

RICHLAND COUNTY PLANNING COMMISSION

April 2, 2007

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5 *[Members Present: Enga Ward, Julius Murray, Christopher Anderson, Patrick Palmer,*
6 *Wes Furgess, Howard Van Dine, Eugene Green, Deas Manning; Absent: McBride]*

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8 CHAIRMAN FURGESS: Please come to order. People that are standing along
9 the wall if you don't mind there's some empty seats on this side here that you can come
10 and sit down. Have a seat if you don't mind. The screen might block you but we'd like
11 for you to come sit there and there's some seats in between here that you can also
12 have a seat if you don't mind coming down front. Okay.

13 AUDIENCE MEMBER: We can't hear you.

14 CHAIRMAN FURGESS: Can't hear? Okay. Thank you. Just wait a minute.
15 We'll see what's going on. At this time I'll read in the record, "According to the Freedom
16 of Information Act a copy of the agenda was sent to radio stations, TV stations,
17 newspapers, persons requesting notification and posted on the bulletin board located in
18 the lobby of the County Administration Building." Also we would like for you to cut off all
19 of your electronic devices that you may have with you at this time. Even Planning
20 Commissioners cut your device off too. We'll go forward with the agenda. First is we
21 need approval of the minutes that were taken last month, March the 5th. I need
22 approval on the minutes. Are there any questions about the minutes that were taken?

23 MR. PALMER: Motion to approve.

24 MR. ANDERSON: Second.

25 CHAIRMAN FURGESS: You heard the motion and a second. All those in favor
26 raise your hand. Those opposed? No opposing.

1 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Green, and Manning;*
2 *Abstained: Van Dine; Absent: McBride]*

3 MR. VAN DINE: Mr. Chairman, for the Record please, I was not in attendance
4 and therefore I cannot take part in the vote on approving the minutes.

5 CHAIRMAN FURGESS: Thank you. Okay. Next on the agenda is the agenda
6 amendments.

7 MS. ALMEIDA: Mr. Chairman, under Case 07-24, I'd like to bring your attention
8 to tax map 167-04-02-01. That is to be omitted. That was an error. That tax map
9 number is in the municipality of Forest Acres and should not be on the agenda for a
10 map amendment.

11 CHAIRMAN FURGESS: Okay.

12 MR. VAN DINE: That's page 41 for the map? It's the square that's outside of –

13 MS. ALMEIDA: Correct.

14 MR. GREEN: Forty-three.

15 Mr. VAN DINE: Forty-three, I'm sorry.

16 CHAIRMAN FURGESS: Forty-three. Any other changes to the agenda?

17 MS. ALMEIDA: No. That's all. No, sir.

18 CHAIRMAN FURGESS: Okay. We will go as outlined with the agenda.
19 Subdivision review. First is SD-05-231.

20 **CASE NO. SD-05-231:**

21 MS. ALMEIDA: Yes, Mr. Chairman and Planning Commission members, this is a
22 subdivision which is part of the Lake Carolina Development Agreement which requires
23 Planning Commission approval. As you know all subdivisions go to our Development

1 Review Team. However, due to this Development Agreement we have before you a
2 preliminary subdivision. This is Berkeley 11 and 12, approximately 8.4 acres, 31 lots.
3 I'd like to bring your attention to, under backgrounds there needs to be a correction.
4 This is not part of the TND overlay; it's part of the Lake Carolina Development
5 Agreement and their covenants and restrictions. And Staff's recommendation is found
6 on page two and their conditions range from Condition one through eight.

7 CHAIRMAN FURGESS: Any questions from the Commissioners to Staff?

8 MR. VAN DINE: Mr. Chairman, I move we approve subject to the conditions on
9 page two.

10 MR. MANNING: Second.

11 CHAIRMAN FURGESS: Second. Heard the second. All those that approve this
12 going up to County Council for approval please raise your hand.

13 MR. VAN DINE: This will not go to –

14 MS. ALMEIDA: This will not go.

15 CHAIRMAN FURGESS: This one don't have to go?

16 MS. ALMEIDA: No.

17 CHAIRMAN FURGESS: Okay. Thank you.

18 MR. GREEN: We need to vote.

19 CHAIRMAN FURGESS: Okay. Please raise your hand for the vote.

20 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Green, Manning and Van Dine;*

21 *Absent: McBride]*

22 CHAIRMAN FURGESS: Okay. Thank you. Let me correct something that I
23 didn't do earlier. We have a new member that's on the Board, Ms. Ward, that was just

1 appointed to the Planning Commission and she's the young lady on the end to my right.
2 She's a new appointed Planning Commissioner. Reappointed to the Board also is Pat
3 Palmer. He was reappointed this week along with Ms. Ward back to the Planning
4 Commission. So those two are our newly elected Planning Commissioners. Thank
5 you. Next we'll go to Case No. 07-07-MA.

6 MS. ALMEIDA: We have a text amendment.

7 CHAIRMAN FURGESS: Oh, text amendment. I'm sorry. Going too fast.

8 MS. ALMEIDA: Mr. Chairman, Planning Commissioners, before you today you
9 have a text amendment which you received last week in your packet. This text
10 amendment is called a TROS translated, Traditional Recreation Open Space District.
11 What this district does, it ensures the preservation and conservation, recreation and
12 open space on golf courses and other open space areas. And it's meant to lessen the
13 diminution of property values from the loss of open space community and to provide
14 opportunities for improved public and private recreation activities to provide for a
15 community-wide network of open space, buffer zones and recreation space. Basically
16 in a nutshell what this text amendment does is it gives – it changes the golf courses
17 which you will hear later on on the agenda from their current zoning to the TROS. It
18 allows for a little more public input. It would require rezoning. If a golf course would like
19 to change it's zoning for another use other than the recreational use it is presently
20 under. And Staff feels that that needs to brought to a public forum and therefore we
21 request that this text amendment go through in order to allow for the rezoning of several
22 of our community golf course and private golf courses.

1 MR. VAN DINE: If my understanding is correct this is – what we're doing right
2 now is being asked to deal with the text itself.

3 MS. ALMEIDA: Correct.

4 MR. VAN DINE: We are not being asked to deal with it at this point in time any of
5 the actual rezoning for the golf courses. That will be done at a later time in today's
6 meeting; is that correct?

7 MS. ALMEIDA: That is correct.

8 MR. VAN DINE: So what we are doing at this point in time is dealing with the
9 language of the text, not the specific golf courses –

10 MS. ALMEIDA: Correct.

11 MR. VAN DINE: - that have been addressed; is that correct?

12 MS. ALMEIDA: Correct.

13 CHAIRMAN FURGESS: Any other questions?

14 MR. GREEN: I just had a question for Staff. On top of page four, second line, if
15 that's just an incorrect oversight in reference to the district where it refers to an RU.
16 And I'm here looking at the ordinance itself.

17 MR. VAN DINE: It's C-4 for the purposes of your - it says, "Setback standards."

18 MS. ALMEIDA: What page is that; I'm sorry?

19 MR. VAN DINE: Six.

20 MR. GREEN: Under "Setback standards."

21 MS. ALMEIDA: Correct.

22 MR. GREEN: It refers to the RU district.

1 MR. VAN DINE: And then it has none for the setbacks under front, side, and rear
2 whereas the table that shows up later in it actually has a number of setbacks so I
3 assume that that –

4 MS. ALMEIDA: Those are typographical things that we need to go back and
5 correct.

6 MR. VAN DINE: Number five would be the same because the height standards
7 says, “None -

8 MS. ALMEIDA: Correct.

9 MR. VAN DINE: - [inaudible] needed?

10 MS. ALMEIDA: We were trying to get this document out in a timely fashion for
11 you all to review.

12 MR. GREEN: So is the district reference incorrect – what’s going to get changed
13 or your setback reference?

14 MR. VAN DINE: Both.

15 MS. ALMEIDA: The district TROS.

16 MR. VAN DINE: And the individual setbacks will have to be changed.

17 MS. ALMEIDA: Correct, to mirror the table.

18 MR. VAN DINE: And I assume that also we have another typographical on
19 Section A where we have a duplication of the language?

20 MS. ALMEIDA: Yes. In the purpose?

21 MR. VAN DINE: Yes.

22 MS. ALMEIDA: Yes.

1 MR. VAN DINE: So that second duplication would have to be removed as part of
2 the -

3 MS. ALMEIDA: Duly noted. Yes.

4 CHAIRMAN FURGESS: Any other questions?

5 MR. MANNING: Anna? Item number eight leaving the sidewalk and pedestrian
6 amenities, does that apply to this? That's typical language in the Land Development
7 Code but why would this apply to a golf course?

8 MS. ALMEIDA: Section A, page eight you mean?

9 MR. MANNING: Yeah.

10 MR. VAN DINE: Six.

11 MR. MANNING: Item number eight on page six.

12 CHAIRMAN FURGESS: Where it says sidewalk and pedestrian?

13 MS. ALMEIDA: That is something that would be put in for any new facilities. It is
14 something that we definitely have to sit down with the golf course owners and tweak the
15 amendment. There are things that need to be modified.

16 MR. MANNING: So would the golf courses that are later in the day's meeting will
17 be discussed as far as the rezoning are they going to be grandfathered operationally –

18 MS. ALMEIDA: Yes.

19 MR. MANNING: - into this?

20 MS. ALMEIDA: Yes. They would be grandfathered as is into how they exist
21 today. We would not make them upgrade to these requirements obviously, the
22 standards.

1 MR. MANNING: Okay. In addition to that when you get to the table found on
2 page 11, which is your permitted uses. I was unclear as to what the intent of some of
3 the references were. You know, you've got swimming pools not permitted. Athletics
4 under special requirements. It doesn't address landscaping. Landscaping and
5 horticulture services – a lot of these golf courses may have their own nurseries that they
6 are providing plant materials. Maintenance facilities -

7 MS. ALMEIDA: Right. Those -

8 MR. MANNING: - should be allowed.

9 MS. ALMEIDA: - those are secondary uses to the primary use and Mr. Price our
10 Zoning Administrator - we have met with two golf course owners last week and there
11 were several issues that were brought up like the actual country club facility that service
12 banquets and have restaurant uses seven days a week. So those are things that we
13 are in the midst of trying to address in that table of uses.

14 MR. MANNING: Right. Well I noticed a number of things like that that appears
15 to me that, you know, given how rapid this thing is progressed I think a lot of the golf
16 course owners were just notified of this recently and I would hope that maybe we could
17 have a work session to address some of these issues in here because operationally
18 they need to be able to continue to operate –

19 MS. ALMEIDA: Sure. And we have conceded to that.

20 MR. MANNING: - without having to [inaudible].

21 MS. ALMEIDA: To meeting some time next week with as many golf course
22 owners that would like and we can come in and discuss their concerns as far as the use
23 table and hours of operation and things like that. But we had to start somewhere.

1 MR. GREEN: Is it the current interpretation of Staff that all these other uses are
2 secondary uses?

3 MS. ALMEIDA: Well not so much the country club. That's what we're grappling
4 with at this time because that can be such a big part of the golf course. But that's what
5 we're going to discuss at a later date.

6 MR. MANNING: So how would we move forward with this text today? I mean
7 would we – are we being asked to approve it as written or are we being asked to make
8 amendments to it or modifications or request that the work session – a date be set for
9 Council or Planning Commission and Staff to meet with these people?

10 MS. ALMEIDA: Well we can either make – you can either request modifications
11 and amendments today. Like I said, Staff is planning to meet with these golf course
12 owners some time in the next week or two prior to zoning public hearing. We'd like to
13 do it as soon as possible. Now it would be up to Planning Commission if you would feel
14 more comfortable you can call a special meeting and see the modifications that would
15 take place prior to zoning public hearing.

16 MR. MANNING: When is the zoning public hearing?

17 MS. LINDER: April 24th I believe.

18 MS. ALMEIDA: Yes, it is. The 24th of April. 23rd, I'm sorry.

19 MS. LINDER: The 23rd?

20 MS. ALMEIDA: Yes.

21 MS. LINDER: April 23rd.

22 MR. VAN DINE: Now at that time would that be second reading attempt?

23 MS. LINDER: Yes. It would be.

1 MS. ALMEIDA: And a public hearing.

2 MR. GREEN: There was no public hearing attached to the title only first reading?

3 MS. LINDER: No. It was given first reading by title only and then sent to the
4 Planning Commission.

5 MR. GREEN: Without public hearing?

6 MS. LINDER: There's been no public hearing that's been scheduled for later this
7 month. And it would be on April 24th. April 24th. The zoning public hearing April 24th.

8 CHAIRMAN FURGESS: Any other questions? Go ahead.

9 MR. MURRAY: Is it possible that before we deal with this particular item that we
10 have a work session so that all of us can have their input as well as can learn more
11 about it?

12 MS. ALMEIDA: Well it would have to take place prior to the public hearing on the
13 24th. That is Staff's recommendation, yes.

14 MS. LINDER: But if you wanted to set a work session that's at your discretion.

15 MR. MANNING: Is there a timeline that we would need to have this – if we had a
16 work session and there were modifications to the ordinance would there be a timeframe
17 we need to have that information back to you in order to meet the 24th public hearing?

18 MS. LINDER: You could have a work session and then have a special called
19 Planning Commission meeting following the work session to take action on making
20 amendments.

21 MR. MANNING: And then, Mr. Chairman, I'd like to make the motion that we
22 establish a date for a work session prior to the 24th public hearing and that the golf
23 course owners who are being impacted by this from an operational standpoint would

1 have that ability to come in and speak with Staff and any of us who want to attend. And
2 that we would then provide any modifications to this ordinance by Staff prior to the 24th
3 public hearing.

4 MR. PALMER: With a special called meeting directly thereafter?

5 MR. MANNING: Correct.

6 MR. GREEN: Would this – is your motion suggesting that we defer action on the
7 ordinance or to go ahead and –

8 MR. MANNING: Well I think in order -

9 MR. GREEN: - deal with it today subject to modification?

10 MR. MANNING: Well I think we'd have to do it subject to modification.

11 MS. ALMEIDA: Definitely Staff understands the tweaking that needs to occur
12 and I don't think anyone here has an objection to that and neither did the golf course
13 owners in which I had a conversation with. But I guess what Staff is requesting is that
14 the spirit of the text amendment - that the bulk and the intent be at least voted on so that
15 there wouldn't be – at least the map amendments wouldn't be impacted and we
16 wouldn't lose time.

17 MR. VAN DINE: If we were to vote on this today then subject to modifications
18 through a special called meeting or through a work session the results of that work
19 session would then be sent to Council for their inclusion in whatever final ordinance that
20 they would be dealing with?

21 MS. ALMEIDA: Yes.

22 MR. VAN DINE: And that would not impact timeline but it certainly could impact
23 the language and what operations could take place underneath the ordinance?

1 MS. ALMEIDA: I believe so because even at zoning public hearing Council could
2 have some modifications.

3 MS. LINDER: After – if the Planning Commission has modifications your
4 modifications would be incorporated into the ordinance and it would go to County
5 Council. County Council has not seen the ordinance. They gave this ordinance first
6 reading by title only subject to Planning Commission and Staff coming up with the body
7 of the ordinance. And if you want to modify it we would then present that at the zoning
8 public hearing.

9 MR. MANNING: Well that's the problem that we have. I mean we've gotten this
10 last week. The first time we've seen it as well as the golf course owners. And there are
11 some things in here I know they're going to need to change. So my suggestion's not
12 going to change the intent of what it's for but the – everybody needs an opportunity to
13 be able to speak to this. It's going to affect them operationally. You know, aside from
14 the golf course issue this is also creating a new zoning district that other things are
15 going to be involved with as well. So we've got two things going on here simultaneously
16 and from the golf course perspective I would at least like to hear what they've got to say
17 and deal with some of the operational issues that we address. So I don't know how you
18 do that.

19 MS. ALMEIDA: Well I believe they're here today obviously to speak at this
20 meeting.

21 MR. MANNING: Either we defer or we – until we've had the work session. But if
22 we adopt this as is I know we've got some problems in it.

1 MR. PALMER: I would have no problem deferring the actual vote until the
2 special called work session, until the special called meeting after the work session. But
3 to have the public hearing on the issue today since everyone is here and take all those
4 comments into account for the vote after work session.

5 MR. GREEN: If we were to do that would we then be in a position to review the
6 rezonings that are on our agenda?

7 MS. LINDER: If you would like to do that at the same time, yes, you could do
8 that.

9 MR. VAN DINE: I'm a little – if we don't have an ordinance that's in place to
10 make a zoning request, on I don't think we have a zoning request that we can make. I
11 think there has to be a text amendment in place before you can do any kind of a vote in
12 order to rezone anything.

13 MS. ALMEIDA: Correct.

14 MR. VAN DINE: Because while we may make a recommendation one way or the
15 other on these golf courses if we're deferring voting on this ordinance then I don't see
16 how we can possibly be asked to vote on a rezoning of a golf course or whatever falls
17 under this category.

18 MR. PALMER: But the text amendment wouldn't take place until approved by
19 Council anyhow so we still don't have that even if we were to address it during this
20 meeting.

21 MR. VAN DINE: But we don't have anything on which to apply the zoning
22 request to because there is no ordinance in place because there's nothing that we have
23 approved. I mean everything is lynch-pinned on the adoption of an ordinance from

1 which you can make the decision. If we postpone the decision on the ordinance and I'm
2 not saying one way or the other whether that's right or wrong but I'm just saying if we
3 postpone the ordinance itself then we're not in a position to make any recommendations
4 concerning the rezonings because there's nothing for us to make a recommendation
5 upon.

6 MR. PALMER: Well how do we expect people to have the public hearing and
7 have the people give arguments either for or against when our recommendation is open
8 for perhaps changing it down the future and these things are solidified yet?

9 MR. VAN DINE: Very valid question. I'm not sure that we have anything that we
10 can deal with until such time as the ordinance is actually in place. Why is the 24th such
11 a magical date? Is that actually on the calendar?

12 MS. ALMEIDA: That is the zoning public hearing that this text amendment and
13 map amendments would be heard.

14 MR. VAN DINE: If in fact we did not make a recommendation would it still be on
15 the public hearing for a – on the 24th? I mean, I'm not trying to stall the movement but
16 what I want to make sure is we're doing it correct procedurally so that we don't have
17 somebody coming back later and saying not only is it a wrong ordinance but you
18 screwed up the way it was done.

19 MS. LINDER: Procedurally we are on track at this time. Should you want to
20 have a special called meeting – a work session first and then a special called meeting to
21 give your recommendations it would still be forwarded to the April 24th zoning public
22 hearing. If you defer this action the County Council has 30 days to take it up on their

1 own without your recommendation. So I would assume then that a public hearing would
2 be held as soon as possible some time in May.

3 MR. MANNING: But if we go forward and have the public work session or the
4 work session, get it back in time for the public hearing on the 24th the text amendment
5 could go forward as planned?

6 MS. LINDER: Yes.

7 MR. MANNING: But the rezonings could not.

8 MS. LINDER: The rezonings – you may not want to take them up today. You
9 may want to take them up at the same time you're taking up the text amendments as
10 you would have today if you'd taken up the text and then following later in the meeting
11 you would have taken up the rezonings.

12 MR. PALMER: I just don't feel like we have enough information on this issue and
13 when you're looking at amending the County code and putting in a new zoning
14 designation it's not something that should be done haphazardly. But it's up to the
15 Planning Commission. That's my feelings on it.

16 MR. VAN DINE: I guess I'm a little bit different. My feeling is that we ought to
17 move forward on the text amendment itself but until the text amendment itself is actually
18 in place and is finalized I have a hesitancy in moving forward on the rezoning requests.
19 Because I think the rezoning requests are impacted more by what changes could be
20 made or not made within the text as it moves forward. So my feeling is we ought to
21 move forward with the text and delay the rezoning requests themselves until we have
22 more time in order to be able to understand what implications they will have on those
23 particular properties. That's –

1 MR. PALMER: But the problem with the text amendment is that we don't have
2 the input from the golf courses yet. We don't know whether these things are secondary
3 uses to swimming pools and this type stuff. What all goes on, what amount of revenues
4 come in through the actual dining and bars and that kind of stuff, whether those would
5 be accessory uses. All these things we don't know yet. I mean the – which ones we
6 need to put down here under the uses are special requirements or not. You know, the
7 height restriction. I mean I see in here that it's 35'. Everything else we've got is 45'.
8 You know those little things like that. I mean is 35' enough for a clubhouse? Those are
9 the questions that we don't have, have answered yet. And the meeting needs to take
10 place with the golf course owners to see what things they need back in here.

11 CHAIRMAN FURGESS: This is – we need to come to some kind of clarity on
12 this.

13 MR. GREEN: Do we have people signed up to speak on the ordinance as
14 opposed to speaking on the rezonings?

15 CHAIRMAN FURGESS: Yeah. We have people signed up.

16 MR. MANNING: We have three people signed up on the text amendment?

17 CHAIRMAN FURGESS: On the text amendment.

18 MR. VAN DINE: We've got about 15.

19 CHAIRMAN FURGESS: Fifteen people. So do you want to go ahead and hear
20 them before we make a decision?

21 MR. GREEN: I'd like to hear the people that are here to speak on the text
22 amendment prior to taking up a motion.

1 CHAIRMAN FURGESS: When you come to the podium to speak will you please
2 give your name and address and you have two minutes, each person will have two
3 minutes. This is for the people that is for. Blake Colleton?

4 AUDIENCE MEMBER: I signed [inaudible].

5 CHAIRMAN FURGESS: Okay.

6 AUDIENCE MEMBER: [Inaudible]

7 MS. ALMEIDA: Mr. Chairman, there might be as Mr. Price just pointed out, due
8 to the discussion that has occurred here there might be people in the audience that
9 would like to speak to the text amendment.

10 CHAIRMAN FURGESS: The ones that signed up for – how many want to speak
11 for? Come forward. Okay. Let me call your name out then if you don't come down –
12 this is for. Ron Stanley? Come forward. Bill McDonald?

13 MR. VAN DINE: When your name is called so we can move this through fairly
14 quickly if you would stand up over on the backside and sort of feed your way in so that
15 we're not waiting for everybody to come down after each time. It would make it move
16 quicker.

17 CHAIRMAN FURGESS: Brian A-L-C – can't figure out the name. Okay. Ron
18 Stanley? Give your name and address, please.

19 **TESTIMONY OF RON STANLEY:**

20 RON STANLEY: Thank you, Mr. Chair. My name is Ron Stanley. My address is
21 33 Running Fox Road, Columbia. Mr. Chair, I'm pleased to be able to appear before
22 this Commission today. I am an attorney here in Columbia but today I appear not as an
23 attorney representing any group or any client but I appear as a property owner in the

1 Richland Northeast area. I do understand that what is before this Commission today is
2 the text of the ordinance dealing with this open space. And so what I want to do is to at
3 least urge you to consider the passage of an ordinance. I know that the specific
4 language is what you are debating today in terms of whether or not you are prepared to
5 vote on the specific text of the actual ordinance and I recognize that. But the spirit here
6 that I'm here about and I think most of these people are here about today is that we
7 need an ordinance that certainly gives the homeowners the opportunity to participate in
8 any redevelopment of this open space area such as to golf courses. I live in the
9 Wildewood community and have been a resident in this community for the last ten years
10 and certainly it's no secret that this property was marketed, this property was sold
11 certainly as a golf course communities and we're very proud of these areas. And
12 certainly I know the county is and I'm sure hopefully this Commission is. We have
13 invested a lot there. Certainly these homeowners have contributed greatly to the tax
14 base of this county with the increased value of this property and this quality of life that
15 this open space provides for these communities is certainly nothing to be slighted. So
16 what I want to do today is to at least urge you to consider the passage of an ordinance
17 that would give the homeowners the opportunity to participate in any proposed change
18 of this golf course property. The amendment - excuse me - the ordinance that's before
19 you today certainly does two things that I would like to emphasize. First of all it does
20 not do anything but make this golf course property and these golf course communities
21 consistent with its current use. It doesn't change anything except these properties and
22 these golf courses have been used as golf courses for, at least in our community for the
23 last 30 years. And what this proposed ordinance would do would be to make the use

1 consistent – excuse me – make the zoning consistent with the use. Secondly, the
2 proposed ordinance does not prohibit development and I want to emphasize that. It
3 does not prohibit that. What it is does, it requires a change in zoning if a proposed
4 change in use is being requested. And certainly what it does it gives us the opportunity
5 as homeowners to participate in any proposed change that’s being requested. Thank
6 you so much. I know I’ve taken more than two minutes but I appreciate the opportunity
7 and I urge your favorable consideration of an ordinance that would be favorable to these
8 homeowners. Thank you.

9 [Applause]

10 CHAIRMAN FURGESS: Excuse me. We can’t have any clapping – none of that
11 in here please. Save your applause until you get outside. Give your name and
12 address. Two minutes.

13 **TESTIMONY OF BILL MCDUGALL:**

14 BILL MCDUGALL: My name is Bill McDougall. Thank you for the opportunity
15 to speak to the Planning Commission. I’m president of the Wildewood Section One
16 through Four Homeowners Association. We have 608 homes out of the approximately
17 1,300 that make up the greater Wildewood community. The 160 acres of open space
18 that comprises the golf course is and has been the physical and geographic center of
19 this community since its inception some 33 years ago. Whether you live on the golf
20 course or not its very presence contributes to the quality of our everyday lives and the
21 value of our single biggest investment, our home. We looked at the nationwide trend of
22 golf course owners selling out to developers and it became clear that the older golf
23 course communities such as ours and the others of similar age in Richland County are

1 particularly vulnerable. The older courses are built, are in built out neighborhoods that
2 are attractive to developers as potential infill development. According to the March
3 2007 issue of the *National Golf Course Owners Association Magazine* some 200
4 conversions have occurred since 2004. We realize that if you live on or near a golf
5 course that's zoned residential then you are at risk that a larger developer will make the
6 golf course owner an offer they can't refuse. Rezoning existing golf courses so that
7 their zoning classification matches their current use has successfully slowed this trend
8 nationally. It also aligns the golf course owners more closely with the interest of the
9 homeowners. Instead of looking to sell their land for development they have more
10 incentives to operate a successful golf course operation. We recognize that any
11 successful golf course must be economically viable. You cannot force someone to
12 operate a business that is not profitable. In the case of Wildewood and our sister
13 course, Wood Creek, we believe that they are profitable. According to the numbers
14 furnished last week by the owner, Golf Trust, the two clubs have some 966 members of
15 which 475 live in the Wildewood community and 125 live in Wood Creek. This means
16 that the percentage of Wildewood residents that support the golf course is way above
17 the national average and in fact is exceeded only by that of [inaudible] retirement
18 communities. Even with such a strong degree of support we've offered the
19 homeowners associations assistance in improving these membership numbers because
20 we want the golf course owners to succeed. Their success will preserve the golf course
21 communities we are invested in. We favor their success and stand ready to do our part.
22 We are not saying that they can never be developed, sold or used for other purposes.
23 But what we are saying is that if despite all of our best efforts a change of use is

1 required our rights, the protection of our investments, and the County's development
2 oversight obligations dictate that a public rezoning process should be required. These
3 golf courses County wide have existed as such for many, many years. We are simply
4 asking that you make the rezoning designation match their current and historical use.
5 They are not residential or industrial. They are recreational areas that have traditionally
6 been golf courses supported by private funds but enjoyed as open spaces by many.
7 Only the County can provide the long-term stability through this current proposed zoning
8 change. It properly balances ours and the current owner's rights. This has been
9 successfully accomplished elsewhere and it is needed now in Richland County. Thank
10 you. I'll be happy to answer any questions if there are any.

11 [Applause]

12 CHAIRMAN FURGESS: No applause, please. Two minutes, sir. Try to keep it
13 within two minutes.

14 **TESTIMONY OF BRIAN ALKERMIS**

15 MR. ALKERMIS: Yes. My name is Brian Alkermis and I live at 525 Hogan's Run
16 which is in the Woodlands golf course area. Again I thank the Planning Commission for
17 taking the time to hear this important issue. I purchased my property four years ago
18 primarily because of its location and those in this room I'm sure are homeowners and
19 real estate most important things are location, location, location. I certainly was not
20 aware that the golf course that I was so proud to live on could possibly be turned into
21 additional homes. I happen to live on a relatively small lot but because it's open space
22 behind me – it happens to be the 14th hole, it gives the illusion that it's a much bigger
23 piece of property and would certainly not like to lose that. I would think that in the world

1 of real estate the – after you get past waterfront property, the next highest premium
2 that's going to be paid for a piece of property with a house on it or not yet would be
3 something that's in a golf course community and better yet on the golf course itself.
4 And to lose that value would not be fair. Those homes whether they were built 16 years
5 ago, 17 years ago like mine was or the older homes within Woodlands which were built
6 probably in the early 70s and throughout the remaining years, every time they were
7 marketed as golf course property or golf course community. They were resold as that.
8 It is somewhat of a transient area but there's always been a premium paid for homes
9 within a golf course community and an additional premium if that home happened to be
10 on the golf course itself. Again I want to thank the Council for taking the opportunity to
11 review this, to listen to the people – to list to your constituents who are affected by this
12 proposed rezoning and I urge you to approve it. Thank you.

13 CHAIRMAN FURGESS: Thank you. Next. Mike, Jim, Joseph and Jeffrey. Do
14 you want to come down and speak? That's Mike Bolin(?).

15 AUDIENCE MEMBER: [inaudible]

16 CHAIRMAN FURGESS: Pardon me?

17 AUDIENCE MEMBER: Would that be [inaudible] that you're calling [inaudible].

18 My handwriting's not that good.

19 MR. VAN DINE: Mike Femister? Okay. Jim McLarin. Joel Gottlieb. Jeff Stroud.
20 If you guys would please line up behind everybody so we can move it quickly. And folks
21 let's try and keep it to two minutes. We let everybody speak as long as they want with
22 everybody out here we'll be here until next week. So let's try and keep it to two

1 minutes. And if somebody else has already said everything you wanted to say it's all
2 right to say I agree and sit down. You don't have to just talk to hear yourself talk.

3 **TESTIMONY OF MIKE FEMISTER:**

4 MR. FEMISTER: Is it all right to go ahead? Okay. My name is Mike Femister. I
5 live at 1115 Enclave Way in Northeast Columbia. I'm going to read so I keep – I timed
6 myself. I'm on two minutes but [inaudible]. Distinguished Council Members. Thank you
7 for the opportunity to speak before you today on such an important issue to so many
8 residents in Richland County. I'm a past president of Spring Valley Country Club and
9 live in another golf course community. Therefore I have an interest in two of the
10 courses in this ordinance. As we all know home prices have reached the level of a
11 significant investment for most people. Therefore we as Richland County citizens
12 preparing to purchase a home must do a substantial amount of research before buying
13 to protect ourselves from loss of value. When going through the thought process of
14 buying a home you do not think of a golf course being shut down and developed. But if
15 that is the remaining land in a nicely developed area history has shown that some
16 developers have no consideration for the current homeowners of the area, only
17 maximizing profits. Developers have enjoyed the profits associated with the growth of
18 Columbia, South Carolina by creating neighborhoods centered around equestrian
19 centers, parks, and golf courses. Unfortunately a disturbing national trend has been to
20 develop as much of these recreational centered neighborhoods as possible then sell off
21 the remaining land to any interested party. The new owner does not carry the promise
22 made to the homeowner and develops the land with little consideration to that promise.
23 It has also been the trend around the country to develop neighborhoods around

1 recreational areas to get a premium on the sale of lots. I am in the financial business so
2 I have no problem with people making profits but there should be some form of
3 accountability to the developers/subsequent recreational owners. And the purchasers
4 should have some voice in protecting their investment. This ordinance is not
5 guaranteeing homeowners that the recreational property will remain as it is. It is just
6 giving them some assurance that they will have at least – at least have the opportunity
7 to speak and voice their opinion if their neighborhood is about to change. If you poll the
8 1,000 homeowners in Spring Valley and the 1,200 in Wildwood and ask them if they
9 minded the golf course being sold and developed into more housing I believe they
10 would be adamantly opposed. In the newer courses are using zoning and deed
11 restrictions to protect the recreational areas. No one expected golf courses to be sold
12 to corporations that have no interest in protecting the citizens of Richland County. We
13 are homeowners have to say – have no say in who owns these golf courses. All we're
14 asking is to give us some voice in the use of the land. Thank you Council Members for
15 your support of this new zoning district that will require public input before development
16 can take place. And most importantly the bottom line is thank you for giving us a voice.

17 CHAIRMAN FURGUESS: Thank you. Jim McLarin?

18 **TESTIMONY OF JIM MCLARIN:**

19 MR. MCLARIN: My name is Jim McLarin. I live at 102 Enclave Loop which is
20 directly across from the entrance to Wildewood. I've been a resident in the Northeast
21 area in Wildewood or Enclave since the mid-80s. I've served on the Wildewood boards
22 and the Enclave boards. I'm here to speak today in favor of the ordinance proposed by
23 Councilwoman Val Hutchinson. We paid a premium when we bought our first home in

1 Wildewood and the developer and golf course owner made a premium. We struck a
2 bargain at that time which now many of the golf course owners as an exit strategy would
3 like to nip what I call the cherry left in our neighborhoods. And that is after they've
4 developed the lots, built the golf course that we made a success, they would like to now
5 sell the golf course out from under us or have the right to do that. We're asking that the
6 Commission create an ordinance that allows the current and past usage, which has
7 been some 30 years, to stand. In our neighborhood – one day I came home and there
8 were about 20 or so acres that were clear cut at the entrance of Mallet Hill and Polo.
9 Nobody had a public hearing because we didn't have a green space ordinance.
10 Hopefully through this Body we will have an ordinance that allows a voice of the owners
11 that have a substantial involvement. If you look at the property tax base, these owners
12 of golf courses have benefited by paying low property taxes. They pay property taxes
13 based upon the usage of the courses which is as golf courses not as developed lots.
14 What they pay annually in property taxes amounts to somewhere between five and ten
15 of what our homes pay in property taxes. The values of our properties are multiple
16 times greater than the golf course owner. Thank you for your consideration.

17 CHAIRMAN FURGESS: Thank you, sir.

18 **TESTIMONY OF JOEL GOTTLIEB:**

19 MR. GOTTLIEB: I'm Joel Gottlieb and like Mr. McLarin and Mr. Stanley before
20 me I'm an attorney but I'm speaking as a landowner and therefore I'll be brief since I'm
21 not getting paid for this time. [Laughter] I agree with everything these better speakers
22 have said before me. I know there is some mention of the term does this constitute a
23 taking. This is not any different in my mind from when the County implemented zoning

1 for the first time and I believe that was in the 1970s, and simply bought property in and
2 for the most part zoned it under its then current use and that's what we're asking here.
3 Since I agree with everything else said I won't repeat it. Thank you.

4 CHAIRMAN FURGESS: Thank you, sir. Next, people that are against. Robert
5 Fuller, Ken McCarthy, John Bakhaus.

6 AUDIENCE MEMBER: If it please the Commission, I believe I signed up to
7 speak for the ordinance.

8 CHAIRMAN FURGESS: Okay.

9 MR. VAN DINE: We just flopped back over to one side. We were going to come
10 back to some other people who signed up.

11 CHAIRMAN FURGESS: These people coming now [inaudible].

12 **TESTIMONY OF ROBERT FULLER:**

13 MR. FULLER: Mr. Chairman, my name is Robert Fuller. I'm an attorney here in
14 Columbia and I am here in a representative capacity this afternoon for Golf Trust
15 America, the owner of the properties at Wildewood and Wood Creek Farms. I
16 appreciate the comments that the Commission Members earlier made with respect to
17 the text of the amendment. You have already picked up on a number of typographical
18 or otherwise administrative clarifications that need to be made in the ordinance. I would
19 take exception to my friend, Anna Almeida's characterization of what is left to do with
20 the ordinance simply being a tweaking operation. There are some significant matters
21 related to this ordinance which have had to date only a rifle barrel focus of the
22 protection of the surrounding lot owner interests. There has been virtually no discussion
23 with most of the golf course owners; none with Golf Trust. This is a serious ordinance

1 consideration and I know you know that. Some of the things that I think you began to
2 pick up on in the discussion particularly with Mr. Van Dine, Mr. Palmer, Mr. Manning
3 and Mr. Green relate to the imposition in this ordinance of general ordinance sections
4 and making them adaptable or incorporated by reference into the TROS considerations.
5 There are potential huge implications for golf course ownership and operation related to
6 the imposition of landscape and buffer yard considerations that are in the ordinance
7 today. You've already picked up on the sidewalk and pedestrian amenities sections of
8 the ordinance that would be enveloped by this TROS consideration. There are many,
9 many of the implications of these general ordinance provisions that need a good deal of
10 study by you all, by the Staff and by the golf course owners in that work session and in
11 those areas of real negotiation and give and take about what it takes to be involved in
12 the golf course business and deal with the implications of these what amount to
13 overlays onto the golf course operation by the general standards. We don't have two
14 minutes more to do that today. We need the time to get with the Staff, to get with the
15 Commission and do it in the context of meaningful negotiation for a quality ordinance,
16 not just a bullet train ordinance. There is no necessity for this to take place as early as
17 the 25th or 24th of April. It is not on a time track that has got to get anywhere by nightfall.
18 It's serious business and it needs more consideration than it has yet had of all the
19 participants because it definitely imposes more property right issues than simply those
20 who own lots around. Thank you for your time.

21 CHAIRMAN FURGESS: Thank you, sir.

22 **TESTIMONY OF KEN MCCARTHY:**

1 MR. MCCARTHY: Mr. Chairman, ladies and gentlemen, my name is Ken
2 McCarthy and I'm at the – I represent the Woodlands Country Club, 100 Norse Way. I
3 did have the good fortune last Thursday to speak to some of the Staff members and to
4 express my concerns which are largely the yellow tabs on here regarding the text. My
5 two issues or rather the two issues were the text amendment and I'm glad to see the
6 confusion here today on the text amendment because I didn't – I certainly don't know
7 what we can and cannot do at this point. And I know as a result of that meeting that we
8 are bound by the Pending Ordinance Doctrine and because we're bound by that I do not
9 see the urgency to get this through in a hurry. I believe that that prevents us from doing
10 anything in the interim. I do take exception to the statement that we don't pay our fair
11 share of property taxes. The other issue that would be addressed I believe is on the
12 other amendment of the zoning. That's where the issue of the private property rights
13 come in and do you take one's private property rights in order to protect the
14 homeowners. I would like to see the Woodlands homeowners protected. I'm not sure
15 how you are going to do that and whether you're going to do it by taking our private
16 property rights. But again please take the time to consider the text amendments and
17 how we will be able to continue to operate. We are already constrained by economic
18 liability. We should be having a discussion about how we promote golf courses in
19 Richland County and how that we can have – make those golf course communities - by
20 making the golf courses successful, the golf course communities will be successful.
21 Thank you for your time.

22 CHAIRMAN FURGESS: Thank you.

23 **TESTIMONY OF JOHN BAKHAUS:**

1 MR. BAKHAUS: Hello. My name is John Bakhaus and I represent the
2 Windermere Club. I was glad to see that the same amount of confusion struck you that
3 has struck me about this whole process. I was out of town part of last week and I only
4 came on Friday to fully understand what was going on here. I did not see the
5 documents that I think you did not see until very recently. There are huge property
6 rights implications in this process that need to be carefully thought out and I think you're
7 beginning to sense that and I appreciate that. We – most of us in this business expect
8 to protect the rights of the property owners who surround our courses but we all have to
9 be very careful about how we approach that. There are some very serious issues. We
10 ask that you defer today and give us the time to sit down and really discuss this issue
11 with some care, some understanding. Otherwise all of us could make a big mistake that
12 could cause a lot of problems down the road and I don't think we want that. So we ask
13 you to be very thoughtful and very careful as you proceed today. We are willing to talk
14 and get a plan that works well for everyone and a new zoning ordinance that works well
15 for everyone. But please don't move this thing any faster than it needs to be moved.
16 We don't understand why it's in such a hurry right now. None of us do. And it's almost
17 like its been tried to – somebody tried to slide it passed us without us having a chance
18 to even talk about it. We ask that you carefully consider and give us a chance to talk
19 with both you and other Staff members about the issue. Thank you.

20 CHAIRMAN FURGESS: Thank you. Next we will go back to for, people that is
21 for. Buddy Lewis, Tom Pearson, Ned Smith, Michael – I can't figure out this last name.
22 Okay. Come on down, please.

23 **TESTIMONY OF BUDDY LEWIS:**

1 MR. LEWIS: Hello, Mr. Chairman and Members of the Planning Commission.
2 I'm Buddy Lewis. I've been a realtor for over 30 years and have sold golf course homes
3 for, over that time; at most, primarily in the Northeast Columbia area. I do believe that
4 the people I've sold the golf course homes to would be a little bit disappointed to see
5 that their home if they live on the golf course and see the beautiful green grass like
6 some of us do all of a sudden we have homes out the back. Therefore I am in favor of
7 the ordinance and to save time I'll let it [inaudible] it there. Thank you.

8 **TESTIMONY OF NED SMITH:**

9 MR. SMITH: Good afternoon, ladies and gentlemen. My name is Ned Smith. I
10 am a representative from Columbia Country Club. I'm on their board of directors. I'm in
11 charge of their house committee. As you guys and ladies and gentlemen know
12 Columbia Country Club has been in existence over 100 years. We have 250 plus
13 acres, 27 hole golf course. We are basically in favor of the ordinance as presented but
14 we would like to be an integral part of this tweaking process. I would like to ask that you
15 defer any action and allow us an opportunity to present our position in the future. But
16 basically we are in favor. Thank you.

17 [Applause]

18 CHAIRMAN FURGESS: No clapping, please.

19 **TESTIMONY OF MIKE TIGHE:**

20 MR. TIGHE: May it please the Commission. I'm Mike Tighe. I'm a lawyer in
21 Columbia. I've been retained to represent the various homeowners associations that
22 surround Wildewood golf course and as such I speak for approximately 1,330
23 households that are in the northeast section of Columbia. I rise of course to speak in

1 favor of the ordinance. I realize that it will require some tweaking or some modification
2 to deal with the issues that have come up today but I would like to suggest as Mr. Smith
3 just did that there might be some representatives of the homeowners associations
4 involved in the planning session that will ultimately formulate this ordinance. Over 30
5 years ago Wildewood golf course was constructed as the centerpiece as one of
6 Columbia's finest golf course communities. People, constituents of this county and
7 clients of mine paid a hefty premium to be on or in near proximity to the golf course that
8 is out there today. In a sense these people paid for the golf course although they do not
9 own it. But they do have an interest in how redevelopment takes place if it becomes
10 necessary. Now my clients are ready, willing, and able to assist the golf course owners
11 in promoting golf in their community because they recognize it is in their best interest
12 that the golf course be successful. That failing, this ordinance would give them an
13 opportunity as well as other members of the general public to participate in any
14 redevelopment plans through the rezoning process that would be required by the
15 ordinance. You've heard enough from others. I won't belabor the point any further but
16 to say that the people that I represent would favor the imposition or the passage of this
17 ordinance in some form that works well for all concerned. Thank you for your attention.

18 CHAIRMAN FURGESS: Thank you, sir.

19 **TESTIMONY OF MICHAEL KOSKA:**

20 MR. KOSKA: My name is Michael Koska. I'm president of the Northeast
21 Business Association and also a homeowner at Crickentree. And the arguments that
22 you heard – I'm for moving this amendment forward to protect the property – I mean to

1 protect the golf courses. The arguments that you've been given are more eloquent than
2 I can tell you so I'm just rising in favor.

3 CHAIRMAN FURGESS: Thank you. That's everyone that has signed up to
4 speak. Now we can go back onto the debate on which way we want to go with this.

5 MR. GREEN: Mr. Chairman, do we have a motion on the floor?

6 CHAIRMAN FURGESS: Yeah. We did but it didn't get a second. [Inaudible].

7 MR. GREEN: Mr. Chairman, I, you know, and I guess I don't know if I need to
8 separate motions here. My feeling is that we ought to approve the ordinance in front of
9 us concurrently with setting a special work session for Planning Commission before the
10 next reading of County Council. And I say that because the only thing this ordinance
11 changes is the use. It doesn't add any more restrictions on the property. If you'll read
12 through the various sections it refers to I don't think it imposes a single additional
13 requirement on any of these properties with the exception of the use. And given the use
14 is something that we all generally have sounded like we want to protect, I think we
15 ought to send it forward knowing that we can come back in and add further restrictions if
16 we need to. Certainly the concerns over swimming pools and club houses and
17 restaurants are relevant but if you read our definition of accessory use that's in the code
18 clearly those can be dealt with on a case by case accessory use basis. So therefore my
19 motion would be to approve the document that we have in front of us with the specific
20 stipulation that further work will occur prior to the next County Council meeting in a
21 special called meeting of the Planning Commission.

22 MR. VAN DINE: Second.

23 MS. LINDER: Point of clarification. The next Council meeting is tomorrow.

1 MR. GREEN: Before the next meeting where a vote would be taken by Council.

2 MS. LINDER: The zoning public hearing?

3 MR. GREEN: Correct. Thank you.

4 MR. PALMER: If the majority of the revenue is generated from anything other
5 than a golf course that would not be classified as an accessory use would it?

6 MS. LINDER: Could you repeat the question, please?

7 MR. PALMER: If the majority of the revenue generated by the business does not
8 come from the actual golf course fees and it comes from some other application of the
9 country club?

10 MS. ALMEIDA: We don't determine accessory use by generated revenue.

11 MR. PALMER: It's done simply by – how do you determine accessory use?

12 MS. ALMEIDA: Whatever the primary use is.

13 MR. PALMER: How do you determine the primary use?

14 MS. ALMEIDA: What it's designed for. So if it's designed to be a golf course
15 and you have a country club or a swim club that's an accessory use to the primary use.
16 We don't get into generated revenue or anything like that.

17 CHAIRMAN FURGESS: You heard the motion and you heard the second
18 [inaudible].

19 MR. MANNING: I've got a question for Ms. Linder. Could this ordinance be
20 adopted without reference to the permitted uses and development standards?
21 Obviously the intent here is to protect most of these people here from something that
22 they're concerned about which is building houses behind their houses.

23 MS. ALMEIDA: Right.

1 MR. MANNING: And obviously I'm in favor of that too. But I am concerned
2 about the rest of the ordinance that goes with it and I'm – from a legal standpoint
3 Council adopted or made a motion to adopt this ordinance without reference to the
4 specifics. Can we do the same thing and have the work session to finalize those
5 standards and requirements, permitted uses that would be ready for the public hearing
6 on July [sic] 24th?

7 MR. VAN DINE: I don't think we are allowed to do a what is amounted to by title
8 only adoption as a Planning Commission. We're asked for recommendations. My point
9 is everybody wants to tie this back in to the rezonings which are coming later in this
10 meeting. At this stage we're dealing with the text of the amendment. We're not dealing
11 with it as applied to the golf courses. When we get to applying it to the golf courses I
12 think a lot of the comments that are being made here are very valid but we need to
13 address those issues. But for the time being what is being put forward is what is the
14 text? What is the addition to the text that we're adding? It's not to be applied to
15 anything. We have a conservation district in our code right now which is in existence
16 but has never been applied to anything. So until we actually apply this ordinance to a
17 piece of property it sits there with the text language. That being said you can take the
18 time – whatever time is necessary to make amendments to the text language before
19 you try and apply it to specific pieces of property.

20 MR. MANNING: But we're going to do that here shortly.

21 MR. VAN DINE: To hedge my bets I will inform you that I intend to make a
22 motion that we defer all of the rezoning requests on the golf courses themselves until
23 the text amendments have been finalized and the additions and things are taking place.

1 I don't think – I think we have to get the train rolling and the train rolling has to be on the
2 text amendment, then we'll look at it as it applies down the road without looking at the
3 golf courses today because I don't think we can do that with all the discussion that has
4 taken place to this point.

5 MR. MANNING: Can Gene – you amend your motion to include what Howard
6 just said?

7 MR. VAN DINE: We can't do anything with the specific golf courses when we're
8 dealing with the text amendment. I'm telling you I'm making that motion when it comes
9 time for those to come up. So you can accept that or not.

10 MR. PALMER: Here's my problem with – and I fully understand that we're simply
11 talking about a text amendment and not the rezonings. However in the text amendment
12 it does get somewhat specific and if all these things are accessory uses we wouldn't
13 need a special requirement application to athletic fields or to hunt clubs or permitted
14 riding stables. If all of those are accessory uses they will be permitted anyhow on a golf
15 course.

16 MR. VAN DINE: But that's – you're not talking about those being on a golf
17 course. You're talking about those as being primary uses in and of themselves; a
18 swimming pool where the swimming pool is the primary use. If it falls under the TROS
19 then it applies under the special requirement. Each one of those is as if those particular
20 uses were the primary use not an accessory to that golf course.

21 MR. PALMER: Correct.

22 MR. VAN DINE: The country club with golf course is a specific category. The
23 golf course and whatever that, however that's defined under the national definitions, that

1 has certain parameters that go with it and certain terms. Each one of those other ones,
2 the riding stable, the swimming pool, the hunt clubs, the tennis court, whatever else they
3 are they would also have the same specific requirements as if they were primary uses.
4 So those don't all add up as being accessory uses when we're putting them in the table.

5 CHAIRMAN FURGESS: We do have a motion on the floor and a second that we
6 need to go forward on. We need to take a vote on that. When we come to that part
7 with the golf course then we can take up these other ideas.

8 MR. PALMER: Mr. Chairman, I just have one question if I could real quick. Just
9 to clarify, if we were to make a recommendation for approval of this, would we see it
10 again before it goes to Council, before we hand the package to Council that says this is
11 our recommendation? Would we change it again?

12 MS. ALMEIDA: Yes. If you all want to – yes. You'd have to set a work session
13 and a special called meeting. Yes.

14 MR. VAN DINE: That's part of the motion.

15 MR. GREEN: And that's part of the motion.

16 CHAIRMAN FURGESS: At this time, you heard the motion that's on the floor.

17 MR. ANDERSON: Can you repeat the motion, please? Just so I understand it. I
18 just need to hear it again.

19 MR. GREEN: The highlights of it are that we pass the current text amendment
20 proposal. We recommend it subject to holding a special called meeting of the Planning
21 Commission for the purpose of further definitions prior to the date it goes to County
22 Council for their public hearing.

23 MR. ANDERSON: Thank you.

1 CHAIRMAN FURGESS: All those in favor of the text amendment motion please
2 raise your hand. Opposed?

3 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Van Dine, Green, Manning;*
4 *Absent: McBride]*

5 CHAIRMAN FURGESS: Nobody opposed. Thank you. Next on the agenda
6 item -

7 MR. VAN DINE: Real quick. Before that public meeting can you make sure that
8 the changes which we have already pointed out as being problems are made and
9 forwarded to everybody so they have the cleanest and most up-to-date version? Those
10 would be things like the height restrictions –

11 MS. ALMEIDA: Yes.

12 MR. VAN DINE: - the other things that are in other tables(?).

13 MR. GREEN: Mr. Chairman, before everybody leaves I'd like for us to address
14 the –

15 MR. VAN DINE: Can everybody please hold on for a minute?

16 CHAIRMAN FURGESS: Hold on one second, please.

17 MR. GREEN: I'd like us to go ahead, I know it maybe a little bit out of order but
18 I'd like us to go ahead and set our meeting date so that people are aware if they want to
19 come and be in attendance that they have that information. When is this going to be
20 heard by County Council based on –

21 CHAIRMAN FURGESS: The 24th of April.

22 MS. LINDER: April 24th.

1 MR. PALMER: What's our advertisement time if we change what we send up to
2 Council? Is there a certain advertising time? Fifteen days or something?

3 MS. LINDER: That's for a public hearing and the public hearing notice has
4 already gone out. You're having a meeting. I believe you have to give 24-hour notice
5 before you have a meeting.

6 CHAIRMAN FURGESS: Okay. Do you want to set it the 18th, the 17th or the 18th
7 of April?

8 MR. VAN DINE: Mr. Chairman, I would prefer the 17th because I'm going to be
9 out of the country next week.

10 MR. MANNING: Mr. Chairman, I think we need to set this as early as possible
11 because obviously there are a lot of issues that need to be addressed. I'd like to see
12 something happen between the 9th and 13th, to give everybody the time.

13 CHAIRMAN FURGESS: I won't be in town but you can go ahead without me.

14 MR. VAN DINE: I won't be in town either.

15 MR. GREEN: The 16th? That's a Monday.

16 MR. VAN DINE: I fly back.

17 MR. GREEN: What time do you get back? [Laughter]

18 MR. VAN DINE: About 6:00 o'clock at night.

19 CHAIRMAN FURGESS: That's why I said the 17th.

20 MR. PALMER: I can't make the 16th.

21 CHAIRMAN FURGESS: How about the 17th? Is the 17th good for everybody?

22 MR. GREEN: I would make a motion that we hold it on the 17th at 4:00 p.m.

23 CHAIRMAN FURGESS: Okay. The 17th at 4:00 p.m.

1 MS. ALMEIDA: Please keep in mind that Staff has to get this to Council in a
2 timely fashion so.

3 MR. VAN DINE: We're trying.

4 MR. GREEN: We're trying.

5 MR. ANDERSON: We got this thing on Friday.

6 MR. VAN DINE: The 17th would work the best for me.

7 MS. ALMEIDA: Is that the special called meeting?

8 MR. VAN DINE: Yes.

9 MR. GREEN: Special called meeting, 4:00 p.m., 17th.

10 MS. LINDER: Are you holding a work session –

11 MR. VAN DINE: Yes.

12 MS. LINDER: - prior to the time?

13 MR. PALMER: Can you meet later this week? Can you meet later this week?

14 MR. VAN DINE: Yeah. Up until – probably up until Thursday night.

15 MR. GREEN: When are you leaving?

16 MR. VAN DINE: Friday morning, early.

17 MR. GREEN: I don't think we're giving people time to - the 17th at 4:00 p.m.

18 MR. VAN DINE: I'll second.

19 CHAIRMAN FURGESS: We'll meet here at the Chamber, inside the Chamber
20 on the 17th at 4:00 o'clock.

21 MR. GREEN: What time?

22 MR. PALMER: You have to make sure we can get the Chamber first.

23 MR. PRICE: That's the same day there's a County Council meeting.

1 MR. GREEN: What does that start?

2 MS. LINDER: Six o'clock.

3 MR. GREEN: We can meet up in the fourth floor room. We've held public
4 hearings up there – public meetings up there before.

5 MR. MANNING: We can meet here and then move up. We going to have some
6 [inaudible] by then.

7 MS. ALMEIDA: But this is for the special called meeting.

8 MR. GREEN: Right.

9 CHAIRMAN FURGESS: Right.

10 MS. ALMEIDA: And the work session?

11 MR. PALMER: Move it back to 3:00.

12 MR. GREEN: Have a work session followed by the public meeting, special called
13 meeting?

14 MR. VAN DINE: Whatever.

15 MR. MANNING: It's going to take some time –

16 MS. LINDER: You wanted to have the work session prior to your meeting. You
17 wanted to work out the details and then take a vote again; correct?

18 MR. MANNING: Right.

19 MR. GREEN: Correct.

20 MS. LINDER: So you want to have the work session before you have your
21 special called meeting?

22 MR. MANNING: Correct.

23 MR. GREEN: We'll start at 4:00.

1 MS. LINDER: Your work session's going to start at 4:00. When the work
2 session's complete you'll take your vote and go into a special called meeting?

3 MR. GREEN: Correct. That's my motion.

4 MR. VAN DINE: That was my second.

5 CHAIRMAN FURGESS: All those in favor raise your hand. Opposed?

6 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Green, Manning and Van Dine;*
7 *Absent: McBride]*

8 CHAIRMAN FURGESS: Okay. Thank you.

9 MR. ANDERSON: Let everybody know that individual cases are still coming up
10 for the individual golf courses.

11 MR. MANNING: You all will notice the neighborhood associations, all the
12 communities, the golf course owners?

13 MS. ALMEIDA: Well we will not be sending out 4,000 notices but –

14 MR. MANNING: Well if we want input to get this thing right. I mean people need
15 to be notified.

16 MS. ALMEIDA: Right.

17 MR. VAN DINE: For everybody who is here we are holding a work session on
18 the 17th of April at 4:00 o'clock, followed by a special called meeting in which we will
19 vote on the text amendments and modifications. If you know of people who wish to
20 attend please spread the word that that is going to take place. There will not be a
21 specific notice provided to everybody out there. So if you know people, that's when it
22 will take place. Also, while I may have tipped my hand, those votes on the actual golf
23 courses still will need to go forward until – we have a number of other people

1 beforehand that are going to have their zoning requests looked at before we get to the
2 golf courses. So if you want to stay around you can but those will still have to be voted
3 on. They have not been deferred at this point.

4 MR. PALMER: Mr. Chairman, I'd like to make a motion to amend the –

5 MR. VAN DINE: Can everybody please sit down. We're trying to conduct a
6 meeting here. We'll let you out in a minute.

7 MR. PALMER: I'd like to amend the agenda to move the rezoning cases for the
8 golf courses to the first item on our – under new business for zoning map amendments.

9 CHAIRMAN FURGESS: Is there a second?

10 MR. VAN DINE: I'll second that.

11 CHAIRMAN FURGESS: All in agreement raise your hand. Opposed?

12 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Green, Manning and Van Dine;*
13 *Absent: McBride]*

14 CHAIRMAN FURGESS: Okay. We will go now to –

15 MS. ALMEIDA: We're going to need a moment to switch out.

16 CHAIRMAN FURGESS: Okay. We're going to take five-minute break so they
17 can be re-set up when we hear about the golf courses.

18 *{Break}*

19 CHAIRMAN FURGESS: People that were standing there's plenty of empty seats
20 down here in the front now. You can have a seat. We appreciate it. We're fixing to
21 take up Case Number 07-24 MA at this time.

22 **CASE NO. 07-24 MA:**

1 MR. VAN DINE: Mr. Chairman, I think I can, as it comes as no great surprise to
2 everybody, I can short circuit a lot of this discussion regarding these. I move that we
3 defer all consideration of 07-24 MA until the, at least May meeting or until the ordinance
4 itself has been worked on and approved for review.

5 MR. PALMER: Approved by who?

6 MR. VAN DINE: Council.

7 MR. PALMER: Second.

8 MR. GREEN: Question. Is Ms. Linder coming back?

9 MS ALMEIDA: Yes, she is. I'm not sure where she is.

10 MR. GREEN: I just want to clarify and I believe I know the answer but that the
11 Pending Ordinance Doctrine would prohibit any other action on these properties –

12 MS. ALMEIDA: Correct.

13 MR. GREEN: - until such time as the ordinance is in place; is that correct?

14 MS. ALMEIDA: Correct.

15 MR. VAN DINE: Or the ordinance has been rejected and thrown out.

16 MS. ALMEIDA: Um-hum (affirmative).

17 MR. GREEN: Until final disposition of this ordinance.

18 MS. ALMEIDA: Correct. But I'm not legal counsel.

19 MR. MANNING: Got a motion and a second?

20 MS. ALMEIDA: So could we repeat that motion, please?

21 CHAIRMAN FURGESS: You heard the motion.

22 MR. PALMER: The motion is to defer this case until the zoning language, as far
23 as it pertains to the TROS district, is either approved or denied by County Council.

1 CHAIRMAN FURGESS: All those in favor of the motion please raise your hand.
2 Opposed?

3 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Green, Manning and Van Dine;*
4 *Absent: McBride]*

5 CHAIRMAN FURGESS: Okay. Thank you. Next case that's coming up is 07-07
6 MA.

7 CHAIRMAN FURGESS: Okay. Thank you. Next case that's coming up is 07-07
8 MA.

9
10 **CASE NO. 07-07 MA:**

11 MS. ALMEIDA: Mr. Chairman, found on page five is a map amendment for
12 approximately three acres located on Garners Ferry Road with approximately 189 linear
13 feet of frontage. The lot has been subdivided previously off of a 6.46 acre parent
14 parcel. The applicant is requesting to go from RU to RC. Found on page seven under
15 conclusion it is Staff's opinion that the impact of which this zoning would occur on this
16 property is premature at this time and the Staff's recommendation is for denial.

17 MR. GREEN: A quick question for Staff. Of the uses and I apologize. I couldn't
18 get out there. We didn't get our packages until Friday and I couldn't get out there and
19 look at it. But if we look at the aerial photograph on page nine of our Commission's
20 document, while I know everything in that photograph is zoned RU –

21 MS. ALMEIDA: Yes.

22 MR. GREEN: - how much non-conforming use of commercial property do we
23 have in that, you know, on that aerial?

24 MS. ALMEIDA: None.

1 MR. GREEN: Okay. Thank you.

2 MS. ALMEIDA: Everything is either wooded, vacant, or single-family homes on
3 larger lots.

4 MR. GREEN: Thank you.

5 CHAIRMAN FURGESS: Any other questions?

6 MR. VAN DINE: Just – just so I’m clear – you look at these nine, that Robert
7 McKenzie Road. There’s a whole lot of something parked in that lot right there. That’s
8 not a commercial?

9 MS. ALMEIDA: They were I believe mobile homes.

10 MR. VAN DINE: Those are kind of small for mobile homes.

11 MS. ALMEIDA: Storage units, things like that.

12 MR. ANDERSON: A bunch of cars.

13 MR. VAN DINE: That’s what they look like, yeah, exactly. They look like some
14 kind of cars or something out there.

15 MR. PALMER: Golf carts.

16 MR. VAN DINE: Golf carts! Isn’t that deferred?

17 CHAIRMAN FURGESS: Okay. First person to come to speak. Chris Kloyd?
18 Chris Kloyd? Give your name and address, please.

19 **TESTIMONY OF CHRIS KLOYD:**

20 MR. KLOYD: Good afternoon. My name’s Chris Kloyd. Address is 731
21 Peacehaven Road, Chapin, South Carolina. Thank you for hearing me this afternoon.

22 CHAIRMAN FURGESS: Could you speak in the mic so we can hear you?

1 MR. KLOYD: I'm sorry. Is that better? I own the 6.4 acres on Garners Ferry
2 Road at the intersection of Highway 601 in question today. I request that you rezone
3 the front three acres of my property Rural Commercial. Leave the 3.46 acres in the rear
4 zoned RU. I request this zoning change so that we can build a convenience store and
5 gas station on the three acres fronting Garners Ferry Road. We own and operate
6 several convenience stores with gas in South Carolina as well as in other southeastern
7 states. I feel that my site is ideal for a convenience store with gas pumps. The property
8 has a fiber optic cable as the display shows right across the front of the property. It's a
9 Time Warner fiber optic cable. There's a 30' public sewer easement on the property.
10 The speed limit in front of the property is 60 miles per hour. Garners Ferry Road has
11 full emergency lanes on both sides, four-lane highway with a large center median.
12 Across the highway from the property is a cell tower, commercial cell tower right directly
13 across the street. Tractor trailer trucks frequent this area going up and down Garners
14 Ferry Road transporting goods to and from Columbia and Sumter and other
15 destinations. This site is the center of an area between McEntire Air National Guard
16 Base and Shaw Air Force Base and Fort Jackson. It's an area serving thousands of
17 military personnel and as you'll recall in the 2005 base realignment closure
18 recommendations that the Department of Defense did there was reallocation of
19 additional personnel to Shaw Air Force Base. Also in the same BRAC
20 recommendations the Department of Defense relocated the 366 Fighter Wing F-16s to
21 McEntire Air National Guard Base. The State of South Carolina, Richland County,
22 myself, and the surrounding areas are grateful that three military bases remained during
23 the BRAC. Garners Ferry Road is a major arterial transportation route for military

1 personnel, for civilians, and trucking [inaudible]. Tourists travel to nearby Kensington
2 Mansion. The Town of Eastover is just a short distance away. We will invest well over
3 a million dollars in development costs to this site and provide jobs for individuals in this
4 area who have worked for a long time to locate a convenience store with gas in this
5 area of Garners Ferry Road. This property was placed on the market with a for sale
6 sign that read, "Ideal Location for Convenience Store, Gas Station." Our company's
7 business plan is at a point where we're ready to build our facility on Garners Ferry
8 Road. Therefore we bought the property since it met all of our criteria and since it had
9 been advertised as a site for our purpose. I request that you approve changing the
10 zoning on the three acres fronting on Garners Ferry Road to Rural Commercial. I will
11 be glad to answer any questions that the Commission has concerning my rezoning
12 request. I would like to, before I do that, point out that due to the abrupt change in the
13 agenda this afternoon we were lead to believe that our pictures had been up there the
14 entire time the golf people were talking. I've had four people that had to leave to go
15 back to work. They're in favor of it, it impacts their income, impacts their livelihood and
16 their life as well and I wanted to point that out to the Commission. Those people are
17 Valerie Kotay, Pam Chavis, Tina Mickens, Aretza Cruz. So I just feel like I need to point
18 that out. I'd be amiss if I didn't because they're not going to get an opportunity to speak
19 to you today. They were here, they were signed in to speak, they're hear to speak in
20 favor of this project.

21 MR. MANNING: Do any of these people live adjoining the property?

22 MR. KLOYD: Three of them live in this area. One of them has a Hopkins
23 address. The other two are Columbia addresses. One lady lives in the Lower Richland

1 area and one of them lives in the Hopkins area. Another one lives in Northeast
2 Columbia.

3 MR. MANNING: But do any of them live [inaudible] property?

4 MR. KLOYD: Yes. Two of them do. I don't know how to compensate for that so
5 I just have to tell you that.

6 MR. MANNING: Thank you.

7 MR. MURRAY: Did anyone contact the nearest persons who live in the area, the
8 nearest house?

9 MR. KLOYD: Yes, sir.

10 MR. MURRAY: And did you – what did they say?

11 MR. KLOYD: Well I'll let them speak for themselves but.

12 MR. MURRAY: I understand you said they weren't here. You had –

13 MR. KLOYD: Oh, I'm talking about people that – well these people didn't live
14 right next door to the property. Two of these ladies live in the general area. They don't
15 live next door to it.

16 MR. MURRAY: [Inaudible] question. What about the rest of the surrounding
17 area there. The persons nearest the location in which you propose to build your -

18 MR. KLOYD: We have contacted one lady, Ms. Virginia Washington. I believe
19 she's here today. She is opposed to the development. I think she believes that the
20 area needs to be a residential area. [Inaudible]

21 MR. MURRAY: What about those Flemings in there and those McKenzies,
22 Wilsons?

23 MR. KLOYD: I don't believe I [inaudible].

1 MR. MURRAY: Thank you.

2 CHAIRMAN FURGESS: Any other questions? At this time we'll call people
3 forward to speak. The ones that's coming up to speak for, two minutes and give your
4 address and next we'll call up the ones that are against. So we might do it in alternate
5 terms so we can get everybody through. Okay?

6 MR. VAN DINE: Virgil Aughtry followed by Willie Fleming.

7 CHAIRMAN FURGESS: Is Willie Fleming here?

8 **TESTIMONY OF VIRGIL AUGHTRY:**

9 MR. AUGHTR: Mr. Chairman, Members of the Commission, I'm Virgil Aughtry. I
10 live at Koon Road in Richland County. I'm here in support of the rezoning of this
11 property which I think will be an enhancement to that area, provide a valuable asset to
12 the community there and also needed jobs. I do have some photographs I will show
13 you of that particular area. The first photograph, if we can go back to number one,
14 shows an interior view of the property from Garners Ferry Road. Second, please. This
15 is standing on the site. You can see an abandoned mobile home at this site on the
16 Sumter side. Also the abandoned mobile home adjacent to the site on the Sumter side.
17 Fourth. You see a hidden residence. You can barely see it standing on the site itself.
18 Time Warner, as previously indicated, they do have a fiber optic cable that runs the
19 entire length at the frontage of this property. Also Richland County RMC has a
20 recorded public sewer easement along the entire frontage road of this site. Next.
21 Shows a commercial cell phone tower across from the site. There is a speed limit along
22 this area of 60 miles an hour which is used by some commercial vehicles as well. A
23 tractor trailer you can see approaching this area and then a tractor trailer leaving it.

1 Within 6.10, six-tenths of a mile of the site is an old motel business. I'm not sure
2 whether it's in operation or not, possibly it is. The Mercantile store property is for sale
3 [inaudible] Garners Ferry Road site. This is also a commercial store on the same side
4 of the road as the site in the Columbia direction. South Carolina DOT has a section
5 shed within a mile of this site. Also there was a commercial garage operating within a
6 mile of the site itself as well. Thank you.

7 CHAIRMAN FURGESS: Bring it to closure. Okay. Thank you.

8 MR. VAN DINE: Willie Fleming?

9 **TESTIMONY OF WILLIE FLEMING:**

10 MR. FLEMING: Thank you, Mr. Chairman, but I'm not for this proposal. I am
11 against the proposal [inaudible].

12 CHAIRMAN FURGESS: This is for. The ones that's against that's what you're
13 [inaudible]

14 MR. FLEMING: Beg your pardon?

15 CHAIRMAN FURGESS: If you're against it's time for you to talk now.

16 MR. FLEMING: I'm against it. I'm telling you now.

17 MR. PALMER: Is there anything else you'd like to add?

18 MR. FLEMING: Yes, sir. Like I say this was a rural area for families so far. I
19 was living in this area all my life and the area that we have here we already have three
20 or four convenience stores in less than a quarter of a mile in that area. And I don't see
21 the sense of putting another one in there. Also like the owner said he don't even live in
22 that area and the people he putting in there not going to be living in it anyway. So all
23 they're doing mostly is putting more people in that area that cause more problems for

1 the people in that area. Now I like to say that place was for retirement, military
2 retirement, and disabled people in that area. So why we want another store there I
3 don't know. And like I say I had came out of service in '73. I came out and bought land
4 down there because so I can have me a rural area to raise my kids. And that's where
5 the majority of people went. You got more stores down there now then they got in
6 Eastover which is the city. And like I said, it's a retirement area and we as retirement
7 persons, the only money we had, we put in our land so we can have a nice place to live
8 and putting that store there is not going to give us any – what we need there. Because
9 all you do more traffic and more people coming, and I know he was saying people live
10 close there. Now my sister gonna talk but the fact is in that area the guys walking
11 through there has broken in houses and everything else. And so when you bring more
12 people in there from out of the area and so forth all you do is cause a congested area of
13 problems. Thank you.

14 CHAIRMAN FURGESS: Thank you. Laura Fleming? Florence.

15 **TESTIMONY OF FLORENCE FLEMING:**

16 MS. FLEMING: Good evening. My name is Florence Fleming and this is my
17 brother, Willie James Fleming. I am Florence Fleming and I was broken in before
18 because of traffic in my area. And like he say the most people that live in this area is
19 disabled and retired. And I don't think we need more traffic in this area. Like he was
20 saying about a filling station, sure we have filling stations – three different filling stations
21 in the area within a mile. So why he want to come out of Chapin and set up a filling
22 station in our residence which we own this property – been owned by us over 70 or 80
23 years. And he just bought property about a month or two ago and he want to come and

1 set up a filling station. I ask you please, begging you please let this property remain as
2 a resident area, not commercial. Thank you.

3 CHAIRMAN FURGESS: Thank you. Charles Fleming?

4 **TESTIMONY OF CHARLES FLEMING:**

5 MR. FLEMING: Good evening, Mr. Chairman and Members of the Board.
6 Ladies and gentlemen, I'm Charles Fleming from 3817 Padgett Road, Columbia, South
7 Carolina. I'm brother to Florence and Willie Fleming. This is my home where I was
8 brought up and raised down there in Eastover, South Carolina. This property is
9 adjoining my sister's property and right now in the area we've had plenty of problems in
10 the area. We still have plenty problems in the area. We have a lot of traffic going in
11 and out of McKenzie Road all time of night, right in my sister's yard which is adjoining –
12 separated from this property just by this dirt road. Her house had been broken into
13 several times which was crime related. I've had a mobile home over there right next to
14 hers. I've had it broken into several times. I've had two shootings at that mobile home.
15 We have also had some other, you know, things going on in that area. We have people
16 coming up in that area that don't even live in that area running back and forth up in the
17 woods and down that dirt road with dirt bikes, off road vehicles, creating all kind of
18 disturbances, coming in her yard, turning donuts in her yard. We had – what I'm trying
19 to say we're having a lot of problems in the area now and we don't even have that
20 convenience store there. We do not need that convenience store there. It would create
21 more problems than it will help. We have well water out there. We drink well water.
22 We don't want to take the chance of having our water disturbed by underground leaking
23 gasoline. We have a quality of life out there in that area. It's peaceful. I noticed the

1 slides that the gentleman chose to show on the thing over 90% of the slides that he
2 showed the store, Tri-county, other things was more – a half a mile or more away from
3 that property. It's nowhere near that property where he showed all those commercial
4 things. Yes. That tower is over the road from there. Directly where that commercial
5 tower's over from there two people – not one, but two people got killed at that location
6 about 15 or 20 years ago. So we've had a lot of disturbance in the area. If you want to
7 bring something to the area, bring us a sheriff's substation so we can minimize the
8 crime. Also like I say the mobile home is my property is adjoining – my mother she had
9 to fight and we had spent a lot of money just to get that property. She died in '75. She
10 only lived on that property one year before she died of cancer. We have – my brothers
11 and sisters and I we went through a lot of things just to get that property. That property
12 also – part of it has been taken from us at an early age because Highway 76 - during
13 the horse and buggy age that wasn't a road. We gave up a piece of that property to
14 provide a road, 76 Highway. That's why you see that median in there and you see that
15 church in that area. We also have a church right across from my mobile home.

16 CHAIRMAN FURGESS: We've got others.

17 MR. FLEMING: Okay. We also have a church – one moment. We also have a
18 church across from that mobile home that we do not need beer and wine and other
19 things in the area. We don't need beer cans. We have enough beer cans being
20 throwed in the ditch and stuff right now. We do not need a store. We do not need a
21 mobile home. We do not need that at that property. That is a residential area and we
22 thank you for your time. Thank you.

23 CHAIRMAN FURGESS: Okay. Thank you.

1 MR. VAN DINE: Carl McClure. Followed by Don Lovett.

2 **TESTIMONY OF CARL MCCLURE:**

3 MR. MCCLURE: Thank you, Mr. Chairman. I'm Carl McClure. I'm from
4 Columbia, South Carolina and I am a realtor and would like to bring people in from out-
5 of-state along with local people to purchase property in that area. I travel that road quite
6 often and there's not that many places that I would feel comfortable for some people
7 going in and having snacks, getting gas, going to clean restrooms. And I've known
8 these folks for a long time and their establishments are very, very nice and neat and
9 tidy. We would like to improve the area, not just take, you know, take anything away
10 from the area. Thank you.

11 CHAIRMAN FURGESS: Thank you, sir. Don Lovett is next

12 **TESTIMONY OF DON LOVETT:**

13 MR. LOVETT: Mr. Chairman, Members of the Commission, John Watkins is the,
14 architect for the project could not be here. I have his drawing. You can see that this
15 would be a high-quality development for the area. There'd be a fence constructed down
16 both sides, brick columns with wood in between, eight feet high. On the side towards
17 Sumter is a mobile home park owned by a corporation, ANC Associates, Inc. There's
18 probably five lots that are adjacent to it, rented mobile home lots. There's a residence
19 on the side toward Columbia. Across the road is a cell phone tower. Behind the three
20 acres is rural, RU. The request is Rural Commercial. It meets the requirements of the
21 County. We ask for approval. Any questions? Thank you.

22 CHAIRMAN FURGESS: [Inaudible] Brenda Snipes?

23 MR. VAN DINE: Snyder.

1 CHAIRMAN FURGESS: Snyder?

2 MR. VAN DINE: Brenda Snyder? How about Pat Brasney? How about James
3 Fleming? How about Alice Martin?

4 **TESTIMONY OF ALICE MARTIN:**

5 MS. MARTIN: My name is Alice Martin. I live in Blythewood. I've worked for Mr.
6 Kloyd for nine years managing a store of his in Blythewood. We run a very neighborly,
7 friendly establishment. We sell gas, things, items such as bread, milk, soup, coffee,
8 diapers, laundry detergent, just small grocery type items. We also have a deli as well
9 where we sell hot dogs, sandwiches, and fountain drinks. Our hours are from 6:00 in
10 the morning until 10:00 p.m., Monday through Saturday and we're closed on Sunday.
11 We have regular customers, employees that come in within our community. We serve
12 the local community and have [inaudible] selling gas and grocery items. They're glad
13 that we're there because we're a clean and friendly store. The new proposed store on
14 Garners Ferry Road will be run in the same manner. Their store will be even better and
15 newer and will be branded BP. BP also requires high standards to be kept in order to
16 fly their flag. Uniforms, name tags and mystery shoppers are used and security checks
17 are conducted [inaudible]. This new store will be one where we in the community feel
18 proud to have a safe and smoke-free store giving folks the kind of convenience and
19 treatment they need and deserve. We're also very careful in who we hire. We run
20 criminal checks, background checks on all personnel and work with [inaudible] on all
21 employees. Our employees are trained to be respectful to the public and the customer
22 comes first. We also follow strict, safety guidelines set by our company with regard to

1 customer/employee safety. Our store is a good, clean and safe place to work. And I
2 really think we offer a great service to our community.

3 CHAIRMAN FURGESS: Thank you.

4 MR. VAN DINE: George McElveen? How about – and then Pastor George
5 Cunningham afterwards, please.

6 **TESTIMONY OF GEORGE MCELVEEN:**

7 MR. MCELVEEN: I was here in October when this was scheduled before. We
8 withdrew our application so that we could reduce our parcel from six and a half to three
9 acres to minimize the impact of our change. The last new modern convenience store
10 on Sumter Highway in that direction is at Lower Richland Boulevard. There's one more
11 small, outdated store about a mile or two down the road and then there's three more
12 miles before you get to this location. From this location there's not another one until
13 Sumter. Now what may be off on other roadways I'm not positive but that is the
14 frontage on Garners Ferry Road. The RU designation contemplates small, commercial
15 establishments that serve residential areas and that's exactly what this would be. It's
16 needed. It's a small grocery store type establishment that sells gas. It will be nice, neat
17 and a very good store as you've heard. If I could change my hats just a little bit and just
18 speak personally. My family also has property in this area. We have a farm on Air
19 Base Road and we developed the Pine Top subdivision. We still own property there.
20 We never understood and never - it never even occurred to us there would not be
21 commercial establishments along Garners Ferry Road establishing or servicing these
22 residences and these – in these rural areas. We support the preservation of the rural
23 areas and the residential areas wholeheartedly. But those places need places to buy

1 gas and need places to buy groceries without driving into Columbia or driving into
2 Sumter. That's exactly what this establishment is designed to do. Thank you.

3 MR. VAN DINE: George Cunningham for by Chris Campbell.

4 **TESTIMONY OF GREGORY CUNNINGHAM:**

5 MR. CUNNINGHAM: Mr. Chairman, Members of the Commission, I'm Gregory
6 Cunningham. I am pastor of New Life [inaudible] Baptist Church, which is in this
7 community and I serve several of the, of my members are living in that area. The irony
8 of this this afternoon is also [inaudible]. We just listened to a room full of persons
9 concerned about the quality of life with changing golf courses or the possibility thereof.
10 And they're adamant about changing the quality of their lives with a golf course, putting
11 different houses where people could live in. Now if you imagine someone who bought a
12 home in a country setting and a rural environment, didn't want to be molested by a
13 whole lot of different changes [inaudible] change and development and all of a sudden a
14 gas station is going to come next door. I've got members on both sides of that store.
15 Also when you look at that section of the road or the highway coming down Garners
16 Ferry. You're coming from Bunky's which is – oh, inches only. That's between this
17 location and the Lower Richland Boulevard location. Coming from Bunky's past and
18 you come past that curve – there's a deep curve that comes straight through there.
19 You've got cars traveling in an excess of 60, 70, 80 miles an hour right in that area.
20 We've got grandchildren in those homes. You're looking at safety. No one expected
21 Lower Richland, Garners Ferry to be as busy as it is now. I remember when there was
22 very little on that road. I was a student at Columbia Bible College traveling back and
23 forth to Andrews, South Carolina. Very little was on that road. We're excited about the

1 development. We're excited about change. Why can't this facility be just maybe a
2 fraction – what about ten, five-tenths of a mile further down on that corner where 601
3 and Garners Ferry transverse. There's already one gas station on the opposite side
4 coming back towards Columbia. Why can't it be there? I think one of the other
5 problems that you have a lot of these – a lot of the individuals in that area are really
6 perturbed about is the fact that when they were approached about putting the facility
7 there the attitude about their homes, although they weren't brick homes and they
8 weren't half a million dollars homes but they were still those people's homes. Those
9 individuals were treated as if they had no real worth and there's a major concern about
10 what's going on in that area. I see these individuals talking about and I played on most
11 of these golf courses that they're talking about, but when you just look in that area there
12 between how they've just cleared one golf course and turning that into a housing
13 development in there. It seems as if Lower Richland is getting its unfair share of
14 treatment. Now we're not against progress and development but not in someone's back
15 yard. Ms. Washington is going to stand in a few moments. Her property is adjacent
16 coming from Columbia in that – adjacent to this. The other issue – do you know
17 anything about the environmental issues we're having out there? I think everyone in
18 Lower Richland is concerned right now about gas and more gas stations coming in that
19 area, especially when we've got some apparent health issues that are facing our
20 children with the ethanol that's already been exposed in the well water. We've been
21 fighting for the last seven years. Okay.

22 CHAIRMAN FURGESS: There are others.

1 MR. CUNNINGHAM: All right. I'll let others speak. But we're looking at
2 environment also and I think you need to take into consideration. Don't have any
3 problem with development. Push it a little bit further down the road. I think an ideal
4 location would be there where 601 and Garners Ferry come together. And then you've
5 got all that development on the other side so business would be better.

6 CHAIRMAN FURGESS: Thank you.

7 MR. VAN DINE: Chris Campbell? P.A. Coleman?

8 **TESTIMONY OF P.A. COLEMAN:**

9 MS. COLEMAN: Good afternoon and thank you for this opportunity to speak.
10 I'm here representing myself who also has ownership rights to the 11,000 block of
11 Garners Ferry Road very near their property. Also I'm speaking for my uncle James E.
12 Jones who couldn't be here. He's out of state right now. So I'm going to give you my
13 statement and his. I'm speaking to you with respect to that proposed gas station and
14 the rezoning there but specifically to the gas station because I don't want you to take my
15 opposition as against development so much as - because I'm not. I am pro
16 development but I am pro a creative and collaborative approach to development of a
17 rural and bucolic environment. And I ask you as a tax paying citizen that any
18 consideration of change in the landscape in which I, my family's and my neighbor's
19 have chosen to call home, include our presence at the table. Because by the time I find
20 out, found out about this gas station it was almost like in motion and if someone hadn't
21 noticed the sign I would probably see a gas station there already. We chose - me, my
22 family, my neighbors. We've chosen to live in the Eastover area and many of us as you
23 heard for multiple generations because it's a safe, clean, beautiful and peaceful

1 environment. And unlike those who see land acquisition as a dollar investment and a
2 profit turnover process we see it as an area in an investment in a stable family legacy
3 where our children are raised, where we will grow old and where if the next generation
4 elects they can take our place. A gas station simply does not fit that vision. I'm not
5 saying not development, but a gas station where that selection – that location is located.
6 We want – our vision is of homes, a clean, rurally oriented living environment with gas
7 stations located maybe at intersections where it makes sense. It simply does not make
8 sense to us where you're looking at. So in conclusion I invite the Planning Commission
9 to please hear my request and take a more creative approach as you plan for
10 development in our rural area and not take a cookie cutter development approach by
11 plopping a commercial development amongst us simply because the numbers say so.
12 I'm looking for a little bit more creative approach as we enter towards the next century
13 because I think development in another manner still can work economically. In
14 conclusion from my Uncle James I also wanted to say he has the same environmental
15 concerns as stated before. The traffic considerations because it is on a kind of a blind
16 curve. Anybody coming out of there might suffer serious damage to their life and
17 existence because there's been several very fatal accidents right there. And also it's
18 just simply you're attracting an element that previously just kept on going now will be
19 enticed to stop and then think of I think detrimental ideas for our community. Thank
20 you.

21 MR. VAN DINE: Trina Micken? Ryan [Inaudible]? Calhoun Kennedy?

22 **TESTIMONY OF CALHOUN KENNEDY:**

1 MR. KENNEDY: My name is Calhoun Kennedy. I'm a resident of Columbia, 701
2 Kawana Road and I have several things I'd like to pass out to you if I could.

3 CHAIRMAN FURGESS: You can pass it at the end and it'll come down.

4 MR. KENNEDY: I'm a real estate appraiser in Columbia and have been licensed
5 in appraising property in Columbia, commercial property, for over 20 years – since
6 1970. I was asked to look at this subject property and comment on its highest and best
7 use. Consideration was given to the Garners Ferry Road itself, Sumter Highway. The
8 traffic count a little bit closer to Columbia near Congress Road is about 16,700 vehicles
9 per day and that traffic count is as of 2005. I believe that this is a major traffic route and
10 I think you'll agree, into Columbia between Columbia and Sumter and points further
11 east. For it to be and remain predominantly residential I think is not natural. There's too
12 much traffic. Travelers need services that a highway-oriented use would provide such
13 as what these folks propose. The map and the handout of commercial land uses along
14 Garners Ferry Road that exist between approximately Trotter Road and beyond 601.
15 The little map, my computer failed and wouldn't print the last maps going out Garners,
16 going past 601. But there are several commercial land uses out there. Commercial
17 land uses have existed along [inaudible] residential uses in that area for years and
18 years and they appear to be pretty compatible. I'll be glad to answer any questions.

19 CHAIRMAN FURGESS: Thank you, sir. You got some other people?

20 MR. VAN DINE: Coleman Chambliss? Carletta Wilson?

21 **TESTIMONY OF CARLETTA WILSON:**

1 MS. WILSON: Good afternoon. My name is Carletta Taylor Wilson. I reside at
2 7000 [inaudible] Boulevard. I am in oppose to rezoning this area and I concur with
3 everything that's been said in regards to rezoning this area. Thank you.

4 MR. VAN DINE: Margaret Hampton?

5 **TESTIMONY OF MARGARET HAMPTON:**

6 MS. HAMPTON: Good evening. My name is Margaret Hampton and I live at
7 1823 Lower Richland Boulevard but I also have property in the lower Richland area
8 pretty close to the land that's in question. And I agree with all that has been said in
9 opposition to. I do not need, we do not need a filling station at that location. Thank you.

10 MR. VAN DINE: Virginia Washington?

11 **TESTIMONY OF VIRGINIA WASHINGTON:**

12 MS. WASHINGTON: Good afternoon to the panel and all others present. My
13 name is Virginia Washington and I reside at 11661 Garners Ferry Road in Eastover,
14 South Carolina. My property line is adjacent to the property that is requesting to be
15 rezoned to Rural Commercial and I stand in opposition to that rezoning and here's why.
16 When I had my home built ten years ago I purposely built it in a rural residential area
17 after having lived in the city for many years. I knew at some point in time that new
18 development would come but never in my wildest dreams did I figure it was going to be
19 a gas station next door to me. Our community is a rural residential community and the
20 very existence of a gas station/convenience store would upset the fabric of the area not
21 to mention that there are currently five such stores already within an eight-mile radius.
22 A gas station/convenience store brings environmental issues like tank leakage, water
23 contamination, the stink of garbage, insect infestation, excessive roadside littering,

1 heavy traffic, constant noise and air pollution. Air and water are essential to life and
2 should be protected at all costs not just for some but for each and every one of us. All
3 of these issues are health issues as well and I have a direct – and it has a direct impact
4 for me and my family. It frightens me to know that my prematurely born granddaughter
5 who has lung problems would have to breath in fumes from a gas station when she
6 visits me. It scares me to think of the crime and the lingering and the loitering that will
7 come along with this sort of business. Just on the news this weekend I'm sorry to say
8 but a gas station/convenience store was robbed and someone was killed. When I
9 spoke with the developers about crime I was told that they are good neighbors and that
10 they will put up a brick wall and hang a no loitering sign. A good neighbor does not
11 build walls; good neighbors tear down walls. When I asked them about would they put
12 this up in their neighborhood the answer was, "Oh, gosh, no." But they're fighting to put
13 it in next door to me. Good neighbors don't force things on you. They have
14 compassion to your sympathy. They say to me that I should be glad that they want to
15 build next to me because there are only shacks around me now. Sure our area is not
16 Lake Carolina or not even Forest Acres but we're talking about people's homes. When
17 they put their heads on their pillows at night they sleep just as soundly as you and I both
18 do. They've gone so far as to say if I do not agree to have a gas station there that they
19 will put up a trailer park. I worked long and hard to get my home and I'm not going to
20 just sit back and watch it depreciate in value because someone is inconsiderate and
21 because of poor planning. That is just not fair. Out of the 6.5 acres that are there they
22 are requesting to rezone three acres. My concern is about the remaining three point
23 five acres. Today a convenience store, tomorrow who knows? A bar, a liquor store, a

1 strip joint. Please don't get me wrong. I welcome new development in the area. I
2 welcome new development that would enhance the area, that would help beautify our
3 area, add a value to our area so that when others want to leave the big city they too
4 would want to live in Eastover. I ask this committee to please take into consideration all
5 that you have heard here thus far and please, please vote against rezoning the
6 property, the property next to me as Rural Commercial. Thank you very much for your
7 time and for allowing me to speak.

8 CHAIRMAN FURGESS: Thank you.

9 MS. WASHINGTON: Also just one other thing. I am also representing the
10 neighbors that could not attend today and here I have a petition which I will pass a copy
11 to you of some 80 something signatures and I'll read to you what the petition says. It
12 says, "We the residents and undersigned are opposed to the rezoning of the property in
13 the 11000 block on Garners Ferry Road, Eastover, South Carolina, to Rural Commercial
14 in order to establish a gas station/convenience store. [Within an eight-mile radius,]
15 Within an eight-mile distance on Garners Ferry Road there are currently four gas
16 stations/convenience stores. We the residents and undersigned are petitioning to have
17 this area remain as zoned, Rural Commercial." And there you have some 80 or 90
18 signatures. Thank you so very much.

19 CHAIRMAN FURGESS: Thank you.

20 MR VAN DINE: Charles Fleming? Doris Bailey?

21 **TESTIMONY OF DORIS BAILEY:**

22 MS. BAILEY: Good evening. I'm for the past -

23 CHAIRMAN FURGESS: Give your name and address.

1 MS. BAILEY: - 30 years have been a resident –

2 CHAIRMAN FURGESS: We need your name and address.

3 MS. BAILEY: Oh, I'm Doris Bailey. I reside at 11694 Garners Ferry Road. For
4 the past 36 years I have been a resident of the Garners Ferry area. I've been living
5 there. And I live directly across from where the proposed store is to be located and I
6 oppose the store being put there. So therefore I would ask that you not allow it to be
7 rezoned for commercial area rather than residential. Thank you.

8 MR. VAN DINE: I'm sorry. This looks like David Zuker?

9 CHAIRMAN FURGESS: That is everyone who has signed up to speak.
10 Commissioners? Any discussion?

11 AUDIENCE MEMBER: Lisa Kloyd is signed up.

12 AUDIENCE MEMBER: I should be signed up. Lisa Kloyd?

13 MR. VAN DINE: Sorry. We had you as not being here. Go ahead.

14 **TESTIMONY OF LISA KLOYD:**

15 MS. KLOYD: I'm Lisa Kloyd. I live at 731 Peacehaven Road in Chapin, South
16 Carolina. I used to live in this area. My husband and I, Chris, was responsible for the
17 development of the area. I'm a real estate person. I found the location which was
18 advertised as a convenience store site. Thought we'd found the perfect place,
19 investigated neighboring areas. There are a few businesses of this type in the area
20 between Sumter and Columbia but most of which – all of which actually are very run
21 down and unsafe for someone like me or my daughter that would be traveling alone. As
22 a lady I wouldn't feel safe letting, you know, them stop there at night, dark and all that
23 kind of thing. Anyway I spoke with Ms. Washington at her home last Saturday trying to

1 help her understand where we were coming from and letting her know that we were
2 good neighbors to people that we have built by in the past. We had a store on Garners
3 Ferry Road farther up, an apartment building was adjacent and we were always very
4 friendly with those folks. They worked for us, they shopped with us and I was trying to
5 help Ms. Washington believe that we would be good neighbors to her and the
6 community and that we would feel like that we're providing a needed service. And I
7 hope you will [inaudible]. This is a commercial site with high speed rates that really is
8 inappropriate for grandchildren and puppy dogs to be walking around. It really is more
9 viable as a commercial site for a business such as this. Thank you.

10 CHAIRMAN FURGESS: Thank you. It's time for discussion on this. How are we
11 going to send this forward to County Council?

12 MR. MURRAY: I so move that we send this forward to County Council.

13 CHAIRMAN FURGESS: As what now?

14 MR. MURRAY: Denial.

15 CHAIRMAN FURGESS: Okay. Any second on that? Any other discussion? Mr.
16 Murray made a motion that we send it to County Council as denied.

17 MR. GREEN: Second.

18 CHAIRMAN FURGESS: Heard the second. All those in favor of sending it to
19 County Council as denial raise your hand.

20 *[Approved to deny: Ward, Murray, Anderson, Palmer, Furgess, Van Dine, Green,*
21 *Manning]*

1 CHAIRMAN FURGESS: Unanimous. This will be going before – we’re a
2 recommending body. This will be going forward to County Council as denied and the
3 meeting will be April the 24th at 7:00 o’clock in the Council chamber. Thank you.

4 MR. VAN DINE: For everybody that was over here. We are only a
5 recommending body. This does not end the process. It has to go forward to Council.
6 They have final say on what will or will not happen with the property. So we only send a
7 recommendation. They will make the final decision on it.

8 CHAIRMAN FURGESS: 07-19 MA.

9 **CASE NO. 07-19 MA:**

10 MS. ALMEIDA: Mr. Chairman, excuse me, the existing zoning on this property is
11 RU. The proposed zoning the applicant has requested is LI. It’s approximately 158.37
12 acres located along Bluff Road with approximately 1,800 linear feet of frontage. The
13 parcel is currently wooded and vacant. The current use appears to be natural and
14 undisturbed. The nearest developments are residential in nature and a few small
15 businesses. The adjacent zoning that you’ll find in the area is M-1, light industrial in
16 nature and one parcel contains the Richland County Jail. The Congaree National
17 Swamp is approximately eight to nine acres [sic] south of the site and the site remains
18 undeveloped and the Staff’s recommendation is for denial.

19 MR. MANNING: It’s eight to nine miles to the Congaree National Monument?

20 MS. ALMEIDA: That is correct.

21 CHAIRMAN FURGESS: Any other things to Staff? Is Tyler Stone here?

22 **TESTIMONY OF TYLER STONE:**

1 MR. STONE: Commissioners, thank you for your time. My name is Tyler Stone.
2 I live at 600 Capital Place here in Columbia. My name is as the applicant but I am
3 representing the landowners, Charlie and George Adams who have owned, well his
4 family's owned this property for over 100 years. I have a statement from Charlie Adams
5 that I would like to read. Charlie says, "As a seller but also as the landowner of the
6 property across Bluff Road my interest in the area and future development is
7 multifaceted. This land has been in my family for 100 plus years and has changed very
8 little in the 50 years I have known it. This area has been overlooked by development
9 and consequently it's low land values and lack of defenders make it a target for things
10 unwanted in other areas of the county. This project is not one of those unwanted
11 developments. It's been a long time coming and will positively impact the area. The
12 rezoning is a good step in smart growth and prevents many of the undesirable
13 consequences of rural zoned land. For those of you familiar with the Bluff Road area in
14 question look at what's around without rezoning. This will be a low impact usage and
15 represents jobs and increased property values for those of us with vision and a desire to
16 see good things happen." I also have two signed statements from adjacent landowners
17 cooperating with the requested rezoning. A little background on this parcel. This was
18 originally a 372 acre parcel. We have represented selling off three smaller parcels off
19 the backside. The front parcel fronts Bluff Road as you can see. It is, as the Staff
20 stated, a hunting refuge. It think that's a stretch. It is currently a pine plantation, mono-
21 culture pine plantation has no wetlands on it whatsoever and it is currently pine
22 production. I'm going to get beeped. I wanted to say quickly that in Richland County
23 there's currently a vacancy rate of only between five and six percent for industrial

1 properties. We feel that represents a very high demand for industrial properties in the
2 area. Lexington County, I think it should be noted, is currently planning a industrial park
3 similar to what we are trying to do and we feel like this represents very smart and
4 planned growth in the Bluff Road corridor in lower Richland County. Thank you.

5 CHAIRMAN FURGESS: Thank you.

6 MR. STONE: Do you have any questions?

7 MR. GREEN: At this stage the intended use is to develop an industrial park?

8 MR. STONE: A light industrial park. Yes, sir, 158 acres roughly and Dave will
9 further address it. Ten parcels at about 15 acres per parcel. Very light in nature. I did
10 want to address quickly in the plans an policies of the Staff recommendation it says,
11 "Industrial uses that produce excessive noise, smoke, odors, glare or pollutants that go
12 beyond the lot line should not be located adjacent to residential commercial use." That
13 is not the intended use of this development. It's going to be distribution warehousing,
14 nothing of manufacture in nature I believe.

15 MR. VAN DINE: High volume of traffic I would assume?

16 MR. STONE: We have a traffic study that I think they will address.

17 CHAIRMAN FURGESS: Will Dave come forward at this time, please.

18 MR. MURRAY: Mr. Furgess? Mr. Chairman?

19 CHAIRMAN FURGESS: Yes.

20 MR. MURRAY: I have a question.

21 CHAIRMAN FURGESS: Okay. Go ahead.

1 MR. MURRAY: What is the nearest length from a residence or any kind of
2 business or house from this land from where you propose to place any kind of business
3 to the nearest home in that area?

4 MR. STONE: I think there's a residential lot adjacent to, fronting Bluff Road. We
5 have offered to sell acreage as a buffer to that current landowner. We have not
6 received a response back. Closer to Bluff Road as stated is the county jail and there's –
7 you have a wetlands corridor in between that piece of property but this is a level, dry
8 piece of land.

9 MR. MURRAY: Thank you.

10 CHAIRMAN FURGESS: Any other questions? Thank you, sir.

11 MR. VAN DINE: Dave Armento?

12 **TESTIMONY OF DAVE ARMENTO:**

13 MR. ARMENTO: My name is Dave Armento. I live on Broadland Road in
14 Atlanta, Georgia. I want to thank you for the opportunity to speak to you today. My
15 company is called Commonwealth Properties. We are a distribution center developer
16 based in Atlanta and we have projects in Savannah, Georgia; Atlanta, Georgia and we
17 have an office project here in Columbia already called the Woodlands. And if you could
18 – can I step away from the microphone just for one second to point out a couple things
19 on the map; is that okay?

20 MR. VAN DINE: Yeah. Just don't – we can't record you if you're too far away
21 from the microphone.

22 MR. ARMENTO: I'll try to speak loudly but not too loudly.

23 MR. MURRAY: They'll give you a pointer.

1 MR. ARMENTO: Okay. Can you go back one – to the aerial that's as expanded
2 as possible? Okay. Thank you very much. I just wanted to point out a couple things
3 with the pointer. Right there is an industrial park and then right there is American Italian
4 which is a maker of Italian foods and a distributor here in Columbia. And there's a
5 number of other industrial properties as well right there and right where my pointer is
6 circling right now, that gigantic circle I'm creating is the future home of the Farmers
7 Market. And what's happening is the development – the current industrial base of the
8 City of Columbia is up here near the stadium along Bluff Road and along Shop Road.
9 And as condos get created near the stadium and as that area gets redeveloped into
10 residential the people who are the manufacturers and distributors for the city are moving
11 in an outward direction. And they've come along Shop Road as well as Bluff Road and
12 as you can see Shop Road dead ends right there where the Farmers Market's going to
13 be and so what you're – okay. Do I have another 20 seconds to finish the point? So
14 what you're going to have is if this is continuation of the existing industrial development
15 for the city. We think it's a great addition to this city. I've called several homeowners
16 who showed up to the first meeting and offered to show them my plans, meet them at
17 whatever – at their houses or wherever they wanted to. I've offered to create setbacks
18 for the property. I've offered to have a setback along the road so that it's screened and,
19 you know, people going down the road wouldn't even be able to see any kind of
20 industrial development. So I'm more than amenable to try to make this a quality park.
21 It's not manufacturing, it's distribution and we'll put deed restrictions in to limit any kind
22 of negative growth.

23 CHAIRMAN FURGESS: Thank you, sir.

1 MR. ARMENTO: Thank you.

2 CHAIRMAN FURGESS: Joe Ray?

3 **TESTIMONY OF JOE RAY:**

4 MR. RAY: I'm Joe Ray. I live here in Columbia and I'm a development partner in
5 this project with Dave. And we've got another project here in Columbia that's an office
6 project at the corner of Kennerly and Broad River Road. I've seen how the
7 development has moved out in this direction. I think it's definitely, would be a good use
8 for this site. As Dave pointed out it's not – we have M-1 zoning which is just adjacent to
9 our site right there. So we're actually a less, a less dense or I guess not dense but
10 probably a more favorable use than the M-1 zoning which is just in that gray area. We –
11 as mentioned will be doing a lot of beautification along Bluff Road and I would
12 appreciate your consideration of the project. I think it's a very good use. Thank you.

13 CHAIRMAN FURGESS: Thank you.

14 MR. VAN DINE: Chuck Potts?

15 **TESTIMONY OF CHUCK POTTS:**

16 MR. POTTS: My name is Chuck Potts. I live at 5400 Bluff Road with my wife,
17 Debbie. We have raised two boys on this property in a rural atmosphere. My family
18 and the surrounding community are opposed to this property being rezoned light
19 industrial because of many reasons which you are aware of. This zoning would leave
20 too many options for the surrounding land to be rezoned in the future. We do not want
21 to live surrounded by an industrial environment during our retirement years. We have
22 worked very hard to live in the country and we love the rural atmosphere where my
23 family has always felt very safe. The lights, the traffic, the transit people to and from

1 work and the damage to the wildlife and the environment will ruin the rural atmosphere
2 of this community. Please vote no to this rezoning for my family and the surrounding
3 community. Thank you.

4 CHAIRMAN FURGESS: Thank you. Next is Bruce Holloman.

5 **TESTIMONY OF BRUCE HOLLOMAN:**

6 MR. HOLLOMAN: My name is Bruce Holloman. I live at 1101 Montgomery
7 Lane, Columbia. My property is about a quarter of a mile away I guess maybe, if that
8 far, in the country terms the way the crow flies. But we are, as a community we're very
9 opposed to this rezoning of this property. We have a very low crime rate and we're also
10 low in pollution and noise and traffic. We came down here a month ago. We was
11 supposed to be down here. It seems like everybody else didn't know they was
12 supposed to be here but we did. But I have and still do and I'll give it to you when I
13 leave, it's a petition from the people of this community and that would be the people that
14 live down Montgomery Lane, down Lakesland, and the area that would be east of this
15 property. West of this property is Columbia. We have – one of the other – the three
16 points I want is number one, this community doesn't want it. Number two and I think
17 y'all have already heard this today is the watershed. The area of this lower Richland's
18 waters is supplied by well water. With the cementing and asphaltting of 158 acres would
19 cause a great deal of runoff into the water aquifer which would lead us to having to
20 import water from the City of Columbia as our neighbors had to do so that the people
21 were talking about earlier that they had to go from Hopkins and get their water from
22 Columbia all the way out to Hopkins. And this would happen again. Last year – I'm still
23 with the water – but last year DHEC fined the Richland County over \$800,000 for the

1 pollution of Gills Creek. Gills Creek – this pollution came from the northeast of
2 Columbia. Northeast Columbia's a long ways from here but what happened was the
3 pollution in northeast Columbia it came down Gills Creek. It come all the way down
4 even across Bluff Road three miles away going towards Columbia. We don't want that
5 to happen to Mill Creek. Mill Creek goes all the way into the Congaree National Forest
6 which is eight miles away and it's right across the street from where these people are
7 wanting to put their runoff of asphalt.

8 CHAIRMAN FURGESS: Could you bring it to some closure?

9 MR. HOLLOMAN: Yes, sir. And last it would really be, it would really be nice if
10 you were leaving Columbia as you're going out toward – going west toward the
11 Congaree National Forest. Once you past Longwood Road which is past Shop Road
12 and everything where Shop Road dead ends, but once you pass there you leave
13 Columbia behind. You already talked about – somebody said beautifying this area. It's
14 already pretty. It already has the beautification of the trees and the forests. You don't
15 need anymore. It's already there. We just don't need it developed. This type of
16 development is not what this community needs and last but one thing else. One of the
17 things that was in the paper two weeks ago, there was an article in here and I have this
18 article. And this article is Sanford, Governor Sanford wants an end to the sprawl. And
19 what he said, and what one of the comments that was made on here was from – one
20 quote from a founder of the Coastal Conservation League. "What is driving the
21 governor is the moral commitment to preserving the landscape." And I think as a
22 community and as – we have to do this as a community basis, even as a county basis is
23 where we're at now.

1 CHAIRMAN FURGESS: Okay. [Inaudible]

2 MR. HOLLOWMAN: I do have a petition. It's for 35 [inaudible] that y'all can have at this
3 time.

4 CHAIRMAN FURGESS: [inaudible] at the end and we'll pass it down.

5 MR. HOLLOWMAN: Thank you, sir.

6 CHAIRMAN FURGESS: Debbie Potts?

7 **TESTIMONY OF DEBBIE POTTS:**

8 MS. POTTS: My name is Debbie Potts. I live at 5400 Bluff Road with my
9 husband, Chuck. We have raised two sons who absolutely loved growing up in a rural
10 community. Their friends from the city always wanted to come to our house where they
11 could build forts, tree houses, ride go carts, and four-wheelers. Our home is in a
12 beautiful country setting in the middle of five acres surrounded by the woods and wildlife
13 in question of being rezoned. It's completely hidden from the Bluff Road traffic. I've
14 always felt completely safe and secure while at home. My doors are usually unlocked
15 or open while I'm inside or out. This rezoning of the surrounding wood sides, if
16 approved, will completely change my home. I would no longer feel safe. I would feel
17 like the public was right in my backyard. When I go to sleep at night my home is so
18 dark you can't see your hand in front of your face. If the surrounding land is rezoned
19 the lights from the businesses would be shining in my bedroom windows. I want to feel
20 safe during my retirement years and I also had hopes of leaving my beautiful country
21 home to my two sons. But instead of a beautiful country setting it would be surrounded
22 by warehouses, buildings, parking lots, and the public. My property would immediately
23 decrease in value. Instead of ten, fifteen-acre tracts for businesses why not ten, fifteen-

1 acre tracts for nice rural, country homes which will allow this beautiful country
2 environment to remain intact? Please vote no to rezoning this land to light industrial.

3 Thank you.

4 CHAIRMAN FURGESS: Thank you. That's everyone that has signed up to
5 speak.

6 MR. STONE: Mr. Chairman, I would like to make one point. The reason that we
7 were not in attendance at the last hearing is that we did not receive written notification
8 from Staff until the day of the meeting. We appreciate y'all rehearing this matter for us.

9 CHAIRMAN FURGESS: Thank you, sir. Any questions? Anything from the
10 Commissioners?

11 MR. ANDERSON: Quick question. The site up Bluff Road, I guess you'd say
12 northwest, that's the jail, right? That's the jail, right?

13 AUDIENCE MEMBER: Yes.

14 MR. PALMER: Anna?

15 AUDIENCE MEMBER: And further on down Bluff Road is also the
16 Westinghouse facility. So it's not true that there's no development further out.

17 MR. ANDERSON: Okay, my question to Anna.

18 MR. ALMEIDA: I'm sorry.

19 MR. ANDERSON: That's the jail, right?

20 AUDIENCE MEMBER: [Inaudible].

21 MR. ANDERSON: We're directing questions towards Staff right now. Thank you
22 though. The property out Bluff Road, northwest, that's the jail, correct?

23 MS. ALMEIDA: Correct.

1 MR. ANDERSON: Right in between Longstown? Okay. And none of this land
2 zoned M-1 is currently being in use other – now I don't see anything in use other than
3 the jail from Longstown Road over.

4 MS. ALMEIDA: Right.

5 CHAIRMAN FURGESS: Up that way on Longstown Road and Guardmark, going
6 up that way that's where most [inaudible] Columbia Industrial Park and all that.

7 MS. ALMEIDA: Correct.

8 CHAIRMAN FURGESS: But we have the light industrial here and just a mix
9 don't we up that way?

10 MS. ALMEIDA: That is correct. A few parcels that are heavy industrial. They're
11 sprinkled but mostly M-1, the old M-1.

12 MR. VAN DINE: Mr. Chairman, if I may I would like to make a motion we send
13 this forward with a recommendation of denial. I don't see the purpose of adding M-1
14 space further out on Bluff Road with the extent that is shown simply on the map we
15 have on page 14. I think that it is under utilized in that area and if in fact this area
16 wishes to be made into an industrial park that they ought to utilize the space that's
17 already available and already zoned for that classification. I don't see any purpose in us
18 extending out. If I also look on page 15, we have a creek that runs down and separates
19 the M-1 property which is currently zoned from this property as an entire wetlands area
20 and/or stream bed and that seems to me to cross over that stream bed simply exposes
21 the remainder of the property down the road to further use. Truck traffic going down
22 through those areas are going to increase because they're going to have to get to
23 interstates. I don't believe they will all be going back towards the Columbia side. I think

1 they'll be going the other way as well, down towards Orangeburg. Based upon that my
2 motion to send it forward with a recommendation of denial.

3 CHAIRMAN FURGESS: Need a second.

4 MR. GREEN: Second.

5 MR. ANDERSON: I have a few more questions. I know that we're pushing in the
6 - near the railroad tracks near the University are where University properties are going
7 up. I mean we're pushing industry farther out and farther out. I'm kind of in a quandary
8 about this because I feel like, you know, the industry's coming out here to stay away
9 from all the heavy concentrations of residential. One of the things that disturbs me is
10 there's a lot of opened M-1 but at the same time this is light industrial. We're not – this
11 isn't an M-1 use. I guess I'm just thinking out loud. I'm having a hard time with this and,
12 you know, I'd like to hear some other Planning Commission Members' comments.

13 MR. GREEN: Just from my perspective I've struggled with this application since
14 we got our books. On the one hand I recognize that of all the land use types we are – I
15 hate to use the word planning for because we know how far behind we are in a
16 comprehensive plan to designate areas for industrial development. We know we need
17 to set aside land in the county for industrial development and unfortunately we've been
18 rezoning it from industrial to a variety of other uses and are starting to limit the ability of
19 the county to attract employers and to expand its economic base. So that is a concern
20 of mine given what's happened up the I-77 corridor and the like. You know, on the
21 other hand I think we have to ask ourselves in terms of our comprehensive plan where
22 on Bluff Road do we draw the line and say for the foreseeable future we've got
23 adequate infrastructure and land inside of this demarcation point to adequately provide

1 for industrial expansion. So those are the two things that have weighed on my mind
2 since we got our books on Friday. I think I would be more comfortable with the
3 proposed rezoning had it come in as a PDD with the applicant stating that they wanted
4 to build a quality industrial park that we could see setbacks, that we could see buffers,
5 that we could see retention, that we could see landscaping. We could see the
6 restrictions on uses that are in a PDD versus an open LI district. At least for me if that
7 was the goal that maybe I could get more comfortable with it as – than I am now. But I
8 get – to be honest with you I'm concerned about passing that creek at this point given
9 what's available inside of it. And that's been my conflict in considering whether we
10 should rezone this property. And I think at the particular point as a straight LI rezoning
11 that I will probably vote with Howard's motion to recommend denial.

12 CHAIRMAN FURGESS: Mr. Murray.

13 MR. MURRAY: The only – my concern is I've lived down there for oh, 50 years.
14 And I've passed Adams Pond – that's what we called it, the folks down in the country,
15 Adams Pond going along there. I realize that we cannot retain the usage of what we
16 would like to have from now on. So my concern is that we get the best quality of
17 industry or subdivisions or anything which we can get that's going to be attractive and
18 functional. And in doing that the Adams folks have never done anything – and I lived on
19 Atlas Road prior to moving down the country. I'm about as close to the Congaree
20 Swamp as you can get. It's right across the street from my house. So they have been
21 up front and based on what I see and what's been coming down in there as far as a
22 market is concerned, a State Farmers Market. You go down Pineview Road you've got
23 industry in there. And if you've got something light that's going to protect those homes

1 that's my concern. I don't want to overwhelm them but this might be something in which
2 you all might think about as you, as you oppose the rezoning of that piece of property. I
3 think it would be – if they give you the right screening and it's not overcrowded in there I
4 think with enough space that you could go back there and you couldn't even see it,
5 anything but the driveway. For many years I couldn't see anything when I passed Adam
6 Pond until they cleaned it off. I couldn't even see the old grits mill or whatever was back
7 there. So my concern is that we take the best that we can and we'll never be another
8 Northeast Columbia, you know. They – y'all got that sewed up with that money. But
9 down in Lower Richland we must consider what's going to be best for us in the long run.
10 So I would be in favor of doing that providing they had the stipulations to go ahead and
11 put the necessary screening and everything in there so you couldn't you know – so it
12 wouldn't interfere with it and I was concerned about - I asked about that other little piece
13 of land and it's not a little piece because I don't know how many acres it is there on the
14 side. But I just don't want them cramming a building into those folks' homes and too
15 close to them. [Inaudible].

16 MR. VAN DINE: Mr. Chairman, if I may? This – just so everybody on the
17 Commission understands. This is coming forward on a straight rezoning to LI. We
18 don't have anything before us in any way, shape or form that is binding upon the
19 individuals coming forward. We might want to go on their good intentions but frankly
20 I've been here for seven years and good intentions go as far as the next person who
21 wants to come in and wants to buy that property. They come in with an LI designation
22 and everything you've thought about has just gone out the windows because there is
23 absolutely nothing that has been set forth in concrete. If they put it in a deed restriction,

1 that's wonderful. That's not binding on the County. That's not binding on us. That is
2 not before us at this stage.

3 AUDIENCE MEMBER: [Inaudible].

4 MR. VAN DINE: If in fact – sir, please. If in fact this were coming forward to us
5 as Mr. Green indicated as a PDD or some other designation where it is laid out so we
6 know specifically what is going in there, what we're looking for, what they're bound by
7 and what the ordinance is then we could be talking about whether or not the setbacks
8 and everything else were required. As it is right now they don't have any obligation
9 except to meet what the LI district says they have to meet at a minimum. As a result of
10 that we have to take the responsibility for these other folks that are sitting out there to
11 say, what happens to them if in fact somebody else wants to come in and do it
12 completely different.

13 AUDIENCE MEMBER: [Inaudible].

14 CHAIRMAN FURGESS: Sir. At this time we're debating. There's no speaking
15 at this time.

16 MR. MURRAY: I understand that.

17 MR. VAN DINE: I understand what your concerns are but I think you have to
18 recognize that you can't accept what is placed before you as to what people will do
19 unless it is in ordinance form because we have been burned far too many times in the
20 County on what those agreements were and the good wishes of the people coming
21 forward.

22 MR. MURRAY: Apparently you didn't have no one with integrity.

1 MR. GREEN: You know, again, you know, I have no doubt that they wouldn't
2 plan a quality development but again we're looking at an LI rezoning. We're not looking
3 at a PDD. Currently an LI zoning will allow, even with the additional buffer yard required
4 by low-impact residential against high-impact commercial, you can put up an eight-foot
5 fence and have a ten-foot setback. The rear yard setback is ten feet. And again I have
6 no question about the intention of this particular applicant. I'd like to see it in a PDD
7 format where the uses are outlined and restricted, where the setbacks are defined,
8 where the retention is defined, where landscaping is defined. And, you know, as much
9 as we hate to see us moving out and moving out I think we, as responsible planners
10 we've got to look at opportunities to provide those as long as they're done in a manner
11 that's consistent with what we believe is appropriate for that area. And I think, you
12 know, personally for me that would be in a form of a PDD not in the form of a straight LI
13 rezoning.

14 MR. PALMER: Mr. Chairman?

15 CHAIRMAN FURGESS: Yes.

16 MR. PALMER: If we don't think that the setbacks and buffering and all that stuff
17 is adequate for the LI district we need to change the ordinance. Because every time
18 someone comes in for a rezoning of something – not every time, but sometimes we ask
19 for a PDD. I just think they're drastically overused. And if ten-foot's not enough for a
20 rear setback, which I doubt it is, then we need to change the code and quit making
21 people go back with a PDD every time just to tie them down because we're looking at
22 setbacks and this and that. Ten feet probably is not enough for a light industrial
23 setback. But if what I'm hearing is if the setbacks were in place and the buffering was

1 there, you know, people wouldn't have a problem with the rezoning. I just think that the
2 PDD is overused in these type situations to try to accomplish something that should be
3 accomplished by our ordinance. That's my take on the subject.

4 CHAIRMAN FURGESS: Any other discussion? There was a motion on the floor
5 but was there a second to it?

6 MR. GREEN: I seconded it.

7 CHAIRMAN FURGESS: You did second it? Okay. You heard the motion on the
8 floor. How do you vote so we can send this forward to County Council. Do we vote to
9 take it as denied to County Council? All those in favor that we send it to the County
10 Council as denied please raise your hand. Those opposed?

11 *[Approved: Ward, Anderson, Palmer, Furgess, Van Dine, Green, Manning; Opposed:*
12 *Murray]*

13 CHAIRMAN FURGESS: Thank you. This is a recommending body. You have
14 to go before County Council on April the 24th and that way it would come up before
15 County Council and they would make the decision on that. Thank you.

16 AUDIENCE MEMBER: Sir? Do we get to talk in front Council or -

17 MR. GREEN: Yes. It'll be a public hearing.

18 CHAIRMAN FURGESS: Public hearing.

19 MR. VAN DINE: Public hearing just the way it was just now.

20 CHAIRMAN FURGESS: It'll be the same.

21 AUDIENCE MEMBER: [inaudible]?

22 MR. VAN DINE: No. This is 7:00 o'clock.

23 MS. ALMEIDA: Seven o'clock on the 24th.

1 CHAIRMAN FURGESS: Seven o'clock on the 24th.

2 MR. PALMER: You might want to get your petition back.

3 AUDIENCE MEMBER: We have a copy of it this time.

4 MR. VAN DINE: There should be a sign posted on the property which will give
5 the details as well. It should be a white sign versus a yellow sign which was for this
6 meeting.

7 CHAIRMAN FURGESS: At this time we go to Case No. 07-15 MA.

8 **CASE NO. 07-15 MA:**

9 MS. ALMEIDA: Mr. Chairman, this application – this site is located on Spears
10 Creek Church Road, approximately 2.15 acres. The existing zoning is RU. The
11 applicant is requesting to go to NC, Neighborhood Commercial. The area's
12 predominantly surrounded by Wood Creek Farms. It's an existing PUD with
13 approximately 2,300 acres that was approved in January of 2000 with residential,
14 commercial and places of worship and golf course uses. The surrounding parcels are
15 RU. They remain vacant. And the proximity to Interstate I-20 is less than a half mile.
16 The adjacent parcel is in the jurisdiction of the City of Columbia and construction has
17 begun on a new fire station there. The Planning Staff is recommending approval.

18 MR. GREEN: [Inaudible] that I want to live next door to a fire station?

19 MR. VAN DINE: The fire station is on the next parcel over from -

20 MS. ALMEIDA: Correct.

21 CHAIRMAN FURGESS: To the Commissioners. Anything you need to say to
22 Staff? Any questions to Staff? No questions to Staff. Need a motion on that, please.
23 Oh, we have someone to speak. Ken Moore.

1 MR. VAN DINE: Keith Moore?

2 CHAIRMAN FURGESS: Keith Moore.

3 **TESTIMONY OF KEITH MOORE:**

4 MR. MOORE: Good afternoon. My name is Keith Moore and I'm a commercial
5 real estate agent with C.B. Richard Ellis and I am here representing the owner of the
6 property, Mr. Tony Morgan. And due to the proximity to the interstate the adjoining
7 property, the fire station, the school, most of the property's between the school and the
8 interstate are zoned light industrial or commercial. We would like to recommend that we
9 rezone this parcel to Neighborhood Commercial. Thank you.

10 CHAIRMAN FURGESS: Thank you. Any questions of Keith?

11 MR. MANNING: No. I don't have any questions for him.

12 CHAIRMAN FURGESS: Any questions? Okay. Thank you, sir.

13 MR. MOORE: Thank you.

14 MR. MANNING: Mr. Chairman, at this time given the fact the site is located
15 between the school and the new fire department and that it is a Neighborhood
16 Commercial versus something more intense I feel like the zoning request would be
17 appropriate given this location to the highway and [inaudible] located on Spears Creek
18 with commercial activity already around it. I'd like to send this forward with a motion for
19 approval of the proposal.

20 MR. ANDERSON: Second.

21 CHAIRMAN FURGESS: Second. You heard the motion that we send this to
22 County Council for approval. All in favor please raise your hand. Opposed?

23 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Van Dine, Green, Manning]*

1 CHAIRMAN FURGESS: No opposed. We send this forward to County Council
2 with approval. Be to the meeting on April the 24th at 7:00 o'clock. Next on the agenda,
3 Case No. 07-16 MA.

4 **CASE NO. 07-16 MA:**

5 MS. ALMEIDA: Mr. Chairman, this site is located on Park Road and Old
6 LeGrande Road. The acreage of the parcel is 11.26. The existing zoning is RU with a
7 portion of the site which is about – less than two acres, 1.97, with an existing zoning of
8 NC, Neighborhood Commercial. The predominant uses in the surrounding area are
9 office and commercial and some light industrial uses. We're seeing a growing medical
10 office market in that area. Access to I-77 has been key to the success of this area and
11 we feel that the rezoning to Neighborhood Commercial is compatible with the
12 surrounding area and Staff is recommending approval.

13 MR. MANNING: Anna? When you look at the map on page 26, there's already
14 an existing general commercial use in one parcel and part of another and then the
15 remainder of those parcels you say are rural?

16 MS. ALMEIDA: Correct.

17 MR. MANNING: How did a part of a parcel get?

18 MS. ALMEIDA: Well –

19 MR. VAN DINE: There's an old convenience store that is dilapidated and set
20 down there that – it was probably when the road was straightened out in there it used to
21 go right in front of it and it somehow has shut down.

22 MS. GREEN: If I remember my family history on that area, that probably
23 contributes to the variation.

1 MS. ALMEIDA: And we did find prior to '97, a map amendment being approved
2 in that area and we're predicting it's that.

3 MR. MANNING: Looking at the aerial, the other pieces though are there any
4 non-conforming uses on those parcels?

5 MR. VAN DINE: They're vacant except –

6 MS. ALMEIDA: Right.

7 MR. VAN DINE: There was a house that was in that area but I don't know if it's
8 been razed or -

9 MR. MANNING: In there?

10 MR. VAN DINE: Yeah.

11 MR. MANNING: Okay.

12 MR. VAN DINE: And that square building just below is the Sears Parts Center or
13 whatever it is. It's right there.

14 MR. MANNING: Thank you.

15 CHAIRMAN FURGESS: Two people signed up to speak. Scott?

16 **TESTIMONY OF SCOTT LAIL:**

17 MR. LAIL: Good afternoon. My name is Scott Lail. I reside at 401 Third Avenue,
18 NE, Hickory, North Carolina. I'm part of a family-owned development company that has
19 been in business for about 40 years. We do all types of commercial development but
20 we have a particular focus on hotels and hospitality. At the present time we operate
21 seven full-service and focus service hotels under license agreements from Marriott,
22 Hilton and Inner Continental. All of our hotels have won various awards over their
23 lifetime and in 1997 we were granted the Hotel of the Year from the Inner Continental

1 Hotel chain for a Holiday Inn Select we own in Hickory. The reason for our request for
2 the rezoning of the property off of Parklane is to construct an 88-room Candlewood
3 Suites Hotel. Candlewood Suites is a relatively new hotel brand that was started in
4 1995. It was purchased as a complete chain by the Inner Continental Hotel Group in
5 2004. There are approximately 130 Candlewood Suites throughout the nation. There's
6 one other Candlewood Suites in South Carolina and it is located in Charleston. We
7 would like to construct a three-story, 88-room property on the site. It would represent
8 about a \$12 million investment on our part not including the land. I'll be glad to answer
9 any questions about my company or our plans for the site.

10 CHAIRMAN FURGESS: Thank you, sir.

11 MR. LAIL: Thank you.

12 CHAIRMAN FURGESS: Buddy? Deborah Cooper?

13 **TESTIMONY OF DEBORAH COOPER:**

14 MS. COOPER: Good afternoon. My name's Deborah Cooper. I live at 124
15 Chancery Lane and this property that we're looking at has been in my family for years
16 and years and years. And we agree that everything around it is commercialized. My
17 husband and I – the reason that one acre is taken out of the other three – it's our whole
18 family. It's my father-in-law, Ralph Cooper, Thomas Cooper and myself. It was my
19 husband's property and he passed. But we were going to build a house on the one acre
20 and this was in 1991, and the bank would not loan us the money because they said
21 everything around it was too commercialized. So unfortunately we had to move from
22 the family property and so now it's just sitting there. Everything around it is
23 commercialized. There is a Sears and my father-in-law has Cooper's Nursery which is

1 right down below that. So everything around it is commercial and there's no homes.
2 The only homes that's on it is Tom's and Ralph's and it's both the one that's wanting to
3 sell the property also. So we appreciate any consideration that you have [inaudible].
4 Thank you.

5 CHAIRMAN FURGESS: Thank you.

6 MR. GREEN: Mr. Chairman, I think given the pattern of development in that area
7 and what's happening this is an appropriate reuse of the area and would make a motion
8 to send it forward with a recommendation of approval.

9 MR. MANNING: Second.

10 CHAIRMAN FURGESS: You heard the motion and the second. All those in
11 favor of sending this to County Council for approval please raise your hand. Opposed?

12 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Van Dine, Green, Manning]*

13 CHAIRMAN FURGESS: It will go to County Council for approval. Be there the
14 24th of April at 7:00 o'clock. They have the final approval. Next on the agenda is Case
15 No. 07-06 MA.

16 **CASE NO. 07-06 MA:**

17 MS. ALMEIDA: Mr. Chairman.

18 MS. WARD: Mr. Chairman, if we could let the meeting minutes reflect that I'm
19 excusing myself. Our firm is involved in this.

20 MS. LINDER: [Inaudible] fill out the form.

21 CHAIRMAN FURGESS: Take a two-minute break.

22 MR. PALMER: Let's do the road names.

23 MR. GREEN: Can we do the road names?

1 CHAIRMAN FURGESS: [Inaudible] the road names.

2 MR. VAN DINE: She's got to recuse so to fill out the stuff she would be voting on
3 the road names otherwise?

4 MS. ALMEIDA: Right.

5 MR. PALMER: She can still vote on the road names while she's filling it out.
6 Voting on road names doesn't take a lot of concentration.

7 MR. GREEN: Nobody's left to see what we're doing now at this point anyway.

8 CHAIRMAN FURGESS: Hidden cameras. Oh, give that to me, sweetheart.
9 Gentlemen. Due to 07-06 MA, the Dunbar Funeral Home, Enga Ward excuses herself
10 due to the ethics law that we have before us.

11 MS. ALMEIDA: Okay. Mr. Chairman, this application is located on Hardscrabble
12 Road. It maybe familiar to you. It was before you in your March Planning Commission
13 meeting. It made it's way to County Council and County Council has requested that the
14 applicant resubmit the application under a different zoning designation which is OI. It
15 came before you as a GC. It was approved by all of you as a GC. And therefore this is
16 the same application. We have two and a half acres.

17 MR. VAN DINE: Page 33, it still has RU to GC at the top. I just want to make
18 sure.

19 MS. ALMEIDA: Typo. It was just that one.

20 MR. VAN DINE: No one is signed up.

21 MS. ALMEIDA: The one on page 34 is OI.

22 MR. PALMER: Mr. Chairman, I make a motion to send this forward to Council
23 with a recommendation of approval.

1 MR. MURRAY: Second.

2 CHAIRMAN FURGESS: You heard the recommendation that we send this
3 forward to County Council for approval. All in favor please raise their hand. Opposed?

4 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Van Dine, Green, Manning]*

5 CHAIRMAN FURGESS: Nobody opposed. Next on the agenda is New
6 Business.

7 MR. VAN DINE: Oop. Let's bring Ms. Ward back in.

8 CHAIRMAN FURGESS: Sorry about that. It happened so quick.

9 MR. GREEN : We apologize that there was no leftover food in the back to eat on
10 while you had to recuse yourself.

11 MR. VAN DINE: And for the short duration.

12 CHAIRMAN FURGESS: Next on the agenda is New Business and
13 Comprehensive Plan.

14 MR. GREEN: Start the timer.

15 MR. CRISS: [Inaudible]. You have a future land use map and a current land use
16 map. Remember the current land use map information comes from the assessor's
17 records. Thank you, ladies. And is several years old and not complete. We're
18 continuing to refine our methodology in order to give you the most accurate current land
19 use possible but this is the best we have available to date. Our next [inaudible] to
20 consolidate the five 10-year future land use maps into an overall County view so that
21 you can see their relationships. On the Beltway planning area in particular you'll notice
22 that although there really isn't any rural designation, rural landscape, there's certainly
23 some open space in the floodplain of the Congaree River. We're asking your advice

1 and comment on where orange urban ought to be designated. Recognizing that about
2 a third of the area instead the Beltway is unincorporated Richland County. We, you, the
3 Planning Commission are responsible for planning that future land use inside the
4 Beltway where the City of Columbia, Forest Acres, and Arcadia Lakes have not yet
5 annexed. But we expect some of that area that you see yellow suburban should be
6 orange urban and on the consolidated map that we'll produce for you next we'll probably
7 show a couple of urban pockets say in the Northeast where the Village at Sandhill is
8 located, possibly Killian Crossing. Maybe some at the other interstate priority
9 development areas we'll need some urban designation. So that's a missing feature.
10 Another activity going on in the background is a collaboration amongst the regional
11 military installations, Fort Jackson, McEntire, Shaw, Poinsett Bombing Range, to
12 designate conservation buffers around the military installations to try to secure, protect
13 their military mission from inappropriate land use encroachments. That has yet to be
14 reflected on your future land use map. The Central Midlands Council of Governments
15 as you may recall is working on population projections for the entire four-county region
16 but especially the several hundred traffic assignment zones in the COATS, Columbia
17 Area Transportation Study boundary. I've got a simple index map here. Don't expect
18 you to see the detail from where you sit but recognize the complexity of these traffic
19 assignment zones that will each have population and hopefully housing statistics
20 assigned to them for future years and then run through their TransCad transportation
21 model for assigning traffic to the road systems. We'll be using the same population
22 projections and assignments to help us assess the availability of appropriate
23 landscapes of zoning districts. As Mr. Green was referring to earlier, do we have

1 enough industrial, for example, set aside in perhaps the I-77 corridor, along I-20? How
2 far out the Bluff Road/Shop Road/Garners Ferry Road corridor should we go with
3 industrial lands? When you peel back those four basic land class colors or urban,
4 suburban, rural, and conservation we want to fill in with detail now. We'll probably be
5 focusing on the yellow suburban. Where should the residential, commercial, office
6 institutional, and indeed, industrial be located within each of those major land classes?
7 So this is the final piece of the outline, the framework for the broad picture. Remember,
8 we're trying to designate priority development areas so focus on those as well. Here in
9 the Beltway even though most of the jurisdiction is municipal, we're looking at that
10 Decker/Woodfield Park area as a redevelopment area. Look at the Dutch
11 Square/Seven Oaks area. Is that appropriate for priority development? In other words
12 mixed used, residential, commercial, higher density, higher intensity, focused
13 investment in community infrastructure and perhaps revitalization efforts.

14 CHAIRMAN FURGESS: Mike, I have a question.

15 MR. CRISS: Yes, sir.

16 CHAIRMAN FURGESS: In the northeast, north part of Columbia where the city
17 has bought the state hospital, all that property.

18 MR. CRISS: The annexations?

19 CHAIRMAN FURGESS: Yeah. Where they have annexed the whole area there
20 coming down Farrow Road, [inaudible] Road, back down 21.

21 MR. CRISS: I expect they will be going further north up the I-77 corridor.

22 CHAIRMAN FURGESS: [Inaudible]

23 MR. CRISS: Pardon?

1 CHAIRMAN FURGESS: How did the puzzle fall with us now?

2 MR. CRISS: The puzzle is that Columbia and Blythewood might meet in the
3 middle. Until then it's our territory. It's your planning jurisdiction and so we should be
4 designating future land uses. But I would argue that the 10-year future annexation
5 boundaries are where our Planning Commission and our sister governments, our
6 municipal planning commissions should be collaborating very deliberately on land use
7 planning, infrastructure investments, service delivery standards, and other
8 intergovernmental topics. You can expect the City of Columbia to annex Midlands
9 Technical College Northeast campus, maybe Carolina Research Park. Sooner than
10 later. Sooner than later. We have their 10-year annexation boundary all the way up
11 Wilson Boulevard and Farrow on either side of Interstate 77 to Killian. But I wouldn't
12 expect the city to stop there if they got that far because you'll have the Super Wal-Mart
13 and Killian Crossing urban village if that develops right across the road. Meanwhile
14 Blythewood is headed southward. Maybe not that far that fast, but they're already
15 looking at one to two miles outside their municipal limits. They by the way – their Town
16 Council and Planning Commission have had our Staff up there several times now to
17 begin collaborating on planning future land use around the perimeter of Blythewood.
18 They don't have, however, the mechanism to – how shall I say it? Induce annexation
19 that the City of Columbia has. They don't have the water system that Columbia has.
20 Winnsboro water system is providing service into Richland County and the Blythewood
21 area but their capacity is limited. Cliff Kinder's, 700 home residential project just outside
22 town limits has been – how shall I say it? Delayed. Indeed he's actually backed out of
23 that project himself because he couldn't secure the water supply. I know that the

1 Winnsboro system is consulting with B.P. Barber to look at expanding their water supply
2 capacity on the Richland County side. But they want to make sure they can supply
3 Winnsboro and Ridgeway first. And Blythewood – well it remains to be seen just how
4 much water can be brought in from Fairfield County. Meanwhile the City of Columbia is
5 aggressively expanding its system and they of course make service contingent on an
6 annexation contract. When they're contiguous to you they can take you in unilaterally if
7 they so desire. So yes please pay attention to those 10-year future annexation
8 boundaries on the future land use maps. And I know that Commissioners Murray and
9 Ward will have to be brought up to speed on the maps that we've handed out earlier.
10 We will certainly provide full sets to you and would love to have a chance to brief with
11 you on what we've given to the Commission in the recent past.

12 MR. PALMER: Michael, why would you expand – I could understand drawing
13 some sort of boundary for the City of Columbia because they can annex without the will
14 of the people [inaudible] but why would you draw an expansive line for Forest Acres?

15 MR. CRISS: Well, Forest Acres is Swiss cheese of incorporated and
16 unincorporated areas and we've been encouraging their town officials to consider filling
17 in –

18 MR. PALMER: But you're expanding.

19 MR. CRISS: Forest Acres and Arcadia Lakes are mostly filling in but Forest
20 Acres does indicate interest in some lands on the east side of Decker Boulevard and
21 that would be an expansion of the existing municipal limits.

22 MR. PALMER: Yeah. But they don't have the authority to do it.

1 MR. CRISS: They do not have the authority to unilaterally require annexation;
2 that's correct.

3 MR. PALMER: Right. So why would we -

4 MR. CRISS: Well, these are representations of what the municipalities might
5 desire and that would be a basis for the County and the city or town as the case may be
6 collaborating on land use planning outside of their municipal limits.

7 MR. PALMER: Why would we put what they desire on our future land use plans?
8 Why wouldn't that be on their future land use plans?

9 MR. CRISS: Well it should be on both in my opinion because it's now our
10 territory but what we do there will affect the future growth and development of those
11 cities and towns.

12 MR. PALMER: That's going under the assumption that they're going to get that.

13 MR. CRISS: Well, it's only perspective. It's certainly not definitive. It is certainly
14 not a guarantee. These are lines that we as Staff are proposing for your consideration
15 to reflect on the County's land use maps to stimulate intergovernmental coordination
16 and cooperation.

17 MR. PALMER: What's the transit station? Transit station?

18 MR. CRISS: What are they?

19 MR. PALMER: What is that?

20 MR. CRISS: Well they are the bus, future rail stations that are in the Central
21 Midlands Council of Governments commuter rail study that has been adopted by the
22 Regional Council of Governments – their board. So that's an adopted regional plan.
23 That doesn't mean that those transit stations have to go there, will go there. Those are

1 the proposed locations for what maybe bus stations initially and rail stations eventually.
2 So too with the purple high speed rail lines. That's even more speculative. Those lines
3 are there but those rail corridors aren't currently in a condition to support high speed rail
4 even if all the participating agencies agree to bring it.

5 MR. VAN DINE: Let me ask you a quick question on annexation. It is my
6 understanding that you [inaudible] with nothing except city limits?

7 MR. CRISS: Municipal property.

8 MR. VAN DINE: They can annex that through forced annexation. They don't
9 have to wait for a request if they so desire to annex that. That was my understanding.

10 MR. CRISS: Not yet. There is legislation pending that would make it easier for
11 municipalities to unilaterally incorporate annex the so-called donut hole, exclusions,
12 islands, surrounded properties.

13 MR. VAN DINE: So that's pending legislation. That's not enacted yet?

14 MR. CRISS: Right. And I suspect it will be predicated on the land having been
15 surrounded by the municipality for at least a certain period of time. And perhaps it has
16 to be of a certain size so that you don't worry about the quarter acre slivers that are
17 surrounded by municipalities. There may be other caveats but the Municipal
18 Association of South Carolina, among others, are advocating that Forest Acres,
19 Arcadian Lakes, City of Columbia, etc., be able to fill in those incorporated areas with
20 what arguably should be municipal jurisdiction and services. If you look at our municipal
21 boundary maps in detail as Betty gets to do almost every day it's astonishing how
22 complicated the service delivery is, the jurisdictional authority. I would argue that in
23 your consideration of the expansion of existing municipalities especially the City of

1 Columbia, the biggest one we have of course, that the discussion also include the areas
2 that they have skipped over that arguably belong under city jurisdiction. To date the city
3 has been choosing on its own what areas to annex and what areas to bypass. And
4 some that we are trying to plan for and service arguably belong inside their municipal
5 limits as their responsibility.

6 MR. VAN DINE: What's the next step that we have in relation to the
7 Comprehensive Plan? What are we -

8 MR. CRISS: The next step is get those population projections assigned to those
9 traffic assignment zones so that we have a better sense of where we think we're going
10 to grow in the next ten years and beyond, planning area by planning area so that we
11 can start to allocate more specific land uses of residential, commercial, office,
12 institutional, industrial to those broad classes.

13 MR. VAN DINE: What's our timeframe and when do we need to get together as
14 a Planning Commission in order to do something about whatever we're going to do?

15 MR. CRISS: We should have enough information to say schedule more work
16 sessions by your next regular session, over the next month. The Transportation Study
17 Commission is having its first public meeting. And I don't know whether the
18 Commission has received a specific invitation but of course it's available and open to all
19 interested parties.

20 MR. MANNING: I understand the Central Midlands is updating the transportation
21 study?

22 MR. CRISS: Pardon?

23 MR. MANNING: Central Midlands is updating the transportation study?

1 MR. CRISS: The COG, the Council of Governments, is updating its long-range
2 transportation plan.

3 MR. MANNING: How much money went into the last one we got?

4 MR. CRISS: Pardon me?

5 MR. MANNING: How much money was spent on the last study that we got that
6 we really never got to use?

7 MR. CRISS: From the Council of Governments? I don't know that. But Norm
8 Whitaker could certainly explain.

9 MR. MANNING: That was I guess in July for the last seven or eight years?

10 MR. CRISS: They do a – basically a 20 to 25-year projection on transportation
11 needs and then a shorter range TIP, Transportation Improvement Program that covers
12 five or six years. The Transportation Study Commission is going to be meeting 6:00
13 o'clock, tomorrow night in this chambers. And then Wednesday, April 11th at the
14 Parklane Adult Activity Center, again 6:00 o'clock at night.

15 MR. PALMER: I nominate Howard as our representative.

16 MR. GREEN: Second. [Laughter] Will you take an amendment to that that we
17 also approve street names and subdivision names along with that nomination?

18 MR. PALMER: Absolutely. So moved.

19 MR. VAN DINE: I move for adjournment before the vote. [Laughter]

20 CHAIRMAN FURGESS: We have a – one more thing on the agenda.

21 MR. MANNING: Got a motion and a second.

22 CHAIRMAN FURGESS: County Council and Staff Report?

23 MS. ALMEIDA: There is none.

1 CHAIRMAN FURGESS: There's none? Okay. Michael, are you finished?

2 MR. CRISS: Done. Thank you.

3 CHAIRMAN FURGESS: Such rude people. [Laughter] Next is the roads.

4 MR. VAN DINE: So moved.

5 MR. PALMER: For approval or denial?

6 MR. VAN DINE: Approval.

7 CHAIRMAN FURGESS: Approval. There was a second on that?

8 MR. PALMER: Second.

9 CHAIRMAN FURGESS: Okay. All in favor raise your hand. Opposed.

10 *[Approved: Ward, Murray, Anderson, Palmer, Furgess, Van Dine, Green, Manning]*

11 CHAIRMAN FURGESS: Meeting adjourned.

12

13

[Adjourned at 4:45 p.m.]