

RICHLAND COUNTY PLANNING COMMISSION
June 1, 2015

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[Members Present: Beverly Frierson, David Tuttle, Patrick Palmer, Stephen Gilchrist, Christopher Anderson, Wallace Brown, Sr.; Absent: Heather Cairns, Bill Theus]

Called to order: 1:05 pm

CHAIRMAN PALMER: Call the June meeting of the Richland County Planning to order. Please allow me to read this into the Record. In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio and TV stations, newspapers, persons requesting notification, and posted on the bulletin board located in the lobby of the County Administration building. Do we have a motion on the May Minutes?

MR. TUTTLE: Mr. Chairman, I'd like to make a motion that we accept the Minutes as presented.

MR. GILCHRIST: Second, Mr. Chairman.

CHAIRMAN PALMER: Motion and a second. All those in favor say aye.

[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]

CHAIRMAN PALMER: Do we have any Agenda amendments?

MS. HEGLER: Good afternoon. No Chairman, we do not.

MR. BROWN: Move adoption.

CHAIRMAN PALMER: Do we have a second?

MR. GILCHRIST: Second.

CHAIRMAN PALMER: All those in favor say aye.

[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]

CHAIRMAN PALMER: Road name approvals?

1 MR. TUTTLE: Mr. Chairman, I make a motion we approve the Road Names as
2 submitted. [No Road Names provided]

3 MR. GILCHRIST: Second, Mr. Chairman.

4 CHAIRMAN PALMER: Motion and a second, all those in favor say aye.

5 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

6 CHAIRMAN PALMER: Alright, Map Amendments. Case No. 15-15 MA.

7 **CASE NO. 15-15 MA:**

8 MR. LEGER: Yes, sir, Mr. Chairman, thank you. Good afternoon. The first
9 application, the Applicant is Bluff Road, LLC, it's located on 1400 Bluff Road, is about
10 two and a half acres in size, currently zoned Heavy Industrial. The Applicant is
11 requesting LI, which is our Light Industrial District. The HI, Heavy Industrial District was
12 the original zoning from 1977, and if you drive in the vicinity some of the land uses
13 nearby, to the north are zoned Heavy Industrial, there's a large structure, printing
14 company. To the south zoned M-1, and there's a bank and SCE&G maintenance office.
15 To the east, again property zoned Heavy Industrial, there's a construction equipment
16 and storage office location. And to the west Heavy Industrial with tractor trailer sales.
17 The property contains kinda of a commercial structure currently being used for
18 automobile sales. It's partially fenced in, there are cars parked on the site for the sale of
19 automobiles. Our Comprehensive Plan recommends mixed residential that does allow
20 for a mixture of residential and/or service, industrial, and commercial uses in close
21 proximity to the City of Columbia. The Staff has found that the application meets the
22 intent of the Comprehensive Plan, it's very similar to other uses in the vicinity, for that
23 reason the Staff recommends approval.

1 CHAIRMAN PALMER: We have nobody signed up to speak, but the Applicant is
2 certainly able to make any comments if they wish, but the Staff has recommended
3 approval. Would the Applicant like to say anything? Okay, do we have any motions?

4 MR. BROWN: Move approval. Excuse me.

5 MR. GILCHRIST: Go ahead, Mr. Brown.

6 MR. BROWN: Mr. Chairman, I move approval based on Staff recommendation.

7 MR. GILCHRIST: Second, Mr. Chairman.

8 CHAIRMAN PALMER: We have a motion and a second. All those in favor say
9 aye.

10 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

11 CHAIRMAN PALMER: Next case, Case No. 15-24 MA.

12 **CASE NO. 15-24 MA:**

13 MR. LEGER: Yes, sir, the next case, the Applicant is a name that is challenging
14 for me to say, I'll give it a shot, Murali Gangadaram. The property is located at 1726
15 Winyah Drive, it's about a half-acre in size, currently zoned Residential Low-Density and
16 the Applicant is asking for Neighborhood Commercial. The original zoning was RS1
17 from 1977, that changed in 2005 to RSLD, the low density residential district. Properties
18 in the vicinity, to the north the property's zoned General Commercial along Monticello
19 Road. A restaurant is located there. To the south property zoned M-1 is automobile
20 repair and a number of other uses there. To the east property zoned GC, also on
21 Monticello, a restaurant. To the west we have property zoned RSLD. The subject
22 property is currently unoccupied. Contrary to our Staff Report calls for, it is unoccupied
23 at this time. The Comprehensive Plan calls for medium density residential, looking for

1 nonresidential development to be considered along main roads and thoroughfares and
2 properties with sufficient access. This property is not located at an intersection and is
3 not located on a main road or an arterial. It is surrounded on several sides by residential
4 or undeveloped properties. For those reasons the Staff recommended disapproval.

5 CHAIRMAN PALMER: Any questions for Staff? Mr. Gangadaram. Is the
6 Applicant here? Okay. We have some folks signed up to speak. Dennis Black, followed
7 by Harold Whitaker and Sylvia Parker. And if you would for us, come down and take the
8 podium and give us your name and address, and if you could limit your comments to
9 two minutes we would appreciate it.

10 **TESTIMONY OF DENNIS BLACK:**

11 MR. BLACK: My name is Dennis Black and I live at 1701 Houston Street in the
12 neighborhood, and I am the president of the neighborhood association. And we're
13 concerned that – we are getting development in the area but we don't mind Monticello
14 Road, but this is coming into the neighborhood. And this, there's an empty lot next to it
15 and then there's a, that's where it is, so we're scared of it, we don't know what's going
16 there. We, you know, if the property owner wanted to come and talk to us and maybe
17 tell us, you know, but we're scared that, you know, that some more bad places are
18 gonna come to the neighborhood. We've got a lotta juke joints and it's just, you'd have
19 to see it, it's awful right there on Monticello Road and we've been trying to clean up the
20 neighborhood. And that's, when you're driving, is one of our main entrances into the
21 neighborhood. And it just, it scares us basically, you know, we don't know who the man
22 is. And it connects to some property behind it, which connects on Peeple Street, that
23 would be it, that is commercial. That would give them an awful big section there to bring

1 something into the main entrance or a neighborhood, so we'd like for you to consider no
2 on this.

3 CHAIRMAN PALMER: Thank you. Harold Whitaker? Mr. Whitaker, you're more
4 than welcome to come down but if you have the same sentiments I'd hate for you to
5 come all the way down.

6 **TESTIMONY OF HAROLD WHITAKER:**

7 MR. WHITAKER: I own, my name is Harold J. Whitaker, Jr. Three houses
8 across the street from this house I own two properties. I will be 65 June 6th and I grew
9 up in [inaudible]. So I have always lived there. And we are just scared, I too share, I do
10 not want a beer joint or any such thing as that or pool hall or whatever, and this house is
11 not, it's just a residence and should be residential [inaudible]. The couple who lived in
12 this house lived in it over 60 years and they died a few years back and people broke in
13 the house, and I would love to see it occupied and alive as a family home. But I deadly
14 against any commercial property, any commercial enterprises in my neighborhood.
15 Thank you, gentlemen.

16 CHAIRMAN PALMER: Yes, sir, thank you. Sylvia Parker?

17 **TESTIMONY OF SYLVIA PARKER:**

18 MS. PARKER: I just came here to say thank you. I express the same sentiments
19 as [inaudible].

20 CHAIRMAN PALMER: Great, thank you. That's all we have signed up to speak.

21 MR. TUTTLE: Mr. Chairman, I would like to make a motion that Case 15-24 MA
22 be disapproved.

23 MS. FRIERSON: I second.

1 CHAIRMAN PALMER: We have a motion and a second. All those in favor say
2 aye.

3 *[Approved to deny: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns,*
4 *Theus]*

5 CHAIRMAN PALMER: And folks, we are a recommending Body to County
6 Council, so they will hear these same cases on June 23rd I believe it is, correct June
7 23rd back in these same Chambers at 7:00, and they have the final say on the matter.
8 We recommend to County Council. Okay? Do y'all have questions on that? Okay, great.
9 Next Case, Case No. 15-25 MA.

10 **CASE NO. 15-25 MA:**

11 MR. LEGER: Yes, sir, Mr. Chairman. The Applicant in this case is Mr. Derrick
12 Harris, Sr. The property's located at 7708 Fairfield Road, it's almost two acres in size,
13 currently zoned RU, the Rural District. And the Applicant is requesting General
14 Commercial. The Rural District was the original zoning from 1977. This is pretty far out
15 Fairfield Road. And some of the uses in the vicinity, to the north is zoned Heavy
16 Industrial, there's an auto salvage location. To the south property zoned Rural, it's either
17 undeveloped or residential. To the east property zoned RSMD, is undeveloped. And to
18 the west property zoned Rural, undeveloped, residential and/or some sort of boarding
19 house type situation. The site contains a nonresidential structure, appears to have been
20 some sort of a club of some sort. But the property has recently been somewhat cleared
21 up. Our Comprehensive Plan recommends Neighborhood Low Density where
22 commercial should be located within nearby activity centers. We didn't find that this
23 property was located at a traffic junction or near other types of commercial use,

1 although there was some industrial use in the vicinity. Based on the fact that we felt that
2 it did not meet the intent of the Comprehensive Plan and the lack of commercial use in
3 the vicinity, the Staff recommended disapproval.

4 CHAIRMAN PALMER: Any questions for Staff? Is the Applicant here? Yes, sir, if
5 you'd like to come down and take the podium for us. Give us your name and address.

6 **TESTIMONY OF DERRICK HARRIS:**

7 MR. HARRIS: My name is Derrick Harris, Sr. My address is 62 Teaberry Lane,
8 Elgin, South Carolina. And this structure has been in our family for almost 30 years, and
9 what we have on both sides of us is a junkyard and there's a Castro-Oil, it's like a oil
10 company. And we been paying taxes on the property for all these years and it's been
11 closed for a number of years. And it used to be a nightclub, and that was about 20 years
12 ago. And since that particular point in time my mother and father stay in the rear of the
13 property and we've been having the problems with the, paying the taxes, the actual
14 county taxes on the property. We've cleaned up the yard, we've actually added some
15 driveway and everything else. We had it for sale but the market value for it in that
16 particular area, because we are next to a junkyard and there is a Castro-Oil there, that
17 nobody wants to buy it for the fair market value that we can get for it. So I went to a
18 couple of community meetings and I don't know if any of the people from the community
19 came to represent today, but what we did was we sat down with them, we explained to
20 them that we were gonna turn the business into, it's like a slash barbeque restaurant
21 and a lodge. And what it was gonna be used for was for the community because it's a
22 large building, it's 5,500 square feet. Phase 1, we wanted to use the first part of the
23 building for events for the community, anybody wants to come in and rent it or whatever.

1 We're just trying to develop some type of form of some tax revenue so we can pay the
2 taxes on the property. There's been no incidents at the property, we've just been
3 dormant and it's been sitting there. And it's been an eyesore for years and years and
4 years, so, and we all saved all our money up together to clean up everything that we
5 could clean up around the property, and now I'm a lot older than I was when it was a
6 night club, now I'm a businessman with a different angle and I wanna help the
7 community, and I have helped the community as I've had a store before on Monticello
8 Road right by Eau Claire High School, used to be the old Johnson Store when we had
9 it. But we helped kids, we spoke with the, some of the people from the community and
10 we explained that during the summertime we want to offer certain classes and provide
11 some type of educational atmosphere as well, and have it just not sit there but be a
12 community-oriented project. And I'm also a licensed private investigator and I've been
13 one for 18 years now. And I also have a license to train private investigators and any of
14 the young kids that want to go into private investigating or the process service field is
15 something that I do have the license for and the place is big enough to hold little
16 seminars and use it for our youth and promote something positive in the area and not
17 just be a juke joint or a nightclub, something like that. That is not the intention and that's
18 not what we wanna use it for, but right now I think that it would, it would, not serve the
19 community to decline it but to look at what it can bring to the community cause there's
20 nothing out there. I mean, we're way up Fairfield Road, just past Oak Hills Golf Course,
21 I don't know if anybody knows exactly where that is. And there's nothing up there,
22 there's no restaurants up there, there's nothing up there. And so what we wanna do is
23 at least be able to provide something for the community and also pay the taxes on the

1 property, and if we turn a profit great, but if now, you know, my mom and dad still own
2 the, you know, they live on the property, I own the land and the land that's right next to
3 it, cause it's 1.83 acres, all together I think it's 5.4 cause we got the property right next
4 to it also. So that driveway for that property goes to the other part of the property and
5 we can't, we tried to sell it. I went through Russell Jeffcoat, had it sit there, sat there for,
6 like two years, nobody wants to buy it because it's between that junkyard and it's
7 between that Castor-Oil place. And so what I recommend to the Board is to reconsider
8 declining it and look at what it could bring to the, to the community and to the
9 neighborhood, and even Fairfield Road itself, because that would be a vital business
10 that could actually give jobs. Cause we look at employing probably about 15 people, it
11 takes a lotta people to run that type of business. And we also have another business
12 that's on Decker Boulevard, it's doing well, we employ about 25 people. And if you
13 would just think about it and maybe consider reconsidering I would surely appreciate it.
14 Thank you.

15 CHAIRMAN PALMER: Thank you. We have nobody else signed up to speak.

16 MR. BROWN: Mr. Chairman?

17 CHAIRMAN PALMER: Yes, sir?

18 MR. BROWN: I'd like to ask Staff, how close is the closest residential existing
19 unit to this property?

20 CHAIRMAN PALMER: Mr. Brown, if you take a look at that parcel, if you go back
21 to the other map.

22 MR. BROWN: Yes, sir, I'm looking at it.

23 CHAIRMAN PALMER: With the yellow that's on there.

1 MR. BROWN: Yes, sir.

2 CHAIRMAN PALMER: Those are zoned the RSMD, which are 8500 square foot
3 lots, and so whether there's an existing home on there or not, people own those, I
4 guess, for residents. It looks like it was a subdivision that was slated at one point which
5 kinda went dead, perhaps, because there's some lots cut out in there but others have
6 not yet been subdivided. So that RS, that yellow area right there was at least at one
7 point slated to be a subdivision, perhaps got caught in the economic downturn or
8 something I don't know, but it looks like those are individual residential lots that have
9 been sold and deeded up in that one area up in that corner.

10 MR. ANDERSON: What are you talking about current occupants?

11 CHAIRMAN PALMER: Current occupants?

12 MR. BROWN: Current occupants.

13 MR. LEGER: There are approximately three single-family structures across
14 Fairfield Road.

15 MR. BROWN: I understand that, but on the same side, yes, sir.

16 MR. LEGER: Not within the distance that I took notes.

17 MR. BROWN: Okay.

18 MR. LEGER: Probably, you know, several, at least several hundred yards.

19 MR. BROWN: So the, this property is adjacent to this, what is this a junkyard?

20 MR. LEGER: Yes, sir. On the north side, yes, sir.

21 MR. BROWN: Okay, and, and if I understood the Chairman correctly, nobody has
22 built any residential homes in that vicinity since it's been subdivided, next to that
23 property, is that correct?

1 MR. LEGER: That's correct.

2 MR. ANDERSON: Mr. Chair, I have a question.

3 CHAIRMAN PALMER: Sure.

4 MR. ANDERSON: For Staff, the PDD across the street, what are the, I mean, I
5 know they, in order to have a PDD approved we had to have a site plan. Where's the
6 ingress and egress from that PDD? Do we know?

7 [Inaudible discussion]

8 MR. LEGER: That's the Oak Hill Golf Club.

9 MR. ANDERSON: Oh, that is the golf club?

10 MR. LEGER: Yes, sir. And it, the ingress/egress is probably a quarter mile south.

11 MR. ANDERSON: Okay, so that's not built out though, is it? Is that undeveloped,
12 is that an undeveloped PDD?

13 MS. HEGLER: Mr. Price, was it just a PDD for the golf course?

14 MR. PRICE: Yes. Yeah, it used to be the Oak Hills Golf Course and then it was a
15 PDD, they were gonna do a residential development.

16 MR. ANDERSON: Uh-huh.

17 MR. PRICE: But I'm assuming that was along the time when the market kind of
18 dropped and so a number of developments that were proposed stopped. But as far as
19 PDD, it was designed for the golf course and also with surrounding residential uses.

20 MR. ANDERSON: Okay. So we don't really have a site plan to see where that's
21 going in or out.

22 MR. PRICE: Well, but they were gonna use the main entrance for the golf
23 course. I think that's where, I'll pull it up now.

1 MR. ANDERSON: Where would that main entrance be?

2 CHAIRMAN PALMER: Just down at the bottom of the picture.

3 MR. ANDERSON: It is down at the bottom?

4 CHAIRMAN PALMER: On Fairfield, see the double entrance?

5 MR. ANDERSON: Oh, I gotcha, okay I see it. That's fine. Okay.

6 MS. FRIERSON: Mr. Chairman –

7 CHAIRMAN PALMER: Yes, ma'am?

8 MS. FRIERSON: - I have a question. I'd like to ask of Staff, in that this request is
9 for, from Rural to General Commercial, is there any other zoning classification that
10 would meet the needs of the Applicant that, you know, has not yet been considered or
11 it's not addressed in what's before us? Maybe a lower classification other than General
12 Commercial?

13 MR. PRICE: Oh, I think we would have to actually sit down with the Applicant and
14 go over all of the uses. I think during his presentation there were a number of uses
15 presented to you, so we have to go over and just, just to ensure that all of them would fit
16 into one particular zoning classification.

17 MS. FRIERSON: Thank you.

18 MR. ANDERSON: So in the pre-application y'all didn't go over anything other
19 than GC.

20 MR. PRICE: We, we have a use, but I'm just saying there were a number of uses
21 that were proposed.

22 MR. ANDERSON: Okay.

23 MR. PRICE: And so we just wanna make sure besides just going with that.

1 MR. ANDERSON: Okay, cause GC is the highest, you know, intensity of
2 commercial that we have, so I just wanted to make sure the Applicant knew that.

3 MR. PRICE: Right.

4 MS. HEGLER: The pre-application notes indicate that the Applicant was talking
5 about a lodge, and the zoning districts where you could have that is GC or LI.

6 MR. ANDERSON: Okay.

7 MS. FRIERSON: And one other question, Mr. Chairperson –

8 CHAIRMAN PALMER: Yes, ma'am.

9 MS. FRIERSON: - if I may? As I listened to the Applicant he mentioned that one
10 purpose might be a lodge, one might be a barbeque establishment, and again, I'm not
11 dictating to the Applicant what he should do with his property, but it may be that in that
12 what was presented to us today was in the form of two proposals; maybe he might be
13 amenable to talking again to Staff and if he can decide definitively which of the
14 establishments would meet a lower zoning classification, maybe he would be able to get
15 what he needs and desires. Just a suggestion.

16 MR. ANDERSON: I agree. With that being said I'd like to make a motion that we
17 send Case 15-25 MA ahead to Council with a recommendation of disapproval.

18 CHAIRMAN PALMER: We have a motion. Do we have a second?

19 MR. TUTTLE: I second. And I also wanna make a clarification with Staff just so
20 I'm aware and everybody that's here's aware, when we rezone something a particular
21 intent is not to be weighed by this council, it's anything that fits within that zoning
22 classification category. So any of the uses under GC would be approved if we had
23 approved GC. I just wanna make sure everybody's aware of that, what a particular

1 applicant may wanna do today or tomorrow isn't necessarily binding and therefore we
2 have to look at all of the acceptable uses under a classification.

3 MR. BROWN: Okay, but let me also if I may, Mr. Chairman, I just raise this. And I
4 don't disagree with what you just said at all, you're absolutely correct, but I think what
5 Ms. Frierson was trying to do is to help the Applicant basically get a resolution to the
6 use of the property in such a way that, because just looking at it, I doubt very seriously if
7 you're gonna get residential built anywhere near that, and so I don't disagree with you.
8 What I'm saying is the Applicant needs to know they can go back to the Staff and
9 discuss this matter and at some point in the future come back to us with a different
10 request. Am I –

11 MR. TUTTLE: Oh, I certainly appreciate Ms. Frierson's comments and I
12 understand that RC and NC might be appropriate. I just wanted everybody to
13 understand that we're bound by what's in front of us.

14 MR. BROWN: Right. No, no, you're correct.

15 CHAIRMAN PALMER: Mr. Price?

16 MR. PRICE: Yeah, I just wanna point out again, we kinda go through this a bit.
17 Applicants come before us and they identify certain uses, and what we do is we go
18 through the Code, just ensure that the uses that they present to us, which zoning
19 districts would accommodate that. And there are sometimes we'll look and we try not to
20 guide them in any particular direction, but we will look and say, you know, maybe you
21 shouldn't put HI here right by residential, you know, something just very obvious. But we
22 leave it up to the applicant to come in. So again, as, I think as Mr. Tuttle was saying,
23 that at any time they could come in and change those uses, which is one of the reasons

1 why we as a Staff don't present what the use is, and actually we try not to really dwell
2 on that too much, because I can pick the best use for a zoning district and then once
3 approved put the worst. Just depends on what your perspective is from that. At any time
4 the applicant can go forward, if they're denied they can turn right back around and ask
5 for another zoning district at any time, so they're not being hampered just for one
6 request. So they can ask for the, ask for the moon, if they don't get that come in and ask
7 for something later on.

8 MR. GILCHRIST: Mr. Price, so help me understand, so when an applicant comes
9 in to ask for a certain use are you telling me that you give them a menu of what they
10 could possibly consider? Is that what you're –

11 MR. PRICE: No, what we'll do is then I'll just pick a simple one. Let's say you
12 wanted to do a restaurant.

13 MR. GILCHRIST: Right.

14 MR. PRICE: You know, you came in, you said, I have this property, I'm interested
15 in doing a restaurant. We will go through our matrix and we would show all of the
16 districts in which a restaurant would be allowed. Again, we're just going by what you
17 say. After that point we'll ask you to choose which zoning district that you would, you
18 know, go forward with.

19 MR. GILCHRIST: Right.

20 MR. PRICE: That is the request that will come before you.

21 MR. GILCHRIST: Okay, so I guess what I'm, that's what I'm asking, so there is a
22 menu kinda presented to them, they can choose –

23 MR. PRICE: Correct.

1 MR. GILCHRIST: - what's most appropriate. Okay, thank you.

2 MR. PRICE: Correct, and if you want to at any time we'll be happy to show you
3 our pre-application form where you'll see, we check a number of boxes, just depending
4 on the use that they present to us, but at the same time we try not to hold them to that
5 use because there's so many other uses that –

6 MR. GILCHRIST: I understand.

7 MR. PRICE: - the district will allow.

8 MR. GILCHRIST: Yeah, I gotcha.

9 CHAIRMAN PALMER: Mr. Harris, I appreciate it but we typically don't, we're
10 having a discussion now about the process and how it moves forward. Any other
11 questions for Staff? Okay. We have a motion and a second to send this case forward to
12 Council with a recommendation of denial. All those in favor say aye. Any opposed?

13 *[Approved to deny: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns,*
14 *Theus]*

15 CHAIRMAN PALMER: And again, we're a recommending Body to County
16 Council, they'll have the final say in these same Chambers. If you have any questions
17 get with Staff and they can guide you in a direction. Next case.

18 **CASE NO. 15-26 MA:**

19 MR. LEGER: Yes, sir, Mr. Chairman, the next case is project number 15-26 MA.
20 The Applicant is Jeff and Jodi Salter. The property's located at 2304 Clemson Road, it's
21 about five acres in size, currently zoned RSMD, Residential Single-Family Medium
22 Density, and the Applicant is asking for Office and Institutional. The RS2 was original
23 zoning from 1977, and in 2005 that district was changed to RSMD. In the vicinity on

1 Clemson Road you have property zoned RU to the north, which is currently
2 undeveloped. To the south we have property zoned RU and NC, there are residences
3 as well as a doctor's office facility there. To the east we have property zoned RU which
4 is undeveloped. And to the west property zoned Office and Institutional, which is a
5 newly constructed continuing care retirement facility. The property, like I said, is about
6 five acres in size, currently has a residential structure on it, located close to the property
7 line near the continuing care facility. It is also mostly wooded except for this structure.
8 The Comprehensive Plan recommends neighborhood activity center calling for a certain
9 limited amount of office use demanded by neighborhoods and near medium density
10 housing in neighborhood vicinities. Because of the types of uses located up and down
11 Clemson Road in this vicinity, because Clemson Road is a four lane with a turn lane in
12 the center, and the recommendation of the Comprehensive Plan the Staff
13 recommended approval.

14 CHAIRMAN PALMER: We have nobody signed up on this case and Staff has
15 recommended approval. Is there any discussion? Do we have a motion?

16 MS. FRIERSON: Mr. Chairperson, I so move that we send this particular request
17 to Council with the recommendation of approval.

18 MR. TUTTLE: Second.

19 MR. GILCHRIST: Second, Mr. Chairman.

20 CHAIRMAN PALMER: We have a motion and a second. All those in favor say
21 aye.

22 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

23 CHAIRMAN PALMER: Next case.

1 **CASE NO. 15-27 MA:**

2 MR. LEGER: Our next case is project number 15-27, the Applicant is Mr. Robert
3 Berger. The property is about 3 ½ acres in size –

4 CHAIRMAN PALMER: I'll tell you what, Holland, real quick, just to move this
5 along since we got a lotta cases. There's no one signed up to speak against this case.
6 Does anybody on the Planning Commission having an issue with this one? Would they
7 like to hear the Staff Report? We have no one signed up to speak against it and we only
8 have an attorney for it. Would the attorney like to speak since he's signed up for it?

9 **TESTIMONY OF WILL DILLARD:**

10 MR. DILLARD: Well, I will just briefly say, my name's Will Dillard, I'm an attorney
11 with the Belser & Belser Law Firm in town and I'm here with Dr. Robert Berger, who's
12 the property owner. In line with what the Staff Report says, this is in the neighborhood
13 activity center on the Comprehensive Plan. We feel this is directly in line with that on the
14 future land use map. And so we would ask for your recommendation for approval, but
15 we're happy to answer any questions you have.

16 CHAIRMAN PALMER: Great, thank you.

17 MR. TUTTLE: Mr. Chairman, I'd like to make a motion that we send Case 15-27
18 MA forward to Council with a recommendation for approval.

19 MR. GILCHRIST: Second, Mr. Chairman.

20 CHAIRMAN PALMER: All those in favor say aye.

21 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

22 CHAIRMAN PALMER: Next case.

23 **CASE NO. 15-28 MA:**

1 MR. LEGER: Alright, our next case is project number 15-28. The Applicant is Kay
2 Evans. The property's located on Riding Grove Road near rezoning of property that was
3 proposed just a few months ago.

4 CHAIRMAN PALMER: Holland, I'm sorry again, I just noticed this again. This is
5 an approval. No one's signed up to speak against. Kay Evans is the only person signed
6 up and that's the Applicant. Staff has recommended approval. Ms. Evans, you certainly
7 have the right to speak if you'd like to.

8 MR. TUTTLE: Mr. Chair, I make a motion we send Case 15-28 MA forward to
9 Council with a recommendation of approval.

10 MR. BROWN: Second.

11 CHAIRMAN PALMER: We have a motion and a second. All those in favor say
12 aye.

13 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

14 CHAIRMAN PALMER: Alright. Next case. This one will go forward. Yes, sir. 15-
15 29.

16 **CASE NO. 15-29 MA:**

17 MR. LEGER: The next case is project number 15-29 MA. The Applicant is Mr.
18 Curtis Cain. The property is located at 5480 Bluff Road, it's about 3 ½ acres in size,
19 currently zoned RU and Mr. Cain is asking for the General Commercial District. The RU
20 District is original from 1977. In this vicinity of Bluff Road all the property is zoned RU,
21 our Rural District, either occupied residentially or undeveloped. The property contains
22 currently what appears to be some sort of a private club near the road frontage with a
23 parking lot. Behind that is some type of a motel type structure or some multi-housing.

1 And then behind that are some, several mobile homes. The Comprehensive Plan
2 recommends Rural in this area where commercial development is recommended to be
3 located at Rural Activity Centers. This is not a Rural Activity Center. Because this site is
4 not on a major arterial and the Comprehensive Plan recommends for rural use with
5 commercial only at Rural Activity Centers, the Staff recommends disapproval.

6 MR. TUTTLE: Mr. Chairman, I have a question. The package has this labeled
7 differently, so the request is from RU to GC?

8 MS. HEGLER: Yes.

9 MR. TUTTLE: Cause some of the subsequent pages show RC.

10 MS. HEGLER: I'm sorry, I thought I caught that and changed it. It is a, it is RC
11 Rural Commercial.

12 MR. TUTTLE: Thank you.

13 MS. FRIERSON: I'm sorry, would you repeat, which one is the correct one?

14 MS. HEGLER: RC, Rural Commercial. So the Report's written to Rural
15 Commercial, there's just a typo at the heading.

16 MR. BROWN: So it should be on the, on the cover page it should be from RU to
17 RC?

18 MS. HEGLER: Correct, yes, sir.

19 CHAIRMAN PALMER: Curtis Cain?

20 **TESTIMONY OF CURTIS CAIN:**

21 MR. CAIN: My name is Curtis Cain, I live at 2371 Klapman Road, West
22 Columbia. I've owned this property about 25 years, I've used this particular piece for a
23 warehouse, I own rental properties, I use it to store appliances, etc., etc., furniture. A

1 couple of months ago a couple approached me about renting the property to put a used
2 furniture store at the location, and I told them to come down and check with the zoning
3 people and that's when I understand that it wasn't zoned for that. That's the reason I'm
4 requesting a zoning change.

5 CHAIRMAN PALMER: Alright.

6 MR. CAIN: Certainly appreciate all your consideration and courtesy about it.

7 CHAIRMAN PALMER: Yes, sir, thank you. Shawna Cain?

8 MS. CAIN: That's me. I second whatever daddy says. [Laughter]

9 CHAIRMAN PALMER: I hear you. We appreciate it. Thank you. That's all we've
10 got signed up. Any thoughts?

11 MR. ANDERSON: Mr. Chair, I think I'm gonna have to agree with the Staff's
12 recommendation here, not being an arterial and just not fitting the overall zoning
13 classification. So I would make a motion that we send Case 15-29 MA ahead with a
14 recommendation of disapproval.

15 MR. BROWN: Second.

16 CHAIRMAN PALMER: We have a motion and a second. Any other discussion?
17 All those in favor say aye.

18 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

19 CHAIRMAN PALMER: The next case, hang on one second.

20 MS. CAIN: Can I ask a question?

21 CHAIRMAN PALMER: Yes, ma'am.

22 MS. CAIN: I don't wanna mess anything up, but I don't understand why, cause
23 it's a building up there that is not being used for a purpose that would help the

1 community. If our desire or the desire was to put some kind of a furniture place in there,
2 how would that hurt the community and not help it by providing it a business [inaudible].

3 CHARMAN PALMER: Yes, ma'am, Ms. Cain, I appreciate it. But the zoning
4 public hearing is closed, but the Staff can answer any questions, but we will also, this
5 will go forward to County Council with a recommendation, our recommendation to them.
6 They'll have the final say on it so you'll have the opportunity again on the 23rd if you'd
7 like to move forward with the case to have a public hearing with the County Council for
8 that area. But this Body did not agree that it should be rezoned from the current Rural
9 Commercial, from the Rural zoning to a Rural Commercial zoning for that area.

10 MS. CAIN: It's my understanding [inaudible] Bluff Road, a little bit further down
11 the road that y'all did approve, and it was approved through the zoning commission for
12 the same type of reasons. I just didn't understand why there would be a difference when
13 you approved one and didn't –

14 CHAIRMAN PALMER: Yes, ma'am, I think any Planning Commission Member
15 would be happy to explain to you their thought process after the meeting. If you'd like to
16 you can contact any of us. Thank you. And then case –

17 MR. ANDERSON: I'll just offer up, she can talk to me after the meeting. That's
18 fine.

19 CHAIRMAN PALMER: Great. Case No. 15-30 MA.

20 **CASE NO. 15-30 MA:**

21 CHAIRMAN PALMER: The case has no one signed up to speak against it, and
22 two signed up to speak for it. So we will offer that to those two if they'd like to. We've got
23 Robert Fuller and Joyce Gantt that are signed up to speak for it. The Staff's

1 recommendation is for approval. Or any Council Member or Commission Member who'd
2 like to talk about it as well. Mr. Fuller, would you like to take the podium, or Joyce Gantt.

3 MR. FULLER: Joyce Gantt is here and we excited to move forward. [Inaudible]

4 CHAIRMAN PALMER: Any Commission Member?

5 AUDIENCE MEMBER: [Inaudible]

6 CHAIRMAN PALMER: Yes, ma'am, thank you. Do we have any motions?

7 MR. ANDERSON: Mr. Chair, I make a motion that we send Case 15-30 MA
8 ahead to Council with a recommendation of approval.

9 MR. GILCHRIST: Second, Mr. Chairman.

10 CHAIRMAN PALMER: We have a motion and a second. All those in favor say
11 aye.

12 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

13 CHAIRMAN PALMER: Case No. 15-31 MA.

14 **CASE NO. 15-31 MA:**

15 CHAIRMAN PALMER: Staff has recommended approval. We have no one
16 signed up to speak against. Mr. Elton Johnson and Roy Cook are signed up to speak for
17 it. Would any Council Member like to hear from them? Do we have a motion?

18 MR. BROWN: Move approval, Mr. Chairman.

19 MR. TUTTLE: Second.

20 CHAIRMAN PALMER: We have a motion and a second to send Case No. 15-31
21 MA forward to Council with a recommendation of approval. All those in favor say aye.

22 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

23 CHAIRMAN PALMER: Text Amendments.

1 **TEXT AMENDMENT #1:**

2 MS. HEGLER: Yes, Chairman, this is simply a cleanup of some discrepancies
3 within the Code. We had several different definitions of subdivisions [inaudible]. So this
4 is really just a text cleanup. Carroll Williamson, our Land Development Administrator, is
5 here to answer specific questions if you have them, but.

6 CHAIRMAN PALMER: Does any Commissioner have any questions? We have
7 no one signed up to speak on the issue. If not, do we have a motion?

8 MS. FRIERSON: Mr. Chairperson, I so move that we accept the Text
9 Amendment as presented by Staff.

10 CHAIRMAN PALMER: Hold on a second. Okay, so we've got a motion to
11 approve the Text Amendment.

12 MR. ANDERSON: Can we repeat everything that was just said? [Laughter]

13 MS. FRIERSON: I said – you want me to do it for real?

14 MR. ANDERSON: No.

15 CHAIRMAN PALMER: No. We've got a motion to approve the Text Amendment.
16 Do we have a second?

17 MR. GILCHRIST: Second, Mr. Chairman.

18 CHAIRMAN PALMER: All those in favor say aye.

19 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson; Absent for vote: Brown;*
20 *Absent: Cairns, Theus]*

21 CHAIRMAN PALMER: There's none opposed. The next text amendment, we
22 have no one signed up to speak on that as well.

23 **TEXT AMENDMENT #2:**

1 CHAIRMAN PALMER: Any issue from a Planning Commission Member? Do we
2 have any motions?

3 MR. TUTTLE: Yeah, I do have one quick question. On page 97, I guess it's the
4 last page of the –

5 CHAIRMAN PALMER: I think that's the next text amendment.

6 MR. TUTTLE: Am I on the wrong one?

7 MS. HEGLER: Yeah.

8 CHAIRMAN PALMER: Yeah, this is just correcting numbers.

9 MR. TUTTLE: I'm sorry, my bad.

10 CHAIRMAN PALMER: Do we have a motion on Text Amendment #2?

11 MR. GILCHRIST: So moved, Mr. Chairman.

12 CHAIRMAN PALMER: Do we have a second?

13 MR. TUTTLE: Second.

14 CHAIRMAN PALMER: All those in favor say aye.

15 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson; Absent for vote: Brown;*
16 *Absent: Cairns, Theus]*

17 CHAIRMAN PALMER: Alright, third text amendment?

18 **TEXT AMENDMENT #3:**

19 CHAIRMAN PALMER: Do we have – we have no one signed up to speak on that
20 as well.

21 MR. TUTTLE: I have a question for Staff, Mr. Chairman.

22 CHAIRMAN PALMER: Yes.

23 MR. TUTTLE: What is the delineation between a duplex and a townhome?

1 MS. HEGLER: Mr. Price?

2 MR. PRICE: What was that question again?

3 MR. TUTTLE: I'm just curious as to the delineation – we built 450 some odd
4 townhomes in Richland County, some of which were duplexes, some of which were
5 three-plexes, four-plexes, five-plexes, six-plexes. Why is a duplex not included in the
6 definition of townhomes?

7 MR. PRICE: Duplex, I mean, our Code's reference is as a two family dwelling.

8 MR. TUTTLE: Okay.

9 MR. PRICE: It's two dwelling units on one parcel.

10 MR. TUTTLE: So what if I, what if I wanted to build two townhomes, would they,
11 how would that fit?

12 MR. PRICE: You're wanting to build two townhomes essentially it'll be two
13 dwelling units. You wanted to put them on the same parcel they will fall under the
14 category of two family dwelling.

15 MR. TUTTLE: Right.

16 MR. PRICE: You put a property line down the middle of them, now you have
17 common.

18 MR. TUTTLE: Let me, let me rephrase my question. Can we not just amend this
19 to say, there should not be less than two or more than seven such units connected
20 together?

21 MR. PRICE: Actually, well let me kinda go back and little bit. One of the things
22 we have within our Code was we have, of course, you know, your single-family, your
23 detached units. We have two family, we have the common. Once you get to three units

1 that falls into a multi-family. What we've never had within our Code was something for
2 townhomes so you can, you know, put a number of units together and everyone still
3 enjoy, you know, their own yard, their own front and rear. So we had an issue that came
4 before us and we realized that we have not had this in our Code, it hasn't been
5 addressed, so that was our, this is kind of our first take on trying to come up with an
6 ordinance for it.

7 MR. TUTTLE: Yeah, my only concern is that somehow we're eliminating two
8 units from being townhomes.

9 MR. PRICE: Well, you can still, don't get caught up with the term townhome, it's
10 still just a dwelling units. If you wanted to come out and build two units together that
11 would be permitted according to the district.

12 MS. HEGLER: So a duplex is still on –

13 MR. PRICE: Yeah, a duplex could be a townhome.

14 MR. TUTTLE: So, so my understanding is that duplex are two homes located on
15 one property. You can have a two unit townhome with fee simple ownership of each
16 side that would be no different than a three unit townhome. I don't wanna somehow
17 exclude the two unit townhome from a definition that applies to townhomes. They're
18 very different and distinct; fee simple all the way up, two units, versus a duplex which is
19 owned by one person and it doesn't have the same fire requirements, etc. of a
20 townhome. So I would just make a motion if we could to amend this definition and the
21 last sentence to say, "There should not be less than two or more than seven such units
22 connected together." If you have no objection to that.

23 MR. PRICE: I hear, I see where you're going with that.

1 MS. HEGLER: Yeah.

2 MR. TUTTLE: So that was a, that was a motion to –

3 MR. ANDERSON: I'll second that motion as long as it's exactly the way, Staff
4 writes it down exactly the way you said it, because there seems to be some confusion
5 on exactly what you said.

6 CHAIRMAN PALMER: Basically we're just taking the three and turning it into a
7 two in the definition.

8 MR. ANDERSON: Okay. Are you good with that, Geo?

9 MR. PRICE: What you're looking at, two units and basically you just own the
10 footprint of the building.

11 MR. TUTTLE: Yeah, I mean, the definition of ownership's no different than a
12 three unit attached building as with a two unit attached building. They're still fee simple,
13 you own the dirt underneath your property, all the way up. I'm just saying this definition
14 should include a two unit thing as opposed to starting at three.

15 MR. ANDERSON: Hold on. Are you saying that three attached townhomes, three
16 to seven attached townhomes? Or three to seven units?

17 MS. HEGLER: Attached.

18 MR. ANDERSON: Okay. So I think, yeah so I think it still applies from –

19 CHAIRMAN PALMER: Yeah, that's right it should be two, not three. Because if
20 someone has, there's two different property lines, duplex is a, there is no property line
21 between the two units, townhomes can be two, each person has an end cap, there's no
22 middle unit, so it can be two. Yeah, it needs to be two.

23 MR. PRICE: So you're looking for them to have a property line down –

1 CHAIRMAN PALMER: Down the middle of them with different fire ratings and
2 different Code.

3 MR. PRICE: So two units, property line down the middle.

4 CHAIRMAN PALMER: Right.

5 MR. PRICE: That's called a common, zero lot line common. Well, we actually
6 have that as a permitted use within our Code currently.

7 CHAIRMAN PALMER: So it should be –

8 MR. PRICE: The difference is the setbacks.

9 CHAIRMAN PALMER: It shouldn't be different setbacks. In my opinion it should
10 not be different setbacks because you've got, perhaps we need to take a look at this
11 and get together and take a look at it next month. Is there something pressing on this
12 issue?

13 MS. HEGLER: Potentially. We've had quite a few applicants come to us needing
14 this more and more. But could we consider getting rid of the zero lot line and just – what
15 would be the difference between keeping the zero lot line or combing it with a
16 townhome?

17 CHAIRMAN PALMER: Are these setbacks more stringent than the zero lot line?

18 MS. HEGLER: I don't think these would be [inaudible]

19 MR. PRICE: Yes.

20 CHAIRMAN PALMER: These are more stringent?

21 MR. PRICE: Yeah, if you, looking at this – setback 5', yes. So if you were doing
22 the common I think it's 12' on the opposite property line. So there's a 12' setback.
23 Whereas with this one you only have to have 5'.

1 MR. TUTTLE: Right, so I would want the same 5' to apply if I build a two unit
2 townhome versus a three unit townhome.

3 MR. PRICE: Okay, so you just wanna allow –

4 CHAIRMAN PALMER: Right.

5 MR. PRICE: Okay, then I think what we would then need to do is look at the, we
6 would need to look at another part of our Code under the common, the zero lot line and
7 see how to amend that.

8 MR. TUTTLE: Yeah, well I'm saying the common zero lot line and my request are
9 distinctly different, and don't apply. The zero lot line you generally create a rhythm
10 where you have zero lot line together, then you have a side set on each side to create
11 greater space between the two, etc. I just want the same setback requirements for a two
12 unit townhome as you have for a three unit townhome. Or a seven unit townhome.

13 CHAIRMAN PALMER: So theoretically a person could fall under either zoning
14 classification according to what their setback is.

15 MR. TUTTLE: But for instance, if you were doing a townhome development and
16 you had a, a parcel that would only accommodate two townhomes, you wouldn't wanna
17 be compelled to have to have 12' on each side; number one it wouldn't match the rest of
18 the neighborhood, right, and it would be more stringent than the rest of the
19 neighborhood. So I –

20 MS. HEGLER: Nor would you want it to be a zero lot line.

21 MR. TUTTLE: Right.

22 MS. HEGLER: I think you just are developing two options for the two.

23 CHAIRMAN PALMER: That's right.

1 MR. TUTTLE: That's right. Cause they're distinct and they're different properties.

2 MS. HEGLER: I think we'd have to look at making sure that this didn't sound too
3 similar, but – I would suggest we probably need to add a sentence, but if we took this
4 from two to seven that there was a sentence that differentiated this from the –

5 MR. TUTTLE: Mr. Chairman, can I make a request that we just table this until the
6 next meeting and –

7 CHAIRMAN PALMER: I think we've got some pressing issues, though.

8 MS. HEGLER: No, no, actually I don't know that we do, but if it puts us into the
9 August break and then –

10 MR. PRICE: Yeah, we were trying to push for this to get through before the
11 August break.

12 MR. TUTTLE: Okay, well maybe I could, maybe I could suggest this. If we were
13 to pass this could I ask for Staff to come back with a modification to this at our next
14 meeting to allow a two unit townhome?

15 MR. PRICE: Yes, sir.

16 MS. HEGLER: Sure.

17 MR. TUTTLE: Does that work?

18 CHAIRMAN PALMER: Absolutely.

19 MR. TUTTLE: In that case I make a recommendation that we send this forward to
20 Council with a recommendation for approval.

21 MR. BROWN: Second.

22 CHAIRMAN PALMER: As submitted.

23 MR. TUTTLE: As submitted. Thank y'all for indulging me.

1 CHAIRMAN PALMER: Well, we have to, we have to first vote on the other motion
2 that was seconded on the table.

3 MR. TUTTLE: I'll withdraw my motion.

4 CHAIRMAN PALMER: Okay, we have a withdrawal. And then –

5 MR. BROWN: I'll withdraw.

6 CHAIRMAN PALMER: Withdraw of the second, so we now have a new motion to
7 send forward as submitted with a recommendation of approval and a second. All those
8 in favor say aye.

9 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Brown; Absent for vote: Anderson;*
10 *Absent: Cairns, Theus]*

11 CHAIRMAN PALMER: Alright. Next up is the Summary of Rural Commercial.

12 MS. HEGLER: Chairman, Staff put this on the Agenda a couple months ago after
13 we'd had a number of cases whereby the conversation really took place the intent or the
14 purpose of Rural Commercial. I think we've had a conversation before about all of the
15 commercial zoning districts having, I guess unintended consequences of their purpose
16 statements. So Staff put this on there, we deferred it last month. Simply wanted to put it
17 out there as an option for you guys to discuss if you wanted to consider revising those
18 purpose statement. Nothing pressing it's just it's come up a couple times where the
19 purpose statement was used for reason to either approve or deny something, and we
20 wanna make sure that it actually meets the intent of the Planning Commission as we
21 move forward.

22 CHAIRMAN PALMER: Are we looking at modifying the Code as a whole?

1 MS. HEGLER: We are, and that's another option. We are, just as a, you know, by
2 way of an update, I did request additional funding in FY16 to bring on a consultant to
3 help us rewrite the Code. We have the direction of Council to do so. Funds are limited
4 so I'm not optimistic that's going to happen, which means we'll probably be rewriting it
5 in-house. But I do have the direction of Council to rewrite the Code. I think -

6 CHAIRMAN PALMER: But it'll be quite a while.

7 MS. HEGLER: - it will take some time.

8 CHAIRMAN PALMER: Be quite a while.

9 MS. HEGLER: And I just think that this, these purpose statements have come up
10 a couple times. Again, it's not pressing. For me there's nothing really sitting on it, but we
11 have a lotta conversation about Rural Neighborhood and General Commercial and I just
12 put it on there thinking it might be something you want to talk about.

13 CHAIRMAN PALMER: Why don't, why don't we take a look at the commercials
14 first and it would be my recommendation that we take a look at those first since they
15 seem to be the most contested. And if Staff would, with Rural Commercial,
16 Neighborhood Commercial, and General Commercial, take a stab at what they think
17 may be best for those, see if you think they should be amended or not, or if so kind of in
18 what areas? What are you guys hearing are the areas that are most contested? Is it
19 certain language that is in each one? Is it the area that it is? I mean, what do you think?

20 MS. HEGLER: I think it's really more a discussion for y'all to have because we've
21 had, where we have varied most frequently in terms of our recommendation and yours
22 was our RC and the intent was used as the reason for that discrepancy. So I, Staff I
23 would say does have a couple issues with the three different commercial districts and

1 them making sense. But I think the concern that's been raised is maybe a difference of
2 opinion between how the intent and purpose statement is being interpreted.

3 CHAIRMAN PALMER: Well, let's take a look at what the intent statement does.
4 We put it in as part of Code but it's more of a theoretical issue.

5 MS. HEGLER: I would agree, but it's been used as a reason for –

6 CHAIRMAN PALMER: Which can be used one way or the other and used as
7 definite fact when in fact it's more of a general guide as to, hey this is what we're
8 thinking. So –

9 MS. HEGLER: I totally agree.

10 CHAIRMAN PALMER: - so should those even be in the Code? I mean, give us
11 an example, what's, what does the Rural Commercial read?

12 MS. HEGLER: I do have some statements here if you want me to pass them out.
13 I agree with that statement, these are more, the intent is more of the theoretical portion
14 of the Code. I'm just saying it's been used as –

15 CHAIRMAN PALMER: Right.

16 MS. HEGLER: - as arguments recently and I wanna either make sure it says
17 what you want it to say or we do take a theoretical departure from doing that.

18 CHAIRMAN PALMER: Right. So what is the Rural Commercial say for everyone?

19 MR. PRICE: The Rural Commercial District recognizes a need to provide for
20 areas within Richland County where residents of the more isolated agricultural and rural
21 residential districts and residents located beyond the limits of service of the
22 municipalities can receive certain convenience merchandising and services. It is
23 intended to be a flexible district allowing a mixture of uses in order to accommodate

1 commercial and service activities oriented primarily to serving the needs of persons who
2 live in nearby areas. The RC District is proposed to be within or adjacent to residential
3 neighborhoods where large commercial uses are inappropriate, but where small
4 neighborhood oriented businesses are useful and desired. This district is further
5 designed to be located at or near intersections of arterial and/or major collector roads so
6 as to prevent the spreading of commercial uses down the major corridors or into the
7 surrounding countryside.

8 CHAIRMAN PALMER: So in my opinion there's a lot of argumentative terms in
9 that paragraph that anyone can use in any direction. I mean, just take the first sentence,
10 ". . . County where residents of the more isolated agricultural and rural residential
11 districts . . ." man, that could mean anything; isolated, agricultural, I mean, the folks that
12 live there may think it's isolated, the folks that don't live there may say it's not isolated.
13 You know?

14 MR. ANDERSON: I mean, I think you can see that when you go out, like Lower
15 Richland Boulevard. You see a lotta RU zonings, I tend to agree with Mr. Palmer, you
16 see a lotta RU zonings but yet things are built up, maybe there's some nonconforming
17 uses, and maybe just the color depictions don't really show a true nature of what the,
18 where the market is.

19 CHAIRMAN PALMER: Perhaps we need to get to more, something more of a
20 definitive type classification where we use road classifications, we use vehicles per day,
21 trips per day. You know, the term isolated could mean, you know, anything less than
22 3,000 trips per day, 3,000 vehicles on the road per day, maybe that's isolated. Maybe
23 it's less than 12,000 vehicles per day. But some sort of, you know, quantitative scenario

1 to say, this is what we're classifying as areas that need Rural Commercial and these are
2 the areas that need Neighborhood Commercial. I don't know, it's just an idea. But I
3 know this much, when you read that purpose district and it says for, "This zoning
4 classification is proposed to be within or adjacent to residential neighborhoods . . ." it's
5 difficult to see, I don't know that we've ever rezoned a piece of property or
6 recommended rezoning a piece of property within a neighborhood to anything
7 commercial.

8 MS. HEGLER: Well because within that paragraph it conflicts with, "must be at
9 an intersection" [inaudible]. Which I think is the intent but it doesn't say that. So I think
10 even that conflicting statements –

11 CHAIRMAN PALMER: Yeah.

12 MS. HEGLER: - within this same purpose statement.

13 CHAIRMAN PALMER: And then the, the problem I have with the whole purpose
14 paragraph in general as I stated earlier is it gives a bunch of ambiguities, but yet the
15 Code itself is designed to give specific guidelines under which things should or should
16 not be rezoned and what, and if they are rezoned what they should be used for. I can
17 see some sort of a purpose, perhaps, classification or heading but, you know, for
18 example when you have a rezoning come in and the application meets the requirements
19 of that section but yet the purpose district is somehow utilized for thought processes
20 against it, it doesn't make sense when the purpose is, is the verbiage that goes along
21 with the Code itself. I mean, the Neighborhood Commercial, I'm reading it right now, it
22 seems to be the same thing as Rural Commercial, except for the term isolated and
23 agricultural and rural residential.

1 MR. ANDERSON: So, let me just be clear. I'm sorry, Mr. Chairman. These aren't
2 currently in the Code?

3 MR. PRICE: Yes.

4 MR. ANDERSON: They are.

5 MR. PRICE: Yes.

6 CHAIRMAN PALMER: It's like the preface for the book.

7 MR. ANDERSON: Yeah, yeah, I – okay. So, and we're changing them why?

8 MR. PRICE: Well, we had a [inaudible]. There was a, on one of the cases that we
9 previously had there was a lotta discussion regarding the purpose statement of the
10 Rural Commercial and how it was looked at. And so it was just suggested that Planning
11 Commission take a look at that to ensure that that language was correct. Because I
12 think, as I believe Mr. Palmer was pointing out, you can read this different ways as
13 opposed to some of the other purpose statements within our Code, just we just want
14 you to look at this and make a determination on do you think that the language is
15 actually correct or does it contradict itself in any way.

16 MR. ANDERSON: Okay.

17 MS. HEGLER: And again like I said, I think this is where we've had a difference
18 of opinion on a number of cases, I think it's based on the interpretation of those purpose
19 statements. So again, nothing pressing. If you wanna take it and think about it.

20 [Inaudible]

21 MS. FRIERSON: Mr. Chairperson?

22 MR. ANDERSON: You gotta click your button.

23 CHAIRMAN PALMER: Did you push your button, is it red?

1 MS. FRIERSON: Now it is. I can appreciate what Tracy just said and Geo and
2 Chairperson and Commissioners, and when I went to the last Council of Government
3 training there was a whole segment, over an hour, about how it's so important to make
4 the language consistent with what we really intend. And I really don't think we can
5 resolve this today. As you mentioned Tracy, there may be funds for the study and the
6 language to be more consistent, is that correct?

7 MS. HEGLER: We have been directed by Council to update the entire Land
8 Development Code. We will do that. The question is whether we will do it more quickly
9 and efficiently with a consultant, or will we do it in-house? And I'm thinking the latter is
10 more likely at the moment.

11 MS. FRIERSON: What, in-house?

12 MS. HEGLER: Correct. Yes, ma'am. Meaning the Staff and Planning
13 Commission really work on it.

14 MS. FRIERSON: As I mentioned the last training I went to they spent thousands
15 and thousands of dollars and I asked them why did they do that, and they said it was
16 because of the consultant fees. But yet the end result was more beneficial to the county
17 and much more user friendly for applicants that came in wanting to understand
18 something in a concise manner. So naturally I'm not in the position to say in which
19 direction we should go but I know that, at least I don't think that we can resolve it right
20 now and we're gonna have to, we're going to have to give it much more consideration,
21 be it in-house or by route of consultant.

22 CHAIRMAN PALMER: We have one person signed up to speak. Shawna Cain?
23 I'm not sure if it was really on the topic or not.

1 MS. CAIN: No, it wasn't. I just probably signed the wrong thing.

2 CHAIRMAN PALMER: Okay. Alright, no problem. My opinion, the definitions
3 definitely need to be addressed, these purpose districts, the purposes of these districts.
4 And I would suggest that perhaps we address it at our next meeting. First of all for the
5 Planning Commission Members to think about, do we really need these at the beginning
6 of each category?

7 MR. ANDERSON: Can we get the current and then the proposed?

8 CHAIRMAN PALMER: There is no proposed. This is just do we wanna address
9 it.

10 MR. ANDERSON: This is, oh this is the current.

11 CHAIRMAN PALMER: This is the current.

12 MR. ANDERSON: Okay.

13 CHAIRMAN PALMER: And so you can see, for example, in the Rural
14 Commercial compared to the Neighborhood Commercial and the General Commercial
15 how ambiguous it seems to be and, you know, I know when we, we went through the
16 rewriting of the Code some 10 years ago it was very precise and what's in Code is in
17 Code and then what's in a theoretical document is in a theoretical document. And these
18 seem to be, I don't know that I would be against a purpose code, I mean the purpose in
19 the Code, but it needs to be condensed and concise as to what the purpose of it is and
20 not say it can be all of these different things and this is what we're thinking, blah, blah,
21 blah. It just, it seems to throw people off more than it helps people, which is not what I
22 think it is intended for or needs to be. Any other thoughts on it?

1 MR. GILCHRIST: Mr. Chairman, just a quick question for Staff. These purpose
2 statements are, there're a lot of these.

3 MS. HEGLER: Oh, for every zoning district, yes, sir.

4 MR. GILCHRIST: So the purpose of why we're looking at this today is because,
5 this particular one, is because of what?

6 MS. HEGLER: I think it's just where we have the most discussion and the most
7 debate. We've heard recently those purpose statement be used as reason for approvals
8 or denials.

9 MR. GILCHRIST: So you would agree that we probably need to, if we're gonna
10 look at one we probably look at all, is that right?

11 MS. HEGLER: Well, you're going to, I just felt that this one has come up more,
12 but correct, certainly. They're always all open for discussion and debate by you.

13 CHAIRMAN PALMER: Yeah, I would kinda suggest that we take them in groups,
14 maybe ahead of the – cause it's gonna take a while to rewrite this Code, guys, gals, it
15 takes a long time. And so if we're seeing issues with this now, what I'd hate to see is if
16 we have issues come up and we just keep putting them off and putting them off until the
17 Code gets rewritten. You know, we're not gonna put every text amendment off until the
18 Code gets rewritten and so if we see issues with it we can address it in an ongoing
19 manner and, and put them forward on our Agenda. But I would suggest that we take a
20 look at the commercial, then perhaps the multi-family zoning classifications. And then
21 perhaps the residential classifications and see if we can knock those out in blocks. And
22 then, so at our next meeting we'll address these three, present to us the multi-family
23 ones.

1 MR. PRICE: You wanna do all four, include the OI also?

2 MS. HEGLER: To commercial?

3 CHAIRMAN PALMER: Yeah, I'd put OI in there as well. And then perhaps the
4 multi-family and industrial in the same block?

5 MS. HEGLER: Sure.

6 CHAIRMAN PALMER: You think?

7 MR. PRICE: We could. I think one of the things to kind of maybe to look at is
8 maybe the multi-family and the single-family together.

9 CHAIRMAN PALMER: Okay. Multi-family, single-family, and then industrial?

10 MR. TUTTLE: Geo, we have a lady in the back –

11 MR. PRICE: Oh, I'm sorry. We could do the multi-family and the single-family
12 together. Then we can do the industrial.

13 CHAIRMAN PALMER: Okay. And then the commercial.

14 MR. ANDERSON: We're doing that at the next meeting?

15 CHAIRMAN PALMER: I think we address the commercial at our next meeting
16 and then they'll present to us the residential, multi-family?

17 MR. PRICE: Okay.

18 CHAIRMAN PALMER: And then present the industrial?

19 MR. ANDERSON: Do we have a big Agenda next month?

20 MS. HEGLER: I don't know, how do we look so far? Two rezonings.

21 CHAIRMAN PALMER: Okay.

22 MS. HEGLER: Yeah, and you know, we can bring scratch pads and we have the,
23 you know, computer up to type, just whatever would help you discuss a draft.

1 MR. ANDERSON: I mean, I agree, this is something that we need to spend time
2 on and it's real important, so.

3 CHAIRMAN PALMER: Well, let's all, let's all make sure that we all three read
4 these three as well as the office and industrial, spend some time on it, think about it to
5 see if we can draft some language ourselves. And then, you know, I, I would think that
6 they would need to be more concise as opposed to lengthier, but that's up to the
7 Commission, what they wanna vote forward. Since it's actually in our Code, Chapter 26,
8 so instead of theoretical.

9 MR. PRICE: I think what we can do to help you out is give you copies of each
10 section that deals with these particular zoning districts and also the matrix that shows
11 you the uses allowed within there. And we can just give that to you, like soon so you'll
12 have time to look at it prior to the next meeting.

13 MR. GILCHRIST: That'll be perfect.

14 CHAIRMAN PALMER: That'll work. Consent Agenda?

15 MS. HEGLER: I put this also on here just to discuss. It's been brought up a
16 couple times. I didn't know if you wanted to actually go through the exercise of looking
17 at today's Agenda and actually determining if you had consent on there how it would've
18 worked cause I think there was some confusion over how you might have a consent
19 agenda item much like the city's.

20 MR. TUTTLE: Yeah, so, yeah just, cause I'm familiar with the City's. Those items
21 that we kinda blew through today where there was nobody against, the Staff
22 recommended approval would've been slated for a consent agenda. Had someone
23 shown up to speak against then they would be pulled from the consent agenda, or if a

1 Planning Commission Member wanted to have a discussion on one of those they can
2 also pull those from the consent agenda. And I guess Staff can as well at the last
3 minute, too. So there's still reasons to pull stuff out from time to time, but if not all those
4 would've been done, we'd have taken a quick vote and knocked out three or four of
5 those that we would've had to normally hear the, you know, no offense [laughter], but
6 we would normally hear the Report.

7 MS. HEGLER: And, you know, we did discuss it with the City and I think they
8 pretty much subjectively decide what to put on there, and it could be such that unless
9 we know one is controversial, we've received a lot of calls or we know there's gonna be
10 a lotta discussion, we don't have as many cases as I think the City does, or as many
11 items that they review. You could have everything under it and then pull it as you
12 needed to.

13 CHAIRMAN PALMER: I think everything goes under the consent agenda as
14 Staff's recommendation. And once we receive the signup sheet, if there's no one signed
15 up against it then it makes on the consent items and at the, when we first start talking
16 about the Agenda any Planning Commission Member will say, you know, Mr. Chairman,
17 number 4 is on the consent items, I'd like to pull it off, I'd like to pull it off. Any that you
18 have an issue with you can pull them off and then we'll hear those cases as normal. But
19 if not, if someone signs up to speak against it, it's pulled off automatically. And, or if a
20 Commission Member or a Staff member says I wanna pull off number 4, I wanna talk
21 about it, Staff has recommended approval and I don't think it should be or whatever, or
22 at least just discuss it, even if you don't know, you can just discuss it, you can pull it off

1 for any reason whatever. But I think that moves a whole lot quicker than what we have
2 been doing.

3 MR. ANDERSON: I'm gonna make a suggestion. If we do that I think we need
4 some type of signup sheets that clearly state what you're doing. So, you know, I mean,
5 cause we've had people sign up that were for something that were actually against it.

6 MS. HEGLER: Well, the sheets do have –

7 CHAIRMAN PALMER: Yeah, we can't make it any clearer than that, I mean, the
8 red, there's For and then there's red Against, and if they can't get the right column.

9 MR. ANDERSON: I get it, I get it, I just, I left here maybe five meetings ago
10 where we were like, wow we didn't even know when we were supposed to stand up. So.

11 CHAIRMAN PALMER: Why don't we do this? Why don't we put together a mock
12 consent agenda for the next one, and that way we can follow it –

13 MR. ANDERSON: Yeah, I mean, I think it's a great idea. I do, too. My concern
14 was just to make sure –

15 CHAIRMAN PALMER: And then we can see what it would've gone like had we,
16 had we not had the consent agenda.

17 MR. TUTTLE: Yeah, that's fine, you know, just to be fair the City and others who
18 do this work through that process and somehow people get to where they're signing up
19 on the right side or the left side.

20 MR. ANDERSON: Gotcha.

21 MR. GILCHRIST: And the public is informed by that how? I mean, so for
22 example, if there're five cases on the consent agenda, if I'm sitting in the audience and
23 I'm on the consent agenda how do I know that?

1 MS. HEGLER: I mean, the cases are still evident on the agenda, they're still
2 shown.

3 MR. GILCHRIST: So, okay so –

4 MR. PRICE: I think we could identify it at the top, 'Consent Agenda' and put
5 those under that category. And maybe somewhere at the bottom of the agenda on the
6 last page, whichever it carries over to just highlight what the consent agenda means.

7 MS. HEGLER: The City's does have, I think a description of that, yes, there is a,
8 there is a little paragraph or a statement that explains what that means. So the item
9 would look the same on the agenda, you'd see the case number, the address and what
10 it is. And then they, we could, we could copy the statement that explains what that
11 means and what the process is, it describes the process for pulling it. Yeah, that's on
12 the City's.

13 CHAIRMAN PALMER: Alright, so we got, so that'll be good we'll do a mock one
14 in July so everyone can see what it would've looked like, and then we take August off.
15 Do we need to vote to take August off or is it off our Agenda already?

16 MS. HEGLER: You need to vote, it's your call.

17 CHAIRMAN PALMER: Okay. So we'll probably take August off and then we'll
18 come back in in September and see if folks wanna do the – we'll take the vote at the
19 end of next meeting if we wanna do it or not, wanna do a consent item, okay? Alright.
20 And then do we have a motion to take the month of August off? Council takes it off.

21 MR. BROWN: So moved, Mr. Chairman.

22 CHAIRMAN PALMER: There we go, no need for explanation. Do we have a
23 second?

1 MR. ANDERSON: Second.

2 CHAIRMAN PALMER: All those in favor say aye.

3 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

4 CHAIRMAN PALMER: Alright. Anything else from the Staff?

5 MS. HEGLER: The rest of the items are for your information, reports.

6 CHAIRMAN PALMER: Okay. Do we have a motion to adjourn?

7 MR. BROWN: So moved, Mr. Chairman.

8 CHAIRMAN PALMER: Is there a second?

9 MR. TUTTLE: Second.

10 CHAIRMAN PALMER: All those in favor say aye.

11 *[Approved: Frierson, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent: Cairns, Theus]*

12 CHAIRMAN PALMER: Okay.

13

14

[Meeting Adjourned at 2:20pm]