

RICHLAND COUNTY PLANNING COMMISSION

September 3, 2009

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5 [Members Present: Heather Cairns (in at 1:50); Julius Murray, David Tuttle, Pat Palmer,
6 Christopher Anderson, Deas Manning, Elizabeth Mattos-Ward, and Wes Furgess;
7 Absent: Stephen Gilchrist]

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9 Called to order: 1:00 p.m.

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11 CHAIRMAN ANDERSON: Let's call the Thursday, September the 3rd meeting to
12 order. I'm going to read this into the Record. "In accordance with the Freedom of
13 Information Act a copy of the agenda was sent to radio and TV stations, newspapers,
14 persons requesting notification, and posted on the bulletin board located in the lobby of
15 the County Administration Building." Let's see, looks like we have April and July's
16 Minutes.

17 MS. ALMEIDA: Mr. Chairman, there are some modifications to the Agenda. I
18 hope you were given a new Agenda. No? Okay. The item IV on the Agenda, the
19 Resolution for the Master Plans has been deferred. And the April Minutes have been
20 approved so you're only approving July's Minutes.

21 CHAIRMAN ANDERSON: So we're only approving July's Minutes?

22 MS. ALMEIDA: Correct.

23 CHAIRMAN ANDERSON: Do we have a motion to approve July's Minutes?

24 MS. MATTOS-WARD: I make a motion.

25 MR. FURGESS: Second.

26 CHAIRMAN ANDERSON: We have a motion and a second. All those in favor
27 please signify by raising your hands. All opposed?

1 *[Approved: Murray, Palmer, Anderson, Manning, Mattos-Ward, Furgess; Not voting:*
2 *Tuttle; Absent for vote: Cairns; Absent: Gilchrist]*

3 CHAIRMAN ANDERSON: Also, real quick. I'd like to make a quick
4 announcement. We have a new Planning Commission member, Mr. David Tuttle.
5 Thank you for joining us.

6 MR. TUTTLE: Thank you. Glad to be here.

7 CHAIRMAN ANDERSON: It's a lot of fun. This is probably going to be a quick
8 meeting but I wouldn't get used to that too much. Let's see, road names for approval.
9 Does anybody have any thoughts, concerns, or motions on road names?

10 MR. PALMER: We have the one to take off, the Old Killian Road? Did I miss
11 that during the – did I see that in an email somewhere?

12 CHAIRMAN ANDERSON: Yeah. I thought that was in an email. Is that not in?
13 Is that in here?

14 MR. PALMER: Okay. I see it on the proposed street names.

15 MS. HAYNES: That was put in before the Agenda.

16 MS. MATTOS-WARD: We got it by email I believe.

17 MR. PALMER: I'll make a motion to approve all the names except Old Killian
18 Road.

19 MR. MURRAY: I second.

20 CHAIRMAN ANDERSON: We've got a motion and a second. All those in favor
21 of approving road names please signify by raising your hands. All opposed?

22 *[Approved: Murray, Tuttle, Palmer, Anderson, Manning, Mattos-Ward, Furgess; Absent*
23 *for vote: Cairns; Absent: Gilchrist]*

1 CHAIRMAN ANDERSON: All opposed? Fantastic. Any other Agenda
2 amendments other than the ones we discussed?

3 MS. ALMEIDA: Yes. Case No. 09-11 MA. The applicant is requesting an
4 extension? A deferral to the next Planning Commission meeting.

5 MR. FURGESS: To next month?

6 MS. ALMEIDA: Yes.

7 CHAIRMAN ANDERSON: All right. I guess we'll start with 09-12.

8 MR. PALMER: I think we should make a motion to defer.

9 CHAIRMAN ANDERSON: Make a motion and a second.

10 MR. PALMER: A motion to defer Case No. 09-11 MA until our next month's
11 Agenda.

12 CHAIRMAN ANDERSON: We've got a motion, do we have a second?

13 MR. MANNING: Second.

14 CHAIRMAN ANDERSON: All those in favor of deferring Case No. 09-11 MA
15 please signify by raising your hands.

16 *[Approved: Murray, Tuttle, Palmer, Anderson, Manning, Mattos-Ward, Furgess; Absent*
17 *for vote: Cairns; Absent: Gilchrist]*

18 CHAIRMAN ANDERSON: All opposed?

19 MS. ALMEIDA: There is no further revisions.

20 CHAIRMAN ANDERSON: Okay.

21 MS. LINDER: Mr. Chairman, on page 21 of your Agenda where it talks about the
22 background, the zoning history.

23 MR. PALMER: I think we're on 09-12.

1 MS. ALMEIDA: All right.

2 CHAIRMAN ANDERSON: 09-12.

3 **CASE NO. 09-12 MA:**

4 MS. ALMEIDA: Okay. Mr. Chairman, 09-12 MA. Jonathan Giles. The location
5 of this site is 1161 Olympia Avenue. The site is currently .32 acres. The current zoning
6 is Residential, Multi-Family, High Density and the requested proposed zoning is
7 Neighborhood Commercial. As you can see from the map on the screen it is
8 comparable with the surrounding area. The site contains approximately 200' of frontage
9 along Bluff Road and Olympia Avenue. It's on a basic corner. Staff was out there, did a
10 site inspection. It is close and surrounded by the City of Columbia. It is compatible with
11 the existing land uses. It's, the site is a triangular shaped parcel straddling two roads. It
12 is internal to the existing Olympia neighborhood if you're familiar with the area. The
13 rezoning of the parcel would allow for the existing building that's on the site to be
14 improved and brought into compliance with the current Land Development Code. The
15 landowner Staff feels should be aware that any improvements made to the structure
16 located on the parcel would require compliance with the current Land Development
17 Code and the current Building Code. So he may run into some tight situations with the
18 existing, current Building Code. The limited size and configuration of the parcel would
19 limit the site development as far as we're concerned as far as large and high-density
20 uses. The site does have water and sewer. We feel it is a great site for a
21 Neighborhood Commercial and Staff is recommending approval.

22 CHAIRMAN ANDERSON: We have a couple people signed up to speak.

1 MR. MANNING: I've got a question. Anna, what's the process, I mean, if you're
2 not meeting the development code I know that the Building Code would have to be
3 updated but what does that entail?

4 MS. ALMEIDA: Well current Land Development Code meaning, you know,
5 sidewalks, current lighting standards but this is such a small site it wouldn't been
6 considered a major land development so the lighting really is non-issue. But any
7 current standards that are today in place they would have to bring the site up to
8 compliance, landscaping, etc.

9 MR. MANNING: Okay.

10 MR. PALMER: Is that only if they change the use or if they expand the building?

11 MS. ALMEIDA: If they expand the parking or the building.

12 MR. PALMER: Well what this will basically allow them to do is use the buildings
13 in their current state but change the uses to be anything within the current new zoning?

14 MS. ALMEIDA: Correct.

15 MR. PALMER: As opposed to what? Now they have to just stay what the
16 current business is?

17 MS. ALMEIDA: Right. Right.

18 MR. PALMER: Okay.

19 CHAIRMAN ANDERSON: Any questions to Staff? There are two people signed
20 up to speak. Mr. Giles, do you want to come to the podium, state your name and
21 address for the Record.

22 **TESTIMONY OF JONATHAN GILES:**

1 MR. GILES: I was signing up in case you had questions. I'm Jonathan Giles.
2 My permanent residence is 202 Barrow Way in Taylors, South Carolina. I'm down here
3 with my father a couple days a week. I'm here on behalf of my Dad. This property's
4 been in our family for over 60 years. As a matter of fact when I was born on this site
5 right here I lived in an apartment up above the old laundromat that's there now when I
6 was first born. But anyway the property has been, since Dad has owned it, everything
7 from a Shell gas station, to a restaurant, to it's currently a convenience store, a
8 laundromat behind it, apartments above that, apartments behind it as well. When we
9 went to bankers and so forth and all to build to improve the property as the area has
10 been improving so much the question came up about the zoning and the current zoning
11 on it. It makes it real difficult to, as you guys are aware, to go and secure any financing
12 to do the improvements. And that was the, that was really the purpose why we came to
13 do this. We'd like to improve it to eventually tear the building down here as soon as we
14 can get financing secure and build in compliance would have a much nicer corner,
15 much nicer neighborhood that will be conducive to the mill look, the village of, the Mill
16 Village there. So that's primarily what we are wanting to do. I would like to ask a
17 question if I could too that this gentleman here brought up. If this is changed, may I do
18 that now?

19 CHAIRMAN ANDERSON: Yes, sir.

20 MR. GILES: If this is changed do we have to do anything to the existing
21 buildings until we get financing and all to do the all the new buildings?

22 MS. ALMEIDA: For – you mean a change of use?

1 MR. GILES: No, no. If we continue to have them as they are until, we don't have
2 to go in and do any changes?

3 MS. ALMEIDA: If you do not add parking, if you do not, you know, any sort of
4 major improvements.

5 MR. GILES: Until we submit the new plans, etc. That's clearly how I understood
6 it.

7 MS. ALMEIDA: That is correct.

8 MR. GILES: Thank you. But I'd be happy to answer any questions that you
9 gentlemen and lady may have.

10 MR. PALMER: It would take away the apartment uses though, wouldn't it?

11 MS. ALMEIDA: Currently?

12 MR. PALMER: If they were apartments before they could stay apartments?

13 MS. ALMEIDA: Right. You're grandfathered in at this point.

14 MR. GILES: And to my understanding, sir, the residential commercial will allow
15 for everything that it is now such as the business uses, the apartments above, etc. and
16 a new building.

17 MR. PALMER: Right. Okay.

18 MR. MANNING: Anna, is there an overlay for Olympia historically like some of
19 these neighborhoods have -

20 MS. ALMEIDA: Not currently.

21 MR. MANNING: - guidelines?

22 MS. ALMEIDA: I know the city has some overlays but not the county.

23 MR. MANNING: Do you know whether Olympia [inaudible] requirements?

1 MS. ALMEIDA: We don't have any on record.

2 MR. GILES: Thank you.

3 CHAIRMAN ANDERSON: Sir, thank you. Councilman Washington.

4 **TESTIMONY OF COUNCILMAN WASHINGTON:**

5 COUNCILMAN WASHINGTON: I want to thank y'all for letting me speak on this
6 point. We had committee meetings in the Olympia community. We've looked at the
7 renderings for this site and the community welcomed it. It blended in quite well to the
8 area and it also had a historical significance because of the family. And the family,
9 there were some issues that popped up, the family was willing to make those changes
10 and they did it and it blended in quite well to what the community wanted. And that's all
11 I wanted to make sure you all understood that and that's why I supported it and that's
12 why I was pushing this along. Thank y'all very much.

13 CHAIRMAN ANDERSON: That's all that's signed up to speak. Does anybody
14 have more questions, comments?

15 MR. MANNING: Given the fact that Staff's approved it and there's no opposition
16 to it I think it's a good addition to the community I'd like to make a motion to approve this
17 [inaudible].

18 MR. MURRAY: I second that.

19 CHAIRMAN ANDERSON: We have a motion and a second. All those in favor of
20 sending Case No. 09-12 MA ahead to Council with a recommendation of approval
21 please signify by raising your hand. All opposed?

22 *[Approved: Murray, Tuttle, Palmer, Anderson, Manning, Mattos-Ward, Furgess; Absent*
23 *for vote: Cairns; Absent: Gilchrist]*

1 CHAIRMAN ANDERSON: All opposed? All right. Next case, 09-13 MA.

2 **CASE NO. 09-13 MA:**

3 MS. ALMEIDA: Yes, Mr. Chairman. This parcel is located actually right next
4 door to the existing Westinghouse development, business. The parcel is approximately
5 44.98 acres. I want to correct the Staff Report which under the current background
6 zoning identifies it as Heavy Industrial. It is not Heavy Industrial, it is RU, Rural. The
7 applicant is requesting to have it rezoned to Heavy Industrial which compliments the
8 adjacent parcel that Westinghouse is on. They have, Westinghouse has ideas of
9 expansion and the request for buffering themselves from the surrounding area.
10 [inaudible] the existing roads along Bluff Road and we identified the traffic counts. The
11 area, Bluff Road is classified in this area as a two-lane undivided minor arterial and
12 currently the Level of Service in this area is a Level of Service A. We feel this rezoning
13 is a compliment, we're allowing current businesses to expand. It would accommodate
14 Westinghouse expansion and as shown on your Staff Report on page 22,
15 Westinghouse is the fourth largest employer in the county. The parcel is surrounded by
16 rural which is undeveloped at the moment. The area is forested parcels providing of
17 course the buffer and Staff is recommending approval.

18 CHAIRMAN ANDERSON: Any questions for Staff?

19 MR. MURRAY: Have you talked to anyone from that area about impact it would
20 have? I notice that whatever we have done in the past we've always had folks up here
21 from the Congaree National Park of what impact it'll have on that as far as a runoff or is
22 it going to be any contamination involved in the runoffs? You know, right across the
23 road from the Westinghouse plant at this particular time we have a Superfund site there

1 and that site kind of came down into the area without anyone's knowledge. We had, it
2 got so bad until I was able to drive by and see people who were, the 55 gallon drums of
3 hazardous waste had wasted on their skin and they were peeling off there. So we had
4 to have, we had a court order to, a restraining order to keep them from continuing to
5 bring it in. They were bringing it in from Lexington County down into Lower Richland.
6 We have some serious problems down there with those kind of hazardous sites and
7 Westinghouse has a long ways to go as far as, you know, if, to give you an example.
8 We have Union Camp down there. From the time they started thinking about coming,
9 they came down and of course you had to have public hearings over at McEntire on
10 their arrival and when they were applying for their license and what have you. And we,
11 they came at us straight. I can recall that Westinghouse has a very poor, if you ask me,
12 community outreach program. During the period of time in which I was a
13 Councilmember they didn't try to reach out and keep us informed so that we could pass
14 it on to the people. And as a State Representative I can remember what they did is they
15 would not come and ask me or either try to even set up a line of communication. What
16 they did is that they would go to Representative Joyce Hearn in the state so until we can
17 get some kind of communication going I would think that what we need to do now, and
18 the community knows, some of them know that there is a possibility that it will be
19 rezoned but I am not in favor of rezoning it at this particular time because I think that
20 we're setting up a time bomb. I worry about living in that area and you have a large
21 nuclear plant down there and you're getting larger and you don't know where those
22 terrorists are. I'm kind of like the people who hide behind the trees and say you've
23 terrorists behind every tree down there.

1 CHAIRMAN ANDERSON: Just a quick question, Anna. Has, as far as the
2 [inaudible] goes, I was just going to ask a quick question on to that point, do they have
3 any intent for the use – do they?

4 MS. ALMEIDA: Mr. Chairman, no. Their basic intent at this point from what we
5 are told is to buffer themselves from the surrounding areas. There were some parcels
6 adjacent to this site that were contemplated in being developed as high-density
7 residential. It fell through; it hasn't come through. Clearly they meet the intent of the
8 requirements of a map amendment. We don't require, you know, although it's good
9 policy but there's nothing in our Code that requires them to do outreach. Prior to the
10 map amendment the site was posted and Staff reviewed it and analyzed it and it's
11 before you and there will be obviously a public hearing on the matter.

12 MR. FURGESS: [inaudible]?

13 MS. ALMEIDA: We have –

14 MR. FURGESS: Hazardous waste, whatever.

15 MR. MURRAY: Yeah. Nuclear waste.

16 MS. ALMEIDA: We have no records of any of that knowledge. That's taken care
17 of by DHEC. They are just, they just came in with this parcel as identified requesting a
18 map amendment.

19 MR. MANNING: Is anybody here from Westinghouse?

20 MR. MURRAY: No.

21 MS. ALMEIDA: Yes.

22 MR. FURGESS: Right here.

1 MR. MANNING: I would like to hear what they've got to say and also, you know,
2 regarding plans going forward but also, you know, they are a corporate citizen. I don't
3 know what their track record has been, Mr. Murray explained with the public, but that
4 certainly is an important factor. I do realize that that piece across the street was not
5 Westinghouse.

6 MR. MURRAY: No, it was a -

7 MR. MANNING: The Superfund site had nothing to do with them, I don't believe.

8 MR. MURRAY: No, sir. It just adds on to the acres that's a lost down in that
9 area and will probably never be developed as a result of it because they're still running
10 tests on that particular project now. So it's just wasted land.

11 CHAIRMAN ANDERSON: Well as far as what we're dealing with today
12 unfortunately that particular piece of land is not in front of us. We're dealing with a small
13 strip today. We do have a couple people signed up to speak if there are no other
14 questions to Staff.

15 MR. MURRAY: Well you do have, it's adjacent, it's one block from where you
16 have people living already. One block up the street coming toward Columbia from
17 Gaston and Hopkins. But, you know, I don't mind us trying to come to some kind of
18 resolution with it but naturally right now I am opposed to it.

19 CHAIRMAN ANDERSON: Well we're going to have a couple people signed up
20 to speak and the first person signed up to speak is Brian Pasco. Carl Pasco, I'm sorry.
21 I apologize. State you name and address for the Record.

22 **TESTIMONY OF CARL BECKER:**

1 MR. BECKER: My name is Carl Becker. I live at 123 Toucan Way in Lexington,
2 South Carolina. The name you have on there is the project manager and myself I'm
3 with Carlisle Associates, we're an architectural engineering firm and Gil Page who's a
4 representative from Westinghouse here today. And what we're looking at is the
5 rezoning of that strip of land and Westinghouse is looking at an expansion that would
6 allow them to have some outdoor staging area and around a 10,000 square foot
7 building expansion to their facility out there to accommodate future growth of the
8 nuclear industry and we're involved with the architectural design of buildings and civil
9 engineering in regard to the site's storm water, water and sewer and so forth on that.
10 And what we're doing like I said is a minor building expansion. The majority of the
11 project is an outdoor storage staging area where no hazardous waste or anything would
12 be stored outside of the building and I'll let Mr. Page explain exactly what the folks at
13 Westinghouse do out there, but to assure you and as well as regards storm water
14 contamination and different things that no contaminants of any type of process material
15 would be going into the storm drainage system out there. We've had some initial
16 discussions with Public Works, certainly nothing full scale until we've gone through
17 these meetings out there and our storm water design is certainly going to account for
18 quantity as well as water quality since we're so close to the Gill Creek, within the Gill
19 Creek watershed area and certainly to be good stewards of neighboring properties; not
20 to impede them with any contamination or adverse effects from additional runoff from
21 the development.

22 MR. MANNING: Mr. Becker, could you point out on that plat where the 10,000
23 square foot staging area would be located?

1 MR. BECKER: That is going, if you look at the way the plant is, it's going to go to
2 the upper left, right in there, yes, in there. In that corner right there.

3 MR. MANNING: And –

4 MR. BECKER: And the building, the actual addition to the building, if you'll take
5 your cursor and move it to the right, down, a little more, down a little bit. We're putting
6 in – right there. That's where the actual addition to the building is going to go. They're
7 going to move around some of their security to move a guard shack just for logistics of
8 bringing truck traffic in and out. But the major building expansion is right where your
9 cursor is.

10 MR. MANNING: A 10,000 square foot building expansion is already on existing
11 HI?

12 MR. BECKER: Yes, sir. It is.

13 MR. MANNING: This would be –

14 MR. BECKER: Just a -

15 MR. MANNING: - just an area, no building?

16 MR. BECKER: No buildings out there, no, sir.

17 MR. MANNING: No buildings on that?

18 MR. BECKER: No. None whatsoever.

19 MR. MANNING: Do you need that classification to do a staging area?

20 MR. BECKER: I think by the land use, the way the Code reads, yes, sir, that that
21 would be required to have the zoning amended to that.

1 MR. MANNING: As far as the buffering that was mentioned, how would that
2 work? Obviously you've got a small area within a 44 acre site that – do you plan to use
3 the remaining land to buffer and not use?

4 MR. BECKER: They actually own beyond those borders.

5 MR. MANNING: Right.

6 MR. BECKER: They flank on, considerably on each side with agricultural type
7 property as you can see from that graphic there. And there will be a buffer type. As a
8 matter of fact they have a company use picnic area, recreational area that is on that
9 side. They're endeavoring to leave, identify large grand trees that are identified by the
10 Code which will left standing there in that area. There will be no construction on that
11 side so that will continue to be buffered. There's woods on that side that flank the
12 adjacent property line there that won't, will not be changed. The reason why they're
13 asking for the entire strip instead of doing just a small portion, just allowing them to
14 facilitate them if anything down the road that they would have already gone through this
15 process right now in lieu of having to do it twice at some point in the future.

16 MR. MANNING: Thank you.

17 CHAIRMAN ANDERSON: Thank you, Mr. Becker. Mr. Page?

18 **TESTIMONY OF GIL PAGE:**

19 MR. PAGE: Yes. My name is Gil Page. I work at Westinghouse. I live at, on
20 Platt Springs Road in Lexington, South Carolina. The main purpose of the project for
21 us, I'm the project manager, Brian works with me, the main purpose of the project for us
22 is the safety issue that we have. Since the plant was built in 1968, we take all of our
23 traffic volume through one gate and it's called Gate One and the way that we set up the

1 security perimeters it's like rings of security and basically what we're talking about is the
2 inner ring. With the truck traffic having increased over the years and the trucks have
3 been getting bigger we wanted to move trucks in and out and traffic in and out of our
4 site safely. So by redoing that portion of the site where Carl has pointed to we're
5 installing a South Carolina type grade roadway, some new roadways in there so that we
6 can take 80% of our traffic and move into this area that we're expanding. The rest of
7 the traffic would go with normally and so what we're trying to do is we're trying to create
8 a traffic loop around that site, around that facility so that we always have trucks going on
9 a different path than we have trucks coming in. We have our employees separated
10 from the industrial traffic. So the primary goal for us is a safety goal and keeping people
11 safe on our site. The building expansion is within the existing zone. The staging area
12 that we're putting in is a large concrete pad and that's going to be used to kind of stage
13 trucks. While we're doing all this modification we're also working and making sure we
14 can get emergency vehicles in and out because right now everything goes through that
15 little funnel. So we want to make sure that everybody can move freely around the site.
16 And I have to apologize that we haven't outreached as much as we can because I was
17 purchased through ABB(?) and we had a big outreach program. So I'll bring that back
18 to the plant manager and make sure your comment is heard so I appreciate your
19 comment. The rest of the building that we're doing is a couple of sheet metal buildings
20 that are on site within the zone. We're expanding a little bit for some maintenance and
21 repairs. And that's basically what we're doing. The security zone, the inner ring is
22 going to grow a little bit and that's going to be handled with a license change with the

1 NRC and making sure that we tell the federal government everything that we do on that
2 site, so. Is there any questions?

3 MR. TUTTLE: I have one. About your comment about the outreach, would you
4 be willing to do some outreach with the community relative to your plans and so forth so
5 they're not blindly seeing something change and, and being scared of what the
6 consequences could be?

7 MR. PAGE: Oh yeah. I don't have an issue talking to people. I mean, we do a
8 lot of work in the local community with the school system. We have a lot of employees
9 and at the employee level there's a lot of people that go out in the community but
10 obviously we missed some communication opportunity that we could have had and that
11 kind of saddens me because those are things that we need to get better at obviously.
12 But yeah, I'd be willing to come out to the community and speak with people.

13 CHAIRMAN ANDERSON: Thank you, Mr. Page.

14 MR. PAGE: Thank you.

15 CHAIRMAN ANDERSON: Councilman Washington?

16 **TESTIMONY OF COUNCILMAN WASHINGTON:**

17 MR. WASHINGTON: Again, this item's in my district. I got aware of some issues
18 once the sign went up for zoning change. Some people had called me. The reason it
19 was on the, I couldn't keep on top of it was because of the smoking stuff and all this
20 other stuff that was going on at the time. But historically for whatever reason mission
21 creep starts getting in when we start doing zoning changes like this. We say it's going
22 to be for a certain usage then all of a sudden we start using it for something else. We
23 just talked about that earlier today. I toured the site and I was assured by

1 Westinghouse what they're going to do but the community is viewing this totally
2 different. We got SCANA down there about to put a ash dump on us. International
3 Paper has been dropping into the river, we've been finding that out. We got a lot of
4 environment issues in our district, in my district. And when you talk about a nuclear
5 plant expansion I don't care if it's just cutting some trees down and putting a field out
6 there for some trucks to park, people are afraid of that. They're afraid of the mission
7 creep; once you get it zoned you can do other things with it. I agree with Mr. Murray.
8 Westinghouse has not been friendly to the community with regards to reaching out.
9 Now I give IP their props, they have over historical, historical records show that they've
10 been reaching out. SCANA has not as well and I've made that perfectly clear to
11 SCANA. The only reason you're coming into the community now because you want to
12 put an ash dump. You didn't talk to us before. And in this case Westinghouse has
13 done the same thing. Now I'm going to recommend that you all deny it, not deny it but
14 defer it so we can have a meeting in the community so just to ease some concerns.
15 Because the presentation they gave me was an excellent presentation if that's what
16 they're going to use it for, the truck staging, and I understand that. Being a traffic
17 person I understand getting those trucks off of Bluff Road and having a location to
18 stage. I have no problem with that. But they need to speak to the community directly
19 and assure them that nothing else is going to come back up on them. Again, we've got
20 a Superfund site across the street and that's constantly being monitored and these rods
21 and you know we're getting ready to put a plant up in Jenkinsville. We're putting plants
22 all over the world and that's where they're staging and that's what their plans are. And
23 also their plans may be, and I don't know what those plans are, to do other operations

1 that we cannot see right now. But that has to be cleared up right now before we make
2 this decision. Thank you very much.

3 MS. LINDER: Mr. Chairman, I request an Executive Session for the purpose of
4 my dispensing some legal advice to you.

5 CHAIRMAN ANDERSON: Sure. Go ahead and [inaudible]

6 *[EXECUTIVE SESSION]*

7 MS. LINDER: Mr. Chairman, I'd like to report that the Planning Commission went
8 to Executive Session to receive legal advice. No action was taken in that meeting.

9 CHAIRMAN ANDERSON: Thank you. That's all that signed up to speak on
10 Case No. 09-13 MA. Do we have any comments, questions for Staff?

11 MR. PALMER: I do. Was the lady, and I don't know her name, who shows up
12 for almost every rezoning with the Congaree National Forest with the water quality
13 issues and all that, was she not contacted? Did she not want to come to this meeting
14 with the expansion of a nuclear plant right by the [inaudible] water system?

15 MS. ALMEIDA: Mr. Palmer, we don't contact applicants. We post the property
16 and it's advertised in the paper and it's up to everyone's free will whether they attend
17 this meeting or not.

18 MR. PALMER: Okay.

19 CHAIRMAN ANDERSON: I also just want to make something clear. This is a
20 straight rezoning. We can't hold the applicant to what your, what they are saying. Let's
21 just be real clear on that. If they say they're going to build X we cannot hold them to
22 that on a straight rezoning. So I just wanted to be real clear with that.

1 MR. MURRAY: And I would like to be clear on saying that until more information
2 is given I would be reluctant to even go forward on that as far as rezoning is concerned.
3 If you've got what you need to work with, you work with that. I've had a security
4 clearance for about 50 years and I dealt with all of this stuff, your nuclear and the rest of
5 them. And I, until such time as we can get a better handle on this I sure don't want – I
6 don't want a prison next door to me but I accept a prison but to have what they're doing
7 down there in an area in which I grew up in and lived all my life, you have a lot of rural
8 people down there and a lot of times things in which we apply for, just to give you an
9 example, I've sat here and there have been times when you want to cut the area down if
10 someone apply for a rezoning and they have five acres you cut it in half. And then you
11 have to go through a needle, a pin to get it. So until such time as we have a better
12 understanding of what's going down there I would be opposed to it. The majority of the
13 land down there now is contaminated in some way and pretty soon, if I lived over in
14 Calhoun County or Orangeburg County I might feel a little different about putting
15 something on people but you just don't put it on us like that.

16 CHAIRMAN ANDERSON: Just so we're clear too, you know, the standards that
17 are upheld DHEC upholds all those standards. You know, when I'm looking at this
18 Westinghouse already exists right there. And I understand the need to community
19 involvement; that's very, very important. There was proper postings, proper postings
20 were put out; correct?

21 MS. ALMEIDA: That is correct.

22 CHAIRMAN ANDERSON: The paper, everything was posted properly and, you
23 know, when I look at this I think it's real important that I also look at the fact that this is a

1 large employer and I do agree that that employers needs to have some type of
2 community outreach within the area neighbors. But as far as this parcel of property, this
3 small sliver of property, I mean, it is, I tend to look at the Staff's recommendation and
4 tend to agree with it at times. You know, I'm a little torn. Honestly I don't like the
5 community outreach aspect of it. But as far as the actual land use it is a contiguous
6 piece of land.

7 MR. TUTTLE: Can I ask a question of Staff? Would there be an opportunity to
8 defer and ask the applicant to hold a community meeting? Is that within our bounds, to
9 educate them on what their intentions are?

10 MS. LINDER: That is certainly within your discretion as a Planning Commission
11 Member.

12 CHAIRMAN ANDERSON: Would the applicant need to defer or the applicant
13 ask for a deferral?

14 MS. LINDER: No, sir. You as a Planning Commission can defer.

15 CHAIRMAN ANDERSON: Okay.

16 MR. MANNING: I've got a question. Were there any plans to provided to you? I
17 think y'all indicated you had some site specific drawings. Councilman Washington
18 indicated he had seen some, had some discussions. Is there anything that was
19 provided to Staff that -

20 MS. ALMEIDA: Staff did, they did provide one of the initial pre-meeting to
21 discuss the map amendment but there has not been any formal submission or anything
22 like that and it's conceptual in a straight rezoning it's -

23 MR. MANNING: And I understand the Chairman's point about -

1 MS. ALMEIDA: Yes.

2 MR. MANNING: - you know, this is a straight rezoning and you can't hold
3 somebody to that later but at the same time we do rezone property a lot where we have
4 to trust the applicant is going to do what they say. You know, there are situations that
5 we don't and they go to a PDD or a development agreement or something that would
6 clarify the use. But going back to what is being asked today, the 10,000 square foot
7 building can be done whether we do anything here today or not.

8 MS. ALMEIDA: That is correct.

9 MR. MANNING: The only question is is what happens with the staging area and
10 the buffers that would be imposed in that 44 acre tract. On the surface it certainly
11 appears that it is something that would not negatively impact the operations of the
12 community but at the same time the community is apparently unaware of that. There's
13 concerns being voiced from the community. This should be a real simple issue to
14 overcome. I don't think that this is a major expansion of the production facility that
15 would – it doesn't appear to be. So I agree with Mr. Tuttle that if we could defer this and
16 get to the community on a short period of time and explain to them what's being done I
17 think it may make the next step a lot easier to go through than the, just to have the
18 confusion involved in the actual [inaudible] with Council. But they are a corporate
19 citizen. I appreciate their efforts and employment in this community and I'm very much
20 in favor of the outgrowth and expansion in that area for this community and so I
21 recognize the dilemma they've got coming forward today and we ask, you know,
22 possibly ask them to make a deferral but I think that it may impact the outcome in a
23 better way down the road.

1 MR. TUTTLE: Mr. Chairman, if I could I'd like to make a motion that we defer 09-
2 13 MA. A question - how would I phrase that, because I want it to be contingent upon
3 them having a meeting with the community?

4 MS. LINDER: You could make a motion to defer it to the next Planning
5 Commission meeting subject – well and then just request that the applicant present
6 information back to you that the community outreach has taken place.

7 MR. TUTTLE: Okay. I would like to defer Case 09-13 MA to the next Planning
8 Commission meeting and ask the applicant to have a community outreach to educate
9 the community on their plans.

10 CHAIRMAN ANDERSON: We have a motion, do we have a second?

11 MR. FURGESS: Second.

12 CHAIRMAN ANDERSON: We have a motion and a second. All those in favor of
13 deferring Case No 09-13 MA to next month's meeting, please signify by raising your
14 hand. All opposed?

15 *[Approved: Murray, Tuttle, Palmer, Anderson, Manning, Mattos-Ward, Furgess; Absent*
16 *for vote: Cairns; Absent: Gilchrist]*

17 CHAIRMAN ANDERSON: I think that'll be deferred to October's meeting. And
18 on to the next case or, let's see, looks like that's it for our cases. We're moving on to
19 Text Amendments. Yes, sir.

20 MR. KOCY: Thank you, Mr. Chairman. This next Text Amendment is out of a
21 response to and a concern from several Councilmembers. You might remember earlier
22 this spring the state had a bit of a budget dilemma and there was concern that the state
23 might sell off some parkland to balance the budget and when we looked at our zoning

1 maps all of our park land in the county, county parks, state parks, there's an underlying
2 zoning to it. We don't have a park zoning. Sesquicentennial Park is zoned Heavy
3 Industrial.

4 MR. MANNING: Which park?

5 MR. KOCY: Sesqui Park is zoned industrial. So theoretically if the state decided
6 to sell Sesqui Park we could have, you know, Michelin's Midlands Tire manufacturing
7 facility there and there's nothing you or I could do to stop it. So meeting with my
8 colleague here Ronnie Kinent from the Parks and Rec Commission and we met with
9 state parks representatives and we looked at what other states and counties do. Many
10 people do use a park and recreation zoning. A, to protect the land in case it is sold to
11 make sure that an industrial site doesn't pop up because that's the underlying zoning,
12 but also to put a variety of uses on the parks and recs zoning to avoid Ronnie from
13 having to go to the BOZA Board monthly when he wants to add a ball field or add a
14 snack bar or add a swimming pool because the underlying zoning won't support that
15 stuff. So Amelia looked to several states and compiled what many people use for a
16 parks and recreation districts and the allowable uses and that's what's before you today.

17 MR. MANNING: Mr. Kocy, one thing that I'm a little bit concerned about. I
18 understand the need to add the uses in but if you were a private gym is there any down
19 zoning element to this? I mean, there are recreational facilities that, and buildings that
20 don't necessarily co-exist with green space and we're trying to promote green space.
21 And I'm worried a little bit about, from the private side, if there is any element of this it
22 would impact that if you had a, something that was considered a recreational facility

1 would there be a down zoning to parks and recreation, if you had a General
2 Commercial?

3 MR. KOCY: No. This zoning category would be used only for existing county
4 and state parks and recs. No we're not going out to, I am certainly not proposing to go
5 to Gold's Gym and suddenly call that a parks and rec district, no. This is only to go
6 back and apply to existing county and state owned lands in the county and rezone those
7 as a P&R zoning. For instance to turn Sesquicentennial State Park zoning from Heavy
8 Industrial to parks and rec zoning.

9 MR. PALMER: Mr. Kocy, while I understand your intention there's no way to
10 classify the zoning so that couldn't be used for that purpose. Once it's in our zoning
11 classifications it can be applied for by anyone or implemented by Council -

12 *[Ms. Cairns in at 1:50]*

13 MR. KOCY: That's correct.

14 MR. PALMER: - [inaudible] parcel?

15 MR. KOCY: That's correct.

16 MR. PALMER: So while that's not your intention that very well could be what
17 occurs in the future.

18 MR. KOCY: It certainly wouldn't be an initiative of the Planning Department to go
19 out and zone people's – yes, someone might want their property zoned parks and rec
20 and that would be allowable and it would give them the ability to do tennis courts or
21 swimming pools or hiking trails or all this stuff, yes.

22 MR. PALMER: And while you're the Planning Director that may not be the
23 intention but planning directors come and go and the next planning director may take it

1 under his purview to want to do that. That's the problem that I have when we make new
2 zoning classifications and we try to make them specific for intended uses but what we
3 do is we put them in the Code and make them then eligible for either Council to initiate,
4 the landowner to initiate, Planning Director to initiate, or Planning Commission to
5 initiate.

6 MR. KOCY: And what's the downside to that with this particular zoning
7 classification?

8 MR. PALMER: Because it's the same thing that happened when we had the
9 whole issue with the TROS district when Council decided to implement those down
10 zonings on parcels when they very much did not wish to do that.

11 MR. KOCY: Okay.

12 MR. PALMER: That's the downside to it.

13 MR. MANNING: Is there, you said state and local properties.

14 MR. KOCY: Correct. And actually feds too. We met with the Congaree Park.

15 MR. MANNING: And [inaudible] specific, I mean, does it actually say that in the
16 ordinance?

17 MR. KOCY: This just creates the zoning category. Once the zoning category is
18 made we would come back to this Board with the actual property tax map locations of
19 the properties that this zoning would be applied to.

20 MR. MANNING: All right. And going back to what Pat said, I know what your
21 intention is and I think that's fine. I just do worry about you may have a racquet club
22 that is on existing commercial property. I don't want to see a down zoning come to
23 them later and that would be my only concern.

1 MR. KOCY: That's not our intent.

2 MR. TUTTLE: To Mr. Manning's point is there a way within the ordinance to limit
3 it to governmental property?

4 MR. KOCY: I'll defer to legal counsel on that.

5 MR. PALMER: Can you make the zoning classification only for government
6 owned parcels?

7 MS. LINDER: I don't know an official answer to that question but my first
8 response would be no that we would not want or could not do that.

9 CHAIRMAN ANDERSON: To Mr. Tuttle's point, I mean, what would be the –
10 let's just say we have a rezoning medium density and we've got houses all around and
11 then we have a common area in the middle with playgrounds, parks. The developer at
12 one time, you know, had that planned to be built out and as we know Council and Staff
13 can go in and say boom we want that to be TROS so that, yeah, I know that's a takings
14 issue but I just don't want there to be a zoning classification to where Staff can go in
15 and say well we want this, half of this common area now – is there a tool for a proactive
16 rezoning, because we already have TROS as a, you know, we have that as a fallback
17 and why couldn't that be incorporated into TROS?

18 MR. KOCY: This allows for many more development options than TROS does. I
19 mean, you go through this list most of these activities require a facility; indoor/outdoor
20 recreational court, ball fields, club houses, gyms, fitness centers, meeting rooms, health
21 education classes, pools. And the next page, museums, historic displays, pavilions,
22 restroom facilities, concession stands, press boxes. There's a lot of development here.
23 This is not an open space provision. This is an active recreation classification

1 describing many of the uses we have. Perfect example is any time Ronnie wants to
2 expand or add something to an existing park it takes him an additional 90 days to do it
3 because he has to go to the BOZA because many of the things he wants to do the
4 underlying zoning won't support.

5 MR. MANNING: And I'm not so concerned about the neighborhood parks. Most
6 of those are designated and delineated common spaces that –

7 MR. KOCY: Correct.

8 MR. MANNING: - go along with the Planned Unit Development or your layout.
9 But I am concerned about overreaching, the potential for overreaching into private
10 commercial area. I know there's numerous recreational facilities or what we consider
11 recreational facilities that are sitting on prime commercial property on, you go out 378
12 there's some places out there that are not golf courses, you know, are already under the
13 rec plan that this be used in a way to get those to remain -

14 MR. KOCY: It's not the intent.

15 MR. MANNING: So –

16 MR. PALMER: But we deal with intent all the time and we can't go with intent
17 we've got to go with what a worse case scenario would be.

18 MS. CAIRNS: Well let me ask one – I apologize for arriving when I did. In the
19 concept of having zoning is it common for there to be a zoning classification like this in a
20 bucket of choices?

21 MR. KOCY: Yes.

22 MS. CAIRNS: And we do not yet, we do not have one?

23 MR. KOCY: We do not have one, correct.

1 MS. CAIRNS: So to a certain extent this is just to allow standard zoning to occur
2 in a standard manner as almost all jurisdictions have the ability to do?

3 MR. KOCY: Correct.

4 MS. CAIRNS: Because right now if somebody has a recreational use right now
5 there's really nothing that it fits into?

6 MR. KOCY: That is correct. There is no zoning classification. Any time Ronnie
7 wants to add a volleyball court or a soccer field or do a rec complex there is no zoning
8 that allows that by right.

9 MS. CAIRNS: Okay. But, I mean, from a large standpoint this is just to simply
10 make sure that Richland County zoning includes a classification that's normal, typical,
11 and average?

12 MR. KOCY: That's correct.

13 MS. CAIRNS: Okay. And it recognizes uses that any community would want to
14 have within their -

15 MR. KOCY: And it provides a safeguard that if their Rec Commission or the
16 state or the feds decided to downsize and get rid of a parkland that you would not see
17 unwanted or unexpected inappropriate uses in a community because the base zoning
18 would not be industrial or high density or commercial, it would be parks, parks and
19 recreation. So it would give the community time to weigh in on a rezoning for a non-
20 park use.

21 MR. TUTTLE: But, you know, you take examples like Rockbridge Country Club
22 and some of the other golf course areas that over time the highest and best use is no
23 longer a golf course. We've already demonstrated that the county has the ability to

1 force a zoning on a private golf course so my concern would be with this what would
2 cause you not to make Rockbridge Golf Course a park and then devalue the land and
3 then it's no longer viable as a golf course and then it's there. I get it for the
4 governmental stuff. I just don't know how to separate the governmental from the
5 private.

6 MR. KOCY: It's not my intention nor is it the Planning Commission's intention to
7 ever bring, the Planning staff's intention to bring private golf courses under this zoning
8 classification.

9 MR. PALMER: But it's happened.

10 MR. KOCY: If we did it would come before this Board and you would have a
11 chance to weigh in and express your displeasure over the inappropriate use of a Park
12 and Rec zoning that was not in the intended use.

13 MR. PALMER: That's fine but then it would go in front of Council with the
14 recommendations of Staff and then the recommendation of the Planning Commission
15 which we see all the time, two separate recommendations. So while that's a case, you
16 know, that doesn't hold water. I mean, I would perhaps have more faith in that
17 statement if I hadn't just witnessed the arguments back and forth about Council
18 proactively down zoning parcels of property around this county against the will of the
19 property owner. And that's what I see has the potential to do here as well and I'm just
20 not in favor of that.

21 MR. KOCY: Duly noted.

22 MS. CAIRNS: Is there not sort of the issue of the fact that as a zoning
23 recommending Body and as a zoning Staff that while the private individual property

1 owners' interest are of importance they're not the sole and driving force that the public's
2 interest in having land use that is compatible with the quality of life and socio-economic
3 stability is also what the Staff takes into account? So I would say while an individual
4 landowner may feel that the Staff is, or and/or Council is proactively doing something
5 against them they have the charge and responsibility to take into account the public's
6 interest and that that was I think some of what was behind some of the golf course
7 rezoning was to respect the land use patterns and the, you know, not the intent *per se*
8 but just, you know, what was best for the community. While that may a cause and
9 impact on an individual property owner's land that's reality of zoning. You know, so I
10 think that, you know, while what we're being asked to do is simply allow for there to be a
11 zoning classification that's normal, standard, and typical so that land that's, is what it is
12 can be zoned appropriately, I have a hard time finding that to be offensive.

13 MR. PALMER: We just fall on two separate sides of the land rights issue.

14 MS. CAIRNS: Well I think as a public zoning sayer, I mean, we're not a deciding
15 body certainly, we are charged with the public's interest at least to equal to anybody
16 individual and I would say if anything it's our responsibility to take into account the
17 public's interest above that of an individual property owner because that's why we sit
18 here on a public body.

19 MR. PALMER: Is there a mechanism right now for – I don't mean to call your
20 Ronnie, that's just all I've ever -

21 MR. KINENT: That's fine.

22 MR. PALMER: Is there a mechanism now for you to do what you need to do in
23 your parks?

1 MR. KINENT: Well to be honest, Ronnie Kinent, Director of Sport Operations,
2 Richland County Recreation Commission, I appreciate the opportunity to speak before
3 the Planning Commission this afternoon. Good to see everyone. Currently property
4 zoned by the Richland County Recreation Commission fall under 10 different zoning
5 districts. This is confusing and it often requires the Commission to file for special
6 exemption in status in requesting permits to make park improvements. As we buy a
7 piece of property as we're undergoing right now with the current bond issue and we've
8 already made some purchases, the public wants us in their neighborhood. They come
9 and they ask me why is it taking so long to develop the park? I'm going through
10 permitting; I'm going through zoning. Why is that? It's a park; that's the rules. You
11 know, not, just to be truthfully honest folks, there's not a good fit for us right now.
12 There's not a zoning district for a park. And basically the development of a PR or Parks
13 and Recreation zoning district would allow the Commission to make many
14 improvements to Commission owned properties without going back and asking for
15 permission again. It's already a park. Jeez, I have a ball field, can I put lights on it
16 now? Wait a minute we've got to go through a special exception. Jeez, we have the
17 [inaudible] and now we want to build a press box there. Oh, well, wait a minute, we've
18 got to go through a special exception. So these are just the problems that I run into with
19 doing this and, you know, right now we have I guess approximately, we have 54 park
20 sites some of those are joint uses, some are with schools. We have 28 Commission
21 owned properties. And we don't always have the money up front. Sometimes it comes
22 through grants to develop properties. We do it in phases and so this is just an ongoing,
23 continual process of as we get the funds we develop to a point and then we have to

1 stop. Then we have to go back and go through permitting again. And it just
2 complicates the process. And of course myself personally I'm interested in, you know,
3 protecting the park properties we have, you know, for future generations and that's the
4 challenge that some of the patrons have out there given me.

5 MR. TUTTLE: I have a technical question for Staff. Would a PDD not be an
6 appropriate zoning type if you were planning a park long range that you could figure all
7 your uses and compile them under your PUD or PDD?

8 MS. ALMEIDA: The cost of doing that and the timeframe and the documentation
9 that would have to be collated and put together and the traffic reports. It just for a
10 simple park would be, we're not putting together a complex of great size like the county
11 is proposing. These are just pocket parks, these are neighborhood parks, these are,
12 many existing already. And due to the grant expiring and, you know, time is of the
13 essence and it does become a situation.

14 CHAIRMAN ANDERSON: Well to that point there are a lot of things on here
15 uses that are not just slides and swing sets. We're talking batting cages, museums and
16 historic displays, swimming pools, golf courses, driving ranges, batting cages. Those
17 aren't swings and slides.

18 MR. KOCY: Correct.

19 MR. KINENT: That's correct. That is exactly correct. And that leads back to the
20 problems we have. The public comes to us and they expect to see, you know,
21 development happen the way they want it and we have to say, whoa, wait a minute.
22 And I really can't explain to them why we can't put a ball field beside a ball field on
23 property we already own when everybody in the neighborhood wants a ball field there.

1 You know, it's hard for me to explain, well gee whiz, I'm sorry, we got hung up on the
2 batting cages [inaudible] got a back stop here, we've already got fence. I'm sorry.
3 We've got to go through this to get this approved before I can do it. I mean, it's really
4 very difficult for me and your folks do a great job, you know, looking out for us to make
5 sure we do things correctly and we follow all the ordinances and the controls on lighting
6 and everything like that too but it's something that just, I get hammered with a good bit.

7 MR. MANNING: Is there any classification that would allow most of these uses?

8 MR. KOCY: Currently, no.

9 MR. MANNING: [Inaudible]

10 MR. KINENT: We're like in 10 different in zoning designations now.

11 MR. KOCY: And the up, the downside to try to fit this into an existing zoning
12 category is all of our existing zoning categories allow for a lot of commercial activities
13 not park related and that was, this is in response to the Council's fear if a 10 acre parcel
14 ceases being a park because there's underlying commercial zoning it gets the
15 neighborhood in an uproar. This prevents this from happening. This allows for
16 recreational uses but you couldn't, Ronnie couldn't sell a 10 acre park tomorrow and
17 open a grocery store because someone offered him a price he couldn't refuse.

18 MR. PALMER: Which goes to my point, Mr. Kocy, that, you know, parks some
19 may be privately owned, some Rockbridge Club for example –

20 MR. KOCY: That's a club, that's not a park.

21 MR. PALMER: This has clubhouses in it. I can very easily see, I could very
22 easily see the Council saying these are community organizations just like the ones that
23 are owned by the Rec Commission and owned by the state. These are for the

1 community, the community has a certain expectation that these stay a certain way just
2 like the golf courses in Windermere and Wildewood and everywhere else. That
3 expectation that it stays this and we don't want the developer not making it a community
4 organization anymore but we want them to have to come back in. It makes sense for
5 them to come back in and go through the vetting process again just like with the golf
6 courses. The same argument would apply to anything with this as well that's a
7 community type based area. And if I hadn't had seen it within the last year [inaudible]
8 recently occurred I would be in agreement with you. But I just saw the exact same thing
9 happen.

10 MS. CAIRNS: And last year when that happened with the golf courses weren't
11 there certain golf courses that were actually left out of being rezoned because of the
12 concerns of the property owner? Like wasn't it North something?

13 MS. ALMEIDA: Yes.

14 MS. CAIRNS: I play golf honest but I can't remember the name of the courses.
15 You know, so even in that situation there were parcels that simply said today we're a
16 golf course but, you know, we don't fall into that thing where the community has come to
17 rely on us being a golf course and the property values around us are dependent on that.
18 Like North Ridge; is that what it's called or something?

19 MR. PALMER: Northwoods. But that's because that's where the business park
20 is.

21 MS. CAIRNS: Right. But, I mean, so we've already seen an example where
22 while Council's efforts to rezone all the courses didn't result in that happening. And I
23 mean, if the fear is, you know, if you don't make a zoning classification because

1 somebody somewhere might do something that injures that well to me I hear that it's
2 just sort of a fundamental, we shouldn't even have zoning, we just simply let property
3 owners do whatever is best, and that's not why we're here. We are a recommending
4 body on zoning. We have a Zoning Department and I think we have to respect zoning
5 as a valuable thing for the community.

6 MR. PALMER: Absolutely.

7 MS. CAIRNS: And so I mean, I think that your concern is that there would be
8 some forced rezoning that property owner and everyone else would have an opportunity
9 to weigh in and that property owner would be given ample opportunity to present why
10 that is not a situation where it's an appropriate thing and we saw the exact thing happen
11 with the golf courses.

12 MR. PALMER: But we're not in a case here where somebody doesn't have the
13 ability to do what they want to do. There's a mechanism in place, the Rec Commission
14 and any park can do what they want to do there's just steps to be done to make that
15 happen just like with any other developer that comes in here has to do things. There's a
16 mechanism for it to happen, some are more tedious than others but there's still a way
17 for it to happen.

18 MS. CAIRNS: Yeah but there's, I mean, it's perfectly normal and appropriate to
19 have a Parks and Recreation district with, inside your zoning purview and I think that
20 there's, you know, we're relying on special exceptions to accomplish something that's
21 normal and standard, you know, special, you know, you have to be careful because like
22 the Board of Zoning Appeals can't grant a use that isn't allowed. It has to require a
23 zoning change and if there's no zoning classifications well then you have to change

1 special exceptions. You know, if some use comes forward that's normal and standard
2 like, you know, I don't know whether the things like those roller skater park, the skate
3 boarders and stuff like that. I mean, somebody may be able to come in who doesn't
4 want a stake board park in their neighborhood and argue that the special exception that
5 maybe sort of kind of fits really doesn't and kneecap it. Whereas under, you know, a
6 Parks and Recreation district it would be pretty normal to say well a skate board park,
7 you know, would be a, you know, an understandable use. So what you're doing is
8 you're forcing the Parks and Recreation to go into a special exception system which is
9 narrowly construed if someone were to challenge it as opposed to a zoning
10 classification which would be recognized as breathing and growing. I don't think that it's
11 fair example and I think it's perfectly normal to have a Parks and Recreation district as a
12 part of one of your zoning choices.

13 MR. TUTTLE: Mr. Kocy, if I could ask a question. If I were to build a golf course
14 community tomorrow I would have an option if this passed to designate the golf course,
15 the way I understand it TROS, this new ordinance or incorporate it in my PDD?

16 MS. ALMEIDA: Correct.

17 MR. TUTTLE: Right?

18 MR. KOCY: I could answer yes to two, I'm not familiar with the TROS. Nobody's
19 used it since I've been here.

20 MR. TUTTLE: So I could build a golf course, build houses around it, designate it
21 as a park and then build batting cages –

22 MR. KOCY: Swimming pool.

23 MR. TUTTLE: - put a museum?

1 MS. ALMEIDA: Yes.

2 MR. TUTTLE: All down the fairways?

3 MR. KOCY: Yep.

4 MS. ALMEIDA: Sure.

5 MR. KOCY: If you wanted to.

6 MR. TUTTLE: There's nothing anybody could do about it?

7 MR. KOCY: Nothing anybody could do about it. Probably wouldn't have many
8 golfers on it. If they were teeing off next to a [inaudible].

9 MR. TUTTLE: No, no. But after the [inaudible] or you couldn't make a go of it
10 financially with the golf course –

11 MR. KOCY: That's correct.

12 MR. TUTTLE: - then you could in turn – well doesn't that work contrary to what
13 you spent time on a few years ago with the TROS?

14 MS. CAIRNS: Well it depends on whether, I think you see a batting cage as the
15 same as a 7/11. I mean, there might be those who would.

16 MR. TUTTLE: Well clearly if I build on the fifth green and the intention of the
17 TROS was to protect that and you build a batting cage I would think that would be a
18 significant –

19 MS. ALMEIDA: Mr. Tuttle, you can develop a golf course in any zoning district.

20 MR. TUTTLE: Correct. But now with this new classification I could do it as a
21 park district and it could morph into any of these other things?

22 MS. ALMEIDA: You could.

23 MR. TUTTLE: Where under any of the other classifications it could not?

1 MR. KOCY: It could morph into the underlying zoning.

2 MS. CAIRNS: It could morph into the underlying zoning; right.

3 MS. ALMEIDA: Right.

4 MR. TUTTLE: But if I was building it from scratch –

5 MR. KOCY: You could build a golf course from scratch in the Heavy Industrial
6 zone and if the golf course didn't work out you'd still have Heavy Industrial zoning and
7 you could put up a Michelin tire facility.

8 MS. ALMEIDA: Correct.

9 MR. KOCY: There's nothing anybody could do because that's what the
10 underlying zoning supports. With this Parks and Rec you couldn't put up a tire facility.
11 You could do a batting cage, maybe a skate park, maybe a swimming pool if the golf
12 course didn't work out.

13 MR. MANNING: From a legal standpoint could you restrict the use of this
14 classification to people who only apply for it? In other words eliminate the problem that
15 we kind of witnessed in -

16 MS. ALMEIDA: No.

17 MR. MANNING: - the other?

18 MS. ALMEIDA: When you do a master plan and comprehensive plan –

19 MR. MANNING: Well, I mean –

20 MS. ALMEIDA: - [inaudible] land use –

21 MR. MANNING: - there are recreational facilities sitting on commercial pieces on
22 378 and other places that fully will outlive their economic life and they will convert and
23 they're private, and I guess the question becomes do we or does the Council take it

1 upon themselves to downgrade that because somebody in the community thinks it's
2 theirs and it's not or, I want to accommodate what Ronnie's going through. I understand
3 that dilemma but at the same time I'm concerned about this being used as a tool for –

4 MS. ALMEIDA: Well those are the powers of Council.

5 MR. MANNING: - [inaudible] down the road. Say if we could figure out how to
6 do this where it didn't – couldn't be used -

7 MR. KOCY: Mr. Manning, the Rural district could be used as a tool by Council
8 and me to downzone anybody's property. So I don't fully understand the fear that this is
9 going to be a weapon to punish people.

10 MR. PALMER: Because this is a good thing. This is a good thing for the
11 community to have a park?

12 MR. KOCY: Exactly, exactly.

13 MR. PALMER: [inaudible] the property owner who's being rezoned like just what
14 happened with the golf courses.

15 MS. CAIRNS: Well but there, I think, you know, the golf course – it's my
16 understanding and having been to some of the public meetings that the golf course
17 initiative actually came from the residents who live near there who had bought homes
18 that appeared to be part of a common plan that included a golf course and so while you
19 want to say that there was this negative thing of this TROS on the golf courses I think
20 we could probably fill this room with people who absolutely supported that and whose
21 property values and purchasing of their homes was integrally linked to that golf course
22 being there. So that is a different situation than a bowling alley or a, you know, an area
23 right now that happens to be a recreational use in an area that's otherwise surrounded

1 by commercial. I mean, that golf course issue is actually a national issue that many
2 communities are dealing with –

3 MR. KOCY: Right.

4 MS. CAIRNS: - and so I really don't think it's a parallel and to say that that was a
5 bad thing that occurred I think is narrowly construing what occurred during that whole
6 golf course phenomenon.

7 MR. MANNING: You are correct about the people living around it and the values
8 being impacted. The, most of those clubs though had covenants in place that
9 disallowed them from doing that anyway. I mean, it short-sheeted this process, I guess
10 we avoided a lot of lawsuits out of it but, so I think that in large, in many instances it was
11 a good thing but going back to this we are looking at commercial, I mean, recreational
12 uses as a part of this and some of those are privately administered. I just, I do fear that
13 that is, could be a problem in the future.

14 MS. CAIRNS: I think that the mere existence of zoning as a governmental power
15 creates the fear that you're offering and that there's nothing specific to this ordinance
16 that triggers that. I mean, zoning exists as a valid governmental power under the
17 benefit of all concepts, at least powers of the state. And so I think that to simply say
18 well I'm afraid that somebody might rezone well then that would be an argument to
19 simply eliminate zoning entirely. I mean, there's always a chance. You know, as Mr.
20 Kocy said, I mean, the county could run around and rezone everything Rural; downsize
21 everything. You know, so, I mean, to just say well I'm just afraid something's going to
22 happen that fear exists today, tomorrow, whether this passes or doesn't pass.

1 MR. MANNING: Well what I'm trying to do is overcome that fear and
2 accommodate Mr. Kinent here.

3 MS. CAIRNS: Well I think that, you know, to simply allow there to exist a zoning
4 district that's pretty normal, standard, and typical and allows a park and recreation
5 department to operate fairly normally as opposed to having to run through unbelievable
6 hoops that really are not the way that zoning is supposed to work. You're not supposed
7 to have a zoning use that's fairly normal and typical that has to go through, you know,
8 special exceptions or something. I just think that's insane.

9 MR. PALMER: Don't we handle churches, can't churches go in any zoning
10 district?

11 MS. CAIRNS: Churches are special beings in the world.

12 MR. PALMER: Why can't parks go in any zoning district?

13 MR. KOCY: I daresay you'd have some communities that would not want to live
14 next to a swim club if it's, you know, high density housing, very small lots. You know,
15 bringing a swim club can be rather noisy.

16 CHAIRMAN ANDERSON: Was there any attempt to incorporate this, these uses
17 into the TROS or is it just [inaudible] fit?

18 MR. KOCY: It was a very awkward fit. Again in the TROS you've got golf
19 courses that are surrounded by houses that paid, the houses paid a premium for living
20 next to those greens and fairways and to now create a zoning classification that
21 somebody could put a roller rink, a bowling alley, a swim club, you know, a skateboard
22 park, other noisy outdoor activities wouldn't fit, didn't fit well. And so rather than

1 complicate the TROS controversy we decided to start clean and do what other
2 communities have done successfully and that's a Park and Recreation district.

3 CHAIRMAN ANDERSON: To that effect I would offer this to Mr. Tuttle's point
4 that, you know, we have the PDD model. Which, now let me just explain this PDD
5 model, you know, of course it's for large development but a park's got a draft, a park
6 has slides and it's ergonomically laid out.

7 MR. KOCY: A PDD requires two different uses, typically commercial and
8 residential.

9 MS. CAIRNS: You know PDDs are -

10 MR. KOCY: He's all rec.

11 MS. CAIRNS: - mixed use.

12 MR. PALMER: I've seen many a PDD that aren't two different uses.

13 MS. CAIRNS: Well the PDD, I would offer that the PDD zoning has been not
14 always well used and I wouldn't want to promote the continued – but yeah, PDD. We
15 have PDDs again as part of our sort of jurisprudence because they allow zoning that
16 wouldn't otherwise fit because it's mixed use, it's commercial.

17 MR. KOCY: And the other downside with PDD as Anna pointed out, traffic
18 surveys. A PDD is a customized zoning for every applicant that walks in. Ronnie's got
19 small parks, big parks, active parks, passive parks. It would be a nightmare to do – how
20 many parks do you have? How many properties?

21 MR. KINENT: Well we have I think 28 pieces of property we own right now.

1 MR. KOCY: To do 28 PDDs – we'd be here until the next decade coming up with
2 various customized PDDs and anticipating what the future uses of these parks might be
3 as opposed to coming up with a general – if we did one, one size fits all, not 28.

4 MR. PALMER: And this could be the uses list for every PDD that is a park. I just
5 got your uses done for you.

6 MS. CAIRNS: Well then let's simply get rid of all zoning and say everybody who
7 wants to do anything has to come and do a PDD. I mean, why are you treating parks
8 and recreation differently?

9 MR. KOCY: Right.

10 MR. PALMER: Because they want to do so many different things on one parcel
11 of land.

12 MS. CAIRNS: Right. All related to parks and recreation.

13 MR. PALMER: Don't want to build a 12,000 square foot lot.

14 MR. KOCY: And Patrick we can do a PDD on a bowling alley out there just to
15 say, hey, your recreation we're going to do a PDD zoning on your bowling alley.

16 MR. PALMER: No.

17 MR. KOCY: Just like your fear that we can do with the parks and open space,
18 impose that on somebody we can impose a parks and rec PDD on somebody.

19 MR. PALMER: No. You're missing it. The PDD is for a wide different range of
20 uses. This is a huge different range of uses. A PDD does not make sense if somebody
21 wants all 12,000 square foot lots. That's where it doesn't make sense.

22 MR. KOCY: No.

23 MR. PALMER: Where it does make sense is if you want to do –

1 MR. KOCY: If we can [inaudible] this to a parks and rec PDD we can impose this
2 on anybody just like we could if we created a parks and rec zoning. If I'm going to turn
3 into the evil Joe Kocy and impose my will on people I can do it with a parks and rec
4 PDD or a park and recs zoning.

5 MR. PALMER: Parks and rec PDD is specific for that parcel of land.

6 MR. KOCY: I can do it to any parcel. I could do it specifically to any parcel out
7 there. Just like I could rezone it I could re-PDD it.

8 MR. PALMER: You wouldn't be imposing it, the landowner would come in and
9 be asking for it which is my opinion the way that it needs to occur.

10 MR. KOCY: A PDD is a zoning classification just like this is a zoning
11 classification. A landowner can ask for it; I can initiate it.

12 MR. PALMER: I understand, but in this case the landowner would be asking for
13 the PDD.

14 MR. KOCY: Or I could initiate it. Just like in this case the landowner is asking for
15 this zoning and we support it or your fear is I could initiate on a landowner a -

16 MR. PALMER: A new zoning classification.

17 MR. KOCY: A PDD could be done the same way. A landowner could ask for it
18 or the Planning Department could initiate it. There's no difference.

19 MR. PALMER: It could.

20 MS. CAIRNS: Right.

21 MR. PALMER: But in this case, but what would occur with the Parks and
22 Recreation Commission would not be what you're insisting but would be that they would
23 come in and ask for these PDDs on all these different tracks of land and moving forward

1 the community would know, hey, this is what they're planning on doing. This is what
2 they're going to be putting on this area. Not just that, you know, well this park is going
3 to go in there. This could just be a museum. They don't have to put swing sets for your
4 kids. They don't have to put a swimming pool. They could just put a museum on this
5 parcel.

6 MR. KOCY: And the citizens will know that because as we rezone all parks and
7 recs property parcels with a new PR zoning they would be required to post them all,
8 public notice them all, and citizens would be aware.

9 MR. PALMER: [inaudible] a PDD the citizens would know what facilities were
10 going in there, not just that the Parks and Recreation Commission could only put a
11 museum if they wanted to. They can go in and put a batting cage facility on the sites
12 with no other amenities whatsoever; and is that really what the community would want?
13 Probably not.

14 MR. KOCY: And as PDD zoning he could have an array of possible things he
15 might do.

16 MR. PALMER: But he would be tied to putting them in certain specific locations.

17 MR. KOCY: It could be to be filled in later.

18 MS. CAIRNS: I think it's rather amazing. So what we have here on the table is a
19 fairly sort of vanilla and standard type of zoning classification, a Parks and Recreation
20 district just like we have a Commercial district. It's sort of standard vanilla. Allows a
21 variety of uses, allows a variety of things, requires certain things, and this and that. And
22 so, you know, I want to say to you well if Parks and Recreation is going to have to, if for
23 someone to have a Parks and Recreation district they have to do a PDD well then I say

1 let's just get rid of commercial zoning and say if you want to do something commercial
2 you come in with a PDD because you just happen to be already on the books. We're
3 trying to add this to the books. There's nothing that different from these zoning
4 classifications and so let's just, you know, it's sort of like well I was here first, I got my
5 commercial zoning, I can have this variety of uses. I don't have to talk to anybody. I
6 can change it from one use to another and as long as I stay within my allowable uses
7 I'm okay. But you're saying oh no, you want to be a park and now you need to be
8 controlled. You need to have an existing PDD. It needs to be very specific. It needs to
9 dictate. You are not allowed to have the variety and I'm saying that's not right, that's not
10 fair. It's not proper to take a totally normal and standard type of district and say you
11 have to always exist as a PDD but commercial, I'm allowed to use commercial and have
12 all these options and choices because that's the reality. I mean, you know, I'm not even
13 – I mean, I just think that's a huge problem and I think it's really not fair.

14 MR. FURGESS: Mr. Chairman, we really, I'm sorry, we need to bring this to
15 some closure. We've been debating this for a long time. I think he just want us to vote
16 on making this an option for parks to do what they need to do on the ground – at the
17 facility themselves. If they need to put a batting cage that they won't have to come to
18 you each time, right?

19 MS. ALMEIDA: Mr. Chairman, Staff's been discussing and both Planning Staff
20 and Mr. Kocy and some Councilmembers, we are looking at those parks that want to be
21 rezoned. We're doing outreach and asking them whether they want to be rezoned,
22 private and public. We're not going out there and saying, we're going to rezone all
23 private and public parks automatically. So if there is a park, whether it's state, federal,

1 whatever it is that does not want to be rezoned to the PR zoning designation we will not
2 bring it forth.

3 MR. PALMER: I thought that was the whole purpose of this was that Sesqui was
4 an HI district and it could become a Michelin tire plant.

5 MS. ALMEIDA: But they want to be rezoned.

6 MR. KOCY: Correct. Sesqui wants to be a Parks and Rec district. They have
7 participated in the drafting of this Code.

8 MR. PALMER: And since they're the owner it wouldn't become just a fear issue
9 then [inaudible] they could become a tire plant. Underlying property doesn't work.

10 MR. KOCY: The underlying property owner the state. The gentleman we dealt
11 with was the Park, was the Park, was the head ranger, the Park Superintendent. He
12 doesn't have title to the property, the state does. So he was very interested in ensuring
13 that Sesquicentennial Park remains a park and doesn't turn into a tire manufacturing
14 facility.

15 MR. PALMER: He's interested but have you talked to the state about it? I mean,
16 do you have, whoever owns the property have you asked them if they want –

17 MR. KOCY: We have not. We dealt with the Park Superintendent who's
18 responsible for maintaining the property, maintaining the site.

19 MR. PALMER: I guess you would get the state's okay then to rezone that parcel
20 since you are going, going to be asking the property owners and not just people who
21 work there who are interested in keeping their job?

1 MR. KOCY: That is correct. The state would be required to sign off on the
2 zoning change. The Park Superintendent would probably be the representative of the
3 site in front of this Board and the zoning public hearing with the Council.

4 MR. PALMER: Well it sounds like that what we, or what I asked for 30 minutes
5 ago that this wouldn't be imposed on by Council or by Staff which just said that the Staff
6 or Council was not going to impose this on anybody.

7 MS. ALMEIDA: Not in this round.

8 MR. KOCY: Currently we're not, you want assurances that it'll never happen in
9 the future. We both know that I can't make that guarantee. But currently we're only
10 working, we're working with volunteers and again we have Ronnie with the County
11 Parks and Rec Commission and we dealt with Tracy Swortout who's the superintendent
12 of the Congaree Park, and we've dealt with the gentlemen who are involved with
13 Sesquicentennial Park. Everybody had a hand in drafting this regulation.

14 MS. LINDER: In my conversation with the Councilmembers that were interested
15 in this my sense was that they wanted to work with the park folks and that if a park felt
16 that this was a beneficial zoning for them they would move forward with rezoning it. If
17 an entity owning a park was not in favor they were going to back off and not do anything
18 at this time. But I think Mr. Kocy's right, at any time they could just like they could
19 rezone the whole county to be Rural. I just don't see that happening.

20 MR. PALMER: Could we make a recommendation that goes along with this that
21 all current, currently zoned TROS districts remain that under its current form but that no
22 further, if you want to do a golf course in the future you, TROS district would not apply
23 you would need to come in under this?

1 MS. LINDER: We can certainly write that up in carrying that forward to the
2 County Council saying that your desire is not to have TROS go to the PR district and
3 convey your thoughts on that.

4 MR. PALMER: So that anybody who bought a home on a golf course that was
5 zoned this would know that there's a possibility that the golf course will no longer be
6 there, that it may become a swim club or picnic area or whatever else?

7 MR. KOCY: I think that's -

8 MS. LINDER: Again that's always a possibility.

9 MR. KOCY: - reasonable. I agree with you, Mr. Palmer that if, somebody living
10 on an existing golf course should not have this parks and rec overlaid on their existing
11 golf course because you bought in thinking it's going to be a golf course and if you
12 bought recently you'll understand what the TROS is and what security it provides for
13 future land uses on the golf course.

14 MS. LINDER: My belief is that Council is satisfied with the current TROS where
15 the TROS parcels lie and that they would not then proactively rezoned the TROS to
16 anything other than a TROS. I have heard no talk of that.

17 MR. PALMER: Well see if this, to bring some closure and get a motion on the
18 table see if this motion would fly. A motion to send this forward with a recommendation
19 of approval only if with this being approved that the TROS district no longer existed and
20 could not be applied to any new parcels - it existed to current tracts that are zoned
21 TROS but you can't ask for it again. It's just like the sunset provision - it's just sunsets.
22 You can't ask for it anymore. It's currently on parcels of land but it couldn't be put on
23 any future parcels of land.

1 MS. LINDER: Now Mr. Palmer, I think that motion would be appropriate but it
2 would not be able to be put into ordinance form. You're carrying forward your
3 recommendation.

4 MR. PALMER: Correct. I make motion to send that with a recommendation of
5 that this is how it be approved?

6 MS. LINDER: Right. But we would not be incorporating that into the ordinance
7 *per se*.

8 CHAIRMAN ANDERSON: So you need specific language?

9 MS. LINDER: I need to know the ordinance in front of you now whether that's a
10 vote recommending approval or recommending denial.

11 MS. ALMEIDA: I believe Mr. Palmer is approving it subject to Council stipulating
12 that TROS is locked and no further rezoning is [inaudible].

13 MR. TUTTLE: Yeah. I'm not sure – I'm not sure the benefits there from doing
14 that because -

15 MS. LINDER: I don't think -

16 MR. TUTTLE: - you might want as a golf course builder you might want to do a
17 TROS to provide a higher level of amenities to what was going to be there than you
18 would get under this park.

19 MR. PALMER: [Inaudible] restricted?

20 MS. CAIRNS: You know, I mean, you're proposing another change to the
21 ordinance that's not part of the public hearing, I mean, it's not a public hearing but I
22 mean it wasn't part of the Agenda. We don't have as part of the Agenda the elimination
23 of TROS which is what you're attempting to -

1 MR. PALMER: No. But it can be a recommendation.

2 MS. CAIRNS: But I think it should be, I mean, but yeah, I mean, are you saying
3 that you're sending this forward with a recommendation only if they kill TROS? And if
4 they don't kill TROS then it's not with a recommendation? I mean -

5 MR. PALMER: That's what we're talking about.

6 MS. CAIRNS: But I think - I don't -

7 MR. PALMER: Because you could deed restrict.

8 MS. CAIRNS: [Inaudible] Deed restrictions are different than governmental
9 controls.

10 MR. PALMER: There would be no further impositions by anyone else on any
11 other golf courses.

12 MS. CAIRNS: Deed restrictions do not have the same enforcement mechanism
13 as zoning nor do they have the same change mechanism as zoning so they should
14 never be considered substitutes for each other.

15 MR. PALMER: It's not trying to be a substitute.

16 MS. CAIRNS: Well then, but you're saying well we don't have to worry about golf
17 courses having their own zoning because they can be covered in deed restrictions. It's
18 like hum-um (negative).

19 MR. PALMER: No, what he's talking about is if the owner wanted to do the
20 zoning there's another mechanism for the owner to do what the zoning allows him.

21 MS. CAIRNS: But, but - no. I don't think it's every even close to appropriate for
22 us to say that we don't need to have a zoning classification because a developer could

1 accomplish the same by deed restrictions because that's simply not true. Deed
2 restrictions do not have the same power.

3 MR. MANNING: Why couldn't we vote on this up or down and make a
4 recommendation to Staff to bring back to us language dealing with TROS [inaudible]
5 take that up separately.

6 MR. PALMER: Yeah. We could. I'm just concerned about, you know –

7 MR. MANNING: Well I think we've all kind of expressed our concerns but
8 evidently, you know, there can be something done one way or the other towards that
9 and that and that Mr. Kocy's said, I mean, you can't control what happens with Council
10 and I guess we've got to have a little faith that that wouldn't be used proactively to do
11 things to negatively impact private owner.

12 CHAIRMAN ANDERSON: And I do think the overall intent here is a good intent.
13 If it makes parks and recreation where my little girl slides easier to get there I'm all for it.
14 But I do think – are there any more comments, questions?

15 MR. PALMER: I just want to say that I agree that it's a good tool but I just think
16 that it has the potential to be dangerous when you look at imposing it, what you're doing
17 is creating a system where it can now be, yesterday it couldn't be imposed on private
18 property owners; tomorrow it can be imposed on them. It has the potential to be very
19 dangerous and I just wanted to talk about it, get it vetted and, you know, if it moves
20 forward, it moves forward; that's fine. And I'm all in favor of it and if there was a way to
21 make it so that you had to ask for it and that it wouldn't be imposed by Council or by the
22 Planning Commission or by Staff I'd be all in favor for it but there's just obviously not a
23 way to do that.

1 MS. CAIRNS: It's contrary to the concept of zoning.

2 MS. ALMEIDA: [Inaudible] power.

3 MR. PALMER: I understand that's a power. I just, I understand that they have
4 the power to do that.

5 MS. ALMEIDA: On any zoning district.

6 MR. PALMER: I understand that. I understand. I just wish there was a way not
7 to do it on this particular –

8 MS. CAIRNS: And if, if government didn't have the ability to zone based on the
9 needs of the population to protect their health, safety and welfare then we wouldn't have
10 zoning. You know, if zoning only existed by private covenant which I think actually
11 Houston, Texas I think is zoned that way.

12 MR. KOCY: Correct.

13 MS. CAIRNS: It does not have public zoning.

14 MR. PALMER: Right.

15 MS. CAIRNS: So I mean, what you're saying is I want this zoning classification
16 but I want this one to not have governmental control. In other words I don't want to ever
17 –

18 MR. PALMER: I didn't say government control.

19 MS. CAIRNS: But I'm just saying that would, that is so contrary to the concept of
20 government having the authority to zone so we would have to simply eliminate zoning if
21 we're going to start cherry picking what zoning classifications can't exist by
22 governmental power.

1 MR. PALMER: Well we just disagree on it. That's all I'm saying. But for the
2 issue, we've talked about this enough.

3 MS. CAIRNS: Well so do we, I mean, are we, there was a motion. I'm sorry,
4 Chair but -

5 MR. PALMER: I withdraw my motion.

6 MS. CAIRNS: Okay.

7 CHAIRMAN ANDERSON: We have a withdrawn motion. There are no motions
8 on the floor.

9 MS. CAIRNS: I would make a motion that we send forward the zoning district,
10 the recommendation to create a district of PR, I'm sorry, I'm making a mess of how to
11 make a motion. I recommend that we make a motion to send forward the parks and
12 recreation district with approval. Does that make sense?

13 CHAIRMAN ANDERSON: We have a motion.

14 MS. MATTOS-WARD: I second.

15 CHAIRMAN ANDERSON: We have a second. All those in favor of sending this
16 ordinance Chapter 26 of the Land Development Code, Article II, please signify by
17 raising your hand.

18 *[Approved: Cairns, Manning, Murray, Furgess, Mattos-Ward]*

19 CHAIRMAN ANDERSON: All opposed?

20 *[Opposed: Tuttle, Palmer, Anderson]*

21 CHAIRMAN ANDERSON: All right.

22 MS. LINDER: I believe it was a vote of four in favor and three opposed?

23 MR. KOCY: I thought it was five and three.

1 MS. LINDER: Could we have the ones in favor again, please?

2 CHAIRMAN ANDERSON: All those in favor?

3 *[Approved: Cairns, Manning, Murray, Furgess, Mattos-Ward.]*

4 CHAIRMAN ANDERSON: Opposed?

5 MS. LINDER: Five? Five and three, thank you.

6 CHAIRMAN ANDERSON: All right. Moving along. Do y'all need a break?

7 MS. CAIRNS: Yeah. [Laughter]

8 CHAIRMAN ANDERSON: All right. Explanation of road signs, traffic control
9 devices.

10 MR. KOCY: If my colleague, Mr. Hoops will join me up here because this is his
11 regulation here.

12 MR. HOOPS: Good afternoon. Just to give you a little history. In January 2008
13 the Federal Highway Administration passed new regulations to the sign, traffic control
14 regulations. Basically they're requiring any agency who maintains and operates public
15 transportation systems like our road system, first off, the traffic control signs are going to
16 have to have a new level of reflectivity. Of course this is a safety issue. There's new
17 materials available that make that possible. Secondly and again a safety issue. The,
18 and the thing that effects you is that street name signs are going to have to be more
19 reflective and larger and that's what's before you today. What we're doing is bringing
20 this to you with the anticipation that anything that goes on in the near future that those
21 signs that are installed as a part of developments will be installed at the level that we
22 will have to maintain in the future. We're also presenting to Council the part of the

1 regulations that require, the requirements for traffic control signs such as stop signs,
2 speed limit signs and that sort a thing. So –

3 MS. CAIRNS: I mean, would this ordinance, so more like inside private
4 developments where, I mean, just, I have a background [inaudible] and I used to help
5 do signage design for some of our private developments that we were working on and
6 we would custom do street signs. You're saying that's going to be a thing of the past
7 under this new ordinance? Even on a completely private subdivisions the street signs
8 have to comply with this?

9 MR. HOOPS: I believe our ordinance right now require that signage –

10 MS. CAIRNS: [Inaudible] back here; I'm sorry.

11 MR. HOOPS: Okay. That signage of any private development must conform to
12 our regulations, is that correct?

13 MS. CAIRNS: Okay.

14 MR. PALMER: I have a question. Has anybody done any analysis for the cost of
15 the old sign versus the new sign just to see what that difference may be?

16 MR. HOOPS: We, one of the first steps we have to do is develop a management
17 system because to ensure that the reflectivity is maintained we're going to have to have
18 a management system. And once we develop that and we're just getting prepared to
19 start that then we'll have a grasp on what the cost is going to be. It is going to be
20 significant.

21 MS. CAIRNS: Do all these signs have to get replaced?

1 MR. HOOPS: Presently, if you take a look at some stop signs in your area, signs
2 that have a, like a geometric appearance to them, a very small grid, that is the new
3 material and Public Works has been using that for anything that we are doing.

4 MS. CAIRNS: So you don't, you don't have to go, it's as as they're replaced
5 they're upgraded?

6 MR. HOOPS: Well no. As of, in January of 2012 we have to have the
7 management system in place. January of 2015 all regulatory signs have to be up to
8 standards. And 2015 sounds like a long way away but it isn't. It's going to be here very
9 quickly.

10 MS. CAIRNS: Where is that mandatory requirement coming from?

11 MR. HOOPS: The Federal Highway Administration.

12 MS. CAIRNS: So if we don't do this we lose federal highway money?

13 MR. HOOPS: There's no cureton(?) stick to this. There's been no mention that
14 the states will be cut funds or anything like that. I think the biggest risk is placing
15 ourselves in a position of liability. If an accident occurs and the signs don't, aren't under
16 conformance it could quite well put the county in a bad position.

17 CHAIRMAN ANDERSON: But that deadline is 2015?

18 MR. HOOPS: 2015 for all regulatory signs. The street name signs are January
19 2018 so we have a little longer to do that. So in actuality some of these will be replaced
20 just due to damage or old age anyway but basically everything has to be replaced if
21 we're going to be in conformance with this on those dates.

22 MR. MANNING: And this is basically a safety issue on the signage?

23 MR. HOOPS: Strictly safety, yes, sir.

1 MR. MANNING: And the signs that we've got today have been proven not to
2 perform to the standard that they need to?

3 MR. HOOPS: The, as far as the regulatory signs I think it's probably driven
4 somewhat by new technology, that there's materials that is far better than what was
5 used in the past. My generation's being blamed for the street name signs and that
6 people have to, you know, the average driving public is getting older and people are
7 having trouble seeing and reading those signs.

8 MR. PALMER: Did you say that you guys are already using these signs?

9 MR. HOOPS: That's right. For regulatory signs for instance stop signs, Public
10 Works is already using the new materials and you may – look around as you drive
11 around and you may see some and they're very obvious. You need to look at them up
12 close but.

13 MR. PALMER: It'd be very easy for us to get a cost analysis based on an old
14 stop sign and a new stop sign.

15 MR. HOOPS: The problem, I can't give you a cost on is I don't know how many
16 have to be replaced.

17 MR. PALMER: No, no. I just want to know on a per basis sign.

18 MR. HOOPS: They're about 50% more expensive. The installation of a new
19 stop sign costs about \$100.00 with labor and the material part of it is about 50% more
20 expensive just because of this material. So I would anticipate a new stop sign to be
21 about \$125.00 to \$150.00.

22 MR. TUTTLE: So Mr. Hoops, in private developments that maybe have
23 decorative road name signs, street signs, the roads have been turned over to the county

1 so the county will have to replace these to the new level over time, will they do them in
2 the same decorative fashion or will they use a basic sign?

3 MR. HOOPS: We would have to do a sign that conforms to the regulations. And
4 you're right, we do have a lot of instances of developments that were instigated as
5 private developments that have now gone public, those signs will have to be upgraded if
6 it's a public roadway.

7 MR. TUTTLE: But do you have any idea, I mean, has the county given thought
8 to whether they would replicate what was there when they took ownership or are they
9 going – for instance if you had decorative signs are they going to come back with the
10 green and white standard street sign provided the development's been turned over and
11 developers, you know, are no longer active?

12 MR. HOOPS: We haven't had any discussion in those details.

13 MR. PALMER: If there's no penalty for us not enacting this just a – there's safer
14 stuff out there it would be nice to -

15 MS. CAIRNS: Yeah. What's the effect of enacting this? What, I mean, if you're
16 saying that basically the county is putting in the newer signs as they're doing it
17 automatically?

18 MR. HOOPS: Anything that, in future new development, anything that's installed
19 not in conformance to these regulations we will then have to bear the cost of replacing.

20 MS. CAIRNS: That's the key is if they're passing this now you're forcing the –

21 CHAIRMAN ANDERSON: Any other discussion?

22 MS. MATTOS-WARD: I make a motion that we accept Staff's approval of the
23 road signs and traffic control devices.

1 CHAIRMAN ANDERSON: Do we have a second?

2 MR. FURGESS: Second.

3 CHAIRMAN ANDERSON: Got a motion and a second on the floor to send
4 explanation of road names/traffic control devices ordinance up to Council with a
5 recommendation of approval. Please signify by raising, all those in favor please signify
6 by raising your hand? All opposed?

7 *[Approved: Cairns, Murray, Tuttle, Palmer, Anderson, Manning, Mattos-Ward, Furgess]*

8 CHAIRMAN ANDERSON: All right. It looks like it's it.

9 MR. MANNING: Mr. Chairman, at the next meeting I was hoping that - I know
10 Tia Rutherford will be bringing some information back to us. She had two communities
11 that were neighborhood plans that needed to be addressed. And what I was hoping
12 that maybe we could have some discussion after that would be to have somewhat of a
13 summary of the neighborhood with approved progress that we've made to date and
14 then to have some discussion about funding mechanisms for those projects. And I
15 know in some of the information you've provided us it had different types of funding
16 mechanisms. You know, if we need to get bonding attorneys here. Somebody that can
17 really address how that might impact the county and will it help expedite the process. I
18 think that I'd like to see a recommendation and, you know, obviously the money's going
19 to be the key to that and -

20 MR. KOCY: Mr. Manning, you must have ESP. That is the main reason we
21 pulled these items from the Agenda. When we bring back the plans hopefully next
22 month we are going to have a full package for you. It will be the two community plans,
23 the proposed development regulations to implement those plans, and a, detailed

1 discussions on how we're going to implement those plans. So we'll bring the whole
2 package to you.

3 MR. PALMER: I think you were talking about the ones that have previously
4 [inaudible],

5 MR. KOCY: We, we, we –

6 MR. MANNING: And the ones that we're going to [inaudible] .

7 MR. KOCY: Again you have ESPN [sic]. Julie Wilke just sent a memo to Council
8 today –

9 MS. CAIRNS: You're thinking – ESP. [Laughter]

10 MR. KOCY: I'm thinking Carolina football tonight, sorry. Julie prepared a memo
11 for Council discussing the Decker plan in detail, discussing implementation of the
12 Decker plan so we can share that with you next month too.

13 MR. MANNING: Okay. Great.

14 MR. KOCY: There's one more item on the Agenda folks and that's a
15 presentation on the land use study. I thought you were, you looked like everyone was
16 getting to leave and we still have one more, this is just a presentation. It doesn't require
17 formal action. For over a year now the Richland County Planning Department, the
18 Central Midlands Council of Governments, the City of Columbia, and representatives of
19 the Army have been working on a joint land use study. And that is really two parts;
20 discussing existing and potential land use conflicts around the military bases and also to
21 suggest potential land use tools to minimize future conflicts. Minimize conflicts for the
22 military and minimum conflicts for landowners. The joint land use plan is undergoing its
23 final review and will probably be released at the end of this month. Today we're just

1 going to provide you an overview of the process and to discuss some of the conflicts
2 that exist and a range of potential tools that are out there and we're not going into any
3 detail about the potential tools. When the plan is released we'd like to come back with a
4 more detailed presentation to go into detail about the specific land use tools that might
5 be possible solutions to avoid future conflicts. Tom Delage from the Planning
6 Department has been actively involved in the joint land use study for over a year and
7 he's going to do a brief presentation.

8 MR. DELAGE: Good afternoon. All right. The joint land use study is a
9 collaborative land use planning effort between a military installation and the local
10 community. The joint land use study is important because it'll protect both the current
11 and future military mission of the base. The joint land use study is not a no growth plan,
12 it's not legally binding. It's just a series of best use practices. Nothing will be legal until
13 County Council adopts it. Why is JLUS important? It's important to allow the military
14 installations to conduct defense and readiness training. It is also important for providing
15 flexibility for future military missions and also as an economic asset for the region as
16 well as the county. A list of our partners include of course Richland County, Central
17 Midlands Council of Governments, City of Columbia, Forest Acres, Kershaw County,
18 and also representatives from all the military installations. There were two committees
19 that participated in this process. You had the policy and technical committee. The
20 policy committee was evaluating the recommendations and also providing guidance as
21 far as where we want to go with the policy. Technical committees developed the
22 recommendations as well as identified some issues. This is a map of the study area.
23 I'll just direct your attention around – JLUS mainly is around in this area but I also

1 wanted to show this because it shows the importance of the region as a whole. You
2 have Shaw Air Force Base and also Poinsettia Electronic Warfare Range which is
3 essential for practicing and readiness and training. The JLUS incorporated another, a
4 variety of elements into their study. It includes data collection on the military
5 installations as well as their operations. Also the military impact on the surrounding
6 communities. Also looked at identifying land use incompatibilities as well as looking at
7 encroachment reduction tools. Encroachment is defined as development that is either
8 preventing the military from conducting their mission causing a modification to the
9 operation procedures or vice versa going to the civilian side with impacts from noise,
10 also vibrations, smoke and dust, things of that nature. Some of the impacts that are
11 directly reflected on the civilian population around Fort Jackson and McCrady is that you
12 have large caliber weapons firing. You also have small arms fire, a demolition range.
13 Also you have large tract vehicles for training. And then also the employee traffic for
14 mornings and afternoons. Of course graduation traffic on graduation days. You also
15 have other things like dust and smoke from controlled burns that are part of their
16 management plan for the Fort. As far as McEntire you have a risk of BASH which is
17 bird air strike hazard and that pretty much takes place when you have a lot of birds in an
18 area. Also aircraft noise. Also there's a potential for aircraft mishap and outdoor
19 lighting intrusion which can affect the night vision training. Again this is the major area
20 of the JLUS study. What you're seeing on there is noise contours. These were taken
21 from readings when they were firing their large caliber weapons which are the Paladins
22 which are self-propelled howitzers. You also have these right here, the noises for the
23 aircraft and they're just readings pretty much telling you decibel levels for when aircraft

1 take off. And just to point this out. This area right here is a low-level helicopter flight
2 path which the Army National Guard uses for training purposes. These are some of the
3 decibel levels are far as what you'll see for risk, also for noise complaints. Of course
4 the higher it goes it's kind of, this is was a bassy kind of level so it's more of what you'll
5 hear through a home. Again these are just some of the things that, how it relates to
6 other things you have, of course the hearing threshold and then it goes up to library, soft
7 whisper, and then all the way up to rocket launching, thunder clap, things of that nature.
8 Just to kind of give you an idea of the range. This is a more close up view. It shows the
9 east impact area and of course where some of the batteries are where they do their
10 training. It also has just an area generally around it where some other noises can be
11 heard. And another close up. What I'll do is I'll point out, this red right here on either
12 side are clear zones which is what the Navy, or excuse me, the Air Force has done lots
13 of studies on throughout the history about where there's a potential to have an aircraft
14 mishap. Most of what's going to happen I believe it's about 70% of the accidents will
15 happen on approach or departure. These are your APZ zone ones or accident potential
16 zones and that's your accident potential zone two. And it's just a way to kind of give
17 you an idea of where aircraft mishaps may happen. Some physical obstructions that
18 can, that are in the air space that can interfere with training include tall trees, taller
19 structures such as cell towers. Also some things that can interfere with communications
20 and electronic equipment include radio frequencies and you all also have the light
21 pollution which can affect the training with night vision goggles. There's actually a thing
22 called white out and what it is is when you have a lot of light pollution and a pilot if,
23 they're blinded by it. It's so intense you have a temporary blindness. It's not permanent

1 but it happens if you get too much light. Some suggested compatible land uses around
2 the base. The –

3 MR.MANNING: Does that mean everybody's got to carry a gun?

4 MR. DELAGE: I'm sorry? [Laughter]

5 MR. MANNING: The neighbors around the base?

6 MR. DELAGE: Oh, no. There is some compatibility compliance with
7 recommendations on land use. Again the only recommendations that have to be, meet
8 County Council approval. Some noise sensitive areas which will be identified by noise
9 contours. There are certain land uses that are not recommended in there for obvious
10 reasons that potentially they could be interfered with. These are things like schools,
11 medical facilities, nursing homes, places of worship. Also there's been some
12 recommendations as far as uses that concentrate people especially in places like where
13 there's accident potential zones or clear zones. Those are higher residential densities.
14 Again schools, places of worship, medical facilities. And the key is really to eliminate a
15 large concentration of people that are limited in their ability to really react to disaster
16 situations. Again some of the training and navigation hazards are the tall structures.
17 Also activities that create excessive light, dust, or smoke can also interfere. Going in to
18 some of the planning areas. Again the clear zones, accident potential zones, we also
19 have the approach and departure zones. The low level flight path going from McEntire,
20 or, yeah, McEntire to McCrady. And then you also have the perimeter buffers around
21 the installations. Some of the Fort Jackson operational noise management plans is
22 something that's in place that they're doing now. They kind of help work with the
23 surrounding area. They also have the McEntire Air Installation Compatible Use zone

1 that's a study that's been taken under place by McEntire. The Richland County Airport
2 restrictive height overlay which is in place around McEntire as well. There's a Kershaw
3 Rural Resource District which is mainly just a district for the rural area and it talks about
4 lot size, things of that nature. The Midlands Area Joint Installation Consortium or
5 otherwise known as MAJIC is really active in the area. They pursue conservation
6 easements and things of that nature using Department of Defense funds, also local
7 conservation monies. Some of the focus areas again are those clear zones. The low
8 level flight paths, approach and departure zones, also the perimeter buffers.
9 Conservation is one major thing. Of course this is a voluntary program and you would
10 go, they purchase the property through conservation easements and the property
11 owner, it would remain in the property owner's name, they would be able to use it
12 mainly for traditional things such as farming, hunt clubs, things of that nature. And it's
13 strictly a voluntary program, and of course MAJIC is actively pursuing those. You also
14 have some market based tools which are based around transfer of development rights
15 which of course again would be voluntary and the owner of the land in a environmental
16 constrained area would sell their development rights to another person in another area
17 and who wanted to develop at higher density and again it would be a strictly voluntary
18 program. Zoning. There's been some zoning recommendations that have come out
19 through the plan. Mainly it would be on things like heights on structures, concentrations
20 of certain densities. It would kind of limit, there's a sliding scale as far as with the size
21 of a building and how many people you can have that are in it and mainly those are
22 effected through areas that are in clear zones, accident potential zones, joint, mainly
23 areas around noise sensitive areas that are identified by the noise contours. Also going

1 to outdoor lighting. We have a pretty good lighting ordinance in place now which kind
2 of, it's not retroactive but for any kind of new development. And mainly what it says is
3 you want a shield lighting which prevents the light pollution which prevents the spill over
4 which can affect training at night. As far as sound attenuation under the new Code local
5 government cannot any enact specific measures to do it. They can offer it as an
6 incentive. What they would hope to do would be in areas where there's a lot of
7 exposure to the high level noises from training. You'd have better construction
8 materials, just insulated windows, walls, things of that nature. And it would be mainly
9 towards residential not towards commercial and would not be retroactive. You get into
10 the bird air strike, aircraft strike hazard or BASH, they would hope there'd be better
11 designs as far as detention ponds. There are ways to design that don't encourage birds
12 to congregate in that area which could potentially cause aircraft mishap. Also there's a
13 current BASH mitigation plan that McEntire does. It mainly involves the cutting of the
14 grass because grass height can actually affect where the birds land and where they
15 stay. Then we get into real estate disclosure. This would be that at the time of a
16 purchase of a property someone would be notified that yes you are near a military
17 installation. There will be noise, dust, you will hear things associated with that and it
18 would mainly be applied in higher noise areas or in those areas where an accident
19 potential zones, clear zones. As far as aviation and noise easements they'd like to see
20 that disclosed to developers at the time of platting. Basically it would grant the military
21 the right to conduct training and everyone would just have a general understanding that
22 that would take place and it would run in perpetuity with the deed of property. Just to
23 continue on with that, the granting of the noise easement would hopefully, was

1 recommended that it be a condition of approval but mainly for those areas where they're
2 going to have a direct impact. The county would hold the easement and it would be in
3 the life of the title. As far as the comprehensive plan, we included language on
4 relationship of the community and the military, how important they are. Also about how
5 important it is for most cooperative land use planning between the installations and the
6 county, and we also want to have, put in some more clear guidelines as far as how land
7 use will be around the installations. For corridor and neighborhood redevelopment
8 plans we [inaudible] create a detailed future land use plan is to give everyone both the
9 military and citizens a good understanding of what's happening near the installations.
10 We want to see it something similar our small neighborhood master plans because
11 there is growth pressure that's coming around the base especially with a potential for
12 infrastructure which leads into, it goes into the next slide saying that, you know, that the,
13 with the infrastructure coming in we need to consider the impacts that it'll have on the
14 base. The infrastructure policy it was recommended that to not necessarily limit growth
15 but just to help guide growth around to make it compatible and be economic for
16 everyone. One thing that [inaudible] considers is what growth is around there, what
17 kind of complaints you have, and they also look at if there is a joint land use study. So it
18 becomes an important factor for the base. Transportation. The Fort is currently working
19 on alleviating some of the problems associated with the graduation days and also
20 employee traffic. I know there's some preliminary plans to kind of move the gate in.
21 There hasn't been anything set in stone yet but there should be some, they're working
22 on it now and we should see something in the future. As far as communication. Want
23 to work on providing adequate information to the surrounding communities about

1 military operations and also the impacts that it'll have on them. And of course with local
2 land use by state law we are, if they're within 3,000' of an installation we're supposed to
3 notify them to give them time to do comments. With coordination we'd like to promote
4 the collaboration between all the installations basically to share information on rezoning
5 or development, mainly because that, the 3,000 foot buffer is important. We'd also like
6 to see a Memorandum of Understanding just to kind of know that we're contacting them
7 in good faith and we're working together. As far as residential clustering it has been
8 recommended that we allow in certain areas that are constrained. We have half a
9 parcel in an APZ zone or a clear zone that maybe the other half that's out you could
10 work something out to where that would be higher density; the area in the clear zone
11 where you don't want to concentrate people or high density housing maybe potentially
12 look at doing some conservation or something similar to that nature. And really next
13 steps is we do have the website which is www.jacksonjilus.com. It contains the
14 information on the technical memorandums which provides a lot of information on the
15 recommendations as well as just some general information about the base. And if you
16 have any questions I'll be happy to answer them. Thank you.

17 MR. PALMER: I guess this will become at some form as a new zoning
18 classification, maybe these [inaudible]?

19 MR. KOCY: Not really. It's going to be coming up as a plan and it's going to
20 identify as Tom showed on the map areas that the county should be concerned about
21 and perhaps do different zoning or, you know, looking to the red areas to have perhaps
22 non-residential development there or in the yellow areas which are the lower risks to do
23 clustering. So the open space would be in the yellow and the housing would be outside

1 the yellow. But just to really bring attention to the specific land uses on specific areas of
2 the base to prevent future conflicts.

3 CHAIRMAN ANDERSON: They're more like an overlay?

4 MR. KOCY: Correct. More like an overlay.

5 MS. CAIRNS: But, I mean, there is some development, right? I mean, am I right
6 that there's some development that's actually compatible with the noisy –

7 MR. KOCY: Yes.

8 MS. CAIRNS: - like industrial uses.

9 MR. KOCY: Exactly.

10 MS. CAIRNS: Okay.

11 MR. PALMER: Batting cages.

12 MS. CAIRNS: Batting cages.

13 MR. KOCY: Especially with aluminum bats.

14 MS. CAIRNS: [Inaudible] the golf courses actually. I've seen other communities
15 that have put those near those facilities.

16 MR. PALMER: Couldn't the digital billboards do away with the bird hazards since
17 the birds fly into them?

18 MR. KOCY: They might cause a glare hazard though for the pilots above.

19 MR. PALMER: [inaudible]

20 MR. KOCY: Possible. Put a little visor over the top? Possible. Before I shut up
21 and sit down, on your way out of the building today if you would kindly go through the
22 first floor lobby outside the Planning Department, we have a new green display. We
23 have some, an interactive exhibit in the lobby in that planting area in the lobby

1 discussing rain gardens and pervious concrete and pavers. We also have a green wall
2 of fame and there is a gentleman who should be very familiar whose picture's hanging
3 down there today. So please –

4 MR. MANNING: [Inaudible] moustache on him.

5 MR. KOCY: No, no. We wouldn't dare deface that photo. And it's county
6 property so it would be a punishable offense.

7 MS. CAIRNS: I just want to know if your ESPN is down there. [Laughter]

8 MR. PALMER: Make a motion to adjourn.

9 CHAIRMAN ANDERSON: All those in favor?

10 *[Approved: Cairns, Murray, Tuttle, Palmer, Anderson, Manning, Mattos-Ward, Furgess;*

11 *Absent: Gilchrist]*

12
13 *[Meeting Adjourned at 3:20 p.m.]*