

RICHLAND COUNTY PLANNING COMMISSION
July 15, 2019

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[Members Present: Prentiss McLaurin, Jason Branham, Heather Cairns, David Tuttle, Wallace Brown, Sr.; Absent: Gilchrist, Carlisle, Frierson]

Called to order: 3:03 pm

VICE-CHAIRWOMAN CAIRNS: Good afternoon, everybody. Please allow me to read this into the Record, In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio, TV stations, newspapers, and persons requesting notification, and posted on the bulletin board located in the County administration building. In regards to the Agenda [inaudible – recording issue]. I have a sense that I can let you all hear me. Can you all hear me? Okay, good. [Inaudible] Okay so we'll try this, maybe this'll work a little better. We run with a Consent Agenda so regarding the Maps Amendments there are two that the County recommended disapproval so we will have discussion on those. Those are 10668 Two Notch and 1526 Elmtree. So all the other Map Amendments unless either Staff or any Commission Members wanna have discussion, they are slotted for approval and we just simply approve them with the consent, so let me inquire. [Inaudible].

MR. TUTTLE: Madam Chair, if I can make a motion that we approve the Consent Agenda with the removal of items number 2 and 4.

MR. BROWN: Second.

VICE-CHAIRWOMAN CAIRNS: We have a motion and a second to approve the Consent Agenda. So all approved? Any opposed?

[Approved: McLaurin, Branham, Cairns, Tuttle, Brown; Absent: Gilchrist, Frierson, Carlisle]

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VICE-CHAIRWOMAN CAIRNS: Okay, so just for bookkeeping what that means is that if you're here for Rucker Road, Longwood, Means Avenue, Sand Farm Trail or Killian Loops, those are all approved and will go up to Council so we will have no discussion on those.

MR. TUTTLE: Madam Chair, do you know the date Council meets in this room?

MR. PRICE: It'll be the 23rd of July.

VICE-CHAIRWOMAN CAIRNS: Thank you. We are a recommending Body so you'd need to return on July 23rd for the matter to be heard by Council. So we are a recommendation to Richland County Council, recommendations of approval or disapproval are forwarded to County Council for their consideration at the next zoning public hearing which is July 27th. You will have another – 23rd, sorry. You will have another opportunity to voice your opinion at the upcoming public hearing. The County is usually scheduled for the fourth Tuesday of the month at 7:00pm in these Chambers. Please make sure that your cell phones are turned off. Applicants will be allowed two minutes to speak and any citizens are also allowed two minutes to speak. Please address only the Commission Members, not each other, not the audience. Please remember that this meeting is being recorded and speak into the microphone and give your name and address. Back to the Agenda, I will turn it over to Staff for the first Map Amendment.

CASE NO. 19-025 MA:

MR. PRICE: Okay, the first item is Case 19-025 MA. The Applicant, Patrick S., hopefully I'm saying this correctly, Noh, is requesting to rezone 6.26 acres from Rural to

1 General Commercial. The location is the 10000 block of Two Notch Road, specifically
2 10668 Two Notch Road. Staff recommends denial of this particular request. This
3 request is based simply on the fact that it's not consistent with the objectives outlined in
4 the Comprehensive Plan. In addition it's not located at a traffic junction or an arterial
5 road and not within a contextually appropriate distance from the intersection of a
6 primary arterial. Staff also notes that approval of this request may promote strip
7 commercial development or leapfrogging, and also there's also some concern that the
8 proposed request of GC, the uses allowed within that may be too intense for the
9 surrounding area, the compatibility of the surrounding area.

10 VICE-CHAIRWOMAN CAIRNS: Thank you. Any questions of the Commission for
11 Staff? Okay, so signed up to speak we have Patrick Noh? And Craig Waites, I think.

12 **TESTIMONY OF PATRICK NOH:**

13 MR. NOH: Yes, currently I own about four car washes in town. I was looking at
14 that location, it would be great location for the car wash. So in order to build the car
15 wash on the land I guess it needs to change to commercial land so I did apply for
16 change the zoning for car wash. So, I mean, that would be great location for me
17 because that area will be developed later on, and I'm running a good car wash
18 companies here and everything is genuine, I pay taxes on it. And I try to make a living
19 outta this. Thank you.

20 VICE-CHAIRWOMAN CAIRNS: Thank you very much.

21 **TESTIMONY OF CRAIG WAITES:**

22 MR. WAITES: Good afternoon, I am Craig Waites. I'm a land broker with Colliers
23 Real Estate Company here in Columbia. I just, I appreciate it, I've worked with Geo a lot

1 and appreciate the Staff's help on this. I would like to contend that the GC is a good use
2 for this particular property, especially for a car wash. When you look at the opportunities
3 for the zoning, obviously to do anything it's gotta be changed from Rural. I mean, this is
4 Two Notch Road, which is US Highway 1, carries well in excess of 15,000 cars per day.
5 As a result I don't think residential is probably going to be a likely use for the property.
6 And then when you consider the two lighter commercial uses, it's interesting to note that
7 there are OI zoned properties across the street and across Old National, all of which
8 have been on the market for an extended period of time, even longer than what we've
9 had ours on. And so that would suggest that there's really no demand for those types of
10 uses. As an aside I will also note that there are about 30 different parcels along
11 Clemson Road between the professional parks, the Summit and Wildewood that aren't
12 developed as office or neighborhood commercial; again, simply because the market's
13 not there. Lastly, I did wanna share with you that I spoke with Phil Deguire, Phil is the
14 owner of the apartments back behind it and he's based out of Atlanta so obviously he
15 couldn't be here, but he's fully aware of the application to amend the zoning to General
16 Commercial for a car wash use and he actually said that he would very much support it
17 because he thought it was an amenity to his development. So your consideration for the
18 GC zoning would be very appreciative. Thank you.

19 VICE-CHAIRWOMAN CAIRNS: Thank you very much. Any discussion – that's all
20 we have signed up to speak so any discussion from the Planning Commission?

21 MR. TUTTLE: Yeah, I certainly understand based on the Comprehensive Plan
22 where Staff's perspective comes from. I'm intimately familiar with the area. I understand
23 the concern about leapfrogging, however, I think Old National Highway right there is

1 probably a good delineation point. I know when Greenhill Parish was originally designed
2 they had some pretty intensive commercial that was gonna be not far, I guess slightly
3 west of here. There's certainly some uses proximate to there that are commercial. And I
4 understand that when we look at rezoning we have to be open to anything within that
5 category. I know the Applicant has a desire to have a car wash but once it's rezoned it
6 could be anything within that category. That being said I think I'm comfortable with those
7 parcels being GC because there's really not much else for them to be. If you know the
8 area at all there's been attempts to do other things like Mr. Waites was talking about
9 that just haven't been successful. It's not gonna be residential. The traffic count kinda
10 connotes commercial and the fact that the Comprehensive Plan is not specific to
11 parcels. I think, you know, here again I would argue – I know that by definition that's not
12 necessarily a node but it's certainly an intersection that's worthy of holding General
13 Commercial right there. So I think I'd be in favor of approving this.

14 MR. MCLAURIN: I got a question for the Staff. Could you tell me exactly what is
15 that, is that some type of, that's housing or apartments directly behind there?

16 MR. PRICE: Yes, sir, those are apartments.

17 MR. MCLAURIN: What's to the right of there?

18 MR. PRICE: Looks like maybe a farm. I think those are hay bales.

19 MR. TUTTLE: Yeah, if I may. I don't know what the current use is but I believe
20 they may still be doing [inaudible – recording issue] a chicken farm there, so it's just a
21 fairly intensive agricultural use there.

22 VICE-CHAIRWOMAN CAIRNS: I would offer support for the Staff's position in
23 that while Two Notch is a heavy commercial corridor, I believe that there's a point in

1 time to stop commercial sprawl down arterials. I just think that to determine a road is
2 commercial and let it be commercial from end to end is not [inaudible] development. So
3 I would support Staff's position that this is not appropriate to allow commercial to just
4 continue out Two Notch Road.

5 MR. TUTTLE: A suggestion I might have or request of Staff if we continue to
6 have places like this that are somewhat ambiguous. This Body probably needs to spend
7 some time looking more specifically at some of these areas that consistently come up
8 and try to create some parameters that are logical and defense-able, etc. because, you
9 know, it's kinda hit or miss if we're just arbitrarily saying it shouldn't be commercial. If
10 not commercial then what? There has to be a use; it's clearly not gonna remain RU in
11 perpetuity so if it's not commercial what would you see as a use there that would be
12 appropriate?

13 VICE-CHAIRWOMAN CAIRNS: I mean, I just think there are examples of roads
14 that have, I mean, Trenholm Road is an example of a road with a pretty high traffic
15 count that isn't all commercial. And so if indeed development densifies out here to the
16 extent that this is in essence a suburban looking place then it would be residential,
17 because it's all about what land is and isn't available. But I think to just simply take
18 major roads and just continue commercial down them is just not productive.

19 MR. BRANHAM: Madam Chair, am I recognized?

20 VICE-CHAIRWOMAN CAIRNS: Yeah, you can speak.

21 MR. BRANHAM: Yeah, I certainly see the weight and the validity to both of the
22 comments that have been made already. And it is a tricky area, just being there on Two
23 Notch but being still relatively far out, the transition down to two lanes at that point and

1 backing up to residential, [inaudible] the request feels a little overreaching, maybe
2 something else is just more appropriate, and I don't know that I need to get into
3 speculating on what that is, just looking at the application on its face [inaudible]. That's
4 just kinda where I am right now, and again [inaudible] the land use and character
5 comments that are offered to us for guidance, I do have a question as to whether this in
6 proximity to a primary arterial fits the request.

7 MR. BROWN: Madam Chair, I have a question for Staff, please. Is this similar to
8 the situation we have on Hardscrabble between Farrow Road and Clemson?

9 MR. PRICE: No, sir, I don't believe this is the same. In this case, Two Notch
10 Road is primary developed. Most of Two Notch Road I think when you go west of this
11 site is four lanes, mostly it's already commercially developed in some aspect. Very little
12 commercial [sic], if any, I think from maybe this point going all the way into town. On
13 Hardscrabble I think one of the differences that we've been looking at is I don't believe
14 that the Comprehensive Plan took into account the changes or the improvements that
15 Hardscrabble would be going under. So we have to look at that a lot differently than we
16 do on Two Notch Road, which is pretty much established in character.

17 MR. BROWN: Thank you.

18 MR. TUTTLE: Chair, I have a question for Staff. I understand that multi-family is
19 located, is in the PDD, but multi-family's an acceptable use in General Commercial, is
20 that not correct?

21 MR. PRICE: That is correct.

22 MR. TUTTLE: On a PDD that very easily could've been General Commercial
23 already.

1 MR. PRICE: I'm sorry, could you ask that question again?

2 MR. TUTTLE: The multi-family that's there, if it wasn't part of a PDD could've
3 been zoned General Commercial already. I mean, that would be an underlying use of
4 that land and that's the category that the multi-family falls under.

5 MR. PRICE: Yeah, multi-family would fit under a few zoning designations and
6 General Commercial would be one of those.

7 VICE-CHAIRWOMAN CAIRNS: But it's part of a PDD so it's not zoned
8 [inaudible]. Had Greenhill Parish come in as individual pieces being rezoned they would
9 all be considered –

10 MR. TUTTLE: Right, but when Greenhill Parish's original PDD was approved I
11 don't know how many acres were allocated to General Commercial that had not been
12 used in that format. It had to be 30, 40, 50, 60 acres if you went back to the very first
13 design, in that particular area that would touch this property in the original PDD, was
14 determined and approved by bodies that that should be a General Commercial use. So
15 the fact that the market's changed a little bit and that went to residential I still think the
16 philosophy behind the original decision would make sense.

17 MR. PRICE: I'd just like to point out I think we need to really look at when we
18 refer to a PDD and stop mentioning specific zoning designations within a PDD, because
19 the idea is that you're really supposed to identify uses and that's what gets approved a
20 lot more than just a specific zoning designation.

21 MR. TUTTLE: I appreciate that. My comment was really based on the comment
22 that the GC didn't need to back up to residential, and I'm saying that residential use is

1 multi-family in the GC, backs up to GC all over town. It's not unusual for those two to be
2 compatible.

3 MR. PRICE: Yeah.

4 VICE-CHAIRWOMAN CAIRNS: Is there any further discussion? Is there a
5 motion?

6 MR. TUTTLE: I'd like to make a motion we send Case 19-025 MA forward to
7 Council with a recommendation for approval. And I'm converging from the
8 Comprehensive Plan based on the fact that the Comprehensive Plan is not parcel by
9 parcel, and given the traffic count and its proximity to Spears Creek Church Road and
10 Two Notch Road, additional neighborhoods Wood Creek, Greenhill Parish, etc., I think
11 that General Commercial would be acceptable and a use that might be needed.

12 VICE-CHAIRWOMAN CAIRNS: Is there a second for the motion?

13 MR. MCLAURIN: Second.

14 VICE-CHAIRWOMAN CAIRNS: So we have a motion on the floor and a proper
15 second. So all those in favor please raise your hand.

16 MR. PRICE: Alright, those in favor: Tuttle.

17 VICE-CHAIRWOMAN CAIRNS: All those opposed.

18 MR. PRICE: Those opposed: McLaurin, Branham, Cairns, Brown.

19 *[Approved: Tuttle; Opposed: McLaurin, Branham, Cairns, Brown; Absent: Gilchrist,*
20 *Frierson, Carlisle]*

21 VICE-CHAIRWOMAN CAIRNS: So the motion on the floor failed to pass so the
22 Chair will entertain an alternate motion.

1 MR. BROWN: Madam Chair, I move that 19-025 MA be sent forward to Council
2 with a recommendation of disapproval based upon the Staff's recommendation.

3 VICE-CHAIRWOMAN CAIRNS: Is there a second?

4 MR. BRANHAM: Second.

5 VICE-CHAIRWOMAN CAIRNS: Okay, so all those in favor of sending this matter
6 forward with a recommendation of disapproval please raise your hand.

7 MR. PRICE: Those in favor: McLaurin, Branham, Cairns, Brown.

8 VICE-CHAIRWOMAN CAIRNS: All those opposed?

9 MR. PRICE: Tuttle.

10 *[Approved: McLaurin, Branham, Cairns, Brown; Opposed: Tuttle; Absent: Gilchrist,*
11 *Frierson, Carlisle]*

12 VICE-CHAIRWOMAN CAIRNS: So this will go in front of County Council at the
13 zoning public hearing July 22nd I think is the correct date.

14 MR. PRICE: 23rd.

15 VICE-CHAIRWOMAN CAIRNS: 23rd. Don't ever trust me with a calendar.

16 MR. TUTTLE: Madam Chair, it may have been more appropriate at the end of
17 the meeting but I wanna go ahead and reiterate to Staff that we need to set a work
18 session or two to cover these areas that falling between the cracks so the community
19 and property owners at large can have some understanding how the County perceives
20 the future of their property.

21 MR. PRICE: Yes, sir. One of the things as we go forward, I think Brian Crooks
22 can normally speak on this, but we will be, as required every five years we're to revisit
23 the Comprehensive Plan and one of the ideas that Staff is proposing is that we want to

1 show the Planning Commission, you know, we'll look at a lot of the areas where you've
2 either gone against the Comprehensive Plan or we're gonna look at certain areas that
3 we've had a number of discussions. And so that'll give us a chance to maybe reevaluate
4 where the Comprehensive Plan, you know, the areas that they've identified.

5 MR. TUTTLE: Thank you.

6 MS. FRIERSON: Madam Chair before we go to the next case, I apologize for
7 being late. I'm extremely ill, my sister and I have suffered food poisoning over the
8 weekend. And I wanted to check with you to see if you had quorum as I need to leave. I
9 apologize.

10 VICE-CHAIRWOMAN CAIRNS: Well I appreciate your coming in and making the
11 effort but we will have a quorum even if you are not present.

12 MS. FRIERSON: I do apologize to the people here, too, cause I take my
13 responsibilities seriously but I am ill. So au revoir.

14 VICE-CHAIRWOMAN CAIRNS: We'll move on to the next case.

15 **CASE NO. 19-028 MA:**

16 MR. PRICE: Okay, the next item is Case 19-028 MA. The Applicant is Lanier
17 Bowman. The Applicant is requesting to rezone property located at 1526 Elmtree Road
18 from RS-LD which is Residential Single-family Low-density, so OI which is Office and
19 Institutional. Staff recommends disapproval of this request primarily because it's not in
20 compliance with the recommendations of the Comprehensive Plan and also the uses
21 allowed under the OI would be out of character with the surrounding residential uses
22 and could be considered encroachment of incompatible land uses within a residentially
23 developed neighborhood.

1 VICE-CHAIRWOMAN CAIRNS: Signed up to speak we have the Applicant who
2 is Mr. Lanier Bowman. Thank you.

3 **TESTIMONY OF LANIER BOWMAN:**

4 MR. BOWMAN: Yes, ma'am. Good evening. The property that we're speaking of
5 is a home that the church purchased, Progressive Believers Baptist Church. And at the
6 present time as he mentioned it was a single-family, and we're trying to use that building
7 as an office for our pastor. So the task that we were giving Ms. Eva Priloix which is the
8 chairperson over the trustees, to rezone that property so that we could have the pastor's
9 office there instead of it being looked at as a single-family. So that is what we're trying
10 to do. My understanding when we came to talk with the rezoning office that was the, OI
11 was what they gave me when I explained to them that it would be an office for the
12 pastor and his admin. So that was the reason why [inaudible] as an OI at the present
13 time.

14 VICE-CHAIRWOMAN CAIRNS: Thank you. So the church is immediately to the
15 right of this parcel?

16 MR. BOWMAN: Yes, ma'am.

17 VICE-CHAIRWOMAN CAIRNS: I have a question for Staff. So if this was a single
18 tax map number it'd be a non-issue, is that correct?

19 MR. PRICE: No, ma'am.

20 VICE-CHAIRWOMAN CAIRNS: I mean, I guess I just don't understand why –

21 MR. PRICE: Churches within a residential area permitted by Special Exception.
22 We were not able to find that a Special Exception was granted for this church at this
23 time, which would mean that the church is a non-conforming use. You know, it's allowed

1 to be there. So any expansion, so let's just say if it was on the same parcel, an
2 expansion of that use which would include the establishment of a church office for the
3 pastor, would have to go back through the Board of Zoning Appeals, otherwise it would
4 not be permitted.

5 VICE-CHAIRWOMAN CAIRNS: I can offer that I would have an incredibly hard
6 time recommending the rezoning to OI, but I have to believe there's a solution by which
7 a church can have –

8 MR. PRICE: There are a few things that we're discussing with the Applicant, a
9 few other options aside from the rezoning. But since they've already proceeded with the
10 rezoning request, which they can go ahead through the process if they so desire, but
11 there are some other ideas that Staff has brought before them that may be able to
12 address their needs.

13 MR. BRANHAM: Has the church been established as a permitted non-
14 conforming use?

15 MR. PRICE: No.

16 MR. BRANHAM: No. But there, I mean, again this is a little outside of the
17 purview, but potentially there could be a Special Exception given, then it's like an
18 auxiliary building to a place of worship?

19 MR. PRICE: That is an option that's available to the Applicant that we've
20 discussed.

21 MR. TUTTLE: I just have a question, Madam Chair. Typically if you go through a
22 rezoning process and you're denied, you're not allowed to bring that back forward for a
23 year I think it is?

1 MR. PRICE: For that same request.

2 MR. TUTTLE: For the same request. If they were later to combine these parcels
3 would a denial here affect that or does that change the application?

4 MR. PRICE: It would affect it.

5 VICE-CHAIRWOMAN CAIRNS: It sounds though that the typical way that this
6 would exist is the place of worship in a residential is through Special Exception, not a
7 rezoning. So would any denial on a rezoning affect the right to do a Special Exception?

8 MR. PRICE: No.

9 VICE-CHAIRWOMAN CAIRNS: Does that –

10 MR. TUTTLE: Thank you, yeah.

11 VICE-CHAIRWOMAN CAIRNS: Yeah, cause I mean, we have churches in our
12 neighborhoods but without rezoning them in such a manner that is inconsistent with
13 being a church.

14 MR. PRICE: Yes.

15 MR. BRANHAM: And knowing that those avenues exist I too would be disinclined
16 [inaudible].

17 VICE-CHAIRWOMAN CAIRNS: I mean, we haven't made our decision but
18 clearly you've heard our discussion, and just that, I mean, I feel I can appreciate where
19 you sit trying to help the church out. But in terms of going into a residential-like
20 neighborhood like this and making a commercial use would be very difficult I think for us
21 to send forward with approval, even though – and also there are avenues that will let
22 you accomplish what you want.

23 MR. BOWMAN: Okay. Alright, thank you.

1 VICE-CHAIRWOMAN CAIRNS: Is there any further discussion from anybody?

2 MR. TUTTLE: [Inaudible] 19-028 MA be sent forward to Council with a
3 recommendation for disapproval.

4 VICE-CHAIRWOMAN CAIRNS: Is there a second on that motion?

5 MR. BRANHAM: Second.

6 VICE-CHAIRWOMAN CAIRNS: So all those in favor of sending Case 19-028 MA
7 forward to Council with a recommendation of disapproval please raise your hand.

8 MR. PRICE: Those in favor: McLaurin, Branham, Cairns, Tuttle, Brown.

9 *[Approved: McLaurin, Branham, Cairns, Tuttle, Brown; Absent: Gilchrist, Frierson,*
10 *Carlisle]*

11 VICE-CHAIRWOMAN CAIRNS: No one is opposed. That concludes the Map
12 Amendment portion of our Agenda. So other action we have is the Planning
13 Commission Retreat. I know we're missing our Chair, so. Action to be done on that.

14 MR. PRICE: Again, it seems like we kinda punt this every month that we meet
15 and sometimes twice a month, but. And I think one of the biggest issues is that I think it
16 was an understanding that we may actually have what would be our full Board going
17 forward, you know, with Mr. Tuttle and Mr. Brown, I know their terms – I would like to
18 again thank them for continuing to serve even though technically their terms have
19 expired – so I think there was always that thought we would have a new, well
20 replacements for them and also for Ms. Yip who is no longer on the Planning
21 Commission, and also Ms. Frierson, she would need to be reappointed because she
22 does have some eligibility left, but we kept putting this off until such time. Again, this
23 is probably something that we can still go forward with with the current makeup of the

1 Planning Commission, however, I mean, that is really a choice of you as a Body, as the
2 Planning Commission.

3 VICE-CHAIRWOMAN CAIRNS: Let me ask you this, with regards to the Land
4 Development Code rewrite, what is our action for today on that?

5 MR. DELAGE: No action today. It was just a placeholder on there in case we got
6 an update from Module 2.

7 VICE-CHAIRWOMAN CAIRNS: I just [inaudible] showing some ignorance maybe
8 as to what has to be part of a public hearing and what can be done in sort of work
9 session. I mean, I just think it would be enormously helpful to [inaudible] work session
10 as opposed to this, which I think is very stifling for any discussion. So I don't know if we
11 could combine those things, because even when we get new members on, I mean, I
12 think it's gonna be very difficult for very many of the new members to have a lot of input
13 in that. And if they did it would be only because they have had the opportunity to be part
14 of [inaudible] work session and really dove into it. So I mean, is there a reasonable that
15 we're gonna, that we'd be able to do that or am I asking for something that we just
16 aren't gonna be able to accomplish?

17 MR. DELAGE: I think that's reasonable. You know, once the new members come
18 on, you know, we could kinda bring them up to speed individually and then of course
19 have a work session scheduled after that if that's the will of the Planning Commission.

20 VICE-CHAIRWOMAN CAIRNS: Maybe some time like September-ish.

21 MR. DELAGE: And we're scheduled, unless something changes, to have our
22 public meetings and our public round of input in September. Worse case I don't see that
23 going beyond October.

1 MR. BRANHAM: Projected replacement of the vacancies, I mean, what is the
2 realistic projected timeline there? I heard it could be as much as through the end of the
3 year.

4 MR. PRICE: Yes. From my conversations with the Clerk of Council, potentially
5 we could be looking at November/December.

6 MR. BRANHAM: Now formally speaking as to Module 1 and the Commission's
7 involvement there, is the County look for us to at some point make some sort of formal
8 rubber stamp of approval or recommendation for Module 1 as its constituted?

9 MR. DELAGE: I think we'll bring forth as a whole. Of course we would like input
10 along the way for each step, for each of the different modules, but I think there would be
11 the combined, unified Land Development Code will ultimately be before y'all for review
12 and input and then it'll move forward to County Council.

13 MR. BRANHAM: And you would need that, what sorta time table?

14 MR. DELAGE: We would like to have it done by December.

15 MR. BRANHAM: So I'm just wondering how those two things come together, or if
16 they do, right?

17 VICE-CHAIRWOMAN CAIRNS: It just seems that we have to – I mean, so just
18 looking at the Commission we basically have five Members who are currently serving in
19 existing terms. We have two who are hold overs, not a negative connotation, but, and
20 we have Ms. Frierson who's awaiting reappointment. So there's part of me that says,
21 you know, we just need to full bore ahead because there's no change coming. I totally
22 appreciate the hold overs.

23 MR. BRANHAM: I feel the same way.

1 VICE-CHAIRWOMAN CAIRNS: So I guess, you know, could we look to book a
2 day in September now that we would know we'd have the Code rewrite in a form that
3 would allow us to sort of do both, to the extent that we're allowed? Well, let me ask this,
4 if we do a work session is that a public announcement type thing? Cause no action
5 would be taken. I really don't know.

6 MR. PRICE: We would still advertise with a work session. But there wouldn't be
7 any public input unless you decide to allow.

8 VICE-CHAIRWOMAN CAIRNS: So we could do, I mean, would it be feasible to
9 do that the same day or as part of a retreat? Or is that just ridiculous?

10 MR. BRANHAM: What sorta proposed activities would be part of a retreat?

11 MR. PRICE: Well again, that would be something that we would definitely to talk
12 to the Board. I think the last one we had we brought in someone from the Ethics
13 Commission, from I believe our Assessors Office, so we brought in some
14 representatives from other agencies to discuss really, you know, the Planning
15 Commission, some of the issues that you would look at. So they could vary. I can't give
16 you the specifics now but again it could vary on who we feel, you know, would be
17 appropriate to discuss some of the things that you come across. You know, we could
18 bring in representatives from DOT, we could bring in, again, somebody from the Ethics
19 Commission to discuss these things.

20 MR. BRANHAM: So an educational component.

21 MR. PRICE: Yes. And we also like to bring in someone from the Municipal
22 Association sometimes, some attorneys.

1 MR. TUTTLE: I mean, one of the things that, whether I'm still here or not at that
2 point in time, might be helpful, it sounds like as we go through the new process and the
3 new Comp Plan at some in time, the County may choose to do some proactive, they
4 haven't really ever done it but some proactive rezoning to try to help set the stage and
5 relieve some ambiguity and so forth. It would be, personally it would be interesting to
6 me to have somebody that's versed in that talk about the process, the ramifications,
7 where it's been done, where it hasn't been done, what the downside is, what the upside
8 is, because without that trying to really do what I think we all feel like we need to do the
9 next time around with the Comp Plan, it's gonna be difficult, right, cause you're just
10 stuck with certain things in certain places. Then you get into the argument, well but next
11 door's GC so why can't this be GC even though the consensus is maybe it shouldn't be
12 GC. And then the RU, you know, I know we're looking at breaking that up into multiple
13 categories but here again, those are things that I think would have long-term benefit if
14 new commission members especially were exposed to that early. I'm not saying Council
15 would have the will or desire to go and, you know, proactively rezone but you maybe
16 reach a time where in certain areas you do.

17 VICE-CHAIRWOMAN CAIRNS: It almost feels as if the new Code rewrite's
18 gonna require a rezone of the whole County. So, I mean, clearly some of that's
19 proactive rezoning.

20 MR. TUTTLE: Right, no question. And the City's going through a similar process
21 so I think now would be the time while there's a heightened awareness and, you know,
22 just no sense in going through that twice in the public eye if there could be some
23 [inaudible] between the City and County.

1 MR. BRANHAM: I mean, if we wanted to form, like a, not a standing committee
2 but just a quick *ad hoc* committee for this [inaudible].

3 VICE-CHAIRWOMAN CAIRNS: I think the key, I mean, I agree and I mean, at
4 this point my sense is we should just force a day or, you know, force the establishment
5 of a date, I should put it that way, that's what I really mean. I mean, so right here barring
6 the hold overs we've got three out of the five present. You know, and then also asking
7 Staff is there any just unacceptable day? I mean, my thought is, you know, if like
8 Tuesdays are good let's just send out an email and get everybody locked down on a
9 Tuesday afternoon or a Thursday afternoon. I mean, my schedule doesn't have preset
10 block outs, I don't know if anybody else does. My sense is Staff, you guys are more
11 likely to have preset block outs. I mean, am I wrong?

12 MR. BRANHAM: I think you're right. Let's try to schedule a date –

13 VICE-CHAIRWOMAN CAIRNS: I mean, Geo do you wanna just, you don't have
14 to do it here, it could be awkward, but just let me know dates for Staff that work.

15 MR. PRICE: Well I think the further out that we choose the more open Staff's
16 schedules will be. You know, if we were trying to do it, like next week or next two weeks
17 that may be a little more difficult. But if you're talking about sometime in September the
18 changes are we will have pretty open schedules. I think one of the things we've looked
19 at is where we may want to do this if we're gonna kind of do a combined retreat/work
20 session. I think last time one of the Planning Commission Members was so kind to
21 provide us with a location and that actually worked out quite well. Of course, you know,
22 we need to look at the time of the year, we don't wanna be out there when it gets too
23 cold also.

1 MR. TUTTLE: I think I've said this before but whether I'm on the Commission or
2 that that invitation is still open to this Body whenever you wanna do it.

3 MR. PRICE: Yeah, so maybe September would be a good time to do it. I think by
4 that time the temperature changes and especially the location would actually provide a
5 good atmosphere for a retreat/work session.

6 VICE-CHAIRWOMAN CAIRNS: I do appreciate Mr. Tuttle's offer, that was a
7 great location. Very nice to be able to go back there again. So maybe Mr. Tuttle and I
8 should try to find dates that that building would be available.

9 MR. TUTTLE: Yeah, currently it's going through a transition. It's ultimately going
10 to be turned over to [inaudible].

11 VICE-CHAIRWOMAN CAIRNS: So people who are here who are likely to come,
12 is there any day of the week that you would fundamentally, like let's just assume it's an
13 afternoon starting maybe 1:00 or 2:00 through the rest of the afternoon, are there days
14 that are fundamentally better? Fridays are bad, I'm not gonna do it on a Friday.

15 MR. PRICE: I think the last time we did it we actually started that morning and
16 then it carried over until, you know, we had lunch and then so, you know, it really didn't
17 lock us into, you know, kind of box us in as far as when we need to be finished.

18 VICE-CHAIRWOMAN CAIRNS: That's true, I do remember we had lunch. So
19 assume a whole day, assume you're gonna block out a whole day.

20 MR. BRANHAM: And then maybe we do retreat education component off site
21 and then do a public work session –

22 VICE-CHAIRWOMAN CAIRNS: No, I think we would have both things at the
23 same place. We could basically sort of retreat in the morning, have some educational

1 stuff, and then officially notice the public portion of it in the afternoon. But have it all at
2 that location. Right, that would work and that would be a nice transition between the two
3 so there wouldn't be any conflict. So again is there any day that is just bad, I mean in
4 terms of day of the week?

5 MR. BROWN: Madam Chair, Tuesdays would not work for me.

6 VICE-CHAIRWOMAN CAIRNS: Okay.

7 MR. BRANHAM: Are we trying to go late September or does that increase the
8 odds of Council finding at least one or more [inaudible]? Because they're not gonna do
9 much in August.

10 MR. PRICE: It is my understanding, the way the process works is that everyone
11 who submits an application will get interviewed. And I believe that the Rules and
12 Appointment Committee only, they do five interviews per session, per meeting by that
13 body. So you're not only looking at the Planning Commission but you're looking at a
14 number of other boards and commissions that have openings that, you know, it just may
15 take a while for them to get – so if you have 15 people apply for the Planning
16 Commission but you also take into account that other bodies have, other boards and
17 commissions have openings also, it could take a while to get those people appointed
18 and then brought before Council. We have a Councilmember here who may be able to
19 enlighten us a bit on this.

20 COUNCILWOMAN MYERS: Thank you. Dalhi Myers, District 10. Thank you all
21 so much for everything you do to help us. We deeply appreciate it. I was struck because
22 I'm not sure that we are aware of the stress that you all are under, and I'm delighted to
23 pass that along to my colleagues and I would suggest that we probably would be

1 prepared to take some really quick action to help you all out. We were entirely unaware
2 that this was an issue, so thank you for raising it and thank you for pointing it out and
3 being charitable about your need for help. I will immediately when I leave pass your
4 comments along to my colleague Ms. Newton who chairs that committee and I am
5 beyond positive that – part of our issue has been not enough applicants to fill the roles,
6 not necessarily a time constraint. I mean, we could make extra meetings and we are not
7 opposed to that so I think some of it has been, we haven't had a pool of applicants
8 that's been entirely acceptable. But hearing from you all, your concerns and
9 understanding the constraints obviously will make a difference to my colleagues as it
10 has to me. So I'll pass that along and thank you again for the time you spend doing this
11 and for the care you take to get it right. We appreciate it.

12 MR. TUTTLE: Councilwoman, if I may? Number one, thank you for your service.
13 But we had a couple conversations back and forth and I've spoken with Councilwoman
14 Newton and there are a couple different paths that we could go down. One concern that
15 was expressed is we're gonna have a significant turnover of this Commission
16 simultaneous with probably the biggest rewrite that we'll have during our life, maybe not
17 some of these young people here but for me, during our lifetime and that that might put
18 a strain on this Commission to have people learn the process and being inundated with
19 all that at one time. And we had proposed that maybe they could make special rules to
20 maybe allow certain Members or any Member that wanted to hold over and see that
21 process through, maybe to stay over since the pool of applicants wasn't meeting
22 everybody's desires. We haven't had a lotta movement on that but I certainly wanted
23 you to be aware that that's a discussion that's taken place and, you know, certainly that

1 would be a viable option as well. I think Staff had some interjection relative to that, too.
2 But you know, if you look I guess there's, you know, if you took, there's five potential so,
3 I mean, you're almost talking, not quite but almost a majority of the Commission turning
4 over and having no back knowledge or anything relative to this Code rewrite was a
5 concern. But here again, if y'all would just take that under advisement and give it some
6 thought.

7 COUNCILWOMAN MYERS: No, that's – listen, you all are doing a great service
8 for the citizens of the County, I mean, your suggestions are incredibly helpful and
9 certainly your opinion matters to the extent that you know better than we know, week to
10 week or every other week to every other week, what helps the most. So I will take that
11 back to my colleague Ms. Newton, and I have a scheduled call with Mr. Livingston this
12 afternoon who's in Vegas at a conference – and tell him I said that cause I'm jealous.
13 But at any rate, I will pass that along to him as well. Obviously I'm not a member of that
14 *ad hoc* committee but I will speak with Ms. June, she's always open to suggestion, and
15 thank you for making me aware of that as well.

16 MR. TUTTLE: Thank you.

17 COUNCILWOMAN MYERS: Thank you. And thank you, Madam Chairwoman, for
18 allowing me to speak.

19 VICE-CHAIRWOMAN CAIRNS: Oh no, thank you for speaking. It is an
20 interesting Commission. I mean, it's really easy to come on sorta deer in the headlights
21 too if you don't have, you know, any experience or background in land use development
22 and zoning in the whole construct of how this works. I think maybe, you know, some of
23 us on the Board, I'm thinking even myself, that there might be some groups that I could

1 reach out to and try to encourage people who would have both interest and knowledge
2 to put in applications. So I implore other Commission Members to think of the same if
3 possible. So, I mean, it feels weird to just pick a date for the retreat but there's part of
4 me that says we might as well just do it cause without the date we just keep kicking it.
5 And I would say if we just, Wednesday, September 18 or 25, just float that date out to
6 everybody who's on the Commission and have them say as to which date works better.

7 MR. TUTTLE: Madam Chair, would that be [inaudible] now?

8 VICE-CHAIRWOMAN CAIRNS: Yeah, I mean, we need to get it from everybody.
9 If you have feedback I'll take it.

10 MR. TUTTLE: Yeah, I'm good either day.

11 VICE-CHAIRWOMAN CAIRNS: Mr. Wallace?

12 MR. BROWN: Madam Chair, I think the 18th would work [inaudible].

13 VICE-CHAIRWOMAN CAIRNS: Yeah, I think we're asking the Members to have
14 the day open. So either day would work for you?

15 MR. BROWN: Yes, ma'am.

16 VICE-CHAIRWOMAN CAIRNS: This end of the table?

17 MR. BRANHAM: Yeah, either day.

18 VICE-CHAIRWOMAN CAIRNS: Okay. I just think we should let the absent
19 Members have a chance just to weigh in cause I don't wanna arbitrarily pick one of
20 those days and then have someone bonk out since it works for all of us either. So we'll
21 circulate an email quickly to lock that day down. And we're scheduled to come back
22 here in not too long, correct? Are we having a meeting in August?

23 MR. PRICE: No.

1 VICE-CHAIRWOMAN CAIRNS: Okay. So we'll get that, oh so our next meeting
2 is September.

3 MR. PRICE: Correct.

4 VICE-CHAIRWOMAN CAIRNS: Okay. So we'll get that date locked down before
5 then.

6 MR. BROWN: [Inaudible]

7 VICE-CHAIRWOMAN CAIRNS: Is it September 9th since the 2nd is Labor Day?

8 MR. DELAGE: It is September 9th.

9 VICE-CHAIRWOMAN CAIRNS: Okay.

10 MR. BROWN: Thank you.

11 VICE-CHAIRWOMAN CAIRNS: I have no Chairman's Report. Planning Director
12 Report, that's in the – any other matters for discussion? Then a motion to adjourn?

13 MR. TUTTLE: Madam Chair, a motion to adjourn.

14 MR. BROWN: Second.

15 VICE-CHAIRWOMAN CAIRNS: We are adjourned.

16 *[Meeting adjourned at 3:55pm]*