

**RICHLAND COUNTY PLANNING COMMISSION****September 9, 2021**

*[Members Present: Stephen Gilchrist, Christopher Yonke, Bryan Grady [after election of Vice-Chair], Mettauier Carlisle, Mr. Metz, Terrence Taylor, Jason Branham, Beverly Frierson; Absent: Gary Dennis]*

Called to order: \_\_\_\_\_

CHAIRMAN GILCHRIST: I'd like to call the September 9<sup>th</sup> Planning Commission to order. Please allow me to read into the Record: In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio, TV stations, newspapers, persons requesting notification and posted on the bulletin board located in the county administration office, so we welcome all of you here today. This is our first meeting in quite some time in person and so we're delighted to see all of our Commissioners here, our Staff, but also the public. As a reminder the Planning Commission is a recommending Body to the Richland County Council for approval or disapproval and those plans are sent to County Council for their consideration at the next Zoning Public hearing, which we'll share that date with you shortly. Just a couple of housekeeping notes. No cell phones or pagers, make sure name is on sign in sheet if you are wishing to speak for a case, and please the audience may come and go as quietly as possible as the Commission debates the various cases. First Item on our Agenda today is the Election of Officers, and I'll defer that to the Staff and kind of give us some insight on what we should consider on that Mr. Price?

MR. PRICE: Yes, sir. Just for the Record this is our first in person meeting since March of 2020.

1 CHAIRMAN GILCHRIST: March of 2020. Well, I was scared to give you the date,  
2 so wow. That's been a long time.

3 MR. PRICE: Alright, so this was placed on the Agenda primarily because as  
4 you'll note at the last meeting, Heather Cairns, that she was going to I guess resign, if  
5 that's the appropriate term from the Commission due to extra duties she has taking on  
6 in her professional life. But also at the same time a replacement was selected for her,  
7 which would be Mr. Metz who is sitting here for his first meet. And so she held position  
8 of Vice Chair so that was placed on your Agenda because at the moment we do not  
9 have a Vice Chair, and the Planning Commission could choose to go ahead and elect a  
10 Vice Chair at today's meeting; you could choose not to elect a Vice Chair. This is really  
11 up to your discretion on how you'd like to proceed. You know, of course one of the cons  
12 of not selecting a Vice Chair is if at another meeting the Chair is not available we then  
13 are gonna have to select who would be the Acting Chair, typically it goes to the longest  
14 serving or senior member at that moment, and that might be I think Ms. Frierson if I'm  
15 correct. So, she would be -

16 [Inaudible]

17 MR. PRICE: Ms. Frierson, even though she had a period off, it could be Mr.  
18 Branham, but we can work by that if that situation occurs. So, but really it goes back to  
19 this is really at the discretion of the Planning Commission so I just wanted to make sure  
20 that we pointed out that y'all have a section on here for the election for an officer to fill at  
21 least the Vice Chair position.

22 CHAIRMAN GILCHRIST: Thank you, Mr. Price. When do we typically elect  
23 officers for the Planning Commission?

1 MR. PRICE: Typically, it's held at the first meeting of the year, which is February  
2 because the Planning Commission has kind of followed along with Council where not  
3 having any meetings in January, so February. Now, if you remember - and one of the  
4 things cause we as a Staff will continue to discuss with you is potentially having the  
5 elections in December, at the end of the meeting in December so that whoever, if  
6 there's going to be a change in leadership as far as the Chair or Vice Chair, that person  
7 will have at least one month to work with Staff, you know, maybe do some things they  
8 want to accomplish. There might be some things that they want to make some changes  
9 to, just really the whole process. But what it would do is just give them a month to work  
10 with Staff as opposed to just immediately turn around and having to take on position  
11 that maybe they have not been prepared to take at that time.

12 CHAIRMAN GILCHRIST: Thank you, Mr. Price. And our Rules reflect that  
13 February date? Is that right?

14 MR. PRICE: [Inaudible]

15 MR. CROOKS: It just has the first meeting of the Commission each calendar  
16 year.

17 CHAIRMAN GILCHRIST: First meeting of the calendar length year, okay. Okay,  
18 any additional comments on the Election of Officers?

19 MR. BRANHAM: I'm in favor of conducting an election for Vice Chair. I'm happy  
20 to make that motion if we need to make a motion.

21 ?: I second that.

22 CHAIRMAN GILCHRIST: Okay, discussion? Okay. Ms. Frierson?

1 MS. FRIERSON: As I listen to what Geo stated, and of course I'm aware of the  
2 Rules, I am in favor of us sticking strictly by the Rules wherein we elect officers at the  
3 first meeting of the calendar year. Now, I do understand we have an unusual  
4 circumstance wherein our former Vice Chair has stepped down, but Mr. Price also  
5 indicated what would happen if you, Mr. Gilchrist were not here at that time then the  
6 Commissioners that are here could take the action of temporarily selecting someone to  
7 preside at that meeting. And the reason that I would be in favor of just sticking with the  
8 first meeting of the calendar year, whenever you have an organization wherein there are  
9 bylaws, rules and procedures, whenever you start stepping outside of those you open  
10 yourself up to problems. If you have rules and procedures and you do not follow them  
11 there's no need to have them. So that being said I would hope that we not make a  
12 motion or carry it through to go outside of the current Rules and Procedures which  
13 currently indict that we elect officers at the first meeting of the calendar year.

14 CHAIRMAN GILCHRIST: Thank you, Ms. Frierson. And I do note we have a  
15 motion and a second on the floor. Mr. Price?

16 MR. PRICE: Yes, Mr. Chair, I want to make sure that as we stick within your  
17 Rules for the Planning Commission that we stick to all of them; according to Article XI  
18 under Section 2, Amendment, these rules may only be amended at a regular meeting of  
19 the Commission by a majority vote of the Members of the Commission. So if you decide  
20 that you are going to have an election, essentially you would need to first take a vote as  
21 to suspend that rule regarding the election at the first meeting of the year first, and then  
22 you can then take the election.

1 CHAIRMAN GILCHRIST: Okay. So Mr. Branham, if you are going to put up a  
2 motion would you want to restate that motion based upon the new information we  
3 received from Staff?

4 MR. BRANHAM: Sure. I appreciate this set of rules. I know it wasn't intended to  
5 be comprehensive. I believe if not in the County Code, then in these Rules, [inaudible]  
6 reference to the fact that [inaudible] are not covered by the rules. I would tend to think  
7 that these might be one of those scenarios, but certainly again my objective would be  
8 just the contiguity of leadership to the extent possible, which I think is very common in  
9 organizations whenever a member's term ends that, you know, in the event of a  
10 vacancy [inaudible]. I'd be happy to make a motion to [inaudible].

11 CHAIRMAN GILCHRIST: Okay, is there a second?

12 MR. CARLISE: Second.

13 CHAIRMAN GILCHRIST: Okay, it's been moved and properly second by Mr.  
14 Carlise that the Commission will suspend its current Rules to consider the election of a  
15 Vice Chair. Any additional discussions? If not -

16 MR. PRICE: The motion is to suspend the Rules regarding having the election  
17 only at the first meeting of the year. Correct? So that way, that's the first vote that you  
18 would have to take.

19 CHAIRMAN GILCHRIST: Say that again Mr. Price?

20 MR. PRICE: Okay, so right now what you're voting on now is not for the Chair,  
21 what you're voting on is to suspend the rule regarding that the elections will take place  
22 on the first meeting of the year. So you're suspending that, first.

23 CHAIRMAN GILCHRIST: Okay, alright.

1 MR. PRICE: And if that passes, then you can go into the election of the officer for  
2 the Vice Chair.

3 CHAIRMAN GILCHRIST: Okay.

4 MR. PRICE: If that does not pass then we won't have the election.

5 MR. BRANHAM: That's not my motion. My motion is to amend the rule.

6 MR. PRICE: To?

7 MR. BRANHAM: It's not to suspend the rules.

8 MR. PRICE: Okay.

9 MR. BRANHAM: It's to amend the rule to permit for elections to be conducted  
10 upon the creation of a vacancy in an office.

11 MR. PRICE: Okay, so you want to add that to the Rules now?

12 MR. BRANHAM: Yes.

13 MR. PRICE: Okay.

14 CHAIRMAN GILCHRIST: Okay, so make sure I'm clear on that. Would you, do  
15 you mind restating that, I'm sorry Commissioner Branham, just to make sure we're clear  
16 and for the Record.

17 MR. BRANHAM: The scenarios where I would see a vacancy being created in an  
18 office on the Commission would be either a continuing Commissioner resigning from  
19 that office, or let's say also there's a reference that a Council [inaudible] resign from that  
20 office but continue as an active member of the Commission, or they might resign from  
21 the Commission all together in which case the office would be vacated by [inaudible]. In  
22 those two scenarios I'm proposing that we amend the rule to explicitly state that an  
23 election to fill that vacancy would be permitted upon the creation of that vacancy.

1 CHAIRMAN GILCHRIST: Okay, and would that replace the annual elections?  
2 That would not replace the annual election, it would just be an amendment to the  
3 current rule, is that right?

4 MR. BRANHAM: That's right.

5 CHAIRMAN GILCHRIST: Okay. Alright, is there a second?

6 MR. CARLISLE: Second.

7 CHAIRMAN GILCHRIST: Alright, it's been moved and properly second that we  
8 amend the current rules to potentially fill a vacancy once someone has resigned or  
9 whatever the case may be from the Commission. Do we do a roll call vote? How are we  
10 doing – we've down zoom so long I forgot how we. -

11 MR. PRICE: Well, we could just to roll call [inaudible].

12 CHAIRMAN GILCHRIST: Sure, okay. Let's do a roll call vote.

13 MR. PRICE: Okay, those in favor of a motion to amend the Rules to allow for  
14 essentially the special election [inaudible]. Gilchrist?

15 CHAIRMAN GILCHRIST: Aye.

16 MR. PRICE: Yonke?

17 MR. YONKE: Aye.

18 MR. PRICE: Carlisle?

19 MR. CARLISLE: Aye.

20 MR. PRICE: Metz?

21 MR. METZ: Aye.

22 MR. PRICE: Taylor?

23 MR. TAYLOR: Aye.

1 MR. PRICE: Branham?

2 MR. BRANHAM: Aye.

3 MR. PRICE: Frierson?

4 MS. FRIERSON: Aye.

5 *[Approved: Gilchrist, Yonke, Carlisle, Metz, Taylor, Branham, Frierson; Absent: Dennis,*  
6 *Grady]*

7 CHAIRMAN GILCHRIST: Okay, motion carries. Okay, now we will entertain a  
8 motion for election of a Vice Chair of the Commission. The floors open now for  
9 nominations.

10 MR. BRANHAM: Mr. Chair, I'd like to nominate, we're taking nominations for  
11 office of Vice Chair?

12 CHAIRMAN GILCHRIST: Yes, sir.

13 MR. BRANHAM: I'd like to nominate our Commissioner Gary Dennis. I'm sorry  
14 he couldn't be here today due to a medical issue, but I know he's expressed interest in  
15 serving in that office before and I appreciate the passion and the preparation that he  
16 brings to the matters that come before the Commission. So I nominate Commissioner  
17 Dennis.

18 CHAIRMAN GILCHRIST: Okay, Commissioner Dennis is [inaudible]. Any other  
19 nominations? I'd like to nominate Commissioner Frierson. Ms. Frierson has been, I think  
20 Ms. Frierson is the senior member of the Planning Commission and has served in that  
21 roll distinctively over the number of years that I've had the pleasure of knowing her and  
22 on this Commission. And so I certainly thank you not only for your service but for your  
23 commitment to have served as long as you have on the Planning Commission. So I



1 would nominate Beverly Frierson. Any additional nominations from the floor? If not,  
2 Chair will close the nomination process and we will vote on the two nominees. Is that  
3 how we handle that Mr. Price?

4 MR. PRICE: Yes, sir.

5 CHAIRMAN GILCHRIST: Okay, so we'll take the first one first; all in favor of  
6 selecting Commissioner Gary Dennis as our Vice Chairman please signify by roll call  
7 vote Mr. Price?

8 MR. PRICE: Those in favor for Gary Dennis. Gilchrist?

9 COMMISSION GILCHRIST: No.

10 MR. PRICE: Yonke?

11 MR. YONKE: No

12 MR. PRICE: Carlisle?

13 MR. CARLISLE: No.

14 MR. PRICE: Metz?

15 MR. METZ: No.

16 MR. PRICE: Taylor?

17 MR. TAYLOR: No.

18 MR. PRICE: Branham?

19 MR. BRANHAM: Aye.

20 MR. PRICE: Frierson?

21 MS. FRIERSON: No.

22 CHAIRMAN GILCHRIST: Okay, motion passes. What's that six, one?

23 MR. PRICE: Six, one.

1 *[Dennis - Approved: Branham; Opposed: Gilchrist, Yonke, Carlisle, Metz, Taylor,*  
2 *Frierson; Absent: Dennis, Grady]*

3 CHAIRMAN GILCHRIST: Six, one. Okay, so now the floor is open to select  
4 Commissioner Beverly Frierson as our Vice Chair. Mr. Price will entertain a roll call vote.  
5 Sorry [phone ringing]. Chairman violating his own rules today.

6 CHAIRMAN GILCHRIST: Aye.

7 MR. PRICE: Yonke?

8 MR. YONKE: Aye.

9 MR. PRICE: Carlisle?

10 MR. CARLISLE: Aye.

11 MR. PRICE: Metz?

12 MR. METZ: Aye.

13 MR. PRICE: Taylor?

14 MR. TAYLOR: Aye.

15 MR. PRICE: Branham?

16 MR. BRANHAM: No.

17 MR. PRICE: Frierson?

18 MS. FRIERSON: Aye.

19 *[Frierson - Approved: Gilchrist, Yonke, Carlisle, Metz, Taylor, Frierson; Opposed:*  
20 *Branham; Absent: Dennis, Grady]*

21 CHAIRMAN GILCHRIST: Motion carries. Six, one. Ms. Frierson, congratulations  
22 on being selected. A well-deserved opportunity to serve as our Vice Chair and we look

1 forward to working with you as we move forward. Mr. Grady, please come on around  
2 and join us.

3 MS. FRIERSON: Thank you very much, Chairman.

4 CHAIRMAN GILCHRIST: Yes sir, Commissioner Grady, glad you're here with us  
5 today.

6 MS. FRIERSON: May I just say something?

7 CHAIRMAN GILCHRIST: Go right ahead, Ms. Frierson.

8 MS. FRIERSON: I really appreciate the confidence that you have so endowed or  
9 expressed in me and I will work hard not to disappoint you. Thank you very much.

10 CHAIRMAN GILCHRIST: Thank you, Ms. Frierson. Okay, before we move on to  
11 the Consent Agenda, I do just want to take a moment of personal privilege to  
12 acknowledge our new Commissioner, Commissioner Metz. Welcome aboard to a very  
13 distinguished group of public servants here on the Richland County Planning  
14 Commission, and we thank you for your willingness to join this group. Would you like to  
15 take a minute and tell us a little something about you?

16 MR. METZ: Sure. Yeah, thanks, I'm excited to be a part of this. Born and raised  
17 in Columbia. I'm excited to give back to the community. You know, my background is in  
18 real state, so pro-investment, just pro-cautious investment in the right area, so real  
19 excited to be involved in this.

20 CHAIRMAN GILCHRIST: Welcome aboard and thank you for your willingness to  
21 serve. Next item on the Agenda is Consent Agenda Item number four. Mr. Yonke?

22 MR. YONKE: [Inaudible] the Consent Agenda, do we have Road Names  
23 [inaudible]. So that means we're gonna remove 1., 2., 3., and 4.

1 CHAIRMAN GILCHRIST: Okay, got a second?

2 MR. BRANHAM: Second

3 CHAIRMAN GILCHRIST: Okay, it's been properly second that we move to  
4 approve the Consent Agenda as outlined by Mr. Yonke. All in favor?

5 MR. PRICE: Okay, so the Consent Agenda will be for the Road Names and for  
6 Item number five?

7 CHAIRMAN GILCHRIST: Yes.

8 MR. PRICE: Okay.

9 CHAIRMAN GILCHRIST: All in favor signify by roll call vote?

10 MR. PRICE: Okay. Gilchrist?

11 CHAIRMAN GILCHRIST: Aye.

12 MR. PRICE: Yonke?

13 MR. YONKE: Aye.

14 MR. PRICE: Carlisle?

15 MR. CARLISLE: Aye.

16 MR. PRICE: Metz?

17 MR. METZ: Aye.

18 MR. PRICE: Grady?

19 MR. GRADY: Aye.

20 MR. PRICE: Taylor?

21 MR. TAYLOR: Aye.

22 MR. PRICE: Branham?

23 MR. BRANHAM: Aye.

1 MR. PRICE: Frierson?

2 MS. FRIERSON: Aye.

3 *[Approved: Gilchrist, Yonke, Carlisle, Metz, Grady, Taylor, Branham, Frierson; Absent:*  
4 *Dennis]*

5 CHAIRMAN GILCHRIST: That's a unanimous vote and so thank you  
6 Commissioners and we will move right into our first case.

7 **CASE NO. 21-023 MA:**

8 MR. PRICE: Alright, Mr. Chair. Our first item is Case 21-023 MA. The Applicant is  
9 Normon Harvin. The location is 3041 Bluff Road. The Applicant is requesting to rezone  
10 2.18 acres from M1 which is light industrial to GC which is general commercial. Staff  
11 reviewed this request and Staff's recommendation was for disapproval of this request,  
12 of the request, and this was basically because it was not consistent with the objectives  
13 of the Comprehensive Plan which places this parcel or this area within the conservation  
14 future land use designation, which states it should consist of primarily non developed  
15 uses such as forestry, agriculture or natural open spaces. However, Staff would like to  
16 note that that the proposed district would be compatible with the current development  
17 on adjacent uses along this section of Bluff Road.

18 CHAIRMAN GILCHRIST: Okay, any questions for the Staff on this case? Mr.  
19 Metz?

20 MR. METZ: Yeah, I have a question. What did you say about compatible with  
21 current uses? Say it one more time for me.

22 MR. PRICE: Yes, if you're looking at some of the uses that are along this section  
23 of Bluff Road, a lot of them are developed commercially and so that the rezoning

1 request would still be compatible with those uses, even though it is not compatible with  
2 the Comprehensive Plan.

3 CHAIRMAN GILCHRIST: Is that good, Mr. Metz?

4 MR. METZ: Yeah, I'm good right now.

5 CHAIRMAN GILCHRIST: Feel free, we got time.

6 MR. METZ: Yeah, I mean, just looking at the surrounding pieces, you know, it  
7 kind of makes sense for it to, you know, if it's going to be turned into housing or  
8 apartments or if it's anything in the future GC related right there, it seems like it could be  
9 a possible use for that area.

10 MR. BRANHAM: Are we still going to hear from the Applicant?

11 CHAIRMAN GILCHRIST: We will, I'm just giving the Commission the opportunity  
12 to have any questions for the Staff before we do that. Any additional comments from the  
13 Commission? We do have several persons signed up to speak including the Applicant.  
14 When I call your name feel free to come to the podium and you'll have two minutes to  
15 address the Commission, and please give us your name and your address for the  
16 Record. Is it Norman Harvin? Okay.

17 **TESTIMONY OF TODD RUTHERFORD:**

18 MR. RUTHERFORD: Actually, Chairman Gilchrist, Todd Rutherford on behalf of  
19 Norman Harvin who's seated back in the back.

20 CHAIRMAN GILCHRIST: Hello Representative Rutherford, it's always good to  
21 see you sir.

22 MR. RUTHERFORD: How are you? And let me just thank you all very quickly for  
23 having an in-person meeting. I'm so sick of staring at my computer and talking to my

1 screen. I felt like I was going crazy. And congratulations, Madam Vice Chair quite an  
2 honor.

3 MS. FRIERSON: Thank you Todd.

4 MR. RUTHERFORD: Absolutely. Very quickly, this is, as you can see, if you  
5 drove down Bluff Road as you pass under 77, if you look to the right you'll see the three  
6 dots that signify a liquor store. This is the parcel right next door which is the bait and  
7 tackle shop. There are no plans to expand beyond that, no plans to build housing as  
8 Commissioner Metz stated. And if you look at the surrounding structures this, I believe  
9 is going to be an improvement. Anything down there to me is going to be an  
10 improvement, it is all commercial grade stuff. And back behind it is where I think you get  
11 into the conservation part and there are no plans to impinge on that at all. Did I keep it  
12 under two minutes?

13 CHAIRMAN GILCHRIST: I think you did a great job, absolutely.

14 MR. RUTHERFORD: Okay, I'm talking really fast, I'm sorry.

15 CHAIRMAN GILCHRIST: Any questions for the Applicant, Mr. Rutherford? Thank  
16 you sir.

17 MR. RUTHERFORD: Thank you.

18 CHAIRMAN GILCHRIST: Absolutely. Okay, so we had Representative  
19 Rutherford down twice. So that's all we have signed up to speak on this case. Any  
20 comments from the Commission?

21 MR. BRANHAM: Mr. Chair, I'll comment.

22 CHAIRMAN GILCHRIST: Okay, go right ahead.

1 MR. BRANHAM: Kind of just tend to agree with the summary of the Staff, and  
2 you know, that it is compatible with the current development and adjacent properties.  
3 And as a Mr. Rutherford referenced, there is some distance from there and Gills Creek  
4 so, I understand conservation being a priority where appropriate, particularly near a  
5 wetlands, bodies of water [inaudible] bouncing that against the fact that, you know, this  
6 property is right on Bluff Road from a major [inaudible].

7 CHAIRMAN GILCHRIST: Thank you, Mr. Branham. And I think you echo kind of  
8 what the Staff has also recognized, which is it is a compatible use with the current  
9 usage, is that right, Mr. Price? Based on your earlier statement.

10 MR. PRICE: Yeah, some of the uses that are along this section of Bluff Road, it  
11 would be compatible for those uses.

12 CHAIRMAN GILCHRIST: Okay, any additional questions for the Staff or  
13 comments on this case? If not Chair will entertain a motion on Case Number 21-023  
14 MA.

15 MR. BRANHAM: I make a motion to recommend approval.

16 CHAIRMAN GILCHRIST: Second?

17 MR. METZ?: Second.

18 CHAIRMAN GILCHRIST: Okay, it has been moved and properly second that we  
19 send Case Number 21-023 MA forward with a recommendation of approval. Mr.  
20 Branham, would you amend that motion since we're going against Staff's  
21 recommendation to give a brief statement about why you're recommending against the  
22 Staff's recommendation?



1 MR. BRANHAM: Just looking at the four common factors that we consider. C, the  
2 third one as it set forth in the county ordinances is the amount of land in the general  
3 area having the same district classification as I recall it. It is a [inaudible] to me this  
4 wouldn't affect on the surrounding properties. I don't see anything that's going to make it  
5 burdensome particularly to the point of not approving it. It just feels completely  
6 harmonious with everything in that area.

7 CHAIRMAN GILCHRIST: Alright, so it's been moved and properly second that  
8 we send the case forward to Council recommendation of approval. All in favor signify  
9 with a roll call vote, Mr. Price?

10 MR. PRICE: Motion for approval of the request. Gilchrist?

11 CHAIRMAN GILCHRIST: Aye.

12 MR. PRICE: Yonke?

13 MR. YONKE: Aye.

14 MR. PRICE: Carlisle?

15 MR. CARLISLE: Aye.

16 MR. PRICE: Metz?

17 MR. METZ: Aye.

18 MR. PRICE: Grady?

19 MR. GRADY: Aye.

20 MR. PRICE: Taylor?

21 MR. TAYLOR: Aye.

22 MR. PRICE: Branham?

23 MR. BRANHAM: Aye.

1 MR. PRICE: Frierson?

2 MS. FRIERSON: Aye.

3 *[Approved: Gilchrist, Yonke, Carlisle, Metz, Taylor, Branham, Frierson; Absent: Dennis]*

4 CHAIRMAN GILCHRIST: Motion passes. Again, we are a recommending Body  
5 to County Council. They will meet back in these chambers on the 28<sup>th</sup>, is that right, of  
6 September? So feel free to come back at that time.

7 MR. RUTHERFORD: Thank you so much.

8 CHAIRMAN GILCHRIST: Good to see you. Yes sir. Okay, next case.

9 **CASE NO. 21-024 MA:**

10 MR. PRICE: Just as a reminder I always ask that you make sure that you speak  
11 into your microphones. They're a little sensitive, so make sure you speak into the  
12 microphone so that when we get these transcribed that the transcriptionist can make  
13 sure she hears what comments are being made. Alright, the next item is case 21-024  
14 MA. The Applicant Sanders, excuse me, Johnson Sanders. The location is 6205 Cabin  
15 Creek Road. The Applicant is requesting to rezone about 2/3<sup>rd</sup> of an acre from rural to  
16 neighborhood commercial which is the NC designation. Staff recommends disapproval  
17 of this request as it's not consistent with the objectives outlined in the Comprehensive  
18 Plan, which the Plan recommends commercial development not integrate as part of a  
19 residential development or ancillary to a working land, to a working land use and that be  
20 located within rural activity centers. The subject property is not located within a rural  
21 activity center nor integrated as part of a residential development. Also, the rezoning  
22 request would not be appropriate per the recommendations of the Lower Richland Plan

1 which is also listed within your Agenda package under page eleven. And, so again for  
2 these reasons Staff recommends disapproval.

3 CHAIRMAN GILCHRIST: Okay, any additional questions for Staff from our  
4 Commission? We do have a couple of persons signed up to speak on this case. Again,  
5 when we call your name please come to the podium, give us your name and your  
6 address for the Record, and you'll have two minutes to address the Commission.  
7 Sanders Johnson?

8 **TESTIMONY OF JOHNSON SANDERS:**

9 MR. SANDERS: Yeah.

10 CHAIRMAN GILCHRIST: Okay.

11 MR. SANDERS: Good afternoon, representatives. I would like to have that  
12 building reclassified as commercial so I could, I'd like to open up a convenience store  
13 and a carry out to-go, like a little restaurant. And I'd like to have approval for that.

14 CHAIRMAN GILCHRIST: Any questions for the Applicant? Mr. Branham?

15 MR. BRANHAM: Yes, sir. Mr. Sanders, could you tell us a little bit about the  
16 history of the [inaudible]?

17 MR. SANDERS: Well, I had open up in 60', that was in 1979, and it been closed  
18 for a couple of years and I would like reopen as a convenience store and a carry out.

19 CHAIRMAN GILCHRIST: Did you say it was closed since 1979, is that right?

20 MR. SANDERS: No, no, I first opened it in 1979.

21 CHAIRMAN GILCHRIST: Open it, okay.

22 MR. SANDERS: Yeah.

23 CHAIRMAN GILCHRIST: Okay.

1 MR. SANDERS: Yeah.

2 MR. BRANHAM: And then it closed for a couple of years?

3 MR. SANDERS: A couple of years. Couple years.

4 MR. BRANHAM: Here lately.

5 MR. SANDERS: And I'd like to reopen it and have it rezoned for commercial.

6 CHAIRMAN GILCHRIST: Any additional questions for Mr. Johnson? Yes, Mr.  
7 Metz?

8 MR. METZ: Yes sir, has it always been a convenience store?

9 MR. SANDERS: I had a liquor store there and a party shop and a convenience  
10 store at one time.

11 MR. METZ: But it's only been closed these past two years other than that?

12 MR. SANDERS: Yeah, right.

13 MR. METZ: It's just been. Okay.

14 CHAIRMAN GILCHRIST: Any additional questions for Mr. Johnson?

15 MR. METZ: Question for Staff. So it goes against what the overall plan is for that  
16 area, you've been open since '79 and it just goes against the new?

17 MR. SANDERS: Yeah.

18 MR. METZ: Is this a new plan in that area for Lower Richland?

19 MR. PRICE: Just want to make sure I answer your question correctly. So there  
20 are couple of parts of this. One, as you see there are two recommendations that were  
21 looked at regarding for Staff as we made our recommendation for this, so it was under  
22 two plans. One was the Comprehensive Plan and one was the Lower Richland plan. Of  
23 course, the Comprehensive Plan we've had this since 2015 for this area and the Lower

1 Richland plan has been in place 2015 also. So those plans of course came in after the  
2 establishment of this use.

3 CHAIRMAN GILCHRIST: Commissioner Metz, is that? Okay. Any additional  
4 questions for Mr. Sanders?

5 MS. FRIERSON: Question for Mr. Sanders.

6 CHAIRMAN GILCHRIST: Yes ma'am, Ms. Frierson.

7 MS. FRIERSON: Mr. Sanders, when the establishment closed was it for financial  
8 reasons? And the other part of it is if it is approved and is reopen are you making plans  
9 to improve the property?

10 MR. SANDERS: Yes, I am making plans improve it. But the reason why I closed  
11 it because of my health. I had a heart attack and doctor tell me to slow down a little bit.

12 MS. FRIERSON: Thank you so much.

13 CHAIRMAN GILCHRIST: And additional questions for Mr. Sanders? Mr.  
14 Sanders, thank you very much.

15 MR. SANDERS: Thank you, thank you.

16 CHAIRMAN GILCHRIST: Marie Moss?

17 **TESTIMONY OF MARIE MOSS:**

18 MS. MOSS: Hello and congratulations to you as well Ms. Beverly.

19 CHAIRMAN GILCHRIST: Yes, Ms. Moss, thank you.

20 MS. MOSS: Thank you and congratulations as well. Good afternoon, on behalf of  
21 Sanders Johnson I think we could, Mr. Johnson could bring a lot of opportunity to this  
22 particular area due to the neighborhood. Okay, because everybody isn't fortunate  
23 enough to have luxury and convenience, so in this particular area they have to reroute

1 and everyone doesn't have transportation. So bringing some type of business whether  
2 it's carry-out, opportunity for the neighborhood communities and a lot of these people  
3 are very talented, whether it's in the cosmetology field, carry out, restaurant, whatever. I  
4 think this area is a well lite area, there's accessible parking, very well lighted area, and I  
5 think the opportunity for him to reestablish his business would be a great deal of  
6 progress to that community. He has done a lot of upgrades to the building as well. And I  
7 ask if you all would please reconsider your approval decision, please.

8 CHAIRMAN GILCHRIST: Thank you, Ms. Moss. Any questions for Ms. Moss?  
9 Thank you very much.

10 MS. MOSS: You're welcome.

11 CHAIRMAN GILCHRIST: Thank you very much. Mr. Price, that's all we have  
12 signed up to speak on this case. This particular piece of property is located at an  
13 intersection, is that right?

14 MS. MOSS: Yes.

15 MR. PRICE: Yes.

16 CHAIRMAN GILCHRIST: Oh, I'm sorry, you're good.

17 MS. MOSS: Oh.

18 CHAIRMAN GILCHRIST: Ms. Moss, you can have a seat.

19 MR. PRICE: Yes.

20 CHAIRMAN GILCHRIST: Mr. Price, sorry about that.

21 MR. PRICE: Yes, sir it is.

22 CHAIRMAN GILCHRIST: Okay, alright. Are there any additional questions for the  
23 Staff on this particular case?

1 MR. BRANHAM: Question.

2 CHAIRMAN GILCHRIST: Yes, sir Mr. Branham?

3 MR. BRANHAM: So, if the business were to reopen right now with the current  
4 zoning designation it would be unlawful, is that correct? Not a permitted use under the  
5 current zoning designation.

6 MR. PRICE: Yes, correct.

7 MR. BRANHAM: Okay, and there would have been potentially an opportunity for  
8 that continuing business enterprise to qualify as a non-conforming use, like would've  
9 been kind of grandfathered in had the operation of the business been continuous, is that  
10 correct?

11 MR. PRICE: Yes, sir, there are certain provisions of our Code which allow for a  
12 non-conforming use to continue to maintain that designation of non-conformity, even –  
13 and it's not just, you know, one year, used to be, you know, one year once you close  
14 that was it. You have to show that you were still actively marketing the building and also  
15 maintaining the building. The idea was, the intent behind that was, we're not going to  
16 force somebody, you know, the last day of, you know, before they reach that one-year  
17 threshold to now say, I just have to rent our sell to anybody. But as long as you show  
18 that you're actively marketing the building and been maintaining it you would be able to  
19 maintain a non-conforming status.

20 MR. BRANHAM: Has the Applicant been able to maintain that nonconforming  
21 status on this property?

22 MR. SANDERS: Yes, I have.

23 CHAIRMAN GILCHRIST: Mr. Johnson, we've closed off the public session.

1 MR. SANDERS: Sorry.

2 [Inaudible]

3 MR. DELAGE: So Mr. Chairman, based upon that, doing the research there is  
4 nothing that was provided that would show us that cause we would want to have written  
5 confirmation, whether it be some kind of a sales listing also, or some kind of  
6 advertisement on the, via Google or any of those number of things, or an active  
7 business license. And that's what we, Staff uses to help maintain that the non-  
8 conformity has been in continuous activity.

9 CHAIRMAN GILCHRIST: As far as you mentioned maintain the structure is, is  
10 one consideration regarding non-conformity, is that right? What does that mean?

11 MR. PRICE: That actually goes, basically you don't let the building start to  
12 collapse and deteriorate, you know, they kind of go together. You're actively marketing  
13 but you've also been maintaining the building to building code.

14 CHAIRMAN GILCHRIST: And so I guess, properly shouldn't ask this question but  
15 is, did we notice any of that with this particular structure?

16 MR. PRICE: Which part?

17 CHAIRMAN GILCHRIST: Whether it was not maintained or whatever the case  
18 may be.

19 MR. PRICE: I mean, the building seemed to be maintained at least on the  
20 exterior okay.

21 CHAIRMAN GILCHRIST: Go ahead.



1 MR. BRANHAM: [Inaudible] otherwise it may feel harsh under the, you know,  
2 with the comments today and with Staff recommendation [inaudible] following along the  
3 lines but that's where that non-conformity use [inaudible].

4 CHAIRMAN GILCHRIST: Mr. Branham, Mr. Branham, could you speak into the  
5 mic for us please? There you go.

6 MR. BRANHAM: Where that zoning designation would no longer permit that type  
7 of activity it's, the non-conforming use avenue is the appropriate use for somebody who  
8 wants to continue that type of activity in this type of zoning designation. And there is  
9 some onus and responsibility on the property owner to petition the county and provide  
10 whatever they need to that - I don't want to get outside of necessarily the case but I  
11 think that it's worth noting that perhaps that opportunity is still there, I don't know. But  
12 otherwise I just, I understand Staff's analysis and I agree with it.

13 CHAIRMAN GILCHRIST: Let me ask one other question on this case. So how  
14 would someone know to inform the county that in order for them to maintain a non-  
15 conforming use that these prerequisites are required. How do we know that?

16 MR. PRICE: I really can't answer how would someone would know. There are  
17 many times when someone has come before Staff -

18 CHAIRMAN GILCHRIST: We can't hold people accountable for something we  
19 don't know.

20 MR. PRICE: Well, okay, to be fair, we've had a number of cases where someone  
21 has something very similar where the zoning would not allow them to continue to  
22 operate, you know, as they're proposing. And just through some discussion, we've had  
23 with them we'll outline it a number of factors, say, can you show this to us, because we,

1 you know, ideally, we'll always try to get that, if we can find a way for the non-  
2 conforming status to work, well that's better than, you know, coming in and asking for a  
3 zoning, especially if we know that from a Staff standpoint it will probably have a  
4 recommendation of denial for it. So those are things - to kind of go back to your original  
5 question, unless someone is just looking in our Code they may not know this but at the  
6 same time from a Staff standpoint it's not as if we're riding around and we see a site,  
7 you know, that's been vacant for a while, then we let them know that they may want to  
8 try and apply and show us that they're non-conforming. But if any of the things that they  
9 have been doing such as marketing the building or some other situations were to occur  
10 those are things that we can discuss and they can still provide to us at a later time  
11 rather, you know, it could be a year later, it could be a year and a half, two years later,  
12 but if they can show those factors we can then look and then see if the non-conforming  
13 status should be continued for the site.

14 CHAIRMAN GILCHRIST: Just to make sure I'm clear, but we don't inform  
15 anyone that, we don't share anything with anybody in that regard, is that right?

16 MR. PRICE: Well, I mean, again Mr. Chair, we can look at our entire Code and  
17 say we -

18 CHAIRMAN GILCHRIST: No, I get it.

19 MR. PRICE: - don't let everyone, we don't tell everyone, your property is zoned  
20 this and you have to have these setbacks. These are things people typically find out  
21 when they come in, so.

22 CHAIRMAN GILCHRIST: Thank you, Mr. Price. That's all I have. Chair, will  
23 entertain a motion on this case.

1 MR. BRANHAM: I make a motion to send it to Council with a recommendation of  
2 disapproval.

3 CHAIRMAN GILCHRIST: Okay, is there a second?

4 ? : I second.

5 CHAIRMAN GILCHRIST: Okay, it's been moved and properly second that we  
6 send Case Number 21-024 MA forward to Council with the recommendation of  
7 disapproval. All in favor, signify by roll call vote, Mr. Price.

8 MR. PRICE: Those in favor of the motion for disapproval. Gilchrist?

9 CHAIRMAN GILCHRIST: No.

10 MR. PRICE: Yonke?

11 MR. YONKE: No.

12 MR. PRICE: Carlisle?

13 MR. CARLISLE: [Inaudible].

14 MR. PRICE: Metz?

15 MR. METZ: No.

16 MR. PRICE: Grady?

17 MR. GRADY: No.

18 MR. PRICE: Taylor?

19 MR. TAYLOR: No.

20 MR. PRICE: Branham?

21 MR. BRANHAM: Aye.

22 MR. PRICE: Frierson?

23 MS. FRIERSON: No.

1 MR. PRICE: That motion for disapproval is denied.

2 *[Approved to deny: Branham, Carlisle(?); Opposed: Gilchrist, Yonke, Carlisle, Metz,*  
3 *Taylor, Branham, Frierson; Absent: Dennis]*

4 CHAIRMAN GILCHRIST: So, Chair will entertain an additional motion on this  
5 case. Is there an additional motion? Anybody want to make a motion? Motion failed 5/2,  
6 is that right?

7 MR. PRICE: No, 6/2.

8 CHAIRMAN GILCHRIST: 6/2 and so we now have the case back on the floor for  
9 additional motion. Sure, go ahead, absolutely.

10 MR. METZ: I'm a newby so I'm trying to figure it out.

11 CHAIRMAN GILCHRIST: You're doing fine.

12 MR. METZ: Is there a way to do, is there a way for him to conduct business  
13 without changing the zoning to RU? But - I don't even know what I'm trying to ask but  
14 some sort of different, like a special variance or something, I'm trying to just think of, I  
15 don't even know how to ask that, Mr. Price, help me out?

16 MR. PRICE: In short, the answer is, in order for this use to continue either we  
17 would have had to establish this as non-conforming, which we have not been able to at  
18 this time, or he needs a rezoning. There's no special exception or variance that would  
19 be in place that would allow this use to continue as a commercial use.

20 MR. YONKE: May I ask a question?

21 CHAIRMAN GILCHRIST: Mr. Yonke, yes sir?

22 MR. YONKE: There are other options. Can we approve or defer? I'm curious  
23 about the Code rewrite and how that could affect this.

1 MR. PRICE: You could, I mean, one of the options is you could defer with the  
2 understanding that if you defer it until the next meeting, County Council, I think it's 30  
3 days, within 30 days County Council could still pull and vote on this. But if you're going  
4 to defer this, we would just hope that there's something specific that you're looking for  
5 during that as the grounds for your motion for deferral.

6 MR. CROOKS: [Inaudible] as to the second part of your question, Mr. Yonke. So  
7 that is really up in the air, I mean, based on kind of the principles and rules that we're  
8 going with, it's just, it just kind of potentially just depends. I don't think NC would  
9 probably be high, I mean, RC maybe, but even than it'd still be one of those things  
10 where it really just depends on how the rest of the map would look and how that could  
11 play out. But overall, I mean, you know, just thinking about trying to reduce non-  
12 conformities but, you know, we'd be looking at kind of parcel to parcel individual level  
13 we'd be looking to see does this have an active business license? No, it doesn't. So  
14 should we carry it forward as, you know, bring it into conformity versus leaving as a non-  
15 conformity kind of thing. Especially if it doesn't even have a non-conformity status at  
16 that point, you know, that kind of goes into play as part in some of those rules and  
17 principles that we're following under that process. So it's really just, it's uncertain really.  
18 So I mean, I know it's never the answer that anybody wants but, I mean, that's the  
19 answer that we have in relation to that; it's really, it's uncertain at this point, and really  
20 wouldn't know until hopefully two or three months from now once we get that draft map  
21 out, we would have a little bit better idea and be able to go from there. Motion for  
22 disapproval has been denied.

23 CHAIRMAN GILCHRIST: Yes, motion for disapproval has been denied.

1 MR. CROOKS: Yeah, I guess Mr. Chair so another part of Mr. Yonke, so the first  
2 part of your question yeah, I mean, in terms of where do ya'll go from here it's you've  
3 got three options again, it's you know, motion to approve, motion to deny, motion to  
4 defer. So I mean, if ya'll did decide you wanted to disapprove it that's still an option but I  
5 mean ya'll already obviously held that question, so.

6 [Inaudible]

7 MR. PRICE: Yes, so in order to rezone you have to have either two acres of land  
8 which would allow you pretty much ask for any zoning designation that you so choose,  
9 or there are certain situations which have to be abutting a similar [inaudible] sorry.  
10 Okay, sorry, or you have to abutting a similar zoning. So for example if you had half an  
11 acre and you were next to general commercial, you could ask for general commercial.  
12 But there also are some conditions in which you ask for, even though you may not have  
13 the requisite two acres, you can still ask for a zoning designation because of what you  
14 are abutting. And in this particular case under section 26-52(B)(ii)(b)(4) it states an  
15 addition of neighborhood zoning contiguous to an existing commercial or residential  
16 zoning district, and so the two, and there's also out of section 3 which states an addition  
17 of OI zoning contiguous to an existing commercial or residential zoning district. So  
18 because he doesn't have the requisite two acres but the surrounding properties are  
19 deemed to be residential, he was able to ask for one of the two zonings, either OI or  
20 NC, those were the only two that were available. And for the type of uses that the  
21 Applicant is looking to establish, neighborhood commercial was the appropriate zoning  
22 designation.

1 CHAIRMAN GILCHRIST: Mr. Yonke? Okay, we cut in on your conversation, are  
2 you good?

3 MR. YONKE: No, I mean, I guess the other thing I was going to ask was just the  
4 neighborhood commercial zoning is already a pretty restrictive commercial zoning.

5 MR. PRICE: What was that, sorry?

6 MR. YONKE: The commercial zoning is already pretty restrictive as it is for  
7 commercial uses?

8 MR. PRICE: It's a different type of zoning, commercial zoning designation where  
9 it has certain limitation and use and size. Okay.

10 CHAIRMAN GILCHRIST: I'm sorry Mr. Price, go ahead.

11 MR. PRICE: No, I was just going to point out, you know what, I guess we can  
12 kind of say this because while ya'll are looking at some of the same things that Council  
13 is looking at this is really is a, I think it's a little less formal, I think safe to say, without  
14 being insulting in anyway. So, you know, this is good that we can meet back in person. I  
15 think we missed some of these conversations. So, you kind of have a situation here,  
16 and I think as the Planning Commission one of the things you're look at is an existing  
17 structure so, I think it seems that one of the things that ya'll seem to be, kind of work  
18 around is, well how can you keep this existing use in operation; whereas I think from a  
19 Staff standpoint we're just looking at the area. You know, we treat it as vacant land, so  
20 one of the things, if this was not there I think you can kind of ask yourself what would be  
21 your motion regardless, if this was just vacant land there. Again, like I said I think y'all  
22 were arguing trying to find ways for an existing use to remain, and this is something that  
23 you come across especially when you get into the rural areas where we have, there are

1 a good bit of these that have come before you and that are out there now that just  
2 haven't come before you yet where, you know, somebody wants to reestablish it and for  
3 various reasons, whether it be sickness, whether it be, you know, nobody was there to  
4 operate it, the kids decided to come back, there are just a number of reasons why the  
5 non-conforming status was lost. And so they come back in to you. But again just want to  
6 point out, you know, look at the things that you're, you know, wrestling with, you know,  
7 can you establish this use because of the existing structure being there, and as Mr.  
8 Sanders stated you know what it used to be. We look at it more from just a zoning for  
9 that area and also, you know, the potential precedent that it sets in the areas also.

10 CHAIRMAN GILCHRIST: So we do have an option to defer this or approve it, is  
11 that right?

12 MR. PRICE: Yeah, again, yes sir, you do. And again I would just ask if there is a  
13 reason for deferral hopefully it's for something specific that you want Staff to do or bring  
14 back to you at the next meeting that is not present here today.

15 MR. BRANHAM: Is the window closed for Mr. Sanders to seek to reestablish the  
16 non-conforming use with Staff?

17 MR. PRICE: No sir, we actually could continue to have that conversation with  
18 him. So, for example, you know, as these things comes up we can have this  
19 conversation regardless of whether it goes to the County Council for them to take action  
20 on, because between now and the 28<sup>th</sup> maybe there's something we can find out that  
21 would make, say, okay now we have this information we can deem this to still maintain  
22 a non-conforming status and you can go and operate as such, which as I'm kind of  
23 looking at this and without really getting into too much more, you know, unless asked by



1 the Planning Commission, probably would be the best option for him so that we can  
2 establish a non-conformity versus us going through the rezoning process.

3 MR. BRANHAM: I move to defer for a month so that the Applicant can have that  
4 opportunity.

5 MS. FRIERSON: I second that motion.

6 CHAIRMAN GILCHRIST: Okay, it's been moved and - any other discussion? It's  
7 been moved and properly second then that we defer Case Number 21-024 MA until  
8 such time as 30 days from now, is that right, Mr. Price?

9 MR. PRICE: Again, Council is scheduled to meet on the 28<sup>th</sup> so it won't go on  
10 that meeting.

11 CHAIRMAN GILCHRIST: Okay.

12 MR. PRICE: It will come back to the Planning Commission at the October  
13 Planning Commission as such, but then it should go to the October ZPH for Council.  
14 Again whether Council, whether the Planning Commission takes action on it in October  
15 or not, Council could go ahead and put it on their agenda at their will.

16 CHAIRMAN GILCHRIST: If we, in the meantime we'll be discussing some of this  
17 non-conformity stuff. Is that right?

18 MR. PRICE: Correct.

19 CHAIRMAN GILCHRIST: Okay.

20 MR. PRICE: And again, this will be something that is as a Staff, regardless of  
21 what the actions of the Planning Commission are, we will work with Mr. Sanders to see  
22 if there is some way we can establish this for him.

1 CHAIRMAN GILCHRIST: Any additional questions? The Chair will entertain a roll  
2 call vote, Mr. Price.

3 MR. PRICE: Alright, so we have a motion for deferral of this request.

4 CHAIRMAN GILCHRIST: Yes, sir.

5 MR. PRICE: Okay, those in favor, Gilchrist?

6 CHAIRMAN GILCHRIST: Aye.

7 MR. PRICE: Yonke?

8 MR. YONKE: Aye.

9 MR. PRICE: Carlisle?

10 MR. CARLISLE: Aye.

11 MR. PRICE: Metz?

12 MR. METZ: Aye.

13 MR. PRICE: Grady?

14 MR. GRADY: Aye.

15 MR. PRICE: Taylor?

16 MR. TAYLOR: Aye.

17 MR. PRICE: Branham?

18 MR. BRANHAM: Aye.

19 MR. PRICE: Frierson?

20 MS. FRIERSON: Aye.

21 MR. PRICE: Alright, that motion passes 8/0.

22 *[Approved: Gilchrist, Yonke, Carlisle, Metz, Grady, Taylor, Branham, Frierson; Absent:*  
23 *Dennis]*

1 CHAIRMAN GILCHRIST: Okay. And Mr. Johnson the Staff will be in touch with  
2 you, sir, and they'll discuss with you the next steps, for sure. Thank you for being here.  
3 Okay, moving right along.

4 **CASE NO. 21-025 MA:**

5 MR. PRICE: Our next item is Case 21-025 MA. The Applicant is Matthew  
6 Condon. The location is 2569, excuse me, 9569 and 9579 Farrow Road. The Applicant  
7 is asking to rezone just almost six acres total from rural to RMHD which is residential  
8 multi-family high density. Staff has reviewed this request and Staff actually recommends  
9 approval of the request as it's consistent with the objectives of the 2015 Comprehensive  
10 Plan which encourages high density residential uses integrated with or adjacent to  
11 complimentary retail and commercial uses which this location is.

12 CHAIRMAN GILCHRIST: Alright, any questions for the Staff? We have Applicant  
13 signed up to speak. Matthew Condon?

14 MR. PRICE: I thought he was here. He may have stepped out to pay the meter.  
15 I'm not sure.

16 CHAIRMAN GILCHRIST: Okay.

17 MR. PRICE: Again, you know, we've had this conversation at a few of the work  
18 session, excuse me, the retreats we've had; you know, requests come before you and  
19 there are many times that you can actually just go ahead and take action on it. I think  
20 sometimes the applicants even offer you a little information but really most of the  
21 information that you need as far as character of the area, Comprehensive Plan are  
22 already there in front of you. So I think we can proceed on and hopefully maybe he will  
23 come back in.

1 CHAIRMAN GILCHRIST: Okay. Are there any questions on this case? Actually, I  
2 thought somebody was signed up to speak against this case but actually it's the  
3 Applicant that was signed up to speak in favor of it so, which is one of the reasons why  
4 it was actually removed from the Consent Agenda. Just for the Record for Staff on that.  
5 Mr. Yonke did a great job though. So the Chair will entertain any motions on this case.

6 Inaudible

7 MR. TAYLOR: On page 21 it's labeled RU to NC, is that correct?

8 MR. CROOKS: That's just a typo. So that should show RU to RMHD. It's just a  
9 typo on that, Mr. Taylor.

10 CHAIRMAN GILCHRIST: Mr. Taylor. Any motions?

11 MR. BRANHAM: Motion to approve.

12 MR. YONKE: Second.

13 CHAIRMAN GILCHRIST: Alright it's been moved and properly second that we  
14 send Case Number 21-025 MA forward to Council recommendation for approval. All in  
15 favor signify by roll call vote, Mr. Price.

16 MR. PRICE: Okay. Those in favor, Gilchrist?

17 CHAIRMAN GILCHRIST: Aye.

18 MR. PRICE: Yonke?

19 MR. YONKE: Aye.

20 MR. PRICE: Carlisle?

21 MR. CARLISLE: Aye.

22 MR. PRICE: Metz?

23 MR. METZ: Aye.

1 MR. PRICE: Grady?

2 MR. GRADY: Aye.

3 MR. PRICE: Taylor?

4 MR. TAYLOR: Aye.

5 MR. PRICE: Branham?

6 MR. BRANHAM: Aye.

7 MR. PRICE: Frierson?

8 MS. FRIERSON: Aye.

9 *[Approved: Gilchrist, Yonke, Carlisle, Metz, Grady, Taylor, Branham, Frierson; Absent:*  
10 *Dennis]*

11 CHAIRMAN GILCHRIST: Okay, and again we are a recommending Body. I don't  
12 see them here but we will be back here on the 28<sup>th</sup>, so.

13 MR. PRICE: Yeah, I'm sorry I just reached out to the Applicant. We've been  
14 dealing with each other for years. He thought that this was under a Consent Agenda.  
15 So, that's why he left. I'll notify him of the findings. Mr. Chair, I'm sorry, it looks like we  
16 got to this a little quicker than I thought so, I noticed that one of the things we don't have  
17 on the Agenda which we'll make changes to is the additions and deletions to the  
18 Agenda. But for case number four we actually have a request for deferral from the  
19 Applicant and so, which we had stated that at the beginning, so with that being deferred  
20 and the case number five already being approved as part the Consent Agenda we are  
21 now at the Chairman's Report.

22 CHAIRMAN GILCHRIST: Alright, well, thank you for that. I just want to welcome  
23 everybody back to the chambers. Great to see everyone. Great to see our Staff. And

1 just again thank you for your commitment to what we have to do particularly in the midst  
2 of these incredible times. One thing that I want to put on that Staff's radar screen, this is  
3 just something that we can probably talk about and I wanted to bring this up had we had  
4 a retreat to discuss some of the stuff, but we have a lot of people who may have come  
5 in during the pandemic when the county may have been shut down or if they proposed  
6 plans that in some way may have been altered due to market conditions regarding the  
7 pandemic, etc.; for this Commission to begin to think about whether or not we should  
8 allow for some type of allowances in some of that. And so, you know, I think it might be  
9 worthy of a conversation to make some type of recommendation to County Council  
10 about the fact that we have had applicants who have made application to the county for  
11 various projects, all to be somewhat impacted by the pandemic. And so I just wanted to  
12 put that on the radar screen of the Commissioners that, you know, like at some point,  
13 not today, but at some point, have a larger conversation about what that looks  
14 particularly in the light of the fact that we have successfully gone through the  
15 culmination of the Code rewrite and whether or not there are some allowances there  
16 that could potentially be used to consider something like that. Which leads me back to  
17 the retreat. I know in the past for some of you, I think some of you have been on the  
18 Commission, I don't think you had an opportunity to participate in a retreat, but we've  
19 had a very successful retreat over the number of years. Staff has done an awesome job  
20 of putting together an opportunity for us to come together and to learn from the various  
21 departments and the other outside actors about the work that we do at the Planning  
22 Commission. And it's my hope that at some point, you know, as we work our way  
23 through the pandemic that we don't lose the opportunity to consider that as a

1 consideration going forward. And then the last thing I just want to put on the radar  
2 screen is, we had a conversation some time ago about the public having access to  
3 Commissioners and whether or not we should have email availability or some type of  
4 availability for the public to consider accessing Commissioners. Some folk may not have  
5 interest in looking at that but as a public body I think its important for the public to know  
6 that in fact they need to reach a Commissioner and, for whatever reason and  
7 particularity since we dealt with, the pandemic has proven to us that it should certainly  
8 be something that we place back on the radar screen to make sure that the public, if in  
9 fact the county is shut down for the whatever reason, that public still has a way of  
10 conducting their business with the county, particularly as it relates to planning. And so I  
11 just want to put that back out there. I know we have had a conversation about it. I know  
12 there was some, you know, we talked to the county, I don't know if it was the former  
13 county administrator. I don't think it was the current county administrator we talked to  
14 about that. But I would like for us to revisit that to see what it would take to ensure that  
15 the Commission Members have access to those opportunities. So we don't have to  
16 make any decisions about that today but I just want to put it on the radar screen. I'd like  
17 for Staff to kind of think about those three things and we have some conversations  
18 about how we enact some of that. And last thing, and I'm sure we'll, I guess you can  
19 give me an update on, I guess under items for discussion and that's the mapping for the  
20 Code rewrite. What's the date on when, whether or not, when we're trying to wrap that  
21 up, do we know?

22 MR. CROOKS: Yeah, so Code rewrite. So it's not necessarily mentioned in that,  
23 the Council Action Report but prior to Council taking action at they're July Zoning Public

1 Hearing they deferred action at one of their regular hearings. So they're basically  
2 punted the Code rewrite until the Zoning Public Hearing on the, this month on the 28<sup>th</sup>.  
3 So Council's taking first reading on that, couple weeks. And so really the basis of that  
4 was they wanted more in person meeting opportunities for the public, wanted also the  
5 public to be able to come speak on it in person as part of Zoning Public Hearing. And so  
6 that's kind of pushed the ultimate timeline back a good bit. And depending on what  
7 happens on the 28<sup>th</sup> that will also kind of dictate where does the map go, because  
8 ultimately, we're not really going to be able to have a final draft if you will, until we have  
9 that final text.

10 CHAIRMAN GILCHRIST: Got it, okay.

11 MR. CROOKS: So what our goal is, is once we get to third reading, and so that  
12 way we know that text is, you know, solidified, our goal from there is to then take a few  
13 weeks, kind of go through some final iteration components, and then from there  
14 probably November-ish I think is what we're looking at, sometime November, releasing  
15 that draft map at that point. And I think once we have that first draft definitely be bringing  
16 that, having that conversation with the Planning Commission of, you know, hey here is  
17 what our perfect world draft of a map looks like, obviously this is going to be subject to  
18 change, but that way we can kind of give y'all a break down of kind of where we were  
19 at, what we looking at, all of that. And there is kind of in work session that we have with  
20 Council that is available on the county You Tube so it kind of gives some information,  
21 but it's not going to be super detailed in terms of, you know, we're going to be able  
22 pinpoint certain areas and say, hey here's gonna be the areas where we'll be seeing  
23 major changes, here's an area where you're basically just going to get a translation. But



1 ultimately we're looking at the map release probably sometime November and then  
2 holding, basically public engagement December, January and then February leading up  
3 to Planning Commission and Zoning Public Hearing in February is what our goal is. And  
4 then ultimately kind of final timeline for adoption is going to be sometime probably April  
5 for the final effective date of the zoning maps. But obviously everything's TBD and  
6 subject to change based on Council action, so.

7 CHAIRMAN GILCHRIST: Well, it's exciting to know that we have the rewrite  
8 coming forth. Want to thank everybody, all the Commissioners on your input on all of  
9 that. Sorry about that. And the Staff for their work and the consultants regarding that.  
10 We're exciting about that. When, Mr. Crooks, when we have that, when you guys have  
11 that prepared to go before Council and the opportunity for folk to speak out, I would like  
12 to be a part of that conversation that night to County Council, so please keep me and  
13 any other Commissioners that want to join me that evening, I welcome to have that  
14 opportunity. I mean, this was a big undertaking by the county and so I would welcome  
15 you to join me in that discussion when it happens before County Council, please.

16 MR. CROOKS: Yes, sir, and we'll be here September 28<sup>th</sup> 7 pm.

17 CHAIRMAN GILCHRIST: Oh, so that's when it is?

18 MR. CROOKS: Yes, sir.

19 CHAIRMAN GILCHRIST: They take it up then, okay.

20 MR. CROOKS: Yeah, yes, sir, so September 28<sup>th</sup>, 7 pm so, you know, the same  
21 public hearing that y'all are hearing cases for now, that's when they're going to be taken  
22 up.

1 CHAIRMAN GILCHRIST: Okay, good, well then we'll be here. Alright, that's all I  
2 have. Just the last thing. Ms. Frierson, we're so delighted that we're going to be our  
3 Vice Chair and we're looking forward to your continued leadership in that role, for sure.

4 MS. FRIERSON: Thank you so much.

5 CHAIRMAN GILCHRIST: Absolutely. And Mr. Metz welcome aboard.

6 MR. METZ: Thank you, sir.

7 CHAIRMAN GILCHRIST: This, well yeah, did y'all get a copy of the Olympia  
8 document?

9 MS. FRIERSON: I did.

10 CHAIRMAN GILCHRIST: Is there anything we need to do on that? Okay. I mean,  
11 everybody got a copy of it, right.

12 Inaudible

13 CHAIRMAN GILCHRIST: Do you want to respond to that? I mean, do we need  
14 to, I mean, I looked at some of the information in it, is it something that we need to  
15 consider? Thank you for bringing that up, Mr. Taylor.

16 MR. PRICE: Actually, Doctor -

17 MR. CROOKS: Jaco?

18 MR. PRICE: Jaco, sorry I should know that. Dr. Jaco, she did send that out and I  
19 kind of took it more as just information, almost like a citizens input for the Planning  
20 Commission. However, she did have extensive conversation with Brian Crooks on a  
21 number of the topics that she raised within there. If you would like I'm sure Brian can  
22 probably expound upon those a bit, but many of the statements she made or questions  
23 or however you want to look at them, were addressed by Staff. And one of the things,

1 you know, I just want to take a quick moment kind of go along with what Brian has  
2 stated earlier, one of the reasons again, like Council at the July meeting they wanted to  
3 make sure that the community have had an opportunity to speak upon the Land  
4 Development Code and we held a number of meetings throughout Richland County in  
5 various areas, you know, to discuss to Code. I don't, I'm trying to think of the most  
6 appropriate way to put it but I think they were relatively poorly attended, you know, we  
7 advertise, we try to provide that forum. And I do believe as we've discussed as a Staff,  
8 you know, to have someone to go over this Code, if this is not something that you really  
9 deal with there really aren't a lot of questions you're probably going to have as citizens.  
10 However, once we go through the process of the mapping I think it's going to be very  
11 important, we're going to have to have some of those same meetings throughout  
12 Richland County to discuss, because I think more people will be more engaged with the  
13 process because now they'll know exactly what they're asking for. You know, most  
14 people aren't going to care about the, I'm just making up a number here, but this will be  
15 12 zoning designations, they may not care about 12, they may care about one or two  
16 specifically the ones that are there. We will have some meetings to engage with the  
17 public on their thoughts. Hopefully we can answer their questions during that time.

18 MR. TAYLOR: I just wanted to be sure that anyone that addressed the  
19 Commission didn't feel like they were being ignored or that their concerns weren't being  
20 addressed.

21 MR. PRICE: No, and I think Ms. Jaco was notified that we were, you know, we  
22 had the letters that she sent and that we were going to provide them to you. And again  
23 a lot of the questions that she asks Mr. -

1 MR. CROOKS: Yeah, and she also reached back out to Staff directly and she  
2 copied a couple of Council Members on there as well, so, you know, we got back to her.  
3 We told her, you know, if she's looking to have an individual meeting to talk about  
4 whatever, you know, we're open to that opportunity she just, you know, give us a date,  
5 give us a time, we'll check our availability and we'll be there. So yeah, we've worked  
6 with Ms. Jaco for several years on a variety of different things and so, you know, we're  
7 always making sure that we're in communication, especially when people have issues  
8 like this.

9 MR. TAYLOR: Thank you.

10 MR. METZ: I did not get a copy of that. Circle back about maybe having some  
11 email addresses for people on the Planning Commission so they can reach us. That'd  
12 be helpful.

13 CHAIRMAN GILCHRIST: I think it'd be very helpful. I've been beating that drum  
14 since I've been on the Planning Commission that I think it's important for the public to  
15 have access to the Commissioners, and so I hope we can make that happen. That  
16 shouldn't be a heavy lift. If I need to way in with the County Administrator and the  
17 Council I don't have a problem with that. But I think it's important that that needs to  
18 happen because I think it's important for the public to, particularly in these times, I  
19 mean, I just think it's important.

20 MR. PRICE: Yeah, and again it's just however you want to look at that. I know  
21 we've had these discussions as you stated before about this. Really to me is how do  
22 you want to be contacted by the citizens. So are you looking to be contacted as a  
23 group? So, if someone submits something to our email address which is

1 [planningcommission@richlandcountysc.gov](mailto:planningcommission@richlandcountysc.gov) and we get that information we will forward  
2 it to you. So I apologize if you didn't get that letter. But normally if we get that as an  
3 email we will go ahead a forward that to you as a Body. But, you know, the question is  
4 are you looking to be contacted as individual Members where, you know, maybe a  
5 community may reach out to two or three or one versus reaching out to the Planning  
6 Commission as a Body. I think those are certain things that you really have to take into  
7 consideration, especially as we get into certain controversial cases going forward.  
8 That's just our initial thoughts on this.

9 MR. YONKE: Can I speak my personal opinion?

10 MR. PRICE: Yes.

11 MR. YONKE: Most of us have social media. I have a pretty unique last name,  
12 people have found me social media and reach out to me in my personal accounts. So, I  
13 would rather have a Christopher Yonke Planning Commission where I can direct those.  
14 And during the time of this pandemic where the citizens are looking to speak to a  
15 person, [inaudible] have come to me. Well If I send it to that email address, how do I  
16 know if someone is going to read that? When I come to you I know I am talking to a  
17 person and then we can then bring that information [inaudible].

18 MR. PRICE: But, do you forward it on to the other Members of the Planning  
19 Commission also?

20 MR. YONKE: I would.

21 MR. PRICE: Yeah, I think one of the concerns, we're talking in IT Department is  
22 also assigning an email address that's going to run through the county's servers where  
23 they don't have control. All of us that have email addresses are used through the

1 county's, basically in our county computers, whether it be the desk top or a lap top. I  
2 think that was one of the concerns. Again I can bring that back up to our IT Department  
3 and discuss with that. Hopefully we'll have that information for you by October on their  
4 willingness to do that.

5 MR. YONKE: Good.

6 CHAIRMAN GILCHRIST: Great.

7 MS. FRIERSON: I'd like to weigh in on that matter if you don't mind.

8 CHAIRMAN GILCHRIST: Please, Ms. Frierson.

9 MS. FRIERSON: One of you mentioned something about sometimes a member  
10 of the public might contact me personally and sometimes a person might choose to  
11 contact the Commission as a whole. And I look at it, it's okay either way for this reason;  
12 even though we as Commissioners don't represent designated districts, it's just realistic  
13 that if someone, say in Northeast Columbia, knows me, is a member of my church and  
14 knows I'm on the Commission, the person might reach out to me. And when you ask the  
15 gentlemen, well if you get something personally would share it and he said he would,  
16 but I don't think it should be an indictment and I didn't mean that you made it that way  
17 on the individual because people so choose to reach out to people they know. And I  
18 think it's advisable for all of us to have a county email address so it's business like and  
19 appropriate. And the other thing that has come up in the past we just didn't follow  
20 through on it I think since we're in the 21<sup>st</sup> Century it would be advisable for us to have  
21 access to a, not a laptop, what do you call it, I get the word mixed up.

22 CHAIRMAN GILCHRIST: Like an I-pad or something like that.

1 MS. FRIERSON: Yeah, the I-pad instead of having to worry about people coming  
2 to our home to deliver the packets. It's the 21<sup>st</sup> Century and just think that we should  
3 keep that in mind. As Mr., as our Chairperson said at one meeting, we chose to accept  
4 this responsibility and we ought to be accessible to the public. So it's professional in my  
5 opinion to have a county email address and to have access to an I-pad or something of  
6 that nature, just so we can be in the 21<sup>st</sup> Century and conduct business more efficiently.

7 CHAIRMAN GILCHRIST: Great way to spend some of the county COVID money.  
8 And let me mention one other thing, just one other comment. One of the things that I  
9 think that helps with this idea that we can't get people to come to public meetings when  
10 we're talking about something less major as a Code rewrite in the county, as  
11 Commissioners, we should have the ability to be able to communicate with our own  
12 constituencies about the opportunity to participate and things like that and be  
13 representative of the county to show how important it is for people to participate in the  
14 process. I always get a little leery when I hear that we can't find folk. We can find people  
15 but it's the way we do that and so it's important that we always keep that at the forefront  
16 about how do we ensure that we're creating an environment where we can try to include  
17 as many people as we can in what we're doing. And so anyway, I mean, it's just another  
18 tool in my opinion in the arsenal. But Mr. Branham?

19 MR. BRANHAM: Yeah, thank you. So we want the public input on those that are  
20 interested; the venue as in like the time and the place are very important and of course  
21 the order of the proceeding is very important. I just want to remind everybody that on  
22 Article II Section 5 of our Rules of Procedure it says, since some matters consider by  
23 the Commission are *quasi-judicial* the Commission Members should avoid discussing

1 agenda items with anyone outside of its public meeting. So this is the time and the place  
2 to hear collectively the agenda items. I'm not saying, like general conversations can't be  
3 had about, you know, subjects that are pertinent to our business and our interest as well  
4 but if I'm thinking about it a *quasi*-judicial or a judicial proceeding, if I'm the supreme  
5 court and there's nine justices, it's not appropriate from one of the parties to the case a  
6 week before the hearing is held to catch one of the justices off to the side, present an  
7 agreement, maybe present some evidence or something like that. It's just not the proper  
8 way to go about it because of the nature of the proceeding. Not that we don't want to be  
9 in communication with those that are interested in a particular case, so particularly I'd  
10 look out for discussing specific cases, but secondarily I'd be very happy to continue to  
11 receive any communications from the community. I would want to prioritize that  
12 everybody receive it, you know, outside of you know, again personal relationships,  
13 whatever, people want to talk to you, but as it relates to a specific case I definitely want  
14 to refer them to the common county Commission's email address so that I know  
15 everybody on the Commission gets that same information.

16 CHAIRMAN GILCHRIST: Thank you, Mr. Branham. Any additional comments?  
17 Alright, well that's all I have. Good to see y'all. Planning Director's Report.

18 MR. PRICE: That was on page 41, it gave you the results of the July Zoning  
19 Public Hearing meeting.

20 CHAIRMAN GILCHRIST: Mr. Price, are congratulations in order for you or? He's  
21 always nonchalant about his leadership in the county but Mr. Price has been around a  
22 long time and everybody in this county knows that he's our go-to guy when it comes to  
23 our planning efforts here and he is now, he should have been serving as our Planning



1 Director in this county for a long time but anyway, is that right Mr. Price? Or am I out of  
2 order? You can rule me out of order if you want.

3 MR. PRICE: No sir, I'm just, I'm in the roll of the Deputy Planning Director, which  
4 is actually a title I had previously it's just that it's a lot more in the forefront now,  
5 especially absence of a Planning Director.

6 CHAIRMAN GILCHRIST: Congratulations, sir, well deserved for sure.

7 MR. PRICE: Thank you.

8 CHAIRMAN GILCHRIST: And it's good to see all our Staff, thank y'all for what  
9 you do and for your help and all of what that we do. Alright, anything else to bring to our  
10 attention, if not Chairman will entertain a motion adjourn. Nobody wants to leave?  
11 Alright, thank y'all, bye.

12 Inaudible

13 [MEETING ADJOURNED]