[Members Present: Christopher Yonke, John Metts, Charles Durant, Chris Siercks, Bryan Grady; Absent: Beverly Frierson, Gary Dennis, Terrence Taylor, Frederick Johnson, II]

Called to order: ______

CHAIRMAN YONKE: Okay Staff, are you ready? I’d like to call to order the July 10\textsuperscript{th}, 2023 Richland County Planning Commission meeting. Staff, please confirm the following: In accordance with the Freedom of Information Act a copy of the Agenda was sent to the news media, persons requesting notification and posted on the bulletin board located in the County administration building. Is that correct?

MR. PRICE: That is correct.

CHAIRMAN YONKE: Staff, can you please take attendance for today’s meeting?

MR. PRICE: Alright. Attendance for the July 10\textsuperscript{th}, 2023 Planning Commission. Those here, Yonke?

CHAIRMAN YONKE: Here.

MR. PRICE: Frierson?

MS. FRIERSON: [Inaudible]

MR. PRICE: Johnson?

MR. JOHNSON: [Inaudible]

MR. PRICE: Dennis?

MR. DENNIS: [Inaudible]

MR. PRICE: Metts?

MR. METTS: Here.

MR. PRICE: Durant?
MR. DURANT: Here.

MR. PRICE: Taylor?

MR. TAYLOR: [Inaudible]

MR. PRICE: Siercks?

MR. SIERCKS: Here.

MR. PRICE: Grady?

MR. GRADY: Here.

MR. PRICE: We have a quorum.

CHAIRMAN YONKE: Thank you, Staff. Ladies and gentlemen, welcome to the July 10th, 2023 Richland County Planning Commission meeting. As Planning Commissioners we are concerned residents of Richland County who volunteer our time to thoroughly review and make recommendations to County Council. Our recommendations are to approve or deny zoning map amendment requests. Per Title VI Chapter 29 of the SC Code of Laws, Planning Commission may also prepare and revise plans and programs for the development or redevelopment of unincorporated portions of the County. The County’s Land Development Code rewrite process conducted this past year is an example of this. Once again we are a recommending body to County Council and they will conduct their own public hearing and take official votes to approve or deny map amendments and text amendments on a future date to be published by the County. Council typically holds zoning public hearings on the 4th Tuesday of the month. Please check the County’s website for updated agendas, dates and times. Please take note of the following guidelines for today’s meeting. Please turn off or silence any cellphones. Audience members may come quietly and go as needed. Applicants are
allowed up to two minutes to make statements. Citizens signed up to speak are allowed up to two minutes each. Redundant comments should be minimized. Please only address remarks to the Commission and do not expect the Commission to respond to questions from the speaker in a back and forth style, that’s not the purpose of the meeting. Please no audience/speaker exchanges. No audience demonstrations or other disruptions to the meeting are permitted nor are comments from anyone other than the speaker at the podium. Please remember the meeting is being recorded. Please speak into the microphone and give your name and address. Abusive language is inappropriate and will not be tolerated. Please don’t voice displeasure or frustration at a recommendation while the Planning Commission is still conducting business. If you have any questions or concerns you may contact the Richland County Planning Department Staff. Now we’re on Item number 3 now, Additions and Deletions to the Agenda. Staff?

MR. PRICE: Yes. I think the package that you received, it did have a couple of amendments to it. However, those were sent out to you via email with those changes on it. Those were also reposted and sent out to the public with the correct version and also the correct version is online, so I don’t think you have to make any changes but we wanted just to identify the two changes/amendments to the original Staff Report which was the changing of the date for the approval of Minutes to June 5th, 2023, and also the Staff recommendation for Case 23-023 should’ve been for approval. It was originally listed for disapproval. But those are the only changes.

CHAIRMAN YONKE: Thank you, Staff. With that we can move on to Item number 4, the approval of Minutes. Like you just said we have in our packet the Minutes
from our June 5th, 2023 meeting. Do any Commission Members have any comments or concerns regarding these transcripts?

MR. GRADY: Mr. Chair?

CHAIRMAN YONKE: Yes, Mr. Grady.

MR. GRADY: I would just like to, prior to approval, have the Minutes amended to note that I was in fact present at last month’s meeting. I was not included at the top of the Minutes as being present.

CHAIRMAN YONKE: Thank you, Mr. Grady. Staff, can we add his name to the top?

MR. PRICE: That’s been noted.

CHAIRMAN YONKE: Thank you. Okay, any other amendments to the Minutes?

Okay, the Chair makes a motion to approve the Minutes with this amendment of adding Commissioner Grady’s name to the top. Do I have a second?

MR. DURANT: Second.

CHAIRMAN YONKE: Thank you with the second. Staff, can you take a vote?

MR. PRICE: Alright, those in favor of the approval of the Minutes with the edit of adding Bryan Grady as being present for the meeting. Those in favor, Grady?

MR. GRADY: Aye.

MR. PRICE: Siercks?

MR. SIERCKS: Aye.

MR. PRICE: Durant?

MR. DURANT: Aye.

MR. PRICE: Metts?
MR. METTS: Aye.

MR. PRICE: Yonke?

CHAIRMAN YONKE:

[Approved: Grady, Siercks, Durant, Metts, Yonke; Absent: Frierson, Johnson, Dennis, Taylor]

MR. PRICE: Alright, motion is approved.

CHAIRMAN YONKE: Thank you, Staff. Now we move on to number 5., which is our Consent Agenda. I wanna explain the Consent Agenda. It’s an action item that allows this Commission to approve road names and map amendment requests where one, the Staff recommends approval, two, no one from the public has signed up to speak against the amendment, or three, no Member on the Commission is in need of further discussion on the request. So today Mr. Siercks, which cases do we have people signed up or, we can, let me rephrase that. What can we leave on the Consent Agenda today?

MR. SIERCKS: Mr. Chair, we can leave Case No. 23-020 MA on the Consent Agenda. Every other application we would need to pull from the Consent Agenda.

CHAIRMAN YONKE: Thank you, Commissioner Siercks. So the Chair makes a motion to approve the Consent Agenda, so 5.a., the Road Names and Item 5.b.2., Case No. 23-020 for approval. Do I have a second?

MR. METTS: Second.

CHAIRMAN YONKE: Got a second from Commissioner Metts. With that can we take a vote, Staff?

MR. PRICE: Alright, those in favor of the Consent Agenda, Siercks?
MR. SIERCKS: Aye.
MR. PRICE: Grady?
MR. GRADY: Aye.
MR. PRICE: Durant?
MR. DURANT: Aye.
MR. PRICE: Metts?
MR. METTS: Aye.
MR. PRICE: Yonke?
CHAIRMAN YONKE: Aye. Thanks again, Staff.

[Approved: Siercks, Grady, Durant, Metts, Yonke; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: We will now move on. We are in Item 5 looking at our Map Amendments, 5.b. We’re gonna start with Case number 1 today, Case 23-019. Staff, please.

**CASE NO. 23-019 MA:**

MR. PRICE: Okay. The first item is Case 23-019 MA. The Applicant is Keisha Garrick. The location is 7730 Bluff Road. The Applicant is requesting to rezone a little less than ¾ of an acre, .73, from rural RU to neighborhood commercial which is NC. You have to kind of take a look at this one but Staff did recommend disapproval of this request. Primarily just looking at the area in which this request is located it’s really in a, it is identified as being in a rural activity center. It’s also part of the nose of activity for rural crossroads as part of the Lower Richland Strategic Community Master Plan. Looking at the purpose of the rural commercial versus the purpose of the neighborhood...
commercial as found in the Land Development Code and also looking at the objectives as identified within the Comprehensive Plan, one of the things that was taken of note is that the rural commercial really allows for a little more flexibility as far as the type of uses allowed, those are both commercial and service type uses versus the NC, this doesn’t get the flexibility and part of that flexibility can be found in the maximum lot sizes. Within the neighborhood commercial the building footprint cannot exceed 6,000 square feet. You can do 12,000, of course if you do a two story, but the footprint is 6,000 square feet, whereas in the rural commercial it can go up to 20,000 square feet. So just kind of keeping in line with the purposes of each of these zoning designations and also looking at the objectives of the Comprehensive Plan, Staff recommends disapproval of this request.

CHAIRMAN YONKE: Thank you, Staff. Commissioner Siercks, do we have an applicant here signed up to speak?

MR. SIERCKS: We do. Keisha Garrick.

CHAIRMAN YONKE: Please remember to come to the podium and state your name and address. That’s fine. Just state your name and address and then Commissioner Siercks, please take a note.

TESTIMONY OF ROBERT FREEMAN GARRICK, SR.:

MR. GARRICK: My name is Robert Freeman Garrick, Sr., I’m Keisha’s father. I’m 79 years old, I’ve been in Gaston all of my life. I’ve been a businessman in Gaston for at least 40 years. This particular property was a store in the ‘50s when I was going to school. Ms. Dawson used to own it. Mr. Green bought it and turned it into another store. Then it changed from a convenience store, old time grocery store, whatever way you
wanna say it. Mr. Burnette whose part owner in Capital Supply on Two Notch Road, he bought it and turned it into a hardware store. When he retired he let Mr. J.D. Lloyd have it. He ran it as a hardware store till last year, he had a stroke, he got blind. Mr. Burnette sold it to me and my daughter. I bought it for my daughter. It’s already been a business for the last 60 or 70 years. I don’t see how they can deny it now. And we’ve just about, we didn’t add nothing on the building, the building is in good shape. We went in and cleaned it up and done fixed it up for a convenience store. We done paint along the front of it and everything. And my thing is if you turn this down how can they let Dollar General come right there in a flooded area and put a store. I been in business just about all my life in Gaston, at least 40 years. So I don’t understand how can you turn it down and it’s been a business all these years, you know? Up until J.D. got out of it I think last year in May or June of last year. And I gave back more to Gaston than any other businessman ever been there. Ms. Bernice Scott can tell you that, Ms. Shirlings can tell you that. I do a lot for the community. That’s it. I appreciate y’all time, thank you.

CHAIRMAN YONKE: Thank you, sir. Commissioner Siercks, anyone else signed up?

MR. SIERCKS: Did the Applicant wish to speak?

TESTIMONY OF KEISHA GARRICK:

MS. GARRICK: Hi, my name is Keisha Garrick and my father just spoke pretty much a lot – we all grew up in the community, we owned a store since I was five that’s down the street and we’re just trying to bring more to the community by changing it from the rural to another store. Cause we do own the other store that’s down the street by Mr. Herbert Sims, y’all had to rezone his also to change it to, from rural to commercial.
We actually renting that property out so, from him right now, so we’re just trying to expand the business back again to the community to make it better cause I grew up there since I was five and I'm 44 now. Thank you.

CHAIRMAN YONKE: Thank you.

MR. SIERCKS: We have one more, it looks like Ann Garner?

MS. GARRICK: Garrick, it’s my mother. She signed up by mistake.

MR. SIERCKS: That’s it, we have no one else to speak on this application.

CHAIRMAN YONKE: Thank you for coming up to speak and thank you Commissioner Siercks. This is open to the floor now to the Commission for discussion. Is there any questions for Staff?

MR. DURANT: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner.

MR. DURANT: Question for Staff. Has this property been in a nonconforming use for the last few years?

MR. PRICE: Yeah, I'm sure if it’s been operating during any time it would’ve been under a nonconforming status, even from, so it would’ve been, we enacted zoning around 1978 so if it was operating during that time it would’ve been nonconforming. But, I’m sorry I don’t have it directly in front of me but the assumption is that this business has not operated I guess over the last year or so which would’ve helped to maintain the nonconformity.

MR. GRADY: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Grady?
MR. GRADY: Question for Staff on this one. At least on, and you can correct me if I'm mistaken here, it reads based on the conclusion of the recommendation that the main objection is that this is, this request is for a neighborhood commercial as opposed to a rural commercial zoning, is that an accurate assessment?

MR. PRICE: I think that's accurate. I think that's pretty accurate, Mr. Grady.

MR. GRADY: Okay. And you mentioned there was a difference in the footprint that would be allowed under the two different zoning types. You'll forgive me I do not have the entire use table memorized so if you could speak broadly to what types of structures are allowed under a neighborhood commercial that would not be allowed under a rural commercial, that would be helpful.

MR. PRICE: Yeah, my apologies, I actually meant to have that here. The uses are very similar. One of the things we found, there are a few uses that I guess based on the square footage allowance of the rural commercial zoning designation were allowed within the rural commercial versus being allowed within the neighborhood commercial. I can just kinda off the, just kinda go through the list I'll just quickly identify a few. So for example, a automobile towing which doesn't include storage but an automobile towing business is allowed in the rural commercial versus the neighborhood commercial.

Furniture repair shops and upholstery, hotels and motels, janitorial services, kennels are all allowed in the rural commercial versus being allowed in the neighborhood commercial. And I think you can kind of see that a lot of those it's due to the size of those would be the difference. Minor repair and maintenance for automobiles is allowed. Repair and maintenance for appliances and electronics, rental centers without outside storage are all allowed in the rural commercial and not in the neighborhood commercial.
Septic tank services are allowed, taxidermists are also allowed just for a few from the list, but I think you get the gist.

MR. GRADY: So if I understand this correctly you’re saying that the rural commercial is actually a broader?

MR. PRICE: Yes.

MR. GRADY: Okay.

MR. PRICE: And again, maybe – I’m sorry, I’ll let you finish first.

MR. GRADY: No, go ahead.

MR. PRICE: I was gonna say, you know, unfortunately I’ve dealt with Mr. Garrick I believe and his daughter also a couple of times over the years so I’m aware of their previous businesses down there. This is just one of those situations, we’ve run into this periodically where the size limitations of the size of the lot that they’re bringing in before does not allow them to ask for the appropriate zoning designation. If this was a two acre tract they would be allowed to ask for a rural commercial. If they were abutting a rural commercial tract, zoned parcel, they would be able to ask for rural commercial.

Unfortunately there’s a sliver that separates them in a rural commercial tract and so because of the size of the parcel they are unable to ask for the rural commercial. And so the only eligible commercial zoning designation for them to ask for was the neighborhood commercial.

MR. GRADY: Okay. I guess the follow up I would have to that is, are those sort of policy decisions that you mentioned, are those simply determined by Staff or are those statutory in some way?

MR. PRICE: That is within our Code.
MR. GRADY: Okay. And let me, looking at the map we can see that, I'm not sure how many feet that is, but it’s a fairly narrow piece of property there so it may not be abutting a rural commercial but, you know, that is so close that it seems kind of a [inaudible] amount of difference in my opinion. But I think your answers have been helpful so I’ll yield back.

CHAIRMANYONKE: Thank you Staff and Commissioner Grady.

MR. DURANT: Mr. Chair?

CHAIRMANYONKE: Yes.

MR. DURANT: I have a question for Staff. So Mr. Price, but for that sliver of land separating the two properties we were just discussing, this zoning change request in all likelihood would meet the criteria of the Comprehensive Plan and we would in all likelihood approve it?

MR. PRICE: Yes, sir.

MR. DURANT: That sliver of land, what’s it being used for now?

MR. PRICE: I'm not sure.

CHAIRMANYONKE: Can you highlight that parcel on the map? Is that the one we're talking about?

MR. PRICE: The street view.

MR. GARRICK: Can I answer that question for you?

CHAIRMANYONKE: Sure, go ahead.

MR. GARRICK: Okay, the last -

CHAIRMANYONKE: Come on down to the podium so we have you on the microphone. Thank you, sir.
MR. GARRICK: The land on both side of this business is not being used for anything. The only thing on that whole strip from 769 up to the railroad track is Mr. Doc Sim and Hattie Sim used to own a convenience store on the corner there. We're running that as a convenience store now. But close to that building I think the Webbers own it on one side, the Davis on the other side. Used to be a small business but it's no business or anything in there. And we spent about $150,000 in this business. Thank you.

CHAIRMAN YONKE: The Chair is open to any motions as well. Or further discussion.

MR. GRADY: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Grady.

MR. GRADY: I would like to make a motion that we send this case, 23-019 MA to County Council with a recommendation of approval with the rationale being that a rezoning to a commercial property is consistent with both multiple parcels in the area as well as the designation as a rural activity center.

MR. DURANT: Second.

CHAIRMAN YONKE: Do I have a second? I have a second from Commissioner Durant. With that second, Staff can we take a vote?

MR. PRICE: Alright, the motion is for approval of Case 23-019 MA. Those in favor of the motion, kinda follow along Council so your yes would be for approval. Those in favor, Metts?

MR. METTS: Yes.

MR. PRICE: Durant?

MR. DURANT: Yes.
MR. PRICE: Siercks?
MR. SIERCKS: Yes.

MR. PRICE: Grady?
MR. GRADY: Yes.

MR. PRICE: Yonke?
CHAIRMAN YONKE: Yes.

MR. PRICE: Alright, motion passes.

[Approved: Metts, Durant, Siercks, Grady, Yonke; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: Thank you Commission, thank you Staff. That will now go as a recommendation of approval to County Council. Thank you. Again, that’s gonna go to County Council with a recommendation for approval. They’ll have their meeting at the next zoning public hearing. Next we’ll move on to our next case which is going to be item number 3, 5.b.3., Case No. 23-021 MA.

CASE NO. 23-021 MA:

MR. PRICE: Alright, the next item is Case 23-021 MA. The Applicant is Richard Romero. The location is 7532 Fairfield Road. The Applicant is requesting to rezone one acre from rural which is RU to GC - hopefully you can hear me – to GC which is general commercial. Again, Staff recommends disapproval of this request. It’s within, it falls within the neighborhood low density designation of the Comprehensive Plan. And I’ll just kind of read from the Staff Report here, the requested Map Amendment would be in character with the zoning designations of the parcels north and south of the subject site. Some of those sites are either zoned general commercial or light industrial. However,
it’s not consistent with the objectives of the 2015 Comprehensive Plan as the subject is
not located within a contextually appropriate distance from the intersection of a primary
arterial or within a neighborhood activity center. Again, in addition the uses permitted by
the requested zoning district do not support the small scale neighborhood commercial
establishments desired by the Comprehensive Plan and again for these reasons Staff
recommends disapproval.

CHAIRMAN YONKE: Thank you, Staff. Do we have anyone signed up to speak
for this one?

MR. SIERCKS: There’s no one signed up to speak on the sign in form. Is there
anyone present?

CHAIRMAN YONKE: Okay, the Chair opens this up for discussion with the
Commission. Any questions for Staff? Commissioner Siercks, you would like to speak?

MR. SIERCKS: Is there anyone who wished to speak either for or against
application number 23-021 MA, location 7532 Fairfield Road.

CHAIRMAN YONKE: Thank you, Commissioner Siercks, that’ll be the last call
from the public on that one. We’ll continue with any questions for Staff or comments
from the Commission. Also any motions.

MR. DURANT: Question for Staff, Mr. Chairman.

CHAIRMAN YONKE: Yes, Commissioner Durant.

MR. DURANT: Staff, in your conclusion you said this property is not located in
[inaudible] intersection of a primary arterial or within a neighborhood activity center.
Would that be the case for the properties directly east and north of this, of the subject
site?
MR. PRICE: Those properties do not meet the objectives of the Comprehensive Plan for this designation either. Those properties just happened to have that zoning. It was definitely prior to the adoption of the 2015 Comprehensive Plan and probably could go back and see those parcels probably had that designation for quite a while.

CHAIRMAN YONKE: Thank you, Staff.

MR. PRICE: Mr. Chair.

CHAIRMAN YONKE: Yes, sir.

MR. PRICE: Maybe I'll kinda throw something to the Planning Commission.

CHAIRMAN YONKE: Go ahead. Thank you.

MR. PRICE: So I think you have a couple of choices here. One, if you feel that you would still like to hear from the Applicant and give them a chance to petition the Planning Commission for his request, this could be deferred and we will just bring this back. It won’t be coming back till September but it’ll give him an opportunity to speak. Or you could go ahead and just take this up on the basis of what’s been presented to you because, I mean, regardless of what the Applicant is asking for from a use standpoint, what we’re really looking at is a request for a general commercial zoning designation at this location. So you can make your decision based on that also.

CHAIRMAN YONKE: Thank you, Staff. That is true, we are tasked up here as Commissioners to look at this without, as if there’s no building there and if this is a good fit for this area. So I’ll put on the floor, any motions?

MR. METTS: Mr. Chair?

CHAIRMAN YONKE: Yes.
MR. METTS: I think I would like to just defer this and see if the Applicant would like to come and talk next time just to see what’s going on in their mind, what’s happening with this and get a better picture of it.

CHAIRMAN YONKE: Thank you, Commissioner Metts. So we have a motion for defer? Do I have a second?

MR. DURANT: Second.

CHAIRMAN YONKE: Second. With the second, Staff can you take a vote?

MR. PRICE: Alright, the motion is for deferral of Case 23-021 MA. Those in favor of that motion, and a yes is agreeing with the deferral, Grady?

MR. GRADY: Yes.

MR. PRICE: Metts?

MR. METTS: Yes.

MR. PRICE: Siercks?

MR. SIERCKS: Yes.

MR. PRICE: Durant?

MR. DURANT: Yes.

MR. PRICE: Yonke?

MR. PRICE: Yonke?

CHAIRMAN YONKE: Yes.

MR. PRICE: Alright, that motion will be deferred. We’ll attempt to put this on the September Planning Commission agenda.

[Approved: Grady, Metts, Siercks, Durant, Yonke; Absent: Frierson, Johnson, Dennis, Taylor]
CHAIRMAN YONKE: Thank you. Thank you, Staff, can we move on to the next item?

CASE NO. 23-022 MA:

MR. PRICE: Alright, the next item is Case 23-022 MA. The Applicant is Jesse Carter. The location is Broad River Road. The parcel is just a little bit less than 30 acres, it’s actually 29.96. The Applicant is requesting to rezone the property from its existing zoning of light industrial, M1 to a PDD which is planned development district. Staff recommends approval of this request. As you’ll take note within your package part of creating a PDD is essentially you’re almost creating your own zoning designation with all of your rules and allowances and everything within there and that is actually what’s being reviewed. There are some things that will automatically default to our Land Development Code if it’s not referenced but, you know, one of the things Staff does is we go and take a look just to make sure. That is why one of the things that you will take note of, especially starting on page 41, that there is actually an ordinance that’s been drafted. This is typically something we do after County Council has the zoning public hearing and gives first reading to an item but because again this is a PDD we wanted you to actually see if this is approved these are the allowances for this development. Going back, which you can probably see a little bit clearer on page 26 under Exhibit C are the permitted uses. According to the Applicant they were gonna use the permitted uses that are currently identified under our neighborhood commercial zoning designation with the addition of restaurants with limited service with a drive-thru essentially because drive-thrus are not permitted in the neighborhood commercial. But again they’re kind of creating their own zoning designation here. So it’s easier to spell
out each one of the uses versus just referencing the neighborhood commercial, we found that to be very helpful for future Staff that’s gonna be enforcing this ordinance. So if you, you know, again take note on page 41 under the site plan which is identified as Exhibit A, Staff took what was presented and we basically spelled it out. So they would be limited to those uses as previously stated from the buildings to the height to the number of units to square footage, all of those would be limited and also the reservation of at least 10% of the total area as a parkland or open space. And that is a requirement of the PDD as found in §26-102(8)(c)(d) and (e).

CHAIRMAN YONKE: Would you mind putting the [inaudible] so we can see? Thank you. Commissioner Siercks, do we have anyone signed up to speak?

MR. SIERCKS: We do. The Applicant, oh I guess not the Applicant, is the 

MR. CARTER: Yes.

MR. SIERCKS: Okay.

CHAIRMAN YONKE: Come on down to the podium, sir. State your name and address.

TESTIMONY OF ALEX DEMETERCO:

MR. DEMETERCO: My name is Alex D. Demeterco. My address is 5 Century Drive, Suite 240, Greenville, South Carolina. Just for clarification, Jesse Carter was the person that filled out the application, Jesse and I are partners in the development company. Currently the property is zoned M1 and M1 allows for light manufacturing but it also allows for retail and warehousing if you look through what the permitted uses are. We looked to rezone this property about a year ago into GC and after consultation with
the Ballentine, I believe it’s called Ballentine Community Association, and also with both Councilman, previous Councilman Malinowski and Councilman Branham, Councilman Branham suggested the PDD process. One of the reasons is we wanna develop and are looking to develop and proposing multi-family with a smaller amount of retail. Rather than being able to do 100% of retail we scaled it back to about 10% with apartments in the back, which is of course a less intrusive traffic use. And that’s based on just straight acreage of the property. Our development objectives remain the same but one of the reasons we're looking for a PDD is it allows a little more control, in other words we’re approving the site plan as well as the zoning. So we’re saying that we’re going to develop apartments with a small amount of retail, this ensures that process. When you look at from a square footage standpoint what we’re proposing, it is about 93% apartments and 7% retail, so much lower traffic use. We’ve done a lot of investigations from wetlands to soils investigations, reviewed the, worked with DOT – I take it that’s my time, is that correct? Okay. Thank you.

CHAIRMAN YONKE: Sir, you can keep going, as the Applicant I wanted to give you an extra minute, go ahead.

MR. DEMETERCO: Okay. We have worked very closely with DOT and our, have been collaborating in terms of the improvements that are scheduled or planned for Broad River Road and our participation in that from a standpoint of it being able to help improve the traffic situation there, and we don’t have specifics at this point other – because we and DOT just haven’t gotten that far other than the agreement that we would be collaborative in terms of providing lands and dedicating land to be able to widen the road and DOT talking about putting in a signal which we’re supportive of at
Bickley Road to help improve that. So those are some of the main things. I just wanted to address traffic, the conditions on the property. There’s a floodway on the property which we intend to honor, we will not disturb it in any way. That'll be in fact part of the open space requirements that we’ll be providing.

CHAIRMAN YONKE: Thank you, sir.

MR. DEMETERCO: Thank you.

CHAIRMAN YONKE: Commissioner Siercks?

MR. SIERCKS: Manuel Merrick?

MR. MERRICK: So I’m with the engineering company. I’m just here for technical questions, but.

CHAIRMAN YONKE: Okay, thank you.

MR. SIERCKS: Andrew Allen?

MR. ALLEN: Same as Mr. Merrick?

CHAIRMAN YONKE: Okay.

MR. SIERCKS: Ms. Kim Murphy?

TESTIMONY OF KIM MURPHY:

MS. MURPHY: Kim Murphy, 154 Old Laurel Lane, Chapin. There are multiple issues including with documents presented and it should be deferred. The ordinance incorrectly states the property is to be rezoned general commercial. The traffic count increased 500 daily trips between 2021 and 2022, and there are no DOT or penny tax improvements for this road, which is operating at a level D. This is the same proposal as in 2022 except the density of 264 multi-family units has increased with the addition of three garage buildings with apartment units above. Because of inconsistencies in
Exhibit A and B, Staff’s Report and the ordinance, the two exhibits do not appear to be the same exhibits, A and B, referenced in the ordinance. Exhibit B references in the ordinances is general development plan, but Exhibit B in the packet is called Statement of Intent. The layout in Exhibit A, the site plan, does not match the ordinance. The ordinance states there will be four garage structures plus three garage buildings with units above, a total of seven garage units. But the site plan only shows a total of four garage buildings, which look alike, not the seven according to the ordinance. And one of those four is labeled as ‘garage building with units above’, typical, as if all four buildings not three have units above. Staff Report indicates that a maximum of 264 units, Exhibit A states 264 proposed units. Exhibit B states approximately 264 units, which will be amongst the 11 three story buildings. But the ordinance states the plan will be limited to 11 buildings plus density in three garage buildings. The ordinance does not specify a maximum number of units or any number of units, but should. Aside from the excessive density I request that you defer this until you receive accurate documentation and know what you are approving. If you feel you must approve it nail down the maximum density in the ordinance and disallow bonus density. Thank you.

CHAIRMAN YONKE: Thank you.

MR. SIERCKS: Next is Matthew McCommon?

TESTIMONY OF MATTHEW MCCOMMON:

MR. MCCOMMON: Matt McCommon, 44 Aderly Oak Court, Irmo, South Carolina. We live off of Bickley Road in the neighborhood, Aderly neighborhood. And my only concern, the statement I’m making is in relation to the traffic right now; Broad River Road is a two lane road and during the school year I have kids that go to
Ballentine and in the morning and even in the afternoon the traffic is just horrendous there, specifically where Bickley runs into Broad River. So my concern with adding commercial and residential multi-family dwelling housing, my concern is just the increase in traffic. You know, now I know the gentleman spoke to working with the Department of Transportation and coming up with a plan and expanding those roads, but at the end of the day we don’t know when that would happen and so if you move forward with the development of rechanging the zoning on that you’re just gonna increase traffic which is gonna just continue to make, you know, going through that area tenuous best or terrible, so that was my only concern. Thank you.

CHAIRMAN YONKE: Thank you, sir.

MR. SIERCKS: Terry Rowell?

TESTIMONY OF TERRY ROWELL:

MS. ROWELL: Terry Rowell, 3635 Kennerly Road. I promise not to waste my time calling out Acreage Plot System. I’m in agreement that there are too many discrepancies in this proposal right now to vote one way or the other. I think it should be deferred until things are, you know, put in place. The other thing I think we’re doing is I was on that road, Bickley Road, last week and there was an accident. It’s always crowded but it literally was backed up from 76 to 176, all the way on one side and part way back on the other side. I think we’re putting the cart before the horse. I think we need to make the infrastructure improvements before we approve these types of things in the area. Thank you.

CHAIRMAN YONKE: Thank you.
MR. SIERCKS: We have no one else signed up to speak. Is there anyone who
would like to speak for or against?

CHAIRMAN YONKE: Do we have any questions for Staff? It’s open on the floor
for discussion.

MR. METTS: Mr. Chair?

CHAIRMAN YONKE: Yes.

MR. METTS: Question for Staff. Mr. Price, could you speak to the discrepancies
they’re referencing? I know y’all were looking back and forth, just trying to figure out
what’s going on with it.

MR. PRICE: I would actually have to hear all of those again cause it went pretty
fast. But –

MS. MURPHY: I’d be happy to. That was only some of them.

MR. PRICE: What we can do, we can add the maximum number of units to the
ordinance. You know, that is something that can easily be added, we can cap the
number of units that would be allowed there. I believe they referenced 264 so that’s
what, we could definitely add that to the ordinance that would go forward.

CHAIRMAN YONKE: Thank you, Staff. With that would we be able to do
anything as a Planning Commission to make that amendment to Exhibit B or does that
mean we have to defer and then –

MR. PRICE: I mean, that can be a part of your approval to, you know, one of the
things about a PDD you can actually make changes to it or make recommended
changes to what is actually going forth. You know, unlike most of your zoning requests
that come before you, this one you can actually ask a bunch of questions and put, you
know, certain restrictions on them if you need to or allowance, so you have an opportunity to actually kind of craft the zoning for this parcel.

MR. DURANT: Mr. Chair, question for Staff.

CHAIRMAN YONKE: Mr. Durant?

MR. DURANT: I’m just wondering, Mr. Price, would it be a worthwhile effort to take a look at all of the discrepancies that were pointed out earlier and see if that impacts or effects Staff’s decision process at all before we take a vote on this.

MR. PRICE: I don’t know what the discrepancies, if they truly are discrepancies. We will be happy to look at this, I mean, if you want to, but again I don’t, this is my first time hearing about any discrepancies. And again, just you know, if they’re stated, I mean, if she would like to come back up here and state those again we’d be more than happy to hear it, that way we can kinda follow along and see, but they were kind of done pretty quickly previously.

CHAIRMAN YONKE: Okay, thank you Staff. We can, if as Chair I can entertain that I would then like to let the Applicant then have two more minutes and then we could discuss. With this being a PDD and you just explained we could, like shape this parcel –

MR. PRICE: Exactly.

CHAIRMAN YONKE: - then let’s have a couple more minutes to discuss. So Ms. Murphy, would you come down and we’ll give you two more minutes to explain the discrepancies that you found to Staff.

MS. MURPHY: Thank you. For one of the things that I think is important that Mr. Price mentioned is that you can mold this. And what comes out of here should be a molded, in molded form. It is too vague for you to do that right now, and part of that has
to do with these discrepancies. Like the very first one it says that it’s supposed to be rezoned on the ordinance to general commercial. This is to a PDD, not general commercial. I’m taking up my time by having you look but I want you to see that’s just one of these discrepancies.

MR. PRICE: If you don’t mind, I mean, I don’t think you’re capping her at a certain time cause we wanna hear from Ms. Murphy. So I see what she’s referring to, so if you look at – there are two headings on the, on page 41 where it does talk about going from rural, excuse me, so again I apologize but those, if you wanna consider it just to be typos, we can make that change. Cause what we have before us is M1 going to PDD.

CHAIRMAN YONKE: So section one should read M1 to PDD.

MR. PRICE: Yes.

CHAIRMAN YONKE: Not rural?

MR. PRICE: No, so we change that to M1.

MS. MURPHY: So this is just one discrepancies but there are others like this that I think it should be deferred, go back to the Planning Staff and have them clean it up. Let me talk about a couple other things. Again, this is supposed to be a formal document that comes out of here. You have that ability and it deserves more scrutiny because of that. PDD’s are different. So if you look at Exhibit A and B in your packets, Exhibit A does not say that it’s part of the ordinance. It’s easy to assume that that is the site plan that is part of the ordinance, that’s referenced in the ordinance, but you don’t know that. But the site plan, if this is the exhibit that should be part of the ordinance
that’s referenced there, it does not match the ordinance. You would need a site plan
that matches the ordinance or the ordinance needs to match the site plan.

CHAIRMAN YONKE: Would the Applicant like to help with some of the
discrepancies? Okay, you wanna come on down, maybe take the other podium here?

MR. DEMETERCO: Sure. Let me, let me be clear about the number of units, it’s
264, let me just start with that. So we can firm that up and have a not to exceed amount.
The second thing, there are no apartments above the garages, let me clarify that as
well. They’re garages only. The, the third thing is I’m in agreement, you know, we’re
looking for PDD zoning, not GC zoning. We’re very specific about the site plan of where
we wanna head. If we need to clean up the ordinance in order to do that I would
recommend that if you’re so inclined to be able to approve it with those, subject to that.
I’m trying to think if there was something else that was mentioned, but those were kinda
the main items that I heard come up and hopefully I’m clarifying it.

CHAIRMAN YONKE: Thank you.

MS. MURPHY: If you look at Exhibit B in your packet it’s called Statement of
Intent. In the ordinance it’s called –

MR. DEMETERCO: General Development Plan.

MS. MURPHY: General Development Plan. So they’re two separate documents,
that needs to be cleaned up. But the site plan –

CHAIRMAN YONKE: Did you hear that, Staff?

MR. PRICE: We looked at that. Typically within a PDD you give a general
development plan. They may have named it one thing as, from theirs but as a heading
and we reference it as Exhibit B, it’s a general development plan for this. It’s saying the
same thing. It may have a different name but it’s the same thing, so typically just every PDD has a general development plan. They may not have called it that but this is what it is. And that’s what we labeled as Exhibit B and we placed that within the ordinance.

CHAIRMAN YONKE: The ordinance, it looks like there’s some amendments we would make like rural to general commercial, so if you decide to make a motion on this I can see us as a Planning Commission making edits to the ordinance cause then we’re going to send that to County Council as a recommendation.

MR. PRICE: Yes.

CHAIRMAN YONKE: So we would edit the text General Development Plan to match to say Statement of Intent. Is that okay?

MR. PRICE: Or we could label it as General Development Plan and in parenthesis we could also reference as they’ve identified it in their document. You know, their Statement of Intent, again they’re the same thing so if we have General Development Plan, you know, “Statement of Intent” it’d be the same thing.

CHAIRMAN YONKE: I just wanna make sure that what we send to County Council is clear.

MR. PRICE: No, I understand. And I understand what Ms. Murphy’s bringing forth, so we can do that.

CHAIRMAN YONKE: Commissioners, questions at this point? This is a little unorthodox I know, thank you for everyone’s patience. Hang on, Ms. Murphy.

MR. DURANT: Comment, Mr. Chair.

CHAIRMAN YONKE: Yes, Commissioner Durant.
MR. DURANT: Everything I’ve heard seems like it can be easily cleaned up by Staff and I’m not sure I’ve heard anything to cause us to have to defer this to the next meeting. I am sensitive to the fact that having attended one County, or at least a subcommittee of a County Council meeting, they do not want any documents that aren’t final and perfect to look at. So anything we forward to them with a recommendation obviously would need to be cleaned up as best Staff can determine.

CHAIRMAN YONKE: Thank you, Commissioner Durant, you’re reading my mind. I was also at that committee meeting. We wanna make sure our document is clean that we send to County Council as a recommendation. So if we’re looking at the ordinance and making, you know, typo changes let’s put that into our motion.

MR. PRICE: Yes.

CHAIRMAN YONKE: Okay. Seems like Exhibit B, A and B would go along with it but the ordinance seems to be the legal text of this. Am I correct, Staff?

MR. PRICE: Yes.

CHAIRMAN YONKE: Okay, any other questions? Okay. Alright, Ms. Murphy – let’s cap this, let’s do two more minutes and then cap it.

MS. MURPHY: Okay, if these are the exhibits that are going in there they need to be cleaned up as well. For example, the gentleman said there are no garage buildings with units above but Exhibit B says it’ll be a, multi-family units will be spread across among 11 primary buildings with a mix of one, two and three bedroom units as well as three garage buildings with units above. So there are other things in here that need to be, to match the ordinance need to come out because if it’s not said in the ordinance it’s said in the exhibits and you will have to make sure those exhibits are correct. If you look
at the site plan, the site plan doesn’t show the seven garage buildings, it only shows four. One of those buildings says, garage unit with, excuse me, let me get it out in front of me exactly, if you look at your site plan, I don’t know if you can see this little tiny writing here.

CHAIRMAN YONKE: Staff, can we zoom in on the site plan so everybody can see what we’re talking about?

MS. MURPHY: So on the southeast property line you’ll see a note that says, garage buildings with units above, typical. And you can see the garage building it references. There are four garage type buildings exactly like that so the assumption is that they’re going to be four garage type buildings with units above. But supposedly there are a total of seven garage buildings. So the site plan would have to be adjusted as well.

CHAIRMAN YONKE: Thank you. The Applicant, sir, can you clarify that?

MR. DEMETERCO: I don’t know where the seven unit garage units came from. There are four and we will eliminate any language that shows that there’s any apartments above it. There’s 264 units, period. None of them above the garages, or will not be I should say.

CHAIRMAN YONKE: So just to clarify on my end I see item a4, four garage structures containing no more than 24 garages. Is this a line where we can state something there that clarifies everything, Staff?

MR. PRICE: I was looking for the seven. Yeah, I’m sorry. I apologize I was looking for the seven units referred to, the seven within, so there are four garage structures and three garage buildings with units above.
CHAIRMAN YONKE: It looks like it’s an addition of the three garage buildings with units above and four garage structures containing no more than 24 garages. Could we remove one of those lines? Cause on the site plan garage building with units above, do we know what TYP stands for, is it typical? Okay, thank you. If you have a keen eye we can count and we would get seven there? So seven throughout the site plan and then units inside.

MR. PRICE: We have four structures.

CHAIRMAN YONKE: Four structures.

MR. PRICE: Four structures.

CHAIRMAN YONKE: Four garage structures containing no more than 24 garages. So six? In each one, right? Thank you. Commissioners, I’m just leading a discussion here. I’m still, the motion would be one of my colleagues here to for or deny or defer. But I like to see that we’re doing our due diligence here as a Planning Commission, I appreciate everyone’s time today. Let’s go ahead and ask Ms. Murphy to take a seat and our Applicant as well and we’ll continue like we normally would on a Commission. I appreciate everybody, thank you. Staff, final thoughts on clarity?

MR. PRICE: Yeah, I was gonna say it’s been a while since we’ve done a PDD of this sort and typically when we do PDDs they are typically more residential based with some levels of commercial surrounding those. And I will tell you that most of, the site plan that is submitted is conceptual. They can’t, they don’t typically do exact, that’s why we’re always very mindful of the exact language that spells it out. So sometimes you aren’t gonna find, like I say whether it be this one or whether it had been a residential PDD, in which you’re gonna find the [inaudible] gonna match exactly. You know, what I
would look at is, you know, so there are four items that I’ve taken note of and we can
make that correction. Again, these are all, you can do this all on page 41 in which we
will make that correction of exactly the district is going from and what it’s going to for
both of those sections that that can be clearer. But everything that was advertised and
referenced is for, to go to a PDD. We can also include within the ordinance from the site
development plan the limitation of 264 units. Going to section 2.b. under the General
Development Plan we will also make note that it’s also identified as a Statement of
Intent but it still references Exhibit B. And from what I’ve also seen, so the big one really
is items 3 and 4 which we have because we have in the Statement of Intent it has that
multi-family units will be spread across 11 primary buildings as well as three garage
buildings with units above. So we need to clarify whether there will be units above within
those garage units so we can clarify that within the ordinance and also the number of
garage structures that would be there.

MS. MURPHY: Excuse me, the site plan [inaudible].

CHAIRMAN YONKE: Thank you, Staff. Commissioners does anyone have a
motion if we went ahead and made these revisions and we found clarity on the number
of garages? This is a PDD so I feel like we’re stepping into, like Board of Zoning Appeal
area?

MR. PRICE: No, you’re –

CHAIRMAN YONKE: In my four years this is pretty unique.

MR. PRICE: Okay, so this – good talking point – so if we, if this land, the Land
Development Code that we have, the truth of it is this could easily be two or three times
larger than what it is, because what we would have is your typical zoning designations,
your RSLDs, RSMDs, RM, HDs, GCs and so on. What we also have, I’m just using a
couple for reference, we would also have PDD, Summit; PDD, Lake Carolina; PDD
Lowman Home, so just, you know, a couple off the top of my head, because those are
all designed zoning designations. So what you’re doing right now, not that you’re going
to the Board of Zoning Appeals, what you’re doing is creating a new zoning district and
all of the uses that are in there. And this would be the same kinda conversation we
would have if I came and proposed, let’s do a GC2 zoning designation, we listed some
uses and you would make decisions on whether certain uses should be there and also
what the limitations should be, whether it be on square footage or setbacks or any of
those sorts. So that’s kind of the conversation we’re having right now.

CHAIRMAN YONKE: Thank you, Staff. With that as a Commission we could
make a motion to approve, deny or defer. I’ll put that on the floor to my colleagues.

MR. DURANT: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Durant?

MR. DURANT: I move that project 23-022 MA with the adjustments and
corrections mentioned by Mr. Price earlier be forwarded to County Council for a
recommendation of approval.

CHAIRMAN YONKE: Do we have a second?

MR. METTS: Second.

CHAIRMAN YONKE: Thank you, Commissioner Metts. With that we have a
motion and a second for approval that we will make the amendments.

MR. PRICE: Yeah, I want just for clarification – we’re looking at this I believe we
would remove item 3 which says three garage buildings with units above unless the
Applicant has something regarding that, and the four garage structures containing no more than 24 garages would seem to match what is on the conceptual plan that was submitted. And in addition we would need to clarify if there are going to be no units above then we would have, if they’re gonna be no units above then we would then remove that from the ordinance that’s being proposed. And one of the things that you can – it’s been a while since we’ve really done this, but what we will do is we will get a cleaner version of what they’ve identified as Statement of Intent and which we’ve identified as Exhibit B to clarify any language that’s in here to make sure it matches what ordinance that you recommend approval going forward to County Council.

CHAIRMAN YONKE: Okay, just to paraphrase that, we have a motion of approval with the amendments and a second. So we would go ahead and we would approve it with these minutes, but you would then bring the document back to us?

MR. PRICE: No, we’ll send the document forward with those noted recommendations to County Council.

CHAIRMAN YONKE: So let’s take the vote since we have the motion out there with a second.

MR. PRICE: Oh I’m sorry, who seconded?

CHAIRMAN YONKE: Commissioner Metts.

MR. PRICE: Okay. Okay. Alright, so we have a motion for the approval of Case 23-022 MA. The request is to rezone the parcel from light industrial to a PDD and within the PDD there will be a number of edits, primarily on page 41 in which we will clarify the zoning designation that it’s going from and to, we will include language which restricts the maximum number of units for the development, residential units, we also include
the, identify the General Development Plan and we will also reference that it is also known as the Statement of Intent, and we would remove three garage buildings with units above and instead just have four garage structures containing no more than 24 garages. Alright, so those in favor of that motion, Metts?

MR. METTS: Aye.

MR. PRICE: Grady?

MR. GRADY: Aye.

MR. PRICE: Yonke?

CHAIRMAN YONKE: Aye.

MR. PRICE: Siercks?

MR. SIERCKS: Aye.

MR. PRICE: Durant?

MR. DURANT: Aye.

MR. PRICE: Alright, motion passes.

[Approved: Metts, Grady, Yonke, Siercks, Durant; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: Thank you to everyone who came to speak on this case and the Commissioners. As Mr. Price just stated this will go to County Council with a recommendation of approval with the, Exhibit A and B and the ordinance clarified.

MR. PRICE: Yeah, more than likely instead of going I believe the 25th of July is the scheduled zoning public hearing, this item from my conversation with the Councilmember will not go in the July ZPH but instead it looks like it won’t go until the September ZPH. The County Councilmember would like to have a kind of community
town hall with his constituents to discuss this request. So that will probably occur
between now and the zoning public hearing in September.

CHAIRMAN YONKE: Again to paraphrase for the public, stay tuned to the
website for a community meeting that may come up by your Councilman and the zoning
public hearing, ZPH would be end of September.

MR. PRICE: That’s correct.

CHAIRMAN YONKE: Thank you. Okay Mr. Price, ready for the next item?

CASE NO. 23-023 MA:

MR. PRICE: Okay. Next case is, next item is Case 23-023 MA. The Applicant is
Kevin Steelman. The Applicant is requesting to rezone property located at 111 Pine
Wedge Drive which is a little less than 22 acres from M1 which is light industrial to
RSLD which is residential single-family low density. Staff recommends approval of this
request. The proposed, the location of the zoning request falls within the neighborhood
medium density designation of the Comprehensive Plan. These areas are identified as
a transition from neighborhood low density to mixed residential density. The land uses
and the character of the areas within the designation should include medium density
residential neighborhoods and supporting neighborhood scale commercial. The request
would be consistent with the densities and the development standards of the adjacent
developments which falls within the Willow Lakes subdivision, the various phases
they’ve had there that are both located north and east of the subject parcel. Again,
based on the consistency of the request as it relates to the Comp Plan and also with the
various developments, Staff recommends approval.
CHAIRMAN YONKE: Thank you, Staff. Commissioner Siercks, anybody signed up to speak?

MR. SIERCKS: We have the Applicant, Kevin Steelman.

TESTIMONY OF KEVIN STEELMAN:

MR. STEELMAN: Good afternoon.

CHAIRMAN YONKE: Afternoon.

MR. STEELMAN: Kevin Steelman, 522 Lady Street. This microphone isn't made for average people. I'm with Land Tech, we're a local residential land developer. We just completed a development of a phase of Willow Lake adjacent to this property and during that time the pastor of Willow Lake Church reached out to us to let us know that they had some residual land or excess land that they weren't going to need and they didn't think they needed to accommodate growth. And so we worked with them over a couple of months to identify a portion of the land that they would not need to support their ministry and leaving them with the land that they do believe they need to support their ministry. And so we worked with their staff to develop a subdivision of the property that would allow us to purchase a portion of the property and develop it into a single-family neighborhood that would be very compatible with the adjacent development and Willow Lake. And so that's our request and I'm here and happy to answer any questions.

CHAIRMAN YONKE: Thank you, sir.

MR. SIERCKS: Next person, Jeff Benson.

TESTIMONY OF JEFF BENSON:
MR. BENSON: Hi, my name is Jeff Benson. I live at 100 White Oakridge Lake in Blythewood. I’m the pastor of Willow Lake Church. We have been looking at developing our land, we were zoned light industrial. Our congregation voted to move to, move it to residential to fit into the environment that we’re already in. We were approached earlier to build a warehouse on our property, we’re already zoned light industrial so would need no rezoning, but we felt that it might hurt the value of the homes in our subdivision where we’re really trying to minister. And so we felt like the residential would be more helpful to the values of the homes that are already there and probably be a blessing to everybody in that subdivision. Sometimes when a warehouse moves in all sorts of other problems move in with it and so we felt that that would be the best thing. So actually our whole congregation voted to approve this as well. So we are very excited about that possibility, so.

MR. SIERCKS: Next up, Joe Henry.

TESTIMONY OF JOE HENRY:

MR. HENRY: Good afternoon, gentlemen. My name is Joe Henry, I live at 86 Sunset Maple Court. The reason I’m speaking is because that address is in Willow Lake subdivision so I won’t be redundant and repeat what you’ve already heard, but, so the fact that I am at the church as well as in the subdivision I have feet in both parts of this topic. We do have a number of members of our church who live in the Willow Lake subdivision, our resident homeowners in the subdivision, they are all in approval of this. So I just wanted to let you know that our church body, those who live within the subdivision are pleased with this opportunity. We do feel, you know, I feel very strongly that because it’s, you know, it’s a low density proposal, it’s consistent with the County
Comprehensive Plan, it’s consistent with the adjacent developments, it feels like a good fit. As the pastor said we did have an opportunity to put up a warehouse and we unanimously felt like that was not a fit. Our church has been in this community for 20 years and we feel very much like part of the community and we wanted it, we wanted whatever we put forward to be something that fit within the community and was not something that was not well outside of what was already there. So that was our goal and I think we’ve met that, so we would appreciate your consideration and hopefully your recommendation. Thank you very much.

CHAIRMAN YONKE: Thank you.

MR. SIERCKS: Did anyone else signed up to speak?

CHAIRMAN YONKE: Anyone else out there need to talk on this property? Okay if not this is opened up to the floor for our Commissioners, discussion? Discussion, questions for Staff or a motion?

MR. DURANT: Question, Mr. Chair.

CHAIRMAN YONKE: Yes, Commissioner Durant.

MR. DURANT: Question for Staff. I’ve heard the name Willow Lake community mentioned. Is that the community off to the right and to the left on the map, I mean off to the right on the map here, all of those subdivisions?

MR. PRICE: Yes, sir. As you can see most of the area there’s, come up in some form of blue/aqua, whichever detail you wanna get with the colors as part of the Willow Lake subdivision.

MR. GRADY: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Grady?
MR. GRADY: I would like to make a motion that we send Case No. 23-023 MA to County Council with a recommendation for approval.

CHAIRMAN YONKE: Thank you, Commissioner Grady. Do we have a second?

[Recording stopped]

CHAIRMAN YONKE: Staff, could you take a vote?

MR. PRICE: Alright, those in favor, Durant?

MR. DURANT: Aye.

MR. PRICE: Siercks?

MR. SIERCKS: Aye.

MR. PRICE: Grady?

MR. GRADY: Aye.

MR. PRICE: Metts?

MR. METTS: Aye.

MR. PRICE: Yonke?

CHAIRMAN YONKE: Aye.

MR. PRICE: That motion passes.

[Approved: Metts, Grady, Yonke, Siercks, Durant; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: Thank you. That goes with a recommendation of approval. It’s gonna go to County Council. Mr. Price, is this the same situation where our Council men and women have been wanting to have to go to the next month or maybe the –

MR. PRICE: No, sir. I don’t believe that this will apply in this particular case. At least I haven’t heard from the –
CHAIRMAN YONKE: So this could be the July?

MR. PRICE: Yes.

CHAIRMAN YONKE: Gotcha. Later this month, thank you. Okay, if we’re ready the next item please.

**CASE NO. 23-024 MA:**

MR. PRICE: The next item is Case 23-024 MA. The Applicant is Harry Walsh. The location is on Kennerly Road. The Applicant is requesting to rezone 3.08 acres from PDD to PDD, essentially this is an amendment to the previously approved PDD. Staff recommends approval of this request. This falls within the neighborhood medium density designation of the Comprehensive Plan. Looking at the objectives of that Plan including the desired development pattern and the zoning designations that are identified as being consistent with requests for the neighborhood medium density, this particular, what’s proposed before you would be similar to those, that zoning designation so for that reason Staff recommends that this be approved. In addition it’s also consistent with the character of the existing residential area from a pattern standpoint and also from zoning designations. If you take a look at your, within your package starting on page 63, previously when this PDD was approved this section, a little more than three acres, was originally designated to allow standalone garages. I guess it was never developed so what’s being proposed is instead to allow nine single-family lots, looks like the minimize size for the lots would be 12,066. The PDD is pretty much going to lock them into, you know, to the exhibit that you see on, that’s been labeled Exhibit C which is on page 64. I know it’s a conceptual plan but this is pretty
much what the layout is gonna have to be like. So again for these reasons Staff
recommended approval of this request.

CHAIRMAN YONKE: Thank you, Staff. Commissioner Siercks, who do we have
signed up to speak?

MR. SIERCKS: First person signed up to speak is Kim Murphy.

TESTIMONY OF KIM MURPHY:

MS. MURPHY: Kim Murphy, 154 Old Laurel Lane, Chapin. This case should be
deferred because of missing documents, inaccurate and omitted information; the
application is a mess. A major change in density, use and traffic flow of an already
approved PDD such as this case requires the proposal to be submitted as a new PDD
like the Broad River Road PDD you just saw. However, that was not done here. For this
reason it should be deferred. You should also have in your packet the existing PDD
ordinance for the entire 53 acre tract with the original development standards that
applied that you may be removing without knowledge. The documents enclosed in no
way indicate what is in the adopting ordinance. The most significant issue is that per
Code a PDD must front on a paved road. This three acre long narrow strip fronts Miles
Bowman Road. Miles Bowman is a county maintained dirt road, but you wouldn’t know
that because nowhere in the Staff’s Report is it documented. The Report does note,
however, that there are no sidewalks on Miles Bowman; of course not, it’s a dirt road. Is
the developer going to pave the road at his cost or are the taxpayers in Richland County
going to pay for it with the penny tax? If the latter the County will be using taxpayers’
money to facilitate this developer and I believe all taxpayers in Richland County would
be enraged. I could say with certainty the property owners on the road beyond the
proposed subdivision do not want it paved. At one time they did until it was discovered
the County would take their land and front yards for road right-of-way. Timing is
interesting here, on July 18th the third reading of an ordinance to remove the provision
that allows property owners to object to their road being paved with penny tax. Removal
of this provision will allow the County to pave dirt roads for developers. Please ask
Councilmembers before July 18th to vote no. Also, traffic characteristics on the Report
list the road as Hollingshed and the conclusion states that the request is consistent with
the character along Hollingshed. But the road is Kennerly, not Hollingshed. The Report
states that the maximum number of units is nine but this number is not spelled out in the
PDD ordinance. Please defer, thank you.

CHAIRMAN YONKE: Thank you, Ms. Murphy. Commissioner Siercks, who’s
next?

MR. SIERCKS: The next person signed up to speak is Gayle Hayden.

TESTIMONY OF GAYLE HAYDEN:

MS. HAYDEN: Gentlemen, thank you. Gayle Hayden, I live at 1043 Miles
Bowman Road. I’ve never been to a Planning Council meeting so, and I just met Kim
Murphy today and I thank her for her advocacy. My brother’s a civil engineer, I didn’t get
any of those genes so all of these numbers are confusing. We’ve lived on the property
21 years. We own, I don’t know if you can switch to a map to show the bigger area, to
the right there’s two five acre plots down Miles Bowman Road, right past the three acre.
Yeah, those two five acre plots are what we own and what we live on. Anyway, we’ve
always, when we first moved in there in 2001, we were told that that was, that three
acres was owned by Mungo Company, it was a buffer zone to protect the Ascot
residents and that one day it might be turned into storage units for the Ascot owners’
boats, RVs, toys, things like that. This is new to us with a new development. We are not
in favor of paving the road, although I consented in 2019 I removed that consent as Ms.
Murphy has indicated. We are concerned, we do not know, and I think one of the
staffers mentioned that when you get a PDD you basically create your own zone. So
this developer, even though he could come in and say, they’re going to be nine houses,
it could be, anything could change, everything’s subject to change. Anyway, I would not
approve of this, would request that the discrepancies be corrected and we receive more
information on the plans for this building and the ordinances. Thank you.

CHAIRMAN YONKE: Thank you for your time.

MR. SIERCKS: Next person signed up to speak is Lisa Kinard.

MS. HAYDEN: Gentlemen, Ms. Kinard was supposed to be here today. She is
our neighbor down at the end of the dirt road. Her husband had a major heart attack
and died this morning, so she is not here. But she was vehemently opposed to this and
that’s what I can say on her behalf.

CHAIRMAN YONKE: Our thoughts are with her and her family.

MR. SIERCKS: Next person is Michael Bell.

TESTIMONY OF MICHAEL BELL:

MR. BELL: Michael Bell, 212 Treyvern Circle in Ascot on the other side. I just
came primarily for information because I saw the signs and a little confused when it said
changing from the same thing to the same thing, but I called and said it was because of
more density than it had been previously done. I wasn’t sure how much property it was,
whether it was the whole, like 500 acres or, you know, what section so I came out of
curiosity. But I would, it really wouldn’t affect us I don’t think very much but I certainly think I would align myself with the folks on the road. If it’s something that they don’t approve of then I certainly would be for that. I do know that because of development up Kennerly there’s gonna be I think I understood about 90 houses, so the traffic situation probably, you know, will get worse and schools are overflowing in the area, I do know that, I checked on that. So I’m just throwing myself with the weight of the folks there. But I do appreciate the process that you go through and allow people to speak their mind. Thank you very much.

CHAIRMAN YONKE: Thank you for coming out.

MR. SIERCKS: Next person up is Terry Rowell.

TESTIMONY OF TERRY ROWELL:

MS. ROWELL: Terry Rowell, 3635 Kennerly Road, Irmo, South Carolina. I guess I’m up here speaking because the dirt road is the thing that I’m concerned about because I also have a dirt road on my property. And I am totally against Council taking over dirt roads and paving them at will. I think the people, I think it’s an overreach of government and I think the people who live on a dirt road should come together and decide whether or not their dirt road is paved or not. In addition to that something else that was brought up that greatly concerns me, as a penny tax person I don’t think we should ever pave a dirt road for a developer. I think a developer should be required to pave whatever dirt road or any other road that they’re gonna be using in their development. And if that means paving the part down to where the dirt road is and then leaving the rest of the dirt road dirt, then the people on that end of the road need to make that decision, not the County. Thank you.
CHAIRMAN YONKE: Thank you. This will probably be a topic we take up with our Comp Plan as we look into that next year. Alright.

MR. PRICE: You mean the paving of dirt roads?

CHAIRMAN YONKE: Maybe one of those, yeah.

MR. PRICE: We can actually have someone from County Staff come in and speak to you about what it is exactly they’ll be doing over the next, we’ll try to get someone in hopefully the next, by the next meeting to come in and speak to you about this issue, but.

CHAIRMAN YONKE: Thank you. Commissioner Siercks?

MR. SIERCKS: We do not have anyone else signed up to speak. Is there anyone else who would like to speak for or against?

CHAIRMAN YONKE: Yes, come on down sir. Just state your name and address and Commissioner Siercks if you can note it.

TESTIMONY OF HARRY WALSH:

MR. WALSH: I’m Harry Walsh. We had the homeowners association from Ascot come to my partner and say that they had no use for the property and they would like to find a buyer. Well, we decided to buy it and thought that this would be a good use for it. The way it’s zoned right now I don’t think anybody can tell me what goes on it and how many units would go on it. I mean, it’s standalone garages so you’ve got three acres, how many could you put on there? Forty? I don’t know. But Ascot Homeowners Association was in favor of selling this property, they don’t have a use for it.

CHAIRMAN YONKE: Thank you, sir. Mr. Walsh, could we get your address? Yeah, just for the Record, Mr. Walsh? When someone comes down to speak we ask for
the name and address. Or give it to Staff if you can. You understand? Staff, help him out please, just write down his address. Thank you.

MR. PRICE: If you could come back and state it for the Record and then we can put it on the sign in sheet. We can move on.

CHAIRMAN YONKE: We can move on? Okay, we're gonna continue. Alright fellow Commissioners, we're gonna open this up on the floor for discussion as well as additional questions to Staff.

MR. PRICE: Mr. Chair?

CHAIRMAN YONKE: Yes.

MR. PRICE: Just to address something. You know, looking at, Staff did take a look at the previous ordinance for the development of this parcel and the others that were part of it. I can tell you back when this was done many of the ordinances were very vague. You know, looking at the previous PDD which we have to try to spell out a lot of the restrictions for it, you know, this was the ordinance itself, basically just every zone from rural to PDD and that identified the parcels. Even the, whatever we wanna call it I guess, general development plan, really didn’t say much, just gave percentages, and one of the things it identified is that 4% of the land, which would be the three acres, was identified as a common area with attached garages. So that’s what we, you know, what we presented to you was relatively simple, it was more like a typical rezoning request, however, once we, when we, once this goes to County Council if County Council gives first reading approval to this request we will craft the ordinance at least for this three acre tract that is before to set the limitations and the limitations as presented were for nine parcels and that is the maximum that would be allowed there. That is, unless
County Council deems it necessary to increase those numbers, but we will go by what was presented to us in the Staff Report, excuse me, in the submittal and limit it to nine units.

CHAIRMAN YONKE: Thank you, Staff. I might’ve missed this so I just wanna ask it, page 62, the original map amendment, it shows existing and proposed. Where is this on the map and are there any discrepancies here or any concerns with this part of it?

MR. PRICE: No, sir. This came in during the original PDD. As you can see just looking at the, what’s deemed to be existing they have existing rural, three acres, and then on the sketch plan I guess that’s below it you can see they identify that as common area. But if you take note of the legend next to it where it says proposed, it has common area with detached garages. And I think as Mr. Walsh previously stated, yeah there are no limitations on that so if somebody came and said they wanna put three garages on there I guess they could and if they wanted to put more. There’s nothing from a staffing standpoint in which we could actually limit them for what could go on that site.

CHAIRMAN YONKE: Just to reiterate thus far into it the only change we’re looking at, page 63. The rest of the parcel, the rest of the acres there was not a change to it.

MR. PRICE: No, just this.

CHAIRMAN YONKE: Thank you.

MR. DELAGE: Mr. Chairman?

CHAIRMAN YONKE: Yes.
MR. DELAGE: So just in an effort to be transparent and have everybody’s address in there, we have the Applicant’s address if we wanna go ahead and read that into the Record.

CHAIRMAN YONKE: Thank you.

MR. DELAGE: So it is 852 Sandbar Road, Chapin, South Carolina 29036. And that was for the Applicant, Mr. Walsh.

MR. SIERCKS: Sorry, can you say that again?

MR. DELAGE: Sorry, the Applicant’s address is 852 Sandbar Road, and that’s Chapin, South Carolina 29036.

MR. SIERCKS: Thank you.

CHAIRMAN YONKE: Thank you. Commissioners, further discussion, questions or a motion?

MR. GRADY: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Grady.

MR. GRADY: Alright, we heard a number of people raise the issue of the potential paving of this road. I wanted to give Staff the opportunity to clarify the situation. Is the claim that was made accurate, that if this rezoning were approved that it would in any way require the paving of Miles Bowman Road?

MR. PRICE: It does not.

MR. GRADY: Okay.

MR. PRICE: It just said the road just has to be able to accommodate the projected traffic needs of the proposed development, and that’s something that we will look at once plans are submitted. And of course, with this being a county road then we’ll
work with our Public Works Department to make sure any improvements that are
necessary, especially those that can be done on behalf of the developer, excuse me, by
the developer are done.

MR. GRADY: Okay. And so on page 64 in our packet we have this document
labeled conceptual plans, the intent is that that would be an exhibit to an ordinance that
would be proposed for Council to consider?

MR. PRICE: That is correct.

MR. GRADY: Thank you.

CHAIRMAN YONKE: I have a question for Staff. Pull the aerial map up again?

Just in the overall character of the area, if we look at Miles Bowman Road, so this is all
a dirt road, currently very few other residences that use this as their primary in and out?

MR. PRICE: It looks like probably about three parcels are developed. We have
three, four, probably about six parcels are developed that would use this section of
Miles Bowman.

CHAIRMAN YONKE: I’m gonna get out of the PDD mindset for a minute just so if
it was nine residences to the addition of this, just for the character of what’s there,
there’s six existing ones that [inaudible], 15? Commissioners thoughts and motions?

MR. PRICE: Please take note that Miles Bowman Road actually you will see the,
there’s actually a right-of-way for Miles Bowman Road. But once you get to the point
where Mr. DeLage has his pointer that becomes an easement, so any county
maintenance and ownership would stop at that point.
CHAIRMAN YONKE: So just for clarity if you traveled east on Miles Bowman Road and you reached where that parcel line is, county maintenance stops there and it’s the neighbors’ responsibility?

MR. PRICE: Yeah, for anything going back that far, going east, that’s private property.

CHAIRMAN YONKE: Right, private.

MR. PRICE: And so the easement that goes, that serves those homes that are located along that section.

CHAIRMAN YONKE: Thank you. Any other discussion? Commissioners?

MR. SIERCKS: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Siercks?

MR. SIERCKS: I move that we send Case No. 23-024 MA to County Council with a recommendation for approval.

CHAIRMAN YONKE: Do we have a second?

MR. DURANT: Second.

CHAIRMAN YONKE: Second from Commissioner Durant. With the motion and a second, Staff can you take a vote?

MR. PRICE: Alright, we have a motion for the approval of Case 23-024 MA from PDD to the amended PDD. Those in favor, which will be a yes, of that motion, Grady?

MR. GRADY: Aye.

MR. PRICE: Metts?

MR. METTS: Aye.

MR. PRICE: Durant?
MR. DURANT: Aye.

MR. PRICE: Siercks?

MR. SIERCKS: Aye.

MR. PRICE: Yonke?

CHAIRMAN YONKE: Aye.

MR. PRICE: That motion passes.

[Approved: Metts, Grady, Yonke, Siercks, Durant; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: Thank you, Staff. Thank you, public. Thank you, Commissioners. That goes as a recommendation of approval and County Council will have the meeting the fourth Tuesday, right?

MR. PRICE: Yes.

CHAIRMAN YONKE: Yes, for the zoning public hearing. Thank you. Okay Staff, we’re gonna move on to our next case.

CASE NO. 23-025 MA:

MR. PRICE: Alright, next item is Case 23-025 MA. The Applicant is Austin Watts. The Applicant is requesting to rezone 2.6 acres which is comprised of two parcels from rural which is RU to rural commercial, excuse me, rural commercial, which is RC. This area is designated as neighborhood low density and the plan recommends commercial development within a neighborhood activity center and within a contextually appropriate distance from the intersection of a primary arterial. The subject parcel is not located at a traffic junction and is not within a contextually appropriate distance of an intersection or neighborhood activity center which meets the objectives of the Comp Plan. The Plan
also discourages strip commercial development or fragmented leapfrog development patterns along corridors. That’s read as the Comp Plan currently identifies the objectives for neighborhood low density. However, it’s for those reasons Staff recommends disapproval. But I want to point out that, you know, looking at the Comp Plan that the request may not result in strip commercial or fragmented leapfrog development due to the approvals of the previous map amendments, and you can see that under your zoning history. So there’ve been a number of parcels there that have been approved, you can see it kinda in the pink, east of the subject site, to neighborhood commercial that have gone against the Comprehensive Plan. However, without the updating of the Comprehensive Plan for this area the Staff’s recommendations will continue to be for disapproval. Another thing to point out and this goes back to the case we just had earlier today, you know, looking at the designation when we talk about neighborhood low density and the type of uses that fit within there, they’re looking for neighborhood scale commercial development within this. So that’s something that you typically will find more in the NC zoning designation versus the rural commercial cause I think as we stated during I think your first case that you heard this evening, afternoon, it’s been a long day here, that we feel that the rural commercial is a little more intensive, also allows for larger scaled type developments that you might necessarily find, based on a neighborhood commercial type scale uses. I think at the request of Commissioner Grady I actually kinda read a kinda comparison of the rural commercial versus the neighborhood commercial so you can see that there are a number of uses that are a little more impactful found in the rural commercial than neighborhood commercial designation. So with that being said this is kinda like, you
could almost argue opposite of the previous case that you heard in the beginning. I hate to kinda go back to another case but it’s the opposite. In this particular case based on the designation, location and the previous zoning requests that have taken place, I just feel that the rural commercial request is not appropriate and so again, for those reasons we recommend disapproval.

CHAIRMAN YONKE: Thank you, Staff. Do we have any questions before we ask people to speak trying to understand this? I understand it as a smaller parcel but could have more uses. That’s the opposite of what we looked at with our first case?

MR. PRICE: Yes.

CHAIRMAN YONKE: Okay, thanks. Okay, Commissioner Siercks, who is signed up to speak?

MR. SIERCKS: The person listed as the Applicant on the form is John Kelly Ashley?

CHAIRMAN YONKE: Please remember to state your name and address, thank you.

TESTIMONY OF JOHN KELLY ASHLEY:

MR. ASHLEY: Good afternoon, Mr. Chair. My name is John Kelly Ashley. I’m with Kenley Horn & Associates, engineering consulting firm. We’re located 200 South Tryon, Charlotte, North Carolina. Thank you for the Planning Commission and Planning Staff for the time allocated to this Map Amendment. As Planning Staff has stated the objective would be to combine the two parcels in question and to zone from residential, or from rural to rural commercial. The combined parcel would be 2.6 acres. The main point of the Applicant would be that the Council has previously kind of established a
precedent and the history for map amendments in this area as you can see in the yellow
that shown on the screen from rural to commercial. Right across Three Dog Road is a
general commercial zoning which would be an even more, would allow for even more
general uses than the rural commercial zoning that we're applying for. And that is in the
five stated cases in Staff Report to being in the, that’s listed under the heading of zoning
history for the general area. Two of those were previously zoned rural and now are
zoned general commercial and the other three were previously zoned as rural and now
rezoned to neighborhood commercial. As far as the overall site, it’s bounded by three,
or excuse me, four different uses; one in Staff Report is general commercial as
previously mentioned across Three Dog Road, to the east is neighborhood commercial
and to the north is railroad right-of-way.

CHAIRMAN YONKE: You have 30 seconds to wrap up if you have any other final
thoughts since you’re our applicant.

MR. ASHLEY: That basically concludes the point that I was gonna make, thank
you.

CHAIRMAN YONKE: Thank you, sir. Okay Commissioner Siercks, anyone else
signed up to speak?

MR. SIERCKS: Yes. The next person who signed up to speak is Kim Murphy.

CHAIRMAN YONKE: Kim Murphy, come on down. We’re gonna need your
address again.

TESTIMONY OF KIM MURPHY:

MS. MURPHY: Thank you. Kim Murphy, 154 Old Laurel Lane. I am just trying to
make sure you have the right information and I know Staff is very busy, they’ve got a lot
going on but I think it’s important that you have the right information. In this case I support Staff’s recommendation to disapprove, not only do I agree with their rationale but the traffic is horrendous on Highway 76 which is operating a level of service D. Lake Murray Elementary is a couple blocks away at this intersection on Three Dog Road but until there are adequate road improvements causing more traffic congestion with curb cuts right at this intersection will create a more dangerous situation. Just because there are past rezonings that took place and were approved that are similar to what the developer wants doesn’t mean it’s okay to use that as the sole reason. Interstate 26 improvements when complete will ease traffic on Highway 76 but not cure it. The additional traffic will be put on Highway 76 from the numerous subdivisions in Lexington County just up 76 to the north in Chapin that are either under construction or that made it into the pipeline before Lexington County Council downzoned large tracts of land and added the Lake Murray overlay on the Lexington County portion of the lake. But the, this will only compound the traffic issues that we have here. Please consider the Staff’s recommendation.

CHAIRMAN YONKE: Thank you.

MR. SIERCKS: And the next person signed up to speak is Terry Rowell.

MS. ROWELL: I’m sorry, I must’ve put my name on the wrong thing.

CHAIRMAN YONKE: Okay, no worries.

MS. ROWELL: I’m good.

CHAIRMAN YONKE: Thank you.

MR. SIERCKS: Okay, we have no one else signed up to speak on Case No. 23-025 MA.
CHAIRMAN YONKE: Thank you, Commissioner Siercks. Commissioners, this is now open on the floor for discussion or questions of Staff. Also up for any motions.

MR. METTS: Chair?

CHAIRMAN YONKE: Yes, Commissioner Metts.

MR. METTS: I've got a question for Staff. Mr. Price, when you have the parcel that is to the west of this general commercial and you’re going across the street and you have neighborhood commercial around it and in-between is this, is that leapfrogging from going across the street right there? [Inaudible] general commercial to the west, on that south or is that, yeah the southwest corner?

MR. PRICE: I think, I don’t know if you would necessarily call it leapfrogging now, especially when you look at the other tracts of land that have been rezoned in that area. Again, during the, you know, if you go back to the previous Staff Reports for those other parcels basically it’s very similar language, we consider it to be leapfrogging but again, because the Comprehensive Plan has not been changed and we basically go by what the Comprehensive Plan states for that area, the main reason, well one of the main reasons for a recommendation for disapproval; that parcel on the western portion of it that’s zoned general commercial, I believe the records show that was done in ’06, so of course, that would have been done prior to the adoption of the 2015 Comprehensive Plan. So I’m not sure exactly what the Comprehensive Plan that was in place during that time would’ve, you know, would’ve recommended for that location. Also might’ve been a different approach to rezonings back in ’06.

CHAIRMAN YONKE: Does that answer your question?

MR. METTS: Yes. Thank you.
CHAIRMAN YONKE: So what I see from the map and our packet is as undeveloped GC sitting right there. So it could be developed and no one would have to come before us.

MR. PRICE: That is correct.

CHAIRMAN YONKE: Okay. I'm up for further discussion or any motions.

MR. DURANT: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Durant?

MR. DURANT: I move that we forward project 23-025 MA to County Council for a recommendation of disapproval.

CHAIRMAN YONKE: Thank you. Do we have a second?

MR. SIERCKS: Mr. Chair?

CHAIRMAN YONKE: Yes.

MR. SIERCKS: I second that motion.

CHAIRMAN YONKE: Thank you. Second from Commissioner Siercks. With that, Staff go ahead and take a vote?

MR. PRICE: Alright, we have a recommendation of disapproval for Case 23-025 MA. So a yes vote would be for the disapproval. Those in favor, Durant?

MR. DURANT: Yes.

MR. PRICE: Siercks?

MR. SIERCKS: Aye.

MR. PRICE: Grady?

MR. GRADY: No.

MR. PRICE: Metts?
MR. METTS: No.

MR. PRICE: Yonke?

CHAIRMAN YONKE: I’m gonna go yes.

MR. PRICE: Alright, that motion passes. This will be forwarded to County Council with a recommendation of disapproval.

[Approved: Siercks, Durant; Opposed: Grady, Metts, Yonke; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: I’d like to share my feelings as Chair since it kinda fell on me there. Can you pull the map again? I looked at the zoning history and I started hearing 2019, so I remember the 2019 rezoning of that but it appeared like it was in the back, like to the parcels that were already changed. I don’t know if I was here in 2018 if I would’ve had that same thought process. So. Thank you. Again, this is just gonna be a recommendation that goes to County Council. They’re gonna have their meeting on the fourth Tuesday so come on out later this month. Staff, can we go ahead and go to our last case I believe?

CASE NO. 23-026 MA:

MR. PRICE: Last item is Case 23-026 MA. The Applicant is Tony Lawton. The Applicant is requesting to rezone 1.14 acres along, at 113 Sease Road from rural, RU to general commercial, GC. This, I’m sorry we don’t have it in our zoning history, but this parcel did appear before the Planning Commission previously. So it did appear before you previously and it was disapproved at the County Council level. So again, principally Staff recommends disapproval of this Map Amendment as it would not be consistent with the general objectives outlined in the Comprehensive Plan for a neighborhood
medium density designation. However, the proposed zoning would be in character with
the adjacently zoned GC district parcels. So I did wanna make sure I point something
out to you, so I’ll wait till Mr. DeLage gets this up. So if you take a look on, if your look in
your booklet while he’s pulling this up, but on page 78 you’ll take note that there’s some,
there are three parcels and they’re more of a purple which essentially those actually
should be red. But they both stand for general commercial, somewhere in our mapping
system it was still designated as C3 which actually became GC, so when this was being
compiled it just came up under the color purple but they both are, the red and the purple
both stand for general commercial designations.

CHAIRMAN YONKE: Mr. Price, you said in the zoning history the Planning
Commission voted this down in the past? Was it for this same designation?

MR. PRICE: No, I didn’t say it was the Planning Commission, it was County
Council.

CHAIRMAN YONKE: County Council voted it down?

MR. PRICE: But I don’t have that history, I apologize.

CHAIRMAN YONKE: Was it rural to general commercial?

MR. PRICE: Yes, same request. You have to wait a year to come back in.

CHAIRMAN YONKE: So this was a year ago so not too far.

MR. PRICE: Yes.

CHAIRMAN YONKE: Okay. Thank you. Commissioner Siercks, anyone signed
up to speak?

MR. SIERCKS: The Applicant is here, Tony Lawton.

CHAIRMAN YONKE: Okay.
TESTIMONY OF TONY LAWTON:

MR. LAWTON: Thank you Mr. Commissioner and Commissioners as well as Staff. My name is Tony Lawton, 158 Bell Valley Lane, Columbia, South Carolina. I'm representing the owners of 113 Sease Road. As Mr. Price mentioned, yes I came before you a year ago where you guys approved it going from RU to GC. The property in the front of it is currently C3. The property to the right and to the left is GC or C3. This went before City [sic] Council for the simple fact that there was a miscommunication between Councilman Malinowski and myself of which I've had some documentation as it relates to the miscommunication of whether or not I spoke with him in reference to this particular property of which I did. Since then once it was approved to go before them we have since spent numerous dollars on the architectural plans, surveys, things of that nature. This is an economic development project of which trying to bring the family business back to the area. I have since then spoken with Mr., Councilman Branham who was the chairperson at the time who recommended approval of this to share even more of the project and what it is that we're doing to move forward. So I'm just asking that you guys approve this once again so that we could bring that family business back to the community. Thank you.

CHAIRMAN YONKE: Thank you, sir. Commissioner Siercks, anyone else signed up to speak?

MR. SIERCKS: Kim Murphy.

CHAIRMAN YONKE: One more time, come on down Mr. Murphy.

TESTIMONY OF KIM MURPHY:
MS. MURPHY: Kim Murphy, 154 Old Laurel Lane. Yes, this was put in front of
the Planning Commission and County Council denied it and it wasn’t just because of a
miscommunication thing. Mr. Malinowski said that it is because it was on a dirt road,
and if you pull up your map you’ll see that it actually is a dirt road that crosses a railroad
track into Friarsgate. Potentially this paving of this road with county tax dollars which
would be needed, I mean, they need to have a dirt [sic] road in order to develop this.
They can put housing units up there, I think is it 16 maybe per acre that we’d be using
taxpayer dollars to fund this for a developer. It’s unfortunate that you didn’t have that
history in your packet since it was fairly recent, but the – tomorrow night is the public
hearing for the road ordinance that’s gonna be removing the 25% threshold that would
allow property owners on the road to object to the road paving. We’re hoping it’s not
gonna pass. The 25% of the owners do not want the road paved but if this goes on, if
you approve this on a dirt road and that 25% passes, that means you’re gonna be
opening up the area into Friarsgate for more development and this paving is gonna be
done with taxpayer dollars. I’m very much opposed to this and anyhow it’s on a dirt
road. You can’t develop on a dirt road. You won’t be able to do that. If they put in high
density housing, one of the Councilmembers, Livingston, said that that’s an extremely
busy area right there, that it would be dangerous and that was one of the reasons he
was opposed to it. Thank you very much.

CHAIRMAN YONKE: Thank you, Ms. Murphy. And if you caught me looking
down there, I’m trying to pull up the street view. Staff, can you pull up street view in this
app or Google? I wanna see that intersection there where it turns into a dirt road. That’s
the same picture I saw, you zoom in there’s, like a big van coming down this street or a
bus. The image says May 2023 and it’s got the notice sign up, is that for this? Oh, that’s another one. We need to clean those up. Okay. I’ll open this up to the Commission for discussion and motion. Question for Staff, just looking at the map is that a different owner across the street? You see all the cars?

MR. DELAGE: At least from the assessor’s database it appears to be different owners.

CHAIRMAN YONKE: So there is a business operating at the end of that dirt road.

MR. DELAGE: I don’t know if I’d call it that without doing the research, but it could just be –

CHAIRMAN YONKE: Okay, or that residence owns a lotta cars.

MR. DELAGE: Could be.

CHAIRMAN YONKE: But the only access to this area is down Sease Road, which is dirt road. Is this a county maintained road?

MR. DELAGE: It’s not showing up as road maintenance authority when I click on it. I’d have to do a little bit more digging because typically when you don’t see a parcel line here where you can’t click on it and highlight it that there’s some kind of right-of-way associated with it. Even down here it looks like there’s some that terminates where the railroad is.

CHAIRMAN YONKE: Any discussion Commissioners or a motion? I’m reading the Staff’s conclusion again, they recommend disapproval but they also say however that the proposed zoning would be in character with the adjacent zoned general commercial parcels.

MR. DURANT: Mr. Chair?
CHAIRMAN YONKE: Yes, Commissioner Durant.

MR. DURANT: Question for Staff just for clarification. The parcels that are colored purple which is C3, I think you said that’s essentially general commercial?

MR. PRICE: Yes. Okay, those parcels are actually zoned GC but when we, I can’t remember when we did it but when we converted to more of a digital map you’ll find a couple of parcels may have been lost during, when they were translating from the previous zoning to the current zoning. But again, C3 and GC are basically the same zoning designation. So we’re making those necessary corrections so that parcel is, those three that you see in purple that are C3 are actually GC and we’ll just make those changes probably by the time this gets to the zoning public hearing. We just became aware of it.

CHAIRMAN YONKE: Any other thoughts, comments from my fellow Commissioners? I see this block as all GC per the zoning, but still undeveloped in a lotta ways. Staff, we had a training last year offsite, might’ve been last year or the year before, it talked about developers when they develop they do need to make their own driveways, entryways in and out. I’m unaware of this paving dirt road situation so I’m just trying to go off of what I know and what you guys have trained us with. If they were to develop they would be doing driveways in and out per DOT? Does this sound familiar at all? Like DOT standards, access roads to it?

MR. PRICE: Alright, so what you have before you is the actual, a rezoning request, you know, here’s a parcel, we would like to change the zoning to allow certain uses on that parcel and all of the development standards that go along with developing that parcel. However, any parcel that comes before Staff to actually develop the site is
required to submit plans and part of the plans is that we will also review access. So if
there are gonna be necessary improvements to the road that would be required. If,
they’ll have to give us, you know, some cases where they have to dedicate part of the
parcel to help bring the road into compliance, that is a case. If the road is not sufficient
to handle traffic both ways and thus pose a hazard that is something they would have to
address before they would get approval to develop the site. So there are other things
that we’ll be looking at. You know, what you have before you I guess you can look and
make a decision on whether the site can be developed, you know, that’s something, you
know, again the zoning doesn’t necessarily mean it can be developed or it will be
developed, it’s just that is the zoning appropriate at that location is what you have
before you. Just looking at that picture there are some things that would need to be
addressed, especially you’re talking about the ingress/egress from that site. Anything
else that may have been there is either nonconforming, I think you were looking at some
of the other parcels in the area, either nonconforming or it could be illegal. We would
have to take a look into this and make that determination.

CHAIRMAN YONKE: Thank you, Staff. Commissioners, thoughts, motions?

MR. SIERCKS: Mr. Chair?

CHAIRMAN YONKE: Yes, Commissioner Siercks?

MR. SIERCKS: Just briefly on this one, you know, I understand the, the, what is it
the four parcels that are either near or adjacent to this parcel are GC, but that to me
standing on its own is not enough to make a recommendation for approval if it doesn’t fit
within the, or if it would be inconsistent with the objectives of the Comprehensive Plan.

CHAIRMAN YONKE: Thank you, Commissioner Siercks. Is this a motion?
MR. SIERCKS: If there’s no other comments I’d make a motion but I yield any time for any other comments.

CHAIRMAN YONKE: Thank you. My thought with this one is a year ago this was here before me and we, Planning Commission voted approval. If none of my fellow colleagues are gonna make a motion I’m just gonna be consistent with my motion from a year ago and I’ll, I make a motion to approve.

MR. GRADY: Second.

CHAIRMAN YONKE: Got a second from Commissioner Grady. With that let’s take a vote. Staff, please?

MR. PRICE: Get my notes right. Alright, so the motion is for approval of Case 23-026 MA. The rezoning request is from rural to general commercial. I guess prior to us taking the vote you’re gonna state your reason for going against Staff’s recommendation?

CHAIRMAN YONKE: Yes, I’ll state my reasoning is based off of prior decision when I was on the Commission as well as Staff’s however since the proposed zoning would be in character with the adjacent general commercial district. Looking at this map in front of us which parcel doesn’t look like the others, you’re saying the purple is supposed to be red, so it would be in character with the surrounding parcels as the Staff is stating.

MR. PRICE: Correct. Okay.

CHAIRMAN YONKE: Take the vote, please?

MR. PRICE:Alright, those in favor and the motion is for approval of this case so a yes is for approval, those in favor, Siercks?
MR. SIERCKS: No.
MR. PRICE: Metts?
MR. SIERCKS: Yes.
MR. PRICE: Durant?
MR. DURANT: Yes.
MR. PRICE: Grady?
MR. GRADY: Yes.
MR. PRICE: Yonke?
CHAIRMAN YONKE: Yes.
MR. PRICE: Alright, that motion passes.

[Approved: Metts, Durant, Grady, Yonke; Opposed: Siercks; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: This goes as our recommendation to County Council. It will be the fourth Tuesday of the month of July which you’re familiar with it seems. Alright, thank you. That was case number 8 which wraps up Item 5. We now move on to number 6, Chairman’s Report. I just wanna add my gratitude to my peers who are here with us today. I miss those that couldn’t make it. So thanks again to my fellow Commissioners for all their time and effort they invest each month in this Commission. Staff received our available dates for offsite training and will brief us in the Planning Director’s Report. We can move on to our Planning Director’s Report, number 7.

MR. PRICE: Okay. The Planning Director’s Report if you look under Report of Council you can see the actions that Council took at their last zoning public hearing meeting as it relates to some of the cases that you previously heard. And as you can
see there are a number of cases that were deferred cause Council had a number of
community meetings to discuss it further with their constituents. So you will see a lot
more cases, you know, most likely with the next Report of Council. As the PC
orientation and training, looking at the dates that you have and we’re still trying to
secure speakers for the training, but we’re looking at August, I think I had the dates
August 10th and the 11th and the 18th, it’ll be one of those three days but we hope to let
you know quickly when that will be. But we, you know, we just wanted to make sure that
we could secure the speakers for that training.

CHAIRMAN YONKE: Anything else for the Planning Director’s Report?

MR. PRICE: I would wanna point out one thing, and I do this real quickly. You
know, I was looking at, you know, a couple of the cases you had, especially the last
one, you know, you had a little more discussion on it in your vote. You know, I think you,
sometimes we kind of have to look at the, I know y’all do a lot of consent agenda which
I’m not against, but you remember sometimes when you do the consent because they
went along with the Staff Report and also nobody showed up. But sometimes that can
leave out some discussion that may be relevant for the case coming back or other
parcels in that general area. So just something to kinda think about, you know, when
you’re doing your consent agenda.

CHAIRMAN YONKE: So for today we just had the two on the consent agenda.

MR. PRICE: Right. You know, but something like that probably, it makes sense,
it’s clear. But I mean, you know, any time you start looking at other designations, you
know, especially commercial in nature you should, you know, I’m not saying you
shouldn’t have a consent agenda but I’m just saying sometimes things can change in an
area that you may want to be able to kinda refer back to previous decisions, especially if it's denied at a Council level and it comes back in a year or two when you're still here on the Planning Commission.

CHAIRMAN YONKE: I think this would be a good topic for our training to talk about the consent agenda and how useful it is and like what you're saying there.

MR. PRICE: Yes. I will tell you that even from a Staff, if there's something that we think that is worthy of a discussion and y'all are looking to put it on the consent agenda, we will kind of state, make a request that you not put it on consent because we feel that the topic is worthy of discussing. That is it for us. Oh, I'm sorry. Mr. Matthew Smith has something quickly to give each one of you.

MR. SMITH: So the handout that you guys got is just a brief breakdown of literature preparing your mind and your time to the Comprehensive Plan that is to come. Last time we did it was in March 15th, 2015, that's when it was adopted. It takes about 18 months for this process to go through. We are at the cusp of that 18 months so we need to go ahead and take movements towards this new Comprehensive Plan, planning to plan whether it's getting our budget together, our timeline. The literature I've given you just is kind of a quick breakdown of how things have done and been in the past and for you guys just to start getting your ducks in a row for that situation.

MR. DURANT: I think he's saying time to start planning to plan for the Comprehensive Plan.

CHAIRMAN YONKE: Absolutely.

MR. SMITH: I know it's kind of redundant but if you read the literature in itself, the worst thing you can do is just step right into this without knowing what you're doing. A
lotta times you will jump into a project and you won’t read the instructions. So what I’m trying to say is read the instructions before we begin this process because it takes some time and it takes some real planning to do it. It’s a lot, it involves housing, economics, you know, there’s 10 elements between existing conditions, cultural resources, community facilities, you know, transportation, priority investment, land use, the list goes on and on and you can just see we barely touch base with it here with just land use. And as a Planning Commission you must establish and maintain the planning process that results in the systematic preparation, continuing evaluation and updating of the Comprehensive Plan. The Commission must use this process for each Comprehensive Plan element as our *South Carolina Code* 6-29510(a).

CHAIRMAN YONKE: Thank you. So it sounds like this is our legal tasking. Okay. I’m just thinking that I’ve been working on the Land Development Code since 2019 and you said it’s gonna take 18 months. Well that took longer than 18 months, so you know, let’s plan to plan and plan some time. Can we talk about this during our training orientation, how we get started on the right foot with this? We could plan our Commission meetings on having time at the end of each meeting to work on this. We could plan ahead for workshop sessions that would work best for our time so we come on this the right way and serve our County cause that’s what we’re up here for.

MR. SMITH: Yeah, our goal is to have a speaker at the training that has done a Comprehensive Plan very recently because there will be an added element that no one has done which is the resiliency element and so that’ll be a new element that we’ll have to deal with on the fly.
CHAIRMAN YONKE: I’m looking at the Planning Commission agenda and I thought we were in the 29201 zip code.

MR. SMITH: I keep telling these guys to change it.

CHAIRMAN YONKE: Just FYI. Thank you. I don’t know, my eyes went blurry after a while. Okay, so can we move on to number 8, is the Chairman Report complete?

MR. PRICE: Yes. The Director’s Report is complete, yes sir. The Planning Director’s Report is complete.

CHAIRMAN YONKE: Fellow Commissioners, number 8, any other items up for discussion? Alright. Again thank you. If there’s nothing else to talk about then the Chair makes a motion for adjournment, do I have a second?

MR. METTS: Second.

CHAIRMAN YONKE: Mr. Price, please take a roll with a show of hands.

MR. PRICE: Alright, those in favor, Yonke?

CHAIRMAN YONKE: Aye.

MR. PRICE: Metts?

MR. METTS: Aye.

MR. PRICE: Durant?

MR. DURANT: Aye.

MR. PRICE: Siercks?

MR. SIERCKS: Aye.

MR. PRICE: Grady?

MR. GRADY: Aye.
[Approved: Yonke, Metts, Durant, Siercks, Grady; Absent: Frierson, Johnson, Dennis, Taylor]

CHAIRMAN YONKE: We are dismissed. Thank you everyone.

[Meeting adjourned]