utilities (RCU) customers must present proof of payment of the sewer connection fees prior to getting a building permit; **and**
- h) Street addresses must be issued; **and**
- i) Street addresses must be assigned; **and**
- j) **No building permits shall be issued until all of the conditions cited above are met; and**
- k) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- l) Plats shall not be approved for recording until the Department receives the RCU approval of the 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) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** RCU approval of the sewer line easement deeds **AND (3)** the County accepts the roads for maintenance; **and**
- p) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

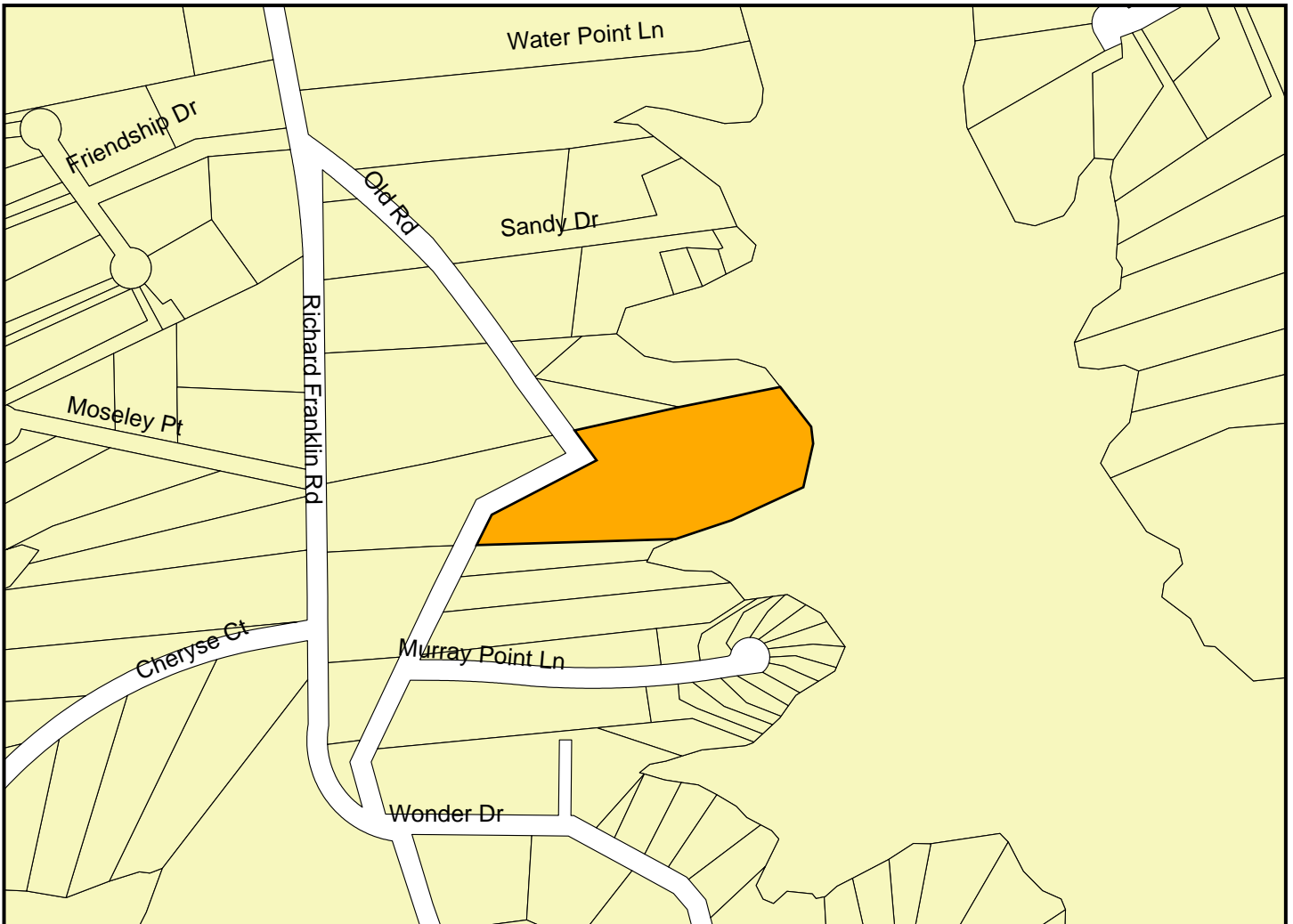
Appeal

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

SD-05-127
PARADISE COVE MINOR S/D
TMS 02403-01-07



SD 05-127 PARADISE COVE MINOR S/D

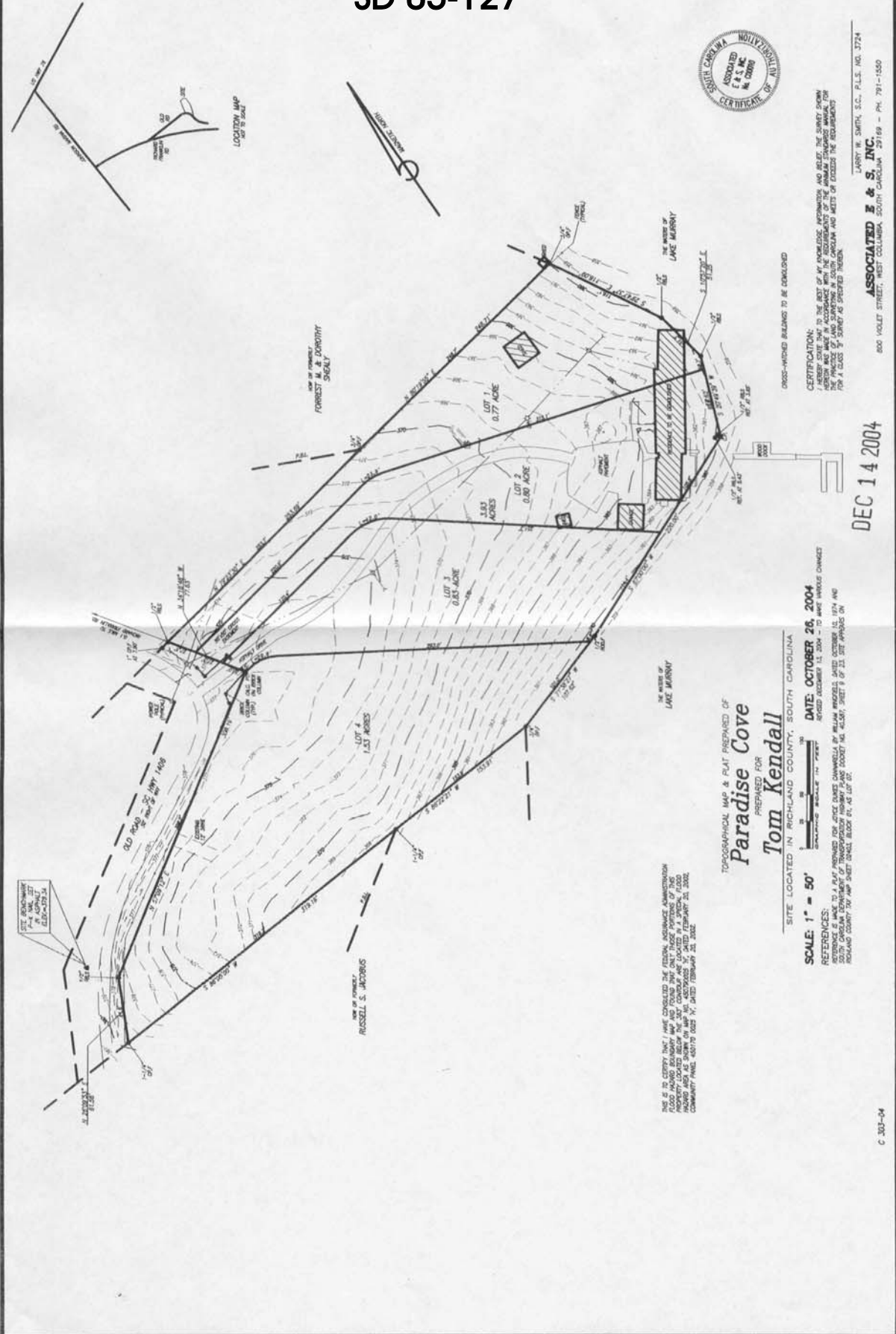


Looking at the site from Lake Murray



Looking across Old Rd. from site

Attachment A SD 05-127



SEE REACHWAY
A 4' WIDE
Z 0.0'-0.00'-0.00'

LOCATION MAP
SEE SD 05-127



CERTIFICATION:
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN
HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE FACTS AND CONDITIONS AS SHOWN BY THE
FIELD WORK AND INSTRUMENTS USED THEREON, AND THAT THE SAME COMPLY WITH THE REQUIREMENTS
FOR A CLASS 'B' SURVEY AS SPECIFIED THEREIN.

LARRY W. SMITH, S.C., P.L.S., NO. 3724
ASSOCIATED E & S, INC.
800 VIOLET STREET, WEST COLUMBIA, SOUTH CAROLINA 29169 - PH. 791-1550

DEC 14 2004

TOPOGRAPHICAL MAP & PLAT PREPARED OF
Paradise Cove
PREPARED FOR
Tom Kendall

SITE LOCATED IN RICHLAND COUNTY, SOUTH CAROLINA

SCALE: 1" = 50'
DATE: OCTOBER 26, 2004

REFERENCES:
THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION
PROPERTY LOCATED BELOW THE SURVEYED PROPERTY AND LOCATED IN A UNIFORM 1:500
SCALE TOPOGRAPHICAL MAP SHEET NO. 11000, SHEET 11000, DATED FEBRUARY 20, 2002.
SOUTH CAROLINA TOPOGRAPHIC SURVEYING BOARD PANS DOCKET NO. 41507, SHEET 2 OF 23, SET MAPS ON
ROUNDING POINT, 100' WIDE, 20' DEEP, 20' WIDE, 20' DEEP, 20' WIDE, 20' DEEP.

CROSS-WIDED BRIDGES TO BE DEVELOPED

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

February 7, 2005

Applicant: Centex Homes, Inc.		Preliminary Subdivision Plans For:	
RC Project # : SD-05-150		Stoney Pastures @ Jacobs Creek, Phase 2	
General Location: Old Two Road & Bookman Road			
Tax Map Number: 25900-03-14		Current Zoning: PUD	
Subject Area: 15.2 acres	Number of Units: 27	Gross Density: 1.8 DU/acres	
Sewer Service Provider: Palmetto Utilities		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Bookman 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	257	
Current Volume At The Nearest Count Station # 449 Located @ between Old Two Notch Rd and Two Notch Road	7200	
Estimated Traffic Count With the Proposed Project	See Below	
Volume-To-Capacity Ratio With The Proposed Project	See below	

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 and used in the CMCOG long range transportation planning process.

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

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

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station Bookman Road. **However, the total traffic impact of the completed project will far exceed the LOS F on Bookman Road.** The table below shows the project's estimated cumulative traffic impact by phase when fully occupied.

Bookman Rd LOS C Design Capacity = 8600 ADTs

Phase #	# Units	Phase ADTs	Cum. ADTs (1)	V/C Ratio (2)	LOS (3)
1	39	370	7570	0.88	C
2	27	257	7827	0.91	C

- (1) The cumulative amount of traffic generated upon full occupancy of the phases PLUS 7200 (the 2003 SCDOT traffic count at Station # 449)
- (2) The cumulative V/C ratio upon full occupancy of the phases (cum. ADTs / 8600)
- (3) The cumulative Level-Of-Service upon full occupancy of the phases

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	5
Middle School @ 0.13 students per single family DU	3
High School @ 0.12 Students per single family DU	2

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

Existing Site Conditions

This portion of the project is sparsely vegetated with pine trees and small hardwoods. It is adjacent to, but does not encroach into, one of the major wetland areas in the PUD. The entrance to this phase of the project is through phase 1 across from Ringwood Lane in Briarcliff.

Compatibility with the Surrounding Area

Phase 2 of the project is compatible with the adjacent Briarcliff development across Bookman Road. In addition, phase 2 is consistent with the approved PUD General Development Plan (See Ordinance # 59-04 HR, enacted on October 18, 2004.

Discussion of Applicable Comprehensive Plan Issues

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

The subject site is designated as Low Density Residential within the Established Urban Area on the Northeast Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation because it is within the allowable density range of the Low Density Residential land use designation.

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

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

Phase 2 of the subject project has a density of 1.8 DU/acre. The net residential density of the whole project is 3.5 DU/acre and gross project density is 2.3 DU/acre. The proposed project implements this Objective.

Principle –

None Applicable

Other Pertinent Factors

- 1) As of January 19, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of January 19, 2005, approval of the flood elevation statement had not been received.
- 3) As of January 19, 2005, approval of the wetlands encroachment permit had not been received
- 4) As of January 19, 2005, the County Fire Marshal had not provided comments.
- 5) As of January 19, 2005, the City of Columbia had not approved the water line construction plans.
- 6) As of January 19, 2005, DHEC had not issued a sewer line construction permit.
- 7) As of January 19, 2005, DHEC had not issued a water line construction permit.

The applicant must present a phasing plan for the whole project prior to issuing any building permits. The phasing plan is necessary to allow the Department to ensure there is adequate infrastructure present to serve the residences

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 27 unit single family detached subdivision, known as Stoney Pastures @ Jacobs Creek, Phase 2 (Project # SD-05-150). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station Bookman Road. However, the total traffic impact of the completed project will far exceed the LOS F on Bookman Road.
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 Planning Dept. must issue a Controlled Clearing Certificate letter **PRIOR to any land clearing activity being initiated; and**
- b) The Department of Public Works must approve the stormwater management plans; **and**
- c) The applicant must present a phasing plan for the whole project **prior to issuing any building permits in either Phase 1 or Phase 2; and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The US Army Corps of Engineers wetlands encroachment statement must be received by the Department; **and**
- f) The City of Columbia must approve the water 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) Street addresses must be assigned; **and**
- j) No building permits shall be issued until all of the conditions cited above are met; and**
- k) Plats shall only be recorded by the complete phases identified in the lot layout diagram; **and**
- l) Any further division of the phases identified in the lot layout diagram shall require Planning Commission approval prior to recording; **and**
- m) Plats shall not be approved for recording until the Department receives the City of Columbia approval of the water easement documents; **and**
- n) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- o) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- p) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

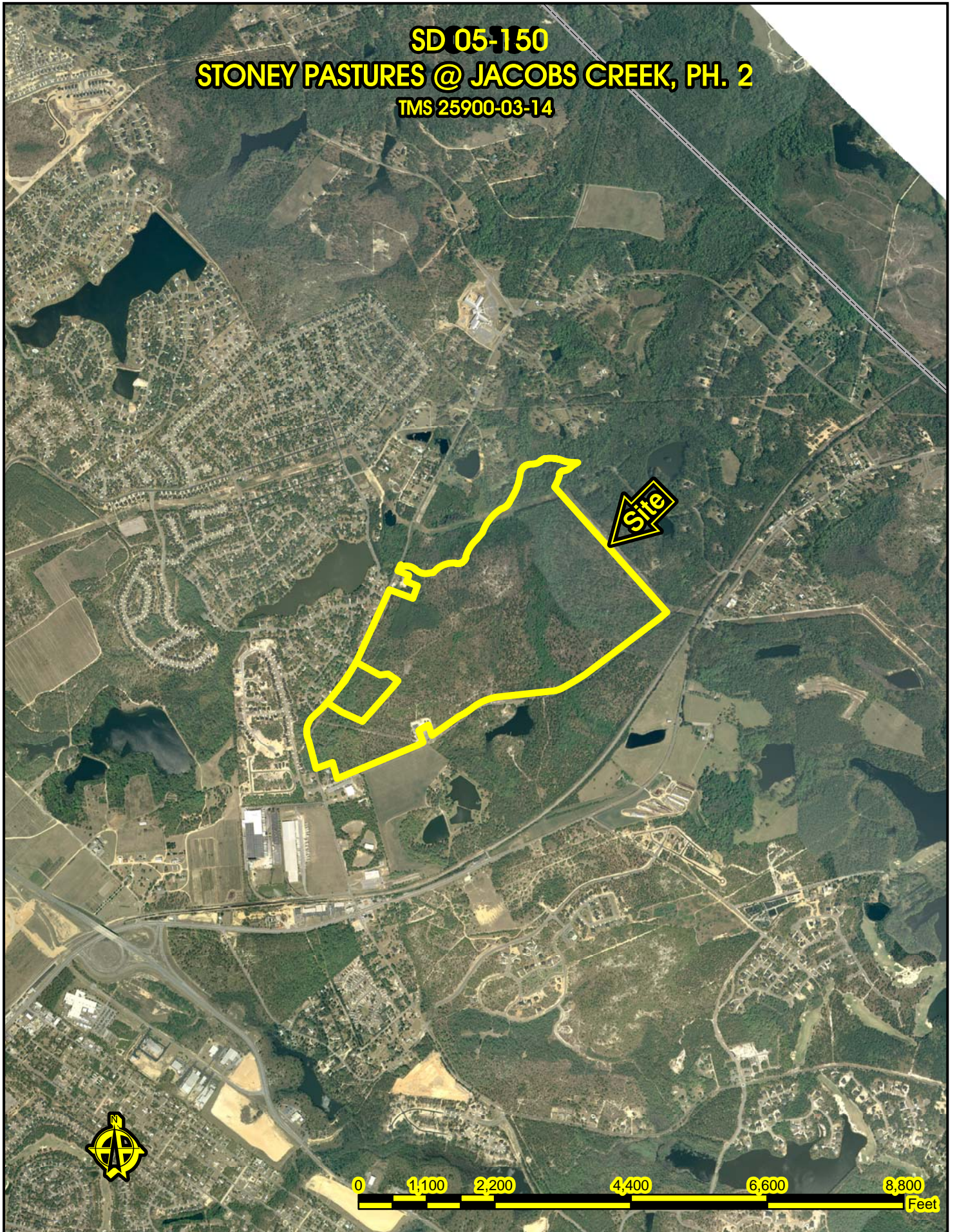
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

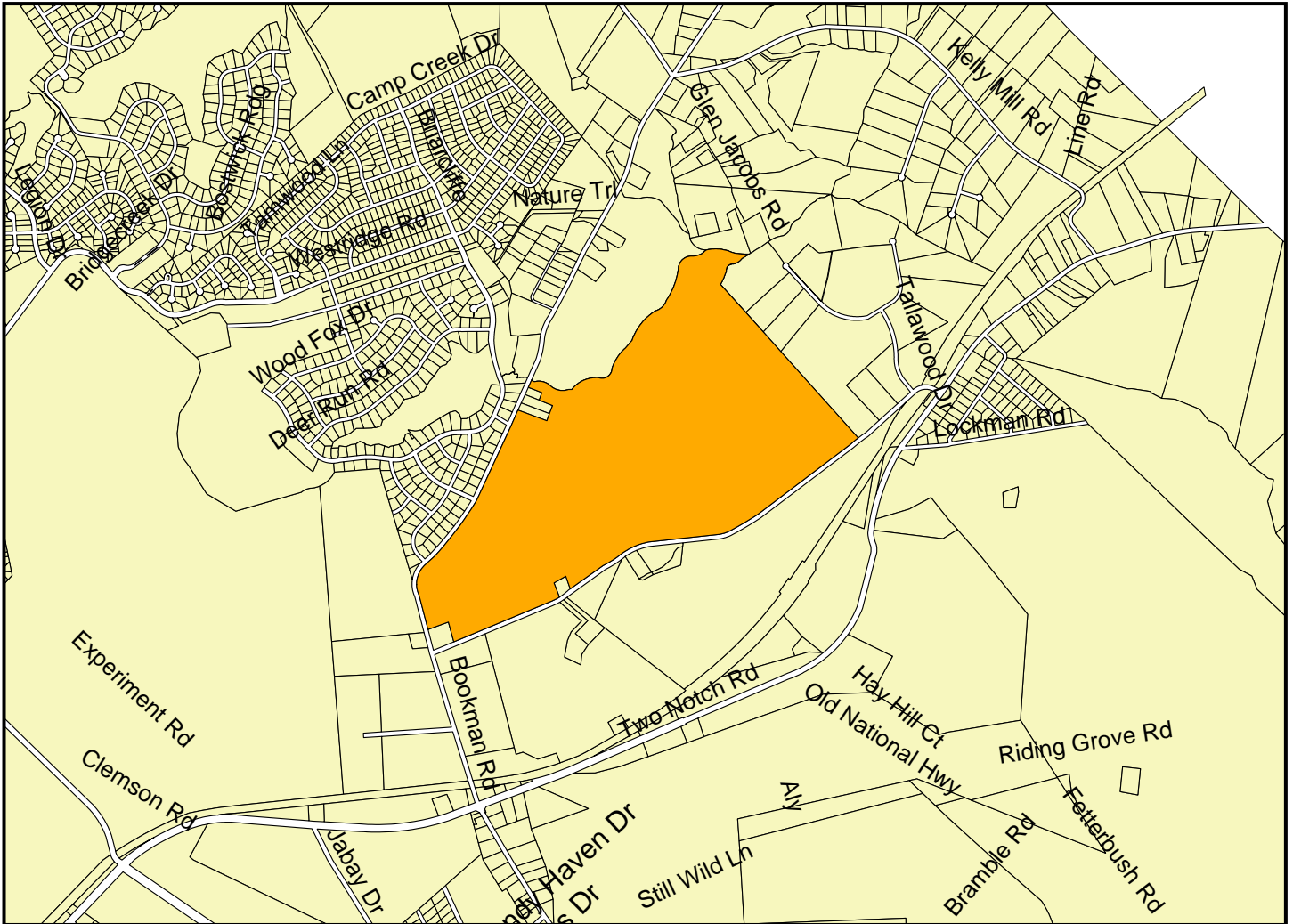
Appeal

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

SD 05-150
STONEY PASTURES @ JACOBS CREEK, PH. 2
TMS 25900-03-14



SD 05-150 STONEY PASTURES @ JACOBS CREEK, PH. 2



Looking at site from Briarcliff S/D

Looking at Briarcliff from site

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

February 7, 2005

RC Project # 05-36 MA	Applicant: Kerry Lee Builders, Inc.
General Location: West Side of Wilson Blvd. adjacent to the Stonington S/D	
Tax Map Number: 14500-05-22	Subject Area: 25 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: PUD-1R
Proposed Use: 42 Lot Single family S/D	PC Sign Posting Date: January 12, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

Construct a single-family detached residential subdivision

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped Woodlands
Adjacent North	RU	Large Lot Residences & Beasley Creek S/D
Adjacent East	RU	Large Lot Residences
Adjacent South	PUD-1R	Stonington S/D
Adjacent West	PUD-1R	Stonington S/D

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> Limited the types, amounts and locations of land uses specified in the General Development Plan</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> 42 Single family residences and an 8.1 acre nature park</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 table below depicts the recently approved residential projects in the area of the subject project. The project is compatible with the adjacent development

Project Name	Gross Project Density *	Net Residential Density **
Wren Creek PUD (approved)	1.1 DU/ac (400 DU / 367 acres)	2.3 DU/ac (400 DU / 176 acres)
Stonington PUD (approved)	1.2 DU/ac (201 DU / 165 acres)	1.7 DU/ac (201 DU / 118 acres)
Kerry Lee PUD (proposed)	1.7 DU/ac (42 DU / 25 acres)	2.6 DU/ac (42 DU / 16.3 acres)
Beasley Creek PUD (approved)	3.5 DU/ac (290 DU / 83 acres)	4.8 DU/ac (290 DU / 60.3 acres)

* Gross project density = total number of dwelling units divided by the total project acreage

** Net Residential Density = total number of dwelling units divided by the residential acreage

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Wilson Blvd (Hwy 21)	
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	399	
Current Volume At The Nearest Count Station # 135 Located @ just north of the site	6200	
Estimated Traffic Count With the Proposed Project	6599	
Volume-To-Capacity Ratio With The Proposed Project	0.77	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

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

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

The subject project, by itself, will not result in the LOS C level being exceeded in this location. The table below shows the estimated traffic that will be generated upon complete buildout of the recently approved projects in the area.

Project Name	Ord. #	Development Type	Proj. ADTs
Wren Creek	04-35	400 Residences & School & Commercial	* 4850
Industrial Pk, Phase 1	04-42	61 acres light industrial	9000
Stonington	???	201 residences & 10 acres commercial	* 1910
Beasley Creek S/D	05-28	290 residences	2755
Prop. Kerry Lee S/D	05-36	42 residences	399
Total			18,914

* includes only the estimated traffic from residential uses

In addition, if the second phase of the industrial park PUD builds out as planned, the industrial park will generate an additional 10,000 average daily trips on Wilson Road at this location. **Therefore, upon complete occupancy of the industrial park as planned, the Wren Creek, Beasley Creek Estates and Stonington subdivisions and the subject project, there will be an additional 28,500 average daily vehicles trips on Wilson Blvd in the area.**

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

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

The subject site is designated as Medium Density Residential in Developing Urban Area on the I-77 Corridor Subarea Plan Proposed Land Use Map. The proposed project **is not consistent** with this land use designation because the proposed project has a density of 1.7 DU/acre is an area designated for densities between 5.0 and 9.0 DU/acre.

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

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

The proposed project is a single-family detached residential subdivision with an 8 acre nature park. The proposed Amendment implements this Objective.

Principle –In environmentally sensitive area, the Plan encourages the use of large land tract design and planning in conjunction with PDD or PUD zoning

The proposed General Development Plan for the subject project has been designed to take advantage of the natural conditions on the site by creating a nature park with pedestrian access. The proposed Amendment implements this Principle.

Other Relevant Issues

None

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSB) recommends the Official Zoning Map designation for the parcels included in Project # 05-36 MA **be changed** from RU to PUD-1R, subject to the conditions described below:

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. The traffic analysis shows that the LOS C traffic capacity of Wilson Blvd at this location will not be exceeded. **However, other projects already approved in the area will generate between 18,500 and 28,500 additional average daily vehicle trips, if they are completed as planned.**
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 consistent with the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
6. As required by Section 26.70-15, the Planning Commission approved the General Development Plan as submitted on December 23, 2004, subject to the conditions described below and as otherwise amended herein; said Plan is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSB"); and is incorporated herein by reference.
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.

PUD Conditions

- a) The site development shall be limited to 42 single family detached dwelling units and an 8 acre nature park in the general locations depicted in Attachment B; and
- b) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSB); and
- c) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes and is hereby approved for such purposes; and
- d) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- e) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
- f) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
 - 1) Any increase in the number of access points to the external road network;
 - 2) Any decrease in the amount of open space/common areas;
 - 3) Any increase in the gross project density (measured in DU/acre or square footage/acre) and/or

- 4) Any change in traffic flow; and
- g) The Planning Commission is hereby authorized to make minor amendments to Attachment B, or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- h) **No site clearing activity shall begin until the Richland County Public Works Department approves the Grading Permit and the PDSO issues a Controlled Clearing letter;** and
- i) All internal streets shall be publicly owned and maintained by Richland County and shall be subject to the relevant land development regulations in effect when a subdivision application is received; and
- j) The developer shall construct any necessary turn lanes for the project on Wilson Blvd, subject to obtaining all required state and /or county approvals; and
- k) The applicant shall construct a landscaped berm, fence, wall, or some combination thereof, to ensure that no parcel in the project will have direct access onto Wilson Blvd; and
- l) Other conditions resulting from the Commission consideration ?
- m) 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
- n) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, 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 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-36 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 05-36 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: 05-36 MA

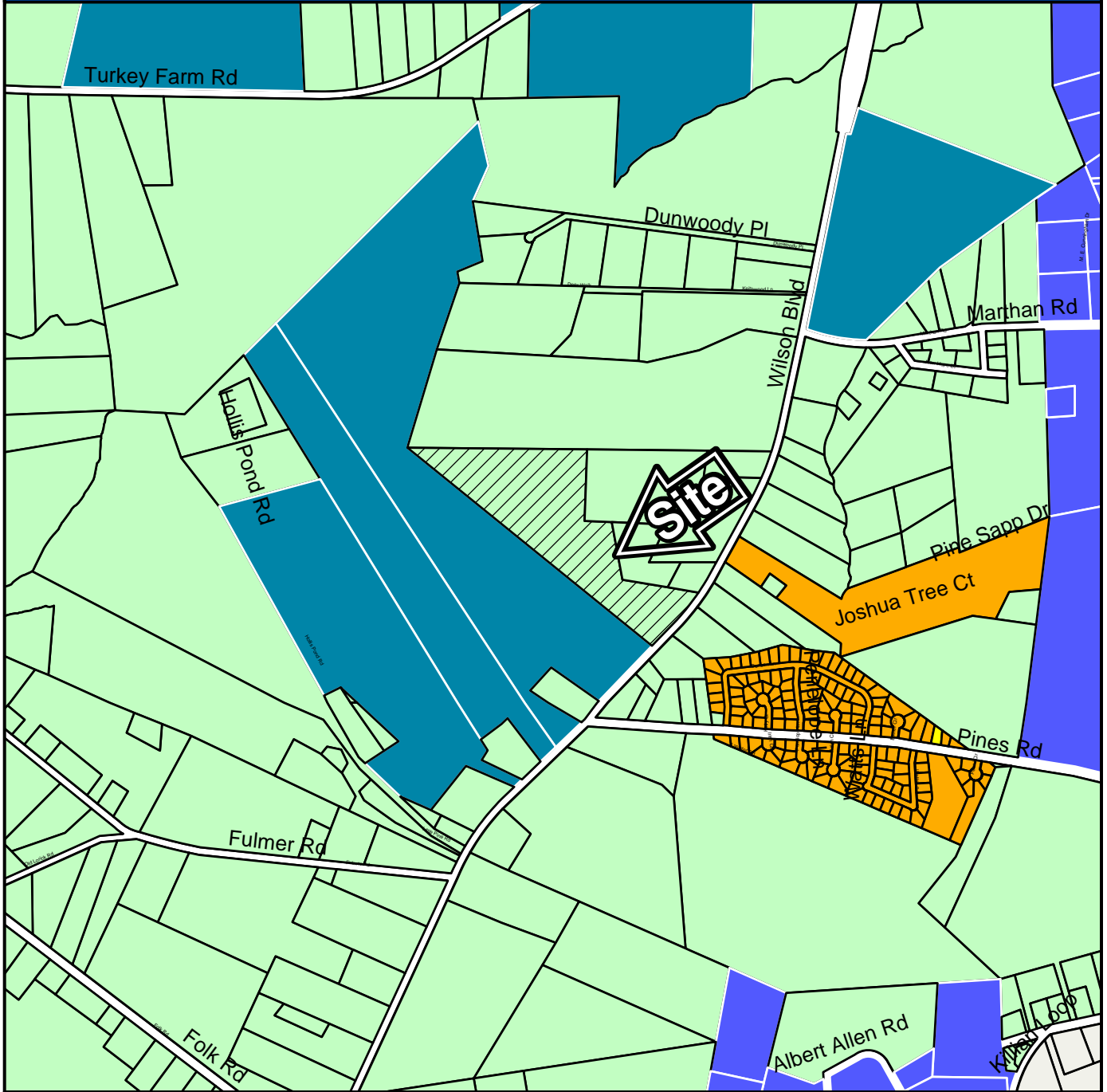
Applicant: Kerry Lee

TMS#: 14800-05-22




















General Location: Wilson Blvd near North Pines Rd

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	Page 2
26-70.16 a	Statement of major project assumptions and objectives	Page 3
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	Page 3
26-70.16 c	Statement of intended overall maximum dwelling unit density per acre	Page 4
26-70.16 d	Legal description	Page 7
26-70.16 e	Total acres	Page 4
26-70.16 f	Tentative number of units of various types	Page 4
26-70.16 g	Description of open space & community facilities & adequacy to serve the anticipated demand	Page 4
26-70.16 h	Approximate timing of development by phase	Page 5
26-70.16 i	Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features	None Offered
26-70.16 j	Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review	None

CASE 05-36 MA RU to PUD-1R

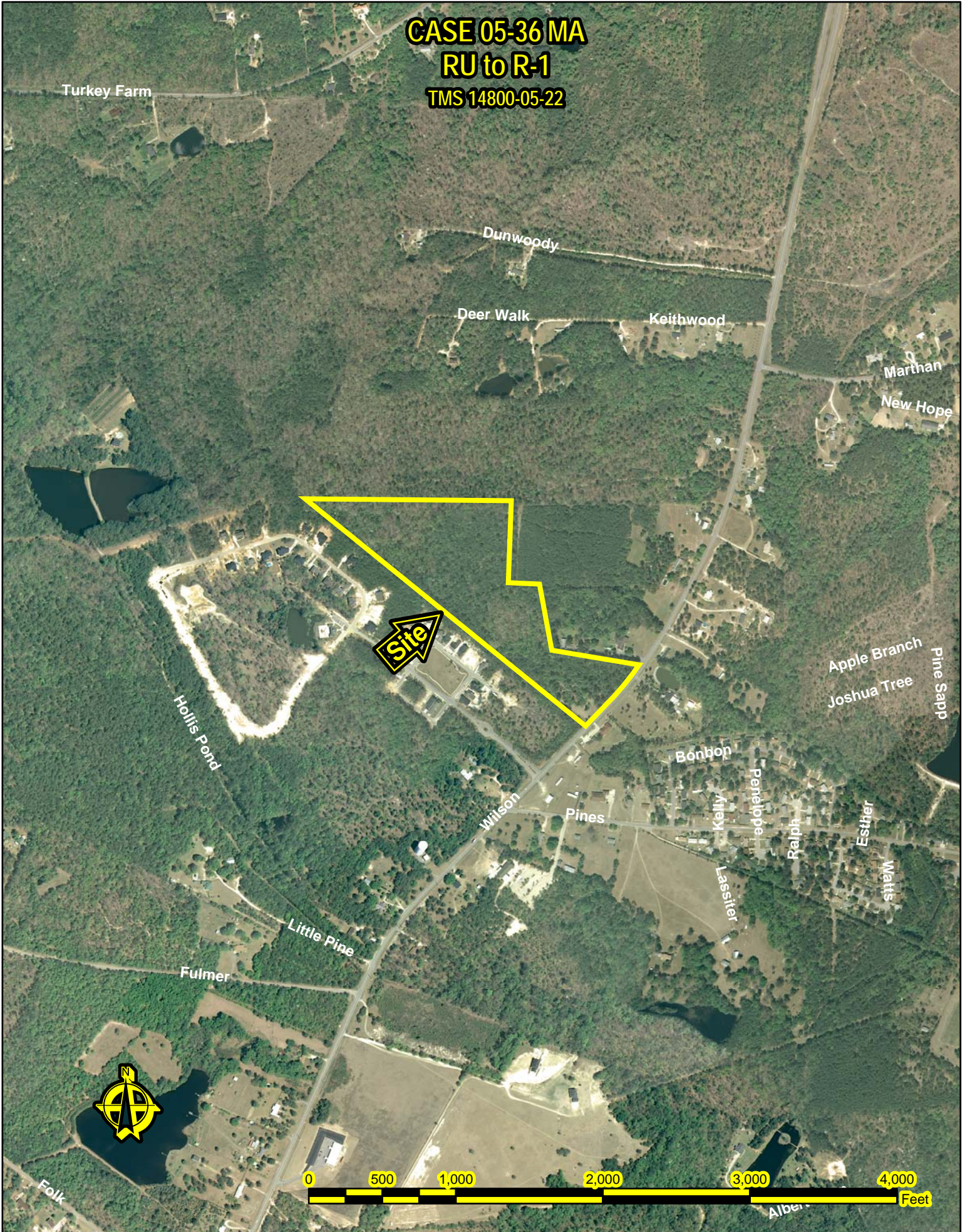


ZONING CLASSIFICATIONS

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



CASE 05-36 MA
RU to R-1
TMS 14800-05-22



CASE 05-36 MA

From RU to PUD-1R

TMS# 14800-05-22

US 21 North of Stonington



Looking at site from Wilson Blvd.

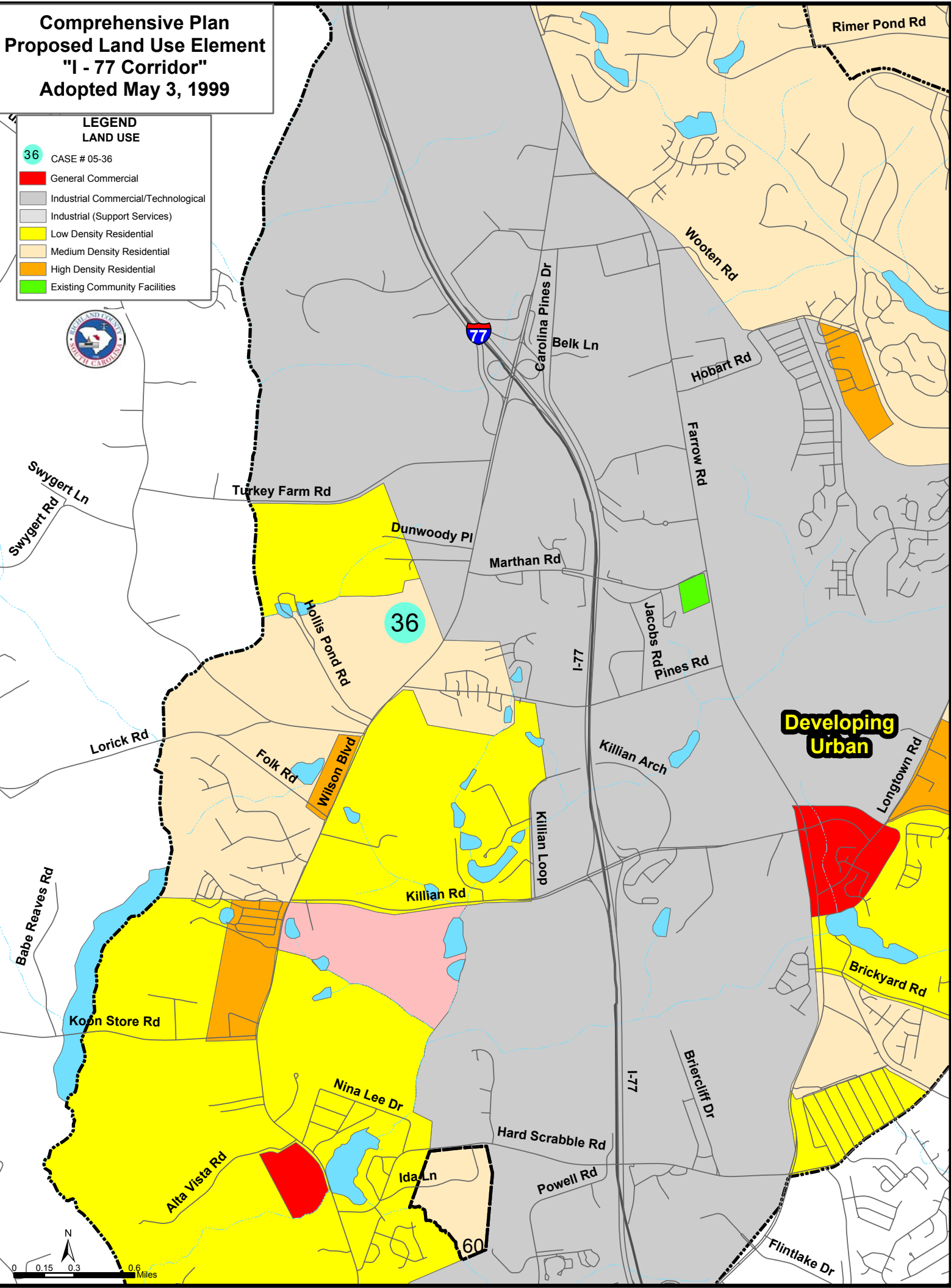


Looking south on Wilson Blvd

**Comprehensive Plan
Proposed Land Use Element
"I - 77 Corridor"
Adopted May 3, 1999**

**LEGEND
LAND USE**

- 36 CASE # 05-36
- General Commercial
- Industrial Commercial/Technological
- Industrial (Support Services)
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Existing Community Facilities



**Developing
Urban**



Attachment A
Legal Description

ALL that lot, piece, parcel or tract of land, with buildings and improvements thereon, composed of approximately twenty-five (25) acres, lying and being approximately twelve (12) miles North of the City of Columbia, County of Richland, State of South Carolina, being bounded on the SOUTHWEST by lands now for formerly of Stonington Development, LLC; and NORTH by lands now or formerly of Beaty; and on the SOUTHEAST by lands now or formerly of Walker; and lands now or formerly of Lampright and by U.S. Highway 21.

The said tract being more particularly described according to a plat of survey prepared for S. R. Mattox by Ted L. Boozer, R.L.S., on August 26, 1965, which plat is recorded in Plat Book "W" at page 99, in the office of the Clerk of Court for Richland County, and which is by reference incorporated herein as part of this description.

The above described property is subject to easements, encroachments, and encumbrances of record or any other objection not of record, or which an accurate survey or visual inspection would disclose.

Point of Beginning:

Iron pipe corner on western r-o-w of U.S. Highway 21 (Wilson Boulevard) approximately 2080± feet South of Marthan Road intersection.

Thence: Along western r-o-w of U.S. 21 (Wilson Boulevard) South 40°-24' West 189.10 feet to an iron corner

Thence: South 44°-42' West -230.77 feet to an iron corner

Thence: South 47°-26' West- 162.00 feet to an iron corner

Thence: Leaving r-o-w U.S. 21 in a westerly direction North 48°-43' West 2373.5 feet to an iron corner

Thence: South 88° .17' East- 868.15 feet to an iron corner

Thence: South 86°-52' East -529.44 feet to an iron corner

Thence: South 03° .58' West- 556.82 feet to an iron corner

Thence: South 85°-49' East -181.10 feet to an iron corner

Thence: South 12°-20' East- 454.80 feet to an iron corner

Thence: South 81°-33' East- 557.80 feet to an iron corner -The Point of Beginning.

Containing 25.0 acres transcribed from the deed distribution of the Estate of Helen K. Mattox to Samuel R. Mattox, Jr., David Roscoe Mattox, William Hubert Mattox, Helen Agnes Burr, Donald Eugene Mattox and Alisa Dawn Quesenberry , dated July 22, 1994, and recorded in Deed Book 1210 at Page 724 in the office of the Clerk of Court for Richland County on July 27,1994.

Tax Map Number: 14800-05-22

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

February 7, 2005

RC Project # 05-37 MA	Applicant: Windsor/Aughtry Co. c/o Paul Aughtry
General Location: SE intersection of I-77 and Killian Road	
Tax Map Number: 17300-02-01 & 17400-09-13 (p)	Subject Area: 79.846 ac MOL
Current Parcel Zoning: M-2	Proposed Parcel Zoning: M-1
Proposed Use: Light Industrial	PC Sign Posting Date: January 12, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of light industrial uses

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	M-2	Undeveloped woodlands
Adjacent North	M-2	Trane Manufacturing & Killian Road
Adjacent East	M-2	Trane Manufacturing & undeveloped woodlands
Adjacent South	M-1 & RS-3	Undeveloped woodlands
Adjacent West	M-1	Interstate 77

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

<u>M-2 Zoning Designation Intent</u> Intended to accommodate primarily those uses of a manufacturing and industrial nature, and secondarily those uses which are functionally related thereto such as distribution, storage, and processing	<u>Proposed M-1 Zoning Designation Intent</u> Intended to accommodate wholesaling, distribution, storage, processing, light manufacturing and general commercial or agricultural uses
<u>Existing M-2 Zoning Permitted Uses</u> Any use which is otherwise lawful, which would not otherwise be prohibited by the Richland County Zoning Ordinance (Chapter 26) except those uses listed in section 26-69.4 as being specifically prohibited and those uses listed in section 26.69.5 as special exceptions. Solid waste management facilities Landfills Composting facilities	<u>Proposed 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

The land uses above represent a summary of the permitted uses in Chapter 26-69 and Chapter 26-68, respectively of the County Code. Some Special Exception uses are also possible.

The surrounding area is comprised of property zoned industrial and of industrial land uses. The proposed Amendment is compatible with the existing land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Killian Road	
Functional Classification Of This Roadway	Two Lane Undivided Collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8,600	
Estimated Traffic Generated By The Proposed Project	6,608	
Current Volume At The Nearest Count Station # 443 Located @ west of site on Killian Road	3,200	
Estimated Traffic Count With the Proposed Project	9,808	
Volume-To-Capacity Ratio With The Proposed Project	1.14	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

In this case, the estimated traffic is calculated by multiplying the generation rate for a General Light Industrial use found on page 99 of the TGM times the proposed square footage of the use. An estimation of 12,000 sq. ft. of gross floor space per acre of land is used times the total acreage of the property. The calculation is as follows: 6.97 average daily trips per 1,000 sq. ft. of gross floor area x 12 = 83.64 x 79 acres = 6,608

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

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

It should be noted that the SCDOT count station is west of the I-77/Killian Road interchange and the vast majority of trips generated by this site will not proceed past the I-77 interchange on Killian Road which will not greatly affect the SCDOT count station on Killian Road. The portion of Killian Road located directly in front of the site is four lanes which will facilitate any trips generated from the site to the interchange.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

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

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles

of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 40 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 proposed Amendment site is located within an area designated Industrial/Commercial/Technological by the Map. The subject site abuts an existing manufacturing plant (Trane) currently zoned M-2 (Heavy Industrial). The proposed Amendment **implements** this Objective.

Principle – In general, industrial activities should be confined to areas identified on the Proposed Land Use Map, and that meet the following provisions:

- A. Land not having more than five percent (5%) slope;
The site conforms to this criterion.
- B. Access to major transportation facilities (highway, water, air or rail) with a highway access of at least a collector class road or higher;
The subject site is located adjacent to the I-77/Killian Road interchange. Killian Road is classified as a collector road and consists of four lanes in front of the site.
- C. Large tract sites suitable for facility expansions;
The site is comprised of 79 acres which provide for adequate expansion space.
- D. Provision of adequate infrastructure to the site;
The site is readily accessible to existing water and sewer lines.
- E. Compatibility with surrounding land uses.
As previously stated, the site abuts Interstate 77 to the west and abuts an existing manufacturing plant (Trane) to the east.

The proposed Amendment **implements** this Principle.

Other Relevant Issues

None

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 05-37 MA **be changed** from M-2 to M-1.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Killian Road at this location **will not** be exceeded.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
4. The proposed Zoning Map Amendment is (is not) consistent with the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.

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

SECTION III PLANNING COMMISSION ACTION

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.

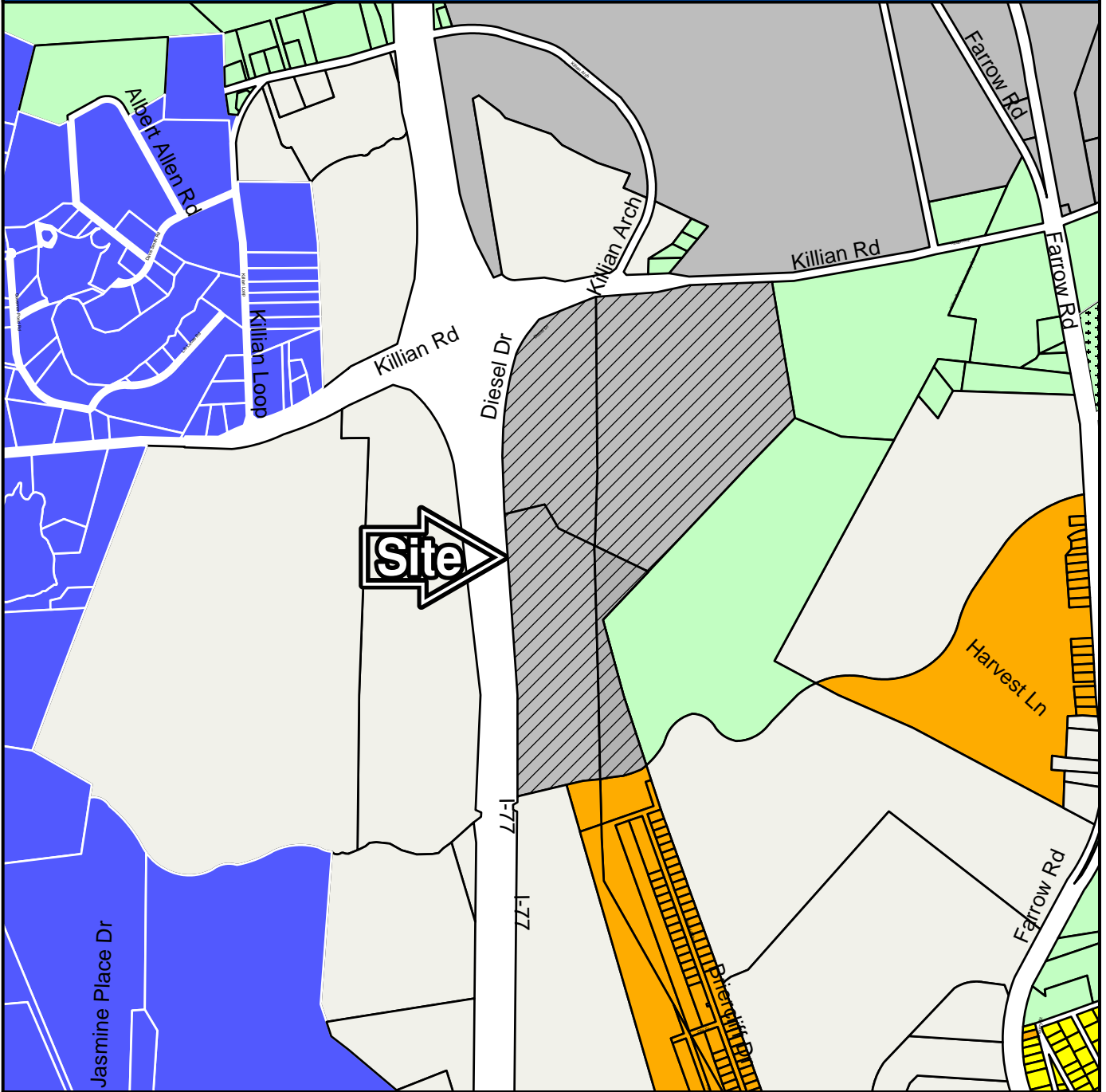
At their meeting of February 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-37 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 05-37 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-37 MA M-2 to M-1

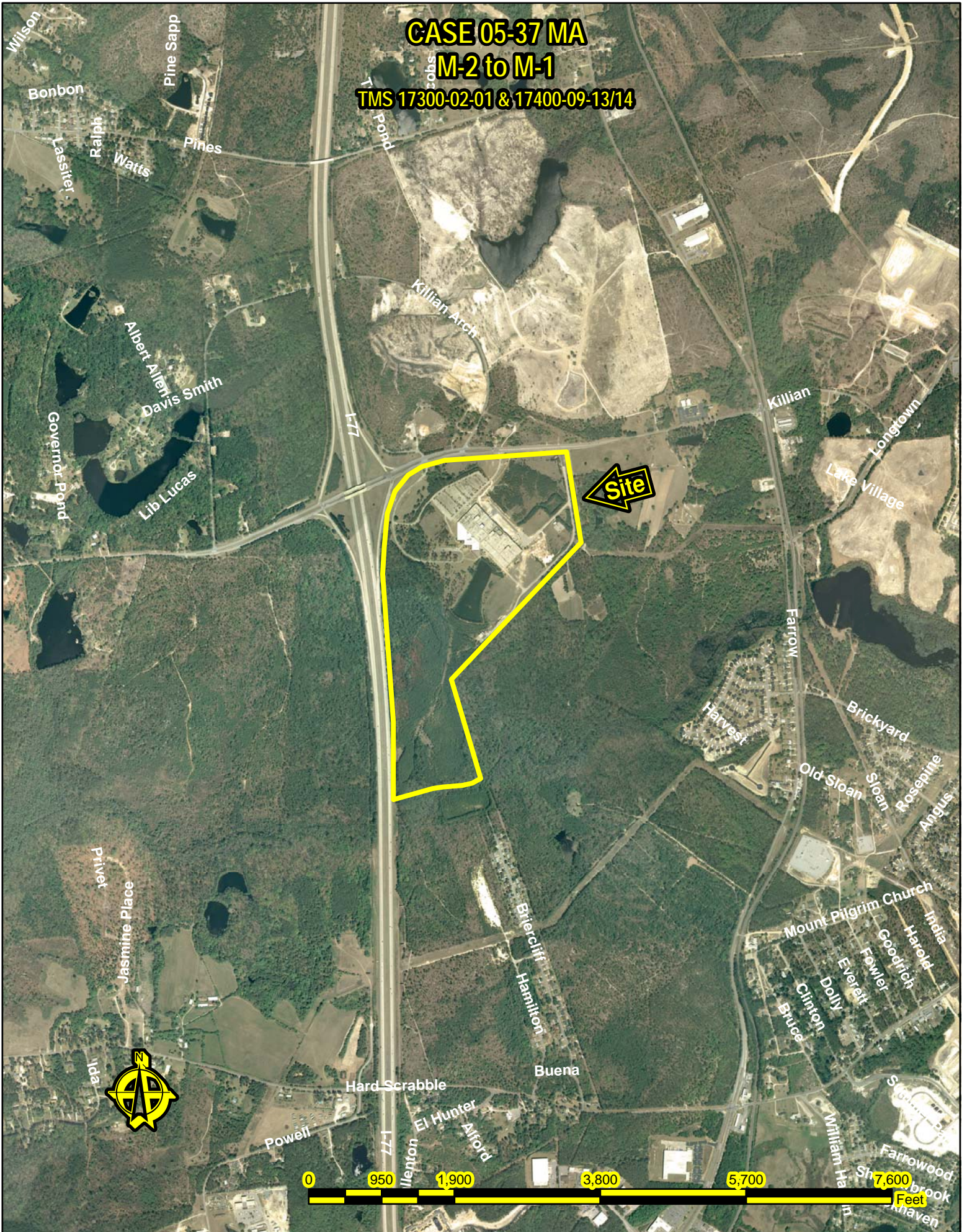


ZONING CLASSIFICATIONS

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



CASE 05-37 MA
M-2 to M-1
TMS 17300-02-01 & 17400-09-13/14



CASE 05-37 MA FROM M-2 to M-1

TMS# 17300-02-01 & 17400-09-13 (p)

I-77 & Killian Rd.



Looking at site from Killian Road



Looking west on Killian Rd. towards I-77

Attachment A

Case 05-37 MA

LAND DESCRIPTION

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND WITH IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF RICHLAND, NEAR THE CITY OF COLUMBIA AND BEING SHOWN ON A PLAT ENTITLED "WINDSOR AUGHTRY COMPANY" BY B. P. BARBER & ASSOCIATES, INC. DATED DECEMBER 6, 2004, SAID PLAT HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

PARCEL B

BEGINNING AT A 5/8" REBAR, 4,480'± FROM THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF INTERSTATE HIGHWAY 77 AND THE SOUTHERN RIGHT-OF-WAY OF KILLIAN ROAD (S-40-52), BEING ON THE CENTERLINE OF CRANE CREEK AND PROCEEDING ALONG THE EASTERN RIGHT-OF-WAY OF INTERSTATE HIGHWAY 77 THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF N08 24'40"-E FOR A DISTANCE OF 260.54' TO A CONCRETE MONUMENT, THENCE ALONG A CURVE TO THE LEFT IN A DIRECTION OF N05°32'49"E FOR A CHORD DISTANCE OF 2255.09' (SAID CURVE HAVING AN ARC LENGTH OF 2255.40' AND A RADIUS OF 39239.20') TO A CONCRETE MONUMENT, THENCE ALONG A CURVE TO THE RIGHT IN A DIRECTION OF N06 11'51"E FOR A CHORD DISTANCE OF 617.18- (SAID CURVE HAVING AN ARC LENGTH OF 617.19' AND A RADIUS OF 39244.36') TO A CONCRETE MONUMENT (BROKEN), ALONG A CURVE TO THE RIGHT IN A DIRECTION OF N14°01'37"E FOR A CHORD DISTANCE OF 765.77' (SAID CURVE HAVING AN ARC LENGTH OF 768.07' AND A RADIUS OF 2864.94') TO A CONCRETE MONUMENT, THENCE ALONG A CURVE TO THE RIGHT IN A DIRECTION OF N23 20'53"-E FOR A CHORD DISTANCE OF 77.80' (SAID CURVE HAVING AN ARC LENGTH OF 77.80' AND A RADIUS OF 3271.25') TO A 1" PINCHED TOP PIPE, THENCE IN A DIRECTION OF N23°47'44"E FOR A DISTANCE OF 323.98' TO A CONCRETE MONUMENT, AND THEN IN A DIRECTION OF N49°08'15"E FOR A DISTANCE OF 180.53' TO A CONCRETE MONUMENT; THENCE TURNING AND PROCEEDING ALONG THE SOUTHERN RIGHT-OF-WAY OF KILLIAN ROAD THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF N74 40-31 "E FOR A DISTANCE OF 156.53' TO A 1" PIPE, THENCE ALONG A CURVE TO THE RIGHT IN A DIRECTION OF N77°20'58"E FOR A CHORD DISTANCE OF 193.72' (SAID CURVE HAVING AN ARC

LENGTH OF 193.81' AND A RADIUS OF 1832.09') TO A CONCRETE MONUMENT, THENCE IN A DIRECTION OF N83 16'08"E FOR A DISTANCE OF 115.53' TO A CONCRETE MONUMENT, THENCE IN A DIRECTION OF N76°4r58"E FOR A DISTANCE OF 97.91- TO A CONCRETE MONUMENT, THENCE ALONG A CURVE TO THE RIGHT IN A DIRECTION OF S87 53'59-E FOR A CHORD DISTANCE OF 288.58' (SAID CURVE HAVING AN ARC LENGTH OF 288.86" AND A RADIUS OF 1909.86') TO A CONCRETE MONUMENT, THENCE IN A DIRECTION OF S837'42"E FOR A DISTANCE OF 301.41' TO A 1" PIPE, AND THEN IN A DIRECTION OF N88°28'30"E FOR A DISTANCE OF 128.30' TO A 5/8" REBAR, THENCE TURNING AND PROCEEDING ALONG PARCEL A THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT IN A DIRECTION OF S31°43'40"W FOR A CHORD DISTANCE OF 385.52" (SAID CURVE HAVING AN ARC LENGTH OF 395.77' AND A RADIUS OF 500.00') TO A 5/8" REBAR, THENCE IN A DIRECTION OF N34°37'52"W FOR A DISTANCE OF 34.13" TO A 5/8" REBAR, THENCE IN A DIRECTION OF N83 37'42-W FOR A DISTANCE OF 208.27' TO A 5/8" REBAR, THENCE ALONG A CURVE TO THE LEFT IN A DIRECTION OF N87°33'59"W FOR A CHORD DISTANCE OF 127.76' (SAID CURVE HAVING AN ARC LENGTH OF 127.86" AND A RADIUS OF 930.15') TO A 5/8" REBAR, THENCE IN A DIRECTION OF S88°29'45"W FOR A DISTANCE OF 182.99" TO A 5/8" REBAR, THENCE ALONG A CURVE TO THE LEFT FOR A DIRECTION OF S47°20'22"W FOR A CHORD DISTANCE OF 454.10" (SAID CURVE HAVING AN ARC LENGTH OF 495.64' AND A RADIUS OF 345.00') TO A 5/8" REBAR, THENCE IN A DIRECTION OF S06°10'59"W FOR A DISTANCE OF 349.41" TO A 5/8" REBAR, THENCE IN A DIRECTION OF N83 49-01 "W FOR A DISTANCE OF 15.00" TO A 5/8" REBAR, THENCE IN A DIRECTION OF S06°10'59"W FOR A DISTANCE OF 443.56" TO A 5/8" REBAR, THENCE IN A DIRECTION OF S83 49'01"E FOR A DISTANCE OF 73.26" TO A 5/8" REBAR, THENCE IN A DIRECTION OF S04°07'03"E FOR A DISTANCE OF 629.65' TO A 5/8" REBAR, AND THEN IN A DIRECTION OF S04 04'03-W FOR A DISTANCE OF 729.19' TO A 1-14" PIPE; THENCE TURNING AND PROCEEDING ALONG THE PROPERTY OF WILLIAM P. & JAMES LASSITER THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF S10°39'10"E FOR A DISTANCE OF 156.39' TO A CONCRETE MONUMENT, AND THEN IN A DIRECTION OF S10 28'44-E FOR A DISTANCE OF 1282.82' TO A POINT ON THE CENTERLINE OF CRANE CREEK; THENCE TURNING AND PROCEEDING ALONG THE CENTERLINE OF CRANE CREEK THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF S32 05'58-W FOR A DISTANCE OF 34.15' TO A POINT, THENCE IN A DIRECTION OF N71°4r45"W FOR A DISTANCE OF 47.41' TO A POINT, THENCE IN A DIRECTION OF N37°45'44"W FOR A DISTANCE OF 61.21" TO A POINT, THENCE IN A DIRECTION OF S44°38'05"W FOR A DISTANCE OF 43.68" TO A POINT, THENCE IN A DIRECTION OF N83°31'54"W FOR A DISTANCE OF 84.59" TO A

POINT, THENCE IN A DIRECTION OF S70°31'09"W FOR A DISTANCE OF 53.56" TO A POINT, THENCE IN A DIRECTION OF N80 40'07"-W FOR A DISTANCE OF 28.99' TO A POINT, THENCE IN A DIRECTION OF S46°04'24"W FOR A DISTANCE OF 22.78' TO A POINT, THENCE IN A DIRECTION OF N81°17'44"W FOR A DISTANCE OF 17.29- TO A POINT, THENCE IN A DIRECTION OF S70°12'53"W FOR A DISTANCE OF 87.16' TO A POINT, THENCE IN A DIRECTION OF S25°45'10"W FOR A DISTANCE OF 35.75" TO A POINT, THENCE IN A DIRECTION OF S81°10'51"W FOR A DISTANCE OF 41.52' TO A POINT, THENCE IN A DIRECTION OF N59°59'13"W FOR A DISTANCE OF 23.16' TO A POINT, THENCE IN A DIRECTION OF N88°02'55"W FOR A DISTANCE OF 42.21- TO A POINT, THENCE IN A DIRECTION OF S51°42'49"W FOR A DISTANCE OF 48.58' TO A POINT, THENCE IN A DIRECTION OF N53°25'35"W FOR A DISTANCE OF 27.64' TO A POINT, THENCE IN A DIRECTION OF S54°48'50"W FOR A DISTANCE OF 48.14- TO A POINT, THENCE IN A DIRECTION OF S70°48'25"W FOR A DISTANCE OF 56.08' TO A POINT, THENCE IN A DIRECTION OF N71°27'52"W FOR A DISTANCE OF 42.18" TO A POINT, THENCE IN A DIRECTION OF N44'36'08"W FOR A DISTANCE OF 34.29' TO A POINT, THENCE IN A DIRECTION OF S46°32'45"W FOR A DISTANCE OF 79.07" TO A POINT, THENCE IN A DIRECTION OF S68°36'51"W FOR A DISTANCE OF 51.10' TO A POINT, THENCE IN A DIRECTION OF N73°36'00"W FOR A DISTANCE OF 33.04' TO A POINT, THENCE IN A DIRECTION OF S80°15'06"W FOR A DISTANCE OF 72.77- TO A POINT, THENCE IN A DIRECTION OF S15°22'57"W FOR A DISTANCE OF 23.90' TO A POINT, THENCE IN A DIRECTION OF S59°47'17"W FOR A DISTANCE OF 87.71' TO A POINT, THENCE IN A DIRECTION OF N59°47'21"W FOR A DISTANCE OF 25.91' TO A POINT, THENCE IN A DIRECTION OF S68 34'39"-W FOR A DISTANCE OF 39.32' TO A POINT, THENCE IN A DIRECTION OF N69°44'49"W FOR A DISTANCE OF 26.37" TO A POINT, THENCE IN A DIRECTION OF S83°49'36"W FOR A DISTANCE OF 57.17' TO A POINT, THENCE IN A DIRECTION OF S31°26'24"W FOR A DISTANCE OF 57.13- TO A POINT, AND THEN IN A DIRECTION OF N74°27'02"W FOR A DISTANCE OF 21.56' TO A 5/8" REBAR, THIS BEING THE POINT OF BEGINNING. THIS PARCEL CONTAINS 79.846 ACRES (3,478,066 SQUARE FEET).

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

February 7, 2005

RC Project # 05-38 MA	Applicant: Richland County School District II c/o Jacqueline Myers
General Location: Polo Road (northeast of intersection of Alpine Road)	
Tax Map Number: 19811-01-02	Subject Area: 26.76 ac MOL
Current Parcel Zoning: C-3	Proposed Parcel Zoning: C-1
Proposed Use: Elementary School	PC Sign Posting Date: January 12, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To allow for the establishment of an elementary school

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	C-3	Undeveloped woodlands
Adjacent North	C-1	Sesquicentennial State Park
Adjacent East	C-1	Sesquicentennial State Park
Adjacent South	N/A	Polo Road and Interstate 20
Adjacent West	C-3	Undeveloped woodlands (proposed apartment site)

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

<u>C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries	<u>Proposed C-1 Zoning Designation Intent</u> Intended to accommodate office, institutional and certain types of residential uses in areas whose characteristic is neither general commercial nor exclusively residential in nature
<u>Existing C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses	<u>Proposed C-1 Zoning Permitted Uses</u> Offices and studio Medical & dental laboratories Hospitals, clinics & rest homes Educational facilities Places of worship & cemeteries Funeral homes and auditoriums & the like Private clubs & the like Single family homes Day care & community service centers

The land uses above represent a summary of the permitted uses in Chapter 26-67 and Chapter 26-65, respectively of the County Code. Some Special Exception uses are also possible.

The proposed Amendment site is surrounded by undeveloped woodlands to the west and the Sesquicentennial State Park to the north and east. The proposed Amendment site and use is compatible with the surrounding area and land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Alpine Road via Polo 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	918	
Current Volume At The Nearest Count Station #499 * Located @northwest of site on Alpine Road	8,200	
Estimated Traffic Count With the Proposed Project	9,118	
Volume-To-Capacity Ratio With The Proposed Project	0.84	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Elementary School found on page 817 of the TGM times the maximum capacity of students. The calculation is as follows: 1.02 average daily trips per student x a maximum capacity of 900 students = 918 average daily trips.

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

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

* It should be noted that the SCDOT traffic count station is north of the site on Alpine Road and it can be assumed that a vast majority of trips generated would not pass count station #499 as they would be using the I-20/Alpine Road interchange for ingress/egress to the site.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

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

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 30 and 36 respectively, are discussed below:

Objective – Minimize incompatibility between existing and proposed land uses.

The proposed Amendment for C-1 zoning is compatible with the existing land uses and current zoning designations. The proposed Amendment is also consistent with the land use designation of the Map as Office and Institutional. The proposed Amendment **implements** this Objective.

Principle – Neighborhood schools (elementary and preschool) are best located in conjunction with neighborhood parks and sited on the edge of established neighborhoods while remaining within easy walking distance.

The site is not located near any type of neighborhood park nor is it located within walking distance to any established neighborhoods. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

The subject site is not adjacent to any residential neighborhoods, except a proposed apartment complex adjacent to the school site on the west. A Development Review Team meeting with the Department was held to discuss the proposed apartment, however, as of this date no formal submittal has been received by the Department. The nearest single family detached subdivision is located approximately ¾ of a mile to the north on Alpine Road.

The site is located on a portion on Polo Road that serves as a frontage road for I-20. The speed limit on this portion of the road is 45 mph.

There is an existing middle school on Alpine Road and Windsor Lake Road and an existing elementary school on Dunbarton Road @ Kings Way. The Department suggests that a site between I-20 and Percival Road would better serve the increasing residential population of that area than the proposed site.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-38 MA **be changed** from C-3 to C-1.

Findings of Fact:

1. The proposed Amendment is compatible with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Alpine Road northwest of this location **will not** be exceeded.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northeast Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the cited Objective, however, the proposed Zoning Map Amendment **is not consistent** with the cited Recommendation of the Northeast Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

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

At their meeting of February 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-38 MA at the next available opportunity.

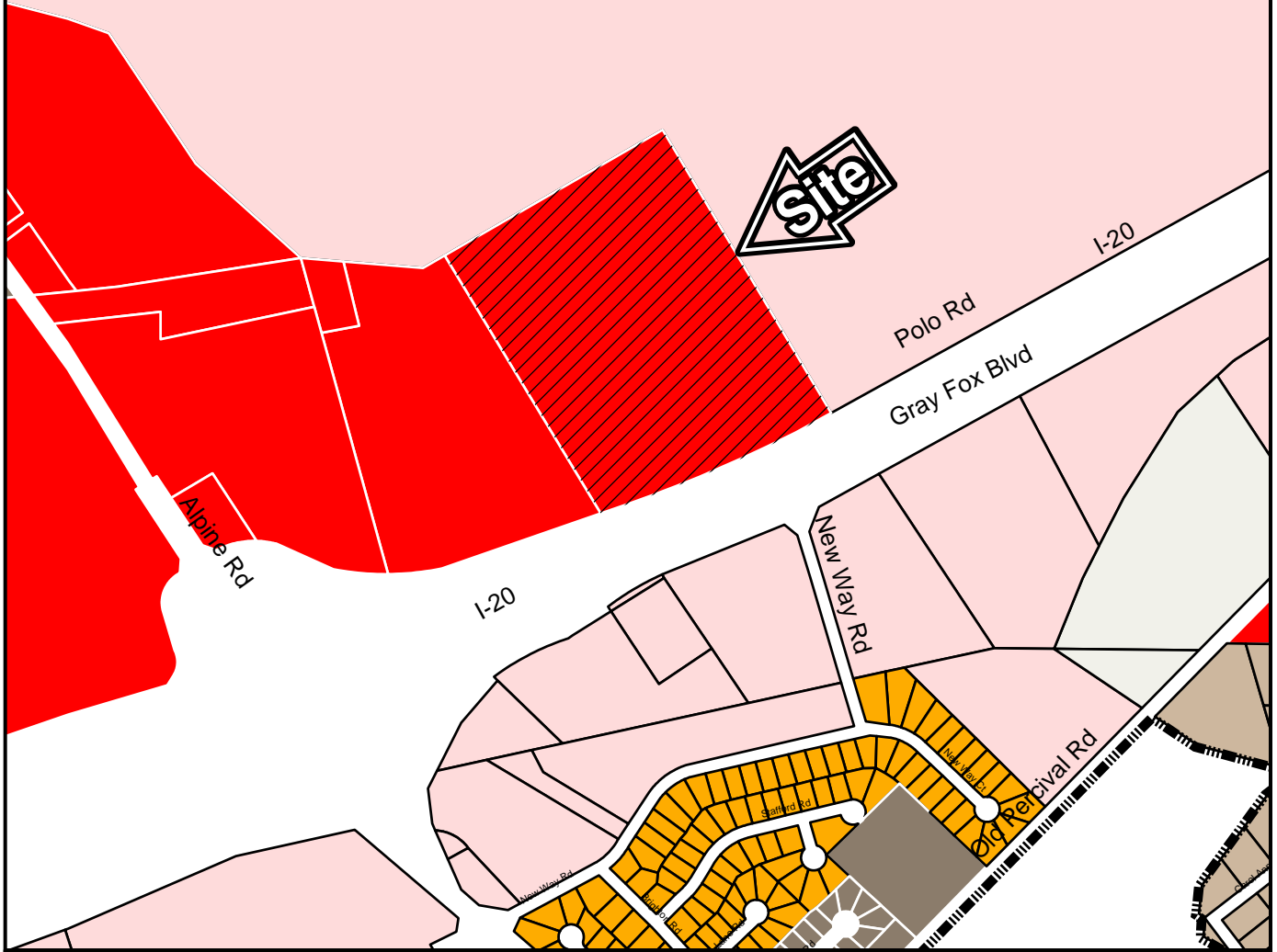
Commission Findings of Fact/Recommendations

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





















In consideration of the proposed Zoning Map Amendment # 05-38 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-38 MA C-3 to C-1

Sesquicentennial State Park



ZONING CLASSIFICATIONS

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

CASE 05-38 MA
C-3 to C-1
TMS 19811-01-02



Site



CASE 05-38 MA FROM C-3 to C-1

TMS# 19811-01-02 &

Polo Rd. east of Alpine Rd.



Attachment A

Case 05-38 MA

METES AND BOUNDS DESCRIPTION

Richland County TMS 19811-01-02, 26.76 acres on Polo Road near intersection with Alpine Road.

Beginning at a 1-1/2" pipe, located on the northern right of way of Polo Road; thence continuing along property of now or formerly Alpine Inc. N33°16'33"W for a distance of 446.39' to a 1-1/4" pipe; thence turning and running along property of now or formerly Alpine Inc. N34°42'45"W for a distance of 568.04' to a 1-1/4" pipe; thence turning and running along property of now or formerly Alpine Inc. N35°27'08"W for a distance of 218.51' to a 1-1/4" pipe; thence turning and running along property of now or formerly Alpine Inc. N35°05'09"W for a distance of 4.97' to a 1-1/4" pipe; thence turning and running along property of now or formerly South Carolina Department of Parks, Recreation and Tourism N56°40'17"E for a distance of 871.94' to a 1-1/4" pipe; thence turning and running along property of now or formerly South Carolina Department of Parks, Recreation and Tourism S37°05'21"E for a distance of 760.53' to a 1-1/4" pipe; thence turning and running along property of now or formerly South Carolina Department of Parks, Recreation and Tourism S55°07'54"W for a distance of 36.09' to an iron pin; thence turning and running along property of now or formerly South Carolina Department of Parks, Recreation and Tourism S23°47'37"E for a distance of 100.00' to an iron pin; thence turning and running along property of now or formerly South Carolina Department of Parks, Recreation and Tourism S50°34'45"E for a distance of 64.30' to an iron pin; thence turning and running along property of now or formerly South Carolina Department of Parks, Recreation and Tourism S87°54'27"E for a distance of 46.65' to an iron pin; thence turning and running along property of now or formerly South Carolina Department of Parks, Recreation and Tourism S32°07'27"E for a distance of 422.30" to a 1-1/2" pipe; thence turning and running along northern right of way of Polo Road along the arc of a curve having a radius of 5699.59', a length of 780.88', a delta angle of 7°51'00", a chord of 780.27' and a chord bearing of S64°24'00"W to a 1-1/2" pipe; thence turning and running along northern right of way of Polo Road S68°54'37"W for a distance of 125.50' to a 1-1/2" pipe, the point of beginning.

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

February 7, 2005

RC Project # 05-39 MA	Applicant: Clemson Road Business Park
General Location: South Side of Clemson Rd, approximately 1/2 mile east of Hardscrabble Rd	
Tax Map Number: 20200-03-49/50	Subject Area: 21ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: PDD
Proposed Use: Upscale storage facilities and small office buildings	PC Sign Posting Date: January 12, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To construct an upscale storage facility and general office space

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Post Office, Day Care Center and undeveloped
Adjacent North	RS-2	Wiltshire Subdivision across Clemson Road
Adjacent East	RS-1	Rose Creek Subdivision
Adjacent South	RS-1	Rose Creek Subdivision
Adjacent West	RS-1	Copperfield Subdivision

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 PDD Zoning Designation Intent</u> Intended to bridge the inherent difference between residential and non-residential uses; to accommodate change where potentially incompatible development could compromise property values; and to ameliorate differences between potentially incompatible uses by exacting concessions and conditions as necessary to achieve land use compatibility</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 PDD Zoning Permitted Uses</u> Limited to only those described below: Upscale Storage Facilities (119,200 sq. ft.) Office Building (40,000 sq. ft.) 16 Small Office Buildings (48,500 sq. ft.) 1.7 acres isolated wetlands</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-72, respectively of the County Code.

The proposed development low-density office and storage development will be far less objectionable to the adjacent residences than many other possible development scenarios. The two main structures along Clemson Road will have a maximum height of 50 feet and no other structures shall exceed 35 feet in height.

The small office buildings will range in size from 2000 to 5000 sq. ft. in area, have a “residential” design and be brick construction. A 35-foot wide landscaped buffer along east, south and west sides will be provided. The Department recommends the applicant prepare a comprehensive outdoor lighting plan for the entire project that minimizes light spillover to the adjacent residences.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Clemson Road	
Functional Classification Of This Roadway	Four Lane Undivided Minor Arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	21,600	
Estimated Traffic Generated By The Proposed Project	1282	
Current Volume At The Nearest Count Station # 440 Located @ near the subject site	16,300	
Estimated Traffic Count With the Proposed Project	17,582	
Volume-To-Capacity Ratio With The Proposed Project	0.82	

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 in the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM). See the table below for detailed calculations

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

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

Land Use Type	# Sq. Ft.	TGM Trips Rate	Est. Daily Trips
Storage Center Complex	119,200	2.5 /1000 sq. ft. (pg. 224)	298
Principal Office Bldg.	40,000	11.01/1000 sq. ft. (pg. 1052)	440
Small Office Bldgs.	48,500	11.42/1000 sq. ft. (pg.1142)	554
Total *			1282

* total excludes the existing post office and day care center traffic generation

The analysis above shows that the proposed Zoning Map Amendment will not result in the LOS C being exceeded for this portion of Clemson Road. However, the traffic in this area will drastically increase as more businesses in the Villages @ Sandhills project open. Five years ago, the Villages traffic engineer projected the traffic count at SCDOT station 440 would be 13,400 ADTs in 2005. The 2003 count shown above is already 16,800 ADTs.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

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

The Map designates the subject area as Agricultural in the Established Urban area. **The proposed PDD zoning is NOT consistent with the Map** designation as required by state statutes because the proposed development is offices and upscale storage areas.

The current Agricultural designation is clearly inappropriate at this time. The subject parcel and another parcel zoned RU to the west along Clemson Road should both be changed via the statutory process to some type of low intensity development designation.

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

Objective –Minimize incompatibility between existing and proposed land uses

The applicant has proposed a number of measures to mitigate the effects of the development on the adjacent residences. The proposed storage and office development will generally not operate after 7:00 PM on weekdays nor on weekends.

The Floor Area Ratio (FAR) is the gross area of the proposed structures divided by the total area of the site. It is a measurement of density, or intensity, for non-residential projects. The Preliminary Layout Plan proposes approximately 207,700 sq. ft. of structures on the 21.2 acre site, or an FAR of 0.23. If developed as provided in the Special Conditions cited below, the proposed Amendment will implement this Objective.

Principle – In general, commercial and office activities should be confined to existing zoned areas and/or proposed locations where the following apply...Sites that don’t encroach or penetrate established residential areas

The proposed project does not show any physical connection to the adjacent residential area. The proposed mitigative measures described above protect the adjacent residences from physical encroachment by more intensive land uses. Even the visual encroachment will be minimized by the mitigative measures. The proposed Amendment implements this Principle.

Other Relevant Issues

The Department has repeatedly stated the position that the purpose of a PUD or PDD is to limit the amount and type of development in exchange for flexibility in the design and arrangement of the land uses. The applicant's Exhibit E provides the land use limitations for the subject site; the reference to particular provisions of the Zoning Ordinance is irrelevant and should be removed.

The applicant proposes allowing the same accessory uses as those found in the C-1 and C-2 zoning districts. Unless extremely tightly controlled in the Owners Association's Restrictive Covenants, it is possible that intent to develop an upscale facility will be compromised by a proliferation of accessory uses and/or structures. The Department recommends that no accessory uses, other than solid waste facilities, gazebos or small picnic shelters, be permitted on this site.

The name of the proposed project must be changed because it is too similar to the Clemson Road Office Park currently under construction west of Hardscrabble Road. The new name must be approved by the E-911 Coordinator to ensure no duplication occurs.

The statement at the bottom of page 3 beginning with "...The District Guidelines will...address a specific subject..." needs to be clarified. The Owners Association may establish development requirements and processes that are more stringent than County requirement and processes, but not less stringent. These internal rules must be very clear that such requirement and processes do NOT supercede County requirement and processes.

The applicant may wish to consider discussing some type of controlled pedestrian access to the Post Office with the adjacent homeowners association. Such access may be preferable to the adjacent residents to eliminate the need to drive a car from the neighborhood to the Post Office.

SECTION II STAFF RECOMMENDATION
--

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 05-39 MA **be changed** from RU to PDD.

Findings of Fact:

1. If the conditions cited below are properly implemented, the proposed Amendment will be compatible with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Clemson Road at this location will not be exceeded.
3. The proposed Amendment is not consistent with Proposed Land Use Map designation in the Northeast Subarea Plan.
4. The proposed Zoning Map Amendment is consistent with the Objectives and Recommendations of the Northeast Subarea Plan discussed herein.
5. It is the Department's position that the Proposed Land Use Map for this portion of the Northeast Subarea Plan should be amended, via the statutory comprehensive plan process, to change the land use designation for the site to a commercial use designation.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to use any existing permitted uses identified on page 2 of this Report.

PUD Conditions

- a) The site development shall be limited to 119,200 sq. ft of storage facilities and related office space; 40,000 sq. ft. of principal office building space; and 48,500 sq. ft. of small office space; and 1.7 acres of undisturbed wetlands as depicted in the Preliminary Layout Plan, which is attached hereto; and
- b) The site's land uses shall be limited to those identified in applicants Exhibit E; and
- c) Retail commercial land uses shall be prohibited on the subject project; and
- d) The applicant shall provide a phasing plan to the Department prior to reviewing any construction plans or site plans; and
- e) The Department shall approve a comprehensive signage plan for the entire project prior to approval of any site plans or construction plans on the subject site; and
- f) The Department shall approve a comprehensive landscaping plan that significantly exceeds the minimum requirements along the east, south and north sides of the site prior to approval of any site plans or construction plans on the subject site; and
- g) The Department shall approve a comprehensive outdoor lighting plan for the entire project to contain the light on-site and minimize light spillover to the adjacent residences prior to approval of any site plans or construction plans on the subject site; and
- h) No structures on the site shall exceed 50 feet in height and no structure within 50 feet of the east, south and west property line shall exceed 35 feet in height; and
- i) The small office buildings shall have a "residential" design and be brick construction; and
- j) Except as otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and
- k) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes and is hereby approved for such purposes; and
- l) The provisions of Sections 26-72.4, 26-72.5 and 26-72.6 of the Richland County Code of Ordinances shall not apply to this project; and
- m) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
- n) No accessory uses, other than solid waste facilities, gazebos or small picnic shelters, shall be permitted on-site; and
- o) All proposed changes to the approved Preliminary Layout Plan shall conform to the requirements of Section 26-72.12 of the Richland County Code of Ordinances, or its successor regulations; and
- p) No site clearing activity shall begin until the Planning and Development Services Department issues a Controlled Clearing Certificate letter; and
- q) Prior to acceptance for County maintenance, the roadways serving the development on the east side of the site must be named and constructed to County standards; and
- r) Access to the subject site shall be limited to the 3 driveways depicted on the Preliminary Layout Plan; and
- s) The developer shall construct any necessary turn lanes for the project on Clemson Road Roads, subject to obtaining all required state and /or county approvals; and
- t) Other conditions resulting from the Commission consideration?
- u) The applicant shall submit a copy of the Commercial Association Procedures outlined in Exhibit F for the Department's and inclusion in the project records; and

- v) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, 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 7, 2005, the Richland County Planning Commission agreed (**did not agree**) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-39 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 05-39 MA, the Planning Commission made the findings of fact summarized below:

PDD SUBMISSION CHECKLIST

The following are the current requirements for submission of a Planned Development District project Zoning Map Amendment as described in Chapter 26-72.10 of the Richland County Code of Ordinances. The minimum required lot size is two acres. **Blank boxes mean the requirement has NOT been met**

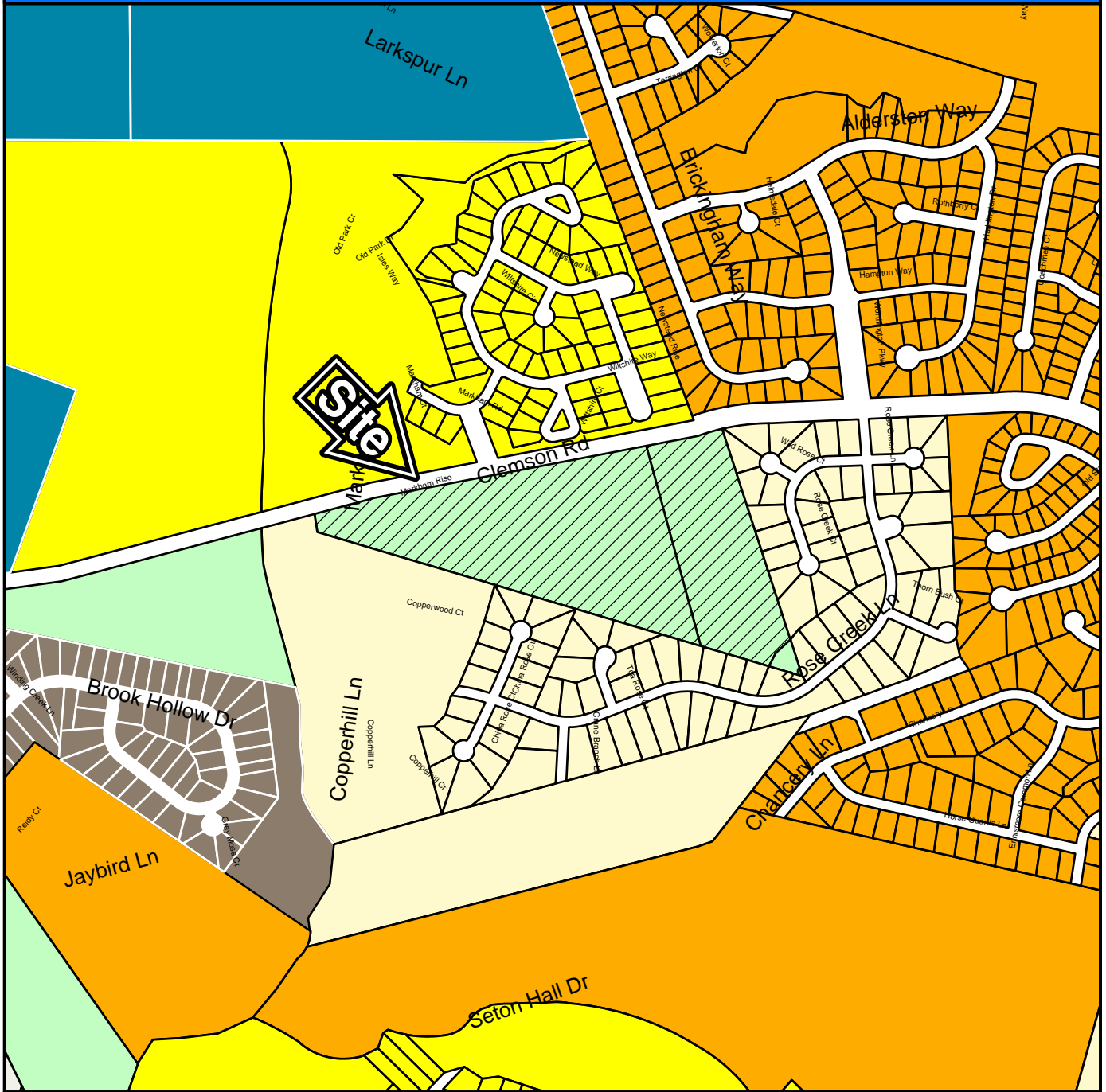
Project Number: 05-39 MA **Applicant:** The Heyward Group – Robert Fuller

Chapter #	Site Plan Submission Requirements	Comply
26-72.10 (1)	Project Title and Name of Project Designer	X
26-72.10 (2)	Site Plan with North Point & Scale (Not More than 1"= 50 feet)	X
26-72.10 (3)	Existing Zoning, Existing Boundaries & Proposed Changes	
26-72.10 (4)	Boundary Survey, including ALL Existing Easements, Streets, Buildings & Other Physical Features on AND Adjacent to the Site	X
26-72.10 (5)	Location & Dimension of Streets, Alleys, Driveways, Curb Cuts, Entrances & Exits, Parking & Loading Areas (inc. # of spaces)	X
26-72.10 (6)	Location of Proposed Lots, Setback Lines, Easements and Land Use	X
26-72.10 (7)	Proposed Location & Heights of ALL Multifamily or Nonresidential Buildings & Dimensions of Structures <u>DRAWN TO SCALE</u>	X
26-72.10 (8)	Proposed Location & Description of ALL Fences, Walls, Screens, Buffers, Plantings & Landscaping	
26-72.10 (9)	Proposed Location & Number of Dwelling Units (by bedroom type) for Multifamily Projects	NAp
26-72.10 (10)	Proposed Location, Character, Size and Height of ALL Signs	
26-72.10 (11)	Project Location Map	
26-72.10 (12)	Number of Acres to be Devoted to Public and/or Private Reservations	X

PDS Reviewer: Carl Gosline

Date: January 26, 2005

CASE 05-39 MA RU to PDD

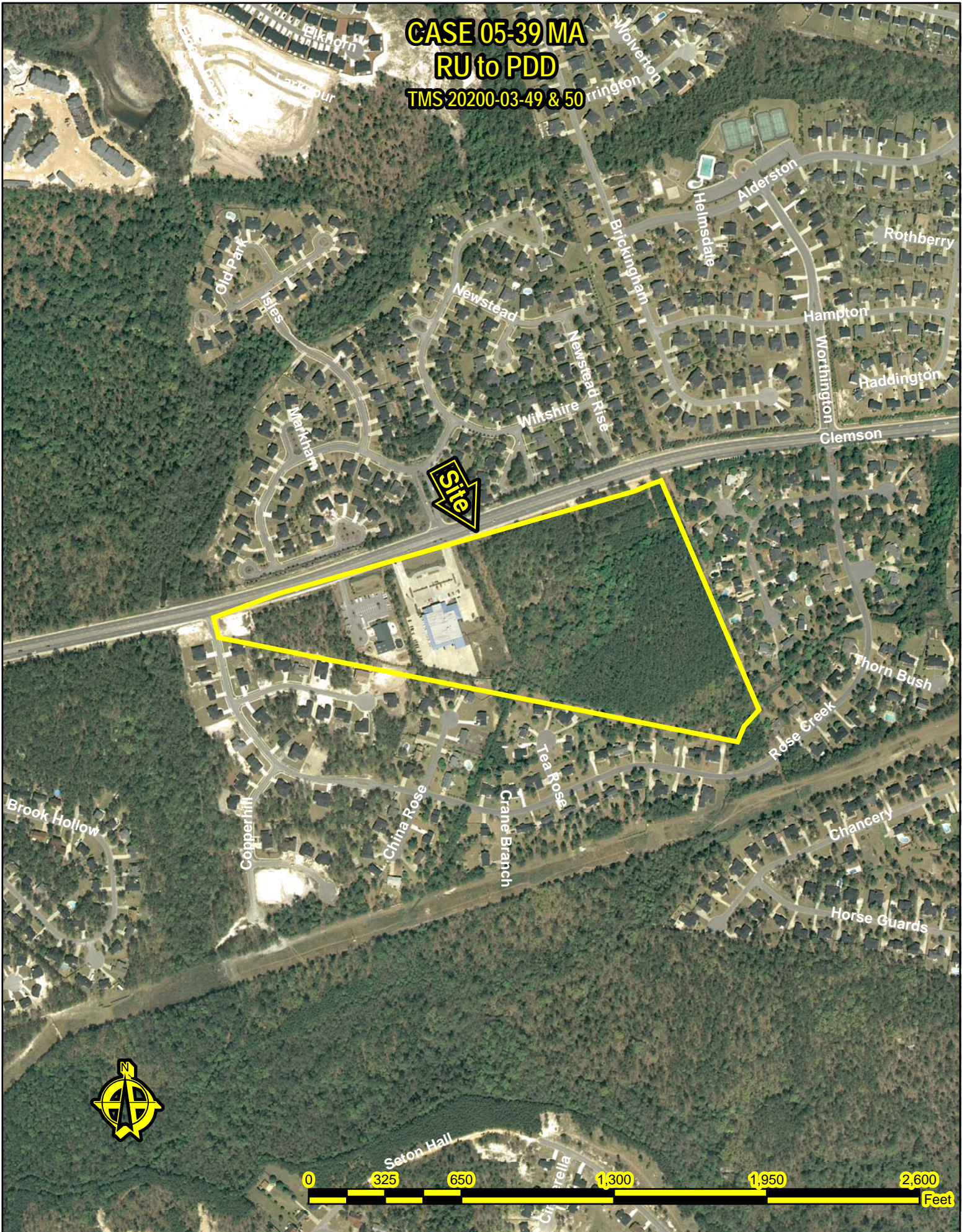


ZONING CLASSIFICATIONS

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



CASE 05-39 MA
RU to PDD
TMS 20200-03-49 & 50



Elkhorn
Larkspur
Wolverton
Worthington
Alderston
Helmstead
Rothberry
Hampton
Haddington
Newstead
Birmingham
Wiltshire
Newstead Rise
Clemson
Worthington
Old Park
Isles
Markham
Thorn Bush
Rose Creek
Tea Rose
Crane Branch
China Rose
Copperhill
Brook Hollow
Chancery
Horse Guards
Seton Hall
Cirella

Site



CASE 05-39 MA FROM RU to PDD

TMS# 20200-03-49/50

Clemson Rd. near U.S. Post Office



Looking at site from Clemson Rd.



Looking west on Clemson Rd.

Attachment A

Case 05-39 MA

METES AND BOUNDS DESCRIPTION

All that certain piece, parcel and tract of land, situate, lying and being on the South side of Clemson Road in Richland County, South Carolina between Hardscrabble Road and U.S. Hwy 1 (Two Notch Road), shown on that certain plat Boundary Survey prepared for Horse Pasture River Corporation by Civil Engineering of Columbia, Inc., dated April 24, 1997, revised December 12, 2000, more particularly described on said plat as two parcels, designated as 19.46 Acres and 1.75 Acres, N/E Darnall W. Boyd, respectively, and having metes and bounds, to wit:

19.46 Acres:

Beginning at the northwesternmost corner of the parcel at an iron set on the southern R/W boundary of Clemson Road approximately 3,625.00 feet East of Hardscrabble Road and running along the said R/W in an easterly direction N 76° 04' 27" E, 50.33 feet. N 76° 04' 25" E; 604.68 feet; N 79° 08' 29" E, 205.46 feet to a concrete monument at the northeastern property corner, thence turning and running along Rose Creek Subdivision

S 15° 29' 26" E, 224.98 feet

S 15° 30' 21" E, 159.98 feet

S 15° 25' 22" E, 127.95 feet

S 15° 27' 53" E, 100.01 feet

S 15° 30' 04" E, 100.00 feet

S 15° 27' 13" E, 144.83 feet

S 15° 28' 23" E, 195.02 feet to an iron pin at the southeastern property corner, thence turning and running along a creek centerline S 36° 29' 30" E for 163.93 feet to an iron pin on the northern boundary N/F Rose Creek Homeowners Association; thence turning and running in a westerly direction along Rose Creek Subdivision

N 72° 41' 06" W, 11.33 feet

N 73° 03' 48" W, 110.30 feet

N 72° 50' 55" W, 99.96 feet

N 72° 40' 58" W, 93.98 feet

N 72° 56' 18" W, 127.78 feet

N 72° 49' 05" W, 80.82 feet

N 72° 49' 43" W, 242.87 feet

N 72° 50' 02" W, 64.79 feet

N 73° 04' 16" W, 58.45 feet to a concrete monument marking the southwestern property corner at the boundary N/F U.S. Postal Service, thence turning and running N 12° 59' 55" W 705.89 feet to the point of beginning.

1.75 Acres

Beginning at the northwesternmost corner of the parcel at an iron set on the southern R/W boundary of Clemson Road approximately 2640 feet (0.5 mi.) east of Hard Scrabble Road and running along the said R/W in an easterly direction N 78° 29' 19" E, approximately 334.95 feet to an iron marking the northeasternmost corner of the parcel at the bonding N/F Sunshine House; thence turning and running S 13° 00' 08" E, 317.96 feet to an iron marking the southeastern corner of the parcel; thence turning and running N 72° 49' 19" W, 410.85 feet to an iron pin marking the southwestern corner of the parcel, thence turning and running N 03° 22' 38" W, 121.85 feet to the point of beginning.

REVISIONS	BY	DATE

POWER ENGINEERING COMPANY, INC.
 ENGINEERS - PLANNERS - SURVEYORS
 COLUMBIA, SC CHARLOTTE, NC

THE HEYWARD GROUP
 CLEMSON ROAD BUSINESS PARK
 PRELIMINARY LAYOUT PLAN
 RICHLAND COUNTY, S.C.

CHECKED	DATE
SCALE	P-S-SJ
JOB NO.	
SHEET	7
OF	3

Attachment B Case 05-39 MA

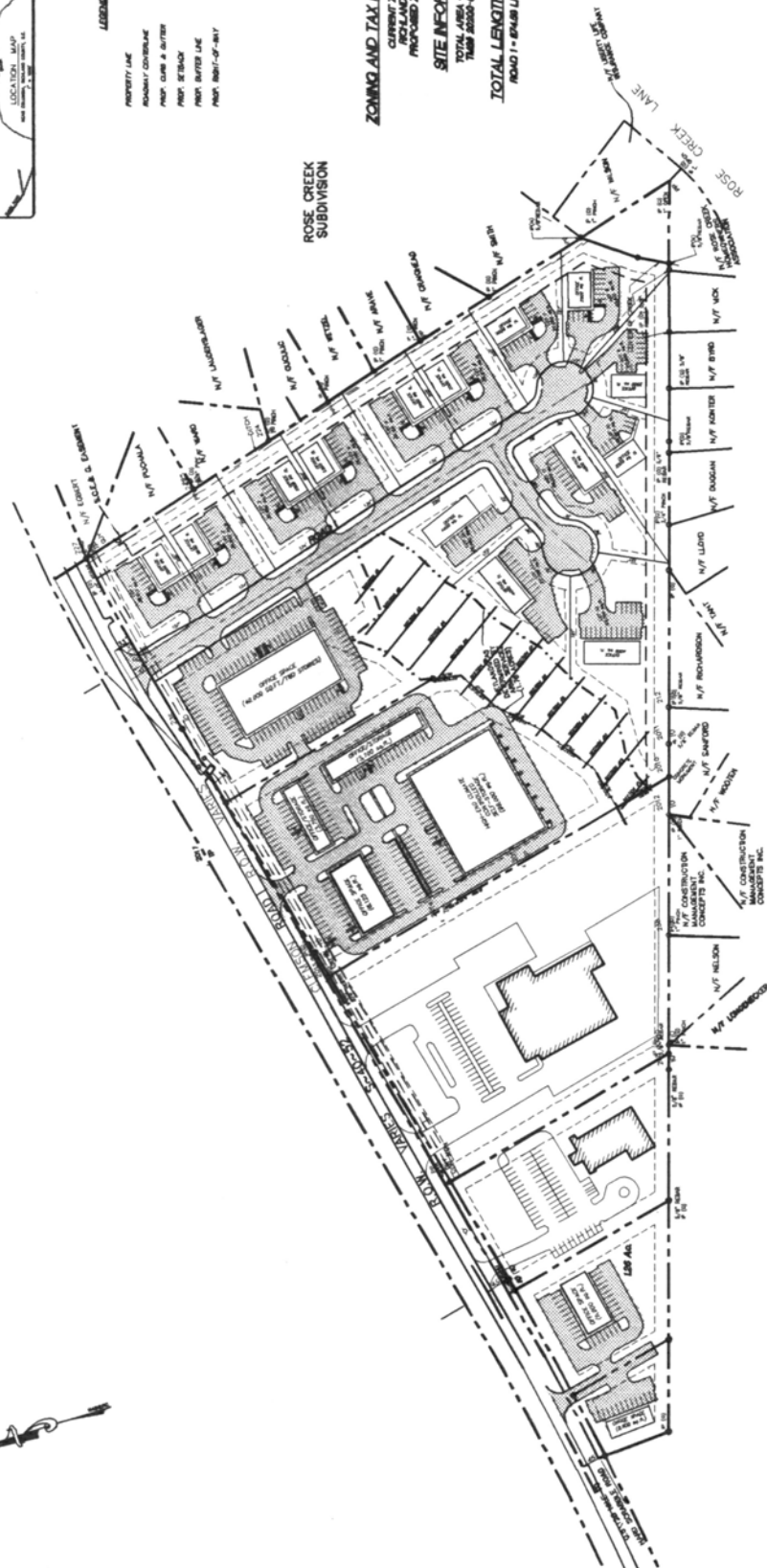


LEGEND

PROPERTY LINE	---
ROADWAY CENTERLINE	---
PROPOSED DRIVE & UTILITY	---
PROPOSED SETBACK	---
PROPOSED BUTTER LINE	---
PROPOSED DRIVE-UP-WAY	---

ZONING AND TAX MAP INFORMATION
 CURRENT ZONING: P-4
 RICHLAND COUNTY
 PREVIOUS ZONING: P-4
SITE INFORMATION
 TOTAL AREA - 58.48 AC
 TOTAL AREA - 25.48 AC
 TOTAL AREA - 33.00 AC

TOTAL LENGTH OF ROADS
 ROAD 1 = 58.48 LF OR 0.17 MILE

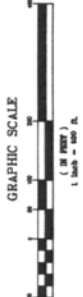


CURVE	ARC	CENTR. ANGLE	BEARING	DELTA	CHORD	TANGENT
1	33.75	32.71	112.14	33.75	37.50	117.81
2	33.75	32.71	112.14	33.75	37.50	117.81
3	33.75	32.71	112.14	33.75	37.50	117.81
4	33.75	32.71	112.14	33.75	37.50	117.81



THIS PLAN IS PREPARED BY THE HEYWARD GROUP AND DOES NOT EXCEED 0.10 OF AN INCH PER FOOT. A PERMIT IS REQUIRED FOR ALL WORK. THE HEYWARD GROUP IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.

ALL WORK ON ROAD R/W TO BE DONE IN ACCORDANCE WITH RICHLAND COUNTY ENCROACHMENT PERMIT.



THE HEYWARD GROUP AND ASSOCIATES, INC. IS AN EQUAL OPPORTUNITY EMPLOYER. WE ARE COMMITTED TO DIVERSITY AND INCLUSION IN OUR WORKPLACE. WE ENCOURAGE ALL QUALIFIED INDIVIDUALS TO APPLY. FOR MORE INFORMATION, CONTACT US AT (803) 799-2000.

OWNER: THE HEYWARD GROUP
 PROJECT: CLEMSON ROAD BUSINESS PARK
 ADDRESS: 1000 CLEMSON ROAD, RICHLAND, SC 29178
 DATE: 05/20/2024
 SHEET: 7 OF 3

DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___05HR

AN ORDINANCE AMENDING ORDINANCE NO. 074-04HR (THE RICHLAND COUNTY LAND DEVELOPMENT CODE), ARTICLE IX, SUBDIVISION REGULATIONS, SO AS TO ADD A NEW SECTION THAT PERMITS THE SUBDIVISION OF PROPERTY TO IMMEDIATE FAMILY MEMBERS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. Article IX (Subdivision Regulations) of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended by the addition of a new section, to read as follows:

Sec. 26-224. Private road subdivisions in the RU Rural zoning districts.

- (a) *Purpose.* The purpose of this section is to provide the means for rural property owners to subdivide their property for transfer to immediate family members. Private road subdivisions are subject to the administrative review for subdivisions. This procedure is found at Sec. 26-54.
- (b) *Applicability.* The provisions of this section shall only apply to property zoned RU Rural.
- (c) *Special requirements for private road subdivisions.*
 - (1) *Roads.* Roads in private road subdivisions shall be exempt for the requirements of Sec. 26-181 of this chapter but shall not be exempt from the road design requirements regarding acceptable ingress and egress of emergency vehicles or the requirements of Sec. 26-175(c)(3) of this chapter. Roads in private road subdivisions shall not be accepted for county maintenance until they meet the road construction standards provided in Chapter 21 of the Richland County Code. The roadway shall have a minimum easement width of fifty (50) feet and minimum twenty (20) foot wide passable surface, as determined by the county engineer. The subdivision documents shall include a conspicuous statement stating that improvements to the driveway without the approval of the county engineer are prohibited.
 - (2) *Number of lots.* No more than seven (7) lots, each a minimum of one (1) acre in area, shall be permitted in a private road subdivision.

DRAFT

- (3) *Number of dwelling units.* Only one (1) dwelling unit shall be permitted on each lot.
- (4) *E-911 requirements.* The road, and each lot, shall conform to the county's E-911 system addressing and posting requirements.
- (d) *Legal documents required.* An applicant for a private road subdivision shall submit the necessary legal documents that:
 - (1) Clearly provide permanent access to each lot.
 - (2) State that the county shall not be responsible for either construction or routine (i.e. recurring) maintenance of the private road.
 - (3) Clearly state that the parcels created by this process shall not be divided again, except in full compliance with all regulations in effect at the time.

All legal documents shall be provided in a form acceptable to the county legal department.

Secs. 26-225 – 26-250. Reserved.

SECTION II. All remaining provisions of Ordinance No. 074-04HR shall remain in full force and effect.

SECTION III. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION IV. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V. This ordinance shall be effective from and after July 1, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

Attest this the _____ day of
_____, 2005

Michielle R. Cannon-Finch
Clerk of Council


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RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing:
First Reading:
Second Reading:
Third Reading:

**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 24, 2005
RE: Subdivision and Street Name Approval

Background

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

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

Action Requested

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

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Al Minger Woods	Friendly Woods Road, Blythewood SC

PROPOSED STREET NAMES	SUBDIVISION/ROAD LOCATION
Al Minger Ct	Al Minger Woods S/D
Turkey Oak Ct	Rename in Willow Lakes, Ph 4, Blythewood
Sunset Maple Ct	Rename in Willow Lakes, Ph 4, Blythewood

