

RICHLAND COUNTY PLANNING COMMISSION
October 7, 2019

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[Members Present: Beverly Frierson, Prentiss McLaurin, Mattauer Carlisle, Stephen Gilchrist, David Tuttle, Wallace Brown, Sr., Christopher Yonke, Gary Dennis; Absent: Heather Cairns, Jason Branham]

Called to order: 3:00 pm

CHAIRMAN GILCHRIST: I'd like to call the October 7th Planning Commission meeting to order. Please allow me to read this into the Record, In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio, TV stations, newspapers, and persons requesting notification, and posted on the bulletin board located in the County administration building. So we thank all of you for being here with us today for our October the 7th Planning Commission, almost at the end of the year. Next item on our Agenda is the Consent Agenda.

MR. TUTTLE: Mr. Chairman, if you'd entertain a motion I'd like to make a motion we approve the Consent Agenda with the exceptions of Map Amendments number 1 and 3 being pulled for discussion.

CHAIRMAN GILCHRIST: Okay, is there a second on this Consent Agenda?

MR. MCLAURIN: Second.

MR. PRICE: Mr. Chairman?

CHAIRMAN GILCHRIST: Yes, sir?

MR. PRICE: I'm not sure if this makes a difference as you go forward, but we do have a request from the Applicant for Case 19-039 MA, which is Item No. 3, for a deferral to the November meeting.

CHAIRMAN GILCHRIST: Okay. You need to restate that motion.

MR. TUTTLE: Do I need to break my motion apart then?

1 MR. PRICE: Yes, sir.

2 MR. TUTTLE: Alright, Mr. Chairman I make a new motion that we approve the
3 Consent Agenda removing Item No. 1 and then –

4 MR. PRICE: And Staff requests that you also remove Item No. 4.

5 MR. TUTTLE: Item No. 4 or No. 3?

6 MR. PRICE: Number 4, 19-040.

7 MR. TUTTLE: Alright, let's try this one more time.

8 CHAIRMAN GILCHRIST: Yeah, let's do that over. Yeah.

9 MR. TUTTLE: I'll start over. I'll make a motion that we approve the Consent
10 Agenda pulling Items No. 1 and 3 for discussion, and deferring Item No. 4.

11 MR. PRICE: Deferring No. 3, but you're keeping No. 4 for discussion.

12 MR. TUTTLE: Okay. Last time, promise. Make a motion to approve the Consent
13 Agenda removing Item No. 1 and No. 4, and then No. 3 is going to be deferred.

14 MR. PRICE: Yes.

15 MR. BROWN: Second.

16 CHAIRMAN GILCHRIST: Okay, it's been moved and properly seconded that we
17 amend the Agenda, Consent Agenda as stated. All in favor signify by raising your hand.

18 MR. PRICE: Those in favor: McLaurin, Gilchrist, Tuttle, Brown, Yonke, Dennis.

19 *[Approved: McLaurin, Gilchrist, Tuttle, Brown, Yonke, Dennis; Absent for vote: Carlisle;*
20 *Abstained: Frierson; Absent: Cairns, Branham]*

21 CHAIRMAN GILCHRIST: Okay. Thank you, Mr. Tuttle. First case.

22 **CASE NO. 19-032 MA:**

1 MR. PRICE: Alright, Mr. Chair and Planning Commission. The first item is Case
2 19-032 MA. The Applicant is Charlotte Huggins. Location is 10510 Garners Ferry Road.
3 The Applicant is requesting to rezone 2.8 acres from Rural to Rural Commercial. Staff
4 recommends disapproval of this particular request. As you see it has a long zoning
5 history that's found on page 9 of your Agenda. One of the things to point out that we
6 didn't, I didn't have a chance to gather, but your last request, the last request for this
7 particular subject site to be rezoned to General Commercial, which was Case 19-006
8 MA. The recommendation from the Planning Commission was for approval, however, it
9 was denied at the Zoning Public Hearing by County Council. But again, Staff is of the
10 opinion that the proposed rezoning would not be consistent with the objectives of the
11 Comprehensive Plan as the Comprehensive Plan recommends residential development
12 on large lots, open space subdivisions and smaller agricultural operations for areas
13 designated as Rural. The site is not located within an activity center nor at an
14 intersection of a rural crossroads and likewise the proposed zoning designation would
15 allow for potential uses of greater intensity than the adjacent and surrounding properties
16 as recommended by the Comprehensive Plan. Thus Staff recommends disapproval.

17 CHAIRMAN GILCHRIST: Okay. Mr. Tuttle?

18 MR. TUTTLE: Mr. Chairman, if I may ask -

19 CHAIRMAN GILCHRIST: Yes, sir?

20 MR. TUTTLE: - Staff a question. If you'll refresh me, I believe the rationale -

21 MR. PRICE: Could we just have a quick recess if you would like?

22 CHAIRMAN GILCHRIST: Yeah, if we could let's take just about a five minute
23 recess. I wanna address something real quick, Members, if that's the pleasure?

1 MR. TUTTLE: Okay.

2 CHAIRMAN GILCHRIST: Okay, thank you.

3 *[Recess] [Frierson out at 3:07pm]*

4 CHAIRMAN GILCHRIST: Thank you Commission Members for allowing me to
5 take a point of personal privilege there. Okay, Mr. Tuttle?

6 MR. TUTTLE: I have a question of Staff. I think I remember this case and I think
7 the rationale for approval last time was that it could in fact be interpreted as contiguous
8 to the GC across the street and therefore be an exception to the Comprehensive Plan?

9 MR. PRICE: Yes.

10 MR. TUTTLE: Was that the rationale?

11 MR. PRICE: Yes, sir.

12 MR. TUTTLE: Thank you.

13 CHAIRMAN GILCHRIST: Additional questions for the Staff? We have a couple of
14 persons signed up to speak. When we call your name please come to the podium and
15 give us your name and address, and you'll have two minutes to address the
16 Commission. Charlotte Huggins, the Applicant?

17 **TESTIMONY OF CHARLOTTE HUGGINS:**

18 MS. HUGGINS: Hello. We purchased this property five and a half years ago and
19 yes, I'm sure some of you do remember. When we bought it it was 1.86 acres and it had
20 been commercial years prior, it was a boat shop, a restaurant, a daycare, embroidery
21 shop, you name it. And we are adjacent to commercial properties and we were trying to
22 get it back from RU to GC for this five and a half years. Anyway, within that timeframe
23 we did purchase the property next door and like I said for year after year after year

1 going through the process. So we were finally told late last year it was a principal
2 arterial and we had to have the two acre minimum, so we hired a surveyor to pull from
3 our other property so now it's a 2.80, and still going through this process and, to get,
4 you know, we have our two acre minimum, no problem now. And so then after we did
5 that after five and a half years now we were told we didn't fit in as GC now. We didn't fit
6 in after five and a half years. And so the County recommendation was RC. So I filed
7 back in July for RC, here we are again but somehow we were overlooked or whatever
8 and, even though I filed on time and early in July, we were overlooked for last month's
9 meeting. So it has just been a struggle and been put through the ringer to even get the
10 RC, which was the County's recommendation, you know, for rezoning. And so I know a
11 comment by Geo was, a long zoning history. It's not our fault, we've been doing what
12 we're supposed to do, you know, for five and a half years, and then now we don't fit it,
13 you know, as GC but go for RC. And now here, you know, I hear that they wanna say
14 disapproval, I mean, this is just nonsense.

15 CHAIRMAN GILCHRIST: Questions for the Applicant? Okay, thank you Ms.
16 Huggins. Travis Huggins? Please give us your name and address for the Record.

17 **TESTIMONY OF TRAVIS HUGGINS:**

18 MR. HUGGINS: Travis Huggins, 533 Kingfisher Drive, Ridgeway, South
19 Carolina. My parents purchased this property five and a half years ago with hopes of
20 doing a family business on this property. We had to additionally buy the house behind
21 this property and the field, the empty field to the right to meet what Richland County
22 wanted us to do. It cost us a lotta time and money that we did not have at the time.
23 We've done nothing but meet the requests of Richland County; we even changed after

1 five and a half years from GC to RC now. The part that I'm still struggling with to
2 understand is how after five and a half years our property's the only one that's
3 disapproval on the list. When you look across the street, they say GC is not fit for this
4 area, across the street you do have a store, it's sitting on one acre, GC. That's one tract
5 of land. They've also permitted 30+ acres of land GC next door to that. Can't do nothing.
6 They can build a truck stop or a mall across the street. We're asking for 2.80 acres with
7 an existing building that's been there longer than I've been alive. And to this day we're
8 bumping on \$16,000 in taxes we've paid Richland County for this property we cannot
9 use. Thank you for your consideration.

10 CHAIRMAN GILCHRIST: Thank you, sir. That's all we have signed up to speak.
11 Are there any questions for Staff? I do have one question, Mr. Price. I remember when
12 we heard this case some time ago, this was, did you mention, what was the situation
13 with this case when it left the Planning Commission?

14 MR. PRICE: As I remember it went before Council as General Commercial and I
15 believe that the County Council decided that was not the appropriate zoning. And I
16 believe they denied the request.

17 CHAIRMAN GILCHRIST: Okay.

18 MR. BROWN: Mr. Chairman?

19 CHAIRMAN GILCHRIST: Yes, sir, Mr. Brown?

20 MR. BROWN: I'm a little concerned about what the Applicant said so I'd like to
21 ask Staff, can you explain why the County would make the recommendation, they
22 complied with the recommendation as they are stating, and then that's still not
23 acceptable? Can you talk a little bit about that, please?

1 MR. PRICE: Yes, sir, Mr. Brown. All of our recommendations have been very
2 consistent. I believe of all of the requests that have come in going back to the 16-002,
3 16-012 and also this particular request of 19-006, our recommendations have always
4 been for denial. I believe maybe some of the confusion may have occurred at the
5 Council level between discussions between the Council representatives and the
6 Applicant.

7 MR. BROWN: What's the substantive problem?

8 MR. PRICE: From a Staff recommendation?

9 MR. BROWN: No, just, I mean, they have, based on their testimony they have
10 complied with the requests of the County; they made the applications based upon the
11 rezonings and so forth. So what's the substantive issue?

12 MR. PRICE: Well as far as from a compliance standpoint they have met the
13 requirements that they could submit an application, thus you know, they have the
14 appropriate acreage and they've met all of the other submittal requirements that are
15 necessary. Again, from a Staff standpoint we base everything on the Comprehensive
16 Plan so there were no promises or anything from Staff stating that, if you do this then
17 you will get it. You know, Staff does not have that authority and we wouldn't do it.

18 MR. BROWN: No, we understand that.

19 MR. PRICE: However, there may have been some other discussions with
20 Council which I am not, you know, aware fully of the context of those discussions that
21 may have led them to believe a particular zoning may be approved or a particular
22 zoning should be what they request.

1 MR. BROWN: So what you're saying then is that their request does not comport
2 with the requirements of the zoning that is there given what is already present there.

3 MR. PRICE: We feel that their current zoning, let me make sure I'm saying this
4 correct, their zoning doesn't allow what they want to and their request is not in
5 compliance with the Comprehensive Plan.

6 MR. BROWN: For the area.

7 MR. PRICE: Yes, sir.

8 MR. BROWN: But I mean, the overall area.

9 MR. PRICE: Just overall as we looked at it because based on that side of the
10 road – I think one of the things that we don't do is just because there's zoning in the
11 surrounding area just automatically state that, yes this should be appropriate. You
12 know, looking at Garners Ferry it is a, I guess five lane road in some areas and we're
13 looking at that particular side, the northern part of Garners Ferry for this particular
14 request, it's more of a residential/rural character, and also developed as such. Across
15 the street, you know, there is a commercial use, actually there are a couple of
16 commercial uses that are there, but we did not use that for justification for
17 recommending approval. We just based it on what was the character of the area on that
18 side of Garners Ferry Road.

19 CHAIRMAN GILCHRIST: Mr. Tuttle?

20 MR. TUTTLE: Mr. Chairman, if I could, maybe we could have some further
21 discussion but I'd like to recommend Case 19-032 MA forward to Council with a
22 recommendation for approval, understanding that the Staff is somewhat handcuffed by
23 the broad paintbrush of the Comprehensive Plan and we have the ability to maybe look

1 at parcels one by one to determine if maybe they do have a characteristic that would
2 allow them to be zoned something different than the Comprehensive Plan. I believe
3 because it's General Commercial across the street and this has been active in this
4 format for a long time that it would be appropriate for this to be zoned RC.

5 MR. BROWN: I second the motion.

6 CHAIRMAN GILCHRIST: Okay, it's been moved and properly seconded then
7 that we send Case No. 19-032 MA forward to Council with a recommendation of
8 approval based upon the recommendations and considerations Commissioner Tuttle
9 provided. Any other discussion? All in favor signify by raising your hand.

10 MR. PRICE: Those in favor: McLaurin, Carlisle, Gilchrist, Tuttle, Brown, Yonke,
11 Dennis.

12 *[Approved: McLaurin, Carlisle, Gilchrist, Tuttle, Brown, Yonke, Dennis; absent: Cairns,*
13 *Branham]*

14 CHAIRMAN GILCHRIST: Again, we are a recommending Body to County
15 Council and they will meet back in these chambers on the 22nd of October, so please
16 feel free to be here at that time. Thank you again, Ms. Huggins.

17 MR. HUGGINS: Thank y'all.

18 CHAIRMAN GILCHRIST: Sure. Next case.

19 **CASE NO. 19-039 MA:**

20 MR. PRICE: Okay, if I'm correct Item No. 3, 19-039 MA was not part of your
21 Consent Agenda. So the Applicant has requested a deferral of this request till the
22 November meeting.

1 CHAIRMAN GILCHRIST: Mr. Price, I certainly wanna come back – I know not
2 gonna hear this case but I certainly want to, at the end of our meeting, have another
3 conversation about some of the dynamics. Is it more appropriate to do that at that time
4 or should we talk about it now.

5 MR. PRICE: Are we talking about the merits of the case or are we talking about
6 the deferral?

7 CHAIRMAN GILCHRIST: Yeah, just simply the deferral.

8 MR. PRICE: I think that's something we could probably take up under Other
9 Business.

10 CHAIRMAN GILCHRIST: Okay. Sounds good. Alright, next case.

11 MR. PRICE: I think we need to go ahead and just probably vote on that just so
12 it'll be on the Record.

13 CHAIRMAN GILCHRIST: Vote on that particular deferral?

14 MR. PRICE: Move on the deferral to accept the –

15 MR. TUTTLE: I see, to your point it was pulled from the Agenda with neither a
16 yes nor a no that it could be deferred.

17 MR. PRICE: Yes.

18 MR. TUTTLE: Now we need to handle it. Mr. Chairman, I make a motion Case
19 19-039 MA be approved for deferral.

20 MR. PRICE: Yes.

21 CHAIRMAN GILCHRIST: Is there a second?

22 MR. BROWN: Second.

1 CHAIRMAN GILCHRIST: Okay. It's been moved and properly seconded that we
2 defer Case No. 19-039 MA. All in favor signify by raising your hand.

3 MR. PRICE: Those in favor: McLaurin, Carlisle, Gilchrist, Tuttle, Brown, Yonke,
4 Dennis.

5 *[Approved: McLaurin, Carlisle, Gilchrist, Tuttle, Brown, Yonke, Dennis; absent: Cairns,*
6 *Branham]*

7 CHAIRMAN GILCHRIST: Okay. Okay, next case.

8 **CASE NO. 19-040 MA:**

9 MR. PRICE: Alright, the next item is Case 19-040 MA. The Applicant is Krystal
10 Martin, the location is 10539 Farrow Road. The Applicant is requesting to rezone two
11 acres from LI to RM-HD. Staff recommends approval of this, but you'll note in the
12 Conclusion that Staff just principally recommends approval, and I'll kinda explain that a
13 bit. It meets the requirements of the Comprehensive Plan, just based on all of the
14 language found within the Comprehensive Plan and the districts that are outlined as
15 being appropriate for this particular designation of the Comprehensive Plan, which is
16 economic development center corridor, so Staff recommended approval. Some of the
17 discussions that Staff had was as if you take note that this property was rezoned from
18 General Commercial to Light Industrial in Case No. 17-009 MA. And now the request is
19 coming in from a Light Industrial to a residential designation. I think one of the things
20 that we were kinda looking at, again from a Staff, you know, we try to stick strictly by the
21 Comprehensive Plan, but we did think that this would be a good point of maybe
22 discussion or just something just to point out to the Planning Commission that those
23 zoning districts are such opposite ends of the spectrum. And then when you kind of look

1 at the surrounding area where you have a lot of industrial, commercial, and in some
2 cases heavy industrial zoning designations out here, probably under any other case if,
3 you know, we weren't just basing it on the Comprehensive Plan we would've
4 recommended denial of this because the zoning request is out of character with the
5 surrounding zonings in that area. However, there are some residential uses that would
6 be deemed nonconforming because they're residential uses on commercial properties.
7 However, just overall from a zoning standpoint this particular request really is out of
8 character with the surrounding areas and I think kind of taking a long-term at, or at least
9 a broader look at the Comprehensive Plan that we may want to kind of really examine
10 what does the Comprehensive Plan mean when it does recommend residential in an
11 economic development center? Is it by just an individual parcel or are they referring to
12 maybe a larger development? I think these are the things we need to look at, especially
13 based on some previous conversations that we've had regarding industrial designations
14 throughout the County, and certain uses that are located near them based on zoning.

15 CHAIRMAN GILCHRIST: Any discussion?

16 MR. BROWN: Mr. Chairman, but Staff is still recommending approval, correct?

17 CHAIRMAN GILCHRIST: Yes, they are.

18 MR. BROWN: Thank you.

19 CHAIRMAN GILCHRIST: Can you elaborate on that a little bit? And I guess, I
20 mean, I hear what you're saying on that but because it's surrounded by all of this
21 industrial [inaudible]. And I notice that your definition here per the planned development
22 within this future land use designation encourages concentrated areas of high quality

1 employment facilities integrated with or adjacent to complimentary retail and
2 commercial. Was that kinda your driving -

3 MR. PRICE: Yes, cause if you go all the way through it ends with, and/or
4 medium and high density residential uses. And of course within the Comprehensive
5 Plan it does specify those districts that would fit into this category. I believe it goes from
6 the HI, the LI, GC also, and also the multi-family zoning designations. So as you can
7 see it's pretty broad from a spectrum standpoint of the, you can have heavy industrial
8 but you can also have residential, which typically you would not associate as being in
9 the same area or, you know, having the same character.

10 CHAIRMAN GILCHRIST: Well, I do applaud the Staff for thinking through that
11 like that. Cause I certainly agree. Any other questions for the Staff? We don't have
12 anyone signed up to speak for this case so I'll accept a motion if there is one.

13 MR. BROWN: I move that we send this forward to Council with a
14 recommendation of approval [inaudible] Staff.

15 CHAIRMAN GILCHRIST: Okay, is there a second?

16 MR. MCLAURIN: I second.

17 MR. PRICE: What was that motion? I'm sorry.

18 CHAIRMAN GILCHRIST: That we move forward to Council with a
19 recommendation of approval. Is that right, Mr. Brown?

20 MR. BROWN: Yes.

21 CHAIRMAN GILCHRIST: Okay.

22 MR. TUTTLE: Mr. Chairman, I'd like to have a little further discussion.

23 CHAIRMAN GILCHRIST: Sure, absolutely Mr. Tuttle.

1 MR. PRICE: I'm sorry, did we get a second on that?

2 MR. MCLAURIN: Yes.

3 MR. PRICE: Mr. McLaurin. Thank you.

4 CHAIRMAN GILCHRIST: Discussion now, Mr. Tuttle.

5 MR. TUTTLE: I guess someone could make the argument that you could do
6 multi-family in the GC or something, but there's no residential anywhere near there. Do
7 we really want this one island to have up to 22, 24 apartment homes stranded in the
8 middle of an industrial area?

9 MR. PRICE: Just for the Record, there's no residential zoning in the surrounding
10 area. There are a couple of homes on some commercially zoned property right off of
11 Farrow Road. Mr. DeLage is gonna, actually you can kind of see the aerial of those.

12 MR. TUTTLE: So those are nonconforming residential uses.

13 MR. PRICE: Correct.

14 MR. TUTTLE: I mean, it's a tough one cause, I mean, if the M1 behind it were to
15 ultimately become something more residential in nature you could make an argument
16 that that might be okay. I just, personally I would be against stranding a little over two
17 acre residential site in the middle of all this potential or current industrial [inaudible].

18 CHAIRMAN GILCHRIST: Does everybody see that as well? Any other
19 discussions on it? Sure, go right ahead.

20 MR. YONKE: So Staff, I just noticed on page 35 of our materials, is there any
21 traffic concerns in this area? We've got already 10,000 ETDs with a capacity of 9,800.
22 Any concerns with that? Any concerns about the schools in this area, pretty dense
23 population?

1 MR. PRICE: Well, just based on the request itself, I mean, there are only, it's only
2 a two acre tract and as stated on page 33 of your packet, that would allow a maximum
3 density of 16 units per acre. So maybe a multi-family could go there but overall we just
4 didn't, we don't feel it necessarily affects the schools, you know, not something of that
5 size. But we do provide the same information, the package to the school district so if
6 there are any cases in which they want to chime in or if there's any concerns on their
7 part they will weigh in and let us know some concerns they have, and they may even
8 appear. But from a traffic standpoint it's already operating at a Level D, and again, this
9 particular request probably won't have much of an impact on the overall operating level
10 of this section of Farrow Road.

11 CHAIRMAN GILCHRIST: What school district is this in?

12 MR. PRICE: Two.

13 CHAIRMAN GILCHRIST: Richland, okay. Yes, sir?

14 MR. DENNIS: With this area I've noticed just looking through and then I drove
15 out there to check it out, there's not much walkability for high residential, high density
16 residentially, and normally with high density residential you're looking to have a lot of
17 walkability to do things. I notice there's not a lot around them for grocery stores or
18 anything like that, that's kinda a little further down to the Kroger. And my concern was
19 having a high density residential area in there around areas of Lula Rue, the Belk
20 distribution, the Polymer Group, the Sem-X across the street, I mean, is there any
21 potential for any other residential to come in here at this point or are we just looking for
22 a one off on this one?

1 MR. PRICE: Potentially. The parcels south of this request are zoned General
2 Commercial and I think if somebody were to combine those parcels they could do a
3 multi-family development, apartments. But that would be the only area. The rural zoning
4 designations that you see north of the site in green would allow for residential but at a
5 very low density, 1.3 units per acre.

6 CHAIRMAN GILCHRIST: Okay. Any additional comments for the Staff? Again,
7 we have no one signed up to speak for this case so I'll accept a motion if there is one.

8 MR. TUTTLE: There is a motion.

9 CHAIRMAN GILCHRIST: Oh, that's right. It's been moved and properly
10 seconded, so, that we send Case No. 19-040 MA forward to Council with a
11 recommendation of approval. All in favor signify by raising your hand.

12 MR. PRICE: Those in favor: McLaurin, Brown.

13 CHAIRMAN GILCHRIST: All opposed?

14 MR. PRICE: And Carlisle.

15 CHAIRMAN GILCHRIST: Okay, Carlisle? Okay. All opposed?

16 MR. PRICE: Those opposed – well, do we need a motion first for that or do we
17 just – I think we need a –

18 MR. TUTTLE: Well I would think that the existing motion has to live or die.

19 MR. PRICE: Okay.

20 MR. TUTTLE: And so you have to vote both sides of it. Then somebody could
21 offer the opposite motion.

22 MR. PRICE: Okay. Alright so those opposed: Gilchrist, Tuttle, Yonke, Dennis.

1 *[Approved: McLaurin, Carlisle, Brown; Opposed: Gilchrist, Tuttle, Yonke, Dennis;*
2 *Absent: Cairns, Branham]*

3 CHAIRMAN GILCHRIST: Okay.

4 MR. TUTTLE: Mr. Chairman, I'll make a recommendation to Council that Case
5 19-040 MA be sent forward with a recommendation of disapproval.

6 MR. DENNIS: Second.

7 CHAIRMAN GILCHRIST: Okay. And are you gonna state a reason why we're
8 going against Staff's recommendation on that?

9 MR. TUTTLE: Although the Comprehensive Plan allows it here again the
10 philosophy remains the same that the Staff has to look at the broader paintbrush that
11 was used and you can't always look parcel by parcel. And I just disagree that this
12 particular parcel should be residential given the surrounding area and the zoning.

13 CHAIRMAN GILCHRIST: It's been moved, is there a second?

14 MR. DENNIS: Second.

15 CHAIRMAN GILCHRIST: Alright. All in favor of sending Case No. 19-040 MA
16 forward to Council with a recommendation of disapproval please raise your hand.

17 MR. PRICE: Those in favor: Gilchrist, Tuttle, Yonke, Dennis.

18 CHAIRMAN GILCHRIST: All opposed?

19 MR. PRICE: Those opposed: McLaurin, Carlisle, Brown.

20 *[Approved to deny: Gilchrist, Tuttle, Yonke, Dennis; Opposed: McLaurin, Carlisle,*
21 *Brown; Absent: Cairns, Branham]*

22 CHAIRMAN GILCHRIST: Okay, and again we are a recommending Body and
23 they will, Council will meet back in these chambers on October the 22nd. Okay, that's all

1 I have on the Map Amendments. Other Business. Is there anything from the Staff on
2 Other Business? One of the things I would like to just reference back to the case at
3 Atlas Road and Shop Road. And I guess this is something that I would ask the Staff if
4 we can find some kinda way to handle this. We have a lotta people that come in to
5 present before us and I know it's, you know, we don't know who these folk are but their
6 first interaction with Planning is through the Staff. And because many people don't really
7 have a sense of how this operates, some people when we schedule these meetings for
8 them to come out they plan to do so, not knowing that in some cases, cases can be
9 deferred or Council Members may have some interest in those. And so I don't know if
10 there's a way that we can, you know, I know that's tough to try to address but I know
11 when people come from near and far to speak for or against a case, if there is any way
12 that we can try to make sure that if there's some type of adjustment being made in that
13 case that we deal with it. Is that something that we could at least even attempt to do?
14 And I'm just bringing it up because I really felt bad for the group that came here today
15 and was unable to speak to this case and they came from very far to do so. So anyway.

16 MR. PRICE: Yeah, I agree and actually had the same sentiments when I was
17 presented with the deferral letter. Actually that was a conversation I was having first, but
18 they were going to defer. We don't really run into this a lot, and I do understand your
19 concerns, but there's always going to be a window that they're gonna fall within and
20 we're not gonna be able to adequately, whether we go out, you know, a day or two in
21 advance and put a deferral sign on the sticker on the signs that are there or just give
22 notice to people, cause some people will still come in. And I know this was, you know, a
23 bit unfortunate because you're correct because of the distances they've had to travel. I

1 have some of the same concerns. I guess one of the approaches that you could look at
2 is when we, now that I guess we're kind of getting to the point where we actually will
3 have our full Planning Commission Body going forward, just look at maybe in your
4 Rules, but I guess the question is always, well if someone asked to defer and you say
5 we aren't gonna accept it, we're gonna make you go forward, what does that really
6 serve, you know, going forward? In this case, like I said this is something that happens
7 a lot, most of the time that we do get at least some advance notice that they would like
8 to defer. On the other end this happens a little more frequently at Council and the way
9 their Rules are written, if you fall within the 15 days of the zoning public hearing you
10 must make that request before Council. You know, I cannot administratively defer them.
11 But in most of those cases, I can't think of one when Council has denied the deferral
12 request, even though it may have come the day of the meeting and there've been a
13 number of people that have come in attendance, either to support or voice their
14 opposition to the request.

15 CHAIRMAN GILCHRIST: Well thank you for that, Mr. Price, and yes, now that we
16 are getting our full Commission in place that certainly may be something we could take
17 a look at in our Rules when everybody gets settled. So I just wanted to bring that up and
18 just put that on the radar screen. If there are any comments from anybody I certainly
19 would entertain that, but –

20 MR. PRICE: I'm sorry, but also for the Record it does cost them 50% of the fee
21 they had to pay whenever you ask for a deferral. So there is a small financial cost,
22 because something like this request, not much overall when you're just kinda looking at
23 the big picture, but just to let you know that you are required to pay 50% of your fee

1 whenever you ask for a deferral. And also I think within your Rules there are some
2 things in there regarding how many times they could ask for a deferral. But again, we
3 can take those up when we go over your Rules.

4 CHAIRMAN GILCHRIST: Okay. Mr. Tuttle?

5 MR. TUTTLE: [Inaudible] someone were not allowed to defer, in essence forced
6 to go through the process and didn't get an outcome that they were asking for, the
7 property's impaired for a period of time from coming back upon that same zoning,
8 correct?

9 MR. PRICE: You mean just before the Planning Commission?

10 MR. TUTTLE: But of the whole process, right, so that's really a Council level
11 thing?

12 MR. PRICE: Yeah, once it gets to Council if a request is denied they are not
13 eligible to come back for a year for that same request.

14 MR. TUTTLE: No impact if you're not allowed to defer and had to go through the
15 process and were denied, they'd still go to Council?

16 MR. PRICE: Correct. I'm not sure what their reasons would be for requesting a
17 deferral, you know, at this particular level unless they wanted to make sure that they got
18 the Planning Commission's support on a request, you know, I guess it looks good going
19 forward to Council. But ultimately if it was just a deferral to meet with the community or
20 for some other reason other than just to get your support of the request, they could
21 always ask for a deferral prior to the zoning public hearing.

22 MR. TUTTLE: Thank you.

1 CHAIRMAN GILCHRIST: I guess I shouldn't bring this up but I will. So Council in
2 some cases will make a recommendation to defer an item so that the Applicant
3 potentially and the community can get together to have a conversation about how some
4 of those things are worked out, is that right?

5 MR. PRICE: There are times when Council will do that but normally when
6 Council does it they're actually directing that meeting, it's a meeting that they're gonna
7 hold, they just – I can't think of one, and you know, I stand to be corrected Tommy if you
8 know of any, where it's been deferred at Council and basically left the Applicant and the
9 community to try to work it out amongst themselves. Normally it's a case where the
10 Council Member will try to meet with the community and the Applicant outside of I guess
11 a formal hearing such as whether it be here or before the zoning public hearing, before
12 Council, maybe to see if they can work out a few items prior to them actually taking
13 action.

14 CHAIRMAN GILCHRIST: Okay. That's helpful. Okay, thank you. Any additional
15 questions, comments on this? Well I certainly look forward to entertaining this again
16 once we take a look at our Rules and get everybody settled. Land Development Code
17 rewrite. Any updates on that?

18 MR. DELAGE: No, sir, Mr. Chairman, not at this time. We'd hoped to have some
19 additional information for y'all. I can tell you that we're having our conference all
20 tomorrow, it's our regularly scheduled bi-weekly call. I actually was in contact with
21 Clarion & Associates last Thursday to talk about, they had some questions about some
22 final edits regarding our sign section, and also an addition to something that we have to
23 bring before y'all in the near future too is some of that kind of map translation, goals and

1 objectives and strategies for ultimately, after we adopt the Code, what is it going to look
2 like once we start putting pen to paper; and essentially zoning districts to existing, or
3 proposed zoning districts to existing zoning districts, so hopefully we'll have that
4 information in the very near future. So, we wanna move ahead as fast as we can on
5 this, so.

6 CHAIRMAN GILCHRIST: Well we certainly appreciate that. We haven't heard
7 from them in a while so they must be working really hard.

8 MR. DELAGE: Yes, sir. They are.

9 CHAIRMAN GILCHRIST: Alright, that's a good thing. Chairman's Report, just
10 wanna thank all of you for your presence at the Planning Commission retreat, and I
11 wanna commend the Staff. And I think those of you who had the pleasure of being
12 there, they did an awesome job in helping us put our agenda together. That was one of
13 the best retreats – well we've only had two, but that was one of the best retreats I've
14 been to. But you guys did an awesome job with that, we heard a lotta great reviews for
15 that. Commissioner Tuttle, thank you so much for allowing us again to use the space at
16 Lake Carolina, it was beautiful and people really enjoyed it. So hats off to our Staff for
17 doing an outstanding job on that. I hope that as we've done in the past that we can take
18 advantage of some of the information we gained from the retreat as part of our planning
19 going into next year, and more specifically with our rewrite, so again thank you for that.
20 And while I'm on that subject, let me take a moment to welcome our two new
21 Commissioners, Commissioner Dennis and Commissioner Yonke, both are new
22 Commissioners here and they were at the retreat by the way. So they came and they
23 participated and we are so delighted that you a part of this Commission, you are part of

1 a Body of people who care about what's going on in the community and that's
2 important, that's our role and we have a great team with the Richland County Planning
3 Commission Staff that keeps us in check for what we need to know and be aware of.
4 And so welcome aboard and we look forward to working with you. I don't have much, I
5 know we're getting into the holiday season and our schedule will somewhat change I
6 guess, and I'm sure you guys will let us know kinda what Council's pleasure is on their
7 calendar with regard to that. But other than that I don't have anything else. Not unless
8 you wanna comment on that.

9 MR. PRICE: No, going forward it looks like it's probably gonna be typical and I
10 think by the November we'll hopefully have a calendar ready for next year. You know,
11 typically Council does not meet in January and I think the Planning Commission has
12 kinda followed suit by not having any cases in January, so potentially you have that
13 month off. And then after December, and then we'll just proceed into February to hear
14 other cases.

15 CHAIRMAN GILCHRIST: Great. Alright, that's all I have. Anything else from the
16 Planning Director's Report? Mr. Price?

17 MR. PRICE: Oh, I'm sorry. You know, I think we kind of all enjoyed the retreat a
18 good bit. I thought we did get some good information. However, unfortunately we were
19 not able to have Staff's presentation, I think we just kind of, we knew going into the
20 retreat that if everything was going well with the speakers and also the interaction with
21 the Planning Commission, and also we also had a number of members of Staff that
22 were there that we would be willing to kind of defer our time to them because we knew
23 we could take our presentation up with the Planning Commission at another time. So

1 what we're gonna do is we'll schedule it for the November Planning Commission
2 meeting. It's not very long but I think it will be pretty informative so you can kind of see.
3 A few things that we'll touch on is really the rezonings that we've had over the past few
4 years. We're gonna hopefully look at them as how your decisions were in relation to the
5 Comprehensive Plan, and I believe we're also gonna look at what Council's actions
6 were also regarding those. So you'll have a good chance to kinda see how, you know,
7 how much we all agree with each other or disagree.

8 CHAIRMAN GILCHRIST: That'll be great and I think that'll be good particularly
9 for our new Commission Members as well, so that'll be great to do that.

10 MR. PRICE: And we'll also be taking up the updates on the Comprehensive Plan.

11 CHAIRMAN GILCHRIST: Perfect. But again, I wanna thank you guys, I mean,
12 that was really a good retreat and I thought a lotta great feedback came outta that for
13 sure, no doubt. So thank you for your input. Anything else? Accept a motion to adjourn.

14 MR. BROWN: So moved.

15 MR. CARLISLE: Second.

16 CHAIRMAN GILCHRIST: Alright. Thank y'all.

17

18 *[Meeting Adjourned at 3:51pm]*