

RICHLAND COUNTY PLANNING COMMISSION

April 5, 2004

1
2
3
4 *[Members Present: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar;*
5 *Absent: McBride]*

6
7 Called to Order: 1:03 p.m.

8 CHAIRMAN GREEN: We'll call the meeting to order. The first thing is the
9 minutes for approval.

10 MR. FURGESS: I vote that we approve the minutes.

11 MR. VAN DINE: Second.

12 CHAIRMAN GREEN: Motion and a second to approve the minutes from our
13 March 1st meeting. All those in favor please signify by raising your hand? Opposed?

14 *[Approved: Palmer, Furgess, Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar,*
15 *Absent: McBride]*

16 CHAIRMAN GREEN: The minutes are adopted. Agenda amendments, any from
17 Staff, any agenda amendments that we need to consider?

18 MR. GOSLINE: I guess we're going to have some more discussion about the
19 flood plain?

20 MS. LINDER: It's on the agenda.

21 CHAIRMAN GREEN: My thought is, with the consent of the Commission, since
22 we have a lot of folks here to speak on specific issues and we may get involved in some
23 discussion on this, maybe we possibly could move this to after the public hearing
24 portion of our meeting. If that's acceptable to everybody? We'll move the consideration
25 to of Flood Protective Ordinance changes to after we finish the Zoning Map Amendment
26 section. Anything else in terms of our agenda items? Okay we'll move to the Old

1 Business. The first of old business is 04-34 MA which is the deferred from our February
2 meeting.

3 **CASE 04-34 MA:**

4 MR. GOSLINE: Mr. Chairman, Members, if you'll recall, this was a proposal to
5 change some M-1 zoning to RG-2 for multi-family housing on Marley Drive, just a block
6 or so east of Broad River Road. At that time you all asked the applicant to go back and
7 meeting with the community. And they have done so and Staff recommends approval
8 of this project [inaudible] applicant.

9 CHAIRMAN GREEN: Okay. Any questions for Staff before we ask for public
10 input?

11 MR. VAN DINE: It just – it was just to meet with them there weren't any specific
12 questions or issues that they were asked to address?

13 MR. GOSLINE: To my recollection, is you just [inaudible] had the opportunity to
14 meet with the people in the community and -

15 CHAIRMAN GREEN: The first one is Gary Burch. If you would state your name
16 and address when you come up to the podium.

17 **TESTIMONY OF GARY BURCH:**

18 MR. BURCH: I'm Gary Burch with Lacy and Associates in North Augusta, South
19 Carolina. We're trying to get this rezoned to build single story town-homes, 90 units in
20 the development. As he stated we were at the February meeting, and had tried to make
21 contact with the Homeowners Association but weren't able to. They still had some
22 concerns. They had three major concerns. It was, they had concerns with their sewer
23 systems. That it wouldn't handle the sewer system. They had some drainage issues.

1 They said that our water was going to run on their property. And they also had a traffic
2 problem they were concerned about. So we have met with them twice since the
3 February meeting and we feel like we've gotten the issues ironed out. The Civil
4 Engineering is representing us on the sewer and the drainage study. They did an
5 analysis and checked on things and looked at it. And we have here today Mike Dinkins
6 from Civil Engineering. He's going to explain to us what they found to be the problems
7 that the homeowners have addressed, and what's really going to happen. They have
8 some concerns about some maintenance issues and that type thing. So if we could,
9 could we let him speak now? He's signed up. And then after that we'll address the
10 traffic issues.

11 CHAIRMAN GREEN: That's fine. Okay.

12 **TESTIMONY OF MIKE DINKINS:**

13 MR. DINKINS: I brought a little exhibit with me so you can kind of see where,
14 what I was looking at and it may be kind of difficult. If you want me to stay behind the
15 mic I'll be glad to so you can hear me or I can come there and actually kind of point.
16 But Gary if you want to step back a little bit. I was actually looking at two aspects of
17 this. One was the sewer system. This is our property that's outlined in yellow here off
18 of Marley Drive, and there was several concerns with the downstream portion of the
19 development down there, the pre – the existing lots where they have been constantly
20 having trouble with sewer overflowing. Well this particular sewer doesn't go into the
21 system that they were having the problems with. It goes across the street and kind of
22 wraps around and goes toward Broad River. I talked to DHEC about the problems that
23 were existing down in here and he had told me that, I guess due to the age of the

1 system and how much stuff had been put in there, that they were rodding it out and
2 cleaning out because of grease and roots and stuff that had come through the system.
3 But we're bypassing that anyway so it's sort of a non-point. I understand they have
4 problems, but this sewer is being wrapped around it and the problems that are there are
5 mainly because of the restriction going from the 8" pipe to having the roots and the
6 grease and everything kind of restrict the amount of flow that can down in there. The
7 second part that we were asked to look at is saying there is a drainage problem. Also
8 that drainage goes across the street, and how we are required to design our drainage
9 system is that we go back to predevelopment conditions. So we would have to end up
10 putting in a sediment pond and make sure the rate of release is no more than
11 predevelopment runoff. And told them that we are definitely going to do our best to
12 make sure that, you know, if there is a problem out there – we're not doubting that there
13 is or that it's not. But we're going to do our best to make sure that we don't impact it
14 and make it harder than it already is. So, you know, that's part of our job is to make
15 sure that we go back and don't hurt anything that's already there. And our development
16 is a, you know, let's say our engineering practices is that we don't make a negative
17 impact on downstream system.

18 CHAIRMAN GREEN: Thank you.

19 MR. BURCH: And we've also done a traffic study, Parson's and Brinckerhoff is
20 done it, and we have Bob Orick to explain a little bit of that to you.

21 **TESTIMONY OF BOB ORICK:**

22 MR. ORICK: My name is Bob Orick and I'm representative for the owner.
23 Parsons-Brinckerhoff, our national traffic study organization does a lot of work like this,

1 studied this intersection. Staff [inaudible] got a copy emailed and I got copies coming.
2 Unfortunately Parsons-Brinckerhoff can't present this because the result of this study
3 was a deal that we needed to coordinate the traffic lights. And they are under the
4 control of the federal government and he just got the letter signed, unfortunately, five
5 minutes ago. So before we wrap up here we'll have you the signed letter. After
6 studying the traffic on all the intersections in the traffic study analysis, you know, not the
7 city's analysis, but nationwide, you have intersections that go from A through F. With
8 this intersection that has all the concern once you take the traffic studies is an A
9 intersection. So the state's not going to get excited they never would have studied it.
10 We did, I paid the money, we had it studied. Parsons-Brinckerhoff came back and then
11 said this is what you need to do to do the timing of the lights. That's what they do, it's
12 nationally. They did that, gave the data and Parsons-Brinckerhoff can use all the
13 necessary technical terms, but the bottom line is the state has that data and the state
14 five minutes ago agreed to realign those traffic lights. From what Parsons tells that
15 anytime you put in a computerized traffic light after four years they all get out of sync
16 anyway and this hasn't been looked at for about 12. So they will realign the traffic lights
17 in accordance with the traffic study, whose copies I'll to you here momentarily. That
18 makes it a better A intersection. So we're improving the conditions. We shouldn't have
19 a condition whereby somebody coming out of Marley Drive has to wait on Broad River
20 Commons. That's the major point of contention here. If these lights are aligned then
21 the person coming out of Marley Drive, you know, we should be able to make that turn.
22 It's going to be traffic and it's going to be heavy, but you are never going to be stuck in a
23 situation where you can't get out on Marley Drive on any exchange of the lights. And

1 that's the purpose of this exercise. But again, from a pure exercise study, and I know
2 it's frustrating, but that's an A intersection. And these lights are controlled by the
3 Federal Traffic Commission here, DOT. So they're hesitant to do that kind of study on
4 an A intersection, but we paid for that study to be done and they'll do that. Incidentally
5 the sewer problem, it really wasn't our problem that they had a concern with. I spent
6 \$500.00 with the cities local utility department to study that and right now there's not a
7 problem. It's an old system and there will problems in the future, but, you know, so for
8 those two concerns we've expended time, energy and money and I think we've got a
9 solution for the traffic. Not that, you know, the traffic today, traffic today is never going
10 to be like it was back in the 60s, but from a traffic – in comparison to every other
11 intersection in the country or in the city, you know, we can make it better but if within the
12 scheme of comparative studies they are all A intersections. And after, I hope what
13 traffic – Parsons-Brinckerhoff, [inaudible] came in here with the traffic studies everybody
14 has them, the Staff has them we'll just get you copies. And also the signed letter from
15 the DOT saying that they'll act on those change they made to the lights.

16 MS. LUCIUS: I have some questions if I may? I know Broad River Road at
17 certain times of the day is a level F service. People trying to come down Broad River
18 both ways. I don't understand how realigning that traffic light is going to make any
19 difference because I can't see wanting to stop that traffic on Broad River, which is
20 already massive, to let people off of Marley Drive. I don't understand how realigning
21 the traffic lights is going to help anything.

1 MR. ORICK: In, and I'm not an expert on this either, but my understanding is
2 that the problem is that these lights are out of alignment. So this, these people turning
3 at the intersection don't make the light. So it backs up and it backs up and it backs up.

4 MS. LUCIUS: It's - both of those intersection. It's terrible, I drive it everyday.

5 MR. ORICK: We checked it, you know, several times and did all the numbers
6 and everything. And twice during each time, one in the afternoon you get the situation
7 whereby you can't get through here because of the car coming out here and it's not like
8 it goes back far beyond it's about two or three cars. So once these lights are in
9 alignment then this will be clearer. It will be clear enough so that you can make the left
10 hand turn and get down there. No, I'm not comfortable enough to give you all the
11 background, but that's what the studies found. We've used these guys several times
12 before and they have always been very accurate.

13 MR. FURGESS: If you take a right at the light going to the interstate, just before
14 you get to the interstate, the light on Marley Drive, those two need to be in sync?

15 MR. ORICK: It's out of alignment so these one just backs up a few more cars
16 and this will clear here. Because it's out of alignment by the time, and he'll have the
17 time, but it's 8:30 in the morning, you have cars back here that's blocking this
18 intersection. By aligning these lights, it will clear it enough so that it'll clear and you'll
19 always be able to take a left out of Marley. That's if was, you know, implemented and
20 homeowners association is really concerned that we weren't going to implemented. So
21 we have a letter from DOT now saying that [inaudible] make that change.

22 CHAIRMAN GREEN: Thank you, sir. Next on our list and I want to make sure,
23 Margie Prather has signed up?

1 **TESTIMONY OF MARGIE PRATHER:**

2 MS. PRATHER: I'm Margie Prather, I live at 1919 Marley Drive, and I want to
3 appeal to you today. We do not need 90 units on Marley Drive. He failed to tell you that
4 we have one entrance in and one entrance out. We are exactly two lights from the
5 interstate. And they are going to talk about redoing the lights. Well do you think they
6 are going to let the interstate I-20 back all the way to 215, if they can do whatever they
7 say they are going to do with this traffic? I do not see this. I'm opposed to this, and I
8 would like for you to take into consideration to not rezoning this plot at multiple housing.
9 Thank you.

10 CHAIRMAN GREEN: Jonathan Reed? Terry Vance will be followed by Dan
11 Vance?

12 **TESTIMONY OF DAN VANCE:**

13 MR. VANCE: I'm Dan Vance and I've lived in this area for 33 years, and when
14 we added APAC and BMG there it impacted traffic a great deal through there. I know
15 that these housing units are going to impact them again and it's not only inconvenient
16 but I think it's going to create a real safety problem too. Because we're going to have
17 children in there. We're going to have young drivers in there and it's just a – the area is
18 just not able to handle that type of traffic in it. And if they [inaudible] that property again
19 for APAC/BMG that's going to further impact it also. Because those buildings are
20 setting there waiting for someone to come in and form some type of business. So I
21 think more than inconvenience is the safety factor. I'm sure we have quite a few
22 accidents there because of this.

1 CHAIRMAN GREEN: Thank you, sir. Dean Wilson? Followed by Bobby
2 Merriott.

3 **TESTIMONY OF DEAN WILSON:**

4 MS. WILSON: Hi, I'm Dean Wilson. I live at 1920 Marley Drive and I have for 35
5 years. Concerning the traffic, nobody has taken into consideration, once these houses
6 are built and I don't call them homes, there's going to be at least 180 more cars coming
7 out onto Marley. And we have a problem now, and we really going to have a problem
8 with that. And I don't think that has been taken into consideration. We were not given
9 any information about the traffic study. In fact, at the last meeting I had to ask when we
10 were going to get it. When it was going to be done? And I don't appreciate that.
11 Number two, I was told that most of the trees would be cut. Well I don't know what most
12 is, I don't know whether it's half of them, three quarters of them, but when you start
13 clear cutting all those pines trees out, you're going to have a water problem. I don't care
14 what anybody says. Because it is going to run down, it can't run up, it's going to run
15 down. And unless they plan on putting a lot more trees back to comply with Town and
16 County, if we ever get Town and County. I think once the trees are cut we will definitely
17 have a water problem on Marley once it starts raining, and during construction if it's
18 raining we going to have the biggest mud pie there every was in the City of Columbia, or
19 in Richland County. We were told, first of all, that the homes would range from \$85,000
20 to \$90,000. At the last meeting we were told no they are going to be \$75,000. Well let
21 me tell you something, most of the homes in Emerald Valley, are way more than
22 \$75,000, because I just got my reassessment. What's going to happen, it's going to
23 bring our property values down. Because eventually the people aren't going to care.

1 And as Gary told me, once I build them, I'm gone, and I won't be back. Well we live
2 there 365 days a year. And I will not be pushed out of my home that I have lived in and
3 I don't think it's right. And I had personally rather for it to stay light commercial. I'd
4 rather see a hotel up here than all these multi-family homes. Anything that's light
5 commercial. And I hope that y'all will take in to consideration our feelings. And we
6 have to live there, these gentlemen don't. And I really appreciate your taking that.
7 Thank you.

8 CHAIRMAN GREEN: Bob Marriott, followed by Dorothy Wilson.

9 **TESTIMONY OF BOB MERRIOTT:**

10 MR. MARRIOTT: My name is Bob Merriott, I live at 1712 Emerald Valley Road.
11 I've lived there for 32 plus years. I'm going to make the same argument I made to you
12 in February. The county convinced us in 1982 or so that this property should be zoned
13 manufacturing, light industrial. They helped us put safe guards in such as access
14 restrictions and buffer zones. We feel comfortable with that. The restrictions are still in
15 place. I have gone back to the deeds and they are there. I have always thought the
16 purpose of zoning, number one to control growth. If you really want to control growth
17 you aren't going to put anything else right in the middle of one of the busiest places in
18 the county. Broad River Road is terrible. They want to go out three miles and build it,
19 more power to them, have at it. But you are right in the middle of the most congested
20 area around. Another purpose is to protect the integrity of the neighborhoods. We have
21 approximately 250 dwellings down there. If their tax bill is anything like mine, there's a
22 quarter to a half million dollars a year coming into the county in taxes. That should at
23 least give us a voice into something that would have such an impact on us. Nobody

1 [inaudible] that I'm aware of. Control growth, going back to that, the traffic on Broad
2 River Road, you can realign the lights all you want. There's going to be cars on Broad
3 River Road, they are backed up to Piney Grove Road sometimes, which is three or four
4 miles. Another issue I have is when you put these multi-family units in the crime rate is
5 going to rise. I'm a State Constable. I ride with the County Sheriff's Department. They
6 have given me statistics showing how, in these areas where you cluster people in, the
7 crime rate quadruples or more. And that is a big concern of mine. And like was
8 mentioned earlier this is the only way we have in and out. I just don't see any reason in
9 the world why this thing should be approved. I can keep going forever why it shouldn't,
10 but I'm going to be quiet now. Our homeowners association President Al Whitt came in
11 late, he's not on the list, so you may want to give him an opportunity or you may accept
12 mine for speaking for him.

13 CHAIRMAN GREEN: Dorothy Wilson? Olin Metz. Olin Metz will be followed by
14 Leon Williams.

15 **TESTIMONY OF OLIN METZ:**

16 MR. METZ: My name is Olin Metz, 1527 Marley Drive. I've been associated with
17 that area for going on 50 years now. I've seen a lot of changes. Changes will be made,
18 but as the others before me illustrated that not only the congestion, the run off, and any
19 time you destroy a watershed, you know, you could build a little pond down there to hold
20 and they did this sometime back, but when the hill was cleared it did not hold. And my
21 property is proof of that, because it's got a big ole ditch washed out down through the
22 middle of it. I'm against this proposal and I hope you consider everybody's opinion, and
23 the safety of everything and look out for the, you know, people that live there and not try

1 to overcrowd people. They admit they are having sewage trouble. And I understood
2 him when he said that they are having trouble with both lines. So if they're, you know, if
3 they're having trouble with the Marley Drive line and then the others ones, you know,
4 where is all these sewage going to go? And so I really think they are stepping out of
5 their bounds and trying to overload the property. The location, the number of people
6 they want to put in there. Thank you.

7 CHAIRMAN GREEN: Thomas Lathan followed by Al Whitt. If you are second up
8 on my list, if you would just go ahead and move down front that way we'll be able to take
9 your comments a little more quickly.

10 **TESTIMONY OF THOMAS LATHAN:**

11 MR. LATHAN: My name is Thomas Lathan, and I live at 1932 Sparks Wood
12 Drive. Sort of at the base of the hill and by being at the base of the hill, I am a recipient
13 of quite a bit of the runoff. Because the drains have never been exactly taking the
14 amount of water that's being produced at the top of the hill. And my voice is basically
15 sentiment with what my neighbors are saying. The traffic, I was there when the Drug
16 Emporium and some other places have been there and the traffic is atrocious. It was
17 very hard to get out of Marley Drive onto Broad River Road. And also in addition to,
18 while the sewage problem has always been something that we've had to, had to deal
19 with in the area, but as others have said, we're not opposed to change, but we would
20 like to have a change for the betterment of our neighborhood, as opposed to a
21 detriment. And we feel that by adding that number of units to an area that's pretty
22 much, in our opinion, loaded already would just create a lot of problems for the people
23 that have been there. And I've not been there as long as some of the others, but I've

1 been there long enough to know that we do have quite a few issues that have to be
2 dealt with on a daily basis, especially when it rains. And just the mere fact of getting out
3 of our neighborhood, because it is a one way street, we have problems and situations if
4 there are ambulatory services that are needed in the neighborhood, my neighbors,
5 some of them are elderly or older than myself and we've had incidences where we've
6 had to have ambulances and so forth to come down. And they have had a lot of
7 problems getting in and out. And for these reasons I don't see where adding such a,
8 well, units, would benefit out subdivision at all. As a matter of fact it would really set us
9 back many years. Thank you.

10 CHAIRMAN GREEN: Thank you, sir. I think I omitted Olin Metz is next then
11 followed by Mr. Al Whitt. Okay, I'm sorry. Mr. Whitt? Gloria Lathan will be next.

12 **TESTIMONY OF AL WHITT:**

13 MR. WHITT: My name is Al Whitt, 2004 Driftwood Drive. I'm the President of the
14 homeowners association. As you can see, the neighborhood has spoken. Right now
15 we do not see that these housing coming into Emerald Valley would be good for
16 Emerald Valley. It would be bad for the traffic. Prior to coming to this meeting we went
17 in the back of Emerald Valley closer to the river and checking out the sewage problem
18 back there. Prior to that water use to stand there because of the old pipes that are still
19 back there. And the pipes been there ever since, what 1975 and so forth. Traffic is
20 really going to be a problem. Basically that's what all the neighbors are talking about
21 the traffic and the crime rates. Once you get those houses in there, these guys are
22 gone, and it's left up to us to take care of Emerald Valley. Right now we do not see
23 where it should change. They also said the system that they are going to be putting in,

1 it would not be run into Emerald Valley. Where the system is going to be run over to
2 Pine Valley. They didn't realize that, think of that, they failed to tell you that, that the
3 system would be run over to Pine Valley instead of Emerald Valley. I'm always having
4 neighbors say when it's raining they have standing water in their backyard. Dean
5 mentioned earlier cutting all the trees down, water got to run somewhere. So right now
6 we do not see a positive thing of bringing those houses into Emerald Valley. Please
7 take that into consideration. We got to live there.

8 CHAIRMAN GREEN: Thank you, sir. Gloria Lathan followed by John Newman
9 and then Doris Newman if you could be ready to come up.

10 MS. LATHAN: I concur with my neighbors on that.

11 CHAIRMAN GREEN: Okay thank you. John Newman followed by Doris
12 Newman.

13 **TESTIMONY OF JOHN NEWMAN:**

14 MR. NEWMAN: I'm John Newman, 1439 Marley Drive. My parents have been
15 living at 1439 Marley Drive for 30 some plus years. They are both in their ages. We
16 have medical problems in our family and it's a big concern. You can calibrate the lights
17 all you want to on Broad River Road. That's not going to stop people from fudging and
18 trying to get through the light, which we are having a major problem with. We can't get
19 on the highway without waiting sometimes two to three lights. It only stands for Marley
20 Drive for 10 seconds, two minutes from Broad River Road. If you are going to go to four
21 minutes for Broad River Road you still going to have to go to 20 seconds for Marley
22 Drive. It's still going to be a problem. There's no way that they can calibrate those
23 lights to take care of that traffic there. People are not going to wait their turn, they're

1 going to block Broad River Road. I go through there several times a day and I have to
2 wait through most of two lights, especially in the morning. That's all I have to say.

3 Thank you.

4 CHAIRMAN GREEN: Doris Newman.

5 MS. NEWMAN: He spoke for me.

6 CHAIRMAN GREEN: Thank you. The last person I have signed up to speak
7 and I apologize, I can't read it. I'm not sure about the spelling of the last name, Ann
8 Logan. Anybody else signed up to speak on this whose name I have not called? I'll go
9 back, the only other person I've called Jonathan Reed.

10 **TESTIMONY OF JONATHAN REED:**

11 MR. REID: Good afternoon, my name is Jonathan Reid, Parsons-Brinckerhoff.
12 We performed the traffic study on the -

13 AUDIENCE MEMBER: We cannot hear you.

14 MR. REED: We performed a traffic study - Jonathan Reed from Parson-
15 Brinckerhoff, developer to look at the issues of traffic in and out of the site and I have
16 copies of it here.

17 CHAIRMAN GREEN: Go ahead please.

18 MR. REID: The traffic study was performed in mid-February, and we looked at
19 specifically the issues that were mentioned to that and defined at that. Other people
20 have mentioned the problems getting in and in the morning, peak hour, particularly
21 getting on to the roadway. And we looked at the intersections of Marley Street with
22 Broad River as well as the interchange ramps with Broad River. And in doing some
23 analysis we determined that the Marley Street intersection should not be a problem

1 given the number of volumes coming in and out. It is, however, a problem because of
2 the poor timing and coordination with the signalized intersections at Broad and the I-20
3 ramps. The queues back up all the way to pass Marley Drive, and makes it difficult for
4 people to enter Marley Drive. And so we did some further analysis in coordination with
5 the SCDOT and the City and they formed some analysis to show that with some timing
6 improvements at those intersections at I-20 could reduce that queue to where entering
7 to Marley Street would not be a problem [inaudible]. And I have since forwarded a copy
8 of our report to David Brewer and he has sent me back a letter, and this is my only copy
9 of it right now. He sent me back a letter saying they received our report and they will
10 look at those changes and make the appropriate signal timing changes in the near
11 future.

12 CHAIRMAN GREEN: Thank you. That's everybody signed up to speak on this
13 issue. So we'll entertain any discussions of the Planning Commission.

14 MS. LUCIUS: I have a few things to say if I will. I would admit probably that
15 probably reconfiguring the lights might would, might would help some people getting out
16 of Marley Drive. But the fact remains that for now, people on Broad River Road are
17 backed up at peak times of the day all the way up to St. Andrews and [inaudible]
18 beyond. So I cannot see increasing the time to let people out of Marley Drive that that's
19 going to make Broad River Road worse than it is now, which is atrocious now. So, you
20 know, that's my comments on the traffic situation. And do I understand that the sewer
21 will dump out into Pine Valley?

22 MR. BURCH: It's not going to dump out, no ma'am.

1 MS. LUCIUS: Well, I'm a resident of Pine Valley. And I can tell you that last
2 week right before a party that we were to attend, my husband I suddenly had no
3 drainage. And the city came out, we had to call them, and they said that Pine Valley
4 sewer system is a mess. It's old, they got there in about two minutes because they
5 were already in the neighborhood, because they are there most weekends. So that's all
6 I have to say about that.

7 MR. PALMER: Can you address that I guess? Is it - what's -

8 MR. DINKINS: On the sewer aspects, it's probably the same thing that what
9 happened with Emerald Valley and that section is the fact that being an older system. It
10 has gotten to where your 8" diameter pipe has gotten restricted because of grease and
11 sediment and other stuff that's been in there. If it's routed out it should be plenty of flow
12 to be able to get down through there. Because a normal 8" line with a minimum grade
13 should handle about 450 homes easily.

14 MS. LUCIUS: Well I know the city is down there routing out every weekend. My
15 ears perked up when you said it was going to come into Pine Valley.

16 MR. DINKINS: And it will, but if it's coming to an old system that is kind of bad, it
17 just needs to be routed out. Just like anything else would be.

18 CHAIRMAN GREEN: Further discussion for Planning Commission?

19 MS. LUCIUS: Since nobody is saying anything can I say something further? I
20 read in the recent issue of *Planning Magazine* that we receive from the county, Pine
21 Valley and Emerald Valley are side by side and as you well know, we are also
22 entertaining, what 90 or 50 something more units on Pine Valley today, so we need to
23 look at these together. But the close in older subdivisions, like we live in, are starting to

1 experience a lot of the problems that historically were associated with urban areas. And
2 we are starting to experience these problems. The crime rate, we had two shootings
3 out in Pine Valley. If we are serious about protecting the integrity of our neighborhoods,
4 our older neighborhoods, and I think we are, I think we have to, I think we have to admit
5 that high density housing like this is not going to be a whole lot different from the impact
6 that would be caused by C-3. And to me, to go in and take out this block of – and put
7 this high density in a one way in and one way out road into an old subdivision is just
8 really going to cause a death [inaudible] for this older subdivision. And we that live in
9 these old subdivisions are fiercely proud of our older homes and our older
10 neighborhoods. And we want to see them protected. I don't see this as a transition of
11 anything. When this property was rezoned to M-1 it was made with the assurance that
12 that buffer would stay there. So this is not a question of something worse coming in. I
13 think the worse thing that could possibly come in are these apartments, or houses or
14 whatever you want to call it. And having said that I would like to make a motion that we
15 send this forward with a recommendation of denial.

16 CHAIRMAN GREEN: We have motion on the floor to send this forth with a
17 recommendation for denial, do I hear a second to the motion?

18 MR. VAN DINE: I'll second that. I will have to say, I was on the fence until just
19 recently, and frankly the cavalier attitude that was just addressed to us of it's old, oh
20 well that's life, you are just going to have to live with it. We're going to stick more
21 problems on top of it, threw me over the edge. I can't believe that you would go into a
22 neighborhood and put impact upon the residents who are already there without thinking
23 of what they have to think and what they are doing. I mean, the system is bad, the

1 sewer system is bad. Adding another, however many units there would be on top of
2 that is only going to make it that much worse. And there are ways that you can fix
3 things and you can doctor things, but I just, I just don't think that the density that we're
4 talking about here is something that fits with what we ought to be doing and with the
5 status of what the infrastructure is in the area. And I think that the fact that it's M-1 and
6 we've heard discussion on it and the shortage of M-1 property that's out there, we
7 should not be taking M-1 and putting into the density as residential. So with that I would
8 second the motion to send it forward with a recommendation for denial.

9 CHAIRMAN GREEN: We have a motion on the floor to send it forth with denial,
10 further discussion?

11 MR. JACKSON: In 1999 we passed the Comprehensive Land Use Plan, which
12 included the Town and Country 2020 Vision. And what we have not realized is that the
13 vision also included the needs and the wants of the people. And that has not been used
14 in some of our decisions. When we inherited the Town and County Vision, we have to
15 consider the needs of the communities also. And in saying that I have to support the
16 motion that it should be denied.

17 MR. PALMER: I guess I just heard something different than what Howard did. I
18 believe I heard that with the sewer system that the 8" pipe is more than sufficient to
19 handle the sewer as long as it's routed out. Is that correct?

20 MR. DINKINS: Yes.

21 MR. PALMER: So I'm not really understanding what you heard that he's going to
22 be dumping the sewer on a problem that can't be resolved. Yes it's an old system and
23 yes it just simply needs to be routed out. And 8" pipe is enough to do it. And I think that

1 these guys have put enough money, and time, and energy into this thing and have gone
2 way beyond the call of duty to prove that this project can work. And I just have to
3 disagree with, with the position so far and the amount of effort that these guys have
4 gone to to prove that, yes if the lights are done right. I'm not a light expert and I don't
5 know of anybody up here that is, but I have to take the word of the people that are. And
6 they tell me that yes, we have signed documentation and everything else, that if the
7 lights are improved the traffic will be improved. The two issues that I hear major here
8 are traffic and sewer. Both of those have been addressed by experts to my satisfaction.
9 And I believe this project would work. I'll support it and would vote to approve it.

10 MR. FURGESS: The problem with the sewage, I'm finding out with the sewage
11 is you can't patch a job with sewage. Either you are going to put a totally new system in
12 there or –

13 MR. PALMER: No, it's simply routing out the gunk and stuff that's in there for
14 over 30 years.

15 MR. FURGESS: Sometimes the pipes can still be deteriorated and rotted out.

16 MR. PALMER: That's what they hired these experts for to see what the problem
17 was. And that's the answer they came up with.

18 MR. DUNBAR: I'm like Pat in ways, I'm not an expert on traffic or sewer, but I
19 knew the City of Columbia has to put the system in if it's going to go in. It also has to be
20 approved by DHEC. And if there's a problem with the existing system, I can't imagine
21 they are going to get a permit to put 400 or however many units on top of the existing
22 sewer problem. So I just think that we would have to rely on DHEC and the City of
23 Columbia to make sure that is corrected before they added these units to the system.

1 The traffic situation is tough. It's always going to be tough on Broad River Road. And
2 I'm kind of reminded of our whole process that Norman mentioned about the Town and
3 Country Plan. If you read the Town and Country Plan it encourages in-fill development
4 where existing infrastructure already is. And we constantly have people who don't want
5 something in their neighborhood, and I understand that. I live in a neighborhood as
6 well. But people come in here and they don't want it in the rural area and people come
7 in here and they don't want it in the urban area. Where are we going to put it? Our plan
8 with the Town and Country that's at County Council now up for adoption or not,
9 basically specifies that we're going to encourage higher density in-fill development.
10 This is what we're have right here. And I'm not saying we ought to approve this one,
11 but I'm saying that we have taken a public position, and the County Council has taken a
12 public position that this is what we're going to encourage so, I mean, this is constantly
13 coming up.

14 CHAIRMAN GREEN: Further discussion on the motion? Seeing none, we have
15 a motion on the floor to send this forward with a recommendation for denial. All those in
16 favor of the motion, please raise your hand? All those opposed?

17 *[Approved to Deny: Furgess, Lucius, Jackson, Green, Wyatt, Van Dine; Opposed:*
18 *Palmer, Dunbar; Absent: McBride]*

19 CHAIRMAN GREEN: This will go forward to the April 27th zoning public hearing
20 of County Council with a recommendation of denial from the Planning Commission.
21 And people will get an opportunity to speak again. Final approval of this is, of course, a
22 County Council decision and they will take this up again on April 27th at their zoning
23 public hearing.

1 [BREAK]

2 VICE-CHAIRMAN WYATT: We're going to take up the next case but before we
3 do that I need to read into the Record a recusal from Mr. Green. Since Mr. Green is
4 recusing himself on two cases they're both of them the same so can I read both now,
5 just do it once? Dear Ms. Wyatt, I must request to be excused from participating in
6 discussion for voting on agenda items 04-35 MA, 04-46 MA regarding rezoning which is
7 scheduled for review or discussion at today's Planning Commission meeting. My
8 understanding of Rules of Conduct, Provisions and Ethics, Government Accountability
9 and Campaign Reform Laws, that since I work with the real estate company response –
10 representing the landowners I will not be able to participate in this matter through
11 discussion or voting. I would therefore respectfully request that you indicate for the
12 Record that I did not participate in any discussion or voting relating to this item
13 representing potential conflict of interest. I would further request that you allow and
14 direct this letter to be printed as part of the official minutes and excuse me from such
15 votes or deliberation and note such in the minutes. Thank you for your consideration.
16 Eugene C. Green.

17 MR. VAN DINE: Before we start do we have the pages [inaudible]?

18 VICE-CHAIRMAN WYATT: Yes. Quite messed up. Okay the case that we're
19 taking up, and I'm going to ask for forgiveness if I make some mistakes here. There is
20 some confusion in our package. The last case and this case – the pages have been
21 intermixed. The next case that we're taking up is 04-35 MA. This is for an RU to PUD-
22 1R. This has been referred back to us from County Council because there was a
23 modification. When the PUD – Staff anything you'd like to add to that?

1 **CASE 04-35 MA:**

2 MR. GOSLINE: Yes ma'am, I apologize for the mix up in the order of the
3 document. First page though, the memo – it's a three page memo is on page 23 the
4 second page is on 21 and the third page is on 22. Essentially, when the applicant
5 appeared at County Council and they had made some changes from the version that
6 you had seen, some significant changes actually. Reducing the number of units from
7 450 to 400, and agreed to deed a 50' buffer area to the property owners along another
8 side of Turkey Farm Road. You should have – if we could pass out the handouts
9 regarding this, but one is the change shows the buffer area. One is the change, change
10 in General Development Plan, the PUD plan. The third item is a list of proposed uses
11 for the non-residential, non-institutional area. In our memo we tried to go through some
12 of these issues that had come up at the last meeting and address those. So what it
13 boils down to is the Department believes that in PUDs we can do – we have a wide
14 choice of flexibility in what we can do, but that doesn't mean you can do everything in C-
15 1 or everything in C-2 or whatever. Particularly, we believe, when we talk about
16 interchanges the development really needs to be limited, really highway, particularly
17 interstate highway oriented kinds of uses. So you have before you the list that the
18 applicant presented to the County Council and the Department's recommendation,
19 which is to limit the number of uses considerably from the list the applicant presented.
20 Mr. Lehman is here from the Mungo Company to answer any questions. We'll be glad
21 to answer any questions if we can. The essence of it is we're down to the point of trying
22 to provide some sort of limitation on the commercial/industrial uses on Wilson
23 Boulevard.

1 VICE-CHAIRMAN WYATT: I'd like to ask the question to Staff. This handout
2 that was given to us, Summary of Permitted Commercial Uses to be included and
3 excluded in a PUD, is this provided by you or by the Mungo Company?

4 MR. GOSLINE: No, The Mungo Company.

5 MR. VAN DINE: And your list is the one that you have [inaudible].

6 MR. GOSLINE: And our list is in the memo, which is considerably reduced from
7 the list provided by the applicant.

8 MR. DUNBAR: Carl, can I ask a question?

9 MR. GOSLINE: Yes, sir.

10 MR. DUNBAR: The logic behind it being an interstate location, I understand that,
11 where we have other interstate locations that have C-3 zoned property, why does this
12 one need to be restricted when those aren't? Why isn't our C-3 list restrictive enough?

13 MR. GOSLINE: Because both in the C-3 and M-1 you can do just about
14 anything. And they have, the applicant did agree to exclude some [inaudible]. I don't
15 know what, quite the word, adjective is - uses. We just, we believe that particularly
16 since this is a PUD that the uses really need to be more limiting. If you just leave it with
17 a typical C-3, first place there isn't, since this is PUD, there isn't a C-3 or a M-1. So y'all
18 can set whatever lists you want. The Code does that you can do anything permitted,
19 otherwise permitted by the Code, provided y'all agree to it. You have the authority to
20 limit them as however you think appropriate. We just think that if you don't do that you
21 are going to get a lot of - you are going to under utilize the interchange space basically.
22 I mean, this is very valuable property. And, you know, we've made that argument two
23 times in the past. The Peak exit where we are talking about the used car lot and a mini-

1 warehouse. So we just, we believe this is what planning is about and planning is saying
2 that having high value stuff at the interchange – interchanges and we just really want to
3 see - limited somehow and we won't forget it. Cause [inaudible].

4 MR. DUNBAR: Can you help me with something else? Comparing these two
5 lists, what on their list of included items in the C-3 would be excluded under your
6 proposal? I'm not sure I got the capability of collating real quickly and coming up with
7 the differences.

8 MR. GOSLINE: I know it's – well I think – the other thing that we're looking at is
9 we think there is a difference – two pieces of, for lack, generically called commercial it
10 includes some light industrial. There's a six acre piece that sits between Community
11 Drive and Wilson Boulevard. Clearly that ought to be retail of some sort. And we – I
12 think that's what we in A, on your page 21, we have listed some things that we think are
13 pertinent. The other side of the street might more will be fit, offices some sort of
14 continuation of the same kind of development at North Point Industrial Park. That
15 bigger scale stuff, because it's a bigger piece of property. And I think it's really kind of
16 that simple. The other thing that we're concerned about, or think that should be added
17 in here is other improvements. Street lighting and some things like that. If you recall
18 when we did the Richardson Industrial Park out on Monticello, we - they agreed to put in
19 some street lighting, common signage, a whole bunch of things that typically occur in
20 office parks, that kind of thing. North Pointe Industrial Park is a good example. The
21 office park at I-20 and Bush River Road, they all have other, other business community
22 or project like amenities, which improve the appearance of the place. So that's just –

1 MR. DUNBAR: I understand the [inaudible]. I'm just trying to figure out which is
2 one example can they not do under your [inaudible]. Would that be an easy thing to
3 do?

4 MR. VAN DINE: In your list itself seems to divide the commercial area into two
5 separate sections.

6 MR. GOSLINE: Yes, sir.

7 MR. VAN DINE: Is the second, the B, more of an industrial?

8 MR. GOSLINE: More office park industrial type, correct.

9 MR. VAN DINE: So would we actually then be changing what their designation
10 of the commercial aspect of it, I mean –

11 MR. GOSLINE: Well, one of the – one of the -concerns raised by the people in
12 the first place was some sort of limitations on commercial. And so when the – when the
13 County Council referred it back, because they had made some changes in the plan, this
14 gave us an opportunity to make that argument again. I think we made that argument
15 before, but you can certainly make the case, in terms of the land use situation, some
16 kind of extension of the North Pointe Industrial Park along the west side of Community
17 Drive in the project, is reasonable. It doesn't really matter whether you call it
18 commercial or light industrial, it's the same. You are looking at more office park/light
19 industrial type uses on that side of the street and retail on the other side between
20 Wilson and Community Drive. That's they way we look at it anyway.

21 MR. VAN DINE: The list that we got from The Mungo Company has an M-1
22 portion. What is the M-1 portion?

1 MR. GOSLINE: Well, I think that's part of what – there is a perception that when
2 people bring in their PUDs, that because the Code says you can use many in a PUD -
3 you can have certain minimums of commercial, industrial, or residential depending on
4 what you are doing. Well the tendency – what happens is most of the time the
5 applicants will just take the list out of the C-3 and throw it in, take the list out of M-1,
6 throw it in, or whatever. What we're trying to get the applicants to do is be more
7 selective and narrow down the list and we believe that's what you all should do too.

8 MR. VAN DINE: That's not my question. Where is the M-1?

9 MR. GOSLINE: There isn't any M-1 rezoning. There is no C-3 zoning that calls
10 for PUD.

11 MR. DUNBAR: So it could be mixed in anywhere?

12 MR. GOSLINE: Right.

13 MR. VAN DINE: So the M-1 sections that they are talking is in the commercial
14 section.

15 MR. GOSLINE: Correct.

16 MR. VAN DINE: We're not talking the institutional section at all?

17 MR. GOSLINE: Right. It shows up on the map as commercial, that's correct.

18 MR. VAN DINE: So they're just taking a combination of C-2 and M-1 list to put it
19 – there's over lap between those lists?

20 MR. GOSLINE: Yes.

21 MR. VAN DINE: And you want – and what you are trying to do is, in essence,
22 hold the C-3 portion outside of [inaudible] Road and the industrial on the inside?

1 MR. GOSLINE: Let me, I prefer not to use C-3 or M-1, when you're talking about
2 types of land uses - retail, highway related commercial, versus more office/light
3 industrial. It doesn't matter what - in this case because it's all PUD, it doesn't matter
4 what the zoning. I really think this is, this is a design - over all urban design issue sort
5 of thing. The other thing is that we wanted to be sure was that the term institutional on
6 the map was clarified as public schools. Because if you didn't do that, it could be any
7 number of other institutional type resources.

8 MR. VAN DINE: I have two other questions. The purpose for putting - if you
9 look at their list, they have hospital, nursing homes, mini-warehouses, by special
10 exception, is that a requirement of the Code? Or is that an attempt to circumvent the
11 requirement of coming back before this Body if they were to make any of those
12 applications?

13 MR. GOSLINE: Let me clarify it this way Mr. Van Dine. Several of the applicants
14 have asked to have special exception, the special exception process apply to PUD. It
15 doesn't, you can't do it. And we have - the last several PUDs have specific statements
16 in the ordinance that says you can't do that. Because you are selecting the uses and
17 you don't want to - otherwise, you're right, it would circumvent that process.

18 MR. VAN DINE: Part of the write up that you have is even if you went with their
19 list, that requirement can't - would not [inaudible] by special exception could not?

20 MR. GOSLINE: Correct, that's correct.

21 VICE CHAIRMAN WYATT: What has been my concern through this whole
22 process is the M-1 zoning. Strictly the residential by special exception of [inaudible].

1 What you're telling me is that my concern under the M-1, them coming back with RG-2
2 six months from now does not exist because it's partly a special exception?

3 MR. GOSLINE: No. Wait a minute. Don't confuse this project, which is going to
4 zoned PUD, not M-1, not C-3, not nothing else, it's a PUD with the case we had some
5 time ago, of 77 Business Park, which we zoned M-1. The apartments went in and got a
6 special exception. We've had several cases where property is zoned M-1 and they
7 have – the applicants have gone to the Board of Zoning Appeals to get a special
8 exception to put up multi-family housing.

9 MR. VAN DINE: But under a PUD requirement, once it's a PUD, any changes to
10 the PUD has to come back through this process.

11 MR. GOSLINE: Yes, sir.

12 VICE CHAIRMAN WYATT: Back through the Board of Zoning Appeals?

13 MR. GOSLINE: Correct.

14 VICE CHAIRMAN WYATT: That takes my concern away.

15 MR. DUNBAR: I still haven't had my question answered. The items that they
16 want to include that aren't on your list, what are they?

17 MR. GOSLINE: Well –

18 MR. DUNBAR: For example, I see on their list service stations. I assume that
19 will be like a gas station. And you say interstate highway related retail business, I
20 assume that would include a gas station.

21 MR. GOSLINE: Well, number five is service and repair facilities, excluding body
22 and paint.

1 MR. DUNBAR: I mean, a gas station, but not a service or repair facility anymore,
2 it's a gas station. Is that included in retail?

3 MR. GOSLINE: Yeah, certainly a gas station would be appropriate. The one
4 difference is if you'll notice we suggest that eating and drinking establishments in Wilson
5 Boulevard frontage, whereas the applicant has excluded nightclubs. But they do have
6 eating and drinking establishments so. We're going to have this same discussion in a
7 little while across the street from this - with the, Mr. Fuller's property.

8 VICE-CHAIRMAN WYATT: Well, let's take them one at a time Carl.

9 MR. GOSLINE: [inaudible]

10 MR. PALMER: I see a difference between nightclubs and eating and drinking
11 establishments. Eating and drinking establishments are not a restaurant still?

12 MR. GOSLINE: The applicant has chosen to exclude nightclubs.

13 MR. PALMER: Right, are you trying – are you saying that they're both the same
14 that eating and drinking establishments are the same thing as a nightclub?

15 MR. GOSLINE: No. We both have eating and drinking establishments included
16 in the permitted list.

17 VICE-CHAIRMAN WYATT: Okay, we've had two people that have signed up
18 that want to speak on this issue. I'm going to ask that you limit it to about two minutes
19 please. And that you try to, because I think both of you spoke before, if you will try to
20 limit it to anything new that's being presented to us today. That's Glenn Didyoung and
21 then right behind will be Janice Davis. And when you get up please state your address
22 for the record.

23 **TESTIMONY OF GLENN DIDYOUNG:**

1 MR. DIDYOUNG: Good afternoon, I'm Glenn Didyoung. I live at 260 Turkey
2 Farm Road. And yes you have heard me before, and the story has not changed. I am
3 still concerned, because although there have been some changes to the PUD they are
4 not significant enough to make a difference as far as the impact of the whole
5 development to the existing community. And really I just wanted to remind you that this
6 is the third time that this is coming back. You've already turned it down twice, or sent it
7 forward without a recommendation. And the last time, Mr. Van Dine, went as far as to
8 say and I quote, "It's a rather extensive invasion of a rural area. I'm not sure we need
9 an entire new area. Other areas are not built out." That still hasn't changed between
10 the last time we met and today. And I wanted to further say that Mr. Van Dine also
11 made a comment today about the impact that in areas such as this – the residents who
12 are already in that area are impacted. And this is what we're concerned about. That we
13 want to keep the rural nature of this area. Not that it should not be developed and not
14 that we should keep everything out of it. But it should retain it's rural nature. I'm
15 concerned about clear cutting that area. Marcia Lucius made a comment about some
16 clear cutting and how it resembles the surface of Mars. This is what I'm concerned
17 about. We don't want to see that happen back there. Also we still have the concern
18 about the, the in appropriate entrance off of Turkey Farm Road, that has not changed.
19 We would be less concerned about this if there were and access to this piece of
20 property from either Community Road or Highway 21. That would impact Turkey Road
21 in a much less important way. Thank you.

22 VICE CHAIRMAN WYATT: Thank you, sir. Janice Davis.

23 **TESTIMONY OF JANICE DAVIS:**

1 MS. DAVIS: Hi, I'm Janice Davis at 828 Swaggert Road, Blythewood. And I
2 would like to, once again ask that we keep this area rural. I'm going to read a little – this
3 is part of *The Chronicle* newspaper that came out last Thursday, and Mr. Tooten wrote
4 a letter to the editor. This is just part of it. "Thus a well planned residential community,
5 similar to Stonington, Heritage Hills, or Ashley Oaks, seems best suited for the
6 neighborhood." Now I don't know about Stonington, but Heritage Hills and Ashley Oaks
7 are zoned rural. There are at least three quarters of an acre. Now Mr. Tooten, himself,
8 said this. It's in the paper. His own words. So he's saying, keep this rural. Keep it with
9 the neighborhood, okay? Now Heritage Hills is on 21 right near, I can't remember the
10 road now, Killian Road. And Killian Road, down Killian Road, is the interstate. That is a
11 rural subdivision. I went in there and looked the other day and it's a very nice
12 subdivision. Some of the trees have been cut down, okay, but it's a nice subdivision it's
13 rural. I mean, we want to keep the trees that should be part of it. And I think there is,
14 y'all have that in the zoning or whatever, that we – they keep the trees. But we're just
15 asking that Mr. Mungo do the same thing. We're not saying don't develop. We're
16 saying please keep it the same. Also the issue about the road, I talked to Mr. Blizzard
17 from the Highway Department. It is a state road. And he said this is a farm to market
18 and it's also, it's a Shellfield Road. And he says he has seen these roads, in some
19 instances, tear up within two or three days after moving heavy equipment over it. I have
20 a lot more issues, which I don't have time, but I would just appreciate y'all considering
21 this. Thank you. And since Mr. Dixon is not here today, somebody has requested
22 these eggs, so I'll give them. Oh, you don't want them?

23 MS. LINDER: I can not accept them, but thank you.

1 VICE CHAIRMAN WYATT: Thank you, Ms. Davis. Anything else from Staff?

2 MR. GOSLINE: No, ma'am.

3 MR. PALMER: Where did this one entrance aspect come in on Community Drive
4 at the institutional area? Is that, are you actually proposing one way in and one way out
5 at the school?

6 MR. GOSLINE: The plan, Mr. Palmer, shows one access point. If you look at
7 your map. For the institutional areas has one access point off Community Drive through
8 the Cook Commercial [inaudible] area. And one off of Turkey Farm, which will actually
9 be a dual access for the residential area and the school.

10 MR. PALMER: These recommendations, have you given any of these to the
11 applicant at any point or is this something?

12 MR. GOSLINE: No, sir – yes, sir they get copies of the memo. They got in the
13 right order even.

14 MR. PALMER: Okay.

15 VICE CHAIRMAN WYATT: Carl you've made your – excuse me Mr. Palmer.

16 MR. PALMER: But the rest of these, I – as far as, you know, limiting the square
17 footage and all of this kind of stuff, this is something that you guys on Staff just kind of
18 feel like would be in the best interest of the area?

19 MR. GOSLINE: Yes.

20 MR. PALMER: But what they, what they proposed everything is in order and
21 they are actually going above and beyond by taking things out that I think would
22 probably - was a good thing to do. The things that they took out of what are allowed
23 and leaving in the things that seem to make sense. If we sit up here all the time

1 whenever somebody hears C-3, certain things pop into their mind and it seems like
2 these are things that have been taken out. And the things that are, I wouldn't say the
3 good things about C-3 or the bad things, but it's the things that are acceptable to the
4 community and some things that aren't, it seems like those have already – the issues
5 already been taken care of. I just – it just kind of sets me uneasy when people come in
6 and they do what the ordinance tells them to do, and they do what the county says that
7 you have to do and then the Staff or others want to take that a step further and say yes
8 this is what you have to do, but now here's something else you have to do. Now I
9 understand that while we may have the authority to do that, and you may as well, I just
10 have a problem with going beyond what the ordinances say.

11 VICE-CHAIRMAN WYATT: I think we've got one other person that needs to
12 speak on this issue. Mr. Berry, please state your name and address for the Record.

13 **TESTIMONY OF AL BERRY:**

14 MR. BERRY: My name is Al Berry and I live in Richland County. I also
15 represent Richland School District 2 in regards to the property acquisition for a school. I
16 would like to respond to the comment of the entrance. I had not seen that. That's new
17 to me. The entrance to schools is an issue that's controlled and regulated by South
18 Carolina DOT. They have been to the site. They will not accept the one entrance into a
19 school. We need at minimum two. DOT has already been to the site. There is an
20 individual, an engineer with DOT that approves all the school sites. Actually it's two
21 people now, two engineers. But they have been to the site already and have given to
22 us the recommendations, but we will have in the neighborhood of 1800' of road

1 frontage. The road that you see, evidently that's been alluded to, going into the Mungo
2 development, that is not for the school. That's an entrance going into the subdivision.

3 MR. VAN DINE: You're talking a different entrance? The entrance he's talking
4 about, Community Road through the commercial into the institution.

5 MR. BERRY: Well, I'm talking on Turkey Farm Road. We do have the right for
6 an access through Community Road, but that will be used probably for service. You
7 have to understand, until engineers and architects are brought on board, there is no site
8 development of that site at this time in terms of the facility. But we do have the right to
9 bring a road from Community Drive and we anticipate that that will be used for buses
10 and service entrance. We will try to bring vehicular type traffic in from the Turkey Farm
11 Road entrance. I just want to make certain that this Body understands DOT.

12 VICE-CHAIRMAN WYATT: Mr. Berry, Mr. Van Dine has a question.

13 MR. VAN DINE: Is this property already being purchased by District 2? You say
14 you've got people out looking at the entrances. You've got people laying out things. Is
15 this property already to be included as a school in the future development plan?

16 MR. BERRY: Yes, it is. In fact we've already acquired one of the parcels of this
17 property. It's being bought directly from the seller by the school district. And not
18 through any other entity.

19 MR. VAN DINE: Do you know if that – I hate to - you may not have an answer to
20 this. Do you know if the block that's being talked about is the block that you are talking
21 about purchasing? Because if that's the case it's going to take care of one of the
22 concerns they had, which shows the institutional will in fact the school.

1 MR. BERRY: The institutional will be the school. From what I see there in the
2 pink.

3 MR. VAN DINE: Yes, it's the pink area. That's your recollection of what the
4 purchase that you are going to make for school purposes?

5 MR. BERRY: That's absolutely correct.

6 MR. GOSLINE: This is the first we've heard in two months that the School Board
7 needs another entrance on Turkey Farm Road. Everything that's come before us and
8 come before County Council has been predicated on one entrance off Community
9 Drive, one entrance off of Turkey Farm Road. The fact that the schools, they may have
10 to have additional access points, but this needs to be evaluated in the PUD. And this is
11 news to us. So I'm not sure where we go from here. This is a significant issue. And in
12 PUDs, the county controls the development of the land. I want to say once they get on,
13 they get on the site and start building and all that, that's a different issue.

14 MR. DUNBAR: My site plan shows an access to Turkey Farm Road and access
15 through the commercial area. From what I understand there's two accesses required
16 and those are the two? Or am I missing something?

17 MR. GOSLINE: Mr. Berry is saying more, a third?

18 MR. BERRY: We'll have to have at least two on Turkey Farm Road. In other
19 words, the intent by DOT obviously is not to hold traffic up on Turkey Farm Road and
20 lock down the traffic on the road. So you have different entrances coming in and you try
21 to segment the traffic based on the kind of traffic. For example, you may try to separate
22 student traffic from teacher or staff traffic. You want to separate buses in another area.

1 So the goal would be to move traffic in and off Turkey Farm Road as quickly as possible
2 so it's not stacked up out there.

3 MR. VAN DINE: I think we're actually boxed in at this point in time. I hate to say
4 it, the property is going to be developed as a school. The two access points off of
5 Turkey Farm Road is a DOT state regulation, which we are going to have to
6 accommodate in order to have the school.

7 MR. GOSLINE: But Mr. Van Dine, that's not the issue. The issue is all this
8 property was presented as a PUD. Up until today, we've heard no discussion about the
9 school needing an additional entrance on to Turkey Farm Road. And as y'all know,
10 we've heard the traffic issue ad nauseum. This is a very significant change from
11 anything we've seen before. Not that it isn't justified, but, you know, this is - in any PUD
12 one of the things that's a major change in a PUD process, is a change of access points.
13 This certainly does it. So I'm not exactly sure what we do now.

14 VICE-CHAIRMAN WYATT: Mr. Berry, that's a high school that you're proposing
15 out there?

16 MR. BERRY: That is the – that's the intent would be for a high school, yes
17 ma'am. These are regulations of DOT and State Department of Education. The State
18 Department of Education is the chief building official for this state of all schools. Both of
19 these parties have been to the school site, and they have – we have talked with them as
20 we do with all schools. This is my specialty area. I buy schools all over the state and
21 this is the only type of real estate that I am involved with.

22 VICE-CHAIRMAN WYATT: We've got two, I believe at Spring Valley High
23 School and two, and three at Richland Northeast? Is that correct?

1 AUDIENCE MEMBER: Service entrance and access points? At Richland
2 Northeast you have four.

3 VICE-CHAIRMAN WYATT: You've got four – see the last time I went – and
4 you're saying Spring Valley I don't believe sits on this much property acreage wise.

5 AUDIENCE MEMBER: Spring Valley actually has, one, two, - they actually have
6 four at Spring Valley. At Ridgeview they have three as far as access points. Following
7 up to the –

8 VICE-CHAIRMAN WYATT: You are also including in that number the parking
9 area?

10 AUDIENCE MEMBER: Right, student access, both faculty and bus.

11 MR. BERRY: The intent for a high school site is always four accesses. That's
12 the ideal. You know, many times we can only get three, but four is the ideal of
13 effectively being able to move traffic on and off that campus, you know, a way to keep
14 traffic off the streets.

15 **TESTIMONY OF RICHARD INABINET:**

16 MR. INABINET: I'm Richard Inabinet Director of Planning for Richland School
17 District 2. The only point I'd like to make is that before a site plan will be developed for
18 the school, as Mr. Berry has mentioned, we've already have a [inaudible]. Already had
19 DOT out, we've gone through the due diligence on this site before we can purchase to
20 make sure we can provide appropriate access to the schools. They have looked at our
21 access points and said yes, official – initially the approval would be granted, provided
22 we'll need to do a site development plan in the future when we develop this school. It
23 will need to be submitted back to DOT and Schoolhouse Planning. Not only would we

1 need to provide the appropriate points – entrance for traffic, buses, etc., but also any
2 appropriate turning lanes and road improvements to insure that the traffic is addressed
3 appropriately on Turkey Farm. So I just wanted to clarify that with you.

4 MR. VAN DINE: It doesn't? This is a question for Legal. If this entire thing is
5 [inaudible] any modification has got to come back before this Body. With all due respect
6 to the school district, DOT, and everybody else, if this is being presented as a PUD,
7 under our rules and regulations, it's got to come back through this Body. Is that
8 correct?

9 MS. LINDER: Once it's received third reading approval, then any changes from
10 that, any deviation from that. Then at this point we have not, you know, we're in the
11 process of adopting an ordinance so the Planning Commission can make it's
12 recommendations. And then if you're making changes from what Council gave first and
13 second reading to then we would have to ask Council to amend their action on third
14 reading to reflect yours.

15 MR. VAN DINE: The school district, and because it's part of the PUD, has got to
16 come back before this Body on any road cuts, on any access points relative to this
17 project. Is that correct?

18 MS. LINDER: If you do not include those cuts at this point or Council does not
19 include the cuts at this point.

20 MR. VAN DINE: What's – at what stage are you relative to being able to
21 designate road cuts off of this?

22 MR. BERRY: As Mr. Inabinet has – Dr. Inabinet has stated, until engineering
23 and architectural services are secured the process is consistent, you know, all over this

1 state. Until those types of services are brought in to develop and to create a site plan,
2 it's only at that time that the true definition of where those ingress/egress points will be
3 will be established. They are then submitted back to DOT for their approval and/or
4 recommendations. We have to do de-acceleration lanes, turn lanes, all those kind of
5 issues. But all of that is looked at by the engineers at DOT and that's how we get final
6 approval for a building permit. The building permit comes from the state Office of
7 Education, Office of School Facility Planning.

8 MR. VAN DINE: And since you are apart of this project, at what stage do you
9 come back to the county to discuss those points with? I'm not - if you own a piece of
10 property out there that's a whole different scenario. But you're included as part of a
11 PUD. That's a whole different game that is played.

12 MR. BERRY: I understand your point there. It would be at such time as
13 engineers and architects are employed by the school district to develop that site. And
14 then once these points are established then that discussion will take place.

15 MR. DUNBAR: Seems to me like whether we deal with this issue today or
16 whether we don't, the school may or may not get built at some point. And if they do
17 they are going to put two access points on Turkey Farm Road.

18 VICE-CHAIRMAN WYATT: Minimum.

19 MR. DUNBAR: Right. Well it seems to me like if we're gong to deal with the
20 issue today we just need to approve it subject to their access points that they need.
21 Because they are going to go in regardless. If we pull this institutional section out of
22 the PUD they are going to go in and put whatever number they and DOT determine is
23 going to be needed. If we put it in the PUD they are going to do the same thing, but

1 they are going to come through us to get it approved. And we'll probably have to
2 approve it, because DOT has dictated it. So I don't see why we want to make a big deal
3 out of this. Looks like we – if they think they can live with two we can specify two if they
4 need up to three they got 1800 front feet on Turkey Farm Road it seems like they could
5 get two to three in. And certainly we're not the experts on whether they can or not.
6 Between them and DOT they ought to be able to figure that out without our help.

7 MR. BERRY: It would be our request that this Body defer to DOT in that they
8 actually, these engineers who make these final approvals to work with the school district
9 to determine these points. Not only where but the number, if it's two or three. And
10 obviously it would be one of those two.

11 MR. DUNBAR: Well that's what I would be comfortable and that's – certainly I
12 don't know how many it should take. And it's not going to be any more traffic because
13 of the two or three accesses. It's still going to be a certain number of trips in and out of
14 there in a day, whether it comes out of one, or two, or three. So it's not going to
15 increase or decrease traffic either. So I would say we ought to deal with that and
16 concur with DOT's recommendations, whatever those may be.

17 VICE-CHAIRMAN WYATT: Carl?

18 MR. GOSLINE: I think the issue here, for this part of it anyway is not how many
19 accesses or whatever. It's that everything to this point until today has been represented
20 two, and now we find out at the 11th and a half hour that it ought to be four. And this is a
21 huge change in the product, in the effects of the PUD. And we also find out today it's
22 going to be a high school. Well, high school is obviously a lot more traffic. All these
23 issues have come up at the last minute, and the school may be right and so on. But we

1 have, we believe that the county has - at least this ought to go back I guess to the
2 County Council or have some more discussions and iron all these things out. Have
3 another hearing or something so that the community is completely aware of the total
4 project. This is one of the things that they were worried about before is – it said 115
5 acres of institutional. Well, what does that mean? This is precisely the point that we're
6 trying to make about - and again with the commercial area is you can't just leave it wide
7 open, because anything could happen and radically change the offsite impact. That's
8 the big difference between a PUD.

9 VICE-CHAIRMAN WYATT: Carl when this came in front of us two months ago,
10 we had the discussion that this is a high school. The residents of Blythewood informed
11 you of that.

12 MR. GOSLINE: Well, I did not know that. I apologize if I missed that, but we
13 were – no body ever told us what kind of school it was going to be.

14 MR. DUNBAR: The fact is the school could go out there and develop that site
15 without us – without it coming through us to start with. It doesn't require our zoning, it
16 doesn't require anything. They are passed and inform us and they be able to send
17 somebody down to tell us what they are doing, that's nice. But they don't get our
18 [inaudible] get our approval. So I don't see why we should make a big issue of that
19 institutional site. As long as we know there's a school going on it, and we know that – I
20 mean, I don't see where it's got any issue. I would be comfortable taking it out of PUD
21 because it really doesn't mean anything anyway.

22 **TESTIMONY OF RON ANDERSON:**

1 MR. ANDERSON: Madam Chair, I have a point of clarification if I may. My
2 name is Ron Anderson, I'm a resident of Richland County. Our intent when we
3 developed the bubble map, was to show the principal points of ingress and egress to
4 the site. Those being points that would access multiple parcels on the site. The reason
5 we didn't show the driveways for the school is the same reason we don't show where
6 the driveways for the individual two acre lots along Turkey Farm Road that we talked
7 about are. Nor do we show the driveways for the commercial properties. And it's
8 because we don't know exactly where they are going to be. But - so we didn't get into
9 the level of detail of showing where every individual driveway was going to be. And we
10 considered the driveways onto the school property to be similar to the driveways in the
11 single-family properties and similar to the driveways onto the commercial properties.
12 And that was why we did that. So the points that are shown on the map that you are
13 looking at are actually the principal points of ingress and egress for circulation within the
14 site. They'll serve – those points will serve multiple parcels within the site.

15 MR. VAN DINE: Going beyond the specifics of the map here, a PUD is a much
16 more defined and concrete mechanism for planning. To do that you need more detailed
17 planning of what is going to be on the site and what is going to be there. And it is a
18 process that you go through to establish what your rights are under the PUD
19 designation. What we are being asked to do in certain respects is to, in essence, throw
20 out the entire procedure and process that PUDs go through and be – and so let's trust
21 everybody else. That's not what a PUD is designed to do. A PUD is designed to give
22 you the information to make your decision on. So I think when we talk about PUDs, we
23 need all be cognizant of what the purpose of a PUD is and why a PUD is there. I'm a lot

1 like Pat is on this particular one on the institutional. I don't have as much a problem
2 with the institutional aspect of it provided the procedures and the processes are
3 followed. Because the school does have certain state mandated requirements that they
4 have to do in order to get on and to get off of the property and to be able to provide
5 ambulatory, ambulance, fire, safety, whatever other mechanisms that are there. So as
6 far as the institutional aspect of it, they are going to get virtually what they want. But I
7 don't at the same time want to give up the process that requires them to meet the same
8 requirements as any other person who has a PUD out there, which would mean coming
9 back and notifying the Department, or getting the Department involved in those
10 processes to do so. I can't just turn it over to DOT and say yes go ahead and do
11 whatever DOT wants. That's something that has to be done based upon our statutes in
12 this county. And we ought to comply with those requirements. Personally, the
13 reductions, the buffering on the lot sizes. I think those are very good concessions. I
14 think that those fit with what we are going and it does make it [inaudible]. No, it's not
15 rural, it's not going to stay rural and yes I was quoted probably whatever the quote that
16 he said is, but the fact of the matter is, at some point in time things are going to happen
17 and we may have reached that balance point in those areas. The more concern I have
18 is with the commercial on the other end of the thing at this point as to what the
19 requirements are. And I think, and I would be in favor of going along with what the Staff
20 has recommended as far as the commercial aspect of that area and what is going on in
21 that area. And I think based upon all the things I've said, and I don't know if this is an
22 appropriate time but I would make a motion that we send this forward with a
23 recommendation of approval. And we not eliminate the need for the school district to

1 come back before the people under the – and they comply with the PUD requirements,
2 and that we adopt the conditions that are set forth on whatever pages they should be
3 numbered in the book that we have at this point, which I guess would be 23, 21, and 22
4 working backwards and forward. And that would be in the form of a motion and not an
5 amendment.

6 VICE-CHAIRMAN WYATT: Would you not like to modify that motion on page 22
7 number B, to say the access would be limited to one road and maybe put back in there
8 for the school district that the be based on South Carolina Department of Education and
9 DOT requirements?

10 MR. VAN DINE: I mean, I think that, yeah. I think that the access points have
11 got to be established by – through the state departments there that are mandating. So I
12 don't want to limit it to one entrance on each road. But at the same time, I do think that
13 those requirements do have to come back before Staff and the Planning Commission in
14 order to be reviewed and make sure everybody understands where those things are.

15 MR. DUNBAR: I got one question. I haven't heard any objections to the
16 conditions or the restricted uses in the commercial areas from the applicant. And if
17 there are none I'll second the motion.

18 VICE-CHAIRMAN WYATT: Put your hand up there, I'm sorry?

19 **TESTIMONY OF TOM MILLIKEN:**

20 MR. MILLIKEN: Tom Milliken, I'm representing the owners of the commercial
21 industrial property. Pat, would you repeat that please?

22 MR. DUNBAR: Well, there's discussion about the restrictions on the, what would
23 be C-3 and M-1. And I didn't hear any comment from you or the applicants and I

1 seconded the motion with the understanding that those conditions were acceptable to
2 the applicant since we didn't hear from the applicant.

3 MR. MILLIKEN: It's the first time that we've seen these recommendations. Staff
4 did not discuss them at all. Due respect to the Staff, they have not discussed this with
5 us at all. These A-F recommendations, on the final recommendations on page 22, Mr.
6 Gosline says that he thinks there have been some rather radical changes here today. I
7 consider these radical changes that weren't even presented to us at all, in any way
8 shape or form, never even been discussed with us. I mean, to put restrictions on a
9 piece of property where you have to have unified signage. Yeah if something well over
10 a 1000' of frontage on that five acres, that could easily be four or five tracts of parcels of
11 commercial development there. According to what they are suggesting we could only
12 perhaps have one sign there for all these individual parcels. I've never seen that.

13 MR. VAN DINE: With all due respect, unified does not mean one sign it means
14 that you have a plan that is in place. So let's try and keep in to reality when we make
15 our comments please.

16 MR. DUNBAR: They may not understand what that is.

17 MR. PALMER: I took it to mean the same thing. I took it to mean unified as one.

18 MR. DUNBAR: I want to withdraw my second in that the applicant doesn't know
19 what the restrictions are. Hasn't, I don't necessarily think that they have to concur with
20 all the restrictions we put on them. I'm not saying that, but if they haven't been notified
21 and we don't have any – haven't had any discussion on it I think we need to have that
22 discussion before we vote on it.

1 VICE-CHAIRMAN WYATT: I've got a question for the Legal Department.
2 According to the material that was handed out, Council has given this a second reading
3 and they are tentatively looking to give it a third reading tomorrow night?

4 MS. LINDER: That is correct.

5 VICE-CHAIRMAN WYATT: Without any recommendation from us being their
6 packages or anything else? I mean, their agenda for tomorrow night is set.

7 MS. LINDER: It's tentatively set. It's on the agenda now. Your recommendation
8 that is coming forth today, if there is one, will be reported out to them at tomorrow nights
9 meeting.

10 MR. DUNBAR: I have another question. Maybe this is on me, but on the earlier
11 times that this came to us and we recommended it not be approved, the Staff was in
12 support of the application I think.

13 MR. GOSLINE: Correct.

14 MR. DUNBAR: Did you have these restrictions in those earlier versions?

15 MR. GOSLINE: We made the argument that we thought it should be. When you
16 all went against the second – the Council, I wasn't at the Council meeting, but I don't
17 guess they talked about it. Let me, for the Record, we sent a copy of this memo to the
18 applicant, The Mungo Company. They got it Wednesday or Thursday. the fact that
19 Edens and Avant didn't get until today is –

20 MR. DUNBAR: Is somebody from The Mungo Company here?

21 VICE-CHAIRMAN WYATT: Yeah, Mr. Lehman is here.

22 MR. GOSLINE: I will say, Greg and I discussed this Wednesday or Thursday of
23 last week. He brought up a lot of the same points about why we were eliminating. I

1 don't know - I tried to explain our point of view. And so, and explained to them that we
2 would certainly give you the list that they have and let y'all decide what you want to do
3 about it.

4 MR. MILLIKEN: Madam Chair? Y'all have the list in front of you of the C-1 and
5 C-3 excuse me, C-3 and M-1 uses. We, we went to a lot of effort to go through those
6 lists and try and exclude anything that we thought would be controversial to the Staff, to
7 the Planning Commission, to Council. We have no interest in having any of those kind
8 of uses on this property anyway. Council has seen those exclusions and has approved
9 them twice. So to come in and see somebody further restrict the properties, I'm just not
10 familiar with that having been done. Maybe it has, and I'm not familiar with it. We
11 thought we've been quite reasonable and let me add that I don't want to do anything
12 today that's going to cause this to have to come back for us to make another
13 appearance. I'd rather see all those - I've had my say, and if I don't - we're not
14 interested in deferring this over these issues, I'd just rather have the Planning
15 Commission vote on it and as to whether - we would request that it be voted on without
16 these recommendations, as opposed to these recommendations.

17 VICE-CHAIRMAN WYATT: I'd like to make sure that this is added on the
18 Record, that you do understand, even though you've put it in parenthesis by special
19 exception only, under the PUD, there will be no special exception on any of this? Do
20 you understand that?

21 MR. MILLIKEN: Yes, ma'am.

22 MR. VAN DINE: I want to withdraw and restate my motion if I could. I want to
23 send this forward with recommendation of approval, subject to meeting all of the

1 requirements and all of this that we've talked about with procedure. People have got to
2 come back through for changes to any designation. And as far as – and the inclusion of
3 those 50' buffer and the other requirements. B – on the recommendations would be
4 modified. The rest of the recommendations I think should be applied. As far as the
5 commercial uses, I'm not sure I object to any of the things that are on those M-1 or C-3
6 in those areas with two exceptions, and that is the residential portion of the C-3. I don't
7 think that we ought to be having residential basically on either side. And I would
8 eliminate those from the C-3 list and the M-1 list that is being requested by the
9 applicant. And also that the language "by special exception only" be eliminated from
10 that list. Those excluded items would be excluded from any possible use in those
11 areas. And that would be the restated motion.

12 VICE-CHAIRMAN WYATT: I have a further question that - when you're telling
13 me that you've not seen these. I've got three of you standing there ones going this way,
14 and ones going this way. The recommendations have been to limit also the square
15 footage in those commercial areas.

16 MR. MILLIKEN: We saw that. Since we have nothing planned, that's awful hard
17 for us to sit here and agree to a limitation when we don't know exactly what's going to
18 go there. Once we have our zoning then we will certainly get a master plan. I just – I'm
19 not familiar with this having been done under the previous zoning case. Maybe it has.

20 MR. PALMER: That's really one of the fundamental problems I have here is that
21 these people have gone and made some concessions with the buffers and this and that.
22 And we've never seen these recommendations before from Staff. And now we're at the
23 11th not the 11 and a half hour, we get these and it's like, almost like okay these guys

1 have made some concessions now let's see what else we can add to it. I mean, where
2 did these square footages come from? Is it just something you pulled out of the air?

3 MR. GOSLINE: No, sir. The – we have, on every PUD that we've done, we've
4 made suggestions about the limitations of the square footage of various kinds of uses.
5 We have – we did that in the Richardson Industrial Park. The square footage limitations
6 that you see here are calculated by the real usable land. The square footage of gross
7 leasible area that you can typically physically get on that much property. We did not just
8 pull them out of wherever. We calculated it by industrial – generally accepted measures
9 for industrial parks, commercial areas, and so on.

10 MR. PALMER: If that's the only amount of square footage that is going to be
11 physically allowed on that property, why do you need to spell it out then? Why do you
12 need to say that you are only allowed that much?

13 MR. GOSLINE: Because we believe that the PUD process you need to limit,
14 make limitations on its square footage and uses. The reason for that is it, that's what
15 determines traffic generation, water and sewer, offsite impacts is the amount of square
16 footage and the type of use. So we believe that the PUD process, exactly what the
17 PUD process is intended to do. On one hand it lets you be very flexible on what –
18 mixing of uses but you need to have, you need to know what the offsite impacts are
19 going to be from that project. And the only way you can do that is to limit the types and
20 amounts of the uses at some reasonable factor. These are based on, you know -

21 MR. PALMER: Why were these not in either of our two previous discussions
22 before this?

1 MR. GOSLINE: They weren't in there because we made the arguments first time
2 through that we thought they should be. Y'all ended up just turning it down, and so
3 once it gets turned down we are obligated to put forward that recommendation. And so
4 we don't get – we can't go make a different argument before the County Council. We're
5 obligated to argue y'all's point of view when it goes back to the County Council.

6 MR. PALMER: So this is something that you just argued verbally to us, I may
7 have just missed it in our package? I've just never seen that anywhere in writing in any
8 of our packages.

9 MR. GOSLINE: I'm sorry, what was the question?

10 MR. PALMER: I may have just missed it, but I've just never seen these
11 recommendations in writing in any of our packages.

12 MR. GOSLINE: You did not –

13 MR. PALMER: I did not see any of these recommendations on page 22 in any of
14 pervious packages.

15 VICE-CHAIRMAN WYATT: We were looking at different zoning at one time too,
16 Mr. Palmer. You wouldn't have seen them.

17 MR. PALMER: Carl is telling me that he just made the recommendations to us.

18 MR. GOSLINE: Mr. Palmer, let me make sure that everybody understands what
19 I'm trying to say here. Maybe I'm not doing it very well here. But we all, in every PUD,
20 most of the PUD that we've got are residential, so you don't see anything. But in a
21 [inaudible] PUD we've made a recommendation on the amount of commercial at that
22 corner.

1 MR. PALMER: I understand Carl, I'm talking about the specific, these specific
2 recommendations.

3 MR. GOSLINE: We tried to get that information into your first round of
4 discussion, but it did not get in there, you all recommended denial of the project. So
5 that cut that off. And it went forward with the reasons that you gave for denial.

6 VICE-CHAIRMAN WYATT: Did you have something else you want to add?

7 **TESTIMONY OF GREG LEHMAN:**

8 MR. LEHMAN: Yes, ma'am if I could. My name is Greg Lehman. I'm the land
9 development coordinator with The Mungo Company. And just to kind of set the – set a
10 timeframe here. We were last in front of you all on February the 2nd. And at that time
11 you all voted to, to deny approval. And from that point, we decided to make some
12 changes before we went on to County Council. And that's why we're back here. Those
13 changes from your all's concerns and the concerns of the community. At that time Staff
14 put together their recommendations basically to go to County Council. And I have their
15 document here which I received. No where in this document does it mention anything
16 other than the fact that it says there were concerns about the amounts and types of
17 development in the commercial area along Community Drive. That's not very specific.
18 But from that point Mr. Milliken, from Edens and Avants, worked with the owners of that
19 commercial property and they came back to County Council with the list of types of
20 commercial property and light industrial that we would allow and those that we would
21 not. Never has it been mentioned to me anything about limiting square footage or any
22 of these other items. This past Thursday I received this in the mail basically which is
23 the agenda for this meeting and the recommendations from Staff. And the bottom

1 paragraph on page 23 states, "the limitations should be expressed in terms of dwellings
2 units per acre and/or square footage for non-residential uses. The latter situation is
3 best accomplished using floor area ratios and impervious service ratios as was the case
4 in Richardson Industrial Park on Monticello Road." I've never heard of Richardson
5 Industrial Park until this point in time, which was Thursday. Thursday I tried to contact
6 Staff and could not. And I faxed John Hicks a fax with this page, with my concerns.
7 Friday I heard from Carl, excuse me, Friday I heard from Staff and basically we left it
8 unresolved because there was nothing we could do at that point in time. I – we don't
9 have a problem working with the Planning Commission, working with Staff. But when
10 you raise the bar at the Planning Commission meeting it makes it a little bit difficult for
11 us to do anything. And actually I was surprised when, you know, it was stated that we
12 hadn't received this or we received this or maybe they hadn't. Mr. Milliken has some
13 things that I wasn't even aware of. So all I can say is that we're willing to try and work
14 with y'all, but I don't think, you know, these changes at the last minute and
15 recommendations made like this are in the best interest of either party.

16 MR. VAN DINE: Madam Chairman if I could say something? The process that
17 goes forward, if something is sent forward to County Council it will not be changed from
18 what the recommendations from this Body is. So your idea that something had to
19 change between going from us to County Council, it cannot change. There cannot be a
20 change of what our recommendations are and what their recommendations are based
21 upon what they have done at this level. If the County Council and you wish to modify
22 and the County Council wishes to modify that is their prerogative. Staff does not send
23 anything forward different from what we did, because they can't do it. We have made a

1 recommendation and that document is what must be voted on or passed up to County
2 Council. Secondly, the fact that you got those on Thursday is the same process that
3 goes through every single month on every one of these changes that we do up here.
4 There is a set of recommendations that is attached. And those recommendations are
5 what we are presented with at this meeting to deal with. If you don't like the
6 recommendations then this is the place to discuss the fact that you don't like the
7 recommendations. This is where the decisions get made to pass it on up or not to pass
8 it on up. This document is what we have to deal from. And it is passed on to the
9 applicant at some point in time for them to deal with. So I understand the frustration
10 that sometimes comes down and says that we don't get these perhaps in enough time
11 to deal with those particular issues. And I certainly understand your concerns with the
12 limitations on those particular provisions. We saw this for the first time last week as
13 well. And this is what we are – this is what we have to base our decision on. Now I
14 think, my personal belief is the limitations are there until such time as a decision is
15 made as to what is actually going to be done with that thing and then the PUD is then
16 modified if the floor space needs to be increased. Or frankly County Council has the
17 option and the ability to eliminate any of those particular provisions from this document
18 if that is what is the, the approach that needs to be taken. I mean, I think that they are
19 the ones that would have the better ability to deal with those particular issues.

20 MS. LINDER: Madam Chairman, I would like to request an Executive Session
21 for the purpose of dispensing legal advice.

22 VICE-CHAIRMAN WYATT: Thank you. At this time we will adjourn for an
23 Executive Session.

1 *[EXECUTIVE SESSION]*

2 VICE-CHAIRMAN WYATT: Ms. Linder?

3 MS. LINDER: The Planning Commission went into Executive Session to receive
4 legal advice and no action was taken.

5 VICE-CHAIRMAN WYATT: At this time I believe that we have motion on the
6 floor. Mr. Van Dine would you please repeat your motion?

7 MR. VAN DINE: My motion was to send it forward with a recommendation of
8 approval, subject to the condition of the minimum buffers, the reduced density, the
9 inclusion of the uses in that commercial portion being the list provided by the developer,
10 minus the residential portion and any notation to special exception requirements. But
11 subject to all of the requirements from the memo that we received in our package on
12 pages 23, 21, and 22.

13 VICE-CHAIRMAN WYATT: With the exception of Item No. D.

14 MR. VAN DINE: Correct.

15 VICE-CHAIRMAN WYATT: Which I believe you've amended to -

16 MR. VAN DINE: Correct.

17 VICE-CHAIRMAN WYATT: For this South Carolina requirement. Is there a
18 second?

19 MR. VAN DINE: Based on the lack of a second, I will withdraw my motion.

20 MR. DUNBAR: I have a substitute motion, Madam Chairman. To send it to
21 County Council with the recommendation that the applicant's changes be included,
22 including the buffers, the reduced density, the list of uses, excluding in the C-3 portion
23 of the residential, I believe that was in [inaudible], and the special exceptions in Item 21

1 and 22, and the special exceptions listed in the M-1 section on the second page of their
2 - and the residential on the M-1 as well. And that would exclude the recommendations
3 on page 22 of the Staff recommendations.

4 MR. PALMER: Second.

5 VICE-CHAIRMAN WYATT: Would you like to amend that to include the Item No.
6 D in regards to the access ports required by the schools?

7 MR. VAN DINE: He's not including any of those recommendations.

8 MR. DUNBAR: I'm not including all of those.

9 VICE-CHAIRMAN WYATT: Okay.

10 MR. PALMER: Second.

11 VICE-CHAIRMAN WYATT: Okay, we have a motion on the floor. Is there a
12 second?

13 MR. VAN DINE: Pat seconded it.

14 MR. DUNBAR: I call the question.

15 VICE-CHAIRMAN WYATT: Call for the question. All those in favor please
16 signify by raising your hand. All those opposed?

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

19 VICE-CHAIRMAN WYATT: Motion is passed. Thank you, would someone let
20 Mr. Green know that he can have his chair back.

21 CHAIRMAN GREEN: We now move into the subdivision review portion of the
22 Planning Commission meeting. The first up is SD-03-79 St. Andrews Place.

23 **CASE SD-04-68:**

1 MR. GOSLINE: Mr. Chairman, Members, this is continuation of the PUD
2 rezoning that was done two years – about a year ago on Nunamaker Drive. This is
3 second and third phases of St. Andrews Place. Phase 1 is virtually complete. Staff
4 recommends approval subject to the conditions.

5 MR. VAN DINE: Can I ask a question? Why are we talking SD-03-79?
6 Everything seems to be SD-04-[inaudible].

7 MR. GOSLINE: The project started out, Phase 1 was 03-71 and Phase 2 & 3 is
8 04-68.

9 MR. VAN DINE: So it's in our package on page 25 as 68 not 79?

10 MR. GOSLINE: Correct.

11 CHAIRMAN GREEN: So the agenda? It's in correct?

12 MR. GOSLINE: Correct.

13 CHAIRMAN GREEN: Okay. Thank you. Thank you, Mr. Van Dine. Any
14 questions, further questions of Staff?

15 MS. LUCIUS: I don't have mine, I have [inaudible]. Is that – are there two
16 entrances? I see the one on Young Drive and – he's added another entrance, hasn't
17 he?

18 MR. GOSLINE: The two entrances, Bickly? This is the way the PUD was laid
19 out.

20 MS. LUCIUS: Uh-huh (affirmative). Has anything been said about, I don't want
21 to use the word improve, because that usually mean widen the road, which I'm not
22 looking for, that doesn't usually benefit anybody. But Young Drive, you know, you go

1 around that little hairpin turn. It's about big enough for one car. Is anything going to be
2 done about that?

3 MR. GOSLINE: No.

4 MS. LUCIUS: No. How did I know that was going to be your answer? That's my
5 only concern. But I do want to add that Mr. South has done a beautiful job of the homes
6 he's built in Phase 1 on Nunamaker. So I'm not against this project. I'm just really
7 concerned about [inaudible].

8 MR. FURGESS: Carl if you put that, if you put homes there and that's going to
9 be the main artery, Young Drive, for cars to exit, to leave that community, how about
10 emergency vehicles and stuff?

11 MR. GOSLINE: I'm sorry, what's the question?

12 MR. FURGESS: Since Young Drive is the only – one of the points where people
13 can exit from that community.

14 MR. GOSLINE: At the light and out to Broad River.

15 MR. FURGESS: Since that street is narrow, you know, where it's located. How
16 about emergency vehicles when there is more than one car on that road at a time?

17 MR. GOSLINE: That road is [inaudible] existence – it's been there forever. Of
18 course, this is going to add some traffic to it. I don't know how they get in there now. I
19 mean, I don't know how a fire truck would make the turn. They come out Nunamaker I
20 guess to get back into the community.

21 MS. LUCIUS: That's just my only concern. I've always been concerned about
22 Young Drive. I remember us talking about it a year ago. Other than that, you know,
23 the design I don't have a problem with.

1 CHAIRMAN GREEN: Any motion from the floor?

2 MS. WYATT: Move to approve.

3 CHAIRMAN GREEN: Subject to Staff recommendations?

4 MS. WYATT: Right.

5 CHAIRMAN GREEN: I have a motion is there a second?

6 MR. DUNBAR: Second.

7 CHAIRMAN GREEN: A motion and a second. Any further discussion on the
8 motion? Those in favor of approving SD-04-68 signify by raising your hand? Opposed?
9 *[Approved: Palmer, Furgess, Jackson, Green, Wyatt, Dunbar; Opposed: Lucius, Van*
10 *Dine; Absent: McBride]*

11 MS. LUCIUS: Like I say, I'm not against the project. I just really – I have to vote
12 against it on principle because of that access problem.

13 CHAIRMAN GREEN: The motion passes. Next on our agenda is SD-04-209.

14 **CASE SD-04-209:**

15 MS. WYATT: Mr. Chair I move to approve subject to Staff recommendations.

16 MR. JACKSON: I'll second.

17 CHAIRMAN GREEN: Motion and a second to approve, subject to Staff
18 recommendations on page 39 of our Planning Commission report. Discussion? All
19 those in favor of sending – of approving this subdivision please raise your hand?
20 Opposed?

21 *[Approved: Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar; Not voting: Palmer,*
22 *Furgess]*

1 CHAIRMAN GREEN: The motion passes. Next on our agenda is SD-04-152A,
2 Milford Park, Phases 5 & 6.

3 **CASE SD-04-152A:**

4 MR. GOSLINE: Staff recommends approval of this continuation of the Milford
5 Park Development.

6 MS. WYATT: Move to approve, Mr. Chair, subject to conditions on page 48.

7 MR. DUNBAR: Second.

8 CHAIRMAN GREEN: And 49?

9 MS. WYATT: And 49, excuse me.

10 CHAIRMAN GREEN: There's a motion for approval and a second, any
11 discussion? All those in favor of the approval please raise your hand? Opposed?

12 *[Approved: Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar, Palmer, Furgess;*

13 *Absent: McBride]*

14 CHAIRMAN GREEN: Motion passes. Next on our agenda is SD-04-152B,
15 Milford Park, Phases 7 & 8.

16 **CASE SD-04-152B:**

17 MR. GOSLINE: Staff recommends approval.

18 MR. VAN DINE: So moved.

19 MR. DUNBAR: Second.

20 CHAIRMAN GREEN: A motion and a second, and I assume subject to
21 conditions on page 58 and 59 of the Staff report?

22 MR. VAN DINE: That'll be correct.

1 CHAIRMAN GREEN: Any discussion? Those in favor of approval please raise
2 your hand? All opposed?

3 *[Approved: Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar, Palmer, Furgess;*

4 *Absent: McBride]*

5 CHAIRMAN GREEN: Approved. Next is SD-04-213, Ascot Estates Phase 5 & 6.

6 **CASE SD-04-213:**

7 MR. GOSLINE: Staff recommends approval of this project as well Mr. Chairman.

8 MR. VAN DINE: Move for approval, subject to conditions on 70 and 71.

9 MS. WYATT: Second.

10 CHAIRMAN GREEN: Moved and seconded, any discussion? All those in favor
11 of approval please raise your hand? Opposed?

12 *[Approved Lucius, Jackson, Green, Wyatt, Van Dine, Dunbar, Palmer, Furgess;*

13 *Absent: McBride]*

14 CHAIRMAN GREEN: That should end the subdivision review portion of our
15 meeting. We now move to new business under zoning map amendments. The first is
16 04-42 MA.

17 **CASE 04-42 MA:**

18 MR. GOSLINE: Mr. Chairman, remember this is a project that is located at the
19 southeast corner, roughly, of I-77 and Wilson Boulevard. This came before you a
20 couple months ago. It is a hundred and some acres. The applicant has chosen to
21 divide the property and disconnect the Phase 1 of the – this property is across, roughly
22 across Wilson Boulevard from the Turkey Farm project we discussed earlier. Once
23 again this is, this is a PUD that is primarily – has commercial and some light industrial.

1 Staff recommends it be changed subject to the conditions that we've outlined on pages
2 82, 83, and 84. These are pretty much standard conditions. We'd be glad to answer
3 any questions you may have about this.

4 MR. VAN DINE: Which is the portion that you modifying out?

5 MR. GOSLINE: Excuse me?

6 MR. VAN DINE: You said it was originally 100 acres and now it's –

7 MR. GOSLINE: They are just phasing it, phasing it, coming in with the southern
8 60 or so acres of this piece at the interchange.

9 MR. VAN DINE: Is this the RU or is the D-1 on our map on 87?

10 MR. GOSLINE: What's the question, I'm sorry?

11 MR. VAN DINE: The hash lines –

12 MR. GOSLINE: It's all RU.

13 MR. VAN DINE: Alright, but there was some D-1 that has hash lines through it
14 also?

15 MR. GOSLINE: This tract [inaudible] is all in the RU portion.

16 MR. VAN DINE: Eliminate that D-1 section.

17 MR. GOSLINE: Yeah, the maps – this – the map that you see on page 87 is
18 their entire ownership. Particularly the part up right now is the southern third or so of
19 the project, half the project.

20 CHAIRMAN GREEN: Mr. Fuller.

21 **TESTIMONY OF ROBERT FULLER:**

22 MR. FULLER: Mr. Chairman, members of the Commission, I am Robert Fuller. I
23 am an attorney here in Columbia, representing Columbia Land Associates, the owner of

1 this property for the past 17 years. There is some confusion in the packet regarding the
2 outline, and the shape, and the area of the property that is subject to this request. The
3 PUD request is simply for 60 almost 61 acres of a 143 acre tract of property in the same
4 ownership. The – some of the diagrams that you have reprinted in your packet indicate
5 the notation site and refer, apparently, to the entire 143 acre parcel. The selection and
6 the location of the site designation on some of those enclosures you have may be
7 unfortunate because the only portion of the property that is subject to the PUD is at the
8 southeastern end of the 143 acre tract. The area that I have marked in yellow and in a
9 sort of orange color there are two areas of the PUD outline itself. The larger unit is
10 designated for what we have characterized as the industrial or business park area. The
11 smaller 16 plus acres portion at the intersection of Martha Ann Road and U.S. 21 is a
12 commercial section that has been designated for the property with identification of the
13 uses that have been selected from basically the C-3 inventory out of the ordinance.
14 And the industrial provisions for the larger, yellow portion of the PUD selected out of the
15 menu from the ordinance provisions that presently deal with light industrial uses. There
16 is no intention that the two areas of this PUD design be connected directly from one to
17 the other. For instance, there is some neighborhood concern that the persons on the
18 Martha Ann Road section of the adjacent properties that the property adjacent or
19 nearest to them not be of a larger caliber of distribution centers or terminals that could
20 otherwise be on portions of the property that are designated in the larger area closer to
21 the interstate highway. I would remind the Planning Commission Members that this is a
22 property that was before the Commission, approximately two or three years ago at a
23 time when there was an attempt to get the entirety of the acreage zoned to M-1 for

1 development of industrial park purposes. And that was turned down by Council. At that
2 time there was Staff indication that a PDD or a PUD would be a more appropriate or
3 more – a better design for the property. The owners have taken that to heart, gone
4 back to the consideration process and this proposal does fit with the Comprehensive
5 Land Plan, the sub-area plan. It is in accord with the principles of development for the
6 interstate highway interchange. It is presently zoned rural, which inconsistent with all of
7 the sub-area plan and mapping provisions of Richland County at the present time.
8 There are some recommendations indicated in your packet. I don't know the page
9 numbers that you are dealing with, but the PUD conditions shown on A through O in the
10 PUD conditions that are in the packet, whatever your page number is.

11 CHAIRMAN GREEN: Page 83 for reference.

12 MR. FULLER: 83. They are Staff recommendations, which are drawn off of the
13 application plan. I would call to your attention there is some slight variance in Item A on
14 the proposal from the developer. The 670,000 square feet of area in the light industrial
15 is slightly less than is proposed on the application. There is in Item I a notation for the
16 maintenance of a 25' wide landscape buffer on the property boundaries. We had
17 proposed a 50' buffer against the properties along Martha Ann for a considerable run of
18 that stretch because they were close to residential development. And then the balance
19 of the property, a 20' buffer and access to the sight limited to two intersections on
20 Wilson and one at the intersection of Martha Ann. The sight design that is proposed by
21 the developer does have three entry points on Wilson Boulevard. And I think that my
22 time is out.

1 CHAIRMAN GREEN: Any questions for the applicant? I would have one, and I
2 noticed in the PUD document that it says total open area of 23.9 acres, which is 39% of
3 the acreage. Is that dedicated open space or is that just the area of not – it's not to be
4 covered by impervious surface?

5 MR. FULLER: It is, it would be a combination of the two, Mr. Green. A portion of
6 it is there is a low point and a detention area that would be maintained as a, as a green
7 space on the front of the property near the larger road entrance off of Wilson Boulevard
8 in the middle of the property if you're looking at a copy of the site diagram. There is
9 some acreage in there that is, that is essentially low-lying and unsuitable for
10 development that would be cleaned up and maintained in open space. And then the
11 balance of that acreage would be within parcels on the property, but maintaining some
12 open area within the configuration of the property.

13 CHAIRMAN GREEN: So it's not dedicated open space?

14 MR. FULLER: Not entirely. There will be a community design plan with
15 restrictive covenants, and there will be some common area among the users and within
16 the development framework. But it is not, there is not a large park area for instance in
17 there. There is no residential plan in either section of this PUD.

18 CHAIRMAN GREEN: Signed up to speak, I have Leon Babridge.

19 **TESTIMONY OF LEON BABRIDGE:**

20 MR. BABRIDGE: My name is Leon Babridge. I live at 1101 Martha Ann Road. I
21 have occupied that dwelling for 44 years. I come here to speak against it, because in
22 fact first of all this plan has not been circulated to the neighborhood. I don't know
23 whether it's a requirement, but before we did have some advance warning of it.

1 Secondly as a neighbor to this property and my property abutting their property on the –
2 from my property, north line, from theirs the south line continuously, I have some
3 concern that what is the inclusion and exclusion of the out parcel areas that's sided
4 Wilson Boulevard. Secondly we have a lot of concern with the entrance, the
5 egress/ingress from the Martha Ann Road. Because in fact that road is a farm to
6 market road and it's in fairly poor condition now, and there's a bend. We really have
7 had a large increase in traffic with the building of Bose and the other industries off of
8 555. We have a large concern, I have a large concern, and I am sure that my
9 community club would have the same thing. I think that the count looking at the
10 information in this document seems to be off. And it should be reworked and, of course,
11 reflect today's activity on that road. As Mr. Fuller said, looking at the photos, it is very
12 misleading because in fact it points to one site being developed right off of 77 and
13 another site being developed down about middle-ways of the 143 acres. It was our
14 understanding that when it was brought before Council last time that the 143 acres
15 would be developed, but it would have a plan very similar to the 60 acres. And I, as a
16 member of the Killian Community Club and property bordering this property, would
17 recommend to Council that this document be sent back to the Community Club so that it
18 – you can get its input from it. Thank you.

19 CHAIRMAN GREEN: Thank you, sir. I'm not sure I can read the last name,
20 Glen Didyoung.

21 **TESTIMONY OF GLEN DIDYOUNG:**

22 MR. DIDYOUNG: Good afternoon again, it's just later. I'm concerned about the
23 domino effect. 260 Turkey Farm Road, right across from Martha Ann Road practically

1 and yes Martha Ann Road is a road very much like Turkey Farm Road. Where does it
2 end? Do we just keep taking these roads and building them out? We would like to
3 maintain some sort of rural affect in our neighborhood. There's also something else on
4 the agenda coming later, which abuts right up to the other end. So there's three of
5 them. We've got to look at these all together. I think what's happening is that there isn't
6 a mechanism to look at three or four of these rezoning requests together to say, well
7 okay one is not going to be that big an impact, maybe two isn't, but three will, four will,
8 and the domino effect doesn't end until the last domino falls. Thank you.

9 CHAIRMAN GREEN: Thank you. Janice Davis.

10 **TESTIMONY OF JANICE DAVIS:**

11 MS. DAVIS: I'm Janice Davis on Swaggert Road again. I also didn't hear about
12 this until last night, about this and the other development, which kind of concerns me.
13 He talked about the road farm to market. I don't know about Martha Ann, but Turkey
14 Farm Road is kind of short road, but we are having all this development come in, once
15 again, like I said the last time, there has been no planning. We're just going to have a
16 lot of problems. If this is a PUD, and I've heard how wonderful PUDs are because it
17 restricts, they have to come back to the Planning Commission, and I guess today I saw
18 how well PUDs work. I'm sorry, but PUDs work really well, because before there can be
19 change it has to come before the Planning Commission and as we've seen with the one
20 with Turkey Farm Road, there was going to be two entrances for this school, and now
21 there's going to be three. Where does it stop? I also – I mean, those are just kind of
22 our concerns. It's just going to keep going and going and going. I don't feel that

1 anyone is listening. People that bought the property in that area, does that not count for
2 anything? I don't think. Thank you.

3 CHAIRMAN GREEN: That's all we have signed up speak on this particular
4 application. I will invite comments and thoughts from the Planning Commission.

5 MR. VAN DINE: Can I ask you a couple of questions? The road study, when
6 you come with 0.74. Is that inclusive or exclusive of Turkey Farm or this portion of it?

7 MR. GOSLINE: The traffic?

8 MR. VAN DINE: Yeah, 79.

9 MR. GOSLINE: That does not include the Turkey Farm project. That's on page
10 80 – no, that does not include Turkey Farm project. On page 80, third paragraph it talks
11 about what this project would be at total build-out based on traffic study that the
12 applicant had done a few years ago for the bigger project. So what we're trying to do
13 there is give you some frame of reference. But it does not include - traffic impact on this
14 project does not include that generation and Turkey Farm project.

15 MR. VAN DINE: And the PUD request is being made only as to that smaller
16 portion? It isn't as to that entire amount?

17 MR. GOSLINE: Right.

18 MR. VAN DINE: The additional trips of 21,000 that you talked about for Phase
19 2?

20 MR. GOSLINE: That would be both Phase 1 & 2. And this, this applicant -

21 MR. VAN DINE: [inaudible] 25,800 is the whole phase out.

22 MR. GOSLINE: Correct.

1 MR. VAN DINE: Plus Turkey Farm. So if it's all built out it will well exceed the
2 capacity of that road?

3 MR. GOSLINE: Well, yes but at this point, you have the – it's a four lane divided
4 road to just about where this project starts and then it goes down to two lanes. So it's,
5 it's a little difficult to calculate the – I mean, it's easy enough to calculate the traffic, but
6 the capacity is a different issue because the road changes, radically changes [inaudible]
7 right at the edge of the property.

8 CHAIRMAN GREEN: Is your analysis done off of a two lane road or a four lane
9 road?

10 MR. GOSLINE: We assumed and Wilber-Smith assumed that 70% or 80% of
11 traffic drove to the interchange. So we're really giving the benefit of the doubt.

12 MR. VAN DINE: Your classification is a four lane divided collector, right? So
13 your study was based off of a four lane road.

14 MR. GOSLINE: Correct.

15 MR. VAN DINE: The document that was also provided as part of the application.
16 It has a section descriptions and uses and all the other rest of the stuff on it. Aren't
17 there portions on it, in one mark it talks about it buffer yard substitutions and it seems to
18 provide authority to make modifications to those to the Zoning Administrator.

19 MR. GOSLINE: Right. This is one of the things we look for in the "Deed
20 restrictions" that their PUD ordinance requires them to submit a draft, basically deed
21 restrictions document. So what we do is we go through there and look specifically for
22 those requirements that are not clear about the County's authority in terms of building
23 permits, variances, and that sort of thing. And we did that also with Turkey Farm.

1 We've done that regularly for the last year or so. Just to put the applicants on notice
2 they need to change, clarify those provisions so we don't have an issue. And this came
3 about primarily because about a year and a half or two ago we had a PUD that had
4 language in it and they thought that they had to [inaudible] authority to make variances
5 to do so. So we're very – we're watching for this very carefully.

6 MR. VAN DINE: It's my understanding in your provisions it references the
7 Zoning Administrator versus who would have done it normally?

8 MR. GOSLINE: I'm sorry?

9 MR. VAN DINE: I mean, this document that you have provided seems to indicate
10 that the Zoning Administrator would have authority to make substitutions on the buffer
11 yard. That's the only place that I find it. As I'm sure there are other places in here. My
12 question to you is, under a normal process it would have been some other body or
13 entity, or is that rule on any [inaudible]?

14 MR. GOSLINE: I'm still not sure I understand the question.

15 MR. VAN DINE: It says, "structures where required may be substituted with
16 approval of the Zoning Administrator". Who has that authority absent that language?

17 MR. GOSLINE: I see what you're saying. In the PUD ordinance, it says unless
18 given authority in a specific ordinance adopting each project, just about everything has
19 to go back to the County Council. So what we've done for the last two years is try to
20 specify a tiering that can occur on the property. Minor changes are Staff, which is
21 things – some certain things have to come back to you and then major things should go
22 before the Council. So that these, these; A. relative area, B through F are actually are
23 standard boilerplate language that we put in all the PUDs and it has that in Turkey Farm

1 PUD, for example, just to be very clear about who has the authority to make the change
2 to the PUD.

3 MR. VAN DINE: I just want to make sure that everybody reads this and we
4 understand that we're not just looking at what's in our packet. We have to understand
5 language that is being used in these documents that are submitted as well. That they
6 form the basis of what the PUD requirements will be. So this is the first time that I think
7 I've seen this in a long time on a PUD application. And I think that documents like this
8 are important to us to see for our debate.

9 MR. GOSLINE: Well most of the one – most of the deed restriction type
10 documents that you've gotten have had to deal with residential. In the Turkey Farm
11 PUD it was only the residential portion that had the deed restrictions, design standards,
12 and [inaudible]. We made some comments about the changes to the applicant in that
13 regard. But I think that's what you're saying earlier, I think it's real important that we do
14 have these kinds of design criteria throughout the PUD, particularly the commercial and
15 industrial.

16 MR. PALMER: I have a question for Mr. Fuller. If you could again, point out to
17 us on our page 83 which conditions have been added from what you had originally
18 submitted as your conditions; on our PUD conditions in our package which additional
19 ones have been added?

20 MR. FULLER: Mr. Palmer, I believe everything that is contained in there was
21 either referenced by the initial submittals or is not in – not a matter of disagreement
22 between the owner/developer. Now I am not totally clear if, was something additional
23 passed up today that had any? Okay I was not clear on that.

1 MR. PALMER: So the applicant would have no problem with any of the
2 conditions?

3 MR. FULLER: Well except ones that I did note that –

4 MR. PALMER: That's the ones that I was asking you to note again.

5 MR. FULLER: The ones that we - are different than is in the submittal package is
6 in portion A. Those, the 98,000 square feet of retail is essentially the same. There was
7 slightly more indicated square footage in the industrial section of the PUD property. I
8 don't see that as a crucial difference here. If there, if the market conditions were such
9 that they, if it developed faster or better and that needed to be exceeded we would
10 simply have to come back to the Commission to get an amendment. I don't see that as
11 a critical going in difference. I do think that the Item I, the developers proposal on the
12 buffering on the property; we attempted to address that by making a realistic buffer
13 against that portion of the Martha Ann, the back portion of the parts of the property that
14 face Martha Ann Road has been increased because there are – they are developed,
15 they are residential properties that exist there. The remainder of the property line is
16 against property that is either on the interstate highway or just undeveloped property
17 and the 20' buffer minimum, which is part of the regular Code is what we adopted in
18 there. It's not a crucial difference.

19 MR. PALMER: So you have a 50' buffer between the commercial and the
20 residential edge.

21 MR. FULLER: Yes.

22 MR. PALMER: And a 20' buffer along the, I guess –

1 MR. FULLER: The balance of it which is rural against rural, undeveloped, major
2 undeveloped property. And then on the Item J, access to the subject sites would limited
3 to two intersections on Wilson Road. We show three in the plan. And again, if those, if
4 these get adopted and go forward and got adopted by County Council, if in the
5 subsequent development there, we needed to change we would understand we simply
6 have to come back Commission to do that.

7 CHAIRMAN GREEN: Thank you. do I hear any motions from the floor with
8 regards to this request?

9 MR. PALMER: I make a motion to approve subject to the conditions on page 83.
10 And I agree with what the applicant has said that a 50' buffer seems to make more
11 sense against residential, rather than the 25. And that the 20 makes more sense rather
12 than a 25 buffer along other undeveloped properties. So I would agree with that and
13 take out I on the PUD conditions. And it looks to me as though he's got one access
14 point to his commercial property and two to the industrial, which is, you know, 670,000
15 square feet. I believe that two entrances to that would not hinder anything. That's, you
16 know, over a half a million square feet of industrial. And I believe for two access points
17 would be okay for that. So I would recommend approval subject to the PUD conditions
18 on page 83, exclusive of I and somebody help me where the other one on the access
19 points list. Exclusive of I and J.

20 MR. VAN DINE: With the particular substitution of 50 and 25 and –

21 MR. PALMER: Right, with the substitution with the one the applicant has –

22 MR. VAN DINE: You are restricting it and not –

23 MR. PALMER: I am restricting it to what the applicant has -

1 MR. VAN DINE: You are modifying the conditions as opposed to
2 recommendations.

3 MR. PALMER: Correct.

4 CHAIRMAN GREEN: We have a motion on the floor, do I hear a second? I'll
5 second the motion.

6 MS. LUCIUS: Does anyone besides me have a concern about the entrance on
7 Martha Ann or what that's going to mean to the residential?

8 MR. GOSLINE: Mr. Chairman? I want to be sure that we're all talking about the
9 same thing here. So what Mr. Palmer wants to do is in I, exchange the minimum
10 landscape buffer between the residences to 50' and elsewhere 20'.

11 MR. PALMER: Correct.

12 MR. GOSLINE: And then in J, you want it to have three intersections on Wilson
13 and one on Martha Ann. Is that correct?

14 MR. PALMER: Correct. And the reason being, I believe that the one on Martha
15 Ann will relieve traffic going on to 21. I don't know if a lot of people that's going to come
16 down 21 and then turn on to Martha Ann to get into that commercial development when
17 there is another access point right there on 21. I just don't think people do that.

18 MS. LUCIUS: They won't if they don't put there.

19 MR. PALMER: That's what people are coming out of that area from behind
20 there. They don't have to get on to 21 they can just get right into the development. I
21 think it will cut down on traffic rather than increase.

22 MR. VAN DINE: I think you are going to have problem on Martha Ann being the
23 size and scope of the road that it is, having any entrance off of there. Because if it does

1 get congested at all on 21 people are going to make that turn and they're also going to
2 make left hand turns out of Martha Ann and head down to what in essence is, as we've
3 heard the farm to market road. And I think that that particular entrance ought to be
4 eliminated. I don't have a problem with increasing the number on Wilson. I think the
5 one on Martha Ann needs to be eliminated from access.

6 MR. PALMER: Would you have a problem moving the one from Martha Ann
7 over 21?

8 MR. VAN DINE: Nope.

9 CHAIRMAN GREEN: I think there's, from a safety standpoint, you've got to have
10 two ways to get in and out. If something happens at the entrance to that, what appears
11 to be a retail center there, you have no other way on the property or off the property.

12 MR. VAN DINE: And I don't have a problem moving two entrances on to that
13 section on to - this is discussion.

14 CHAIRMAN GREEN: We have a motion on the floor.

15 MR. VAN DINE: I would say that the entrances ought to be what amounts to
16 opposite to Dunwoody and opposite Keithwood Lane or in that vicinity for the
17 commercial section. And you've got two off of Wilson for the industrial. I don't like it
18 coming off on Martha Ann.

19 MR. PALMER: I'll amend my motion to state that the access point on Martha
20 Ann is taken away and moved to the adjacent across highway 21 from Keithwood Lane.

21 MR. VAN DINE: Or in that vicinity. It doesn't have to directly in front.

22 MR. PALMER: Correct.

23 MS. LUCIUS: DOT is going to require that it be directly across that [inaudible].

1 CHAIRMAN GREEN: And that's acceptable to the second as well. We have a
2 motion on the floor with a second. Further discussion?

3 MR. JACKSON: I still have concern about the rural character and the citizens
4 input. And I repeat again, in 1999 when we approved the Comprehensive Land Use
5 Plan and we inherited the Town and Country vision, the communities on each corridors
6 was asked about their likes and dislikes and how they would like to see their community
7 grow. And those meetings, people spent several hours, weeks, months discussing what
8 to incorporate into the plan. And either we're saying that we take it as a joke, or we
9 disagree, or we just lie to them. You know, we have to consider the people's impact
10 also. We have to consider the rural community. We have to consider the work they put
11 into the plan and how we change their community. We asked them how we would like
12 to see their community grow. What would they like to see and that 2020 Vision was
13 passed. And we have to consider that also.

14 MR. DUNBAR: I call the question.

15 CHAIRMAN GREEN: The question has been called. We have a motion on the
16 floor for approval of – to recommend approval of 04-42 MA. All those in favor of
17 approval. Please raise your hand? Subject to the changes made by the motion. All
18 those in favor? Opposed?

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

21 CHAIRMAN GREEN: The motion will go forward with a recommendation of
22 approval by a vote of four to three. The zoning public hearing for County Council will be
23 held on April 22nd. Five to three, I'm sorry. Next on our agenda is case 04-43 MA.

1 **CASE 04-43 MA:**

2 MR. GOSLINE: Mr. Chairman and Members, this is a request to zone a two acre
3 piece C-3 at 4870 Leesburg Road, which is approximately a mile east of Harmon Road.
4 In your map, you'll notice that this is surrounded by Fort Jackson, obviously on the north
5 side of Leesburg and everything else around it is zoned rural. The Staff recommends
6 denial for the reasons stated on pages 96 and 97.

7 CHAIRMAN GREEN: This is a request of Staff, when we have a piece of
8 property that doesn't have many crossroads and it's a good ways out in the County, it
9 would be helpful, I think, if you got maybe a broader map than the more limited map that
10 we sometimes get for this. Just as a future request. I don't have anybody signed up is
11 the applicant here?

12 **TESTIMONY OF JIMMY BALES:**

13 MR. BALES: Mr. Chairman and Members of the Board, this is Mr. Billy Belger,
14 the owner and applicant here. He asked me to speak for him. My name is Jimmy
15 Bales, I represent House District 80 in Lower Richland County. And Mr. Belger and I
16 are long time friends and I have visited his place out on Leesburg Road. He's a retired
17 metal fabricator. He builds big metal buildings and custom steel and other metal
18 manufacturer. And what he proposes to do here is he would like to build a building that
19 would accommodate a convenience store. Now this is literally in an isolated area off of
20 Leesburg Road. If you can see from the map toward the end of the packet, the - you
21 mentioned about a cross roads there, there's a dirt road that goes right up beside this
22 two acre piece of land. There's another residence up on top of the hill. One includes
23 Mr. Belger's home and a barn up on the hill. How we got to this point, let me briefly tell

1 you. Mr. Belger called me and asked me as his representative to help him with it. So I
2 made the trip up and I talked to Carl. And Carl informed me that he would need to get a
3 survey to separate the two acres from the larger 25 acres. And on the last page you
4 see the survey that was prepared and is attached to this. Then he had to make an
5 application to separate the two acres from the larger tract. And he paid the \$100.00 and
6 he made that application and that was approved. And today we're here asking that you
7 approve the C-3. Now in talking to Carl just a little bit ago, when you were being briefed
8 with the lawyers, he indicated he didn't think there is enough people out there to support
9 the store. Well I happen to represent all of that 601 area from the railroad track where it
10 crosses below International Paper and goes, 601 goes back to the county line. There's
11 a lot of people who live off of 601 in permanent homes and mobile homes, and
12 manufactured homes. There's not any businesses within three or four miles of this
13 area, except toward Columbia. So if you needed a loaf of bread or you need a gallon of
14 milk, or you want to buy 100 pound or 50 pound bag of horse feed, Mr. Belger is
15 proposing to make that available. He asked his neighbors, you see the trailer right next
16 to this, she said that she wanted the senior citizen discount when she went to buy her
17 milk and bread. I'm sure he will comply with that request. I know that you're – it's been
18 a long day and I appreciate your indulgence, but I would beg of you to consider this
19 favorably. I'm very familiar and I've been up here talking about the Land Use Plan and
20 all the good points about it. But I think this would be a service to the community and it
21 would certainly not, it wouldn't impact the traffic. So you've been talking about all this
22 traffic problems and they are real, one of my major problems in Lower Richland is to get
23 Shop Road extended to Airbase Road to improve Leesburg Road out to the Wildcat

1 Road so the people that live in those congested areas can get on to Leesburg and get
2 on to Shop Road and get to town and back to work. But this wouldn't impact that and
3 this is far enough out and there's enough traffic that it wouldn't do any harm to the
4 neighborhood and it would certainly add a convenience. Thank you, if you have a
5 question I'll be happy to answer if I can.

6 CHAIRMAN GREEN: Thank you Mr. Bales. Comments or questions from the
7 Planning Commission?

8 MS. LUCIUS: I have one please. Mr. Gosline, how, can you point out maybe on
9 this map, how far away these four acres were that we rezoned in September of '02 to
10 commercial for the very same reason?

11 MR. GOSLINE: It would be off the aerial to the left.

12 MS. LUCIUS: It would be off the aerial, but how close?

13 MR. GOSLINE: A couple of miles to the west.

14 MS. LUCIUS: It is a couple of miles to the west? That was the four acres Mr.
15 Laminato rezoned to commercial saying he wanted to put a one-stop shop.

16 MR. GOSLINE: Both Mr. Laminato and the boat place came in pretty close
17 together. Neither one of them have done anything.

18 MS. LUCIUS: That passed us on a five/four vote. And it seems like that passed
19 as a service to the community, and so far nothing's been put there. Am I correct?

20 MR. GOSLINE: Correct. And shortly after the boat yard got rezoned, "because
21 he needed it to get the small business loan", he moved out of the town.

22 MS. LUCIUS: So that's empty too. So now we're being add to put more C-3 out
23 there.

1 MR. GOSLINE: That's correct.

2 CHAIRMAN GREEN: The position I had on the last rezoning, I think I put - in
3 some hasn't changed any. I know we try to put commercial development at crossroads.
4 With the presence of Fort Jackson on the north side of Leesburg Road there is no such
5 thing as a crossroad to speak of. There are people out there who deserve to have an
6 opportunity to have something zoned to provide them services. This is a long stretch of
7 road and I think this is something, as I voted last time, I vote this time to support the
8 rezoning of this small piece of property to provide an opportunity for business. We don't
9 control whether the business opens.

10 MS. LUCIUS: I think the market has shown it's not a good place to be putting C-
11 3. If it was good for the market it would be there.

12 MR. JACKSON: Not necessarily. I don't see the problem.

13 MS. LUCIUS: I understand your point; that there's not any crossroads there, but
14 how many? How many parcels do we rezone C-3 until, you know, that's stripped out.
15 And apparently no one thinks it's reasonable to put anything there I think.

16 MR. JACKSON: I guess that's the chance we take when we approve other
17 developments on the basis saying things can happen. We can't zone on the idea that it
18 may or it may not. The thing is with the Town and Country Plan, which was approved,
19 and I always reference to it, people want some mom and pop stores in their community.
20 In the rural community there are very little stores supporting the neighborhood. They
21 have to drive 15 to 20 miles to get a loaf of bread or some milk in the evenings. And if
22 someone decides to take the risk to build a mom and pop store in the rural community,
23 which was part of the idea, the citizens of the community liked for it to stay rural and

1 keep that rural character, I have no problem in supporting it. And therefore I move that
2 we support this proposal.

3 CHAIRMAN GREEN: We have a motion on the floor.

4 MR. DUNBAR: I'll second the motion.

5 CHAIRMAN GREEN: We have a motion and a second. Mr. Gosline?

6 MR. GOSLINE: Yes, the Lower Richland, sub-area plan map has the, indeed
7 does have a number of areas selected for plan for commercial development. This is not
8 one of them.

9 MR. JACKSON: I understand, but this one because of Fort Jackson, there are
10 no crossroads.

11 MR. GOSLINE: But you can't get into Fort Jackson anyway so that's –

12 MR. JACKSON: But I'm just saying, right -

13 MR. GOSLINE: It's not an argument in my mind.

14 MR. JACKSON: Leesburg Road there is no crossroads right there. So the
15 people in the Leesburg Road corridor would have to suffer because there's no
16 crossroads.

17 MS. LUCIUS: But we just rezoned the one two miles up the road and that's my
18 main point for bringing it up.

19 MR. JACKSON: This man shouldn't suffer for that if the other applicant didn't do
20 what he was supposed to do. Just like in other developments.

21 CHAIRMAN GREEN: I think one that I remember most from the Vision 2020
22 Plan was when those red circles went on that map, everybody said don't worry about

1 where they are it's just conceptual. So we have a motion and a second. Do we have
2 further discussion on the motion?

3 MR. GOSLINE: Who made the motion? I'm sorry.

4 CHAIRMAN GREEN: Mr. Jackson, seconded by Mr. Dunbar. Any further
5 discussion on the motion? All those in favor of sending this forward with a
6 recommendation for approval, please raise your hand? Opposed?

7 *[Approved: Palmer, Furgess, Jackson, Green, Dunbar; Opposed: Lucius, Wyatt; Not*
8 *voting: Van Dine; Absent: McBride]*

9 CHAIRMAN GREEN: Thank you. This will go forward with recommendation of
10 approval on April 27th zoning public hearing of Richland County Council.

11 MR. BALES: Thank you so much.

12 CHAIRMAN GREEN: Next on our agenda is 04-44 MA.

13 **CASE 04-44 MA:**

14 MR. GOSLINE: Mr. Chairman and Members, this is piece of property that is
15 located right behind the Ramada Inn on Two Notch and I-77. It was up a year or two
16 ago and I don't really recall what the Planning Commission's recommendation was – oh,
17 Planning Commission recommended it be changed at that time and County Council
18 denied it. It's back again to change - basically it's one house that sits immediately
19 behind the Ramada Inn from RS-1 to C-1. C-1 zoning district is established primarily for
20 the purpose for providing kind of a buffer use or redeveloped use without changing
21 architecture. The house across the street from this is zoned C-1. Staff recommends
22 approval.

1 CHAIRMAN GREEN: We have two people signed up to speak on this. First of
2 all, any questions for Staff? Goldie Harmon.

3 **TESTIMONY OF GOLDIE HARMON:**

4 MR. HARMON: Mr. Chairman and other Members, I'm Goldie L. Harmon, Sr.
5 My home is right adjacent to the house that is up for rezoning, which will leave me the
6 only one on that upper section that's not zoned. But me and my family are partly – we
7 really support the rezoning, because we've been there and see what rental does on that
8 particular property, which is not safe at all in trying to rent it. It's kind of hemmed in and
9 it's kind of hidden from other things so a lot of things can go on there so that's the bad
10 point. The other point is, in seeing what Milliken has done around us out there, they are
11 an A-1 shape company who keeps up yards, keeps up property, traffic is no problem. It
12 created no problem on the one across the street that was rezoned. No problem there at
13 all with that. The only problem we have is the road dead-ends and cars don't see the
14 dead-end and zooms on up through there. But that's a different situation. But anyway
15 that's all I have to say. We, living next door to it, we look for better for living neighbor or
16 we know they'll put in there, or we'll go in there and put what it takes to be someone
17 who you would like to have next door. I thank you.

18 CHAIRMAN GREEN: Thank you, sir. Angus Layfe?

19 **TESTIMONY OF ANGUS LAYFE:**

20 MR. LAYFE: I'm Angus Layfe, I'm with Milliken Forestry Company. Our office is
21 around the corner from this building and it's been there for 25 years. And we've been
22 an integral part of this – our office is on North Grampian Hills Road - been an integral
23 part of this community for 25 years. In fact we were probably before most of the other

1 buildings were there. Our purpose for doing this is an extension of our office. And
2 basically we're going to have four people working over there. And it's – the people who
3 owned it were going to put the building up for sale and we felt like we could do a better
4 job with it in the neighborhood to maintain the neighborhood than anybody else that
5 would do it to turn it into some type of rental unit. And so that's why we are doing it and
6 I appreciate Mr. Harmon saying the nice things he did. We try real hard to maintain our
7 relationship with the community.

8 CHAIRMAN GREEN: Thank you, sir. That's all we have signed up to speak on
9 this particular request.

10 MS. WYATT: Mr. Chairman I make a motion for approval subject to.

11 CHAIRMAN GREEN: We have a motion for approval. Do I hear a second so we
12 can get it on the floor?

13 MR. DUNBAR: Second.

14 CHAIRMAN GREEN: The motion and second, comments, questions?

15 MS. LUCIUS: We looked at this last year? There was a room full of people
16 against it. So apparently something has changed to change the mind of the community.
17 I'm just surprised, because I've got my minutes.

18 MS. WYATT: I don't think it was this actual, same house?

19 MS. LUCIUS: Yes, it was, it was the same house. And there was a lot of
20 opposition because it was creeping into – commercial into the neighborhood, so I'm just
21 surprised at that.

22 CHAIRMAN GREEN: The last request was for a C-1 also?

1 MS. LUCIUS: Yes, it was. Because I was going to ask you what was different
2 between last year and this year that there is no opposition?

3 CHAIRMAN GREEN: We have a motion and a second, any further discussion?

4 MR. VAN DINE: Mr. Chairman case in fact I have to step out for a moment, I
5 would like to recuse myself from voting on this because I was not here for the
6 discussion.

7 CHAIRMAN GREEN: The minutes will reflect Mr. Van Dine has requested he be
8 recused from voting on this issue. Seeing no further discussion, all those in favor of
9 sending this forward with a recommendation for approval, please raise your hand?
10 Opposed?

11 *[Approved: Palmer, Furgess, Jackson, Green, Dunbar, Lucius, Wyatt; Abstained: Van*
12 *Dine; Absent: McBride]*

13 CHAIRMAN GREEN: Okay and we have one abstention. Before I turn the Chair
14 over to Barbara Wyatt for the next case, we will take, I've been asked, we will take
15 about a three minute quick recess and be back promptly in three minutes.

16 *[BREAK]*

17 VICE-CHAIRMAN WYATT: Everybody take your seats please. Next case up is
18 04-46 MA.

19 **CASE 04-46 MA:**

20 MR. GOSLINE: Madam Chairman, Members, this is a request of Gerald Steele
21 to rezone a 5.9 acre parcel from RU to C-3 in the Ballentine area. It's roughly across
22 the street from one we considered not too long ago for Coogler Construction. Staff

1 recommends denial for the reasons on page 118 and 119. Summarized on paged 120,
2 the applicant –

3 MR. VAN DINE: Was Coogler denied?

4 MR. GOSLINE: I'm not exactly sure what the status of that particular one was.
5 They went to the County Council, I think the County Council wanted them to do a PUD,
6 but they haven't submitted it yet.

7 MR. VAN DINE: So it is not actually been approved, it's in limbo?

8 MR. GOSLINE: I guess it's in limbo. I'm not real sure.

9 MS. LUCIUS: Mr. Gosline, that's the red C-3 area on our map, is that where that
10 old barbecue place use to be?

11 MR. GOSLINE: Yeah, that's Coogler Construction.

12 MS. LUCIUS: It used to be a restaurant?

13 MR. GOSLINE: Right.

14 MS. LUCIUS: I just wanted to make sure I was thinking of the same thing.

15 MR. GOSLINE: The sort of [inaudible] the post office.

16 MS. LUCIUS: Right. Okay.

17 MR. DUNBAR: The pink, I'm color blind, the real red, is that Coogler?

18 MS. LUCIUS: That's Coogler, uh-huh (affirmative).

19 MR. DUNBAR: I have a question, Carl. My recollection was that we were, in our
20 provision of the Land Use Plan for that area over the years that we, Ballentine area was
21 commercial district out as far as – I've forgotten what road it is, but Jack Metts Road or
22 the Shell station.

1 MR. GOSLINE: It doesn't really, Ballentine is one of the principle tenants of the
2 northwest sub-area plan and that Ballentine would be the center of the commercial
3 activity. Until now all of that commercial activity has been on the north side of Dutch
4 Fork Road at this point, even though some of that is still zoned rural, but it's commercial
5 activity. There is a node at – the road that comes off the Peak interchange, what's the
6 name of that? Rauche-Metts in Dutch Fork, there's a shopping center there and a
7 tackle shop and –

8 MR. DUNBAR: My understand is that it was our plan to have commercial on
9 both sides of 76 right down into Ballentine.

10 MR. GOSLINE: The map doesn't show that, but that's part of the discussion.
11 The pink that you see is an old office park.

12 VICE-CHAIRMAN WYATT: Okay, we've had two people to sign up to speak, Mr.
13 Ron Anderson?

14 **TESTIMONY OF RON ANDERSON:**

15 MR. ANDERSON: Hi, I'm Ron Anderson, I reside at 2907 Wheat Street. Gerald
16 Steele is the other speaker, he's actually my remote control today. So if you'll go to the
17 next page please. I'll be brief. This is an aerial photo. This is Rauche-Metts and this is
18 Highway 76. This is Bickly Road. The Peak interchange would be up here off the map.
19 There's a Food Lion shopping center, called the Ballentine Shopping Center right here.
20 And there is another C-3 piece of property that is owned by a grocery store that they
21 had that as a land bank site with the intention of putting a grocery anchored shopping
22 center at this intersection. You can see Lake Murray to the south. And just to orient
23 you a little bit more, north is obviously up. This is the Richland County ball fields and

1 equipment yard. Next slide please. To reference this in a bigger context, the purple line
2 is the county line, the county boundary between Lexington and Richland County. This
3 side being Lexington. This side being Richland. The shaded tan areas are subdivisions
4 that are currently being developed in the green of the plan and the proposed
5 subdivisions. You can once again see those two intersections with Rauche-Metts and
6 Bickly. And then see how they come back to Broad River Road and tie into the Peak
7 interchange. There are two interchanges in this area, Peak and Chapin, which is
8 approximately six miles up the interstate. The commercial activity in this area is
9 concentrated in two areas. One is what I call the Ballentine commercial node, and then
10 from the edge of that it's about six and half miles up to the Chapin, the Town of Chapin,
11 where there's another concentration of commercial activity. Essentially in between
12 these two nodes – between these two nodes there really isn't a whole of anything but
13 open road once you get passed the Lowman Home which is right about here. I call the
14 Ballentine commercial corridor everything from the interchange with Highway 6 back up
15 to Rauche-Metts, which I think, is a logical definition of a given that you have two roads
16 that take you back to the interchange. So there's going to be a lot of traffic in and off of
17 there. Gerald would you turn the page please? This is a satellite photo where I zoomed
18 in a little closer and drew a two mile radius around the site. You can see the corridor
19 boundaries again and you can see the subdivisions a little more clearly. The tan being
20 the active subdivisions the green being the ones that are planned. There are
21 approximately 1200 lots that are approved within two miles of this site. And that's only
22 on the south side of the interstate. If you include there's another 500 or 600 on the
23 north side of the interstate. So that would logically come down to this area to shop. So

1 there's a growing amount of demand. This is really the hot new area in the Irmo-Dutch
2 Fork-Chapin corridor. And once again, I've got the two roads on there – next slide
3 please. To do some analysis of this corridor, once again, here's Rauche-Metts and
4 here's Bickly. The dark areas, the dark brown areas are the C-3 zoned areas. These
5 are the C-2 in the red. The pink is C-1. And then the blue is my subject property so you
6 could see the Coogler property and the shopping center across the street that includes
7 the post office. It's not just a free standing post office it's an actual shopping center that
8 has a post office in it. It's about 40,000 square foot shopping center right there. A
9 number of businesses along here and then the Food Lion shopping center in the
10 Ballentine area down in here. Lake Murray Elementary is here. Millford Subdivision is
11 here. There's another subdivision up here. The reason I show this is the zoning and
12 the actual land use are somewhat deceptive. A lot of this is rural. There's a lot of
13 commercial activity up around this area, because of it's proximity to the interchange that
14 was on rural property before zoning was put into the place. Boat shops and the kind of
15 services that service this community around the lake. And they all predated the zoning
16 ordinance. So if you go to the next slide please. The red and the orange properties that
17 you see are actually commercial establishments that are up and down the road. So you
18 can see it's actually fairly – it's more development that the zoning could indicate. And
19 that's, like I said before, a lot of the business along that road predated the zoning
20 ordinance and so they are on rural pieces of property. In addition, Gateway Baptist
21 Church owns this property and there's another church up here. So these are going to
22 be significant institutional facilities along here. And then you see the ball fields and the
23 school. Next slide please. The light green, if I back up, back up just one. The light

1 green are rural, are undeveloped properties. So you have an office park here that's not
2 fully developed, but there's lots of potential along here and these are, these shaded
3 areas here are residential. And then you can see all the lots around the lake. Next
4 slide please. Carl in the Staff report reference the property being in the saddle of the
5 road. And I couldn't really figure out if that meant we were in the dip or at the horn. But
6 I brought the topo to show you. My topo and my property lines don't line up real well
7 unfortunately. But the property line basically runs along that creek and then it runs up
8 the road. So we're on a hill. We're going the upper end of the property is fairly high.
9 The lower end is, as Carl remarked, in a creek watershed. So obviously we wouldn't be
10 developing that area per federal wetlands regulations. Next slide please. What we
11 have planned here is about a 40,000 square foot retail center. And the reason we think
12 this appropriate for this site is there is really a minimal supply of retail on the ground out
13 there. Ballentine shopping center is full, that's the Food Lion shopping center. Cedar
14 Plaza, which is across the street, is full. There's a small strip center back down,
15 probably about 8000 square feet total and it has three 1000 square foot shop spaces
16 available that couldn't really be combined. I mean it's a 1000 feet or nothing. There's a
17 body shop for sale. A restaurant for lease and an office warehouse with about 1800
18 square foot of space available. So there really isn't much in the way of quality space or
19 any space up in that area if you are interested in doing retail or small office. Consistent
20 with the Comprehensive Plan this map designates it as commercial in a developing
21 urban area. And Carl references that as well. The Staff references that as well. It's
22 consistent with the objectives of that same plan, which are to encourage industrial and
23 commercial uses in concentrated locations. It also helps – is consistent in compliance,

1 or expands commercial activity at existing clusters. Imagine 2020 Plan, it's also
2 consistent with that by it suggests clustering and transportation orientated nodes. It's
3 between two roads that lead to an interstate interchange, fronts on a U.S. highway,
4 there's rail across the street behind the parcels across the street. And it's at the center
5 of a lot of existing and planned residential development. Finally as I've shown you it's
6 consistent with both the surrounding zoning and the surrounding uses. Next slide
7 please. The infrastructure is already in place and is appropriate for this type of
8 development. There's fire service within two miles. U.S. 76 has sufficient capacity and
9 there is expansion planned for U.S. 76 for this portion. Although it is not funded it is on
10 the secondary schedule of the COATS Plan meaning that some point in the next ten
11 years or so there should be money allocated to widen this portion of U.S. 76. It
12 obviously has no school impact, and there's already water and sewer at the site. Next
13 slide please. That's it. With that I would be entertaining questions, but I would implore
14 you to vote to support this project.

15 MS. LINDER: Madam Chairman, I have one question of the applicant. Is this
16 one lot of two lots, please?

17 MR. ANDERSON: It's one lot.

18 MS. LINDER: Because in your legal description you're referencing two different
19 lots. A lot 5 and a lot 6.

20 MR. ANDERSON: I'm going to defer to Gerald Steele.

21 **TESTIMONY OF GERALD STEELE:**

1 MR. STEELE: I'm Gerald Steele with Edens and Avant. I represent the property
2 owners. Answering your question there, it's one piece of property but it's two plats. It's
3 not [inaudible] survey on the entire tract yet.

4 MS. LINDER: So it is just one TMS number?

5 MR. STEELE: It's one.

6 MS. LINDER: Thank you.

7 MR. STEELE: It came out of the estate that way. The lady is deceased. I'm
8 here if you have any questions for the property owners. We have some of the property
9 owners here today. I've contacted all of the adjacent property owners in the community
10 and met with the Ballentine Civic Organization, and sent off every one of them a
11 package about the property. So everybody in the community is familiar with it. So if
12 you have any questions, I'll be glad to answer them.

13 VICE-CHAIRMAN WYATT: Thank you, Mr. Steele.

14 MR. VAN DINE: Mr. Gosline?

15 MR. GOSLINE: Yes, sir.

16 MR. VAN DINE: O'Brien Way, is that a C-3? Am I looking at the color correctly?

17 MR. GOSLINE: That's an office park.

18 MR. VAN DINE: That is C-3?

19 MR. GOSLINE: No, that's C-1.

20 MR. VAN DINE: I mean, I'm sorry, C-1, I'm sorry. That's what I meant. And
21 Coogler is which of the property? The one that's in red?

22 MR. GOSLINE: The red.

1 MR. STEELE: I can answer the question on Coogler. I was involved in the
2 zoning on that tract, 10 or 15 years ago, I'm sorry. I was involved in that tract on
3 rezoning it to a C-3. I'll have to check my notes; I'm pretty sure on that. I represented
4 one of the banks in that transaction.

5 MR. VAN DINE: What were the Coogler's – what was Coogler trying to get?

6 MR. GOSLINE: What happened was they have heavy equipment storage and
7 stuff on there and that doesn't fit the C-3.

8 MR. VAN DINE: I remember now.

9 MR. DUNBAR: Madam Chairman, to kind of restate what I said earlier. I think
10 it's been fairly clear, at least in my mind, that the commercial areas in the Ballentine
11 area are supposed to be restricted – not beyond Rauche-Metts Road, but would be
12 included on both sides of Highway 76, including the downtown area of Ballentine, which
13 this is. I don't see any, do we have anybody signed up other than the applicant? I'd like
14 to make a motion that we approve the request [inaudible] consistent with what that area
15 should become.

16 MR. PALMER: I'll second and I think some of these things in there - Carl what
17 did the applicant not provide, insufficient factual information to justify a change?

18 MR. GOSLINE: I'm sorry?

19 MR. PALMER: Your number one reason why you recommended not to change?

20 MR. GOSLINE: The application asks to give reasons for the - request a change.
21 And virtually no body ever does. The application here, the proposed use was 40,000
22 square foot of retail space. That's - Mr. Palmer, it's kind of a quirk of a current Code
23 that we're stuck in, and one of the four things that you have to ask is what are the

1 reasons? What reasons were provided by the applicant for the request? And virtually
2 nobody ever does.

3 MR. DUNBAR: There had to be a reason that he was going to put a commercial
4 development on that is the reason.

5 MR. GOSLINE: I interpret it, Mr. Dunbar – I interpret it that the requirement is to
6 provide reasons as to why the request should be granted.

7 MR. PALMER: I would like to second, because I've seen enough reasons.
8 There's not enough in the area. It's a commercial area. It's designated to that.
9 Surrounded by whether it's on our zoning map or not, this surrounding stuff in the area,
10 because it was that way, it was grandfathered in. I would second the motion.

11 MS. LUCIUS: I'm a little confused now. We always talk about commercial nodes
12 but we never talk about a commercial corridor. I'm sort of confused about that. I know
13 we made the commercial node up at [inaudible] and I think –

14 MR. GOSLINE: I think we're merging nodes.

15 MS. LUCIUS: I think we're merging nodes. Exactly.

16 VICE-CHAIRMAN WYATT: The same mistake we've made on Clemson Road.

17 MR. PALMER: Marcia I think what we've got here is a Main Street node. It's
18 Main Street in Ballentine. You wouldn't isolate just the corners of the main street. You
19 would have them all up and down main street.

20 MS. LUCIUS: I don't know, I see it becoming another problem with the road, I'm
21 sorry. With commercial on both sides. I don't think it's that much commercial between
22 there. I know we were shown the map, but I don't think it's that much except for the big
23 piece belonging to Coogler, and maybe that shopping center right beside it.

1 MR. GOSLINE: As Mr. Anderson explained, a lot of that commercial activity on
2 the north side road is still zoned rural but it is commercial activity.

3 MS. LUCIUS: I understand.

4 MR. GOSLINE: South side of the road is a huge part rural and residential.
5 We've had other requests over the years for pieces along the south side. We've always
6 been able to keep it on the north side.

7 MR. DUNBAR: There are a number of commercial uses along that side right
8 now. There's a barber shop, there's a batting cage.

9 MR. GOSLINE: It's an illegal barber shop.

10 MR. DUNBAR: It's small residential buildings being used as commercial.

11 VICE-CHAIRMAN WYATT: Are they being used as special exceptions?

12 MR. GOSLINE: I don't think so, but I don't know for sure.

13 MR. DUNBAR: I think most of them were before zoning.

14 MR. GOSLINE: Oh you mean, the ones on the north side? Oh no, they I'm sure
15 they probably predated, and have been there forever. The barber shop I'm not sure of.

16 MS. LUCIUS: I just heard the statement made there's a lot of commercial along
17 there already. But I don't think there really is, is there?

18 MR. ANDERSON: Yeah, there is. And it's a lot of little marginal types of
19 businesses.

20 MS. LUCIUS: But not zoned commercial?

21 MR. ANDERSON: No, it's all stuff that's predated the zoning ordinance. And I
22 would agree with you on your statement about the nodes in that there's a node at either
23 end. The only difference between this and say if you were to go further up the road

1 would be that there was already all this other commercial there. If there was nothing
2 else in-between, I would concur with you that you would have two nodes that you are
3 trying to merge together. But in this instance you effectively already have a strip.

4 MS. LUCIUS: But not of our doing.

5 MR. ANDERSON: Well, sure it is. I mean, it's of the County Council's doing for
6 the last 30 or 40 years.

7 MR. DUNBAR: [inaudible] We try to keep the commercial in Ballentine rather
8 than stripping it out toward White Oak or down toward Irmo.

9 MS. LUCIUS: I understand that, but I see a strip. I see a strip coming. And
10 that's why I have this concern.

11 MR. DUNBAR: We have historically wanted the commercial in Ballentine. So
12 we're not stripping it. We're – Ballentine is, in our vision, a commercial area. We're,
13 you know, providing for the commercial growth in that area which will come over the
14 years. And Ballentine is where we want to keep it. Cause we don't want it stripped out
15 all the way up to Chapin on Highway 76, except at major intersections.

16 MR. STEELE: To help you a little bit, Gateway Baptist – we just worked out a
17 tract with Gateway Baptist Church. SCANA owned it. They are going to put their whole
18 church in there on 68 acres right there in Ballentine.

19 MS. LUCIUS: Where is that on this map?

20 MR. GOSLINE: It's the triangle across.

21 MS. LUCIUS: It's that yellow triangle?

22 MR. GOSLINE: Right. It's the bigger piece. If you look at your aerial, the bigger
23 piece of the curved road shown in light yellow.

1 MS. LUCIUS: What's in this triangle?

2 MR. STEELE: The triangle piece is owned by Gateway.

3 VICE-CHAIRMAN WYATT: Is there any further discussion? We've got a motion
4 and a second. All those in favor signify by raising your hand?

5 MR. VAN DINE: I'm sorry. I lost the motion.

6 MR. DUNBAR: The motion was to approve.

7 VICE-CHAIRMAN WYATT: All those opposed?

8 *[Approved: Palmer, Furgess, Jackson, Wyatt, Van Dine, Dunbar; Opposed: Lucius;*
9 *Recused: Green; Absent: McBride]*

10 VICE-CHAIRMAN WYATT: Okay, item next up 04-47 MA. And I'm going to
11 resign as Chair.

12 CHAIRMAN GREEN: Again we're at 04-47 MA. Is the applicant – Carl, excuse
13 me.

14 **CASE 04-47 MA:**

15 MR. GOSLINE: Mr. Chairman and Members, this is a proposal to rezone 90
16 acres, approximately, at Lower Richland and Trotter, I mean at Trotter and Garners
17 Ferry Road from D-1 to PUD. The proposed PUD is – anyway has some component of
18 residential. On page 140 you'll see some multi-family and three tracts of single-family
19 development with a small commercial piece on Garners Ferry Road. The, across the
20 proposed entrance road to the project is a low wetland area that the applicant proposes
21 to remain, to retain. The Staff recommends approval of the project, subject to
22 conditions on page 130 basically, 129 and 130. The applicant is here, Mr. Kinder and
23 Mr. Simmons.

1 CHAIRMAN GREEN: Mr. Kinder?

2 **TESTIMONY OF CLIFF KINDER:**

3 MS. KINDER: Mr. Chairman and Planning Commission Members, my name is
4 Cliff Kinder. I'm here today to request a PUD-1R zoning on this piece of property. We
5 are very flattered and pleased that we got Staff approval, or Staff recommendation of
6 this request subject to 14 conditions. PUD, except the PUD conditions, I believe those
7 were all put in your package. I'll let Mr. Kenneth Simmons to speak to two of them, I'll
8 speak to the third. But if you'll allow Ken Simmons to talk right now, I'd appreciate it.

9 **TESTIMONY OF KEN SIMMONS:**

10 MR. SIMMONS: Mr. Chairman, Ladies and Gentlemen, my name is Kenneth
11 Simmons. I'm the landscape architect that designed this. My office is on Millwood
12 Avenue and I live on Spring Lake Road, both in Richland County. Before we get into
13 conditions, I would like to bring out one little issue with the plans so there's no confusion
14 later one. This drawing right here, is correct. The aerial photograph, which is on the
15 next page, there is a sliver of land between that that is in yellow and that that is shown
16 in the little commercial area. Is included in the PUD. Does everybody understand? I
17 just don't want to come back later and say I didn't realize that was part of the PUD. I
18 don't know whether it takes a motion or not, but we would like to clarify that. As Mr.
19 Kinder said, there are 18 issues/conditions. We would like to talk with y'all about three
20 of those. Item B, the commercial area, I'm a landscape architect and I've been doing
21 land planning for 30 years. And I think a site ought to determine the amount of square
22 footage on it. I don't think, I mean, I can't after designing over 2000 projects, I can't
23 arbitrarily say, a site can only have x-number of square foot of commercial buildings. As

1 you'll see on these plans the adjacent commercial is 1000' deep. We purposefully,
2 minimized our request to only 300', 318'. So we're much less depth than the adjoining
3 commercial property. So I would like to either ask you, I'd like to eliminate the
4 minimum, the square footage of buildings. You know, the square footage of building is
5 really determined on the site, how many parking spaces you can get, the tree
6 ordinance, all the other codes and regulations. To me that's the way you design
7 something, not arbitrarily put a minimum or maximum number of square footage on a
8 site. We're only talking about three acres. We're not talking about a substantial
9 amount. So I would like to ask you to consider that. Second of all, in our meeting with
10 the Staff, we were asked to take the list of C-1 and eliminate those and we did not want
11 to do. That's in our Addendum A, which very specifically says, if you look in the book
12 that we provided you, under Addendum A, we listed the allowable uses. I think that at
13 least to, if a client came into me and said, "This is what we want to do", it's clearer than
14 the wording that is in here, the wording in here is, "personal services, studios, true
15 neighborhood retail." If I were y'all I would hate to have to be up here determining what
16 is true neighborhood retail. So again, what we did is we took C-1, we eliminated the
17 tattoo parlors, the other things like that. I think it's a pretty clean list. So we would like
18 to ask you to accept our Addendum A.

19 CHAIRMAN GREEN: Just want to ask you a point of clarification. You
20 mentioned on that site three acres. When I look at the site plan it shows 1.4 acres.

21 MR. SIMMONS: I'm sorry, you are correct, you are absolutely correct.

22 CHAIRMAN GREEN: So we're only dealing with 1.4 acres in this instance.

1 MR. SIMMONS: Excuse me, let me just double check. Commercial is 1.4 acres.
2 You are absolutely correct, I stand corrected. Which is only 1.5% of the total tract. So
3 again, I would like to ask you to adopt the Addendum A as opposed to the wording that
4 is in there. And let me get back over – the other question that I would like for you to
5 consider is Item G. The developer shall be required to construct any necessary turn
6 lanes for the project on both Garners Ferry and Trotter Road. I think y'all discussed that
7 earlier. I think that's the DOT to decide. Obviously, DOT owns the right-of-way. And if
8 we want to connect into their right-of-way the developer has to do what the DOT
9 requires. So I don't really understand the condition of G. I don't think it affects us either
10 way. We just, I think our point is if we don't have to put necessary turn lanes and all,
11 we'll do whatever DOT says. We just don't want to paint ourselves in a corner agreeing
12 to something DOT may not want to do. So I'd like for you to consider those two
13 changes and Mr. Kinder you had one?

14 MR. KINDER: Thank you. Our request says on Item J, the applicant was to
15 construct a sidewalk to Caughman Park, and the appropriate governments to obtain the
16 necessary rights-of-way approval permit [inaudible]. We're very much in favor of a
17 pedestrian walkway sidewalk to Caughman Park, and we are committed to building that.
18 If the public right-of-way can be obtained. We'll stick with that, but we would like very
19 much to have a two year obligation, two years from the time our PUD is approved to
20 build that sidewalk if the county gets the rights-of-way they need. We simply don't want
21 to complete this project and have somebody knock on our door in four, five, six, seven,
22 ten years and say oops you got to build us a sidewalk now. So we'd like to propose that

1 we have that obligation for a period of two years. Ken and I are available to answer any
2 other questions the Commission or Staff may come up with.

3 CHAIRMAN GREEN: Any Commission Members have questions for the
4 applicant at this point? We have seven or eight people signed up in addition to speak.
5 Any questions for the applicant?

6 MR. VAN DINE: [inaudible] There was that commercial/doctor's park and
7 everything else that we approved. Where is that?

8 MR. GOSLINE: A half a mile to the east.

9 MS. LUCIUS: Is that that big red block there?

10 MR. GOSLINE: No. It doesn't show up on the map. It's maybe a quarter,
11 maybe not even a half, no more than a half a mile to the north.

12 MR. SIMMONS: It's about 200 yards.

13 MR. GOSLINE: Is it adjacent?

14 MR. SIMMONS: No we are adjacent. There are two to three properties between
15 us and them.

16 MS. LUCIUS: That's that not that big red block that we see?

17 MR. SIMMONS: No, ma'am. The big red block is the new Food Lion I believe,
18 on Lower Richland Boulevard. The long narrow one adjoins our property and then
19 further east is all of - the Wal-Mart and all those kind of things.

20 MR. GOSLINE: I think, Ms. Chairman, I think that it's a little hard tell, but I think
21 the one that you are talking about is Mr. Randolph, Dr. Randolph, and I think it's - if you
22 look at your aerial on page 134 that it's part of the, between the wetlands that kind of
23 sticks up the middle of the node and it's right in that general area. It's a little hard to tell,

1 because of [inaudible]. But this project is not adjacent to it, it's very close but not
2 adjacent.

3 MR. JACKSON: There's a soccer complex –

4 MR. GOSLINE: Soccer complex is further east, yes.

5 MR. SIMMONS: And then there's a proposed religious element between that
6 and this one.

7 MR. GOSLINE: There's a small church coming in right off of Garners Ferry
8 Road.

9 MR. SIMMONS: Between the doctors office and this drive.

10 MS. LUCIUS: Mr. Kinder where is the Caughman Park located at?

11 MR. SIMMONS: Ma'am, you can see it on the aerial photograph.

12 MR. VAN DINE: [inaudible] what will be on Garners Ferry?

13 MR. GOSLINE: No. It will be on Trotter Road.

14 CHAIRMAN GREEN: Alright. We do have people signed up, any further
15 questions for the applicant? Ken Dixon to be followed by Betty Dixon.

16 **TESTIMONY OF KENNETH DIXON:**

17 MR. DIXON: I'm Kenneth Dixon. I live at 2704 Trotter Road. I live beside my
18 mother who lives on the property also. We own a 16 acre tract that is directly adjacent
19 to this property. First let me say I'm not against this property being developed as long
20 as it will improve and enhance our neighborhood. If you look at the surrounding area of
21 this property, you will see most homes are in the mid to upper income bracket. One to
22 two acres of land per home. Everything in the area is just about D-1. Now it's – most
23 homes in the area are 2,000 square foot homes. They are proposing to put seven

1 homes per acre on most of this land. This does not go along with the area. I have
2 several concerns about the density of this project. Number one is traffic. Trotter Road
3 is at it's maximum capacity right now. If you check you'll find the intersection of Garners
4 Ferry and Trotter Road has more accidents than any other intersection in the area
5 except, maybe Lower Richland Boulevard where Lower Richland High School is. Traffic
6 at these intersections are very dangerous, especially in the mornings when people are
7 taking kids to school, children are leaving school, coming home in the afternoons.
8 Another problem is our schools are overcrowded in this area. We just passed a bond
9 referendum a couple years ago, or in the past year to improve the schools in the area.
10 Five hundred more homes on this 90 acre tract of land is going to put a lot more kids in
11 that area and the schools. Recreation is another problem. Right now Caughman Road
12 Park is the only recreation on any public access land in the area. There's no walkway
13 to Caughman Road Park. Caughman Road Park does not have adequate parking now.
14 Cars park on the streets during Friday and Saturday night games. Sheriff's protection in
15 the area is at a minimal. Their response time is poor at least. This is just going to
16 create more problems, especially if this is a low-cost, which I haven't heard yet, housing
17 project. And part of this is multi-family housing, which leads us to believe that it's low-
18 cost housing. Thank you. Appreciate it if you would consider not approving this.

19 CHAIRMAN GREEN: Thank you, Mr. Dixon. Betty Dixon? Ken Millar. Followed
20 by Bill Stevens.

21 **TESTIMONY OF KEN MILLAR:**

22 MR. MILLAR: Good afternoon. My name is Kenneth Millar. I live at 2900 Trotter
23 Road. I will talk loud, because a lot of people here talk soft. I live, as I say, at 2900

1 Trotter Road. There were individual sites in the area for sale over ten years ago. I
2 bought one of those sites. An individual sites measuring 1.25 acres. I in turn being an
3 individual I put my type of individual house on that site. It was wooded. I took out 125
4 trees and in the center of the house, I followed all your ordinance, and I put in a
5 geodesic round dome house. I am an individual. Other people in the area are
6 individual. They built a house according to their specs. One house, I have a small
7 piece of property. There are other parts in the Kenshire subdivision which will back up
8 to this other housing project. I am on Lot 10. I'm at the corner of Caughman and
9 Trotter. At least once a month, once every two months, I mow your grass and
10 [inaudible] walk up to the corner of Caughman and Trotter with my cell phone and say
11 can I help you. It is on a curved road. It is on a one traffic going one way and one
12 another. For them to say in very small print that there is a secondary artery road
13 leaving Trotter, [inaudible] they'll be able to go down to the park. No way. There is – it
14 is not a good choice at all. I am not in favor of this at this time. I think you for your time.
15 Thank you.

16 CHAIRMAN GREEN: Thank you, sir. Bill Stevens? Followed by Jim Lewis.

17 **TESTIMONY OF BILL STEVENS:**

18 MR. LOUIS: Thank you very much for your time this afternoon. I'm a pharmacist
19 by trade and so to get off to come here today to speak will show you my concern for this
20 proposal here this afternoon. It's not very often I get that opportunity to do so. We've
21 lived in the Rollison Place subdivision, which is right off Trotter Road and back of my lot
22 is on Trotter Road. So I see the traffic that goes buy our road each and every day; right
23 up and down the street from this gentleman here who testified to the fact that we have

1 multiple accidents along this stretch of road because there's a curve around it. It's a
2 very small narrow road, a lot of traffic. There is a new, a couple new subdivisions that
3 are being built right down Rabbit Run too. I don't know if you know all the information of
4 that. So that's also added to the increase in traffic along that particular area right in
5 there. With this new development coming, traffic is very much a concern of ours for not
6 only our children, who are older now, but there are many children that frequent the park.
7 They play softball, baseball, tennis, and whatever. Parking is a minimum down there.
8 There's no sidewalks for the kids to walk on. So they talk about building sidewalks,
9 maybe, and this is a maybe. I propose that if you get – build something you build the
10 sidewalks first and give the kids a place to walk before they have a chance to be hit by a
11 vehicle. Provide for their safety first. Also talked about entrances into the area off of
12 Trotter Road, turn entrances and all and then again they say we leave this up to the
13 Department of Transportation. We'll build the thing first and then, you know, if they
14 approve it, yes, you know, that's great. But if they don't then we're okay with that too.
15 That in effect is we've got the thing built. I say that you have that in your plan of action
16 to put, make sure that you're going to have that entranceway there, because traffic is
17 terrible trying to get up and down there road there. So that's another one of our
18 concerns there. We're concerned about the value of our property. I'm in a
19 neighborhood where we have, we're one of a few restricted areas, where we have a
20 2,200 square foot minimum on building your house and other restrictions as well. So
21 we see the potential of low income housing to affect the value of our properties. This
22 has been the image of the Lower Richland Community for years. Jimmy Bales, who
23 was hear earlier, I wish he had time to stay, he could testify to this because he was a

1 teacher, a county representative, a district representative now, and he's always been for
2 growth in our area, but a controlled growth. He was very much interested in the image
3 of our community. The image of our schools and all which has been greatly affected
4 throughout the years, because of not having a lot of commercial investment in the area.
5 The image of the schools have been such a point where people have not wanted to
6 move into the area, but have elected to go to Chapin, Lexington, Northeast, and those
7 schools there. So we've - have a concern that we will lose further value of our property
8 because of negative image that low income housing would affect our neighborhoods
9 here. Concerned about the schools, which we've touched on there. The schools are at
10 a maximum capacity now. Is there a plan of action for the future of our schools? We
11 don't want another tax increase. We don't want our houses to be reassessed again to
12 accommodate bigger schools, more schools to accommodate the growth of this many
13 homes. The area has a, like the gentleman said, one and two acre tracts of land and
14 we'd like to keep [inaudible] as much as we can.

15 CHAIRMAN GREEN: Mr. Louis I would like it if you could please wind it up.

16 MR. LOUIS: Yes, I know, thank you very much. I have a brother that lives, his
17 property adjoins this area and he's handicapped. I feel for his safety and I have a lot of
18 concern for his welfare and future as well.

19 CHAIRMAN GREEN: Jim Lewis, followed by Jim Watts.

20 **TESTIMONY OF JIM LEWIS:**

21 CHAIRMAN GREEN: Thank you, sir and I'm Jim Louis. I live at 1027 Dominion
22 Hills Trail, which is a county maintained dirt road that butts up to Trotter Road. It's
23 about a hundred maybe a couple hundred feet from where this proposed road is that's

1 coming into this development. I am opposed to this development. I'm not opposed to
2 development in general, but most of D-1 is one residence per acre. That would be fine.
3 Even a little bit more intense would be fine, but I would like to see the integrity of the
4 neighborhood maintained. Also and I agree with all of my neighbors about the services,
5 and the people before me talking about the schools and all the different things. But I
6 would like to make one point because I live on a low part of this land. The way it slopes
7 down. The two lots across the Dominion Hills Trail from me, have recently been
8 cleared, which brings drainage water from Trotter Road. They've cut a ditch that comes
9 across my road and floods my land, and the road during high rains. This is going to be
10 another road that is going to drive all this drainage water onto Trotter Road. I'm on the
11 low side, it's going to come down and it's going to flood this area. School buses use
12 this road when it's not flooded. It's going to be flooded even more. And I hope that you
13 will deny this. Thank you.

14 CHAIRMAN GREEN: Jim Watts followed by David Dixon.

15 **TESTIMONY OF JIM WATTS:**

16 MR. WATTS: Good afternoon. I'm Jim Watts and I am representing the parcel
17 to the east, which is the planned construction of the Temple of Jesus. And we certainly
18 welcome the congregation and more people in the community, because our prime
19 objective is savings souls. So we did sign up as to approve of this site, but after
20 listening to the comments of the community we certainly are sympathizing with them.
21 And we hope and pray that all goes well for all concerned. Thank you and be blessed.

22 CHAIRMAN GREEN: Thank you, sir. David Dixon followed by Gwen Stevens.

23 **TESTIMONY OF DAVID DIXON:**

1 MR. DIXON: Good afternoon my name is David Dixon. I reside at 6440 Clover
2 Hill Drive. Richland County is a county that is growing and it will continue to grow. I
3 don't wish that we stopped this growing development. What we need to do is to plan it
4 a little better. In this particular area, as the gentlemen speakers have said in the past,
5 we have one to two acre lots. And to cram six to seven family units on to one acre
6 would probably not be appropriate. And when you look at your maps in your handouts
7 there, you'll see it's a two lane road, Trotter. Five hundred units; potentially 1,000 cars,
8 and that would drastically effect the ability to get to Garners Ferry. And if you look in the
9 future with this development, Garners Ferry has the potential to become another Broad
10 River Road. And I don't know if we have in place the infrastructure to correct that.
11 Please consider your vote and perhaps talk to the developer about perhaps raising –
12 lowing the number of units per acre. Thank you.

13 CHAIRMAN GREEN: Thank you, sir. Gwen Stevens.

14 **TESTIMONY OF GWEN STEVENS:**

15 MS. STEVENS: Good afternoon I'm Gwen Stevens. I live at 111 Trotter Lane,
16 which is the property adjacent the 15.5 acres. I'm concerned about so many people
17 moving into that one small area. I can understand dividing it up to, you know, a few
18 houses. I don't see how they can get that many people on that acreage of land. That's
19 what I live on. My backside of my property is backing up to some of the other property
20 also and Trotter Road is a very, very small road. It would be hard to imagine them
21 putting sidewalks there because it's so small. There's no leeway from where the
22 pavement ends to the ditch. It's a curvy road. It's a lot of accidents. There's a lot of
23 cars out there already. If you are turning left onto Garners Ferry Road from Trotter

1 Road you sometimes take your life into your own hands. There are a lot of accidents
2 and we're concerned about the schools, and where they are going to be putting all
3 these people. Garners Ferry Road is even too small for that area right now. It's quite
4 busy and congested in the peak travel times. I'd like for you to consider to decrease the
5 number of houses that they want to put out there. I just don't see how they can cram
6 that many people with that small acreage. Thank you.

7 CHAIRMAN GREEN: Thank you. That's everyone signed up to speak on that
8 matter. So I invite any comments from Planning Commission.

9 MR. JACKSON: First of all I cannot support any government agency purchasing
10 right-of-way for any development, any site. And I can not support any government
11 agency building a turning lane, a deceleration lane, or storage lane. Garners Ferry
12 Road is a two lane divided highway – a four lane divided highway, and as I have
13 mentioned that they do not account the, all the subdivisions that have been approved.
14 You're adding 4,495 vehicles per day to more than 10,450 vehicles per day already
15 approved by other subdivisions, which is a total of 14,945 vehicles to 31,100 vehicles
16 making it 46,045 vehicles per day will change the VC ratio to 1.37, which is changing
17 the level of service from a C to an F, and that is unacceptable for Garners Ferry Road.
18 It's, the other station is station 565 on Trotter Road. It's a two lane divided with a ditch
19 on both sides. So it's hard to put sidewalk because of the depth of those ditches. But
20 you are changing, it has 3,500 vehicles per day. You are adding 14,945 vehicles, which
21 will change the level C to a level F also. So the traffic generated from this property will
22 make each station a level service F, to me is unacceptable. Then you are talking about
23 coming into a neighborhood which has one to two acres per dwelling, and putting

1 seven? I think that's disrespectful or inconsiderate for the citizens for the area to do a
2 development of this magnitude. You are putting over 500 houses on 91 acres. There is
3 no way I can support a development like this. I could support one acre, or 0.75 acre per
4 dwelling, but not 7 dwellings per acre. That's - I can't support something like that.

5 CHAIRMAN GREEN: This is the problem that – as we look at Richland County,
6 everybody one the one hand doesn't want us to use more land to build houses, yet on
7 the other hand, doesn't want us to build higher density. You know, the question I
8 struggle with, you want everything on one acre lots, do you want to use 500 acres to
9 build the same number of houses, or do you want to use a master planned area that
10 accesses on to a four lane divided highway? You know, I know it's not an easy
11 question. We've all struggled with it and talked about it a lot up here, but, I mean, that's
12 fundamentally what we come down to. We keep getting told we've got to do everything
13 that 2020 says. You've got to control the sprawl. You've got to control the amount of
14 land we're consuming. I don't know how to do it any other way than, than to encourage
15 master planned, higher density development. And that's what I struggle with every time
16 that there is an opposition to building a higher density. And I think another argument
17 that I just, I don't believe is true, only taking my own neighborhood as an example. I
18 moved to where I live 10 years ago and since I moved there, they have built four
19 subdivisions that homes cost not only less than mine in some cases, but substantially
20 less. They are much higher density and I haven't seen any, any change in the value of
21 my house since all that happened. I don't believe just because someone moves into a
22 smaller house that it negatively impacts other people in the area. So those are the
23 concerns that I have over the comments that were made.

1 MR. GOSLINE: Mr. Chairman, before we lose sight of the things that Ken and
2 Cliff brought up, their objections to our recommendations on the page 130, let's take
3 them one at a time. Our recommendation that the commercial property be limited to
4 15,000 square feet is based again on typical amount of property that you can get. This
5 is only 61,000 square feet. So we're talking about basically getting about 25% in gross
6 leasible area. That's pretty typical. So we didn't just make it up. We've already had
7 enough discussion about limiting the types of uses, I don't want to go through that
8 again. And I think one of the other objections they had was in G, requiring the
9 developer to construct any turn lanes. We've had bad experiences when we don't do
10 that. Virtually every PUD that we've done and most developments for a long time have
11 required that, I don't that's terribly – in a sense Ken is right, it's going to have to be
12 done. But we feel it's very important that it gets into the conditioning of the PUD. A
13 perfect example is the Villages at Longtown didn't get it in and nothing is getting done.
14 And then the third thing I think Mr. Kinder wanted to have some sort of time limit on
15 doing the sidewalks. And that's, I think is very reasonable, two years or even three is
16 very reasonable. So I want to get those out.

17 CHAIRMAN GREEN: I'd just like to ask Carl one question with regard to DOT.
18 Now you say a turn lane, I think of turn lane different from a deceleration lane or an
19 acceleration lane. Are you talking about a true turn – middle of the median turn lane?

20 MR. GOSLINE: Yes, fortunately this particular place there's already a median
21 cut. So when you would – somebody is going to have to do a decel lane into the
22 entrance, somebody is going to have to decel basically, what we call a turn lane in the
23 median like you see everywhere this is divided – fortunately Garners Ferry is a divided

1 four lane highway. So there is some room to do that. I think it's very important that this
2 be a condition of the PUD that the applicant -

3 CHAIRMAN GREEN: Comply with it, I mean what if DOT doesn't approve?
4 What we would prefer they had.

5 MR. GOSLINE: If you wanted to make it - let's see - as required - shall be
6 required to construct any necessary turn lanes to the project. I would interpret that to be
7 that DOT and our traffic engineering department would make that call. Certainly a
8 project with 400 homes or whatever should have some decel lanes and turn lanes
9 involved for safety purposes. I can't imagine, well I shouldn't say that, it has -
10 unfortunately we've had projects in the past occur where this didn't happen. That's why
11 we made that pretty much a standard condition of, particularly PUDs for some time now.

12 MR. JACKSON: Garners Ferry Road is 55 mph in that area. And you're talking
13 4,495 vehicles per day. The only access to the property is on Garners Ferry Road.

14 MR. GOSLINE: No, there's also an entrance on Trotter.

15 MR. JACKSON: There's an entrance, but I'm talking major entrance on to
16 Garners Ferry Road. To get to that property you have to have a deceleration lane. You
17 have to have a storage, enough room for storage also. Not to affect traffic on Garners
18 Ferry Road. So you'll have storage and turning. So in those other three conditions has
19 to be met before - and I cannot support any agency building those lanes or purchasing
20 the right-of-way on other roads for any development.

21 MR. GOSLINE: But Mr. Jackson, if I might, the county is not going acquire any
22 property. We think it's the applicant ought to pay the cost of doing work.

23 MR. JACKSON: I understand, that's what I was saying.

1 MR. GOSLINE: I want to make sure we're in understanding.

2 MR. JACKSON: I'm concerned that the county should pay – from what I was
3 reading that whenever it's acquired by the government agency. I'm just saying I don't
4 think any government agency should purchase or acquire any right-of-way toward any
5 development.

6 MR. GOSLINE: Oh, I see what you are saying.

7 MR. DUNBAR: The sidewalk that connects it to the park though. That's not
8 even on this property. You are saying that for 400 or 500 families or whatever is going
9 to be in there that pay taxes shouldn't get any benefit of those taxes?

10 MR. JACKSON: I think if you are going to build a development, you should be
11 responsible for any changes that will affect the community. I don't think the government
12 agencies should spend taxpayers money to improve it. There may be those
13 requirements, but [inaudible] kids will be using the road I think for safety purposes you
14 should have sidewalks. I don't think you should dump people in a community near to a
15 park and do not provide anything.

16 MR. PALMER: If we're going to do that then we need to pass an ordinance to
17 say that.

18 MR. JACKSON: Not necessarily.

19 MR. DUNBAR: We're talking about off site now Norman, we're not talking about
20 within the subdivision.

21 MR. JACKSON: It was mentioned. I'm just saying the fact that it was mentioned
22 in the document. I have to address it.

23 CHAIRMAN GREEN: That was Staffs recommendation.

1 MR. GOSLINE: That's correct.

2 MR. JACKSON: But it was mentioned in the document.

3 MR. KINDER: Mr. Chairman, might I clarify two points? We're not asking for the
4 county or any government agency to buy the right-of-way it would take to build a
5 sidewalk from our Trotter Road entrance to Caughman Road Park. We are simply
6 saying if the county takes initiative and the property owners who front Trotter Road give
7 voluntary permission for a sidewalk to be built, we will pay to build it. That's all we're
8 saying. On the matter of decel/acceleration lanes on Sumter Highway, we're not
9 quibbling with the fact that that probably is going to be desired and required. But it's
10 going to be desired and required by the federal government and by the state DOT as
11 part of their curb cut and other approval process. I don't want to get caught in a
12 situation where we meet DOT, state DOT and federal DOT requirements to the letter
13 and they don't want a decel lane, a certain magnitude, and the Planning Commission
14 approvals and the County Councils approvals are at odds with federal and state
15 mandates. That's not a good situation for anyone to be in. We do expect that the state
16 and the feds will have some constructional requirements that we will have to pay for as
17 a precondition of them agreeing to give us the curb cut out to U.S. Highway 76. And we
18 expect to pay for that.

19 MR. VAN DINE: Mr. Chairman, may I make a couple of comments? I think that I
20 may be reading too much into the word necessary, but it seems to be that word
21 necessary is sort of implied that it was DOT required road cuts required for access into
22 the site. So I'm not sure, we may be just talking about semantical issues in this
23 particular area. You're saying that you don't want it to have some requirement, but if

1 necessary it's necessary by somebody. And so maybe we just need to define who the
2 necessary is in order to make sure understand it.

3 MR. KINDER: Mr. Van Dine, I think in this case it would be necessary and
4 mandated and predetermined by either the state DOT or the federal Department of
5 Transportation. And their definition of necessary and their definition of good traffic
6 planning, which we are willing to subject ourselves to.

7 MR. SIMMONS: Could we just add that it's as required by DOT?

8 MR. VAN DINE: That's what I'm suggesting.

9 MR. SIMMONS: If we just add those words that would solve everybody's
10 problem. As deemed necessary by DOT or as required by SCDOT.

11 MR. VAN DINE: That would certainly take the issue down to what we're talking
12 about as to whether or not to get off of Garners Ferry, somebody, the state is going to
13 require a turning lane or a decel lane or something like that.

14 MR. GOSLINE: Right that's just one of those – I think we're all trying to getting to
15 the same place. And if we say the developer shall be required to pay the cost to
16 construct any turn lanes termed to be necessary by the county of the state or whatever.
17 Something like that. I think we're all saying the same thing.

18 MR. SIMMONS: Can you just not say, "the developer shall be required to
19 construct any necessary turn lanes", which is your direct quote, "as required by SCDOT
20 for the project on both Garners Ferry and Trotter Road." So you're just adding between
21 the word lanes and for "as required by SCDOT". Everything else is the exact same.

22 MR. VAN DINE: That would certainly take care of that issue.

23 CHAIRMAN GREEN: Further discussion?

1 MR. VAN DINE: The only other problem I have, I have to agree with Mr. Jackson
2 on the, just the sheer magnitude of the housing units that are being placed on this area.
3 This is completely out of character for what is in that area. It will certainly change the
4 entire dynamics of that area as to what is being looked at or what is not being looked at
5 out there. It's not 501 units on 90 acres, its 501 units on 75 acres, because you have to
6 take out 15 for all the other things which have been introduced. I just think that the
7 magnitude of a change in that density and input, while I understand the argument
8 concerning them trying to centralize and save land and all the rest of it, I'm just, I'm not
9 sure I can support something of that magnitude and density.

10 MR. JACKSON: I [inaudible] in the ordinance we have just debated for a period
11 of time the Department requested in the rural communities to upgrade from 0.76 acre to
12 1 acre per dwelling. And here we are finding, trying to support seven acres, I mean,
13 seven dwellings per acre. I even fought to keep that 0.76 acre. I know the Department
14 was saying it was okay to put seven dwellings on acre in that area.

15 CHAIRMAN GREEN: Further discussion?

16 MR. DUNBAR: Let me, something that hasn't been brought up about Mr.
17 Green's comments I think, it's like my opinion on the density, and one thing that hasn't
18 been brought up the affordability of the housing. Where are people going to live that
19 need a house in the \$100,000 price range. I don't know what the price range of this one
20 is going to be. But if you start doing lots in the rural area at an acre, you are not going
21 to get people that can afford housing. You are going to end up, and I have no ax to
22 grind with Lower Richland, I live in the northwest area, but I take the same position out
23 there. I build upper end houses. But where are the people who can afford the middle

1 and lower middle houses going to live if we don't allow them to live in developing
2 neighborhoods on the fringe of the urban area? This is not really a rural area out there
3 at this point. The urban area is growing in that direction. We've had a lot of demand
4 and outcry to get more development in Lower Richland. And we've had two situations
5 come up in the last two months with similar subdivisions. And the similar objections
6 came up for people who have multiple acre sites. And that's going to be the case in any
7 rural area of the county. I add to the other questions where are we going to put
8 moderate priced houses?

9 MR. JACKSON: I can address that, we just mentioned it. For example, past
10 Lower Richland Boulevard going down that's deemed by the Department of Agriculture
11 and Rural Development as a low income neighborhood or distressed community. And
12 most of the residents who live in that area lives on one acre of land. They live in mobile
13 homes.

14 MR. DUNBAR: I'm talking about new housing.

15 MR. JACKSON: I'm talking about one acre of land, mobile homes, [inaudible]
16 houses they are building in that community. I've lived in that community for 27 years.
17 And affordable housing, I've tried to make sure, and I have stressed in several of our
18 meetings that mobile homes should not be the answer to affordable housing. And we're
19 working, we'll work on that. But at the same time because of the lack of infrastructure to
20 the community and now we have water and sewer slowly creeping into the community
21 we have developers who are coming in and changing the total character of the area.
22 And in the 2020 Town and County Vision, it was asked of the communities what would
23 they like to see? How would they like to see their community grow? And the

1 community spoke, it was incorporated in the Town and County Vision and what I'm
2 saying is to have some respect for the people's opinion to have the design reflect what
3 you ask of them. If not, we're saying, we're just lying to them and we're just saying in
4 the future we really don't need your comments. We're just - hear what you have to say
5 and make our own decisions. [inaudible] And the people, we're trying to develop trust
6 with the people of the community and here in their face we're doing the opposite. And
7 that's why we have a problem with the citizens of the area not trusting the county
8 because we're not doing what we told them we would do. And that's it.

9 MR. GOSLINE: Mr. Chairman?

10 CHAIRMAN GREEN: Further discussion?

11 MR. GOSLINE: One of the issues that's been brought up by several people is
12 the character of this area, how this project is out of character. I want to point out to you,
13 unfortunately again, we ought to have a little bit bigger picture, but all this area here is
14 the subdivision of 300 to 400 units. Next to it is another one, already been approved.
15 Last month you approved rezoning for, I forget what you did, but anyway right adjacent
16 to Lower Richland High School for another one. You have the Recreation Commission
17 property, Dr. Randolph's twenty some acres of commercial development in here. There
18 is other subdivisions up Trotter Road. So the community, the character on this side –
19 from here on the north side of Garners Ferry Road to Trotter to Lower Richland has
20 radically changed in the last year. And it's not rural anymore. It's suburban.

21 MR. JACKSON: I totally agree, but there's no subdivision that has seven units
22 per acre that has been approved. We have never received any subdivision with seven
23 units per acre in that area.

1 MR. GOSLINE: Don't forget now when we are doing PUDs you take the gross
2 density of the whole project. That density is approximately the same as R-2, which is
3 the subdivision up here is zoned R-2. So the gross density of the project is the same as

4 -

5 MR. JACKSON: We're still having seven building units per acre.

6 MR. GOSLINE: But that's only on a portion of it.

7 MR. JACKSON: There's no green spaces provided.

8 MR. GOSLINE: Well, we don't, we don't - unfortunately in the PUD process we
9 don't require the minimum.

10 MR. JACKSON: That's true, so what I'm saying is it's not the character for the
11 area.

12 CHAIRMAN GREEN: Further comments from Planning Commission?

13 MR. DUNBAR: I'd like to make a motion. And I may need a little help with the
14 conditions. But I want to make a motion for approval subject to the conditions on page
15 130 modifying Item B to include the list on Addendum A from the applicant, that restricts
16 the uses. Item G to leave the access to DOT, by access to the site was another issue
17 that we came up. The access was to be limited to one point on Garners Ferry and one
18 on Trotter and I think we need to leave that to DOT. Let me finish and then we'll go
19 back, G – the modification after Trotter Road as required by South Carolina DOT, and J
20 putting a two year limitation on the sidewalk requirement. And any, I'm subject to some
21 suggestions from other members that may be [inaudible] those changes and conditions
22 [inaudible].

1 CHAIRMAN GREEN: We have a motion on the floor for approval subject to
2 changes, subject to the conditions on page 130, with the changes to D, G, and J. Is
3 there a second?

4 MR. VAN DINE: B also.

5 MR. PALMER: Second.

6 MS. LUCIUS: I didn't understand a thing.

7 CHAIRMAN GREEN: The motion is that B be changed to permit whatever is
8 generally permissible according to the addendum.

9 MS. LUCIUS: Which I understand is 25%?

10 MR. DUNBAR: There is Addendum A under their application in this package.

11 MS. LUCIUS: And so you are saying not to limit it to certain set of square feet?

12 CHAIRMAN GREEN: To limit it to the uses, to allow the uses that are in
13 Addendum A.

14 MS. LUCIUS: With no limit.

15 MR. DUNBAR: The limit would be based on current setbacks and all those
16 requirements we already have in the Code. So yes there's a limit but we don't pick the
17 number. They've got to live with the requirements for packing, setbacks, buffers, and all
18 those things.

19 MR. PALMER: And it's only 1.4 acres of the entire site.

20 CHAIRMAN GREEN: Since we do have a motion and a second since there were
21 several changes, is everybody on the Commission clear on what changes are in the
22 motion for the PUD conditions on page 130.

1 MR. GOSLINE: Mr. Chairman, is the intent of G that the developer pays the
2 cost?

3 CHAIRMAN GREEN: Correct.

4 MR. GOSLINE: Okay.

5 MR. DUNBAR: As required by DOT.

6 MR. GOSLINE: Okay.

7 MS. LUCIUS: Repeat again what you said about F?

8 CHAIRMAN GREEN: That F would be subject to DOT requirements.

9 MS. LUCIUS: So we're not going to have any say so about the number of
10 access points?

11 MR. VAN DINE: I don't think that there's any more than one in each one
12 [inaudible].

13 CHAIRMAN GREEN: [inaudible]. There is a motion on the floor that has been
14 seconded. I just want to make sure that everybody is clear on what changes,
15 modifications have been made in the motion? Any further questions on the motion?
16 Discussion on the motion? Seeing no further discussion.

17 MR. GOSLINE: Who was second on it?

18 CHAIRMAN GREEN: Mr. Palmer. All those in favor of the motion please signify
19 by raising your hand? All those opposed?

20 *[Approved: Palmer, Green, Dunbar; Opposed: Furgess, Lucius, Jackson, Wyatt, Van*
21 *Dine; Absent: McBride]*

22 CHAIRMAN GREEN: The motion fails by a vote of 5 to 3, is there any other
23 motions to come before the Planning Commission?

1 MR. JACKSON: I move that this application be denied.

2 MR. VAN DINE: Second.

3 CHAIRMAN GREEN: We have a motion and a second that the – that we send
4 this forth to County Council with a recommendation of denial. Any further discussion on
5 the motion?

6 MR. VAN DINE: Just to clarify for the Record, I base the second on all of the
7 discussions that we had prior to what we had so we don't need to restate them all again
8 here for the purposes of denial.

9 CHAIRMAN GREEN: Thank you, sir. All those in favor of the motion to send this
10 to County Council with a recommendation for denial, please raise your hand? Those
11 opposed?

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

14 CHAIRMAN GREEN: That's 5 to 3, this will go forward with a recommendation
15 for denial. There will be another zoning public hearing to be held at County Council on
16 April 27th. And everybody will again be given another opportunity. We are only a
17 recommending Body and final decision is made by County Council. Thank you for your
18 participation.

19 *[Green excused at 5:40 p.m.]*

20 VICE-CHAIRMAN WYATT: Okay. Next case up is 04-48 MA request for rural to
21 D-1.

22 MR. CRISS: Staff will return momentarily.

1 VICE-CHAIRMAN WYATT: Do we want to go ahead with subdivision names and
2 approvals? Start there. Subdivision names and approvals. Any questions? Anything?
3 Any comments from Staff?

4 MR. CRISS: Page 165.

5 MS. LUCIUS: What's a Croak Pine?

6 [inaudible conversations]

7 MR. VAN DINE: I move approval of this name change.

8 MR. JACKSON: Second.

9 VICE-CHAIRMAN WYATT: Let's get back in control here, please. Okay, we
10 have a motion to approve these street names on page 165 and 166, and a second. All
11 those in favor of these street names please raise your hand? Thank you.

12 *[Approved: Dunbar, Furgess, Lucius, Jackson, Wyatt, Van Dine; Not voting: Palmer;*
13 *Absent: McBride]*

14 MR. DUNBAR: I move approval of subdivision names.

15 VICE-CHAIRMAN WYATT: Okay, let's go back to page 141.

16 MR. VAN DINE: MR. VAN DINE: We have a motion for subdivision names
17 as well.

18 MR. GOSLINE: The subdivision names don't need to be approved. They're just
19 there for your [inaudible].

20 VICE-CHAIRMAN WYATT: And I apologize to everyone. Mr. Gosline is back in
21 the room and we're taking up case 04-48 MA.

22 **CASE 04-48 MA:**

1 MR. GOSLINE: Madam Chairman and Members this is a request by Heritage
2 Forest, LLC, to rezone 92, almost 92 acres from RU to D-1 for it's subdivision. This
3 property is located more or less adjacent to Stonington, which is a mile or so south of
4 the I-77/Wilson Boulevard interchange. The Staff recommends this not be changed for
5 the reasons on pages 144 and 145. The applicant is here and I'm sure he'll probably
6 want to have something to say about our recommendation.

7 VICE-CHAIRMAN WYATT: Okay. Let's see, first one up here the applicant is –

8 MR. GOSLINE: Mr. Craig is here and several other people. I don't know if
9 they've signed up.

10 VICE-CHAIRMAN WYATT: Okay. You've got Glen Hollis signed up for against
11 and then I got Gene Todd for. Did the applicant sign in? All right, go ahead, sir.

12 **TESTIMONY OF JIM CRAIG:**

13 MR. CRAIG: Thank you, Madam Chairman. My name is Jim Craig and I am one
14 of the principals of Heritage Forest Development Company. Mr. Todd is also one of the
15 principals and we are also the principals of another development in the area that was
16 just down there street, which is Heritage Hills subdivision. We developed Heritage Hills
17 a number of years of ago, and also Eagles Glenn, which is in the same general area off
18 of Rimer Pond Road. As a matter of fact, a lady earlier today gave her testimony
19 against some other subdivision sited Heritage Hills as what she would like to see in this
20 neighborhood. And this particular piece of property, which is currently zoned RU, we
21 are seeking to have rezoned as D-1 with the plan that it would be a similar subdivision
22 as Heritage Hills. Hence the name Heritage Forest is what we intend to call it. First of
23 all let me point out that the zoning request – the zoning of D-1 is a minimum of 20,000

1 square foot lot. In a number of places Staff has sited 2.2 units per acre. That's really
2 an incorrect designation, because it's not 2.2 units per acre. It is 20,000 square foot
3 lots. And that translates to a different number than 2.2 units per gross acre. So keep
4 that in mind. Mr. – excuse me Staff states, and I quote, "The proposed D-1 zoning
5 intent is intended to provide large tracts of land located primarily on the fringe of urban
6 growth, where the predominate character of urban developed has not yet been fully
7 established, but where the current characteristics of use are predominately residential,
8 agricultural, or semi developed with scattered related uses." And that's exactly what we
9 have with this particular piece of property. We have an area that is sort of developing a
10 number of rural tracts around it and a number of residential areas around it. If I could
11 make one correction on the map. Mr. Gosline, excuse me, Staff, it shows a cross hatch
12 area that denotes the property. Actually some areas of the cross hatched property is
13 not part of the site. If you see in the back portion there's an orange area that is not part
14 of our site. And also I'd like to point out that the back portion of this property is a creek.
15 And there is approximately 10 acres of wetlands and flood plain the back of this
16 property that is completely unusable. And if you look at this chart, I'd like to pass these
17 out. The tract, although it contains a total of 91 acres more or less, the final survey has
18 yet to be done. It's around 91 acres. You take out 10 acres of wetlands that are
19 completely unusable and that leaves you with 81 acres. You've also go to take out for
20 infrastructure, which even in Mr. Gosline's, excuse me, Staff's report says it takes about
21 35% of any development; that takes about 28 acres out, leaves you with about 53
22 developable acres. So if you take 23 acres, excuse me, 53 acres and then use the
23 factor of 2.2 you come up with 116 lots. If you then extrapolate 116 lots to 91 acres it's

1 actually 1.27 acres per lot is the most you can get in there. Now frankly, what we laid
2 out to do is this plan. And you can see the back where the wetlands are. The most we
3 could practically get on there because of the topography of the property is 110 lots. So
4 the maximum practical in a D-1 is 116 lots, but we are actually looking at doing less
5 than that. If D-1, I think it accommodates the purpose of this general area. Now, I'd like
6 to point out also a couple of items that Staff says, or cites as reasons not to approve it.
7 One is, is the amendment is not compatible with adjacent existing land. The adjacent
8 land is Stonington, which is 1.2 acres, excuse me, 1.2 units per acre and we will be
9 1.27. It's almost exactly the same as Stonington at D-1. Secondly Staff states that the
10 current zoning of RU is not compatible with the I-77 corridor plan. And what – this is
11 really odd item in this report, is that what is compatible is medium density zoning.
12 Medium density would be five to nine units per acre. Five to nine units per acre would
13 be 265 to 477 units per acre, which is virtually impossible on this property unless you
14 were to do multi-family. Multi-family is certainly not consistent with what's in this area.
15 And I think D-1 is the most consistent zoning with what is there. Now you may ask the
16 question, why not leave it RU and just 33,000 square foot lots? The problem with that is
17 because of the topography of the property and the amount of wetlands it's just simply
18 not economically feasible to develop the property unless you can get a few more lots.
19 And it's really only a few more, because under RU we could get around 90 lots on the
20 property. We're looking from 90, D-1 would go up to 110, maximum 116. Mr. Gosline
21 also talks about the traffic in the area. And let me, let me comment on that, because I
22 think it's based on an incorrect assumption. It says, it's stated in the notes, "It is
23 anticipated the vast majority of the traffic generated by this project as well as the

1 aforementioned PUD” – which is the project on Turkey Farm Creek – Turkey Creek
2 Farm Road, “will travel north to gain access to I-77.” I think that’s an incorrect
3 assumption. It’s hard to see on this map. But coming from Columbia, the natural way
4 would be to take Killian Road and then go north on Wilson Boulevard. Not to go all the
5 way to the next exit, that’s Wilson Boulevard, and come south. So I think the Turkey
6 Farm project and this project would be going in opposite directions.

7 VICE-CHAIRMAN WYATT: Mr. Craig, would you start trying to wrap up a little bit
8 please sir?

9 MR. CRAIG: I appreciate the hour is late and we have been here the entire day
10 as you have, as well, and that – but I don’t want to under emphasize the importance of
11 this project to us and to everyone concerned in the neighborhood. We have tried to
12 address the concerns of the neighborhood. There are a number of items in the Staff’s
13 Report that I think are really more appropriate for subdivision plan approval, such as a
14 secondary entrance for fire, which we can accommodate, by the way. The issue of
15 SCDOT access on Wilson Boulevard, which can be accommodated. All of that should
16 be left for discussion on subdivision plan approval, not for zoning.

17 VICE-CHAIRMAN WYATT: Thank you, sir.

18 MR. DUNBAR: I have a question for Carl. Carl according to the zoning map we
19 have in our package the blue area adjacent, is that Stonington?

20 MR. GOSLINE: Yes.

21 MR. DUNBAR: So Stonington is developed on a D-1 zone?

22 MR. GOSLINE: No, it’s – that’s supposed to be the PUD I believe.

23 MR. DUNBAR: Okay.

1 MR. GOSLINE: Unfortunately the shading between the D-1 and the PUD are too
2 close.

3 MR. DUNBAR: And I'm color blind so that doesn't help.

4 MR. GOSLINE: Madam Chairman, if I might?

5 VICE-CHAIRMAN WYATT: Alright any other questions?

6 MR. GOSLINE: If I might respond to a couple things that Mr. Craig brought up.
7 One is he is talking about how the Staff or the Department has suggested medium
8 density residential be developed in this area. What we're talking about is, if you look on
9 page 44, the I-77 corridor sub-area map, designates this area as medium density
10 residential development, which is five to nine units per acre. And all we're saying is
11 neither the existing zoning or the PUD zone is consistent with that map designation.
12 You are going to see that a lot, because as you all know we have lots of problems
13 between the sub-area maps and the zoning maps. I wouldn't necessarily disagree with
14 Mr. Craig's assertion that the – the assumption traffic split, that could very well be true.

15 VICE-CHAIRMAN WYATT: Carl would you go and let everybody that's here to
16 speak against this speak, and then we'll go back and address this? We have a sheet
17 full of folks that want a few minutes of our time.

18 MR. DUNBAR: I've got one question for the applicant before he leaves here if
19 you don't mind? It's kind of unusual for us to have a subdivision request to go to D-1.
20 Like I can't remember one lately. Is there some reason you didn't do like a PUD or
21 something like that so you could get the size lots that you wanted but basically commit
22 yourself to a residential development? Because if you get D-1 you don't have go
23 residential development.

1 MR. CRAIG: Well we intend a residential development. And one of the main
2 reasons is because of the cost factor. We have an option to purchase this property, we
3 don't own it. In order to put together the package, engineering, surveys, etc., etc., it
4 would cost around \$15,000 - \$20,000 to put together the PUD package. In addition to
5 that there may be other requirements that would come from Staff that would, just like we
6 heard a few moments ago. I mean, just because it's a PUD doesn't mean its an easy
7 process. And D-1 ensures that these are going to be minimum 20,000 square foot lots.

8 MR. DUNBAR: Well, it doesn't sure that all because you wouldn't have to do a
9 residential development. That's my only point. From what I can see it looks like a good
10 development, but it looks like the wrong zone for it. That's just a question – I'm not
11 making a statement. I'm just asking a question.

12 MR. VAN DINE: The concern I believe is that this – by D-1, just getting a D-1
13 zone doesn't restrict you to a residential development. You'd have all of the abilities of
14 anything that falls in D-1. And I think what's being asked is for some assurance in some
15 way shape or form that it's binding on you that this is a residential development.

16 MR. CRAIG: I'd be willing to make that a stipulation that it's residential
17 development. D-1 residential only if you want to add that as condition of approval.
18 We're not trying to back door you and slip something else in there.

19 VICE-CHAIRMAN WYATT: Okay, thank you, sir. Glen Hollis. I'm going to ask
20 that you folks just kind of line up and we'll see if we can't – after Mr. Hollis is Polly
21 Broom.

22 **TESTIMONY OF GLEN HOLLIS:**

1 MR. HOLLIS: Good afternoon. The name is Glen Hollis. I own a lot –
2 landlocked piece of land, my brother, my daughter, and I about 20 acres downhill from
3 the said property between Stonington and this property. I've had nothing but problems
4 for the last four years. This property you are looking at now it went undisturbed in the
5 last four years. Last 50 years, pardon me. And the Haas' – handed down from the
6 Haas' and these people bought it. Fleetwood, I think bought it. The Haas' moved there
7 [inaudible] and farmed it for a few years. Since then the land has been undisturbed.
8 And if you look at a topo map it's everything but flat. You look at a topo map it's a 100'
9 drop from Highway 21 to Beasley Creek and Hawkins Banks. And everything runs
10 downhill, water runs downhill. You've already seen that from Stonington. Every time
11 my pond – we get a big rain my pond turns red, but no body wants to do anything about
12 it. Y'all allowed it four years ago. But I've tried every way possible to save my property.
13 I've tried to keep it productive. We've got eight acres of water down there and it's
14 almost turned into sump with these run offs. And the property y'all approved just a little
15 while ago, up Hawkins Branch, up 21, when you tear up that land it's coming down too.
16 That's something else you didn't look at. I don't know whether any of you went out and
17 looked at the land or not. You look at a map, I don't know a topo map, I'm just flat dirt.
18 But I've tried to keep my little land productive. We put fish in the pond, a place for
19 recreation. I've got an acre of blueberries up on the hill that I pump water out of a
20 fertilized pond up there on those blueberries. When you allowed all these houses to
21 come in, God knows what they are going to put on that land. Fertilizer, herbicides or
22 whatever. Do you know where it's coming? You know where it's coming, right down
23 Hawkins Branch into Hollis Pond. We went to the expensive to hire an

1 environmentalist. I know what's in there, but it's going to be costly for somebody to
2 [inaudible] those ponds. And sooner or later that will happen. Thank you.

3 VICE-CHAIRMAN WYATT: Thank you Mr. Hollis. And again, I'm going to ask
4 that y'all line up please. Polly Broom and Janet Robinson.

5 **TESTIMONY OF JANET ROBINSON:**

6 MS. ROBINSON: Well its evening now, so good evening. My name is Janet
7 Hollis Robinson. I live at 1170 Hollis Pond Road. So our private drive dirt road runs
8 east of the proposed property. I have issue with several things with this. One being the
9 driveway, unless additional property has been purchased from what I understand
10 looking at maps, there's possibly 63' that these gentleman have on 21 and when I went
11 to the DOT and picked up this Access and Roadside Management Standards, per their
12 standards on a 55 mph and above road there has to be 350' from center to center to
13 entrances. Well in 400 linear feet there's Hollis Pond Road, Little Pond Road, Fulmer
14 Road, in 400 linear feet. So like I said unless additional properties has been purchased
15 that we're not aware of, that is a big concern right there because we are just coming out
16 of a curve and it is very dangerous and I think it would be dangerous and irresponsible
17 for county allow an entrance to go in there. The road wash out is a big concern. Not all
18 of this property would wash to our road, some of it would wash our dirt road. It is a
19 privately maintained dirt road. And that is a big concern, because unless they can
20 figure out a way to divert that water off that dirt road, and heaven knows where they are
21 going to run to unless they run it down the creek, which then going to feed our other
22 pond, I don't know where they are going to put the water. But if you will look on page
23 150 of your print out, this right here is the proposed area. These two ponds are Hollis

1 Pond Road, that's the eight acres of water my father was just referring to. To the right
2 of that is Stonington. However, in between Stonington and this proposed property,
3 there are homes that live on large parcels of land. We live on 20 acres of land. There's
4 people around there that live on more. There's people that live on less, but not less
5 than one acre. Again this is about preserving the integrity of our community. Yeah it
6 would be great to see them go in and do homes on three acres lots, but it's not cost
7 effective. These developers they come in, they tear out the trees, they walk away with
8 fat pocketbooks and we are left to deal with all the issues. And it's heartbreaking. To
9 put two homes per acre on this land that slopes straight down, sloping this way and this
10 way, they would have to tear out a lot of trees to help hold that soil right now. And I
11 really, really ask you to please get in your car and come take a field trip to our home
12 and our property and see what we've had to face with Stonington. Because when we
13 stood before this Committee four years ago with Stonington this was our biggest
14 concern was the integrity of our water. We have been failed by this county. Storm
15 water management has not enforced individual lot protections in Stonington. I just
16 imagine that they are probably not going to enforce it here. And it is a big concern.
17 Trespassing, when you've got eight acres of water sitting down there, you don't think
18 that's tempting for kids to come, let's cut school, let's go fishing. We've dealt with that
19 for four years now. And it's tough, because we're now having to face the burden, a
20 financial burden to enclose our property to keep these people out. To keep the
21 neighborhood kids out. You know, what happens when somebody comes to our
22 property and drowns? It's a heartache for us all. And it's all of our responsibility to
23 insure the safety of the community. I think that this is way too dense for what we're

1 looking at here. Obviously the people that are for it is a financial gain, and I understand
2 that. But to whom much is given, much is expected. I have the privilege of living on
3 family land and you've also been given a huge responsibility too to serve the
4 community. And I really appreciate what Mr. Jackson, because I something feel like our
5 voice isn't heard. Thank you.

6 VICE-CHAIRMAN WYATT: Thank you.

7 **TESTIMONY OF WILLIAM LAM:**

8 MR. LAM: I'm William Lam, I live at 136 Willow Pine Road. And I've got about
9 2,000' of property that's adjacent to this proposed development. My main objection or
10 concern is just the road frontage and entrance to this community. We've got about 64'
11 and it's in between Little Pine Road and Hollis Pond Road. And that's the big issue that
12 I've got right there; this looks like a narrow entrance to accommodate 116 houses.
13 Coming in and out between these two roads that are already there. Thank you.

14 VICE-CHAIRMAN WYATT: Mr. Glen Didyong and Janice Davis, she left didn't
15 she? Then right after that then will be Donny Hollis if you want to get lined up please.

16 **TESTIMONY OF GLEN DIDYOUNG:**

17 MR. DIDYOUNG: Good evening again. Glen Didyong, 260 Turkey Farm Road.
18 My concerns are the same as they have been in the past. This is in walking distance of
19 the Turkey Farm Road development that's been proposed. It's just more too dense
20 development for the rural. It's more strain on the infrastructure. It's more inappropriate
21 development in an area where we're trying to retain the rural. And just more poor, poor
22 planning. We need to start taking a look at these proposals in a batch instead of
23 individually. We need to travel out to these locations and look to see how one

1 development will impact the next. We need to start doing this right. We haven't done
2 anything right for this community yet. We need to start taking a closer look at how we're
3 developing and how it's going to impact the future. Because pretty soon we're going to
4 have one Harbison development stacked up to the next. And we're all going to be
5 wanting to move away, because there aren't going to be any areas left where there's
6 room to move or room to breath. Thank you.

7 VICE-CHAIRMAN WYATT: Thank you, sir. Mr. Donny Hollis and then right after
8 him will be John Hollis.

9 **TESTIMONY OF DONNY HOLLIS:**

10 MR. HOLLIS: My name is Donny Hollis. I live at 207 Hollis Pond Road. I live
11 adjacent to the property being discussed. My concerns is not so much that these folks
12 want to develop their land. I think that everyone should have a right. But my concerns
13 are that the lack of study, lack of engineering plans. You know we have no actual
14 drawings about what's going to go in there. We know that it wants to be changed from
15 rural to D-1. D-1 is a broad, broad realm as well all know here. And, you know, who's
16 to say it'll be a housing development go through there. But the only thing I ask is that
17 considerations, engineering studies be conducted to protect this property, which is also
18 mine that house and two beautiful ponds. Like I said, I'm not opposed to growth. I'm
19 not opposed to people benefiting from their property. But the only thing I ask is that you
20 protect the property around this. Thank you.

21 VICE-CHAIRMAN WYATT: Thank you, sir. Mr. John Hollis and then after him
22 will be Dean Bishop.

23 **TESTIMONY OF JOHN HOLLIS:**

1 MR. HOLLIS: Thank you Chairman and Members of the Commission. I'm also a
2 Planning Commission member and I appreciate what you have to do. My brother and
3 his children have stated their points very well. And I would appreciate that you would
4 recommend to County Council that they deny this request. Thank you.

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

6 **TESTIMONY OF DEAN BISHOP:**

7 MR. BISHOP: My name is Dean Bishop. I live on Highway 21 approximately
8 less than a half mile from this subject property. I live directly across the road from
9 Heritage Hills that was developed by these people that's asking for this zoning change.
10 I feel that Heritage Hills has been an asset to the community and if as a good a job is
11 done on what they are requesting here as they did in Heritage Hills, I can't see how it
12 would be adverse affect on the neighborhood.

13 MR. CRAIG: Madam Chair, can I have one minute for a rebut? The majority of
14 the issues raised, I think all the issues raised by the folks that spoke against approval
15 had really to do with Planning Commission approval of the subdivision, not of zoning.
16 We'll have to come – if the you, the property gets rezoned D-1, we'll have to come back
17 to you again for Planning Commission approval of the subdivision plan. The issues they
18 raised about not having engineering drawings and those kind of things, well that's
19 premature. You can't do that until we find out what's going to happen with this project
20 as far as it's being zoned. So all these issues as far as traffic, the amount of frontage
21 on the U.S. 21, all those issues have to be addressed when the subdivision plan is
22 presented to Staff and then later back before you folks. So the majority of the
23 objections don't have to do with the issue of zoning, but have to do with the issue of

1 subdivision approval. And I'd urge you again to consider that D-1 is the most
2 appropriate zoning with the proviso that it be for residential only. We have no problem
3 with that. Thank you.

4 VICE-CHAIRMAN WYATT: Thank you, sir. Any comments?

5 MR. DUNBAR: There is one comment I want to make to the applicant. I think,
6 and this is a legal question, I think more than anything else, but we cannot, as I
7 understand it, approve a D-1 and restrict it to residential. I don't think that's within our
8 previews to do. That's why we have Planned Development Districts. That's why we
9 have Planned Unit Developments. Is that correct? That would come out to conditional
10 zoning as I understand it.

11 MR. FARRAR: Well that's the point. And I guess you could look at whether or
12 not a development agreement is appropriate for something of this size and that's
13 something the state law would look at. That's the point any number of eight or ten
14 different permitted uses including, I think, schools and cemeteries and whatnot. D-1
15 obviously the testimony, I assume y'all still swear the witnesses in is that correct? Well,
16 you probably ought to swear your witnesses if you're going to take testimony from them;
17 it'd be an additional protection. But be that as it may D-1 zoning allows a number of
18 different things. If you want to look at a development agreement between, now
19 assuming there is some type of conditional approval or recommend it to Council, you
20 could make that a condition before it goes to Council that look into the development
21 aspect, but you know, that's only if you want to recommend approval.

22 MR. DUNBAR: Well I'm personally comfortable with the project, but I've never
23 seen, there's always something new, but I've never seen an application come through

1 for D-1 and do a residential subdivision before. And I've been on it a long time and I'm
2 a little bit uncomfortable with that. But if we can limit it to the densities specified, which I
3 think are low enough, and protect the community, I would be in favor of the project. I'd
4 like to hear some other discussion from Planning Commission Members [inaudible].

5 MR. JACKSON: My main concern is the driveway separation. We have been
6 concerned about driveways so close together. And here you have a major
7 development, but other driveways less than 400'. And I, for safety purpose, especially
8 on a curve, I can't support that.

9 MR. PALMER: Well I have to agree with the fact this is just a rezoning and that
10 is something that has to be taken up with DOT and they'll have to check it out and all
11 that stuff. If it's not safe and it's not checked out by DOT it won't happen. That's
12 something to be addressed through subdivision approval process.

13 MR. JACKSON: Not necessarily it does not have to be DOT, as Commissioners
14 we are program managers and advisers. And looking at the project by the standards
15 that's given to us, we can make an assumption that it's not safe. We don't have to
16 depend on DOT to say it's not safe. I mean, it's part of our job to go out and look at the
17 project, look at the property, look at the conditions and make a judgment.

18 MR. DUNBAR: Are we talking about the main entrance to the subdivision? Is
19 that what are –

20 MR. JACKSON: That's one of my concerns, yes.

21 MR. DUNBAR: Because it's one access as far as we can tell.

22 VICE-CHAIRMAN WYATT: Well, I personally just do not feel comfortable with
23 blanket D-1 zoning. I also don't feel comfortable, to be quite honest, from the history of

1 County Council as to coming forward with development agreements. So I therefore,
2 well, I'm being frank. What happened to the development agreement with Mungo on
3 Longtown Road? So I have to make a motion to recommend denial for D-1 zoning.

4 MR. JACKSON: I second it.

5 MR. VAN DINE: Two quick comments. The rezoning that we had to do where
6 we are talking about driveway separations – a lot of these properties out there doesn't
7 have any access to any area except through easements or other things and we deal
8 with those. And if we're going to start talking about access points off the road then we
9 need to start dealing with that on landlocked properties as well. But the more important
10 thing I think is what has been raised and that is, I don't think that we can take this
11 property as a D-1 property subject to some agreement even here that would only be
12 residential. Because I think that is a violation of the laws that we have on the books.
13 And so I think that as long as it is simply a D-1 built in for all of those, and I'm not
14 suggesting that you won't do it a subdivision. The problem is once it's zoned it zoned.
15 And if anybody else coming in, if you were for some reason having to sell it, and it could
16 end up being in their requirements they wouldn't subject to that condition. So I would
17 feel very comfortable if this was coming forward as a PUD or something else that, in
18 which that is a mechanism by which we could restrict the use. And I would feel
19 comfortable with that, but to me it's that D-1 designation that just gives me concern.

20 MR. PALMER: I would have to agree with that and I understand the spot you are
21 in. The fact that you are not wanting to put out the \$15,000 or \$20,000 and not knowing
22 what's going to happen, but sometimes that's just the cost of doing business. And if you
23 are able to use the property under RU and purchase it and make your yield that you

1 need to on the property then that's fine. But if not you've go through the proper
2 channels and sometimes you have to pay some money to find out what's going to
3 happen. And, you know, I agree that putting D-1 in there, while I have no doubt that you
4 would put residential in there, there's no certainty to that future owner. So if there is no
5 way we can legally bind him to residential, and I don't know if there is or not, that kind of
6 stuff, but if there's not I would have to agree with denial.

7 VICE-CHAIRMAN WYATT: Okay, there's been a motion made with the proper
8 second. All those in favor of the motion recommended for denial, please raise your
9 hand? All those opposed?

10 *[Approved for Denial: Palmer, Furgess, Lucius, Jackson, Wyatt, Van Dine; Opposed:*
11 *Dunbar; Absent: McBride]*

12 VICE-CHAIRMAN WYATT: The motion carries.

13 MR. DUNBAR: My vote against the motion was to vote for the subdivision but
14 not a vote for the zoning. I agree that D-1 is not the way to go on it. I think you are right
15 the only way it should be done as an assurance is as a PUD. And I understand the cost
16 involved in that but we're seeing them all the time, but unfortunately that's a part of the
17 cost of doing business.

18 MR. VAN DINE: I would suggest that you might want to talk to the Staff about
19 the PUD. Because I'm getting – I may be speaking out of turn, but the consensus it
20 seemed like up here, at least from what was presented, people feel comfortable when
21 the vote was being presented it was how we get to that point that was the problem.

1 AUDIENCE MEMBER: And did we ever get the question answered whether we
2 could legally restrict the D-1 to residential? Which these people probably feel
3 comfortable with because we'd have 20,000 square foot plus lots.

4 MR. VAN DINE: I would suggest that if you need legal opinions you find a
5 lawyer. Mr. Fuller is right behind you and I'm sure he would be more than happy to
6 discuss that matter with you.

7 VICE-CHAIRMAN WYATT: And he's reasonable. Alright let's move along here
8 we still have a couple hours worth of work to do so. Okay, next case 04-49 MA.

9 **CASE OF 04-49 MA:**

10 MR. GOSLINE: Madam Chairman and Members, this is one of the easier ones
11 you'll see all year. This is, I think another a first [inaudible]. This is a proposal to
12 change a 13 acre piece from C-2 to RG-2. It's Trenholm Road right where, surrounded
13 by Arcadia Lane in Forrest Acres. So right off behind District 2 school facility at Decker
14 and Trenholm Road. Staff recommends approval.

15 VICE-CHAIRMAN WYATT: Thank you.

16 MR. DUNBAR: Is anyone signed up for this?

17 VICE-CHAIRMAN WYATT: No, there's no one signed up.

18 MR. DUNBAR: Move approval.

19 MR. VAN DINE: We've got a hand up.

20 VICE-CHAIRMAN WYATT: You didn't sign up, Mr. Walker. Sorry.

21 **TESTIMONY OF JOE WALKER:**

22 MR. WALKER: I'm Joe Walker, but I sat here all day and I want somebody to
23 know that I was here to represent Estates Properties, LLC.

1 MR. DUNBAR: I made a motion for approval.

2 MR. JACKSON: Second.

3 VICE-CHAIRMAN WYATT: All those in favor?

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

6 MR. WALKER: Will it be this easy every time I come?

7 VICE-CHAIRMAN WYATT: No.

8 MR. VAN DINE: If you wait this long, yes.

9 VICE-CHAIRMAN WYATT: Okay, the next thing –

10 MR. GOSLINE: Madam Chairman, the next thing is the Core Slab Project, that's
11 on page 167 was referred back to you. Mr. Fuller is here to address that. I'm not
12 exactly sure why it's back, but maybe Michael – I wasn't at the meeting.

13 MR. VAN DINE: Just before we get to Other Business, don't we have to take up
14 the flood plain ordinance?

15 MR. CRISS: I think the motion was to have that taken up after your -

16 MR. VAN DINE: It is my understand, has everybody gotten a copy of this? The
17 flood plain?

18 VICE-CHAIRMAN WYATT: Do you have any extra copies? I have been
19 underlining.

20 MR. GOSLINE: I thought we were going to do Core Slab first before we were
21 going to flood plain?

22 MR. VAN DINE: Do the flood plain first, we may loss some people in the process
23 [inaudible].

1 VICE-CHAIRMAN WYATT: Are we going to lose anybody?

2 MR. DUNBAR: Yeah, you're going to lose me.

3 VICE-CHAIRMAN WYATT: Okay. I just hate to keep Mr. Fuller waiting. He's
4 been here all day.

5 MR. VAN DINE: It is my understanding that this document is an accumulation of
6 discussion that took place over the better part of two months with, between a number of
7 groups. And the end of result is what Amelia and Staff have put together.

8 MR. CRISS: Yes, sir, these are proposed changes to two chapters in the current
9 Code of Ordinances relative to regulation and development in floodways, Chapter 8
10 Storm Water Management, Chapter 26 Zoning Ordinance. Want to make the same
11 changes in both chapters. They compliment one another.

12 MR. VAN DINE: Our only one that we can deal with here is Chapter 26. Chapter
13 8 has to be dealt with by Council.

14 MR. CRISS: You are correct, sir. Chapter 8 is presented for the Commissions
15 benefit to insure you that complimentary changes are being made in Chapter 8. They
16 correspond to those proposed in Chapter 26, relative to floodway definition and land
17 uses allowed. Principally these are changes to the current regulations to enable the
18 crossing of infrastructure through floodways as it may, floodway portions of flood plains,
19 streets and bridges, pipes and wires and the like.

20 MR. VAN DINE: I also had some discussions with Ms. Linder about two
21 provisions, and all of section 1 and section 2 where they reference a specific section
22 number. And we – my suggest was to modify that specific section number to for the
23 purposes of this chapter. Because, otherwise, the definition itself would only apply to

1 that section number not to the whole chapter, it ought to be a definition for the whole
2 chapter.

3 MR. CRISS: And Staff would concur that that might be too limiting and that your
4 propose change is appropriate; to reference the entire chapter rather than that particular
5 section.

6 MR. VAN DINE: Not wishing to usurp, but I'd like to make a motion that we
7 approve the amended draft with the change from section 26.73 to this chapter in
8 chapter 26.

9 MR. CRISS: I did mention two places, is it not?

10 MR. VAN DINE: The flood plain and the floodway.

11 MR. DUNBAR: I second the motion.

12 VICE-CHAIRMAN WYATT: Just that one change. Okay, the motion on the floor
13 with the proper second. All those in favor?

14 *[Approved: Palmer, Furgess, Lucius, Jackson, Wyatt, Van Dine, Dunbar; Absent:*
15 *Green, McBride]*

16 VICE-CHAIRMAN WYATT: [inaudible] closed. Let him go ahead please Carl.

17 MR. GOSLINE: I was not at the meeting that got deferred. Mr. Fuller was, Mike
18 was - this matter came back to you all from County Council.

19 **TESTIMONY OF ROBERT FULLER:**

20 MR. FULLER: I'm not entirely sure why we're back here, Madam Chairman. The
21 Planning Commission recommended denial of the PDD application of Core Slab
22 Structures that went to County Council at the public hearing first reading two weeks
23 ago, approximately. County Council approved the PDD plan 9 to 2. After which Ms.

1 Linder advised the Council that the matter needed to be referred back to the Planning
2 Commission, because that represented a change in the recommendation made by the
3 Planning Commission to the Council. The matter is scheduled for second reading
4 tomorrow night before County Council. And as I understood it, not clearly, from the
5 discussion I had briefly with Ms. Linder, that the only thing necessary of that matter
6 before you was that it be before you to be reported back to County Council that it had
7 been reviewed. The PDD plan essentially remained unchanged from what you viewed
8 and recommended denial on. We had some meetings with members of the community
9 and made a couple of concessions that were incorporated into the PUD (sic) plan for
10 very minor, in scope, and County Council approved the matter 9 to 2 and referred it
11 back to this meeting of the Planning Commission.

12 MR. GOSLINE: Madam Chairman? Mr. Fuller, the item on page 167, is that
13 what you added, the addendums?

14 MR. FULLER: Yes, I don't – they were presented to County Council. I had not –
15 I did not have a copy of the full agenda. So I don't know what page they're on.

16 MR. GOSLINE: So the issue before the Planning Commission then is just
17 whether they agree with these addendums or?

18 MR. VAN DINE: I think that ought to be directed to our Legal Staff, not to the
19 applicant, don't you think?

20 MR. FARRAR: I think Mr. Fuller is correct. Amelia briefed me before she left
21 that she thinks that in accordance with 6-29-760 of *South Carolina Code* that the
22 language, "no change in or departure from the text or maps as recommended by the
23 local Planning Commission may be made pursuant to the hearing unless the change

1 first be submitted to Planning Commission for review and recommendations". I think
2 what Amelia is saying is that Council did not adopt the Planning Commissions
3 recommendation and therefore that is a change to what Planning Commission had
4 recommended and therefore they are giving you an opportunity to comment, look at it
5 again, however you want to interpret it. But it's probably not the thing that should have
6 been at the end of a six hour meeting. It's [inaudible] spent a lot of time on it.

7 MR. VAN DINE: In essence what is sounds to me like is they want cover fires
8 and send it back to us and let us rubber stamp what they've done and now make it their
9 decision.

10 MR. PALMER: They are giving us a second chance to make the right
11 recommendations.

12 VICE-CHAIRMAN WYATT: Alright, do we need a motion on this and a second?
13 Do we vote?

14 MR. PALMER: Yes, we do.

15 VICE-CHAIRMAN WYATT: Alright, let's do it.

16 MR. VAN DINE: What are we voting on?

17 VICE-CHAIRMAN WYATT: We are voting to send it back to County Council with
18 the improvement or whatever they amended or changed –

19 MR. PALMER: Have these things changed your mind of the vote last time?
20 That's 14, 15, 16, have those changed your mind over what you voted last time?

21 MR. JACKSON: I still recommend send back with denial. I think that's
22 appropriate for a motion.

23 MR. VAN DINE: I second his motion.

1 MR. GOSLINE: Which was?

2 MR. VAN DINE: To deny. We're being asked to deny or, I don't know exactly
3 whether we're being asked to deny it or approve it?

4 MR. GOSLINE: I think, Madam Chairman, if I may. I think Mr. Palmer has got
5 the right question. The question is do these three things here change your mind over
6 your original recommendation?

7 MR. PALMER: But in the future when these things come back I'd like to see the
8 full package so that sometimes I can and cannot remember how I voted on a certain
9 topic in the past. And this little bit, I'm not sure how I voted last time and I'm not sure
10 what the reasons were for me voting the way I voted last time on this.

11 MR. GOSLINE: You probably voted the right way last time Mr. Palmer.

12 MR. PALMER: Well, in that case, I vote to approve it.

13 VICE-CHAIRMAN WYATT: We have, as I recall, we have a motion on the floor
14 for denial. Is there a second?

15 MR. VAN DINE: I seconded it. The question was does this change my mind?
16 The answer would be no, that this did not change my mind.

17 MR. JACKSON: I remember voting. It was unanimous.

18 VICE-CHAIRMAN WYATT: Alright. Alright. There is a motion on the floor for
19 denial with the proper second. All those in favor raise your hand? All those opposed?

20 *[Approved to Deny: Palmer, Furgess, Wyatt; Opposed: Lucius, Jackson, Van Dine;*
21 *Absent: Green, Dunbar, McBride]*

22 MR. PALMER: [inaudible]

1 MR. VAN DINE: We need to revote because I think - who voted, the hands were
2 going up and down so fast I'm not sure he had a chance to -

3 VICE-CHAIRMAN WYATT: Alright. Denial, everyone that recommends denial
4 please raise your right hand. Okay all those opposed?

5 *[Approved to deny: Palmer, Furgess, Wyatt; Opposed: Lucius, Jackson, Van Dine;*
6 *Absent: Green, Dunbar, McBride]*

7 MR. CRISS: Thank you it is a 3:3 tie.

8 MR. PALMER: Do you need a substitute motion?

9 MR. VAN DINE: No, it goes up with no recommendation.

10 VICE-CHAIRMAN WYATT: The next order of business, it would appear, is the
11 five year review of the Comprehensive Plan.

12 MS. CRISS: Madam Chairman, this is to satisfy the requirements of the '94
13 Planning Act that the Planning Commission review it's Comprehensive Land Use Plan
14 at least once every five years and update once every ten years. And this is a Staff
15 recommendation written by Development Services Manager, John Hicks, urging to you
16 to redefine that our Land Use Plan is in need of revision, one could say significant
17 revision. And that we begin that process formally and that we establish at this meeting
18 our intent to do so in time for that first five year review. That we make this finding in
19 time for the five year deadline of May 2004 and that we give ourselves as long as the
20 full ten year period, until 2009, for the full update. We hope at Staff that it will occur
21 much sooner.

22 MS. LUCIUS: What is reviewable?

1 MR. CRISS: It can be literally rereading the document looking at your landscape
2 changes and decided whether the document needs to be rewritten.

3 MS. LUCIUS: The Comprehensive Plan?

4 MR. CRISS: The Imagine 2020 Comprehensive Plan is what we're talking about
5 here.

6 MR. JACKSON: I move that we review it.

7 MR. VAN DINE: Second.

8 MR. GOSLINE: Agreeing with the Staff recommendations to review it?

9 MR. PALMER: To review the plan every five years?

10 MR. GOSLINE: No, to start it now.

11 MR. CRISS: To start and, of course, as part of the recommendation we will be
12 working with the Commission to develop a specific work program and staffing and
13 program budget to accomplish a full update of the Imagine Richland 2020
14 Comprehensive Plan.

15 VICE-CHAIRMAN WYATT: Everybody in favor of that?

16 *[Approved: Furgess, Lucius, Jackson, Wyatt, Van Dine; Absent: Green, Dunbar,*
17 *McBride; Not Voting: Palmer]*

18 MR. PALMER: I want to ask a question. Is there an appropriate place to ask
19 that at future dates when reviews happen that where possible, local facilities be used?

20 VICE-CHAIRMAN WYATT: Okay, there's two other things.

21 MR. VAN DINE: I don't believe he got an answer to his question.

1 MR. GOSLINE: I think and I don't want to put words in Mike's mouth, but the
2 Department has always thought we ought to be doing this work in-house and be staffed
3 to do it.

4 MR. PALMER: I'm talking about consultants, out sourcing?

5 MR. CRISS: We would be subject to the County's procurement policies.

6 MR. PALMER: There is something in the document that says we need to start
7 doing something, maybe possibly put something that where possible, sometimes it may
8 not be possible to use –

9 MR. CRISS: I think that's something that we can investigate with the
10 Commission in the development of a work program and budget for this effort.

11 MR. JACKSON: We've done that in the past.

12 MR. CRISS: I don't know what constraints are placed upon us.

13 MR. JACKSON: I'm just saying the last one, consultants were used.

14 VICE-CHAIRMAN WYATT: Okay, we'll burn that at another time. Two other
15 things I want to bring up real quick. I am making a motion, which I hope I get a second
16 to, to require that the Planning Department provide to the Planning Commission
17 members the status of all agenda items forwarded from us to County Council and give
18 us a status report on action taken.

19 MS. LUCIUS: I second.

20 VICE-CHAIRMAN WYATT: There has been motion made with the proper
21 second all those in favor?

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

1 VICE-CHAIRMAN WYATT: And then the last thing I want to bring up, I'm going
2 to ask Staff to bring back to us the M-1 zoning change that we recommended to County
3 Council last May of 2003, which was to take the special exception part out of the M-1
4 zoning. I would like to see that again. So please place that on the agenda for next
5 month.

6 MR. VAN DINE: What purpose are we trying to accomplish?

7 VICE-CHAIRMAN WYATT: To remove the special exceptions out of it for
8 residential. The recommendations we made to them and they decided to wait for the
9 Land Development Code and now it's being used as a way around zoning issues.

10 MS. LUCIUS: Right now Howard on April 7th, the ZBA is hearing 91 acres
11 special exception to put multi-family in an M-1 district, 91 acres across from the
12 Longtown project.

13 VICE-CHAIRMAN WYATT: And the ZBA does not, BZA I'm calling it the wrong
14 thing – they are not – they do not feel comfortable. They feel that those matters are
15 rezoning.

16 MR. VAN DINE: I don't have problem. I was just curious what we were doing.

17 VICE-CHAIRMAN WYATT: That's what we're doing. No I'm asking for it to be
18 placed on the agenda.

19 MR. CRISS: So noted.

20 MR. VAN DINE: Is there a way that we could receive, at the same time we're
21 placing it on the agenda some suggested, either language in or action to be taken?

22 VICE-CHAIRMAN WYATT: Just bring back basically what we agreed upon last
23 year. It was, I think there was one person that voted against. The rest of the

1 Commission voted for it. Just bring back that same ordinance. Did you ever get a copy
2 of it?

3 MS. LUCIUS: I have the minutes right here if you want to see them.

4 VICE-CHAIRMAN WYATT: No, I don't want to see them.

5 MR. FURGESS: Carl, just a question to Staff. This time in the booklet, why do
6 pictures and stuff didn't line up with the material that we got, what happened? It was all
7 out of whack?

8 MR. GOSLINE: Excuse me?

9 MR. FURGESS: Your pictures to go with -

10 MR. PALMER: Why are all of our books always there's something wrong?

11 MR. FURGESS: I mean, like on page 54, that's what we're talking about in the
12 picture, the picture is Lake Carolina and that thing had nothing to do with Lake Carolina.

13 MR. GOSLINE: Yes it is. Centennial is in Lake Carolina. You're looking at the
14 site from two different directions. One is at the end of Lake Carolina Boulevard. The
15 other is up Hidden Pines in the Summit. This project sits between the two streets, Mr.
16 Furgess, in the Lake Carolina project. So if order the Summit here on Hidden Pines and
17 off the end of -

18 MS. LUCIUS: That's not Lake Carolina. We're talking about the one off of Broad
19 River Road.

20 MR. VAN DINE: I think the suggestion is being made that perhaps the errors that
21 we see month to month it would be best to be corrected. Not to put any pressure on
22 your or anything.

23 MR. GOSLINE: I don't think that's terribly unreasonable actually.

1 VICE-CHAIRMAN WYATT: Carl, I am very happy with package and my booklet.
2 If there is a mistake I just turn it around, flip it upside do whatever. Please do not
3 pressure yourself to make sure that our books are exactly right.

4 MR. VAN DINE: I beg to differ. Please pressure yourself.

5 MR. GOSLINE: It's - I don't know what to say. There's no excuse for it. That's
6 all.

7 VICE-CHAIRMAN WYATT: John's not here blame him.

8 MR. VAN DINE: I move to adjourn – that we adjourn.

9 MR. JACKSON: I second.

10 VICE-CHAIRMAN WYATT: All those in favor?

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

13

14

[ADJOURNED AT 6:40 P.M.]