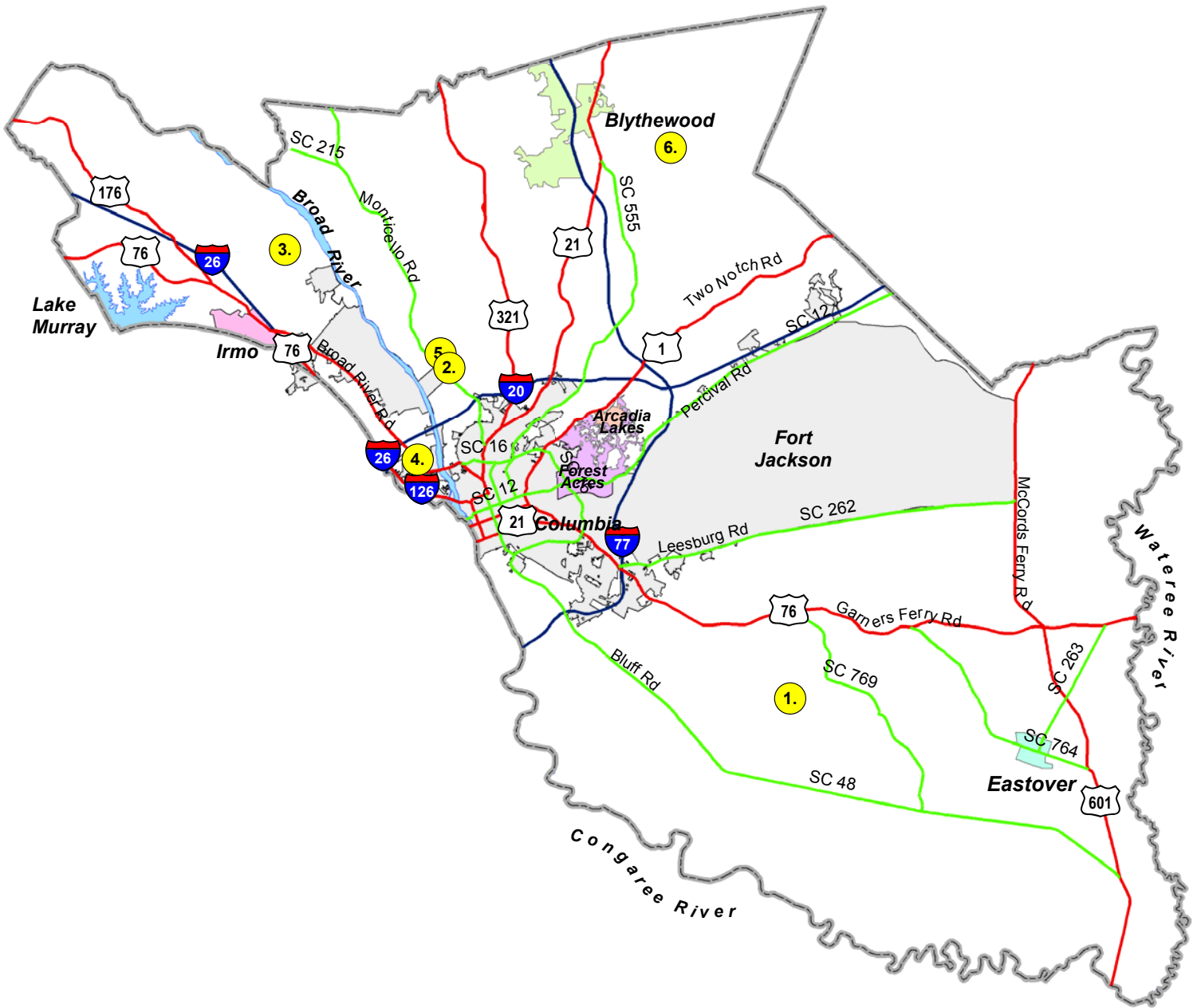


**RICHLAND COUNTY
PLANNING COMMISSION**



OCTOBER 6, 2003

RICHLAND COUNTY COUNCIL PLANNING COMMISSION OCTOBER 6, 2003



CASE NUMBER	APPLICANT	TMS NUMBER	ADDRESS	COUNCIL MEMBER
1. 04-12 MA	William Rhodes	24500-06-08	Cabin Creek Road	Scott
2. 04-13 MA	Truman Murphy	09404-02-03	7118B Monticello Road	McEachern
3. 04-14 MA	Larry Gantt	04200-04-01	Kennerly Road & Hollingshed Road	Corley
4. 04-15 MA	Vendors Supply, Inc.	07306-04-01	Brevard Street just off Broad River Road	Smith
5. 04-16 MA	Richardson Group, Inc.	09405-08-01/02 & 09405-02-02/03	1 Mi. N of I-20 on East Side of Monticello Rd.	Tuten
6. 04-17 MA	Hoyt Burnett	20500-01-09/10	N Side of Rimer Pond Rd, 1 Mi. W of Hardscrabble Rd	Tuten

RICHLAND COUNTY PLANNING COMMISSION

Monday, October 6, 2003

Agenda

12:30 PM

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

I. PUBLIC MEETING CALL TO ORDER Howard VanDine, Chairperson

II. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the September 8, 2003 minutes

III. ADDITIONS/DELETIONS TO THE AGENDA

IV. OLD BUSINESS

Reconsideration of 03-58 MA – Zoning Map Amendment for Al Meronek
(PC recommended denial on July 7, 2003)

V. NEW BUSINESS - SUBDIVISION REVIEW

PROJECT #	SUBDIVISION NAME	LOCATION	UNITS	Page
SD-04-34	Arbors Oaks	Lykes Lane & Bob Dorn Rd TMS # 05100-03-52/63	53	9-17
SD-04-35	Rivendale	Villages @ Longtown TMS # 17500-03-42	83	19-27
SD-04-37	Falls Mill, Phase 1	Villages @ Longtown TMS # 17500-03-42	74	29-38

PROJECT #	SUBDIVISION NAME	LOCATION	UNITS	Page
SD-04-59	Vineyard Crossing, Phase 1 & 2	Villages @ Longtown TMS # 17500-03-42	94	39-48
SD-04-55	NE Properties, Phase 2 (commercial)	Two Notch Rd & Polo Rd TMS # 22803-03-20	17	49-58
SD-04-60	Emmers Minor S/D	Deerwood St & Overbrook Dr TMS # 13805-06-24	3	59-67
SD-04-61	Brockington Acres	Heyward Brockington Rd TMS # 07700-03-23	20	69-77

VI. NEW BUSINESS - ZONING MAP AMENDMENTS

CASE	04-12 MA	Page
APPLICANT	William Rhodes	79-88
REQUESTED AMENDMENT	RU to C-3 (6.9 acres)	
PURPOSE	Garage and Used Cars	
TAX MAP SHEET NUMBER(S)	24500-06-08	
LOCATION	Cabin Creek Road	

CASE	04-13 MA	Page
APPLICANT	Truman Murphy	89-98
REQUESTED AMENDMENT	C-1/D-1 to RG-2 (15.2 acres)	
PURPOSE	Multifamily Residential & Agricultural	
TAX MAP SHEET NUMBER(S)	09404-02-03	
LOCATION	7118 B Monticello Rd	

CASE	04-14 MA	Page
APPLICANT	Larry Gantt	99-108
REQUESTED AMENDMENT	RU to RS-1A (60.8 acres)	
PURPOSE	Single Family Detached Subdivision	
TAX MAP SHEET NUMBER(S)	04200-04-01	
LOCATION	Kennerly Rd & Hollingshed Rd	

CASE	04-15 MA	Page
APPLICANT	Vendors Supply, Inc	109-118
REQUESTED AMENDMENT	RS-1 to M-1 (1.0 acre)	
PURPOSE	Expand Existing Warehouse Facility	
TAX MAP SHEET NUMBER(S)	07306-04-01 (p)	
LOCATION	Brevard Street just Off Broad River Rd	

CASE	04-16 MA	Page
APPLICANT	Richardson Group, Inc.	119-129
REQUESTED AMENDMENT	D-1 to C-3 (11.6 acres)	
PURPOSE	Neighborhood Commercial	
TAX MAP SHEET NUMBER(S)	09405-08-02;09405-08-01;09405-02-02/03	
LOCATION	1 Mi. N of I-20 on East Side of Monticello Rd	

CASE	04-17 MA	Page
APPLICANT	Hoyt Burnett	131-140
REQUESTED AMENDMENT	RU to RS-1 (46.4 acres)	
PURPOSE	Single Family Detached Residences	
TAX MAP SHEET NUMBER(S)	20500-01-09/10	
LOCATION	North Side of Rimer Pond Road, 1 Mile West of Hardscrabble Road	

VII. ROAD NAME APPROVALS

Page

- a. Road Name Change Public Hearing (s) - None 141-145
- b. New Road Name Approvals
- c. New Subdivision Names – Advisory Only

VIII. OTHER BUSINESS

- a. Further Discussion of the Draft Land Development Code

IX. ADJOURNMENT

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

October 6, 2003

Applicant: BBC Dvlpmt. Co.		Preliminary Subdivision Plans For: Arbor Oaks
RC Project # : SD-04-34		
General Location: SE Corner of Lykes Lane & Bob Dorn Road		
Tax Map Number: 05100-03-52/63		Number of Residences: 53 (zero lot residences)
Subject Area: 9.1 acres	Sewer Service Provider: Richland Co. Utilities	
Current Zoning: RS-3	Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Lykes Lane
Functional Classification Of This Roadway	Not Classified
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	NAp
Estimated Traffic Generated By The Proposed Project	504
Current Volume At The Nearest Count Station # Located @	Not Counted
Estimated Traffic Count With the Proposed Project	NAp
Volume-To-Capacity Ratio With The Proposed Project	NAp

Notes:

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

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

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

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

The proposed project will not result in a significant increase of traffic on Lykes Road.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	11
Middle School @ 0.13 students per single family DU	7
High School @ 0.12 Students per single family DU	6

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

Existing Site Conditions

The site contains a pond and is mostly an open field with some large trees along the north side of the site. Bob Dorn Rd is an unpaved County maintained road with substandard right-of-way. Public water and sewer service is available in the area.

Compatibility with the Surrounding Area

The subject site is adjacent to the Riverwalk S/D and across the street from the Winrose Place S/D. The proposed project is compatible with the adjacent land uses.

Discussion of Applicable Comprehensive Plan Issues

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

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Residential High/Medium on this Map. At a proposed density of 5.3 DU/ acres, the proposed project is consistent with the Map.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

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

The density of the subject project is approximately the same as Winrose Place. The proposed project implements this Objective.

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

See above. This project implements this Principle.

Other Pertinent Factors

- 1) As of September 19, 2003, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of September 19, 2003, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of September 19, 2003, the City of Columbia had not approved the water line construction plans.
- 4) As of September 19, 2003, DHEC had not issued a construction permit for the sewer lines.
- 5) As of September 19, 2003, DHEC had not issued a construction permit for the water lines.

Chapter 22-21 (j) (1) of the County Code sets forth the requirements for rights-of-way dedication when subdivisions are located along either county roads, or roads in the Long-Range Major Street Plan prepared by the CMCOG. In the situation when the adjacent county road does not meet the minimum 50 feet of right-of-way (R/W), the preliminary plan must provide for at least one-half of the minimum right-of-way (25 feet) on the plat.

The proposed S/D plat shows the existing unpaved Bob Dorn Road to be located within the subject site. The plat also indicates that 25 feet of right-of-way will be “reserved for future right-of-way. The Department recommends the applicant be required to dedicate the 25 feet of “reserved” R/W because Bob Dorn Road will need to be paved in the very near future.

The Department believes that a potential safety hazard exists when subdivision lots have double frontage, i.e., access to both the interior residential streets and the adjacent roadways. Therefore in order to promote adequate pedestrian and vehicular safety in subdivisions as required by state law, it is necessary to ensure such lots have access only from the interior residential streets. To this end, the developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Lykes Lane and Bob Dorn Road from lot 1 and lots 40 through 53.

Section 22-23 (g) of the County Code states “...Every lot hereafter established shall front (or abut) and access on a street which conforms to the requirements of these regulations...” Arbor Oaks Circle must be extended to the east end of lot 53 in order to comply with this requirement.

The applicant proposes side yards of zero and 5 feet in order to construct zero lot residences. However, the International Building Code requires a minimum of 6 feet separation between wall, **unless** the walls are built to meet firewall construction requirements. Therefore, the residences must have minimum side yards of either zero and 6 feet OR construct the walls to meet the firewall requirements of the International Building Code.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary (minor) subdivision plans for a 53 unit single family detached subdivision, known as Arbor Oaks (Project # SD-04-34), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

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

Specific Conditions

- a) The front yard setback shall be a minimum of 15 feet from the street right-of-way; the side yard setbacks shall total 6 feet with a minimum of 0 feet; the rear yard setback shall be a minimum of 15 feet; and the maximum lot coverage shall be 50 percent; and
- b) The E-911 Coordinator (Alfreda Tindal @ 576-2147) must certify the street names have been approved by the Planning Commission **prior to assigning street addresses** for building permits; and
- c) The Department of Public Works must approve the stormwater management plans; and
- d) The Floodplain Manager (Harry Reed @ 576-2150) must approve the flood elevation statement prior to building permits being issued; and
- e) The City of Columbia must approve the water line construction plans; and
- f) DHEC must issue the sewer line construction permits; and
- g) DHEC must issue the water line construction permits; and
- h) No site clearance activity shall commence until this Department issues a written notice of compliance with the tree protection standards in Chapter 27 of the Code. Contact Anna Almeida @ 576-2168 for more details; and**
- i) The applicant shall dedicate 25 feet of right-of-way along Bob Dorn Road to the County prior to the Department issuing any building permits; and
- j) Arbor Oaks Circle must be extended to the east end of lot 53 in order to meet the requirements of Section 22-23 (g) of the County Code; and
- k) The residences must have minimum side yards of either zero and 6 feet OR construct the walls to meet the firewall requirements of the International Building Code.
- l) No building permits shall be issued until all of the conditions cited above are met; and
- m) Plats shall not be approved for recording until the City of Columbia approves the water line easement documents; and
- n) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and

- o) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance; and
- p) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Certificate of Occupancy for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

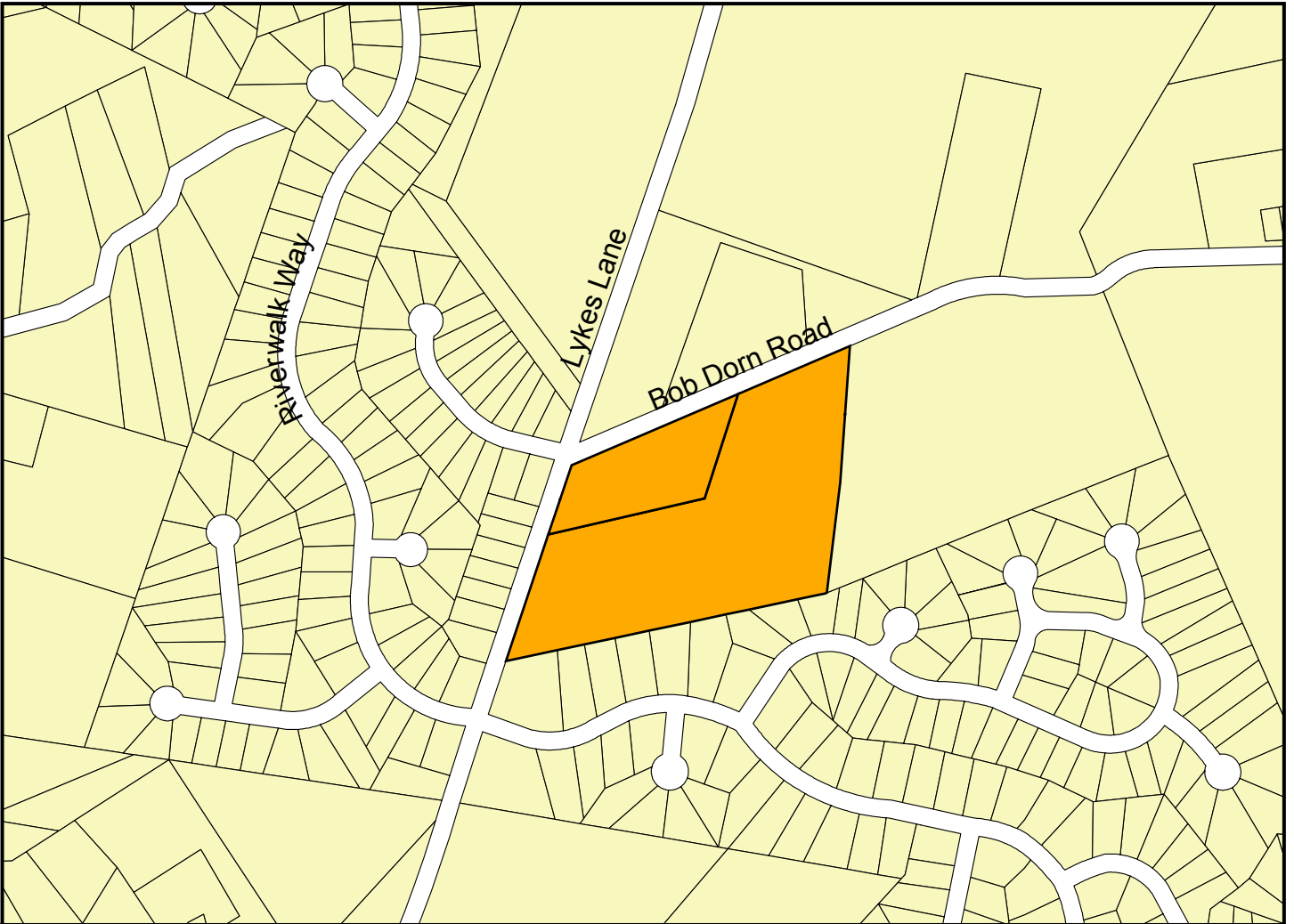
Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt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

SD 04-34
ARBOR OAKS
TMS 05100-03-52/63

Site



SD 04-34 ARBOR OAKS



Looking at site from Bob Dorn Road



Looking at Winrose Place from site

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

October 6, 2003

Applicant: Mungo Compny		Preliminary Subdivision Plans For: Rivendale @ Villages of Longtown	
RC Project # : SD-04-35			
General Location: West of Longtown Road and Lee Road intersection on Longreen Parkway			
Tax Map Number: 17500-03-42		Number of Residences: 83 Single family detached residences	
Subject Area: 27.2 acres	Sewer Service Provider: City of Columbia		
Current Zoning: PUD	Water Service Provider: City of Columbia		

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Longtown Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	789	
Current Volume At The Nearest Count Station # 711 Located @ 1/2 mile south of Lee Road	4300	
Estimated Traffic Count With the Proposed Project	5189	
Volume-To-Capacity Ratio With The Proposed Project	0.60	

Notes:

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

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

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

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

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

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	17
Middle School @ 0.13 students per single family DU	11
High School @ 0.12 Students per single family DU	10

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

Existing Site Conditions

The site contains scrub pine and oak trees. Longreen Parkway, the central road in the Villages @ Longtown project, will provide access from the project to Longtown Road.

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

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

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

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

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

The proposed project will have a density of 3.1 DU/acre. The proposed project implements this Objective.

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

The project conforms to the low-density (less than 4 DU/acre) designation in the PUD Conceptual Plan. This project implements this Principle.

Other Pertinent Factors

- 1) As of September 19, 2003, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of September 19, 2003, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of September 19, 2003, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of September 19, 2003, DHEC had not issued a construction permit for the sewer lines.
- 5) As of September 19, 2003, DHEC had not issued a construction permit for the water lines.

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

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary subdivision plans for a 83 unit single family detached subdivision, known as Rivendale (Project # SD-04-35), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.

3. The proposed project is not consistent with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the I-77 Subarea Plan.

Specific Conditions

- a) The front yard setback shall be a minimum of 25 feet from the street right-of-way; a minimum of 15 feet on a secondary front yard; the side yard setbacks shall total 12 feet with a minimum of 6 feet; the rear yard setback shall be a minimum of 20 feet and the maximum lot coverage shall be 25 percent; and
- b) The Department of Public Works (Gordon Greene @ 576-2413) must approve the stormwater management plans; and
- c) The Floodplain Manager (Harry Reed @ 576-2150) must approve the flood elevation statement prior to building permits being issued; and
- d) The City of Columbia must approve the water and sewer line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) **No site clearance activity shall commence until this Department has issued a written notice of compliance with the tree protection standards in Chapter 27 of the Code.** Contact Anna Almeida @ 576-2168 for more details; and
- h) No building permits shall be issued until all of the conditions cited above are met; and
- i) Plats shall not be approved for recording until the City of Columbia approves the water & sewer line easement documents; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance; and
- l) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Certificate of Occupancy for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

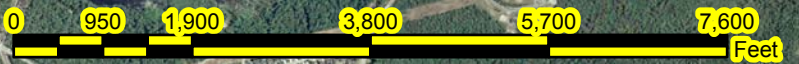
Appeal

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

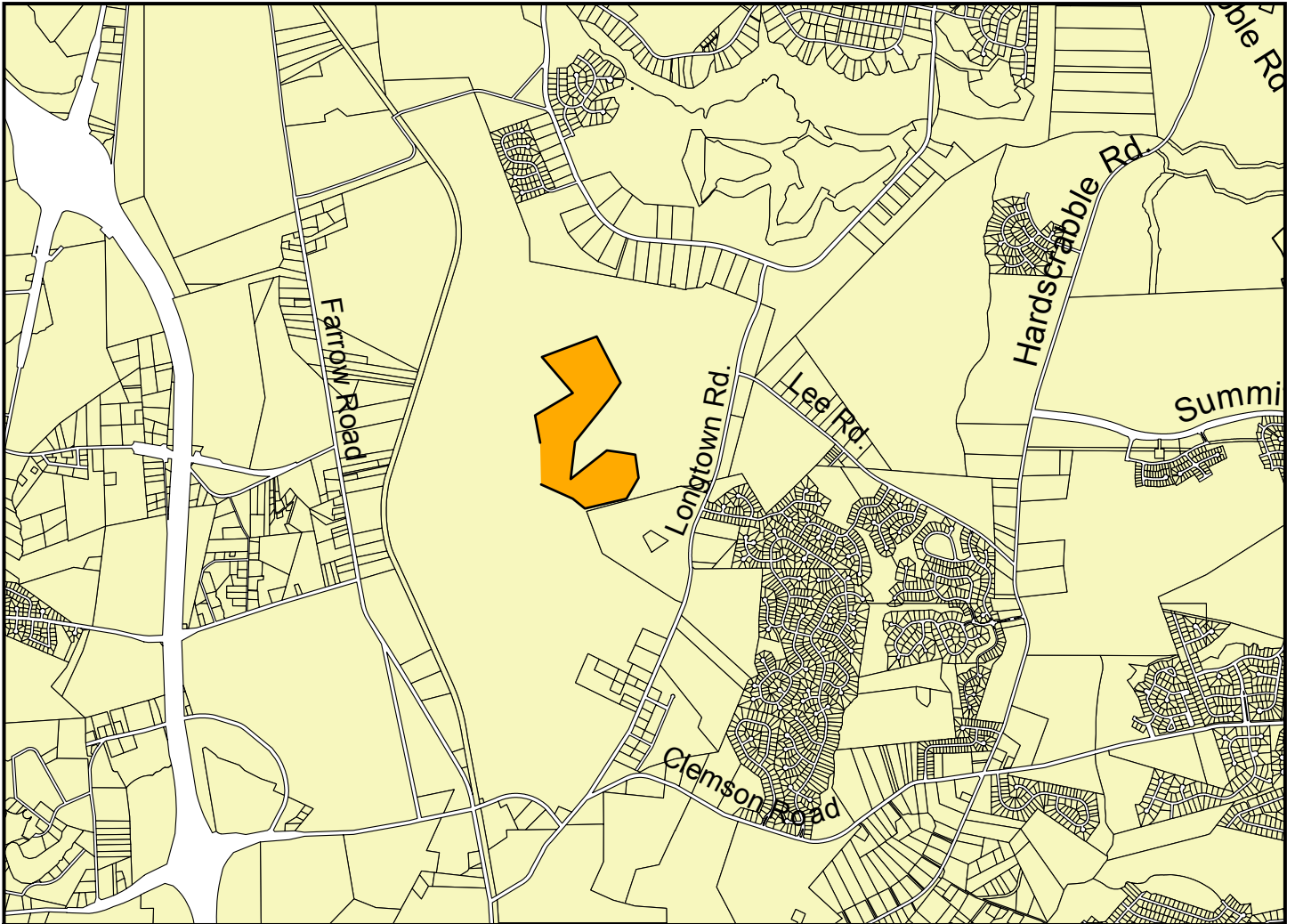
**SD 04-35
RIVENDALE
TMS 17500-03-42**



Site



SD 04-35 RIVENDALE



Looking at site from Longreen Parkway



Looking towards Lee Road
along Longreen Parkway

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

October 6, 2003

Applicant: Mungo Compny		Preliminary Subdivision Plans For:	
RC Project # : SD-04-37		Falls Mill, Phase 1 & 2 @ Villages of Longtown	
General Location: West of Longtown Road and Lee Road intersection on Longreen Parkway			
Tax Map Number: 17500-03-42		Number of Residences: 74 Single family detached residences	
Subject Area: 27.4 acres	Sewer Service Provider: City of Columbia		
Current Zoning: PUD	Water Service Provider: City of Columbia		

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Longtown Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	703	
Current Volume At The Nearest Count Station # 711 Located @ 1/2 mile south of Lee Road	4300	
Estimated Traffic Count With the Proposed Project	5103	
Volume-To-Capacity Ratio With The Proposed Project	0.60	

Notes:

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

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

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

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

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

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

The site contains scrub pine and oak trees. Longreen Parkway, the central road in the Villages @ Longtown project, will provide access from the project to Longtown Road.

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

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

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

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

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

The proposed project will have a density of 3.1 DU/acre. The proposed project implements this Objective.

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

The project conforms to the low-density (less than 4 DU/acre) designation in the PUD Conceptual Plan. This project implements this Principle.

Other Pertinent Factors

- 1) As of September 19, 2003, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of September 19, 2003, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of September 19, 2003, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of September 19, 2003, DHEC had not issued a construction permit for the sewer lines.
- 5) As of September 19, 2003, DHEC had not issued a construction permit for the water lines.

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

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 74 unit single family detached subdivision, known as Falls Mill, Phase 1 & 2 (Project # SD-04-37), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.

3. The proposed project is not consistent with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the I-77 Subarea Plan.

Specific Conditions

- a) The front yard setback shall be a minimum of 25 feet from the street right-of-way; a minimum 15 foot secondary front yard setback; the side yard setbacks shall total 12 feet with a minimum of 6 feet; the rear yard setback shall be a minimum of 20 feet and the maximum lot coverage shall be 25 percent; and
- b) The Department of Public Works (Gordon Greene @ 576-2413) must approve the stormwater management plans; and
- c) The Floodplain Manager (Harry Reed @ 576-2150) must approve the flood elevation statement prior to building permits being issued; and
- d) The City of Columbia must approve the water and sewer line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) **No site clearance activity shall commence until this Department has issued a written notice of compliance with the tree protection standards in Chapter 27 of the Code.** Contact Anna Almeida @ 576-2168 for more details; and
- h) No building permits shall be issued until all of the conditions cited above are met; and
- i) Plats shall not be approved for recording until the City of Columbia approves the water & sewer line easement documents; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance; and
- l) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Certificate of Occupancy for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

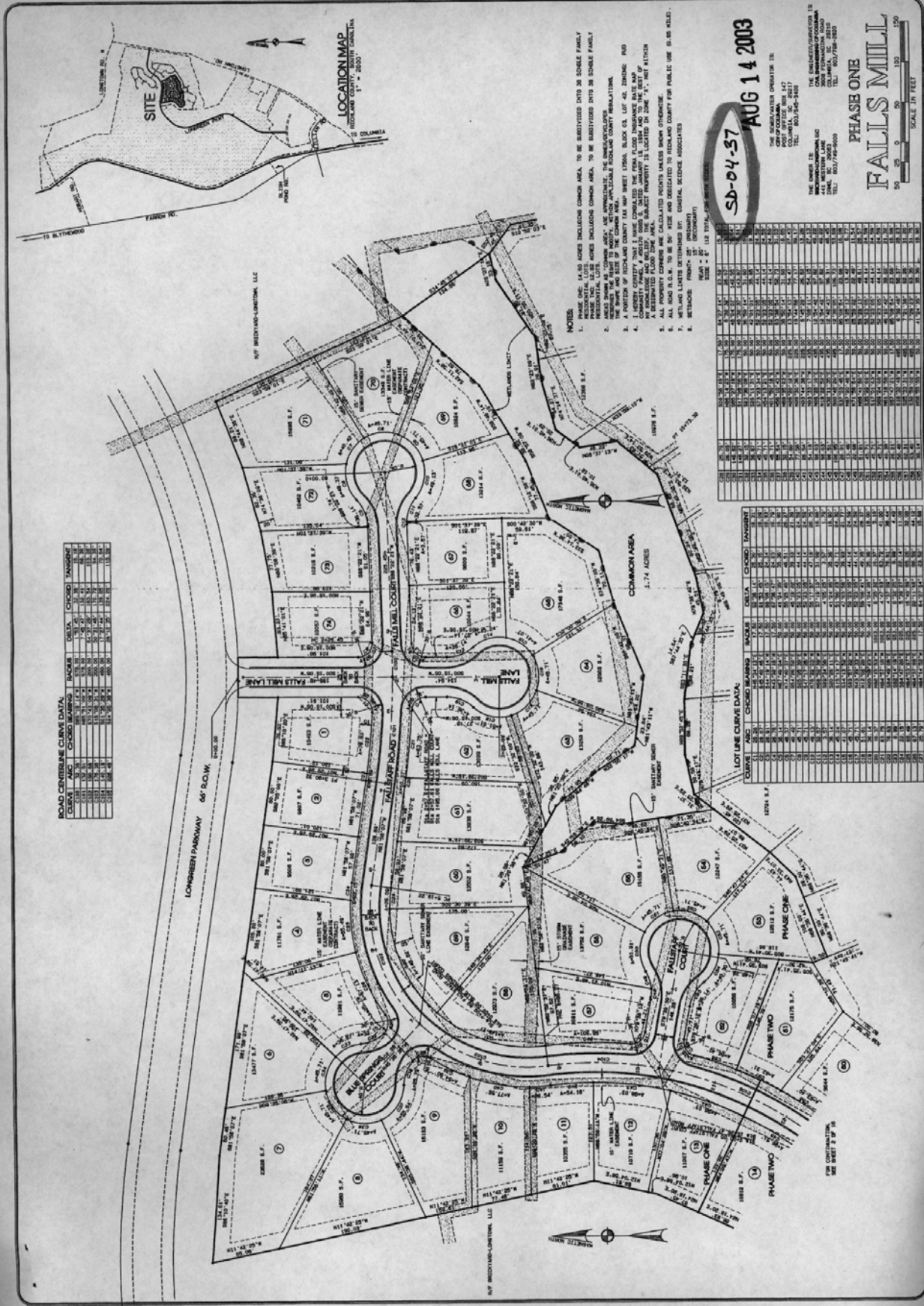
Appeal

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

CIVIL ENGINEERING OF COLUMBIA
CONSULTING ENGINEERS, SURVEYING AND PLANNING
2408 RIVINGTON ROAD, COLUMBIA, SOUTH CAROLINA 29203
803-733-9333 FAX: 803-733-9333

STAKING & ALIGNMENT PLAN
BRICKYARD-LONGVIEW, LLC
1900 SOUTH CAROLINA, LLC
JOB NUMBER 03042

DRAWN: C. MALSH
DATE: 7-10-03
SHEET: 1 OF 16



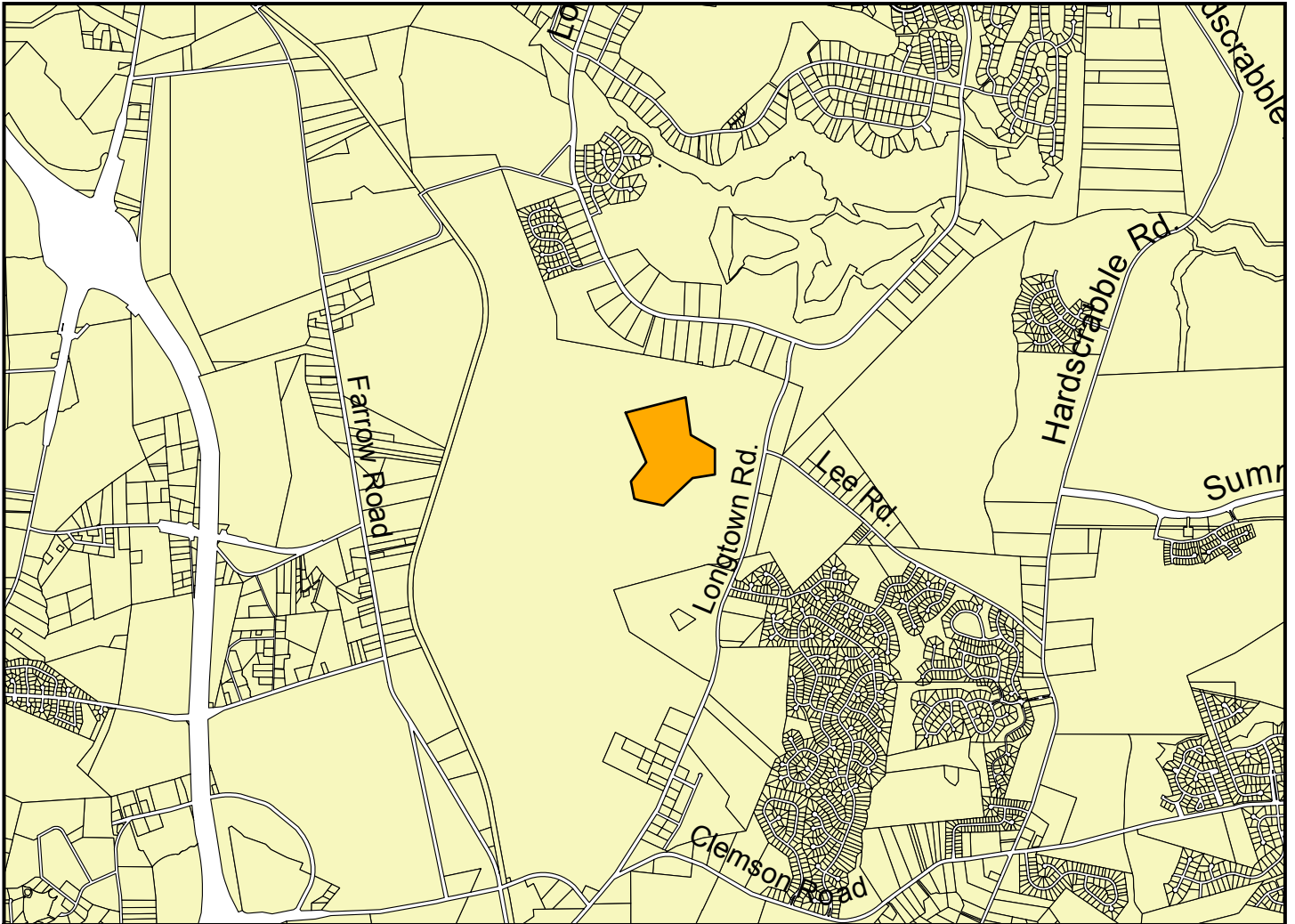
**SD 04-37
FALLS MILLS
TMS 17500-03-42**



Site ←



SD 04-37 FALLS MILLS



Looking at site from Bob Dorn Road



Looking at Winrose Place from site

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

October 6, 2003

Applicant: Mungo Compny		Preliminary Subdivision Plans For: Vineyard Crossing, Phase 1 & 2 @ Villages of Longtown
RC Project # : SD-04-59		
General Location: West of Longtown Road and Lee Road intersection on Longreen Parkway		
Tax Map Number: 17500-03-42		Number of Residences: 94 Single family detached residences
Subject Area: 29.6 acres	Sewer Service Provider: City of Columbia	
Current Zoning: PUD	Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Longtown Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	894	
Current Volume At The Nearest Count Station # 711 Located @ 1/2 mile south of Lee Road	4300	
Estimated Traffic Count With the Proposed Project	5194	
Volume-To-Capacity Ratio With The Proposed Project	0.60	

Notes:

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

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

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

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

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

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	19
Middle School @ 0.13 students per single family DU	12
High School @ 0.12 Students per single family DU	11

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

Existing Site Conditions

The site contains scrub pine and oak trees. Longreen Parkway, the central road in the Villages @ Longtown project, will provide access from the project to Longtown Road.

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

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

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

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

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

The proposed project will have a density of 3.1 DU/acre. The proposed project implements this Objective.

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

The project conforms to the low-density (less than 4 DU/acre) designation in the PUD Conceptual Plan. This project implements this Principle.

Other Pertinent Factors

- 1) As of September 19, 2003, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of September 19, 2003, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of September 19, 2003, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of September 19, 2003, DHEC had not issued a construction permit for the sewer lines.
- 5) As of September 19, 2003, DHEC had not issued a construction permit for the water lines.

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

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary subdivision plans for a 94 unit single family detached subdivision, known as Vineyard Crossing, Phase 1 & 2 (Project # SD-04-59), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.

3. The proposed project is not consistent with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the I-77 Subarea Plan.

Specific Conditions

- a) The front yard setback shall be a minimum of 25 feet from the street right-of-way; a minimum 15 foot secondary front yard setback; the side yard setbacks shall total 12 feet with a minimum of 6 feet; the rear yard setback shall be a minimum of 20 feet and the maximum lot coverage shall be 25 percent; and
- b) The Department of Public Works (Gordon Greene @ 576-2413) must approve the stormwater management plans; and
- c) The Floodplain Manager (Harry Reed @ 576-2150) must approve the flood elevation statement prior to building permits being issued; and
- d) The City of Columbia must approve the water and sewer line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) **No site clearance activity shall commence until this Department has issued a written notice of compliance with the tree protection standards in Chapter 27 of the Code.** Contact Anna Almeida @ 576-2168 for more details; and
- h) No building permits shall be issued until all of the conditions cited above are met; and
- i) Plats shall not be approved for recording until the City of Columbia approves the water & sewer line easement documents; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance; and
- l) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Certificate of Occupancy for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

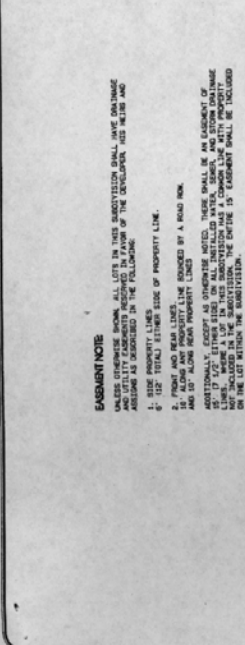
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

Appeal

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

- NOTES**
- PHASE ONE 14.54 ACRES INCLUDING COMMON AREA, TO BE SUBDIVIDED INTO 43 SINGLE FAMILY RESIDENTIAL LOTS, 14.54 ACRES INCLUDING COMMON AREA, TO BE SUBDIVIDED INTO 43 SINGLE FAMILY RESIDENTIAL LOTS.
 - ALL LOTS SHALL BE 1/4 ACRES IN SIZE, WITH A MINIMUM OF 30 FEET WIDE FRONT YARD SETBACKS.
 - THE SHAPE AND SIZE OF THE LOTS SHALL BE DETERMINED BY THE ENGINEER.
 - A PORTION OF BUCKLAND CHURCH, A HISTORIC LANDMARK, IS LOCATED WITHIN THE PHASE ONE SITE. THE SHAPE AND SIZE OF THE LOTS SHALL BE DETERMINED BY THE ENGINEER.
 - ALL PROPERTY CORNERS ARE CALCULATED PERHAPS UNLESS SHOWN OTHERWISE.
 - ALL ROAD E.S.A.'S TO BE DESIGNATED TO RICHLAND COUNTY FOR PUBLIC USE 0.67 WIDE.
 - WETLAND LIMITS DETERMINED BY: CEMTELA SCIENCE ASSOCIATES.
 - PROJECT BOUNDARY SURVEY PREPARED FOR CONFORMANCE WITH THE REQUIREMENTS OF THE SOUTH CAROLINA SURVEYING BOARD.
 - FOR MORE INFORMATION, CONTACT THE ENGINEER TO OBTAIN A COMPLETE LIST.

- EXHIBIT NOTE**
- ALL LOTS IN THIS SUBDIVISION SHALL HAVE OWNERSHIP AND UTILITY EASEMENTS RESERVED IN FAVOR OF THE DEVELOPER, HIS HEIRS AND ASSIGNS AS DESCRIBED IN THE FOLLOWING:
- 10' TOTAL EASEMENT TO THE SIDE OF PROPERTY LINE.
 - 5' FRONT AND REAR LINES.
 - 5' EASEMENT TO THE SIDE OF PROPERTY LINE.
- ADDITIONALLY, EXCEPT AS OTHERWISE NOTED, THERE SHALL BE AN EASEMENT OF 10' TOTAL TO THE SIDE OF PROPERTY LINE, 5' FRONT AND REAR LINES, AND 5' EASEMENT TO THE SIDE OF PROPERTY LINE. THE ENTIRE 10' EASEMENT SHALL BE INCLUDED ON THE LOT WITHIN THE BOUNDARIES.



LOT LINE CURVE DATA

LOT NO.	CHORD BEARING	CHORD DIST.	ARC BEARING	ARC DIST.	PI	PC	PT	PT	PC	CHORD BEARING	CHORD DIST.
1	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+00	0+100	0+100	0+00	S 89° 58' 00" W	100.00
2	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+100	0+200	0+200	0+100	S 89° 58' 00" W	100.00
3	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+200	0+300	0+300	0+200	S 89° 58' 00" W	100.00
4	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+300	0+400	0+400	0+300	S 89° 58' 00" W	100.00
5	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+400	0+500	0+500	0+400	S 89° 58' 00" W	100.00
6	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+500	0+600	0+600	0+500	S 89° 58' 00" W	100.00
7	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+600	0+700	0+700	0+600	S 89° 58' 00" W	100.00
8	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+700	0+800	0+800	0+700	S 89° 58' 00" W	100.00
9	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+800	0+900	0+900	0+800	S 89° 58' 00" W	100.00
10	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+900	1+000	1+000	0+900	S 89° 58' 00" W	100.00
11	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+000	1+100	1+100	1+000	S 89° 58' 00" W	100.00
12	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+100	1+200	1+200	1+100	S 89° 58' 00" W	100.00
13	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+200	1+300	1+300	1+200	S 89° 58' 00" W	100.00
14	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+300	1+400	1+400	1+300	S 89° 58' 00" W	100.00
15	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+400	1+500	1+500	1+400	S 89° 58' 00" W	100.00
16	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+500	1+600	1+600	1+500	S 89° 58' 00" W	100.00
17	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+600	1+700	1+700	1+600	S 89° 58' 00" W	100.00
18	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+700	1+800	1+800	1+700	S 89° 58' 00" W	100.00
19	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+800	1+900	1+900	1+800	S 89° 58' 00" W	100.00
20	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+900	2+000	2+000	1+900	S 89° 58' 00" W	100.00
21	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+000	2+100	2+100	2+000	S 89° 58' 00" W	100.00
22	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+100	2+200	2+200	2+100	S 89° 58' 00" W	100.00
23	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+200	2+300	2+300	2+200	S 89° 58' 00" W	100.00
24	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+300	2+400	2+400	2+300	S 89° 58' 00" W	100.00
25	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+400	2+500	2+500	2+400	S 89° 58' 00" W	100.00
26	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+500	2+600	2+600	2+500	S 89° 58' 00" W	100.00
27	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+600	2+700	2+700	2+600	S 89° 58' 00" W	100.00
28	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+700	2+800	2+800	2+700	S 89° 58' 00" W	100.00
29	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+800	2+900	2+900	2+800	S 89° 58' 00" W	100.00
30	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+900	3+000	3+000	2+900	S 89° 58' 00" W	100.00
31	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+000	3+100	3+100	3+000	S 89° 58' 00" W	100.00
32	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+100	3+200	3+200	3+100	S 89° 58' 00" W	100.00
33	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+200	3+300	3+300	3+200	S 89° 58' 00" W	100.00
34	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+300	3+400	3+400	3+300	S 89° 58' 00" W	100.00
35	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+400	3+500	3+500	3+400	S 89° 58' 00" W	100.00
36	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+500	3+600	3+600	3+500	S 89° 58' 00" W	100.00
37	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+600	3+700	3+700	3+600	S 89° 58' 00" W	100.00
38	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+700	3+800	3+800	3+700	S 89° 58' 00" W	100.00
39	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+800	3+900	3+900	3+800	S 89° 58' 00" W	100.00
40	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	3+900	4+000	4+000	3+900	S 89° 58' 00" W	100.00
41	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	4+000	4+100	4+100	4+000	S 89° 58' 00" W	100.00
42	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	4+100	4+200	4+200	4+100	S 89° 58' 00" W	100.00
43	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	4+200	4+300	4+300	4+200	S 89° 58' 00" W	100.00



LOT LINE CURVE DATA

LOT NO.	CHORD BEARING	CHORD DIST.	ARC BEARING	ARC DIST.	PI	PC	PT	PT	PC	CHORD BEARING	CHORD DIST.
1	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+00	0+100	0+100	0+00	S 89° 58' 00" W	100.00
2	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+100	0+200	0+200	0+100	S 89° 58' 00" W	100.00
3	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+200	0+300	0+300	0+200	S 89° 58' 00" W	100.00
4	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+300	0+400	0+400	0+300	S 89° 58' 00" W	100.00
5	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+400	0+500	0+500	0+400	S 89° 58' 00" W	100.00
6	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+500	0+600	0+600	0+500	S 89° 58' 00" W	100.00
7	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+600	0+700	0+700	0+600	S 89° 58' 00" W	100.00
8	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+700	0+800	0+800	0+700	S 89° 58' 00" W	100.00
9	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+800	0+900	0+900	0+800	S 89° 58' 00" W	100.00
10	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	0+900	1+000	1+000	0+900	S 89° 58' 00" W	100.00
11	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+000	1+100	1+100	1+000	S 89° 58' 00" W	100.00
12	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+100	1+200	1+200	1+100	S 89° 58' 00" W	100.00
13	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+200	1+300	1+300	1+200	S 89° 58' 00" W	100.00
14	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+300	1+400	1+400	1+300	S 89° 58' 00" W	100.00
15	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+400	1+500	1+500	1+400	S 89° 58' 00" W	100.00
16	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+500	1+600	1+600	1+500	S 89° 58' 00" W	100.00
17	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+600	1+700	1+700	1+600	S 89° 58' 00" W	100.00
18	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+700	1+800	1+800	1+700	S 89° 58' 00" W	100.00
19	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+800	1+900	1+900	1+800	S 89° 58' 00" W	100.00
20	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	1+900	2+000	2+000	1+900	S 89° 58' 00" W	100.00
21	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+000	2+100	2+100	2+000	S 89° 58' 00" W	100.00
22	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+100	2+200	2+200	2+100	S 89° 58' 00" W	100.00
23	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+200	2+300	2+300	2+200	S 89° 58' 00" W	100.00
24	S 89° 58' 00" W	100.00	101° 02' 00" E	100.00	180°	2+300	2+400	2+400	2+300	S 89° 58' 00" W	100.00
25	S 89° 58' 00"										

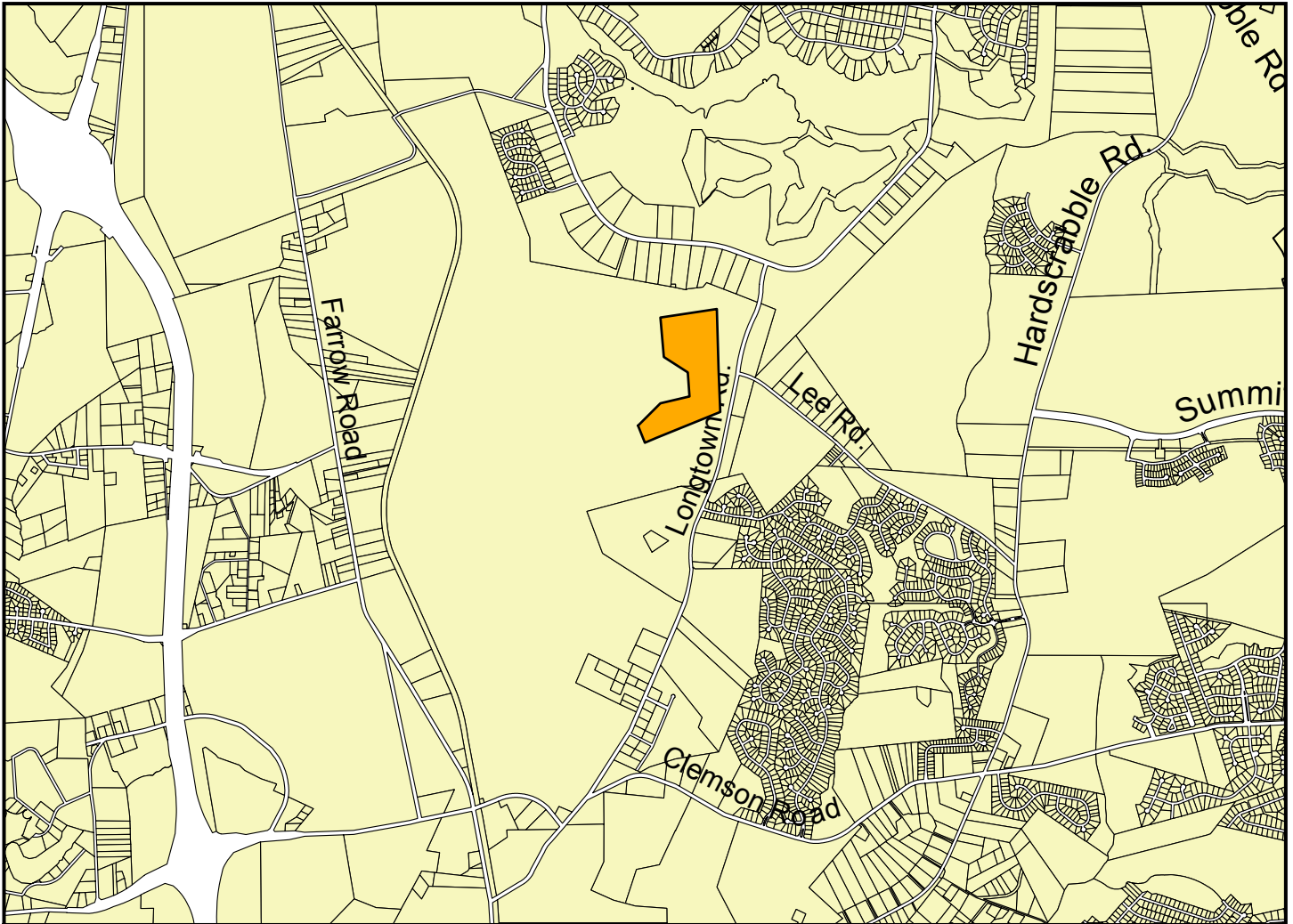
SD 04-59
VINEYARDS CROSSING, PHASE 1 & 2
TMS 17500-03-42



Site ←



SD 04-59 VINEYARDS CROSSING, PHASES 1 & 2



Looking at site from Longreen Parkway



Looking towards Lee Road along Longreen Parkway

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

October 6, 2003

Applicant: L W Smith		Preliminary Subdivision Plans For: Northeast Properties, Phase 2 (commercial)
RC Project # : SD-04-55		
General Location: East side of Two Notch Road, just past Polo Road		
Tax Map Number: 22803-03-20		Number of parcels: 17
Subject Area: 8.0 acres	Sewer Service Provider: East Richland	
Current Zoning: C-3	Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Two Notch Road	
Functional Classification Of This Roadway	Five lane undivided principal arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station # 115 Located @	41,300	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	1.22	

Notes:

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

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

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

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

Two Notch Road is already over the LOS D level in this location. The subject project is not expected to significantly increase the amount of traffic in this location.

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

The site is vacant sand hills adjacent to the Blockbuster store at Polo Ridge shopping center. The site slopes downward from the east toward Two Notch Road.

Compatibility with the Surrounding Area

There is commercial development adjacent to the subject site on both the north and south sides. The proposed commercial subdivision is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. Since the subject site is designated as Commercial on this Map, it is consistent with the Map designation.

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

Objective – Minimize incompatibility between existing and proposed land uses

The proposed project will develop a vacant parcel that is surrounded by commercial development. The proposed project implements this Objective.

Principle – None Applicable

Other Pertinent Factors

- 1) As of September 19, 2003, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of September 19, 2003, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of September 19, 2003, the City of Columbia had not approved the water line construction plans.
- 4) As of September 19, 2003, DHEC had not issued a construction permit for the sewer lines.
- 5) As of September 19, 2003, DHEC had not issued a construction permit for the water lines.
- 6) As of September 19, 2003, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

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

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 17 lot commercial subdivision, known as Northeast Properties, Phase 2 (Project # SD-04-55), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. Two Notch Road is already over the LOS D level in this location. The subject project is not expected to significantly increase the amount of traffic in this location.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives of the Northeast Subarea Plan.

Specific Conditions

- a) The Department of Public Works (Gordon Greene @ 576-2413) must approve the stormwater management plans; and
- b) The Floodplain Manager (Harry Reed @ 576-2150) must approve the flood elevation statement prior to building permits being issued; and
- c) The City of Columbia must approve the water line construction plans; and
- d) DHEC must issue the sewer line construction permits; and
- e) DHEC must issue the water line construction permits; and
- f) No building permits shall be issued until all of the conditions cited above are met; and
- g) Plats shall not be approved for recording until the City of Columbia approves the water line easement documents; and
- h) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- i) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance; and
- j) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Certificate of Occupancy for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

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

SD 04-55
NE PROPERTIES, PHASE 2
TMS 22803-03-20



SD 04-55 NE PROPERTIES, PHASE 2



Looking towards Two Notch Road
from middle of site



Looking at Polo Plaza

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

October 6, 2003

Applicant: Michael Emmer		Minor Subdivision Plans For: Emmer S/D, Phase 2	
RC Project # : SD-04-60			
General Location: Corner of Deerwood and Overbrook Streets			
Tax Map Number: 13805-06-24		Number of Residences: 3	
Subject Area: 0.6 acres	Sewer Service Provider: City of Columbia		
Current Zoning: RG-2	Water Service Provider: City of Columbia		

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Deerwood Street
Functional Classification Of This Roadway	Not Classified
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	NAp
Estimated Traffic Generated By The Proposed Project	29
Current Volume At The Nearest Count Station # Located @	Not Counted
Estimated Traffic Count With the Proposed Project	NAp
Volume-To-Capacity Ratio With The Proposed Project	NAp

Notes:

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

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

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

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

The proposed project will not result in a significant increase in the amount of traffic on either Deerwood or Overbrook Streets.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	0
Middle School @ 0.13 students per single family DU	0
High School @ 0.12 Students per single family DU	0

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

Existing Site Conditions

The site contains a single-family residence and several large trees. The City of Columbia provides water and sewer service to the site.

Compatibility with the Surrounding Area

There are multi-family residential structures on the west, north and east of the subject site. The proposed subdivision is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The I-20 Interbeltway Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Residential on this Map.

The I-20 Interbeltway Subarea Plan, adopted in November 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 9 and 11 respectively, are discussed below:

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

The proposed minor subdivision will result in three residences on the subject parcel. The proposed project implements this Objective.

The main focus of this Subarea Plan is “... to stabilize existing land patterns and reduce further decay of residential areas...As part of this designation, an associated planning theme is defined with a related goal: ...that the area consists of established neighborhoods, commercial and industrial districts and institutional complexes, with scattered vacant properties and areas of structural decay...The goal is to preserve existing neighborhoods, revitalization of decaying commercial sites and the introduction of buffering in areas with conflicting land uses...” (pg. 11, I-20 Interbeltway Corridor Subarea Plan). This project implements this Goal.

Other Pertinent Factors

None

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the minor subdivision plans for a unit single family detached subdivision, known as Emmers, Phase 2 (Project # SD-04-60), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Deerwood Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the I-20 Interbeltway Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the I-20 Interbeltway Subarea Plan.

Specific Conditions

- a) **No site clearance activity shall commence until this Department has issued a written notice of compliance with the tree protection standards in Chapter 27 of the Code.** Contact Anna Almeida @ 576-2168 for more details; and
- b) No building permits shall be issued until all of the conditions cited above are met; and
- c) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III - COMMISSION CONSIDERATION AND APPEAL

Reconsideration

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

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

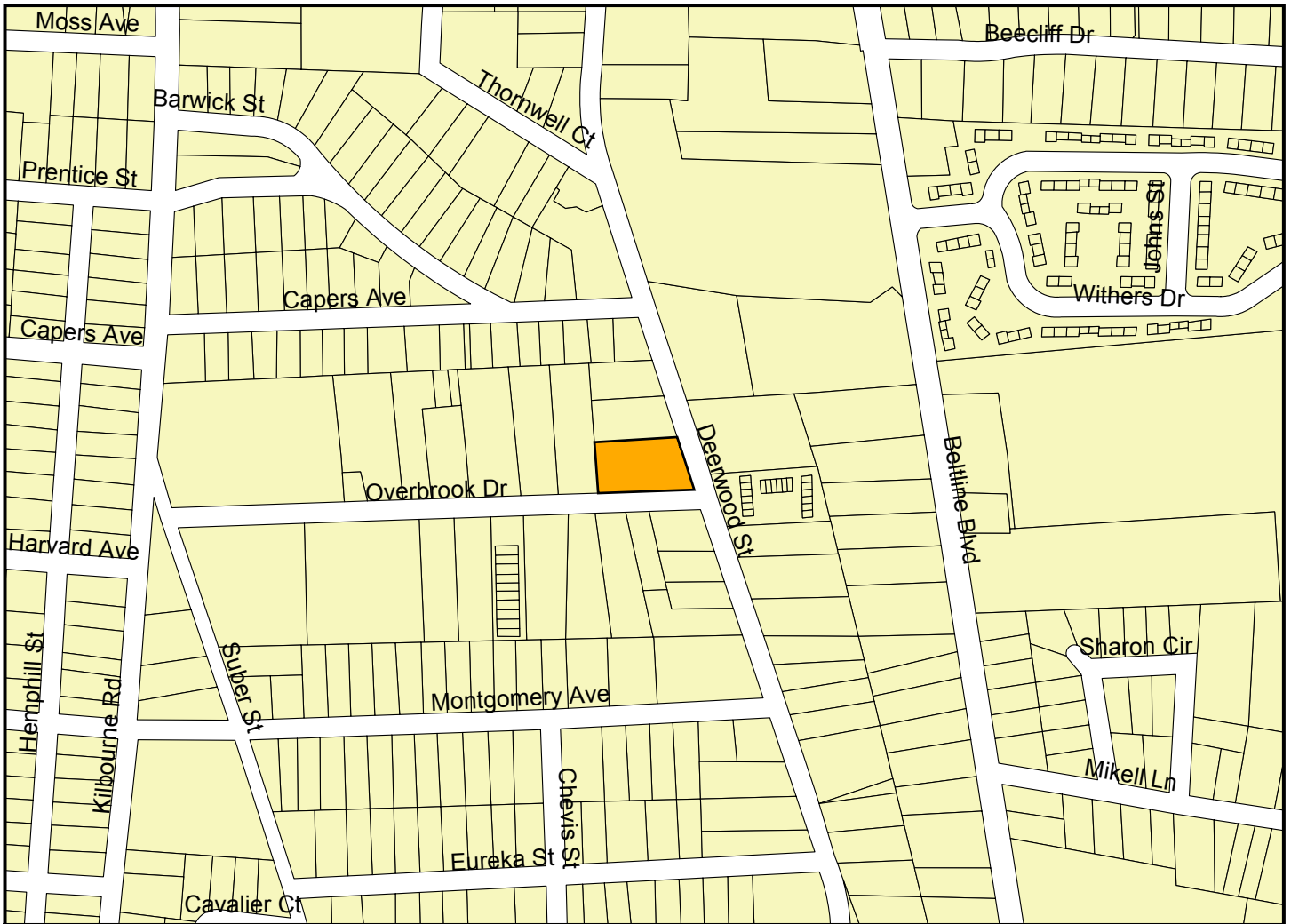
Appeal

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

SD 04-60
EMMERS MINOR S/D
TMS 13805-06-24



SD 04-60 EMMERS MINOR S/D



Looking at site from intersection of Deerwood & Overbrook



Looking across Deerwood from Overbrook

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

October 6, 2003

Applicant: Quail Hill, LLC		Minor Subdivision Plans For: Brockington Acres
RC Project # : SD-04-61		
General Location: North Side Heyward Brockington Rd near Cora Drive		
Tax Map Number: 07700-03-23		Number of Residences: 20
Subject Area: 72.5 acres	Sewer Service Provider: Septic Tank	
Current Zoning: RU	Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Heyward Brockington Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	190	
Current Volume At The Nearest Count Station # 303 Located @	1700	
Estimated Traffic Count With the Proposed Project	2890	
Volume-To-Capacity Ratio With The Proposed Project	0.34	

Notes:

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

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

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

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

The proposed project will not result in the LOS C of Heyward Brockington Road being exceeded in this location.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	4
Middle School @ 0.13 students per single family DU	3
High School @ 0.12 Students per single family DU	2

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

Existing Site Conditions

The site has scrub pine and oak trees. The site slopes downward to the north away from Hey Brock Road. Potable water service from the City of Columbia is available to the site.

Compatibility with the Surrounding Area

There are residences scattered throughout this area along Heyward Brockington Rd and adjacent to the subject site. The proposed subdivision is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The North Central Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Residential within the Developing Urban Area on this Map. The proposed subdivision is consistent with the Map designation.

The North Central Subarea Plan, adopted in November 1992, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 26 and 30 respectively, are discussed below:

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

The density of the subject project will be 0.3 DU/acre. The proposed project implements this Objective.

Principle – Low density development, a maximum of 4 DU/acre, is appropriate within the Developing Urban Area

See discussion above. This project implements this Principle.

Other Pertinent Factors

- 1) As of September 19, 2003, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of September 19, 2003, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of September 19, 2003, the City of Columbia had not approved the water line construction plans.
- 4) As of September 19, 2003, DHEC had not issued a construction permit for the water lines.
- 5) As of September 19, 2003, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

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

The applicant will use a frontage easement to minimize the driveway cuts on Heyward Brockington Rd. The access to the proposed lots will be confined to Larger Road and Brockington Acres Road.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the minor subdivision plans for a 20 unit single family detached subdivision, known as Brockington Acres (Project # SD-04-61), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Heyward Brockington Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the North Central Subarea Plan Map land use designation.
4. The proposed project implements (does not implement) the relevant Objectives and Recommendations of the North Central Subarea Plan.

Specific Conditions

- a) The E-911 Coordinator (Alfreda Tindal @ 576-2147) must certify the street names have been approved by the Planning Commission **prior to assigning street addresses** for building permits; and
- b) The Department of Public Works (Gordon Greene @ 576-2413) must approve the stormwater management plans; and
- c) The Floodplain Manager (Harry Reed @ 576-2150) must approve the flood elevation statement prior to building permits being issued; and
- d) The City of Columbia must approve the water line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) The access to the proposed lots will be confined to Larger Road and Brockington Acres Road; and
- h) No site clearance activity shall commence until this Department has issued a written notice of compliance with the tree protection standards in Chapter 27 of the Code.** Contact Anna Almeida @ 576-2168 for more details; and
- i) No building permits shall be issued until all of the conditions cited above are met; and
- j) Plats shall not be approved for recording until the City of Columbia approves the water line easement documents; and
- k) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- l) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance; and
- m) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

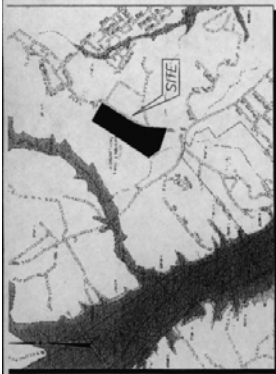
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

Appeal

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

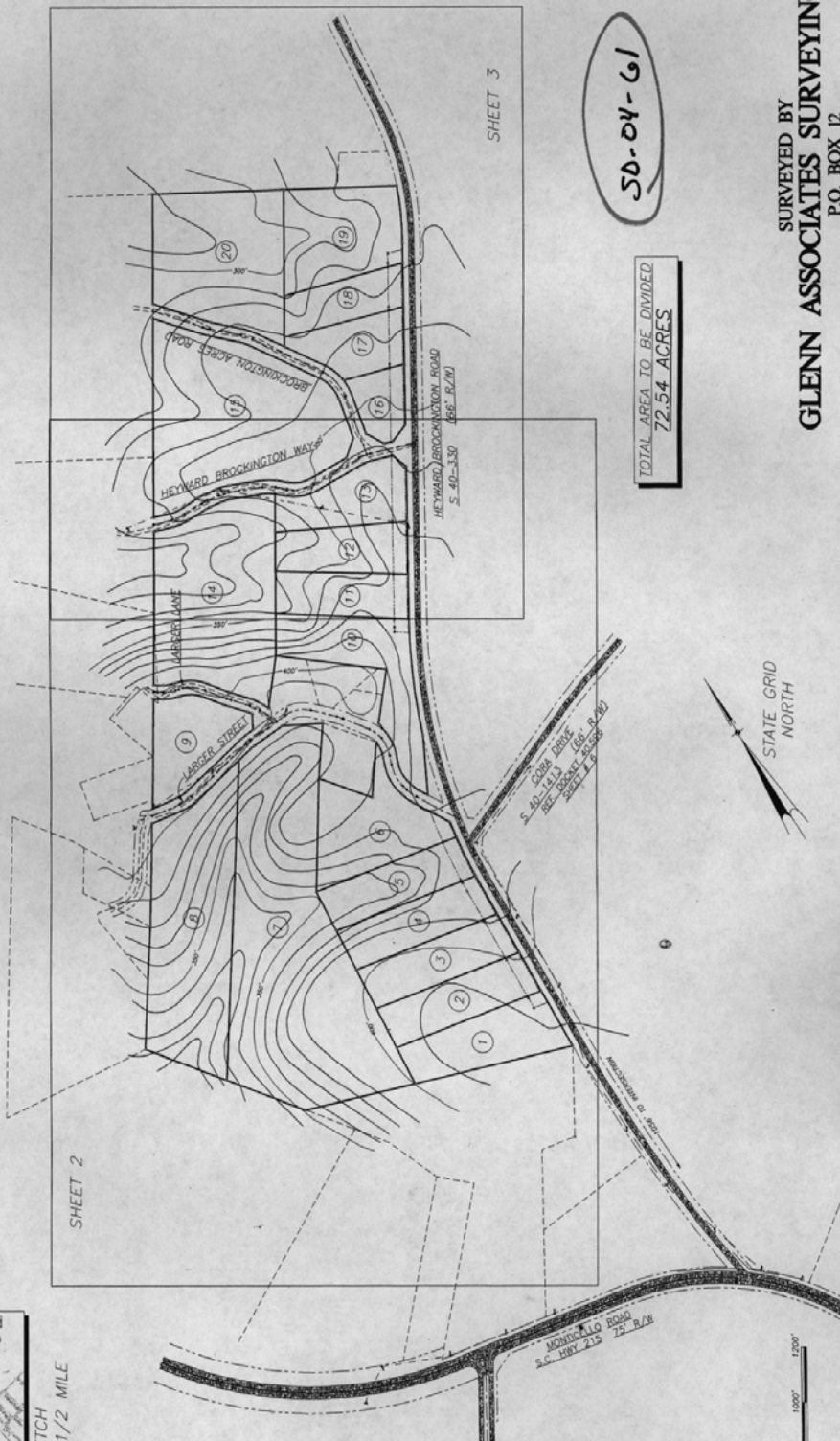
**MINOR SUBDIVISION PLAN
SUBDIVISION SURVEY OF
BROCKINGTON ACRES
RICHLAND COUNTY
LOCATED NEAR COLUMBIA**
PORTION OF TMS# 07700-03-23

OWNER/DEVELOPER
QUAIL HILL, LLC
C/O AYLAN BROWN
46 FOOT POINT ROAD
COLUMBIA, SC 29209
PHONE: (803) 787-7523



LOCATION SKETCH
SCALE: 1 INCH = 1/2 MILE

LOT #	ACREAGE
1	2.51
2	2.09
3	2.07
4	2.05
5	2.04
6	3.09
7	12.85
8	6.93
9	2.24
10	3.12
11	1.80
12	1.89
13	2.02
14	6.77
15	8.14
16	1.01
17	1.65
18	1.56
19	3.35
20	5.36



SD-04-61

TOTAL AREA TO BE DIVIDED
72.54 ACRES



INDEX
COVER: SHOWING LOCATION
SHEET 2: SHOWING LOTS 1-14
SHEET 3: SHOWING LOTS 15-20
SHEET 4: COURSE TABLES & GPS INFORMATION

SURVEYED BY
GLENN ASSOCIATES SURVEYING, INC.
P.O. BOX 12
JENKINSVILLE, SOUTH CAROLINA 29065
TELEPHONE (803) 345-5297 OR (803) 345-6041
MICHAEL R. MILLS SCPLS #11606

SEP 03 2003

SHEET 1 OF

SCALE: NTS
0 200' 400' 600' 800' 1000' 1200'



SD 04-61
BROCKINGTON ACRES
TMS 07700-03-23

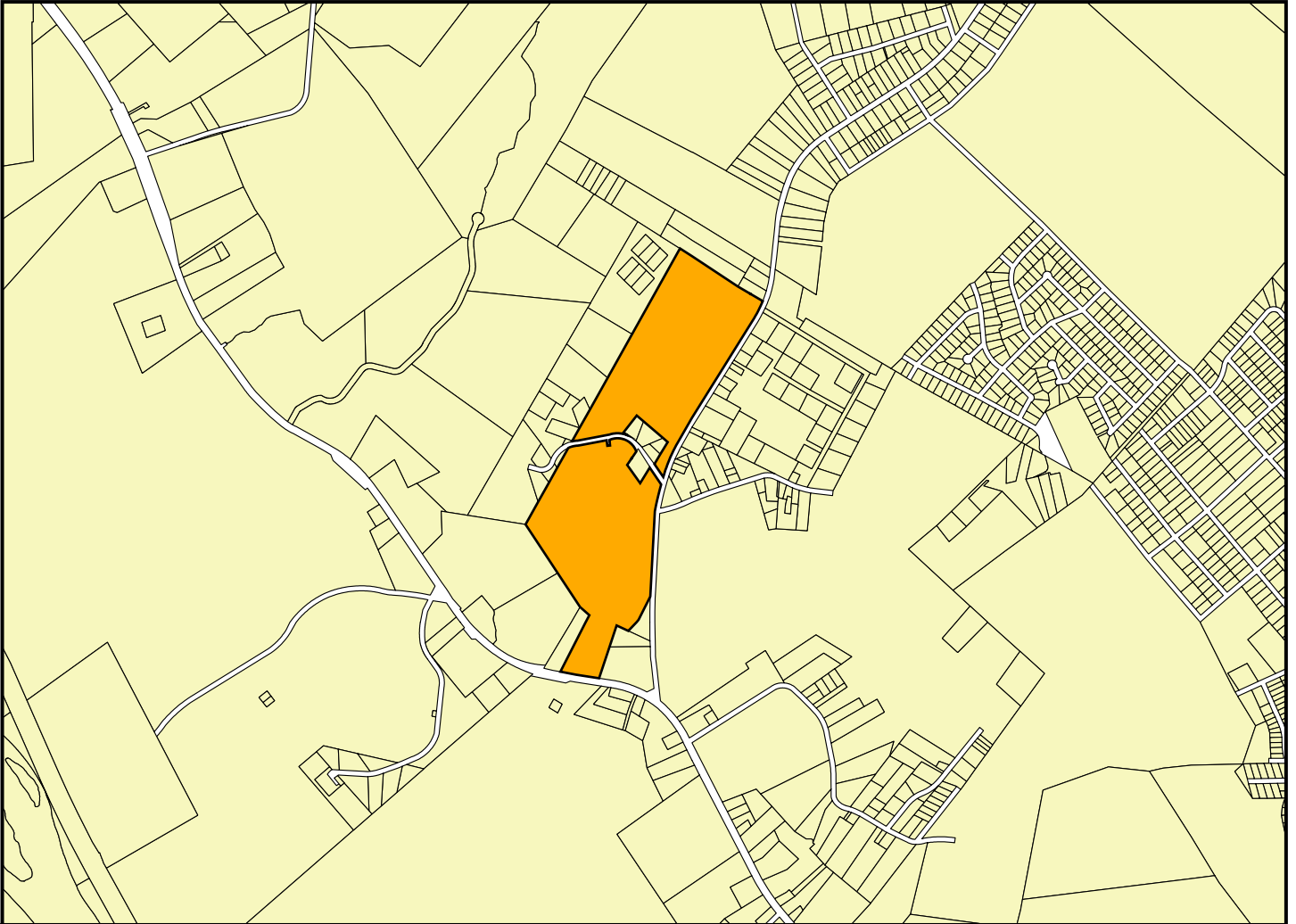


Site



SD 04-61

BROCKINGTON ACRES



Looking across Heyward Brockington Road
from site



Looking at site from across
Heyward Brockington Road

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

October 6, 2003

RC Project # 04-12 MA	Applicant: Ray Charles Jones
General Location: South side of Cabin Creek Rd, 0.7 miles east of Hopkins Elem School	
Tax Map Number: 24500-06-08	Subject Area: 6.96 Acres
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-3
Proposed Use: Garage and used cars	PC Sign Posting Date: September 16, 2003

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

No facts offered

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Vacant metal three bay garage and open field
Adjacent North	RU	Undeveloped woodlands and single family residence
Adjacent East	RU	Scattered single family residences and open field
Adjacent South	RU	Scattered single family residences and undeveloped woodlands
Adjacent West	RU	Vacant gas station and single family residence

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

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas.</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office, and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair, & personal services Offices, studios, & financial institutions Eating and drinking establishments Wholesale/Distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collections & transfer uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

Based on the existing adjacent land use of single family residences and undeveloped woodlands, the Department feels that this proposed amendment to C-3 is not compatible with the existing adjacent land use. Factors such as safety and infrastructure become important when dealing with commercial developments in residential areas. The proposed Amendment is not compatible with the adjacent development in the area.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Cabin Creek Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8,600	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #407 Located @E of site on Cabin Creek Road	1,600	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

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

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

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

NP = Not possible to determine the generation rate from the TGM (use not specific enough)

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

Cabin Creek Road is far below the LOS C design capacity and this project would not cause this classification to be exceeded.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

The Proposed Land Use Element Map (Map) of the Lower Richland Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Rural and Open Space. The proposed Zoning Map Amendment is **not consistent** with this land use designation.

The Lower Richland Subarea Plan, adopted in January 1992, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 33 and 43 respectively, are discussed below:

Objective – Provide areas with commercial and industrial facilities and services that are related to each other in an efficient manner, served by adequate infrastructure and readily accessible to the public.

The subject area is mainly encompassed by undeveloped woodlands, open fields and single family residences on Cabin Creek Road. There are no similar facilities near the site. The proposed Amendment **does not implement** this Objective.

Principle - In general, commercial and office activities should be confined to the intersections of major streets and specifically proposed locations where the following apply.

- 2) Sites located on the fringe of residential areas which do not encroach upon or penetrate the neighborhood and are in keeping with the character of the area;

One of the principal goals of the Plan is to confine commercial activity to intersections of major roads. The Plan designates a site to the west at the intersection of Cabin Creek Road and Lower Richland Boulevard as commercial and to the east at Cabin Creek Road and Minervaville Road. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

This property was presented to the Richland County Planning Commission as RC Project #02-28 on January 7, 2002 for a map amendment. The request was for a rezoning of the property from RU to M-1. The Planning Commission agreed with the PDS and recommended that County Council deny the proposed Amendment. County Council denied the proposed Amendment on February 26, 2002.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-12 MA **not be changed** from RU to C-3.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is not compatible with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of 8,600 at this location will not be exceeded.
4. The proposed Amendment is not consistent with Proposed Land Use Map designation in the Lower Richland Subarea Plan.
5. The proposed Zoning Map Amendment is not consistent with the Objectives and Principles of the Lower Richland Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

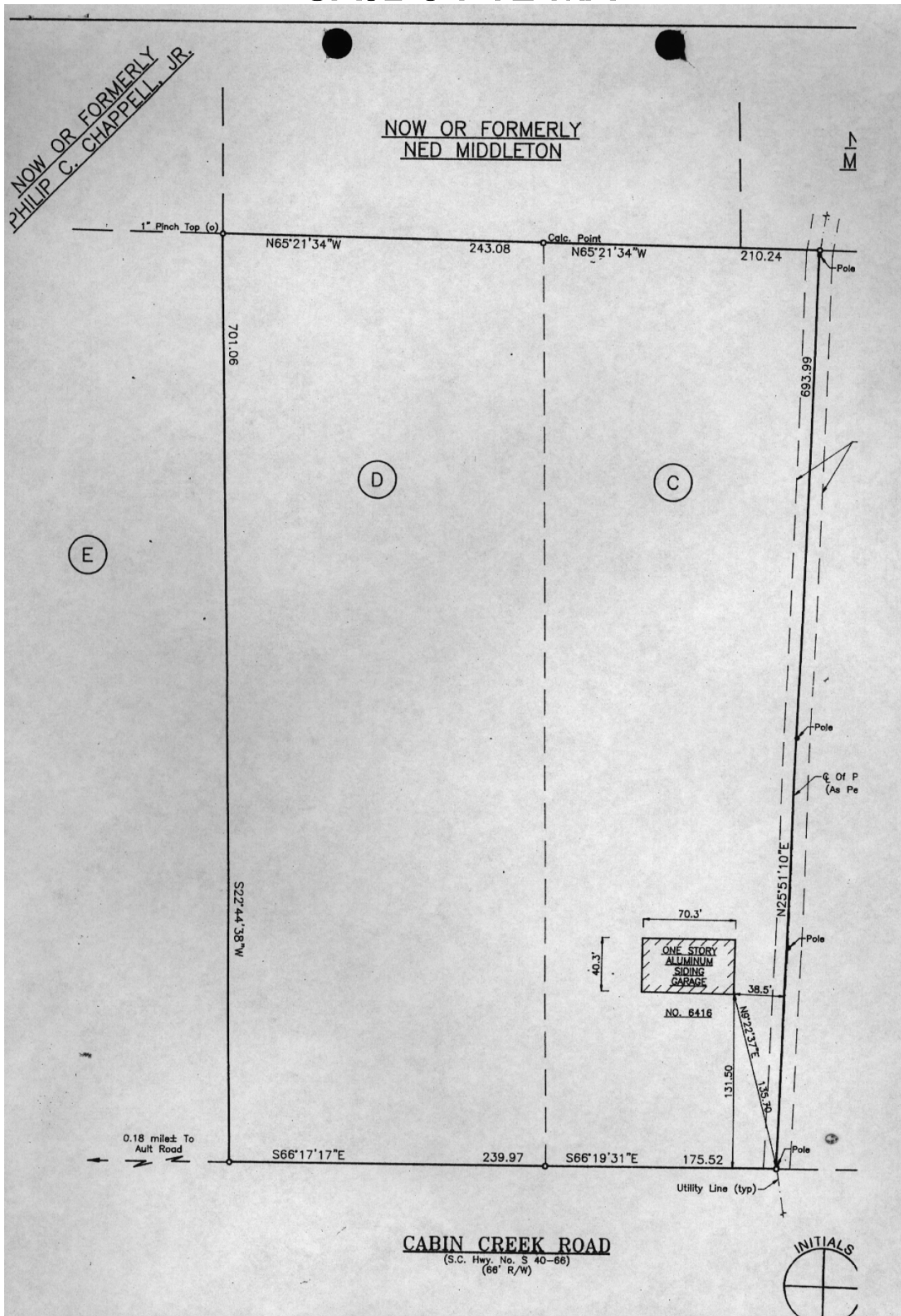
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

Commission Findings of Fact/Recommendations

In consideration of the proposed Zoning Map Amendment # 04-12 MA, the Planning Commission made the findings of fact summarized below:

Attachment A

CASE 04-12 MA





CASE 04-12
RU to C-3
TMS 24500-06-08



CASE 04-12 MA FROM RU to C-3



ZONING CLASSIFICATIONS

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



CASE 04-12 MA FROM RU to C-3

TMS# 24500-06-08/09

Cabin Creek Road



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

October 6, 2003

RC Project # 04-13 MA	Applicant: Truman J. "Pat" Murphy, III
General Location: South of Monticello Road and Sara Matthews Road	
Tax Map Number: 09404-02-03	Subject Area: 15.18 Acres
Current Parcel Zoning: D-1/C-1	Proposed Parcel Zoning: RG-2
Proposed Use: Multi family residential and agricultural	PC Sign Posting Date: September 11, 2003

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

No facts offered

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	C-1/D-1	Undeveloped woodlands, single family residence, and multi-family residence
Adjacent North	D-1	Undeveloped woodlands, single family residential, and a multi-family residence
Adjacent East	D-1	Large lot residences and undeveloped woodlands
Adjacent South	D-1	Undeveloped woodlands and single family residential
Adjacent West	D-1 and M-1	Scattered single family residences and scattered commercial structures.

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

<p><u>C-1 Zoning Designation Intent</u> Intended to accommodate office, institutional, and certain types of residential uses.</p> <p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semideveloped, with scattered related uses.</p>	<p><u>Proposed RG-2 Zoning Designation Intent</u> Intended as medium and high density residential areas permitting progressively higher population densities, characterized by single family detached, two family detached, multiple family structures, garden type apartments and high rise apartments</p>
<p><u>Existing C-1 Zoning Permitted Uses</u> Offices, studios, nursing homes, theaters, schools, places of worship, high-rise structures, single, two-family, and multi-family dwellings.</p> <p><u>Existing D-1 Zoning Permitted Uses</u> Agriculture, horticulture, forestry, parks, single family detached dwellings, places of worship, schools, day nurseries, single family manufactured home on individual lots.</p>	<p><u>Proposed RG-2 Zoning Permitted Uses</u> Single family detached residences Multi-family residential developments Cluster housing developments Parallel zero lot line developments Common zero lot line developments High rise apartments subject to various conditions</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The adjacent developments to the north, east, and south are undeveloped woodlands or single-family residences. The area west across Monticello Road consists of a commercial building and single-family residences. Since various types of multi-family residential structures are possible in this zoning district, the proposed amendment is not compatible with the adjacent development.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Monticello Road	
Functional Classification Of This Roadway	4 Lane Undivided Major Arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	29200	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #249 Located @SE of site on Monticello Road	9400	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

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

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

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

The estimated project traffic is calculated by multiplying the estimated number of units by 6.6 average daily trips for multi-family development. However, due to a myriad of factors involved, it is not possible to determine the total amount of possible site development

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

Sara Matthews Road is an unpaved dirt road that runs around the site on the west portion of the subject parcel. This road is not intended for high intensity use, which could be generated if the property is rezoned to a RG-2 classification. The LOS C design capacity of Monticello Road would not be exceeded with the project.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

The Proposed Land Use Element Map (Map) of the North Central Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Residential in the Developing Urban Area. The proposed Zoning Map Amendment is **technically consistent** with the Map designation. However, since the Map does not establish any allowable density range, it is not possible to determine with any certainty the maximum amount of possible development that could be on the site.

The North Central Subarea Plan, adopted in November 1992, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 26 and 30 respectively, are discussed below:

Objective – Vary residential densities and development according to the character of existing communities.

The adjacent residential development is single-family residences on varying lot sizes. The proposed Amendment **does not implement** this Objective.

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

The proposed 15 acres of RG-2 zoning could, under certain conditions allow high-density residential development. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

One of the principal factors in making a zoning map amendment decision is whether the request is appropriate at this place and at this time. This area of the County has some good development, and redevelopment, potential in the future.

The Department suggests that the subject parcel may be appropriate for more intensive residential development at some future date. However, extensive studies and community organization activities should be completed before higher density residential development should be permitted.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-13 MA **not be changed** from C-1/D-1 to RG-2.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is not compatible with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of 29,200 at this location will not be exceeded.
4. The proposed Amendment is consistent with the Proposed Land Use Map designation of residential in the North Central Subarea Plan.
5. The proposed Zoning Map Amendment is not consistent with the Objectives and Principles of the North Central Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.
7. Extensive studies and coordination with the existing community organizations should occur before any higher density residential development should be permitted.

SECTION III PLANNING COMMISSION ACTION

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

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

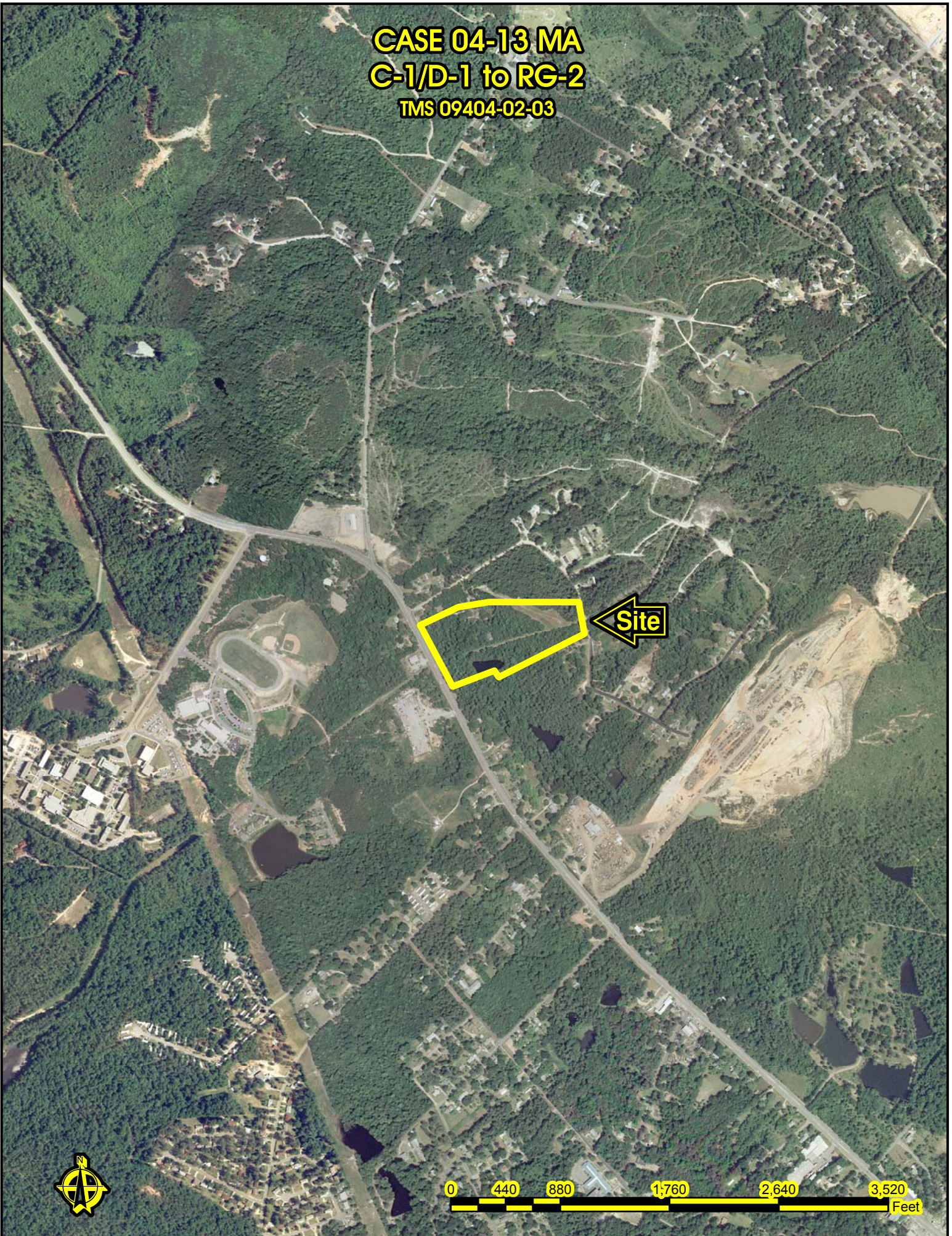
At their meeting of October 6, 2003, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-13 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

In consideration of the proposed Zoning Map Amendment # 04-13 MA, the Planning Commission made the findings of fact summarized below:

- 1)

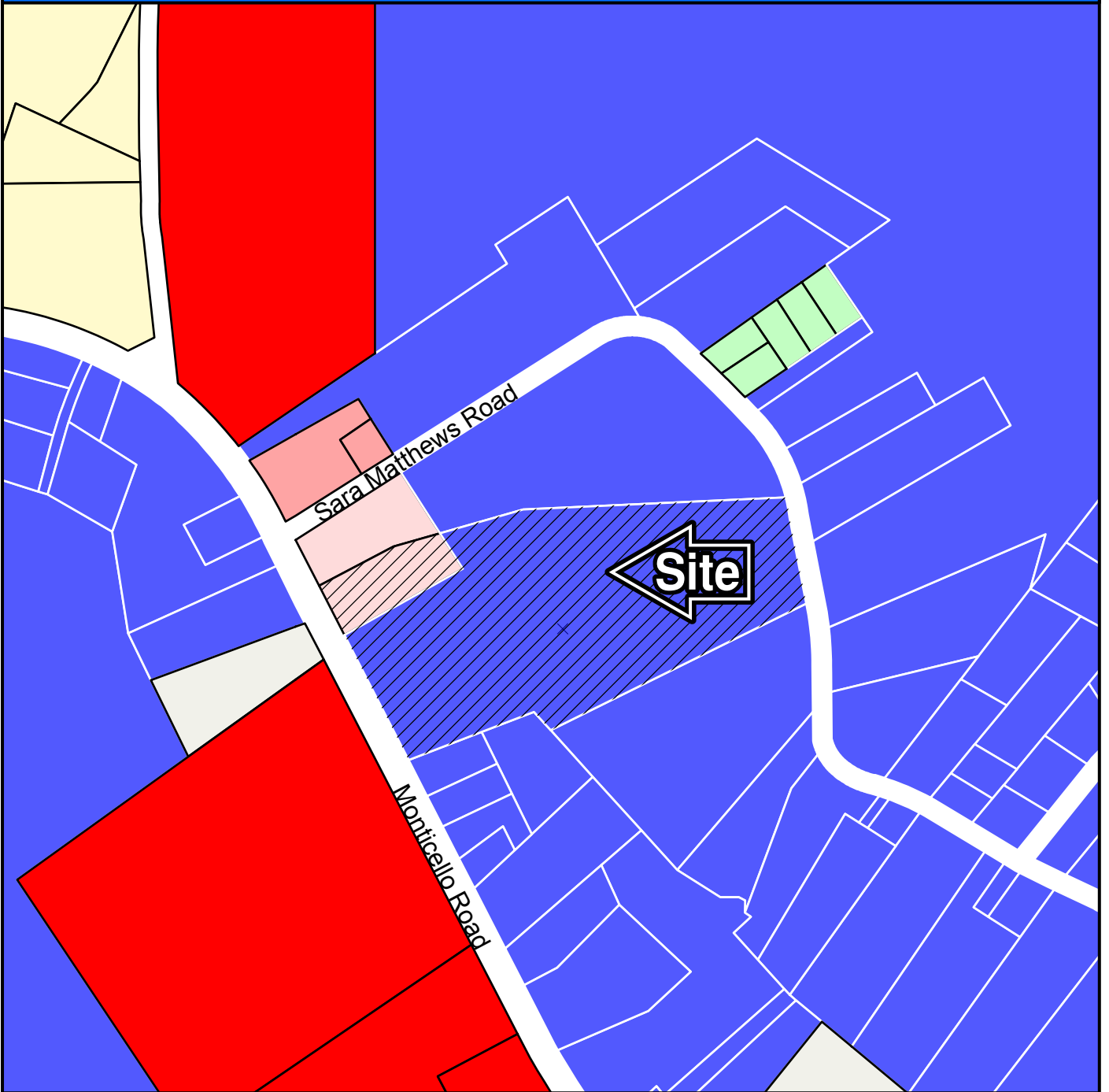
CASE 04-13 MA
C-1/D-1 to RG-2
TMS 09404-02-03






Site



CASE 04-13 MA FROM C-1/D-1 to RG-2



ZONING CLASSIFICATIONS

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



CASE 04-13 MA FROM C-1/D-1 to RG-2

TMS# 09404-02-03 7118B Monticello Road



Interior of site



Looking at site from across Monticello Road

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

October 6, 2003

RC Project # 04-14 MA	Applicant: Larry O. Gantt
General Location: Kennerly Rd & Hollingshed Rd at River Bottom Rd	
Tax Map Number: 04200-04-01	Subject Area: 60.8 Acres
Current Parcel Zoning: RU	Proposed Parcel Zoning: RS-1A
Proposed Use: Single Family Subdivision	PC Sign Posting Date: September 11, 2003

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

None offered

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	RU	Large lot residential
Adjacent East	RU	Hollingshed S/D
Adjacent South	RU	Large lot residential and Ascot S/D
Adjacent West	RU	Undeveloped woodlands

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

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas.</p>	<p><u>Proposed RS-1A Zoning Designation Intent</u> Intended for single family residences with low to medium densities</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed RS-1A Zoning Permitted Uses</u> Single family detached residences on minimum 10,000 sq. ft lots and a minimum lot width of 60 feet Customary Accessory uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The subject project compatible with other subdivision development in the area. However, the project does extend urban development further into an existing rural area.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Kennerly Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	1615	
Current Volume At The Nearest Count Station #639 Located @SE of site on Hollingshed Road	2700	
Estimated Traffic Count With the Proposed Project	4315	
Volume-To-Capacity Ratio With The Proposed Project	0.50	

Notes:

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

The estimated project traffic is calculated by dividing the numbers of site acres (60.8) by 30 percent (ave. amt. of land needed for infrastructure) to get the estimated maximum number of development acres times 4 DU/acre (170 units) times 9.5 trips per day per dwelling unit.

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

The proposed project will not result in the LOS C of Kennerly Road in this area being exceeded. The southern end of Kennerly Road (near Broad River Road) has a LOS F.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 4-mile radius of a fire station.

Relationship To Comprehensive Plan

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

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

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

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

The proposed project is estimated to have a density of 2.8 DU/acre upon completion. The proposed Amendment **implements** this Objective.

Principle – Residential development should be limited to individual dwellings on individual lots. The subdivision will be limited to single family detached residences and their customary accessory uses. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The subject property was presented to the Richland County Planning Commission for rezoning from RU to RS-1A on March 3, 2003. The Planning Commission did not agree with the PDSD and recommended County Council deny the proposed Amendment RC project #03-33 MA. Subsequently, the applicant withdrew RC project #03-33 MA from consideration by County Council.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-14 MA **be changed** from RU to RS-1A.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is compatible with the adjacent existing land uses.
3. Kennerly Road near this location will not exceed the LOS C traffic capacity.
4. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the Northwest Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of October 6, 2003, the Richland County Planning Commission agreed (did not agree) with the PDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-14 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

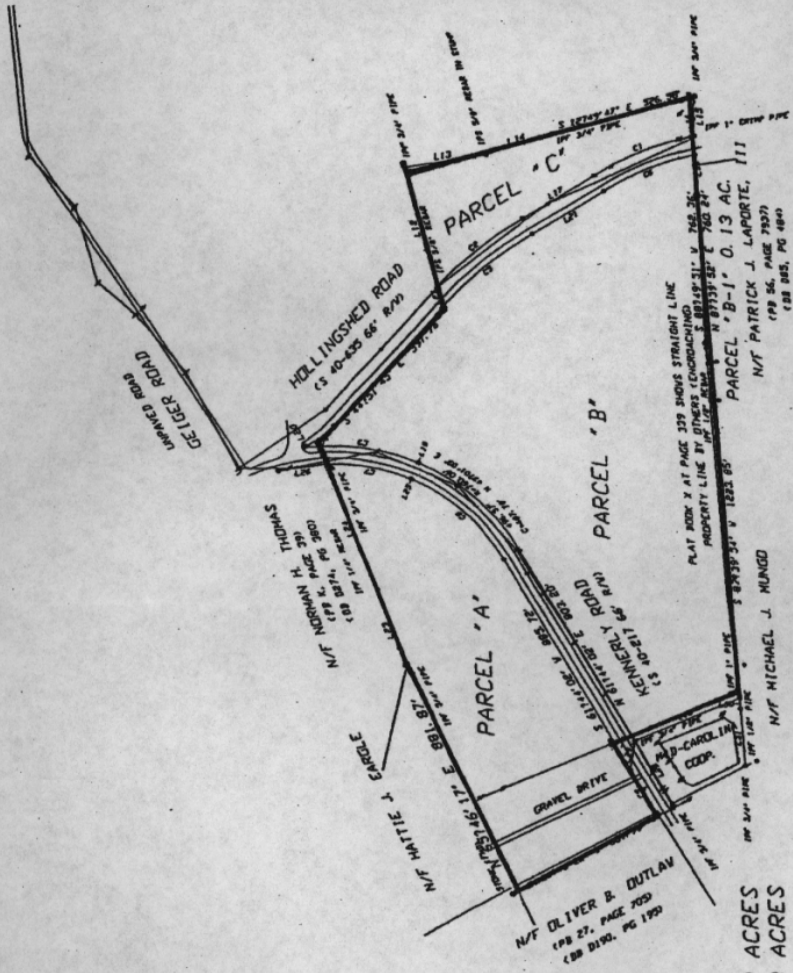
In consideration of the proposed Zoning Map Amendment # 04-14 MA, the Planning Commission made the findings of fact summarized below:

Attachment A CASE 04-14 MA

EXHIBIT A

CURVE	ARC	RADIUS	CHORD LENGTH	CHORD BEARING
C1	378.84	1036.35	352.44	N 181°41' 17" V
C2	298.42	1630.71	292.44	N 56°23' 12" V
C3	421.91	804.49	412.12	N 09°14' 37" E
C4	126.96	1584.71	122.47	S 34°01' 47" E
C5	415.79	1000.55	414.57	S 39°19' 00" E
C6	358.03	728.43	354.65	S 19°44' 17" E
C7	215.42	684.05	207.62	S 18°17' 05" V
C8	151.42	684.05	145.48	S 18°17' 05" V
C9	160.49	673.14	180.48	S 61°07' 50" V

LINE	BEARING	DISTANCE
L1	S 207°17' 12" E	150.92
L2	N 87°14' 01" E	159.42
L3	N 37°21' 12" E	231.42
L4	S 77°20' 45" V	124.34
L5	S 78°12' 50" V	46.79
L6	S 80°12' 57" V	126.25
L7	S 77°02' 25" V	240.29
L8	S 77°14' 37" V	305.03
L9	S 77°25' 12" V	420.90
L10	S 77°30' 58" V	431.87
L11	S 77°35' 03" E	207.79
L12	S 77°39' 08" E	245.19
L13	S 77°43' 13" E	173.09
L14	S 77°47' 18" E	14.02
L15	N 88°12' 48" V	14.13
L16	N 89°12' 48" V	14.13
L17	N 89°12' 48" V	14.13
L18	N 89°12' 48" V	14.13
L19	N 89°12' 48" V	14.13
L20	S 27°11' 47" E	286.15
L21	S 27°11' 47" E	1.97
L22	S 27°11' 47" E	308.14
L23	N 207°41' 12" E	423.25
L24	S 24°18' 04" V	3.19
L25	S 24°18' 04" V	178.45
L26	N 05°45' 25" V	145.48
L27	N 21°02' 23" E	105.29
L28	S 61°31' 23" E	59.97
L29	S 79°50' 44" E	204.30
L30	S 87°14' 01" E	51.44
L31	S 87°14' 01" E	267.32
L32	N 18°17' 05" V	803.21
L33	N 18°17' 05" V	15.84
L34	S 09°12' 11" E	15.84



- 'A' - 17.42 ACRES
- 'B' - 37.53 ACRES
- 'B-1' - 0.13 ACRES
- 'C' - 5.73 ACRES

AUG 26 2003

TMS # 04200-04-01

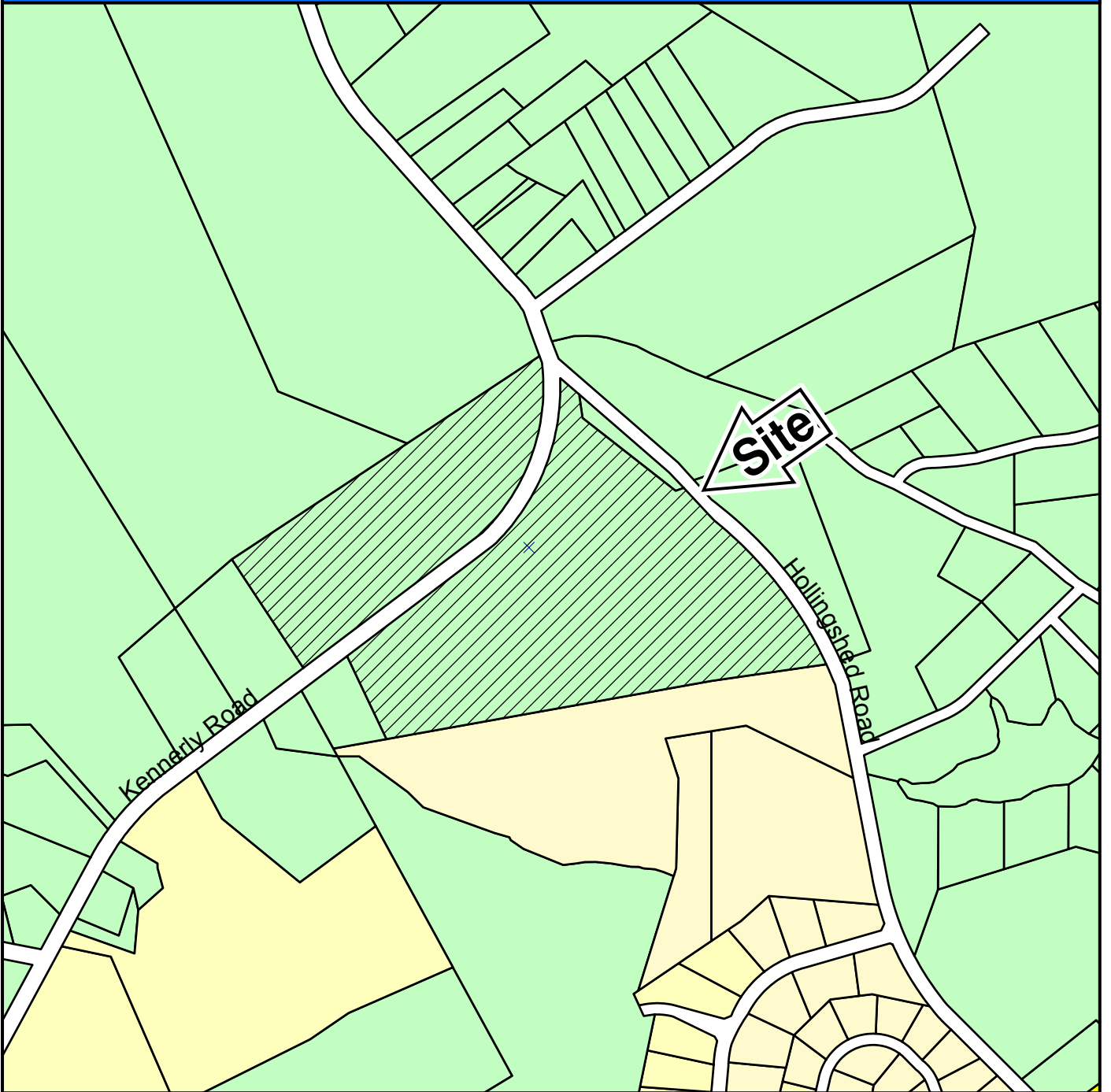
CASE 04-14 MA
RU to RS-1A
TMS 04200-04-01






Site



CASE 04-14 MA FROM RU to RS-1A



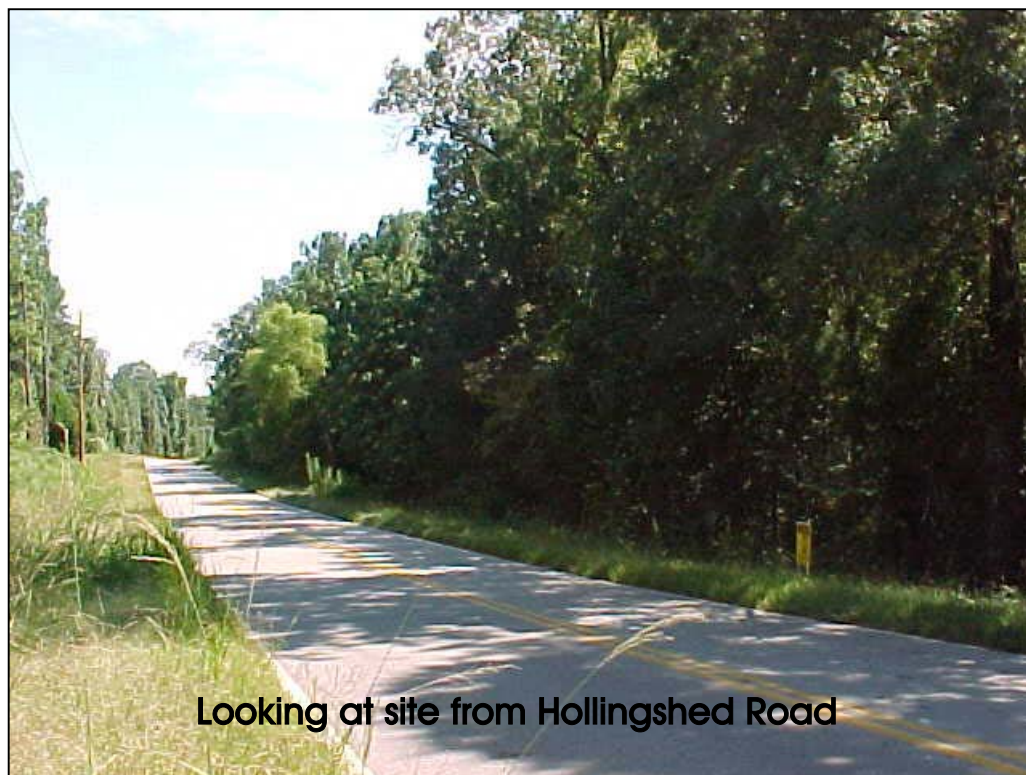
ZONING CLASSIFICATIONS

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



CASE 04-14 MA FROM RU to RS-1A

TMS# 04200-04-01 Kennerly Road & Hollingshed Road



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

October 6, 2003

RC Project # 04-15 MA	Applicant: Vendors Supply, Inc.
General Location: 201 Saluda River Rd, 1 block south of Broad River Road	
Tax Map Number: 07306-04-01 (portion)	Subject Area: 1.0 Acres
Current Parcel Zoning: RS-1	Proposed Parcel Zoning: M-1
Proposed Use: Expand Existing Warehouse Distribution Operation	PC Sign Posting Date: September 11, 2003

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To expand upon an existing warehouse facility

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RS-1	Vacant woodlands
Adjacent North	M-1 & RS-1	Vendors Supply Inc.
Adjacent East	RS-1 & RG-2	Vacant land and Copperfield Apartments
Adjacent South	RS-1	Vacant Land & single family residences
Adjacent West	RS-1 & RS-2	Single family residences

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

<u>RS-1 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities	<u>Proposed M-1 Zoning Designation Intent</u> Intended to accommodate wholesaling, distribution, storage, processing, light manufacturing and general commercial or agricultural uses
<u>Existing RS-1 Zoning Permitted Uses</u> Single family detached residences and their accessory uses	<u>Proposed M-1 Zoning Permitted Uses</u> Wholesaling, distribution & warehousing Freight & passenger terminals Light manufacturing Outdoor Storage Retail, offices and studios Service and repair businesses Eating and drinking establishments Places of worship Communication towers & cemeteries

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Broad River Road via Saluda River Road	
Functional Classification Of This Roadway	Four lane undivided major arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	29,200	
Estimated Traffic Generated By The Proposed Project	112	
Current Volume At The Nearest Count Station #183		24,600
Estimated Traffic Count With the Proposed Project	24,712	
Volume-To-Capacity Ratio With The Proposed Project	0.85	

Notes:

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

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

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

The estimated project traffic is calculated by multiplying the generation rate for a warehouse business found on page 202 of the TGM times the proposed square footage of the use.

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

The proposed project will not result in the LOS C of Broad River Road being exceeded in this area. The project will result in increased traffic on Saluda River Road for the short distance to Broad River Road.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

The Proposed Land Use Element Map (Map) of the I-20 Interbeltway Corridor Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Medium Density Residential. The proposed Zoning Map Amendment **is not consistent** with this land use designation.

The I-20 Interbeltway Corridor Subarea Plan, adopted in November 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 9 and 13 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use.

Broad River Road is about two blocks away via Saluda River Road, a narrow two lane residential street. The adjacent roadways on the east (Brevard Street) and west (Jefferson Allen Drive) of the site are dirt roads with less than 30 feet of right-of-way.

The Proposed Land Use Map designates the subject site as Medium Density Residential. While there is a shopping center and a variety of general commercial activity along Broad River Road, there is no other industrial activity in the immediate area. The proposed Amendment **does not implement** this Objective.

Objective – Minimize incompatibility between existing and proposed land uses.

The parcels immediately adjacent to the site south and west are vacant with residential areas behind the vacant lands. The Copperfield Apartments are across Saluda River Road from the site. The proposed Zoning Map Amendment will result in further intrusion of the incompatible facility into the residential area. The proposed Amendment **does not implement** this objective.

Principle – Proposed industrial areas should consider the following criteria where they apply;

- A. Land not having more than five percent slope
- B. Access to a major transportation facility with a highway access of at least a collector class road or higher
- C. Large tract sites suitable for facility expansion
- D. Provision of adequate infrastructure to the site
- E. Compatibility with surrounding land uses

- A. The subject site appears to have a slope of more than five percent; and
- B. There is no direct access to a major roadway, but Broad River Road is approximately two blocks away; and
- C. The site expansion site is only one acre. The parcel from which the one acre is derived is four acres in area; and
- D. The site does not have adequate infrastructure because the only road access is via a narrow two lane road to Broad River Road; and
- E. Neither the existing facility, nor the expanded facility, are compatible with the adjacent residential development

The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

I-20 Interbeltway Corridor Statement

The main focus of this Subarea Plan is "...to stabilize existing land patterns and reduce further decay of residential areas...As part of this designation, an associated planning theme is defined with a related goal: ...that the area consists of established neighborhoods, commercial and industrial districts and institutional complexes, with scattered vacant properties and areas of structural decay...The goal is to preserve existing neighborhoods, revitalization of decaying commercial sites and the introduction of buffering in areas with conflicting land uses..." (pg. 11, I-20 Interbeltway Corridor Subarea Plan) The proposed project is contrary to this Goal.

There is a substantial amount of vacant M-1 zoned land throughout the County, most of which has far better access to the major road network. The Shop and Bluff Road area and the Atlas Road areas are just two of many M-1 zoned areas with substantial amounts of vacant land available for users.

If the Zoning Map Amendment is granted, the entire existing, and expanded facility, will be required to complete the site plan review process and meet the requirements of Chapter 27, the Landscaping Ordinance. The site development will be required to install extensive landscaping and walls on the perimeter of the site.

The subject property was brought before the Planning Commission previously as RC project #03-29 MA on February 3, 2003 for a Zoning Map Amendment from RS-1 to M-1. The Planning Commission agreed with the PDS and recommended that the County Council deny the proposed Amendment. The proposed Zoning Map Amendment was deferred by County Council on February 25, 2003 and subsequently withdrawn by the applicant on April 24, 2003.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-15 MA **not be changed** from RS-1 to M-1.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is not compatible with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Broad River Road at this location will not be exceeded.
4. The proposed Amendment is not consistent with Proposed Land Use Map designation in the I-20 Interbeltway Corridor Subarea Plan.
5. The proposed Zoning Map Amendment is consistent with the Objectives and Principles of the I-20 Interbeltway Corridor Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.
7. The proposed project is contrary to the Subarea Plan Goal of preserving existing residential neighborhoods.

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of October 6, 2003, the Richland County Planning Commission agreed (did not agree) with the PDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-15 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

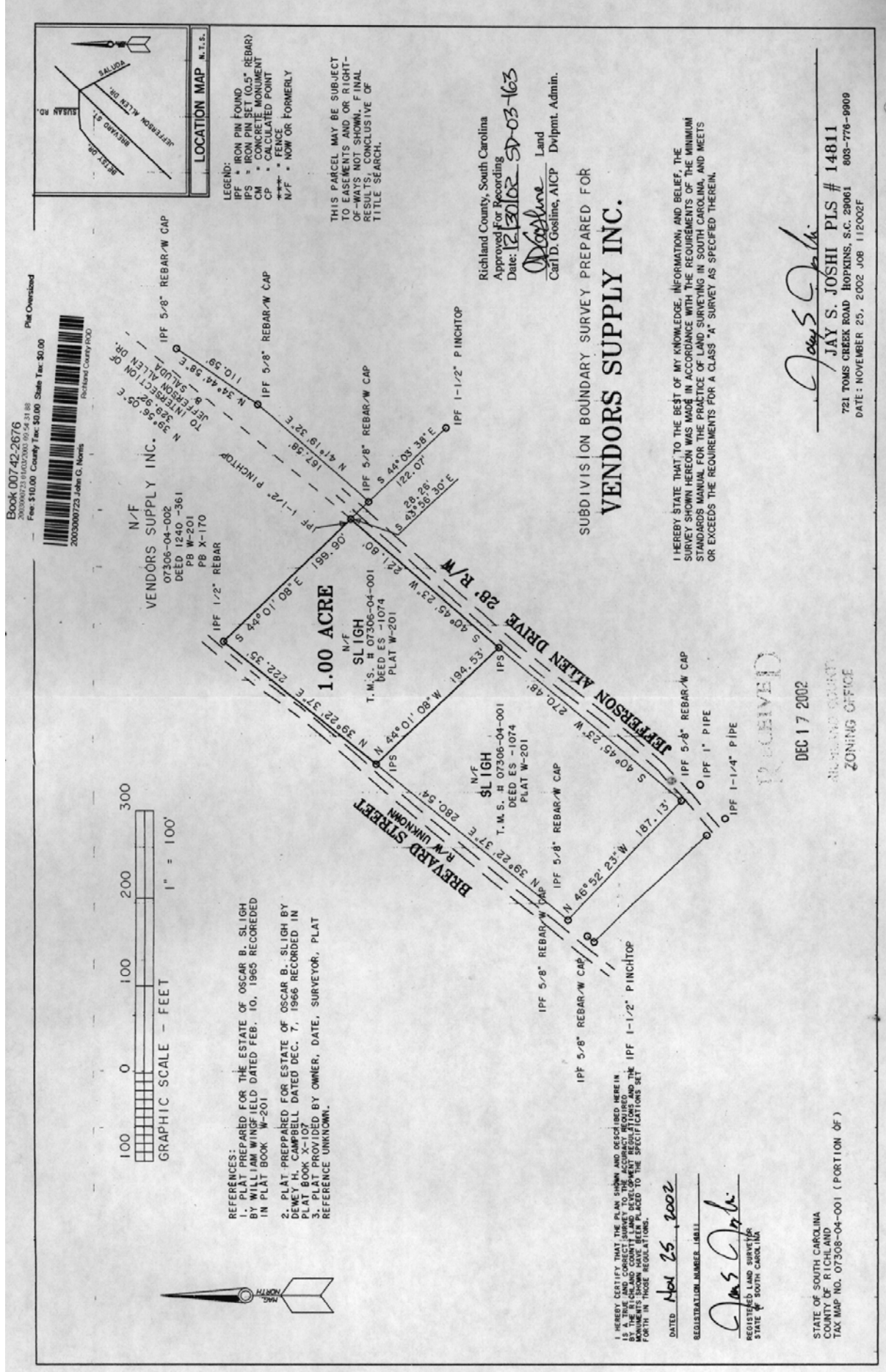
(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 04-15 MA, the Planning Commission made the findings of fact summarized below:

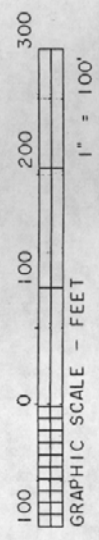
- 1)

Attachment A

CASE 04-15 MA



Book 00742-2676
 2003000723 John G. Norris
 Plat Overlaid
 Fee \$10.00 County Tax \$0.00 State Tax \$0.00
 2003000723 John G. Norris
 Richland County RCO



- REFERENCES:
1. PLAT PREPARED FOR THE ESTATE OF OSCAR B. SLIGH BY WILLIAM WINGFIELD DATED FEB. 10, 1965 RECORDED IN PLAT BOOK W-201
 2. PLAT PREPARED FOR ESTATE OF OSCAR B. SLIGH BY GENEY H. CAMPBELL DATED DEC. 7, 1966 RECORDED IN PLAT BOOK X-107
 3. PLAT PROVIDED BY OWNER, DATE, SURVEYOR, PLAT REFERENCE UNKNOWN.

LOCATION MAP M.T.S.

- LEGEND:
- IPF IRON PIN FOUND
 - IPS IRON PIN SET (0.5" REBAR)
 - CM CONCRETE MONUMENT
 - CP CALCULATED POINT
 - *** FENCE
 - N/F NOW OR FORMERLY

THIS PARCEL MAY BE SUBJECT TO EASEMENTS AND OR RIGHT-OF-WAYS NOT SHOWN. FINAL REVIEW IS CONCLUSIVE OF TITLE SEARCH.

Richland County, South Carolina
 Approved for Recording
 Date: 12/20/02 SD-03-163
Carl D. Gosline Land
 Carl D. Gosline, AICP Dvlpmnt. Admin.

SUBDIVISION BOUNDARY SURVEY PREPARED FOR
VENDORS SUPPLY INC.

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

RECEIVED
 DEC 17 2002
 RICHLAND COUNTY
 ZONING OFFICE

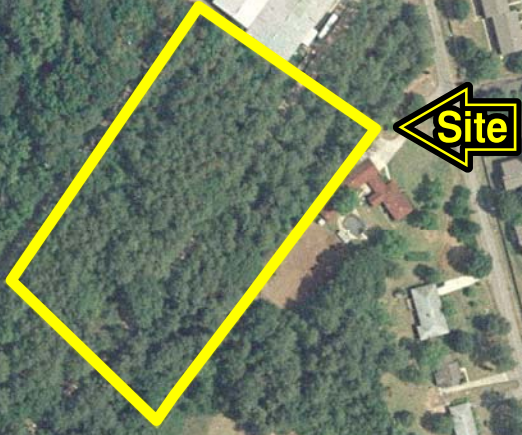
I HEREBY CERTIFY THAT THE PLAN, SHOW AND DEEDS RECORDED HEREIN BY THE RICHLAND COUNTY LAND DEVELOPMENT REGULATIONS AND THE REGULATIONS AND THE REGULATIONS APPLIED TO THE SPECIFICATIONS SET FORTH IN THOSE REGULATIONS.

DATED Nov 25, 2002
 REGISTRATION NUMBER 14811
Jay S. Joshi
 REGISTERED LAND SURVEYOR
 STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA
 COUNTY OF RICHLAND
 TAX MAP NO. 07308-04-001 (PORTION OF)

Jay S. Joshi
 JAY S. JOSHI PLS # 14811
 721 TOMS CREEK ROAD HOPKINS, S.C. 29061 803-776-9909
 DATE: NOVEMBER 23, 2002 JOB 112002F

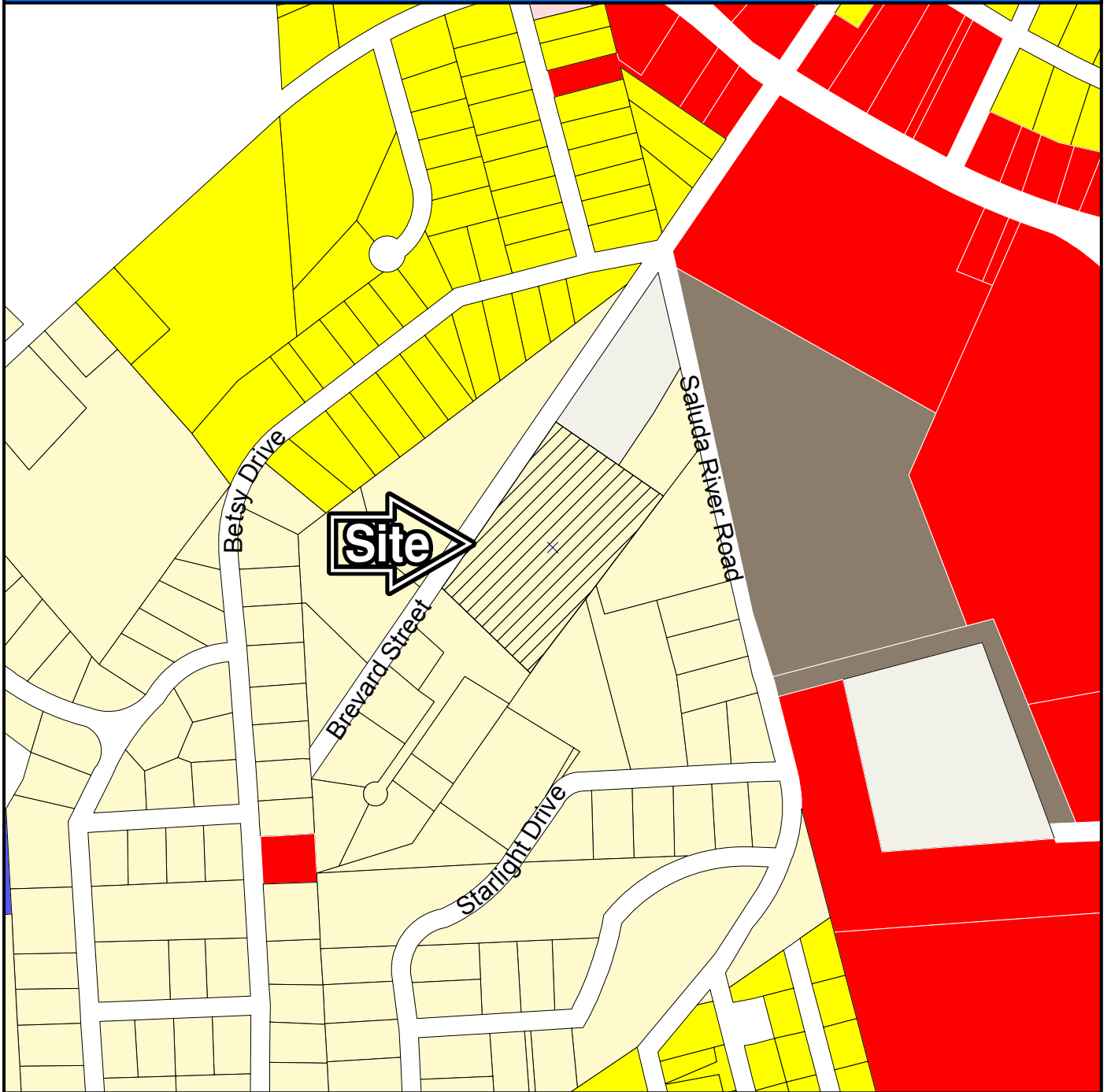
CASE 04-15 MA
RS-1 to M-1
TMS 07306-04-01
















Site



CASE 04-15 MA FROM RS-1 to M-1



ZONING CLASSIFICATIONS

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



CASE 04-15 MA FROM RS-1 to M-1

TMS# 07306-04-01(p) Brevard Street just off Broad River Road



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

October 6, 2003

RC Project # 04-16 MA	Applicant: R. Joseph Richardson
General Location: Approximately 1 mile north of I-20 on the east side of Monticello Road	
Tax Map Number: 09405-02-02,03 09405-08-01,02	Subject Area: 11.6 Acres
Current Parcel Zoning: D-1	Proposed Parcel Zoning: C-3
Proposed Use: Neighborhood Commercial/Retail	PC Sign Posting Date: September 11, 2003

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To establish retail businesses to serve the needs of the local and outlying residents.

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Undeveloped woodlands
Adjacent North	D-1	Undeveloped woodlands
Adjacent East	C-3	Single family residential
Adjacent South	RS-2 & C-3	Single family residential & Newsome Auto Parts and New Birth Christian Church
Adjacent West	D-1	Scattered single family residences and undeveloped woodlands

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

<p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semideveloped, with scattered related uses.</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office, and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> Agriculture, horticulture, forestry, parks, single family detached dwellings, places of worship, schools, day nurseries, single family manufactured home on individual lots.</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair, & personal services Offices, studios, & financial institutions Eating and drinking establishments Wholesale/Distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collections & transfer uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The adjacent property to the east across Hodges Road and south across Monticello Road are zoned C-3 consisting of single family residences and various retail/commercial structures. The proposed amendment is compatible with the adjacent development.

The four subject parcels are contiguous and abut a C-3 zoned area to the east and various C-3 zoning exists across Monticello Road.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Monticello Road	
Functional Classification Of This Roadway	4 Lane Undivided Major Arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	29200	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #249 Located @NW of site on Monticello Road	9400	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	0.32	

Notes:

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

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

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

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

NP=Not possible to determine the generation rate from TGM (use not specific enough)

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

The proposed Map Amendment will not result in the LOS C of Monticello Road being exceeded in this location.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

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

The North Central Subarea Plan, adopted in November 1992, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 26 and 30 respectively, are discussed below:

Objective - Provide areas with commercial and industrial facilities that are related to each other in an efficient manner, served by adequate infrastructure and readily accessible to the public, while restricted to locations adjacent to existing sites.

The proposed commercial development will consist of neighborhood commercial establishments. The project site contains approximately 2000 ft. of frontage on Monticello Road. The site has access to water and sewer and has a sidewalk running along the entire frontage of the property. The site is adjacent to a C-3 zoned area to the east. The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to existing zoned areas, and specifically to proposed locations where the following apply.

1. Areas which are shown as commercial on the Proposed Land Use Map

The site is included in the corridor of commercial frontage property on both sides of Monticello Road from I-20 north to Frost Avenue as designated by the Map. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The site would serve the local communities and has good access to the outlying residents as it is close to I-20/Monticello Road interchange. This location makes the commercial businesses readily accessible to the necessary suppliers that support these types of businesses.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-16 MA **be changed** from D-1 to C-3.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is compatible with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of 29,200 at this location will not be exceeded.
4. The proposed Amendment is consistent with the Proposed Land Use Map designation of commercial in the North Central Subarea Plan.
5. The proposed Zoning Map Amendment is consistent with the Objectives and Principles of the North Central Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION
--

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

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

At their meeting of October 6, 2003, the Richland County Planning Commission agreed (did not agree) with the PSDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-16 MA at the next available opportunity.

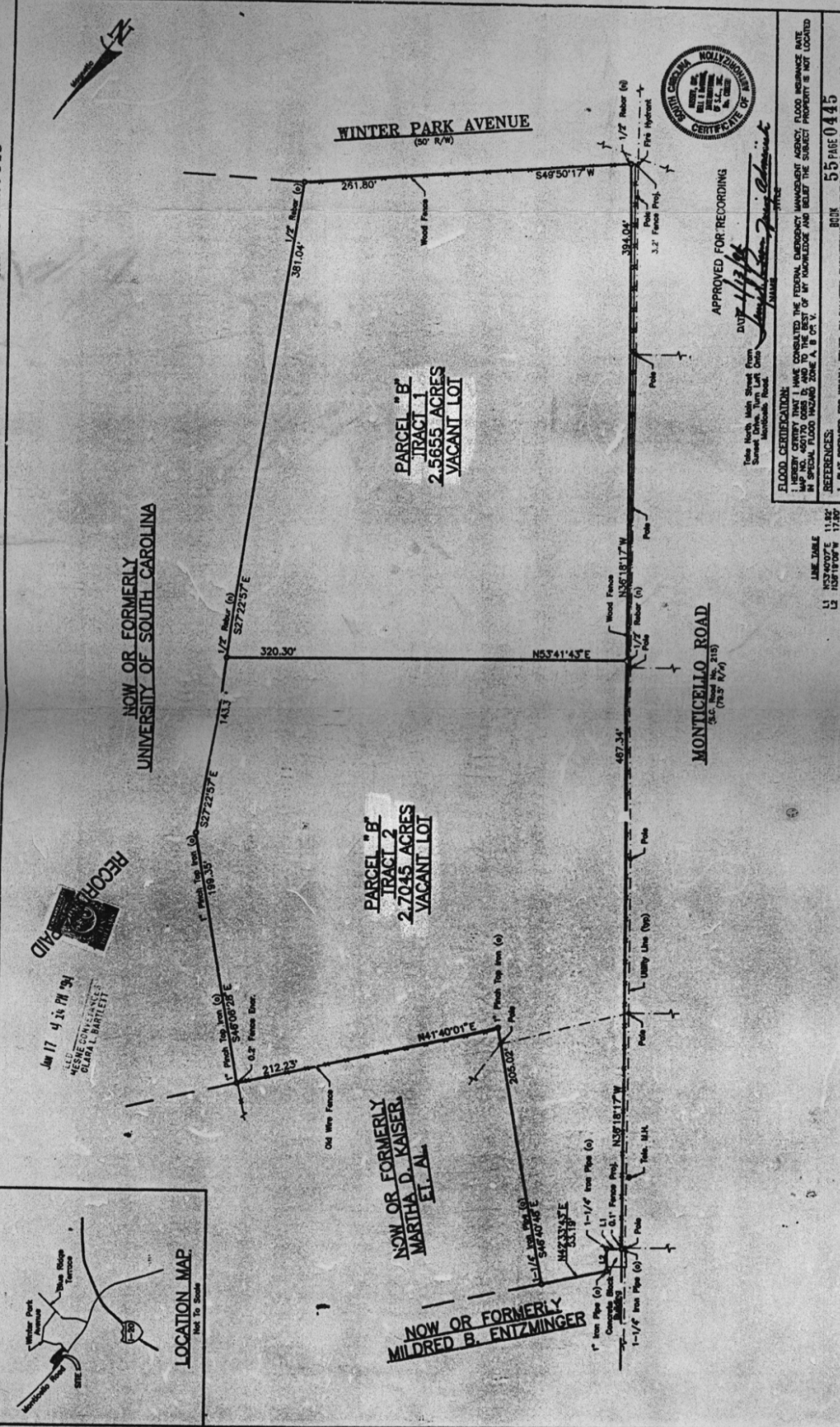
Commission Findings of Fact/Recommendations

In consideration of the proposed Zoning Map Amendment # 04-16 MA, the Planning Commission made the findings of fact summarized below:

- 1)

Attachment A CASE 04-16 MA

BOOK 55 PAGE 0445



PLAT PREPARED FOR:
WINHILL TRUST
RICHLAND COUNTY, NEAR COLUMBIA, SOUTH CAROLINA

DATE: JUNE 10, 1993

SURVEY NO.: 93060403A130

BOOK 29-46 T.M.S. NO. 9407-01-POR. 05 S.F. 29 No. 12

HUSSEY, GAY, BELL & DEYOUNG, INC.
CONSULTING ENGINEERS AND SURVEYORS
2000 PARK STREET P.O. BOX 7957 COLUMBIA, S.C. 29202
(803) 799-0444

APPROVED FOR RECORDING
DATE: 6/13/93
[Signature]

FLOOD CERTIFICATION:
I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEDERAL SURVEYING AGENCY, FLOOD INSURANCE ACT MAP NO. 40070 D005 D, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THE SUBJECT PROPERTY IS NOT LOCATED IN SPECIAL FLOOD HAZARD ZONE A, B OR V.

REFERENCES:
1. PLAT PREPARED FOR WINHILL TRUST, BY PALMETTO ENGINEERING & SURVEYING CO., INC., DATED JULY 23, 1988.

LINE TABLE
L1 N23°40'07"E 11.82'
L2 N27°10'09"W 17.80'

SCALE: 1" = 50'

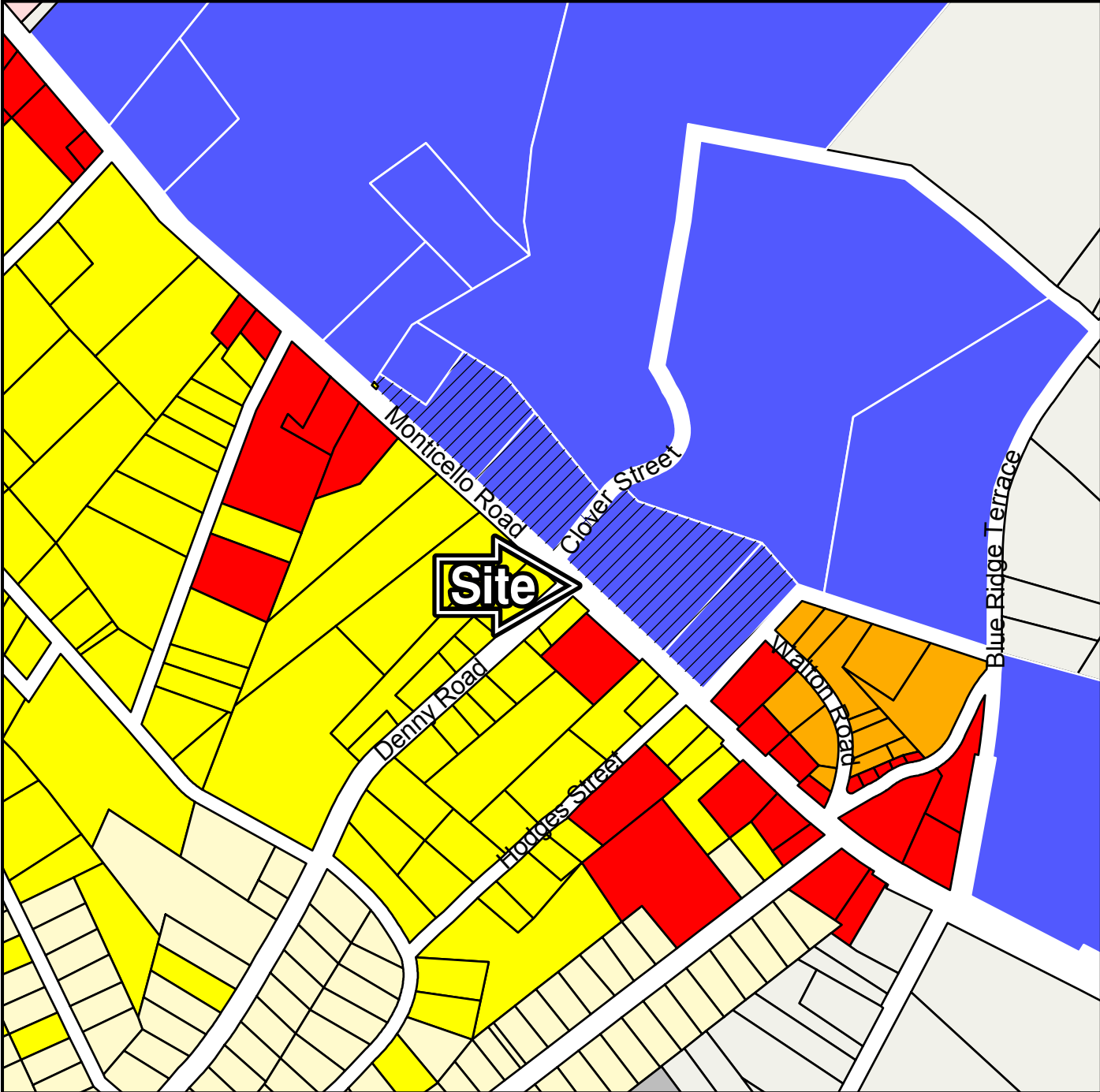
DATE: JUNE 22, 1993
[Signature]

RICHARD P. NIMAN
NO. 13385



















CASE 04-16 MA
D-1 to C-3
TMS 09405-08-01/02; 09405-02-02/03



CASE 04-16 MA FROM D-1 to C-3



ZONING CLASSIFICATIONS

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



CASE 04-16 MA FROM D-1 to C-3

TMS# 09405-08-01/02; 09405-02-02/03
1 Mi. N of I-20 on East side of Monticello Rd.



Looking at site from across Monticello Road



Looking south on Monticello Road towards I-20

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

October 6, 2003

RC Project # 04-17 MA	Applicant: Rimer Pond Rd. Subdivision
General Location: Approximately 1 mile west of Hardscrabble road on Rimer Pond Road	
Tax Map Number: 20500-01-09,10	Subject Area: 46.44 Acres
Current Parcel Zoning: RU	Proposed Parcel Zoning: RS-1 (minimum 12,000 sq. ft. lots)
Proposed Use: Residential Subdivision	PC Sign Posting Date: September 18, 2003

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

Establish a residential subdivision.

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Single family residence, mobile home, vacant garage, undeveloped woodlands and open field
Adjacent North	RU	Undeveloped woodlands and large lot residences
Adjacent East	RU	Large lot single family residences
Adjacent South	RU	Large lot single family residences and undeveloped woodlands
Adjacent West	RU	Large lot single family residences

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

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas.</p>	<p><u>Proposed RS-1 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed RS-1 Zoning Permitted Uses</u> Single family detached residences or modular houses on individual lots Parallel zero lot line dwelling units and developments subject to the provisions of section 26-90</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The area would be suitable for a residential subdivision due to the accessibility of major roads such as Hardscrabble Road and Longtown Road.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Rimer Pond Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	1045	
Current Volume At The Nearest Count Station #705 Located @ east of site on Rimer Pond Road	1850	
Estimated Traffic Count With the Proposed Project	2895	
Volume-To-Capacity Ratio With The Proposed Project	0.34	

Notes:

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

The estimated project traffic is calculated by multiplying 9.5 average daily trips times the estimated* number of lots (110)

*Estimated lots is calculated as follows 46.44 acres-16.25 for infrastructure=30.19 buildable acres multiplied by 43,560=1,315,076 sq. ft./12,000 sq. ft. as allowed by RS-1 = 110 lots.

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

The establishment of a residential subdivision at this site would not have a significant effect on the Level of service design capacity for Rimer Pond Road.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

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

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 31 and 42 respectively, are discussed below:

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

The Map identifies the subject site as Medium Density Residential in a rural area. The surrounding area is comprised of mainly estate sized single family residences and undeveloped woodlands both of which are conducive to residential areas. There are two schools in close proximity to the site as well as numerous amenities in the area to support residents. The proposed Amendment **implements** this Objective.

Principle – The purpose of the rural area designation is to maintain the open character and natural setting of the landscape. Residential development density is recommended to be four (4) dwellings per acre or less. While this density is important to how the overall area should be developed, it does not preclude a case by case review of new development at a higher residential density provided:

A. The development is planned in a manner that is in keeping with the character of the surrounding area;

The site is located within the Rural area as designated by the Map. The development would consist of approximately 4 DU/acre. The large lot size allows the development to be consistent with the existing character of the area and with the principle as described above. The proposed Amendment **implements** this Principle.

Other Relevant Issues

A major factor involved in determining whether or not a proposed zoning map amendment is appropriate for an area is the existing adjacent land use and the compatibility of the proposal. The surrounding area is zoned RU and comprised mainly of estate sized single family residences. The Plan does not specify the lot size or number of dwelling units allowed in a Medium Density Residential District in a Rural Area.

One issue that could arise with rezoning this site would be the possibility of setting a precedent for the establishment of subdivisions along this area of Rimer Pond Road. Due to the topography of the property and Land Use Map Designation per the Plan, this site could serve as an excellent example for cluster housing.

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the appropriate Subarea Plan's Proposed Land Use Map. Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter (*Chapter 6-29, SC Code of Laws*)..."

The **existing RU zoning is not consistent** with the Proposed Land Use Map designation as required by state statutes. The zoning should be either RS-2, RS-3, or RG-1 to be consistent with the Medium Density Residential land use designation.

The **proposed RS-1 zoning is not consistent** with the Proposed Land Use Map designation as required by state statutes. The zoning should be either RS-2, RS-3, or RG-1 to be consistent with the Medium Density Residential land use designation.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-17 MA **be changed** from RU to RS-1.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is compatible with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Rimer Pond Road at this location will not be exceeded.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the I-77 Corridor Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of October 6, 2003, the Richland County Planning Commission agreed (did not agree) with the PDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-17 MA at the next available opportunity.

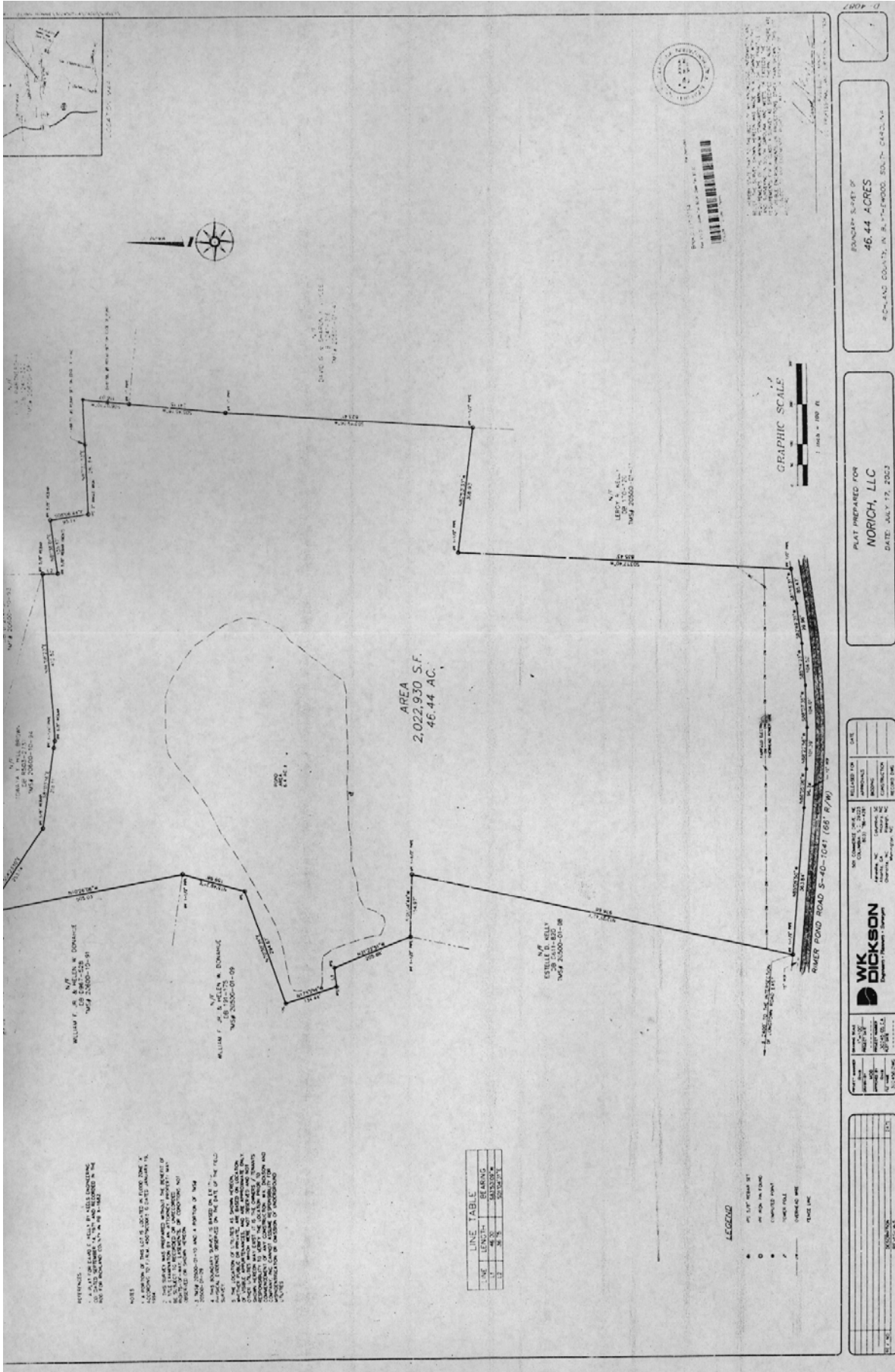
Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 04-17 MA, the Planning Commission made the findings of fact summarized below:

- 1)

Attachment A CASE 04-17 MA



CASE 04-17 MA
RU to RS-1
TMS 20500-01-09/10



















Site



CASE 04-17 MA FROM RU to RS-1



ZONING CLASSIFICATIONS

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




CASE 04-17 MA FROM RU to RS-1

TMS# 20500-01-09/10

North Side of Rimer Pond Road, 1 Mile West of Hardscrabble Road



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

TO: Planning Commission Members
FROM: Carl D. Gosline, AICP, Land Development Administrator 
DATE: September 24, 2003
RE: Subdivision and Street Name Approval

Background

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

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

Action Requested

The Department recommends the Commission approve the attached street/road name list. No Planning Commission action is required for the proposed subdivision names.

**Planning Commission Meeting
October 6, 2003**

PROPOSED STREET NAMES	GENERAL LOCATION
Aderley Oaks Court, Drive & Loop	Aderley S/D – Wise Road
Arklow Circle, Drive, Lane & Way	Future Location Unknown
Arthurdale Circle, Court, Drive, Lane & Way	Future Location Unknown
Bacchiris Drive	Vineyard Crossing – Villages @ Longtown
Bluff Farms Road	South Bluff Farms
Brankley Lane	St Andrews Place
Brideswell Circle, Court, Drive, Lane & Way	Future Location Unknown
Brockington Acres Road	Brockington Acres
Cape Clear Circle, Court, Drive, Lane & Way	Future Location Unknown
Cashell Creek Circle, Court, Drive, Lane & Way	Future Location Unknown
Castle Island Circle, Court, Drive, Lane & Way	Future Location Unknown
Castle Rock Circle, Court, Drive, Lane & Way	Future Location Unknown
Chaterville Way	Vineyard Crossing – Villages @ Longtown
Churchtown Circle, Court, Drive, Lane & Way	Future Location Unknown
Coachford Circle, Court, Drive, Lane & Way	Future Location Unknown
Courtown Circle, Court, Drive, Lane & Way	Future Location Unknown
Crooked Wood Circle, Court, Drive, Lane & Way	Future Location Unknown
Flagmount Circle, Court, Drive, Lane & Way	Future Location Unknown
Foxmount Circle, Court, Drive, Lane & Way	Future Location Unknown
Foxford Circle, Court, Drive, Lane & Way	Future Location Unknown
Freemount Hall Circle, Court, Drive, Lane & Way	Future Location Unknown
Frenchpark Circle, Court, Drive, Lane & Way	Future Location Unknown
Kenmare Circle, Court, Drive, Lane & Way	Future Location Unknown
Kingsland Circle, Court, Drive, Lane & Way	Future Location Unknown
Ladysbridge Circle, Court, Drive, Lane & Way	Future Location Unknown

PROPOSED STREET NAMES	GENERAL LOCATION
Larger Lane	Brockington Acres
Limerock Circle, Court, Drive, Lane & Way	Future Location Unknown
New Market Circle, Court, Drive, Lane & Way	Future Location Unknown
Pleasantdale Circle, Court, Drive, Lane & Way	Future Location Unknown
Plumbridge Circle, Court, Drive, Lane & Way	Future Location Unknown
Riverstown Circle, Court, Drive, Lane & Way	Future Location Unknown
Scotstown Circle, Court, Drive, Lane & Way	Future Location Unknown
Shoreham Court	St Andrews Place
St Andrews Place Court & Drive	St Andrews Place
Stone Cross Circle, Court, Drive, Lane & Way	Future Location Unknown
Villiers Circle, Court, Drive, Lane & Way	Future Location Unknown
Warrenpoint Circle, Court, Drive, Lane & Way	Future Location Unknown
Watergrass Circle, Court, Drive, Lane & Way	Future Location Unknown
White Gate Circle, Court, Drive, Lane & Way	Future Location Unknown

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Arklow	Future Location Unknown
Arthurdale	Future Location Unknown
Ashewood Hills	Future Location Unknown
Bluff Forest Estates	Old Bluff Road east of Bluff Road
Brideswell	Future Location Unknown
Bridgetown	Future Location Unknown
Brockington Acres	Heyward Brockington Rd near Cora Drive
Cape Clear	Future Location Unknown
Cashell Creek	Future Location Unknown
Castle Island	Future Location Unknown
Castle Rock	Future Location Unknown

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Churchtown	Future Location Unknown
Coachford	Future Location Unknown
Courtown	Future Location Unknown
Crooked Wood	Future Location Unknown
Flagmont	Future Location Unknown
Foxford	Future Location Unknown
Freemount Hall	Future Location Unknown
Frenchpark	Future Location Unknown
Kenmare	Future Location Unknown
Kingsland	Future Location Unknown
Ladysbridge	Future Location Unknown
Pleasantdale	Future Location Unknown
Plumbridge	Future Location Unknown
Riverstown	Future Location Unknown
Scotstown	Future Location Unknown
South Bluff Farms	Bluff Road
Stone Cross	Future Location Unknown
The Commons @ Winchester	Clemson Road near Winchester S/D
Villiers	Future Location Unknown
Warrenpoint	Future Location Unknown
Watergrass	Future Location Unknown
Wellington Bridge	Future Location Unknown
White Gate	Future Location Unknown