

RICHLAND COUNTY PLANNING COMMISSION

February 7, 2005

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5 *[Members Present: Palmer, Furgess, Jackson (1:12), Green, Wyatt, Lucius, McBride;*
6 *Absent: Van Dine, Manning]*

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8 Called to Order: 1:05 p.m.

9 VICE-CHAIRMAN WYATT: I'd like to call the February 7th meeting of the
10 Richland County Planning Commission to order. Recognize that we do have a quorum.
11 At this time I need to read into the Record – where did I put it? Too many pieces of
12 paper up here today. For the Record: "In accordance with the Freedom of Information
13 Act, a copy of the agenda was sent to radio and television stations, newspapers,
14 persons requesting notification, and posted on the bulletin board located in the lobby of
15 the County Administration building." Thank you. Next thing on the agenda is
16 presentation of the minutes.

17 MS. LUCIUS: Madam Chairman, I move we approve the minutes.

18 MR. FURGESS: Second.

19 VICE-CHAIRMAN WYATT: We have a motion for approval and a proper second.
20 All those in favor? Any opposed?

21 *[Approved: Palmer, Furgess, Lucius, Wyatt, Green, McBride; Absent: Jackson, Van*
22 *Dine, Manning]*

23 VICE-CHAIRMAN WYATT: Thank you. At this time I'll ask if there's any agenda
24 amendments?

25 MR. CRISS: No, Madam Chair.

26 VICE-CHAIRMAN WYATT: Anything from Planning Commission? Do I hear a
27 motion for approval of the agenda?

1 MR. GREEN: So moved.

2 MR. FURGESS: Second.

3 VICE-CHAIRMAN WYATT: Okay. Thank you. At this time we're going to take
4 up – no Old Business – rare. Under New Business we'll begin with Subdivision
5 Reviews. Where was I? I'll turn it over to Carl.

6 **PROJECT SD-05-115:**

7 MR. GOSLINE: Madam Chairman and Members, first subdivision is a project
8 called Canary Woods. It's out off of Padgett Road and near Lower Richland Boulevard.
9 Staff recommends that this be deferred because there's numerous questions on the
10 zoning and so on, exactly where the zoning line is. Page 13 of your agenda package
11 describes the situation. There is a representative here if you care to ask him any
12 questions.

13 MR. GREEN: Carl?

14 MR. GOSLINE: Yes, sir.

15 MR. GREEN: My question is are the discrepancies a result of lack of adequate
16 information from the county or is it because -

17 MR. GOSLINE: Well, I don't think so, Mr. Green. What happened was the
18 applicant came in and got rezoning for several pieces and the subdivision plan may be
19 okay the way it is. With the split zoning, the real issue here is we want to be sure. They
20 need to have things renumbered so that we don't have zoning lines splitting lots or
21 phases. So that's a relatively simple thing to take care of. And we – our suggestion is
22 that we defer it to the March meeting and give the applicant until next week to get the
23 revisions made.

1 MR. GREEN: Were there any other objections to their site plan other than the
2 issue of split zoning?

3 MR. GOSLINE: Huh-uh (negative).

4 MR. GREEN: If the split zoning issue had not come up would y'all have
5 recommended approval from what you've seen of the plan?

6 MR. GOSLINE: Yeah, I mean, the subdivision plan, itself, subject to the normal
7 conditions is okay.

8 MR. GREEN: Normal conditions.

9 MR. GOSLINE: And it's just the zoning lines is the principal difficulty. And they
10 also need some floodplain delineation. But that's one of the standard conditions
11 usually, anyway.

12 MS. LUCIUS: I wanted to say that particularly concerned me, Mr. Gosline,
13 because of the fact that I remember when we rezoned this piece of land it was an
14 incredibly wet land. I remember.

15 MR. GOSLINE: Some portions of it, yes.

16 MS. LUCIUS: Yeah. And we discussed that. And at that time – well, you know I
17 went back and read the minutes and I've got them right here. And at that time you said
18 it was going to be real interesting to see what they do with the wetlands because it was
19 such a wet - so that sort of, in particular, jumped out at me that you had pointed that out.

20 MR. GOSLINE: Well, the plat does have some provision for a common area and
21 at least the major portion of the wetlands.

22 MS. LUCIUS: But it doesn't show the 100 flood plain.

23 MR. GOSLINE: No.

1 VICE-CHAIRMAN WYATT: Was the applicant notified, Carl, by the Department
2 that their recommendation was going to be denial for these reasons? Not denial,
3 excuse me. Deferred?

4 MR. GOSLINE: We e-mailed everybody Tuesday or Wednesday. E-mailed or
5 faxed everybody.

6 VICE-CHAIRMAN WYATT: Is the applicant here? Did he – did you want to say
7 anything?

8 AUDIENCE MEMBER: No. We were aware of the problem.

9 MR. GREEN: Madam Chairman, although I'm reluctant to – you know, this
10 seems like something that could be worked out administratively, but there're other
11 issues here other than just the zoning lines. There's a concern over – Carl, am I correct
12 that you still have some work to do on the wetlands delineation as well as the zoning?

13 MR. GOSLINE: Yes. But that's not terribly unusual at preliminary plan stages.
14 We try to get applicants to start that delineation process immediately, even back in the
15 sketch-plan stage, because it can be very time consuming. The other thing that's of
16 some concern is that we need to know exactly where the zoning lines are because lot
17 widths change between RS-1 and RS-2, so -

18 MR. PALMER: I would have to agree with Gene in the fact that if that's the only
19 issue that I would think that, you know, that would certainly be a condition of the
20 approval, if it were approved, that all the lots would comply with the corresponding
21 zoning. And that could be done today.

22 MR. GOSLINE: Yeah.

1 MR. PALMER: And as far as the wetlands are concerned, if, once the Corps
2 signs off on the wetlands, if some of these lots are within those boundaries then the
3 wetlands delineation will override the subdivision plan.

4 MR. GOSLINE: Yeah, we – I mean unfortunately the major wetland area is in
5 Phase 1.

6 MR. PALMER: But he can't start on Phase 1 until he gets it delineated?

7 MR. GOSLINE: Yeah. We always encourage applicants not to draw the lot lines
8 below the 100 year flood elevation or in wetlands just because it just complicates, slows
9 down, the permitting at the other end because everybody has to come in and get
10 individual plat, individual survey. So, you could, if y'all are of the mind, it would probably
11 be okay to make it the conditions that we've got on page 13 part of your approval –

12 MR. PALMER: Right.

13 MR. GOSLINE: - if that's what you want to do.

14 MR. PALMER: Just as a personal matter, I would like to go ahead and take a
15 look at it and see if it stands on its own merit, keeping in mind those two conditions that
16 need to be put into the conditions for approval, if it's approved.

17 MR. GREEN: I would agree.

18 VICE-CHAIRMAN WYATT: I'm going to take it that that's a motion, Mr. Palmer,
19 and a second that we go ahead and look at it. Alright. Go ahead. Anything else, Carl?

20 MR. GOSLINE: I'm sorry. What is the motion?

21 VICE-CHAIRMAN WYATT: That we go ahead and look at it.

22 MR. PALMER: We're just going to take a look at it.

23 MS. LUCIUS: Take a look at it?

1 MR. GOSLINE What does that mean?

2 VICE-CHAIRMAN WYATT: Give it consideration for approval.

3 MR. GOSLINE: Oh! Okay. We've recommended deferral and so I'm confused
4 about what your action is. Are you saying approve it subject to these conditions? Is
5 that the motion?

6 MR. PALMER: No. I'd like to hear from the applicant.

7 **TESTIMONY OF GERALD LIAM:**

8 MR. LIAM: Gerald Liam with Power Engineering. The zoning changes, we will
9 make the necessary changes to the plat. The wetlands, we have avoided the wetlands
10 and our wetlands delineation is well underway, the way as is normal procedure.

11 MR. GREEN: Let me ask you this, Carl. How many lots are in question in terms
12 of whether they are appropriately sized for their district?

13 MR. GOSLINE: At least, in the RS-2 portion of the project, which is the first
14 phases, the lots listed on page 13 do not have the 60' lot width at the front setback line.
15 They're going to need to tweak some of these a little bit to get the proper lot widths.
16 That's all we can tell because the numbering system - what happened was when they
17 did the sketch plan they consecutively numbered all the lots in the whole project. And
18 when it came back in for the Phase 1, they had renumbered them just for the phase.
19 And so we have a numbering issue. We have a zoning line issue and, in some cases, a
20 lot width issue. And then, of course, then the wetlands and the floodplain determination,
21 which is pretty typical for most projects.

22 MR. GREEN: I would move for approval of the subdivision plan subject to Staff
23 administratively working out the issues with regard to the lot sizing. It seems to me

1 that's a pretty pedestrian, administrative thing to do. And my understanding is it
2 appears there's no other problems with this. So I would make a recommendation – I
3 would make a motion that we approve this subject to addressing the administrative
4 issues outlined on page 13 and subject to our normal subdivision requirements that we
5 attach to any approval.

6 MR. PALMER: Would that be on page 23? Take it from another case?

7 MR. GREEN: Those look good. That would be acceptable to me because they
8 look like our standard procedure.

9 MR. PALMER: I would second.

10 VICE-CHAIRMAN WYATT: We have a motion on the floor for approval on this
11 and a proper second. All those in favor. Opposed.

12 *[Approved: Palmer, Furgess, Green, McBride; Opposed: Lucius, Wyatt; Abstained:*
13 *Jackson; Absent: Van Dine, Manning]*

14 MR. GOSLINE: Four - two.

15 VICE-CHAIRMAN WYATT: Let the Record show that Mr. Jackson abstained
16 because he was late, not here for the whole conversation.

17 MR. GOSLINE: So the vote is three to three?

18 MR. CRISS: No. No, four – two.

19 MR. GOSLINE: No. Mr. Jackson didn't vote.

20 MR. CRISS: There's seven people now.

21 VICE-CHAIRMAN WYATT: I'm sorry?

22 MS. SWORD: Could you do the vote again, please.

23 VICE-CHAIRMAN WYATT: All those in favor. Opposed.

1 *[Approved: Palmer, Furgess, Green, McBride; Opposed: Lucius, Wyatt; Abstained:*
2 *Jackson; Absent: Van Dine, Manning]*

3 MR. GOSLINE: Four to two. Okay.

4 VICE-CHAIRMAN WYATT: Thank you, sir.

5 MR. LIAM: Thank you.

6 VICE-CHAIRMAN WYATT: Next is SD-05-108, Arden Park, Longtown Road
7 West.

8 **PROJECT SD-05-108:**

9 MR. GOSLINE: Madam Chairman and Members, this is a small, twelve-lot
10 subdivision that's off of Longtown West Road and generally, in the Longcreek Plantation
11 area. Staff recommends approval subject to the conditions on page 23.

12 VICE-CHAIRMAN WYATT: Is the applicant here?

13 MR. GOSLINE: Yes. Mr. Manis is here. Mr. Manis is here representing the
14 applicant.

15 VICE-CHAIRMAN WYATT: Did you have anything you wish to say to us, sir?

16 MR. MANIS: No, ma'am.

17 VICE-CHAIRMAN WYATT: Does the Commission have any questions of Staff or
18 the applicant?

19 MS. LUCIUS: Yeah. I think this came before us twice before for rezoning. Isn't
20 this the same one that came before us twice before?

21 MR. GOSLINE: No, no, no, no. You're thinking about Tom Walker's parcel?

22 MR. GREEN: I think that piece, Marsha, is a little further south of this one.

23 MR. GOSLINE: Yeah.

1 MS. LUCIUS: Oh, it is?

2 MR. GREEN: About a quarter of a mile I would say.

3 MS. LUCIUS: Because the shape looks very much like the one we have seen
4 before.

5 MR. GOSLINE: That's further south.

6 MS. LUCIUS: So this is not the one where the road is the –

7 MR. FURGESS: Issue.

8 MS. LUCIUS: The drainway.

9 VICE-CHAIRMAN WYATT: No. You're talking about the property up by the swim
10 club. This is not the same.

11 MS. LUCIUS: Yeah. This is not it? Okay. I'm sorry. I miss-identified it. Okay.

12 VICE-CHAIRMAN WYATT: Anybody else have anything?

13 MR. GREEN: Madam Chairman, I move for approval subject to conditions in the
14 Staff Report outlined on page 23.

15 MR. MCBRIDE: I second.

16 MR. FURGESS: Second.

17 MR. GOSLINE: Larry already seconded it.

18 VICE-CHAIRMAN WYATT: All those in favor of approval.

19 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green, McBride; Absent: Van*
20 *Dine, Manning]*

21 VICE-CHAIRMAN WYATT: Next project, SD-05-127, Paradise Cove, minor
22 subdivision, Old Road near Lake Murray.

1 **PROJECT SD-05-127:**

2 MR. GOSLINE: Madam Chairman and Members, this is a four-lot minor
3 subdivision on Lake Murray. The aerial shows it very well on page 35. And then the
4 plat is on page 37. Staff recommends approval subject to conditions.

5 MS. LUCIUS: Madam Chair, I'd like to move that we approve this. It's the low
6 density, which we want in the environmentally sensitive lands. And I move for approval.

7 VICE-CHAIRMAN WYATT: Subject to conditions?

8 MS. LUCIUS: Subject to conditions. Uh-huh (affirmative) on page -

9 VICE-CHAIRMAN WYATT: On page 32 and 33?

10 MS. LUCIUS: Yeah. 32 and 33.

11 MR. JACKSON: I second it.

12 VICE-CHAIRMAN WYATT: We have a second. All those in favor.

13 MR. PALMER: I have a question if I could.

14 VICE-CHAIRMAN WYATT: Excuse me.

15 MR. PALMER: What's this structure that's crossing over two property lines?

16 MR. GOSLINE: That's a house that will be demolished.

17 MR. PALMER: Okay.

18 MR. GOSLINE: It's an old ranch-style house.

19 MR. PALMER: Okay. That's all I had.

20 MR. GOSLINE: I'm sorry. Who seconded it?

21 VICE-CHAIRMAN WYATT: Mr. Jackson. All those in favor please raise your
22 hand.

1 [Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green, McBride; Absent: Van
2 Dine, Manning]

3 VICE-CHAIRMAN WYATT: Next project, SD-05-150, Stoney Pastures at Jacob's
4 Creek.

5 **PROJECT SD-05-150:**

6 MR. GOSLINE: Madam Chairman and Members, this is Phase 2 of the Centex
7 project out on Bookman Road and Old Two Notch Road. We had - last month was
8 Phase 1. This is Phase 2. Staff recommends approval subject to the conditions on
9 page 42 and 43.

10 MR. GREEN: Is the aerial on 45 correct?

11 MR. GOSLINE: The aerial is correct. The partial lot –

12 MR. GREEN: [Inaudible] that takes up more than 15 acres.

13 MR. GOSLINE: Oh, yeah. This parcel –

14 VICE-CHAIRMAN WYATT: No. That's the whole PUD.

15 MR. GOSLINE: - is the entire project.

16 MR. GREEN: Okay. The piece we're looking at's the small, squared-off piece?

17 MR. GOSLINE: It's actually the piece adjacent to the small, squared-off piece.

18 MR. GREEN: Okay.

19 VICE-CHAIRMAN WYATT: Questions?

20 MS. LUCIUS: And, again, this is not in the area where we were concerned about
21 all those isolated wetlands. This is –

22 MR. GOSLINE: Well, there are some isolated wetlands on the property.

23 MS. LUCIUS: On the entire property, but not on this –

1 MR. GOSLINE: This is the one that you're concerned about. The Corps has
2 preliminarily determined that they are, in fact, isolated wetlands. The formal letter hasn't
3 been received yet.

4 MS. LUCIUS: This is that area?

5 MR. GOSLINE: Yes. Y'all brought this up at the last meeting –

6 MS. LUCIUS: Yeah, I know.

7 MR. GOSLINE: - when we did Phase 1

8 MS. LUCIUS: Right.

9 MR. GOSLINE: And Mr. Lee represents this project as well. And he was telling
10 me earlier that they've got preliminary determination that they are isolated wetlands.

11 MS. LUCIUS: Which means?

12 MR. GOSLINE: Which means the Corps doesn't have jurisdiction.

13 MS. LUCIUS: They can ignore them.

14 MR. GOSLINE: Right. They don't choose to – the applicant does not choose to
15 do that, however.

16 MS. LUCIUS: Okay.

17 MR. GOSLINE: But legally, yes. I mean, assuming that's what they say in their
18 final letter.

19 VICE-CHAIRMAN WYATT: Any other questions? Do I hear a motion?

20 MR. GREEN: Madam Chairman, I move approval subject to conditions outlined
21 on page 43 of Staff Report.

22 MR. PALMER: Second.

23 VICE-CHAIRMAN WYATT: All those in favor.

1 *[Approved: Palmer, Furgess, Jackson, Wyatt, Green, McBride; Abstained (but*
2 *subsequently approved): Lucius; Absent: Van Dine, Manning]*

3 MS. LUCIUS: I'm just not sure about –

4 VICE-CHAIRMAN WYATT: That ends Subdivision Approval.

5 MR. GOSLINE: It's six to one?

6 MS. LUCIUS: I don't think I voted because I'm still –

7 VICE-CHAIRMAN WYATT: Oh, I'm sorry.

8 MS. LUCIUS: - I'm still not clear about what you're telling me.

9 MR. GOSLINE: Well, the question is – as I understand it – these wetlands on this
10 whole 300-acre project, the preliminary determination from the Corps of Engineers that
11 they are what's called isolated wetlands. They don't have jurisdiction over the isolated
12 wetlands. Legally, applicants can do whatever they want to do with them.

13 MS. LUCIUS: Exactly.

14 MR. GOSLINE: Centex has chosen to, at least on some of them, not to do that
15 because it provides the amenity.

16 MS. LUCIUS: But not on all of them?

17 MR. GOSLINE: Well, we haven't seen the other phases yet, so -

18 MS. LUCIUS: Okay. But on this phase it's okay? They've delineated them on
19 this phase?

20 MR. GOSLINE: The lots are above the wetland.

21 MS. LUCIUS: Okay. Okay.

22 MR. GOSLINE: What appears to be the wetland line. Yes.

23 MS. LUCIUS: That's good. Alright. I didn't vote but –

1 VICE-CHAIRMAN WYATT: Now we can add you to the approval?

2 MS. LUCIUS: Yes. You can add me now. Okay.

3 VICE-CHAIRMAN WYATT: Thank you, Ms. Lucius. And I'm sorry I tried to look
4 there. Alright. We'll move into New Business - Zoning Map Amendments. The first
5 case is 05-36. This RU to a PUD-1R, US Highway 21.

6 **CASE 05-36 MA:**

7 MR. GOSLINE: Madam Chairman and Members, this is a request by Kerry Lee
8 Builders to do a Planned Unit Development on Wilson Boulevard a mile or so south of
9 the I-77 interchange. Maybe a little bit more. Staff recommends approval subject to the
10 conditions on page 54 and 55. The applicant is here and I think there're a few people
11 that have signed up.

12 VICE-CHAIRMAN WYATT: Mr. Kerry Lee?

13 **TESTIMONY OF KERRY LEE:**

14 MR. LEE: I'm Kerry Lee. We originally submitted this on September 13, 2004 to
15 be rezoned as an RS-1, which the Planning Commission approved. And appeared
16 before County Council on September 28, 2004, and they asked us to reconsider it as a
17 PUD as opposed to RS-1, which we have done. And then we resubmitted it to you as a
18 PUD now. It's 42 lots with an eight acre nature park on 25 acres.

19 VICE-CHAIRMAN WYATT: And I must apologize to you, sir. I was supposed to
20 ask you to state your address for the Record.

21 MR. LEE: It's 55 Huntwick Court, Columbia 29206.

22 VICE-CHAIRMAN WYATT: Thank you. Anyone have any questions of Mr. Lee?
23 Okay. We had a couple of other – I'm sorry. Go ahead.

1 MS. LUCIUS: I was just going to - well, go ahead and let the people speak.

2 VICE-CHAIRMAN WYATT: We've got a couple of other people that are signed
3 up to speak. Paul Beatty?

4 MR. BEATTY: I have no questions at this time.

5 VICE-CHAIRMAN WYATT: Thank you, sir. Mr. Freddie Walker.

6 **TESTIMONY OF FREDDIE WALKER:**

7 MR. WALKER: I just have a couple of questions. One, my property adjoins on
8 two sides of the development, what the setback will be on the lots from my property
9 line?

10 MR. GOSLINE: You need to give your name and address for the Record, please.

11 MR. WALKER: Oh! Freddie Walker, 9933 Wilson Boulevard, Blythewood. Sorry.

12 MR. GOSLINE: Alright. The - well the setbacks will be determined in the
13 subdivision process. But there'll be some landscape buffering around it. So, between
14 you and - what is it? Ten feet? So there'll be landscape buffering between the actual
15 lots and your property. You're on the north side of them?

16 MR. WALKER: I'm on the north and the east.

17 MR. GOSLINE: Okay.

18 MR. WALKER: They come right up.

19 MR. GOSLINE: Right.

20 MR. WALKER: What will be the cost of the homes in the -

21 MR. GOSLINE: You'll have to ask Mr. Lee, but -

22 MR. WALKER: What about the square footage?

23 MR. GOSLINE: You'd have to ask - we don't ask those questions.

1 MR. LEE: We haven't determined the square footage [inaudible] higher range.
2 Probably [inaudible].

3 MR. WALKER: Thank you.

4 VICE-CHAIRMAN WYATT: Thank you, Mr. Walker.

5 MS. LUCIUS: Yeah. I did have a couple of questions. Mr. Gosline, I understand
6 we did approve this as RS-1 back in –

7 MR. GOSLINE: A year or so ago.

8 MS. LUCIUS: - September. Six to two, I believe. I was one of the ones that
9 voted against it because there were a lot of people here that day concerned about what
10 had happened at Stonington with all the runoff and the damage to a lot of ponds around
11 there. So we had a lot of people turn out. And, in fact, that was my vote against it. And
12 I wouldn't have voted for it if it had been a PUD because of that reason. I don't care
13 what you call it, you know, I just, you know, voted against it. Why – I don't understand.
14 What's different about it now? It's called a PUD, but what's different about it from what
15 we approved? Anything?

16 MR. GOSLINE: Not really.

17 MS. LUCIUS: So we're just calling it something else.

18 MR. GOSLINE: Yes.

19 MS. LUCIUS: I don't understand. I don't understand all this misuse of the term
20 'PUD'.

21 VICE-CHAIRMAN WYATT: Ms. Lucius, I think we're going to be having some
22 discussion about that in a few minutes.

1 MR. GOSLINE: If the question is why do we call this a PUD when it's really
2 single-family?

3 MS. LUCIUS: And it was approved six to two.

4 MR. GOSLINE: Right. And the answer to that question is that the County
5 Council chose to send it back and recommend PUD.

6 MS. LUCIUS: Okay.

7 MR. GOSLINE: Send it back and resubmit as a PUD.

8 MS. LUCIUS: Alright. Thank you. I'm not going to pursue it right now.

9 MR. GREEN: I had a question for Staff in terms of PUD condition 'J', what
10 requires the developer to install, constructing the necessary turn lanes. I could see how
11 a developer on one side of the road could control the construction of an acceleration or
12 deceleration lane within their property. But I'm a little curious as to how we can require
13 a developer to put in a turning lane, which involves another whole set of setbacks and
14 design. Do we mean to say they're acceleration and deceleration lanes or do we mean
15 to require them to put in a turning lane that's necessary when they don't control the
16 property necessary to construct a turning lane?

17 MR. GOSLINE: Well, what the effect of this, Mr. Green, is that if DOT determines
18 they need a center, left turn lane to get into the project, then they'll be responsible for
19 paying for that. Of course, then you would have the decel or accel. So the way it's
20 worded – and we've done this on purpose so that it's really kind of in the DOT's
21 ballpark. All we're saying is if they have to do it from DOT side they're going to pay for
22 it.

23 MR. GREEN: This requires them to construct it.

1 MR. GOSLINE: Right.

2 MR. GREEN: The wording of it.

3 MR. GOSLINE: If they're required to do it.

4 VICE-CHAIRMAN WYATT: What Mr. Green is saying to you is it doesn't say that,
5 "if required to do so."

6 MR. GOSLINE: It says, "... shall construct any necessary turn lanes for the
7 project on Wilson Boulevard subject to obtaining all required state and county
8 approvals.

9 MR. CRISS: "shall pay for" rather than "shall construct"?

10 MR. PALMER: I can see that. If it's not necessary - DOT says it's not necessary,
11 they don't have to do it.

12 MR. GOSLINE: Right. That's the way the Department interprets it. Now it would
13 make it a little more clear if we were to say "finance" or "pay for" or something like that.
14 But that's - if that's what your concern is.

15 MR. GREEN: My only concern is the ability of somebody that only owns on one
16 side of the road to be able to go in and construct, to appropriate standards, the required
17 setbacks and rights-of-way to add a third lane into a state road.

18 MR. GOSLINE: Well, what would happen - in all these roads they have some
19 right-of-way available for a turn lane, you know, if the DOT in this case, or any case,
20 determines it's necessary. They have the right-of-way adjacent to the existing
21 pavement for this to happen. If they had to do a center turn-in, left turn-in, or whatever,
22 it would be, also, within the DOT right-of-way. So the applicant isn't going to be put in
23 the position of having to acquire right-of-way from his neighbors or something like that.

1 MR. GREEN: So there's sufficient right-of-way in this portion of Wilson Boulevard
2 that there's enough width to support a three-lane width without additional right-of-way
3 acquisition?

4 MR. GOSLINE: Well, that would be, you know, DOT's determination as to
5 whether they would need to do that. But there's, you know, this is 24' pavement and
6 Wilson is, I think, 60-some feet of right-of-way. So there's room.

7 MR. GREEN: Okay. Thank you.

8 MR. PALMER: I would like to see that, though, tied to SCDOT rather than some
9 internal process as in if it's necessary.

10 MR. GOSLINE: We can do that. I think we changed that not too long ago to
11 these words when we had this discussion a few months back. But DOT is, for the most
12 part, DOT is the only one that's going to do this because virtually all these projects are
13 on state roads.

14 MR. PALMER: Sure, but as it reads now I can see where just anybody [inaudible
15 there –

16 MR. GOSLINE: Right.

17 MR. PALMER: - could say that it's necessary and they'd have to do it. I'd like to
18 see it tied to DOT.

19 MR. GOSLINE: Yeah. That's easy.

20 MS. LUCIUS: What's the density on this, Mr. Gosline? I know you've got 25
21 acres, 42 lots. But actually it's on 17 lots if you take out that eight acres. So what is
22 that density? What's 42 on 17 acres?

1 MR. GOSLINE: The gross density of the project is 1.7 DU's per acre. Then that
2 density, or residential is 2.6.

3 MS. LUCIUS: That's the gross. Right. 2.6?

4 MR. GOSLINE: Uh-hum (affirmative).

5 MS. LUCIUS: Okay. Alright. I was just curious. I couldn't. Alright.

6 VICE-CHAIRMAN WYATT: Any other questions? Do I hear a motion?

7 MR. GREEN: I would recommend we send this forth with a recommendation of
8 approval subject to terms and conditions outlined on pages 54 and 55 of Staff Report
9 with the clarification that Item J on page 55 refer to SCDOT as the requiring entity.

10 MR. PALMER: Second.

11 VICE-CHAIRMAN WYATT: Anything else? All those in favor.

12 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green, McBride; Absent: Van*
13 *Dine, Manning]*

14 VICE-CHAIRMAN WYATT: Thank you. At this time I'm going to bring up
15 something that has caused me a great deal of concern for awhile, but even more so
16 because of this particular project. In September we approved this by a six to two vote.
17 Before it was even presented to County Council, there was a request from Council that
18 this come back as a PUD. It is clearly a breakdown in communication between the
19 Planning Commission and County Council and even amongst us as to what a PUD is. I
20 would like to request that next month under Other Business that we put down
21 discussion on what is a PUD. With further requesting that after that discussion, through
22 communication to all Council members by letter, that the Planning Commission send
23 forward their comments and their thoughts on what a PUD is because this is clearly, in

1 my opinion, not a PUD even though it was requested to come back that way. And, you
2 know, there again, I'm stating my opinion. But this is not planning. And there was
3 nothing wrong with the approval that went forward in September. So I'm requesting that
4 we have that discussion next month. Okay?

5 MS. LUCIUS: Well, I just wanted to add to that because it's a lot of extra cost and
6 paper work to the developer when he has to apply for a PUD. And for a little levity I'll
7 just share with you what Frazier said one time, "A cat can have its kittens in an oven but
8 that don't make them biscuits." And just calling this a PUD doesn't make it one.

9 VICE-CHAIRMAN WYATT: Would you repeat that, please?

10 [LAUGHTER]

11 MS. LUCIUS: I thought it was priceless. Huh? You want me to say it again?

12 [LAUGHTER]

13 MS. LUCIUS: A cat can have kittens in the oven but that don't make them
14 biscuits. And you can quote me.

15 [LAUGHTER]

16 VICE-CHAIRMAN WYATT: Thank you. The next case, 05-37 MA. This is
17 rezoning from M2 to M1.

18 MR. GREEN: Madam Chairman, I handed you a letter if you would read into the
19 Record.

20 VICE-CHAIRMAN WYATT: I just realized that that was the case. Before we get
21 started I need to read into the Record. "Ms. Wyatt, Vice-Chairman. Dear Ms. Wyatt: I
22 must request to be excused from participating in discussion or voting on agenda item
23 number 05-37 MA, regarding rezoning of Killian Road property, which is scheduled for

1 review and/or discussion at today's Planning Commission meeting. It is my
2 understanding of the Rules of Conduct, provisions of the Ethics, Government
3 Accountability and Campaign Reform laws that since I am employed by the real estate
4 company representing one of the parties in a potential sales transaction, I will be unable
5 to participate in this matter through discussion or voting. I would, therefore, respectfully
6 request that you indicate for the Record that I did not participate in any discussion or
7 vote relating to this item representing a potential conflict of interest. I would further
8 request that you allow and direct this letter to be printed as a part of the official minutes
9 and excuse me from such votes or deliberations and note such in the minutes. Thank
10 you for your consideration in this matter." I'd like to also note for the record that Mr.
11 Green has left the room. Alright. We'll go back. 05-37, request for rezoning from M-2
12 to M-1, on I-77 and Killian Road. Go ahead, Staff.

13 **CASE 05-37 MA:**

14 MR. GOSLINE: Yes, ma'am. Madam Chairman and Members, this is a request
15 to change the zoning on a portion of the southeast corner of I-77 and Killian Road from
16 M-2 to M-1. Staff recommends approval subject to the conditions on page 67.

17 VICE-CHAIRMAN WYATT: Is the applicant here?

18 **TESTIMONY OF ROYCE CARTER:**

19 MR. CARTER: Mrs. Wyatt, Members of the Planning Commission, my name is
20 Royce Carter. I'm a partner in the Windsor/Aughtry Company, 25 Woods Lake Road,
21 Greenville, South Carolina. The applicant is Paul C. Aughtry, III. I am here
22 representing Mr. Aughtry, who is a partner of mine in Windsor/Aughtry Company and
23 also in the entity that is proposed to purchase the property. I would simply say to you

1 today that we are requesting a change from the M-2 classification to M-1. You have
2 received the Staff Report on the proposed change. The size of the tract involved is
3 approximately an 80-acre proposed development at Killian and I-77. The proposed
4 used is a mixed commercial use that we are proposing to develop upon the receipt of
5 the classification of the property. We have reviewed the zoning ordinance, the zoning
6 requirements. We believe that this application before you today meets the requirements
7 of the code that is set forth to justify, to meet the zoning change. I'll be happy to answer
8 any questions. I think you have a thorough evaluation of it in the Staff Report, but I'll be
9 available to answer any questions that you might have.

10 VICE-CHAIRMAN WYATT: Thank you, sir. Staff, did you have anything you
11 wanted to add?

12 MR. GOSLINE: No, ma'am.

13 VICE-CHAIRMAN WYATT: Commission Members, any questions?

14 MR. JACKSON: You said the capacity will not exceed Killian Road at this
15 location?

16 MR. GOSLINE: Yes. Well, what's your question? I'm sorry.

17 MR. JACKSON: You said the capacity will not exceed the current level of service
18 on Killian Road.

19 MR. GOSLINE: It just barely does.

20 MR. PALMER: Just barely.

21 MR. JACKSON: With this development, will there be any turning lanes required?

22 MR. GOSLINE: At the site plan process. There's no specific development plan
23 that I'm aware of, so -

1 MR. JACKSON: Yeah, I understand. I'm just dealing from the level of service or
2 the amount of vehicles that will be added that concern at this point.

3 MR. GOSLINE: The bigger issue with this road is going to be if the 400 acres
4 across the street ever gets developed and then we're talking about [inaudible].

5 MR. JACKSON: That's what I'm saying. I mean from this point, like first come
6 first serve. Whoever's there first won't have to do anything, but who comes after, at the
7 level of service, would have to do something. I'm just concerned that anyone who will
8 affect the level of service on the road at this time, at least, dedicate the right-of-way –
9 any necessary right-of-way for future widening. I think we discussed that possibly two
10 years ago.

11 MR. GOSLINE: Yeah. I think right in front of the entrance to this it's four lanes.
12 Is that right? And then right after this property just east of this property it narrows back
13 down to two. So it's already four-laned in front of the Trane property.

14 VICE-CHAIRMAN WYATT: Including that 400 acres that you're -

15 MR. GOSLINE: Yeah. Well, if that ever gets developed anything they do will be
16 paled in - to insignificance.

17 VICE-CHAIRMAN WYATT: Anything else?

18 MR. PALMER: Madam Chair, I make a motion we send this forward to Council
19 with a recommendation of approval.

20 MR. FURGESS: Second.

21 VICE-CHAIRMAN WYATT: All those in favor.

22 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, McBride; Recused: Green;*
23 *Absent: Van Dine, Manning]*

1 VICE-CHAIRMAN WYATT: Motion carried.

2 MR. CARTER: Thank you very much.

3 VICE-CHAIRMAN WYATT: Thank you, sir. Someone please. Thank you very
4 much. Bear with us for a couple of seconds while we let Mr. Green return. Welcome
5 back.

6 MR. GREEN: Thank you.

7 VICE-CHAIRMAN WYATT: Next case is 03-38 MA, request from Richland
8 County School District Two to rezone from C-3 to C-1 to allow an elementary school at
9 the corner of Polo Road and Alpine Road.

10 **CASE 05-38 MA:**

11 MR. GOSLINE: Madam Chairman and Members, this request is to rezone a
12 piece of C-3 to C-1 to allow the construction of an elementary school. It's not quite at
13 the corner. It's, maybe, a quarter of a mile up Polo Road, where Polo Road is the
14 frontage road along I-20. It's the parcel that currently has a big billboard on it. The only
15 reason they're doing this is there's quirk in the current code that says that you can have
16 middle schools and high schools in C-3, but not – it doesn't say anything about
17 elementary.

18 MS. LUCIUS: Have them where? I didn't hear you.

19 MR. GOSLINE: Middle school and high school in a C-3.

20 MS. LUCIUS: In a C-3. Okay. I didn't –

21 MR. GOSLINE: It does not mention elementary. So –

22 MS. LUCIUS: Okay.

1 MR. GOSLINE: - this is an elementary school so they're coming for a rezoning.
2 Staff recommends approval although this is a – Polo Road is very narrow in this area
3 and all that and it may not be the best site available but this is the one they've chosen,
4 so -

5 VICE-CHAIRMAN WYATT: Let me ask a question and if you don't have the
6 answer now please bring it back to us next month. Let's stop this from occurring again.
7 The new Land Development Codes, double check and see that schools are allowed
8 where they should be. They are? Okay. Thank you.

9 MR. GOSLINE: They're allowed everywhere.

10 MR. GREEN: If this applicant were to wait for the new Land Development Code
11 to take effect, of course they can't, it's permitted. The conversion table for the new zone
12 would permit the elementary school there. So it's consistent with what –

13 MS. LUCIUS: With the zoning.

14 MR. GREEN: With the zoning – permitted uses in the zoning under the new Land
15 Development Code.

16 MS. LUCIUS: Whether or not it's a good site for a school is in a whole different
17 question.

18 MR. GREEN: Correct.

19 MR. PALMER: Will we get to see this when it comes back for development? Will
20 we get to see the turn lanes and such required by -

21 MS. LUCIUS: No.

22 MR. FURGESS: No.

23 MR. GOSLINE: I don't think so.

1 MR. FURGESS: We're supposed to.

2 [Inaudible discussion]

3 MR. GOSLINE: I don't really know the answer.

4 MS. ALMEIDA: No. It would just be an administrative review.

5 MS. LUCIUS: Is there a representative here?

6 MS. ALMEIDA: Yes, there is.

7 VICE-CHAIRMAN WYATT: If you'll let me -

8 MS. LUCIUS: Oh, I'm sorry.

9 VICE-CHAIRMAN WYATT: - call the names here. I think there is. Donald (and
10 please) Dakhaus.

11 MR. DAKHAUS: It's Dacus. I'm the civil engineer, but we do have a Richland
12 County School District representative here.

13 VICE-CHAIRMAN WYATT: You want to come forward, please. State your name
14 and address for the Record.

15 **TESTIMONY OF ELAINE DELK:**

16 MS. DELK: Good afternoon. My name is Elaine Delk. I'm Executive Director for
17 Planning with Richland School District Two. It is located at 6831 Brookfield Road,
18 Columbia, South Carolina 29206. And we are requesting a zoning change from C-3 to
19 C-1. And Donald is here showing the physical layout of the school. If you have any
20 questions, either I or other members of the staff would be glad to answer these
21 questions. And was there a particular question?

22 MS. LUCIUS: Yeah. Well, yeah, I was kind of concerned about where it is. Not
23 the layout of the school, so much, as where it is. It's just totally isolated.

1 MS. DELK: DOT has worked with us on this and has approved [inaudible] looked
2 at all of the plans. In addition I think Jacqueline Myers and Jack Carter, our Director of
3 Operations and Construction Manager, can assist you with other questions.

4 MR. INABINET: I was director of planning when we selected that site. As far as -

5 MR. CRISS: Bring him down.

6 VICE-CHAIRMAN WYATT: Mr. Inabinet, please come down to the front.

7 **TESTIMONY OF RICHARD INABINET:**

8 MR. INABINET: I'm Richard Inabinet, Chief Human Resources Officer, former
9 Director of Planning, same address, same district. The question about the availability of
10 the site and that it's isolated, I understand that it is on that road by itself. But I want to
11 remind you that there's Parks and Recreation. There's also a private school, there are
12 churches, etc. on that site. But then a little over, as the crow flies, about a half a mile,
13 you have a school with 950 students with a capacity of 750. We have schools
14 throughout the area that are over capacity. We need to build a site that's in that area.
15 Availability of a school site, the property, wasn't there to buy. We looked all over that
16 area. So we had to find a tract that was the appropriate size and central location to
17 relieve the schools that are [inaudible].

18 MS. LUCIUS: I understand.

19 MR. INABINET: Traffic. As far as the traffic, when we do due diligence on a
20 piece of property like that we always bring in DOT to evaluate that and tell us what
21 specific requirements would be needed on that site, if it's appropriate. And they did
22 observe that. We do know that we'll need turning lanes, etc., but we have been through
23 that process. Unfortunately, anywhere, as you know, in Richland School District Two,

1 with the density of population that we have, anywhere we locate a school we're going to
2 have traffic. So we will have appropriate stacking on site [inaudible].

3 MS. LUCIUS: I think that's where I was going because, you know, we're starting
4 to talk more about neighborhood schools, walkable schools –

5 MR. INABINET: Yes, ma'am.

6 MS. LUCIUS: - which is better for the students and for the traffic.

7 MR. INABINET: Yes, ma'am.

8 MS. LUCIUS: And that's why I was questioning where it was located.

9 MR. INABINET: Yes, ma'am. That was a good question and that's built in to the
10 criteria of our sites that we select. You'll notice when you go out to Lake Carolina
11 Elementary School it's one of the first schools in a while you actually see bicycle paths -

12 MS. LUCIUS: Right.

13 MR. INABINET: - and see bicycles. We're very much aware of that and
14 appreciate that concern.

15 MS. LUCIUS: I'd like to see us go more in that direction.

16 MR. INABINET: Right. The availability of property in that area is a concern
17 because we look for [inaudible].

18 MS. LUCIUS: In the area.

19 MR. INABINET: Area that we [inaudible].

20 MS. LUCIUS: I was just wondering what, with all the drawbacks, what was the
21 deciding factor on that particular [inaudible]?

22 MR. INABINET: Yes, ma'am. One was availability. Two – the need in that area
23 as far as the southern end and the growth that's taken place in this area. Like I said,

1 Windsor Elementary School [inaudible], Windsor Lake neighborhood, Briarwood
2 neighborhood, has 950 today. Last [inaudible] it was about a 150 students. As you look
3 at Windsor Lake Park where they're building houses [inaudible] road area, Mallette Hill
4 Road, etc., Percival Road and the number of developments there, we had no alternative
5 [inaudible] locate that school in an area that would offset, we could address the
6 overcrowding at Windsor, Condor, Forest Lake and [inaudible].

7 MS. LUCIUS: When I first looked at this aerial I thought, well, subdivisions could
8 grow up around it. But then I realized it's Sesquicentennial Park so there'll never be
9 anything around that school. No homes.

10 MR. INABINET: Well, you do have both that and soccer fields so that helps buffer
11 that school. But I've flown that area. If you fly that area and you look at the
12 development of the last year and a half, if you look at Windsor Lake around that area,
13 you look at Percival Road, you look farther out and around that area, it's very dense
14 development.

15 MS. LUCIUS: I understand. But you understand where I'm coming. I just wish it
16 weren't right off a road where everyone had to drive.

17 MR. INABINET: I understand. Yes, ma'am.

18 VICE-CHAIRMAN WYATT: Ms. Lucius?

19 MR. FURGESS: Question that I have. Isn't that a block up from the Blue
20 Cross/Blue Shield on Alpine Road in that curve from the light? Now on the other side,
21 wasn't the hospital supposed to be doing, developing their property for a new hospital in
22 that area? Where they –

23 MR. PALMER: They sold that property to –

1 MR. GREEN: Blue Cross.

2 MR. PALMER: Blue Cross owns that, that whole side.

3 MR. FURGESS: Oh. They sold it to Blue Cross.

4 MS. LUCIUS: I'm sorry. What?

5 VICE-CHAIRMAN WYATT: I was just going to make the comment that, even
6 though that's Sesqui, there's no guarantee it'll always be Sesqui. The state may sell it.

7 MS. LUCIUS: And we can only hope not. We only hope not. We need more
8 green spaces.

9 MS. BELK: Thank you.

10 MS. LUCIUS: Okay.

11 VICE-CHAIRMAN WYATT: Okay. Let's see. We also have Gerald Ives. I-V-E-
12 S, it would appear.

13 MR. IVES: It's 'Ives'.

14 VICE-CHAIRMAN WYATT: I'm sorry?

15 MR. IVES: It's 'Ives' like Burl Ives.

16 VICE-CHAIRMAN WYATT: Oh, okay. I'm sorry. If you would, make sure you
17 state your address, please, for the Record.

18 **TESTIMONY OF GERALD IVES:**

19 MR. IVES: My name is Gerald Ives. I'm the Park Manager at Sesquicentennial
20 State Park. As long as I'm alive I'm not going to let them sell it. [Laughter] And I'm not
21 too old. My address is 9564 Two Notch Road. And that's Columbia, South Carolina
22 29223. And I'm just representing the Park Service. But there's no real disapproval of
23 the development. Our only concern is that any development and any issues or property

1 - I mean development issues – that we are made aware of it. The only concerns that
2 we have is with the impact of the borders around where Sesqui borders the
3 development, which is pretty significant, pretty good area that we border. So I just want
4 to make sure that y'all are aware of where it's located and it does have an impact and
5 we need to make sure that we minimize that as much as possible.

6 VICE-CHAIRMAN WYATT: Thank you, sir.

7 MS. LUCIUS: I've got one more question. Why is it so many acres? Didn't we
8 lower the number of acres needed for a school?

9 MR. GOSLINE: You'd have to ask Dr. Inabinet. But, generally, they have criteria,
10 size criteria, for different schools.

11 MS. LUCIUS: Twenty-six acres.

12 MR. JACKSON: But that's the parcel available.

13 [Mr. McBride out at 1:55]

14 MR. FURGESS: Elementary schools, the Federal government said it had to be
15 on 30 acres, the high school had to be on 50 acres –

16 MS. LUCIUS: Right.

17 MR. FURGESS: - because of the activity of the schools, elementary and middle
18 schools. So usually it goes by the activities that's going to be at a school, the size of the
19 lots.

20 MS. LUCIUS: But I thought the state – I thought the governor –

21 VICE-CHAIRMAN WYATT: I thought they did, too.

22 MS. LUCIUS: - the governor had signed something.

1 MR. CRISS: The State of South Carolina did rescind its mandatory minimum
2 acreage –

3 MS. LUCIUS: That's what I'm thinking.

4 MR. CRISS: - requirements for school sites. But, of course, that still leaves
5 school site planning up to the school districts.

6 VICE-CHAIRMAN WYATT: But you also have to bear in mind, Ms. Lucius, at
7 least it's my opinion, that, even though I may agree with you that they could do what
8 they're intending to do on 10 acres, at the same time, if they're planning and there's,
9 you know, we all know out in that area it's going to continue to grow, it's really smarter
10 to expand where they're at than it is to go out and buy new property and build a new
11 school. So, I mean I personally think it's wise to go ahead and buy a little larger than
12 you need.

13 MR. GOSLINE: Madam Chairman, I think also another thing here is the property
14 slopes pretty dramatically to the back, to the wet area that's behind Sesqui Park. So
15 they've probably got two-thirds of it or something that's really buildable.

16 MS. LUCIUS: Okay.

17 MR. PALMER: I have a personal question. Has the School District and the State
18 Park gotten together as far as - I think it's an incredible learning opportunity for
19 elementary students to be able to step right out of their backyard and be on a state
20 park. And I live out in that area and I know that there's actually deer out there and tons
21 of them, actually, that come across the neighborhoods and stuff. I know there's a bunch
22 of wildlife. I mean has there been any kind of communication back and forth as far as
23 walking trails that are coming right out to the school and that kind of stuff.

1 MR. IVES: Well, one of the things that we're working on right now with Lonnie B.
2 Nelson Elementary School, we're developing a partnership with them to use the park as
3 an outdoor classroom and this school would certainly - we're looking at Windsor next
4 year. And this school would definitely be a good opportunity to be able to use our park
5 as an outdoor classroom. [Inaudible]. Any time we can have an opportunity to educate
6 someone.

7 VICE-CHAIRMAN WYATT: That's it. That's all that's signed up to speak.

8 MR. GREEN: Madam Chairman, I would move that we send this forth with a
9 recommendation for approval.

10 MR. JACKSON: Second.

11 VICE-CHAIRMAN WYATT: Okay. All those in favor.

12 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green; Absent: Van Dine,*
13 *Manning, McBride]*

14 VICE-CHAIRMAN WYATT: Motion carries. Next case, 05-39 MA. This is from
15 rural zoning to a PDD on Clemson Road near the US Post Office. Staff, go ahead,
16 please.

17 **CASE 05-39 MA:**

18 MR. GOSLINE: Madam Chairman, Member, this is a proposed PDD project to
19 construct some upscale storage facilities and small office buildings, kind of wrap
20 around, if you will, the existing Post Office and daycare center. The Staff recommends
21 approval subject to the conditions on pages 92 and 93. And, basically, there's a lot of
22 conditions here that you don't usually see in a PDD and that is because this project, we

1 feel, will be a good infill project if you are really careful with the mitigation of the offsite
2 effects like signage and lighting and things like that.

3 VICE-CHAIRMAN WYATT: Before Mr. Fuller comes up to speak I would just like
4 to ask a question because I travel that road sometimes five and six and seven times a
5 day and I've yet to see the signs up.

6 MR. GOSLINE: Well, we posted them two or three weeks ago and took pictures.
7 And I think we even replaced them once.

8 VICE-CHAIRMAN WYATT: Well, I'm voicing that because one of my co-workers
9 lives in Rose Creek and she has made the comment to me that she's never seen the
10 signs. Never knew anything about the project.

11 MR. GOSLINE: If you look on page 99 –

12 VICE-CHAIRMAN WYATT: Right.

13 MS. LUCIUS: Where [inaudible].

14 VICE-CHAIRMAN WYATT: Right. Mr. Fuller.

15 AUDIENCE MEMBER: I apologize. I'd like to speak to this issue but I didn't get
16 my name on the list. I'm a resident that adjoins this property.

17 VICE-CHAIRMAN WYATT: What is your name, sir?

18 AUDIENCE MEMBER: Carl Craighead.

19 VICE-CHAIRMAN WYATT: I'm sorry, I didn't –

20 MR. CRAIGHEAD: C-R-A-I-G-H-E-A-D. 105 Rose Creek Court. My land abuts
21 this land.

22 VICE-CHAIRMAN WYATT: Thank you, sir. Go ahead, Mr. Fuller.

1 **TESTIMONY OF ROBERT FULLER:**

2 MR. FULLER: Thank you, Madam Chairman. I'm Robert Fuller. I am a lawyer
3 here in Columbia and my office address is 758 Main Street. Here this afternoon
4 representing the applicants for this PDD on Clemson Road. There are several persons
5 in addition to myself who have signed up in favor of this application, all associated with
6 the applicant and developer. It would be - they are prepared to address questions that
7 the Commission may have, if you have questions, but not necessarily, which it would be
8 if there's no reason for that action by the Commission. Madam Chairman, you are
9 familiar, as all of you are, with the area in which this project is proposed. It is on
10 Clemson Road, which is a highly sensitive area and the northeast has had a lot of focus
11 of attention on it. This is a 21, almost 22, acre parcel that is adjacent to, as the
12 gentleman has indicated, Rose Creek subdivision, the United States Post Office, and is
13 about a half mile from the intersection of Hardscrabble Road, east of the intersection of
14 Hardscrabble and Clemson Road. The Boyd Development Company, Darnell Boyd,
15 has owned this property for a good many years. Sold the Post Office parcel and the
16 daycare center parcels to those operators, RU, [inaudible] configuration. The property
17 has remained zoned rural for many years without any activity or building plans with
18 respect to it. This opportunity that is now before you is to take the entire 22 acres and
19 develop it in a cohesive and complimentary plan for protection of both the economic
20 interest of the property, itself, and the surrounding neighborhoods, considering as best
21 we can from a planning perspective the traffic impact, the environmental impacts
22 adjacent to the residential property which is in close proximity, and to take advantage of
23 the natural patterns of growth and development that are obtained in the last several

1 years, and a good many years, along Clemson Road and the near vicinity of this
2 property. The center portion, as it is proposed for development, would be anchored -
3 you have representation of this outlined plan in your packets. The development plan
4 provides, in the center portion of the entire 22 acre parcel, for the development of an
5 upscale mini-storage facility with office attachments to it. We submit to you that as an
6 anchor tenant, if you will, of this entire parcel, there's an advantage to having such a
7 use in the property at this point because, for a commercial use, the storage facility is a
8 very low intensive traffic generator. The Staff and others, who are conversant with
9 traffic counts and other inflow and egress and access issues for heavily traveled areas
10 of any community, understand that a facility like that, compared to retail space, office
11 space, and many other activities and uses of a commercial nature, generate many
12 fewer traffic opportunities than you would probably expect and are a lesser traffic
13 intensively activity than many of the commercial uses that would otherwise be present in
14 such a development as this. The entire development of the 22 acres is designed to
15 bring in to that area a character of office and institutional user that will be complimentary
16 to the neighborhood. In zoning parlance that you have become used to over the years,
17 this is sort of a neighborhood-commercial sort of operation, doctor or dentist office
18 configurations, small insurance companies or professional offices. Many of those types
19 of activities that are supportive of the highly intensive development character of the
20 residential neighborhoods that surround it. We have proposed, as you have seen in the
21 design plan, for compatibility by having the office buildings themselves look more
22 compatible with a residential community than straight office and commercial
23 construction. This is not accidental. It has been thoughtfully put together. I would like

1 to say before I depart the microphone that we did take the opportunity of having, and
2 arranged to have, and had several meetings with neighborhood organizations in this
3 area, including Rose Creek and Summit. All of the neighborhood organizations in the
4 near vicinity had good input from leaders of those organizations, had multiple meetings,
5 and showed the design plan, and attempted to answer questions regarding sensitivity to
6 the surrounding neighbors, and received good support from virtually all of those persons
7 that we talked to [inaudible]. Questions that you may have you may address to me or
8 certainly to the developer representatives, or the applicant who are present today.

9 MR. GREEN: Mr. Fuller, I just can't – my eyes aren't good enough to read our
10 small site plan. The set aside area on the eastern boundary, the buffer, what's the
11 width of the buffer on –

12 MR. FULLER: Thirty-five feet.

13 MR. GREEN: Thirty-five. And on the southern boundary?

14 MR. FULLER: Thirty-five feet on those boundaries that are adjacent to the
15 residential properties.

16 MR. GREEN: And who will retain ownership of those 35' buffers? There'll be a
17 landowners or homeowners, in essence?

18 MR. FULLER: They will be on space that is the private ownership of the lot
19 owners, but subject to a master plan of administrative control that maintains them
20 permanently for the site.

21 MR. GREEN: So there'll be a property owner's association, in effect, to maintain
22 those 35' undeeded buffers?

23 MR. FULLER: Yes, sir.

1 MR. GREEN: Thank you.

2 VICE-CHAIRMAN WYATT: Mr. Fuller, I want to thank you for having those
3 neighborhood meetings. And I had a privilege to be at one of them. And I know there
4 was a lot of discussion about the curb cuts. And I know at one time y'all were going to
5 try to relook at those to eliminate – I think it was three at one time – down to trying to
6 have two.

7 MR. FULLER: Ms. Wyatt, we have – the plan does retain, in effect, three entries
8 on to Clemson Road. One at the eastern most end to service the smaller office building
9 area, one to come into the warehousing and storage facility, and one at the western end
10 to – the two lots that will be small office buildings at the western end of the property.
11 There really was, from a planning perspective, both in consultation with the Staff and
12 with the developer, it was thought that this much development in there would actually
13 warrant and it would be a much safer plan, a much more comprehensively livable plan,
14 to have two entrance, not one, to serve this diversity of ownership interest in here.
15 There was never any real consideration given to less than two and one, because of the
16 location of this separate parcel, essentially requires a point of entry to actually get
17 access to those two. To try to deal with one entry for this much activity was deemed to
18 be an unwise decision from a planning perspective and from the traffic that would be
19 generated there. There is provision in the conditions in the report and the plan for this
20 development would be, as you've already had the discussion, to the extent necessary or
21 determined by Department of Highways and Public Transportation, whatever entry
22 points there require accel or decel lanes or turning, whatever those facilities, the
23 conditions that have been proposed to you in the Staff Report would require that to be a

1 developer commitment, obviously. And they are prepared to do that. To make the entry
2 on to Clemson Road and access to the property from Clemson Road as safe and as
3 accessible as possible by any stacking on the property to keep it from stacking on the
4 road right-of-way.

5 VICE-CHAIRMAN WYATT: Carl, there are already three curb cuts along there for
6 that piece of property, anyway, so.

7 MS. LUCIUS: And they're adding three more.

8 VICE-CHAIRMAN WYATT: No, they're not adding [inaudible].

9 MR. FULLER: No, I think she means that there are actually provisions for three
10 curb cuts for this property that we're asking and we have found we essentially we do
11 need the three. And it would be unwise and infeasible, really, to try to cut it down to -

12 VICE-CHAIRMAN WYATT: I would have wished for that. But after the
13 community meeting I did go up there the next day and counted those out, kind of looked
14 at the spacing, and there is three. Thank you, Mr. Fuller.

15 MR. FULLER: Yes, ma'am.

16 VICE-CHAIRMAN WYATT: Anyone have any questions before I call the next?
17 Alright, the next person that has requested to speak is Mr. Carl – and please say your
18 last name again.

19 MS. LUCIUS: Craighead.

20 VICE-CHAIRMAN WYATT: Craighead. If you would, sir, please state your name
21 and address again into the microphone for the Record.

1 **TESTIMONY OF CARL CRAIGHEAD:**

2 MR. CRAIGHEAD: My name is Carl Craighead. I live at 105 Rose Creek Court.
3 My property adjoins this and this is the first time I've seen the plans for the property.
4 We might as well be honest in that this development is from a long-time property owner
5 that - Mr. Fuller has said and it's time to cash in his investment. So commercial land is
6 going to be the most benefit to him. If you simply look at the map of the area, this
7 commercial project will be imbedded within completely surrounding residential homes.
8 Completely surrounded. Both sides of the street. Everything around it is residential
9 homes. You can't stop development. You can't stop progress. But what I would like to
10 see is to do away with the RU designation, turn it over to residential one designation, to
11 where eventually homes would be built to match the existing conditions of the land
12 around it. This property is the last pieces of woods in this entire area. My biggest
13 concern is that this 22 acres will be clear cut, taken down to not a blade of grass
14 standing. We've seen it up and down Clemson Road already. If you look at the Beazer
15 development that bought the property, that was all clear cut. There wasn't a blade of
16 grass left. There's another development going on for a commercial venture on the way
17 to Killian between - you know what I'm talking about? There's about a huge - says
18 'commercial development'. They've probably taken out 40 acres of trees. Again, they
19 brought in big road graders, CATS. They've completely leveled that addition. I think
20 development along Clemson Road has been totally irresponsible. You have developers
21 who do not seem to be accountable for the resources that South Carolina has. These
22 forests are - they're something that this state is benefited with. I'm from Oklahoma.
23 We don't have pine trees. You can develop easily without having to wipe out and build

1 flat pieces of land. My biggest concern is that even if this goes on that all the trees
2 come down. Let me give you an example. I live in Rose Creek. It was custom home
3 development. You drive into Rose Creek there's still a pine canopy in this addition. All
4 the trees didn't come down. You walk across the street and drive into Winchester
5 addition all the trees in that addition were clear cut. When I walked in there I see
6 Oklahoma. I see house, lawn, house, lawn, house, lawn, pretty little tree out front,
7 house, lawn, house, lawn, house, lawn, maybe a Bradford pear stuck in the yard, across
8 the street house, lawn, house, lawn, house, lawn. Oh, we got a maple going. What
9 happened to the canopy? Why was it destroyed? Why does it have to be destroyed?
10 This is not development. This is not ecological. This is not green. This is not anything.
11 This is brown development. It's got to stop. We've got to quit letting these people clear
12 cut this land. I have some suggestions. Only allow them to go in and put in the
13 infrastructure by taking out trees that are only necessary to put in that infrastructure.
14 They don't get approval for anything until all the roads are in, the sewers are in, the
15 wires are in, with only taking out the trees that are necessary for that utility easement.
16 Okay? Once that gets approved then chop you're land up into however you're going to
17 sell it. But you can't construct on that land until the land is sold to somebody. I trust
18 people. And when people get ahold of that land they save the trees. They don't go in
19 and wipe out the trees. So even if this is developed, I hope it's done in a lot more
20 environmentally sound attitude than what I've seen going up and down Clemson Road.
21 It's really bothered me. Any questions? I would like to see this property zoned R-1. I
22 see no reason to imbed a commercial real estate develop in the middle of a bunch of
23 homes just so a land owner can turn a profit. You're a Planning Commission. You have

1 say on what happens to property in Richland County. Either you support developers
2 who are making a profit or you try and lay out lands for the citizens. I think this is a bad
3 idea because I don't trust what they're going to do with it. What they say and what they
4 do are two different things.

5 VICE-CHAIRMAN WYATT: Thank you very much, sir. I appreciate it. Now
6 there've been a couple of people that have raised their hands out here. For what -

7 AUDIENCE MEMBER: I'd like to address the Commission and I have not signed
8 up previously.

9 VICE-CHAIRMAN WYATT: What time did you get here, sir?

10 AUDIENCE MEMBER: When you started.

11 VICE-CHAIRMAN WYATT: Okay. You didn't know in order to address us that
12 you needed to sign up?

13 AUDIENCE MEMBER: I didn't know that I would have anything to add until I
14 heard what was presented. I'll just be a moment.

15 VICE-CHAIRMAN WYATT: Sir?

16 AUDIENCE MEMBER: I'll have the same request. I live in Rose Creek, also. I
17 got here. I couldn't find a park. I actually walked in a few minutes late. I couldn't find a
18 parking space [inaudible].

19 VICE-CHAIRMAN WYATT: Is that agreeable with you? Alright, sir. If you'd
20 come up forward. State your name and address for the Record. The request, normally,
21 sir, we do not allow anyone to address us unless they have signed up. The only
22 request I've had from Commission Members that you try to limit yourself to about two
23 minutes.

1 **TESTIMONY OF JERRY FULTON:**

2 MR. FULTON: I will do so. I assure you. My name is Jerry Fulton. And I live at
3 311 Wilkeshire Way in Wellington, 29229. It's in Columbia. And I'm President of the
4 homeowners association there. And I am not here to speak in support of or against the
5 project. I did attend one of the preliminary meetings that were referenced earlier. At
6 that meeting I had made a suggesting that some of this material be put on a web site so
7 that people who – I have 137 people in my development. They're all going to have
8 questions when they see something happening across the street. I think that everybody
9 concerned with this project can save themselves an awful lot of time and frustration if
10 there were more transparency, if the information were accessible and available. I was
11 assured that it would be put on the web site. Nothing has ever happened. Now I
12 consider that a promise broken at this point in time. I would really hope that if this
13 project goes forward that before anything goes in here, you start taking trees down, or
14 whatever's going to happen, that people be given an opportunity to learn in advance
15 more what is proposed. And it's unrealistic to think that those 137 people would be
16 represented at this meeting today. So that is a request that I have and I think the
17 Commission needs to be aware of that.

18 VICE-CHAIRMAN WYATT: May I ask if you had noticed the signs posted on the
19 property?

20 MR. FULTON: I did not see any signs. And we are directly across the street. In
21 fact, I'm curious about the illustration here because, if you drive out the front of
22 Wellington, you drive right across the street into the Post Office. And Wellington would

1 be the development shown here in yellow on your map. So I mean something must be
2 a little off scale. But I'll leave that to you to struggle with.

3 VICE-CHAIRMAN WYATT: Thank you very much, sir.

4 MR. FULTON: Thank you.

5 MR. PALMER: Carl, this information, is it public record now?

6 MR. GOSLINE: Yes. It – we were just talking about it. It should be up on the net
7 before the County Council meeting on the 22nd.

8 MR. FULTON: Well, if I can just –

9 VICE-CHAIRMAN WYATT: What he was addressing, Patrick, was at the
10 community meetings these drawings and all this information. There had been a request
11 of the developer, who has a web site, to put that on so that the neighborhoods could
12 refer the residents to it in case they had questions.

13 MR. FULTON: We were told how aesthetically pleasing it would be. And I don't
14 doubt that it will be. But we have not seen a picture on that and I was told that there
15 was something it was being modeled after. That information could be very helpful to
16 people who just want some reassurance.

17 VICE-CHAIRMAN WYATT: Thank you.

18 MR. FULTON: Thank you very much.

19 VICE-CHAIRMAN WYATT: Sir. Here, again, I'd like to remind you to state your
20 name and address for the Record.

21 **TESTIMONY OF ANTHONY RICHARDSON:**

22 MR. RICHARDSON: My name is Anthony Richardson. I live at 11 Tea Rose
23 Court, Columbia 29229. And I just want to echo one of my neighbor's sentiments that

1 they're building business development right in the middle of a residential community. I
2 moved into Rose Creek about 10 years ago after I retired from the military. [Inaudible]
3 Ms. Wyatt, you sold me my first house way down in another development when I first
4 came to Columbia, South Carolina. I was in the military then. So I searched around
5 and found a community that I loved. It was quiet. It was nice. Everybody took care of
6 their houses and everything. And, like he said, we've got trees, actual trees, in the
7 development and there's development all around us. What we're talking here is putting
8 in a business establishment right adjacent to our property. My property abuts this
9 property. I've got 50' from my back door to the property line. I live on a cul-de-sac and
10 I've got a weird shaped lot. I've got actually about 50' from my back door to where the
11 property starts. And, looking at the plan, we did have a meeting. They were a little late
12 getting to the meeting and we really didn't get a chance to discuss everything with them
13 that the community wanted to discuss. And we were not – most of the members at that
14 meeting were not real happy. We had a lot of questions that we did not get answered
15 about the development. So I'm against the development simply because, you know,
16 just like he said, there's nothing wrong with putting in houses. They've got 22 acres of
17 land to put in houses. The developer, or the owner of the land, could make a profit
18 selling it as a residential, but they make a higher profit selling it as a business. And so if
19 he could just put in some houses there we'd have no objections whatsoever. But a
20 business - they put in a Post Office. I got a plat map of what the Post Office was
21 supposed to look like when it was finished, buffers and everything else. And the poor
22 people that live behind the Post Office are just – I mean they're – it's a bad situation
23 down there. There's no buffer there. There's no nothing that they promised. So I just,

1 you know, they give us a lot of promises on buffers and everything else. A buffer is not
2 going to help business and residential [inaudible]. And I guess it's going to completely
3 destroy our way of life. That [inaudible] and I would please recommend [inaudible].
4 That's all I have.

5 VICE-CHAIRMAN WYATT: Thank you.

6 MR. RICHARDSON: Thank you.

7 VICE-CHAIRMAN WYATT: Any other questions of the applicant or Staff?

8 MR. JACKSON: Of Staff. With the development, they're lacking ordinance of
9 light affecting the surrounding communities, that would be [inaudible].

10 MR. GOSLINE: Some of the conditions, Mr. Jackson, address "Department
11 approve a comprehensive landscaping that significantly exceeds the minimum
12 requirements", "The Department approve a comprehensive outdoor lighting plan that
13 minimizes light spillover", signage. Several of those conditions on page 93 are
14 addressed to mitigating the effects as much as possible. One of the conditions is - that
15 the applicant actually suggested - is that the main storage building and the office
16 building be limited to 50' in height, but everything adjacent to the residences be 35' in
17 height. It can go up to 45 in an RS-1. As they said, they've talked about the scale of
18 the buildings immediately adjacent to the residences and have scaled them down to
19 look as much like residences as possible and that's one of the conditions. The only
20 other thing that you might want to talk about is some sort of pedestrian connection
21 through to the Post Office or something like that. But that's kind of up to whether the
22 adjacent residences want to deal with that. It makes some sense in one way and not so
23 much sense in another way.

1 MR. JACKSON: Okay. Earlier I think the applicant had mentioned about turning
2 lanes or if necessary [inaudible] the property on the –

3 MR. GOSLINE: I'm sorry. Say what?

4 MR. JACKSON: I think the applicant mention something about storage – the
5 traffic?

6 MR. GOSLINE: Right. The main building in the middle of the main complex, the
7 buildings in the middle of the site, is upscale storage.

8 MS. LUCIUS: He's talking about storage lanes. I think turning lanes. Traffic
9 storage.

10 MR. JACKSON: Storage.

11 MR. GOSLINE: Oh, I'm sorry.

12 MR. JACKSON: No. I think they mentioned something about storage for traffic, I
13 think.

14 VICE-CHAIRMAN WYATT: Mr. Fuller, would you like to come back up, please
15 sir. I can't see you. And I think Mr. Jackson's addressing his question to you.

16 MR. GOSLINE: Well, Condition S, Mr. Jackson, would be, again, if DOT says
17 they've got to construct any turn lanes or whatever they'd have to do it.

18 MR. JACKSON: Yeah. I'm just - the applicant had mentioned something with
19 DOT. I wasn't quite clear.

20 MR. FULLER: Mr. Jackson, if I understand what you're asking, and I think that
21 there was an attempt to address at least some of that in the configuration of the site in
22 that each of these points of entry, the cross [inaudible] –

1 MR. FURGESS: Excuse me, sir, could you bring it out a little bit because
2 [inaudible]. I mean, bring the sound out.

3 MR. FULLER: [Inaudible]

4 VICE-CHAIRMAN WYATT: I think we can hear you pretty well.

5 MS. LUCIUS: Yeah, we can.

6 VICE-CHAIRMAN WYATT: Actually, there's a mike being handed to you.

7 MR. JACKSON: [Inaudible] he has two hands there.

8 [Various discussions]

9 MR. FULLER: You want me to speak out of both sides of my mouth?

10 VICE-CHAIRMAN WYATT: There you go.

11 MR. FULLER: The configuration of these points of entry, Mr. Jackson, was we
12 went back and attempted to assure and have engineered these points of entry in such a
13 way that if there is an accumulation of traffic internal to the project, there will be
14 opportunity for it to hold off the street.

15 MR. JACKSON: Okay.

16 MR. FULLER: And the access, ingress/egress points, will, by virtue of their being
17 two – not one – with an interconnectivity – and there is in the design plan a connectivity
18 between those locations – the coming and going, the leaving of the site, would be
19 relieved by having two possibilities instead of the one. So the way the traffic pattern
20 planning has taken place would be to mitigate by making it as convenient to get in and
21 out as possible without leaving properties attempting to get in stacked on Clemson
22 Road.

23 MR. JACKSON: Okay. Thank you.

1 VICE-CHAIRMAN WYATT: You had a question?

2 MS. LUCIUS: I did. Just to make sure I understand about these curb cuts.

3 There three existing now?

4 VICE-CHAIRMAN WYATT: Yes.

5 MS. LUCIUS: And there're going to be three more added?

6 VICE-CHAIRMAN WYATT: No.

7 MR. GOSLINE: Yes. Well, it depends how you look at, Ms. Lucius. The Post
8 Office has two. The daycare has one.

9 MS. LUCIUS: I see those three. That's the existing.

10 MR. GOSLINE: And they're not part of – they're not legally part of this project.

11 MS. LUCIUS: But they're on the road.

12 MR. GOSLINE: Right.

13 MS. LUCIUS: Okay.

14 MR. GOSLINE: And down at the lower left of the diagram there'll be one –

15 MS. LUCIUS: Right. And two –

16 MR. GOSLINE: There's supposed to be one cut for that and then two at the other
17 end.

18 MS. LUCIUS: Adds up to six. Okay. I understand.

19 MR. GOSLINE: Adds up to six for this whole entire piece of -

20 MS. LUCIUS: Are they far enough apart?

21 MR. GOSLINE: Excuse me?

22 MS. LUCIUS: Are they far enough apart for safety?

23 MR. GOSLINE: Yes.

1 MR. FULLER: Ms. Lucius, I think the answer to your question and, of course,
2 this property fronts on Clemson Road. It is already, by its station and size, entitled to
3 three more curb cuts. So we are not – this project does not add to what the entry points
4 on Clemson would be under other development configuration. There was a
5 consideration of trying to reduce this.

6 MS. LUCIUS: Uh-huh (affirmative).

7 MR. FULLER: That has not really worked out.

8 MS. LUCIUS: Really worked. Okay. Okay.

9 MR. FULLER: But it is – right now the property, itself, is entitled to three points of
10 entry on Clemson Road.

11 MS. LUCIUS: For three. I understand. It just looks like six curb cuts within a
12 very close -

13 MR. GREEN: Ms. Wyatt, I had a question for Staff. Under PUD Condition P, it
14 says, “No site clearing activity shall begin until they received a Controlled Clearing
15 Certificate letter”. As I look at vegetative buffer on the east and southern portion of the
16 site and as I look at the open space wetlands area in the center, would that Certificate
17 letter be specific enough to prohibit any cutting within those areas?

18 MS. ALMEIDA: Well, Mr. Green, when the applicant submits their Controlled
19 Clearing Plan, which indicates where the infrastructure’s going to go, and their building
20 pads, they will show areas that will not be protected areas, that will not be encroached if
21 they’re wetlands. On that plan it will be very specific as to where the clearing will take
22 place. And it will also be specific to see if there are any grand trees on the site that
23 need to be protected or not. And I’m hoping the applicant has done that in order to

1 acquire a plan like that as far as where the road system is going. But, yes, it will be very
2 specific as to where the clear cutting will take place.

3 MR. GREEN: In terms of what you issue that they will have to have prior –

4 MS. ALMEIDA: That is right. The letter will be very specific to that plan with
5 specific dates and so if anything gets deviated from that plan they need to submit again
6 to the office.

7 MR. GREEN: Okay.

8 MR. FULLER: Mr. Green, I would also point out to you that while there is a fair
9 amount of vegetation on this property, it's a mix of trees and understory vegetation. The
10 developer will attempt to retain as much along those bordering the residential areas as
11 possible simply because what's there will not need to be replaced. There may be areas
12 where there will not – where there's sparcity of vegetation and the buffers may have to
13 be beefed up. But there will be no real interest in taking out what's there and being
14 required to put it back – put something back in. So the Controlled Clearing Plan that
15 Ms. Almeida's speaking about would be a conversation that continues between the
16 developer and the county to make the most of what's there and then augment it with
17 what's necessary.

18 VICE-CHAIRMAN WYATT: Anything else? I'm not sure, Members, if this was
19 just handed to me or if all of you received a copy since we've been here today, from
20 David Cu-, excuse me, C-U-C-U-L-I-C, 117 Rose Creek Court. "We're unavailable to be
21 here today, but requesting denial." Did everyone get a copy of it?

22 MS. LUCIUS: We were handed so much that I wasn't able to look at all of it.

23 MR. JACKSON: I read it.

1 VICE-CHAIRMAN WYATT: Anything further?

2 MR. PALMER: Madam Chair, I agree with Staff recommendation and make a
3 motion to send this forward to Council with a recommendation of approval subject to the
4 conditions on page 93 and changing Condition S to say that if DOT requires the same
5 thing that we had in the other condition. If required by DOT, then the developer shall
6 pay for the necessary turn lane.

7 VICE-CHAIRMAN WYATT: Okay. We have a motion.

8 MR. GREEN: Second.

9 VICE-CHAIRMAN WYATT: Second. Any further discussion?

10 MR. JACKSON: Just, basically, as for the concerns of the residents for the
11 property what's discussed on page 93. Well then just their concerns, anyhow, for
12 lighting and [inaudible] buffer zone and everything, which will be dealt with by Staff. I'm
13 satisfied with that.

14 MR. GREEN: If this would have come forth with a straight C-1 zoning request
15 change I think I would have voted against it. But we have an opportunity in a PUD with
16 the conditions that are outlined on page 93 to do a larger piece of property right. If you
17 look at the permitted uses today in an RU district, obviously the daycare was built under
18 an RU zoning classification. The Post Office was built under an RU zoning
19 classification, which also permits nursing homes, public buildings, utilities, churches,
20 schools, manufactured housing. I think, by putting this into a PUD, we can hopefully at
21 least avoid what happened at the Post Office site, which came in as a permitted use
22 without the protections that are afforded by the PUD. Again, you know if this were to
23 come in as a straight C-1 I believe I would have voted against it. But for those reasons

1 at least we are afforded some protection. And I would have to say that the conditions
2 outlined on page 93 are as extensive as I've seen Staff recommend to us in terms of
3 projects that they deemed appropriated for approval. And that was the basis for which I
4 seconded the motion.

5 VICE-CHAIRMAN WYATT: Anything else?

6 MS. LUCIUS: Yeah. I understand all that and I agree with all that, but, once
7 again, we are putting more commercial on Clemson Road that's inaccessible except
8 from Clemson Road. And we voted – I have voted consistently against more
9 commercial on Clemson Road. So that still stands in my way. It's not connected to the
10 neighborhood. It's not like we had one once before. It's commercial right on Clemson
11 Road and, you know, there's no access to it unless you get in your car and drive there.
12 So it's still a stumbling block.

13 VICE-CHAIRMAN WYATT: Ms. Lucius, the one difference I will point out to you,
14 living on that road, the one difference on this piece of property other than the Village at
15 Sandhills and those properties on the other side of Hardscrabble Road, there are
16 sidewalks here. And you'd be amazed at the number of residents that are coming out of
17 these subdivisions and walking down to the Piggly-Wiggly or just walking. So, in a
18 sense, there really is access to this if you want to come out of your subdivision and walk
19 down, unlike a lot of things that we see.

20 MS. LUCIUS: Well, that does make a difference.

21 MR. PALMER: I may be crazy. It may be just my mind set. But I would think this
22 would relieve traffic on other parts of Clemson if it has the community-style base that
23 we're looking to do as far as a dentist and that kind of stuff and the office use. If it was

1 commercial I would say, you know, no way. But as office use, it takes traffic off the
2 other heavily traveled nodes of Clemson Road and people trying to get out to get
3 downtown and get to the interstates and everything else. Instead, they'll be stopping
4 right here instead of continuing on their way.

5 MS. LUCIUS: Well, this is true. I was just talking about access on to Clemson
6 Road other than being in a development where you don't have to get on the major
7 arterial road to get to it.

8 MR. PALMER: I understand.

9 MS. LUCIUS: That's you know. But, yes, what you say makes sense.

10 VICE-CHAIRMAN WYATT: Well, that's one of the problems that you've got with
11 the subdivisions out there, Marsha, is there's only one way to get out of any of them.

12 MS. LUCIUS: I know.

13 VICE-CHAIRMAN WYATT: That's back onto Clemson Road.

14 MR. JACKSON: Clemson.

15 MS. LUCIUS: And we're trying –

16 VICE-CHAIRMAN WYATT: We have no connectivity.

17 MS. LUCIUS: And we're trying to get away from that, as a planning group, for
18 connectivity and less of piling up on the arterials.

19 VICE-CHAIRMAN WYATT: Well, I will say as a homeowner of Clemson Road –
20 and I think my record has been very strong of being opposed to any commercial activity
21 along there. And I want to say back – what? Mr. Fuller. September? I sat down with
22 you and the developers and took a look at this and it's weighed heavy on my mind
23 because I kind of knew how some of the homeowners felt. But at the same time, having

1 been around Columbia now for 24 years, I've learned a lot. And that's sometimes what
2 you don't want is the best thing for you. And I truly have given it a lot of thought as to
3 what could go in this zoning. Three or four years from now somebody comes along
4 wants C-1, C-2, C-3. So after lots of consideration on this, I really do feel that this is the
5 best use of this piece of property. And I don't say that for the developer, but I say it for
6 the residents of Rose Creek and for Wellington that you're not going to come across
7 and see a PDD requested on 22 acres like this again. And I really do think it's probably
8 the best use of that piece of property.

9 MS. LUCIUS: You said the landscape standards are over and above the
10 requirements?

11 MR. GOSLINE: The wording says you've got to do more than the minimum.

12 MS. LUCIUS: More than the minimum. How does it compare to our new
13 landscape requirements?

14 MR. GOSLINE: Significantly more than the minimum.

15 MS. LUCIUS: Okay.

16 VICE-CHAIRMAN WYATT: I'll be down there watching them. Won't I, Mr. Fuller?
17 Counting those trees.

18 MS. LUCIUS: And I'll be with her.

19 VICE-CHAIRMAN WYATT: Okay. I think – let's see. Did we – I know we had a
20 motion. We have a second?

21 MR. JACKSON: Yes.

22 VICE-CHAIRMAN WYATT: All those in favor please signify by raising your
23 hands. Okay.

1 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green; Absent: Van Dine,*
2 *Manning, McBride]*

3 VICE-CHAIRMAN WYATT: Thank you. Before the residents leave, let me just
4 double check with staff. When does this come to Council?

5 MR. GOSLINE: The 22nd.

6 VICE-CHAIRMAN WYATT: Okay. On February 22nd, this will be coming in front
7 of Richland County Council who actually has the final say. We are a recommending
8 body only to them. You will be allowed to speak and address this issue at that time.
9 Okay?

10 VICE-CHAIRMAN WYATT: Okay. We're next going to be taking a look at New
11 Business. Excuse me? I'm sorry. I thought you said something to me.

12 MR. GOSLINE: No, ma'am.

13 VICE-CHAIRMAN WYATT: We're going to be looking at new business: the
14 Comprehensive Plan.

15 MR. GOSLINE: We have street names.

16 VICE-CHAIRMAN WYATT: We're to be addressing an ordinance to modify
17 planning areas of the Imagine Richland 2020 Comprehensive Plan. Number 'b' is to
18 allow Private Road Subdivisions in the rural areas. I'll turn it over to you, Michael.

19 MR. CRISS: Thank you, Madam Chair. We do not yet have, as Staff, proposed
20 language, ordinance language, for you to deal with the so-called 'red dots' on the Vision
21 map and associated sub-area plans of the Imagine Richland 2020 Comprehensive Plan.
22 We're working on that. But due to other workload priorities during the past month
23 related to 85,000 postcards that went out to our unincorporated area parcel owners and

1 the 3,000 plus calls that came in, we were, understandably, diverted and distracted and
2 now have those service requests down to the last 100 or so. We will continue working
3 on that. I would suggest this might be an appropriate topic for the pending joint
4 workshop with the County Council. On the Private Road Subdivisions, we do have
5 actual ordinance language for you in the back of your packet, page 103. This is the
6 same language that the Planning Commission considered during its deliberations on the
7 new Land Development Code. It is what Staff drafted for you and what you decided, as
8 a body, to delete in your version recommended to County Council. And now the same
9 language is being recommended by Councilwoman Scott for reconsideration as an
10 amendment to the adopted Land Development Code, which, of course, is scheduled to
11 take effect July 1st. Any other comments, counsel?

12 MS. LINDER: I believe the significant difference in the draft that's before you as
13 compared to what was initially proposed for the new Land Development Code is this is
14 going to be limited just to the rural areas, the RU zoned areas.

15 MR. CRISS: I sit corrected. The counselor is right. This is more restricted than
16 the original language that you considered.

17 MR. PALMER: This would just to allow them in rural.

18 VICE-CHAIRMAN WYATT: In the RU.

19 MS. LUCIUS: In rural zones.

20 MS. LINDER: I believe Staff is asking for a deferral on the first ordinance and
21 action on the second ordinance.

22 MR. GREEN: From a timing standpoint, we don't have three of our Planning
23 Commission Members here with us today. I think this is an issue we talked about at

1 great length, although there is some modification to where it would apply. Is there a
2 compelling need for us to deal with this today in terms of the schedule of this appearing
3 in front of County Council from a timing standpoint?

4 MS. LINDER: The ordinance that's before you would be an amendment not to
5 the existing code but to the new Land Development Code, which goes into effect July
6 1st. So I think if Council wanted – you know, had the desire to amend it and to include
7 the Private Road Subdivisions, you, as a body to make that recommendation, do have
8 time. I mean, you could defer it to your next meeting and still make your
9 recommendation known to Council.

10 VICE-CHAIRMAN WYATT: I think what Mr. Gene's concern is is Council meets –
11 what did we just say? The 22nd? Public hearing? Will that be on their agenda? I think
12 there's some concern that Council can pass it without our input.

13 MS. LINDER: I believe it's been advertised for the Zoning Public Hearing, but if
14 you're not taking action and your action is to defer it, we would just have to remove it
15 from the Zoning Public Hearing agenda.

16 MR. GREEN: If we defer it – and I guess -if we, as a body, defer it does that
17 mean County Council cannot take it up even though they've advertised it for their Public
18 Hearing on the 22nd?

19 MS. LINDER: They would not be able to take it up on the 22nd because they have
20 to give you at least 30 days to make your decision. And I believe you would be meeting
21 within that 30 days again. So I do not believe that Council would be taking it up before
22 your recommendation.

1 MR. GREEN: So our vote to defer in effect guarantees that it is deferred from
2 consideration by Council.

3 MS. LINDER: It's guaranteed that it would not be considered at the Zoning Public
4 Hearing.

5 MR. GREEN: But they could hear – well, the first reading is the Zoning Public
6 Hearing, correct?

7 VICE-CHAIRMAN WYATT: That would be the first reading.

8 MR. CRISS: Their convention is to have the Zoning Public Hearing and the first
9 reading the same evening, the 4th Tuesday of the month. But they can reschedule.

10 MR. GREEN: My only concern is this somehow gets taken up by Council before
11 we send them a vote of what would be, hopefully, virtually a completely attended
12 Planning Commission meeting so that our input's clearly heard by, you know more
13 clearly hear by them. That's my only concern.

14 VICE-CHAIRMAN WYATT: What about the Staff drafting a letter and asking that
15 Planning Commission desires that they not hear that, it's our desire, until we've had an
16 opportunity to further study it? What I would like to ask Staff to do -

17 MR. CRISS: We're consulting.

18 VICE-CHAIRMAN WYATT: I'll go ahead and speak, okay? And Anna and Carl
19 can fill you in on what I say. What I would like Staff to do for next month's meeting is
20 come back to us and let us know how many dirt road subdivisions have been approved
21 in, say, the last year.

22 MR. GOSLINE: I can tell you that now.

23 MR. PALMER: How many?

1 MR. GOSLINE: Ma'am, when you say – you talk about private driveway
2 subdivision?

3 VICE-CHAIRMAN WYATT: Dirt road subdivisions in the rural areas – what we
4 are looking at in the ordinance, proposed ordinance.

5 MR. GOSLINE: We don't – I just want to be sure what you're asking. In the last
6 four years we've had five or six private driveway subdivisions. Those are the ones just
7 for the family, limited to seven lots, each an acre, and you don't have to pave the road.
8 If you're asking about subdivisions that get approved on an existing county maintained
9 dirt road, that'll take a little bit more work. Is that what you're asking?

10 VICE-CHAIRMAN WYATT: Private Road Subdivisions, Carl.

11 MR. PALMER: So the answer to that is five or six in the past four years?

12 MR. GOSLINE: Yes.

13 MR. PALMER: Okay. This isn't a big –

14 MR. GOSLINE: No.

15 MR. PALMER: I mean a "places the world on your shoulders" kind of a question.

16 MR. GOSLINE: That's for other people to decide, Mr. Palmer. It's weird because
17 we've got two of them up next month. But we've only had six in the last four years.

18 MR. CRISS: Six in the last four or five years.

19 MR. PALMER: How do you propose to regulate knowing who has the lots? Is
20 this for family members only or they changes as well?

21 MR. CRISS: It is under the not but not under the versions you've seen in the new
22 Land Development Code.

23 MR. PALMER: It would be limited to how many lots?

1 MR. CRISS: Seven lots total. One acre minimum. And as Assistant County
2 Attorney Amelia Linder pointed out, the current proposal restricts the use of the private,
3 privately maintained, unpaved road subdivision to the rural zoning district. The current
4 code doesn't limit the private dirt roads to any particular district.

5 MR. JACKSON: The problem that came up with the private dirt road that people
6 sell it to family members, but then they'll turn around and sell and that causes –

7 MR. CRISS: We, effectively, have no control over the ultimate ownership.

8 MR. JACKSON: And this is like a loop-hole. And my main concern – that's why
9 approximately three years ago I requested that the Public Works Department look at
10 alternate surface treatment, which would be at a lower cost to surface these roads in the
11 rural community. That's three years ago. I've seen a few articles in the paper where
12 the County's now looking at these things which we have proposed, that came to the
13 Commission three years ago and they said they'd partnership with South Carolina State
14 University and we haven't got a report back from them. I've seen where Lexington is
15 continuing. They're doing it, now. Newberry has been doing it. And Richland County
16 is, like, just dragging behind. And that's my main concern because if that was
17 addressed back then we would have had some study and ready to move to address this
18 problem. I've seen it in the rural community. I had concerns. And that's why I tried to
19 address these problems ahead of time.

20 MR. CRISS: Yes, Commissioner, of course, that item is on your agenda under
21 Other Business.

22 MR. GREEN: Madam Chairman, I would make a motion that we defer discussion
23 of the Private Road Subdivision ordinance until our next Planning Commission meeting

1 with the specific purpose in hope of having a full Commission to send our
2 recommendations forward to County Council.

3 MS. LUCIUS: I second.

4 VICE-CHAIRMAN WYATT: Anna, at the same time that you're looking at the
5 approvals, I would like for you to take a look at what Lexington County does in regards
6 to, on those private subdivision roads, the maintenance agreements that are put in
7 place with those. I'd like for us to take a look and be able to compare, you know, take a
8 look at that from a maintenance standpoint. Okay. We've got a motion to – excuse me
9 – for Item 'B' under New Business to defer until next month. All those in favor.

10 MR. PALMER: Clarification. Is your reason for the deferral because to make
11 sure we have a full Council?

12 MS. LUCIUS: That, too.

13 MR. GREEN: Full Commission.

14 MR. PALMER: Full Commission.

15 MS. LUCIUS: That, too. And more information.

16 VICE-CHAIRMAN WYATT: All those in favor of deferring.

17 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green; Absent: Van Dine,*
18 *Manning, McBride]*

19 VICE-CHAIRMAN WYATT: We need to go back to Item 'A'. It's been requested
20 by Staff because of time restraints that the modification on the planning areas is not
21 available for us today. So I need a motion to defer that, also.

22 MS. LUCIUS: Madam Chair, I move that we defer Item 'A' under New Business
23 to the next meeting.

1 MR. GREEN: Second.

2 VICE-CHAIRMAN WYATT: We've got a motion to defer and a proper second. All
3 those in favor.

4 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green; Absent: Van Dine,*
5 *Manning, McBride]*

6 VICE-CHAIRMAN WYATT: Do you think you'll be able to bring that back to us
7 next month?

8 MR. CRISS: Yes, I do anticipate, without any further surprises, we'll be able to
9 get to it by March.

10 VICE-CHAIRMAN WYATT: Alright. Next item is Road Name Approvals.

11 MS. LUCIUS: Move to approve, Madam Chair. They're not funny this time.

12 MR. GREEN: Second.

13 VICE-CHAIRMAN WYATT: Very boring names?

14 MS. LUCIUS: They're boring this time.

15 VICE-CHAIRMAN WYATT: Alright. Ms. Lucius doesn't like the names but she's
16 going to approve them anyway.

17 MS. LUCIUS: No! I like them, [inaudible]. I like that.

18 MR. GREEN: Have we voted on it yet?

19 VICE-CHAIRMAN WYATT: I'm sorry?

20 MR. GREEN: Have we voted?

21 VICE-CHAIRMAN WYATT: All those in favor in favor.

22 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green; Absent: Van Dine,*
23 *Manning, McBride]*

1 VICE-CHAIRMAN WYATT: Before we get started under Other Business,
2 because it looks like it's going to be quite a long time, I need to find out, because I was
3 to apologize to him, is Mr. Bose here?

4 MR. GREEN: DuBose.

5 VICE-CHAIRMAN WYATT: DuBose. Oh, I'm sorry. It just says B-O-S-E. Okay.
6 We're going to take about a five minute break and then come back in. And I was asked,
7 sir, by Mr. Manning to apologize to you that he's not here. But I wanted to make sure
8 that we did recognize you and make sure you were here.

9 MR. DUBOSE: Thank you very much.

10 VICE-CHAIRMAN WYATT: Thank you. We'll be back in about five minutes.

11 *[BREAK]*

12 VICE-CHAIRMAN WYATT: - So Mr. Manning had asked him to come and speak
13 and we'd like to welcome you, sir.

14 MR. DUBOSE: Thank you, Vice-Chairman Wyatt and members of the
15 Commission. I'm Theodore DuBose. I'm with Haynesworth, Sinkler & Boyd. Just in my
16 way of background, very quickly, Mr. Manning called my office six weeks ago to speak
17 with one of my partners about whether he knew of any programs underway in the state
18 to deal with the need to fund road construction on a faster basis. It's being handled
19 [inaudible]. As it happened, my group [inaudible] finance group for Haynesworth,
20 Sinkler & Boyd has been meeting with the counties around this part of the state for the
21 past five months to discuss this issue and come up with some ideas and assess both
22 the need and the desirability for some sort of program to accelerate the funding of
23 [inaudible]. Okay? Can everybody hear me? Thanks. Okay. Accelerate the funding of

1 road programs. What I put in front of each of you – I think you should all have it – is a
2 brief summary of where that project is today. And I will go through it at your - in
3 summary fashion because it's a work in progress. And I'll leave you with what we need
4 to do next after I've finished with this handout. The source of money we're looking at to
5 deliver on an expedited basis to counties is money that's actually coming in now
6 [inaudible] is referred to as Transportation Committee Funds. We used to call them C-
7 Funds and I think a lot of people still do call them C-Funds. C-Funds are a portion of
8 the state gasoline tax. By statute, those funds, amounting to 2.5 cents per gallon are
9 allocated across the state based on a formula, which is really at the top of page 1 here:
10 land area, population, and relative miles of rural roads within each county relative to the
11 other counties. These funds are appropriated annually and are required to be spent on
12 road systems, 25% of which in each county have to be in the state highway system.
13 Although it comes from the state, it's the state highway system that's the beneficiary of
14 a quarter of these funds from here. The body that's charged with deciding what projects
15 these funds will be allocated to are what is called, now, the Transportation Committee.
16 In the old days the County Legislative Delegation got to decide what was going to
17 happen with these funds. The Supreme Court changed that about 10 years ago. So
18 each county now has a Transportation Committee that serves that serves at the
19 pleasure of the Legislative Delegation as their appointees. In some counties, the
20 appointees happened to be the members of County Council. In most counties in the
21 state the appointees are other folk. These funds are doled out from year to year. And
22 what we have been told in the discussions I mentioned with various planning officials in
23 this part of the state is that often and in the more urbanized county the need outstrips

1 the means. If you would turn to page 5, we've done a little bit of history here just
2 showing for counties in the Midlands and Near Pee Dee Region what they receive each
3 year. And it ranges anywhere – and you will notice that these are fairly consistent
4 figures and that would indicate to you that the gasoline consumption within South
5 Carolina has been fairly steady for the past seven years. But Calhoun County gets over
6 just a half million dollars a year. That's grown a little bit. And then Richland County
7 gets about three and a half million dollars a year. Lexington County has surpassed
8 Richland County recently I think just because of the relative population growth over
9 there with all other things remaining equal. Calhoun County can't do a lot with a half-
10 million dollars a year on road projects. That doesn't pave a lot of road. Lexington
11 County, for example, can do a little bit but not much. The thought going around the
12 state, then, was can we leverage this money? How could we get our hands on it
13 quicker other than causing an increase in gasoline consumption? And the way that's
14 done is – like a lot of other projects are done - is through a finance vehicle where that
15 income stream, rather than used each year, used here, spent, received the next year,
16 spent, received the next year. A pay as you go basis was how the State of South
17 Carolina built highways during the depression. The modern means that a lot of people
18 use is to pledge that stream of revenues and get some portion of that up front. For
19 example, when toll roads are built in other parts of the country there's some money put
20 down. But they're basically built with the promise to turn the tolls over as they're
21 collected to the lender over time. That's the way, in a sense, that most utility systems
22 are financed now, too. It's a little more subtle than that. But a water treatment plant
23 might be built through the use of a promise of attainment of user fees of that water

1 treatment plant, but comes on your water bill over the next 20 or 30 years to try to tag
2 that to the useful life of the facility in that case. So most facilities in the United States,
3 other than those built with general obligation bonds or tax-backed bonds like school
4 buildings and this building here, most everything else that has some sort of user fee
5 associated with it in one way or another is financed through this leveraging process. So
6 we got together. Had some discussions with a few investment bankers on a fairly
7 limited basis but just to find out what the parameters of this might be. And a working
8 model we came up with, if you'll look at page 8, with the assumption that we would have
9 an issue joined in by the five counties that are shown there. So instead of each county
10 getting anywhere from a half million to three and a half million dollars a year, we would
11 aggregate, if you will, that promised stream of income or anticipated stream of income
12 from the state through a bond issue based on that, the size of close to sixty million
13 dollars. So the top at page 8 shows the repayment requirements of that bond issue
14 over time. We chose five years basically as a compromise between not wanting to
15 figure out too far ahead of the game what the state would appropriate, but also trying to
16 give each county a meaningful amount of money up front, if we could, to do some
17 projects. Exactly how much could be borrowed and the term of that bond issue, of
18 course, would be really subject to a pricing session with an underwriter in case you do
19 this. But, assuming that this type of issue was done, you'll see under Proceeds
20 Distribution, well, Richland County, instead of its three and a half million, would, on a
21 day certain have twelve and a half million dollars with which to go out and do projects.
22 And Calhoun, on the other hand, instead of having a half million would have two million
23 dollars. The idea, again, is that you can get a lot more done up front and in a more

1 efficient way with a larger size pot of money with which to work. There's some
2 safeguards built into this. The numbers under that, under Debt Service Requirements,
3 show what each county would pay and it would be limited to payments from its
4 allocation from the state of these transportation funds. In other words, they're – no
5 county's promising to pay taxes or put on any particular service charge. They simply
6 assign their rights to receive that money from the General Assembly in these amounts.
7 And there's a residual each year. And, for example, in this table it shows that in
8 addition to getting the 12.5 million up front from the residual funds, from the bottom
9 group of numbers, Richland County would also get another 687,000 a year with which
10 to do road products. That's above and beyond what it transfers to pay off this bond
11 issue. So that's the proposal. I have taken it to, well, most of every county shown on
12 here has now heard part of this deal. We were looking at would it be worth it because
13 there's an interest cost to borrowing this money and not paying it back immediately with
14 paying it back, in this case, over five years, with each county is using some of their C-
15 Funds to pay interest on the bond issue. And the analysis on page 9, a very quick and
16 dirty analysis, but it indicated that if the cost of road improvement was to increase by a
17 factor of close to 6.5% per year or more, then it would be economically advantageous to
18 undertake this type of financing. If there was no inflation in the cost of roads, then it
19 would be a more difficult question because you would have to figure in some factors
20 that are not as easily quantifiable, such as what is the economic benefit to having a
21 certain set of roads paved or improved now rather than five years in the future. There
22 may be some economist, traffic studies experts, that can do that. I can't. But it's clear
23 that even at zero inflation there are benefits to having roads improved now rather than

1 later if only from a safety standpoint. Finally, I'll show you the last page and then I'll
2 answer any questions. [Inaudible]. The way this would work – and I believe you just did
3 a study on your own – but what needs to be done is the formation of something that I
4 call, for lack of a better term, a County Transportation Finance Association, which we
5 will need legislation to do. That would be made up of any county that wanted to be a
6 part of the project. And that County Transportation Finance Association, going over to
7 the right side of the page, would issue bonds to bondholders and receive money from
8 the bondholders in return for those bonds. And, going back to the left, split up that
9 money on a pro rata basis to the counties. Then the counties would use that money for
10 their road projects and assign their rights to money from the state year to the bank
11 serving as trustee. Then a trustee each year would take that portion of the state
12 allocation that the county has pledged for that service and pay the bondholders and turn
13 the rest over to the counties each year. So, as you recall, Richland County would pay
14 two and a half million a year or three million a year but we get \$687,000 a year coming
15 back from that trustee to it each year. So there a number of parties involved in this but
16 this is nothing unusual as far as finance is concerned in the United States. I think most
17 states are way ahead of us this. The one thing that needs to be done that we don't
18 have right now is the legislative authority to do that. We will be working on that this
19 legislative term. But it says 'limited offering', there is a way to do this where there are a
20 limited number of investors involved but it's a much more extensive process and it's
21 kind of a 'last gasp', if you will. We don't want to go that route yet. Our schedule is, as I
22 said, seek the legislative authority to find, to make it legal to do a Transportation
23 Association. As you know, you can do this for water and sewer projects, now. There's

1 now legislation adopted that allows public service districts in the natural gas business to
2 do this type of conglomeration and issue bonds, and also allows these little rural water
3 companies around the state to do this [inaudible] bond. So it's a natural progression to
4 allow some of the larger entities to do this for what everybody agrees is a very real
5 purpose. I spent earlier today reading a resolution that the Budget and Control Board's
6 going to adopt for a \$170,000,000 bond issue for the State Highway Department, or the
7 Department of Transportation now, to allow them to accelerate road construction at the
8 state level. I learned all about accelerated programs all over the state for the state
9 highway system. So I hope the Legislature will agree with us that that's a good idea to
10 be doing at the local level, too. If we can get that legislation through – I feel good about
11 it – we'll be ready to go to the counties at the beginning of the fiscal year to see who's
12 interested in participating. If you do participate I think it will be somewhere between five
13 to seven years and after that you can sign up again and in the meantime you'll be
14 looking at a smaller pot of money after the first year to apply to road projects but in the
15 first year you'll have a substantial amount of money [inaudible] projects. I appreciate
16 your time. Let me answer questions you send my way.

17 MR. JACKSON: Well, just to add to that with the Department of Transportation,
18 they did a 27 year project in seven years. I was very successful.

19 MR. DUBOSE: Thorough the accelerate program, I think they call it?

20 MR. JACKSON: I hope the county would [Inaudible].

21 MR. PALMER: Just to get this thing down to the nuts and bolts of it and from
22 what I can gather, it's we would get close to \$10,500,000 up front.

23 MR. DUBOSE: Twelve.

1 MR. PALMER: Twelve million and then we'd have – what – a little over \$600,000
2 a year for the next five to seven years?

3 MR. DUBOSE: In addition to that.

4 MR. PALMER: In addition to that. And for that we would just sign over the
5 difference between the three and a half million and the six, so it would be somewhere
6 around 2.8, something like that, that we'd sign over every year so somebody else to pay
7 back the bonds?

8 MR. DUBOSE: That's correct.

9 MR. PALMER: Okay.

10 VICE-CHAIRMAN WYATT: Anyone else have any questions?

11 MR. DUBOSE: Thank you for your time.

12 MR. JACKSON: Basically – initially I got back to when I talked about alternative
13 treatment was that Richland County 255 miles of dirt road, approximately.

14 MR. GOSLINE: 272-80?

15 MS. ALMEIDA: Two hundred twenty-five.

16 MR. GOSLINE: Two hundred twenty-five. We're down.

17 MR. JACKSON: Two hundred twenty-five? And rural communities a lot of time
18 they get projects, especially with the dirt road subdivisions and things like that, where it
19 has been a problem over the years. People have lived on roads for 20 or 30 years that
20 have never been paved. When it rains the emergency service cannot access the road.
21 And that's why I've been pushing for alternate surface treatment but there's a problem
22 in funding it.

23 MR. DUBOSE: Yes.

1 MR. JACKSON: And this is certainly one way of doing it.

2 MR. PALMER: Sure. You can get the \$12,000,000, but then you start fighting
3 over who gets it.

4 MR. JACKSON: Well, that's what I'm saying. The county would have to come up
5 with some way on how to do it. Prioritize some or how so much would be paved. And
6 using this new alternate surface treatment also, which cost about almost a tenth of what
7 it cost to pave a road would be great.

8 MR. PALMER: Who do you have to get to check off on this alternative stuff that
9 Norman's talking about? You got to get somebody down at the county to [inaudible]?
10 Public Works?

11 MR. JACKSON: [Inaudible] South Carolina University – State University
12 [inaudible].

13 MR. GOSLINE: Madam Chairman, this is - do you want to take this up now?
14 Alternative pavement discussion now?

15 VICE-CHAIRMAN WYATT: No. Let's wait until we get to that place.

16 MR. JACKSON: Well, I was just addressing some of the things, where the funds
17 can be -

18 VICE-CHAIRMAN WYATT: Mr. DuBose, I guess I'll ask the next question. We –
19 I want to say six months ago, time flies – it could have been nine months ago. But
20 Richland County spent I think it was approximately \$27,000 and had the northeast traffic
21 studied. They came back, the engineering firm came back with a lot of
22 recommendations which totally approximately, at that time, \$34,000,000. Even if –
23 you're speaking here of obtaining \$12,000,000 through bond program, would you not

1 still support an increase in the gasoline tax to let's get a little bit more in here?
2 Because, really and truly, and when you factor in what they told us six months ago at
3 34,000,000 is, probably, by today's cost jumped up to 38,000,000. I mean, you just as if
4 you never are going to get ahead anywhere. And that's just in the northeast.

5 MR. DUBOSE: Is the press in here? No, I would support it. I don't get a vote.
6 But what I do for a living is I represent maybe 20 school districts in about 25 counties
7 around the state. So I drive around the state a lot off of state roads and off of [inaudible]
8 the interstates, what have you. Yeah, our roads are in awful condition. And I think
9 anybody who knows anything about construction and maintenance will tell you the
10 longer you wait the more the total cost of it will be. You get into a place where the cost
11 of maintenance begins to spiral drastically downward.

12 MR. JACKSON: When the Governor was campaigning, he pushed a 10 cents
13 increase. And there's discussion, maybe, up to 7 cents increase. But I haven't heard
14 anything else from the Governor's Office if they're trying to push increase.

15 MR. GOSLINE: Yeah, we've got bridges -

16 MR. JACKSON: Yes, our bridges.

17 MR. DUBOSE: Blink when you go over.

18 MS. LUCIUS: Hold your breath when you go over.

19 MR. JACKSON: Oh, they're pretty safe.

20 VICE-CHAIRMAN WYATT: Mr. DuBose, it might have been who just left, but I
21 believe Mr. Manning said that someone else might be here to speak to us on C-Funds
22 and how they are. Were y'all aware -

1 MR. GOSLINE: Well, that was Chris Truluck and she had to leave because she
2 had –

3 VICE-CHAIRMAN WYATT: That was Chris that just went out the door, wasn't it?
4 Okay.

5 MR. GOSLINE: What I'd suggest –

6 VICE-CHAIRMAN WYATT: Let's have her back, okay?

7 MR. GOSLINE: That's just what I was going to say, Madam Chairman. What I
8 would suggest we do is either – probably April because May's agenda is already pretty
9 full – is have a workshop like a noon workshop with Public Works. These ideas are
10 okay but you have to be real careful because the C Funds are used for other things, like
11 sidewalks, and some other things. So you've got to be real careful that we don't throw
12 the baby out with the bath water, here.

13 MR. CRISS: How about a one hour workshop with Public Works maybe the April
14 meeting 12:00 to 1:00?

15 MR. PALMER: If you guys could. I know there's grant money out there for stuff
16 like that.

17 MR. GOSLINE: Which stuff?

18 MR. PALMER: I don't know. Sidewalks, street lighting, covered bus stops, all
19 those kind of things.

20 MR. JACKSON: Anything you'd need [inaudible].

21 VICE-CHAIRMAN WYATT: Carl, you're shaking your head no? And I thought
22 that that was all part of Ms. Brill's (sic) new job as Community whatever? I mean I've
23 been in a Council when she suggested –

1 MS. LUCIUS: Britt – not Brill.

2 VICE-CHAIRMAN WYATT: Britt. I'm sorry. That the recommendation was from
3 Ms. Brill that some of that money be used for sidewalks and you're sitting there going
4 'no'. Are you trying to say that the –

5 MR. GOSLINE: No. No, there are – I mean in the Community Development
6 Program you can use some of those funds for some things like that. But the issue here,
7 as we all know, is there just ain't a lot of money out there and it ain't anywhere near
8 what we need and it isn't ever going to be anywhere near what we need.

9 MR. JACKSON: We have to become creative.

10 VICE-CHAIRMAN WYATT: Alright. We'll put that on for April. Mr. DuBose,
11 thank you very much for coming and spending a little time with us this afternoon.

12 MR. DUBOSE: Glad to do it.

13 VICE-CHAIRMAN WYATT: And look forward to seeing you again.

14 MS. LUCIUS: Thank you.

15 MR. JACKSON: I would recommend the discussion we'll have with the Public
16 Works Department – well, at least they'll address the [inaudible] and update what they
17 studied with South Carolina State University and why has it taken three years?

18 MR. GOSLINE: You ready to go to these items, Madam Chairman?

19 MS. LUCIUS: The wheels of progress turn slowly.

20 VICE-CHAIRMAN WYATT: I'm sorry. I was reading something.

21 MR. GOSLINE: I prepared a memo about some of the items listed in 'b' through
22 'l', a two page memo that you should have. And, just to be brief, the status of the
23 Hobart Road Alignment Project is pretty much that unless some money is found to do

1 the crossing on the railroad we're going to end up with a new Hobart Road, or whatever
2 it's called, that will terminate at the railroad in Brookhaven project and terminate at
3 Longtown. We can go into any of this that you want, but that's basically page 1. And
4 attached is a rather crude aerial showing you the location. You had asked about the
5 status of The Villages at Lakeshore and Killian Green connection. And there actually is
6 one. There will be eventually when they get done building. And that's shown on
7 another attachment aerial. As you mentioned, Madam Chairman, the Transportation
8 Study, Northeast Transportation Study, has no action that's been taken by County
9 Council. Public Works had talked about trying to do another transportation stuffy for the
10 north central or the southeast and all that and so far there's no money appropriated to
11 do that. The alternative paving technology study is basically South Carolina State has a
12 consultant named Geometrics, who is a geo-tech kind of firm. The Public Works met
13 with those people in December and Geometrics is sampling and testing the soils for two
14 or three roads and Public Works is still waiting for the testing and to select products and
15 schedule and so on. So maybe by April some of that would be a little bit more along.
16 But it's just a very slow process. It took a long time for South Carolina State to select a
17 consultant and work out scopes of work and all that kind of stuff.

18 MR. JACKSON: So you're saying they met with them in December of last year,
19 2004?

20 MR. GOSLINE: Yes.

21 MR. JACKSON: That's approximately two years – three years later.

1 MR. GOSLINE: All I can tell you is Public Works and primarily Chris Trueluck –
2 she apologized – she had to leave for another commitment. But they stayed in contact
3 with South Carolina State and a lot of it's in their lap.

4 MR. JACKSON: I understand now it's passed on to South Carolina State. But I
5 remember when I initially discussed the problem you and I went to South Carolina State
6 where Department of Public Works was very reluctant to do anything about it. There's –
7 certainly it stands that they had a formula and a plan and that was it. And they came
8 and met with us and there was some discussion and they would follow up. But it took
9 so long. Nothing takes three years just to have to meet with some consultants and get
10 some studies done.

11 MR. GOSLINE: Well, all I can tell you, Mr. Jackson, is that's what both Chris and
12 Ralph Pearson had told me that this is what's been going on. And, maybe, I think this is
13 probably at our April thing is a good time to do this.

14 MR. JACKSON: Yes. I was just expressing my concern because it was an 80-20
15 match. And the 20% match from the county, as I understood, was in 'in-kind'. So there
16 wasn't money the county would have to spend for the study. But it's taken three years.
17 That was just my main concern the whole time. As you know I've been pounding it.
18 Every now and then I'd bring it up in a meeting. We'd hear nothing.

19 MR. GOSLINE: Right.

20 MR. JACKSON: So that's just my main concern. The time just took too long.
21 Lexington is doing it.

1 MR. PALMER: I'd like to get some resolution to the issue, too. I've heard about
2 it, you know, for quite a long time now. Can we get the Public Works people here to
3 answer the questions?

4 MR. GOSLINE: April.

5 VICE-CHAIRMAN WYATT: They're coming in April to visit.

6 MR. GOSLINE: April meeting.

7 MR. PALMER: Okay.

8 VICE-CHAIRMAN WYATT: But we need to ask them to discuss that and not just
9 C-Funding and everything else.

10 MR. GOSLINE: The road funding is horrendously complicated. It just drives you
11 nuts trying to figure out where it's going and where it's coming from. There's so many
12 different little things that are very specifically oriented. And it's A really difficult thing to
13 keep track of. C-Funds, I think one of the big things is whatever sidewalks get built are
14 primarily out of C-Funds. Now if we had – you can use Community Development Block
15 Grant money to do that in certain places. But that's up to, you know, those groups that
16 determine those priorities. But , I'll be glad to answer any questions about any of this
17 that y'all have so -

18 VICE-CHAIRMAN WYATT: What impact does the county, Carl, denying the
19 support for Hobart Road project – what kind of an impact is that going to have; not
20 coming over the railroad tract as far as the traffic? Because, as I recall – and you know
21 as I say – I don't remember what I did yesterday, but wasn't there a lot of discussion
22 with some of those projects out there that don't worry about it, Hobart Road's going to
23 come through?

1 MR. GOSLINE: Well, primarily –

2 VICE-CHAIRMAN WYATT: And now you're saying it – you know, I quickly tried
3 to read this and listen, too. But it's going to stop at the railroad track and there's not
4 going to be a crossover from there – duh! Where's everybody going to go?

5 MR. GOSLINE: Longtown Road. I mean there is still a crossover, but it's so
6 circuitous that –

7 VICE-CHAIRMAN WYATT: Say that again. [Laughter]

8 MR. GOSLINE: That, you know, it's virtually useless in terms of traffic. The
9 Hobart Road connection would be, really, the – as I said in the memo – the only
10 straight, the only real connection between Farrow and Longtown Road all the way up
11 because there's so much subdivision further north you could never get through. And
12 even though it was only a two-lane road it would at least bleed off some of the traffic off
13 of Longtown. Without this connection everything's going to go down Longtown Road
14 and Long Green Parkway in the Mungo project. It's all going to still come down onto
15 Clemson.

16 MR. CRISS: Carl, the traffic could still go through the new Deer Creek
17 subdivision, couldn't it, to reach the old Hobart Road alignment and crossroad?

18 MR. GOSLINE: Yeah. Sure. I mean there –

19 MR. CRISS: Not that that's a good alternative but it [inaudible] there.

20 MR. GOSLINE: No. That's what I mean. It's very [inaudible].

21 VICE-CHAIRMAN WYATT: I was getting ready to say please don't let buyers
22 hear that, okay; that might be buying in Deer Wood? Because that's not what they want

1 to hear is that everybody on Longtown Road's going to be cutting through their
2 subdivision.

3 MR. GOSLINE: No. See. That's what I'm saying. Because you have to do this,
4 you know, it's –

5 VICE-CHAIRMAN WYATT: Makes you want to buy there doesn't it, Norm?

6 MR. GOSLINE: Somebody might do it once or twice, but, you know it's – it just
7 isn't going to save [inaudible]. Of course, it may save them lots of time depending how
8 bad Longtown Road gets.

9 VICE-CHAIRMAN WYATT: Well, I'll go on Record so I can get in trouble with
10 County Council again. They made a big mistake in not going ahead with this. And I feel
11 that they made that mistake partly because they've repeatedly promised the people that
12 they were going to do this and they were going to support this with every project with
13 every project that's gone up out there.

14 MR. GOSLINE: Well, yeah, I think the other part of this is –

15 VICE-CHAIRMAN WYATT: I mean, to take \$100,000 and say you're not going to
16 fund it when you're dealing with a safety issue. And those of us that were present when
17 that traffic study was presented were told, even with improvements out there, Longtown
18 Road will continue to operate at service level 'F', not taking into consideration a safety
19 issue. And it's just wrong, I mean, for \$100,000. But it's my opinion.

20 MR. JACKSON: That's why I recommended that we find some alternate way,
21 previously, to pay for the roads – widening - impact fees, moratorium. Discuss
22 everything.

1 VICE-CHAIRMAN WYATT: Well, Mr. Jackson, I know that we took a serious look
2 a year, 18 months ago with impact fees. And I spent a lot of time researching that. I
3 spent a good bit of time. And I publicly will thank Representative Kotti for looking at the
4 state law and studying that with me. Mr. Van Dine handed us out information. And
5 when you first take a look at it, impact fees sound great. But when you truly study what
6 the state allows within the impact fees, it's really not going to benefit us at all,
7 unfortunately. I mean, I wish that were the cure-all because I'd say let's vote for them
8 next month. But that's not the cure-all.

9 MR. JACKSON: I understand. That's coming from you.

10 VICE-CHAIRMAN WYATT: And we are so restricted on what you can use those
11 monies for that it truly is not going to help the situation.

12 MR. JACKSON: I understand. But then if we had a debate, have it open where
13 everyone could understand or give their input, there'll be a better understanding coming
14 from it. But every time I mention impact fees or some way to widen these roads it's at a
15 dead end.

16 MS. LUCIUS: Well, I think we found out Thursday they said that, you know, you
17 can't go back and fix things back to the way they used to be with impact fees. But you
18 can keep things from getting any worse is what they said.

19 MR. PALMER: You know, one thing I found interesting in that whole discussion
20 was that these counties – well, Mt. Pleasant in particular, I guess, that uses these things
21 – they operate their roads at a level 'D'. Level 'D' is acceptable to them, whereas, 'C' is
22 kind of what we have as acceptable to us. I was just wondering why would somebody
23 go with 'D' instead of 'C'? Go ahead, Carl.

1 MR. GOSLINE: Well, there's a couple of answers to that. Number one, both
2 Beaufort County and Mt. Pleasant got there impact fee ordinances under the Home
3 Rule Act and got them in before the Impact Fee law went in. And so what you have to
4 do in any impact fee is you have to set level of service standards in your comprehensive
5 plan and all that kind of stuff. And they chose, because they're so urbanized, for it to be
6 'D'. We can do that. We can have some areas where it would be 'D', and some where
7 it would be 'C', and some where it would be 'E' – like downtown. You can do that. But
8 it's a long road to get there, real long road to get there. Awful lot of things that have to
9 be done that have to do with real planning.

10 MR. PALMER: You know, I don't speak for everybody, but my own personal
11 opinion, I saw, you know, way too many hurdles to try to get over. It's my opinion.

12 MR. GOSLINE: Well, it's not an easy thing to do under the law and that's true.

13 MR. JACKSON: You said the keyword.

14 MR. GOSLINE: Planning?

15 MR. JACKSON: You said the keyword – real planning. And that's why I've been
16 asking about the CIP ordinance [inaudible] about it.

17 MR. GOSLINE: Right. That's all part of the –

18 MR. JACKSON: Most of these things will not happen unless we have a CIP in
19 place. And for the past three years, again, the county's been talking about it but they
20 haven't done anything. And I'd like to see County Council get on the ball and do
21 something. Let something happen. We have community meetings telling people how
22 we make some planned changes. But then there's nothing about CIP. And we're just
23 telling people – spinning our wheels. These people find out that there may be

1 something happening and their community will be well planned. But then the county
2 knows if there's no CIP it will never happen. So we talk about truth and having the
3 community believing us or have faith in us but we're not doing what it takes to really put
4 trust in the people. They don't trust us because we're not doing the right thing. That's
5 my opinion.

6 VICE-CHAIRMAN WYATT: I was going to say speak for yourself.

7 MR. JACKSON: But we're not doing the right thing. We need a CIP and we
8 know that certain things will not work unless we know where the money will go, where it
9 will be funded. What are we saying? People wasting their time.

10 VICE-CHAIRMAN WYATT: And I couldn't agree with you more. We've been
11 talking about the CIP a long time, Mr. Jackson. However, you know, and there again
12 let's not mislead ourselves; that capital improvement plan is still not going to do
13 anything to help transportation.

14 MR. JACKSON: You never know. [Inaudible] the funds will be allocated, right?

15 VICE-CHAIRMAN WYATT: Well. I certainly am not using it as a source of
16 revenue for road improvements.

17 MR. JACKSON: It's where the funds will be allocated.

18 VICE-CHAIRMAN WYATT: We'd be better off to stand on the corners with the
19 boots like the firemen do and collect the money. I mean I think you'd make more than
20 you would from CIP!

21 MR. JACKSON: At least let's have a plan and have a debate or discussion on
22 where – with the funds.

1 MR. GOSLINE: Madam Chairman, maybe we should stop talking about this
2 because we don't want Earl to have a heart attack.

3 VICE-CHAIRMAN WYATT: Earl, are we bothering you?

4 MR. PALMER: Y'all don't have these kind of discussions over there in Lexington
5 County do you, Earl?

6 VICE-CHAIRMAN WYATT: See. He's used to it, Carl. Alright. The only – Carl –
7 and I appreciate you taking the time. I like this summary. But the one thing that I
8 noticed – and I'm surprised Ms. Lucius hasn't jumped up and said something already –
9 when you take a look at –

10 MS. LUCIUS: Well, I've already bitten my tongue.

11 VICE-CHAIRMAN WYATT: You take a look at number 'f'.

12 MR. GOSLINE: Anna's going to do that.

13 VICE-CHAIRMAN WYATT: Okay. Okay.

14 MR. FURGESS: Going to put that on Anna.

15 VICE-CHAIRMAN WYATT: So I think we've covered 'b', 'c', 'd', 'e'. We're ready
16 to hop into number 'f', Isolated Wetlands discussion.

17 MS. ALMEIDA: And also 'e'.

18 MS. LUCIUS: We didn't cover 'e', yet, did we? Landscaping.

19 VICE-CHAIRMAN WYATT: Yeah. It's in his –

20 MS. ALMEIDA: No, it's not.

21 MS. LUCIUS: Huh-uh. Huh-uh (negative).

22 VICE-CHAIRMAN WYATT: No, it's not? What was that summary? Oh, Villages
23 at Lakeshore. I'm sorry.

1 MS. LUCIUS: That was just the road, the connection.

2 VICE-CHAIRMAN WYATT: I'm sorry. I was looking at the –

3 MS. ALMEIDA: On 'e', which is the status report on the landscaping plan for the
4 Villages at Lakeshore, the developer came in last week and spoke with Staff in
5 reference to this. And you'll see -

6 MS. LUCIUS: We can't hear you, Anna.

7 MS. ALMEIDA: I'm sorry. Can you hear me now?

8 VICE-CHAIRMAN WYATT: Speak up, Anna.

9 MS. LUCIUS: Get closer. Speak up.

10 MS. ALMEIDA: On the Sandhill Incorporated proposal, you should have two
11 sheets as a separate handout. One is a cost estimate of the mitigation planting and the
12 other is an actual planting plan with four areas detailed. The developer came in, Heron
13 Lakes, to discuss with Staff the timing of the installation of the plan. He gave us some
14 insight about what had transpired on the site. And that was – there was an article that
15 was in the paper. And the developer addressed those concerns. And, basically, the
16 contractor that went out to actually build the homes was in violation. Even though they
17 had made a statement for the paper that they did not go out and clear trees, they, in
18 fact, overstepped their bounds. They are responsible for payment of this mitigation.
19 Heron Lakes will do the actual planting. And they have assured Staff in a letter that was
20 registered that they will - details, three details which is seen on page 2 LP 1. It's in
21 small writing. But detail 1, 3 and 2 will be done 30 days from now. Okay, so they
22 anticipate having those plantings done by the end of March. Detail 4, which is seen on
23 the back portion, the northeast side of the property, they have – the plan is still in

1 mitigation with the Army Corps because they need to get an approval for crossing
2 wetlands with a road towards the back of that property. And they will do that, meaning
3 the installation of all required plantings, within 30 days of receiving their permit of
4 approval from the Army Corps. This is a cost estimate of what will be done. And Heron
5 Lakes assures Staff and the engineering firm, B. P. Barber, that they will comply with
6 this plan. They will not have Beazer Homes complying with this. They will make sure
7 that this planting is done in a timely fashion as per our discussion.

8 VICE-CHAIRMAN WYATT: Any comments from anyone? Thank you very much.
9 Moving right along to item 'f'.

10 MS. ALMEIDA: Item 'f' is a separate handout that was drafted by both Mr. Simon
11 and Mr. Reid from our Planning Department; Mr. Reid being our Flood Coordinator, on
12 the topic of Isolated Wetlands.

13 VICE-CHAIRMAN WYATT: Ms. Lucius, if you'll drop down to the next to the last
14 paragraph. When I was talking with you the other day I said there was some legislation
15 pending regarding the wetlands.

16 MS. LUCIUS: I knew there was some pending.

17 VICE-CHAIRMAN WYATT: And that's what that's all about. I don't know. Is that
18 in committee? Do you know?

19 MS. ALMEIDA: Isolated wetlands?

20 VICE-CHAIRMAN WYATT: Yeah. Is that in committee or has it come out of the

21 —

22 MR. EARL MCLEOD: It's still being drafted.

23 VICE-CHAIRMAN WYATT: I'm sorry. I couldn't hear you, Earl.

1 MS. ALMEIDA: It is still being drafted.

2 VICE-CHAIRMAN WYATT: Okay.

3 MS. LUCIUS: I'm not sure I understand.

4 VICE-CHAIRMAN WYATT: They're working on it.

5 MS. LUCIUS: They're working on it.

6 VICE-CHAIRMAN WYATT: They're working on it.

7 MS. ALMEIDA: We could have our Flood Coordinator also at the April meeting to
8 discuss any questions you may have on isolated wetlands. Would you [inaudible]?

9 MS. LUCIUS: I would. And maybe an update on what's going on.

10 MS. ALMEIDA: Okay.

11 MS. LUCIUS: Uh-huh (affirmative). I would. This is based solely on bird
12 migration pattern?

13 MR. CRISS: That was the connection to interstate commerce that gave the
14 Corps jurisdiction over these isolated wetlands but was stricken down by the courts.

15 VICE-CHAIRMAN WYATT: But some bird went the wrong way and now it's
16 confusing everybody.

17 MS. LUCIUS: I just needed to understand it a little bit more.

18 MR. EARL MCLEOD: Now that was the foundation of that one lawsuit. There's
19 other connections, too.

20 MR. CRISS: That's true.

21 MS. LUCIUS: Okay. It's just a lot more to know about it.

22 MR. EARL MCLEOD: Connectivity with waters in the state and [inaudible]. It's
23 more complicated than that.

1 MS. ALMEIDA: Like I said, we will have Mr. Harry Reid from - our Flood
2 Coordinator here to discuss that.

3 MS. LUCIUS: I don't understand the word "isolated" -

4 MR. CRISS: Yeah, it -

5 MS. LUCIUS: - because it can't be isolated. [Inaudible] it's connected to water
6 somewhere. So excuse me, you know.

7 MR. CRISS: They're isolated superficially, but - Most of them are truly connected
8 hydrologically but you can't see it because it's under the ground.

9 MS. LUCIUS: Right. You can't see it because it's ground water. Right.

10 MR. CRISS: But there are some that are on perched clay lenses with their own
11 water supply and, you know, no connection to -

12 VICE-CHAIRMAN WYATT: They're very obvious.

13 MS. LUCIUS: Right. I'd like to hear more about it. Thank you.

14 VICE-CHAIRMAN WYATT: Thank you very much. Have we discussed enough
15 item number 'g'? I think you did that in your summary didn't you, Carl?

16 MR. GOSLINE: Yes, ma'am.

17 VICE-CHAIRMAN WYATT: Okay. Are you satisfied with the -

18 MR. JACKSON: Yeah. We'll meet with them in April, so.

19 MS. LUCIUS: April.

20 VICE-CHAIRMAN WYATT: Okay. Yeah. All right. Michael, are you taking up
21 number 'h'? Further Discussion -

22 MR. CRISS: Alternative planning areas, ma'am?

23 VICE-CHAIRMAN WYATT: - of the Planning Area arrangement?

1 MR. CRISS: And John Newman is going to put a larger version of the 11 x 17
2 proposal you have in front of you, I hope, on the easel.

3 VICE-CHAIRMAN WYATT: Everybody get a colored copy?

4 MR. CRISS: We're recommending to County Council to establish these planning
5 areas for the next round of Comprehensive Plan update. A northwest, north central,
6 northeast, which does include that I-77 corridor, a beltway in the middle surrounded by
7 interstates 20 and 77, and then a southeast area. Gene Green was commenting earlier
8 that perhaps that southeastern, or yellow area to the east/northeast of Fort Jackson,
9 might be more appropriately colored green because of its relationship to interstate 20,
10 which I think is -

11 MR. GOSLINE: [Inaudible].

12 MR. CRISS: - this sort of isolated segment up here. Perhaps that should be
13 green. The southeast area, of course, is the biggest by far already.

14 MR. FURGESS: Mike, I have a question.

15 MR. CRISS: Yeah.

16 MR. FURGESS: When they say the 77 corridor, I know what they're talking
17 about. But when 277 came in there and cut through Fort Jackson, wasn't that part of
18 the 77 corridor?

19 MR. CRISS: Well, when I say 77 corridor, I guess I'm referring to everything
20 above I-20 up to Blythewood and Charlotte. Though, obviously, it is a beltway all the
21 way around Columbia.

22 MR. FURGESS: Yeah. So.

1 VICE-CHAIRMAN WYATT: Well, I think when it's referred to – I know from the
2 real estate side when we refer to it as the 77 corridor, we are talking from Interstate 20
3 because it was talked and discussed and called that before the loop through Fort
4 Jackson ever occurred.

5 MR. FURGESS: Okay.

6 MR. CRISS: Yeah. And below 20 we're referring to is as the beltway because
7 now it does become part of the interstate beltway around the metropolitan core. This
8 gives us five planning areas. The map here – don't expect you to see the detail but look
9 at it later if you have the interest – the interstate beltway does conform very nicely to
10 block group and, in some cases, individual block boundaries. So we can easily
11 manipulate the statistics in the 2000 Census to add a population, housing, and other
12 information inside or outside of any of these planning areas. So we've violated our
13 principle of following block group boundaries, which are groupings of individual blocks
14 like a city block, but only in a few cases. We cut across a couple of block groups up
15 here and down here. But we can still –

16 VICE-CHAIRMAN WYATT: That block being Percival Road?

17 MR. CRISS: Yeah.

18 VICE-CHAIRMAN WYATT: Well, that's kind of a natural boundary.

19 MR. CRISS: I've got the detail here if you want to come see that later. But
20 everybody knows whether you're inside or outside of the beltway, so it becomes a very
21 understandable concept. Of course, inside the beltway you've got a huge municipality
22 with lots of fragmented jurisdiction, lots of enclaves. There is apparently some
23 legislation going to be introduced – I don't know if it's been pre-filed – I don't think so –

1 about these enclaves that once a city or town surrounds an unincorporated area that it
2 could choose to annex – the doughnut holes.

3 MR. LUCIUS: Um-hum (affirmative).

4 MR. CRISS: Because of the complications of providing service to those areas.
5 The Sheriff's Deputy has to report to an incident inside the city limits but on county
6 property, unincorporated area. And it gets worse than that.

7 MR. GREEN: Yeah. I'm comfortable with this. It's just from a planning
8 standpoint. I think it's more representative.

9 VICE-CHAIRMAN WYATT: Of what's really out there. I agree with you.

10 MR. CRISS: [Inaudible] Mr. Green's suggestion on this block group up here on
11 the northeast side of Fort Jackson. We left it yellow because that was the traditional
12 line.

13 MR. JACKSON: Is that 601 going back there?

14 MR. CRISS: Okay. This area right here.

15 MR. GREEN: Screaming Eagle Road.

16 VICE-CHAIRMAN WYATT: I would have to say that I agree with him on that.

17 MR. CRISS: It's always bothered me. It seems out of place there.

18 MR. JACKSON: I think it initially had based on district – part of District 10, I think.

19 MR. GOSLINE: County Council districts, you mean?

20 MR. JACKSON: Yeah.

21 MR. GOSLINE: Yeah. That little piece is in Ms. Scott's district.

22 MR. JACKSON: I think that's why they had it [inaudible].

23 MR. CRISS: That would make sense.

1 MR. GREEN: That's the reason [Inaudible] to change it.

2 MR. CRISS: I don't know if it does. And, you know, planning areas, for your
3 purposes, they're following block group geography, not Council district although the two
4 do have some relationship.

5 MR. JACKSON: I think that was the main reason why they incorporated that with
6 the rest of District 10. But it should be with the northeast [inaudible].

7 MS. LUCIUS: Northeast. I think so, too.

8 VICE-CHAIRMAN WYATT: Yeah.

9 MR. CRISS: If that's consensus of the Planning Commission, I would ask for a
10 vote.

11 MS. LUCIUS: I think it should be a part of –

12 MR. GREEN: I move we -

13 VICE-CHAIRMAN WYATT: I'm sorry. You want us to vote on this?

14 MR. CRISS: Yes, I do.

15 VICE-CHAIRMAN WYATT: Okay.

16 MR. GREEN: I move we adopt these districts with the further stipulation
17 [inaudible] area to the northeast of Fort Jackson.

18 [Inaudible discussions]

19 MR. CRISS: That one block would be assimilated into the Northeast Planning
20 Area.

21 VICE-CHAIRMAN WYATT: Okay. There's a motion on the floor. Is there a
22 second?

23 MS. LUCIUS: Second.

1 MR. FURGESS: Second.

2 VICE-CHAIRMAN WYATT: All those in favor of approval.

3 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green; Absent: Van Dine,*
4 *Manning, McBride]*

5 MR. CRISS: Thank you very much.

6 MR. GREEN: If they closed the base we'll have to vote and see what we want to
7 do with that.

8 MS. LUCIUS: I don't even want to think about it.

9 MR. CRISS: Yeah.

10 VICE-CHAIRMAN WYATT: It's not –

11 MR. CRISS: State newspaper.

12 MS. LUCIUS: I don't think it'll happen.

13 VICE-CHAIRMAN WYATT: It's not going to happen [inaudible].

14 MS. LUCIUS: I know what you mean.

15 MR. CRISS: Deliberations. Good article on McEntire recently.

16 VICE-CHAIRMAN WYATT: You don't see me worried about it and that's where
17 my husband gets our living from, so.

18 MS. LUCIUS: Yeah. I don't think it's going to happen.

19 VICE-CHAIRMAN WYATT: Michael, are you handling item '1'?

20 MR. CRISS: Yes, ma'am. We don't have a detailed work plan for you, yet. But
21 we have broken the Comprehensive Plan update into at least three major tasks. The
22 demographic or background studies: Now that you've given us planning areas based on
23 census geography, we can start to accumulate all the statistics on population and

1 housing and income and so forth according to planning area. The second major task is
2 going to be getting a good, current, Land Use Map that will delineate urban, suburban,
3 rural and conservation and other lands. And then the third and hardest step is going to
4 be future Land Use Map, where the real planning comes in to play. We haven't, in any
5 serious way, started any of those tasks, yet. And I hope to produce a more detailed
6 plan for you at the next meeting.

7 MR. GREEN: On the first element, the population element, will Staff or whoever
8 is responsible for that make actual or maybe originally developed estimates of current
9 population as opposed to using one of these data services or trying to tie them to the
10 state's county population estimate? Because in both the earlier cases they usually
11 missed the mark by more than a fair amount.

12 MR. CRISS: Very good question. What's the pleasure of the Commission?
13 Clearly we start with the 2000 Census.

14 MR. GREEN: Right.

15 MR. CRISS: But we also have the Central Midlands Council of Governments and
16 what used to be State Research and Statistical Services doing projections. And we will
17 need population projections for future land use planning. But we're not yet prepared to
18 project population ourselves.

19 VICE-CHAIRMAN WYATT: You're not ready to do what? I'm sorry.

20 MR. CRISS: We're not yet ready to project future population in all of these areas
21 ourselves. That may be something that we outsource or rely on other state, regional
22 professionals to provide for us. Do you have a preference, Mr. Green?

1 MR. GREEN: My preference would be that they be used – that local Staff come
2 up with a methodology because none of those other sources use construction, housing
3 construction, as a basis for updating 2000 to - whether it be 2005, 2006 – of this result.
4 Using these data services or other benchmark services really pretty badly misses what's
5 occurred in the 2000 to whatever the current date period is.

6 MR. CRISS: Part of our research will involve becoming intimately familiar with the
7 revolution in Census Bureau methodology. Did you see the recent article, again, in the
8 State Newspaper on annual surveys, random surveys, of households? Mandatory
9 responses?

10 MS. LUCIUS: Missed that.

11 MR. CRISS: Uh-huh (affirmative). I don't have it with me. But we can't afford to
12 wait every 10 years is sort of the bottom line.

13 MR. GREEN: Right.

14 VICE-CHAIRMAN WYATT: I would say –

15 MR. CRISS: We need to have snapshots every year. And in order to get that
16 you've got to have a random, scientific sample. And that means getting folks that are
17 randomly selected to answer. So you will be politely requested to fill out the survey.
18 And then called. And then visited by a census worker if you receive one of these
19 questionnaires is my understanding of the proposal. So it could lead to much more
20 current census information that we'll be making full use of.

21 MR. JACKSON: That should be – I mean because, for example, to incorporate is
22 usually based on the most recent census, [inaudible] census. So if it continues to be
23 updated that would be more readily information available.

1 MR. CRISS: I'll feel comfortable about using county driven data when our GIS
2 system is tracking the spatial or physical location of all new construction. And I believe
3 that will be the case in the next [inaudible].

4 MR. GREEN: The Midlands has that now, don't they, by having building permits
5 by census tract?

6 MR. CRISS: They are getting close. We intend to pinpoint each new permit. The
7 new tax map layer is being built as we speak. I think we've discussed this before. And
8 we hope by the end of the year you'll have a countywide parcel map online. And that's
9 the foundation for our zoning districts and building permit tracking and other information
10 gathering.

11 VICE-CHAIRMAN WYATT: Anything else on the Plan Schedule?

12 MR. CRISS: No, ma'am.

13 MR. FURGESS: Barbara?

14 VICE-CHAIRMAN WYATT: I'm sorry.

15 MR. FURGESS: Excuse me. I have a question. This is something I need –
16 information I need for me. On Farrow Road going toward Rabon Road, there's a lot of
17 construction going on there. Before I got on the Board here, was there supposed to be
18 an area for office buildings along that way?

19 VICE-CHAIRMAN WYATT: Are you talking about across the street from the
20 hospital?

21 MR. FURGESS: Yeah.

22 VICE-CHAIRMAN WYATT: The Cracker Barrel?

23 MR. FURGESS: Cracker Barrel. All along there. All that construction going on.

1 VICE-CHAIRMAN WYATT: Right.

2 MR. FURGESS: We approved that a long time ago before I got here or that was
3 already -

4 VICE-CHAIRMAN WYATT: It was already zoned.

5 MR. FURGESS: It was already zoned?

6 VICE-CHAIRMAN WYATT: Already zoned.

7 MR. FURGESS: Okay. I noticed a lot of pocket of those out in that area.

8 MR. GOSLINE: Right.

9 MR. GREEN: You go on the other side of the railroad tract, that was part of a
10 PUD we approved about –

11 MR. GOSLINE: Two years ago. Yeah. Pinnacle Park.

12 VICE-CHAIRMAN WYATT: Two years ago, maybe.

13 MR. GOSLINE: Pinnacle Park Business.

14 MR. GREEN: John Bailey's deal.

15 VICE-CHAIRMAN WYATT: Yeah. That part. But where he's talking about is not
16 - I think it's a Country Inn and Suite, or something, that's going up in there, isn't it?

17 MR. CRISS: John Newman reproduced, for your reading pleasure, the latest
18 version of the '94 Planning Act, which, of course, has been amended since its original
19 adoption with an extension of the effective date and then –

20 MR. GOSLINE: Education last year.

21 MR. CRISS: Mandatory Continuing Education for Planning and Zoning Officials
22 and Vested Rights. Which is an issue, of course, that needs to be taken up under the
23 new Land Development Code before July.

1 VICE-CHAIRMAN WYATT: I'm sorry. Is this part of your Director's Report?

2 MR. CRISS: Yes, ma'am.

3 VICE-CHAIRMAN WYATT: Okay.

4 MR. CRISS: And there is an American Planning Association Audio Conference at
5 the Central Midlands Council of Governments, one in a continuing series sponsored by
6 the COG and City of Columbia and Richland County, February 16th. I think a
7 Wednesday from 4:00 o'clock to 5:00 o'clock over at their offices. This one's a zoning
8 clinic for those of you interested in that topic. Free to anyone who wants to participate.
9 Zoning Clinic, Audio Conference, Central Midlands COG, February 16th, 4:00 to 5:00.
10 And that's all I have, Madam Chair.

11 VICE-CHAIRMAN WYATT: That's all you have? I'd like to make a request of
12 Staff, please. You have handed out a lot of very informative information today. And Mr.
13 Van Dine, Mr. Manning, Mr. McBride, would you please make sure that all this great
14 material gets passed on to them?

15 MR. CRISS: Yes, ma'am.

16 MR. PALMER: And I'd like to find out what's going on –

17 VICE-CHAIRMAN WYATT: I think by doing so that that may, if they'll read it, then
18 meetings from now they won't be reinventing the wheel. So let's make sure they get
19 this information.

20 MR. CRISS: Homework.

21 VICE-CHAIRMAN WYATT: Right! I'll call all three of them and tell them they've
22 got homework.

23 MS. LUCIUS: They got a lot of paper that we got here.

1 MR. PALMER: What's going on with the vesting from the Governor's Office?
2 When do we have to make a decision about it? When do you have to make a decision
3 about that?

4 MR. CRISS: We have to incorporate the Vested Rights Act into our New Land
5 Development Code by July 1st.

6 MR. PALMER: Does that come in front of us or what? Your recommendation, I
7 guess, and then we'll make a recommendation?

8 MR. CRISS: Yes, yes. You will see a recommendation from Staff and you will
9 recommend to County Council.

10 MR. PALMER: When do you propose to have that?

11 MR. CRISS: Hmmm? I don't think we want to wait that long. I think we should
12 aim for April.

13 MR. PALMER: For our meeting in April? Let me know if you want my thoughts
14 on it and give me a call.

15 MR. CRISS: Yes, sir.

16 MS. LUCIUS: Don't stand by the phone. [Laughter]

17 MR. GREEN: Madam Chairman, I move we adjourn.

18 VICE-CHAIRMAN WYATT: We have a motion for adjournment. Is there a
19 second?

20 MR. JACKSON: Second.

21 MR. FURGESS: Second, third, fourth, fifth.

22 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Green; Absent: Van Dine,*
23 *Manning, McBride]*

1 VICE-CHAIRMAN WYATT: Thank you. Adjourned. Mr. Palmer? They might not
2 want your input on that, but I bet you they'd love for you to come down and answer the
3 phone on the postcards.

4 MR. PALMER: I wasn't the one that -

5

6

[Adjourned: 4:10 p.m.]