

RICHLAND COUNTY PLANNING COMMISSION
December 2, 2024

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3
4 *[Members Present: Christopher Yonke, Beverly Frierson (in at 6:19pm), Terrence Taylor,*
5 *John Metts, Frederick Johnson, II, Brian Grady, Mark Duffy, Chris Siercks; Absent:*
6 *Charles Durant]*

7
8 Called to order: 6:03pm
9

10 CHAIRMAN YONKE: Staff, are you ready?

11 MR. DELAGE: Yes, Mr. Chairman.

12 CHAIRMAN YONKE: Thanks, I'd like to call to order the December 2nd, 2024
13 Richland County Planning Commission meeting. Staff, please confirm the following: in
14 accordance with the Freedom of Information Act a copy of the Agenda was sent to the
15 news media, persons requesting notification, and posted on the bulletin board located in
16 the county administration building. Is that correct?

17 MR. DELAGE: That is correct, Mr. Chairman.

18 CHAIRMAN YONKE: Thank you, Staff. Staff, can you please take attendance for
19 today's meeting?

20 MR. DELAGE: Yonke?

21 CHAIRMAN YONKE: Here.

22 MR. DELAGE: Frierson? Johnson?

23 MR. JOHNSON: Here.

24 MR. DELAGE: Duffy?

25 MR. DUFFY: Here.

26 MR. DELAGE: Metts?

27 MR. METTS: Here.

1 MR. DELAGE: Durant? Taylor?

2 MR. TAYLOR: Here.

3 MR. DELAGE: Siercks?

4 MR. SIERCKS: Here.

5 MR. DELAGE: Grady?

6 MR. GRADY: Here.

7 MR. DELAGE: We have a quorum.

8 CHAIRMAN YONKE: Okay, thank you, Staff. Ladies, and gentlemen, welcome to
9 the December 2nd, 2024 Richland County Planning Commission meeting. As Planning
10 Commissioners we are concerned residents of Richland County who volunteer our time
11 to thoroughly review and make recommendations to County Council. Our
12 recommendations are to approve or deny Zoning Map Amendment requests. Per Title
13 VI, Chapter 29 of the *SC Code of Laws* Planning Commission may also prepare and
14 revise plans and programs for the development or redevelopment of unincorporated
15 portions of the County. The County's Land Development Code rewrite process
16 conducted last year is an example of this. Once again, we are a recommending body to
17 County Council and they will conduct their own public hearing and take official votes to
18 approve or deny map amendments and text amendments on a future date to be
19 published by the county. Council typically holds Zoning Public Hearings on the fourth
20 Tuesday of the month. Please check the county's website for updated agendas, dates
21 and times. Please take note of the following guidelines for today's meeting. Please turn
22 off or silence any cellphones. Audience members may quietly come and go as needed.
23 Applicants are allowed up to two minutes to make statements. Citizens signed up to

1 speak are also allowed two minutes each. Redundant comments should be minimized.
2 Please only address remarks to the Commission and do not expect the Commission to
3 respond to questions from the speaker in a back and forth style, that is not the purpose
4 of this meeting. Please no audience/speaker exchanges. No audience demonstrations
5 or other disruptions to the meeting are permitted nor are comments from anyone other
6 than the speaker at the podium. Please remember the meeting is being recorded.
7 Please speak into the microphone and give your name and address. Abusive language
8 is inappropriate and will not be tolerated. Please don't voice displeasure or frustration at
9 a recommendation while the Planning Commission is still conducting business. If you
10 have any questions or concerns you may contact the Richland County Planning
11 Department Staff down here. This puts us at Item number 3 on our Agenda today which
12 is Additions or Deletions to the Agenda. Staff, were there any changes?

13 MR. DELAGE: No, Mr. Chair.

14 CHAIRMAN YONKE: Thank you. Move on to number 4 which is the approval of
15 Minutes. The Staff provided the Commission with copies of the transcript of the
16 Commission's November 2024 meeting. Do any Commissioner Members have any
17 comments or concerns regarding these transcripts? Hearing none the Chair makes a
18 motion to approve the Minutes unless there's an objection. Do I have a second?

19 MR. METTS: Second.

20 CHAIRMAN YONKE: Second from Commissioner Metts. Staff, please take a
21 vote to approve the Minutes for November.

22 MR. DELAGE: Yonke?

23 CHAIRMAN YONKE: Aye.

1 MR. DELAGE: Johnson?

2 MR. JOHNSON: Aye.

3 MR. DELAGE: Duffy?

4 MR. DUFFY: Aye.

5 MR. DELAGE: Metts?

6 MR. METTS: Aye.

7 MR. DELAGE: Taylor?

8 MR. TAYLOR: Aye.

9 MR. DELAGE: Siercks?

10 MR. SIERCKS: Aye.

11 MR. DELAGE: Grady?

12 MR. GRADY: Aye

13 *[Approved: Yonke, Johnson, Duffy, Metts, Taylor, Siercks, Grady; Absent for vote:*

14 *Frierson; Absent: Durant]*

15 MR. DELAGE: Motion passes.

16 CHAIRMAN YONKE: Thank you, Staff. That moves us on to Item 5, the Consent
17 Agenda. I'm gonna go with 5a Road Names. Sometimes I wrap this up together, we're
18 gonna go one at a time. So for 5a, the Road Names, is there anyone that's signed up to
19 speak on the Road Names, Commissioner Grady?

20 MR. GRADY: There is not, Mr. Chair.

21 CHAIRMAN YONKE: Okay. The Chair would like to make a motion to approve
22 the Road Names tonight. Is there a second?

23 MR. SIERCKS: Second.

1 CHAIRMAN YONKE: Second from Commissioner Metts. With a motion and a
2 second for Road Names, Staff can you take a vote?

3 MR. PRICE: We have a motion for the approval of the Road Names. Those in
4 favor, Yonke?

5 CHAIRMAN YONKE: Aye.

6 MR. PRICE: Johnson?

7 MR. JOHNSON: Aye.

8 MR. PRICE: Duffy?

9 MR. DUFFY: Aye.

10 MR. PRICE: Metts?

11 MR. METTS: Aye.

12 MR. PRICE: Taylor?

13 MR. TAYLOR: Aye.

14 MR. PRICE: Siercks?

15 MR. SIERCKS: Aye.

16 MR. PRICE: Grady?

17 MR. GRADY: Aye.

18 *[Approved: Yonke, Johnson, Duffy, Metts, Taylor, Siercks, Grady; Absent for vote:*
19 *Frierson; Absent: Durant]*

20 MR. PRICE: Alright, motion passes.

21 CHAIRMAN YONKE: Thank you, Staff. Tonight we also have Item 5b which is a
22 Road Renaming. Staff, would you like to explain anything with this one?
23

1 MR. PRICE: Actually we have Ms. Alfreida Tindall. She's our 911 Addressing
2 Coordinator and she can explain it for you.

3 MR. TINDALL: Good afternoon. On the section 5b1, Renaming of Faust Street,
4 that is an existing road off of Columbia Mall Boulevard, it runs about 320' from Columbia
5 Mall Boulevard to where a portion of Faust Street will continue being in existence.
6 There's going to be a new development going on for that area and we have to rename
7 that Faust Street to have a continuation of the same name. And before we do that we
8 already approved the Willow Brook street name so now we're going to rename Faust. I
9 need your approval on that, and once you approve that according to state law we have
10 to have a Certificate of Change, Street Name Change, that you have a copy of, that will
11 be signed. Once that is signed it will go to the Register of Deeds office to be recorded
12 and it will become an official renamed road. We did do the, according to the state law,
13 we did contact all of the property owners, we also placed an advertisement in the
14 newspaper for a public hearing; all that is a part of the process of our state law. Alright.

15 CHAIRMAN YONKE: Thank you.

16 MS. TINDALL: Okay.

17 CHAIRMAN YONKE: Commissioners, any questions on this one? Hearing none
18 the Chair will make a motion to approve the road renaming. Is there a second?

19 MR. SIERCKS: Mr. Chair?

20 CHAIRMAN YONKE: Yes, Commissioner Siercks?

21 MR. SIERCKS: Second.

22 CHAIRMAN YONKE: Second from Commissioner Siercks. Alright, with a motion
23 and a second, Staff may now take a vote.

1 MR. PRICE: Alright. We have a motion for the approval of the road renaming of
2 Faust Street. Those in favor, Yonke?

3 CHAIRMAN YONKE: Aye.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: Aye.

6 MR. PRICE: Duffy?

7 MR. DUFFY: Aye.

8 MR. PRICE: Metts?

9 MR. METTS: Aye.

10 MR. PRICE: Taylor?

11 MR. TAYLOR: Aye.

12 MR. PRICE: Siercks?

13 MR. SIERCKS: Aye.

14 MR. PRICE: Grady?

15 MR. GRADY: Aye.

16 *[Approved: Yonke, Johnson, Duffy, Metts, Taylor, Siercks, Grady; Absent for vote:*
17 *Frierson; Absent: Durant]*

18 MR. PRICE: Alright, that motion passes.

19 CHAIRMAN YONKE: Thank you, Staff. Okay, we're moving right along. Now
20 we're at Item 5c, the Map Amendments. Case Number 1, 24-042 MA. And I'll flip this
21 back to Mr. Price for the Staff to explain.

22 **CASE NO. 24-042 MA:**

1 MR. PRICE: So before you you have Case 24-042 MA. The Applicant is
2 Christopher Knight. The location is at 5801 Bluff Road. The Applicant is requesting to
3 rezone 52.71 acres of from AG which is agricultural, to HI which is heavy. The Staff
4 recommends disapproval of this request solely because according to the
5 Comprehensive Plan the designation for this area is conservation and as such the uses
6 that are permitted within the HI zoning designation are not supportive of the
7 recommendations and guidelines of the Comprehensive Plan. So again for these
8 reasons Staff recommends disapproval. As you - I also want to point out that, however,
9 the proposed zoning designation would be consistent with the existing land use and
10 zoning of the adjacent industrial development which is Westinghouse. As you remember
11 this case previously came before the Planning Commission at their November meeting.
12 That meetings, this item was deferred by the Planning Commission to today's meeting
13 so it's here before you again.

14 CHAIRMAN YONKE: Thank you, Staff. Commissioners, any questions for Staff
15 or any comments about – it was deferred last month and now we're listening to it today.

16 MR. TAYLOR: I've got a question.

17 CHAIRMAN YONKE: Yes, Commissioner Taylor?

18 MR.TAYLOR: Staff, is there a way to pull up the, page 11, the future land use?
19 Cause you stated as – and maybe I just don't see it – what area is that pointing to, is
20 that, that is conservation or is that rural?

21 MR. PRICE: We have that as conservation.

22 MR. TAYLOR: Am I looking at the wrong spot on the map or?

1 MR. PRICE: Yeah, I think that arrow – yeah, I think that color that it's pointing
2 towards is, represents the conservation according to the legend.

3 MR. TAYLOR: What's the section below it then? What does that represent?

4 MR. DELAGE: So the, the reason why the color looks a little bit different is the
5 flood plain is overlaid on it so it makes it looks a little bit darker cause that's going into
6 the, when you get into the county's conservation property and then the Congaree
7 National Park.

8 MR. TAYLOR: Okay, thank you.

9 CHAIRMAN YONKE: Thank you, Commissioner Taylor. Any other questions or
10 comments from Commissioners before we start hearing from the public? Hearing none,
11 okay Commissioner Grady, we have people out here, people signed up to speak, so
12 we'll start with the Applicant, please?

13 MR. GRADY: Yes. First signed up to speak is the Applicant, Chris Knight.

14 CHAIRMAN YONKE: Again for everyone, two minutes to speak and please start
15 with your name and address.

16 **TESTIMONY OF CHRISTOPHER KNIGHT:**

17 MR. KNIGHT: Alright, so Christopher Knight representing Westinghouse at 5801
18 Bluff Road, Hopkins, South Carolina. So the request is for 53 acres. Our existing site is
19 1,151 acre site originally established in 1969 which predates any zoning in that area.
20 Currently 245 of that is zoned heavy industrial usage. Only about half of that is
21 currently developed. We're asking for the additional 53 acres instead of building in the
22 current heavy industrial zone because it actually is a, a better solution from an
23 environment, sustainability and economical solution being able to use common use

1 space rather than building up front which would be more visibly seen and obstruction on
2 the Congaree. And the location chosen actually maintains a larger buffer than building
3 in our current heavy industrial zone. The reason for the expansion is to go to LEU plus
4 fuel technology which is a slightly higher percentage, it allows power companies to go to
5 24 month cycle instead of 18 month cycle. It allows us in us being able to manufacture
6 and that allows us to stay competitive in the marketplace as other fuel manufacturers
7 are already in that direction. We need to build a new manufacturing building to
8 accommodate, as part of that we will be transitioning to a newer dry conversion process
9 which is lower in emissions, both gaseous and liquid, it's more efficient, less carbon
10 fuels are used, incorporate automation and is a safer design as well as incorporating
11 sustainability elements as we build this facility. We have engaged community. We've
12 had multiple community engagement board meetings. We recently sent out mailers to
13 District 10 and District 11 to explain what the proposed expansion is at Westinghouse
14 and the benefits it provides, and we are working with our County Council representative
15 Cheryl English to schedule drop ins in January for information sessions for the public.
16 In the end, you know, we're talking about, you know, a very large investment into this
17 community to create jobs, an investment in employees in the community, and the LEU
18 plus capability of being able to manufacture this fuel is critical, both for the success of
19 Westinghouse and continued production of carbon free electricity.

20 CHAIRMAN YONKE: Thank you, sir. Thanks for coming out.

21 MR. GRADY: Alright, first person signed up in favor is Todd Corley?

22 CHAIRMAN YONKE: Mr. Corley, come on down. Okay. We'll move on.

23 MR. JOHNSON: Mr. Chairman?

1 CHAIRMAN YONKE: Yes?

2 MR. JOHNSON: I believe that should've been for Case 2, that name.

3 CHAIRMAN YONKE: Okay. Alright. We'll check that as we go through each
4 property. Okay, thank you. What's the next name?

5 MR. GRADY: Alright. Next name is Claire Taylor?

6 CHAIRMAN YONKE: Give us a wave or something if you wanna talk about this
7 property or not.

8 MS. TAYLOR: Yeah, I think it's the next case.

9 MR. GRADY: Okay.

10 CHAIRMAN YONKE: Okay.

11 MR. GRADY: Nancy Parr?

12 CHAIRMAN YONKE: I see Nancy coming down. Alright.

13 **TESTIMONY OF NANCY PARR:**

14 MS. PARR: I'm Nancy Parr. I live at 3117 Wilmot Avenue in Columbia, South
15 Carolina, and I am with Westinghouse. I am the Environmental Protection Manager
16 there. I wanted to speak today to make sure that you are aware after our last meeting,
17 we heard some concerns about community engagement. Candice Simmons is with us
18 here today, she is our fulltime employee and community engagement coordinator. She
19 is in the community practically every day doing something for the benefit of our
20 neighbors. And we also, Chris Knight mentioned the postcards, they have a QR code on
21 it to our website that has some information about our expansion. And our goal is to
22 make sure that the community feels safe and that we care about them, and they'll have

1 an opportunity to get all their questions answered at the drop-ins coming up in January.

2 Thank you.

3 CHAIRMAN YONKE: Thank you.

4 MR. GRADY: Alright, next speaker is Pamela Greenlaw.

5 CHAIRMAN YONKE: Yes, both podiums are open with mics, thanks.

6 **TESTIMONY OF PAMELA GREENLAW:**

7 MS. GREENLAW: Okay, thank you very much. Okay, my name is Pamela
8 Greenlaw, live at 916 Ontario Drive in West Columbia and I have close ties with the
9 Lower Richland community. The community would like to trust Westinghouse but their
10 poor track record under different management teams over 50 years belies our
11 assurance that their decisions are safe, are sound and operations are safe.
12 Westinghouse will refer to fulfilling the Consent Agreement between themselves and
13 DHEC, now DES, but a letter from the US Department of the Interior pointed out that
14 there are inadequacies in that Consent Agreement that needed to be addressed. I'm
15 going to provide you all with a copy of that letter. Once zoning has been changed the
16 County may lose control of what's under the roof of the proposed facility which has
17 already happened with the current facility. Historically there is a second facility under
18 the current one that did not need to be licensed by the NRC, DHEC issues no permits
19 for this hidden facility. It was put together by Westinghouse Government Services which
20 is a subsidiary of Westinghouse. This project fabricates tritium bars, tritium producing
21 bars, they're specialized rods that are assembled with elements and they're shipped to
22 TVA and irradiated to produce tritium which is used for nuclear weapons. This is a dual
23 use facility, the Westinghouse facility really is a dual use civilian military facility for which

1 there is no zoning, and Westinghouse has not been forthright in their explanation why
2 that's there. I believe that, let me, because the time's limited I'm gonna have to skip
3 forward here, but because this is under the roof of the building and the County didn't
4 even know about it, they were alerted to it and had to go check it out and make sure
5 they were paying their taxes because there was no record. And I'm sorry that that thing
6 went off. Okay, anyway I –

7 CHAIRMAN YONKE: You have one more, like 30 seconds to give me your final
8 thought.

9 MS. GREENLAW: Okay, thank you. I really appreciate it. Westinghouse does
10 shortcuts [inaudible] when it comes to broad in-depth environmental assessing and
11 you'll hear from other people after me who will explain that to you. But during the many
12 months *The State Newspaper* reported many incidents and accidents, that's gonna
13 come up with somebody else as well. Some of the behaviors, I'm sorry, the methods of
14 communicating with the public, they're communicating with the public but not about this
15 facility. Notice that they're asking to do meetings with the community in January. I don't
16 think your Commission wants to wait until January to do that. Expedience, this is what
17 they work on, they only –

18 CHAIRMAN YONKE: Thank you.

19 MS. GREENLAW: - they only do what's expedient. They don't even own
20 themselves, remember –

21 CHAIRMAN YONKE: That'll be your time tonight, ma'am, thank you.

22 MS. GREENLAW: - Westinghouse –

1 CHAIRMAN YONKE: I appreciate you. I want to hear from other, too, thank you
2 so much.

3 MS. GREENLAW: Okay, I appreciate it. I urge you to disapprove and follow the
4 Staff recommendation, thank you.

5 CHAIRMAN YONKE: Thank you. Next?

6 MR. GRADY: Next speaker is Monika Lamb.

7 **TESTIMONY OF MONIKA LAMB:**

8 MS. LAMB: Good evening. Monika Lamb, 201 Windy Hollow Drive, Lexington,
9 South Carolina. And I'll be speaking about the environmental impacts. A legacy of
10 environmental safety problems have been evident at Westinghouse nuclear plant in the
11 Lower Richland community. As such disapproval of the rezoning request is questionable
12 at best. Since 1980, more than 40 environmental safety problems have been linked to
13 the Westinghouse plant that tonight you are considering rezoning a larger swift of the
14 property to Heavy Industrial classification; the most stringent zoning classification
15 allowed by statute. Among those 40 environmental problems were leaks of nuclear
16 material through the plant floor and buildup of uranium and air pollution control device,
17 major concerns that could have exposed workers to radiation. Some of the site's
18 groundwater pollution had existed for years known to state and federal regulators. Now
19 the plant operates under a Consent degree [sic] with the South Carolina Department of
20 Environmental Services, formerly DHEC. Groundwater on the property has been tainted
21 by a variety of compounds including radioactive material and proposed site near a
22 larger African American community that depends on wells for drinking water. I'm not
23 suggesting that the pollution has left the confined site, but residents in the Lower

1 Richland community are worried and have no idea of what to do in a case of
2 environmental emergencies. Additionally, in the past the plant has failed to properly
3 manage nuclear materials at times to ensure workers are not exposed to bursts of
4 radiation. We understand the Westinghouse plant is vital to supplying the nation's fleet
5 of nuclear power plants; likewise, we know that the company makes atomic fuel rods at
6 the Bluff Road facility. But tonight we urge you to accept the Zoning Department's
7 recommendation of disapproval of this request. Thank you.

8 CHAIRMAN YONKE: Thank you for coming out.

9 MR. GRADY: Next speaker, Lavola Taylor? Do I have that right?

10 **TESTIMONY OF LAVOLA TAYLOR:**

11 MS. TAYLOR: Good evening. I'm Lavola Taylor. I live at 208 Goodwin Way in
12 Gadsden, South Carolina, lifelong resident. I will speak on the culture significance of
13 Westinghouse property. During the 2022 Research Symposium hosted by the Congaree
14 National Park and Friends of the Congaree Swamp, a non-profit advocacy group, Dr.
15 Robert Green, an assistant professor history at Claflin University, gave a presentation
16 on the black history of Congaree Swamp from the Colonial era to Jim Crowe. During the
17 presentation he described how the Maroons, fugitive slaves, utilized the area that you
18 designated as a conservation zone as a means of escape from the brutality of slavery,
19 and as a means of resistance, a way to evade captivity by fugitive slave owners and
20 traders. These Maroons mastered the river systems and swamps and their knowledge
21 of the river system gave them an uncommon level of freedom. Slave runaway ads often
22 mentioned enslaved people who frequent the Wateree, Congaree, Santee, Ashley,
23 Edisto, Savannah and Cooper Rivers as a means of trade, communication and freedom

1 seeking. The river systems, some going as far inland as Columbia, were a highway for
2 Maroon communities in the state. These nomadic Maroons intermingled with Native
3 American communities and many of our families in the Lower Richland community still
4 acknowledge our Native American lineage and heritage. After the Civil War these
5 nomadic Maroons settled in the areas along the Congaree where they once roamed,
6 and the Westinghouse property was among their homesteads. After the Civil War a
7 group of former enslaved people –

8 CHAIRMAN YONKE: Your final thoughts, I'm sorry.

9 MS. TAYLOR: Okay.

10 CHAIRMAN YONKE: Thank you.

11 MS. TAYLOR: Just one more minute?

12 CHAIRMAN YONKE: Thirty seconds, go ahead.

13 MS. TAYLOR: After the Civil War a group of former enslaved people farmed the
14 lands on the current Westinghouse grounds and they formed the Zion Mill Creek Baptist
15 Church in 1883. Likely they rented lands from Wright Dentley's(?) estate. Their
16 connection with the land is evident in the creation of the Dentley Cemetery, there's a
17 cemetery located on the current Westinghouse site. The Dentley Cemetery preserved
18 Native American mounds and unexcavated canal and dyke systems demonstrates that
19 this land has important culture value to the Lower Richland community. So as such we
20 urge to accept the Zoning Department's recommendation of disapproval of this request.
21 Thank you.

22 CHAIRMAN YONKE: Thanks for coming out. Mr. Grady?

23 MR. GRADY: Alright, next speaker, Elaine Cooper

1 **TESTIMONY OF ELAINE COOPER:**

2 MS. COOPER: Elaine Cooper, 3105 Dalloz Road, Columbia, South Carolina
3 29204. From a 2018 *State Newspaper* article it states that Westinghouse has not
4 cleaned up the polluted the site and it doesn't plan to for at least 40 years, despite
5 evidence the contamination will spread into creeks, ponds and groundwater according
6 to a June report by the NRC. Cleanup would occur no sooner than 2058 when its Bluff
7 Road plant would be shut down federal records show. In a November 18, 2021 letter
8 EPA is worried about "incidents and violations" during the past 15 years at
9 Westinghouse. "We have environmental concerns regarding water, resources, air
10 quality, climate, environmental justice and tribal issues that should be addressed." I
11 would like to submit this into the public record that shows the national and international
12 acclaimed Congaree Biosphere. The Congaree Biosphere contains globally significant
13 old growth bottomland hardwood, forest [inaudible] at Congaree National Park about six
14 miles from Westinghouse and in the surrounding area. This forest which is the largest
15 expanse remaining in North America, while the Congaree and Water Rivers are fed by
16 immense multi-state watersheds, the Congaree Biosphere also includes the local
17 watersheds that are crucial to sustaining the old growth forest. These same watersheds
18 and forests also provide ecosystems such as clean air and clean water which benefits
19 far beyond the Congaree Biosphere border. Therefore I respectfully ask that the
20 Commissioners consider the safety problems that have been documented at
21 Westinghouse along with my hope that Richland County Zoning Commissioners and
22 Councilmembers consider protecting the Congaree Biosphere at the rezoning meeting.

1 Where can I submit this? It's a map and you can look at the whole Congaree Biosphere
2 and see the big area. Thanks.

3 CHAIRMAN YONKE: You can leave it right down there. Thank you for coming
4 out tonight.

5 MR. GRADY: Alright next speaker, Tamara Warren?

6 **TESTIMONY OF TAMARA WARREN:**

7 MS. WARREN: Good evening. My name is Dr. Tamara Warren and I'm gonna be
8 talking on behalf of why I believe or why we believe that the zoning should be
9 reconsidered. Excuse me. With the adoption of the 2021 –

10 CHAIRMAN YONKE: May we have your address, too, before you get started?

11 MS. WARREN: Sure.

12 CHAIRMAN YONKE: Thank you.

13 MS. WARREN: It is 216 Knight Valley Circle, Columbia, South Carolina 29209.

14 With the adoption of the 2021 Land Development Code, this property designation,
15 meaning the Westinghouse property, was changed from the rural district to an
16 agricultural district. Just nine months ago this Planning Commission adopted the Land

17 Development Code and received considerable pushback from Richland County

18 residents because of perceived lack of citizen input. The citizens of Richland County

19 accepted your authority to adopt the LDC. Nine months later you want to renege on a

20 major component of that Plan which is §26-3.2, Special Purpose Base District. This

21 property falls under Special Purpose Base District designated as a conservation zone.

22 This property is situated in one of the most pristine areas of the State which is the

23 Congaree Biosphere, one of only 27 biospheres that exist in the entire country, and this

1 Planning Commission by virtue of this property's designation as a Special Purpose
2 Base District recognized this property as one of the most sacred spaces outlined in the
3 entire County, along with Harbison State Forest, Sesqui State Park and the Clemson
4 Extension. A Heavy Industrial district is the most restricted of all zoning classifications
5 because it provides lands for intense industrial development that generally involves
6 greater potential for adverse impacts on the environment and surrounding lands such as
7 dust, fumes, smoke, odor, noise and vibration, and that may involve large-scale
8 activities requiring extensive movement of vehicles, materials and goods. Development
9 extraction, heavy production and processing, outdoor storage, warehouse distribution
10 [inaudible] utilities and other similar industrial uses could be in this area. So we urge this
11 planning committee to accept the Zoning Department's recommendation of disapproval
12 of this request. Thank you.

13 CHAIRMAN YONKE: Thank you for coming out.

14 MR. GRADY: Alright, next speaker is John Grecco.

15 **TESTMONY OF JOHN GRECCO:**

16 MR. GRECCO: Okay. Hi, my name is John Grecco and I reside at 830 Old
17 Woodlands Road. I stutter a little and may pause occasionally. In my capacity as
18 president of Friends of the Congaree Swamp I've provided public comments in the past
19 on Westinghouse's surface water discharge permits and re-licensing applications. I
20 oppose the proposed rezoning of this 53 acre parcel for several reasons. First,
21 Westinghouse has more than sufficient property already zoned as heavy industrial to
22 build an additional plant closer to Bluff Road. A location farther from the Bluff edge than
23 the proposed site would provide better buffering for the Congaree River floodplain, thus

1 better protecting sensitive sites, including Congaree National Park and the County's
2 own mitigation site and conservation lands on Mill Creek. A location already zoned
3 heavy industrial closer to Bluff Road would place the site between two existing impacted
4 sites; the current Westinghouse plant itself and the South Carolina Recycling and
5 Disposal, Inc. superfund site on the other side of Bluff Road. This location would lessen
6 impact to more sensitive areas in the floodplain. Further, disposition of the current site is
7 unsettled, portions of this site proposed for rezoning are within the groundwater
8 contaminate plume for PCE, trichloroethylene and nitrates. The final step of the remedial
9 investigation that is taking place under SC Department of Environmental Services
10 Consent Agreement would be a feasibility study to address existing contamination on
11 site. That feasibility study has not yet been approved and the rezoning should not take
12 place amid this uncertainty. A new facility location closer to Bluff Road on the other
13 hand could be built at a location with no documented contamination since it is up
14 gradient from the current plant. Thank you.

15 CHAIRMAN YONKE: Thank you.

16 MR. GRADY: Alright, next person is Karen Irick.

17 **TESTIMONY OF KAREN IRICK:**

18 MS. IRICK: Good evening. I'm Karen Irick. My address is 101 Acie Avenue in
19 Hopkins. I am a constituent of Councilwoman Cheryl English. All that you've heard from
20 my community I agree. I'm asking that you, the Commissioners, please accept the
21 disapproval that the Staff has recommended. Now, let me say this, let me say why. My
22 father was a farmer. Little did I know until I married Westinghouse in 2018 that I'm a
23 conservationist, that I'm an environmentalist. When I was a child if you asked me what

1 was my favorite color I would tell you that it was blue. I had no idea why but now I know.
2 It's because the sky is blue, water is blue. I'm a March baby so I was born in the spring
3 when the leaves are coming out, when the flowers, the environment. I ask you to please
4 protect this biosphere. Fifty-six acres of torn down trees is like hitting my puppy and
5 keep driving. No. It is not necessary. You've already got from 2009 however many acres
6 you got on the north side. Which side are you trying to go 56 acres? As I said, I married
7 them in 2018 when we had a public meeting about all of those incidences that folks are
8 talking about here, they are scary to me. I am not only a spring baby, I'm a baby boomer
9 so I grew up in the era of Bert the Turtle when we as children had to practice duck and
10 cover, atomic bomb drills, atomic bombs and nuclear are synonymous to me. I'm six
11 miles away from Westinghouse entrance, they are so scary to me. So give me some
12 peace of mind. We've had too much going on with them, it's like an ex-husband that I
13 can't get rid of because we've got children and that would be their workforce. So please
14 give us some consideration, if you don't mind. Bert the Turtle taught me well. I come
15 down here, nuclear, atomic bombs, I'm having nightmares right about now so please
16 agree with them and disapprove this. Thank you.

17 CHAIRMAN YONKE: Appreciate you.

18 MR. GRADY: Alright, and the last person currently signed up to speak is Robert
19 Reese.

20 CHAIRMAN YONKE: Please start with your name and address.

21 **TESTIMONY OF ROBERT REESE:**

22 MR. REESE: My name is Robert Reese. I live at 204 Sonoma Drive, that's in
23 Hopkins, South Carolina approximately three miles from the Westinghouse plant. As a

1 former member of the Board of Zoning Appeals and as the current State Representative
2 that represents that area, I wanna thank you for the work that you've done to designate
3 this area as a conservation area. I wanna also acknowledge that in the entire report
4 that the Staff created I know that there's only one sentence that says that this is
5 adjacent to a current zone and that's the sentence that you would hang your hats on if
6 you went against the Zoning Department's recommendation to disapprove. But in your
7 designation as this space at conservation it's clear and the zoning land use plan that
8 this is not to be subdivided, that there are significant prescribed uses for this property
9 and heavy industrial is not one. You've heard from my neighbors, you've heard about
10 the environmental impact, the cultural significance, the fact that it's in a biosphere.
11 You've heard about all of these different things but I do want to acknowledge one thing,
12 this community has not been significantly engaged in this discussion. For a rural
13 community mailing out flyers with a QR code is not significant engagement. Sending out
14 a representative, and I saw the representative last night at the Gadsden Christmas tree
15 lighting event, there's no discussion about this in the community. There's no opportunity
16 for the residents to be engaged. And it's not fair to us to have you all to make a decision
17 that is contrary to the Planning, to the Zoning Department's recommendation based on
18 insignificant knowledge and awareness and understanding about what happens at that
19 place. So I urge you, I urge you to go with the Zoning Department's recommendation to
20 disapprove this request. Thank you.

21 CHAIRMAN YONKE: Thank you, sir. Commissioner Grady, was there anyone
22 else signed up to speak?

23 MR. GRADY: I do not have anyone else signed up to speak for this case.

1 CHAIRMAN YONKE: This is now open on the floor for discussion with
2 Commissioners. And if there's any other questions for Staff go right ahead. Mr.
3 Johnson? Let's continue our conversation from last month and go back with
4 Commissioner Johnson. We wanted some more time for public engagement, this room
5 is much fuller than it was last month so I appreciate the motion of deferral that you
6 passed.

7 MR. JOHNSON: Mr. Chairman, Commissioners, last month I think we were, we
8 had just enough for quorum so we did not have a full Commission present. I raised the
9 question of community engagement and asked whether or not we could, the Applicant
10 would take a deferral to allow time for community engagement. Based on Mr. Knight's,
11 and the two people that followed, summary in terms of the outreach since then I
12 appreciate, you know, the recognition and the outreach. But I do think, you know, I think
13 it was a tough decision as the Members were weighing through the options last month,
14 so I'm certainly [inaudible] have shown up but [inaudible] that conversation now.

15 CHAIRMAN YONKE: Thank you, Commissioner Johnson. Any further discussion
16 or motions? The quorum that we had did have a decent discussion last month and we
17 heard a lot more from the public today. So continued discussion would be great or a
18 motion is fine as well. We have our Minutes from our meeting [inaudible] that our public
19 that we did take different votes. So I can go ahead and push my motion unless we'd like
20 to continue to speak on this. The Chair makes a motion of disapproval.

21 MR. DUFFY: Second.

22 CHAIRMAN YONKE: I got a second from Commissioner Duffy. Alright, so with a
23 motion and a second, Staff can you take a vote?

1 MR. PRICE: We have a motion for disapproval of Case 24-042 MA. Those in
2 favor of that motion, Yonke?

3 CHAIRMAN YONKE: Aye.

4 MR. PRICE: Frierson?

5 MS. FRIERSON: Aye.

6 MR. PRICE: Johnson?

7 MR. JOHNSON: Aye.

8 MR. PRICE: Duffy?

9 MR. DUFFY: Aye.

10 MR. PRICE: Metts?

11 MR. METTS: Aye.

12 MR. PRICE: Taylor?

13 MR. TAYLOR: Aye.

14 MR. PRICE: Siercks?

15 MR. SIERCKS: Aye.

16 MR. PRICE: Grady?

17 MR. GRADY: Aye.

18 MR. PRICE: Alright, so that motion passes.

19 *[Approved to deny: Yonke, Frierson, Johnson, Duffy, Metts, Taylor, Siercks, Grady;*

20 *Absent: Durant]*

21 CHAIRMAN YONKE: Thank you, Mr. Price. The public is welcome to stay or if
22 you're gonna leave please go quietly cause we're going to continue to our next case.

23 MR. JOHNSON: Mr. Chairman?

1 CHAIRMAN YONKE: Yes, Commissioner Johnson.

2 MR. JOHNSON: You wanted your normal admonition in terms of our role as a
3 recommending body and –

4 CHAIRMAN YONKE: Yes, we are a recommending body, yes thank you. And the
5 fourth Tuesday, Mr. Price, when is the meeting? County Council will meet.

6 MR. PRICE: December 17th.

7 CHAIRMAN YONKE: December 17th.

8 MR. PRICE: 7:00 pm.

9 CHAIRMAN YONKE: 7:00 pm.

10 MR. PRICE: Here in Council chambers.

11 CHAIRMAN YONKE: Talk to your Councilmen, women. Yes, thank you. Thank
12 you as a reminder of that, Commissioner Johnson. We are going to be getting ready to
13 listen to, in our Agenda we're on 5c2, Case No. 24-046 MA.

14 MR. PRICE: Excuse me, Mr. Chair, just wanna –

15 CHAIRMAN YONKE: Yes.

16 MR. PRICE: - I wanna point out to everyone, again that Staff, the
17 Planning/Zoning Staff does not make independent recommendations of any of the
18 cases that you have before you. What we do is we compare the request to the
19 Comprehensive Plan, the location and the recommendations of the Comprehensive
20 Plan, and so what's formulated is, that formulates our, the recommendation that have
21 identified as Staff. Probably going forward we may change that from Staff but it is not
22 something Staff is doing independently, essentially it's a reminder that when the current

1 Comprehensive Plan was adopted this is the area, this is the designation for the specific
2 request and these are the guidelines and recommendations for that area.

3 CHAIRMAN YONKE: Thank you. Also on that topic I wanted to make my pitch for
4 public participation as we get into our 2025 Comp Plan update. Stay tuned to websites,
5 emails, however you guys pass out information, for public involvement cause this is a
6 good chance to make updates and look at the entire County. Yes, Commissioner
7 Johnson?

8 MR. JOHNSON: Mr. Chairman. Mr. Price, if I would, just the next time that we
9 have one of our, either work session or our retreat/training sessions, I think it would be
10 nice, at least for me, just speaking for myself and one of the lawyers up on the
11 Commission, to have a detailed work session on the basis that we traditionally evaluate.
12 I mean, certainly surrounding land use, the future land use plan, as far as those legal
13 basis for one decision versus another, and just have a detailed, without an actual case
14 at issue and on the Record, just to talk about those broad specific legal basis for
15 decisions on certain cases. I'd just like to put that on the agenda for –

16 MR. PRICE: Yes.

17 MR. JOHNSON: Thank you, Mr. Chairman.

18 MR. PRICE: So you know, again and before we get to that case, something we
19 can discuss later, but we do have, I think the last time I asked did every Commissioner
20 have a copy of the Comprehensive Plan, but we'll be more than happy to make sure
21 that you all have a new, one of the current Comprehensive Plan, and it does kinda
22 outline a few of the things that you're, that you're referencing now. But we will also look
23 to have additional training and discussions on this.

1 MR. JOHNSON: Thank you, Mr. Price. Thank you, Mr. Chairman.

2 **CASE NO. 24-046 MA:**

3 MR. PRICE: Okay. Alright, so our next item is Case 24-046 MA. The Applicant is
4 Todd Corley. The location of the request is Wessinger Road and it's two parcels that
5 total 13.48 acres. The Applicant is requesting to rezone the property from M1 which is
6 light industrial, to HI which is heavy industrial. Staff recommends disapproval of this
7 request. The site falls within the neighborhood low density designation of the
8 Comprehensive Plan. Again as such, according to the Plan industrial development with
9 significant community impacts, meaning noise, exhaust, odor, heavy truck traffic, is
10 discouraged in these areas. In addition, while the requested amendment would provide
11 for uses that are similar to those west of the site the permitted use of the requested HI
12 district are not compatible with the surrounding area. So for these reasons Staff
13 recommends disapproval.

14 CHAIRMAN YONKE: Thank you, Staff. Any questions for Staff? Okay, hearing
15 none, Commissioner Grady?

16 MR. GRADY: Alright. We have the Applicant, Todd Corley signed up.

17 MR. PRICE: Okay, while Mr. Corley is coming before you just wanted to kinda
18 point out on page 18 and 19 of your packet, and also I guess 20, we're only showing
19 one parcel. However, if you look on page 20 the parcel that is right of the one that's
20 highlighted and is labeled as 'site' is also included in the rezoning request, so apologies
21 for that.

22 CHAIRMAN YONKE: So as the map shows right now where the hand is pointing
23 is also part of it. So the blue?

1 MR. PRICE: That is correct.

2 CHAIRMAN YONKE: And that, okay. So everyone who can see up there. Thank
3 you.

4 **TESTIMONY OF TODD CORLEY:**

5 MR. CORLEY: Hello.

6 CHAIRMAN YONKE: Hello, please start with your name and address.

7 MR. CORLEY: Todd Corley, I'm at 503 Lucius Road, Columbia, South Carolina.
8 We currently have four tracts adjacent to each other at that location. We would like to
9 have a zoning change prior to combining these lots into one tract. Lots currently, the
10 tracts currently don't have any road frontage and we, they're basically landlocked. And
11 we own the other two tracts to the left of that picture right there.

12 CHAIRMAN YONKE: Anything you wanna add with your time?

13 MR. CORLEY: And we may request having them change for future expansion at
14 some point. And that's it.

15 CHAIRMAN YONKE: Was that a private road that connects you to Wessinger?
16 Since you're landlocked?

17 MR. CORLEY: That is correct.

18 CHAIRMAN YONKE: Okay.

19 MR. CORLEY: Those lots don't have any frontage from Wessinger Road.

20 CHAIRMAN YONKE: Thanks for coming out tonight.

21 MR. CORLEY: Thank you.

22 MR. GRADY: Alright, and I believe Claire Taylor – would you like to speak on this
23 case?

1 MS. TAYLOR: No. No thank you.

2 MR. GRADY: No? Okay. That's all we have signed up to speak.

3 CHAIRMAN YONKE: Okay, this is open on the floor now for the Commission for
4 discussion, questions for Staff.

5 MR. GRADY: Mr. Chair?

6 CHAIRMAN YONKE: Yes, Commissioner Grady?

7 MR. GRADY: Alright, question for Staff, just sort of a, I guess this is a little bit of a
8 technical question, but, so in this, in this conclusion on page 17 it says that, While the
9 requested amendment would provide for uses that are similar to those west of the site
10 the permitted uses of the requested HI district are not compatible with the surrounding
11 area. So, but for the previous case that we discussed there was this, you know, closing
12 thought if you will of, However the proposed zoning designation would be consistent
13 with the existing land use and the zoning of the adjacent industrial development. So I'm
14 just curious what essentially, in this Staff Report why does one disapproval get a, but it's
15 compatible and this one gets a, it's not compatible essentially?

16 MR. PRICE: I think kind of looking at it, so if you wanna make a distinction that
17 the first case, the remainder of the parcel was still owned by the applicant which would
18 be Westinghouse. So where, the only areas that they would really be impacting would
19 be their own, if you're just looking directly what's adjacent to it. So there was a, I think
20 it's, if I'm correct, it's like 800+ acres that they own and so they were just rezoning 57
21 acres of it; whereas, when we're looking at this one just its proximity to existing
22 residential uses is why the distinction was made between what the statements were in
23 each of the cases.

1 MR. GRADY: Okay, thank you.

2 CHAIRMAN YONKE: Question? Did the speaker just say that he owns the
3 development next door?

4 MR. CORLEY: We own both of those lots. They are currently HI.

5 MR. TAYLOR: Mr. Chair?

6 CHAIRMAN YONKE: Yes, Commissioner Taylor?

7 MR. TAYLOR: Question for Staff.

8 CHAIRMAN YONKE: Yes.

9 MR. TAYLOR: Looking at the sites, and I'm sure there's no or maybe there is, is
10 it the fact that there's no frontage road is one of the, is that the primary reason for
11 disapproval or is it a combination or?

12 MR. PRICE: No, sir. I mean, primarily it's because of its location within the
13 designation of the Comprehensive Plan which designated this as neighborhood low
14 density. That's, again that's the primary reason according to the Comprehensive Plan
15 for the neighborhood low density, this use is not encouraged or recommended,
16 industrial.

17 MR. SIERCKS: Mr. Chair?

18 CHAIRMAN YONKE: Yes, Commissioner Siercks?

19 MR. SIERCKS: If there are no other questions I'd like to make a motion unless
20 there's any other input or questions.

21 CHAIRMAN YONKE: Motions are open on the floor, too. Go ahead.

22 MR. SIERCKS: I move that we forward this application to County Council with a
23 recommendation of disapproval.

1 CHAIRMAN YONKE: We have a motion for disapproval. Do we have a second?

2 MR. GRADY: I'll second.

3 CHAIRMAN YONKE: Okay, second from Commissioner Grady. Okay, so a
4 motion and a second for disapproval going along with the Comp Plan. Staff, go ahead
5 and take a vote, please.

6 MR. PRICE: We have a motion for the disapproval of Case 24-046 MA. Those in
7 favor of the motion, Grady?

8 MR. GRADY: Aye.

9 MR. PRICE: Siercks?

10 MR. SIERCKS: Aye.

11 MR. PRICE: Taylor?

12 MR. TAYLOR: Nay.

13 MR. PRICE: Metts?

14 MR. METTS: Nay.

15 MR. PRICE: Duffy?

16 MR. DUFFY: Aye.

17 MR. PRICE: Johnson?

18 MR. JOHNSON: Aye.

19 MR. PRICE: Frierson?

20 MS. FRIERSON: Aye.

21 MR. PRICE: And Yonke?

22 CHAIRMAN YONKE: Aye.

23 MR. PRICE: That motion passes.

1 *[Approved to deny: Grady, Siercks, Duffy, Johnson, Frierson, Yonke; Opposed: Taylor,*
2 *Metts; Absent: Durant]*

3 CHAIRMAN YONKE: Thank you, Staff. Thank you, Commissioners. Our
4 recommendation of disapproval goes to County Council for their meeting on December
5 9th?

6 MR. PRICE: December 17th.

7 CHAIRMAN YONKE: 17th, I'm gonna write that down. We're gonna go to, we're
8 at 5c3 now, Case No. 24-047 MA.

9 **CASE NO. 24-047 MA:**

10 MR. PRICE: Okay, again item, we have Item 24-047 MA. The Applicant is Todd
11 Corley. The location is along Bluff Road and Blair Road. The Applicant is requesting to
12 rezone what would consist of three parcels that total 2.71 acres which are currently
13 zoned MU1 and R5, which is neighborhood mixed use and residential 5, to GC which is
14 general commercial. Staff recommends disapproval of this request as this location falls
15 within our mixed residential high density and urban edge mixed residential corridor. You
16 know, it's Staff's opinion that the rezoning is not consistent with the objectives outlined
17 in the Comprehensive Plan. According to the Plan for this designation, commercial
18 development should be located within nearby neighborhood activity centers and may be
19 considered for location along main road corridors. However, the parcels are not within a
20 contextually appropriate distance of an activity center and are not located in a mixed
21 use corridor. The subject parcels are located along a main road corridor but the
22 proposed zoning designation would allow for commercial uses that are more intense

1 than the neighborhood scale recommended by the Plan. For these reasons Staff
2 recommends disapproval of the Map Amendment.

3 CHAIRMAN YONKE: Thank you, Staff. Commissioners, any questions for Staff?

4 MR. TAYLOR: Question.

5 CHAIRMAN YONKE: Yes, Commissioner Taylor.

6 MR. TAYLOR: The Dollar General, where does that fall on the future land use
7 map? Page 33?

8 MR. PRICE: Yeah, I believe that the Dollar General would also probably fall – if
9 we were making a recommendation today, if it was coming in it would be for disapproval
10 also.

11 MR. TAYLOR: But it does fall in the same –

12 MR. PRICE: Designation? Yes, sir.

13 MR. TAYLOR: Thank you.

14 CHAIRMAN YONKE: So Staff are you saying that would be a not permitted use if
15 we were looking at the Dollar General across the street?

16 MR. PRICE: We would say that the zoning would not be supported by the
17 Comprehensive Plan at that location. Now, you know, we would have to go back and
18 do a little history more so than what may have been included in your packet about
19 when, you know, we put in there when it was rezoned but we would have to go back
20 and look at, you know, what some of the votes were coming from the Planning
21 Commission and some of the reasons for County Council's approval of the request. But
22 you know, currently it is zoned general commercial, however, I would not state that it is
23 in compliance with the Comprehensive Plan.

1 CHAIRMAN YONKE: When we look at GCs, there's certain things that are
2 similar, like it being, the proximity of an intersection, Blair Street and Bluff Road, again,
3 if we were looking at GC as this being a corner. Is that something that goes with the
4 Comp Plan?

5 MR. PRICE: So you know, one of the things that we look at, and as stated within
6 your package is that for the general commercial type uses, for them to be within an
7 activity center. And this particular request does not fall within a neighborhood activity
8 center, again as designated within the Comprehensive Plan and is on the future land
9 use map.

10 MR. JOHNSON: Mr. Chairman?

11 CHAIRMAN YONKE: Yes, Commissioner Johnson, go ahead.

12 MR. JOHNSON: Mr. Chairman and Members of the Commission, the – before I
13 make my comments let me just make reference to the previous case we just looked at. I
14 know we relied on the, on the Record the Comprehensive Plan but for me I reached the
15 same conclusion because even though there was compatible zoning to the west, to the
16 east was residential, okay? So that made it, that justified the, in my mind the decision
17 that we made. In this particular case as Commissioner Taylor pointed out you have the
18 Dollar General across the street on Blair and then diagonally you have, if I'm reading
19 this correctly, M1. So I mean, you've got, you have M1 diagonally across the street and
20 GC across the street. Yes, there is comparable zoning going west to what's currently
21 there but I have a tougher time saying it's not achieving the scale, I mean, it may not be
22 consistent with the scale of what's intended in the Comprehensive Plan but what's on
23 the ground there it makes it a very compelling case to support it. Meaning it's consistent

1 with what's there. And I think that's different from the previous case that we just looked
2 at.

3 CHAIRMAN YONKE: I agree with you, Commissioner Johnson. I'm seeing
4 comparison in the area and the character. But let's – any other questions for Staff?
5 Okay, we have a speaker signed up, Commissioner Grady?

6 MR. GRADY: Yes. Again the Applicant, Todd Corley.

7 CHAIRMAN YONKE: Come back down. We do need your name and address
8 again for the Record.

9 **TESTIMONY OF TODD CORLEY:**

10 MR. CORLEY: Todd Corley, 503 Lucius Road, Columbia, Columbia. We are
11 looking on this tract with Claire Taylor as well and we are looking to combine this into
12 one piece of property for future development.

13 CHAIRMAN YONKE: Anything else you wanna say about it? We're not supposed
14 to look at things – you can give that to Staff. Yeah, we look at the zoning as a whole.

15 MR. CORLEY: Gotcha.

16 CHAIRMAN YONKE: Alright.

17 MR. PRICE: You – so just for the Record –

18 CHAIRMAN YONKE: Yes.

19 MR. PRICE: - we're not saying that as, we've never said that the Planning
20 Commission can't look at any depictions that have been brought before you. What
21 we've always stated was because each zoning designation has a multitude of uses and
22 that none of the proposed uses are binding on an applicant, we found that, you know,
23 presenting this kinda in a public forum about what a person is going to do may be a little

1 bit misleading to, you know, to the public or to anyone that's really looking at this
2 because, you know, you can take a look at this but this doesn't mean this is what they're
3 going to do. It's the zoning designation and all of the uses that are permitted within that.

4 CHAIRMAN YONKE: Plans can fall through but once the zoning is changed then
5 it's GC at that corner and something else that's permitted could come in there.

6 MR. PRICE: Correct.

7 CHAIRMAN YONKE: Okay.

8 MR. PRICE: Now again, if you would like to see this feel free, I just wanted to
9 point that out that we never said not to look at something but that's the reason why we
10 typically ask applicants not to provide any depictions of what they're proposing to do.

11 MR. CORLEY: Take a look at it, take a look at it.

12 CHAIRMAN YONKE: Pass it down here, they nodded their heads.

13 MR. CORLEY: Thank you. We currently own that business at 3517 Broad River
14 Road in Richland County and we were looking for a second location for it. We was here
15 many years ago and go the zoning changed at that address and built those, that
16 property there and we're looking to do the same thing.

17 CHAIRMAN YONKE: Thanks for coming out. Anyone else signed up to speak for
18 this one, Commissioner Grady?

19 MR. GRADY: There is not, Mr. Chair.

20 CHAIRMAN YONKE: Okay. Okay, this is open on the floor for discussion and for
21 motions.

22 MR. METTS: Mr. Chair?

23 CHAIRMAN YONKE: Yes, Commissioner Metts?

1 MR. METTS: Yeah, I just wanted to echo back to what Commissioner Johnson
2 was saying earlier. This area, the intersection, the retail businesses around it, I mean, I
3 know what Staff is saying, I understand the future land use map, but also at the same
4 time it just seems like it fits the nature of what's going on with that intersection. So that's
5 all I wanted to say.

6 CHAIRMAN YONKE: Would you like to restate that as a motion?

7 MR. METTS: Sure.

8 CHAIRMAN YONKE: Okay.

9 MR. METTS: Yeah, I'd like to send Case 24-047 MA to Council with approval.

10 CHAIRMAN YONKE: Because it fits the character is what you're saying.

11 MR. METTS: Yes.

12 CHAIRMAN YONKE: Okay, cause we're going against the Staff
13 recommendation. With that, do we have a second?

14 MR. JOHNSON: Second.

15 CHAIRMAN YONKE: Second from Commissioner Taylor.

16 MR. JOHNSON: Johnson.

17 CHAIRMAN YONKE: Johnson, Johnson, thank you, Commissioner Johnson. I
18 got it. Mr. Price, can you please take a vote?

19 MR. PRICE: Alright, we have a motion for approval of Case 24-047 MA. Those in
20 favor of the motion, Taylor?

21 MR. TAYLOR: Aye.

22 MR. PRICE: Siercks?

23 MR. SIERCKS: Aye.

1 MR. PRICE: Grady?

2 MR. GRADY: Aye.

3 MR. PRICE: Metts?

4 MR. METTS: Aye.

5 MR. PRICE: Duffy?

6 MR. DUFFY: Aye.

7 MR. PRICE: Johnson?

8 MR. JOHNSON: Aye.

9 MR. PRICE: Frierson?

10 MS. FRIERSON: Aye.

11 MR. PRICE: Yonke?

12 CHAIRMAN YONKE: Aye.

13 MR. PRICE: Alright, motion passes.

14 *[Approve: Taylor, Siercks, Grady, Metts, Duffy, Johnson, Frierson, Yonke; Absent:*
15 *Durant]*

16 CHAIRMAN YONKE: Thank you, Staff. Thank you, Commissioners. This goes as
17 approval recommendation to County Council for their meeting December 17th. We can
18 keep on moving to 5c4, Case No. 24-048 MA. Mr. Price?

19 MR. PRICE: So Mr. Chair, kinda going back to, I guess before we introduce the
20 next case.

21 CHAIRMAN YONKE: Yes.

22 MR. PRICE: Going back to I guess a question or request made by, by
23 Commissioner Johnson about, you know, potential, you know, training and some

1 discussion. So you know, one of the things we wanna make sure we pass out to you is
2 we do have copies of the Comprehensive Plan. I thought everyone had one but we're
3 gonna pass these out to you. But there's one particular section and if you don't mind I'll
4 just go ahead and read this into the Record for you. When it talks about using the future
5 land use map and categories where it states, Each rezoning proposal needs to be
6 evaluated using the land use category, goals and implementation strategies –

7 CHAIRMAN YONKE: What page are you on, Mr. Price?

8 MR. PRICE: Twenty-four.

9 CHAIRMAN YONKE: Okay, thank you.

10 MR. PRICE: Alright, so I'll go back. So, Each rezoning proposal needs to be
11 evaluated using the land use category, goals and implementation strategies outlined in
12 this Comprehensive Plan. Because this is a Comprehensive Plan and not intended to
13 provide site level guidance with regard to development decisions, discretion should be
14 used when evaluating a proposed rezoning using the future land use map and related
15 categories. So it kind of goes on a little bit more, you know, kind of discussing those
16 things. So it just tells you, you have the Comprehensive Plan and it makes certain
17 recommendations but as we've always said it's kind of broadly painted and so there are
18 times when you're gonna be kind of charged with looking a little more in-depth at what
19 the request is and exactly what is occurring in that particular area in making your
20 decisions.

21 CHAIRMAN YONKE: Thank you, Mr. Price. Any questions for that,
22 Commissioners? No? Okay, thank you.

23 **CASE NO. 24-048 MA:**

1 MR. PRICE: Alright. The next item is Case 24-048 MA. The Applicant is Brian W.
2 Turbeville. The location is 128 James Ballentine Road. The Applicant is requesting to
3 rezone 2.4 acres from residential transition, RT, to light industrial, LI. Staff recommends
4 disapproval of this request. The subject parcel falls within the neighborhood medium
5 density designation of the Comprehensive Plan, thus the proposed rezoning request is
6 not consistent with the location objectives outlined in the Comprehensive Plan for non-
7 residential development. According to the Plan non-residential development may be
8 considered for location along main road corridors and within a contextually appropriate
9 distance from the intersection of a primary arterial. The request is not consistent with
10 the character of the existing residential development pattern and zoning districts along
11 James Ballentine Road also. For these reasons Staff recommends disapproval of this
12 request.

13 CHAIRMAN YONKE: Thank you, Staff. Any questions, Commissioners? Okay,
14 Commissioner Grady, anyone signed up to speak?

15 MR. GRADY: Yes, we have the Applicant, Brian Turbeville.

16 CHAIRMAN YONKE: Start with your name and address.

17 **TESTIMONY OF BRIAN TURBEVILLE:**

18 MR. TURBEVILLE: Sure. Brian Turbeville, 132 Brody Road, Chapin, South
19 Carolina 29036. Thank you guys for being here tonight, y'all are volunteers and we do
20 appreciate it. We purchased this property back in 2016 as a residential income
21 producing property for us. We recently retired earlier this year and this was part of our
22 plan. I-26 expansion started at Broad River Road and this is not very past that heading
23 towards Chapin. With that happening the highway is really close to the house now, all

1 the trees that were our medium for noise control are gone, our tenant moved out about
2 four months ago and we have been unable to get a new tenant in this property because
3 of the noise. The encroachment from the highway is not what we purchased. That noise
4 is extremely loud; you're in the kitchen you can hear it, you're in the bathroom you can
5 hear it, you're in the bedroom you can hear it. It was not like that before this expansion.
6 That property does sit at the corner of Koon Road and James Ballentine and it is on
7 highway frontage on that backside. We're trying to figure out another way to have this
8 be income producing and I figured that being a boat and RV storage facility is actually
9 environmentally easy to do, it's not gonna impact anything. With the trees being gone
10 and the highway being as close to the property as it is now, we've got a lot more
11 problems than just noise. The vibration alone has got foundation issues in the house,
12 my shop has got foundation issues, I've got concrete cracking inside of it. There's
13 something else that's just gotta be done. I've spoken to the direct neighbor next to me,
14 Ms. Bouknight and she understands and she said it's okay. You know, she's the first
15 one that came over, she's been there her whole life, she grew up in that house but she
16 understands that I can't rent it because it's so loud. And so it went from a residential
17 income producing piece of property now to a burden unless we can get something done
18 to make it income producing again. I just would really highly recommend you guys
19 approve it. That's all I got.

20 CHAIRMAN YONKE: Thank you for coming out tonight.

21 MR. TURBEVILLE: Thank you.

22 CHAIRMAN YONKE: Okay.

1 MR. GRADY: We do not have any additional speakers signed up to address the
2 Commission.

3 CHAIRMAN YONKE: Alright Commissioners, this is up on the floor for discussion
4 or questions for Staff and motions. This is an interesting one, the highway did come in
5 and change this area, that's what we're learning.

6 MR. DUFFY: Mr. Chair, I have questions for Mr. Price.

7 CHAIRMAN YONKE: Yes, Commissioner Duffy.

8 MR. DUFFY: Aside from changing from RT to LI potentially what else, you know,
9 could the property be used for if it became LI? I know we've spoken about a boating or
10 storage units, but is there a potential for other industrial use?

11 MR. PRICE: If you will look on page 45 within your package we provided a list of
12 all of the permitted uses either by outright or by Special Requirement or Special
13 Exception that would be allowed in the light industrial designation.

14 MS. FRIERSON: I have a question for Staff.

15 CHAIRMAN YONKE: Yes, Commissioner Frierson?

16 MS. FRIERSON: What year did the interstate or, you know, property change
17 because of the road change? Do you know what year it was?

18 CHAIRMAN YONKE: This is part of the Carolina Crossroads project I assume?

19 MR. PRICE: I don't think so.

20 CHAIRMAN YONKE: Oh.

21 MR. PRICE: It looks like some construction may have begun around either '22.

22 MS. FRIERSON: And my follow up question to that, when that occurred was –

23 CHAIRMAN YONKE: Microphone please, Ms. Frierson?

1 MS. FRIERSON: I'm sorry. Sorry. Is it on now?

2 CHAIRMAN YONKE: Yes, it is.

3 MS. FRIERSON: Okay. When that occurred in 2022, did the property owner
4 receive financial compensation through eminent domain?

5 MR. PRICE: I would not know that information.

6 MS. FRIERSON: So you said this occurred in 2022.

7 MR. PRICE: Yeah, around that time, '22.

8 MS. FRIERSON: Okay, thank you.

9 CHAIRMAN YONKE: If this was a case of eminent domain, Staff, the parcel
10 would change, right? They would've cut into the parcel?

11 MR. PRICE: Yes.

12 CHAIRMAN YONKE: Okay.

13 MR. PRICE: I'm not sure if that has occurred. I'm just kind of looking at the
14 aerials. So it looks like the clearing that took place was still within the DOT right-of-way.
15 They did not, they did not acquire any of the land that is owned by the Applicant.

16 MS. FRIERSON: One more question, the gentleman mentioned that trees were
17 cut down. I know the property changed based on the fact that the trees were cut down,
18 but the gentleman still owns that scared property, right?

19 MR. PRICE: He still owns the property, yes.

20 MS. FRIERSON: Okay, thank you.

21 [Siercks out at 7:15pm]

1 CHAIRMAN YONKE: The Staff recommendation is for disapproval based off the
2 Comp Plan because this is supposed to be a neighborhood zone, low density, medium
3 density, correct?

4 MR. PRICE: Yes, according to, the Comprehensive Plan designates this as –
5 excuse me, designates this as neighborhood medium density, which neighborhood
6 medium density provides a transition from the neighborhood low density to more intense
7 mixed residential, high density urban environments.

8 CHAIRMAN YONKE: Mr. Price, would it be your opinion it would be, I don't know
9 if I'm using the right words, like non-conforming as it is now for the future plan? And you
10 want medium density and we're looking at something that's RT.

11 MR. PRICE: Yes.

12 CHAIRMAN YONKE: While I may feel like LI is not a good fit here, the Comp
13 Plan looks at this being a denser residential [inaudible] so a different zoning type could
14 fit based off the Comp Plan. Does that sound correct?

15 MR. PRICE: You said non-residential?

16 CHAIRMAN YONKE: Residential, a denser residential.

17 MR. PRICE: Yes, it states here areas include medium density residential
18 neighborhoods and supporting neighborhood scale developments designed in a
19 traditional neighborhood format.

20 CHAIRMAN YONKE: Commissioners, discussion, motion?

21 MR. JOHNSON: Mr. Chairman?

22 CHAIRMAN YONKE: Yes, Commissioner Johnson.

1 MR. JOHNSON: Just one question for Mr. Price and then I can make a statement
2 for my thought process, but Mr. Price, or Staff, the slightly darker green adjacent to the
3 RT, is that, what is that zoning?

4 MR. PRICE: AG. HM, excuse me, HM, homestead.

5 MR. JOHNSON: That's the current imagery that's a forest, that's undeveloped.

6 MR. PRICE: Yes, sir.

7 CHAIRMAN YONKE: On the Richland map what is the one behind it? There's a
8 neighborhood, what's the red/pink?

9 MR. PRICE: That's a commercial development.

10 CHAIRMAN YONKE: Zoom the map out just a little bit. Is that access to the
11 freeway there or no? No? That's an overpass?

12 MR. JOHNSON: Mr. Chairman –

13 CHAIRMAN YONKE: Yes.

14 MR. JOHNSON: - just to I guess start the conversation, Commissioners my
15 thought process on this it's tough in the sense that I certainly understand the Applicant's
16 position in terms of where – as the RT provides, I mean, there are some other less
17 intense commercial opportunities that are there as of right. They may not line up with
18 what the Applicant chooses but there are some commercial opportunities under the RT.
19 Now it is Special Requirements on most of them but there is a path forward and, but the
20 request is a much more dense request that's butting up against RT and homestead.
21 That's a challenge from my perspective.

1 CHAIRMAN YONKE: I think I agree with your point of view, I don't see any other
2 Lis in the area, industrial. Any motions, Commissioners? The Chair will make a motion
3 of disapproval. Is there a second?

4 MR. TAYLOR: Second,

5 CHAIRMAN YONKE: Second from Commissioner Taylor. Mr. Price, we got a
6 motion for disapproval and a second.

7 MR. PRICE: Alright, so we have a motion for disapproval of Case 24-048 MA.
8 Those in favor of the motion for disapproval, Yonke?

9 CHAIRMAN YONKE: Aye.

10 MR. PRICE: Frierson?

11 MS. FRIERSON: Aye.

12 MR. PRICE: Johnson?

13 MR. JOHNSON: Aye.

14 MR. PRICE: Duffy?

15 MR. DUFFY: Aye.

16 MR. PRICE: Metts?

17 MR. METTS: Aye.

18 MR. PRICE: Taylor?

19 MR. TAYLOR: Aye.

20 MR. PRICE: Siercks? Grady?

21 MR. GRADY: Aye.

22 MR. PRICE: Alright, that motion passes.

1 *[Approved to deny: Yonke, Frierson, Johnson, Duffy, Metts, Taylor, Grady; Absent:*
2 *Siercks, Durant]*

3 CHAIRMAN YONKE: Thank you, Mr. Price. Thank you, Commissioners.

4 MR. TAYLOR: Mr. Chair?

5 CHAIRMAN YONKE: Yes, Commissioner Taylor?

6 MR. TAYLOR: Question for Staff. And I don't know if this [inaudible]. Does, I
7 guess when DOT's doing those kind of, I'm assuming that's a DOT project when they
8 expanded 26 like that, do they do those kind of, do they do any kinda impact studies to
9 see what impact it'll have to those, or do you know, I mean, you may not even know, but
10 it almost seems like in my opinion it was a problem created by DOT and we're in a
11 tough position to try to rezone with so many – again it wasn't, I think to Mr. Johnson's
12 point trying to find a path forward, the jump from RT all the way to LI is a huge jump.
13 And I guess that's the reason I frame the question, I don't know if DOT does anything
14 like that or not. It almost seems like DOT [inaudible] try to compensate or something.

15 MR. PRICE: I don't know. I'm not sure, we would have to do some more digging.
16 I know in some cases when DOT does kind of remove what is some form of barrier from
17 their right-of-way sometimes they do put up kind of the walls I guess. I'm not sure if
18 that's something that's planned for this area or not. It's just something we would have to
19 look at.

20 MR. TAYLOR: Thank you.

21 CHAIRMAN YONKE: Thank you, Commissioner Taylor. Recommendation of
22 disapproval, December 17th is the meeting on that one. We'll go ahead and move on to
23 Case –

1 MR. PRICE: Actually – thank you –

2 CHAIRMAN YONKE: Yes.

3 MR. PRICE: - so that case will not – the Zoning Public Hearing for this case will
4 not be until February, I don't have the specific date, as the Council representative for
5 the area will look to have some town hall or community meetings to discuss this further
6 with the residents and the Applicant.

7 CHAIRMAN YONKE: Thank you, Staff.

8 **CASE NO. 24-049 MA:**

9 MR. PRICE: Alright, next case is Case 24-049 MA. The Applicant is Ray Hill. The
10 location of the request is 317 Shadowood Road. The Applicant is requesting to rezone
11 2.18 acres from planned development district to general commercial. The site falls
12 within the neighborhood low density designation of the Comprehensive Plan and, you
13 know, based on the guidelines and recommendations of that designation Staff
14 recommends disapproval of this amendment as it would not be consistent with any of
15 the objectives outlined. For the neighborhood low density future land use designation
16 the Comprehensive Plan recommends neighborhood scale commercial development
17 within neighborhood activity centers and within contextually appropriate distances from
18 the intersection of a primary arterial. The subject parcel is not located at a traffic junction
19 of a primary arterial and is not within a contextually appropriate distance of an
20 intersection or a neighborhood activity center. Additionally, the land uses permitted
21 under the GC would be out of character with the surrounding residential uses and other
22 residential zoning districts in the immediate area and may be considered an
23 encroachment into residentially zoned and developed areas. Kinda go back a little bit

1 and as stated in the Staff Report this property was originally rezoned to a planned
2 development back in 1990 under Case 90-39 MA. It was really kind of based on a site
3 plan because there was an existing use at the site and so what was originally presented
4 as we found with our documents essentially was a site plan of what was there with a
5 few proposed additions to the property. Kind of looking at – so what you have before
6 you is the site plan that was presented to County Council, excuse me, Planning
7 Commission, ultimately County Council which was part of the original 1990 Map
8 Amendment to rezone this to planned development. Looking at that, that site plan has
9 an existing, looks like about 3552 square foot existing shop building and they proposed
10 to have an 1152 square foot building, future building and another 768 square foot
11 building. That was gonna come out to, that comes out to about 5472 square feet of total
12 structures on the site; this is what was approved. I'm kind of reading this to you because
13 unlike many of the other PDDs that we have there wasn't a development plan for us to
14 present for you, and even the ordinance was relatively limited other than just identifying
15 it as single-family to PDD. There were no standards in place for the development of the
16 site. This property did come back around 2004 to the Planning Commission in which
17 they wanted to change the building, the 3552 square foot building, I believe it burned
18 and so they were going to propose to put a 60 x 60 building there, and because it was
19 going to be an addition to what was originally permitted under the site plan for the
20 planned development, they had to go, they went to the Planning Commission because
21 minor revisions could be approved by the Planning Commission without going back
22 through the full process. So that occurred in 2004 for this site. And as stated it is zoned
23 PDD, I wanted to make sure the PDD under our previous Land Development Code was

1 site specific, so when you came in with a site plan what you showed is what you were
2 able to build, unlike as we identified a PDD currently now.

3 CHAIRMAN YONKE: Is it supposed to be mixed use [inaudible]?

4 MR. PRICE: Previous, prior to essentially a ruling from the state, you could come
5 in with a single use project or request under the PDD and essentially you would be just
6 limited to exactly what that was. I believe you've actually had a, it wasn't that long ago,
7 maybe a couple of months ago you had a request in which a property was rezoned
8 planned development and so they were pretty much locked in to the request so they
9 had to rezone out of that just so they could do something else with the property.

10 CHAIRMAN YONKE: Thank you, Staff. Are there any questions for Staff?
11 Commissioner Grady, people signed up to speak.

12 MR. GRADY: Alright. Yes, first person to speak is the Applicant, Patrick
13 Livingston speaking on behalf of the Applicant.

14 **TESTIMONY OF PATRICK LIVINGSTON:**

15 MR. LIVINGSTON: Hi, my name's Patrick Livingston. I work for Civil Engineering
16 of Columbia. Our address is 90 North Royal Tower Road, Irmo 29063. I'll be real brief, I
17 just wanna kinda go over what our situation is, kinda add a little bit to what Staff said. As
18 you can see from the aerial the current use is a marina type boat storage facility with a
19 boat ramp. There's also a similar use right across the cove. So we're consistent with
20 what's already on site but also we're doing something a little unique, we're doing a dry
21 stack storage facility. So being on the waterfront is essential. We're seeking the GC
22 zoning because you heard the constraints with the PD, we can't utilize that, even though
23 it's the same use we can't, we can't use that. So this is the only zoning that will allow us

1 to do this project since it is a bit unique in nature. If we were to allow the zoning GC of
2 course we would have to design the project to all the current regulations with buffering,
3 all that stuff, buffering, landscaping. And essentially that would be an upgrade cause
4 right now you've got kind of an informalized site with kinda parking kinda all over the
5 place, so we would obviously clean that up a little bit. But I've got some other members
6 of the team here if you have some questions I can't answer, but we just appreciate your
7 consideration and hearing us tonight.

8 CHAIRMAN YONKE: Thank you for coming out tonight. The next –

9 MR. GRADY: Yes. Sorry, I'm having trouble reading the handwriting, the next
10 speaker is, the first name is Travis?

11 CHAIRMAN YONKE: Come on down.

12 **TESTIMONY OF TRAVIS HAMITER:**

13 MR. HAMITER: Hello council, committee. My name's Travis Hamiter. I reside at
14 538 Shadowood Drive, Irmo, South Carolina. And my mother and I have lived there for
15 40+ years. And I can tell you from experience the current use as a marina with the way
16 cars tow boats in and out it entirely blocks off Shadowood Drive. Neither side of
17 Shadowood subdivision can get in or out when someone is making that. If you also
18 observe, there's a pretty sharp curve that comes around to where the proposed
19 entrance would be that the people on that side would not be able to see, as well as
20 coming down from 76 it would block off people trying to come in or out again at where it
21 splits from Shadowood to Water Garden I think is the name of the road. And it is, from
22 having been there for so long I've seen it develop, I've seen it grow up, and this would
23 put an undue burden on the residents and their ability to get in and out, unless they

1 could come up with a way to widen it from two lanes coming in to four lanes, because
2 as it is now the trucks, when they pull their boats in or out – sorry I have a natural
3 tremor – they take up both lanes. That’s all I really can tell you about it but this would be
4 an undue burden, unreasonable, and there are already two facilities like this on Lake
5 Murray; one out in Chapin, it’s supposedly the second largest dry boat facility in the
6 country, and then another one has been added at Putnam’s Landing just up the road.
7 And the high amount of boat traffic, you have the Southern Patriot tour boat which has
8 boat slips, and then this new set of boats. That’s all I have.

9 CHAIRMAN YONKE: Okay, thank you for coming out.

10 MR. GRADY: Next speaker, is it Annabelle Hamiter?

11 **TESTIMONY OF ANGELE HAMITER:**

12 MS. HAMITER: I have the tremor with the voice, too, so I’m sorry. I’m Angele
13 Hamiter. I live at 538 Shadowood Drive, Irmo. Like my son I’ve been there 42 years and
14 we’ve been zoned and zoned and zoned and zoned to where the houses are just
15 getting pushed back farther and farther because of what’s happening commercially.
16 Two things that concern me very much are, one thing that my son said about the curve
17 and the traffic, there’s not a block between making that curve and those boats coming
18 out. We have that and then you go a couple hundred feet and you come to the marina
19 you see on the other side, and they park boats, like he said the Spirit. Then if you look
20 behind that it looks almost white, it’s a part of the Agnew and it is also dry boat storage.
21 And that gives us two on one side, one on the other side and when you get about
22 another quarter to half a mile you’ve got to go somewhere and Highway 76 is all there
23 is, and if you wanna make a left turn you’ll be there half the day because even right now

1 they are routing traffic onto 76 to get it off of the interstate and it took me 45 minutes to
2 go five miles that I used to drive in less than five minutes. The other important thing is
3 within maybe a three mile radius if you're at all familiar with the lake, you have the old
4 Johnson's Marina which is Lighthouse Marina and it has a restaurant and it has dry
5 storage. I don't know how many hundreds of units but it's there. You go about a mile
6 from our house into the cove and you – I'm sorry – you've got the Liberty that built all
7 the apartments, also has some dry storage and regular docking out there. So within a
8 three mile radius we've got enough boat parking to do I don't know what. Then we like
9 to have our boats at our house and it's impossible, you can't keep –

10 CHAIRMAN YONKE: What's your final thoughts? Sorry.

11 MS. HAMITER: - pushing – I'm sorry – is to disapprove it, of course, because of
12 safety more than anything. Almost every summer from this marina and this marina, that
13 happens and somebody's killed. So.

14 CHAIRMAN YONKE: Thank you for coming out and sharing your thoughts.

15 MS. HAMITER: Thank you.

16 CHAIRMAN YONKE: We appreciate you guys. Commissioner Grady?

17 MR. GRADY: Alright, next speaker signed up is Brad Owens?

18 **TESTIMONY OF BRAD OWENS:**

19 MR. OWENS: Yeah, I'm Major General Brad Owens, my wife Bethany and I live
20 at 522 Shadowood Drive, right down the road past the proposed project. General
21 commercial zoning, Commissioners, is not compatible with residential areas. That's the
22 bottom line. If this rezoning were to be approved we – you'd create a laundry list of
23 concerns. You heard about the traffic problems, safety risks, infrastructure strain,

1 property value impact, noise pollution, both on the water and on land, and of course
2 environmental concerns. One thing that has not been mentioned, the road that this
3 property is on every road going into the residential area goes to a dead end, and so if
4 you pull a boat in to that area and you miss the turn into that property, somebody's
5 backing a boat up into your driveway. And we've experienced it numerous times over
6 the last, even the last, this past summer. There are 136 households in this subdivision
7 that rely upon that road for ingress and egress to Highway 76, 136 households. And you
8 heard about the traffic concerns already so I won't repeat that. We also believe that if
9 his rezoning were to be approved the Shadowood neighborhood would slowly be
10 encroached upon by private business entities. We believe a cascade of changes would
11 occur with other properties very close to this property with long-term consequences
12 impacting our residential area. The rezoning request should be denied as
13 recommended by your Staff. This area is a neighborhood, it is not general commercial.
14 North of the property, south and west is residential and it's not compatible with an
15 industrial development. This proposal is totally out of character with the entire
16 surrounding area, so again we ask that this rezoning request be denied as
17 recommended by your Staff. Thank you, gentlemen and ma'am.

18 CHAIRMAN YONKE: Thank you, sir.

19 MR. GRADY: Next speaker is Jim Martin.

20 **TESTIMONY OF JIM MARTIN:**

21 MR. MARTIN: My name is Jim Martin, I live at 541 Shadowood Drive. The Major
22 General and I have had some discussion on this and if I were to break your rules of
23 being redundant I would repeat everything that he just said, it's so important and so

1 valid here. First thing I really could say this and sit down and shut up. I commend the
2 Staff for their due diligence on looking at this particular rezoning request. I have talked
3 to Mr. Geo Price, I have met Mr. Geo Price many times over the years talking about
4 property out in that area. But it certainly looks like the Staff has done due diligence to
5 make their recommendation of disapproval. But I think looking at history sometimes
6 helps us make the best path for the future and I know you've heard it, Mr. Price kinda
7 went over it, but just to remind that this original piece of property was single-family low
8 density in 1977, like a lot of property was, I know. But I wonder if we would really even
9 be here tonight looking at rezoning this property if that property had not been allowed to
10 be occupied by someone who set up a dock construction and dock maintenance
11 business on that lot, because when they came out in 1990 it was all in place, you heard
12 him say, and it was still zoned low density, single-family dwelling I believe. So that's
13 when it became PDD and he was allowed to remain. Since that time his lease ran out
14 and he was, had to move. He had a 25 year lease. That's when it became boat
15 launching and storage facility like it is now and Mr. Agnew and his son Norman had to
16 move on the other property and set their business up. I've lived there for 25 years and
17 what I have seen is available property in that area, people buy it and build nice single-
18 family dwelling homes. They're four right next to where we're talking about that was just
19 recently built. And I've seen a number of houses become vacant but people buy them
20 and move right in. So it's a very attractive low density neighborhood and I ask the
21 Commission, please let's keep it like that, let's keep it a low density neighborhood that's
22 attractive for people who want to set up residences. Thank you so much.

23 CHAIRMAN YONKE: Thank you, sir.

1 MR. GRADY: Next person signed up to speak is George Faust.

2 **TESTIMONY OF GEORGE FAUST:**

3 MR. FAUST: Yes, George Faust, 1013 Carl Shealy Road, Irmo, South Carolina.
4 I've been living there about 46 years, ever since me and my wife got married, which is
5 the property we live on right there is family property. Our, all that goes through part of
6 this property is our, her grandfather's property. This property being general commercial
7 I'm against, being PDD gives the Council and the people around control over what kind
8 of properties and stuff goes in there. Yes, they planned for it to be boat storage but I
9 understand if it goes general commercial that's out the window, you're just taking their
10 word that's what they wanna do with it. They can come back at any time and put any
11 other kind of building in there that's allowed under general commercial which is entirely
12 not conducive with the neighborhood. We have major traffic problems in there now that
13 other people have said, 76 Highway, you know, part of this stuff with the interstate we
14 were supposed to have gotten intersections on the interstate, that was all scrapped for
15 cost savings to put walls up is part of what I was told for the sound that y'all were talking
16 about on some of these others. I really don't have a problem with using the property as
17 a marina as it's been being, cause this property was originally rural. When Agnew was
18 on there it was zoned rural, that's when he started his stuff. Then they came in and
19 started the changes to the RS-1, that's when they got with the County over making the
20 PDD designation for the area because he was pre-existing under rural rules which that
21 was allowed where he was. There's, like I said traffic, I mean, they would have to come
22 up with, you know, put a traffic light in up there because the traffic is, you can't get in
23 during the summer when all the boats are coming in and out, you can't, you can spend

1 15, 20 minutes. There's been several wrecks there, I was involved in a wreck trying to
2 pull out because I thought it was clear but it's supposed to be 40 miles an hour and they
3 come through on 76 Highway running 60, 70 miles an hour because they've been stuck
4 in slow traffic once they get to that four-lane right there, and so it's a disaster right there
5 especially when we have the high boat traffic. So you know, I'm not opposed to them
6 using their property, I'm opposed to cart blanche, just giving them anything. They need
7 to come up with a plan that protects the community as well as using your property.

8 CHAIRMAN YONKE: Thank you, sir.

9 MR. FAUST: Thank you.

10 MR. GRADY: Next speaker is Kim Murphy.

11 **TESTIMONY OF KIM MURPHY:**

12 MS. MURPHY: Good evening. Kim Murphy, 154 Old Laurel Lane in Chapin. I
13 ask that you approve the disapproval from Staff and it might be helpful for you to zoom
14 out on the map with the zoning on it, there is commercial but that is on the main road,
15 that is on 76. You may see it in Staff's Report noted that there is commercial but that's
16 just, like in the vicinity, it's not adjacent to it. You'll see that the property is zoned RT all
17 around it and also R2. Across the cove is another PDD and a PDD is very important and
18 the Agnew's I guess came up with an agreement that they would be allowed to continue
19 with what they were doing; they submitted a site plan that showed the limited number of
20 buildings that they would have and the parking and that was it, that's what was agreed
21 upon and that was put in an ordinance and approved. A PDD is different than an R1
22 zoning, you have the density spelled out in an R1, you have everything spelled out in an
23 R1 or an R2 or R3. But with a PDD that is custom designed for that piece of property.

1 And we've had a friendly conversation with Mr. Price, I think it's important that you have
2 the ordinance and the supporting documents, the development plan, to see exactly what
3 was approved, because that is what is proposed to be changed. Again, back in 2001 or
4 1990, that was agreed upon. And across the cove there is a PDD, that was what was
5 agreed upon, it cannot be changed. So anyhow I'm hopeful that you'll be given the
6 ordinance and supporting documents whenever a PDD is proposed to be rezoned.
7 Thank you very much.

8 CHAIRMAN YONKE: Thank you.

9 MR. GRADY: Next speaker is Diane Youman.

10 **TESTIMONY OF DIANE YOUMAN:**

11 MS. YOUMAN: Hello, I'm Diane Youman, 533 Shadowood Drive, Irmo. I agree
12 with everything that has been said up to this point but I wanted to show one more piece.
13 If you could that on the picture for page 51. Yep, scroll down just a little bit more. Do you
14 see that the road has water on both sides of it? That road, the water comes up, the
15 water goes up and down as the lake goes up and down so that picture isn't necessarily
16 where it is when we have full pool of the lake. And so you have a two lane road that has
17 water on both sides, so when any of the boats with the trailers on it block it or if there's
18 an accident there, all of the whole neighborhood is, is, there's no exit, there's no
19 entrance, there's no emergency vehicles. You can't, it's not like you can just go over
20 someone else's yard to get around it because there's water on both sides. So I would
21 like you to take that into consideration as well that there's only one way in, there's no
22 light at the end, 76 at Dutch Fork Road there backs up for miles and so when people
23 wanna turn left, like they mentioned before, it can be a really long time. And I've

1 personally watched an accident where someone just got tired of waiting and just pulled
2 out and there was a fatality. It's already too busy to build it up with more. With the
3 restrictions you have around this particular property it's just asking for more trouble. I
4 would hope that you would disapprove this. Thank you.

5 CHAIRMAN YONKE: Thank you.

6 MR. GRADY: The final person we have signed up to speak on this case is Jera
7 Patel?

8 **TESTIMONY OF JERA PATEL:**

9 MS. PATEL: Hi. My name is Jera Patel, I live at 525 Shadowood Drive, Irmo,
10 South Carolina. I have lived at that residence since 1993 and just like my neighbors say
11 I would like to disapprove the zoning just because of all the traffic. So please disapprove
12 the zoning. Thank you.

13 CHAIRMAN YONKE: Thank you. Alright.

14 MR. GRADY: That's all we've got.

15 CHAIRMAN YONKE: Thank you. It's now open on the floor for discussion,
16 Commissioners, and questions for Staff.

17 MR. DUFFY: Mr. Chairman?

18 CHAIRMAN YONKE: Yes, Commissioner Duffy?

19 MR. DUFFY: I'd like to move forward and just propose a motion of disapproval
20 based on the Staff recommendation as the development for 317 Shadowood Road is
21 not consistent with the Comprehensive Plan.

22 MS. FRIERSON: I'll second the motion.

1 CHAIRMAN YONKE: Thank you, Commissioner Duffy, motion, and second from
2 Commissioner Frierson. Staff, could you please take a vote?

3 MR. PRICE: Alright, we have a motion for the disapproval of Case 24-049 MA.
4 Those in favor of the motion, Siercks? I'm sorry. Taylor?

5 MR. TAYLOR: Aye.

6 MR. PRICE: Grady?

7 MR. GRADY: Aye.

8 MR. PRICE: Metts?

9 MR. METTS: Aye.

10 MR. PRICE: Duffy?

11 MR. DUFFY: Aye.

12 MR. PRICE: Johnson?

13 MR. JOHNSON: Aye.

14 MR. PRICE: Frierson?

15 MS. FRIERSON: Aye.

16 MR. PRICE: Yonke?

17 CHAIRMAN YONKE: Aye.

18 MR. PRICE: Alright, that motion passes.

19 *[Approved to deny: Taylor, Grady, Metts, Duffy, Johnson, Frierson, Yonke; Absent:*
20 *Siercks, Durant]*

21 CHAIRMAN YONKE: Recommendation of disapproval. Mr. Price, will this one be
22 seen at the December 17th meeting of County Council?

23 MR. PRICE: It will not.

1 CHAIRMAN YONKE: It will not.

2 MR. PRICE: It will not. Again, the Applicant will be notified, and I'm sure the
3 community, of a future town hall meeting to be held by the district representative, the
4 Honorable Jason Branham.

5 CHAIRMAN YONKE: Commissioner Branham, okay. Thank you. Yes, please
6 stay tuned.

7 AUDIENCE MEMBER: How will we be notified?

8 CHAIRMAN YONKE: Staff? Notification is set out?

9 MR. PRICE: It will, it will - the Councilman along with the Clerk will work on
10 notifying the applicants in that area. But I'll make to the Councilman that everyone is
11 interested in attending this meeting. But I'm not sure exactly how they get out their
12 notification to the communities for the meetings, for the town halls.

13 AUDIENCE MEMBER: Mr. Chairman, it's imperatively important to us that we
14 know when to appear before Council.

15 MR. PRICE: I believe right now this is something that, that would go before
16 Council. Again, we'll reach out to the Councilmember and notify him of the desire of the
17 community to attend the meeting. But I don't have any further information.

18 CHAIRMAN YONKE: No further information, Okay. But we know it's not gonna
19 be heard at the Council meeting on December 17th.

20 MR. PRICE: No.

21 CHAIRMAN YONKE: Alright, so don't interrupt your holiday plans for that one.
22 And they're off in January, typically.

23 MR. PRICE: Yes.

1 CHAIRMAN YONKE: So stay tuned for February's Council meeting.

2 MR. PRICE: Yes, so the Zoning Public Hearing is scheduled for the 25th of
3 February, at least that's the tentative date, but I'm not sure when any town hall or
4 community meeting will be held between really now and that meeting in February.

5 MR. JOHNSON: Mr. Chairman?

6 CHAIRMAN YONKE: Commissioner Johnson?

7 MR. JOHNSON: I would just suggest they talk to their district Councilperson.

8 CHAIRMAN YONKE: Talk to Councilman Branham, yep, and stay tuned to that
9 date of February 25th. Alright? Alright, thank you guys.

10 AUDIENCE MEMBER: May I suggest that all people that spoke here, you have
11 their name and address, could you have them notify us to make sure that Staff notifies
12 the people?

13 CHAIRMAN YONKE: Yes, that sounds good. We need to continue on with our
14 map items so you guys, we'll give you time to quietly, you can talk in the corridor
15 together and exchange numbers and dates. Every Councilperson does it differently and
16 I just know that County Council will hear this in February on the 25th. Thank you, and I
17 do appreciate everybody coming out and staying out past bedtime tonight. We need to
18 continue on to our next case, I'll just flip it right to Mr. Price.

19 **CASE NO. 24-050 MA:**

20 MR. PRICE: Alright, our next item is Case 24-050 MA. The Applicant is Norman
21 E. Gross. The Applicant is requesting to rezone 32.11 acres along Roberts Road from
22 HM which is homestead, to RT which is residential transition. This is comprised of four
23 parcels. So Staff recommends disapproval. This, you know, and I'm sure Mr. DeLage

1 will pull this up, thank you, this request falls within the neighborhood medium density
2 designation of the Comprehensive Plan. Staff recommends disapproval of this Map
3 Amendment as the proposed rezoning does not, is not aligned with the objectives set
4 forth in the Comprehensive Plan for residential development within the neighborhood
5 medium density future land use. According to the Comp Plan the neighborhood medium
6 density designation is intended for medium density residential neighborhoods and
7 supporting neighborhood scale commercial developments designed in a traditional
8 neighborhood format. The RT district does not accommodate the uses and development
9 standards consistent with the designation of neighborhood medium density.

10 Furthermore, the proposed rezoning would conflict with the recommendations of the
11 Lower Richland Strategic Community Masterplan which also recommends more of a
12 higher density use. Again, so we've had a number of cases down in this area so I'm
13 kind of repeating myself but we've as a Staff noted that from Air Base Road all the way
14 to Leesburg Road just past Harmon Road that that entire area is designated as
15 neighborhood medium density. So anything that falls within there would only support
16 more high density and more neighborhood, you know, commercial scale developments.
17 So any of the requests to, you know, whether it be AG, RT, HM, you know, we would
18 have to kind of look at the R1, the recommendations would also be for disapproval
19 being that, again neither the Comprehensive Plan or the Lower Richland Strategic
20 Community Masterplan would support those requests.

21 CHAIRMAN YONKE: The Comp Plan is drawn with a broad paintbrush as they're
22 sandwiched between military bases and a biosphere that we hear from the public.

23 MR. PRICE: Yes.

1 CHAIRMAN YONKE: Gotcha. Any questions for Staff? Okay. Commissioner
2 Grady, people signed up to speak?

3 MR. GRADY: Yes. First up is the Applicant, Norman Gross?

4 **TESTIMONY OF NORMAL GROSS:**

5 MR. GROSS: Good evening. I'm Norman Gross. I live at 1463 Ridge Road. I own
6 the properties in question which is Roberts Road. I originally bought it 23 years ago, it
7 was my Christmas tree farm, we used to sell Christmas trees. But as you know most
8 people like Frasier furs, they don't want Lelands and Cedars and Virginia Pine anymore,
9 so it didn't go too far. But I use that property as just a place to get away. It was, until
10 Richland County changed the zoning it was $\frac{3}{4}$ of an acre. I'd like to kinda remain it that
11 way but, you know, the closest thing is RT. I really don't want HM because that's like
12 you can have goats, chickens, cows and all that sorta stuff and if somebody buys the
13 house I've seen some of those properties that are HM and I wouldn't wanna be living
14 beside somebody that's got all kinds of goats and cows. And you can't do much with an
15 acre and a half. But I don't quite understand the zoning because just on the other side
16 of me is, most of the properties around me are RT or HM. One guy right beside me has
17 AG but it's 70, around 70 acres. Down the street you've got the Haven which is kind of a
18 mix of RT and HM and then you've got Green Lakes which you know is high density.
19 And you've got the property on the other side of Green Lakes which is high density,
20 they're building 200 and something homes. And right beside it you've got the property
21 that goes on to Ridge Road which they just approved for 299 homes. So I don't feel for
22 me asking for RT which is an acre is unreasonable. I don't plan, have any plans to do
23 anything with it but if I did wanna sell a house or somebody a house or a lot on the front

1 of it I don't want it to be an acre and a half where they can just do almost anything. I'd
2 rather to keep it, you know, just a home where it's neat and whatnot. For that reason I'd
3 like you to approve that it goes to RT. Thank you.

4 CHAIRMAN YONKE: Thank you, sir.

5 MR. GRADY: Alright, next speaker signed up is Paul Etheridge?

6 **TESTIMONY OF PAUL ETHERIDGE:**

7 MR. ETHERIDGE: Hi, my name's Paul Etheridge. I live at 409 Goff Field Lane,
8 Hopkins. Actually Mr. Gross who just now spoke was, he brought up some points that I
9 did not consider before that he wants to leave it the way it is for certain reasons, but my
10 problem with all of this, any time there's a zoning change, especially with the word
11 transition, transition zoning is not a good thing for a lot of people who have lived in the
12 area like we live because a transition could go from one house to six houses to 14
13 houses because it's all in a transition. And transition zoning is a very scary thing for us.
14 We live in the middle of the woods for a reason, we don't want huge subdivisions, like
15 you said the heavy density subdivisions that, if they see the word transition there's a
16 chance that they can, because I've seen several different RTs that y'all, not y'all but, are
17 being approved to go from one zone to another zone to another zone and all of a
18 sudden we go from an acre and a half to, well let's just put 18 houses on an acre and a
19 half. And that just, the little area that we live in will not support that type of subdivision. I
20 mean, it's just a, I'm looking at the sky is falling here but it's something, I'm from Atlanta
21 originally and every time we saw the word transition a neighborhood followed before
22 long. And that's just something that really frightens me. We live in the woods for a

1 reason because we don't need 1,000 people up under us. If you want that move to Irmo.
2 But that's all I have, thank you.

3 CHAIRMAN YONKE: Thank you, sir.

4 MR. GRADY: Alright, next speaker is Darrell McCormick.

5 **TESTIMONY OF DARRELL MCCORMICK:**

6 MR. MCCORMICK: My name's Darrell McCormick, I live at 225 Goff Field Lane,
7 Hopkins, just right around the corner. I understand Mr. Gross' concern but also just like
8 Mr. Etheridge just said, we are inundated right now with new subdivisions everywhere.
9 We don't have the, enough schools in the area, the infrastructure, it's just too much. I
10 hope y'all disapprove. That's all I got to say.

11 CHAIRMAN YONKE: Thank you, sir.

12 MR. GRADY: Alright, next speaker is Ronnie Watts?

13 **TESTIMONY OF RONNIE WATTS:**

14 MR. WATTS: My name's Ronnie Watts. I live at 5216 Old Leesburg Road. That
15 is less than 100 yards from this property. I am totally against this. We have too much
16 traffic out there now. We have too much crime out there now. If you start building more
17 houses that close to us with everything else that's already out there, we're gonna have
18 more crime, more traffic and I don't want that. I've been in my house 54 years, I don't
19 want any more traffic out there. I don't need any more crime out there. That's all I've got
20 to say. Thank you.

21 CHAIRMAN YONKE: Thank you.

22 MR. GRADY: Alright, and the last speaker signed up is Jeff Geddings?

23 **TESTIMONY OF JEFF GEDDINGS:**

1 MR. GEDDINGS: Hi, my name is Jeff Geddings, I live at 124 Goff Field Lane,
2 Hopkins, South Carolina. We're a country community. We'd like to keep it that way.
3 Around us has been tons of building going on. There's right down the road there's a big
4 old cornfield and it's like every time you go by there's seven new houses coming up. We
5 just don't need that out there. We don't have the infrastructure for that. I'm surprised I'm
6 the last one, there's still a lot of people up here that are neighbors of mine that I know
7 that we all do not want this. That's basically I can say is please do not let this come to
8 our neighborhood. Thank you.

9 CHAIRMAN YONKE: Thank you, sir.

10 MR. GRADY: That's all who signed up.

11 CHAIRMAN YONKE: Thank you, Commissioner Grady. This is now open on the
12 floor for discussion or comments. Yes?

13 MR. METTS: Question for Staff.

14 CHAIRMAN YONKE: Commissioner Metts?

15 MR. METTS: So it's currently HM right, right now?

16 MR. PRICE: Correct.

17 MR. METTS: And they want RT. So on page 64 and 65 I'm looking at the
18 differences in what's allowed and what's not allowed and it looks like HM allows for
19 more than RT and the residential requirements are the same, is that correct? Or how it's
20 defined right now on these two pages under residential, it's like dwellings single-family
21 detached is permitted in both and then the rest of them are special requirement, right?

22 MR. PRICE: Yes, so there's, you're kind of looking at, there may be a few more
23 uses allowed under the current zoning of homestead. Usually in cases like this the big

1 distinction between the two zoning designations, and I apologize, on page 65 that is not
2 the current zoning, it's the proposed rezoning, however, but the big distinction between
3 the request is really the acreage. The minimum acreage in the HM is 1.5 and in the, for
4 the residential transition it's one, so a lotta times, you know, you can get a little more
5 based on the density.

6 MR. METTS: Yeah, I was just looking under agriculture, forestry related, and
7 then under the different businesses that are allowed; there's a lot more permitted by
8 right I guess under HM, that was just what I was looking at.

9 MR. PRICE: Yes, there are a few, but again most of those are definitely to more
10 of what you would find in a rural area.

11 MR. METTS: That's all I had.

12 CHAIRMAN YONKE: Thanks, Commissioner Metts. Mr. Price, HM was created
13 to do, like small farming and those types of uses where RT is more very light residential.
14 Is that true? Do I understand it the right way?

15 MR. PRICE: I don't wanna speak out of turn on this. We'll just kind of go to what
16 the Code says. So according to the Richland County Land Development Code the
17 homestead district, the purpose of it, is to provide lands for low intensity agricultural and
18 agricultural supporting uses such as hobby farms along with very low intensity
19 residential development that preserves the rural and natural character of the district.
20 Residential development includes single-family detached and manufactured dwellings
21 on large single lots or family subdivisions with significant acreage. So that was for the
22 HM. If you wanna compare it to the residential transition, it provides lands for low
23 intensity residential development outside urban and suburban settings. The district is

1 intended to serve as a transition between very low intensity rural areas and suburban
2 residential areas. Residential development is limited to manufactured homes and
3 detached single-family dwellings which may be located on large lots or on family
4 subdivisions that respect the natural features of the land and are designed to conform to
5 the suburban rural fringe character of the district. Development in the district includes
6 natural buffers between adjacent uses and roadways buffers to support road corridors
7 that have a natural appearance and limit visibility into developed areas. So one's more
8 of a transitional, to serve as you go from, you know, I think he made the argument that
9 the RT is intended to go from the HM/AG to a little bit more urban type settings or
10 suburban settings.

11 CHAIRMAN YONKE: But RT then would just go up to R1 which is also a low
12 density, single-family residential use, where HM is more of an agricultural style of use.

13 MR. PRICE: Yes, I think you could make that argument, yes.

14 CHAIRMAN YONKE: Then the Comp Plan disagrees with this because it's not
15 dense enough the way that it's been drawn up.

16 MR. PRICE: Correct.

17 CHAIRMAN YONKE: So the, the Staff's approval, it's not the Staff, but the Comp
18 Plan would say yes if the applicant came in today and asked for an R2.

19 MR. PRICE: Yes.

20 CHAIRMAN YONKE: More houses.

21 MR. PRICE: Yes, R2, R3 or something along those lines, the recommendation
22 would be for approval based on the Comp Plan.

1 CHAIRMAN YONKE: I'll just leave my thoughts, I don't wanna make a motion.
2 I'm a resident of Lower Richland and I feel like RT is more protective of the area in
3 keeping it light and rural than what the Comp Plan would suggest. And that's why our
4 2025 Comp Plan updates, we need to look at these neighborhoods. But I'll defer to my
5 Commissioners for conversation.

6 MR. METTS: Mr. Chairman?

7 CHAIRMAN YONKE: Yes.

8 MR. METTS: Actually could you restate what you just said about the R3, what
9 was that? What just happened?

10 CHAIRMAN YONKE: What'd I say?

11 MR. METTS: What did you say, it could actually be more dense next time this
12 were to come forward? What was that, could you restate that?

13 MR. PRICE: What I was saying, based on the recommendations of the Comp
14 Plan, had an R3 or even an R4 request come before you the recommendations would
15 have been for approval.

16 CHAIRMAN YONKE: Thank you, Commissioner Metts. Commissioners, more
17 discussion or a motion?

18 MR. TAYLOR: Question.

19 CHAIRMAN YONKE: Commissioner Taylor?

20 MR. TAYLOR: Can we go to the map, please? And pull up Green – unless you
21 know what is Green Lakes zoned?

22 MR. PRICE: It should be zoned R4.

23 MR. TAYLOR: Thank you.

1 CHAIRMAN YONKE: Question for Staff, does Green Lakes line up with the
2 Comprehensive Plan?

3 MR. PRICE: Looks like it would. You know, Green Lakes, so the area that Mr.
4 DeLage has the mouse over, we kinda found this out during our previous rezoning
5 request, but it was there and it got approved around 1983 for what would've been
6 single-family residential, high density, like I said about '83, '84. So you had one section
7 that was built out and the other ones really kind of sat there for some years until most
8 recently a, plans came in to develop it.

9 CHAIRMAN YONKE: Turn on the subdivision layer, could you turn on the zoning
10 layer, too? Turn off the subdivision [inaudible]. Can you zoom the map out? [Inaudible]
11 in the area to the left of Lower Richland Boulevard that's already zoned high density
12 residential which would conform with the Comp Plan. I would, just from listening to
13 people, if the idea is to keep it rural which contradicts the Comp Plan. Motions anyone?

14 MR. GRADY: Mr. Chair?

15 CHAIRMAN YONKE: Yes, Commissioner Grady?

16 MR. GRADY: Perhaps a philosophical question for Staff. When you put together
17 a future land use map is there a time horizon in mind with that? Is there a thought of, we
18 want this land to look like this by year X or what, what is the thought process behind
19 what that is supposed to mean? How should be interpret that distinction?

20 MR. SMITH: So during the Comp Plan process it's usually looked out between
21 five, 10, 20 years, but it's always reviewed after every five. So we might have an outlook
22 for 10 years now or even 20 years with, the aspiration is 20 years of course, but you
23 can't ever look that far ahead. So after every five years we go back and look at these

1 priority investment areas and these future land use recommendations for any
2 amendments that we need to make and adjust. So to answer your question it just kinda,
3 we adjust it as needed every five years and if nothing is recommended then nothing is
4 done to it.

5 MR. GRADY: Thank you.

6 CHAIRMAN YONKE: Thank you, Commissioner Grady. [Inaudible] with a
7 motion? Okay, the Chair will make a motion of approval because I see this as a
8 protective measure moving in the direction of the Comp Plan to keep the area rural. Is
9 there a second?

10 MR. METTS: Chair, yeah I second it cause I think that makes sense, just seeing
11 how this is being played out, and knowing that it could be an R3 or R4 and we'd
12 approve it, it sounds like we all wanna try and protect it for them and that sounds like
13 the best way to do it. So yeah, I second.

14 CHAIRMAN YONKE: Second by Commissioner Metts, I heard one down there,
15 too. We have a motion for approval and a second.

16 MR. PRICE: Okay, we have a motion for approval of Case 24-050 MA. Those in
17 favor of the approval, Yonke?

18 CHAIRMAN YONKE: Aye.

19 MR. PRICE: Frierson?

20 MS. FRIERSON: Aye.

21 MR. PRICE: Johnson?

22 MR. JOHNSON: Aye.

23 MR. PRICE: Duffy?

1 MR. DUFFY: Aye.

2 MR. PRICE: Metts?

3 MR. METTS: Aye.

4 MR. PRICE: Taylor?

5 MR. TAYLOR: Aye.

6 MR. PRICE: Grady.

7 MR. TAYLOR: Aye.

8 MR. PRICE: Motion passes.

9 *[Approved: Yonke, Frierson, Johnson, Duffy, Metts, Taylor, Grady; Absent: Siercks,*
10 *Durant]*

11 CHAIRMAN YONKE: Thank you, Staff. Will this one be taken up at the
12 December 17th meeting, County Council?

13 MR. PRICE: It will not. There will be a town hall held some time before the
14 February 25th Zoning Public Hearing as anticipated. The Applicant will be notified and
15 I'm sure whichever means the Councilmember that represents the area uses to notify
16 the public will be used to notify the public of the town hall meeting.

17 CHAIRMAN YONKE: Thank you. Keep on moving. Case Number 24-052 MA.

18 **CASE NO. 24-052 MA:**

19 MR. PRICE: Alright, so again we're up to Item 24-052 MA. The Applicant is
20 DuBose Williamson. The Applicant is requesting to rezone 19.83 acres at 10141 Wilson
21 Boulevard from HM, homestead, to GC, general commercial. Staff recommends
22 disapproval of this request. The subject parcel falls within the neighborhood low density
23 designation of the Comprehensive Plan. Again, Staff recommends disapproval cause,

1 because the request is not consistent with the recommendations of the Comprehensive
2 Plan and although the proposed map amendment would allow for retail and commercial
3 uses along a primary road, the subject site is not located within a neighborhood activity
4 center and is not within a contextually appropriate distance from an intersection as
5 prescribed by the Comprehensive Plan. So for those reasons Staff recommends
6 disapproval.

7 CHAIRMAN YONKE: Thank you, Staff. Commissioners, questions for Staff?
8 Okay. Hearing no questions, Commissioner Grady, who's signed up to speak?

9 MR. GRADY: Yes, first up is the Applicant, DuBose Williamson.

10 **TESTIMONY OF DUBOSE WILLIAMSON:**

11 MR. WILLIAMSON: Good evening. Thank everybody for being here tonight. I'm
12 DuBose Williamson, address of 2228 Thrift Road, Charlotte, North Carolina. I represent
13 my partners of Canvas Residential Partners. As Mr. Price mentioned we are seeking to
14 rezone 19 acres at the corner of Turkey Farm Road and Wilson Boulevard to general
15 commercial to allow for the development of general commercial, outparcels and
16 apartments. You may have heard, I did say I'm from North Carolina. I'm a first and
17 foremost though a proud product of Richland County One public schools. I grew up here
18 in Columbia, been an apartment developer in the industry for almost, over 15 years now
19 and after delivering communities all around the country I'm excited to come home and
20 partner with our local community here in Columbia. Our company, as I mentioned,
21 Canvas Residential Partners, we build and work with communities to construct
22 communities to aid in the growth and the upward mobility of our citizens. Again, thank
23 you for being here tonight and look forward to addressing your concerns and questions.

1 CHAIRMAN YONKE: Thank you.

2 MR. GRADY: Next speaker is Janet Robinson?

3 **TESTIMONY OF JANET ROBINSON:**

4 MS. ROBINSON: I'm Janet Robinson. I live at 1170 Halls Pond Road,
5 Blythewood. Geo, is there any way you or Tommy can show my property in relationship
6 to this proposed project? I am fourth generation to own this property and I am very
7 proud of that. I feel like I have been charged with the care of keeping our property
8 productive, taking care of it, providing refuge for animals that are quickly losing their
9 environment. And I'm also the catch basin for Hawkins Branch watershed. Blythewood
10 has two major watersheds, Beasley Creek and Hawkins Branch watershed. We're the
11 catch basin for Hawkins Branch watershed, it starts at I-77 and Wilson Boulevard. There
12 are numerous developments on top of this watershed starting with 2000 with Stonington
13 and then going to Belgrave and Hawkins Creek subdivision, Blythewood Crossings, and
14 I can tell you right now it is imperative that we as a County and we as a community
15 learn from what happened in 2015. Our property has been irreparably damaged, my
16 husband and I are constantly called to task to try to upgrade our property at our own
17 expense because this community keeps approving developments on this watershed. It's
18 gotta stop. We have just as much right to live in peace as these guys do to develop, but
19 to put 300 apartments and outparcels on less than 20 acres of land, I live on a very
20 similar size parcel and it's just irresponsible. It's, we've got to do better, we've got to
21 work smarter and I know y'all are smart people and there has to be another way. I
22 know that growth's coming but we've gotta look at these watersheds, I mean, we've got
23 to look at this. And I just implore you to do your research. I invite each and every one of

1 you to come to my property, take a tour and see what we deal with every time it rains.
2 August 3rd we had a sudden rain event, I went across our pond dam which is my only
3 access to my home to take photos and in less than 15 minutes my middle pond dam
4 was under water. I sat in my car four and a half hours before I could get home. To allow
5 this type development is irresponsible. Thank you.

6 CHAIRMAN YONKE: Thank you.

7 MR. GRADY: Next speaker is, is it Glenn Dickyong? Sorry if I messed that up.

8 CHAIRMAN YONKE: As he's coming down can you put on the wetlands layer?

9 **TESTIMONY OF GLENN GOODYOUNG:**

10 MR. GOODYOUNG: Hi. Thanks for having me. Glenn Goodyoung, 260 Turkey
11 Farm Road, Blythewood. I've been there about 20 years, had the property longer than
12 that. Over time it's grown, it's grown a lot. Lots of development, lots of growth. We have
13 Westwood High School and already increased traffic from that and other development in
14 the area. Now growth can be a good thing but not all growth is smart growth. Smart
15 growth plan aligns with and retains the integrity of the existing area landscape. A smart
16 growth plan considers the consequences of inappropriate rezoning. Many of my
17 neighbors and I chose to live on Turkey Farm Road because it provides the rural setting
18 we desire, a setting where we perhaps might want to stay for a while. A rural like
19 neighborhood, we expect our rural like neighborhood to retain its rural like integrity,
20 even through growth and development. We intentionally did not choose an urban setting
21 with apartments and retail on the corner and city like traffic. As residents we should
22 decide what is appropriate for our neighborhood, not developers, not non-residents. To
23 inappropriately alter the landscape of the neighborhood by changing the zoning

1 ordinance to fit a plan that doesn't fit the existing landscape of the area is not smart
2 growth. Let's do the right thing, let's choose smart growth, let's stick with what fits;
3 apartments and businesses don't fit there. This is not a smart growth plan. I urge you to
4 disapprove this request, let's hold out for a better plan. Thanks for your time.

5 CHAIRMAN YONKE: Thanks for coming out tonight.

6 MR. GRADY: Alright, next speaker is Chad Price.

7 CHAIRMAN YONKE: Do we have a Chad Price out there? Okay.

8 MR. GRADY: Alright.

9 CHAIRMAN YONKE: Next.

10 MR. GRADY: Next is Greg Mansini?

11 **TESTIMONY OF GREG MANSINI:**

12 MR. MANSINI: Greg Mansini, 181 Turkey Farm Road, Blythewood. This kind of
13 affects me the most just because it's right next to my property. This property's been in
14 my family for more than seven decades. If you change it to commercial I might be able
15 to afford to stay there anymore. I would like to keep staying there and I don't want any
16 crappy apartments next to my property. It's as simple as that and I second what the
17 gentleman said. That's it, thank you.

18 CHAIRMAN YONKE: Thanks for coming out.

19 MR. GRADY: Alright, Roberta Young?

20 **TESTIMONY OF ROBERTA YOUNG:**

21 MS. YOUNG: Hi guys. I'm really glad I took the time to come down and see you
22 all and I wanna tell you that for the past several years I've been shaking my fists at you
23 guys, didn't know you, because of the density that's come to our area. But now I see

1 that you're really thoughtful, thinking people and as a former Planning Commission
2 Chair I can really appreciate how you can't make everybody happy all the time, so
3 you're doing a good job. I live right around the corner from Turkey Farm Road on
4 Fulmer and I live two blocks away from the Scout development. So, we have a lot of
5 water coming from that area where they filled in a wetlands, federally protected
6 wetlands, and guess where it goes? Right down there. Right down to where these
7 people wanna put their apartments, and maybe not exactly there but that's downhill. So
8 I just ask you that you disapprove. I think that your guys are doing a great job doing the
9 groundwork ahead of time. My suggestion is that maybe in your leisure if you'd like to I'll
10 get with you and take you around town, let's take a look at what it looks like. We don't
11 need general commercial there, no. Thank you so much for your time.

12 CHAIRMAN YONKE: We need to get her name and address for the Record,

13 MS. YOUNG: I'm not telling you, you can't make me.

14 CHAIRMAN YONKE: Just tell her.

15 MS. YOUNG: Okay, Roberta Young, 1724 Fulmer Road, Blythewood.

16 CHAIRMAN YONKE: Thank you. Call the next person.

17 MR. GRADY: Alright, next speaker signed up is Ryan Copeland.

18 **TESTIMONY OF RYAN COPELAND:**

19 MR. COPELAND: Good evening, Ryan Copeland. I reside at 735 Mars Wren
20 Trail, Blythewood. I am against apartments coming into that area. I live right down
21 Turkey Farm in a house that we built about four years ago. I actually moved to
22 Columbia from Atlanta and I've come to enjoy the peace and quiet. While I do support
23 Mr. Williamson's ambitions to continue to build apartments, and I do think that it

1 probably would be needed in the area as it continues to grow with Scout Motors, but just
2 not right there. We have a lotta people, a lotta residents that have lived in that area and
3 on that street and I would like to protect the integrity of the area as a resident myself.
4 Additionally I also think that the density for the area with 300 units which would equate
5 to 450 plus cars, 600 people, our schools are already a bit tight as they are. And right at
6 that intersection you also have Westwood High School, you also have a new 7-11
7 across the street, you also have new storage facility that was just by Westwood. I've
8 been seeing a lot of planning happening in Blythewood which to me has felt like it hasn't
9 been planned well. So this is my first ever coming to a Planning committee meeting and
10 I wanted to come today to share thoughts and try to uphold the integrity of our current
11 community. So I would like to ask the council to please stand by the recommendation to
12 disapprove. Mr. Williamson, there's a lotta land on Wilson Boulevard, might be some
13 other plots for sale, but hopefully just not right here. Thank you.

14 CHAIRMAN YONKE: Thank you.

15 MR. GRADY: Next up is Caroline LeGrand?

16 **TESTIMONY OF CAROLINE LEGRAND:**

17 MS. LEGRAND: I'm Caroline LeGrand at 282 Turkey Farm Road. Most of the
18 houses and property on that Turkey Farm which is part of 21, runs into 21 are either
19 homestead or RT. This is right next to my family estate which Mr. Mansini said he lives
20 on. We moved there in 1953 and it was a dirt road and there was nobody there. I didn't
21 mind too much the houses moving in but we don't need apartments or any kind of
22 general commercial property there. And I would like for y'all to disapprove as
23 recommended if you don't mind. That's it.

1 CHAIRMAN YONKE: That's it, alright thank you.

2 MS. LEGRAND: Yes.

3 CHAIRMAN YONKE: Thanks for coming out.

4 MR. GRADY: Alright, and last person we have signed up is Toby Ward.

5 **TESTIMONY OF TOBY WARD:**

6 MR. WARD: Good evening. I'm Toby Ward, I live here in Columbia at 3012
7 Glenwood Place, and I have the pleasure of addressing you this evening on behalf of
8 DuBose Williamson. I recognize that the Staff has recommended disapproval, but I think
9 that a couple of things I'd like to point out to you to consider and then leave this in your
10 good hands. First of all, as Mr. Price noted the Comprehensive Plan is a plan but it's not
11 a dictate. It doesn't tell you what to do, it gives you an inclination, a direction of where to
12 go. But a plan changes from time to time, and so as Mr. Price said, you have discretion
13 and I would ask you to consider that in this application because of what is occurring in
14 the area. We all know that Scout Motors is located there, they're coming. And we know
15 that housing is important and not all the workers at Scout can afford a single-family
16 residence. And if we don't have affordable workforce housing in the area for the people
17 that work at Scout they're gonna drive long distances to get to their work and that is not
18 a good thing. They're gonna need convenient, affordable housing and that's what
19 apartments provide. Second of all, a component of the proposed development is
20 general commercial, retail. But if you look at the map would it not be perhaps a good
21 thing to have retail in the area so all those rooftops that are depicted in the small yellow
22 triangles and rectangles and squares, all those people will have somewhere to go and

1 shop rather than, again, getting on the road and traveling. I want point out, and I know
2 I'm already over my time, but -

3 CHAIRMAN YONKE: I'll give you 30 more seconds.

4 MR. WARD: Thank you. I wanna point out that the Staff incorrectly stated that
5 the, that Wilson Boulevard is a two-lane undivided minor arterial. That's not correct and
6 that misstatement is corrected under Traffic Characteristics where it says, this section of
7 Wilson Boulevard is classified as a five-lane undivided major collector. And there is a
8 signal at Turkey Farm and Wilson Boulevard. And so I'll leave the rest of the matter to
9 your good hands and, and I do appreciate your consideration tonight and the additional
10 time you gave me. And I hope y'all have a good evening, thank you.

11 CHAIRMAN YONKE: Thanks for coming out.

12 MR. GRADY: Those are all the speakers we have.

13 CHAIRMAN YONKE: Did you miss the list?

14 MS. DOZIER: Yeah, I missed the list.

15 CHAIRMAN YONKE: Come on up and give us your name and address and we'll
16 give you two minutes as well.

17 **TESTIMONY OF F. ROBIN DOZIER:**

18 MS. DOZIER: Good evening, everyone. My name is F. Robin Dozier. I live at
19 540 Holland Road in Blythewood, South Carolina. I'm an avid walker and as I walk
20 Wilson Boulevard and bypass Turkey Farm I won't tell you the number of days I've
21 almost been run over. So having any additional traffic issues, additional cars, would not
22 be advantageous to the area on Wilson Boulevard. Also the minimum requirements
23 under the Guide to Land Use planning for South Carolina says 25 acres, this is only 19.,

1 what, 43 acres so technically it's not even enough acreage for anything to be
2 considered more or less 300 apartments. And the area that they're talking about, when
3 many of us bought our homes in the Blythewood Crossing which is off of Wilson
4 Boulevard, we were told that it was wetlands and nothing would be built there. And I'm
5 hoping that tonight that you all take into consideration the Staff's disapproval of this and
6 uphold it and not let those apartments be built or any commercial properties. We have a
7 commercial property trying to be built off of Wilson and Meriton and during the building
8 throughout the summer they had to stop any time that it rained because it was flooded.
9 And it's still not complete. And I don't recall the number of acreage that was there but
10 we definitely do not need any more at that Turkey Farm with the schools as well. In the
11 mornings the backup of traffic, of parents driving to drop their children off, it is a hazard,
12 and trying to get people out to go to work at Scout Motors, everybody's gonna be
13 rushing, you're gonna have more accidents. We have the 7-11 with all the traffic of
14 truckers coming in cause some of them, you know, go there for a rest stop. And across
15 the street there's an Exxon that is also used as like a truck stop off of Community Road,
16 so it'll block right up and there's no way that we can handle that off of Wilson Boulevard.
17 And I agree with the disapproval. Thank you.

18 CHAIRMAN YONKE: Thank you, ma'am.

19 MR. GRADY: Excuse me, could you spell your name?

20 MS. DOZIER: Dozier, D-O-Z, like in zebra, I-E-R.

21 MR. GRADY: And your first name?

22 MS. DOZIER: F. Robin.

23 MR. GRADY: Okay, thank you.

1 MS. DOZIER: Thank you.

2 CHAIRMAN YONKE: Did we miss anyone else on this one? No? Okay.

3 AUDIENCE MEMBER: Somebody over here.

4 CHAIRMAN YONKE: Oh, way over here. Come on over. That podium's been
5 open, too.

6 **TESTIMONY OF VANESSA GLADES:**

7 MS. GLADES: Good evening. My name is Vanessa Glades, 187 Upper Wing
8 Trail, Blythewood. And much like other folks before that are in agreement with the
9 disapproval. There are major issues that have not seemingly to have been addressed;
10 infrastructure to support the extra 300 apartments and the residents and the traffic that
11 would come along with that. We already know that the roadways are already
12 questionable. We've seen that even with the construction with the new elementary
13 school and we see that those potholes get bigger after each patch. And so we can
14 probably expect things like that to continue to happen if we were to allow the approval of
15 the building of those 300 apartments. And it's already been mentioned about the
16 schools, we're already at capacity at the elementary school that that area would be
17 zoned for and so something to definitely think about. And those are the main things
18 without being redundant with my fellow neighbors so thank you. I would definitely also
19 approve or agree with the disapproval of this building of the 300 apartments. Thank you.

20 CHAIRMAN YONKE: Thank you. Okay, last call for this property. Anyone who's
21 come out and waited this long I wanna make sure you have time to speak. Okay. This is
22 now open on the floor for discussion and questions for Staff. I'm a little curious if you
23 could zoom the map out and we can see the Scout site. And Mr. Price, don't get mad,

1 you've told me in the past that, to not ask this question but the schools, we see a school
2 on the imagery here, are they aware of this proposal?

3 MR. PRICE: Yes, the school districts are on the distribution list for the agendas
4 and packages for rezoning requests and we have not heard from the school regarding
5 this particular request, which would be District Two.

6 CHAIRMAN YONKE: Thank you. Commissioner Johnson?

7 MR. JOHNSON: Thank you, Mr. Chairman. The property to the east, that's a
8 PDD?

9 MR. PRICE: Yes, sir.

10 MR. JOHNSON: What is designated for that area? [Inaudible]

11 MR. PRICE: So going off the top of my head a bit here, they did come in to
12 amend this PDD not too long ago, because I believe that area was more for industrial
13 commercial development and they amended it to allow more residential use because
14 they felt that commercial or industrial was not anything that was viable at that location.

15 MR. JOHNSON: Thank you. Thank you, Mr. Chairman.

16 CHAIRMAN YONKE: Thank you, Commissioner Johnson.

17 MR. GRADY: Mr. Chair?

18 CHAIRMAN YONKE: Commissioner Grady.

19 MR. GRADY: More fun with future land use maps. So I'm looking at the map and
20 it appears as though the east side of Wilson Boulevard is designated as an economic
21 development center corridor designation, as well as what appears to be land very close
22 north of the site that's designated as a priority investment area. So I'm curious how
23 close that comes and more to the point if you have this intersection and the other three

1 corners of that intersection are designated for fairly high intensity development as part
2 of that designation whether it makes sense to think of the fourth corner as being a very
3 different sort of expectation for future land use.

4 MR. SMITH: So what you see on here is the economic development corridor as
5 well as the priority investment area bubble. I do have an additional map and you as well
6 have an additional map within your Comprehensive Plan that shows you more roads
7 that are included. Now, Turkey Farm Road falls outside of both of those designations. I
8 can't give you an exact page number but it's gonna be at the very back. Now, within
9 contextually appropriate areas you can put these kind of land uses to use but
10 contextually appropriate also takes into consideration what other land uses are around
11 there that would, you know, make sure that's not leapfrogging from, you know,
12 commercial to rural back to commercial. That's what we're trying to avoid.

13 MR. GRADY: Okay, thank you.

14 MR. PRICE: If you were looking in the Comprehensive Plan that was just
15 provided to you it would be the second map that folds out that has those details that Mr.
16 Smith was referring to.

17 CHAIRMAN YONKE: It appears that if this was north of Turkey Farm Road
18 [inaudible] priority investment area based off of the broad paintbrush that is the future
19 land use map?

20 MR. GRADY: That was more or less the question I was raising and based on the
21 map it does seem like there is some space between Turkey Farm Road and the
22 beginning of that intense development corridor. But as you can see on the map on
23 screen currently it is in the immediate environs of that area.

1 CHAIRMAN YONKE: Commissioner Johnson?

2 MR. JOHNSON: Thank you, Mr. Chairman, I'm sorry. Just add whatever other
3 perspective. Mr. Price's comments in terms of the amendment to the PDD across the
4 street would seem to say that it's trending a little bit past this [inaudible] as opposed to
5 more dense.

6 CHAIRMAN YONKE: I'm giving Staff some time to open a digital copy. So it
7 appears on this map if it was north of Turkey Farm then that's a community activity
8 center.

9 MR. PRICE: It's kinda interesting because there's a parcel that's north of Turkey
10 Farm Road –

11 MS. MURPHY: Microphone, please?

12 MR. PRICE: There is a, there's a parcel that's north on Turkey Farm Road that,
13 you know, kinda wonder if that was the parcel if our recommendation would've been the
14 same cause it looks like that would've fallen out of, just outside of the neighborhood
15 activity center also.

16 CHAIRMAN YONKE: Question for Staff I guess. To go along with the Comp Plan
17 a low density neighborhood is what's on the fringe here. So if this was a request for a
18 residential medium or low would Staff have recommended approval?

19 MR. PRICE: You know, again it also stated, you know, I'm sorry, just kind of
20 looking at it, reading the 2015 Comprehensive Plan for neighborhood low density states
21 that commercial should be located within nearby activity centers and may be considered
22 for location along main road corridors and within a contextually appropriate distance
23 from the intersection of a primary arterial. You know, that word 'should', you know,

1 again that doesn't mean that they, you know, again, it's more a guide, it's not telling us
2 that it has to be, you know, ideally you know, when you're looking at this you want these
3 in that neighborhood activity center but again, that's just a bubble or circle that really
4 doesn't, you know, again broadly identify it within that area, just a neighborhood activity
5 center within a circle. I'm not sure if really looking at these recommendations if we
6 would have recommended approval regardless of the request, you know, even if it was
7 a commercial zoning designation that was less intense than the general commercial.

8 CHAIRMAN YONKE: I mean, like an R3.

9 MR. PRICE: Would we have rezoned it –

10 CHAIRMAN YONKE: Right.

11 MR. PRICE: - for an R3 or – yeah I mean, it says lower density, single family
12 neighborhood developments are preferred and it doesn't really kind of give that same
13 criteria that you find for residential, I mean, excuse me for commercial at that location.

14 CHAIRMAN YONKE: When I look at these map amendments I look at the, like
15 land and the zoning and what I don't like about this one is the GC. The Applicant spoke
16 about apartment complex and maybe some other uses, but I don't like the GC in this
17 area. I'm not against housing. As you zoom out the map and you see Scout is coming,
18 but something that dense at this location doesn't seem favorable for me as it being a
19 GC. But I will defer to my Commissioners for further discussion or a motion.

20 MS. FRIERSON: Mr. Chairperson, I make a motion that we –

21 CHAIRMAN YONKE: Commissioner Frierson.

22 MS. FRIERSON: - send, that we send Case 24-052 MA to County Council with a
23 recommendation of disapproval.

1 CHAIRMAN YONKE: We've got a motion for disapproval. Do I have a second?

2 MR. JOHNSON: Second.

3 CHAIRMAN YONKE: Second from Commissioner Johnson. Staff, we have a
4 motion of disapproval and a second, can you please take a vote?

5 MR. PRICE: We have a motion for disapproval for Case 24-052 MA. Those in
6 favor, and I did say disapproval, those in favor of the motion, Duffy?

7 MR. DUFFY: Aye.

8 MR. PRICE: Taylor?

9 MR. TAYLOR: Aye.

10 MR. PRICE: Grady?

11 MR. GRADY: No.

12 MR. PRICE: Metts?

13 MR. METTS: No.

14 MR. PRICE: Johnson?

15 MR. JOHNSON: Aye.

16 MR. PRICE: Frierson?

17 MS. FRIERSON: Aye.

18 MR. PRICE: Yonke?

19 CHAIRMAN YONKE: Aye.

20 MR. PRICE: Alright, that motion passes.

21 *[Approve to deny: Duffy, Taylor, Johnson, Frierson, Yonke; Opposed: Grady, Metts;*

22 *Absent: Siercks, Durant]*

1 CHAIRMAN YONKE: The recommendation is for disapproval, it would go to the
2 next meeting, that's December 17th, is that correct, Mr. Price?

3 MR. PRICE: Yes.

4 CHAIRMAN YONKE: Okay. We're now moving on to our final case under 5b,
5 number 8, Case No. 24-053. Mr. Price. We'll take a second to let some people out.
6 Everyone have a good night and travel safe. Alrighty, Mr. Price. I know it's 9:00, we got
7 this. Come on.

8 **CASE NO. 24-053 MA:**

9 MR. PRICE: Okay. Alright, so our next item is Case 24-053 MA. The Applicants
10 are Robbie Smith and George Samellas. The Applicants are requesting to rezone a little
11 more than three acres located at 1621 Dutch Fork Road from residential transition
12 which is RT to general commercial which is GC. Staff recommends disapproval of this
13 request as this area falls within the neighborhood low density designation of the
14 Comprehensive Plan. Staff is of the opinion that a proposed rezoning is not consistent
15 with the objectives outlined in the Comprehensive Plan, very similar to what, you know,
16 you previously had before you. Although the subject property is located along a main
17 road corridor it is not situated within a neighborhood activity center nor within a
18 contextually appropriate distance from the intersection of a primary arterial as
19 recommended by the Plan. Furthermore the proposed rezoning designation would
20 encourage uses that are not consistent with the Plan's recommendations. Thus, Staff
21 recommends disapproval.

22 CHAIRMAN YONKE: Thank you, Mr. Price. Commissioners, any questions for
23 Staff?

1 MR. METTS: Mr. Chair?

2 CHAIRMAN YONKE: Yes, Commissioner Metts.

3 MR. METTS: Yeah, just to make everybody aware I'm, so I'm a commercial real
4 estate broker and I actually have the listing for this property and so I'm gonna recuse
5 myself from the vote and just wanted to let you know.

6 CHAIRMAN YONKE: Thank you, Commissioner Metts. Mr. Price, anything else
7 we need to do with that?

8 MR. PRICE: Well I haven't had one of these in a while. Normally in these
9 situations we, you know, we would like to get, you know, something written in advance
10 of the meeting just, you know, going forward, something written that they would be
11 recusing themselves on these cases. It has varied over the years from what happens
12 with the Commissioner during the, they can't participate in the discussion, of course,
13 you know, some have actually just left, gone into the back, others have just gone
14 outside, some stayed. It really doesn't make a difference, they just can't influence any of
15 the discussion or the decisions regarding this case.

16 MR. JOHNSON: Mr. Chairman?

17 CHAIRMAN YONKE: Yes, Commissioner Johnson?

18 MR. JOHNSON: [Inaudible] quorum.

19 MR. PRICE: Yes.

20 CHAIRMAN YONKE: I'm comfortable with Commissioner Metts sitting and
21 [inaudible].

22 MR. METTS: Mr. Chair, I mean, I'm not gonna influence the vote. I'll just keep
23 quiet.

1 CHAIRMAN YONKE: Alright, thank you. Thank you, Commissioner Metts. Alright,
2 we'll move on. Do we have people signed up to speak?

3 MR. GRADY: We do. First up is the Applicant, Robbie Smith.

4 CHAIRMAN YONKE: Come on down. You've heard me say this, two minutes
5 and state your name and address.

6 **TESTIMONY OF ROBBIE SMITH:**

7 MR. SMITH: Yes, sir. Yeah, I'll try. I'm from Marlboro County, formerly
8 Bennettsville, South Carolina so I speak a little slow. But hey, thank you. Robbie Smith,
9 1008 Indian Fork Road, Chapin, South Carolina. You know, we've met with the church,
10 Gateway Baptist. We've met with a lotta the local community members. Obviously, this
11 is a five lane road, you know, GC is to my ignorance, you know, not knowing all of the
12 other limitations of the other zoning protocols, like in looking in one of the books you
13 could have a bank and with the bank you couldn't have a drive-thru. But then you put a
14 restaurant there and you could have a drive-thru for the restaurant, so I was like, hey it's
15 five lanes of road, a lot of the properties across the street are GC, I was thinking just
16 with my own normal intelligence and logical thinking and rational was like, hey the
17 church next door is going to prohibit, you know, 50,000 things that could fit, potentially
18 fall under the GC approval. So I was thinking the church was my insulator and would
19 also keep some of the unwanted things out of the community. Lastly, we just wanna be
20 good stewards of the land, we wanna be neighbors. Myself and my business partner,
21 George Samellas, he owns Greek Boys right down the road, he runs a very, very
22 successful restaurant and guess what, he doesn't sell alcohol. You don't need to sell
23 alcohol to have a successful business. And the fact that we're by the church, you know

1 exactly who your neighbors are, right, it's not gonna change. We'll have that good
2 neighbor for an eternity and that gives me piece of mind as well. So I don't know, never
3 before appeared before a Commission like this, I obviously thank you for your time, I
4 thank you for your consideration. If there's something that will allow us to establish our
5 development plan such as putting a multi-tenant unit in there; when I filled out the
6 application I put dental office, the reason being my daughter, she's a sophomore, pre-
7 med at the University of South Carolina, and yes she did get through all of the organic
8 chemistry classes so she made the cut. Secondly, you know, we're thinking about a
9 Krispy Kreme, we're thinking about neighborly impacts that have a meaningful
10 innovation of people. We live in this community, we're gonna keep the unwanted away.
11 I don't want anything that the other neighbors in that community don't want and I think
12 after speaking to many of them we're completely aligned. So I appreciate your time this
13 evening and your consideration and whatever other suggestions you can make to allow
14 us to accomplish our goal we're all in. And thank you for your time.

15 CHAIRMAN YONKE: Thank you, sir.

16 MR. GRADY: And we also have the other Applicant, George Samellas.

17 CHAIRMAN YONKE: I need you to speak into it.

18 MR. SAMELLAS: Can you hear me?

19 CHAIRMAN YONKE: Nope. Mr. Price, can you help him? That one cut off, it
20 does that sometimes.

21 **TESTIMONY OF GEORGE SAMELLAS:**

22 MR. SAMELLAS: I think Robbie cut it off. When he fell back there I think he
23 shook it off. Anyway, my name's George Samellas, I live 128 Brody Road, Chapin,

1 South Carolina. So I wasn't really gonna speak tonight but you gave me the opportunity
2 so I'm gonna do it. I don't live but three, four miles from this land. Got a lotta friends that
3 go to the church, a lotta acquaintances there and, you know, like I said we both live in
4 the community. We're trying to do the right thing. We want growth but we want the right
5 growth. And in looking at the maps if you will, on 76 it's, GC is almost, almost the whole
6 road's GC. You have a five lane highway and like he said, we had first looked at, we've
7 been talking to a bank on one end of the planned development but to put a drive-thru
8 and a bank you have to be zoned general commercial. But to be zoned for a restaurant
9 does not have, with a drive-thru, does not have to be zoned general commercial, it can
10 be zoned MU. So in going forward we were like, well we need to probably ask for
11 general commercial zoning because we had talked to the bank about being an end-cap
12 and having a drive-thru but, so that's kinda what led us here. So, yes and also we have
13 been in contact with the church, we've had meetings with the church and they have
14 agreed to let us tie into the retention pond in a maintenance agreement. And I know it's,
15 you know, some engineering needs to be talked about and Gay Bell is our engineering
16 firm that we're using, so anyway that's all I got.

17 CHAIRMAN YONKE: Well, thank you for speaking tonight.

18 MR. SAMELLAS: Yes.

19 MR. GRADY: Alright, and the last person we have signed up to speak on this
20 item is Paul Cumbers?

21 **TESTIMONY OF PAUL CUMBERS:**

22 MR. CUMBERS: Good evening, folks. Thanks so much for taking your time and I
23 know you're volunteering and we sure appreciate it. So my name is Paul Cumber, I live

1 at 226 Hunters Blind Drive in Columbia. I am the operations director of Lighthouse for
2 Life, some of you may have heard of what we do. We are an anti-sex trafficking non-
3 profit here in Columbia and we are the owner, current owners of those three acres on
4 Dutch Fork Road. And when these gentlemen approached us about purchasing it we
5 were all in because of what they are wanting to do with it, and especially we are all in
6 because the sale of this property would allow us funds to open our safe house for
7 minors here in South Carolina. If you're familiar with sex trafficking in South Carolina it
8 is absolutely all over the place and children as young as eight are being drawn into the
9 life of sex trafficking. And the sale of this property would give us the funding to open our
10 safe house which would be one of less than a handful of safe houses in South Carolina
11 at the present time. The AG's office reported last January, almost a year ago, that there
12 are about 400 children, minors in our state who are in need of a safe house and
13 opening ours would give room for five of these 400 and there aren't many safe houses
14 in the state. So we would ask that you vote in favor of these gentlemen, Robbie and
15 George, approving them to change it from RT to GC. Thanks so much.

16 CHAIRMAN YONKE: Thank you, sir. Anyone else?

17 MR. GRADY: That's all we have.

18 CHAIRMAN YONKE: It's now open on the floor for discussion, Commissioners. I
19 have a question or request, can you zoom the map out? I notice that we're back in this
20 area again, I think what we were talking about about an hour ago. But now we're on 76.

21 MR. PRICE: It's right down the street.

22 CHAIRMAN YONKE: Um-hum (affirmative).

23 MR. JOHNSON: Mr. Chairman?

1 CHAIRMAN YONKE: Yes, Commissioner Johnson.

2 MR. JOHNSON: Just an observation. The parcel is reflected on the map versus
3 what's in our site, it seems like it's a smaller impact, it's – the, page 82 apparently
4 shows more than three acres, but what's on GIS appears [inaudible].

5 CHAIRMAN YONKE: There's a shape difference. Staff, can you explain?

6 MR. CUMBERS: I can explain if I'm allowed.

7 CHAIRMAN YONKE: Sure. Come back down. Thank you.

8 MR. CUMBERS: Sorry if I'm out of line. The reason it shows a little bit different,
9 we were, we originally owned 5.38 acres in that parcel and we sold 2.38 to Gateway
10 Baptist Church a couple of years ago, leaving the remainder of three. So maybe some
11 of the zoning maps haven't been adjusted, I don't know, but that's, that's the, I believe
12 that's probably the reason.

13 MR. JOHNSON: Thank you.

14 CHAIRMAN YONKE: Commissioners, thoughts? The map on page 82 is very
15 colorful. There's some diverse zoning going on.

16 MR. JOHNSON: There's a lotta red, Mr. Chairman.

17 CHAIRMAN YONKE: Any motions?

18 MR. JOHNSON: The RT that is between the commercial, the existing GC, from
19 the aerial photography seems to be more commercial and dense as opposed to the
20 residential options that are in there, so kind of the same level as the other adjacent red
21 but you have commercial diagonally across, then you have commercial down in that
22 block and the RT that is there is in fact commercial. So I mean, if there's a second to

1 [inaudible] Case 24-053 MA as a recommendation to Council for approval based on that
2 justification.

3 MR. GRADY: Second.

4 CHAIRMAN YONKE: We have a motion for approval from Commissioner
5 Johnson and a second from Commissioner Grady. I believe it's because it's in character
6 of the area? Is that what you're saying?

7 MR. JOHNSON: Yes.

8 CHAIRMAN YONKE: Is why we would disagree with the Comp Plan
9 recommendation. Staff, could you please take a vote?

10 MR. PRICE: So we have a motion for approval of Case 24-053 MA. Those in
11 favor, Johnson?

12 MR. JOHNSON: Aye.

13 MR. PRICE: Duffy?

14 MR. DUFFY: Aye.

15 MR. PRICE: Metts?

16 MR. METTS: Abstain.

17 MR. PRICE: That's right, I'm sorry. Taylor?

18 MR. TAYLOR: Aye.

19 MR. PRICE: Grady?

20 MR. GRADY: Aye.

21 MR. PRICE: Frierson?

22 MS. FRIERSON: Aye.

23 MR. PRICE: Yonke?

1 CHAIRMAN YONKE: Aye.

2 MR. PRICE: Alright, the motion passes.

3 *[Approved: Johnson, Duffy, Taylor, Grady, Frierson, Yonke; Abstained: Metts; Absent:*
4 *Siercks, Durant]*

5 CHAIRMAN YONKE: Thank you, Staff. How this one, December 17th. County
6 Council Zoning Public Hearing? Maybe?

7 MR. PRICE: No, sir.

8 CHAIRMAN YONKE: No, sir. Alright, February. Alright, so look out for this one
9 February 25th. Councilman Branham would maybe have this as part of his public
10 meetings?

11 MR. PRICE: Yes, this is one, as the other two in his, within his district, will have
12 a, some type of town hall community meeting with the Applicant and the community to
13 discuss further and I'm sure once that date is established and the location that he will
14 reach out to the Applicant to notify.

15 CHAIRMAN YONKE: Thank you, Staff. We will move on.

16 MR. PRICE: Okay.

17 CHAIRMAN YONKE: We're going on to 5d, an Administrative Review.

18 **AR-24-001:**

19 MR. PRICE: Alright, I believe when, this actually came before you previously and
20 there were five Members of the Planning Commission present during this Administrative
21 Review. And you heard the case and I believe it was deferred to allow the Applicant to
22 bring in some documentation, I believe to show that the parcels, including the golf
23 course, were one, at least there was a map for that. Again, not all of you were present

1 at that meeting so we're kind of relying on the direction of the Planning Commission on
2 do you wanna just essentially have another appeal of the entire case or do you want to
3 just let the Applicant provide you with the documentation that was requested, or at least,
4 yeah was requested at the October Planning Commission meeting?

5 CHAIRMAN YONKE: My suggestion would be during our last round of this we
6 learned that it's a little different than a map amendment. We are able to have a back
7 and forth with the, we don't consider this an applicant, this is like a case, we're a *quasi-*
8 judiciary now, right?

9 MR. PRICE: Right. Yes.

10 CHAIRMAN YONKE: I would suggest we pick up where we left off and then as
11 we have questions let's be open and ask these. Commissioners, does that seem fair?
12 Anyone who missed who wants to hear more backstory let's do that. Okay? Okay. Can
13 we start with Mr. Bakhaus? Come on down to the podium. And Mr. Price, do you stay
14 there or do you go to the other podium? Cause you act for the County. Okay. I do
15 remember that we were requesting some documentation.

16 MR. BAKHAUS: You want me to move?

17 CHAIRMAN YONKE: You're good.

18 MR. BAKHAUS: Okay.

19 **TESTIMONY OF JOHN BAKHAUS:**

20 MR. BAKHAUS: I thank you for being here this late tonight to hear me. But I
21 know when I look at a group of very tired volunteers I see a group right there and you've
22 been through a lot tonight. I don't know that you necessarily wanna deal with another

1 potentially extended discussion, so am I wise to consider deferring to another meeting
2 rather than drag you all out to the very end of your wits tonight?

3 CHAIRMAN YONKE: Does that put more pressure on you if we deferred this?

4 This would be February.

5 MR. BAKHAUS: Oh, February.

6 CHAIRMAN YONKE: Yes.

7 MR. BAKHAUS: Oohh.

8 CHAIRMAN YONKE: January we're on recess.

9 MR. PRICE: Yeah, we haven't adopted the calendar for next year but typically
10 because Council does not have a public hearing in January, the Planning Commission
11 kinda follows [inaudible] had a Planning Commission meeting in January.

12 MR. BAKHAUS: So that's for sure in February then, right?

13 CHAIRMAN YONKE: It's not for sure until the end of this meeting, but the last
14 page of our Agenda has the potential calendar and potentially it would be February 3rd
15 would be the next time that we meet after today.

16 MR. BAKHAUS: Yeah, I started this process way back mid-year and I don't know
17 that I wanna push it out that far. But I respect how you all might feel about now because
18 I'm feeling kinda that way myself. I will, if you all wanna plod on through this I'm willing
19 to move forward. I hate to go to February, if I knew you were gonna meet in January I
20 would say I'd wait. The one request I might have is if there's any way to get to the front
21 of the meeting cause same thing happened last time we did this, it was at the very end
22 of the meeting and an extended meeting. I don't know whether it's possible to get to the
23 front of the Agenda or not. It's a really, it's a very difficult and complicated situation and

1 there's a lotta money involved and so potentially land locking of an 80 acre very
2 valuable piece of land. And so I –

3 CHAIRMAN YONKE: Staff, can you pull that up on the map as we're going
4 through the highlights for anyone who missed this? Commissioners, what are your
5 thoughts? I see lots of faces. Commissioner Johnson?

6 MR. JOHNSON: I know some of us were absent the last meeting so, I mean, I
7 understand we need context but I think part of the end of that long narrative was, at
8 issue was that stretch of land extending between two parcels and I thought that the
9 appellant had a plat that they wanted us to see that would show and represent that
10 those were in fact one parcel. Is that not -

11 MR. BAKHAUS: Well, it is but that plat, a plat of just that 80 acres couldn't be
12 found. That 80 acres is residual out of about a 400 acre parcel of land that has been
13 developed over a period of about 20 years, so parcels have been pulled out of it and
14 there is no plat of what's left. We never surveyed that because until we knew what we
15 were gonna do with it there was not need to spend the money to survey it. And so there
16 is no plat on the 80 acres. I can show you tax maps, I can show you surveys that were
17 done on the 20 acres that show the connection, I can show you a previous development
18 plan on the entire 100 acres that was submitted and how that 100 acres is connected,
19 and that plan was approved some 10 years ago. There was a long letter that I wrote
20 Eric Jenson that was in each of your packets when I started this process some time ago
21 which gives the background without me having to tell the story again, but the point being
22 the major thing which is I think a problem where the County didn't do what they needed
23 to do to protect an adjacent landowner was I tried, before this plan came in on the 20

1 acres, I tried to alert the Planning Department that this plan would come and when it
2 comes I would like to have the opportunity to comment on it because I knew that
3 individual bringing that plan in was intentionally trying to land lock our property. And if
4 you would like I can pull these documents out that I did have that I can bring that show
5 what I'm trying to explain to you, but again this could be a fairly long discussion and I
6 see a lotta droopy eyes over there on the other side, so. I wanna have a fair hearing,
7 that's what –

8 CHAIRMAN YONKE: Yeah, if you have more information to share with us that
9 you don't have with you tonight then it would be the most fair thing to do is defer it to our
10 next meeting. Mr. Price, what do you think?

11 MR. PRICE: Well, we're having a lotta discussion considering we're thinking
12 about deferring. But I would just ask the question, if there's, you know, again if we're
13 gonna defer there should be something specific that we're looking for. I think, you know,
14 most of you have heard the case, if not they're in the Minutes, at the last meeting it was
15 something specific that was the hold up, it was one thing that was supposed to come
16 before you so that we could continue this on, and unfortunately it couldn't, the Applicant
17 could not meet in November so here we are in December. But again, if we are looking
18 to defer are we looking to defer just to gather some more information to provide
19 essentially to kinda fill the packet back up again, or is there something very specific that
20 the Planning Commission is looking for the Applicant to bring in so that you can make
21 your final decision, being that you've already heard the case?

22 CHAIRMAN YONKE: Our Minutes are online so you could quickly find out who
23 was here in October?

1 MR. PRICE: I can tell you from my notes.

2 CHAIRMAN YONKE: That's hitting the tab right there where it says 'Agenda', I
3 think the Minutes are right there, too, and then –

4 MR. JOHNSON: Chairman, while he's looking that up can I just -

5 CHAIRMAN YONKE: Go ahead.

6 MR. JOHNSON: I mean, to Mr. Price's point though, I think the it that Mr. Price
7 was referring to was the plat that I think that we were just told that – I don't wanna say
8 doesn't exist but they don't have – it's unable to be produced.

9 MR. BAKHAUS: Right,

10 MR. JOHNSON: And so, I mean, and again as parts of this is coming back, that
11 was sort of the lynchpin of the decision making we were trying to make was the
12 evidence that there was this connectivity. So if that doesn't exist or can't be found, I
13 mean, we certainly wanna give a full, fair hearing to walk through the facts but at least
14 the last time the conversation navigated through that was sort of the, that was the point
15 of decision as to how we were going to make a determination. So absent that when we,
16 if we end up at that same place –

17 MR. BAKHAUS: I can show you that our development company owns all of the
18 land right up and abuts the 20.23 acres. I do not have a plat that shows all of these
19 remaining parcels that make 80 acres in one, on one piece of paper. But I can show you
20 that the two Fairways Development property abuts the property, the 20.23, 20.28 acres.

21 MR. DUFFY: I think just to build off that point –

22 CHAIRMAN YONKE: Hold on a second, sorry. Go ahead. You have an answer to
23 my question?

1 MR. PRICE: Yes, just to answer what you asked previously, those present at the
2 October 7th Planning Commission meeting of 2024 were Yonke, Johnson, Duffy, Durant
3 and Taylor.

4 CHAIRMAN YONKE: [Inaudible] it's a complicated issue. That was the lynchpin,
5 you were going to provide more evidence for us.

6 MR. BAKHAUS: Yes. I have that but not in one plat.

7 CHAIRMAN YONKE: Okay.

8 MR. DUFFY: Mr. Chair?

9 CHAIRMAN YONKE: Yes, Commissioner Duffy.

10 MR. DUFFY: Just to follow up on the other Commissioner's point. I know you –
11 the plat was meant to be presented as kind of like the smoking gun, but just to refresh
12 our, our memories here, the attorneys who acted for you on this, he acted for both
13 parties, there was some, appeared to be a conflict of interest, and now he has
14 Alzheimer's so he has no, you don't have any access to legal documentation, is that
15 correct?

16 MR. BAKHAUS: That's right. And the contract disappeared out of his files. He did
17 not record the easement which was in the contract. And then in the end when we
18 needed his ability to stand up and say, here's what happened, he couldn't remember
19 anything about it. So that's why we're here today because of that one mistake the
20 attorney made. And I'd rather try to resolve it than sue the attorney or whatever, I mean,
21 obviously he has some, some problems but in his condition I don't know that it would go
22 anywhere honestly.

1 MR. PRICE: So I just kinda wanted to point out, so what you have before you is
2 an Administrative Review. And Administrative Reviews are just based on some type of
3 error or something that Staff may have made typically in enforcing the regulations of the
4 Land Development Code. So in this particular case the question really kinda comes
5 down to is, was connectivity required between the parcel that Mr. DeLage has
6 highlighted and that piece that he now has his mouse over because there was a golf
7 course, even though it's part of trail for the golf course before you. And again as what
8 was presented to you previously was based on Code, based on Code for connectivity,
9 §26-181(3)(C) of the Land Development Code that was in place during this
10 development, and the language is very similar in our current Code, it talks about
11 access, excuse me, let me try to say that correct, it's 26-181(3)(B), it talks about access
12 to undeveloped property and where it is deemed necessary to the development of a
13 logical road pattern and transportation network, roads and right-of-ways shall be
14 extended to the boundary of adjoining property. Incompatible characteristics of adjoining
15 property shall be given due consideration in making a determination of what constitutes
16 a logical road pattern. So it was Staff's opinion that because the golf course was there
17 and it separates the two parcels, that connectivity was not required. Very similar I
18 believe it's also been stated by the Applicant that, you know, even looking at other
19 areas along Long Town Road, about not wanting to cross over the golf course. I mean,
20 that was stated previously. So if you don't wanna go across the golf course in other
21 places but yet you want a section to go across this one also. Again, we, that's what
22 Staff, you know, based their decision on, I think that's what you have before you; we are
23 not here, you know, and I say this respectfully, but we're not here to bail out what may

1 have happened with the attorney or someone else involved in this matter. You know, it's
2 a matter of really do you feel that Staff erred in its interpretation.

3 CHAIRMAN YONKE: Commissioner Johnson?

4 MR. JOHNSON: Thank you, Mr. Chairman. One question that is – the golf
5 course, is there common interest between the golf course ownership and the Applicant?

6 MR. BAKHAUS: Yes.

7 MR. JOHNSON: Okay. Alright, so –

8 MR. BAKHAUS: The Applicant owns the golf course, owns all the property in the
9 golf course.

10 MR. JOHNSON: I'm just one person -

11 MR. BAKHAUS: Okay, I just answered the question. I'm sorry.

12 MR. JOHNSON: But I'm just saying, I'm gonna articulate my thought process on
13 this, cause this is, obviously this is a very challenging issue. But trying to be as objective
14 as possible I accept that the attorney, it appears that the attorney didn't file the
15 easement –

16 MR. BAKHAUS: Right.

17 MR. JOHNSON: - that was, should've been done.

18 MR. BAKHAUS: Right.

19 MR. JOHNSON: There appears to be an access through there that there's
20 separation between the two parcels, there's a point of access. In some form of
21 ownership you or your clients own that parcel on the golf course and when we look at
22 the other part up in the northwest corner the parcels that were divested that go into that
23 subdivision over there, even though they were done previously, you all, some of

1 affiliates of you all owned that at some point when that was sold. So who best to control
2 what happens, the ability to get out on this side, you all controlled at some point, you
3 control the golf course, and now you're gonna have opposition from the HOA of the
4 other folks to come through and get access through there. But there are at least two
5 potential remedies, either approaching the residential unit over there and ask,
6 petitioning in some form or fashion to get access through that road that terminates into
7 that part of the site, or through the golf course, or through this other owner. So I mean,
8 there are at least three, objectively it seems like there are three other outs in terms of
9 how to solve it, and I'm just, you know, correct me if there's something that I'm missing,
10 but just objectively that's just the way it appears.

11 MR. BAKHAUS: The other street you mentioned is a private street, it's not a
12 public street. It's private, it's owned by that community. We have approached them and
13 they said no deal, we don't want any more traffic coming through our neighborhood, so.

14 MR. JOHNSON: I think from our standpoint that we have to, the question as Mr.
15 Price said, did Staff make a mistake in approving this subdivision and there's a require
16 for connectivity that this parcel that you have control over, at least some degree of
17 control over, that has access to it, so at least the way it's quoted and presented to us it
18 seems that – it may not be an ideal solution or a preferred solution but there is a
19 potential solution in terms of access. Again, and that's why I said I'm just one person
20 but, I mean, it's a body but I welcome either you or the other Commissioners to point
21 something out differently.

22 MR. BAKHAUS: Well if I could show you the material I brought, I don't have the
23 plat that you requested because it doesn't exist, but I can show you other surveys

1 around the site and the development plan that was approved some 10 years ago,
2 showing the whole 100 acres developed together. So it shows that one connection and
3 it was, it was done by the person who originally bought the 20 acres, he had an option
4 on the 80 and he went and put a development plan together which shows that one
5 access. And the survey shows that small strip that separates the two pieces of
6 properties which Fairways Development owns both of, is a golf cart crossing through
7 there and we have golf cart crossings through all of our residential neighborhoods and
8 that's what that would be, just like anywhere else.

9 MR. JOHNSON: Was the site plan that showed the connection submitted to
10 Staff?

11 MR. BAKHAUS: Yes. It was approved by the Staff. This is the site plan of the full
12 100 acres and how it connected and that connection is this same one we're talking
13 about right now. And this was approved by the Staff. Unfortunately, it was, the approval
14 was withdrawn because of a lawsuit that was involved that we had nothing to do with.

15 CHAIRMAN YONKE: That's not the site plan that's currently filed with the Staff,
16 that's a previous site plan.

17 MR. BAKHAUS: This is a previous, yeah this is not, this –

18 CHAIRMAN YONKE: The current one's in our packet.

19 MR. BAKHAUS: It should've been in your packet but I brought another set just in
20 case it wasn't.

21 CHAIRMAN YONKE: 91. Okay, you're one, Commissioner Johnson is one part of
22 the body, I guess I'm another part of the body. As I understand the map kind of tells the
23 story. If you zoom in a little bit, Mr. DeLage, that these aren't contiguous parcels, there's

1 the golf course between. And at one point it was developed as 100 acres but now it's
2 not, you've sold off things.

3 MR. BAKHAUS: Right.

4 CHAIRMAN YONKE: And now it's landlocked as I understand it.

5 MR. BAKHAUS: Right.

6 CHAIRMAN YONKE: And so someone that you sold it to now wants to develop
7 along the road and this middle parcel is now gonna be locked away. But as a previous
8 landowner you made the choice to sell it, so I don't feel like the County made a mistake.
9 And if there's any documentation that could prove that they made a mistake that would
10 be otherwise. When you were here in October we were looking for that parcel or that
11 plat that would show that that's contiguous so if you zoom in, Mr. DeLage, again on that
12 little corridor those lines don't touch. I'm a map guy during my daytime life. Those, the
13 topology doesn't work there. So –

14 MR. BAKHAUS: But that little strip is owned in common by the developer, by the
15 development company which also owns the 80 acres. I thought that strip was an
16 easement and this, this was the original survey of the 20 acres once we sold it. Civil
17 Engineering did the survey so this is what I was gonna bring instead of the plat.

18 CHAIRMAN YONKE: Are there copies or is there just one?

19 MR. BAKHAUS: Copies for everybody.

20 CHAIRMAN YONKE: Okay, I'll take one and pass it around.

21 MR. BAKHAUS: [Inaudible]

22 CHAIRMAN YONKE: But is this, this is a previous one though, right?

1 MR. BAKHAUS: That was after the 20 acres was sold off. Civil Engineering
2 surveyed the 20 acres and where I circled it you can see there are two things; one is
3 they call that little strip easement and not a separate property, and they also show that
4 the roadway will continue on to the initial property, the 80 acres of property. I think I've
5 got enough copies for everybody.

6 CHAIRMAN YONKE: The sketch plans change the, and the one that you just
7 handed out is dated November 20th, 2015, the [inaudible] operator that put these
8 together. And the one that's in our packet is from September 14th, 2022. So I believe we
9 go from the most current one that's filed.

10 MR. PRICE: Correct.

11 CHAIRMAN YONKE: Right. Yes, Commissioner Johnson?

12 MR. JOHNSON: Are you saying between what's in our packet and this which is
13 the most recent?

14 CHAIRMAN YONKE: What he, what he just handed to us is older, it's dated
15 November 20th, 2015, you can see on the left box there.

16 MR. BAKHAUS: That was a survey that was done of the 20 acres when it was
17 purchased. It was done for the buyer, we didn't do it, the buyer had that done. And Civil
18 Engineering picked that little strip up as an easement and basically we relied on that as
19 correct information. So –

20 CHAIRMAN YONKE: Same, same company.

21 MR. BAKHAUS: Huh?

22 CHAIRMAN YONKE: Same company that did this.

23 MR. BAKHAUS: Yeah.

1 CHAIRMAN YONKE: So I would – I look at my most recent data, for my
2 geographic data and if it's the same consultant that did this in 2015, they made updates
3 to it to 2022, and then they filed this with the County, is that correct?

4 MR. BAKHAUS: Well that was a different owner, that was a third owner that did
5 that in 2022.

6 CHAIRMAN YONKE: So something illegal happened is what you're saying
7 between 2015 and 2022, that the County shouldn't have done that made it so that you
8 can't connect to your property. Is that what our review, is that what your case is?

9 MR. BAKHAUS: Yeah. My, my case is this, that the County should have applied
10 the regulation 26-181(B)(3)(b) to that review of that 20 acre development plan, which
11 would've required them to provide, the developer of the 20 acres to provide access to
12 the 80 acres. It's that simple, really.

13 MR. PRICE: Mr. –

14 MR. JOHNSON: Who is, who was Civil Engineering of Columbia working for?

15 MR. BAKHAUS: Not us. They were working for, this, what I handed you now is
16 the first buyer, the buyer who bought the property from us. And I think the 2022 plat was
17 done by the second buyer and then submitted to the County for review.

18 MR. JOHNSON: Was this recorded?

19 MR. BAKHAUS: The one that I just handed you?

20 MR. JOHNSON: Yes.

21 MR. BAKHAUS: I don't, I really don't know. I think they recorded – well yeah, I
22 would assume it was recorded. The survey was recorded. This shows their layout, and
23 the reason I brought this is it shows their road going on into the other piece of property.

1 MR. JOHNSON: As Commissioner Metts (?) just pointed out, the one that you
2 just handed us has the dotted line for the road, which would constitute the easement
3 making that connection –

4 MR. BAKHAUS: Right.

5 MR. JOHNSON: - which I think we're back where we were in October. If you
6 have a recorded version of this then you're in good shape.

7 MR. BAKHAUS: Yeah.

8 MR. JOHNSON: But in the absence of a recorded plat then the County has
9 nothing to go on, to rely on.

10 MR. BAKHAUS: Right.

11 MR. JOHNSON: So that's what I'm saying, if we have a recorded version of this
12 plat I think that's dispositive. But in the absence of it –

13 MR. BAKHAUS: Well, I'm sure there is a recorded version of it. I wasn't given the
14 recorded version but I can go find it.

15 CHAIRMAN YONKE: But this is also drawn for a different owner of the land. This
16 was prepared for Development Services, LLC, and the one that we have that's in our
17 plan is for Fox Creek Development. Is this the same company?

18 MR. BAKHAUS: No, he's the, Fox Creek is the third owner. We were the first
19 owner, this group, the Villages, was the second owner, and then Fox Creek is the third
20 owner.

21 CHAIRMAN YONKE: So you're saying the County didn't do due diligence in the
22 passing of the one plat to the other from the ownership?

1 MR. BAKHAUS: Here's why I contend it wasn't due diligence because I knew the
2 fella who bought it third, Fox Creek Development, was going to try to land lock our 80
3 acres. I knew that for a fact because I'd met with him, I offered him access to sewer
4 lines and different things. He understood the problem with the easement and I said, if
5 you'll agree to go ahead and allow us to have access to the 80 acres I'll do all these
6 things that'll save you a lotta money, and he turned it down. Now he's back, he's
7 interested in buying the 80 acres now that he has it landlocked. And so my contention is
8 before that development plan came in to the Planning Department from Fox, was it Fox
9 Development?

10 CHAIRMAN YONKE: Fox Creek Development.

11 MR. BAKHAUS: Fox Creek Development. I came to Geo and I said, there's, this
12 fella's bought this property, at some point in time he's gonna develop it. When he does
13 he will bring a plat in and I don't know what he's gonna show on that plat, obviously he
14 came in and showed that there was no connection between the two pieces of property. I
15 said, I would like to have the opportunity to come back and explain what the situation is
16 when you get this development plan. And I did not get that opportunity. I didn't know
17 about the fact that the plan was approved until the guy was well into the development
18 process.

19 CHAIRMAN YONKE: [Inaudible] outside party now who purchased your land.
20 You sold the land.

21 MR. BAKHAUS: Right. Right. No, I didn't sell it to him.

22 CHAIRMAN YONKE: He did what he needed to do. You did not.

1 MR. BAKHAUS: The, this group, the Villages group, I sold it to them and we had
2 an easement agreement in our contract. And the contract has disappeared and the
3 attorney doesn't remember and so, but I'm 110% sure there was an easement
4 agreement in that contract.

5 CHAIRMAN YONKE: [Inaudible]

6 MR. JOHNSON: I mean, alright –

7 CHAIRMAN YONKE: Commissioner Johnson.

8 MR. JOHNSON: If the, if it was, well no. [Inaudible] document from you to that
9 buyer –

10 MR. BAKHAUS: The first buyer.

11 MR. JOHNSON: The first buyer. The contract would not have been recorded but
12 the deed would have referenced that easement, so what is that –

13 MR. BAKHAUS: The deed doesn't reference the easement.

14 MR. JOHNSON: And the survey is not filed.

15 MR. BAKHAUS: The survey showing the easement?

16 MR. JOHNSON: Showing the easement.

17 MR. BAKHAUS: No, no, the attorney just disregarded the easement I guess in
18 every respect. He did not record the easement. It was not in the deed and he did not
19 record it in the courthouse.

20 MR. JOHNSON: If the purpose of recording is to give notice what would've given
21 the County notice?

22 MR. BAKHAUS: There really was no notice to the County about the easement
23 agreement, other than my explanation of it. But the point is that this, when this 20 acres

1 came in for review the County knew there was 80 acres behind it that would not be
2 accessible to a road. And I think in county tradition if the county knows that's a situation
3 they often require, not every time necessarily, but they often require, more often than
4 not, that access be provided to the land behind it.

5 MR. METTS: Mr. Chair, I've got a question.

6 CHAIRMAN YONKE: Yes, go ahead.

7 MR. METTS: Did you handle that sale or did, like a brokerage handle that sale
8 for you or?

9 MR. BAKHAUS: I, I handled the sale. I handled the writing of the contract. I did,
10 right. And one attorney, the attorney was originally my attorney but I've been in the
11 development business since 1980 here in Columbia, and this fella's been my attorney
12 all along. These fellas came to town and started buying some land from us and I
13 introduced them to him and when we got to this particular sale he represented both of
14 us in that sale. And he wrote the contract, we negotiated the easement agreement more
15 extensively than anything else in the contract, and he failed to record it.

16 CHAIRMAN YONKE: Mr. Price. I'll give you a few minutes too cause you speak
17 for the County.

18 MR. PRICE: Yes, I kind of have a simple question. So we're looking at the 80
19 acres here, correct? This piece here up at the top that I'm kind of circling over, you
20 might see it up there, is that going to be developed?

21 MR. BAKHAUS: Which piece, the –

22 MR. PRICE: Right here. You can see it on the map up there.

23 MR. BAKHAUS: Yes.

1 MR. PRICE: That's gonna be developed?

2 MR. BAKHAUS: Yeah, and the piece below it. Those two pieces constitute the 80
3 acres.

4 MR. PRICE: So my question is, I'm going back from previous testimony, how is
5 this property, this piece gonna be developed if it has no access?

6 MR. BAKHAUS: That's the whole point. The access comes through the 20 acres.

7 MR. PRICE: It's gonna come through the golf course?

8 MR. BAKHAUS: Come through the 20 acres.

9 MR. PRICE: Now, the 20 acres is here, so even if you got access to this piece –

10 MR. BAKHAUS: Right.

11 MR. PRICE: - how would this piece get developed? Where would the access for
12 this come from?

13 MR. BAKHAUS: Just, just like it was approved once before. This was the plan
14 that was approved before.

15 MR. PRICE: So you would go through the golf course.

16 MR. BAKHAUS: No, this doesn't go, this goes through that same access. That's
17 the plan that was approved.

18 CHAIRMAN YONKE: I think he's asking, the northern connection between the
19 two.

20 MR. PRICE: No, there, this road right here goes through the golf course.

21 MR. BAKHAUS: You're talking about to the last piece.

22 MR. PRICE: Yes.

23 MR. BAKHAUS: Yes.

1 MR. PRICE: It would have to go through the golf course.

2 MR. BAKHAUS: No, huh-uh (negative). No.

3 MR. PRICE: This is the last piece, this is the piece I'm talking –

4 MR. BAKHAUS: There's, there's the end of the golf course right there, the road
5 goes behind the end of the golf course.

6 MR. PRICE: Where, where is it going? Where is it going?

7 MR. BAKHAUS: The road would go right through here.

8 MR. PRICE: So that's going through the golf course. This is part of the golf
9 course.

10 MR. BAKHAUS: This is golf course property, yes.

11 MR. PRICE: Okay. So the reason why I even brought that up, and I'll let you
12 have that, is because during the last testimony it was stated they were landlocked; they
13 owned both properties on the golf course and they own the 80 acres. They have
14 frontage on Long Town Road. So if they wanted to develop this they could easily come
15 through this portion of the golf course to this, to this parcel, it's not landlocked, just as
16 they would come through this piece, have to go through the golf course to get to the
17 back piece. Because if the argument is you can't go through the golf course, that you
18 can't go through the golf course then this back piece would never be developed.

19 MR. BAKHAUS: That is a piece of land that just connects two parts of the golf
20 course, it is unused, wooded land –

21 MR. PRICE: It's still part of the golf course.

22 MR. BAKHAUS: - it doesn't have anything to do with the golf course except that it
23 connects the two of them and there's a cart path that runs through there. Going from

1 one hole to the other, so it's the same situation that it would be if we connect the 20 to
2 the 80 here, you're crossing over a cart path in an area that has no golf. The two holes
3 are separated, the golf holes are separated. There's a cart path that connects them and
4 you drive the road across the golf cart path. We've done that all over the development.
5 The cart paths connect the golf course and the roads cross the cart paths.

6 CHAIRMAN YONKE: The argument would be that the Long Town Road frontage
7 is part of the active part of the golf course.

8 MR. BAKHAUS: Right. That's right.

9 CHAIRMAN YONKE: The County's just gonna see all of that as one golf course.

10 MR. BAKHAUS: Right.

11 CHAIRMAN YONKE: When you start to dissect it into the different holes and
12 greens and whatever, I'm not a golfer –

13 MR. BAKHAUS: Right, right.

14 CHAIRMAN YONKE: - but this, this part that shows connection, that would be
15 going through the middle of the hole, right?

16 MR. BAKHAUS: Right. Right. So you would have to redesign it, eliminate a hole,
17 whatever, which is not what you wanna do to a golf course.

18 CHAIRMAN YONKE: But that's not the County's responsibility.

19 MR. BAKHAUS: I, I clearly made the request that something's going on here, a
20 contract disappeared out of a lawyer's file, all of his information disappeared out of his
21 computer, he can't remember anything and somebody's eager to land lock this 80 acres
22 right now, the guy who now owns the 20. And I tried to get ahead of that planning
23 process and say, look there's something going on here, I need you to protect my

1 interest with the 80 acres. And the two are clearly, as one property owner from the edge
2 of the 20 acres all the way around to the other 80 something acres. There're only two
3 property owners there, Fairways Development and Fox Creek Development.

4 MR. GRADY: Alright, so I, I'm gonna –

5 CHAIRMAN YONKE: Commissioner Grady, jump in.

6 MR. GRADY: - I'm gonna jump in here cause I, I feel like we are really missing
7 the relevant question here. So I will admit I was not here in October, I, I forget why I
8 wasn't here. But looking over, you know, I'm looking at this relevant statute and, you
9 know, it says, where it's deemed necessary to the development of a logical road
10 pattern, dah, dah, dah, dah, roads and right-of-ways shall be extended to the boundary
11 of the adjoining property. Now, the point is we obviously have a contention about this,
12 this easement. He asserts that it exists, it can't be found but there is a clear dispute. So
13 I guess my question is, what, what is the harm in requiring connectivity here? I mean, it
14 seems to me there is not a house that would be removed from the developer's plan,
15 there's not a – it doesn't seem to me that there's any material harm done to the owner
16 of the 20 acres by requiring that they just extend this road another 50 to 100' it looks
17 like. So I guess I'm not seeing why, you know, there's a, if, you know, I am not, I do not
18 feel qualified to assert whether he's telling the truth or not cause I don't have the
19 documents. But what I can say is, if he is then this seems kinda messed up. I mean, it
20 seems like there's not a clear interest that the County has in preventing future road
21 connectivity by not, by authorizing the developer of the 20 acres to simply dead end the
22 land within spitting distance of this, this piece of land that's in dispute. So Mr. Price, I

1 mean, can you speak to, is there some sort of material harm that would come to
2 someone by, by requiring street connectivity?

3 MR. BAKHAUS: Could I personally answer that question? And then Mr. Price can
4 – the –

5 MR. GRADY: I asked him first. I'll let him answer and then I'll give you a chance
6 to respond.

7 MR. BAKHAUS: Okay. Okay, thank you.

8 MR. PRICE: I mean, I guess the answer would be probably not. I mean, you
9 could connect or at least dead end to any property. Just, but again we're just going by
10 what the Code said, the Code did not require this connectivity at this point. So that's
11 why it wasn't, because they were deemed to be incompatible land uses. But you know,
12 as stated in the Code so that's why connectivity was not required.

13 MR. BAKHAUS: Could I?

14 MR. JOHNSON: Clarification.

15 MR. BAKHAUS: Okay.

16 MR. JOHNSON: Mr. Chairman?

17 CHAIRMAN YONKE: Yes, Commissioner Johnson.

18 MR. JOHNSON: I think the, the – what's at issue here is that this, if we were here
19 before action was taken your point would be an action point. But an approval has
20 already been issued so an entitlement has been issued to an owner. So I mean, the
21 bell's been rung. So the only path forward for us to find that the bell was rung improperly
22 and here Staff is saying there are at least two other ways to get to that parcel, they may
23 not be desirable ways but legally there are two other ways there. If we had had this

1 argument before, which is to the Applicant's point, he asked to try to intervene before
2 the entitlement was made, but at this point it's approved. Am I, am I -

3 MR. PRICE: That's correct.

4 MR. JOHNSON: So it's approved.

5 MR. GRADY: Yeah, sorry go ahead.

6 MR. BAKHAUS: Okay, the point is if you look at this piece I just gave you, this
7 shows a spine road running from end to end of the property. The current developer has
8 done a very similar spine road, the rest of the plan is different but there is a spine road
9 that goes from end to end and the northern end of it is aimed right at the other 80 acre
10 property. There is, it's stopped short and the end at the other end, same thing, it's
11 aimed right at our property but it's stopped short.

12 MS. FRIERSON: What's a spine road?

13 MR. BAKHAUS: It, it's this road that runs the length. So, and on the northern end
14 where the spine road approaches our property the storm drainage that he's put in the
15 ground, the pipe opens out onto our property, so he's dumping his storm drainage on
16 our property, he's brought a road to the edge of the property, so I think he assumes that
17 he's gonna be able to carry it on at some point in time, on his terms. And the point is,
18 talking about getting ahead of the curve, I tried to get ahead of the curve. I came down
19 and I said, please when this comes in, this is a very important issue, can I see what
20 they're planning to do and can I have some input.

21 MR. PRICE: Which is, just for the Record, that is not requirement. That's not
22 required that we do that.

1 MR. BAKHAUS: I know it's not required. So that was gonna be the last thing I
2 would ask you all is that if he's designed his roadway to connect into our property, what
3 would be the harm – and he's gonna dedicate his road to the County – what would be
4 the harm in requiring connectivity between that property and our property?

5 CHAIRMAN YONKE: Mr. Price, what is the final motion that is being asked for
6 from the Planning Commission? We approve or deny this Administrative Review or this
7 appeal?

8 MR. PRICE: I mean, either you, you either agree that Staff was correct in its
9 interpretation and enforcement of this section of the Code or you, you agree that Staff
10 was not correct in its interpretation.

11 MR. JOHNSON: In terms of our action what's the next step?

12 MR. PRICE: Well, that's where it gets interesting. This gets, if it is found to be, if
13 you side with the Applicant then the question what does that mean for an approved site
14 plan, does that mean that we now have to go back and revoke any approval, even
15 though development has already taken place, which I know where that's gonna go with
16 the applicant, with the developer. Or you know, if you, or if you think that Staff was
17 incorrect in its interpretation then Mr. Bakhaus would have an opportunity to appeal this
18 to circuit court.

19 CHAIRMAN YONKE: But after us this doesn't go to Council.

20 MR. PRICE: No.

21 CHAIRMAN YONKE: We make a decision.

22 MR. PRICE: Yes.

23 CHAIRMAN YONKE: We have attorneys here on the Commission, right?

1 MR. JOHNSON: I am not practicing today. But let me say this, I think there's no
2 question, I mean, you've got commercial, you've got residential, you've got GIS, you've
3 got Planning, you've got economics, you've got all the different perspectives trying to
4 look at each of these cases and decide what's in the best interest of the County and
5 what's in the best interest of the Applicant. So I mean, we're all here trying to do the
6 right thing so to speak. I just, in this particular case I don't know [inaudible].

7 MR. BAKHAUS: Well I can assure you it would be in the best interest of the
8 County to have the 80 acres developed, 80 acres with 175 homes, average price
9 \$600,000, a lotta tax revenue there.

10 MR. JOHNSON: I agree with you, but here's the thing, but this is coming to us
11 after another owner has been issued an entitlement and at least as I'm understanding
12 the way this is framed as the appeal is, did Staff follow the law?

13 MR. BAKHAUS: Right.

14 MR. JOHNSON: And so they have at least made the case that there are two
15 other points of access that are not desired but there are at least two other points of
16 access so from that standpoint you at least have something to rely on in terms of your
17 access. I know that's not the outcome that is desired but –

18 MR. GRADY: Mr. Chair, if I may. I think the thing that I'm seeing here is it says a
19 logical road pattern and transportation network, it doesn't say a theoretically possible,
20 and certainly when you look at the map if you were going to develop those 80 acres
21 connecting across those two pieces of real estate that are part of the golf course is the
22 logical way to build a road network to serve the neighborhood. So I would say that just

1 because it's hypothetically possible to do something different does not mean that is the
2 most logical or a logical means of –

3 MR. JOHNSON: But keep in mind part of the testimony from October was the
4 Applicant, when they controlled this and that they had the opportunity to preserve their
5 own access and they didn't do it. They owned all of that at one point.

6 MR. GRADY: Yes.

7 MR. JOHNSON: And so when this subdivision and that subdivision –

8 CHAIRMAN YONKE: Use descriptive words cause we see you pointing with a
9 pen but for the recording.

10 MR. JOHNSON: The adjoining parcels at one point were under common control
11 of the Applicant. And so we went through in October the timeline of when did the
12 termination of that other cul de sac, when was that sold, and that predated [inaudible]
13 multiple opportunities. And I'm not, I mean, I don't have a dog in it I'm just saying that
14 it's, I mean, we're being asked to fix something that the Applicant was in a position to
15 do. Now, he didn't get any help from the buyers or he didn't get any help from the
16 attorneys and from the surveyors, so I mean, it's a bad situation all the way around.

17 MR. BAKHAUS: Well, the first 20 acres sold, that buyer had the intention of
18 buying the remaining 80 acres, too. He had an option to buy it. He gave up on his option
19 about two years in and then about two years after that decided to sell the other 20
20 acres. So it was his plan to buy the 20 and connect it through just like the plan he
21 submitted to the County and develop the 80 acres. He couldn't do it for whatever reason
22 and so he decided to sell the 20 acres. When we wrote that contract I guarantee you

1 100% there was an easement agreement in that contract. And how in the world it didn't
2 get handled the way it should have I don't know.

3 CHAIRMAN YONKE: Go ahead, Mr. Price.

4 MR. PRICE: Again, okay this, kind of a recommendation from me here, because
5 what I'm hearing a lot of is lot of reference as to what the intent of the property owner is
6 that has the 20 acres. Hearing a lot of, well this is what they intend to do, this is what
7 they're trying to do, this is what happened. If, you know, if that's gonna be entertained
8 then I think it would be right to at least offer that property owner a chance to come in
9 and speak on their behalf of what their actual intent was and what it is they did.
10 Because what we're hearing now, what we're hearing now is that they're in some way
11 trying to underhand, you know, the development of this property, you know,
12 underhanded methods, you know, to kind of force them to give it to them. That's what
13 the, that's what Mr. Bakhaus is stating. Again, I'm not saying that he's wrong or anything
14 along those lines, but I'm saying that if you're going to talk about what someone else's
15 intent is then that person should at least have the right to come in and testify. And being
16 that, for administrative reviews these are open and so anyone that just signs up or
17 wants to come and speak can. So if we're gonna continue to go about and if that's an
18 issue that we feel that in some way the Applicant has been wronged by someone else,
19 then the person should at least have the opportunity to come in and speak on their
20 behalf.

21 CHAIRMAN YONKE: Commission, by a show of nods, do we wanna entertain
22 this idea and have him come back in February and ask the current landowner to give
23 some testimony?

1 MR. PRICE: Yeah.

2 MR. JOHNSON: One question.

3 CHAIRMAN YONKE: Commissioner Johnson, go ahead.

4 MR. JOHNSON: Given that the entitlement is in place but where is that owner in
5 the process of development right now?

6 MR. PRICE: I believe they have actually started moving dirt on the property.

7 MR. BAKHAUS: Well, they've got pipe in the ground. And again I was trying to
8 get ahead of that, that's why my letter to Eric Jenson after I couldn't get any help from
9 Geo, I wrote to Mr. Jenson and he said the same thing. So basically they told me my
10 only chance to get anything done about it is to appeal to you guys and ladies. And I tried
11 to do that before the first piece of dirt was turned. And so it's been that long and right
12 along they've continued on with their development work. But they built a road just like
13 they would build it if they were gonna take it into our property.

14 CHAIRMAN YONKE: Okay Commission, I'll make a motion for deferral. We are
15 asking for testimony of the landowner. Is this by choice if the landowner comes in? I
16 mean -

17 MR. PRICE: Well, what I'm just trying to do is make sure that we, that it's clear of
18 what it is that, at the next meeting what it is we'll be doing.

19 CHAIRMAN YONKE: Yes, speak in the mic, Commissioner Johnson.

20 MR. JOHNSON: I mean, well I guess pro or con -

21 MS. MURPHY: Microphone, please?

22 MR. JOHNSON: Pro or con as you said for not, I mean, is most of the
23 Commission pretty much figured out where they think they land on this? I mean, is that,

1 is that additional information gonna change where your current thought is, I mean,
2 whether that's positive or negative [inaudible] is that additional information gonna
3 change from where we think we are [inaudible] call for the vote to see where we stand.

4 MR. DUFFY: I'll add to Commissioner Johnson's remarks, I agree, I sat through
5 this in October and we were promised a plat and we were promised legal documents
6 and that hasn't materialized. So if we kick the can down the road till February we'll be in
7 the same position, so is it gonna change the decisions? Or maybe there's just a
8 necessity to call a vote and see where we stand tonight.

9 MR. METTS: Mr. Chair, I've got a question, I mean, if he –

10 CHAIRMAN YONKE: Yes.

11 MR. METTS: - was supposed to bring all that but then his attorney, his mind is
12 not working anymore and he's lost all the documents, I mean, it might be worth having
13 somebody else come in and talk about it, and hearing what he says. I mean, I have no
14 reason to believe he's –

15 CHAIRMAN YONKE: We're talking about –

16 MR. METTS: - well I know, I know, but like to hear, you know, what Mr. Price was
17 saying earlier –

18 CHAIRMAN YONKE: Yeah, we're talking about someone's property and they're
19 not here to represent their property.

20 MR. METTS: Right, right. Right, yeah.

21 MS. FRIERSON: I have a question –

22 CHAIRMAN YONKE: Yes.

1 MS. FRIERSON: - to Mr. Price. Since we are, what, *quasi* judiciary I guess, if we
2 request that the other party come in, do we have subpoena powers? In other words are
3 we just asking and it's a maybe he or she will come or can we really, I hate to say it,
4 demand that the other person actually show up?

5 MR. PRICE: I don't believe you can. We've done this with the Board of Zoning
6 Appeals on cases so it's a, more of a request.

7 MS. FRIERSON: It's a request. Okay, thank you.

8 CHAIRMAN YONKE: I was trying to ask that, too, thank you Ms. Frierson. Okay,
9 on the Commission, let's open this up for a motion. So we're doing head nods to have
10 somebody come and speak and –

11 MR. JOHNSON: [Inaudible]

12 CHAIRMAN YONKE: I was going to go ahead and make a motion on deferral.
13 Commissioner Johnson and Commissioner Duffy seem like we should at least hold a
14 vote.

15 MR. JOHNSON: [Inaudible]

16 CHAIRMAN YONKE: This is unique again, we are *quasi*-judicial here, so how we
17 wanna handle this could be different. Is the County liable, I feel like that's the question,
18 responsible? Will hearing from the property owner, if they choose to come, assist us in
19 making the decision, or is the decision made tonight?

20 MS. FRIERSON: Mr. Chair, I think the only fair thing to do is to at least request
21 that the other person come in, because I agree with Mr. Price, we heard what
22 someone's intent may have been but we've been schooled over and over and over that
23 once you make a decision in terms of rezoning, you don't really go by what the person

1 says he or she intends to do, you go by what the land use states can be done. So in this
2 situation we're hearing the testimony of one person but we're not hearing the other side,
3 to take a vote now would be, in my opinion, premature cause we don't have both sides
4 of the issue.

5 CHAIRMAN YONKE: Thank you, Commissioner Frierson.

6 MR. PRICE: So, I mean, whichever, so we could wait, you know, to try to get
7 testimony, you could vote now whether you think that this is appropriate, I mean, the
8 decision was correct. Again, I think, you know, just kind of looking at this again we're
9 looking at, I think this is being looked at differently because this section of the golf
10 course just happens to be where the golf cart path is. However, if you were to expand
11 this same section and put a golf hole there or, you know, it was part of the, the fairways,
12 I don't know that this would actually be a relevant discussion; still part of the golf course,
13 the golf course is not deemed to be a compatible use. If that other piece was sold we'd
14 also have to require I guess in this case whoever, well it would be Fairways
15 Development who owns the golf course, to also allow them to come through that part.
16 We don't know if that happens. So you know, again they were not deemed to be
17 compatible uses, that was the reason why the connectivity was not necessarily required.
18 Whether it's, whether it maybe should've, shouldn't have or whatever, you know, I get
19 that, was there any harm to the County requiring it, I mean, I can get that part. But really
20 it comes down to the Code, you know, we deem to be, this is not, you know, a logical
21 connection to a compatible, to a use that we deem to be non-compatible to the
22 residential, so we didn't require it.

1 MR. JOHNSON: Mr. Chairman, I don't wanna drag this out but, but one quick
2 question. Mr. Price, when you were asking the question about the third parcel back
3 there, about access to that, where did that conversation land?

4 MR. PRICE: I think he said it would be developed. They would come across this
5 section right here.

6 MR. JOHNSON: So it, its access is dependent on the second parcel's access but
7 it still would cross the golf course.

8 MR. PRICE: Yes. Yes, which was stated –

9 MR. BAKHAUS: It'll cross a golf cart path, not, not one of the golf holes.

10 MR. PRICE: See, I didn't know we were that specific. Sorry. It's part of the golf
11 course.

12 CHAIRMAN YONKE: As we've been looking at this, the two entrances are both
13 golf cart paths that don't get in the way of the play on the course, the way that this was
14 designed, and you said this was a famous designer –

15 MR. BAKHAUS: Right,

16 CHAIRMAN YONKE: - of the golf course.

17 MR. BAKHAUS: Right. Sir, we talked about this when we began, were we gonna
18 get into discussion or were we going to push this to February. We're just hoping that
19 someone would come out and speak on their, about their own property but is it best in
20 your interest to – we don't want to kick the can down the road, like we could, I could
21 make a motion for a vote and we could see where it lands. Or we could hopefully in
22 good faith have someone come and speak for their land in February.

23 MR. BAKHAUS: Right.

1 CHAIRMAN YONKE: But by then I think we would probably make, wanna make
2 a decision as well. So I think you have the right to withdraw, but –

3 MR. BAKHAUS: Well, it's too important to me to withdraw.

4 CHAIRMAN YONKE: Okay. Cause it seems like attorneys –

5 MR. TAYLOR: [Inaudible]

6 CHAIRMAN YONKE: He can withdraw, we get to defer. Right. Well, with this
7 being a time concern it'd be best for you to have a decision and see where you have to
8 take this next.

9 MR. BAKHAUS: I'm willing to go to February if you, if you're willing to do that. If
10 you aren't willing to do that and you feel like, you know –

11 CHAIRMAN YONKE: We're concerned with your time concerns.

12 MR. BAKHAUS: - [inaudible] that I might defer. I mean, I, I don't, or I might
13 withdraw if I have the chance to come back, I don't know. So it's up to you. I don't know
14 how that works.

15 CHAIRMAN YONKE: Commission, I feel like we are halfway there with deferral,
16 we're okay with hearing from the landowner and giving this fair time, as long as it's not
17 interfering with your timing and you need a decision tonight, we have a, almost a full
18 Commission here right now so it could be a lot quicker next, in February.

19 MR. TAYLOR: [Inaudible]

20 CHAIRMAN YONKE: Yes, go ahead Commissioner Taylor.

21 MR. TAYLOR: Of course, this being kinda new territory, certainly nothing we've
22 done since I've been here, I would defer to Mr. Price's suggestion that the owner have a
23 chance to come in, with the caveat that if the owner does not come in a decision be

1 made. No more deferrals after that, you know, we'll have to make a decision at that
2 point.

3 CHAIRMAN YONKE: Yeah, I think I'm trying to say that too, I agree with that.
4 Thank you, Commissioner Taylor. Okay, the Chair will make a motion for deferral, as I
5 was trying to put together several minutes ago.

6 MR. GRADY: I'll second that motion.

7 CHAIRMAN YONKE: We're asking for – we have a second – we're asking for the
8 landowner of the 20 acres to appear, cordially invite them, offer snacks.

9 MR. PRICE: Does it have to be the landowner or can it be a landowner
10 representative.

11 CHAIRMAN YONKE: The landowner or landowner representative who can –

12 MR. PRICE: Testify to what's happening, okay.

13 CHAIRMAN YONKE: And Commissioner Grady seconds the deferral so now we
14 can hold a vote.

15 MR. PRICE: Alright, those in favor of the deferral of the Administrative Review
16 24-001, Yonke?

17 CHAIRMAN YONKE: Aye.

18 MR. PRICE: Grady?

19 MR. GRADY: Aye.

20 MR. PRICE: Johnson?

21 MR. JOHNSON: Aye.

22 MR. PRICE: Taylor?

23 MR. TAYLOR: Aye.

1 MR. PRICE: Metts?

2 MR. METTS: Aye.

3 MR. PRICE: Frierson?

4 MS. FRIERSON: Aye.

5 MR. PRICE: Duffy?

6 MR. DUFFY: Aye.

7 MR. PRICE: Alright, that motion passes.

8 *[Approved: Yonke, Grady, Johnson, Taylor, Metts, Frierson, Duffy; Absent: Siercks,*

9 *Durant]*

10 MR. TAYLOR: Can we make sure that this is at the top of the Agenda?

11 MR. PRICE: Yes.

12 CHAIRMAN YONKE: Mr. Price, yes?

13 MR. PRICE: Yes.

14 MR. BAKHAUS: Well thank you and I'm sorry to keep you so late.

15 CHAIRMAN YONKE: We kept you a long time, too.

16 MR. BAKHAUS: If it weren't real important –

17 CHAIRMAN YONKE: Busy schedule.

18 MR. BAKHAUS: Yeah.

19 CHAIRMAN YONKE: Thank you.

20 MR. BAKHAUS: Thank you very much.

21 CHAIRMAN YONKE: Ready to move to the next item? It's, we have – it's

22 December. Okay, Chairman's Report, number 6. Thank you guys, you're great. I've

23 really, I mean, I have appreciated my time as Chair. I would love to continue to do so, or

1 any involvement I can have on this Commission. I've always enjoyed community
2 planning and I get to do this here, so thank you. I appreciate all your extra hours away
3 from your families so we can be here tonight. Alright, Chairman's Report, done. Okay,
4 number 7, Planning Director's Report. Mr. Price?

5 MR. PRICE: [Inaudible] on page 95 you have the Report of Council and for b.,
6 the Comprehensive Plan Update I'll turn that over.

7 MS. WILLIAMS: The first public forum for the Comprehensive Plan will be
8 Monday, December 16th. I wanted to make sure I at least tell you that tonight because I
9 won't see you again until February. Please let people know and come out to that
10 because this is our 10 year update of the Comp Plan, you will get a new land use map
11 that will affect your decision making moving forward at the end of this Comp Plan
12 process so we want as much feedback. We'll follow this up with an email to all
13 Commissioners so you'll have the website, the date, and you can please pass that out
14 to other folks as well, that'd be appreciated. Thank you.

15 MS. FRIERSON: What time is it?

16 MS. WILLIAMS: It's from 5:00 to 7:00 and it's at Richland Library's main branch.
17 Thank you for asking that clarification. I left that out.

18 MR. TAYLOR: [Inaudible]

19 MS. WILLIAMS: I'll follow it up with an email, yes.

20 CHAIRMAN YONKE: Thank you.

21 MR. TAYLOR: Thank you.

22 CHAIRMAN YONKE: Number 8?

23 MR. PRICE: Okay. Alright, here we go.

1 CHAIRMAN YONKE: Take it away, Mr. Price.

2 MR. PRICE: Election of Officers for 2025. So we're here for the Election of
3 Officers. Typically we're hear a motion or a motion to elect a Member. Once we have
4 gotten those names that have been elected for the – there are three offices – I will just
5 go through and make this short, for secretary typically y'all have always kind of deferred
6 that to Staff or let Staff handle those duties. You know, again Staff is open to continuing
7 to do that unless you wanna make some changes. So I think at first we would then go
8 with any motions for Chair for 2025.

9 MS. FRIERSON: I move that we re-elect our current Chairperson, Mr. Yonke.

10 MR. TAYLOR: Second.

11 MR. JOHNSON: [Inaudible]

12 MR. TAYLOR: Then I withdraw my second.

13 MR. PRICE: No. Do we have any other nominations?

14 MR. JOHNSON: [Inaudible] Vice-Chair. Would you accept a friendly amendment
15 to your motion?

16 MS. FRIERSON: There is no such thing as a friendly amendment but, at least
17 that's what Helen taught us. But anyhow, go ahead, yeah.

18 MR. JOHNSON: [Inaudible] we nominate our current Chair and Vice-Chair
19 [inaudible] 2025?

20 MS. FRIERSON: Yes, I would.

21 MR. JOHNSON: Second.

22 MR. PRICE: Alright, I mean, does anybody else have any other nominations for
23 either of those positions? Okay, so we can, I guess we'll put these together. We have a

1 motion for Christopher Yonke to remain as Chair for Chair for 2025, and Beverly
2 Frierson as Vice-Chair for 2025. Those in favor of that motion –

3 CHAIRMAN YONKE: For the Record Secretary is Staff.

4 MR. TAYLOR: Staff.

5 MR. PRICE: Yes, sorry. Okay, those in favor of that motion, again for Christopher
6 Yonke as Chair, Beverly Frierson as Vice-Chair, and Staff for Secretary, those in favor –

7 COMMISSION: Aye.

8 MR. PRICE: Okay, it's unanimous.

9 *[Approved: Yonke, Frierson, Johnson, Duffy, Metts, Taylor, Grady; Absent: Siercks,*
10 *Durant]*

11 CHAIRMAN YONKE: Thank you.

12 MR. PRICE: So we can go to Item 8b, which is the adoption of the 2025
13 Calendar found on page 97 or almost the last page of your packet. As a Staff we would
14 like to make, at least I would like to make one amendment to this, at least recommend
15 one amendment for this. And that is the – Tommy, we talked about this. So the
16 December Planning Commission meeting, instead of being on Monday, December the
17 1st, make that Thursday, December the 4th, kind of keeps that little break in-between the
18 holidays. Okay? Any questions or any changes to it?

19 CHAIRMAN YONKE: Take a minute to look at your calendars though, I do
20 appreciate it cause there was a couple times where we struggled to have a quorum,
21 July usually, July 10th is fine for me, I looked at my calendar.

22 MR. JOHNSON(?): Thursdays are hard for me.

1 CHAIRMAN YONKE: Thursdays are hard for you? And you said, Mr. Price, you
2 said Monday, the following Monday is kinda had cause it puts pressure on Staff or?

3 MR. PRICE: No, no I'm saying, we can do it. I mean, that's not a problem. It was
4 just kind of a recommendation but if you, if you would like to keep it at December the 1st
5 which would be a Monday, that's fine.

6 CHAIRMAN YONKE: I mean December the 8th. Does that put too much pressure
7 cause then you're planning for the Council –

8 MR. PRICE: Not necessarily because they're more than likely going to have their
9 meeting on the 18th of next year. So, I think the 18th or the 16th but it really doesn't
10 change anything. We always look at the 15 days, you know, for applicants to make a
11 request for deferral or even a withdrawal, but regardless of any time in December – did
12 Council say when they're gonna meet in December?

13 CHAIRMAN YONKE: December 8th okay, Commission? Okay.

14 MR. PRICE: Alright, so we'll change it to December 8th. Alright, so –

15 CHAIRMAN YONKE: Monday.

16 MR. PRICE: So the only other Thursday – Tommy, go to September.

17 CHAIRMAN YONKE: September's a Monday.

18 MR. PRICE: September the 8th is a Monday?

19 CHAIRMAN YONKE: Um-hum (affirmative).

20 MR. PRICE: Then, what about July 10th? Now that's a Thursday.

21 CHAIRMAN YONKE: That's where we struggle. July 10th works for me, but July
22 14th I have an annual work conference.

1 MR. PRICE: Yeah, we could adopt this. If we have to, we may have to make
2 some change later on that may occur, so.

3 CHAIRMAN YONKE: Any other suggestions for these dates and then we can
4 look at them as time gets closer? No? Okay. Alright, Chair makes a motion to adopt the
5 calendar. We're gonna continue with our 6:00pm on a Monday.

6 MR. PRICE: Y'all sure today? Y'all sure?

7 CHAIRMAN YONKE: Well, this is the time to talk about that. We did try it for a
8 year. Commissioner Grady, comments, concerns?

9 MR. GRADY: So the good news is this has not been an every month thing.

10 MR. TAYLOR: Correct.

11 MR. GRADY: I mean, I think we've seen that when there's an item of public
12 controversy that that is more conducive to people's schedules to show up at a 6:00pm
13 than a 3:00pm meeting. I think that anything we can do to be more transparent is, is
14 helpful. You know, perhaps we, and this is a question for Staff, perhaps we just need to
15 make sure we don't overload a meeting quite this much again. Nope?

16 MR. PRICE: We, we can't control that.

17 MR. GRADY: Fair enough.

18 CHAIRMAN YONKE: Does anyone have any other suggested times where it's
19 still easier on the public, like 4:00?

20 MR. METTS: I mean, yeah I was gonna say 4:00 or maybe 5:00? What are the
21 thoughts on that?

22 MR. GRADY: 5:00 seems reasonable enough.

23 CHAIRMAN YONKE: Staff, what do you think?

1 MR. PRICE: 5:00, the only reason I, this is just kinda my thought, you know,
2 5:00, that's when, you know, trying to get people to arrive at that time, at least with 6:00
3 I'm not pushing for that, but at least at 6:00pm people can get off at 5:00 or somewhere
4 around that time and still get here within a reasonable time. 5:00pm maybe, you know,
5 goes back to I think some of the issues with the 3:00, it requires people to have to get
6 off a little early or to make some changes to their normal schedule to try to be here for
7 the 5:00 meeting. I mean, I'm just saying, I don't care about a half an hour. I mean,
8 6:00pm, you're right, we have not really had a lotta cases and really I think this is just
9 more the outlier than anything else, so.

10 MR. TAYLOR: Last meeting we finished at 7:00 [inaudible].

11 MR. PRICE: Right. And I think typically, you know, we don't have these type, we
12 don't have this many cases coming forward.

13 MR. METTS: Mr. Chair?

14 CHAIRMAN YONKE: Commissioner Metts?

15 MS. FRIERSON: This was the first time where we had nothing on the Consent
16 Agenda, so I think 6:00 is acceptable and reasonable [inaudible].

17 MR. PRICE: Did we approve the calendar? So we need to go ahead and approve
18 the calendar before we talk about the time.

19 MR. METTS: Yeah, whatever, go ahead. Yeah, I mean, it's like 10:30, you know
20 what I mean, like let's just, it's fine, it's fine. Yeah, it's 10:30.

21 CHAIRMAN YONKE: Can we do 5:30 at least? No?

22 MR. METTS: I mean, like I will say that it seems like even at 6:00, unless it's a
23 loaded agenda it doesn't seem like it's like any more people than before.

1 MR. PRICE: Y'all have been out of here a little bit after 7:00 on a regular basis.
2 Sometimes, if you get to 8:00 [inaudible].

3 CHAIRMAN YONKE: This is our chance to make this change so I wanna speak
4 up, like what Commissioner Metts just said, I've been up here for five, six years now
5 and if it, if there's a golf course or something, a lake, lake community, they're gonna
6 show up.

7 MR. METTS: Right,

8 CHAIRMAN YONKE: You know? Regardless if it was at 3:00. We're trying to
9 make it feasible for people so 4:00, 4:30, this is the one day you're gonna come out this
10 one time.

11 MR. PRICE: I've not heard any complaints from anybody since y'all have gone to
12 the 6:00pm meeting. Before when we, what time did we do this, was it 3:00?

13 CHAIRMAN YONKE: But our loyal, amazing Staff down here, you're not allowed
14 to complain and you've been here all day.

15 MR. PRICE: We've done 1:00 and 3:00 pm and that's when you would hear
16 some people, how do we get off, you know, we have to come down here, I wanted to
17 speak, you know, how many times have you heard, those of you who have been here
18 someone, I had to get off work to come down here. But you don't hear that anymore. So
19 again, 6:00pm, if you're looking at 5:30 I think 6:00pm is just fine.

20 CHAIRMAN YONKE: I tried. I tried. Okay?

21 MR. PRICE: So we need to go ahead and take the vote for the Adoption of the
22 Calendar.

1 CHAIRMAN YONKE: Yep. Okay, first Monday of the month customarily, 6:00pm,
2 all of these dates as written except for December 8th.

3 MR. PRICE: Yeah, we'll send out, we'll send out that updated –

4 CHAIRMAN YONKE: The Chair making a motion to approve. Do I have a
5 second?

6 MR. TAYLOR: Second.

7 CHAIRMAN YONKE: Second, Commissioner Taylor.

8 MR. PRICE: Alright, we have a motion for approval of the 2025 Calendar for the
9 Planning Commission, those in favor -

10 COMMISSION: Aye.

11 MR. PRICE: It's unanimous.

12 *[Approved: Yonke, Johnson, Duffy, Metts, Taylor, Grady; Absent: Frierson, Siercks,*
13 *Durant]*

14 CHAIRMAN YONKE: We lost Ms. Frierson.

15 MR. TAYLOR: She's good with it.

16 MR. PRICE: Alright. So now it's for that magic item on the Agenda.

17 CHAIRMAN YONKE: Item number 9 which is Adjournment. The Chair makes a
18 motion for adjournment. We'll just, show of hands will be good.

19 MR. PRICE: Alright.

20 *[Approved: Yonke, Johnson, Duffy, Metts, Taylor, Grady; Absent: Frierson, Siercks,*
21 *Durant]*

22 CHAIRMAN YONKE: Good job, I really appreciate you guys, thank you. Happy
23 New Year.

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[Meeting Adjourned at 10:40pm]