1 2 3	RICHLAND COUNTY PLANNING COMMISSION September 10, 2018
4 5 6	[Members Present: Karen Yip, Beverly Frierson, Ed Greenleaf [in at 3:30], Heather Cairns, Stephen Gilchrist, Mettauer Carlisle, David Tuttle, Prentiss McLaurin, Wallace Brown, Sr. [in at 3:07]
7	Called to order: 3:05 pm
8	CHAIRMAN GILCHRIST: Good afternoon everyone. Thank you for being here.
9	Please allow me to read this into the Record for our September 10 th meeting. In
10	accordance with the Freedom of Information Act a copy of the Agenda was sent to
11	radio, TV stations, newspapers and persons requesting notification, and posted on the
12	bulletin board located in the County administration office. So we thank you all for being
13	here today at our Planning Commission meeting.
14	MR. TUTTLE: Mr. Chairman, if you'd entertain a motion. I'd like to make a motion
15	that we accept the, or send forward the Consent Agenda with approval, with the
16	exceptions of Items #1 and 5, I'd like to pull those cases out to be heard based upon the
17	fact that folks are here to speak to them.
18	CHAIRMAN GILCHRIST: Okay. It's been moved, is there a second?
19	MS. HEGLER: You know, it's his birthday so he thinks he can
20	CHAIRMAN GILCHRIST: Oh, it's his birthday, oh it's Mr. Price's birthday. Well,
21	well, well, well. So he's taking all the privilege today, huh? Go ahead, Mr. Price.
22	MR. PRICE: Okay. I just want to make sure, the only cases that we're going to
23	discuss will be Case 1 and 5?
24	MR. TUTTLE: Yeah, unless Commission Members have any objection to the
25	motion.

1	MS. HEGLER: This just means for the Record that you are agreeing with the
2	Staff's recommendation, be in approval or disapproval. Very good.
3	CHAIRMAN GILCHRIST: Commission Members, do we understand that?
4	Removing Case 1 and Case 5 in the case that we are agreeing with the Staff's
5	recommendation. Yes, sir, Mr. Price?
6	MR. PRICE: And again, [inaudible] of the Planning Commission to, you know, put
7	these on, one of the things that I do like to point out again as you've seen, there are a
8	number of cases in which Staff will make a recommendation but our recommendation is
9	based specifically on the guidelines of the Comp Plan. There are some other
10	circumstances that we point out in the Staff Report that may lead to a little more
11	discussion. So that's the only reason why I just wanted to point that out.
12	MR. TUTTLE: Mr. Chairman, if I could
13	CHAIRMAN GILCHRIST: Yes, sir, Mr. Tuttle.
14	MR. TUTTLE: amend my motion, I misunderstood. I would also like to
15	remove Case #3 and allow it to be heard.
16	CHAIRMAN GILCHRIST: Okay. Is there a second on that?
17	MS. FRIERSON: Second.
18	CHAIRMAN GILCHRIST: Okay, then it's been moved and properly seconded
19	that we will remove Case 1, Case 5 and Case 3 from our Consent Agenda. All in favor
20	signify by raising your hand.
21	MR. PRICE: Those in favor: Yip, Frierson, Gilchrist, Carlisle, Tuttle, McLaurin.
22	[Approved: Yip, Frierson, Gilchrist, Carlisle, Tuttle, McLaurin; Absent for vote:
23	Greenleaf, Cairns, Brown]

CHAIRMAN GILCHRIST: Okay. Welcome, Ms. Cairns. We are just getting
 started, you're right on time. Alright, first case.

CASE NO. 18-027 MA:

MR. PRICE: Okay, your first case is Case 18-27 MA. The Applicant is David Edenfield. The location is 1024 Mt. Vernon Church Road and the Applicant is requesting to rezone 2.19 acres from Rural to Rural Commercial. Staff did recommend disapproval of this site, just the property was formally a commercial operation, looks like it may have been a garage or some type of convenience store at one time. But the non-conformity for that particular property is expired and is no longer relevant for this site, so they would need to establish a rezoning to reestablish any commercial uses on this site.

11 CHAIRMAN GILCHRIST: Any questions for the Staff? First case? We do have a
12 couple of persons signed up to speak and when we call your name to the podium,
13 please give us your name and your address for the Record and you'll have about two,
14 three minutes to speak. The Applicant, Mr. David Edenfield? Please.

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TESTIMONY OF DAVID EDENFIELD:

16 MR. EDENFIELD: I'm David Edenfield, 1010 Mt. Vernon Church Road, I live right 17 next door to it. My parents bought the property back in '86. As a teenager or whatever 18 when we first moved up there it was a filling station, it was an Amoco filling station 19 owned by Mr. Goodlet; where another man leased it out for him for years as Bowman's 20 filling station or what have you, and then my dad, being friends with Mr. Goodlet, bought 21 it in '86, where we worked on heating and air all the way from there up till when the 22 economy took a crash a few years back. And we assumed it was commercial back then 23 and I guess it's went back to being rural. Since we bought it we've added a 50 x 100

and a 30 x 50 building, and you know, it's always been there. I think Mr. Goodlet, it was built I believe back in the '60s, you know, don't hold me to that but I do know the early to mid-'70s it was there because when I was going to school and stuff our bus would turn around and, you know, in the parking lot there, not knowing eventually we'd own it. But we do have a few people that's interested and they need it to be zoned, they wanna do some light automobile work. They're not gonna open no filling station up. You know, we have removed the tanks, we removed the tank years ago back before we added on to one section of the building. And they just need it rezoned or we need it zoned so we can sell it as commercial and they can work on cars there. So I guess that's about all I can – CHAIRMAN GILCHRIST: Thank you, sir. Are there any questions for the

11 Applicant? Okay. Mr. Wallace Hubbard?

12 **TESTIMONY OF WALLACE HUBBARD**:

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13 MR. HUBBARD: Thank you, Mr. Chair. My name's Wallace Hubbard. I live at 340 14 Indian Creek Circle on Lake Murray, Chapin, South Carolina. I'm the potential purchaser 15 if things go through. We wanna try to make something more decent that'll be able to 16 start a business back rather than a business that's not going on. And everything we do 17 we will not impede traffic; the traffic is usually early morning traffic, they'll be dealing 18 with them and late afternoon pick up kinda thing. But it'll be an automotive, it'll smaller 19 work involved in it. My grandson sitting over here in the yellow shirt, Daniel, he'll be 20 running it and operating it. I'm trying to sit by him, I built three of these back in 21 Savannah, Georgia so I've had experience running them and building them, and I think 22 this'll be good for the community. It'll be an addition, it's not one out there that's gonna 23 be like this one. And I thank y'all for your time.

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1	CHAIRMAN GILCHRIST: Thank you, sir. That's all we have signed up to speak.
2	MR. TUTTLE: Mr. Chairman, if I may I have a question for Staff.
3	CHAIRMAN GILCHRIST: Sure.
4	MR. TUTTLE: The parcel lost its grandfathered zoning because –
5	MR. PRICE: Any time that there is a period of discontinuance of at least a year,
6	then you will lose your grandfathering status. And there are some other provisions that
7	would allow it to remain open during that time, but those are not exercised at this time.
8	MS. YIP: I have a follow up question to that. How long has it been since it lost its
9	prior zoning?
10	MR. HUBBARD: My dad was selling picnic tables out –
11	CHAIRMAN GILCHRIST: Sir, excuse me sir, we've closed off the public
12	comment.
13	MR. PRICE: I'm sorry, we would have to go back and look to get the specific date
14	but that is something that we always look at prior to coming, so it's definitely been more
15	than a year, I just don't have a specific date for you now.
16	CHAIRMAN GILCHRIST: Okay. Other questions for Staff? Any motions? The
17	timing in terms of when this was last zoned, or to Ms., my colleague down here, Ms.
18	Yip's point, that information, was it taken into consideration when you all looked at the
19	Staff case?
20	MR. PRICE: No, sir.
21	CHAIRMAN GILCHRIST: Okay.
22	MS. YIP: I mean, just a follow up. In my, you know, why I wanna know that is,
23	you know, I think that that's, it's a valid question to ask, for us to, in my opinion for me to

1 make a, to feel good about the vote. Just simply because, you know, I understand the 2 year provision but, you know, there are always circumstances or things to consider, 3 exceptions possibly. So with the information that I'm provided I'll vote based on, you 4 know, what I'm provided with; it's been at least over a year but we just don't know, you know, has that been, has it been lapsed for two years? I guess maybe it makes a 5 6 difference, maybe not but, so I'm supposing that it obviously hasn't been running as a 7 business for at least the last 12 months then. 8 MR. PRICE: Correct.

MS. YIP: Yeah.

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10 CHAIRMAN GILCHRIST: Any other questions for the Staff?

MR. TUTTLE: Mr. Chairman, I'm gonna make a motion that Case 18-027 MA
 move forward to Council with a recommendation for approval. These non-conforming,
 grandfathered uses are always tough cases. I understand that it may not fit in the
 current Comp Plan, however it had, it performed as a business in this location without
 much fanfare for a long time so I would be inclined to agree with the rezoning.
 CHAIRMAN GILCHRIST: Is there a second?

MS. FRIERSON: I second it.

18 CHAIRMAN GILCHRIST: Okay, it's moved and properly seconded that we send
19 Case No. 18-027 MA forward to Council with a recommendation of approval per Mr.
20 Tuttle's reasoning behind that. All in favor signify by raising your hand.

21 MR. PRICE: Those in favor: Yip, Frierson, Gilchrist, Carlisle, Tuttle, McLaurin.

22 CHAIRMAN GILCHRIST: All opposed?

23 MR. PRICE: Cairns.

1	[Approved: Yip, Frierson, Gilchrist, Carlisle, Tuttle, McLaurin; Opposed: Cairns;
2	Abstained: Brown; Absent for vote: Greenleaf]
3	CHAIRMAN GILCHRIST: And again sir, we are a recommending Body to
4	County Council. They will meet back in these Chambers –
5	MR. BROWN: Mr. Chairman? I'd like to have it recoreded that I abstained, I
6	wasn't here in time to hear.
7	CHAIRMAN GILCHRIST: Okay. For the Record we'll make sure that Mr. Wallace
8	is abstained. We are a recommending Body to County Council. They'll meet back in
9	these Chambers on September the 25 th , okay? Thank you.
10	MR. EDENFIELD: Thank you.
11	CHAIRMAN GILCHRIST: Okay, next case.
12	<u>CASE NO. 18-029 MA</u> :
13	MR. PRICE: Okay, the next case is Case 18-029 MA. The Applicant is Ken
14	Jones, and the Applicant is requesting to rezone a 1.62 acre tract along Hardscrabble
15	Road from Singe-family Low-density, which is RS-LD, to GC, which is General
16	Commercial. Again Staff's recommendation was for disapproval, just feel it didn't meet
17	the requirements of the Comprehensive Plan and one of the things that we wanted to
18	point out was we thought that, again, this will be out of character with the surrounding
19	development pattern and zoning districts of the area. And it also could initiate the
20	spread of a type of commercial zoning into an area where more suitable transitional
21	zoning may be more appropriate. Kind of, we've just kind of discussed this previously on
22	another case in this area, and I think one of the things that I think the Planning
23	Commission – yeah, we've spoken about this. Staff, we've talked about this and we've

1 also kind of initiated some conversations with some of the Councilmembers that 2 represent these areas cause it is split among them. Where, Hardscrabble Road is now 3 being widened so it is no longer gonna be that kind of. I guess rural area that it was 4 years ago, even now it's more suburban. But it's no longer that type of area. And I think 5 what you're going to start to see is more of the homes or the parcels that are located on 6 Hardscrabble Road coming in to request particular zoning that's not residential or rural. 7 So I think at this point we just ask that, you know, when you look at this, of course you 8 know, you're looking at it as one particular piece, but one of the things that we're just 9 kind of looking at is the overall Hardscrabble Road, because you know, what happens 10 with one is also gonna come in with the next one and so and so on, so this is gonna be 11 a case that y'all will see, you know, a few times I'm sure over the next few years. 12 MR. TUTTLE: Mr. Chair, can I ask a question? 13 CHAIRMAN GILCHRIST: Yes, sir, Mr. Tuttle. 14 MR. TUTTLE: I notice in the Report you didn't speak to the widening of 15 Hardscrabble. I would think given the Comp Plan being on a five lane what is soon to be 16 a major arterial road at a node would qualify for commercial. Especially when it's 17 contiguous to commercial. 18 MR. PRICE: Correct, and that was something that we did discuss, but regardless 19 of the widening of Hardscrabble Road, basically from our review of the Comp Plan we 20 would recommend commercial but we still feel that a General Commercial may be too 21 intense for this particular area. 22 MR. TUTTLE: I understand. 23 MR. BROWN: Mr. Chairman?

1	CHAIRMAN GILCHRIST: Yes, sir, Mr. Brown?
2	MR. BROWN: Question. On that particular side of Hardscrabble Road between
3	Sloan Road and Farrow Road, the businesses there would not conform with this
4	request? I'm asking Staff that question.
5	MR. PRICE: Oh, some of the businesses? I know which ones you're referring to.
6	That little stretch of commercial –
7	MR. BROWN: Yes.
8	MR. PRICE: - businesses on the side, I know one burned down, at the
9	convenience store. I think some of those actually would fit under a, I'm sorry, let me go
10	back on that before I speak. Those businesses could fit under less intense zoning
11	designation, I would have to go back and see the exact zoning of those, so they could fit
12	mostly under an NC designation or maybe an OI in some cases due to the size and the
13	type of uses that are there. You have, like a barbershop; now the automobile repair
14	businesses along there would not fit under those zoning designations, but a number of
15	those little service daycares and barbershops would.
16	MR. BROWN: Thank you.
17	MR. PRICE: Yes, sir.
18	CHAIRMAN GILCHRIST: Yes, sir?
19	MS. CAIRNS: I just, I have a question for Staff.
20	CHAIRMAN GILCHRIST: Ms. Cairns?
21	MS. CAIRNS: Mr. Price, based on, you know, what you've offered of
22	Hardscrabble, and I mean, that we should be taking that into account. So is it that with

the widening of Hardscrabble the County anticipates that we should expect this to
become another Two Notch, that it'll just be commercial or?

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MR. PRICE: I think it's, to me it's more akin to what happened along Clemson Road. For someone that actually lived out in that area when it was a nice little two-lane road that actually came to a three-way stop sign to get out, to all of a sudden being widened. And so we've had a number of cases that have come along Clemson Road where, you know, very similar, you know, the question is, where does the General Commercial, where is an appropriate location for the General Commercial versus maybe a more transitional Neighborhood Commercial or even Office and Institutional designation?

11 MS. CAIRNS: But, I mean, again my question, I mean, I think I've spoken a lot 12 before about the fact that I don't simply see the fact that a road is five – that, you know, 13 every five-lane road shouldn't simply become commercial, which is what we've seen on 14 things like Two Notch, we're seeing on Clemson. You know, so it's like, you know, and I 15 live near Trenholm, I mean, I see a five-lane road that is primarily residential with 16 commercial at corners that ends. It stops. I have seen us typically continue to rezone, 17 you know, going down the streets, and so you know, looking at Hardscrabble becoming 18 five lanes, you know, so my question to you when you're saying, well maybe we should 19 take that into account, would imply that because it becomes a five-lane road we should 20 start rezoning it. You know, is the intersection of Sloan a major intersection, you know?

MR. PRICE: No, what I was saying is that we should take into account that this road is going to be widened, that you're going to receive a number of these requests and so maybe we should start kinda looking at this more overall from the areas, you know, maybe you're going from maybe Clemson Road all the way down to Farrow Road to really just kinda take a more proactive look at this area on how we envision it; as opposed to, you know, as you were saying, just because it's five lanes it shouldn't be commercial but maybe we should just kinda look at how we envision this area.

MS. CAIRNS: And I also think it's arguable that when the Comp Plan was done it
was pretty well known that Hardscrabble was set for widening. I mean, I don't think
that's new news.

MR. PRICE: Correct.

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9 MS. CAIRNS: So, I mean, I think the fact that we did not identify Hardscrabble
10 Road as a future mixed use corridor was relevant at the time we did the Comp Plan.

11 MR. TUTTLE: Yeah, but I also think that we have to be cognizant the Comp Plan 12 is a 20,000 foot view and not a parcel by parcel. I mean, to think that we're gonna have 13 something at the intersection – I live in the area – two major roads, and I think that the 14 daily trips on Hardscrabble will end up being in the high teens at some point in time, and 15 you're on a node, that that somehow wouldn't be some level of commercial in the future 16 is just, I mean, I just don't see that. I don't see another intersection along Hardscrabble 17 Road where that's not, hadn't become the case. And I do think it's a reasonable thing 18 not to have to travel seven or eight miles for services of a particular type.

CHAIRMAN GILCHRIST: Mr. Price, let me ask you a question. Section 26-52
speaks to the two acre minimum and it allows for an exception and you've indicated the
exception here. Do you see that what, does the widening on Hardscrabble Road, I
believe that will set up additional situations where we'll have more properties that are
less than two acres coming in for consideration of rezoning?

MR. PRICE: Without actually going out and look at a number of the parcels it's hard for me to tell, but I think -

CHAIRMAN GILCHRIST: But from a general perspective.

MR. PRICE: - I think that the fact that with widening there will be a number of parcels that abut Hardscrabble that will lose a certain amount of acreage so it may drop below that two acre threshold for them to just come in outright as opposed to meeting certain conditions of abutting a similar zoning.

CHAIRMAN GILCHRIST: Okay. Any other questions for the Staff? The Applicant, 8 9 Ken Jones, did not sign up so I wanna certainly give the Applicant an opportunity to 10 speak if he's here. Alright, we'll continue to move forward. Questions, comments, 11 motions? This is gonna be a toughie until we, until we figure out, hopefully until we get 12 our new plan in place. But this is gonna be an interesting one. Mr. Wallace Brown? 13 MR. BROWN: Mr. Chairman, I'd like to move that 18-029 MA be sent forward to 14 County Council with a recommendation of disapproval based on what the Staff has 15 done, understanding there will be changes down the road but at this point. 16 CHAIRMAN GILCHRIST: Okay. It's been moved, is there a second? 17 MS. YIP: I'll second that. 18 CHAIRMAN GILCHRIST: Okay, it's been moved and properly seconded that we 19 send Case No. 18-029 MA forward to Council with a recommendation of disapproval. All

20 in favor signify by raising –

21 MR. TUTTLE: I'd like some discussion if I may.

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CHAIRMAN GILCHRIST: Okay. Yes, sir, Mr. Tuttle. Yeah.

1	MR. TUTTLE: So I just wanna make sure everybody understands we're
2	contiguous across Sloan Road already with General Commercial. Chip's already right
3	there. I understand we don't have a lesser zoning in front of us, it seems as though it
4	works and has been appropriate there for quite a while so I'm just a little bit at a loss as
5	to why it wouldn't, on the opposite corner with the widening of Hardscrabble especially,
6	why that wouldn't be appropriate zoning designation.
7	MS. CAIRNS: I think it might be relevant that that commercial is a television
8	tower. So it's not, while it's zoned commercial it certainly doesn't act or interface with
9	traffic or the community as a typical commercial property does.
10	MR. TUTTLE: Well, I don't think we can distinguish uses when we're discussing
11	zoning categories.
12	MS. CAIRNS: Oh, I know.
13	MR. TUTTLE: That tower could go away tomorrow and it could be anything, by
14	rights it would –
15	MS. CAIRNS: I understand.
16	MR. TUTTLE: - anything else under the General Commercial category, right? So.
17	MS. YIP: I also reside in the area. I grew up in that area and very familiar with
18	this piece of property. I have no vested interest in this piece of property. I view it as if it
19	were potentially a lesser commercial classification I would be perhaps more apt to be
20	more supportive of it. But my concern is that General Commercial does allow for many,
21	many uses and because of the existing surrounding residential zoning I would just be
22	hesitant in my personal opinion to recommend approval for such a wide sweeping

classification at this time without an option of a, maybe a Neighborhood Commercial,
 but that's just my personal opinion.

3	CHAIRMAN GILCHRIST: Mr. Tuttle?
4	MR. PRICE: Mr. –
5	CHAIRMAN GILCHRIST: Yes, sir, Mr. Price?
6	MR. PRICE: I hate to drag these out, these meetings. I think one of the things
7	that we have, when we look at, I'm talking about the County as a whole, what we've
8	found is, I guess, when zoning was first adopted in Richland County so you're going
9	back to, like '78, around that time, there were a number of uses that were there and so
10	the zoning was just given to what that use was. So you take a look at this, I guess this
11	was an ETV station or tower and according to our records it's been there since, like '55,
12	so just appropriate. Well it's there, go ahead and make it commercial as opposed to,
13	during the adoption of zoning, making it a non-conforming use. So you, we'll find that
14	throughout the County, zonings that may not be appropriate, they're just there at this
15	time.
16	MR. TUTTLE: Thank you.

17 CHAIRMAN GILCHRIST: Thank you, Mr. Price. Okay, there's a motion on the
18 table, it's been moved and properly seconded that we send Case No. 18-029 MA
19 forward to Council with a recommendation of disapproval. All in favor signify by raising
20 your hand.

21 MR. PRICE: Those in favor: Yip, Cairns, McLaurin, Brown.

22 CHAIRMAN GILCHRIST: All opposed?

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MR. PRICE: Opposed: Frierson, Gilchrist, Carlisle, Tuttle.

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1	CHAIRMAN GILCHRIST: So that's it? Okay.
2	MR. TUTTLE: Mr. Chairman, I –
3	CHAIRMAN GILCHRIST: Yes, sir.
4	MR. TUTTLE: - I'll try, I'd like to make, what case number was this? I'd like to
5	make a motion that we send Case 18-029 MA forward to Council with a
6	recommendation for approval. I do feel that the reason I'm going against Staff's
7	recommendation is that the widening of Hardscrabble plays a significant role in that and
8	I'm not sure that was given the weight that I think it should be.
9	CHAIRMAN GILCHRIST: Is there a second?
10	MR. CARLISLE: I'll second.
11	CHAIRMAN GILCHRIST: Okay, it's been moved and properly seconded that we
12	send Case No. 18-029 MA forward to Council with a recommendation of approval per
13	Mr. Tuttle's recommendation. All in favor signify by raising your hand.
14	MR. PRICE: Alright, those in favor: Frierson, Gilchrist, Carlisle, Tuttle.
15	CHAIRMAN GILCHRIST: All opposed?
16	MR. PRICE: Opposed: Yip, Cairns, McLaurin, Brown.
17	CHAIRMAN GILCHRIST: So we've gotten a tie vote on both recommendations.
18	So I guess we send that forward to Council with a recommendation of no
19	recommendation.
20	MR. PRICE: No recommendation.
21	CHAIRMAN GILCHRIST: Okay.
22	[Greenleaf in at 3:30]

1	CHAIRMAN GILCHRIST: Welcome, sir. That's, I'm interested to see more of this
2	come before the Commission and how we, how we handle some of that going forward.
3	MR. PRICE: Right, and just, I wanna point out, you know, from a Staff, Tommy if
4	you don't mind can you just zoom out pretty wide? Right there, I think one of the things
5	that we were looking at as a Staff, and again this isn't a recommendation but just
6	something we looked at, Sloan and Hardscrabble; Brickyard and Hardscrabble, those
7	are, those intersections, you're probably gonna get this same type request, and so this
8	was what we were saying, when you look at this just look at all of the surrounding
9	parcels, especially those that are undeveloped, that you know, whatever precedent we
10	set, well we'll be setting a precedent for how we should view those coming in.
11	CHAIRMAN GILCHRIST: Let me ask you a question on that. Mr. Tuttle made a
12	point, a reference point that the widening of Hardscrabble was not listed in the Staff
13	Report. It is? Is that what you –
14	MR. TUTTLE: I potentially could've misread it.
15	CHAIRMAN GILCHRIST: Okay.
16	MS. FRIERSON: On page 19 it says, there are no plans or programs for
17	improvement for this section of Sloan Road, either through SCDOT –
18	CHAIRMAN GILCHRIST: Okay, here it is. I see it under, the section of
19	Hardscrabble scheduled for widening, okay. I was just curious, I know you mentioned
20	that, I just wanted to make sure. Okay. Just wanted to make sure we had that in there
21	cause that is a very important distinction.
22	MR. PRICE: Yes.

CHAIRMAN GILCHRIST: When we talk about this. Alright. Thank you, Mr. Price.
 Next case?
 CASE NO. 18-031 MA:

MR. PRICE: Staff has had discussions with the Applicant for Case 18-031 MA.
And I believe it was their intent to withdraw at this time and come in with less acreage.
However, the Applicant is not here so rather than – is she? Oh, I'm sorry. She is here. I
apologize. So is it still your intent to withdraw?

APPLICANT: No, I wasn't gonna withdraw. Can I speak now?

9 CHAIRMAN GILCHRIST: Yeah.

10 MR. PRICE: Yes.

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11 CHAIRMAN GILCHRIST: Give us your name and your address for the Record,
12 please.

13 TESTIMONY OF MARGAI

TESTIMONY OF MARGARET CHICHESTER:

14 MS. CHICHESTER: Okay, I'm Margaret Chichester, 2847 Congaree Road, 15 Gadsden, South Carolina. My Council lady, Mrs. Meyers, had told me that the 10 acres 16 was not what we needed to try to press forward for because the people in the 17 community had approached her stating that they didn't want commercial on the whole 18 10 acres. Originally we had just went asking for the two acres. The little guy here in the 19 white shirt, I talked to him and Mr. Singletary was with me, and anyway ended up going 20 from two to 10. I really don't care to have the whole 10, but you know, I don't wanna 21 keep postponing and putting this thing off, so. You know, I don't know at this point when 22 he said it's discontinued, I'm not sure what that means.

1	MR. PRICE: I'm sorry, that was just, we didn't think the Applicant was here at this
2	time, but we can just go ahead and hear this particular case.
3	MS. CHICHESTER: Okay. So anyway, my question is, without having to come
4	back and again and redoing anything, can I just say two to four acres instead of the 10
5	acres?
6	CHAIRMAN GILCHRIST: Well, we have to actually go with what you've
7	presented to the Commission at this point, ma'am.
8	MS. CHICHESTER: Okay. Well, I'm just basing everything that Mrs. Meyers
9	kinda said to me.
10	CHAIRMAN GILCHRIST: So certainly you can – certainly understand.
11	MS. CHICHESTER: But anyway, you know, I'll, I'll go along with the 10 acres if,
12	you know, that's what we need to do at the present time. My brother-in-law, or my
13	former, he's passed away since, but anyway, he had a used car lot/repair shop and he
14	had, or he had gotten blood cancer and in December of 2012 he gave up the shop
15	because of his health. January the 11 th of 2013, I've got notes where I contacted the
16	County to say that the shop was being closed up, could I go back to the agriculture. So
17	at that time in 2013 it got changed from the, the commercial going back to the
18	agriculture. So now here we are in 2018, I'm asking for two acres, however many acres
19	to go back and be zoned again now for this commercial use for a used car
20	lot/maintenance. So that's where I'm at right now. I'm, you know, like I said, Mrs.
21	Meyers had asked me to change it, but it was like after all the paperwork was already
22	submitted.
23	CHAIRMAN GILCHRIST: Yes, ma'am. Thank you. Are there any questions for –

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1	MR. TUTTLE: I have a question for Staff.
2	CHAIRMAN GILCHRIST: Okay, thank you, ma'am.
3	MS. CHICHESTER: Alright.
4	MR. TUTTLE: I just wanna get on the Record, so when somebody submits
5	something it's advertised, etc. and so forth, and therefore we're bound and can't modify
6	that at this hearing by law, is that correct?
7	MR. PRICE: Yes. What we do is we advertise and also post the property and our
8	Staff recommendations, of course, are also based on, you know, the parcel itself. So
9	any changes to it could, you know, affect what our recommendation, not saying it would
10	but it could, and plus again, we advertise it as such.
11	MR. TUTTLE: Thank you.
12	CHAIRMAN GILCHRIST: Thank you, Mr. Tuttle.
13	MR. PRICE: Excuse me, Mr. Chair, if you don't mind, we kinda got a little
14	sidetracked here.
15	CHAIRMAN GILCHRIST: Yeah.
16	MR. PRICE: So just for the Record, I'll just go ahead and read the Staff Report.
17	CHAIRMAN GILCHRIST: Thank you. I was wondering, we missed something
18	there.
19	MR. PRICE: I'm sorry. Alright, so again we're on Case 18-031 MA. The Applicant
20	is Margaret Chichester and the location is 2847 Congaree Road. The Applicant is
21	requesting to rezone a 10 acre tract from Rural to Light Industrial. Staff recommended
22	disapproval of this particular request; one it is not in compliance with the objectives of
23	the Comprehensive Plan for any type of commercial uses, and also it was Staff's

opinion that because of the intensity of the uses allowed in the LI District it would not be
 in compliance with the Comprehensive Plan or in this particular area.

CHAIRMAN GILCHRIST: Any additional questions for the Staff? We do have
someone else signed up to speak. Melvin Singletary?

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MS. CHICHESTER: He didn't show.

6 CHAIRMAN GILCHRIST: Okay. Thank you. Okay, that's all we have signed up to7 speak. Any motions for Case No. 18-031 MA?

8 MS. CAIRNS: One of the things I just wanna, I mean, I think we as Commission 9 Members follow this, but I think it's important to kinda remind ourselves too that the 10 zoning, you know, as the Applicant described that it, the rezoning change, the zoning 11 has been zoned Rural since 1977, what happened was the tax status, was that while it 12 was in commercial use it was being taxed as commercial property. It just, it's very 13 similar to the first one where the, it was a grandfathered use. So it's not that when you 14 stop the use somehow zoning changes. It's just that if you're in a grandfathered status 15 stopping the use can terminate the grandfathered status. So this has always been 16 zoned Rural. It's just that it had a use that, you know, was allowed to continue under the 17 grandfathering concepts. So I just think it's important that we remember that, that 18 there's not some automatic zoning change when somebody stops using property for a 19 certain purpose, it's just grandfathering that can terminate. And I would offer to send 20 Case 18-031 MA forward to Council with a recommendation of disapproval. You know, 21 to drop Light Industrial into an area that's, you know, presents itself as Rural, and based 22 on the Comp Plan it's just not consistent.

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MR. BROWN: I second the motion.

1	CHAIRMAN GILCHRIST: Okay. It's been moved and properly seconded that we
2	send Case No. 18-031 MA forward to Council with a recommendation of disapproval.
3	Any discussion? All in favor?
4	MR. PRICE: Sorry, those in favor: Yip, Greenleaf, Frierson, Cairns, Gilchrist,
5	Carlisle, Tuttle, McLaurin, Brown.
6	[Approved: Yip, Greenleaf, Frierson, Cairns, Gilchrist, Carlisle, Tuttle, McLaurin, Brown]
7	CHAIRMAN GILCHRIST: Again ma'am, we are a recommending Body to County
8	Council. They'll meet back in these Chambers on September 25th, we'd encourage you
9	to try to be here to meet with them at that time.
10	MS. CHICHESTER: I don't go back and change anything? I just, I still show up
11	on the 25 th trying to pursue with the 10 acres?
12	CHAIRMAN GILCHRIST: Yes, ma'am.
13	MS. CHICHESTER: Okay.
14	CHAIRMAN GILCHRIST: Okay?
15	MS. CHICHESTER: Thank you.
16	CHAIRMAN GILCHRIST: You bet. Alright, that is it for the cases. The last case
17	was on Consent. Text Amendments.
18	MR. PRICE: Actually y'all, that was included in your adoption of the Consent
19	Agenda.
20	CHAIRMAN GILCHRIST: Alright.
21	MR. PRICE: One of the things that we would like to point out, you know, we do
22	not make the recommendation for text amendments a lotta times so we'll just, we put
23	those for you so just letting you know that it may not be the one that even Staff

1 supports, but if you adopt it as part of the Consent Agenda it will go forward as a 2 recommendation of approval from the Planning Commission. 3 MS. HEGLER: In that case I would urge us to reorder our Agenda in the future. 4 But in this case I believe Staff supported this, so I think you're fine. 5 MR. TUTTLE: Obviously the one that was deferred is deferred, regardless. 6 MS. HEGLER: Correct. That's correct. 7 CHAIRMAN GILCHRIST: Okay. MR. TUTTLE: Mr. Chairman, I'd like to ask Staff for some help over the next 8 9 while here. If you could put together some stuff for us on the TROS zoning. I think 10 there's some potential stuff and I would like for the Planning Commission to understand 11 the history of that zoning, how it came about, how it's in place and what the implications 12 are, etc. Cause I think it'll become a topic soon. 13 CHAIRMAN GILCHRIST: We talked about that with Mr. Price as well. 14 MR. PRICE: Yes, we'll be more than happy to discuss that with you. 15 CHAIRMAN GILCHRIST: Land Development Code rewrite? 16 MS. HEGLER: We, just as an update, no action today, Staff completed their 17 review of the first module and then sent that back to our consultants. They're going to 18 take our initial comments and then submit something for public consumption. So we'll 19 bring that back to you. We are in receipt of the second module which is related to the 20 zoning districts and are currently reviewing that. So that, you're gonna see module one 21 first and so too will the public while we're reviewing two and we'll keep going kind of in 22 that iteration. So any, I don't know if next month is the month but pretty soon you should have something to be reviewing. But I think the TROS zoning is a good idea to put that on your next month Agenda for discussion.

CHAIRMAN GILCHRIST: On a timeline perspective, we are on the right timeline for it, you think? Based upon what we've been -

MS. HEGLER: Yeah, yeah. I mean, I think there's been some time on our end reviewing maybe a little more than we had anticipated. But it is, it's really meaty stuff and so Staff's review of it has probably taken a little longer than we originally scheduled, but it's been better vetted if you will, and I think it'll pay off in the end.

CHAIRMAN GILCHRIST: Great. Chairman's Report, I just want to thank you guys for holding down the fort for me while I was out for getting my son in college and all that good stuff. Just wanted to remind us about our retreat, annual retreat that we had talked about several months ago and we certainly need to plan that. And so, you know, if we can start playing around with some dates on that for the fall I think would be great. I don't want us to get too far gone within the year, which we are almost there, before we have a conversation about a retreat and more specifically hopefully that will be an opportunity for us to get some information from our consultants around the, the updates on the rewrite or whatever the case may be. So we can talk a little bit about what that agenda looks like. But I wanna just make sure I remind everybody about the fact that we need to schedule a retreat. The second thing, we, we wanna continue to also make sure that the community is included in these conversations. I think Staff has done a really good job of reaching out to various groups, I've heard that in the 22 community. I've seen some of the communications that have gone out trying to engage 23 the larger community. We need to try to do that more to ensure that we're bringing as

many people into this as possible, primarily because of some of the cases we heard
today. Some of that's gonna be really, really important, so I thank you again for your
efforts to continue to do that and try to engage people. I have a little larger agenda but
we have a hurricane on the coast so I know everybody needs to get outta here to try to
figure out what you need to do on that. But I wanna thank you again for holding down
the fort last few months. Ms. Planning Director, we got something down here for you.

MS. HEGLER: Oh, that's just my monthly report of Council's actions on items that you recommended.

CHAIRMAN GILCHRIST: Okay.

10 MR. PRICE: Mr. Chair?

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11 CHAIRMAN GILCHRIST: Mr. Price?

12 MR. PRICE: Yeah, I did not find a page number on it but it would I guess by 13 default be page 57 within your Agenda. What you'll see is the list of the Planning 14 Commission Members and their appointment date, and the date that the term will end. 15 We're gonna include this in all of the packages. What has happened is we've kind of 16 had some changes overall and some things caught Staff by surprise, at least definitely 17 me, where Council one time you just had, once your term expired you had to be off one 18 day and you could be appointed just, you know, until such time when Council felt you 19 shouldn't be appointed. What has happened is Council actually changed that and so 20 once you've served two terms, two full terms, not when you're coming in and filling 21 someone's expired term, it's when you've filled, complete two full terms. That will be, 22 and you have to be off for at least a year. So just letting you know about that. And the 23 other part is if you've only, if you have only completed, if you're just completing one

1 term, your first term and you would like to reapply to, you know, come back, it's 2 important that you get your paperwork in. We'll try to remind you if possible, but it's 3 here, you need to get your paperwork in at least a month or two before, because what 4 the Clerk of Council's Office, they've been very proactive about looking at the dates 5 when someone's term is expiring and go ahead and advertising. So what we don't want 6 is if it's your intent to come back, to be back on the Planning Commission but you don't 7 notify them and they go ahead and have a hearing, or excuse me, bring it before 8 Council and Council appoints somebody else, then you never had a chance to come 9 back. 10 CHAIRMAN GILCHRIST: Alright, so let me ask you a question on that. The new 11 rules that you just articulated, are these new rules that Council came up with? 12 MR. PRICE: Yes. 13 CHAIRMAN GILCHRIST: How, how long has these rules been in place? 14 MR. PRICE: I need to go back, because we kind of went back and forth. This 15 went on late last year, because it caught me by surprise with some discussions. And 16 actually it ended up affecting, I think one of your former Planning Commission Members 17 also. But we were not aware that had, at least I wasn't during that time, that Council 18 decided to no longer allow people just to continue to serve, they just wanted to put a 19 cap on two years, on two terms, excuse me. 20 CHAIRMAN GILCHRIST: So when does that two terms start? 21 MR. PRICE: If you're in your second term this is it. 22 MS. CAIRNS: It's not two terms after they changed the rules. 23 MR. PRICE: Right.

1 CHAIRMAN GILCHRIST: Right. Some of us already have served those two 2 terms. That's the point I'm making, that – 3 MS. CAIRNS: Right. That you won't be eligible for reappointment. 4 CHAIRMAN GILCHRIST: No. 5 MS. CAIRNS: Alright. So I just wanna -6 CHAIRMAN GILCHRIST: Yeah, go right ahead. 7 MS. CAIRNS: - I mean, just looking at these dates I think it's interesting that if 8 you look at the end term dates we have five rolling off in '19 and four in '21, so 9 somewhere in the world we lost staggered terms. Cause I think it's not healthy for the 10 Board to have that kind of turnover in any given year, so I don't know whether we need 11 to do a readjustment on term ending dates to get ourselves back into staggards? And I 12 also think if, not to add work, but I mean, the thing that would help is if this listed, like 13 even our start date, and if for somebody, like if it appears from Ms. Yip her term on this 14 is only two years long which makes it look as if she took over an unexpired, that 15 somehow it notes that. And somehow notes that I've been on, for I think about four or 16 five terms at this point. But I mean, tongue in cheek, not guite that long but I know I've 17 been on here about forever. 18 MR. PRICE: We could make note of that. Again, because I wanted to make sure 19 I at least put this on here for discussion and so I just really took this off of what was on 20 the website during the time. But yeah, we can go through and look at this. And to 21 answer your question, you're right, '19 and '21, and what was happening before is

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23 the time the Clerk put that on the agenda for Council, you know, some time could go on

someone's term would expire, we will tell you, hey you know, your term's expired. By

and what you end up you lose, somebody will serve maybe an additional month or two,
 if not longer, until such time replacements were appointed.

3 MR. TUTTLE: Mr. Price, can you help me understand Mr. Brown's term on this4 page, and my term?

MS. CAIRNS: You're not here yet. [Laughter] The start date's got a typo.

MR. PRICE: Yeah, we'll go look at that again. Like I say, I took that off the website so that's something we will definitely look at.

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MS. CAIRNS: But I mean, I've served on boards before when this kind of thing
came up and the decision was simply made to adjust everybody's end term date so that
you force staggering back in. And you know, the issue about Council maybe not
reappointing in a manner that we felt was timely is that all you have to do is just make
that appointment retroactive to the date the chair was open, and that way you keep your
staggers. Cause I think that this is just not healthy.

14 MR. TUTTLE: Or Council could react before the end of a term as well, and then15 the new person would come in based upon the term expiration.

16 MR. PRICE: We can bring this before the rules and appointment of Council, *ad*17 *hoc* committee.

MS. FRIERSON: Geo, would you check on mine, too, cause I think when I first came on I was filling the unexpired term of someone else, so I really don't know.

MR. PRICE: Again, I wanted just to bring this in for discussion but by the time we meet again in October we'll have the dates for everyone, whether you're filling in an expired term or if you're in your first term or second term. So we'll have, these should be up to date.

MS. FRIERSON: Okay, thank you.

2 MR. TUTTLE: The only other thing I might add that maybe you could bring up to 3 Council is when you're doing large things like we're in the midst of, and you could be 4 three months to the conclusion of ratification of something, it might be disingenuous to 5 throw somebody new in the mix who hadn't been there for the whole term. So it might 6 be that you make some kinda provisions to keep somebody that was there during a 7 rewrite there until it was ratified, just to make things more consistently smooth for 8 everyone. Just as a thought. 9 CHAIRMAN GILCHRIST: Okay. Good point, Mr. Tuttle. [Laughter] 10 MR. PRICE: We've also thought about that. 11 CHAIRMAN GILCHRIST: Yeah, that's important. For sure. Anything else, guys? 12 MS. HEGLER: If I might, still under my report, we do have some interesting 13 engagement opportunities coming up. When you mentioned civic inclusion, we have a 14 Staff member running up here to present that to you if you wanna give it just another 15 second. 16 CHAIRMAN GILCHRIST: Sure. Y'all okay with that?

17 MS. CAIRNS: Just following up with Mr. Tuttle the issue about, you know, if 18 you've been on for a long time with something like the Code rewrite is, you know, like 19 the State Supreme Court has a mechanism by which, like if a Justice hears a case and 20 then ruling doesn't come out for years but they are retired in the interim time, they stay 21 on for that one particular matter. So it's almost like that, cause I think again to keep the 22 staggered terms is that maybe that member stick around just for that one particular 23 issue, not all issues. Cause then we just get all thrown off again.

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1	MR. TUTTLE: I agree.
2	CHAIRMAN GILCHRIST: Yeah.
3	MS. HEGLER: We will bring that up. I encourage you to also mention those
4	things.
5	CHAIRMAN GILCHRIST: We'll be happy to do that.
6	MS. HEGLER: To your Councilmembers.
7	CHAIRMAN GILCHRIST: So let me ask, the new rule that Council came up with
8	is applicable to all boards and commissions?
9	MR. PRICE: Yes.
10	CHAIRMAN GILCHRIST: So was it an amendment to the ordinance or was it just
11	something they decided to do?
12	MR. PRICE: They have to amend the Richland County Code of Ordinances.
13	CHAIRMAN GILCHRIST: Right. Correct.
14	MR. PRICE: To reflect that.
15	CHAIRMAN GILCHRIST: So has that, that was done?
16	MR. PRICE: Yes.
17	CHAIRMAN GILCHRIST: Okay. Can we get a copy of that?
18	MR. PRICE: Yes.
19	CHAIRMAN GILCHRIST: Thank you.
20	MS. HEGLER: And I think that's what was startling to us is that it had stayed in
21	committee for a long time, but not a committee that we follow.
22	CHAIRMAN GILCHRIST: Right.

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1	MS. HEGLER: And then when a commissioner of yours was not allowed back on
2	it kinda came to light. And then they enacted it, so.
3	CHAIRMAN GILCHRIST: Got it.
4	MS. CAIRNS: I support it. Even though I've been here –
5	MS. HEGLER: You're just ready to go. [Laughter]
6	MS. CAIRNS: Cause what, this is my third full term, having also done an
7	unexpired term for a number of years before it unexpired. So yeah, I just support it, I
8	mean, I support that eight years is enough.
9	CHAIRMAN GILCHRIST: I think you're right.
10	MR. PRICE: I'd like to thank each Planning Commission Member for allowing me
11	to safely drop off some packages last night. [Laughter]
12	CHAIRMAN GILCHRIST: On your birthday eve by the way, right? Mr. Price, we
13	wish you a happy birthday today, too, by the way.
14	MR. PRICE: Oh, thank you.
15	CHAIRMAN GILCHRIST: Thank you for coming to the Planning Commission on
16	your birthday.
17	MR. PRICE: Yes, thank you.
18	CHAIRMAN GILCHRIST: That's a grueling thing, with the hurricane on the coast
19	of South Carolina coming your way, huh?
20	MR. PRICE: Yeah, I need to figure out what to do with my son, so yes.
21	CHAIRMAN GILCHRIST: Well happy birthday to you, sir, and thank you for the
22	service that you provide to the County for sure.
23	MR. PRICE: Thank you.

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1	CHAIRMAN GILCHRIST: Great job.
2	MR. GREENLEAF: Mr. Chairman, speaking of, is it necessary to have hand
3	delivery of these items, like in that particular case, that we could use email
4	communications?
5	CHAIRMAN GILCHRIST: Well, we've had that conversation before and some
6	folk have access to email and some folk don't.
7	MR. GREENLEAF: You don't have to come to my house, just email me.
8	MR. PRICE: You know, to be honest with you and while I understand that, you
9	know, email would work, really the way the route, at least when I do it, that I take for
10	each one of you, it is really not out of the way to drop them off. I mean, I have to get to
11	your home I have to go by your home and then so on. So it's not out of the way.
12	CHAIRMAN GILCHRIST: I'm fine with that.
13	MS. CAIRNS: Sounds like maybe we're not sufficiently far-flung in the County.
14	MR. PRICE: Okay.
15	CHAIRMAN GILCHRIST: [Laughter] That's –
16	MS. HEGLER: So we don't keep you any longer, Erin Brooks is here, she's
17	gonna present to you some pretty exciting engagement opportunities that we've done in
18	conjunction with our Public Information Office so I'll turn it over to her.
19	CHAIRMAN GILCHRIST: Great.
20	MS. BROOKS: Hi, good afternoon. Like Tracy said my name is Erin Brooks. I'm
21	one of the new Neighborhood Planners so I may not be a familiar face but very excited
22	to meet all of you. So the Neighborhood Improvement Program has been working
23	closely with the Richland County PIO Office and we have slated a year's worth of

1 events that we are excited to present to you all, to the public; everything from 2 neighborhood tool kit sessions to aid neighborhoods in creating and mission and vision, 3 bylaws, things of that nature, to spirit week in October to highlight community planning 4 month. And we're going to have a multitude of events throughout that week, including a 5 service project with Habitat for Humanity as well as our premier event which is going to 6 be 100 Plates held on October 26th. And we're very excited about that event, that will 7 be an opportunity for residents to come together and sit at one large table, 100 plates, 8 have dinner together, discuss what they wanna see for the County, collaborate and 9 hopefully create conversation that we can take back to the office and create change. So 10 we're excited about those events. We have all kinds of slated all the way through April 11 including sustainability events, just a multitude of things like I mentioned. So all of these 12 are online at the Richland County Government website, there's links to register for 13 certain events that need to be registered for as well as more details, a link to the 14 calendar that has all the events highlighted and things like that. So we have presented 15 that to the public and we're excited to share that with you also. We hope you can attend.

16 CHAIRMAN GILCHRIST: Fantastic. Well, this is really good. I know Ms. Hegler 17 has heard me ask since she's been here at least about having a very good feeling of 18 where our neighborhoods are, whose representing our communities out there, that's 19 very important. And there's some, certainly we've had a conversation on this Planning 20 Commission about some things that are happening in neighborhoods that we hear 21 about, and it's important to make sure that we're communicating that information to the 22 right and appropriate venue. So to Ms. Hegler and her Staff, thank you for putting some 23 energy behind that effort because I think it's extremely important. More specifically,

1 when we're talking about things like the Code rewrite that this Commission is going 2 through now, and the fact that we wanna engage the larger community in that process. 3 So hats off to you and to this information that you've shared with us today. And I would 4 encourage all of us that if we can let's try to participate in some of these opportunities 5 because I think it's really good stuff. Okay? Thank you. 6 MS. BROOKS: Thank you for your time. 7 CHAIRMAN GILCHRIST: Any questions? Thank you very much for being here. 8 Alright, motion to adjourn? 9 MR. BROWN: So moved. 10 MS. YIP: I'm sorry. 11 CHAIRMAN GILCHRIST: Hold up. 12 MS. YIP: Regarding these that you dropped off last night, which I really 13 appreciate, I was curious, the date, is that accurate? I, I don't, this – it says May 7th. And 14 since it's a matter of Record I just wanted to make sure that we get that corrected if 15 that's okay, so. 16 MR. GREENLEAF: Mr. Chairman, I have a similar comment. 17 CHAIRMAN GILCHRIST: Yes, sir. 18 MR. GREENLEAF: On our amendments, for the names of the streets, street names, in the first line of the paragraph it says, to approve street names specially, 19 20 which I don't think is appropriate there. I think the word specifically was what was 21 intended. And then also on the second paragraph, first line, it ends with the word statue 22 instead of statute. 23 MS. CAIRNS: Sounds like something I typed.

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1	MR. GREENLEAF: Thank you.	
2	CHAIRMAN GILCHRIST: He senses attention to detail, that's great. So we'll	
3	make those notes and make the adjustments accordingly. Motion to adjourn?	
4	MR. BROWN: So moved.	
5	CHAIRMAN GILCHRIST: Thank you guys, see you next month.	
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7	[Meeting Adjourned at 4:00pm]	