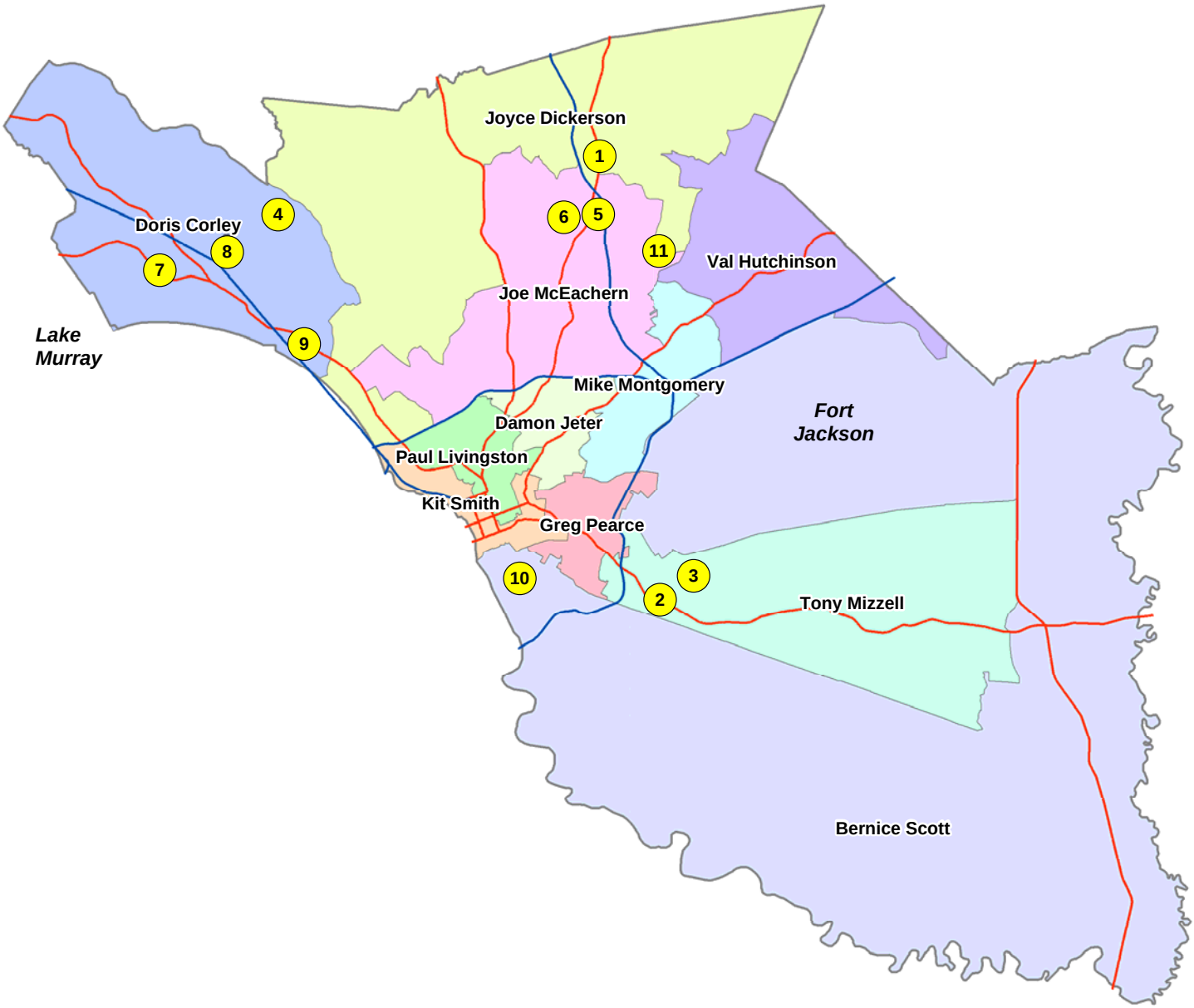
RICHLAND COUNTY

PLANNING COMMISSION

APRIL 4, 2005

RICHLAND COUNTY
PLANNING COMMISSION
APRIL 4, 2005



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 05-42 MA	Charles Warrington	150000-04-01/02 & 17700-01-12 (P)	Intersection of Farrow Rd. & Wilson Blvd.	Dickerson
2. 05-43 MA	McElveen-Graybill c/o Robert F. Fuller	19102-02-01	Hazelwood Drive north of Garners Ferry Rd.	Mizzell
3. 05-44 MA	McElveen-Graybill c/o Robert F. Fuller	19102-02-02	Hazelwood Drive north of Garners Ferry Rd.	Mizzell
4. 05-52 MA	NKD, Inc. / River Shoals	04300-04-10	O'sheal Road 1/4 mile from Kennerly Rd	Corley
5. 05-45 MA	Walter Taylor & Co. c/o Bill Theus	14800-02-02/22/23 & 14900-04-01	Intersection of I-77 & Wilson Blvd. (Hwy. 21)	McEachern
6. 05-48 MA	Hawkins Creek Develop. c/o Ron Anderson	14800-05-36	Wilson Blvd., South of Turkey Farm Rd.	McEachern
7. 05-40 MA	Agnew Lake Services c/o Gerald Steele	02407-01-37 (P)	Intersection of Shadowood Dr. & Dutch Fork	Corley
8. 05-53 MA	Albert Ray Smoot	03400-01-14 (P)	Intersection of Shady Grove & Old Tamah	Corley
9. 05-54 MA	Gloria H. Bulluck	05000-04-32/33/34	7131 Broad River Road near Kennerly Road	Corley
10. 05-57 MA	Stadium Village Lofts c/o Boyce Haigler	11206-04-02/03	1046 & 1047 Berea Road near USC Stadium	Scott
11. 05-58 MA	Gentry Develop., LLC. c/o Donald E. Lovett	17400-06-01/02/03/04/05/06 07/08/09/11/12/13	Longtown Road	Dickerson

RICHLAND COUNTY PLANNING COMMISSION

Monday, April 4, 2005
Agenda
12:00 PM
2020 Hampton Street
2nd Floor, Council Chambers

STAFF: Michael P. Criss, AICP.....Planning Director
Anna Almeida ..... Development Services Manager
Amelia R. Linder, Esq..... Assistant County Attorney
Carl D. Gosline, AICP .....Subdivision Administrator

NOON: DEPARTMENT OF PUBLIC WORKS ROAD FUNDING WORKSHOP

I. PUBLIC MEETING CALL TO ORDER Howard VanDine, Chairperson

II. PUBLIC NOTICE ANNOUNCEMENT

III. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the March 7, 2005 minutes

IV. AGENDA AMENDMENTS

V. OLD BUSINESS

a. SD-05-97 –BJ Glover Private Driveway S/D (deferred 3/4/05) **Page** (1)

b. SD-05-173 –Entzminger Private Driveway S/D (deferred 3/4/05) **Page** (11)

VI. NEW BUSINESS - SUBDIVISION REVIEW

PROJECT #	NAME	LOCATION	UNITS	Page
SD-05-111	Wren Creek Estates, Ph. 1	Turkey Farm Road TMS # 14800-01-03 (p)	21	(21)
SD-05-33	Crestland Place	Broad River Rd TMS # 06107-05-35	96	(33)

PROJECT #	NAME	LOCATION	UNITS	Page
SD-05-193	Jacobs Creek Phase 3	Bookman Rd & Old Two Notch Rd TMS # 25900-03-14	12	(45)
SD-05- 206	Polo Village	Polo Rd TMS # 19810-01-02	3	(55)
SD-05-203	Eagles Rest	Johnson Marina Rd TMS # 01513-01-01/02	220	(66)

VII. NEW BUSINESS - ZONING MAP AMENDMENTS

CASE # 05 – 42 MA (**Deferred from 03/07/05**)		Page
APPLICANT	Charles Warrington	(80)
REQUESTED AMENDMENT	RU to C-3 (2.19 acres)	
PURPOSE	Retail Sales and Office Space	
TAX MAP SHEET NUMBER (S)	15000-04-01/02 & 17700-01-12 (portion)	
LOCATION	Intersection of Wilson Blvd. & Farrow Rd.	

CASE # 05 – 43 MA		Page
APPLICANT	McElveen-Graybill c/o Robert F. Fuller	(92)
REQUESTED AMENDMENT	D-1 to RG-2 (6.65 acres)	
PURPOSE	Multi-family residential	
TAX MAP SHEET NUMBER (S)	19102-02-01	
LOCATION	Hazelwood Drive north of Garners Ferry Rd.	

CASE # 05 – 44 MA		Page
APPLICANT	McElveen-Graybill c/o Robert F. Fuller	(104)
REQUESTED AMENDMENT	D-1 to C-3 (2.57 acres)	
PURPOSE	General Commercial Uses	
TAX MAP SHEET NUMBER (S)	19102-02-02	
LOCATION	Hazelwood Drive north of Garners Ferry Rd.	

CASE # 05 – 52 MA		Page
APPLICANT	NKD, Inc./River Shoals	(116)
REQUESTED AMENDMENT	RU to PUD-1R (94.8 acres)	
PURPOSE	Residential Development	
TAX MAP SHEET NUMBER (S)	04300-04-10	
LOCATION	O'sheal Road ¼ mile from Kennerly Road	

CASE # 05 – 45 MA		Page
(Deferred from 03/07/05)		
APPLICANT	Walter Taylor & Co. c/o Bill Theus	(134)
REQUESTED AMENDMENT	PUD-1C/RU to PUD-1R (154.6 acres)	
PURPOSE	Multi and Single Family Residential with Commercial and Industrial Uses	
TAX MAP SHEET NUMBER (S)	14800-02-02/22/23, 14900-04-01	
LOCATION	Intersection of I-77 & Wilson Blvd. (Hwy. 21)	

CASE # 05 – 48 MA		Page
APPLICANT	Hawkins Creek Development c/o Ron Anderson	(156)
REQUESTED AMENDMENT	RU to PUD-1R (52.25 acres)	
PURPOSE	Single family residential w/commercial	
TAX MAP SHEET NUMBER (S)	14800-05-36	
LOCATION	Wilson Blvd., South of Turkey Farm Road	

CASE # 05 – 40 MA		Page
APPLICANT	Agnew Lake Services c/o Gerald Steele	(172)
REQUESTED AMENDMENT	RU to PDD (4.14 acres)	
PURPOSE	Office space, retail, storage, repair	
TAX MAP SHEET NUMBER (S)	02407-01-37 (portion)	
LOCATION	Intersection of Shadowood Dr. & Dutch Fork	

CASE # 05 – 53 MA		Page
APPLICANT	Albert Ray Smoot	(186)
REQUESTED AMENDMENT	RS-1 to RU (4.48 acres)	
PURPOSE	Single family residence	
TAX MAP SHEET NUMBER (S)	03400-01-14 (portion)	
LOCATION	Intersection of Shady Grove & Old Tamah	

CASE # 05 – 54 MA		Page
APPLICANT	Gloria H. Bulluck	(198)
REQUESTED AMENDMENT	D-1 to C-3 (3.93 acres)	
PURPOSE	Commercial use	
TAX MAP SHEET NUMBER (S)	05000-04-32/33/34	
LOCATION	7131 Broad River Road near Kennerly Road	

CASE # 05 – 57 MA		Page
APPLICANT	Stadium Village Lofts c/o Boyce Haigler	(210)
REQUESTED AMENDMENT	M-2 to C-3 (2.38 acres)	
PURPOSE	Residential Condominiums	
TAX MAP SHEET NUMBER (S)	11206-04-02/ 03	
LOCATION	1046 & 1047 Berea Road near USC Stadium	

CASE # 05 – 58 MA		Page (222)
APPLICANT	Gentry Development, LLC. c/o Donald E. Lovett	
REQUESTED AMENDMENT	C-1/RU to C-3 (44 acres)	
PURPOSE	General Retail Space/Shopping Center	
TAX MAP SHEET NUMBER (S)	17400-06-01/02/03/04/05/06/07/08/09/11/12/13	
LOCATION	Intersection of New Clemson Road & Longtown Road	

VIII. NEW BUSINESS - TEXT AMENDMENTS

a. Land Development Code – vested rights (Back up material will be sent under separate cover).

IX. ROAD NAME APPROVALS

a. New Road Name Approvals

X. OTHER BUSINESS

a. Report regarding submission deadlines and review and approval timeframes for subdivisions, map amendments and commercial site plans as adopted in the Land Development Code to be implemented July 1, 2005.

b. Proposed amendment of Planning Commission's Rules & Procedures.

XI. PLANNING DIRECTOR'S REPORT

XII. ADJOURNMENT

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION SUBDIVISION STAFF REPORT

March 7, 2005

Applicant: Belter & Associates		**Private Driveway Subdivision Plans For:** Glover Private Driveway S/D
RC Project # : SD-05-97		
General Location: Piney Woods Road near Morningside Drive		
Tax Map Number: 06104-07-02		**Current Zoning:** RS-1
Subject Area: 5.6 acres	**Number of Units:** 6	**Gross Density:** 1.1 DU/acres
Sewer Service Provider: Septic		**Water Service Provider:** City of Columbia

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "…no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized…until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan…" It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "… not involve the construction, **or** opening, of new streets, water or sewer facilities, storm drainage systems, **or** improvement to existing streets…." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Piney Woods Road
Functional Classification Of This Roadway	Two lane undivided minor arterial
Level-Of-Service C Design Capacity (V/C = 1.00)	**10,800**
Estimated Traffic Generated By The Proposed Project	57
Current Volume At The Nearest Count Station # 643 Located @ between site and Piney Grove Road	1450
Estimated Traffic Count **With** the Proposed Project	1507
Volume-To-Capacity Ratio **With** The Proposed Project	**0.14**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project will not result in the LOS C being exceeded at SCDOT count station 643.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 21 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	1
Middle School @ 0.13 students per single family DU	0
High School @ 0.12 Students per single family DU	0

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

The site is fairly low with a small creek traversing the site from west to east. Most of the vegetation is pine trees.

Compatibility with the Surrounding Area

The surrounding area is all single family detached residential. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as High Medium Density Residential on the Northwest Subarea Plan Proposed Land Use Map. The proposed project is not consistent with this land use designation because it is a low density residential project in an area designated for medium/high density residential density.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The Northwest Subarea Plan, adopted

in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area
The proposed project is a very low-density single family detached residential project. The proposed project implements this Objective.

Principle – Residential development should be limited to individual dwellings on individual lots
See discussion above. This project implements this Principle.

Other Pertinent Factors

1) As of February 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
2) The Flood Hazard Specialist has approved the flood elevation statement.
3) As of February 18, 2005, the County Fire Marshal had not provided comments.
4) As of February 18, 2005, the City of Columbia had not approved the water line construction plans, if applicable.
5) As of February 18, 2005, DHEC had not issued a water line construction permit, if applicable.
6) As of February 18, 2005, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

The applicant must comply with all the requirements of Article VIII (Private Driveway Subdivision regulations) of Chapter 22 in the County Code. These requirements include limiting the purchasers of the parcels to immediate family members; execution of a Hold Harmless Agreement absolving the County of any road maintenance responsibility or liability; and execution of Deed restrictions regarding road maintenance and further subdivision of the parcels.

The intent of the Private Driveway Subdivision process is "…to furnish a means of subdividing property in the County without incurring the costs associated with major subdivisions…" Since it has principally been applied in the rural areas of the County, the minimum lot size was established as one acre. The rationale for the minimum one-acre size is that is amount of land necessary for a septic tank and private well.

The subject site is zoned RS-1 or a 12,000 sq. ft minimum lot size. Four of the lots meet the 1 acre minimum lot size in Article VIII. Two of the lots, including the existing family residences, do not meet the one-acre minimum lot size in Article VIII, but do meet the minimum lot size in the RS-1 zoning district. **The Commission needs to decide how to reconcile these contradictory requirements in the Zoning Ordinance and the Subdivision Regulations as applied to this project**.

A preliminary review of water and sewer availability discloses that public water and sewer lines in currently located across Piney Woods Road from the site. Section 24-81 of the County Code states "…The owner of all homes, buildings, or properties used for human occupancy, employment,, recreation, or other purposes situated within the county and abutting on any street,

alley, or right-of-way in which there shall be located a public sanitary sewer is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with provisions of this article within 90 days after written notice from the county to the property owner requiring such property owner make connection thereto, provided that said public sewer shall be within 200 feet of the property line…" Therefore, the residences in this project will likely be required to connect to at least the sewer system and possibly the water system.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the private driveway subdivision plans for a 6 unit single family detached subdivision, known as Glover Private Driveway S/D (Project # SD-05-97). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below**:

Findings of Fact

1. The traffic generated by the proposed subdivision will not result in the adjacent portion of Piney Woods Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is not consistent with the Northwest Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

Specific Conditions

a) The Department must receive a copy of the USCOE wetlands encroachment letter, if applicable; **and**
b) **A Land Disturbance Permit must be issued by the Department prior to starting any site clearing activity**. Contact Sean Busbee @ 576-2171 for more information; **and**
c) The final plat must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
d) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
e) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
f) The City of Columbia must approve the water line and sewer construction plans, if applicable; **and**
g) The residences in the subject project will be required to connect to the public sewer system and may be required to connect to the public water system; **and**
h) DHEC must issue the water and sewer line construction permits, if applicable; **and**
i) The applicant must comply with all the relevant requirement of Article VIII of Chapter 22 of the County Code; **and**
j) No building permits shall be issued until all of the conditions cited above are met.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

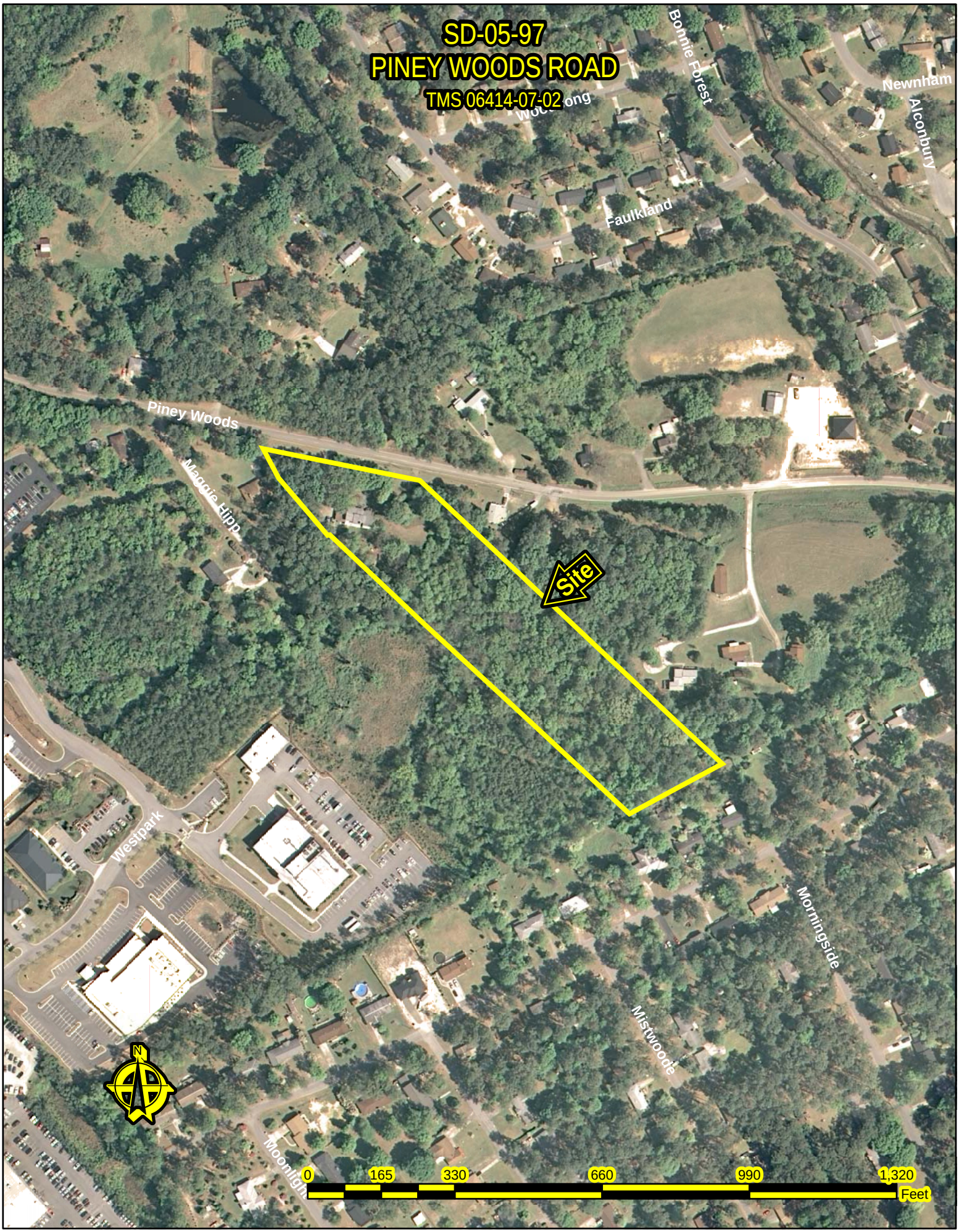
(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

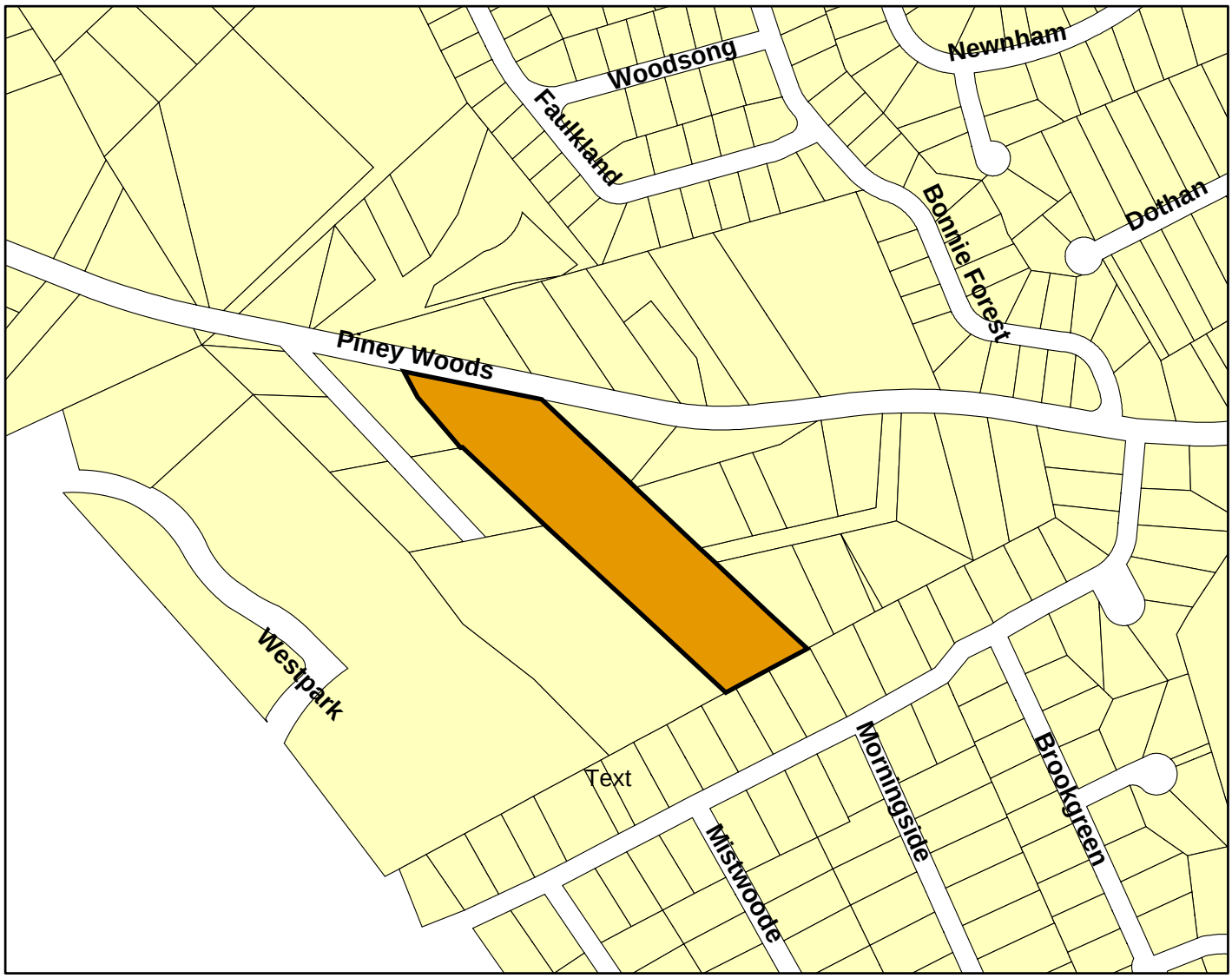
(c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.


SD-05-97
PINEY WOODS ROAD
TMS 06414-07-02
Bonnie Forest
Newnham
Alconbury
Faulkland
Piney Woods
Maggie Hipp
Site
Westpark
Morningside
Mistwoode
Moonlight
0
165
330
660
990
1,320
Feet

SD-05-97 PINEY WOODS ROAD



Looking at site from Piney Woods Road

Looking East on Piney Woods Road

NOTE: NO SEWER OR DRAINAGE STRUCTURES VISIBLE AT DATE OF SURVEY.

THIS LOT MAY BE SUBJECT TO EASEMENTS & SETBACKS OF RECORD.

TMS# 06103-01-23 N/F TERRY H. & FLETCHER H. SWITZER

TMS# 06103-01-24 N/F HEYWARD R. DUKES

TMS# 06103-01-25 N/F MARY M. HANCOCK

TMS# 06103-01-26 N/F TROY C. TIDWELL, JR. & MARY H. TIDWELL

TMS# 06103-01-06 N/F DOROTHY GALLMAN GOLDEN

TMS# 06103-01-08 N/F CARRIE STEEL

TMS# 06104-07-01 N/F HORACE BROWN

TMS# 06103-01-21 N/F REX A. BLOCKER & MIRANDA N. BLOCKER

TMS# 06103-01-12 N/F REX A. BLOCKER & MIRANDA N. BLOCKER

TMS# 06103-01-10 N/F CATHERINE W. NORRIS & PERCY NORRIS

TMS# 06103-01-11 N/F NACLION GRAHAM

TMS# 06103-01-17 N/F NIXON SUMTER LIFE ESTATE

LOT 1 0.761 ACRES

LOT 2 1.000 ACRES

LOT 3 1.000 ACRES

LOT 4 1.000 ACRES

LOT 5 1.000 ACRES

LOT 6 0.869 ACRE

2 STORY BRICK DWELLING

PRIVATE DRIVE

50' ACCESS EASEMENT FOR LOTS 1 THRU 5

10.0' LENGTH OF FENCE ENCROACHMENT

0.85' FENCE ENCROACHMENT

NATURAL GAS LINE

O/H ELECTRIC

EDGE OF PAVEMENT

FORMER PROPERTY LINE

SERVICE POLE

GAS LINE MONUMENT

GAS LINE MONUMENT

PINEY WOODS ROAD 66' R/W

MAGGIE HIPP ROAD

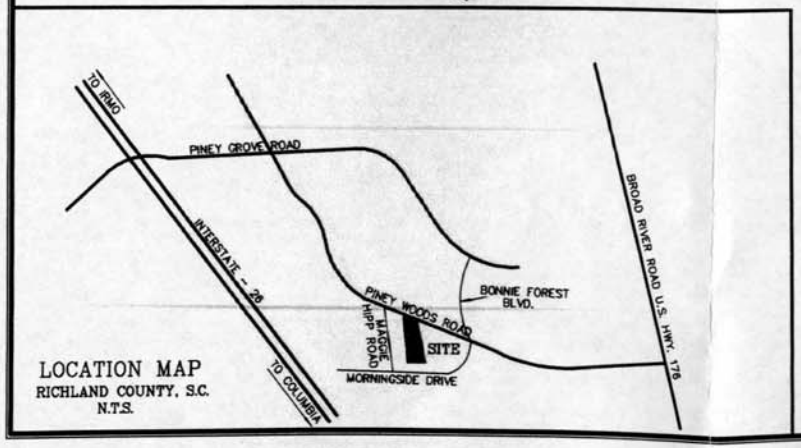
TO R/W OF

MAG. NORTH

GRAPHIC SCALE 1" = 60'

Attachment A
SD 05-97

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION BELTER & ASSOCIATES, INC. No. C00767



LOCATION MAP
RICHLAND COUNTY, S.C.
N.T.S.

JAN 25 2005

BOOK NO.

JOB NO. 0501003

REVISED: 01-15-2005 TO ADD LOCATION MAP & PER COUNTY COMMENTS.

DATE: 01-04-2005	PRIVATE ROAD SUBDIVISION PREPARED FOR	CITY: NEAR COLUMBIA, S.C.
LOT AREA: AS SHOWN ABOVE		COUNTY: RICHLAND

B. J. GLOVER ESTATE

NOTES & REFERENCES:

1) REFERENCE IS MADE TO A PLAT OF PARCELS A-1, A-2 & A-3 ON A PLAT PREPARED FOR B.J. GLOVER & ROBERT LEE GRIFFIN BY RICHARD M. LEE DATED: 10-28-1968 REVISED: 01-20-1970.
2) REFERENCE IS MADE TO A PLAT PREPARED FOR HORACE BROWN BY DOUGLAS PLATT, SR. DATED: 09-10-89. (PROPERTY SWAP)
3) REFERENCE IS MADE TO A PLAT OF HOMEWOOD TERRACE BY MCMILLAN ENGINEERING COMPANY DATED: 05-14-1958 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK 12 AT PAGE 399.
4) RICHLAND COUNTY TAX MAP SHEET 06104-07-02.

TMS# 06104 BLOCK 07 LOT 02 — C.A. GLOVER

F.I.R.M. MAP # 45079C - 0070 G DATED: 01-19-94

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

ONLY THE LISTED DOCUMENTS SHOWN HEREON WERE CONSIDERED AS A PART OF THIS SURVEY.

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE STRUCTURES. LOCATIONS OF UNDER-GROUND UTILITIES, STRUCTURES AND/OR EASEMENTS MAY VARY FROM LOCATIONS SHOWN HEREON UNLESS DESIGNATED WITH BEARINGS & DISTANCES.

THE UNDERSIGNED STATES THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF THE LOCATION OF THE SUBJECT PROPERTY HAS BEEN CHECKED AGAINST FIRM / FEMA MAPS OR OTHER FLOOD DATA AND FINISHED FLOOR IS (IS NOT) OR PROPERTY IS (IS NOT) LOCATED IN A SPECIAL FLOOD HAZARD AREA.

I HEREBY STATE THE SURVEY AS SHOWN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF MINIMUM STANDARDS FOR LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS A CLASS ___B___ SURVEY:

G.BRADLEY, J.R. SCPLS # 19398

BELTER & ASSOCIATES, INC. — PROFESSIONAL LAND SURVEYORS — PHONE (803) 732-4004 FAX (803) 732-2891 — 144 FRIARSGATE BOULEVARD IRMO, SOUTH CAROLINA 29063

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION SUBDIVISION STAFF REPORT

March 7, 2005

Applicant: Alvin Entzminger		**Private Subdivision Plans For:** Alvin Entzminger PDS
RC Project # : SD-05-173		
General Location: Friendly Wood Rd, 1/4 mile north of Campground Rd		
Tax Map Number: 09900-06-01		**Current Zoning:** RU
Subject Area: 6.4 acres	**Number of Units:** 4	**Gross Density:** 0.6 DU/acres
Sewer Service Provider: Septic		**Water Service Provider:** City of Columbia

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "…no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized…until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan…" It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "… not involve the construction, **or** opening, of new streets, water or sewer facilities, storm drainage systems, **or** improvement to existing streets…." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Friendly Road
Functional Classification Of This Roadway	Not Classified
Level-Of-Service C Design Capacity (V/C = 1.00)	**NAp**
Estimated Traffic Generated By The Proposed Project	38
Current Volume At The Nearest Count Station # Located @	Not Counted
Estimated Traffic Count **With** the Proposed Project	NAp
Volume-To-Capacity Ratio **With** The Proposed Project	**NAp**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project will not result in any significant amount of traffic increase on Friendly Rd or Campground Rd.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	1
Middle School @ 0.13 students per single family DU	0
High School @ 0.12 Students per single family DU	0

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

The site slopes downward to a creek at the northwest corner of the site. A 300-foot wide SCE&G powerline easement traverses the northeast side of the site. The site is sparsely wooded.

Compatibility with the Surrounding Area

There are numerous residences on large parcels scattered throughout the area. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Rural Open Space on the North Central Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The North Central Subarea Plan, adopted in November 1992, contains policy guidance relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 26 and 32 respectively, are discussed below:

Objective – Preserve the character and integrity of rural areas
The proposed private driveway subdivision commits the site to low density residential development. The proposed project implements this Objective.

Principle – Very Low Density (maximum of 1.3 DU/acre) development is appropriate within the Rural and Open Space district. Highest residential classification recommended is RU.
The current zoning on the subject site is RU. This project implements this Principle.

Other Pertinent Factors

1) The Public Works Dept. commented that the lot layout looks okay.
2) The Floodplain Coordinator approval the flood elevation statement on February 2, 2005 and required all lots that encroach into a 100 year elevation line will require each individual site to have a survey depicting the proposed location of the residence.
3) As of February 18, 2005, the County Fire Marshal had not provided comments.
4) As of February 18, 2005, the City of Columbia had not approved the water line construction plans, if applicable.
5) As of February 18, 2005, DHEC had not issued a water line construction permit, if applicable.

The applicant must comply with the requirements of Article VIII (Private Driveway S/D regulations) of Chapter 22 of the County Code. These requirements include limiting the residents to immediate family members; the execution of a Hold Harmless agreement eliminating County responsibility for driveway maintenance and liability; and deed restrictions prohibiting further division of the parcels and providing for road maintenance.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the private driveway subdivision plans for a 4 unit single family detached subdivision, known as Alvin Entzminger (Project # SD-05-173). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below**:

Findings of Fact

1. The proposed project will not result in any significant amount of traffic increase on Friendly Rd or Campground Rd.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the North Central Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the North Central Subarea Plan.

Specific Conditions

a) **A Land Disturbance Permit must be issued by the Department prior to starting any site clearing activity**. Contact Sean Busbee @ 576-2171 for more information; **and**
b) The County Fire Marshal must approve the project with or without conditions; **and**
c) The City of Columbia must approve the water line construction plans, if applicable; **and**
d) DHEC must issue the water line construction permits, if applicable; **and**
e) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents, if applicable; **and**
f) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system, if applicable; **and**
g) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds, if applicable; **and**
h) The applicant must comply with the requirements of Article VIII (Private Driveway S/D regulations) of Chapter 22 of the County Code.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

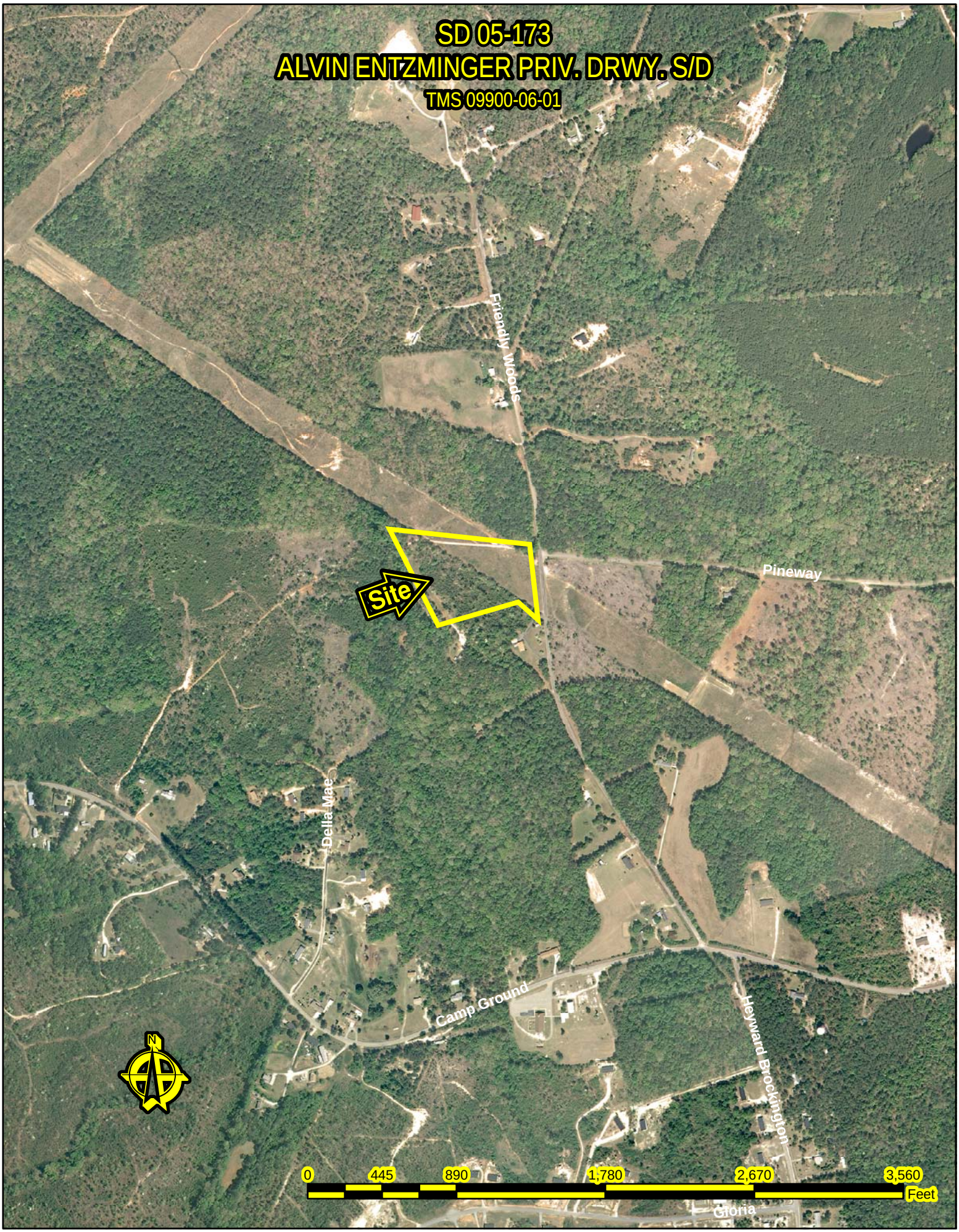
Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

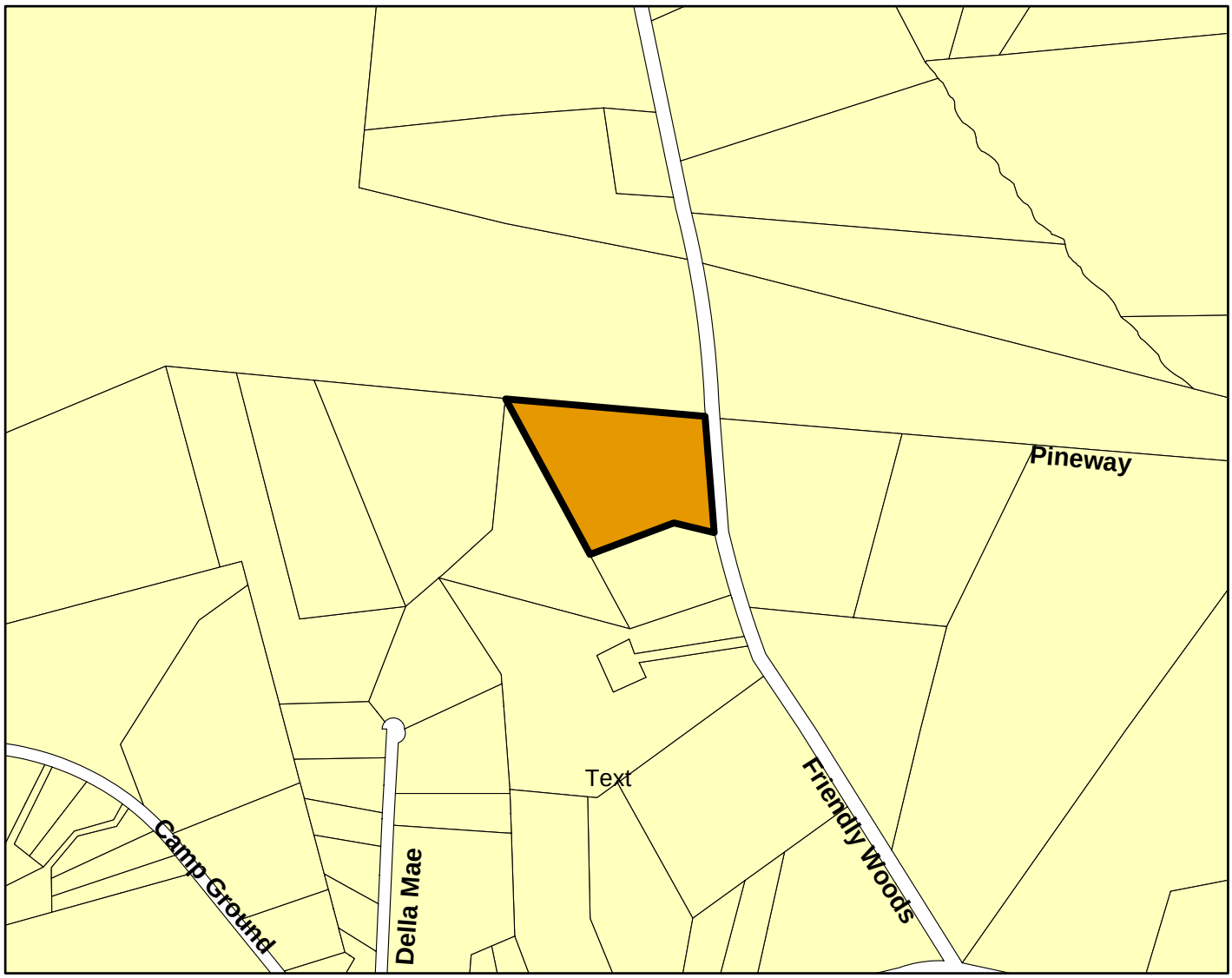
(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
(c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.


SD 05-173
ALVIN ENTZMINGER PRIV. DRWY. S/D
TMS 09900-06-01
Friendly Woods
Site
Pineway
Della Mae
Camp Ground
Heyward Brockington
Gloria
N
0
445
890
1,780
2,670
3,560
Feet

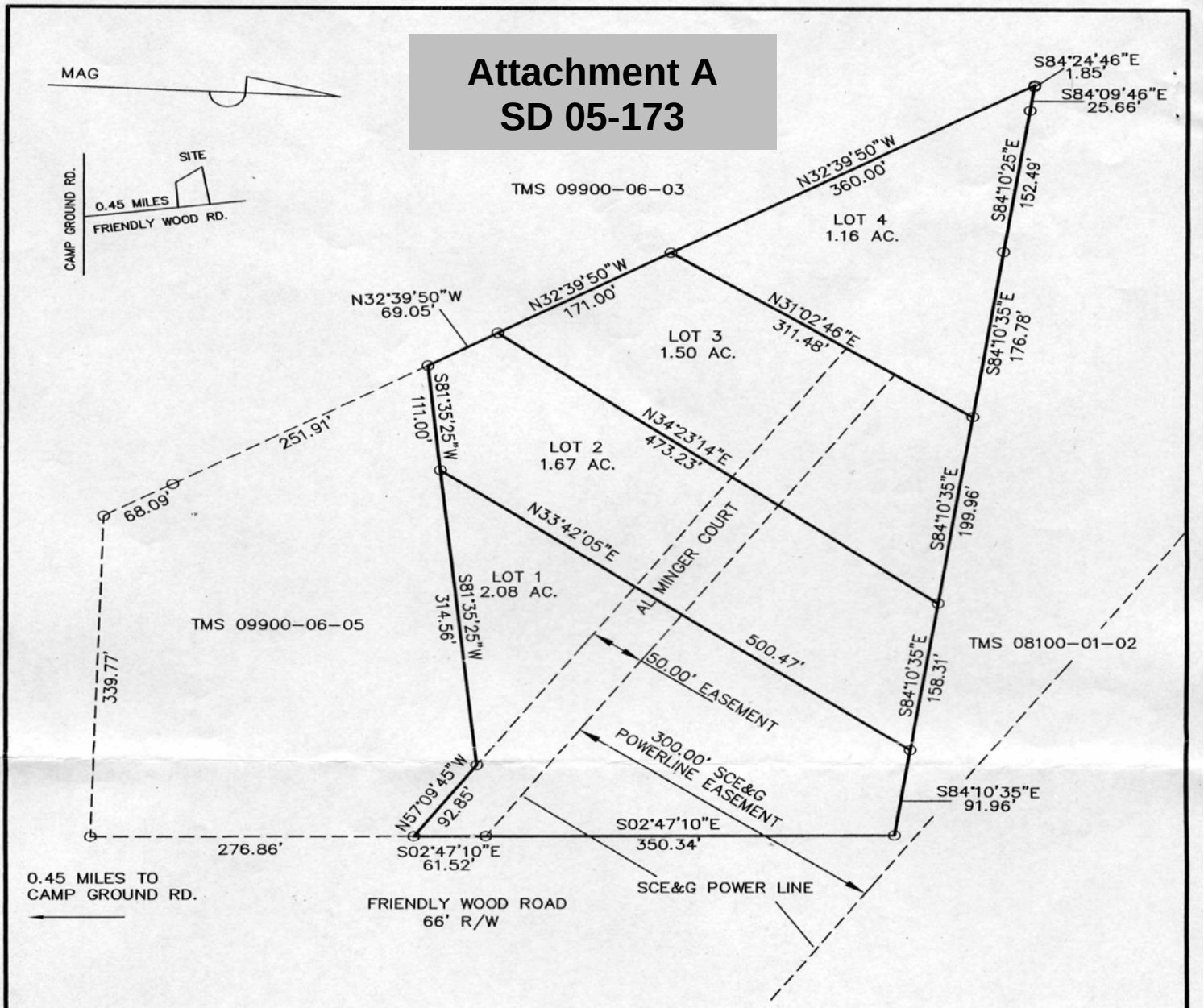
SD-05-173 ALVIN ENTZMINGER PRIV. DRWY. S/D



Looking@ Site from Friendly Woods Rd

Looking South on Friendly Woods Rd

Attachment A
SD 05-173



ALL IRONS ARE NEW 1/2" REBAR UNLESS NOTED

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP AND FOUND THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAP NO. 45079C0045 'G', DATED JANUARY 17, 1997

PLAT PREPARED FOR

ALVIN ENTZMINGER

SITE LOCATED IN RICHLAND COUNTY, SOUTH CAROLINA

SCALE: 1" = 100' 0 50 100 200 GRAPHIC SCALE IN FEET

DATE: OCTOBER 28, 2004
REVISED JANUARY 14, 2005 AS PER RICHLAND COUNTY RED LINE

REFERENCES:
RICHLAND COUNTY TAX MAP SHEET 09900 BLOCK 06 LOT 01
PLAT PREPARED FOR JAMES C. FLEMING BY TED L. BOOZER DATED DECEMBER 07, 1967
PLAT PREPARED FOR FRANCENA JEFFERSON BY DONALD G. PLATT DATED JANUARY 21, 2003

CERTIFICATION:
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.

MICHAEL T. ARANT S.C. REG # 4547

SOUTH CAROLINA MICHAEL T. ARANT & ASSOCIATES, INC. No. C00382 CERTIFICATE OF AUTHORIZATION

MICHAEL T. ARANT & ASSOCIATES, INC. 1020 OLD CONGAREE RUN EASTOVER S.C. 29044
PHONE 803-695-4320

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION SUBDIVISION STAFF REPORT

April 4, 2005

Applicant: Mungo Co.	**Preliminary Subdivision Plans For:** Wren Creek Estates, Phase 1	
RC Project # : SD-05-111		
General Location: Turkey Farm Road, west of Wilson Blvd		
Tax Map Number: 14800-01-03		**Current Zoning:** PUD
Subject Area: 18 acres	**Number of Units:** 21	**Gross Density:** 1.2 DU/acres
Sewer Service Provider: City of Columbia	**Water Service Provider:** City of Columbia	

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "…no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized…until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan…" It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "… not involve the construction, **or** opening, of new streets, water or sewer facilities, storm drainage systems, **or** improvement to existing streets…." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Wilson Blvd via Turkey Farm Rd
Functional Classification Of This Roadway	Four lane divided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	200
Current Volume At The Nearest Count Station # 135 Located @ 3 miles south of the site	5600
Estimated Traffic Count **With** the Proposed Project	See below
Volume-To-Capacity Ratio **With** The Proposed Project	**See below**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

****** The subject project, by itself, will not result in the LOS C being exceeded at SCDOT count station # 135. Although the traffic count at SCDOT station 135 is not very relevant to the subject project, it is the nearest count station to the subject site. The vast majority of the traffic generated in this area will likely go north to I-77. Nonetheless, the table below shows the estimated traffic on this portion of Wilson Blvd when these projects are fully occupied.

Wilson Blvd – Turkey Farm Area Traffic

Project Name	Ord. #	Development Type	Proj. ADTs.
Wren Creek	16-04	400 Residences (at full occupancy)	4850
Wren Creek HS	16-04	High School	2800
Wren Creek - Office	16-04	24 acres office	4680
Wren Creek - Retail	16-04	6 acres retail	2506
Stonington	NAv	201 residences	1910
Stonington - Comm	NAv	10 acres general retail commercial	4181
Beasley Creek S/D	App'd	235 residences	2755
Kerry Lee S/D	App'd	42 residences	399
Taylor PUD - MF	prop.	558 multifamily residences	3683
Taylor PUD - SF	prop.	342 single family residences	3249
Taylor PUD - Nonresid	prop.	55.2 acres commercial/industrial	5395
Hawkins Crk PUD	prop.	190 single family residences	1805
Hawkins Creek PUD	prop	100,000 sq. ft. general retail commercial	4800
Total			**43,641**

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	3
Middle School @ 0.13 students per single family DU	1
High School @ 0.12 Students per single family DU	0

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions
The site is wooded and slopes downward to the west toward Beasley Creek. Another creek is located along the north boundary of Phase 1.

Compatibility with the Surrounding Area
The proposed site is consistent with the approved General Development Plan for the PUD project enacted by the County Council in Ordinance 16-04 HR on April 6, 2004. The subject project will have a lower gross density than other approved residential projects in the area. The table below compares the subject project to other residential projects in the area.

Turkey Creek – Wilson Blvd Residential Projects Density Comparison

Project Name	Gross Project Density *	Net Residential Density **
Wren Creek PUD	1.1 DU/ac (400 DU / 367 acres) (ave. 39,600 sq. ft lots)	2.3 DU/ac (400 DU / 176 acres) (ave. 18,900 sq. ft. lots)
Stonington PUD	1.2 DU/ac (201 DU / 165 acres) (ave. 36,300 sq. ft. lots)	1.7 DU/ac (201 DU / 118 acres) (ave. 25,600 sq. ft. lots)
Kerry Lee PUD	1.7 DU/ac (42 DU / 25 acres) (ave. 25,623 sq. ft. lots)	2.6 DU/ac (42 DU / 16.3 acres) (ave. 16,700 sq. ft. lots)
Beasley Ck Est. PUD	2,8 DU/ac (235 DU / 83 acres) (ave. 15,557 sq. ft. lots)	3.9 DU/ac (235 DU / 60.3 acres) (ave. 11,100 sq. ft. lots)
Hawkins Creek PUD (proposed)	3.6 DU/ac. (190 DU / 52.3 acres) (ave. 12,100 sq. ft lots)	4.9 DU/ac (190 DU / 39.1 acres) (ave. 8900 sq. ft. lots)
Walter Taylor PUD (proposed)	5.8 DU/ac (900 DU / 154.6 acres) (ave. 7510 sq. ft. lots)	9.1 DU/ac. (900 DU / 99.4 acres) (17 DU/ac max in PUDs)

* Gross Project Density = total dwelling units / total acres
** Net Residential Density = total dwelling units / acres devoted to residential use

Discussion of Applicable Comprehensive Plan Issues
It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Industrial/Commercial/Technological on the I-77 Corridor Subarea Plan Proposed Land Use Map. The proposed project is not consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Attract quality residential development in the area by restricting uses which would compromise the area's residential qualities
The proposed project is part of a Planned Unit Development project that includes a high school and an office/retail commercial area. The residential portion of the PUD will have low density residential uses along Beasley Creek and the adjacent existing residences. The proposed project implements this Objective.

Principle – Established low-density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development
See the discussion above. This project implements this Principle.

Other Pertinent Factors

1) As of March 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
2) As of March 18, 2005, approval of the flood issues and wetlands issues had not been received.
3) As of March 18, 2005, the County Fire Marshal had not provided comments.
4) As of March 18, 2005, the City of Columbia had not approved the water and sewer line construction plans.
5) As of March 18, 2005, DHEC had not issued a sewer line construction permit.
6) As of March 18, 2005, DHEC had not issued a water line construction permit.
7) The E-911 Coordinator has certified the proposed street names.

The applicant must present a phasing plan for the whole project prior to approval of any plats for recording. The phasing is necessary to allow adequate notice to schedule the public infrastructure facilities needed to support the project.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 21 unit single family detached subdivision, known as Wren Creek Estates (Project # SD-05-111). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below**:

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Wilson Blvd operating below a LOS C capacity. However, the Department estimates that if the programmed and planned residential projects are builtout as currently proposed, a minimum of 43,000 ADTs will be using this portion of Wilson Blvd.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is not consistent with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

a) The Department of Public Works must approve the stormwater management plans; **and**
b) The Floodplain Mgmt. Specialist must approve the flood elevation statement; **and**
c) The Department must receive a copy of the USCOE wetlands encroachment letter; **and**
d) A Controlled Clearing Certificate letter must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
e) The preliminary, bonded and/or final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
f) The County Fire Marshal must approve the project with or without conditions; **and**
g) The City of Columbia must approve the water and sewer line construction plans; **and**
h) DHEC must issue the sewer line construction permits; **and**
i) DHEC must issue the water line construction permits; **and**
j) **No building permits shall be issued until all of the conditions cited above are met; and**
k) The applicant must provide a preliminary phasing plan that number the lots consecutively rather than by phase prior to approval of any plat for recording; **and**
l) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
m) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
n) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water and sewer line easement documents; **and**
o) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
p) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
q) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance; **and**
r) The developer shall pay the costs associated with construction of any acceleration or deceleration lanes or turn lanes that may be required by the SCDOT.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

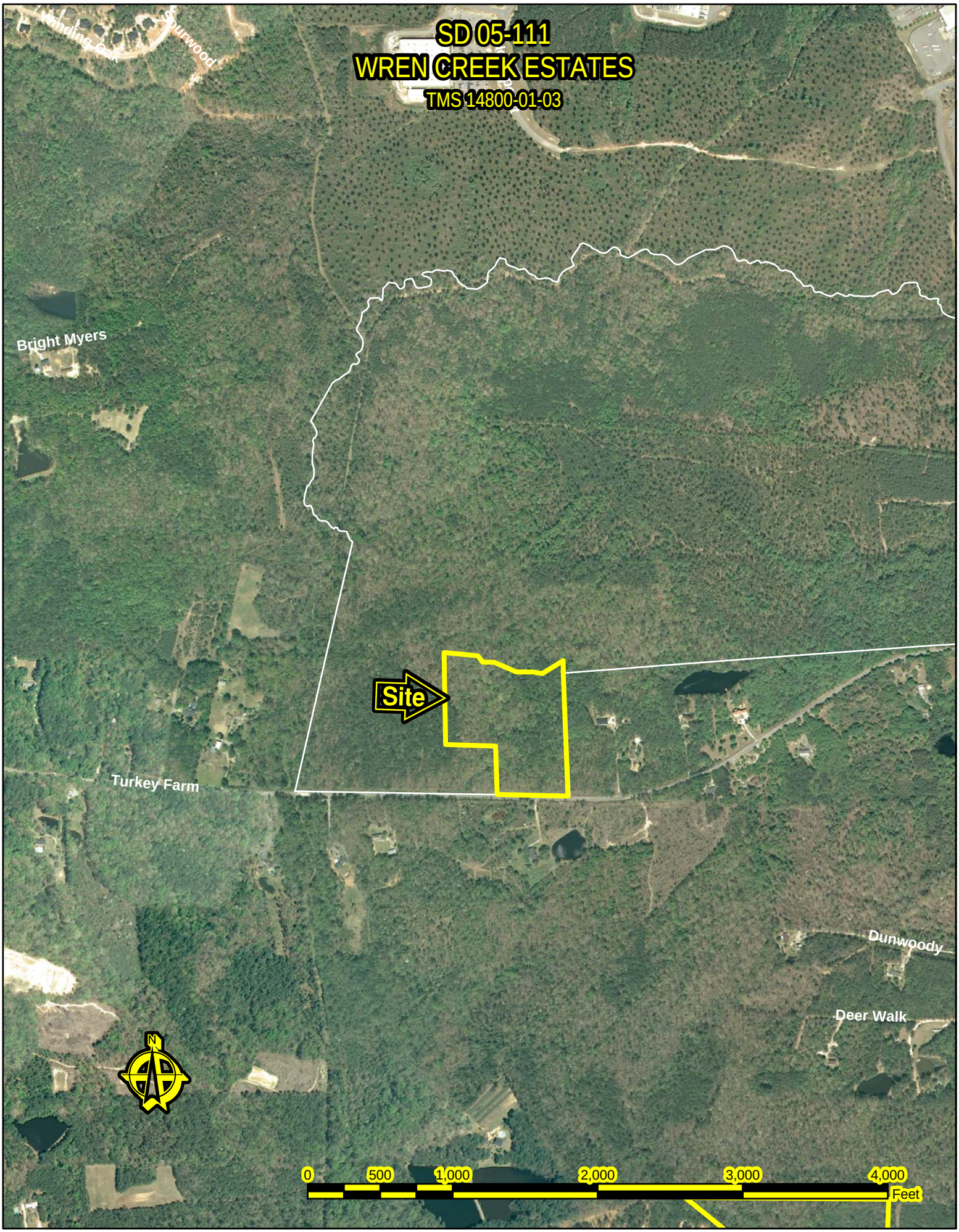
(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.


SD 05-111
WREN CREEK ESTATES
TMS 14800-01-03
Winding Oak
Spurwood
Bright Myers
Site
Turkey Farm
Dunwoody
Deer Walk
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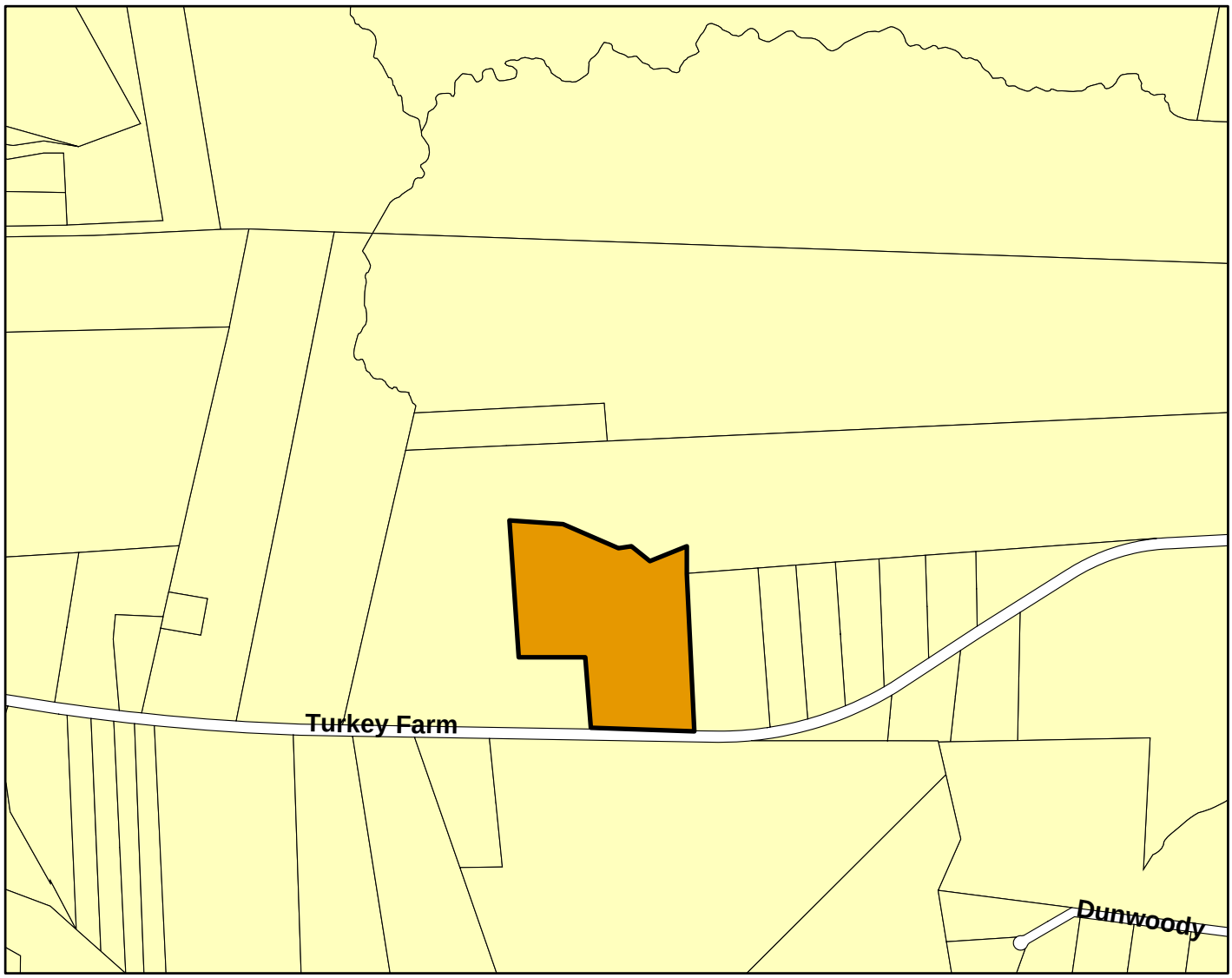
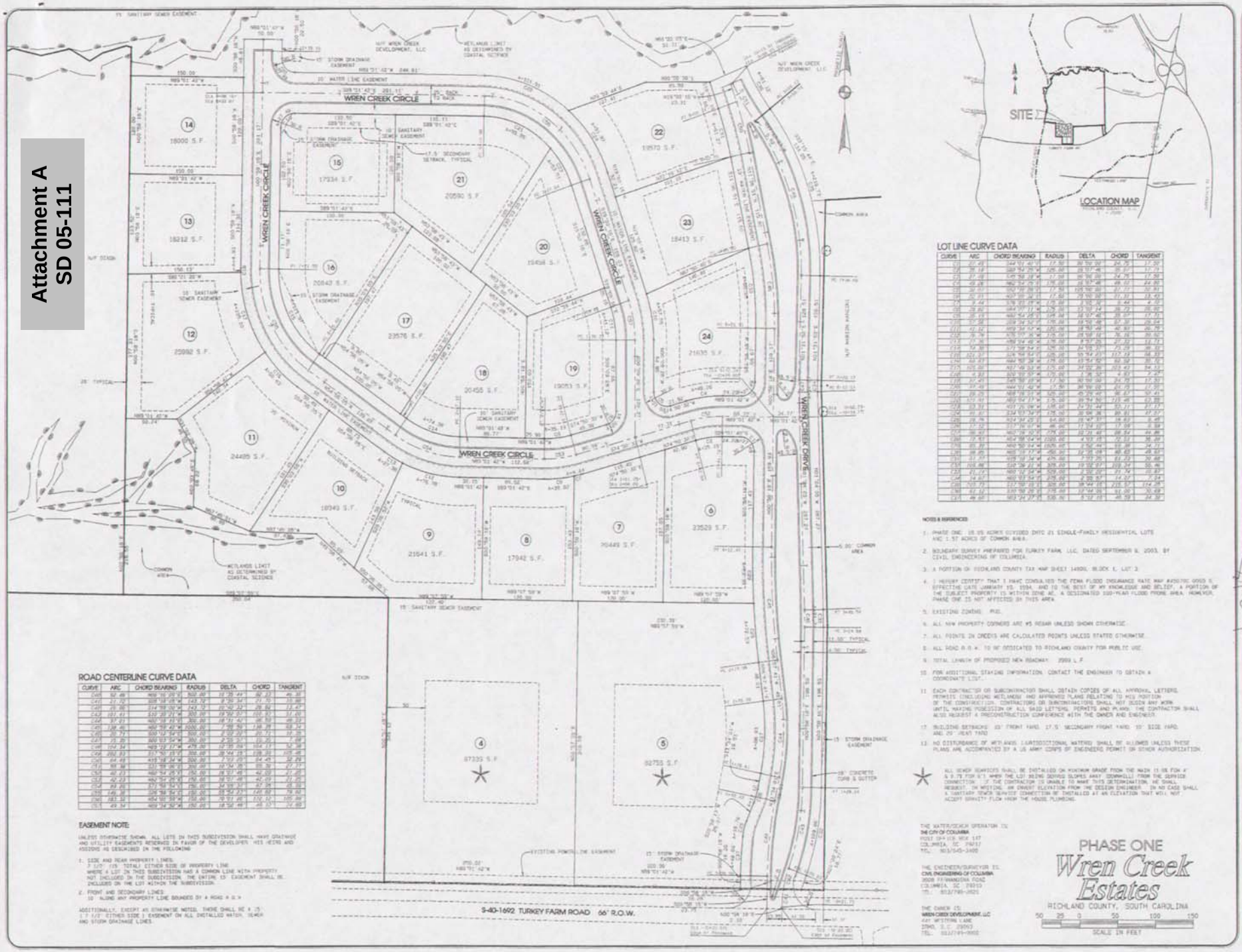
SD-05-111 WREN CREEK ESTATES



Looking@ Site from Turkey Farm Rd

Looking East on Turkey Farm Rd

Attachment A
SD 05-111



LOT LINE CURVE DATA

CURVE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
C1	32.49	S44°51'42"E	17.50	85°39'39"	29.75	17.90
C2	36.18	S88°42'29"W	125.00	16°57'46"	36.05	18.19
C3	27.27	N45°28'28"W	17.50	89°30'24"	24.59	17.39
C4	49.28	N82°34'25"E	175.00	16°07'46"	49.11	24.80
C5	32.51	S52°39'28"E	17.50	106°50'00"	27.97	22.93
C6	32.51	N37°10'32"E	17.50	106°50'00"	27.97	22.93
C7	7.44	S76°03'18"W	175.00	2°55'26"	7.44	3.72
C8	28.80	N84°27'11"E	125.00	13°12'14"	28.73	28.90
C9	28.13	N82°42'28"E	125.00	12°53'48"	28.07	27.91
C10	27.27	S38°28'32"E	17.50	89°30'24"	24.59	17.39
C11	42.12	N69°34'17"W	125.00	19°18'48"	40.93	26.79
C12	76.79	N75°07'26"W	175.00	25°08'02"	76.16	39.02
C13	77.74	N86°54'46"W	175.00	25°26'02"	77.08	39.71
C14	74.38	S71°58'54"E	125.00	34°05'23"	73.29	38.32
C15	221.37	S26°59'54"E	125.00	101°54'43"	192.72	138.33
C16	69.27	N84°58'38"W	175.00	22°40'39"	68.81	35.04
C17	103.02	N57°46'32"W	175.00	33°42'29"	101.43	54.12
C18	4.93	S00°03'57"W	175.00	1°36'52"	4.93	2.47
C19	47.41	S49°58'23"W	175.00	15°31'01"	47.26	23.83
C20	37.27	N44°32'42"E	17.50	85°39'24"	33.91	23.03
C21	69.25	N88°19'21"W	125.00	31°43'45"	68.37	35.41
C22	170.01	N83°54'17"W	175.00	55°54'50"	163.48	93.03
C23	37.27	N44°32'42"E	17.50	85°39'24"	33.91	23.03
C24	81.61	S34°03'34"E	175.00	26°58'26"	80.91	41.37
C25	28.78	N24°34'21"E	64.00	25°47'31"	28.55	14.65
C26	37.27	N44°32'42"E	17.50	85°39'24"	33.91	23.03
C27	96.80	N62°18'10"E	175.00	31°41'45"	95.54	49.86
C28	73.93	N24°38'04"W	225.00	4°53'15"	73.73	36.99
C29	85.22	N80°50'04"W	225.00	21°42'00"	84.72	43.11
C30	128.25	N52°17'34"W	225.00	32°39'00"	126.51	65.65
C31	37.27	S38°28'32"W	17.50	85°39'24"	33.91	23.03
C32	103.88	S38°28'32"W	225.00	26°26'27"	102.94	52.85
C33	27.27	N60°02'54"W	225.00	6°56'27"	27.24	13.65
C34	14.57	N60°02'54"W	225.00	3°42'57"	14.57	7.29
C35	101.73	S17°50'23"E	225.00	38°44'25"	101.31	51.78
C36	42.12	S69°34'17"E	125.00	19°18'48"	40.93	26.79
C37	49.80	N83°24'27"E	225.00	12°57'01"	49.69	24.92

NOTES & REFERENCES

1. PHASE ONE: 18.05 ACRES DIVIDED INTO 21 SINGLE-FAMILY RESIDENTIAL LOTS AND 1.57 ACRES OF COMMON AREA.
2. BOUNDARY SURVEY PREPARED FOR TURKEY FARM, LLC, DATED SEPTEMBER 8, 2003, BY CIVIL ENGINEERING OF COLUMBIA.
3. A PORTION OF RICHLAND COUNTY TAX MAP SHEET 14800L, BLOCK E, LOT 2
4. I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEMA FLOOD INSURANCE RATE MAP #2507C 0003 G EFFECTIVE DATE JANUARY 19, 1994, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, A PORTION OF THE SUBJECT PROPERTY IS WITHIN ZONE AE, A DESIGNATED 100-YEAR FLOOD PRONE AREA. HOWEVER, PHASE ONE IS NOT AFFECTED BY THIS AREA.
5. EXISTING ZONING: PUD.
6. ALL NEW PROPERTY CORNERS ARE #5 REBAR UNLESS SHOWN OTHERWISE.
7. ALL POINTS IN CREDITS ARE CALCULATED POINTS UNLESS STATED OTHERWISE.
8. ALL ROAD R.O.W. TO BE DEDICATED TO RICHLAND COUNTY FOR PUBLIC USE.
9. TOTAL LENGTH OF PROPOSED NEW ROADWAY: 2989 L.F.
10. FOR ADDITIONAL STAKING INFORMATION, CONTACT THE ENGINEER TO OBTAIN A COORDINATE LIST.
11. EACH CONTRACTOR OR SUBCONTRACTOR SHALL OBTAIN COPIES OF ALL APPROVAL LETTERS, PERMITS (INCLUDING WETLANDS) AND APPROVED PLANS RELATING TO HIS PORTION OF THE CONSTRUCTION. CONTRACTORS OR SUBCONTRACTORS SHALL NOT BEGIN ANY WORK UNTIL MAKING POSSESSION OF ALL SAID LETTERS, PERMITS AND PLANS. THE CONTRACTOR SHALL ALSO REQUEST A PRECONSTRUCTION CONFERENCE WITH THE OWNER AND ENGINEER.
12. BUILDING SETBACKS: 30' FRONT YARD, 17.5' SECONDARY FRONT YARD, 10' SIDE YARD, AND 20' REAR YARD.
13. NO DISTURBANCE OF WETLANDS (JURISDICTIONAL WATERS) SHALL BE ALLOWED UNLESS THESE PLANS ARE ACCOMPANIED BY A U.S. ARMY CORPS OF ENGINEERS PERMIT OR OTHER AUTHORIZATION.

★ ALL SEWER SERVICES SHALL BE INSTALLED ON MINIMUM GRADE FROM THE MAIN (1.0% FOR 4" & 0.7% FOR 6") WHEN THE LOT BEING SERVED SLOPES AWAY (DOWNHILL) FROM THE SERVICE CONNECTION. IF THE CONTRACTOR IS UNABLE TO MAKE THIS DETERMINATION, HE SHALL REQUEST, IN WRITING, AN INVERT ELEVATION FROM THE DESIGN ENGINEER. IN NO CASE SHALL A SANITARY SEWER SERVICE CONNECTION BE INSTALLED AT AN ELEVATION THAT WILL NOT ACCEPT GRAVITY FLOW FROM THE HOUSE PLUMBING.

THE WATER/SEWER OPERATOR IS:
THE CITY OF COLUMBIA
POST OFFICE BOX 147
COLUMBIA, SC 29210
TEL. 803/545-3400

THE ENGINEER/SURVEYOR IS:
CIVIL ENGINEERING OF COLUMBIA
3608 FERNANDINA ROAD
COLUMBIA, SC 29210
TEL. 803/798-2820

THE OWNER IS:
WREN CREEK DEVELOPMENT, LLC
RAY WESTERN LANE
ZEBULON, N.C. 27597
TEL. 919/269-0002

ROAD CENTERLINE CURVE DATA

CURVE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
C40	52.49	N09°25'15"E	300.00	10°02'01"	52.42	26.32
C41	21.02	S08°18'18"W	143.00	8°25'34"	21.00	10.52
C42	25.86	S14°39'20"W	143.00	10°22'22"	25.82	13.00
C43	102.93	S22°22'21"W	300.00	19°39'01"	102.43	51.86
C44	37.23	N00°19'33"E	300.00	14°14'41"	36.93	18.72
C45	138.45	N00°39'42"W	1000.00	7°55'55"	138.33	69.34
C46	30.71	S00°02'54"E	300.00	5°52'03"	30.70	15.38
C47	15.35	N00°03'54"W	300.00	2°55'31"	15.35	7.68
C48	104.34	N09°22'17"W	475.00	12°35'06"	104.17	52.38
C49	282.83	S71°50'03"E	300.00	38°14'15"	278.00	147.46
C50	64.49	N19°18'14"W	143.00	25°49'51"	63.95	32.78
C51	55.38	S21°39'26"E	300.00	10°34'25"	55.30	27.77
C52	42.23	N62°54'25"E	150.00	16°07'46"	42.09	21.22
C53	42.23	N62°54'25"E	150.00	16°07'46"	42.09	21.22
C54	89.85	S71°50'54"E	150.00	34°19'31"	87.94	45.93
C55	146.38	S26°59'54"E	150.00	55°54'23"	140.60	79.60
C56	183.32	N54°50'59"W	150.00	70°01'46"	172.07	105.84
C57	49.54	N69°34'50"W	150.00	18°56'46"	49.31	24.99

EASEMENT NOTE

UNLESS OTHERWISE SHOWN, ALL LOTS IN THIS SUBDIVISION SHALL HAVE DRAINAGE AND UTILITY EASEMENTS RESERVED IN FAVOR OF THE DEVELOPER, HIS HEIRS AND ASSIGNS AS DESCRIBED IN THE FOLLOWING:

1. SIDE AND REAR PROPERTY LINES:
   7 1/2' (15' TOTAL) EITHER SIDE OF PROPERTY LINE
   WHERE A LOT IN THIS SUBDIVISION HAS A COMMON LINE WITH PROPERTY NOT INCLUDED IN THE SUBDIVISION, THE ENTIRE 15' EASEMENT SHALL BE INCLUDED ON THE LOT WITHIN THE SUBDIVISION.
2. FRONT AND SECONDARY LINES:
   10' ALONG ANY PROPERTY LINE BOUNDED BY A ROAD R.O.W.

ADDITIONALLY, EXCEPT AS OTHERWISE NOTED, THERE SHALL BE A 15' (7 1/2' EITHER SIDE) EASEMENT ON ALL INSTALLED WATER, SEWER AND STORM DRAINAGE LINES.

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION SUBDIVISION STAFF REPORT

April 4, 2005

Applicant: Lacy & Associates, LLC		**Preliminary Subdivision Plans For:** Crestland Place, Phase 1 & 2
RC Project # : SD-05-33		
General Location: Broad River Rd adjacent to Pine Grove Elementary School		
Tax Map Number: 061111-06-03 & 06107-05-35		**Current Zoning:** RG-1
Subject Area: 12.0 acres	**Number of Units:** 96	**Gross Density:** 8.0 DU/acres
Sewer Service Provider: Alpine Utilities		**Water Service Provider:** City of Columbia

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "…no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized…until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan…" It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "… not involve the construction, **or** opening, of new streets, water or sewer facilities, storm drainage systems, **or** improvement to existing streets…." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Broad River Road
Functional Classification Of This Roadway	Five lane undivided major arterial
Level-Of-Service C Design Capacity (V/C = 1.00)	**33,600**
Estimated Traffic Generated By The Proposed Project	634
Current Volume At The Nearest Count Station # 179 Located @	21,400
Estimated Traffic Count **With** the Proposed Project	22,034
Volume-To-Capacity Ratio **With** The Proposed Project	**0.66**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 179.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	** NAp
Middle School @ 0.13 students per single family DU	** NAp
High School @ 0.12 Students per single family DU	** NAp

* All Districts assumed to have the same generation rate – rounded to nearest whole number
** No student generation rates are available for multi-family projects

Existing Site Conditions

The subject site contains mostly pine trees, none of which appear to be worthy of protection. The site slopes downward to the west, i.e., away from Broad River Road. The Pine Grove Elementary School is across Hufstettler Road from the subject site.

Compatibility with the Surrounding Area

The site is situated between the Elementary School and a small lot single family detached residential area. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Medium/High Density Residential on the Northwest Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The Northwest Subarea Plan, adopted

in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and respectively, are discussed below:

Objective – Promote new development in areas of adequate infrastructure
The analysis above shows that there is adequate road capacity. No water or sewer service capacity issues have been identified. The proposed project implements this Objective.

Principle – The Established Urban Area should contain overall higher density levels (Medium/High Density is a maximum of 9.0 DU/acre)
The subject project has a density of 8.0 DU/ acre. This project implements this Principle.

Other Pertinent Factors

1) As of March 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
2) As of March 18, 2005, approval of the flood issues and wetlands issues had not been received.
3) As of March 18, 2005, the County Fire Marshal had not provided comments.
4) As of March 18, 2005, the City of Columbia had not approved the water and sewer line construction plans.
5) As of March 18, 2005, DHEC had not issued a sewer line construction permit.
6) As of March 18, 2005, DHEC had not issued a water line construction permit.
7) As of March 18, 2005, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

All applicants must be aware that the current Code County has strict requirements about not selling lots, or negotiating the sale of lots within subdivisions before the plat is recorded. Specifically, Section 22-71 (a) of the Code states "...Whoever, being the owner or agent of the owner of any land located within a subdivision, **transfers or sells, agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before that plat has been approved by the planning commission and recorded in the office of mesne conveyance (*Register of Deeds*), shall be guilty of a misdemeanor**. The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring that lot or parcel shall not exempt the transaction from those penalties or remedies herein provided. The county may enjoin such transfer, sale, or agreement by appropriate action..."

The applicant should be aware that they will be required to petition the City of Columbia to be annexed before water service will be provided. The City is in the process of annexing a parcel or parcels across Broad River Road.

The project will not have direct access to Broad River Road. The only access to the site will be via Hufstettler Road. The Fire Marshal has not yet determined whether a second access point to Hufstettler Road will be required. The applicant has indicated the willingness to accommodate the second access point if required by the Fire Marshal.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 96 unit multi-family attached subdivision, known as Crestland Place (Project # SD-05-33). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below**:

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Broad River Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northwest Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

Specific Conditions

a) The Department of Public Works must approve the stormwater management plans; **and**
b) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
c) A Controlled Clearing Certificate letter must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
d) The preliminary, bonded and/or final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
e) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
f) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
g) The County Fire Marshal must approve the project with or without conditions; **and**
h) The City of Columbia must approve the water line construction plans; **and**
i) DHEC must issue the sewer line construction permits; **and**
j) DHEC must issue the water line construction permits; **and**
k) **No building permits shall be issued until all of the conditions cited above are met; and**
l) The applicant must provide a preliminary phasing plan that number the lots consecutively rather than by phase prior to approval of any plat for recording; **and**
m) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
n) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
o) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
p) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
q) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**

r) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

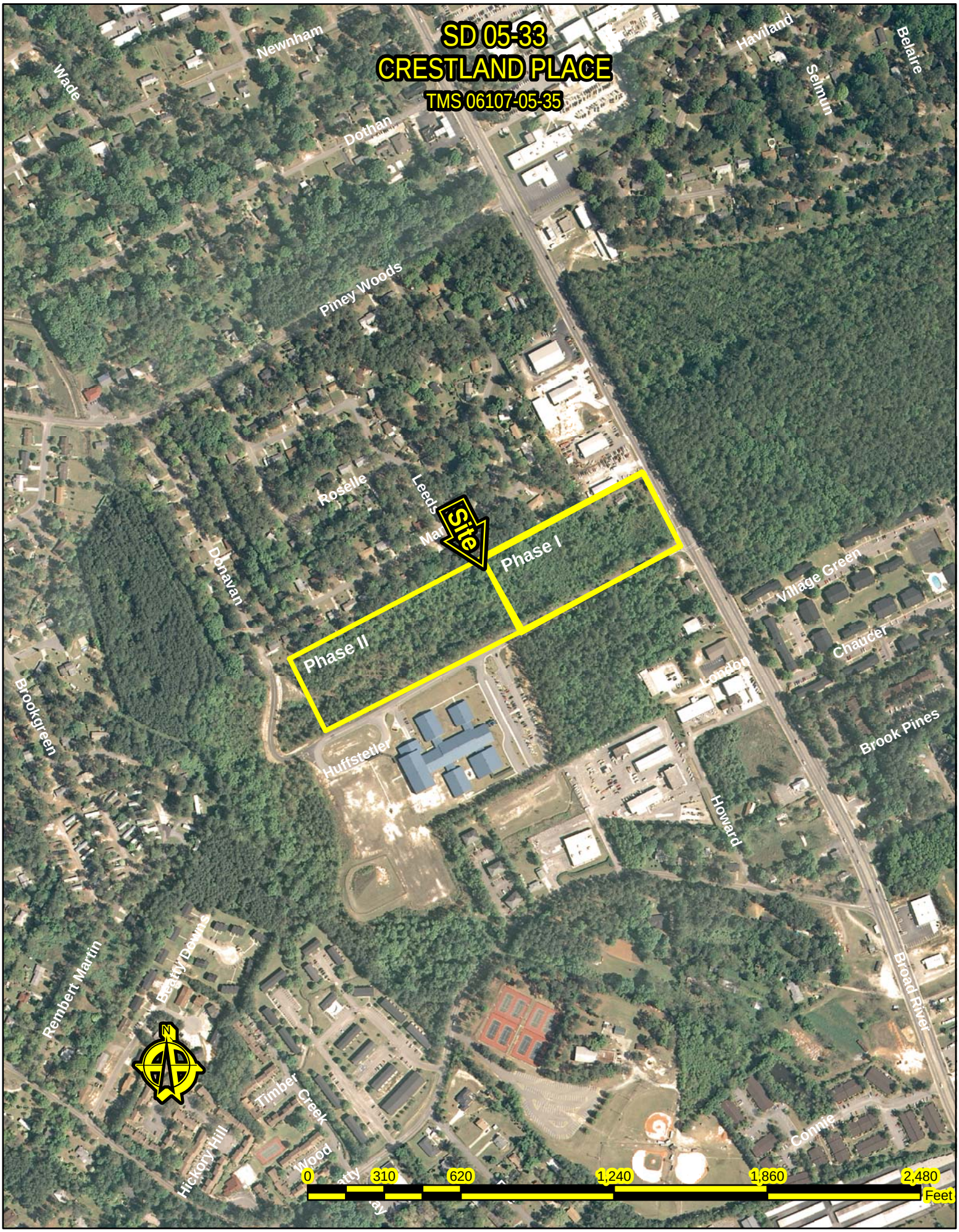
(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

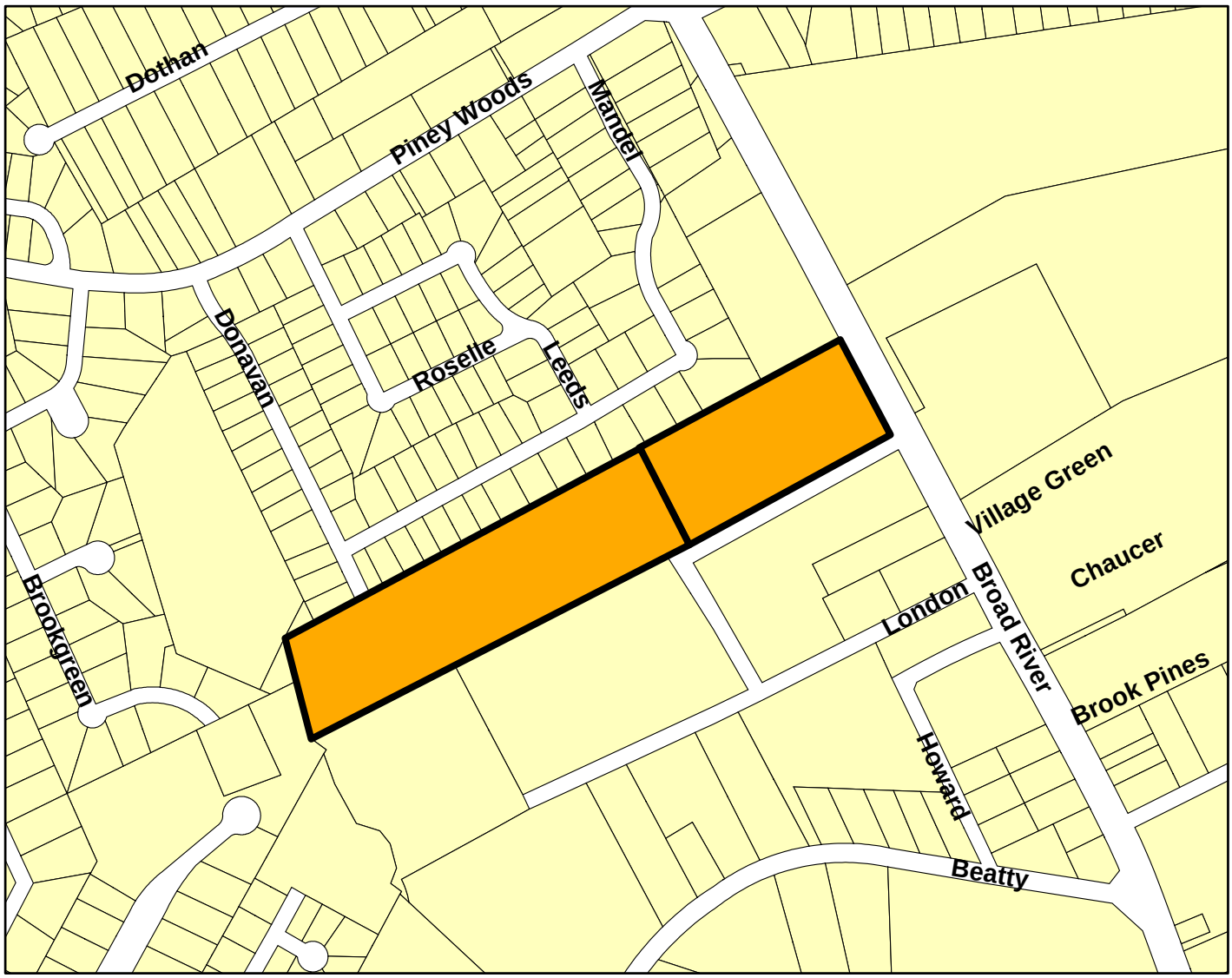
(c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.


SD 05-33
CRESTLAND PLACE
TMS 06107-05-35
Site
Phase I
Phase II
Wade
Newnham
Dothan
Haviland
Selmun
Belaire
Piney Woods
Roselle
Leeds
Donavan
Village Green
Chaucer
Brook Pines
Brookgreen
Huffstetler
Howard
Broad River
Rembert Martin
Beatty Downs
Timber Creek
Hickory Hill
Wood
Connie
0
310
620
1,240
1,860
2,480
Feet

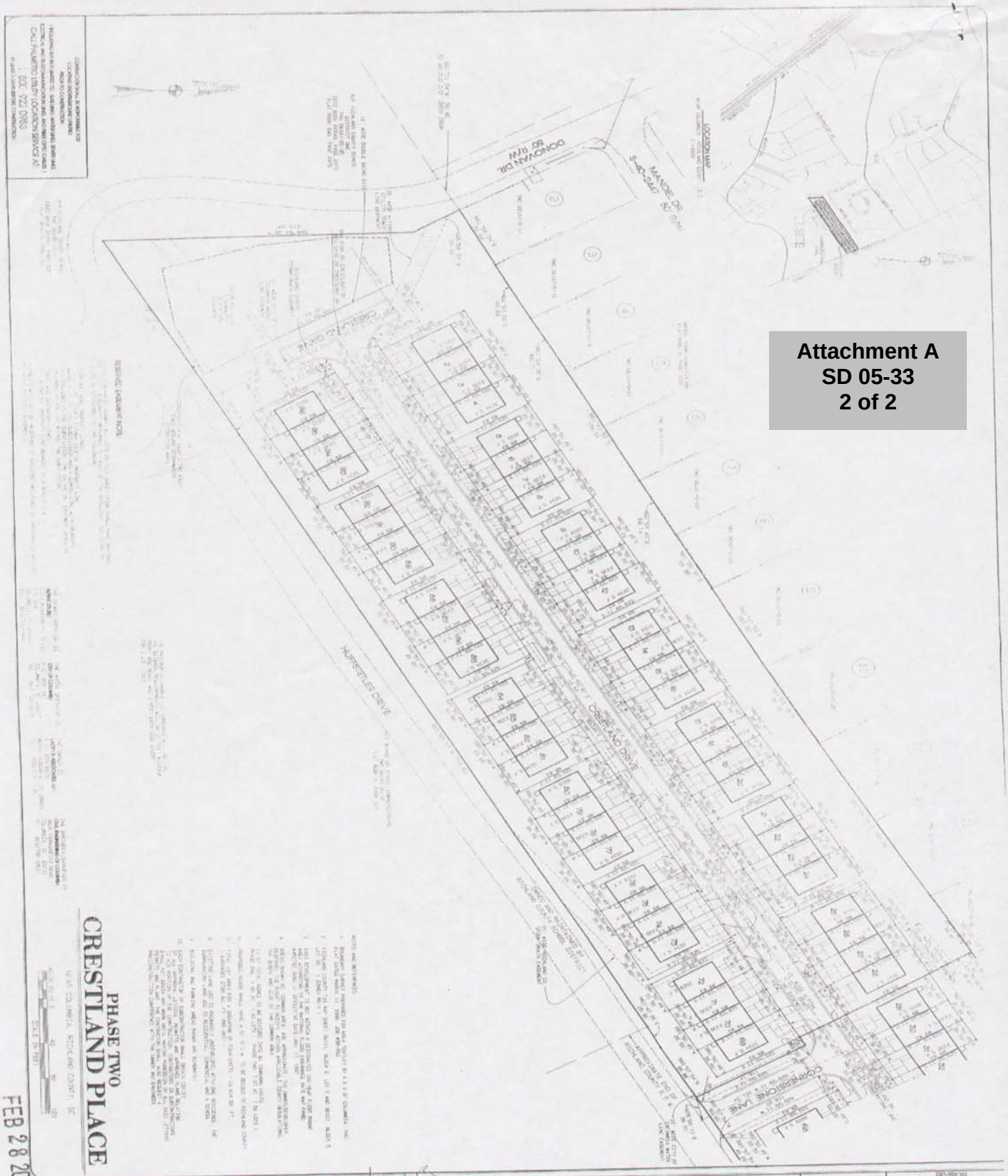
SD-05-33 CRESTLAND PLACE



Looking@ Site from Piney Grove Elem.

Looking towards Broad River Road

Attachment A
SD 05-33
1 of 2


Attachment A
SD 05-33
2 of 2
PHASE TWO
CRESTLAND PLACE
STAKING & ALIGNMENT PLAN
CIVIL ENGINEERING OF COLUMBIA
CONSULTING ENGINEERING, SURVEYING AND PLANNING
3608 FERNANDINA ROAD, COLUMBIA, SOUTH CAROLINA 29210
TELEPHONE (803) 798-2820 FAX (803) 798-2826
REVISION
FEB 28 2005
SD-05-33

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION SUBDIVISION STAFF REPORT

April 4, 2005

Applicant: Centex Homes		**Preliminary Subdivision Plans For:** Jacobs Creek, Phase 3
RC Project # : SD-05-193		
General Location: Old Two Notch Rd & Bookman Rd		
Tax Map Number: 25900-03-14		**Current Zoning:** PUD
Subject Area: 3.6 acres	**Number of Units:** 12	**Gross Density:** 3.3 DU/acres
Sewer Service Provider: Palmetto Utilities		**Water Service Provider:** City of Columbia

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "…no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized…until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan…" It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "… not involve the construction, **or** opening, of new streets, water or sewer facilities, storm drainage systems, **or** improvement to existing streets…." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

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- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
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- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Bookman Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	114
Current Volume At The Nearest Count Station # 449 Located @ between Old Two Notch Rd & Two Notch Rd	7200
Estimated Traffic Count **With** the Proposed Project	See Below
Volume-To-Capacity Ratio **With** The Proposed Project	See Below

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 449. However, the total traffic impact of the completed project will far exceed the LOS F on Bookman Road. The table below shows the projects' estimate cumulative traffic impact by phase when fully occupied.

Bookman Rd LOS C Design Capacity = 8600 ADTs

Phase #	# Units	Phase ADTs	Cum. ADTs (1)	V/C Ratio (2)	LOS (3)
1	39	370	7570	0.88	C
2	27	257	7827	0.91	C
3	12	114	7941	0.92	C

(1) The cumulative amount of traffic generated upon full occupancy of the phases PLUS 7200 (the 2003 SCDOT traffic count at Station # 449)
(2) The cumulative V/C ratio upon full occupancy of the (cum. ADTs / 8600)
(3) The cumulative Level-Of-Service (LOS) upon full occupancy of the phases

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	3
Middle School @ 0.13 students per single family DU	1
High School @ 0.12 Students per single family DU	1

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

This portion of the project is sparsely vegetated with pine trees and small hardwoods. It is adjacent to, but does not encroach into, one of the major wetland areas in the PUD. The entrance to this phase is through phase1 and 2 across from Ringwood Lane in Briarcliff.

Compatibility with the Surrounding Area

Phase 3 of the project is compatible with the adjacent Briarcliff development across Bookman Road. In addition, phase 3 is consistent with the approved PUD General Development Plan (See Ordinance # 59-04 HR, enacted on October 18, 2004).

Discussion of Applicable Comprehensive Plan Issues

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Low Density Residential within the Established Urban Area on the Northeast Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The Northeast Subarea Plan, adopted in march 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area

Phase 3 of the subject project has a density of 3.3 DU/acre. The net residential density of the Jacobs Creek project is 3.5 DU/acre and the gross Jacobs Creek project density is 2.3 DU/acre. The proposed project implements this Objective.

Principle –

None Applicable

Other Pertinent Factors

1) As of March 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
2) As of March 18, 2005, approval of the flood issues and wetlands issues had not been received.
3) As of March 18, 2005, the County Fire Marshal had not provided comments.
4) As of March 18, 2005, the City of Columbia had not approved the water and sewer line construction plans.
5) As of March 18, 2005, DHEC had not issued a sewer line construction permit.
6) As of March 18, 2005, DHEC had not issued a water line construction permit.
7) As of March 18, 2005, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

The applicant must present a phasing plan for the whole Jacobs Creek project prior to any building permits being issued. The lot numbers for the whole project must be consecutive rather than numbered by phase. This system will simplify the issuance permits from the various review agencies and expedite the building permit and certificate of occupancy process.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 12 unit single family detached subdivision, known as Jacobs Creek, Phase 3 (Project # SD-05-193). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below**:

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Bookman Road operating below a LOS C capacity. However, the total traffic impact of the completed project will far exceed the LOS F on Bookman Road
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

Specific Conditions

a) The Department of Public Works must approve the stormwater management plans; **and**
b) The Floodplain Specialist Coordinator must approve the flood elevation statement prior to building permits being issued; **and**
c) The Department must receive a copy of the USCOE wetlands encroachment letter; **and**
d) A Controlled Clearing Certificate letter must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
e) The preliminary, bonded and/or final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
f) The City of Columbia must approve the water line construction plans; **and**
g) DHEC must issue the sewer line construction permits; **and**
h) DHEC must issue the water line construction permits; **and**
i) The applicant must present a phasing plan for the whole Jacobs Creek project prior to any building permits being issued. The lot numbers for the whole project must be consecutive rather than numbered by phase; **and**
j) **No building permits shall be issued until all of the conditions cited above are met; and**
k) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
l) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
m) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**

n) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
o) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and the DHEC Permit To Operate the Sewer system by phase; **and**
p) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

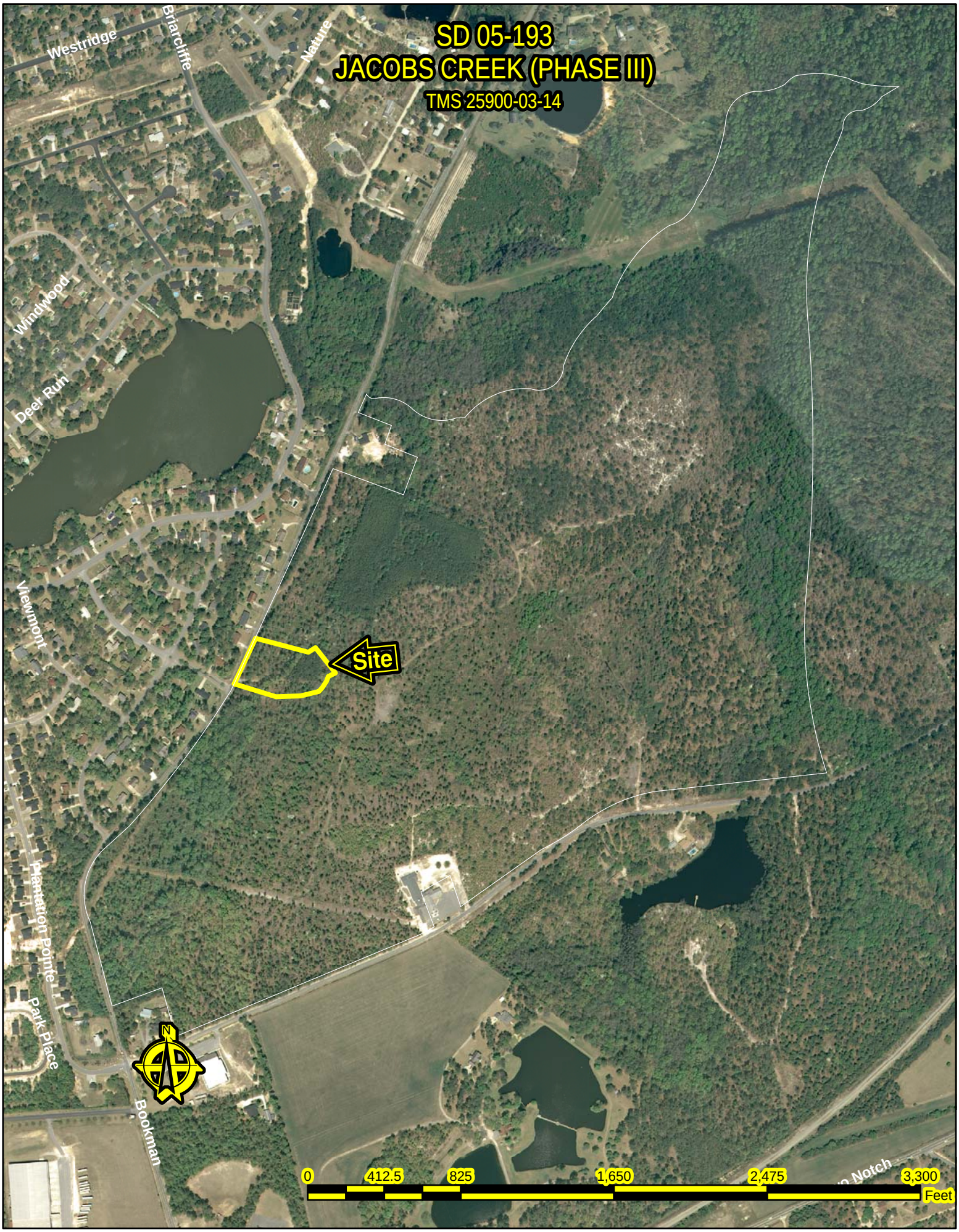
Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

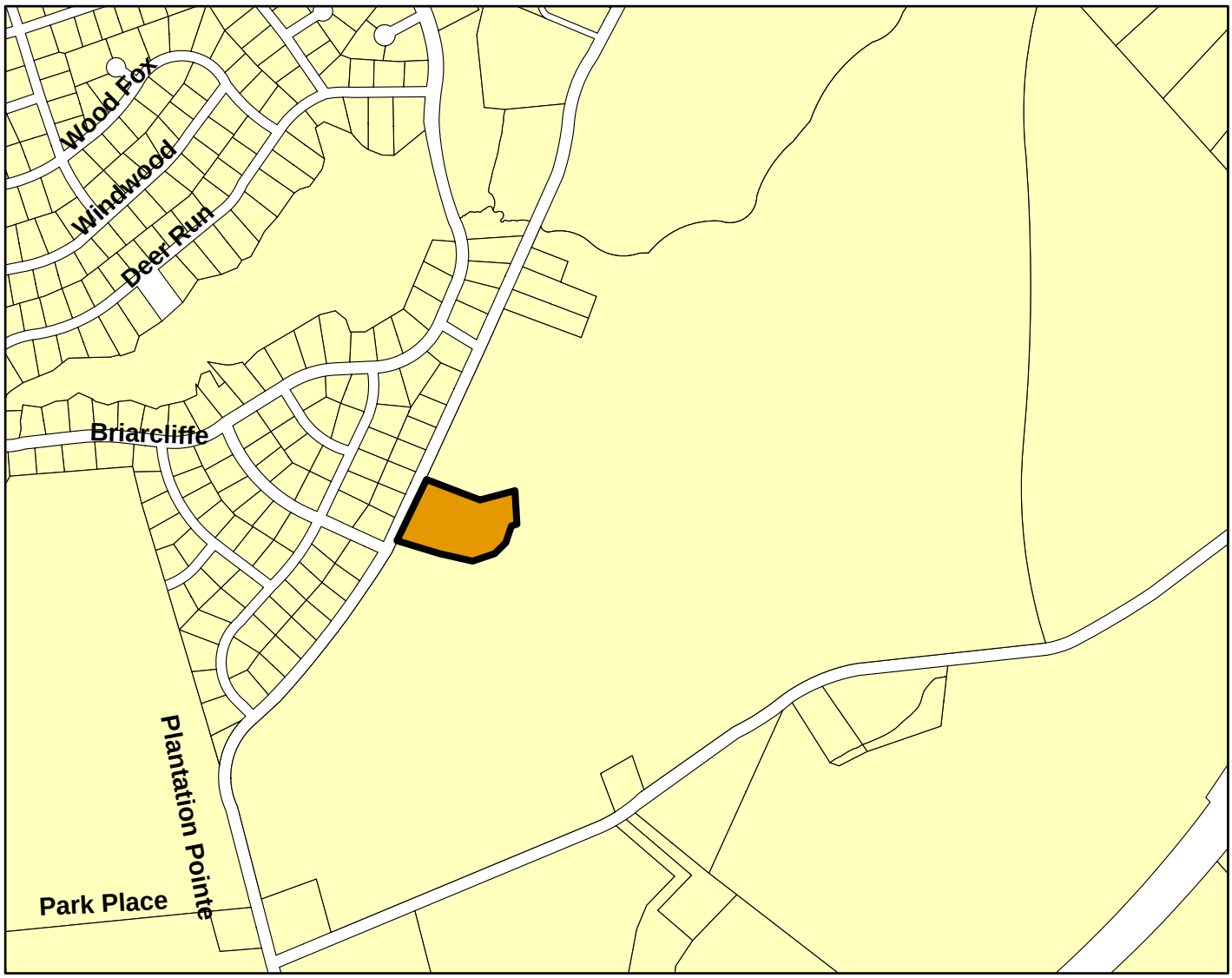
(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
(c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.


SD 05-193
JACOBS CREEK (PHASE III)
TMS 25900-03-14
Westridge
Briarcliffe
Nature
Windwood
Deer Run
Viewmont
Site
Plantation Pointe
Park Place
Bookman
N
0
412.5
825
1,650
2,475
3,300
Feet

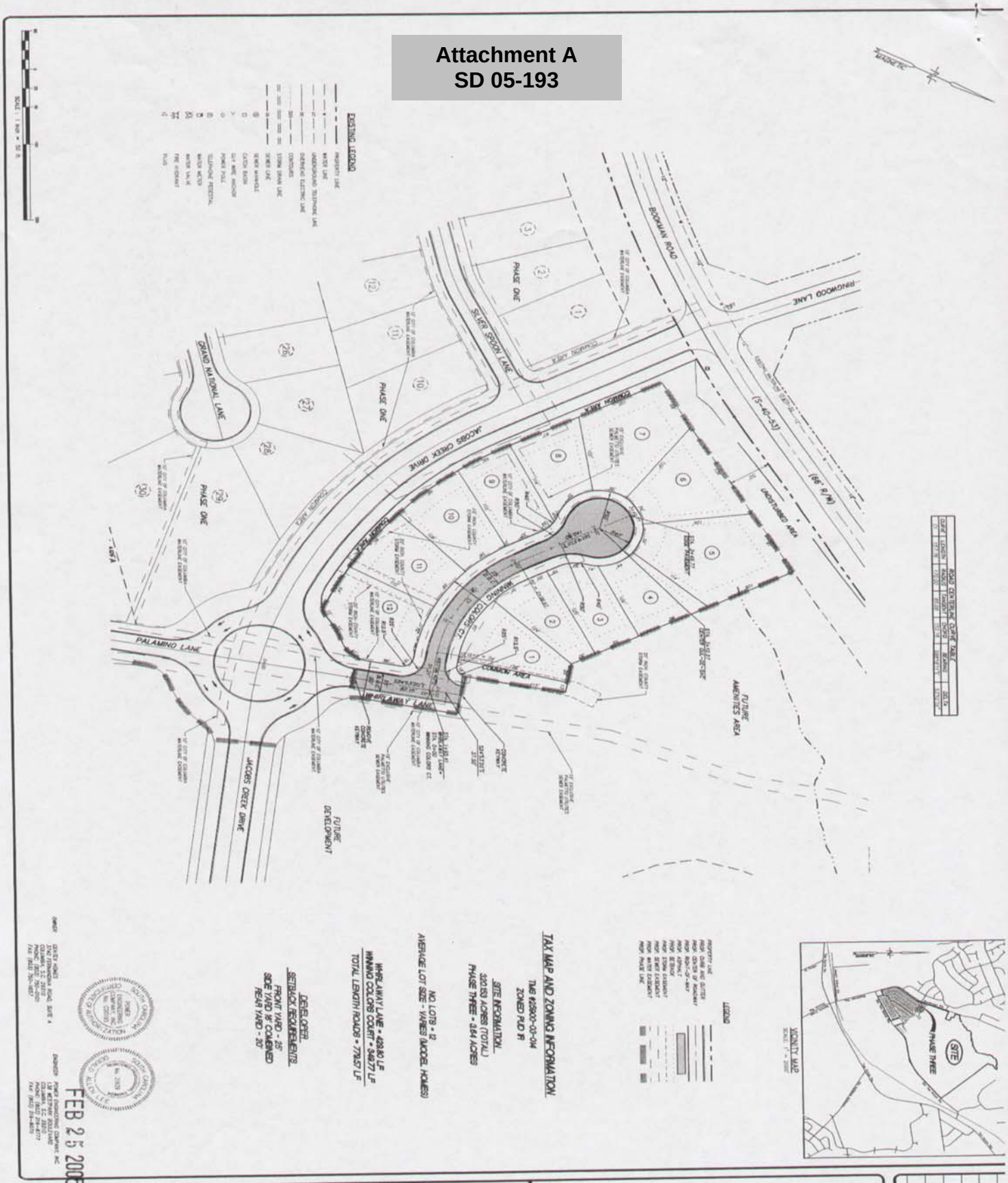
SD-05-193 JACOBS CREEK (PHASE III)



Looking@ Ringwood Drive

Looking @ the interior

Attachment A
SD 05-193



RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION SUBDIVISION STAFF REPORT

April 4, 2005

Applicant: Cox & Dinkins, Inc.		**Minor Subdivision Plans For:** Polo Village – Apartments and 2 outparcels	
RC Project # : SD-05-206			
General Location: N side of Polo Rd 1/4 mile east of Alpine Rd			
Tax Map Number: 19810-01-02			**Current Zoning:** C-3
Subject Area: Apts. 17.9 ac. & 3.5 ac. commercial	**Number of parcels:** 3	**Gross Density:** 11.1 DU/ac **Net Resid. Density:** 13.4 DU/ac	
Sewer Service Provider: E. Richland		**Water Service Provider:** City of Columbia	

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "…no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized…until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan…" It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "… not involve the construction, **or** opening, of new streets, water or sewer facilities, storm drainage systems, **or** improvement to existing streets…." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Polo Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	See Below
Current Volume At The Nearest Count Station # 845 Located @ the site	9000
Estimated Traffic Count **With** the Proposed Project	See Below
Volume-To-Capacity Ratio **With** The Proposed Project	See Below

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

This portion of Polo Road is already operating above LOS C before either the elementary school, or the proposed project, are occupied. The table below compares the estimated traffic impact of three possible development scenarios for the subject site. **The elementary school and the residential portion (only) of the subject project will result in a 28 % increase traffic on Polo Road**

All of these scenarios result in this portion of Polo Road operating above an LOS F when fully occupied. An all-retail development scenario would result in about 6000 ADTs more than the all-office development scenario. The scenario with the least traffic impact is replacing the commercial parcels with the addition up to 47 more residences, the all-apartments scenario.

ESTIMATED AVERAGE DAILY TRIPS COMPARISON

	Proposed Project	**All Apartments**	**All Office**
Apartments	1584	1894	0
Commercial	700	0	4220
Elem. School	918	918	918
Latest Count	9000	9000	9000
Total	**12,202**	**11,812**	**14,130**
V/C Ratio	**1.42**	**1.37**	**1.64**

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	NAv
Middle School @ 0.13 students per single family DU	NAv
High School @ 0.12 Students per single family DU	NAv

No generation rates are available for multi-family residences

Existing Site Conditions

The site is wooded and slopes downward (northward) away from Polo Rd to a low area between the site and Sesquicentenial State Park. There is a Blue Cross/Blue Shield office adjacent to the site on the west and a proposed elementary school adjacent to the site on the east. There is also a wetland area that traverses the middle of the site from Polo Rd to Sesqui State Park.

Compatibility with the Surrounding Area

The proposed apartment project is compatible with the adjacent office facility and Sesqui State Park because it provides a buffer between the office development at the corner of Alpine and Polo Roads and the Park. The proposed general commercial parcels, while permitted by the C-3 zoning, are not compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Office & Institutional on the Northeast Subarea Plan Proposed Land Use Map. The proposed project is not consistent with this land use designation because it is a high density apartment project with two general commercial outparcels.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective –Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area

The proposed apartments will provide housing opportunities near an interstate interchange and a buffer between the office development to the west and the elementary school to the east. The proposed project implements this Objective.

Principle – In general, commercial and office activities should be confined to existing zoned areas and/or proposed locations where the following apply:

1. Areas identified on the Proposed Land Use Map;
2. Sites that don't encroach or penetrate established residential areas; and
3. Sites of major traffic junctions and cluster locations as opposed to strip development

1. The subject site **is not designated for multi-family development** on the Proposed Land Use Map. It is designated for office and institutional development
2. The subject site does not penetrate or encroach into an established residential area. The site is surrounded by an office building, Sesqui State Park, an elementary school and Interstate 20.

3. The proposed subdivision will create two commercial lots, each approximately 1.7 acres in area. Unless the use of the two commercial parcels is limited to office development, which can not be done through the subdivision process, these sites may be used for other commercial purposes.

This project **does not implement** this Principle.

Transportation Recommendation - Where a request for a change in land use will reduce traffic movements below a "C" level-of-service, additional highway improvements should be made to mitigate the effects.

The current CMGOG Transportation Improvement Program, i.e., the fiscal year beginning July 1, 2004 through June 30, 2009, does not have any road capacity improvements programmed for Polo Road. Furthermore, there are currently no funding sources available for any road capacity improvements in Richland County in the rest of this decade. **The applicant has not proposed any measures to mitigate the traffic effects of this project.**

The Department interprets this provision to be an affirmative responsibility on the part of local government to ensure, as much as possible, that proposed developments do not exacerbate existing conditions. The principal tools available for local government to exercise this responsibility is careful review of proposed projects with regard to access management issues and analysis of the safe traffic carrying capacity of the affected roadways. The Department believes that continuing to recommend approval of projects generating traffic in excess of the roadway's LOS "F" capacity does not conform to the statutory responsibility described in Section 6-29-1120, SC Code of Laws.

Other Pertinent Factors

1) As of March 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
2) As of March 18, 2005, approval of the flood issues and wetlands issues had not been received.
3) As of March 18, 2005, the County Fire Marshal had not provided comments.
4) As of March 18, 2005, the City of Columbia had not approved the water line construction plans.
5) As of March 18, 2005, DHEC had not issued a sewer line construction permit.
6) As of March 18, 2005, DHEC had not issued a water line construction permit.

Section 22-21 (t) of the County Code states "...In order to reduce traffic congestion, marginal access streets (*frontage roads*) may be required in residential, commercial or industrial subdivisions...". Polo Road in this location is a narrow two-lane road that was already operating above its design capacity in 2003, i.e., prior to the elementary school and the apartments being occupied. Therefore, in order to ensure safe ingress and egress to the site, it is critical that access to all three parcels be limited to a single point.

The applicant should be responsible to pay all costs associated with the construction of any SCDOT required acceleration, deceleration and/or turn lanes in Polo Road. The construction of these lanes should be coordinated with those required for the adjacent elementary school.

This site has a wetlands area traversing the middle of the site. The applicant should be required to get US Corps of Engineers approval of the wetlands encroachment prior to the plat being approved for recording.

On March 2, 2005, the applicant sought Board of Zoning Appeals approval to reduce the required number of parking spaces. The applicant argued that they did not have enough room to provide the required amount of parking spaces, in part, due to the space allocated for the commercial outparcels. During the discussion of the variance request, it was determined that the proposed secondary access point through the elementary school was denied by the School Board. The BZA also denied the parking space variance.

An applicant is not entitled to approval of a proposed subdivision plat. Section 6-29-1120 of the SC Code of Laws states "…The public health, safety, economy, good order, appearance, convenience, morals and general welfare require the harmonious, orderly, and progressive development of land within the municipalities and counties of the State. In furtherance of this general intent, the regulation of land development by municipalities, counties or consolidated political subdivisions is authorized for the following purposes, among others…(3) to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land development projects…".

It is the Department's position that the Planning Commission has the statutory authority to deny a proposed subdivision IF the Commission determines that the proposed subdivision will NOT provide safe vehicular and pedestrian circulation. In this case, the Department recommends that the proposed plat, i.e., the division of the site into two 1.7 acre commercial parcels and a 17.9 acre multi-family residential parcel, be denied. As currently proposed, the project can not ensure vehicular and pedestrian safety when it causes 28 % increase in the traffic on this portion of Polo Road. Some other proposed subdivision arrangement of the property that offers less traffic impact or that better mitigates the traffic impact may be more acceptable.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized above, the Planning and Development Services Department (PDSD) recommends **DENIAL** of the minor subdivision plans for a 3 parcel minor subdivision, known as Polo Village (Project # SD-05-206).

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

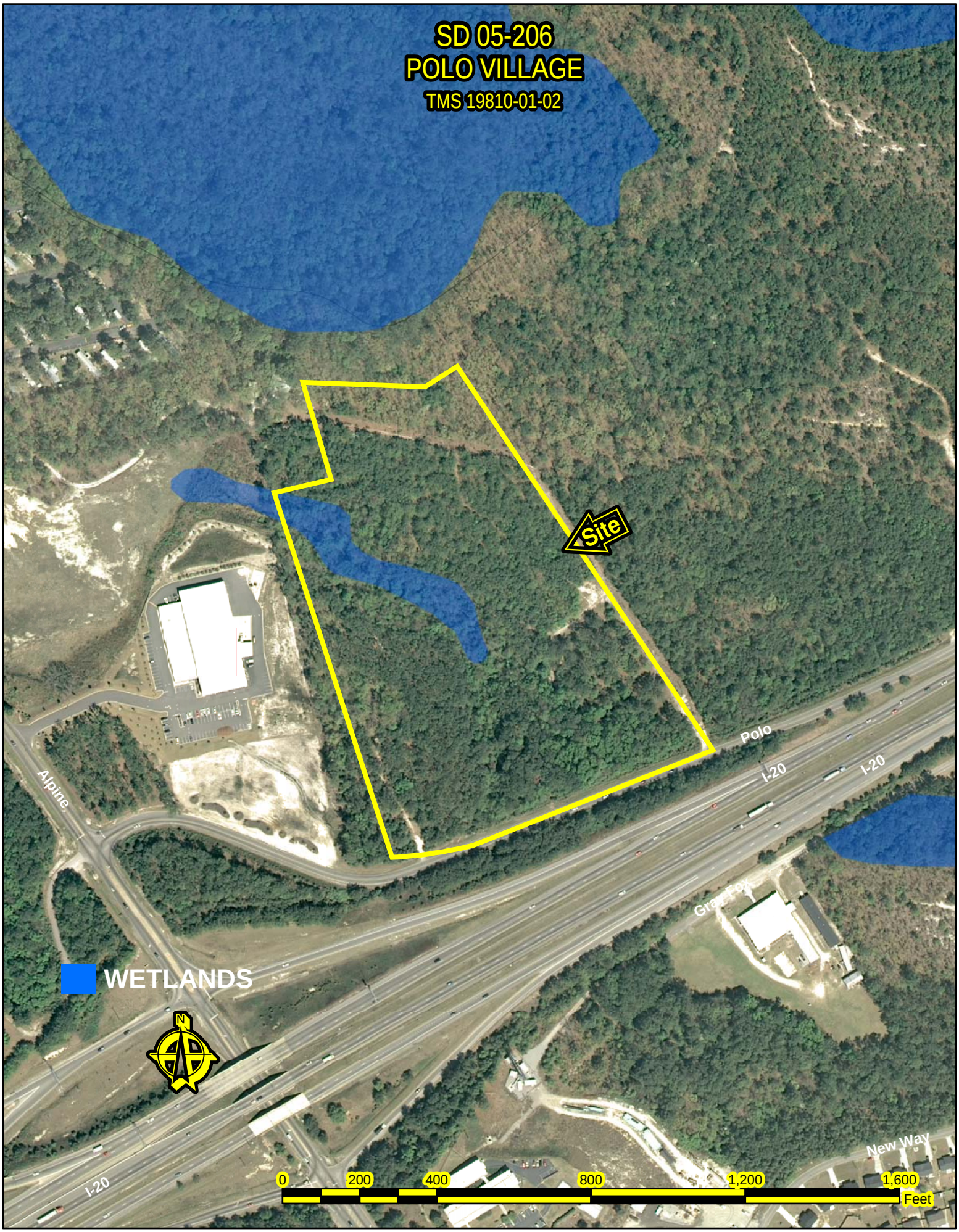
(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.


SD 05-206
POLO VILLAGE
TMS 19810-01-02
Site
Polo
I-20
I-20
Alpine
Grand Fox
New Way
I-20
WETLANDS
N
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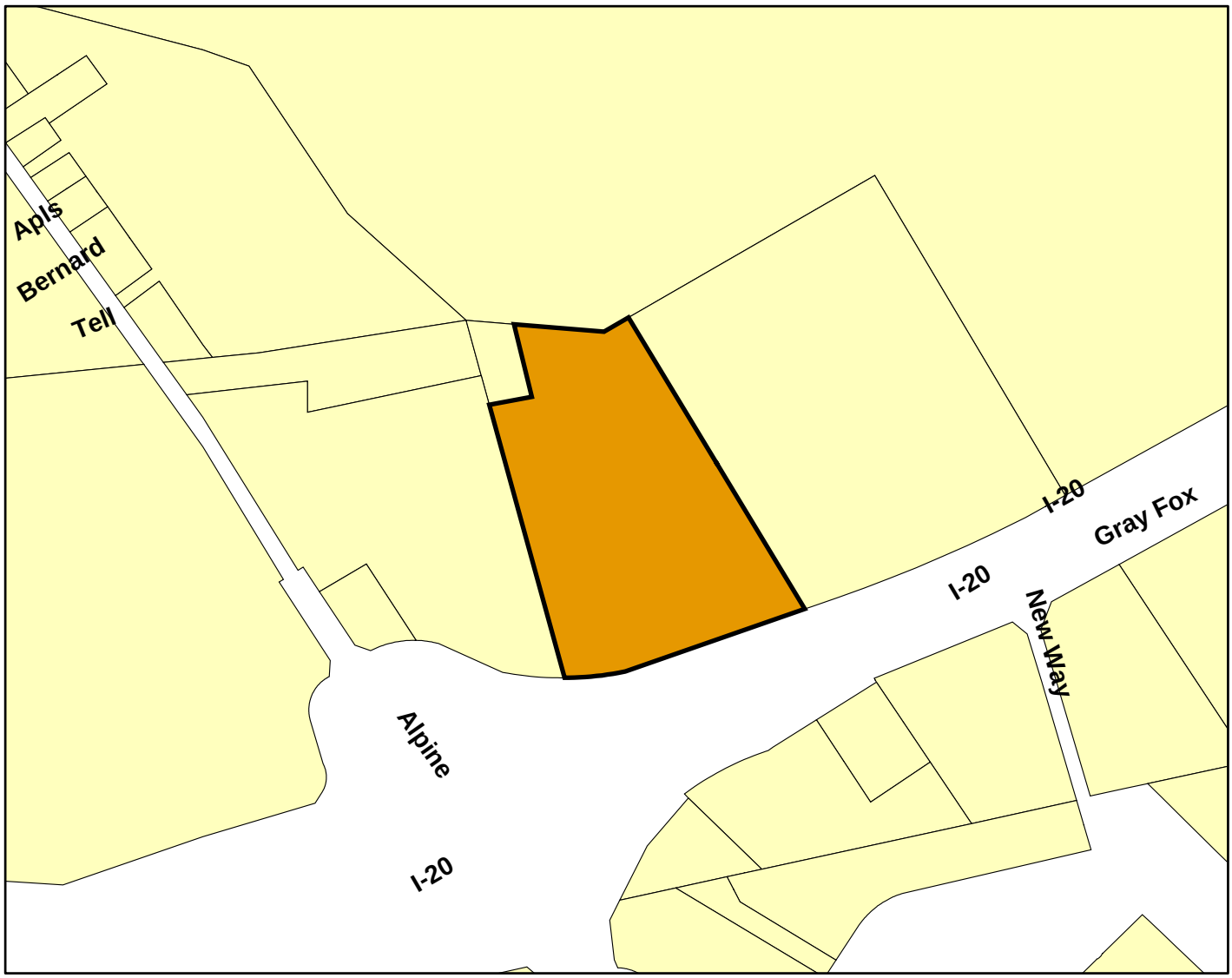
200
400
800
1,200
1,600
Feet

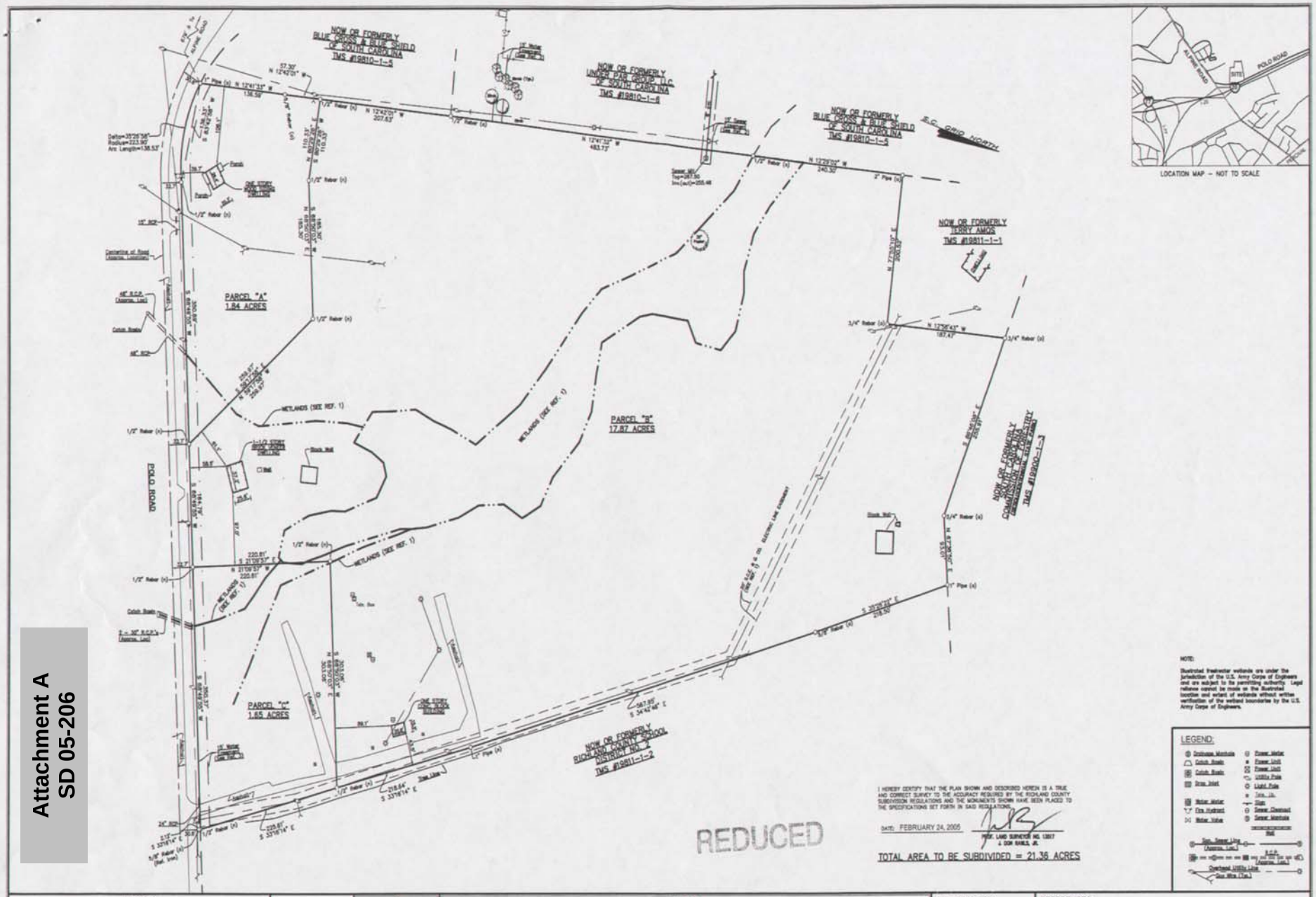
SD-05-206 POLO VILLAGE



Looking West on Polo @ Site

Looking East on Polo Rd from Site

Attachment A
SD 05-206



REVISIONS		
No.	DATE	DESCRIPTION

COX AND DINKINS, INC. — CERTIFICATE OF AUTHORIZATION — NORTH CAROLINA

CERTIFICATE OF AUTHORIZATION SEAL

COX AND DINKINS — ENGINEERS - SURVEYORS

COX AND DINKINS, INC.
7344 BEE TLINE BLVD.
COLUMBIA, SOUTH CAROLINA 29209
803-254-4418 Fax: 803-765-0860
Email: admin@coxandinkins.net

PLAT

SUBDIVISION NAME: **POLO VILLAGE**

PREPARED FOR: **APPLEGATE & CO.**

RICHLAND COUNTY, NEAR COLUMBIA, SOUTH CAROLINA

DATE:	SCALE:	TAX MAP NUMBER:	BOOK:	CHK:	SR:	NO.:	PROJ.:	BY:
FEBRUARY 24, 2005	1" = 60' (0' 30' 60' 120')	19810-01-02	031 1-20; P33 76-79	S	300	8	5-031-01.dwg	S

CERTIFICATION:

I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein; also there are no visible encroachments or projections other than shown.

REG. LAND SURVEYOR NO. 13857
J. DON RAINES, JR.

REFERENCES:

1) PLAT PREPARED FOR ALPINE, INC., BY ASSOCIATED E & S, INC., DATED MARCH 24, 2003.
2) PLAT PREPARED FOR UNDER PAR GROUP, LLC., BY COX AND DINKINS, INC., DATED DECEMBER 10, 2001.
3) POLO ROAD EASEMENT PLAT, BY WILBUR SMITH AND ASSOCIATES, INC., DATED MAY 20, 1987, REVISED DECEMBER 3, 1987. PLAT ON FILE IN THE OFFICE OF THE CITY OF COLUMBIA DEPARTMENT OF UTILITIES AND ENGINEERING.

NOTES:

1) LOCATIONS OF OTHER UNDERGROUND UTILITIES ARE UNKNOWN.
2) THIS PROPERTY IS LOCATED IN FLOOD ZONE "X", BY SCALED LOCATION AND GRAPHIC PLOTTING ONLY, AS DEPICTED ON FLOOD INSURANCE RATE MAP PANEL 450276C0115G, DATED JANUARY 16, 1994.
3) WETLANDS SHOWN HEREON WERE SCALED FROM A PREVIOUS PLAT AND HAVE NOT BEEN FIELD VERIFIED.
4) REFERENCE MARK USED IS COS MONUMENT DESIGNATED "WIDDELL RESET", LOCATED INSIDE SESQUICENTENNIAL STATE PARK, ELEVATION = 465.62' NAVD 88 DATUM. INFORMATION ON MONUMENT INCLUDING STATE PLANE COORDINATES, ELEVATION, AND DESCRIPTION/LOCATION TAKEN FROM NGS DATA SHEET.
5) PURPOSE OF PLAT IS TO SUBDIVIDE TMS NO. 19810-01-02 INTO 3 PARCELS AS SHOWN.

SD-05-206

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION SUBDIVISION STAFF REPORT

April 4, 2005

Applicant: Shumaker Homes		**Preliminary Subdivision Plans For:** Eagles Rest
RC Project # : SD-05-203		
General Location: SW Corner of Johnson Marina Rd & Richard Franklin Rd		
Tax Map Number: 01513-9101/02		**Current Zoning:** PUD
Subject Area: 84 acres	**Number of Units:** 220	**Gross Density:** 2.6 DU/acres
Sewer Service Provider: Richland County		**Water Service Provider:** City of Columbia

SECTION I – ANALYSIS

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "…no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized…until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan…" It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "… not involve the construction, **or** opening, of new streets, water or sewer facilities, storm drainage systems, **or** improvement to existing streets…." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road is designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Johnson Marina Rd via Richard Franklin Rd
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	2090
Current Volume At The Nearest Count Station # 637 Located @ just north of Richard FranklinRd	3100
Estimated Traffic Count **With** the Proposed Project	5190
Volume-To-Capacity Ratio **With** The Proposed Project	**0.60**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project will not result in the LOS C being exceeded at SCDOT count station 637. However, if other currently planned projects are completed as projected, the LOS C will be exceeded with the next 2-3 years.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

School Impacts

Based on information provided by the District 2 School Board office *, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	44
Middle School @ 0.13 students per single family DU	29
High School @ 0.12 Students per single family DU	28

* All Districts assumed to have the same generation rate – rounded to nearest whole number

Existing Site Conditions

The subject site contains primarily pine trees with some hardwoods in the lower areas near Lake Murray. Public water and sewer service is available in the area.

Compatibility with the Surrounding Area

The proposed single family detached subdivision is similar to the Lakeside @ Ballentine project across Richard Franklin Rd. The project includes substantial buffer areas along both Johnson Marina and Richard Franklin Roads. The proposed project is consistent with the General Development Plan in Ordinance # 76-04 HR, enacted by the County on November 16, 2004.

Discussion of Applicable Comprehensive Plan Issues

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as low Density Residential on the Northwest Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department's position that the development policies found in the

Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations/Principles of the Comprehensive Plan. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 , are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area
The subject project will have 16 % of the area in 3/4 acre lots; 33% in 12,000 sq. ft. lots; 21 % in 8500 sq. ft. lots; 14 % in 5000 sq. ft. lots and 16 % of the total site in open space. The proposed project implements this Objective.

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed land Use Map
See the discussion above. This project implements this Principle.

Other Pertinent Factors

1) As of March 18, 2005, the Public Works Dept. had not approved the stormwater management plans.
2) As of March 18, 2005, approval of the flood issues and wetlands issues had not been received.
3) As of March 18, 2005, the County Fire Marshal had not provided comments.
4) As of March 18, 2005, the City of Columbia had not approved the water line construction plans.
5) As of March 18, 2005, DHEC had not issued a sewer line construction permit.
6) As of March 18, 2005, DHEC had not issued a water line construction permit.
7) As of March 18, 2005, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

The applicant must present a phasing plan for the whole Eagles Nest project prior to any building permits being issued. The lot numbers for the whole project must be consecutive rather than numbered by phase. This system will simplify the issuance permits from the various review agencies and expedite the building permit and certificate of occupancy process.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 220 unit single family detached subdivision, known as Eagles Nest (Project # SD-05-203). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below**:

Findings of Fact

1. The proposed project will not result in the LOS C being exceeded at SCDOT count station 637. However, if other currently planned projects are completed as projected, the LOS C will be exceeded with the next 2-3 years.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northwest Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

Specific Conditions

a) The Department of Public Works must approve the stormwater management plans; **and**
b) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
c) The Department must receive a copy of the USCOE wetlands encroachment letter, if applicable; **and**
d) A Controlled Clearing Certificate letter must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
e) The preliminary, bonded and/or final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
f) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
g) The County Fire Marshal must approve the project with or without conditions; **and**
h) The City of Columbia must approve the water line construction plans; **and**
i) DHEC must issue the sewer line construction permits; **and**
j) DHEC must issue the water line construction permits; **and**
k) The applicant must present a phasing plan for the whole Eagles Nest project prior to any building permits being issued. The lot numbers for the whole project must be consecutive rather than numbered by phase; **and**
l) **No building permits shall be issued until all of the conditions cited above are met; and**
m) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
n) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
o) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
p) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
q) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system by phase and the DHEC Permit To Operate the Sewer system by phase; **and**
r) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance; **and**
s) The developer shall pay the costs associated with construction of any acceleration or deceleration lanes or turn lanes that may be required by the SCDOT.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

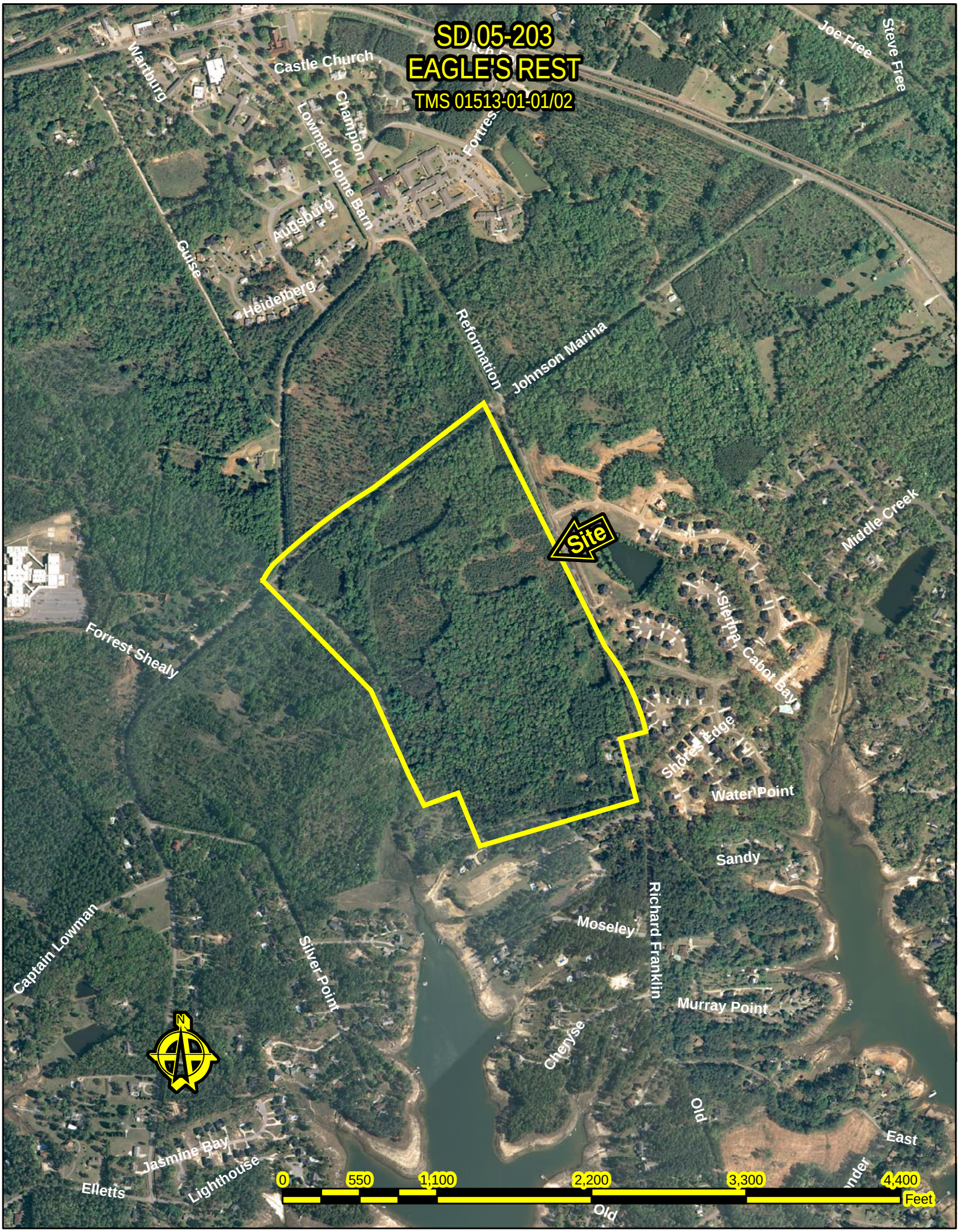
(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

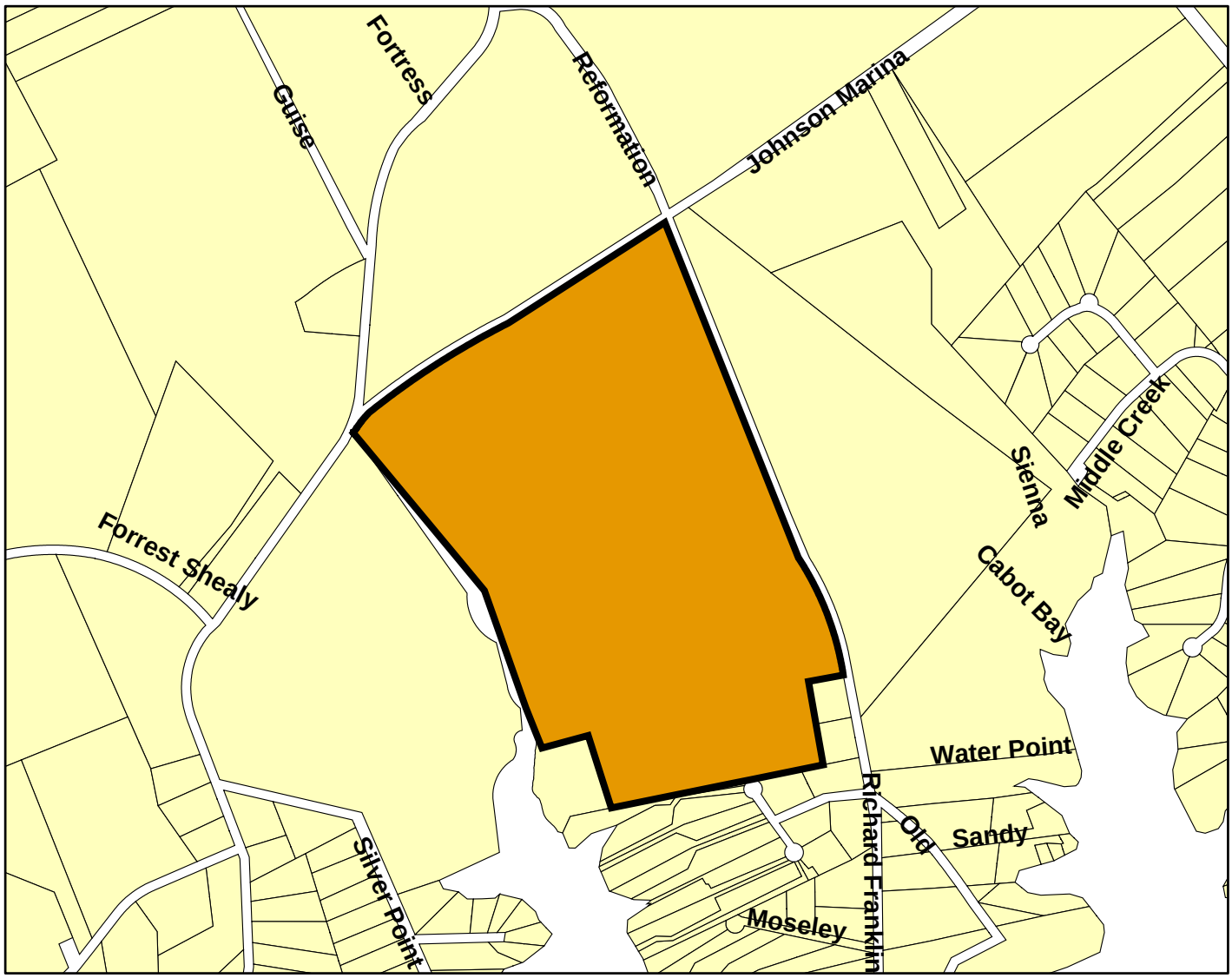
(c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.


SD 05-203
EAGLE'S REST
TMS 01513-01-01/02
Wartburg
Castle Church
Champion
Lowman Home Barn
Fortress
Joe Free
Steve Free
Augsburg
Guise
Heidelberg
Reformation
Johnson Marina
Site
Middle Creek
Sienna
Cabot Bay
Forrest Shealy
Shores Edge
Water Point
Sandy
Richard Franklin
Moseley
Silver Point
Captain Lowman
Murray Point
Cheryse
Old
East
Jasmine Bay
Lighthouse
Elletts
Old
0
550
1,100
2,200
3,300
4,400
Feet

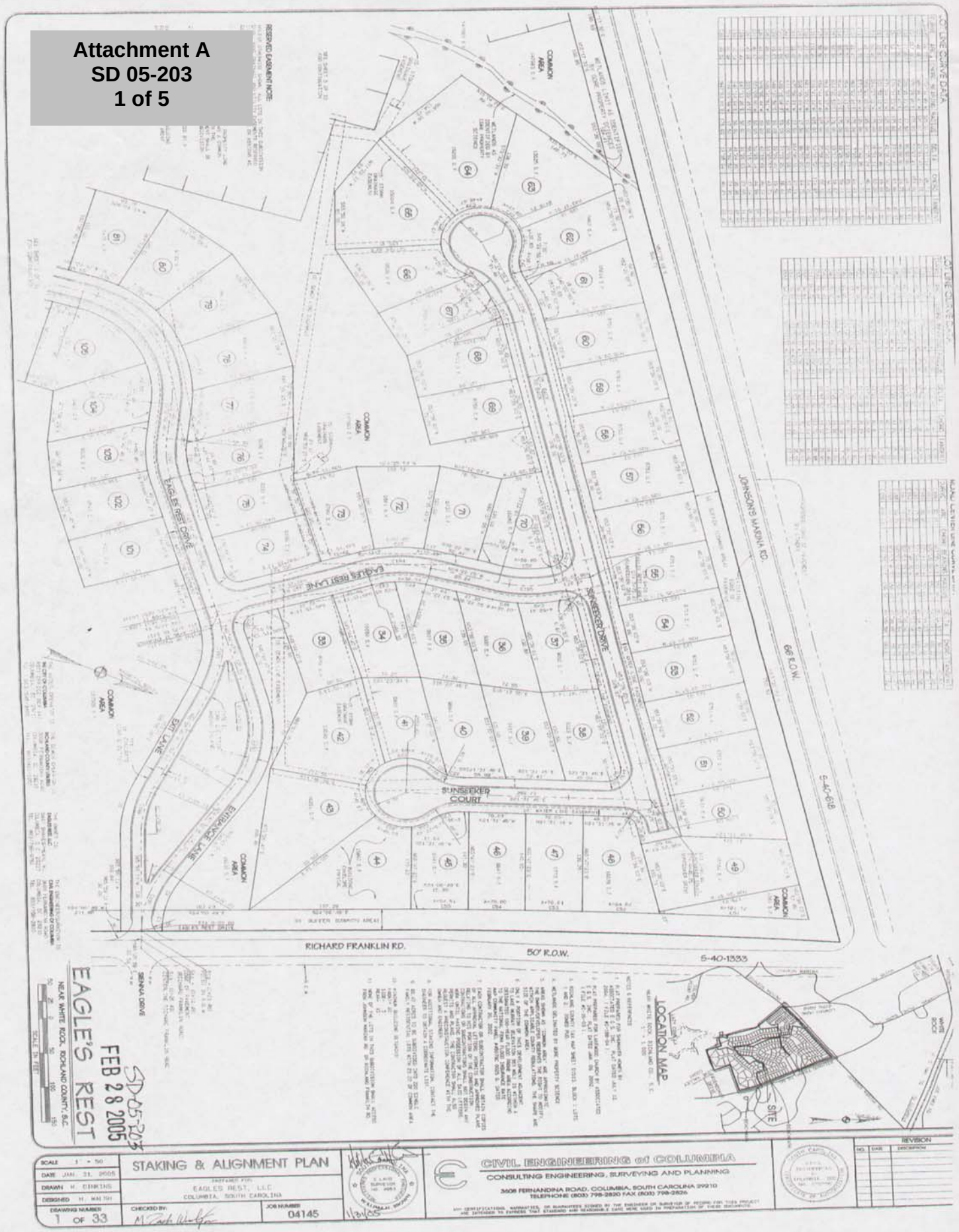
SD-05-203 EAGLE'S REST



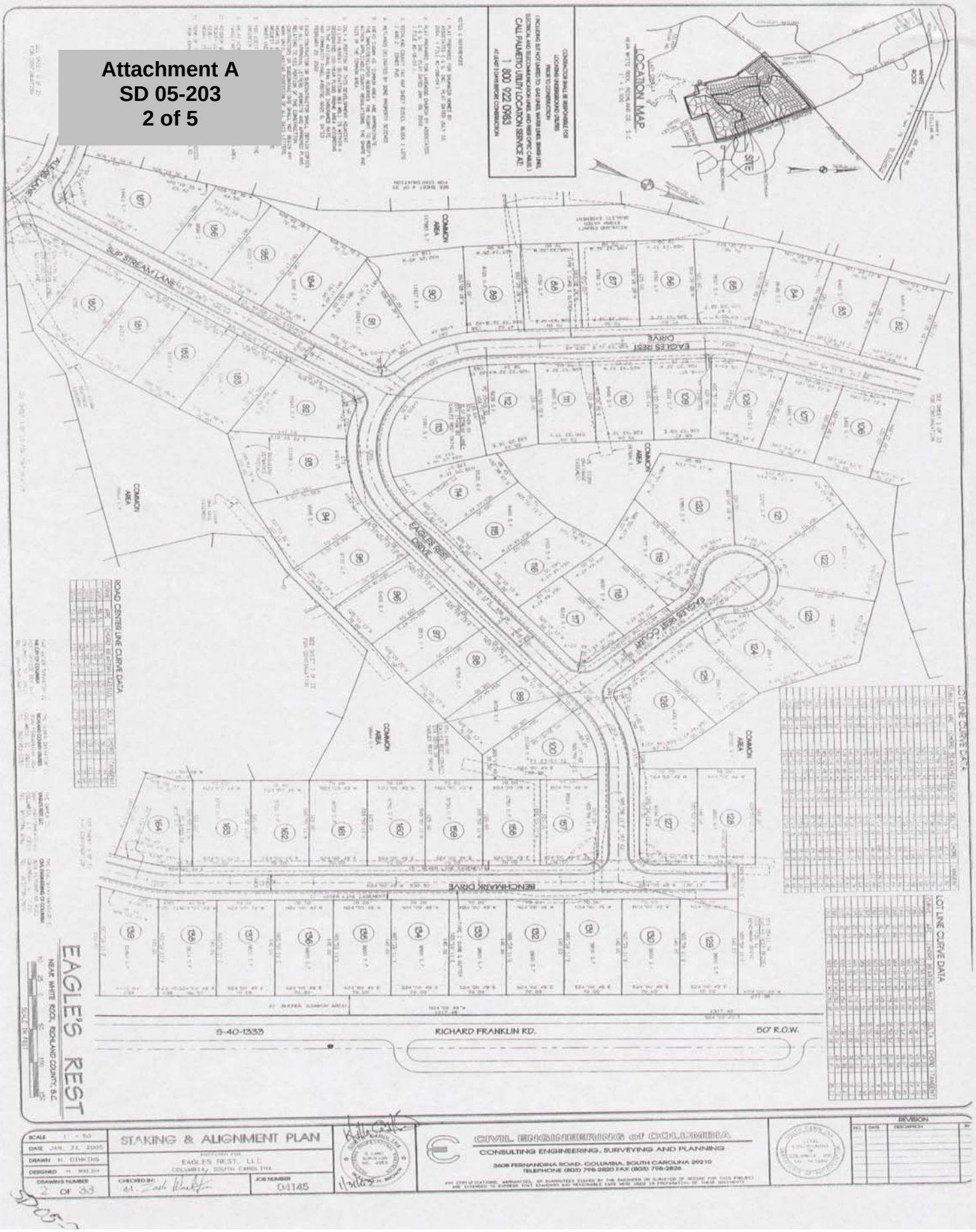
Looking interior of site

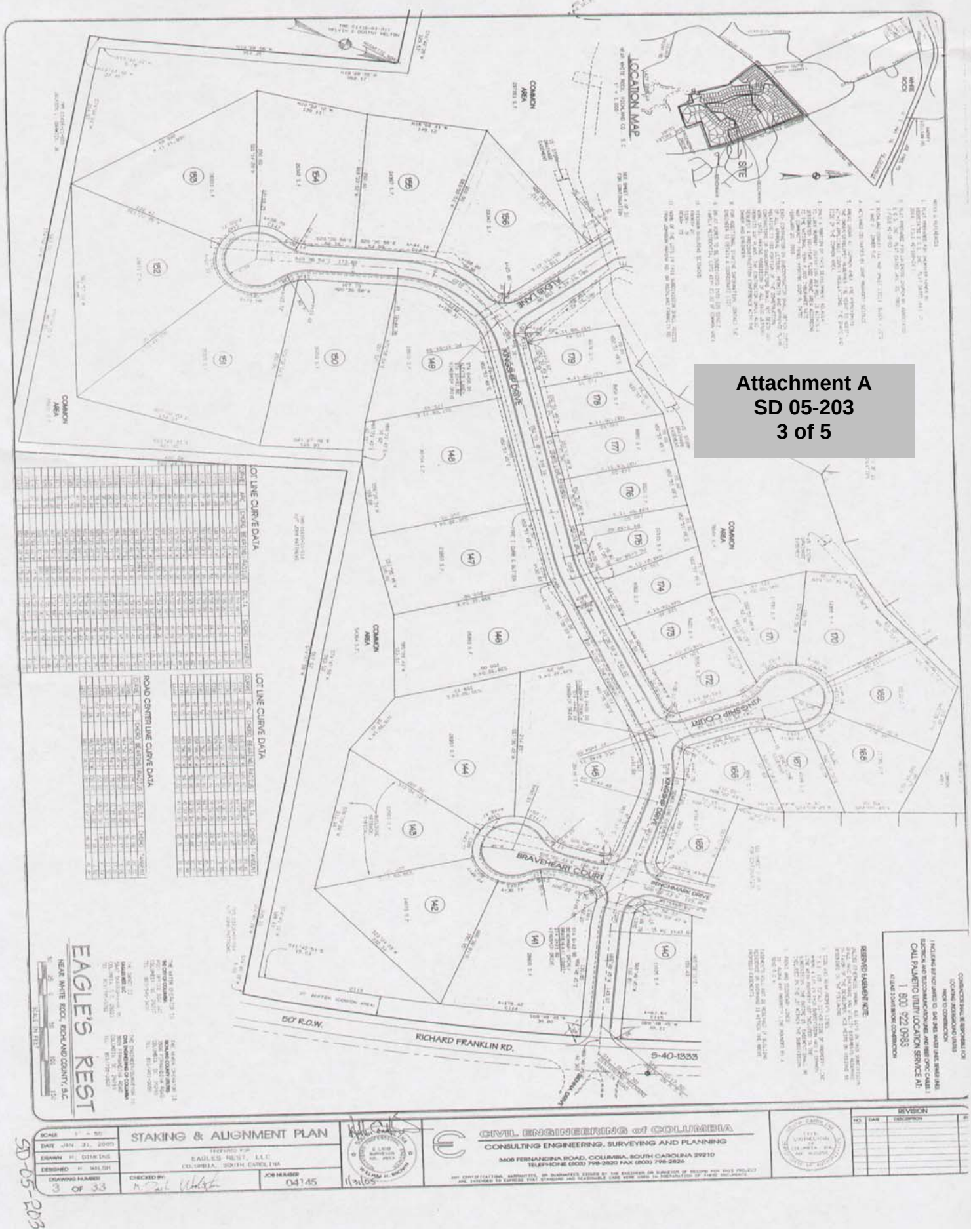
Looking at Lakeside @ Ballentine

Attachment A
SD 05-203
1 of 5

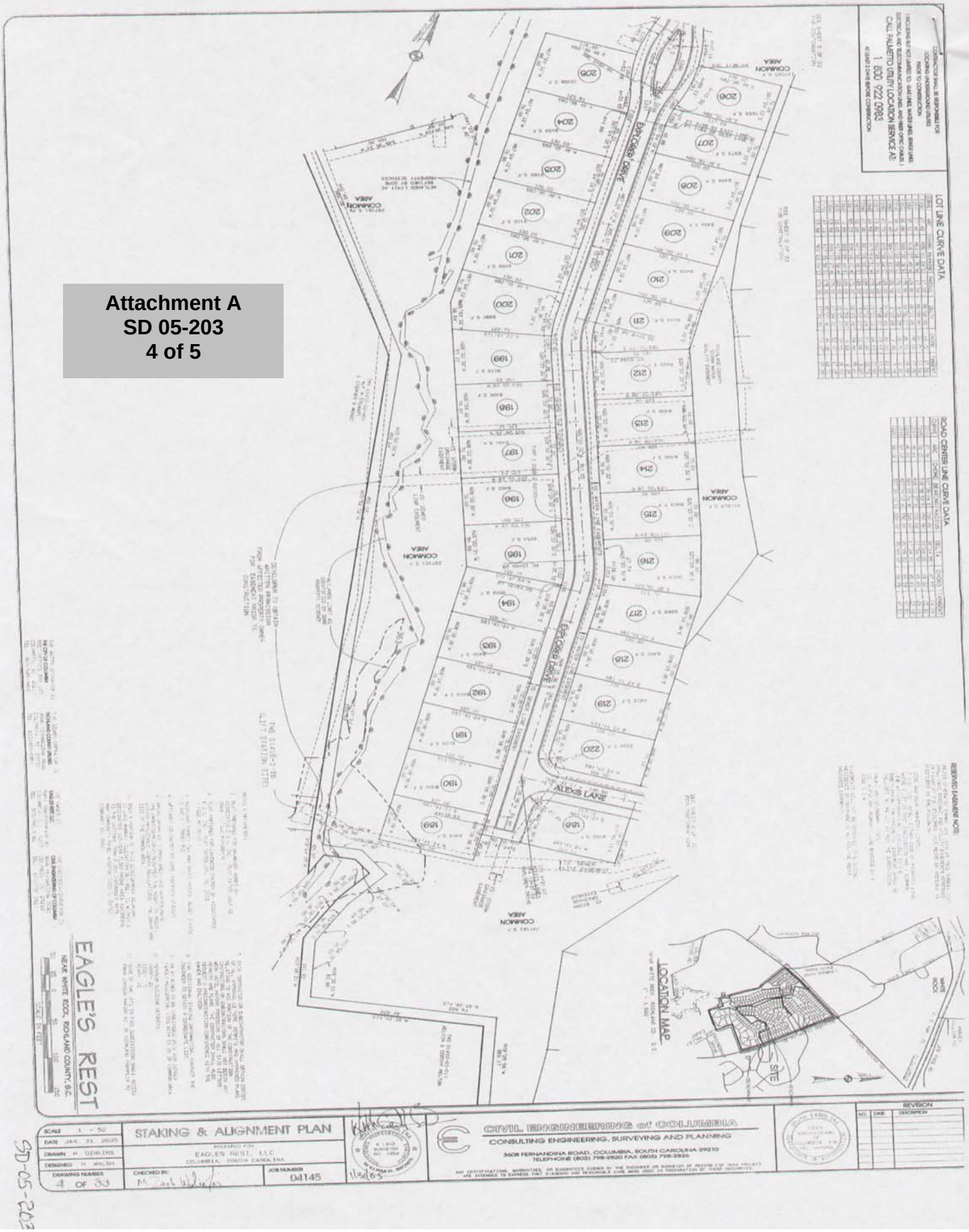


Attachment A
SD 05-203
2 of 5

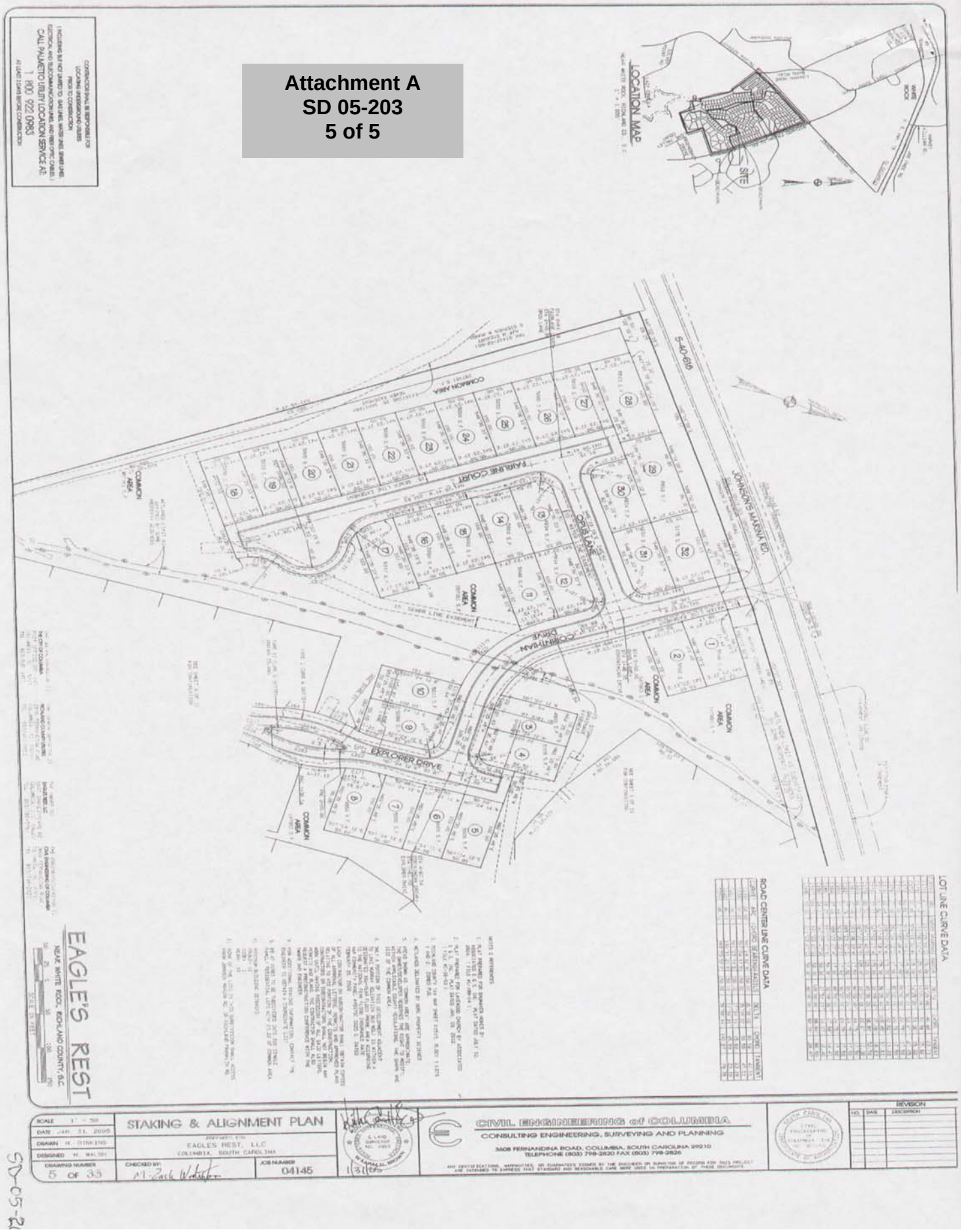



Attachment A
SD 05-203
3 of 5
LOCATION MAP
SITE
COMMON AREA
KINGSHIP DRIVE
KINGSHIP COURT
BRAVEHEART COURT
BENCHMARK DRIVE
RICHARD FRANKLIN RD.
50' R.O.W.
S-40-1333
LOT LINE CURVE DATA
ROAD CENTER LINE CURVE DATA
EAGLE'S REST
NEAR WHITE ROCK, RICHLAND COUNTY, S.C.
STAKING & ALIGNMENT PLAN
EAGLES REST, LLC
COLUMBIA, SOUTH CAROLINA
CIVIL ENGINEERING of COLUMBIA
CONSULTING ENGINEERING, SURVEYING AND PLANNING
3608 FERNANDINA ROAD, COLUMBIA, SOUTH CAROLINA 29210
TELEPHONE (803) 798-2820 FAX (803) 798-2826
DRAWING NUMBER
3 OF 33
JOB NUMBER
04145
REVISION
SD-05-203

Attachment A
SD 05-203
4 of 5



Attachment A
SD 05-203
5 of 5



SD-05-203

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

March 7, 2005

RC Project # 05-42 MA	**Applicant:** Charles Warrington
General Location: Intersection of Farrow Rd. (Hwy. 555) & Wilson Blvd. (Hwy. 21)	
Tax Map Number: 15000-04-01/02 & 17700-01-12 (p)	**Subject Area:** 2.19 ac MOL
Current Parcel Zoning: RU	**Proposed Parcel Zoning:** C-3
Proposed Use: Retail Sales & Office Space	**PC Sign Posting Date:** February 12, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change

For the continuance of retail sales and proposed office space

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Kathy's Labels for Less
Adjacent North	RU/PDD	Railroad Tracks and Single Family Residences across tracks
Adjacent East	PDD	Single Family Residences across railroad tracks
Adjacent South	RU	Undeveloped property, Wilson Blvd., railroad tracks
Adjacent West	RU	Undeveloped vacant land

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

RU Zoning Designation Intent	**Proposed C-3 Zoning Designation Intent**
Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas	Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries
Existing RU Zoning Permitted Uses	**Proposed C-3 Zoning Permitted Uses**
All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings	Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The adjacent parcels are all undeveloped. There is a non-conforming convenience store, approximately ¼ mile south of the subject site on the west side of Wilson Blvd. The proposed Amendment for commercial zoning is not compatible with the existing land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Wilson Boulevard (Hwy. 21)
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	922
Current Volume At The Nearest Count Station #137 Located @ Wilson Boulevard north of the site	8200
Estimated Traffic Count **With** the Proposed Project	9122
Volume-To-Capacity Ratio **With** The Proposed Project	**1.1**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed Amendment will cause the LOS C design capacity at count station #137 to be exceeded.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the I-77 Corridor Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process.

The Map designates the subject area as Industrial/Commercial/Technological in the Developing Urban area. The proposed C-3 zoning is consistent with the Proposed Land Use Map designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 39 respectively, are discussed below:

Objective – Establish commercial pockets or clusters as needed to serve the area.
There are existing commercial establishments and vacant commercially zoned parcels less than a mile to the south on Wilson Boulevard near the I-77 interchange. These uses are a restaurant, gas stations, a recent rezoning for a chiropractic office and various other commercial uses. The proposed Amendment **does not implement** this Objective.

Principle – Commercial and office activities should be confined to or expanded at cluster locations as opposed to strip development.
The subject site is not adjacent to existing commercial developments. Granting commercial zoning of any type would create a precedent for commercial strip zoning in direct opposition to this Principle. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues
The Wren Creek PUD at the southwest quadrant of I-77 and Wilson Blvd will include 24 acres of office space and 6 acres of retail space. A proposed mixed use development at the southeast quadrant of I-77 and Wilson Blvd would include 55 acres of commercial and light industrial development.

It is the Department's position that commercial development be limited to the area in the immediate vicinity of the I-77 interchange. The Department recommends that commercial zoning north of I-77 on Wilson Blvd should stop at approximately one mile north of the interchange, or about the location of case 05-47 MA located at 10425 Wilson Boulevard (TMS 15000-02-15).

The subject site is currently operating under a Special Exception (93-038 SE) from the Richland County Board of Zoning Appeals for the allowance of a commercial use under 5,000 sq. ft. The Special Exception limits the site's use to furniture sales, consignment shop, and produce sales.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-42 MA **not be changed** from RU to C-3.

Findings of Fact:

1. The proposed Amendment **is not compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Wilson Boulevard at this location **will be** exceeded.
3. The proposed Amendment is consistent with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
4. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

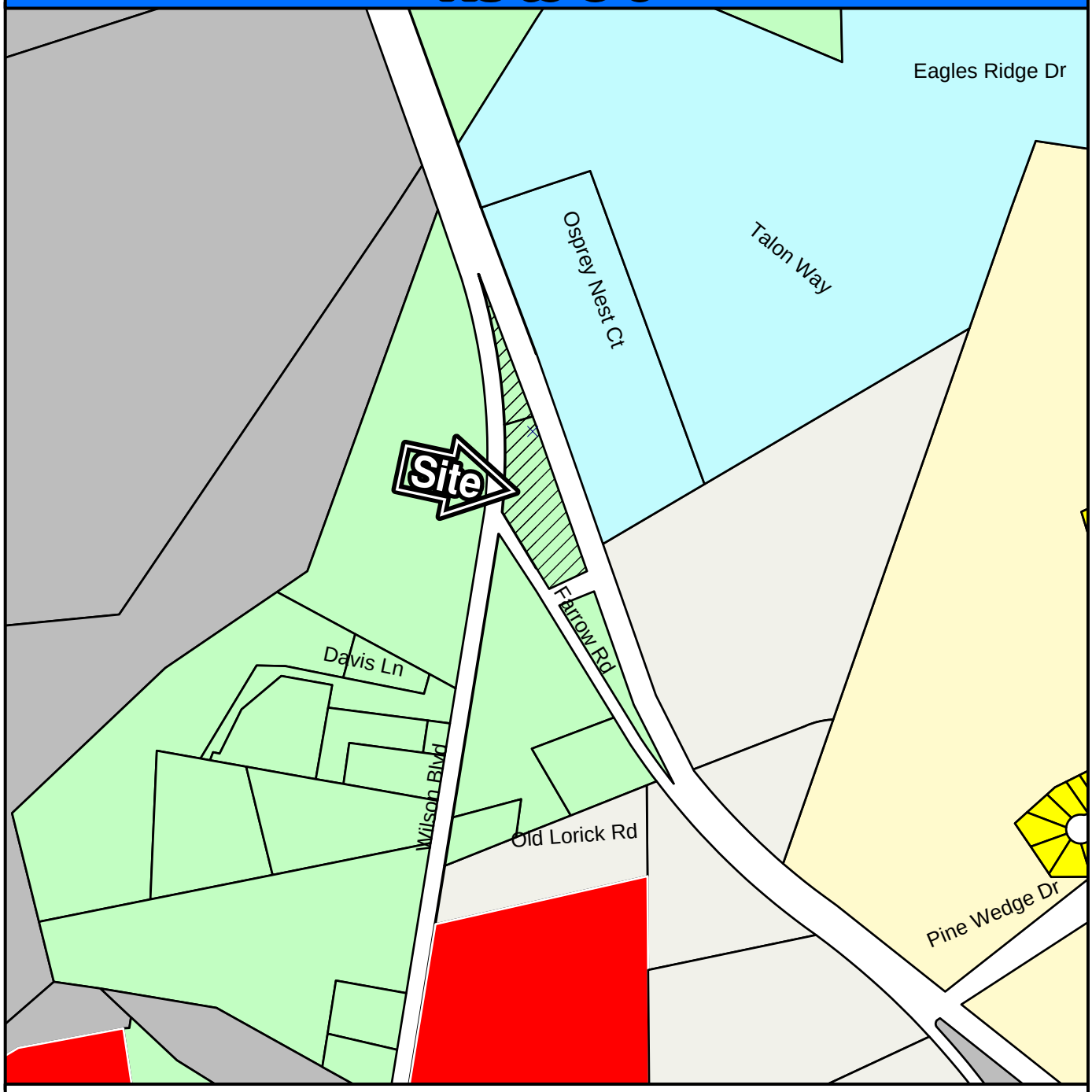
At their meeting of March 7, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-42 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-42 MA, the Planning Commission made the findings of fact summarized below:

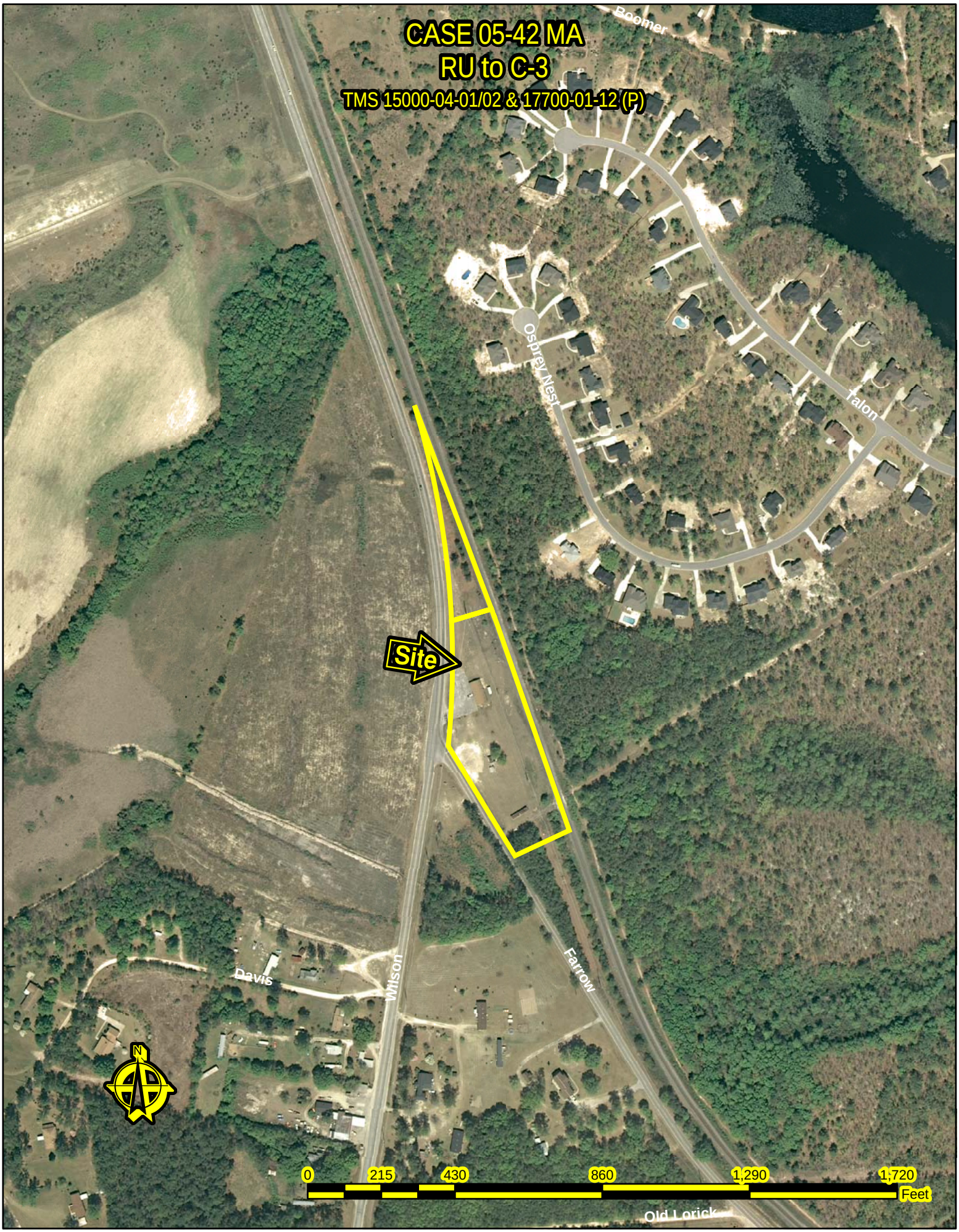
CASE 05-42 MA
RU to C-3



ZONING CLASSIFICATIONS

C-1	D-1	MH-1	PDD	RG-2	RS-2	
C-2	M-1	MH-2	PUD	RR	RS-3	
C-3	M-2	MH-3	RG-1	RS-1	RU	
					SUBJECT	

N


CASE 05-42 MA
RU to C-3
TMS 15000-04-01/02 & 17700-01-12 (P)
Boomer
Osprey Nest
Talon
Site
Davis
Wilson
Farrow
Old Lorick
0
215
430
860
1,290
1,720
Feet

CASE 05-42 MA
From RU to C-3

TMS# 15000-04-01/02 Intersection of Farrow Rd & Wilson Blvd.

Looking at site

Intersection of Wilson/Farrow Road

Legal description of Parcels A, A-l, & B

We request a zoning of”C-3”for the following parcel:

All that certain piece, parcel or tract of land, together with any improvements thereon, situate, lying and being near Blythewood, in the county of Richland and the state of South Carolina, containing 2.20 acres (total) and being described as follows. Beginning at an (N) ½” rebar on the eastern right-of-way of Farrow Road being 405.00 feet south of the centerline intersection of Wilson Blvd. (U.S. Hwy 21) and running along the right of way of Farrow Road N30°22’09”W for a distance of 100.04 feet to an (N) ½” rebar (being the division line between tracts A & B), thence continuing along the right-of-way of Farrow Road N30°22’09”W for a distance of 206.96 feet to an (N) ½” rebar, thence turning and continuing along a 100 foot site right-of-way of Farrow road and Wilson Blvd. (U.S. Hwy 21) N11°49’56”W for a distance of 189.62 feet to an (N) ½” rebar, thence turning and running along the right-of-way of Wilson Blvd. (U.S. Hwy 21) along a curve to the left said curve having a radius of 1936.18 feet, an arc length of 69.63 feet, a chord distance of 69.63 feet, an delta angle of 02°03’38” and a chord bearing of N04°11’40”W (being the division line between tracts A & A-1) to an (N) PK nail set in an asphalt drive, thence continuing along the right-of-way of Wilson Blvd. (U.S. Hwy 21) along a curve to the left said curve having a radius of 1936.18 feet, an arc length of 425.48 feet, a chord distance of 424.63 feet, an delta angle of 12°35’27” and a chord bearing of N03°07’52”W to an (N) ½” rebar on the right-of-way intersection of Wilson Blvd. (U.S. Hwy 21) and a 130 foot Southern Railway right-of-way, thence turning and running along the Southern Railway right-of-way S18°40’00”E for a distance of 410.47 feet to an (O) ½” iron pipe (being the division line between tracts A-1 & A), thence continuing along the Southern Railway right-of-way S18°40’00”E for a distance 426.47 feet to an (N) ½” rebar (being the division line of tracts A & B), thence continuing along the Southern Railway right-of-way S18°40’00”E for a distance of 102.53 feet to an (N) ½” rebar, thence turning and running S58°40’26”W for a distance of 103.59 feet to an (N) 1/2” rebar, said rebar being the point of beginning. This tract is 2.20 acres and is more particularly shown on a plat prepared for Charles Warrington by Belter & Associates, Inc. dated: December 27, 2003 and revised: January 06, 2005.

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-43 MA	**Applicant:** Highway 76 Associates
General Location: West Side of Hazelwood Road, approximately 1/4 mile north of US 378	
Tax Map Number: 19102-02-01	**Subject Area:** 6.7 ac MOL
Current Parcel Zoning: D-1	**Proposed Parcel Zoning:** RG-2 (up to 16 DU per acre)
Proposed Use: Develop medium density multi-family residences	**PC Sign Posting Date:** March 17, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change
Allow development of medium density apartments

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Undeveloped woodlands
Adjacent North	City	Columbia City Limits (New City Park)
Adjacent East	C-3	Single family residences
Adjacent South	D-1	Undeveloped woodlands
Adjacent West	City	Columbia City Limits (New City Park)

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

D-1 Zoning Designation Intent	**Proposed RG-2 Zoning Designation Intent**
Intended to provide for large tracts of land located on the fringe of urban growth where the predominant character of urban development has not yet been established	Intended as medium and high density residential areas permitting progressively higher population densities, characterized by single family detached units, duplex units, multi-family structures, garden apartments and high rise apartments
Existing D-1 Zoning Permitted Uses All types of agriculture and related uses Single family detached residences Parks, playgrounds & playfields Community service structures Places of worship Elementary & high schools Day care facilities Cemeteries Manufactured homes	**Proposed RG-2 Zoning Permitted Uses** Single family detached residences Multi-family residences Cluster Housing Developments Parallel zero lot line dwelling units Common zero lot line residential units High rise apartments (defined as greater than 35 feet in height)

The land uses above represent a summary of the permitted uses in Chapter 26-62 and Chapter 26-64, respectively of the County Code. Some Special Exception uses are also possible.

The proposed site is situated between a new City of Columbia park, an undeveloped site proposed for C-3 zoning (05-44 ma) and single family residences. The proposed RG-2 zoning could allow up to 16 DU/acre, or approximately 100 dwelling units on the subject parcel. RG-2 zoning is not compatible with the adjacent development because the adjacent residential development in the area is single-family detached residence.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Hazelwood Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	706
Current Volume At The Nearest Count Station # 374 Located @ just south of the site	4400
Estimated Traffic Count **With** the Proposed Project	5106
Volume-To-Capacity Ratio **With** The Proposed Project	**0.59**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented in on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, 6.6 ADTs times the possible number of multi-family dwelling units allowed, i.e., up to 16 DU/acre

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Lower Richland Subarea Proposed Land Use Map, the Map should be amended through the formal comprehensive plan amendment process. The Map designates the subject area as Residential in the Developing Urban Area.

The proposed RG-2 zoning is consistent with the Map designation as required by state statutes because it is a medium density residential project in an area designated for Residential land use. **Unfortunately, the Proposed Land Use Map did NOT establish ranges for low, medium or high density residential.** Therefore, it must be assumed that the subject area is designated for any density of residential development.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Lower Richland Subarea Plan, adopted in January 1992, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 33 and 40 respectively, are discussed below:

Objective – Buffer established areas from new, higher density uses through open areas and/or transitional land uses
The proposed Amendment to allow medium density residential development is directly contrary to this Objective. The proposed Amendment **implements** this Objective.

Principle – Established low density residential neighborhoods should be protected against penetration or encroachment from higher densities
The area to the east of Hazelwood Road is a well-established neighborhood of single family detached residences. The proposed RG-2 zoning would allow higher density residential encroachment into this established neighborhood. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues
It **may** be appropriate to change the zoning on a site in the future due to changing conditions around the vicinity of the site. A Zoning Map Amendment applicant has the burden of proof to demonstrate that the existing zoning is not appropriate for the subject site at this point in time.

The Department feels that the applicant has not provided any factual basis, such as statistics showing the lack of existing high-density residential zoned areas. Nor has the applicant provided data to justify the need for, or appropriateness of, high-density residential development on this portion of Hazelwood Road. Without such data, there is no compelling reason to recommend a high-density residential zoning intrusion onto this portion of Hazelwood Road.

Since the applicant is the authorized agent for the subject parcel and the adjacent parcel to the south, some consideration should be given to combining these parcels and resubmitting a new Zoning Map Amendment. Some other zoning classification that **may** be more acceptable than RG-2, provided some reasonable justification for changing the current D-1 zoning is submitted.

The Department encouraged the applicant to petition the City of Columbia for annexation because no water or sewer construction plans will be even be reviewed by the City for parcels adjacent to the existing city limits until the annexation is completed. The City's usual practice is to process the annexation petition, the zoning request and the site plan review somewhat simultaneously. Since no development can occur on this parcel without water and sewer service from the City of Columbia, this process results in a considerable time saving for developers.

The applicant argued that since there are no **current** plans to develop this site, or the adjacent site, at this time, there was no need to petition for annexation and chose not do so. The applicant's argument reinforces the Department's position that since no justification to change the current zoning has been provided, there is no need for a change in the existing zoning.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-43 MA **not be changed** from D-1 to RG-2.

Findings of Fact:

1. The applicant **has not provided sufficient factual information** to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Hazelwood Road at this location will not be exceeded.
4. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Lower Richland Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the cited Objectives and Recommendations of the Lower Richland Subarea Plan discussed herein.
6. The proposed Zoning Map Amendment **is not consistent** with the cited Recommendations of the Lower Richland Subarea Plan discussed herein.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council deny the proposed Amendment for RC Project # 05-43 MA at the next available opportunity.

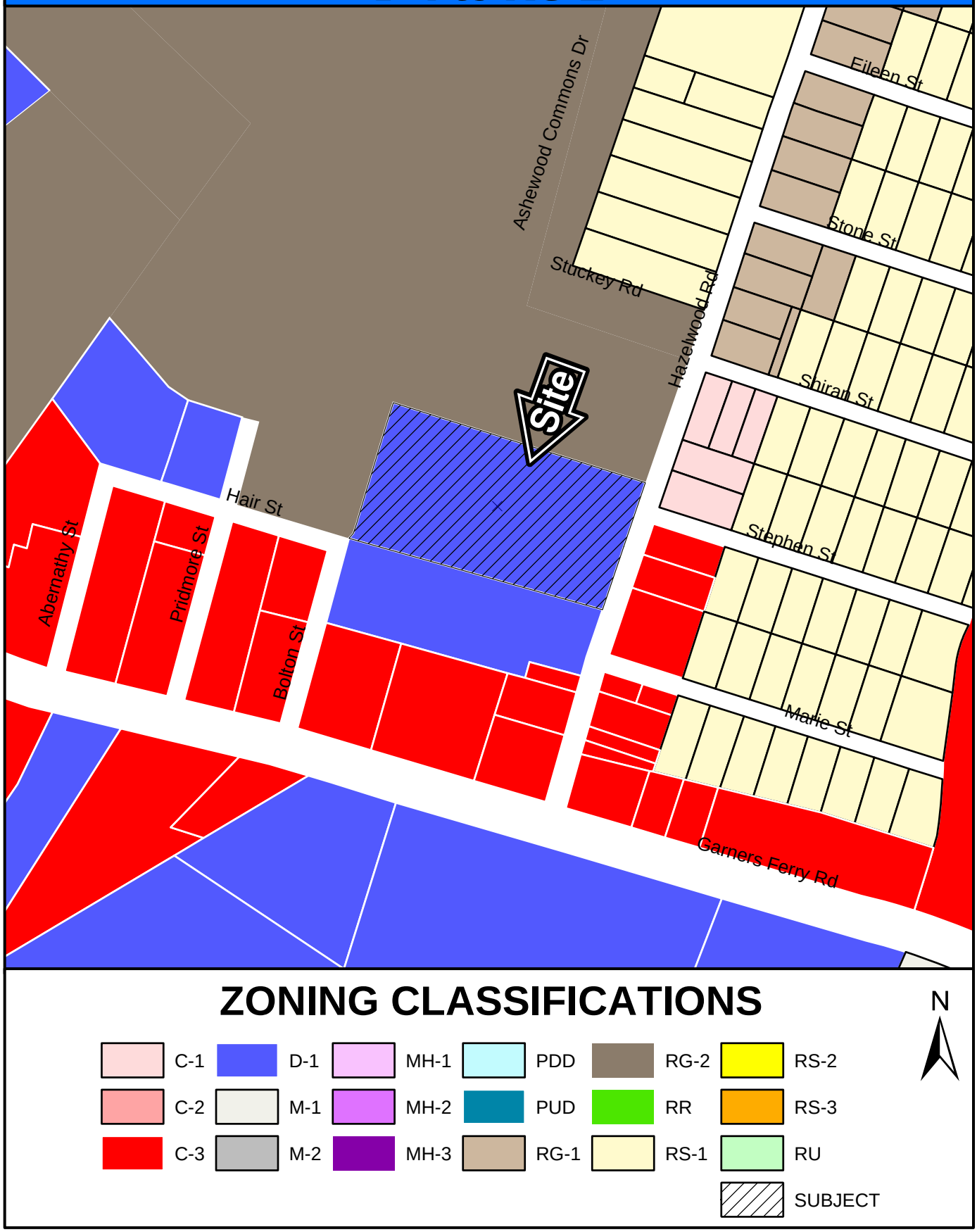
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-43 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-43 MA
D-1 to RG-2
TMS 19102-02-01
Site
Daphine
Gayle Pond
Silverleaf
Gwinn
Burdell
Terry
Hazelwood
Eileen
Ashlewood Townhomes
Stuckey
Stone
Shiran
Hair
Abernathy
Pridmore
Bolton
Stephen
Garners Ferry
Marie
Garners Ferry
Hallbrook
Pineview
0
285
570
1,140
1,710
2,280
Feet

CASE 05-43 MA
D-1 to RG-2



CASE 05-43 MA
From D-1 to RG-2

TMS# 19102-02-01 Hazelwood Dr. North of Garners Ferry Rd.

Looking across Hazelwood Rd from Site

Looking @ Site from across Hazelwood Road

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain piece, parcel and lot of land, with any improvements thereon, situate lying and being in the County of Richland, State of South Carolina, on the West side of Hazelwood Drive, just North of its intersection with Garners Ferry Road (U.S. Hwy. 76), containing 6.65 acres, more particularly shown and described on that certain plat prepared for McElveen - Graybill by Associated E&S, Inc., dated August 23, 2004, to be recorded in the Office of the Register of Deeds for Richland County (Record Book _____ at page _____), with metes, bounds, courses and distances, as they appear on the said plat, to wit:

Beginning at an iron pin constituting the southeasternmost corner of the property, said pin being set at the western boundary of the right-of-way for Hazelwood Drive approximately equidistant between the intersections of Marie Street and Stephen Drive with Hazelwood Drive, and from said corner running N 75°20'29" W for an aggregate distance of 755.29 feet to an iron pin at the eastern right-of-way boundary for Bolton Street, constituting the southwesternmost corner of the property; thence turning and running N 74°12'29" E for 11.54 feet to a n iron pin; thence turning and running N 16°53'15" E for a distance of 397.34 feet to an iron pin constituting the northwesternmost corner of the property; thence turning and running S 70°24'44" E for an aggregate distance of 763.66 feet to an iron pin set at the western boundary of of the right-of-way for Hazelwood Drive and constituting the northeasternmost corner of the property; thence turning and running along the said right-of-way S 19°35'45" W for a distance of 364.99 feet to the iron pin at the point of beginning.

TMS No. 19102-02-01

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-44 MA	**Applicant:** Highway 76 Associates
General Location: West Side of Hazelwood Road, approximately 1/4 mile north of US 378	
Tax Map Number: 19102-02-02	**Subject Area:** 2.6 ac MOL
Current Parcel Zoning: D-1	**Proposed Parcel Zoning:** C-3
Proposed Use: None identified	**PC Sign Posting Date:** March 17, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change
Future development of general commercial uses compatible with existing contiguous and proximate commercial uses

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Undeveloped woodlands
Adjacent North	D-1	Undeveloped woodlands
Adjacent East	C-3	Single family residences
Adjacent South	C-3	Convenience store, Edisto Gas Co and SCE&G office
Adjacent West	C-3/ City	Wrecker & Towing Service & New City Park

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

D-1 Zoning Designation Intent	**Proposed C-3 Zoning Designation Intent**
Intended to provide for large tracts of land located on the fringe of urban growth where the predominant character of urban development has not yet been established	Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries
Existing D-1 Zoning Permitted Uses All types of agriculture and related uses Single family detached residences Parks, playgrounds & playfields Community service structures Places of worship Elementary & high schools Day care facilities Cemeteries Manufactured homes	**Proposed C-3 Zoning Permitted Uses** Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses

The land uses above represent a summary of the permitted uses in Chapter 26-62 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The proposed site is situated between a new City of Columbia park, an undeveloped site proposed for RG-2 zoning (05-43 ma), single family residences and commercial development. C-3 zoning is not compatible with the adjacent development because it would allow a wide variety of land uses that are not compatible with the single-family detached neighborhood to the east.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Hazelwood Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	* 710
Current Volume At The Nearest Count Station # 374 Located @ just south of the site	4400
Estimated Traffic Count **With** the Proposed Project	5110
Volume-To-Capacity Ratio **With** The Proposed Project	**0.59**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented in the 5th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a general retail business found on page 1097 of the TGM times the proposed square footage of the use.

The proposed square footage of the subject site was determined by applying a FAR of 0.2 times 1.7 acres, or 14,800 sq. ft. of Gross Leaseable Area

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003, i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

***** Since it is not possible to estimate the traffic that could be generated by the use of the site for general commercial uses without a more specific identification of the actual proposed uses, **the estimate described above likely under-represents the possible traffic impact of the project**. For example, the TGM has factors for retail commercial use ranging from 4.8 trips per 1000 sq. ft for unspecified general commercial to 688 trips 1000 sq. ft for a drive-in restaurant to 1855 trips per 1000 sq. ft. GLA for a convenience store with gas pumps.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Lower Richland Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Residential in the Developing Urban Area.**

The proposed C-3 zoning is NOT consistent with the Map designation as required by state statutes because it is a commercial zoning. The zoning should be residential to be consistent with the Residential land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Lower Richland Subarea Plan, adopted in January 1992, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 33 and 40 respectively, are discussed below:

Objective – Provide areas with commercial and industrial facilities and services that are related to each other in an efficient manner, served by adequate infrastructure and readily accessible to the public

The proposed Amendment is adjacent to existing commercial facilities on the south and is readily accessible from Hazelwood Road. The projected traffic will not result in the LOS C of Hazelwood Road being exceeded. Public water and sewer services are available from the City of Columbia, **upon a petition for annexation and City Council approval of the petition.** The proposed Amendment **implements** this Objective.

Principle – Sites located on the fringe of residential which do not encroach or penetrate established neighborhoods and are in keeping with the general character of the area

Approval of the proposed Amendment would result in commercial zoning encroachment into a residential area. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

It **may** be appropriate to change the zoning on a site in the future due to changing conditions around the vicinity of the site. A Zoning Map Amendment applicant has the burden of proof to demonstrate that the existing zoning is not appropriate for the subject site at this point in time.

There are existing vacant, and marginally used, C-3 zoned parcels in the immediate area. For example, there is a vacant C-3 parcel at the corner of Hazelwood and Garners Ferry Road; a vacant C-3 parcel on Bolton Street; and two marginal used car lots on either side of Bolton Street at Garners Ferry Road. The C-3 zoned parcel directly across Hazelwood Road from the subject site is vacant, except for a residence used for storage.

The applicant has not provided any factual basis, such as statistics showing the lack of existing commercial zoned areas. Without such data, there is no compelling reason to recommend a general commercial intrusion into the adjacent residential area. Therefore, the existing demarcation between residential and commercial zoning should not be changed.

Since the applicant is the authorized agent for the subject parcel and the adjacent parcel to the north, some consideration should be given to combining these parcels and resubmitting a new Zoning Map Amendment. Some other zoning classification **may** be more acceptable than C-3, provided reasonable justification for changing the current D-1 zoning is developed.

The Department encouraged the applicant to petition the City of Columbia for annexation because no water or sewer construction plans will be even be reviewed by the City for parcels adjacent to the existing city limits until the annexation is completed. The City's usual practice is to process the annexation petition, the zoning request and the site plan review somewhat simultaneously. Since no development can occur on this parcel without water and sewer service from the City of Columbia, this process results in a considerable time saving for developers.

The applicant argued that since there are no **current** plans to develop this site, or the adjacent site, at this time, there was no need to petition for annexation and chose not do so. The applicant's argument reinforces the Department's position that since no justification to change the current zoning has been provided, there is no need for a change in the existing zoning.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-44 MA **not be changed** from D-1 to C-3.

Findings of Fact:

1. The applicant **has not provided sufficient factual information** to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Hazelwood Road at this location will not be exceeded.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Lower Richland Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the cited Objectives and Recommendations of the Lower Richland Subarea Plan discussed herein.
6. The proposed Zoning Map Amendment **is not consistent** with the cited Recommendations of the Lower Richland Subarea Plan discussed herein.
7. It is the Department's position that in order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the Lower Richland Subarea Plan should be amended, via the formal ordinance adoption process, to change the land use designation for the subject site to a residential land use designation.
8. In view of the fact that there are vacant C-3 zoned parcels along Garners Ferry Road are currently available for business opportunities, there is no reason to extend the existing commercial zoning northward along Hazelwood Road.
9. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council deny the proposed Amendment for RC Project # 05-44 MA at the next available opportunity.

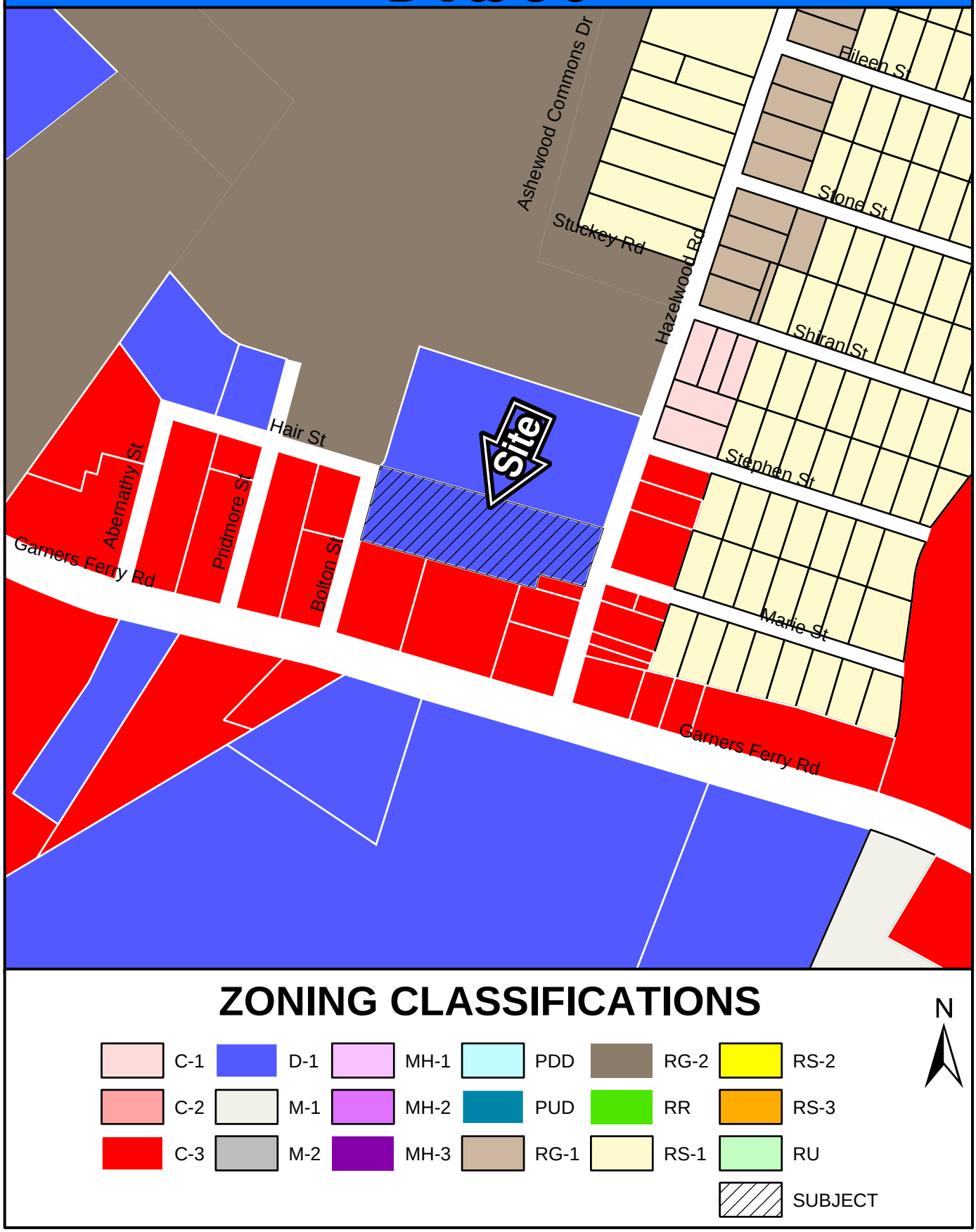
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-44 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-44 MA
D-1 to C-3
TMS 19102-02-02
Ashlewood Commons
Eileen
Stone
Stuckey
Hazelwood
Shiran
Hair
Site
Stephen
Abernathy
Pridmore
Garners Ferry
Bolton
Marie
Garners Ferry
N
0
235
470
940
1,410
1,880
Feet

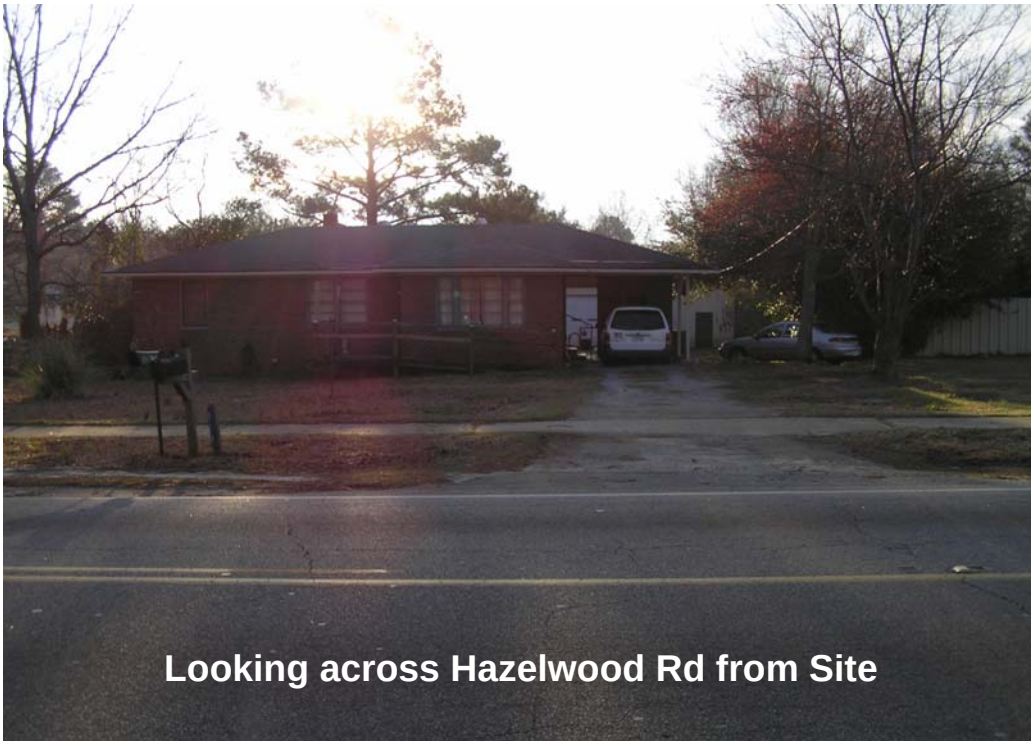
CASE 05-44 MA
D-1 to C-3



CASE 05-44 MA
From D-1 to C-3

TMS# 19102-02-02 Hazelwood Dr. North of Garners Ferry Rd.

Looking @ Site from across Hazelwood Road



Looking across Hazelwood Rd from Site

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain piece, parcel and lot of land, with any improvements thereon, situate lying and being in the County of Richland, State of South Carolina, on the West side of Hazelwood Drive, just North of its intersection with Garners Ferry Road (U.S. Hwy. 76), containing 2.57 acres, more particularly shown and described on that certain plat prepared for Highway 76 Associates by Associated E&S, Inc., dated August 23, 2004, to be recorded in the Office of the Register of Deeds for Richland County (Record Book _____ at page _____), with metes, bounds, courses and distances, as they appear on the said plat, to wit:

Beginning at an iron pin constituting the southeasternmost corner of the property, aligned with a projection of the North boundary of the intersection of Marie Street with said Hazelwood Drive, and from said corner pin running N 70°14'30" W,for 265.04 feet to an iron pin; thence turning and running S 19°45'30" W for 56.33 feet to an iron pin; thence turning and running N 72°45'00" W for 138.27 feet, thence N 72°56'13" W for 344.34 feet to an iron pin at the eastern right-of- way boundary for Bolton Street and constituting the southwesternmost corner of the property; thence turning and running along the said right-of-way N 17°07'55" E for 163.37 feet to an iron pin constituting the northwesternmost property corner; thence turning and running S 73°20'29" E for an aggregate distance of 755.29 feet to an iron pin set at the western boundary of the right-of-way for Hazelwood Drive and constituting the northeasternmost corner of the property; thence turning and running along said right-of-way S 19°33'31" W for 125.47 to the iron at the point of beginning.

TMS No. 19102-02-02

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-52 MA	**Applicant:** NKD. Inc./River Shoals
General Location: ¼ mile from intersection of Kennerly and O'Sheal Road	
Tax Map Number: 04300-04-10	**Subject Area:** 94.8 ac MOL
Current Parcel Zoning: RU	**Proposed Parcel Zoning:** PUD-1R
Proposed Use: 172 Residences with 45 acres of open space and recreation facilities – the gross density is 1.8 DU per acre	**PC Sign Posting Date:** March 2, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change
To create a residential community that preserves a substantial portion of the site in its natural condition

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	RU	Undeveloped woodlands and estate size single family residences
Adjacent East	RU	Broad River
Adjacent South	RU	Undeveloped woodlands and estate size single family residences
Adjacent West	RU	Undeveloped woodlands and estate size single family residences

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

RU Zoning Designation Intent	**Proposed PUD-1R Zoning Designation Intent**
Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas	To derive the benefits of efficiency, economy, and flexibility by encouraging unified development of large sites, while also obtaining the advantages of creative site design, improved appearance, compatibility of uses, optimum service by community facilities, and better functioning of vehicular access and circulation.
Existing RU Zoning Permitted Uses	**Proposed PUD-1R Zoning Permitted Uses**
All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings	Only those as depicted the General Development Plan dated 02/28/05 and attached hereto as Attachment B

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-70, respectively of the County Code. Some Special Exception uses are also possible.

The proposed project includes 172 residences, a neighborhood park, a community center along the Broad River, a possible fire station and 45 acres of mostly perimeter open space in conservation easements. The riverfront includes a buffer area for use by all the residents. The gross density of the site is 1.8 DU per acre. The proposed project is compatible with the rural character of the adjacent parcels.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice*(see below), the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Kennerly Road via O'sheal Raod
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	1,634
Current Volume At The Nearest Count Station #457 Located @south of site on Kennerly Road near Broad River Road	17,100
Estimated Traffic Count **With** the Proposed Project	18,734
Volume-To-Capacity Ratio **With** The Proposed Project	**2.28**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is calculated by multiplying the generation rate for a Single Family detached residence found on page 9 of the Addendum To The Long Range Major Street Plan for Richland County times the proposed number of dwelling units. (172 du's x 9.5)

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

*A traffic impact study dated March 9, 2005 prepared by Wilbur Smith Associates of Charleston, SC was provided to the Department with the PUD-1R submittal. Count stations located on the west side on Kennerly Road (between Pink Daily Road and SC 956 on Kennerly Road) hereafter known as count station #1 and one on the east side on Hollingshed Road hereafter known as count station #2 (between Dutch Drive and River Bottom Road on Hollingshed Road) were used in the study. When the 2005 peak hour traffic counts conducted for this study were converted to an Average Daily Trip (ADT) volume, the 2005 Kennerly Road ADT volume is about 1,400.

The O'Sheal Rd/Kennerly Rd intersection is about half-way in between the two count stations. The 1,400 ADT volume count falls about half-way between 700 (count station #1) and 3000 (count station #2) which indicates that as one travels northwest on Kennerly, traffic volumes gradually drop. The count station data was derived from 2003 SCDOT data.

The study also showed that the direction of approach for the site is as follows:

To/from the Northeast on Kennerly Road 10%
To/from the Southwest on Kennerly Road 90%

The traffic analysis identifies the O'Sheal Rd/Kennerly Road intersection operating at an overall LOS A during the weekday A.M. and P.M. peak hours. SCDOT standards for right turn delelaration lanes and left turn lanes were reviewed to determine if lanes were needed to accommodate site traffic on O'Sheal Road at the site drive. Based on the highest projected future paek hour right turn volume of about 110 vehicles, according to the SCDOT standards, a right turn lane would not be required at the site drive. Since there are no vehicles projected to turn left into the site, no left turn lane would be needed at the site drive.

The overall findings of the Traffic Impact Study are as follows:

- The site is projected to generate 130 A.M. new peak hour trips, 175 P.M. new peak hour trips, and 1,710 daily trips;
- Capacity analyses at the Kennerly Road /O'Sheal Road intersection determined the intersection will be able to adequately accommodate the site traffic and will continue to operate at high levels of service once the site is built out;
- No turn lanes will need to be constructed on O'Sheal Road to serve the site;
- The site-generated traffic will have a minimal impact on the area roadways given the multiple routes available to access I-26, Broad River Road and other destinations.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 4 mile radius of a fire station.

The proposed project has designated a one acre parcel in the project on Kennerly Road for a possible fire station site. If the Emergency Services Department declines the use of the site, it will remain as open space.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Northwest Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Residential Low Density in the Developing Urban area.**

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area.

The proposed Amendment provides for a variation in density compared to the adjacent area. The buffers surrounding the entire parcel enable the site to blend with the existing area comprised of woodlands and single-family residences on estate size lots. The gross density of the project is 1.8 DU per acre and the net residential density is 3.5 DU per acre. The proposed Amendment **implements** this Objective.

Objective – In areas with environmentally sensitive lands of limited infrastructure, low density development is encouraged.
The General Development Plan for the subject project was developed by a thorough analysis of the natural conditions and then taking advantage of those conditions to design the home sites and recreation facilities. In other words, the natural conditions dictated the amount of development rather than the usual reverse case typically presented o the County in PUD projects. The subject project clearly **implements** this Objective.

Principle – Established low-density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development.
The proposed project will result in a gross density of 1.8 dwelling units per acre, or approximately equivalent to ½ acre lots. The project will have 45 acres of conservation easements, mostly on the perimeter of the site. The proposed project is a spectacular example of how rural area can be developed while preserving a substantial portion of the site in its natural condition. The proposed Amendment **implements** this Principle.

Other Relevant Issues
One of the main concerns when dealing with a project of this nature is whether adequate infrastructure is in place, or will be in place, to support the proposal. The traffic analysis described above concluded that the existing road network will easily accommodate the proposed project, when completed.

The Dutch Fork High School and the Dutch Fork Middle School are located less than 2 miles from the subject site. A new elementary school is under consideration at the corner of Kennerly Road and Hollingshed Road.

Public water service is currently available in the area. New sewer lines are under consideration for extension to this portion of the County.

In contrast to virtually every other PUD submission the County has received in the last 3-4 years, this submission clearly demonstrates that careful planning and great deal of thought went into producing the presentation documents and, more importantly, into the actual construction of the project. For example, the applicant has provided sample street cross-sections for the various neighborhoods in the project.

The applicant has provided detailed descriptions of the proposed open space and on-site recreation areas. The General Development Plan reserves the riverfront area for the use of all the residents rather just a few expensive home sites. There are 2.8 miles of woodland trails throughout the site as well as a neighborhood park. The community center, including a swimming pool, is located along the riverfront.

The applicant has also completed conceptual plans (See pages 11 through 15 of the submission package) for each of the four different neighborhoods within the River Shoals community. The Town Lots area features 50 ft by 110 ft lots with alleys. The residential style will likely be zero lot line housing.

The Cottage Lots A area will have lots 62 to 68 feet wide on 110 fit lots. This area is located in the interior of the project.

The Cottage Lots B area will have similar lot widths deeper lots. This area is located adjacent to the woodland conservation area.

Another portion of the project will have slightly larger lots with lot widths of 70 to 75 feet and depths of 110 to 140 feet. This neighborhood is adjacent to the woodland conservation area.

The Manor Lots area will have 85 to 90 feet wide lots that range in depth from 120 to 140 feet. These lots are located closer to the river and will conservation easement along the rear of the lot.

The applicant has included extensive site development guidelines throughout the submission document. (See pages 16 through 28 of the submission document). There are numerous other exhibits that demonstrate the careful planning and analysis conducted by the applicant's consultant. Among them are the following:

1. Exhibit C shows the wetlands survey along the Broad River
2. Exhibit D is a slope analysis
3. Exhibit E is a generalized soils map
4. Exhibit F is the aerial view of the site
5. Exhibit L depicts some possible signage details

In summary, the applicant should be commended for the commitment to produce a superior project and a superior presentation of the plans for the project. The Department recommends this project and its presentation be used as the standard to all future PUD or PDD projects in the County.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-52 MA **be changed** from RU to PUD-1R.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Kennerly Road at SCDOT count station #457 is currently being exceeded, however, based on the Traffic Impact Study submitted the site intersection and vicinity is operating and will continue to operate at a LOS A.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
5. The Planning Commission hereby approves the General Development Plan dated 02/28/05 (*submitted as attachment B*), subject to the conditions listed below, as required by Chapter 26-70.15 of the County Code.

6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PUD Conditions

a) The Planning Commission approved the General Development Plan (Attachment B) prepared for River Shoals/Essex Homes except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and is incorporated herein by reference; and
b) The site development shall be limited to 172 dwelling units as depicted in (Attachment B), which is attached hereto; and
c) The applicant shall transmit a phasing plan to the Department prior to reviewing any construction plans; and
d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and
e) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes and is hereby approved for such purposes; and
f) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
g) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
h) The Planned Unit Development Guidelines dated February 2005 and described below, are authorized for application to the subject project; and

Site Organization	Page 19
Building Height, Setback and Minimum Lot Size	Pages 11-15
Street Standards	Page 6, 7, 22 & Exhibit G
Parking	Page 5,22-23
Community Open Spaces	Page 26-27
Landscaping and Fencing	Page 25,26-27
Storm Drainage	Page 23-25
Signage and Monumentation	Page 26

i) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
    1) Any increase in the number of access points to the external road network;
    2) Any decrease in the amount of open space/common areas;
    3) Any increase in the gross project density (measured in DU/acre or square footage/acre) and/or
    4) Any change in traffic flow; and

j) The Planning Commission is hereby authorized to make minor amendments, to Attachment B, or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
k) The PDSD is authorized to make minor adjustments to the phasing schedule and may become necessary during the project's construction; and
l) **No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSD issues a Controlled Clearing letter**; and
m) All internal streets shall be publicly owned and maintained by Richland County except as noted (Community Center cul-de-sac will be privately maintained); and shall be subject to the relevant Guidelines described above; and
n) Access to the subject site shall be limited to one intersection on O'Sheal Road; and
o) The applicant shall construct a landscaped berm, fence, wall, or some combination thereof, to ensure that no parcel in the project will have direct access onto O'Sheal Road or Harry Derrick Road; and
p) The applicant shall submit a draft description of proposed procedures of any homeowners association or other group maintenance or group ownership features for the Department's and inclusion in the project records; and
q) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.
r) Other conditions resulting from the Commission consideration?

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-52 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-52 MA, the Planning Commission made the findings of fact summarized below:

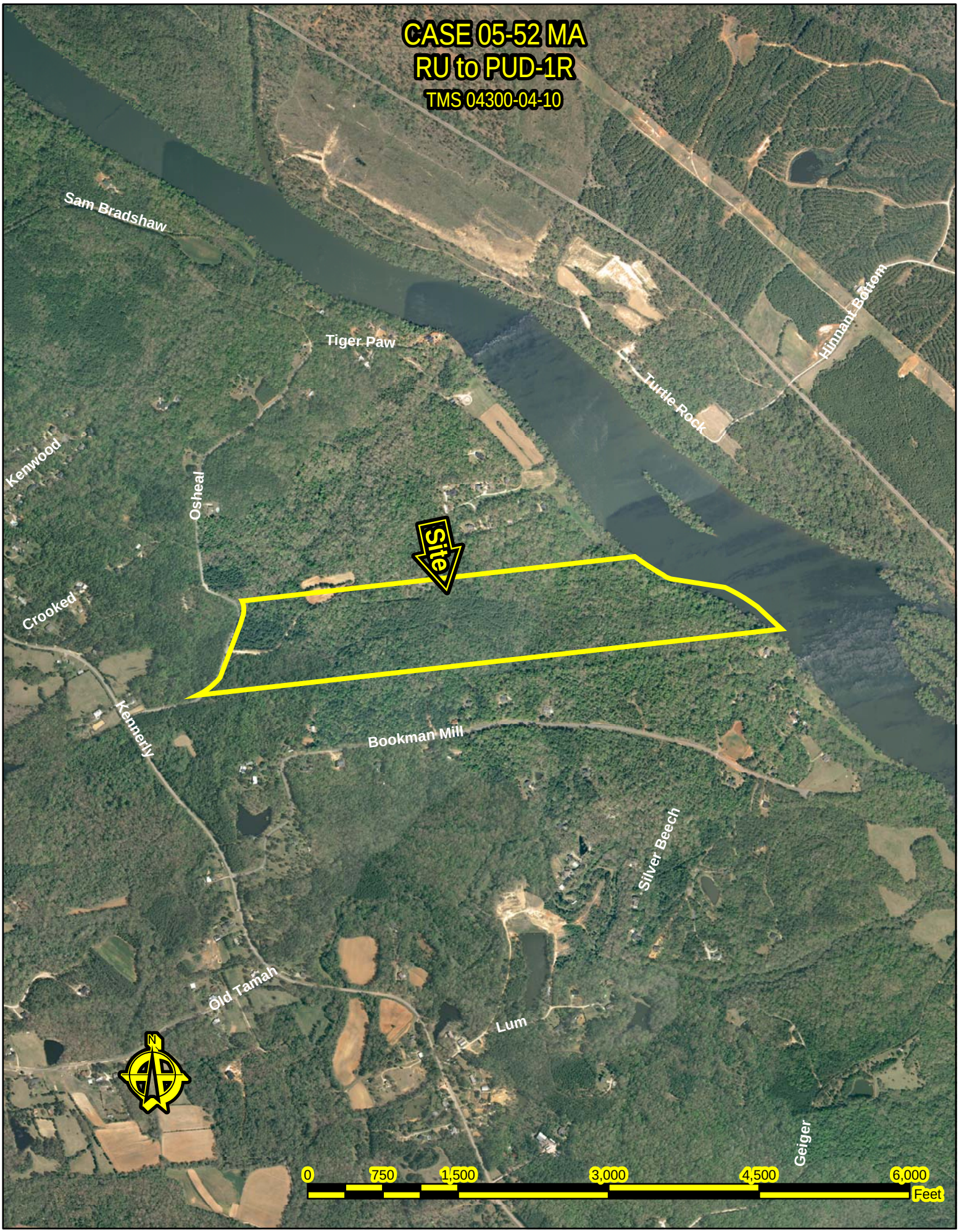
PUD SUBMISSION CHECKLIST

The following are the current requirements for submission of a Planned Unit Development project Zoning Map Amendment as described in Chapter 26-70.16 and 26-71.13 of the Richland County Code of Ordinances. The same submission requirements apply to both Chapters.

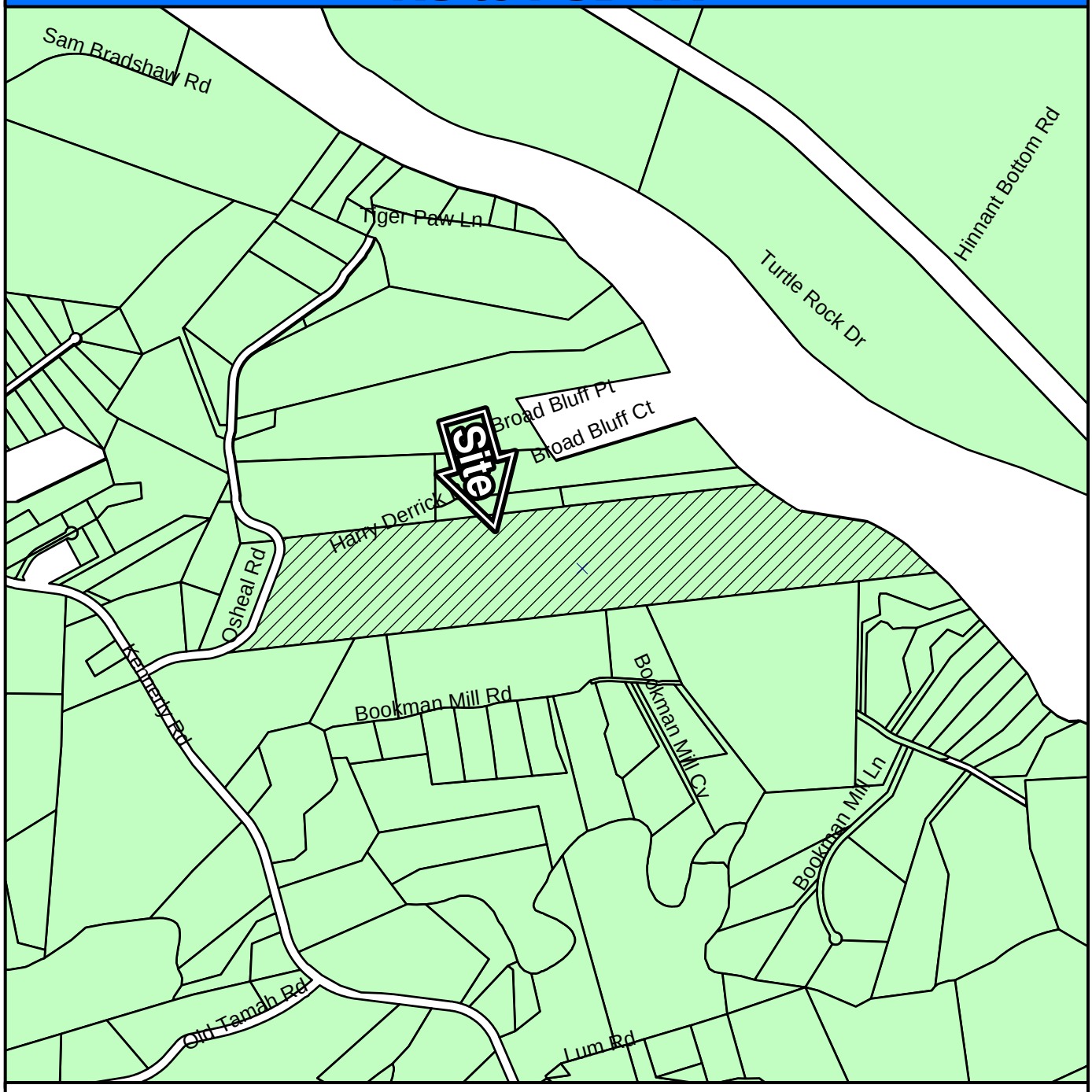
Project Number: 05-52MA **Applicant:** NKD Inc./River Shoals

TMS#: 04300-04-10 **General Location**: O'sheal/Kennerly Road

Chapter #	General Development Plan Requirements	Comply
26-70.16	Generalized drawing (s) for entire site showing the general development pattern, including relationship between the various uses	Pages 4-5
26-70.16 a	Statement of major project assumptions and objectives	Page 16
26-70.16 b	Statement of the range of percentages of the total area intended for residential, commercial industrial, open space, social/community uses & major streets and roads	Page 19
26-70.16 c	Statement of intended overall maximum dwelling unit density per acre	Page 18
26-70.16 d	Legal description	Pages 29-31
26-70.16 e	Total acres	Page 20
26-70.16 f	Tentative number of units of various types	Page 11-15, 18
26-70.16 g	Description of open space & community facilities & adequacy to serve the anticipated demand	Pages 26-27
26-70.16 h	Approximate timing of development by phase	Page 28
26-70.16 i	Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features	Addendum
26-70.16 j	Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review	PUD Plan


CASE 05-52 MA
RU to PUD-1R
TMS 04300-04-10
Sam Bradshaw
Tiger Paw
Turtle Rock
Hinnant Bottom
Kenwood
Osheal
Site
Crooked
Kennerly
Bookman Mill
Silver Beech
Old Tamah
Lum
Geiger
N
0
750
1,500
3,000
4,500
6,000
Feet

CASE 05-52 MA
RU to PUD-1R



ZONING CLASSIFICATIONS

N

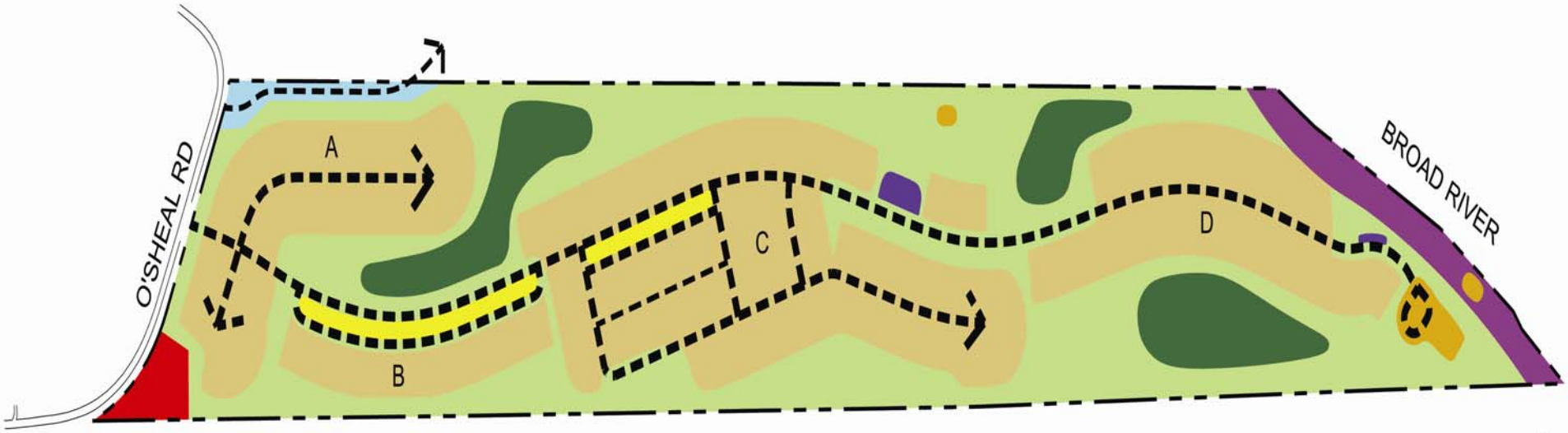
C-1	D-1	MH-1	PDD	RG-2	RS-2
C-2	M-1	MH-2	PUD	RR	RS-3
C-3	M-2	MH-3	RG-1	RS-1	RU
					SUBJECT

CASE 05-52 MA
From RU to PUD-1R

TMS# 04300-04-10 O'sheal Road ¼ mile from Kennerly Rd.

Intersection of Harry Derrick & O'sheal Road

Intersection of O'sheal & Kennerly Road



LEGEND & SITE DATA

- RIGHT OF WAY AREA & PARKING..... 12.366 acre
- PROPOSED HARRY DERRICK RIGHT OF WAY AREA..... 1.131 acre
- RESIDENTIAL AREA..... 33.923 acre
- "PARK AVENUE" COMMONS..... 1.645 acre
- PROPOSED FIRE STATION SITE..... 1.060 acre
- OPEN SPACE..... 44.671 acre
- COMMUNITY AMENITY AREA (PART OF OPEN SPACE)..... (0.832 acre)
- STORMWATER MANAGEMENT AREA (PART OF OPEN SPACE)..... (7.539 acre)
- RIVER BUFFER (PART OF OPEN SPACE)..... (3.040 acre)

TOTAL SITE AREA..... 94.804 acre

A ..... 8.385 acre

B ..... 2.980 acre

C ..... 15.848 acre

D ..... 10.558 acre

Attachment B
Case 05-52 MA

L E G A L D E S C R I P T I O N
O F P R O P E R T Y

Belter & Associates, Inc.

Professional Land Surveyors

144 Friarsgate Blvd. PO Box 731
Irmo, South Carolina 29063
(803) 732-4004 FAX (803) 732-2891

All that certain piece, parcel or tract of land, together with any improvements thereon, situate, lying and being near Columbia, in the county of Richland and the state of South Carolina, containing 94.804 acres and being described as follows. Beginning at an (N) ½" rebar on the eastern right-of-way of O'Sheal Road being 381.30 feet north of the right-of-way intersection of Harry Derrick Road (a 13' wide rock and gravel road) and running along the property of Harry J. and Doris W. Derrick N85°20'38"E for a distance of 635.49 feet to an (O) 5/8" iron pipe, thence turning and continuing along the property of Harry J. and Doris W. Derrick and Don S. and D. Sharlene Turner N85°10'25"E for a distance of 1331.05 feet to an (O) ¾" iron pipe, thence turning and continuing along the property of Don S. and D. Sharlene Turner and Jan D. Conley N84°55'07"E for a distance of 252.17 feet to an (O) 5/8" rebar, thence turning and running along the property of Jan D. Conley N85°00'33"E for a distance of 279.07 feet to an (O) 20" Oak Tree with hacks, thence turning and continuing along the property of Jan D. Conley N85°52'51"E for a distance of 495.74 feet to an (O) 18" Hickory Tree with hacks, thence turning and continuing along the property of Jan D. Conley N85°12'49"E for a distance of 1191.74 feet to an (O) 1" iron pipe (1' tall) on top of the bank of the Broad River, thence turning and running along the Broad River the following courses and distances, S62°34'31"E for a distance of 184.80 feet to an (N) ½" rebar, thence turning and continuing S68°14'31"E for a distance of 209.88 feet to an (N) ½" rebar, thence turning and continuing S67°24'31"E for a distance of 354.42 feet to an (N) ½" rebar, thence turning and continuing S59°04'31"E for a distance of 360.36 feet to an (N) ½" rebar, thence turning and running S41°49'31"E for a distance 56.10 feet to an (N) ½" rebar thence turning an continuing S55°51'22"E for a distance of 218.36 feet to an (O) 2" iron pipe thence turning and running along the property of J.R. Sikes & Kathy S. Sikes S83°42'53"W for a distance of 719.36 feet to an (O) 1" iron pipe thence turning and running along the property of John Mervyn Derrick & Judy Thigpen S83°28'57"W for a distance of 1626.03 feet to an (o) flat blade (3' tall), thence turning and running along the property of Ralph T. Scurry S84°20'00"w for a distance of 368.71 feet to an (O) 5/8" rebar thence turning and running along the property of Stephen M. &

Kimberly R. Holland S84°20’22”W for a distance of 200.01 feet to an (O) 5/8”

“ L E G A L D E S C R I P T I O N
C O N T I N U E D ”

rebar, thence turning and running along the property of Otis L. & Linda J. Eddings S84°20’51”W for a distance of 173.98 feet to an (O) 5/8” rebar, thence turning and continuing along the property of Otis L. & Linda J. Eddings S84°18’47”W for a distance of 164.23 feet to an (O) 5/8” rebar, thence turning and running along the property of Stewart J. & Ann F. Oseman S84°21’46”W for a distance of 160.24 feet to an (O) 5/8” rebar, thence turning and running along the property of James A. & Gordon R. Hipp S84°21’30”W for a distance of 1042.34 feet to an (O) 1-1/4” iron pipe, thence turning and running along the property of Eva Bragg Wilbur S84°35’53”W for a distance of 222.84 feet to an (O) 1-1/4” iron pipe, thence turning and running along the property of Carolyn Derrick Kibler S84°30’32”W for a distance of 1208.88 feet to an (N) ½” rebar on the right-of-way of O’Sheal road, thence turning and continuing along the right-of-way of O’Sheal road along a curve to the left said curve having an radius of 510.47 feet, an arc length of 413.15 feet a chord distance of 401.96 feet, an delta angle of 46°22’20” and a chord bearing of N42°15’08”E to an (N) ½” rebar, thence continuing along the right-of-way of O’Sheal road N19°04’45”E for a distance of 583.72’ to an (N) ½” rebar, thence continuing along the right-of-way of O’Sheal road along a curve to the left said curve having a radius of 149.79 feet, an arc length of 63.03 feet a chord distance of 62.57 feet, an delta angle of 24°06’59” and a chord bearing of N08°25’44”E to an (N) ½” rebar, said rebar being the point of beginning. This act is 94.804 acres and is more particularly shown on a plat prepared for NKD, Inc. by Belter & Associates, Inc. dated: November 24, 2004 and revised: December 20, 2004

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-45 MA	**Applicant:** Walter Taylor & Associates
General Location: Southeast Quadrant of I-77 & Wilson Blvd	
Tax Map Number: 14900-04-01; 14800-02-22/23/02	**Subject Area:** 154.6 ac MOL
Current Parcel Zoning: RU & PUD-1C	**Proposed Parcel Zoning:** PUD-1R
Proposed Use: Mixed Use Industrial, Commercial, Multifamily and Single Family Residential	**PC Sign Posting Date:** March 18, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

(a) The need and justification for the changes.
(b) The effect of the change, if any, on the property and on surrounding properties.
(c) The amount of land in the general area having the same classification as that requested.
(d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change

Develop a mixed use light industrial, commercial and residential development

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU & PUD-1C	Vacant woodlands
Adjacent North	NAp	I-77
Adjacent East	NAp	I-77
Adjacent South	RU	Single family residences
Adjacent West	RU	Undeveloped woodlands & single family residences

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

RU Zoning Designation Intent Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas	**Proposed PUD 1R Zoning Designation Intent** Intended to accommodate primarily residential uses, with nonresidential uses integrated into the design of such districts as secondary uses
Existing RU Zoning Permitted Uses All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings	**Proposed PUD-1R Zoning Permitted Uses** Limited the types, amounts and locations of land uses specified in the General Development Plan

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-70, respectively of the County Code. Some Special Exception uses are also possible.

The site is located on a major interstate highway interchange. A proposed planned unit development project located across Wilson Blvd will include 400 single-family dwelling units, a high school and 30 acres of commercial development. Another 202 dwelling unit project is proposed across Wilson Blvd from the subject site. A total of 878 dwelling units have been approved for construction, or are under construction within one mile of the subject site.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Wilson Blvd
Functional Classification Of This Roadway	Four lane divided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**19,600**
Estimated Traffic Generated By The Proposed Project	12,327
Current Volume At The Nearest Count Station # 135 Located @ 3 miles south of the site on Wilson Blvd	** 5600
Estimated Traffic Count **With** the Proposed Project	17,927
Volume-To-Capacity Ratio **With** The Proposed Project	**0.91**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates in the 5th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

****** The subject project, by itself, will not result in the LOS C being exceeded at SCDOT count station # 135. Although the traffic count at SCDOT station 135 is not very relevant to the subject project since it is located 3 miles south of the subject site. The vast majority of the traffic generated in this area will likely go north to I-77.

The table below provides the estimated traffic that will be generated by existing and proposed projects within one mile of I-77 and Wilson Blvd. In summary, **there will be a minimum of 38,300 average daily trips on this portion of Wilson Blvd when these projects buildout.**

Wilson Blvd – Turkey Farm Area Traffic

Project Name	Ord. #	Development Type		Proj. ADTs
Wren Creek	16-04	400 Residences		4850
Wren Creek HS	16-04	High School	(1)	2800
Wren Creek - Office	16-04	24 acres office		4680
Wren Creek - Retail	16-04	6 acres retail	(2)	2510
Stonington	NAv	201 residences		1910
Stonington - Comm	NAv	10 acres general retail commercial	(3)	4181
Beasley Creek S/D	App'd	235 residences		2755
Kerry Lee S/D	App'd	42 residences		399
Taylor PUD - MF	prop.	558 multifamily residences		3683
Taylor PUD - SF	prop.	342 single family residences		3249
Taylor PUD - Nonresid	prop.	55.2 acres commercial/industrial	(4)	5395
Hawkins Crk PUD	prop.	202 single family residences		1919
Total				**38,331**

Notes:
(a) assumed 2000 students @ 1.4 ADTs/student – pg. 778 TGM
(b) 6 acres = 261,360 * 0.2 FAR = 52,272 @ 48 ADTs/1000 sq. ft. GLA = 2510
(c) 10 acres = 435,600 * 0.2 FAR = 87,120 @ 48 ADTs / 1000 sq. ft. GLA = 4181
(d) See Taylor PUD – Nonresidential calculations below

It is possible to estimate the number of jobs that could be created by the subject project by applying accepted ratios of jobs per acre of non-residential land use. Applying this technique to the subject site results in an estimated employment of between 992 to 1733 new jobs, depending on the final split between the amount of commercial and light industrial land uses. **The traffic estimated discussed above assumed an even split in the amount of area used for light industrial and commercial land uses, i.e., 1330 new commercial & light industrial jobs.**

Lt. Industrial	TGM Pg.	Project Acres	Jobs	ADTs/Job	Est. ADTs
16.7 employees/ acre	82	55.2	922	3.0	2766
51.8 ADTS/acre	101	55.2	-----	--------	2860
Business Park					
31.4 employees/acre	1080	55.2	1733	4.6	7973
159.8 ADTs/acre	1091	55.2	------	----------	8821
50/50 Split					
16.7 employees/ acre	82	27.0	451	3.0	1351
31.4 employees/acre	1080	28.0	879	4.6	4044
Jobs Split Total			**1330**		**5395**
51.8 ADTS/acre	101	27.0	-----	-------	1399
159.8 ADTS/acre	1091	28.0	-----	-------	4474
Acres Split Total					**5873**

Note:
The Wilbur Smith & Associates traffic study for the original project (04-25 MA) estimated 21,450 ADTs at buildout with no residential land uses. The maximum estimated traffic under the new plan is 8821+ 3249 + 3683 = 15,735, or using an employment base is 3249 + 3683 + 5395 = 12,327

Fire Service Impacts
The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine a response time. The project is located within a 3 mile radius of a fire station.

Relationship To Comprehensive Plan
It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the I-77 Corridor Subarea Proposed Land Use Map, the Map should be amended through the formal comprehensive plan amendment process.

The Map designates the subject area as Industrial/Commercial/Technological (ICT) in the Developing Urban area. The proposed project is consistent with this land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31, 39 and 40 respectively, are discussed below:

Objective – Encourage the development and location of industrial uses in those areas identified by the Plan, and where possible protect such areas with industrial zoning
The Proposed Land Use Map designates the subject area for industrial, commercial and/or technological development. The proposed Amendment implements this Objective.

Objective – Accommodate in certain planned higher density residential areas, a full range of housing opportunities, to meet the various needs of area residents
The proposed project includes 900 dwelling units. The table below compares the residential density of the subject project with projects in the area.

Even though the Subarea Plan does not designate any residential land uses for this area, high-density residential development adjacent to an interstate highway interchange is an appropriate land use. The proposed Amendment implements this Objective.

Turkey Creek – Wilson Blvd Residential Projects Density Comparison

Project Name	Gross Project Density *	Net Residential Density **
Wren Creek PUD	1.1 DU/ac (400 DU / 367 acres) (ave. 39,600 sq. ft lots)	2.3 DU/ac (400 DU / 176 acres) (ave. 18,900 sq. ft. lots)
Stonington PUD	1.2 DU/ac (201 DU / 165 acres) (ave. 36,300 sq. ft. lots)	1.7 DU/ac (201 DU / 118 acres) (ave. 25,600 sq. ft. lots)
Kerry Lee PUD	1.7 DU/ac (42 DU / 25 acres) (ave. 25,623 sq. ft. lots)	2.6 DU/ac (42 DU / 16.3 acres) (ave. 16,700 sq. ft. lots)
Beasley Ck Est. PUD	2.8 DU/ac (235 DU / 83 acres) (ave. 15,557 sq. ft. lots)	3.9 DU/ac (235 DU / 60.3 acres) (ave. 11,100 sq. ft. lots)
Hawkins Creek PUD (proposed)	3.9 DU/ac. (202 DU / 52.3 acres) (ave. 12,100 sq. ft lots)	4.2 DU/ac (202 DU / 48.6 acres) (ave. 10,370 sq. ft. lots)
Walter Taylor PUD (proposed)	5.8 DU/ac (900 DU / 154.6 acres) (NAp)	9.1 DU/ac. (900 DU / 99.4 acres) (NAp)

* Gross Project Density = total dwelling units / total acres
** Net Residential Density = total dwelling units / acres devoted to residential use

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map
See the discussion above. The proposed Amendment implements this Principle.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters and/or locations on the Proposed Land Use Map
The subject site is designated for commercial, industrial and/or technological development. The proposed Amendment implements this Principle.

Principle – In general, industrial activities should be confined to or expanded at existing clusters and/or locations on the Proposed Land Use Map
See the discussion above. The proposed Amendment implements this Principle.

Other Relevant Issues
The Department believes that, if this mixed-use project is properly planned and executed in a high quality manner, it will become significant focal point for development in the I-77 corridor. Should the project not be executed in a well–planned manner, an opportunity for a major economic development catalyst in the northern part of the County will be lost. **It is critical for the County to carefully manage the site's development to ensure this opportunity isn't lost.**

The Wilson Blvd/Turkey Farm Road area has been zoned for up to 878 new dwelling units within the last year and a half. If all the existing, and proposed projects, discussed above are developed as planned, there will be almost 2000 dwelling units located with a one mile of the I-77/Wilson Blvd interchange. There will also be more than 2000 on-site residents.

The proposed location of the entrances to the site seem to be randomly placed. It appears that the applicant assumed that because the previous PUD was granted four entrances to Wilson Blvd, those entrance locations would also apply for the new project. The proposed Amendment is a new project and should be evaluated as such without regard to the current PUD conditions.

The Department has repeatedly stated that there is no need to line up any entrance with Dunwoody Place on the west side of Wilson Blvd. Dunwoody Place is essentially a long unpaved driveway for three residences. The E-911 system require a roadway to be named when it has three or more residences on it.

In addition, there is no rationale for the third Wilson Blvd entrance loop road in the single family residential portion of the site. This portion of the project is planned to have 342 single family detached residences that will generate an estimated 3249 average daily vehicle trips. The Marthan Road entrance and the entrance opposite the Hawkins Branch PUD are more than adequate for this amount of traffic.

A complete traffic impact assessment and management plan is desperately needed for this area. The effects of the approved, and planned, development for a one mile radius around the Wilson Blvd and Turkey Farm Road intersection needs to be accurately assessed; needed improvements identified by specific timeframes; and measures initiated to finance the required improvements. The scope of this effort is far beyond the Department staff's technical ability.

The non-residential portion of the subject project could generate between 900 and 1700 new jobs, depending on the final amount of light industrial and general commercial development that occurs. Employment opportunities of this magnitude will likely more than double the current employment in the I-77/Wilson Blvd interchange area. The new employment opportunities created by the proposed project are a significant economic development achievement for the County as a whole and the I-77 corridor in particular.

The site is located around the headwater wetlands of the Hawkins Branch system. Hawkins Branch flows southwestward through the proposed Hawkins Branch PUD to Beasely Creek. Beasely Creek is a major tributary of the Crane Creek system that flows into the Broad River near I-20.

Chapter 26-70.16 (g) of the County Code (*the PUD General Development Plan requirements*) states the General Development Plan must, among other things, include a "…Description of open space and community facilities and adequacy thereof to serve the anticipate demand…" The General Development Plan diagram on page 9 does not specifically depict any open space and/or recreation facilities for the project. In fact, the nonresidential portion of this diagram graphically suggests that the Branch's wetlands will be developed in some manner. The application material makes vague statements about open space areas, but provides no specific proposals for their use nor identifies measures for their protection.

Various statements in the application material seem to support the idea that little thought has been given to real open space protection and/or on-site recreation opportunities. Examples of such statements are provided below:

(a) Page 12 "…Note: Open spaces to equal a minimum of 10 % are included in the above acreage (*referring to the land use acreage table*)…"

(b) Page 8 "…Green spaces will be throughout all 3 uses and will be identified as the Development Plans translate into preliminary, engineering drawings, refined after rezoning is received. However, at least 10 % of the entire tract that will be dedicated entirely to green space with the majority of this 10% within and along the Hawkins Branch Corridors. Hawkins Branch provides a valuable buffer between land uses and will be preserved…"

(c) Page 13 "…At least 10 % of the total acreage will be dedicated totally to open space, recreation and enjoyment of the residents and users of the facilities…But, additional open space acreage will include recreation complexes for the multifamily and single family…This means that market conditions, wetlands (if present), site conditions, and user's desires may determine that considerably more than 10 % is programmed into open spaces. Wetland will not account for more than 50 % of the open space…"

The Department strongly recommends that the non-residential portion of the project be developed and marketed as a regional office park with limited interstate highway oriented land uses and that the light industrial land uses be eliminated. There will be a minimum of 2000 residences within a mile of the subject site within the next 3 to 5 years. Within a 5 mile radius of the subject site, there will be at least an additional 2000 to 3000 residences in approximately the same timeframe. The new high school across Wilson Blvd should be open in 5 to 7 years.

There is little need for additional light industrial zoned parcels in this area at this time. The Northpoint Industrial park has vacant parcels available for development. The industrial area across I-77 between Farrow Road and I-77 has many parcels available for industrial land uses. The former Lucent Technologies site, approximately a mile north of the subject site on Wilson Blvd, is currently vacant.

Appendix D of the application package presents the permitted land uses for the non-residential portion of the project. This list is a simple regurgitation of the existing C-3 and M-1 permitted land uses. The Department has repeatedly requested PUD applicants to focus the marketing of non-residential land uses to a relatively small number.

The PUD process is intended to give developers great flexibility in the specific project design and site development requirements that occur in exchange for more control over the type and quality of development that occurs. Past experience has shown that unless PUD land uses are significantly limited, incompatible and/or inappropriate land uses will usurp the ability to have coordinated development of this key interstate interchange. The Department recommends that the proposed land uses in Appendix D be eliminated and that the permitted land use for the non-residential portion of the project be limited to the following:

1. Professional offices of all types
2. Eating and drinking establishments, including drive-in facilities
3. Hotels and motels
4. Commercial indoor recreation and entertainment establishments
5. Medical, dental and health related offices
6. Interstate highway oriented retail establishments

The applicant has provided a draft of the Deeds, Restrictions and Covenants for the single-family residential portion of the project. This information will be kept in the project records.

Planned unit development projects, particularly in the non-residential portions, typically institute some type of overall project design restrictions such as street lighting, signage standards, landscaping standards and architectural controls. The industrial park PUD on Monticello Road includes extensive provisions in this regard. The submitted application material does not include any such provisions.

The Department recommends the applicant and/or the developer, at a minimum, include the site development requirements described below. These standards are very similar to ones required for the Windy Hill Industrial Park on Monticello Road

a) Parking should be prohibited on all the principal access roads; **and**
b) Street trees and ground cover should be installed within the right-of-way along the principal access road on a phase by phase basis; **and**
c) Street light should be installed along at least the principal access roads on a phase by phase basis; **and**
d) Some type of coordinated signage program should be established for each portion of the project; **and**
e) The non-residential and multi-family portions of the project should establish minimum setbacks from the principal access roads; **and**
f) Parking should be prohibited in the front setback area of the non-residential portions of the project.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-45 MA **be changed** from RU & PUD-1C to PUD-1R, subject to the conditions described below:

Findings of Fact:

1. The applicant has provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The traffic analysis shows that the LOS C traffic capacity of Wilson Blvd at this location will not be exceeded. However, there will be a minimum of 38,000 average daily trips on this portion of Wilson Blvd when the approved projects in the area buildout.
3. The proposed Amendment is consistent with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
4. The proposed Zoning Map Amendment is consistent with the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
5. The Planning Commission hereby approves the General Development Plan (*applicants I-77/US 21 Mixed Use PUD exhibit*), as revised March 15, 2005, subject to the conditions listed below, as required by Chapter 26-70.15 of the County Code.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PUD Conditions

a) The Planning Commission approved the General Development Plan submitted on March 15, 2005, except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and is incorporated herein by reference; and

b) The site development shall be limited to 558 multi-family dwelling units; 342 single family dwelling units; and 55.2 acres of the non-residential portion of the project be limited to the used listed herein and located in Attachment B, attached hereto:
   1. Professional offices of all types
   2. Eating and drinking establishments, including drive-in facilities
   3. Hotels and motels
   4. Commercial indoor recreation and entertainment establishments
   5. Medical, dental and health related offices

c) The applicant shall transmit a phasing plan for the single family residential portions of the project to the Department prior to reviewing any construction plans; and

d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and

e) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and

f) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and

g) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
   1) Any increase in the number of access points to the external road network;
   2) Any decrease in the amount of open space/common areas;
   3) Any increase in the gross project density (measured in DU/acre or square footage/acre) and/or
   4) Any change in traffic flow; and

h) The Planning Commission is hereby authorized to make minor amendments to Attachment B or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and

i) The PDSD is authorized to make minor adjustments to the phasing schedule and may become necessary during the project's construction; and

j) **No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSD issues a Controlled Clearing Certificate letter**; and

k) The applicant shall dedicate to Richland County 30 feet of right-of-way along the east side of Wilson Blvd along the two lane section of the Blvd prior to recording any plats for any portion of the project; and

l) All internal streets shall be publicly owned and maintained by Richland County; and

m) The access to all development sites shall be limited to the internal roadway network; and

n) Unless recommended by a traffic impact assessment & management plan prepared by a recognized professional traffic consultant to the contrary, the access to the subject site shall be limited to an entrance opposite Community Road; an entrance opposite Turkey Farm Road; an entrance opposite the Hawkins Branch PUD entrance; and an entrance on Marthan Drive; and

o) The Department recommends the applicant and/or the developer, at a minimum, include the site development requirements described below. These standards are very similar to ones required for the Windy Hill Industrial Park on Monticello Road

    1) Parking should be prohibited on all the principal access roads; and
    2) Street trees and ground cover should be installed within the right-of-way along the principal access road on a phase by phase basis; and
    3) Street light should be installed along at least the principal access roads on a phase by phase basis; and
    4) Some type of coordinated signage program should be established for each portion of the project; and
    5) The non-residential and multi-family portions of the project should establish minimum setbacks from the principal access roads; and
    6) Parking should be prohibited in the front setback area of the non-residential portions of the project.

p) The developer shall pay the costs associated with construction of any necessary acceleration, deceleration lanes or turn lanes required by the SCDOT; and

q) The applicant has submitted a draft description of proposed procedures of any homeowners association or other group maintenance or group ownership features for the Department's review and inclusion in the project records; and

r) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest; and

s) All the conditions above shall apply to the applicant, the developer and/or their successors in interest.

t) Other conditions resulting from the Commission consideration ?

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-45 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-45 MA, the Planning Commission made the findings of fact summarized below:

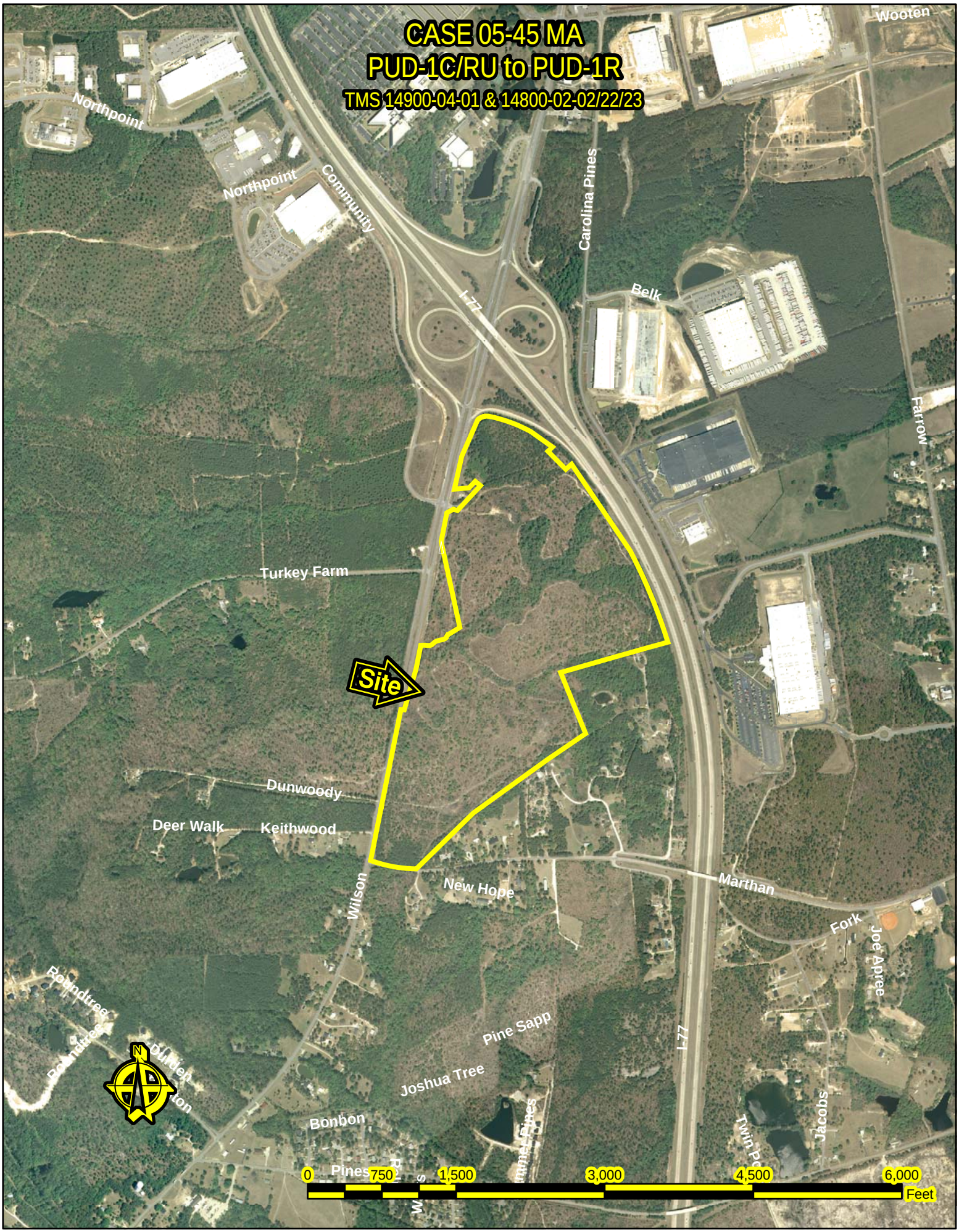
PUD SUBMISSION CHECKLIST

The following are the current requirements for submission of a Planned Unit Development project Zoning Map Amendment as described in Chapter 26-70.16 and 26-71.13 of the Richland County Code of Ordinances. The same submission requirements apply to both Chapters.

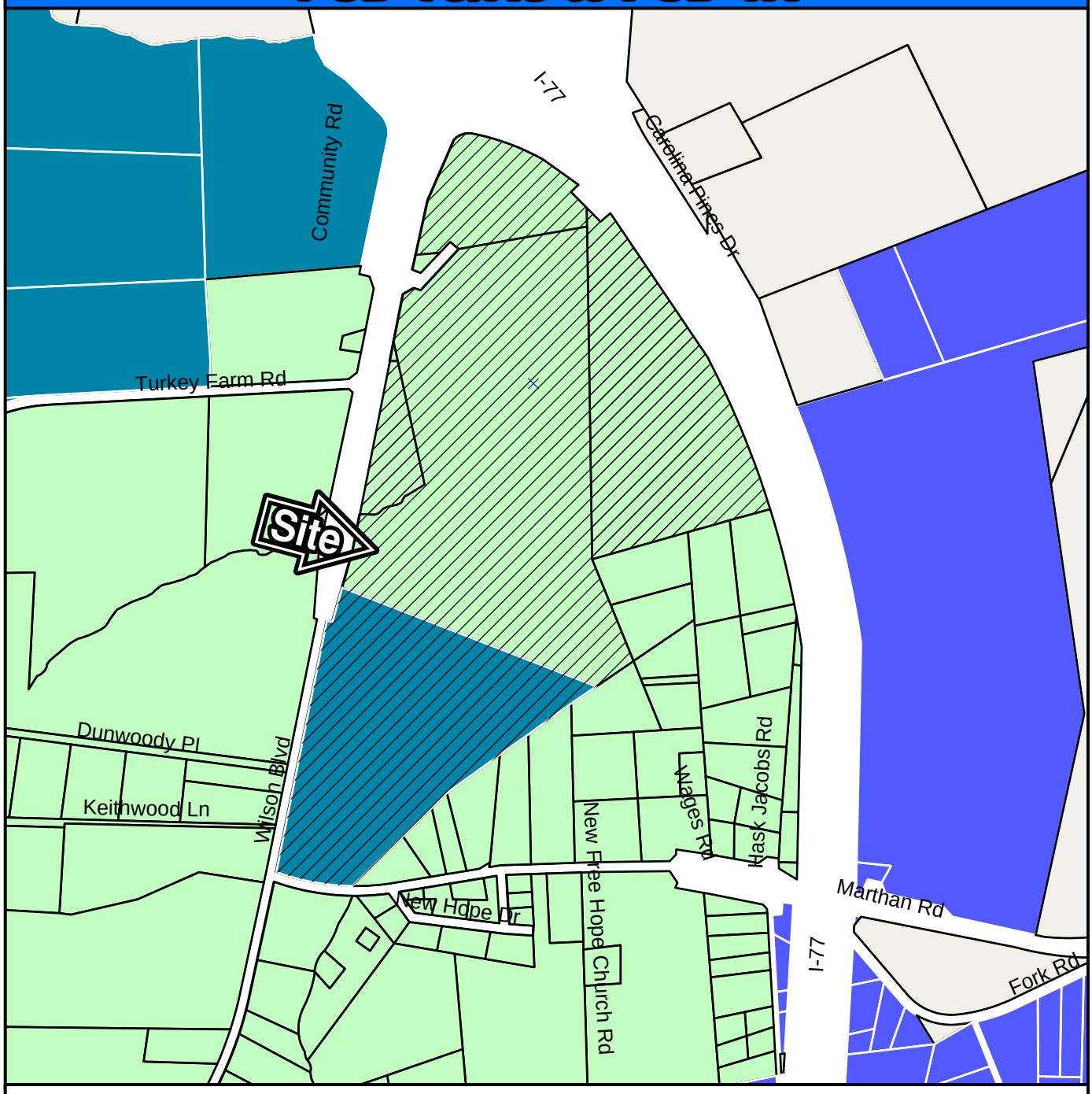
Project Number: 05-45 MA **Applicant:** Walter Taylor & Co.

TMS#: 14900-04-01; 14800-02-02/22/23 **General Location**: Southeast Quadrant I-77 & Wilson Blvd

Chapter #	General Development Plan Requirements	Comply
26-70.16	Generalized drawing (s) for entire site showing the general development pattern, including relationship between the various uses	Page 9
26-70.16 a	Statement of major project assumptions and objectives	Page 8
26-70.16 b	Statement of the range of percentages of the total area intended for residential, commercial industrial, open space, social/community uses & major streets and roads	Page 12
26-70.16 c	Statement of intended overall maximum dwelling unit density per acre	Page 12
26-70.16 d	Legal description	Appendix B
26-70.16 e	Total acres	Page 12
26-70.16 f	Tentative number of units of various types	Page 12
26-70.16 g	Description of open space & community facilities & adequacy to serve the anticipated demand	Page 13
26-70.16 h	Approximate timing of development by phase	Page 13
26-70.16 i	Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features **(provided for the residential area only)**	Appendix C
26-70.16 j	Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review	None Offered


CASE 05-45 MA
PUD-1C/RU to PUD-1R
TMS 14900-04-01 & 14800-02-02/22/23
Northpoint
Northpoint
Community
Carolina Pines
Wooten
Belk
I-77
Farrow
Turkey Farm
Site
Dunwoody
Deer Walk
Keithwood
Wilson
New Hope
Marthan
Fork
Joe Apree
Boundtree
Pine Sapp
Joshua Tree
Bonbon
Jacobs
0
750
1,500
3,000
4,500
6,000
Feet

CASE 05-45 MA
PUD-1C/RU to PUD-1R



ZONING CLASSIFICATIONS

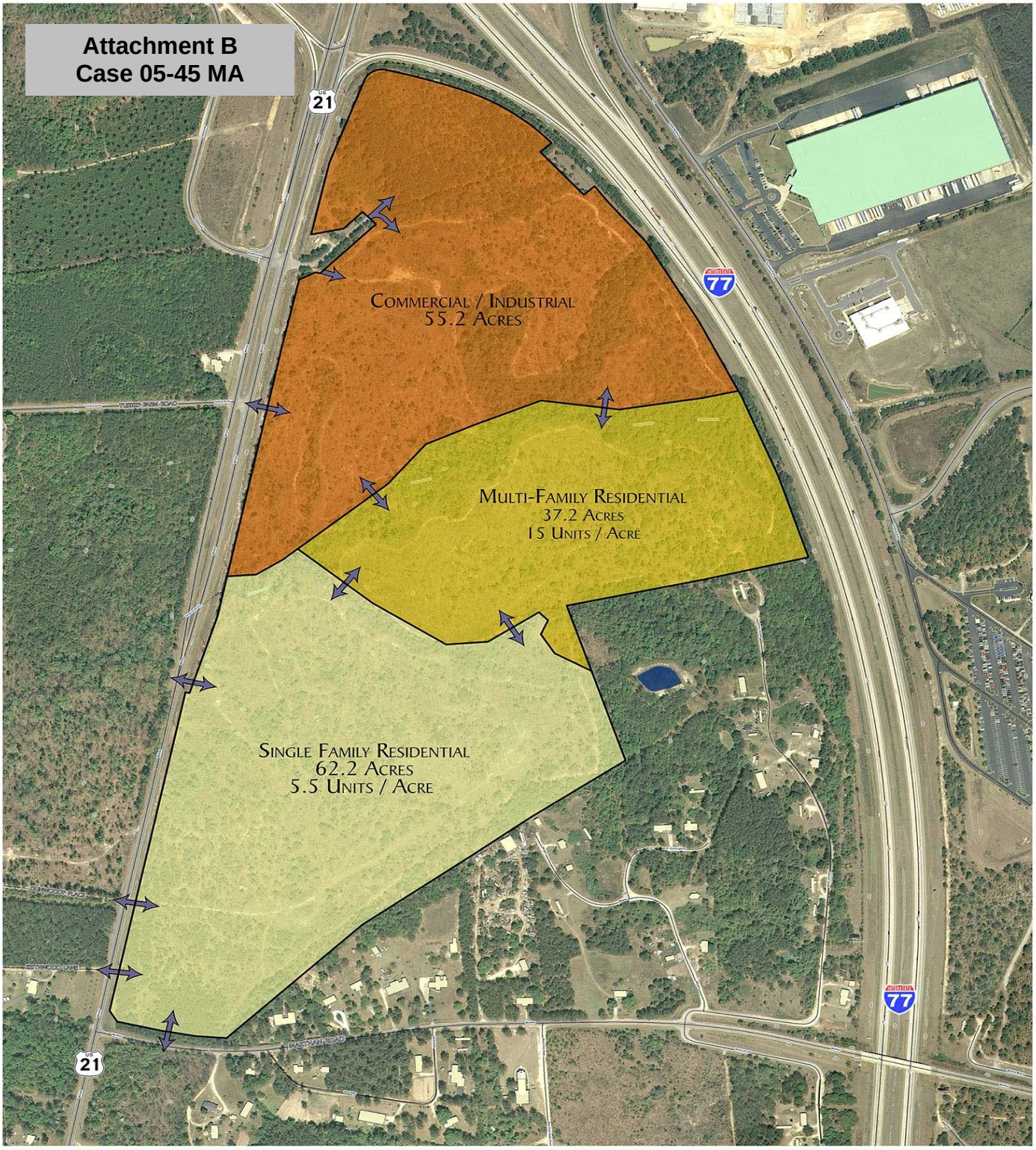
C-1	D-1	MH-1	PDD	RG-2	RS-2
C-2	M-1	MH-2	PUD	RR	RS-3
C-3	M-2	MH-3	RG-1	RS-1	RU
					SUBJECT

N

CASE 05-45 MA
From PUD-1C/RU to PUD-1R

TMS# 14900-04-01 & 14800-02-02/22/23

Intersection of I-77 & Wilson Blvd. (Hwy. 21)



LEGEND	AREA	% OF AREA	# OF UNITS
COMMERCIAL / INDUSTRIAL	55.2 Ac	35.7%	
MULTI-FAMILY RESIDENTIAL	37.2 Ac	24.1%	558
SINGLE FAMILY RESIDENTIAL	62.2 Ac	40.2%	342
TOTALS	154.6 Ac	100%	900

I-77 / US 21 Mixed Use PUD
Columbia, SC

Kenneth B. Simmons Associates, LLC
landscape architecture & planning
3135 Millwood Avenue
Columbia, South Carolina 29205

0 200 400 600 1000

Legal Description

(Small tract 11.34 acres)

Feet, thence turning and running S 54°51'2" W for a distance of 63.22 feet; thence turning and running S 38°6'22" E for a distance of 211.81 feet; thence turning and running S 6°10'7" W for a distance of 52.37 feet; thence turning and running S 85°34'11" W for a distance of 846.09 feet; thence turning and running N 50°9"50" E for a distance of 19.71 feet; thence turning and running N 38°5$_6$'21" W for a distance of 32.80 feet; thence turning and running N 41°14'0" W for a distance of 33.31 feet; thence turning and running S 50°12'52" W for a distance of 112.53 feet; thence turning and running S 85°32'0" W for a distance of 147.13 feet to the Point of Beginning. Be all measurements a little more or less.

Legal Description

(Large tract 143.28 acres)

ALL those pieces, parcels or lots of land, with improvements thereon, if any, situate, lying and being just south of the intersection of U. S. Highway 21 and Interstate 77, in the County of Richland, State of South Carolina, consisting of a total of approximately 143.28 acres, and shown and delineated as Parcel "A" (4.49 acres), Parcel "B" (111.35 acres), and Parcel "C" (2.44 acres), on a plat prepared for Columbia Land Associates, Ltd., by Civil Engineering of Columbia dated October 21, 1985, recertified December 12, 1986, recorded in the Office of the RMC for Richland County, South Carolina in Plat Book B 51 at page 3598. The perimeter boundary of Parcels "A", "B" and "C" being more particularly described by reference to said plat as follows:

BEGINNING at an iron pin at the intersection of the northern boundary of the right-of-way of Highway S-1695 and the eastern boundary of the right-of-way of U. S. Route 21, said pin being the POINT OF BEGINNING, thence running N 28° 00' 18" W along the right-of-way of U. S. Route 21 for a distance of 11.41' to an iron pin; thence running N 16° 32' 08" E along the right-of-way of U. S. Route 21 for a distance of 1523.10' to an iron pin; thence turning and running S 73° 27' 55" E along the right-of-way of U. S. Route 21 for a distance of 17.24' to a right-of-way monument; thence turning and running N 22° 37' 13" E along the right-of-way of U. S. Route 21 for a distance of 378.55' to a right-of-way monument; thence running N 16° 36' 56" E along the right-of-way of U. S. Route 21 for a distance of 131.23' to an iron pin; thence *turning* and running N 16° 32' 58" E along the right-of-way of U. S. Route 21 for a distance of 1,104.65' to an iron pin; thence running N 16° 22' 37" E along the right-of-way of U. S. Route 21 for a distance of 46.76' to a right-of-way monument; thence running N 17° 28' 07" E along the right-of-way of U. S. Route 21 for a distance of 328.33 feet to a right-of-way monument; thence turning and running N 68° 22' 47" E along the right-of-way of a paved access road for a distance of 77.46' to a right-of-way monument; thence turning and running S 70° 53' 42" E along the right-of-way of. a paved access road for a distance of 19.07' to a right-of-way monument; thence turning and running N 50° 09' 50" E along the right-of-way of a paved access road for a distance of 329.87' to an iron pin; thence turning and running N 85° 34' 11" E along property N/F Leigh for a distance of 846.09' to an iron pin; thence running N 06° 10' 07" E along property N/F Leigh for a distance of 52.37' to an iron pin; thence turning and running S 38° 07' 24" E along the right-of-way of an unpaved access road for a distance of 60.65' to a right-of-way monument; thence turning and running N 52° 40' 44" E along the right-of-way of an unpaved access road for a distance of 60.92' to a right-of-way monument on the western boundary of the right-of-way of Interstate 77; thence turning and running S 33° 25' 03" E along the western boundary of the right-of-way of Interstate 77 for a distance of 98.77' to a right-of-way *monument;.* thence running S 36° 25' 12" E along the western boundary of the right-of-way of Interstate 77 for a distance of 241.89' to a right-of-way monument; thence turning and running along the western boundary of the right-of-way of Interstate 77 along a curve having a chord bearing of S 26° 38' 12" E, a radius of 6131.30', a chord length of 430.63', a delta of 4° 01' 30", an arc of 430.72 and a tangent of 215.45', to an iron pin; thence turning and running along a curve on the western boundary of the right-of-way of Interstate 77 having a chord bearing of S 22° 44' 17" E, a radius of 6131.30', a chord length of 400.00', a delta of 3° 44' 19", an arc of 400.07' and a tangent of 200.11', to an iron pin; thence turning and running along a curve on the western boundary of the right-of-way of Interstate 77 having a chord bearing of S 18° 16' 24" E, a radius of 5650.89, a chord length of 400.00', a delta of 4° 03' 24", an arc of 400.08' and a tangent of 200.13', to an iron pin; thence turning and running along a curve on the western boundary of the right-of-way of Interstate 77 having a chord bearing of S 14° 13' 00" E, a radius of 5650.89', a chord length of 400.00', a delta of 4° 03' 24", an arc of 400.08' and a tangent of 200.13', to an iron pin; thence turning and running S 81° 06' 29" W along property N/F Wages for a distance of 447.79' to an iron pin; thence running S 82° 27' 40" W along property N/F Wages for a distance of 598.98' to an iron pin; thence turning and running S 14° 34' 53" E along property N/F Wages for a distance of 310.00' to an iron pin; thence running S 14° 34' 53" E along property N/F Wages for a distance of 455.18' to an iron pin; thence turning and running S 60° 49' 59" W along property N/F Wages for a distance of 474.88' to an iron pin; thence turning and running S 58° 48' 10" W along property N/F Williams for a distance of 336.89' to an iron pin; thence running S 59° 24' 18" W along property N/F Wilson for a distance of 210.10' to an iron pin; thence running S 59° 22' 41" W along property N/F Bowman for a distance of 330.30' to an iron pin; thence running S 51° 38' 29" W along property N/F of Corbet and along property N/F Jenkins for a distance of 398.60' to an iron pin; thence running S 51° 38' 29" W along property N/F Babridge for a distance of

382.49' to an iron pin on the northern boundary of the right-of-way of S-1695; thence turning and running along the northern boundary of Highway S-1695 in a curve having a chord bearing of N 81° 33' 06' W, a radius of 1393.45', a chord length of 130.00', a delta of 5° 20' 50", an arc of 130.05 and a tangent of 65.07', to an iron pin; thence turning and running along the northern boundary of Highway S-1695 in a curve having a chord bearing of N 75° 48' 46" W, a radius of 1393.45', a chord length of 149.02', a delta of 6° 07' 50", an arc of 149.10' and a tangent of 74.62', to an iron pin; thence running N 72° 45' 51" W along the northern boundary of Highway S-1695 for a distance of 190.80' to an iron pin; thence running N 28° 00' 18" W along the northern boundary of Highway S-1695 for a distance of 59.87' to an iron pin, which is the POINT OF BEGINNING, be all said measurements a little more or less.

THIS conveyance specifically includes all right, title and interest of Grantor(s), if any, in and to lands subject to or underlying any highway, road, utility easement, waterway, or body of water crossing or adjacent to the property hereby conveyed.

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-48 MA	**Applicant:** Cornerstone Development
General Location: West Side Wilson Blvd, 1000 feet south of Turkey Farm Road	
Tax Map Number: 14800-05-36	**Subject Area:** 52.3 ac MOL
Current Parcel Zoning: RU	**Proposed Parcel Zoning:** PUD-1R
Proposed Use: Single family detached S/D and associate recreational facilities	**PC Sign Posting Date:** March 18, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change

None offered

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	RU	Undeveloped woodlands
Adjacent East	PUD-1C	Undeveloped woodlands
Adjacent South	RU	Undeveloped woodlands & scattered residences
Adjacent West	RU	Undeveloped woodlands & scattered residences

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

RU Zoning Designation Intent	**Proposed PUD-1R Zoning Designation Intent**
Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas	Intended to accommodate primarily residential uses, with nonresidential uses integrated into the design of such districts as secondary uses
Existing RU Zoning Permitted Uses All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings	**Proposed PUD-1R Zoning Permitted Uses** Limited to amounts and locations of the land uses specified in the General Development Plan

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-70, respectively of the County Code. Some Special Exception uses are also possible.

The proposed project is essentially a single-family residential subdivision with some related commercial space. The Stonington subdivision is located 1/4 mile to the south. The Wren Creek Estates subdivision is under construction on Turkey Farm Rd, about 1/4 mile to the north.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Wilson Blvd
Functional Classification Of This Roadway	** Two lane divided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	1919
Current Volume At The Nearest Count Station # 135 Located @ south of Killian Road - 3 miles south of the subject site **	5600
Estimated Traffic Count **With** the Proposed Project	7519
Volume-To-Capacity Ratio **With** The Proposed Project	**0.87**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

****** The subject project, by itself, will not result in the LOS C being exceeded at SCDOT count station # 135. Although the traffic count at SCDOT station 135 is not very relevant to the subject project, it is the nearest count station to the subject site. The vast majority of the traffic generated in this area will likely go north to I-77. Nonetheless, the table below shows the estimated traffic on Wilson Blvd @ Turkey Farm Rd., when these projects are fully occupied.

Wilson Blvd – Turkey Farm Area Traffic

Project Name	Ord. #	Development Type	Proj. ADTs
Wren Creek	16-04	400 Residences	4850
Wren Creek HS	16-04	High School	2800
Wren Creek - Office	16-04	24 acres office	4680
Wren Creek - Retail	16-04	6 acres retail	2510
Stonington	NAv	201 residences	1910
Stonington - Comm	NAv	10 acres general retail commercial	4181
Beasley Creek S/D	App'd	235 residences	2755
Kerry Lee S/D	App'd	42 residences	399
Taylor PUD - MF	prop.	558 multifamily residences	3683
Taylor PUD - SF	prop.	342 single family residences	3249
Taylor PUD - Nonresid	prop.	55.2 acres commercial/industrial	5395
Hawkins Crk PUD	prop.	202 single family residences	1919
Total			**38,331**

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…". The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the I-77 Corridor Subarea Proposed Land Use Map, the Map should be amended through the formal comprehensive plan amendment process.

The Map designates the subject area as Industrial/Commercial/Technological in the Developing Urban area. **The proposed PUD-1R zoning is NOT consistent with the Map** designation as required by state statutes because it is a residential planned unit development.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 39 respectively, are discussed below:

Objective – Accommodate in certain planned higher density residential areas, a full range of housing opportunities, to meet the various needs of area residents
The proposed project is located within a 1/2 mile of the Wilson Blvd/I-77 interchange. The proposed 4.0 DU /acre density, while slightly higher than some residential projects in the area, is nonetheless appropriate for an interstate interchange area. The proposed Amendment implements this Objective.

Principle – In environmentally sensitive area, the Plan encourages the use of large land tract site design and planning in conjunction with PDD or PUD zoning
The proposed project has taken advantage of the site's natural resources by creating a walking trail and other passive recreation facilities along Hawkins Branch. The proposed Amendment does not implement this Principle.

Other Relevant Issues
The table below compares the gross density and net residential density of projects located in a one mile radius from I-77 and Wilson Blvd. To date, the Stonington, Kerry Lee, Wren Creek and Beasely Creek projects have achieved the PUD Zoning Map Amendment ordinance adoption.

The subject Hawkins Creek Amendment will have higher gross density and a higher net residential density than the other approved predominately single family detached residences projects. Even so, the Hawkins Creek project's gross density is approximately equivalent to RS-1 zoning and its net residential density is approximately equivalent to RS-2 zoning.

Turkey Creek – Wilson Blvd Residential Projects Density Comparison

Project Name	Gross Project Density *	Net Residential Density **
Wren Creek PUD	1.1 DU/ac (400 DU / 367 acres) (ave. 39,600 sq. ft lots)	2.3 DU/ac (400 DU / 176 acres) (ave. 18,900 sq. ft. lots)
Stonington PUD	1.2 DU/ac (201 DU / 165 acres) (ave. 36,300 sq. ft. lots)	1.7 DU/ac (201 DU / 118 acres) (ave. 25,600 sq. ft. lots)
Kerry Lee PUD	1.7 DU/ac (42 DU / 25 acres) (ave. 25,623 sq. ft. lots)	2.6 DU/ac (42 DU / 16.3 acres) (ave. 16,700 sq. ft. lots)
Beasley Ck Est. PUD	2.8 DU/ac (235 DU / 83 acres) (ave. 15,557 sq. ft. lots)	3.9 DU/ac (235 DU / 60.3 acres) (ave. 11,100 sq. ft. lots)
Hawkins Creek PUD (proposed)	3.9 DU/ac. (202 DU/52.3 acres) (ave. 12,100 sq. ft lots)	4.2 DU/ac (202 DU/48.6 acres) (ave. 10,370 sq. ft. lots)
Walter Taylor PUD (proposed)	5.8 DU/ac (900 DU/154.6 acres) (NAp)	9.1 DU/ac. (900 DU/99.4 acres) (NAp)

* Gross Project Density = total dwelling units / total acres
** Net Residential Density = total dwelling units / acres devoted to residential use

The Wilson Blvd/Turkey Farm Road area has been zoned for up to 878 new dwelling units within the last year and a half. If all the existing and proposed projects discussed above are developed as planned, there will be almost 1900 dwelling units located with a one mile of the I-77/Wilson Blvd interchange.

The subject project and the proposed Taylor PUD across Wilson Blvd should line up the entrances to the respective project. Dunwoody Place is a private unpaved road with three residences at the western end of the roadway.

Most of the valuable timber on the subject site was removed 8 or 10 years ago. Other than close to Hawkins Branch, there are few trees that require protection under the current County Code. The applicant will be required to ensure that the post-development stormwater discharge is no greater than the pre-development discharge.

It is evident from the traffic analysis that Wilson Blvd will need to be widened in the near future. The applicant should be required to donate 20 feet of right-of-way along the west side of Wilson Blvd within their property limits.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-48 MA **be changed** from RU to PUD-1R, subject to the conditions described below:

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the proposed project, by itself, will not cause the LOS C of this portion of Wilson Blvd to be exceeded. However, the Department estimates that if all the proposed project are builtout as planned, there will be a minimum of 38,000 average daily vehicle trips on this portion of Wilson Blvd.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
6. It is the Department's position that in order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the I-77 Corridor Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a residential land use designation.
7. The applicant has submitted a draft description of proposed procedures of any homeowners association or other group maintenance or group ownership features for the Department's review and inclusion in the project records.
8. The Planning Commission hereby approves the General Development Plan, as revised March 11, 2005, subject to the conditions listed below, as required by Chapter 26-70.15 of the County Code.
9. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PUD Conditions

a) The Planning Commission approved the General Development Plan, except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and is incorporated herein by reference; **and**
b) The site development shall be limited to a maximum of 202 dwelling units as depicted in (Attachment B), which is attached hereto; **and**
c) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); **and**
d) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes; and is hereby approved for such purposes; **and**

e) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; **and**
f) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; **and**
g) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
    1) Any increase in the number of access points to the external road network;
    2) Any decrease in the amount of open space/common areas;
    3) Any increase in the gross project density (measured in DU/acre or square footage/acre) and/or
    4) Any change in traffic flow; **and**
h) The Planning Commission is hereby authorized to make minor amendments, to Attachment B, or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; **and**
i) The PDSD is authorized to make minor adjustments to the phasing schedule that may become necessary during the project's construction; **and**
j) No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSD issues a Controlled Clearing Certificate letter; **and**
k) The applicant shall dedicate to Richland County 20 feet of right-of-way along the west side of Wilson Blvd. within the project boundaries prior to recording any plats for the project; and
l) All internal streets shall be owned and maintained by Richland County; **and**
m) Access to the subject site shall be limited to one intersection on Wilson Blvd; **and**
n) The applicant will be required to ensure that the post-development stormwater discharge is no greater than the pre-development discharge; **and**
o) The developer shall pay the costs associated with construction of any necessary acceleration or deceleration lanes or turn lanes that may be required by the SCDOT; **and**
p) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest; **and**
q) Other conditions resulting from the Commission consideration ?

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-48 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-48 MA, the Planning Commission made the findings of fact summarized below:

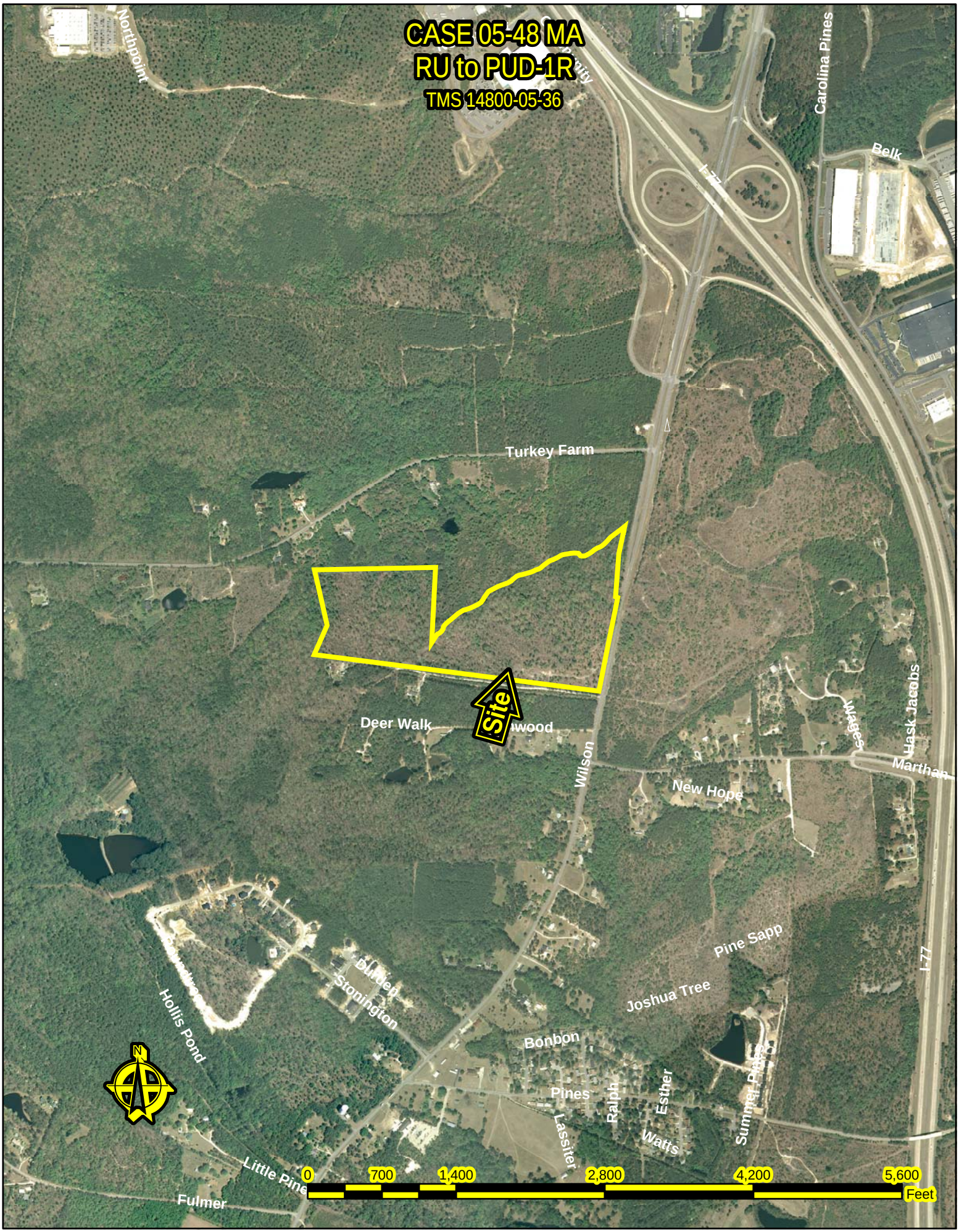
PUD SUBMISSION CHECKLIST

The following are the current requirements for submission of a Planned Unit Development project Zoning Map Amendment as described in Chapter 26-70.16 and 26-71.13 of the Richland County Code of Ordinances. The same submission requirements apply to both Chapters.

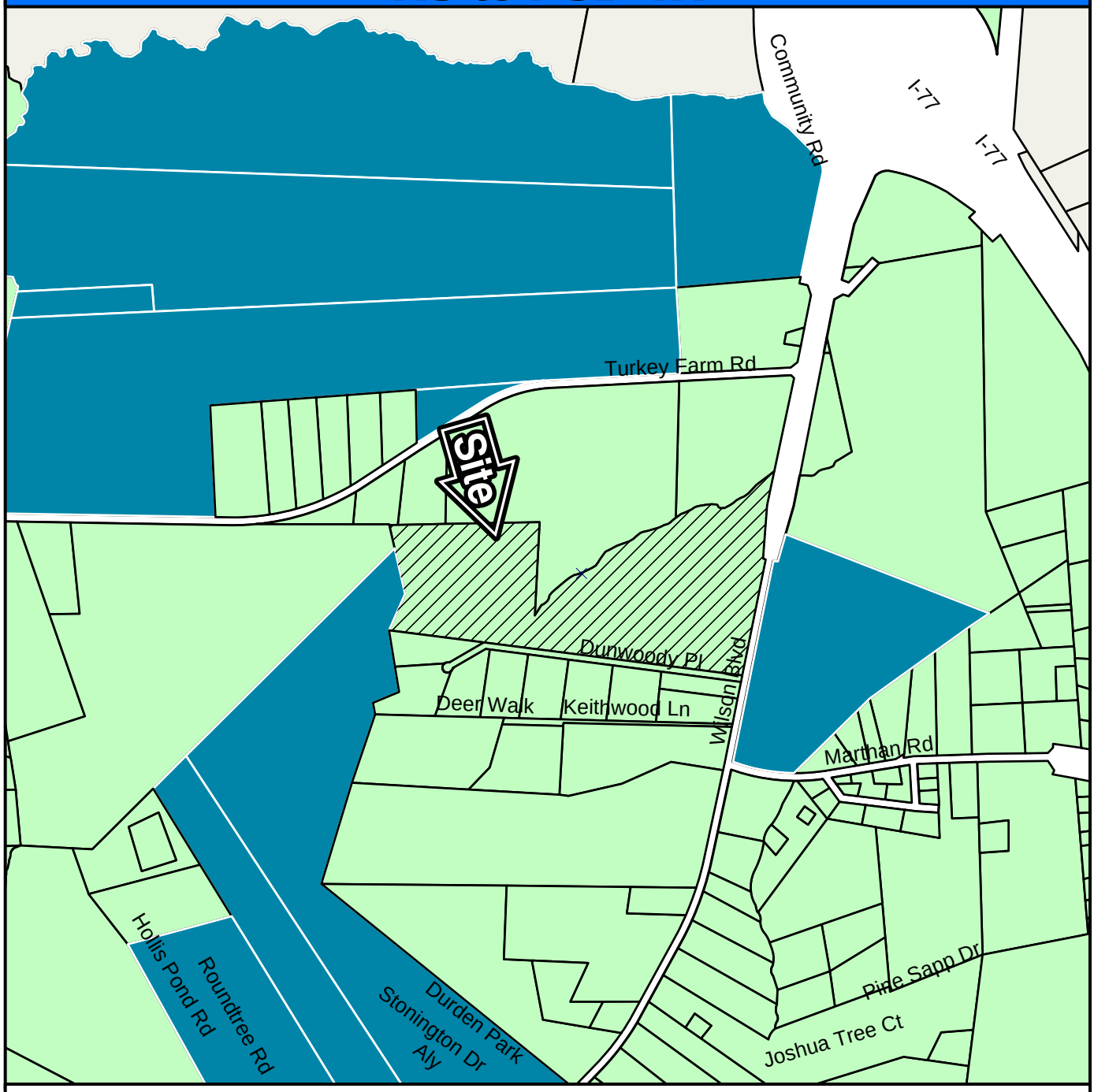
Project Number: 05-48 MA **Applicant:** Cornerstone Development Co.

TMS#: 14800-05-36 **General Location**: Wilson Blvd, 1000 ft S of Turkey Farm Rd

Chapter #	General Development Plan Requirements	Comply
26-70.16	Generalized drawing (s) for entire site showing the general development pattern, including relationship between the various uses	Page 7
26-70.16 a	Statement of major project assumptions and objectives	Page 1
26-70.16 b	Statement of the range of percentages of the total area intended for residential, commercial industrial, open space, social/community uses & major streets and roads	Page 1
26-70.16 c	Statement of intended overall maximum dwelling unit density per acre	Page 1
26-70.16 d	Legal description	Page 8
26-70.16 e	Total acres	Page 2
26-70.16 f	Tentative number of units of various types	Page 1
26-70.16 g	Description of open space & community facilities & adequacy to serve the anticipated demand	Page 1
26-70.16 h	Approximate timing of development by phase	Page 2
26-70.16 i	Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features	Page 9
26-70.16 j	Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review	None Offered


CASE 05-48 MA
RU to PUD-1R
TMS 14800-05-36
Northpoint
Carolina Pines
Belk
I-77
Turkey Farm
Site
Deer Walk
Wilson
New Hope
Wages
Hask Jacobs
Marthan
Pine Sapp
Joshua Tree
Bonbon
Pines
Ralph
Esther
Lassiter
Watts
Summer Pines
Burden
Stonington
Hollis Pond
Little Pine
Fulmer
0
700
1,400
2,800
4,200
5,600
Feet

CASE 05-48 MA
RU to PUD-1R



ZONING CLASSIFICATIONS

N

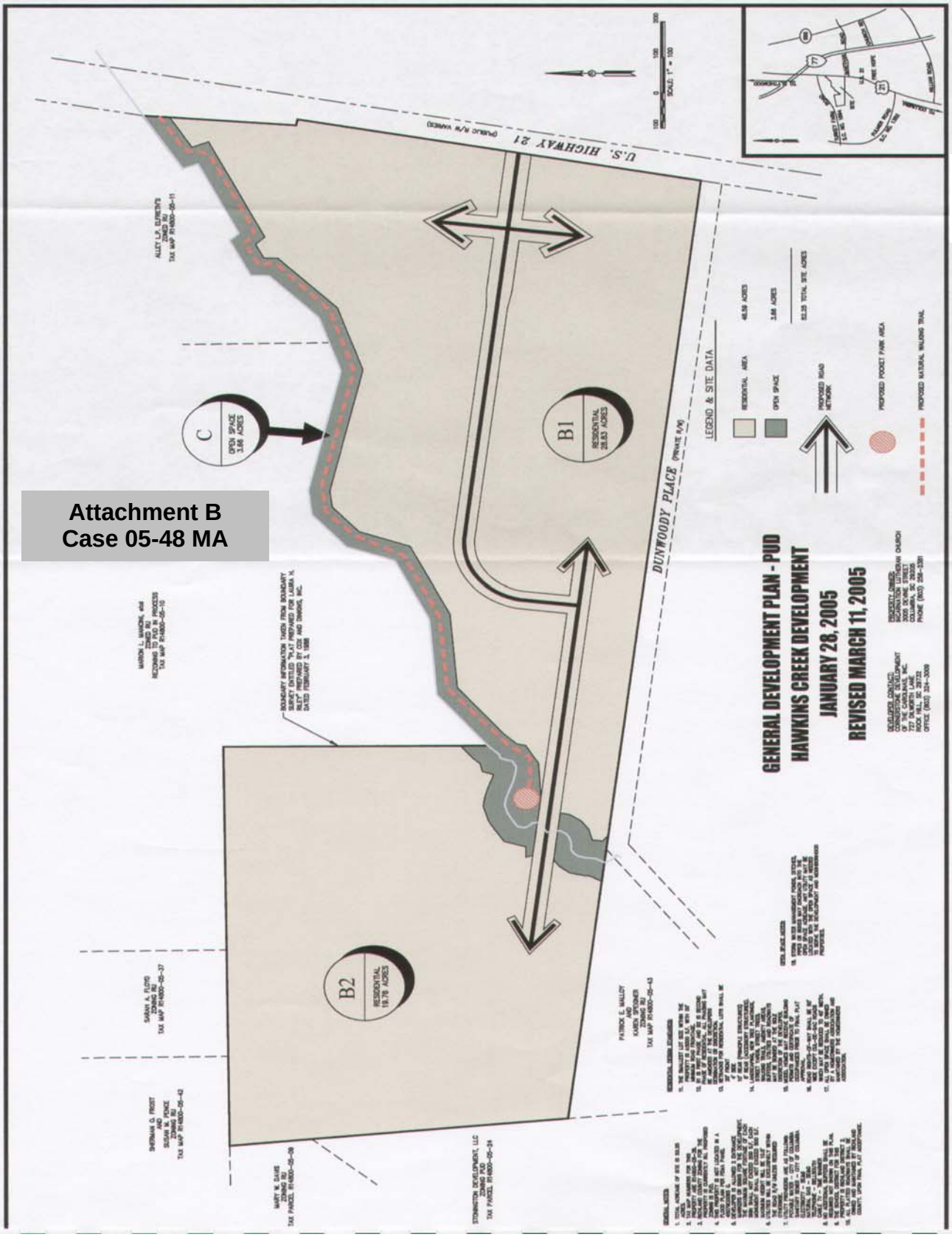
C-1	D-1	MH-1	PDD	RG-2	RS-2
C-2	M-1	MH-2	PUD	RR	RS-3
C-3	M-2	MH-3	RG-1	RS-1	RU
					SUBJECT

CASE 05-48 MA
From RU to PUD-1R

TMS# 14800-05-36 Wilson Blvd., South of Turkey Farm Road

Interior of Site

Looking @ Site from Wilson Blvd.


Attachment B
Case 05-48 MA
GENERAL DEVELOPMENT PLAN - PUD
HAWKINS CREEK DEVELOPMENT
JANUARY 28, 2005
REVISED MARCH 11, 2005
U.S. HIGHWAY 21
DUNWOODY PLACE
B1
B2
C
LEGEND & SITE DATA

Metes and Bounds Description of Property:

All that certain piece, parcel or lot of land, lying and being in Richland County, state of South Carolina, being located on the west side of Wilson Boulevard (U.S. Highway 21) and 986.0'± south of Turkey Farm Road (S.C. Hwy. No. S-40-1694) and being more fully shown and designated on a Boundary survey as the 52.25 acres, prepared for Laura H. Riley by Cox and Dinkins, Inc. dated February 3, 1988 having the following metes and bounds, to wit:

Beginning at a point in the intersection of the center of Hawkins Creek and the R/W of Wilson Blvd. (U.S. Highway 21) said point being S 04-24 W 15.30' from an existing concrete monument located on the R/W of Wilson Blvd. (U.S. Highway 21) and running in a clockwise direction along said R/W S 04-24 W 360.98' to an iron thence S 79-52 E 17.00' to an iron thence S 10-25 W 965.73' to an iron at the intersection of the R/W's of Wilson Blvd. and Dunwoody Place thence N 83-14 W 2665.11' to an iron thence N 05-24 W 800.81' to an iron thence N 89-07 E 1106.21' to a fence post thence S 00-12 E 622.74' through an iron offset at 10.0' to the center of Hawkins Creek thence meandering with center of said creek along the following approximate courses N 50-03 E 187.51' to a point thence N 85-16 E 213.77' to a point thence N 63-50 E 182.69' to a point thence N 18-48 E 119.61' to a point thence N 47-49 E 122.12' to a point thence N 83-00 E 70.30' to a point thence S 77-07 E 344.76' to a point thence N 71-18 E 75.15' to a point thence N 20-02 E 23.26' to a point thence N 70-44 E 83.26' to a point thence N 45-22 E 167.00' to a point thence N 00-42 E 32.56' to a point thence N 63-13 E 110.79' to a point thence S 43-08 E 50.10' to a point thence N 63-50 E 217.63' to a point thence N 20-59 W 37.85' to a point thence N 58-21 E 177.57' to the point of beginning containing 52.25 acres more or less.

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-40 MA	**Applicant:** Agnew Lake Services c/o Gerald Steele
General Location: Intersection of Shadowood Drive and Dutch Fork Road (Hwy. 76)	
Tax Map Number: 02407-01-37 (p)	**Subject Area:** 4.14 ac MOL
Current Parcel Zoning: RU	**Proposed Parcel Zoning:** PDD
Proposed Use: Office space, boat storage, & repair	**PC Sign Posting Date:** March 2, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change

For the establishment of office/retail space, repair yard, and similar uses

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	RU	Undeveloped woodlands
Adjacent East	C-3 & RU	Various commercial uses
Adjacent South	RS-1	Undeveloped woodlands
Adjacent West	RS-1 & PDD	Undeveloped woodlands

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

RU Zoning Designation Intent	**Proposed PDD Zoning Designation Intent**
Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas	Intended to better bridge the inherent difference between residential and non-residential uses; and to better accommodate change within those areas of the county where due to economics or other factors responsible for change, potentially incompatible development could compromise property values or adversely impact existing land, transportation facilities or infrastructure
Existing RU Zoning Permitted Uses All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings	**Proposed PDD Zoning Permitted Uses** Limited to only those depicted in the Site Plan provided as Attachment B

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-72, respectively of the County Code. Some Special Exception uses are also possible.

The site is surrounded by undeveloped woodlands and various commercial uses on C-3 and RU zoned land across Dutch Fork Road (Hwy. 76). The proposed Amendment is not compatible with the adjacent development.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Dutch Fork Road (Hwy. 76)
Functional Classification Of This Roadway	Five lane undivided collector (5 lanes in the vicinity of the site)
Level-Of-Service C Design Capacity (V/C = 1.00)	**19,600**
Estimated Traffic Generated By The Proposed Project	138
Current Volume At The Nearest Count Station # 145 Located @ SE of site on Dutch Fork Road	16,100
Estimated Traffic Count **With** the Proposed Project	16,238
Volume-To-Capacity Ratio **With** The Proposed Project	**0.82**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a General Light Industrial business found on page 99, Warehousing found on page 198, and a Single Tenant Office Building found on page 1070 of the TGM times the proposed square footage of the use. The aforementioned uses were the most relevant uses in the TGM for the proposed project site.

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity.

The proposed Amendment would not have a significant effect on traffic on Dutch Fork Road at SCDOT count station #145.

The traffic impact discussion does not take into account the proposed 40,000 sq. ft. retail/office center on property zoned C-3 to the north of the site which is estimated to generate approximately 1,649 average daily trips. The 5.8 acre tract was zoned from RU to C-3 in April 2004 as case 04-46 MA.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Northwest Subarea Proposed Land Use Map, the

Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Commercial in the Developing Urban area.**

The proposed PDD zoning is NOT consistent with the Map designation as required by state statutes because the proposed land uses are classified as light industrial uses. The zoning should be C-3 to be consistent with the Commercial land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use.
The adjacent parcel to the west is currently undeveloped, but a 40,000 sq. ft. office/retail complex is planned for the next parcel to the west. The Post Office and other commercial land uses are across Dutch Fork Road from the site. Although the parcel across Shadowoood Drive is currently undeveloped, the Gateway Baptist Church has plans to eventually construct a major religious facility on the parcel. The off-site impacts of the proposed facility, particularly if mitigated as described below, will be less than existing commercial uses in the area. The proposed Amendment **implements** this Objective.

Principle – In general, industrial activities should be confined to areas identified on the Proposed Land Use Map, and that meet the following provisions:

A. Land having not more than a five percent slope;
B. Access to major infrastructure facilities with access of at least a collector class road;
C. Large tract sites suitable for facility expansion;
D. Provision of adequate infrastructure to the site;
E. Compatibility with surrounding uses.

A. The site has less than a five percent slope; and
B. The site is located on a five lane undivided collector road; and
C. The 4.4 acre site will not allow for expansion of the planned operations beyond the existing site. Any change to the arrangement or amount of structures would require the formal PDD amendment process; and
D. Public water and sewer service is available to the site.
E. The proposed 3200 sq. ft. office and boat storage /repair operation is a low intensity land use that does not generate any significant traffic. It may however generate significant noise depending on the extent of boat repair. The ultimate compatibility determination will be compliance with the PDD conditions described below.

The proposed Amendment **implements** this Principle.

Other Relevant Issues

There is a 20 wide electric and gas line easement along the south side of Dutch Fork Road. The City of Columbia also has a water line easement along the south side of the Dutch Fork Road. The proposed landscaping plan for the subject project will need to be revised to identify proposed plantings outside of these easement areas so as not to interfere with the maintenance of these utilities.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-40 MA **be changed** from RU to PDD.

Findings of Fact:

1. Completion of the site development requirements described herein will result in a project that is **compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Dutch Fork Road (Hwy. 76) at this location **will not** be exceeded.
3. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
4. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
5. It is the Department's position that in order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the Northwest Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a Commercial land use designation.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PDD Conditions

a) The Planning Commission approved the Site Plan prepared for Agnew Lake Services, except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and is incorporated herein by reference; and

b) The site development shall be limited to a 2400 sq. ft. welding shop, 3,600 sq. ft. shop, 3,200 sq. ft. two story office building, 11,800 sq. ft. open storage shed and twenty-three (23) parking spaces as depicted in (Attachment B), which is attached hereto; and

c) Pursuant to the requirements of Section 26-72.13 of the Richland County Code of Ordinances, the Planning Commission may approve changes to the Site Plan (Attachment B) only upon findings that such changes will not: 1) increase the density of the project, 2) increase the amount of traffic generated, 3) reduce screening or off-street parking requirements, or 4) substantially alter the composition of the project; and

d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and

e) **No site clearing activity shall begin until the Richland County Public Works Department issues a Land Disturbance Permit (formerly known as a Grading Permit) and the PDSD issues a Controlled Clearing Certificate letter**; and
f) No Special Exceptions, as defined in Section 26-602 of the Richland County Code of Ordinances, or its relevant successor regulations shall be permitted; and
g) Access to the subject site shall be limited to two (2) intersections on Shadowood Drive; and
h) The developer shall construct any necessary turn lanes for the project on Shadowood Drive; subject to obtaining all required state and /or county approvals; and
i) The activity on the site shall not effect the adjacent properties by emitting noxious fumes, dust, noise, or other hazards or nuisances to the well-being of the public; and
j) No material piles, material storage racks, or similar uses shall be more than fifteen (15) feet in height; and
k) The height of all structures within the site area shall not exceed thirty-five (35) feet; and
l) The lot slit process must be completed for the parcel prior to final approval; and
m) All proposed vegetation must be planted outside of the limits of the existing twenty foot (20') South Carolina Electric and Gas Company power line right-of-way to the north of the site to avoid the destruction of the plantings and/or hindrance with the utilities; and
n) Existing healthy vegetation including trees shall not be cleared in those areas required to be landscaped. No street frontage planting area shall be less than ten (10') feet in width along all public right-of-ways including any supplemental plantings required by the County to meet the minimum opacity levels of the current landscape standards; and
o) The proposed Wax Myrtles proposed and depicted on Attachment B shall be a minimum of five (5') feet in height at the time of installation, the proposed Leyland Cypresses shall be a minimum of six (6') feet in height at the time of installation; and
p) The proposed two (2) story office building will not require a "buffer" but should be planted in a manner to exceed current minimum landscape standards as set forth by the Richland County Code of Ordinances in effect at the time of installation; and
q) The interior of the site shall be maintained in a manner to allow accessibility for fire apparatuses to all areas of the site in accordance with the current regulations of the County Fire Marshal and to not hamper vehicular traffic within the site; and
r) All lighting fixtures shall be installed with proper shielding to prevent encroachment of nuisance glare, from the site; and
s) One sign per street frontage will be allowed at a size not to exceed 250 square feet, no sign shall exceed fifteen feet in height, and no sign shall be located in any landscaped area or bufferyard.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-40 MA at the next available opportunity.

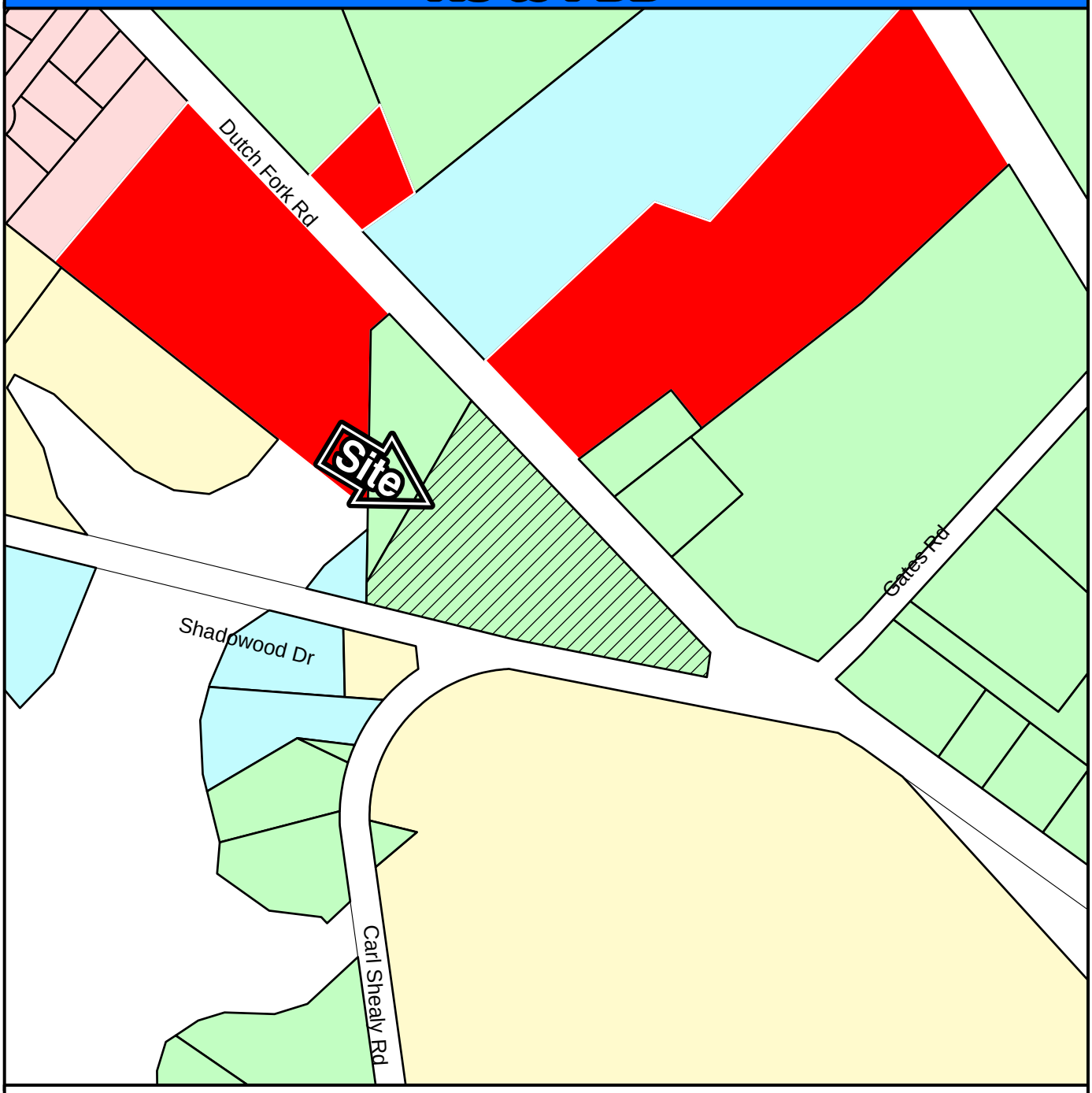
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-40 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-40 MA
RU to PDD
TMS 02407-01-37 (P)
O' Brian
Dutch Fork
Site
Shadowood
Gates
Carl Shealy
Twin Gates
0
220
440
880
1,320
1,760
Feet

CASE 05-40 MA
RU to PDD



ZONING CLASSIFICATIONS

N

C-1	D-1	MH-1	PDD	RG-2	RS-2
C-2	M-1	MH-2	PUD	RR	RS-3
C-3	M-2	MH-3	RG-1	RS-1	RU
					SUBJECT

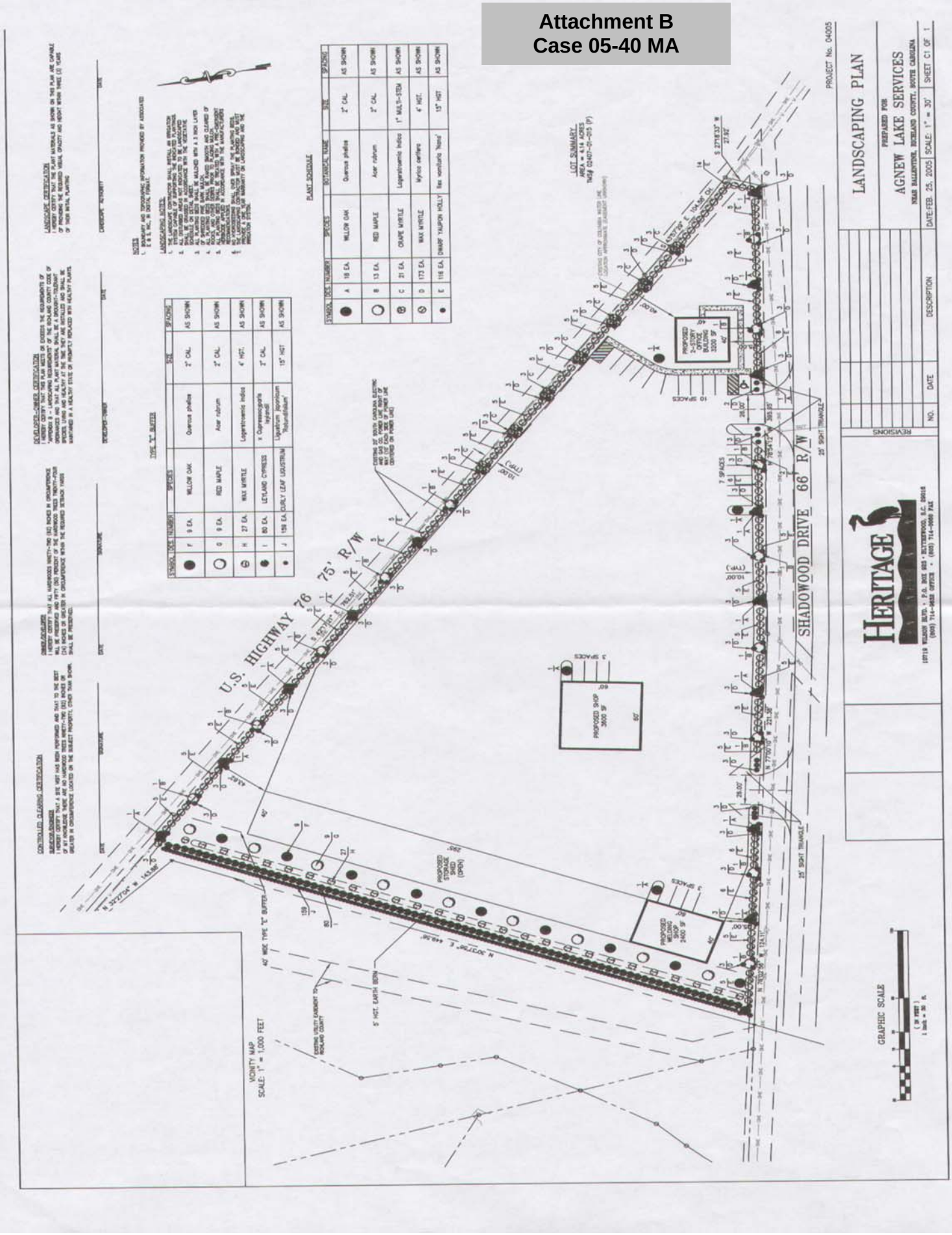
CASE 05-40 MA
From RU to PDD

TMS# 02407-01-37(P) Intersection of Shadowood Dr & Dutch Fork

Looking at Site

Looking East on Dutch Fork Road

Attachment B
Case 05-40 MA



BOUNDARY DESCRIPTION: PARCEL "A-1"

THIS PROPERTY CONSISTS OF 4.14 TOTAL ACRES LOCATED AT THE INTERSECTION OF SHADOWOOD DRIVE WITH U.S. HIGHWAY 76 IN THE COUNTY OF RICHLAND, SOUTH CAROLINA.

COMMENCING FROM THE CENTER LINE INTERSECTION OF SHADOWOOD ROAD, WITH CARL SHEALY ROAD, THENCE S82°44'39"E FOR A DISTANCE OF 450.28' TO AN IRON PIN BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING IN A CLOCKWISE DIRECTION;

ALONG A BEARING OF N78°54'12"W FOR A DISTANCE OF 395.95' TO AN IRON PIN. SAID LINE BEING THE NORTHERN R/W OF SHADOWOOD DRIVE.

THENCE; N77°00'10"W FOR A DISTANCE OF 221.38' TO AN IRON PIN. SAID LINE BEING THE NORTHERN R/W OF SHADOWOOD DRIVE.

THENCE; N76°02'56"W FOR A DISTANCE OF 124.11' TO A CALCULATED POINT. SAID LINE BEING THE NORTHERN R/W OF SHADOWOOD DRIVE.

THENCE; N30°37'56"E FOR A DISTANCE OF 449.56' TO A CALCULATED POINT. SAID LINE BEING BOUNDED ON THE WEST BY LANDS OF NOW OR FORMERLY SOUTH CAROLINA ELECTRIC AND GAS.

THENCE; N32°27'04"W FOR A DISTANCE OF 143.88' TO A CALCULATED POINT. SAID LINE BEING BOUNDED ON THE WEST BY LANDS OF NOW OR FORMERLY SOUTH CAROLINA ELECTRIC AND GAS.

THENCE; S42°17'21"E FOR A DISTANCE OF 762.51' TO AN IRON PIN. SAID LINE BEING THE WESTERN R/W OF U.S. HIGHWAY 76.

THENCE ALONG A CURVE; ON A CHORD BEARING S43°57'29"E FOR A CHORD DISTANCE OF 104.58' TO AN IRON PIPE. SAID LINE BEING THE WESTERN R/W OF U.S. HIGHWAY 76.

THENCE; S27°18'33"W FOR A DISTANCE OF 27.92' TO AN IRON PIN. SAID LINE BEING THE NORTHERN R/W OF SHADOWOOD DRIVE. SAID POINT BEING THE POINT OF BEGINNING.

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-53 MA	**Applicant:** Albert and Mary Smoot
General Location: Intersection of Old Tamah and Shady Grove Road	
Tax Map Number: 03400-01-04 (p)	**Subject Area:** 4.48 ac MOL
Current Parcel Zoning: RS-1	**Proposed Parcel Zoning:** RU
Proposed Use: Single Family Residence	**PC Sign Posting Date:** March 2, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change

For the continuance of a single family residence on an estate size lot on the site

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RS-1	Single family residence
Adjacent North	RU	Single family residence on estate size lot
Adjacent East	RU	Single family residences on estate size lots & undeveloped woodlands
Adjacent South	RS-1A	Walnut Grove Subdivision
Adjacent West	RS-1	Dutch Oaks Subdivision

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

RS-1 Zoning Designation Intent	**Proposed RU Zoning Designation Intent**
Intended as single family residential areas with low to medium population densities.	Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas
Existing RS-1 Zoning Permitted Uses Single family detached dwellings or modular building units located on individual lots.	**Proposed RU Zoning Permitted Uses** All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings

The land uses above represent a summary of the permitted uses in Chapter 26-63 and Chapter 26-61, respectively of the County Code. Some Special Exception uses are also possible.

The site is surrounded by residential uses on all sides and is contiguous to large lot residences to the north and east. The proposed Amendment is compatible with the existing land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Broad River Road via Shady Grove Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service C Design Capacity (V/C = 1.00)	**8600**
Estimated Traffic Generated By The Proposed Project	No Change*
Current Volume At The Nearest Count Station # 147 Located @ south of site on Broad River Road	15,400
Estimated Traffic Count **With** the Proposed Project	No Change *
Volume-To-Capacity Ratio **With** The Proposed Project	No Change *

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

***** No Change – It should be noted that the SCDOT traffic count station would have taken the 9.5 average daily trips generated by the single family residence into account as the site was in existence during the traffic count year.The analysis above assumes that all traffic will use Broad River Road via Shady Grove Road for ingress and egress.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Northwest Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Medium/Low Density Residential in the Developing Urban area.**

The proposed RU zoning is NOT consistent with the Map designation as required by state statutes because the Map designates the site as Medium/Low Density Residential not Rural Residential. The zoning should be RS-1, RS-1, RS-2, PDD or PUD-1R to be consistent with the Medium/Low Density Residential land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area.
The proposed Amendment would allow for a variation in density at this location and blends with the existing single-family residences on estate size lots in the immediate vicinity. The proposed Amendment **implements** this Objective.

Principle – Residential development should be limited to individual dwellings on individual lots.
The proposed Amendment consists of one single-family residence on an estate size lot. The proposed Amendment **implements** this Principle.

Other Relevant Issues
The subject site was presented to the Planning Commission as a portion of a 37.12 acre tract to be zoned from RU to RS-1 on September 8, 2003 (Case 04-06 MA). The Department and the Planning Commission recommended approval for the project. The project subsequently received approval from the County Council and an Ordinance was adopted on November 7, 2003.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-53 MA **be changed** from RS-1 to RU.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Broad River Road at this location will not be affected by the proposed Amendment.
3. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

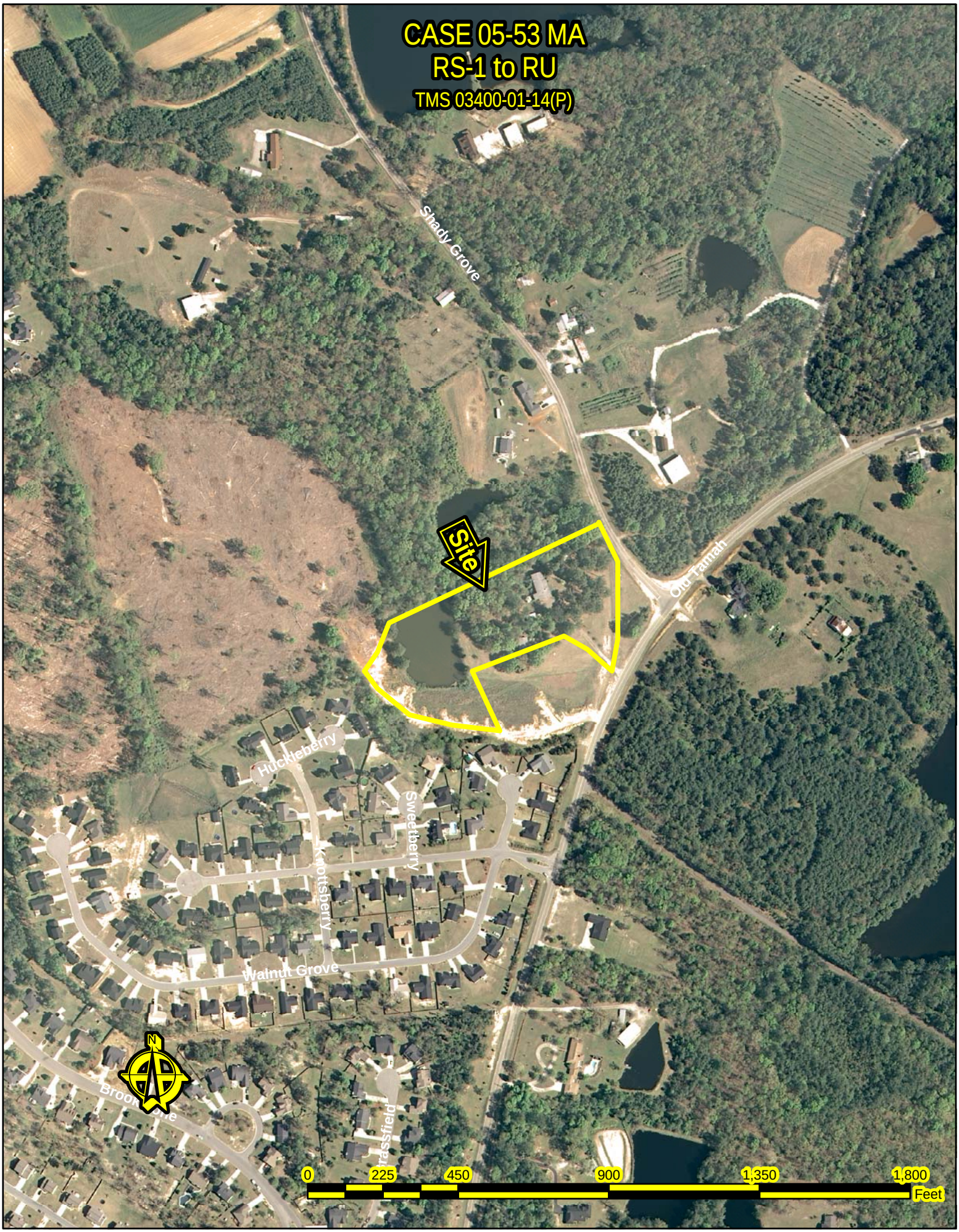
(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-53 MA at the next available opportunity.

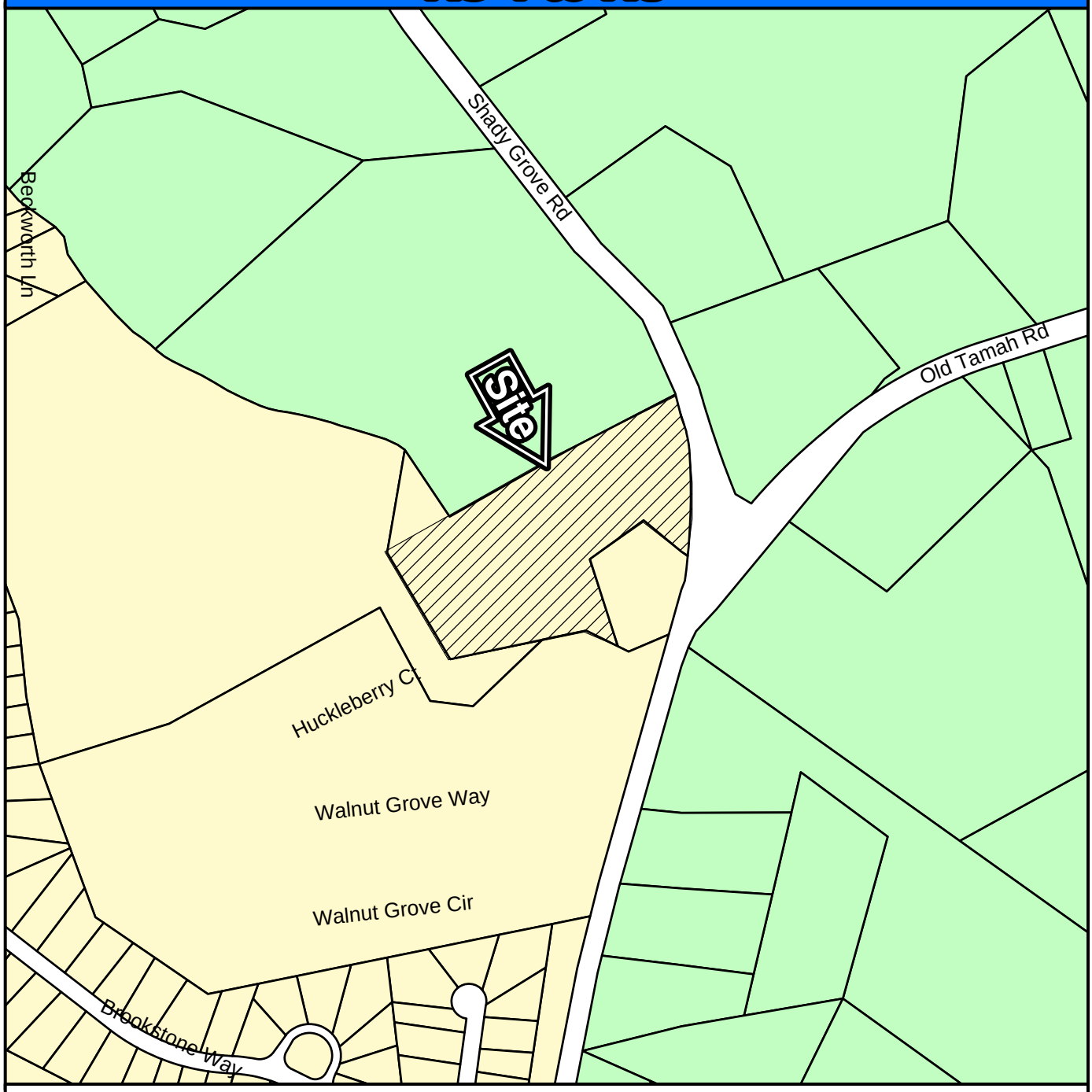
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-53 MA, the Planning Commission made the findings of fact summarized below:


CASE 05-53 MA
RS-1 to RU
TMS 03400-01-14(P)
Shady Grove
Site
Old Tamah
Huckleberry
Sweetberry
Knottsberry
Walnut Grove
N
0
225
450
900
1,350
1,800
Feet

CASE 05-53 MA
RS-1 to RU



ZONING CLASSIFICATIONS

N

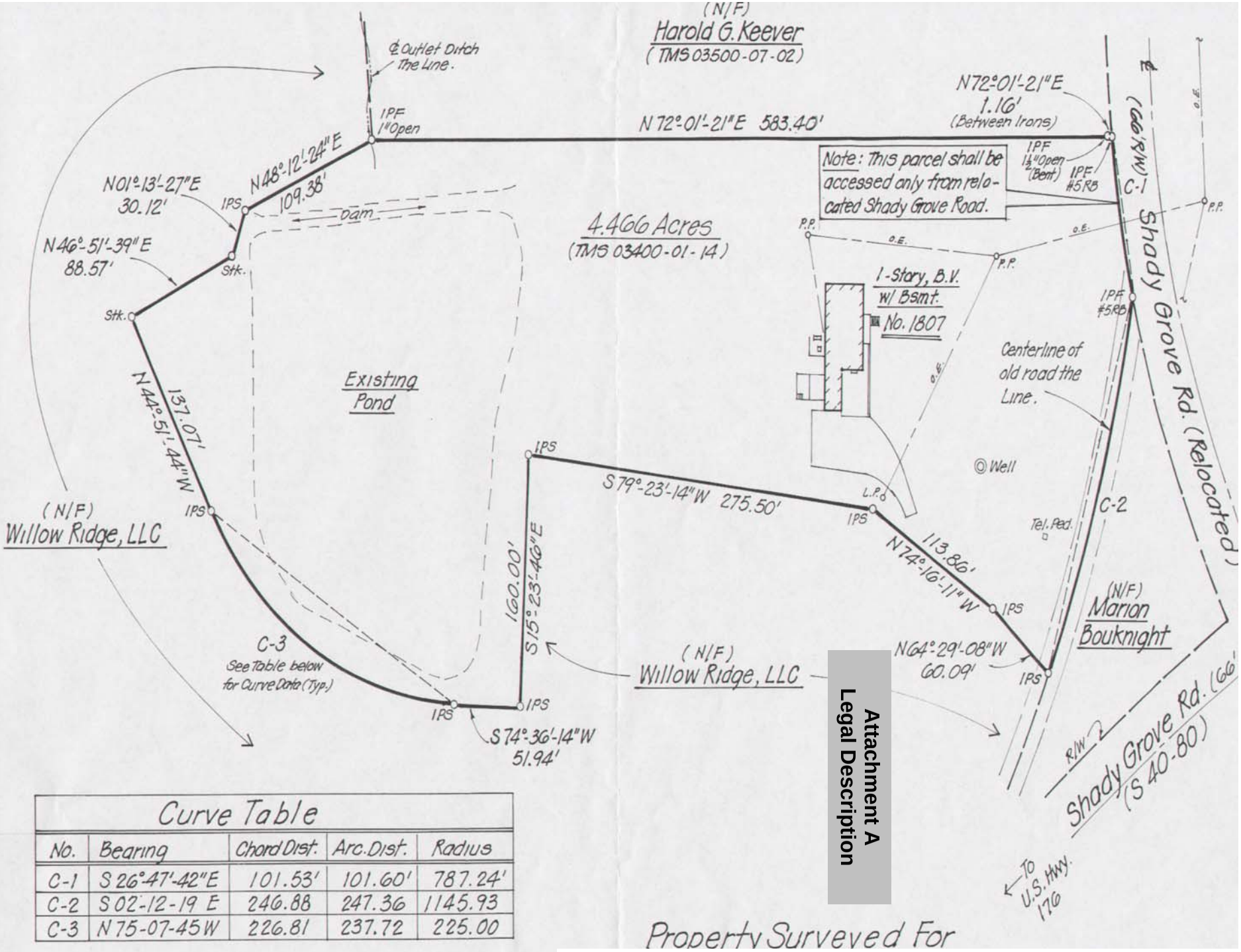
C-1	D-1	MH-1	PDD	RG-2	RS-2
C-2	M-1	MH-2	PUD	RR	RS-3
C-3	M-2	MH-3	RG-1	RS-1	RU
					SUBJECT

CASE 05-53 MA
From RS-1 to RU

TMS# 03400-01-14(P) Intersection of Shady Grove & Old Tamah

Looking at Site

Looking @ Dutch Oaks S/D South of Site



Curve Table				
No.	Bearing	Chord Dist.	Arc. Dist.	Radius
C-1	S 26°-47'-42" E	101.53'	101.60'	787.24'
C-2	S 02-12-19 E	246.88	247.36	1145.93
C-3	N 75-07-45 W	226.81	237.72	225.00

Attachment A
Legal Description

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-54 MA	**Applicant:** Gloria Bulluck
General Location: 7131 Broad River Road east of Kennerly Road	
Tax Map Number: 05000-04-32/33/34	**Subject Area:** 3.93 ac MOL
Current Parcel Zoning: D-1	**Proposed Parcel Zoning:** C-3
Proposed Use: Unspecified Commercial	**PC Sign Posting Date:** March 2, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change
Establish unspecified commercial uses to blend in with the character of the area

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Single family residence and undeveloped woodlands
Adjacent North	C-3	Various commercial businesses across Hwy. 176
Adjacent East	D-1 & CITY	Vacant single family residence
Adjacent South	D-1	Undeveloped woodlands
Adjacent West	M-1, D-1, C-2	Executive Hair Designs and undeveloped woodlands

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

D-1 Zoning Designation Intent	**Proposed C-3 Zoning Designation Intent**
Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semi-developed, with scattered related uses.	Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries
Existing D-1 Zoning Permitted Uses Agriculture Horticulture Forestry Single family detached dwellings or modular building units located on individual lots Places of worship	**Proposed C-3 Permitted Uses** Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses

The land uses above represent a summary of the permitted uses in Chapter 26-62 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The proposed Amendment site is in the immediate vicinity of existing commercial uses on C-3 zoned property across Broad River Road to the north, an existing salon on C-2 zoned property to the west, and undeveloped woodlands or vacant single-family residences in the area. The proposed Amendment site is compatible with the existing uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Broad River Road (Hwy. 176)
Functional Classification Of This Roadway	Two lane undivided major arterial
Level-Of-Service C Design Capacity (V/C = 1.00)	**14,600**
Estimated Traffic Generated By The Proposed Project	NP
Current Volume At The Nearest Count Station # 190 Located @ east of the site on Broad River Road	17,300
Estimated Traffic Count **With** the Proposed Project	NP
Volume-To-Capacity Ratio **With** The Proposed Project	NP

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

NP = Not possible to determine the generation rate from the TGM (use not specific enough)

Without a more specific idea of the intended use, it is not possible to estimate the traffic that could be generated by the use of the site for general commercial uses. For example, the TGM has factors for retail commercial use ranging from 4.8 trips per 1000 sq. ft for unspecified general commercial to 688 trips 1000 sq. ft for a drive-in restaurant to 1855 trips per 1000 sq. ft. GLA for a convenience store with gas pumps.

The current LOS of Broad River Road at SCDOT count station 190 is operating at a LOS E. The proposed Amendment would obviously increase the average trips on Broad River Road, however, as stated above, without a more specific idea of the intended use an approximation cannot be generated due to the numerous variables involved.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Northwest Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Commercial in the Established Urban area.**

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 34 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use.
The area adjacent and in the vicinity of the site is comprised of various commercial land uses on commercial zoned property. The proposed Amendment site has frontage on Broad River Road with ample access for a commercial use. The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters, and/or proposed locations as identified on the Proposed Land Use Map.
As stated in the Objective, the site is located at an existing commercial cluster and the Map designates the property as Commercial. The proposed Amendment **implements** this Principle.

Other Relevant Issues
It should be noted that the parcel lies amongst the City of Columbia city limit's to the west and the east. The Department sent the applicant to the City prior to accepting a rezoning application to ensure that the City has not annexed any additional property abutting the site. The City stated that they would not annex these particular parcels at this time.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-54 MA **be changed** from D-1 to C-3.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Broad River Road at this location is currently being exceeded at a LOS E.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

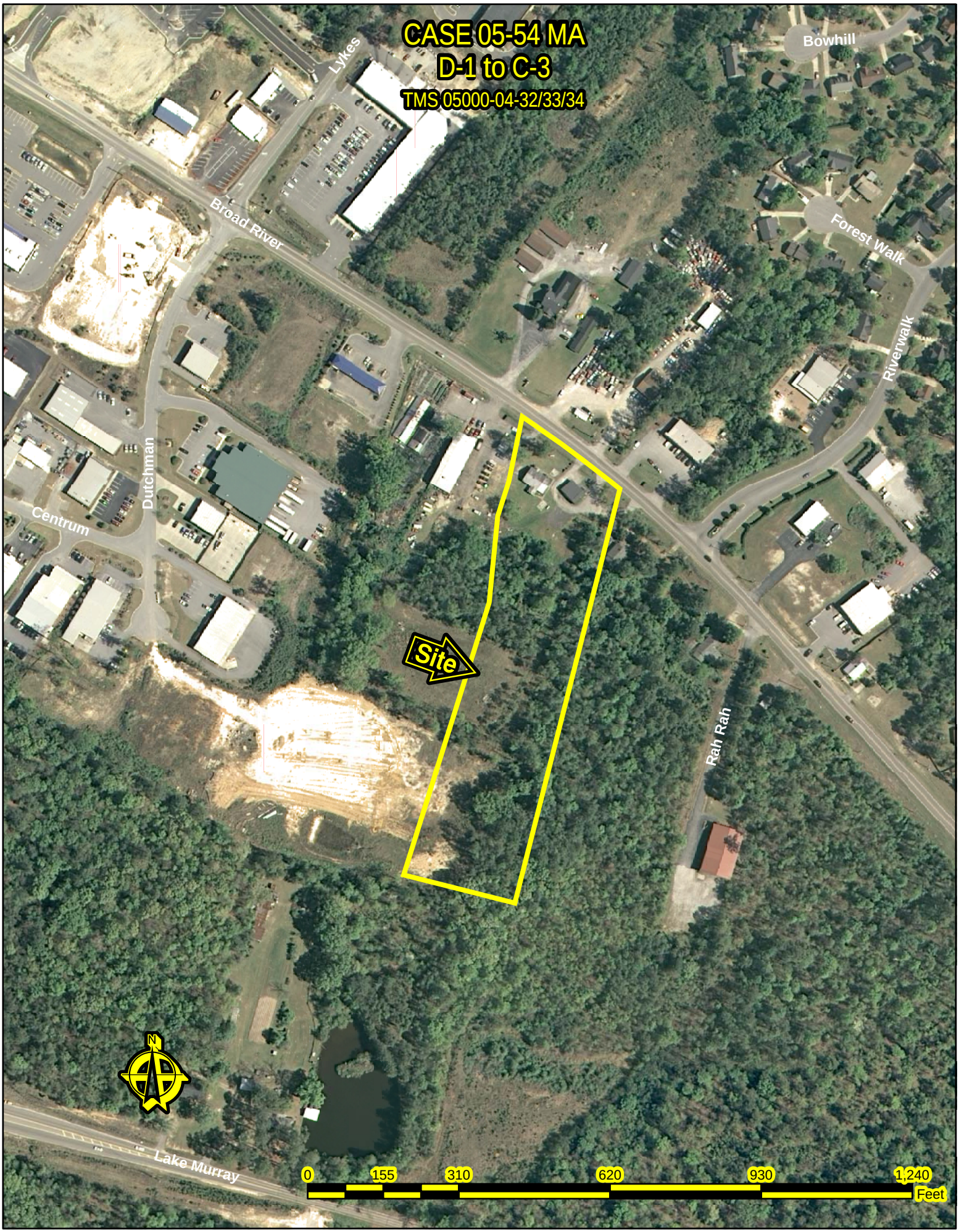
(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-54 MA at the next available opportunity.

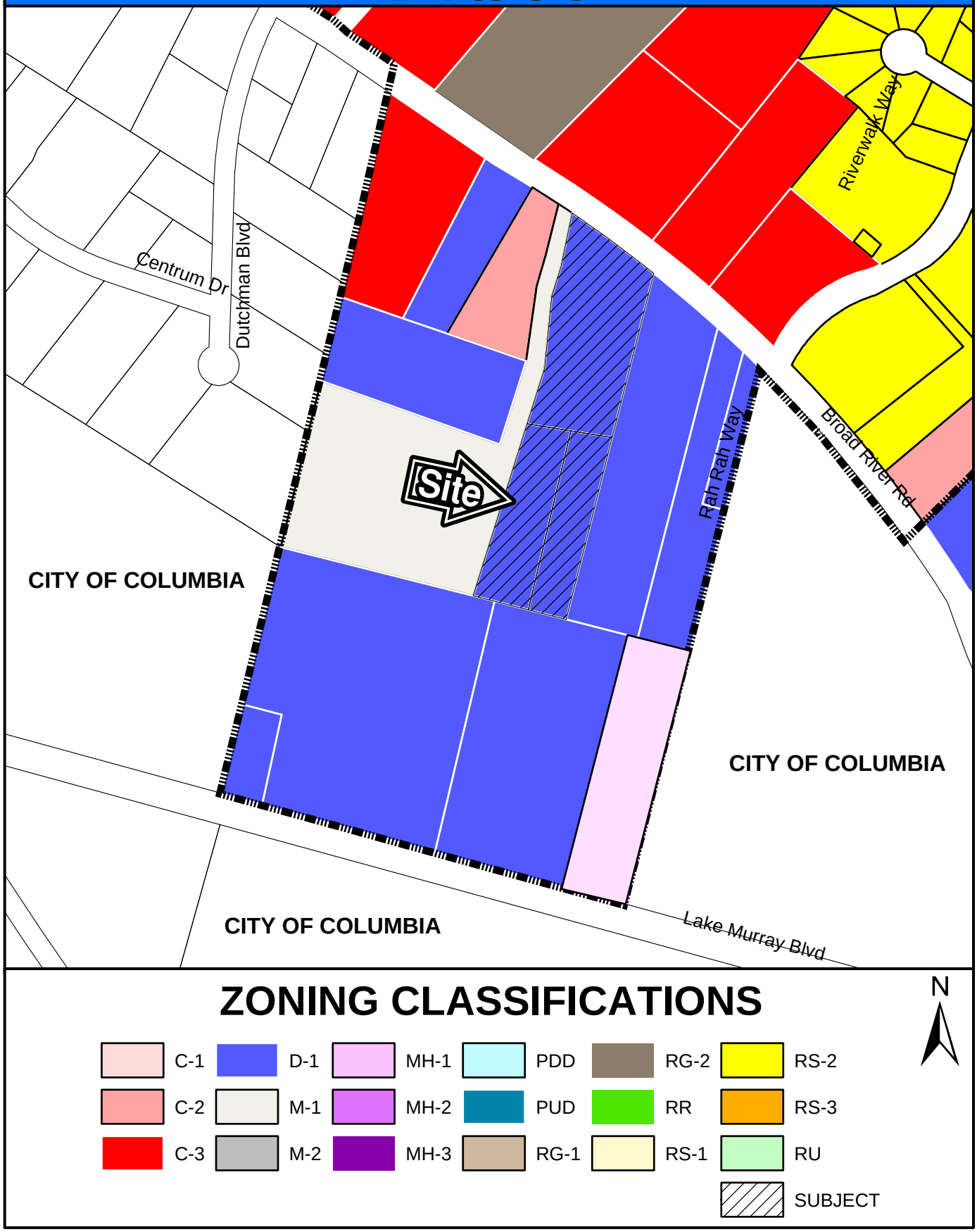
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-54 MA, the Planning Commission made the findings of fact summarized below:


CASE 05-54 MA
D-1 to C-3
TMS 05000-04-32/33/34
Lykes
Bowhill
Broad River
Forest Walk
Riverwalk
Dutchman
Centrum
Site
Rah Rah
Lake Murray
N
0
155
310
620
930
1,240
Feet

CASE 05-54 MA
D-1 to C-3



CASE 05-54 MA
From D-1 to C-3

TMS# 05000-04-32/33/34 7131 Broad River Road

Looking at Site

Looking West on Broad River Road

METES & BOUNDS DESCRIPTION:

Richland County TMS 05000-04-33, lot 2-A, 1.914 acres on Broad River Road near Irmo

Beginning at a 1” pinch pipe found on the southern right-of-way, across from the intersection of Broad River Road and Riverwalk Way, this being the point of beginning; thence S19º-20’-12”W for a distance of 394.63’ to an iron pin set, 7/8” open; thence N70º-39’-48”W for a distance of 98.58’ to an iron pin set, 7/8” open; thence N70º-39’-48”W for a distance of 98.58’ to an iron pin set, 7/8” open; thence N22º-38’-44”E for a distance of 96.81’ to an iron pin found, 7/8” open; thence N17º-38’-06”E for a distance of 180.81’ to an iron pin found, 1” pinch; thence N27º-12’-32”E for a distance of 197.51’ to an iron pin found, 5/8” rod; thence S47º-36’-45”E for a distance of 91.18’ to an iron pin set, 5/8” open; thence S44º-15’-27”E for a distance of 96.00’ to an iron pin found, 1” pinch, this being the point of beginning.

Richland County TMS 05000-04-32, Lot 2-B, 1.00 acre off of Broad River Road near Irmo

Beginning at an iron pin set, 7/8” open, 394.63 feet south of the southern right-of-way of Broad River Road to the point of beginning; thence S19º-20’-12”W for a distance of 413.92’ to an iron pin found, 7/8” open; thence N72º-02’-39”W for a distance of 111.29’ to an iron pin set, 7/8” open; thence N21º-04’-46”E for a distance of 416.79’ to an iron pin set, 7/8” open; thence S70º-39’-48”E for a distance of 98.58’ to an iron pin set, 7/8” open, this being the point of beginning.

Richland County TMS 05000-04-34, Lot 2-C, 1.00 acre off of Broad River Road near Irmo

Beginning at an iron pin set, 7/8” open, bounded by lots 2-A, 2-B, & 2-C; thence S21º-04’-46”W for a distance of 416.79’ to an iron pin set, 7/8” open; thence N72º-02’-39”W for a distance of 70.22’ to an iron pin found, 1-1/2” open; thence N72º-22’-07”W for a distance of 39.76’ to an iron pin found, 1” rod; thence N22º-36’-33”E for a distance of 335.25’ to an iron pin found, ¾” rod; thence N22º-38’-44”E for a distance of 84.91’ to an iron pin set, 7/8” open; thence S70º-39’-48”E for a distance of 98.58’ to an iron pin set, 7/8” open, this being the point of beginning.

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-57 MA	**Applicant:** Stadium Village Lofts c/o Boyce Haigler
General Location: 1046 & 1047 Berea Road near USC Stadium	
Tax Map Number: 11206-04-02/03	**Subject Area:** 2.38 ac MOL
Current Parcel Zoning: M-2	**Proposed Parcel Zoning:** C-3
Proposed Use: Multi-family residential	**PC Sign Posting Date:** March 2, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

a) The need and justification for the changes.
b) The effect of the change, if any, on the property and on surrounding properties.
c) The amount of land in the general area having the same classification as that requested.
d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change

For the establishment of multi-family residences

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	M-2	Existing warehouses and parking lot
Adjacent North	M-2	Touchdown Zone Parking
Adjacent East	M-2	Existing warehouses
Adjacent South	M-2	Cromers Supply
Adjacent West	City	USC Cock-a-booses & Stadium

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

M-2 Zoning Designation Intent	**Proposed C-3 Zoning Designation Intent**
Intended to accommodate primarily those uses of manufacturing and industrial nature, and secondarily those uses which are functionally related thereto such as distribution, storage, and processing.	Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries
Existing M-2 Zoning Permitted Uses	**Proposed C-3 Zoning Permitted Uses**
Any use which is otherwise lawful, which would not otherwise be prohibited by this ordinance, except specific listed uses and special exceptions.	Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses

The land uses above represent a summary of the permitted uses in Chapter 26-69 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The proposed Amendment site is located directly north of the proposed Spur site and adjacent to the Cock-a-booses and various uses such as warehouses, and parking areas. The proposed Amendment for commercial zoning is compatible with the existing land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Bluff Road (Hwy. 48)
Functional Classification Of This Roadway	Four Lane Undivided Major Arterial
Level-Of-Service C Design Capacity (V/C = 1.00)	**29,200**
Estimated Traffic Generated By The Proposed Project	396
Current Volume At The Nearest Count Station # 332 Located @north of site on Bluff Road near Rosewood	12,300
Estimated Traffic Count **With** the Proposed Project	12,696
Volume-To-Capacity Ratio **With** The Proposed Project	**0.43**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Low Rise Apartment found on page 9 of the Addendum To The Long Range Major Street Plan for Richland County times the proposed number of dwelling units. (6.6 x 60 = 396)

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The traffic generated by this site should be minimal due to the seasonal use of the site. It should be noted however that Bluff Road is experiencing a significant increase in traffic in this area due to the numerous multi-family developments in this vicinity. Additional traffic lights and/or turning lanes etc., may be required by SCDOT to accommodate the influx of vehicular traffic.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the Lower Richland Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as Commercial in the Developing Urban area.**

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Lower Richland Subarea Plan, adopted in January 1992, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 33 and 38 respectively, are discussed below:

Objective – None applicable

Principle – None applicable

The Plan has Objectives and Principles for commercial designations, but does not have stipulations for commercial zoning designations with residential uses. The applicant(s) have clearly stated the intended use to be multi-family residential, currently allowed by the C-3 zoning designation, on the site.

Other Relevant Issues

The applicant(s) have met with the Department on various occasions regarding the proposed project. The Department has repeatedly advised the applicant to speak to the City of Columbia regarding immediate annexation. The City's current policy is that they will not review any water or sewer line construction plans until the City has received an annexation petition.

It is the City's usual practice to deny water and/or sewer service for parcels adjacent to the city limits until the annexation process is complete. In this case, the warehouses have City water and sewer service. However, it is obvious that the proposed residential development will significantly increase the water and sewerage demand. The City staff have advised this Department that since a increased water and/or sewer service will be likely be required, i.e., bigger lines and or pump stations, the City will not provide such service until the parcels are annexed.

The City and the County have an agreement that once an annexation petition is received, the City will process the annexation, rezoning and/or site plan review somewhat simultaneously. The process significantly reduces the required to issue development permits. To date, the applicant has refused to petition the City for annexation.

The subject site is part of a larger proposed development that includes the adjacent warehouses and a parcel to the east. The Department strongly urged the applicant to submit a PUD application for all the subject parcels rather applying for conventional zoning a piece at a time. The Department strongly believes that projects of this scale should be planned until development projects so that the development will occur in a coordinate manner. The applicant declined the Department's advice in this regard.

The Department believes that the site is located in a prime location for easy access to Downtown, Interstates 77 and 26 and various amenities in the area. There are currently two multi-family residential communities in the immediate area (College Suites on Silo Court and National Guard Road Apartments), which were approved via the Board of Zoning Appeals for the allowance of multi-family residences in an industrial district.

Since the Zoning Ordinance has been amended to prohibit multi-family dwellings in industrial districts, the entire site needs to be rezoned General Commercial to allow multi-family residences. The Planning Commission and County Council recently recommended approval for the "Spur" which will be comprised of multi-family dwellings almost adjacent to the site. Site plans have been submitted to the Department for review for the "Spur" as of this time.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-57 MA **be changed** from M-2 to C-3.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Bluff Road at this location **will not** be exceeded.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Lower Richland Subarea Plan.
4. There are no relevant Objectives or Principles relating to the proposed Amendment in the Lower Richland Subarea Plan.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-57 MA at the next available opportunity.

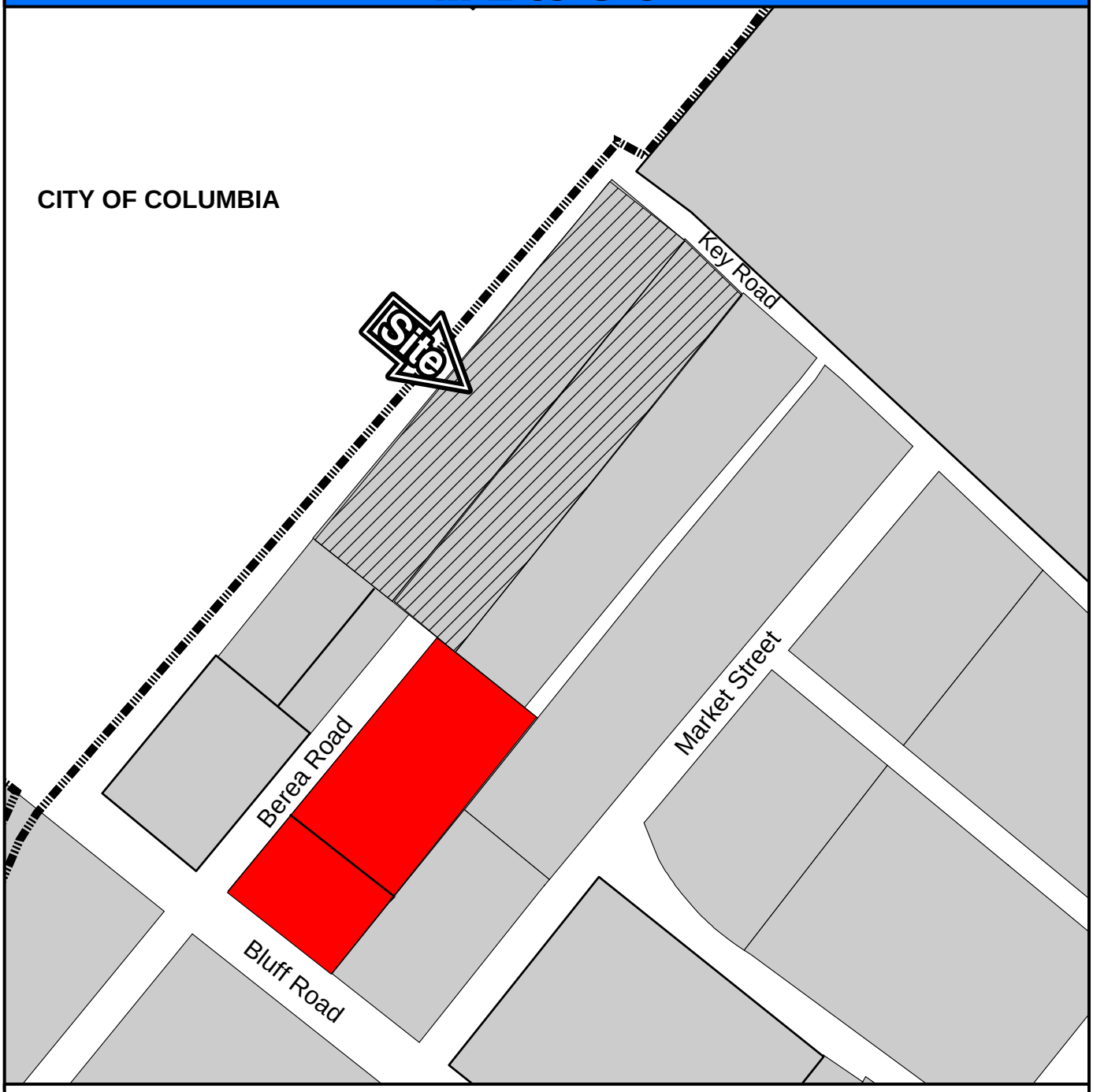
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-57 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-57 MA
M-2 to C-3
TMS 11206-04-02/03
George Rogers
Shop
Key
Site
CAROLINA
Berea
Market
Eden
Bluff
National
N
0
150
300
600
900
1,200
Feet

CASE 05-57 MA
M-2 to C-3



ZONING CLASSIFICATIONS

N

C-1	D-1	MH-1	PDD	RG-2	RS-2
C-2	M-1	MH-2	PUD	RR	RS-3
C-3	M-2	MH-3	RG-1	RS-1	RU
					SUBJECT

CASE 05-57 MA
From M-2 to C-3

TMS# 11206-04-02/03 1046 & 1047 Berea Road

Looking at proposed "Spur" Condos

Looking at Site

LAND DESCRIPTION TMS NUMBERS 11206-04-02 & 11206-04-03

Beginning at the intersection of the northern right-of-way of Bluff Road and the eastern right-of way of Berea Road at a point, thence running along the eastern right-of-way of Berea Road for a distance of 450 feet to a 1-1/4" Pipe (o), this being the POINT OF BEGINNING (P.O.B.); thence turning and running N 50d09'56" W along the northern margin of the right-of-way of Berea Road for a distance of 50.01 feet to a 3/4" Pinch top (o); thence turning and running N 50d09'56" W along property of now or formerly Woodward W. Williams, Jr. & Charles W. Williams for a distance of 22.19 feet to a 1/2" Rebar (n); thence turning and running N 50d09'56" W along property of now or formerly Woodward W. Williams, Jr. & Charles W. Williams for a distance of 154.00 feet to a 1/2" Rebar (n); thence turning and running N 39d52'26" E along property of now or formerly The Cockaboose Corporation for a distance of 650.93 feet to a 1/2" Rebar (n); thence turning and running S 50d07'34" E along the southern right-of-way of Key Road for a distance of 154.00 feet to a Point; thence turning and running S 50d07'34" E along the southern right-of-way of Key Road for a distance of 74.30 feet to a Mag Nail (n); thence turning and running S 45d29'49" E along the southern right-of-way of Key Road for a distance of 5.72 feet to a Mag Nail (n); thence turning and running S 39d52'26" W along property of now or formerly Warehouses, Inc. for a distance of 650.34 feet to a Point on Wall; thence turning and running N 49d58'05" W along property of now or formerly Betty L. Jackson for a distance of 7.80 feet to a 1-1/4" Pipe (o), the POINT OF BEGINNING (P.O.B.).

RICHLAND COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING COMMISSION MAP AMENDMENT STAFF REPORT

April 4, 2005

RC Project # 05-58 MA	**Applicant:** Gentry Dvlpmt/Don Lovett
General Location: NE Quadrant of new Clemson Road and Longtown Rd	
Tax Map Number: 17400-06-01/02/03/04/05/06/07/08/09/11/12/13	**Subject Area:** 44.4 ac MOL
Current Parcel Zoning: C-1 & RU	**Proposed Parcel Zoning:** C-3
Proposed Use: Shopping Center & Specialty Retail	**PC Sign Posting Date:** March 2, 2005

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "…the location, character and extent…" of a proposed amendment. It is the Department's position that this provision means the Planning Commission must "…review and comment as to the compatibility of the proposal with the comprehensive plan…"

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments *(to the Zoning Ordinance)* shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

1. The need and justification for the changes.
2. The effect of the change, if any, on the property and on surrounding properties.
3. The amount of land in the general area having the same classification as that requested.
4. The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance *(the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning**.**

Applicant's Factual Justification For Proposed Change
Develop a shopping center and specialty retail

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU & C-1	Vacant and single family residences
Adjacent North	RU	Undeveloped woodlands
Adjacent East	RU & RS-2	Undeveloped woodlands
Adjacent South	C-3	New Clemson Road & single family residence
Adjacent West	M-2 & PUD	Mini-warehouses & undeveloped parcels

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

RU Zoning Designation Intent	**Proposed C-3 Zoning Designation Intent**
Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas **C-1 Zoning Designation Intent** Intended to accommodate office, institutional and certain types of residential uses in areas whose characteristic is neither general commercial nor exclusively residential in nature	Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries

Existing RU Zoning Permitted Uses	**Proposed C-3 Zoning Permitted Uses**
All farm type enterprises	Retail, service, repair & personal services
Public buildings and utilities	Offices, studios & financial institutions
Orphanages, nursing homes and the like	Eating and drinking establishments
Places of worship	Wholesale/distribution uses < 8000 sq. ft.
Educational facilities	Private clubs, lodges and the like
One & Two family dwellings	Automobile service stations
	Places of worship
Existing C-1 Zoning Permitted Uses	Enclosed recycle collection & transfer uses
Offices and studio	
Medical & dental laboratories	
Hospitals, clinics & rest homes	
Educational facilities	
Places of worship & cemeteries	
Funeral homes and auditoriums & the like	
Private clubs & the like	
Single family homes	
Day care & community service centers	

The land uses above represent a summary of the permitted uses in Chapter 26-61, 26-63, 26-65 and Chapter 26-67, respectively of the County Code. Some Special Exceptions may be possible.

The existing residences have been purchased and will be demolished in the near future. The adjacent parcels to the east and north are currently undeveloped. The parcels across Clemson Road, including the church, to the south were rezoned to C-3 a few months ago. The proposed Amendment is compatible the known proposed adjacent land uses.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project's impact on the identified roadway's traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project's effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets 50 % Access From Proposed Project Gets 50 % Access From	Clemson Road Longtown Road
Functional Classification Of Clemson Road Functional Classification of Longtown Road	Five lane undivided minor arterial Two land undivided collector
Level-Of-Service C Design Capacity Clemson Road **Level-Of-Service C Design Capacity Longtown Rd**	**24,800** **8600**
Estimated Traffic Generated By The Proposed Project	18,480
Current Volume At The Nearest Count Station # 440 Located @ 3/4 mile east of Longtown Rd Current Volume At The Nearest Count Station # 711 Located @ just south of Lee Road	16,300 5000
Est. Clemson Rd Traffic Count **With** the Prop. Project (50 % of new generated) Est. Longtown Rd Traffic Count With the Prop. Project (50 % of new generated)	25,540 14,240
Clemson Road Volume-To-Capacity Ratio **With** The Proposed Project Longtown Road Volume-To-Capacity Ratio **With** The Proposed Project	**1.02** **1.67**

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented in the 5th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM). In this case, the estimated traffic is calculated by multiplying the generation rate for an estimated 440,000 sq. ft. GLA found on page 1231 of the TGM (42 ADTS/1000 sq. ft. GLA).

The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

This analysis assumed that the 50 % of the traffic leaving the project at buildout would use Clemson Road and 50 % would use Longtown Road. Based on this assumption, the subject project, by itself, will cause the new Clemson Road to be operating at a LOS C. The project, by itself, will also cause Longtown Road to operate far above the LOS F level.

The Longtown Road situation is far more desperate because the approved subdivisions to date "upstream" on Longtown Road will generate an additional 11,479 ADTs down Longtown Road past the subject site to the new Clemson Road. Substantial development is also occurring south of Clemson Road along Longtown Road.

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1 mile radius of a fire station.

Relationship To Comprehensive Plan

It is the Department's position that in order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "…It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision…" [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

Section 6-29-710, SC Code of Laws states "…The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter…" The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the I-77 Corridor Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process.

The Map designates the subject area as High Density Residential in the Developing Urban area. **The proposed C-3 zoning is NOT consistent with the Map** designation as required by state statutes because the area is designated for high-density residential land uses NOT commercial land uses.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 39 respectively, are discussed below:

Objective – Establish commercial pockets or clusters as needed to serve the area

The Clemson Road/Longtown Road intersection is a major crossroads in the County, particularly due to its proximity to I-77. The subject project will serve the increasing residential market in this part of the County. The proposed Amendment implements this Objective.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters and/.or locations as identified on the Proposed Land Use Map.

1. Areas identified on the Proposed Land Use Map; and
2. Sites that don't encroach or penetrate established residential areas; and
3. Sites of major traffic junctions and cluster locations as opposed to strip development.

A. The northeast quadrant of Clemson Road and Longtown Road is designated for high density residential land uses; the southeast quadrant for low density residential land uses; the southwest quadrant for commercial land uses; and the northwest quadrant for light industrial uses.

B. The existing residences on the site will be purchased and demolished.

C. The Clemson Road and Longtown Road intersection is a major roadway junction.

The proposed Amendment implements this Principle.

Other Relevant Issues

A complete traffic management/improvement plan is desperately needed for this area. The effects of the approved, and planned, development for a two mile radius around the Clemson Road and Longtown Road intersection need to be accurately assessed; needed improvements identified by specific timeframes; and measures initiated to finance the improvements. The scope of this effort is far beyond the current Department staff's technical ability to accomplish.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-58 MA **be changed** from RU and C-1 to C-3.

Findings of Fact:

1. The applicant has provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is compatible with** the adjacent existing land uses.
3. The traffic analysis shows that the subject project, by itself, will cause the new Clemson Road to be operating at a LOS C. **The project, by itself, will also cause Longtown Road to operate far above the LOS F level**.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
6. It is the Department's position that in order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the I-77 Corridor Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a commercial land use designation.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

(a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**

(b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**

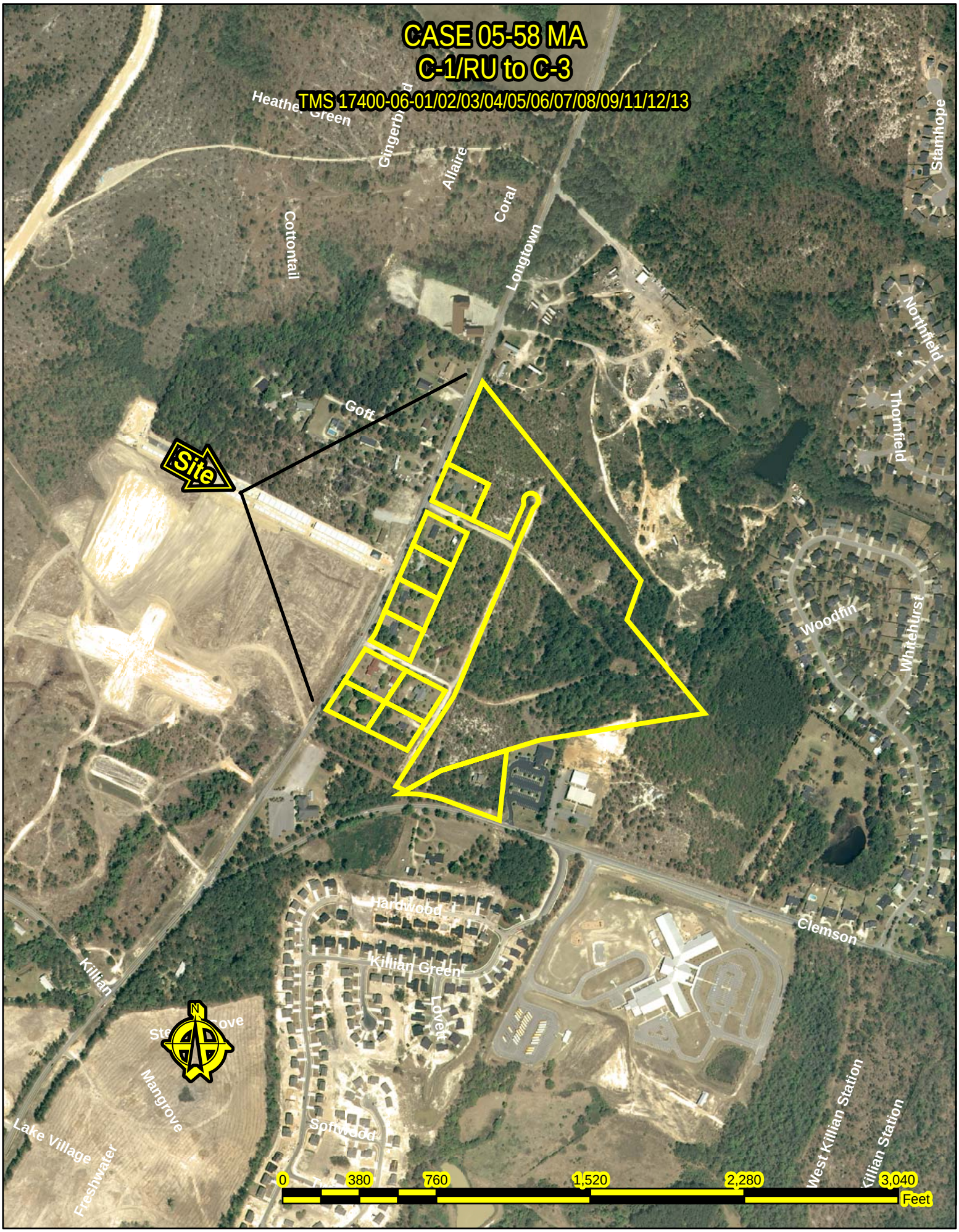
(c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of April 4, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-58 MA at the next available opportunity.

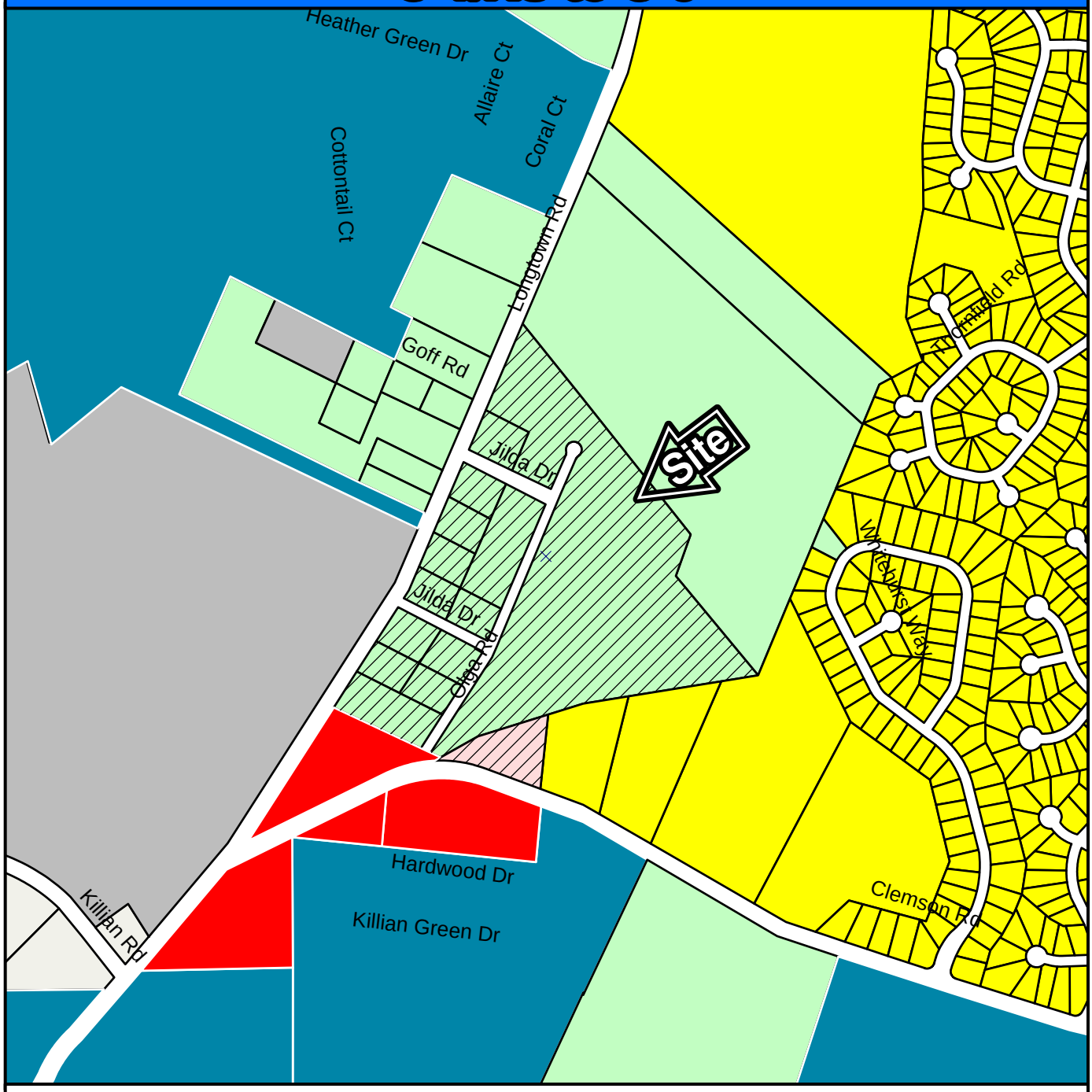
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-58 MA, the Planning Commission made the findings of fact summarized below:


CASE 05-58 MA
C-1/RU to C-3
TMS 17400-06-01/02/03/04/05/06/07/08/09/11/12/13
Heather Green
Gingerbread
Allaire
Coral
Cottontail
Longtown
Stanhope
Northfield
Thornfield
Goff
Site
Woodfin
Whitehurst
Clemson
Hardwood
Killian Green
Lovett
Killian
Mangrove
Lake Village
Freshwater
Sprwood
West Killian Station
Killian Station
N
0
380
760
1,520
2,280
3,040
Feet

CASE 05-58 MA
C-1/RU to C-3



ZONING CLASSIFICATIONS

N

C-1	D-1	MH-1	PDD	RG-2	RS-2
C-2	M-1	MH-2	PUD	RR	RS-3
C-3	M-2	MH-3	RG-1	RS-1	RU
					SUBJECT

CASE 05-58 MA
From C-1/RU to C-3

TMS# 17400-06-01/02/03/04/05/06/07/08/09/11/12/13

Looking at site from Longtown Road

Intersection of New Clemson Road & Longtown Road

Intersection of Longtown & Clemson Road

Legal Description

TMS # 17400-06-01

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being on the Northeastern corner of Longtown Road (South Carolina Road 105) and Jilda Drive, near Killian, in the County of Richland, State of South Carolina and being shown and designated as Lot 8 in Terry Acres on plat prepared for William Leroy Lovett by Keels Engineering Company dated October 5, 1969, to be recorded, and measuring and bounding thereon, On the North by Lot 9 for a distance of Two Hundred-five (225') feet, On the East by property of W. D. Grimsley for a distance of two hundred (200') feet, On the South by Jilda Drive for a distance of Two hundred twenty-five (225') feet, and On the West By Longtown Road, fronting thereon for a distance of Two Hundred (200') feet. Reference is had to one above-reference to plat for a more complete description.

This being the identical property conveyed to Catherine L. Brazell herein by deed of William Leroy Lovett, and recorded in the Office of the Register of Deeds for Richland County in Book 498 at page 366.

TMS Number: 17400-06-02

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being on the southern corner of Longtown Road and a proposed street, being shown and designated as Lot 7, Terry Acres, Killian Community, on plat prepared for W. D. Grimsley, Developer, by Keels Engineering Company, dated August 11, 1967, to be recorded, and measuring and bounding thereon as follows: On the Northwest by Longtown Road, fronting thereon, for a distance of one hundred seventy-five (175') feet; On the Northeast by proposed street as shown on said plat for a distance of two hundred twenty-five (225') feet; On the Southeast by Lot 16 for a distance of one hundred seventy-five (175') feet; and, on the Southwest by Lot 6 for a distance of two hundred twenty-five (225') feet; reference is had to the above referred to plat for a more complete description – all measurements being a little more or less. Being a portion of the property conveyed to W.D. Grimsley by Gussie Terry by deed March 6, 1962, and recorded in the office of the Clerk of Court for Richland County in Deed Book 321 at page 8.

This being the identical property conveyed to Jerry B. Norton herein by deed of Jerry B. Norton and Elaine H. Norton, and recorded in the Office of the Register of Deeds for Richland County in Book 765 at page 2511.

TMS Number 17400-06-03

All of that certain piece parcel or lot of land, with improvements thereon, situate, lying and being on the southeastern side of Longtown Road, near Killian and Columbia, in the County of Richland, State of South Carolina, and shown and designated as Lot 6 on plat of proposed subdivision of "Terry Acres", and also being shown on plat prepared for James V. Sewell by Arthur H. Keels, C.E., dated September 28, 1964, to be recorded, and bounding and measuring as follows: On the Northwest by Longtown Road, fronting thereon for a distance of one hundred seventy-five (175') feet; On the Northeast by Lot No. 7, for a distance of two hundred twenty-five (225') feet; On the Southeast by Lot No. 15, for a distance of one hundred seventy-five (175') feet; and on the Southwest by Lot No. 5, for a distance of two hundred twenty-five (225') feet.

This being the same property conveyed to James V. Sewell by W. D. Grimsley by deed dated October 2, 1964 and recorded in the Office of the Register of Deeds for Richland County on October 2, 1964 in Deed Book 399, at page 411.

TMS Number: 17400-06-04

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being on the eastern of Longtown Road, near Killian, Richland County, South Carolina, and being shown and designated as Lot 5 on plat prepared for Erwin N. Hughes by James Covington dated March 28, 1963, to be recorded, and measuring and bounding thereon as follows: On the North by Lot Six (6), as shown on said plat, for a distance of two hundred twenty-five (225') feet; On the East by Lot Fourteen (14), as shown on said plat for a distance of one hundred seventy-five (175') feet; and on the South by Lot Four (4), as shown on said plat for a distance of two hundred twenty-five (225') feet; and on the West by Longtown Road, fronting thereon a distance of one hundred seventy-five (175') feet. Being a portion of the property conveyed by deed of Gussie Terry to W. D. Grimsley, dated March 6, 1962, and recorded in the office of the Clerk of the Court for Richland County in Deed Book 121, page 8 on March 7, 1962.

This being the identical property conveyed to Arthur D. Hayes and Agnes E. Hayes herein by deed of Albert B. Bowling and Claudette S. Bowling, and recorded in the Office of the Register of Deeds for Richland County in Book 1074 at page 244.

TMS Number: 17400-06-05

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being located in the County of Richland, State of South Carolina; being shown and designated at Lot 4, on a plat prepared for W. D., Grimsley by Keels Engineering Company dated March 20, 1969, and recorded in the Office of the RMC for Richland County in Plat Book X at page 612; being more particularly shown on a plat prepared for Charles Lynwood Bower and Ruth F. Bower by Isaac J. Cox & Cox, dated April 28,

1975, and recorded in Plat Book X at page 3602, and according to latter plat having the following boundaries and measurements, to wit: on the Northwest by Longtown Road, whereon it measures 175feet; on the Northeast by undesignated property, whereon it measures 225.4 feet; on the Southeast by undesignated property, whereon it measures 175.2 feet; and on the Southwest by Jilda Drive, whereon it measures 225 feet; be all measurements a little more or less.

This being the identical property conveyed to Robert C. Hammond, Sr. and Sandra C. Hammond herein by deed of Jane R. Smith, and recorded in the Office of the Register of Deeds for Richland County in Book 939 at page 537.

TMS #17400-06-06

All that certain piece, parcel or lot of land situate, with improvements thereon, situate, lying and being near the City of Columbia, County of Richland, State of South Carolina; being further shown and delineated as Lot 13, Terry Acres, on a plat prepared for Thomas W. Goff by Collingwood & Associates, dated October 23, 1986, and recorded in the Office of the Register of Deeds for Richland County.

According to said plat having the following boundaries and measurements, to-wit: On the Northeast by Lot 14, whereon it measures for a distance of 225.03 feet; on the Southeast by Olga Road whereon it measures for a distance of 175.00 feet; on the Southwest by Jilda Drive whereon it measures for a distance of 225.5 feet; and on the Northwest by Lot 4 whereon it measures for a distance of 175.07 feet; be all measurements a little more or less.

TMS # 17400-06-07

All that certain piece, parcel or tract of land, with any improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, and being more particularly shown and delineated as Tract 10, containing 48.5 Acres on a plat of property of Bertha G. Schenk, near Killian, South Carolina, prepared by Shand Engineering Company, dated April 2, 1917 and recorded in the Office of the Register of Deeds for Richland County in Plat Book C at Page 224 and shown thereon as being bounded and measuring as follows: Beginning at the northernmost point of said property, on the southeastern right-of-way margin of Long Town Road, thence running S40'E along Tract 11 as shown on said plat for a distance of 1893 feet to a pipe; thence turning and running S72 ½'W along property of Jones as shown on said plat for a distance of 1340 feet to a pipe; thence continuing along property of Jones as shown on said plat S62 ½'W for a distance of 915 feet to a pipe; thence turning and running along Jacobs Road as shown on said plat which separates said tract from property of Shannon; thence turning and running northeast along Long Town Road as shown on said plat for a distance of 2760 feet to the point being the point of beginning.

This being a portion of the same property conveyed to W. D. Grimsley by Gussie Terry by deed recorded in the Office of the Register of Deeds for Richland County in Book 321, page 8.

LESS AND EXCEPTING: Five (5) acres conveyed to Henry G. Jackson by deed recorded in the Office of the Register of Deeds for Richland County in Book EN, page 194; and Lots 2, 3, 4, 5, 6, 7, 8, 11, 12 & 13 as shown on a plat of "Terry Acres" prepared by Keels Engineering Co. dated March 20, 1969 and recorded in Plat Book N at page 812.

TMS Number: 17400-06-08

All that certain piece, parcel or lot of land, situate lying and being in Richland County near Columbia, South Carolina in the Blythewood section being shown as Lot 11 on a plat of Terry Acres by Keels Engineering Company dated May 15, 1969 and recorded in the RMC office for Richland County in Plat Book X at Page 6448. Said property is further shown in a Plat prepared for Janice G. Delozier by Arthur H. Keels, registered civil engineer and surveyor, dated August 1, 1989 to be recorded.

Said lot is bounded and measures as follows: Bounded North by Lot 12 whereon it measures 225'; bounded on the Northwest by Lot 2 whereon it measures 175'; bounded on the South by Lot 10 whereon it measures 225' and bounded on the East by Olga Road whereon it fronts for a distance of 175'

This being the identical property conveyed to Janice DeLozier herein by deed recorded in the Office of the Register of Deeds for Richland County in Book D399 at page 957.

TMS Number 17400-06-09

All that certain piece, parcel or lot of land with the improvements thereon, situate, lying and being on the Northern side of S.C. Road S-40-52, near the City of Killian, in the County of Richland, State of South Carolina **KNOWN AS 2708 CLEMSON ROAD,** being more particularly shown and designated as **PARCEL "A"** and **CONTAINING 2.55 ACRES, MORE OR LESS**, as shown on plat for Wayne D. Lovett prepared by William Wingfield, dated July 21, 1962, and recorded in the Office of the Clerk of Court for Richland County in **PLAT BOOK 20** at **PAGE 145**. Said lot having the following measurements and boundaries as shown on the said plat, to wit: Beginning at a nail and cap in the center line of S.C. Road S-40-52 and running N62°35'E 107.7 feet to an ir5on on the northern right-of-way of S.C. Road S40-52 and continuing N62°35" E for a distance of 307.0 feet along the boundary of land now or formerly of B. E. Jackson to an iron stake, thence turning and running N73°31' E for a distance of 353.0 feet along the boundary line of property now or formerly of B.E. Jackson; thence turning and running in a southwardly direction 58°03' W for a distance of 329.5 feet along the boundary line of property now or formerly of W.A. McCrary to an iron stake on the northern right-of-way

of S.C. Road S-40-52 and continuing 58°03' W for a distance of 33.8 feet to the nail and cap in the center line of S.C. Road S-40-52, then turning and running in a westwardly direction along the center line curve of S.C. Road S-40-52 for a distance of 669.8 feet to the point of beginning.

Included in the above description is a portion of S.C. Road S-40-52 right-of-way and this conveyance conveys such interest as the grantor may have therein.

Derivation: This is the same property conveyed to Wayne D. Lovett by Deed of H. T. Lovett dated September 26, 1962 and recorded in the Office of the Register of Deeds for Richland County on September 27, 1962 in Book 337 at Page 157, the said Wayne D. Lovett having thereafter conveyed an undivided one-half (1.2) interest therein unto Mary Ellen Lovett by deed filed in the Office of the Register of Deeds for Richland County on October 12, 1973, in Book 295 at Page 793; the said Mary Ellen Lovett having thereafter re-conveyed all of her right, title and interest in said property unto Wayne D. Lovett be deed dated August 23, 1991, and filed in said Register of Deeds Office; the said Wayne D. Lovett thereafter having died testate whose estate is filed in the Office of the Judge of Probate for Richland County in File #2001-ES-40-1180.

TMS Number: 17400-06-11

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being near Killian, in the County of Richland, State of South Carolina and being shown and designated as Lot Number Two (2), on a map of Terry Acres, property of W. D. Grimsley and also being shown on a plat prepared for Blake Freeman, by Arthur H. Keels, Reg Surveyor, dated December 16, 1983 and recorded in the Office of the RMC for Richland County, in Plat Book 22, page 418, and being more fully shown and delineated on a plat prepared for John T. Coutsos, by Cox and Dinkins, Inc. dated October 1, 1984, to be recorded, and having the following boundaries and measurements as shown on said latter plat, to wit: On the Northeast by Lot Number Three (30, whereon it measures Two Hundred Twenty-Five and Eighteen Hundredths (225.18') feet; on the Southeast by Lot Number Eleven (11), whereon it measures One Hundred Seventy-Four and Eighty Two Hundredths (174.82') feet; on the Southwest by Lot Number One (1), whereon it measures Two Hundred Twenty Five and Twenty Eight Hundredths (225.28') feet; and on the Northwest by Longtown Road, whereon it measures One Hundred Seventy Four and Sixty One Hundredths (174.61') feet, be all measurements a little more or less.

This being the identical property conveyed to Larry H. Sharpe herein by deed of William Coutsos, and recorded in the Office of the Register of Deeds for Richland County in Book D713 at page 511.

TMS #17400-06-12

All that certain piece, parcel or lot of land, with any and all improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, being designated as Lot #3 Terry Acres, as shown on a plat prepared for Norman O. Tichnell by H. E. Edwards, Jr., R.L.S., dated February 12, 1980 and being recorded with the Register of Deeds for Richland County in Plat Book Y at Page 6984. Said lot being more fully shown and delineated on said plat as follows, to-wit: Beginning at an iron located at the intersection of the Eastern right-of-way boundary of Longtown Road, and the Southern right-of-way boundary of Jilda Drive; thence running S 61° 35' E along the said right-of-way of Jilda Drive for a distance of 225.0 feet to an iron; thence turning and running S 32° 30' W along property now and formerly of W.D. Grimsley for a distance of 175.0 feet to an iron; thence turning and running N 61° 35' W along Lot #2 as shown on said plat for a distance of 225.0 feet to an iron; thence turning and running N 32° 30' E along the Eastern right-of-way boundary of Longtown Road for a distance of 175.0 feet to an iron which is the point of beginning. Be all measurements a little more or less.

TMS Number: 17400-06-13

All that certain piece, parcel or lot of land, situate lying and being in Richland County near Columbia, South Carolina in the Blythewood section being shown as Lot 12 on a plat of Terry Acres by Keels Engineering Company dated May 15, 1969 and recorded in the RMC office for Richland County in Plat Book X at Page 6448. Said property is further shown in a Plat prepared for Janice G. Delozier by Arthur H. Keels, registered civil engineer and surveyor, dated August 1, 1989 to be recorded.

Said lot is bounded and measures as follows: Bounded on the Northeast by Jilda Drive whereon it runs for a distance of 225"; bounded on the Northwest by Lot 3 whereon it measures 175'; bounded on the Southwest by Lot 11 whereon it measures 225' and bounded on the Southeast by Olga Road whereon it fronts for a distance of 175'

This being the identical property conveyed to Janice DeLozier herein by deed recorded in the Office of the Register of Deeds for Richland County in Book D948 at page 245.

RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
Development Services Division Memo

TO: Planning Commission Members
FROM: Carl D. Gosline, AICP, Land Development Administrator
DATE: March 18, 2005
RE: Subdivision and Street Name Approval

Background

Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, the statute states, "…A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction…"

The attached list of proposed street/road names has been certified by Alfreda Tindal, Richland County E-911 Addressing Coordinator, as being in compliance with the E-911 system requirements. A list of proposed subdivision names is included for your information.

Action Requested

The Department recommends the Commission approve the attached street/road name list. The subdivision/ commercial names are for information only. No Commission action is necessary.

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Chandler Hall	Trotter Road
Crystal Cove	Across from former Lake Murray Marina
Crystal Pointe	Former Lake Murray Marina
Eagles Rest	Carl Shealy Road, Northwest County
Flora Springs Park	Flora Drive @ Sloan Road, Northeast County
Flora Springs Park	Flora Drive & Sloan Raod
Rainforest	Kennerly Road - Northwest County
River Shoals	Kennerly Road @ O'Sheal Rd
Windsor Square Business Park (Commercial)	Alpine Road @ Windsor Lake Blvd

Planning Commission Meeting
April 4, 2005

PROPOSED STREET NAMES	SUBDIVISION/ ROAD LOCATION
Braneheart (Undetermined Suffix)	Future Eagles Rest S/D, Off Richard Franklin Road
Branningan (Undetermined Suffix)	Brookhaven, Ph 6,Off Longtown Road
Buckman (Undetermined Suffix)	Brookhaven, Ph 6, Off Longtown Road
Cahill (Undetermined Suffix)	Brookhaven, Ph 6,Off Longtown Road
Calendula (Undetermined Suffix)	Future Flora Springs Park, Off Flora Drive
Crystal Harbour Court	Future Crystal Cove S/D, Off Marina Road
Crystal Manor Drive	Future Crystal Cove S/D, Off Marina Road
Crystal View Court	Future Crystal Cove S/D, Off Marina Road
Eagles Rest Drive	Future Eagles Rest S/D, Off Richard Franklin Road
Flora Springs Lane	Future Flora Springs Park S/D, Off Flora Drive
Forest Eagle	Eagles Glen S/D, Off Rimer Pond Road
Fuchsia (Undetermined Suffix)	Future Flora Springs Park, Off Flora Drive
Golden Eagle Lane	Eagles Glen S/D, Off Rimer Pond Road
Grey Hawk Lane	Eagles Glen S/D, Off Rimer Pond Road
McCandles (Undetermined Suffix)	Future Mungo Development
Rainforest Lane	Future Rain Forest S/D, Off Kennerly Road
Sparrow Hawk Court	Eagles Glen S/D, Off Rimer Pond Road
Tackerie (Undetermined Suffix)	Ascot Estates, Ph 7, Off Hollingshed Road
Thomas Mc Kenzie Lane	Private Dirt Road Off Garners Ferry Road
Whistling Kite Drive	Eagles Glen S/D, Off Rimer Pond Road
Zinna Court	Future Flora Springs Park, Off Flora Drive

PROPOSED STREET NAMES	SUBDIVISION/ ROAD LOCATION
Applegate Lane	Chandler Hall
Barn Owl Court	Chandler Hall
Fox Squirrel Drive	Chandler Hall
Rocky Branch Lane	Chandler Hall
Rusting Oak Drive	Chandler Hall
Saw Tooth Drive	Chandler Hall
Screech Owl Road	Chandler Hall

Memorandum

To: **Planning Commission Members**

From: **Anna Almeida, Development Services Manager**

Date: **3/25/2005**

Re: **Submission Deadline Dates**

As per Planning Commission request I have researched the language in the Land Development Code which will go into affect July 1, 2005, and staff does not see any conflict of changing the deadline dates for submissions.

The existing language in the "Planning Commission Rules and Procedures" Section 4-Application Deadlines states ***Unless the Commission has otherwise scheduled the matter to be heard on a date specific only complete application packages received prior to the first day of the month shall be scheduled for the following month's Commission meeting***.

This deadline submission as it is presently structured has been difficult for staff to thoroughly review more complex submissions and notify applicants of deficiencies in a timely fashion. This is in part due to the following requirements:

- planning Commission packets being delivered seven(7)to ten(10)days prior to the meeting ,
- staff reports being mailed to applicants seven (7) days prior to the meeting,
- public notice being published fifteen (15) days prior to the meeting,
- property being posted and a site visit fifteen (15) days prior to the meeting,

These deadlines allows staff approximately ten to fifteen days of review time, which in many cases is being used to obtain information that might have been omitted or submitted inaccurately.

The department proposes application packages be submitted by the close of business on the fifteenth (15) day of a given month to be considered for the Planning Commission agenda for the second succeeding month.

RICHLAND COUNTY, SOUTH CAROLINA
PLANNING COMMISSION RULES OF PROCEDURE

ARTICLE I - ORGANIZATION

Section 1 – Membership

The Commission shall consist of nine members appointed by the County Council for staggered four-year terms. The County Council may remove a member prior to expiration of his/her term for cause.

Section 2 – Officers

The officers of the Commission shall be a Chairman, Vice-Chairman, and Secretary elected for one-year terms at the first meeting of the Commission each calendar year.

Section 3 – Chairman

The Chairman shall be a voting member of the Commission and shall:

a) Call meetings of the Commission;

b) Preside at meetings and hearings;

c) Act as spokesperson for the Commission;

d) Sign documents for the Commission; and

e) Perform other duties as determined by the Commission and state or county law.

Section 4 – Vice-Chairman

The Vice-Chairman shall exercise the duties of the Chairman in the absence, disability, or disqualification of the Chairman. In the absence of the Chairman and Vice-Chairman, an acting Chairman shall be appointed by the members present.

Section 5 – Secretary

The Secretary shall coordinate with the Department to ensure that:

a) Adequate public notice of the meetings is provided;

b) Proper public record of the meetings is made;

c) Minutes of the meetings are produced in a timely manner; and

d) Other such duties as may be periodically requested by the Commission are completed.

Section 6 – Removal of Officers

Commission officers may be removed for cause from office prior to the expiration of their term by majority vote of the Commission membership.

ARTICLE II – FUNCTIONS, DUTIES, AND POWERS

Section 1 – Authority

The Planning Commission shall have the general powers, duties, and responsibilities as proscribed by Title 6, Chapter 29, of the South Carolina Code of Laws.

Section 2 – Functions, Duties, and Power

The function of the Planning Commission is to undertake a continuing planning program for the physical, social, and economic growth, development, and redevelopment of the unincorporated area of the County. The Commission shall have the powers and duties generally proscribed by state law, including, but not limited to, the following:

a) Prepare and periodically revise the plans and programs for the development and redevelopment of the unincorporated portion of the County;

b) Recommend for adoption by the County Council the measures and techniques to implement the plans for development and/or redevelopment, including, but not limited to, zoning regulations, subdivision regulations, other types of land development regulations, landscape regulations, an official road/highway map, and/or a capital improvement program;

c) Complete a review and prepare recommendations for any modifications to the Comprehensive Plan for County Council not less than once every five years;

d) Review and recommend any modifications that may be necessary to any regulations concerning the development of land within the unincorporated area to the County Council;

e) Review and recommend approval or denial of any request for change to the County's Official Zoning Map for County Council consideration;

f) Review and approve, modify, or deny certain subdivision projects as proscribed by the County Code of Ordinances;

g) Consider appeals of Department decisions regarding plats and certain other matters delegated to it by the County Code of Ordinances; and

h) Consider any matters referred to it by the County Council within such time period as may be specified by the Council.

Section 3 – Application Processes

In addition to the specific application processes proscribed by state or county law, the Planning Commission shall require the following:

a) Applicants shall demonstrate that they have had, or been afforded the opportunity to have, a pre-application conference with the appropriate Department staff prior to submitting an application;

b) All Zoning Map amendment and subdivision application packages shall, at a minimum, include a metes and bounds legal description and, if necessary to clearly identify the subject site or portion thereof, a plat of the subject property with the area to be considered clearly marked and delineated;

c) All documents to be reviewed by the Planning Commission and the Department shall be signed and sealed by the appropriate professional S.C. licensed person; and

d) Incomplete applications shall not be processed by the Department or scheduled for Commission consideration until all the required documents, exhibits, etc. are submitted, the proper forms completely filled out, and the relevant non-refundable fees paid.

e) When there are existing violations of those portions of the County Code for which the Department has enforcement responsibility on a subject site, the Planning Commission may, at a regularly scheduled meeting, delay consideration of the subject project for up to 90 days.

Section 4 – Application Deadlines

Unless the Commission has otherwise scheduled the matter to be heard on a date specific, ~~only~~ complete application packages ~~received prior to the first day of the month shall be scheduled for the following month's Commission meeting~~ must be submitted by the close of business on the fifteenth (15) day of a given month to be considered for the Planning Commission agenda for the second succeeding month.

Section 5 – Ex Parte Communication

Since some matters considered by the Commission are quasi-judicial, the Commission members should avoid discussing agenda items with anyone outside of its public meeting.

ARTICLE III – MEETINGS

Section 1 – Time and Place

An annual schedule of regular meetings shall be adopted, published, and posted at the Richland County Planning and Development Services Department in December of each year. Such annual schedule shall be mailed to: 1) anyone who has requested notice, 2) the local news media, and 3) other news media that have requested notice. Special meetings may be called by the Chairman upon 24 hours notice, posted and transmitted to all members and local news media. Meetings shall be held at the time and place stated in the notices, unless a room conflict occurs, and shall be open to the public. If a room conflict occurs, the new place of the meeting will be clearly identified for interested parties.

Section 2 – Agenda

A request to add items to the agenda requires a two-thirds vote of those Commission members present.

Section 3 – Quorum

A majority of the members of the Commission shall constitute a quorum. A quorum shall be present before any business requiring a vote, other than rescheduling the meeting, is conducted.

Section 4 – Rules of Order

Robert's Rules of Order shall govern the conduct of meetings, except as otherwise provided by these "Rules of Procedure".

Section 5 – Voting

a) A member must be present to vote.

b) Each member shall vote on every motion, unless recused as described in Section 6, below.

c) All actions requiring a vote by the Commission shall require a majority vote, but no less than four votes of the quorum present, to pass and shall be done in public view.

d) A tie vote for motions regarding recommendations to the County Council is a "no recommendation" vote. A tie vote for motions regarding action wherein the Commission has final authority is a failed vote. In the latter circumstance, the matter will be rescheduled for the next available Commission meeting.

Section 6 – Conflict of Interest

Pursuant to the requirements of Section 8-13-700 of the South Carolina Code of Laws, each member who is required to take an action, or make a decision, that affects an economic interest of herself/himself, a member of his/her immediate family, an individual with whom he/she is associated, or a business with whom she/he is associated shall:

a) Complete the form provided by the Legal Department for this purpose describing the matter requiring action, or decisions, and the nature of the potential conflict of interest with respect to the subject action or decision; and

b) She/he shall furnish a copy of the statement to the Commission Chairman, who shall:

    1) Require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists; and

    2) Cause the disqualification statement and the reasons for it to be printed in the minutes.

Section 7 – Freedom of Information Act

The Commission and the Department are public bodies as defined by Section 30-4-20(a) of the South Carolina Code of Laws (Freedom of Information Act) and shall conform to the requirements thereof.

Section 8 – Meeting Notification Procedures

The following procedures shall be followed regarding the notification of the Commission's meetings:

a) A written agenda shall be furnished by the Department to each member of the Commission, the applicant(s), and the news media at least 24 hours prior to such meetings. The agenda shall be posted on the bulletin board at the entrance to the County Council chambers at least 24 hours prior to each regular or special called meeting The agenda must include the date, time, and place of the meeting.

b) The Department shall attempt to notify the applicant of the hearing date for consideration of his/her application; however, applicants shall be responsible for remaining informed regarding the Commission's scheduled consideration of their project.

c) All sites proposed for Commission consideration of Zoning Map Amendments shall be posted no less than ten days prior to the meeting, with conspicuous notice posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. Such sign shall, at a minimum, identify the date, time, and place of the meeting at which the matter will be considered.

Section 9 – Staff Reports

The Department shall provide a written staff report and recommendation to the Commission for each matter on the meeting agenda not less than 7 days prior to the meeting at which the matter will be considered. The Department shall also mail each applicant a copy of the staff report for his/her agenda item not less than 7 days prior to the Commission meeting.

Section 10 – Procedure

The following procedure shall be employed during the Commission meeting:

a) The Department staff shall summarize the written staff report and recommendation;

b) The applicant, and other such persons as the Chairman may recognize, will be provided an opportunity to make any statements regarding the subject agenda item;

c) Pursuant to the requirements of Section 6-29-760(B) of the South Carolina Code of Laws, if an applicant for a zoning map amendment is allowed to speak and/or present written testimony, a minimum of 10 days notice and the opportunity to speak shall be provided to any interested party;

d) The Chairman shall have the right to limit discussion on any agenda item, except that reasonable opportunity should be provided to all wishing to speak and that redundant comments should be minimized;

e) Upon completion of d) above, the Chairman shall close the public discussion and open the discussion among the Commission members; and

f) When the Commission discussion has concluded, the Chairman or a Commission member may call the question and the vote shall be taken in public.

Section 11 – Executive Sessions

Subject to the requirements described below, the Commission may choose to go into an executive session, i.e., a private meeting off the public record:

a) Pursuant to the requirements of Section 30-4-70 (2) of the South Carolina Code of Laws, any such executive session shall be limited to:

    1) Receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim, or other matters covered by the attorney-client privilege; or

    2) Discussion of the Commission's position regarding adversarial situations involving a claim against the Commission; or

    3) Discussion of negotiations incident to proposed contractual arrangements.

b) Before going into executive session, the Commission shall vote to go into session in public. If the vote is positive, the Chairman shall announce the specific purpose of the executive session.

c) No action shall be taken in executive session, except to adjourn and return to public session.

d) Commission members shall not commit to any course of action nor poll the members regarding a proposed action while in executive session.

Section 12 – Attendance

Pursuant to the requirements of Section 2-328 of the Richland County Code of Ordinances, if a Commission member misses 5 out of 12 meetings, he/she shall automatically lose membership on the Commission and the position shall be declared vacant. In such an event, the Chairman shall notify the County Council Chairman in writing. The County Council may waive enforcement of this provision in the case of illness, death of a family member, court appearance, or other similar circumstance beyond the control of the appointee.

Section 13 – Withdrawal

a) An applicant may withdraw consideration of an application by notifying the Zoning Administrator in writing no later than 5 days prior to the Commission's action on the subject project. The parcel containing a withdrawn project shall not be eligible for further consideration by the Commission for 60 days from the date of withdrawal, and shall be subject to the regulations and new application fees in place at the time the new application is filed.

b) If an applicant wishes to withdraw consideration of any Planning Commission recommendation to the County Council, the applicant must notify the Zoning Administrator in writing within 7 days after the Commission's action or the matter will be scheduled for County Council action at its next available meeting. The parcel containing a withdrawn project shall not be eligible for further consideration by the Commission for 60 days from the date of withdrawal, and shall be subject to the regulations and new application fees in place at the time the new application is filed.

c) The Zoning Administrator may withdraw Commission consideration of an application when it is found that the parcel or structures thereon have one or more violations of the portions of the County Code administered by the Department.

Section 14 – Deferral

An applicant may request that action regarding a project be deferred either by a personal appearance at a Commission meeting or in writing to the Zoning Administrator prior to the scheduled Commission consideration of the project.

a) Planning Commission deferral:

    1) The Commission may grant the request for deferral, and shall state for the record the date of the meeting at which the matter shall again be heard.

    2) During its subsequent consideration of the matter, the Commission may take action regarding the project with or without the applicant's consent.

b) Zoning Administrator deferral:

    The Zoning Administrator may defer Commission consideration of an application when it is determined that:

    1) The application contains false statements; or

    2) The application contains inaccurate documentation; or

    3) The application is incomplete; or

    4) The applicant is unable to attend the subject meeting.

c) Two consecutive deferrals by the Commission, or the Zoning Administrator, or a combination thereof, will constitute a withdrawal and will be subject to the withdrawal requirements described above.

Section 15 – Minutes

a) Pursuant to the requirements of Sections 6-29-360 and 6-29-1150 (B) of the South Carolina Code of Laws, the Department shall keep a record of all matters considered by the Commission as a public record in accordance with the relevant requirements of state law.

b) The Department shall record all meetings of the Commission on audio-tape that shall be preserved, at a minimum, until Commission final action is taken on all matters presented and any relevant reconsideration and/or appeal period has elapsed.

c) The Department shall prepare minutes of each meeting for approval by the Commission at the next regular meeting.

d) The Department shall be responsible for preparation of verbatim minutes. Any person wishing to secure a verbatim record of a Commission action may do so at his/her own arrangements and expense, or pay a fee to the Department for said transcript.

ARTICLE IV – RECONSIDERATION OF COMMISSION ACTIONS

Section 1 – Requirements

The applicant, the Department, or a Commission member voting on the prevailing side of a decision, may only request reconsideration of a Commission decision for which the Commission has final authority to act, provided such written request is received by the Zoning Administrator within 7 days of the Commission's action.

Section 2 – Process

a) Upon receipt of the written request for reconsideration, the Department shall schedule the request for the next available Commission meeting.

b) The Department will provide a written recommendation to the Commission regarding whether the applicant's request meets the criteria listed below:

    1) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; or

2) Notice of the meeting at which the subject agenda item was considered was improper pursuant to state or county regulations; or

3) A significant clerical or map error is such that it may affect the result of the Commission's action.

c) If the Commission determines the requirements described above have been met, the matter will be scheduled for action at the next available Commission meeting.

d) If the Commission determines that the requirements described above have not been met, the original decision shall be the Commission's final action in the matter.

e) The reconsideration matter shall conform to the relevant requirements of Article III.

ARTICLE V – APPEALS OF DEPARTMENT DECISIONS

Section 1 – Process

A party in interest may appeal a Department decision regarding any matter regulated by Chapter 22 of the Richland County Code of Ordinances to the Commission in the following manner:

a) A written request to appeal a Department decision must be received within 30 days of written notice of the decision in order to be scheduled for Commission consideration;

b) Upon receipt of the appeal request within the time limit described above, the matter will be scheduled for the next available meeting of the Commission;

c) The request shall, at a minimum, include a discussion of the matter being appealed, the remedy being sought, and any relevant documents, maps, etc. the appellant may wish to submit in support of the appeal;

d) The Department shall prepare a staff report regarding such request and otherwise conform to the processes described in Article II and III, above; and

e) The Commission's decision regarding the appellant's request shall be considered the final County action in the matter.

Section 2 – Circuit Court

Upon completion of the Commission's final action on any matter, Section 6-29-1150 (C) of the South Carolina Code of Laws allows a party in interest to appeal a Commission's decision to the

Circuit Court, Appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.

ARTICLE VI – RULES ADOPTION & AMENDMENT

Section 1 – Adoption

These rules were adopted by vote of a majority of the members of the Richland County Planning Commission at a regular public meeting on August 16, 2004 and are effective immediately.

Section 2 – Amendment

These Rules may only be amended at a regular meeting of the Commission by a majority vote of the members of the Commission.