

**RICHLAND COUNTY PLANNING COMMISSION**

September 10, 2007

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5 *Members Present: Heather Cairns, Julius Murray, Enga Ward, Patrick Palmer, Wes*  
6 *Furgess, Howard Van Dine, Eugene Green, Deas Manning, Christopher Anderson*

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8 Called to order: 1:06 p.m.

9 CHAIRMAN FURGESS: We'll call the meeting to order. At this time I'll read into  
10 the Minutes, "According to the Freedom of Information Act a copy of the Agenda was  
11 sent to radio, TV stations, newspapers, and persons requesting notification, and was  
12 posted on the bulletin board located in the lobby of the County Administration Building."  
13 At this time Commissioners and people that's in audience please cut off your electronic  
14 devices at this time. Thank you. Also at this time I need for the Minutes for the July 9<sup>th</sup>,  
15 need an approval on the Minutes for July 9th.

16 MR. VAN DINE: Move that they be approved.

17 CHAIRMAN FURGESS: Need a second.

18 MR. MURRAY: Second.

19 CHAIRMAN FURGESS: You heard the motion. All in favor by raising your hand.  
20 Opposed?

21 *[Approved: Cairns, Murray, Ward, Palmer, Furgess, Van Dine, Green, Manning,*  
22 *Anderson]*

23 CHAIRMAN FURGESS: Also I need an approval on the Agenda. Any changes  
24 on the agenda items?

25 MS. ALMEIDA: Yes, Mr. Chairman. There are three changes. Case 07-36.

26 MR. GREEN: Pull that a little closer, Anna.

27 MS. ALMEIDA: I'm sorry?

1 MR. GREEN: Pull that a little closer. We're having a hard time with it.

2 MS. ALMEIDA: Can you hear me? Okay. Case 07-36 has been withdrawn.  
3 That is the first case, Hurricane Construction. Case 07-51, the acreage should read  
4 8.34.

5 MR. GREEN: Eight point three four?

6 MS. ALMEIDA: Correct.

7 MR. VAN DINE: Does that changed the tax map?

8 MS. ALMEIDA: No, sir. It was just a misprint. And under Text Amendments  
9 you'll be hearing a text amendment regarding fill and that was not actually put on the  
10 Agenda but it was advertised. And those are all the changes.

11 CHAIRMAN FURGESS: Any other changes?

12 MR. MANNING: Mr. Chairman, I'd like to add to the discussion in New Business,  
13 we were going to have some discussion from the last meeting regarding minor  
14 subdivisions.

15 MR. FURGESS: Okay. Under New Business you want put minor subdivisions?

16 MR. MANNING: Yes, sir.

17 MR. GREEN: Mr. Chairman, just so those who came to – I know some of you  
18 may have heard that Case 07-36 MA had been withdrawn. Just so you'll know which  
19 one that is so you're not just sitting here waiting for it to come up; that was the Koon  
20 Store Road rezoning that was scheduled. So don't want you to sit here unnecessarily if  
21 you didn't hear the fact that that had been withdrawn

22 MR. VAN DINE: Yes, ma'am?

1 AUDIENCE MEMBER: Could we get a copy of the text amendment that was  
2 added to the agenda?

3 MR. VAN DINE: Mr. Chairman, I believe that Mr. Manning's request to add the  
4 stuff as to minor subdivision requires a motion since it was not advertised. So I would  
5 move that we add the minor subdivision discussion to our new business as part of an  
6 agenda amendment.

7 MR. GREEN: Second.

8 CHAIRMAN FURGESS: All in favor by raising your hand. Opposed?

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

11 CHAIRMAN FURGESS: Thank you. We're gonna go with the – Mr. Palmer,  
12 have to read into the Record on that. Second case.

13 MR. VAN DINE: On Case 07-40 MA. Per the Chairman's request I'll read into  
14 the Record the following: This is addressed to Wes Furgess, Chairman of the Richland  
15 County Planning Commission. "Dear Mr. Furgess: I must request to be excused from  
16 participating in discussion or voting on agenda item number 07-40 MA regarding  
17 rezoning of 165 acres which is scheduled for review and/or discussion at today's  
18 Planning Commission meeting. It is my understanding of the Rules of Conduct  
19 Provisions of the Ethics of Government Accountability and Campaign Reform Laws that  
20 since the company I work for owns an adjacent piece of property I will be unable to  
21 participate in this matter through discussion or voting. I would therefore respectfully  
22 request that you indicate for the Record that I did not participate in any discussion or  
23 vote relating to this item representing a potential conflict of interest. I would further

1 request that you allow and direct this letter to be printed as part of the official Minutes  
2 and excuse me from such votes or deliberation and note such in the minutes. Thank  
3 you for your consideration.” It’s signed, Pat Palmer.

4 **CASE NO. 07-40 MA:**

5 MS. ALMEIDA: Project 07-40 map amendment is located on Killian Road west of  
6 I-77. Approximately 165.23 acres. The existing zoning is M-1. The proposed zoning  
7 request is general commercial, GC. The site has approximately, as you can see from  
8 that slide, 80 linear feet of frontage on Killian Road. It is straddling two pieces of  
9 property that has recently been rezoned to GC. You do – across the street just to give  
10 you an idea the new Wal-Mart going in and that is the four quadrants of I-77 and Killian  
11 that in recent past couple of months has been seeing a lot of activity. The applicant is  
12 requesting the GC. The level of service on Killian Road is a Level of Service F and Staff  
13 is recommending denial.

14 MR. FURGESS: Any questions from the Commissioners?

15 MR. ANDERSON: I do have a couple questions, Anna. What does, the  
16 stoplights that had been talked about being put in by the Wal-Mart, I would assume one  
17 of them’s going to Killian Loop, the other two – are ingress, egress on the highway?.

18 MS. ALMEIDA: Correct. And there’s one at the main entrance of Wal-Mart  
19 which is approximately a couple hundred feet on the east side where that pointer is.

20 MR. ANDERSON: Okay. So not at the intersection of Killian Loop -

21 MS. ALMEIDA: No, sir.

22 MR. ANDERSON: - and Killian Road.

23 MS. ALMEIDA: No, sir.

1 MR. GREEN: So there's not a traffic signal planned for Killian Loop Road at  
2 Killian?

3 MS. ALMEIDA: Not at the present time.

4 MR. VAN DINE: We have the following people signed up to speak. George  
5 McCutcheon, please.

6 **TESTIMONY OF GEORGE MCCUTCHEON:**

7 MR. MCCUTCHEON: May I pass out a handout?

8 CHAIRMAN FURGESS: Yes, just give it to her and she'll pass it down.

9 MR. VAN DINE: Please remember, sir, you have three minutes in which to  
10 speak.

11 MR. MCCUTCHEON: Hopefully it won't take that much time.

12 MR. VAN DINE: And if you could give your name an address as well to start off.

13 MR. MCCUTCHEON: Very good. My name is George McCutcheon. I live at  
14 420 Chimney Hill Road in Columbia 29209. I represent the seller for this piece of  
15 property and the seller purchased this property many years ago, approximately 1987,  
16 and wanted to have a great piece of property near the interstate and a major road in a  
17 developing area. And as the Staff Report says, they want to keep clusters of  
18 commercial development near major interchanges. And I think this certainly qualifies for  
19 that as you can see. Also in the Imagine 20/20 Comprehensive Plan that shows that a  
20 lot of this area is zoned industrial or general commercial or PDD for some type of  
21 commercial development and as this interchange has grown we've really seen it turn  
22 more into retail than an industrial corridor. There's a lot of industrial up at the next  
23 interchange at Wilson Boulevard and, but right there there's not too much industrial

1 happening. We've already rezoned the front 37 acres to general commercial of this 202  
2 acre parcel. It was originally 202 acres all as one and we have subdivided off into three  
3 pieces here. We're simply asking that we get the rest of it changed to general  
4 commercial so that we can do this. One of the issues that a lot of people have that are  
5 out-of-state investors for any M-1 piece of property in our county is their concern that it  
6 may change to something else. Not that it will, but it might change to something else in  
7 the future. Personally I don't think that's the case. I think it's going to stay as a  
8 commercial type, commercial and industrial blend but other people reading the laws the  
9 way it looks say it could be. So that's another reason to zone it. Then the last thing I'll  
10 point out is 29.2 acres of this 165 is in the wetlands and flood zone so that's not going to  
11 be developed so we're really talking about 135 acres. Appreciate your time. Thank  
12 you.

13 MR. VAN DINE: Jamie Frost?

14 **TESTIMONY OF JAMIE FROST:**

15 MR. FROST: My name is Jamie Frost. I live at 3064 Kennerly Road. I'm here  
16 representing the developer.

17 **TESTIMONY OF KENDAL JONES:**

18 MS. JONES: Good afternoon. I believe I'm next on the list. Kendal Jones with  
19 Wholestory(?) Acquisitions, 1190 Interstate Parkway, Augusta, Georgia 30909. Jamie  
20 and I are here together and will make a very brief presentation but also here to answer  
21 any questions that you might have of either of us. Wholestory Acquisitions is based in  
22 Augusta, Georgia and we are a retail development company. We became interested in  
23 this area several months ago. I've worked for several months with the seller and also

1 with George towards placing the property under contract. George made a couple of  
2 comments that are accurate. We have 30 acres that are located in the floodplain of  
3 which about 18 of those are in the wetlands so it's still a very large site but maybe not  
4 quite 165 acres of developable property. There is some concern on our part over the  
5 future of the M-1 district and we've met with Staff and tried our best to understand the  
6 ordinance and where we're headed in terms of the future of the M-1 zoning. But the  
7 way we understand it is the M-1 zoning is no longer being mapped. It's no longer –  
8 you're not longer rezoning property to M-1 and we very much want to retain the  
9 commercial retail permitted uses, that aspect of the M-1 zoning and we understand that  
10 as you move towards 2010, which is the next opportunity to evaluate the district and the  
11 zoning ordinance that this property may be left completely alone or it maybe remapped  
12 or rezoned to LI, which is sort of the new comparable district to M-1. I can tell you that  
13 our interest in the property is very early, it's somewhat speculative. We do not have any  
14 potential tenants or any potential retailers signed up for the property yet, but we are  
15 looking forward to working both with you and with your Staff as we develop that interest  
16 and hopefully as we move forward with some site plans for the property. We're aware  
17 of the traffic concerns on Killian Road. We've – Jamie and I have both thoroughly  
18 reviewed SRS's traffic study that was conducted for the Wal-Mart and in fact both of  
19 used that same firm. I guess one point that I'd like to clarify is that the Level of Service  
20 on Killian Road although it is currently an F will be a C during the a.m. period and a B  
21 during the p.m. period after those improvement proposed by Wal-Mart are fully  
22 constructed and open. I'd be happy to answer any questions or make Jamie Frost  
23 available for any questions that you might have.

1 MR. VAN DINE: I need to ask one question. I'm a little bit confused as to how  
2 traffic study with the - what is already proposed with Killian Crossing and everything  
3 else out there can possibly ever reach a C or a B even with the changes that might take  
4 place with Wal-Mart. In my opinion, and drive that road a lot, it is only going to get  
5 worse. It will never get better, I don't care how many stoplights you put out there. All  
6 you're doing then is backing up the traffic; you're not actually alleviating what is going  
7 on. So I'm kind of curious as to how you've been able to determine that it's going to be  
8 a C or a B rating in those areas.

9 MS. JONES: Well I certainly haven't personally determined that but Todd  
10 Salvagin with SRS has those notations in his traffic study and I don't believe that it  
11 contemplates the build out of Killian Crossing. I believe that is a correct statement  
12 which is on the other side of the interstate. But there's a table in his study which is the  
13 mitigated level of service summary which folds in those improvements that Wal-Mart is  
14 responsible for making prior to their store opening and what he has calculated is that  
15 those levels of service, a C in the a.m. peak and a B in the p.m. peak on Killian Road at  
16 our site, at the subject site.

17 MR. VAN DINE: Without any, without taking into account any of the development  
18 that's presently going on or is contemplated in the area?

19 MS. JONES: I know that it, I know for a fact it does not take into account the  
20 Killian Crossing development.

21 MR. GREEN: I just had a couple questions. Obviously with 130 developable  
22 acres you can put probably in excess of a million square feet of commercial  
23 development and still meet your parking requirements. And I'm just kind of curious as

1 to what – if you envision this staying a retail site, if you envision this being a multi-use  
2 site or, I mean, you're buying a lot of acreage so I would have to think that you have at  
3 least some preliminary concept of how you expect to see it developed.

4 MR. JONES: Well I think certainly it's going to end up being a mixed use  
5 development. That's a lot of acreage considering what's already provided both on the  
6 frontage and across the street to be completely retail or commercial. I think we're  
7 anticipating a mix of retail, commercial, probably some office. There's still a potential for  
8 some very light industrial as well. But again I think we're very uncertain about the future  
9 of the M-1 district and would like to have as many options as possible open to us should  
10 that district change in three years.

11 MR. GREEN: Given that it's possible that you could be looking at a mixed use  
12 development, I'm just kind of interested as to why you could ask for GC that wouldn't let  
13 you do everything that you could do within a more well-defined PDD.

14 MS. JONES: Again I think part of the concern is the owners of our company are  
15 a bit worried about the future of the M-1 district and should that be changed to LI in the  
16 future then the uses are more restricted. But I believe it's a situation where we'd like as  
17 many options as open for a period of longer than three years if possible.

18 MR. GREEN: Anna, let me ask you a question while she's still at the podium.  
19 What the distance between where this 80' strip comes out onto Killian Road to moving  
20 eastward to the traffic light? I mean, do you have any rough idea of the distance?

21 MS. ALMEIDA: I would think 100', a couple of hundred feet.

22 MR. GREEN: A couple of hundred? Is that consistent with what -

23 MS. JONES: I think it's about 400'.

1 MR. GREEN: From the – from where the traffic light for Wal-Mart's going -

2 MS. JONES: Yes, sir.

3 MR. GREEN: - going to this one?

4 MS. JONES: Yes, sir.

5 MR. GREEN: Okay. Thank you.

6 MR. MANNING: Do you know of any requirements that would preclude you from  
7 putting a traffic light at that intersection, DOT requirements?

8 MS. JONES: It doesn't appear that we would have the distance requirements at  
9 that access point of 80'. I think we would need to work with our adjacent property  
10 owners, work with our neighbors to try to provide a little better access to that signal.

11 MR. VAN DINE: Is that 80' strip, is that presently part of the tax map? I know it's  
12 written up as an easement here but is it part of the parcel? And I'm trying to figure out  
13 your 80' strip for access.

14 MS. AMEIDA: It's the access that was given once it was subdivided I believe.

15 MS. JONES: When Mr. Palmer's parcel was subdivided off the frontage that was  
16 the access easement.

17 MR. VAN DINE: That was retained as part of the rear parcel?

18 MS. JONES: That's correct. And there's an agreement in place with that  
19 property owner to provide a roadway system into the property.

20 MR. VAN DINE: That property owner being?

21 MS. JONES: Mr. Palmer. The current owner of that parcel, yes, sir.

1 MR. VAN DINE: So we are – in the subdivision we are talking now about three  
2 parcels, one of which has the 80' connected to it so it's not really an easement. It's  
3 actually a dedicated part of that parcel.

4 MS. ALMEIDA: Correct.

5 MS. JONES: For the construction of a road, yes, sir.

6 MR. VAN DINE: Okay. Alright.

7 CHAIRMAN FURGESS: Any other questions from the Commissioners?

8 MR. VAN DINE: Those were all the people that were signed up for that.

9 MR. GREEN: Anna, I'd be curious since Staff has recommended denial of the  
10 zoning change and since M-1 is potentially just a holding category for five years, if Staff  
11 were recommending today what this property should be zoned, assuming that M-1 were  
12 to be going away, what would they recommend it be rezoned?

13 MS. ALMEIDA: Well I don't believe Staff has – due to the constraints of what  
14 we're dealing with now, the level of service on the road, the fact that the owner really is  
15 speculating at this point, we would either – we would probably at this point today go with  
16 a PDD in order to incorporate those two out parcels that obviously were part of this  
17 parcel at one time, because of just the traffic constraints and everything else that we're  
18 dealing with out there, and the amount of traffic that could possibly be generated from  
19 that large swath of property.

20 MR. MANNING: Did ya'll have any numbers as to the traffic; if it were to remain  
21 industrial what that would look like versus GC?

22 MS. ALMEIDA: No, we do not. We didn't run those numbers.

23 MR. MANNING: Do you?

1 MS. JONES: Sorry, I don't.

2 MS. ALMEIDA: I mean, Staff is clearly understanding that this area for industrial  
3 would probably be unlikely but to just flat out rezone a straight rezoning with no concept  
4 of what's going out there we're just very fearful of the amount of traffic that would be  
5 generated and we want something a little more planned out, cohesive with all the other  
6 pieces.

7 MR. ANDERSON: With the M-1 district couldn't you put a shopping mall there or

8 -

9 MS. ALMEIDA: Yes. You can put retail, yes. The only thing you cannot put on  
10 an M-1 piece of property that you can on GC is multi-family.

11 MR. ANDERSON: Um-hum (affirmative). Multi-family at an intersection -

12 CHAIRMAN FURGESS: Any other questions?

13 MR. ANDERSON: Just a quick comment. So if it went to LI – well I'm assuming  
14 it went to LI we're talking about industrial, light industrial moving in that area and any  
15 time I think light industrial I think blow out walls and I just don't – it just doesn't fit there  
16 for me. But the GC is around there. I mean, the traffic issues do concern me but there  
17 are three lights going up, it is at a major intersection. I don't see this as light industrial  
18 property. Some part of me also hates to see PDDs all the time, immediate PDD. I just  
19 want to see a PDD and I don't know. I keep thinking you could put a shopping mall, you  
20 could put a Columbia Mall there and that's going to generate a lot of – not that it would  
21 call for that but it could go there.

22 MS. ALMEIDA: Well with Killian Crossing on your northeastern quadrant, with  
23 your Wal-Mart that's a lot of retail, office that you're putting there already. And of course

1 we have to keep in mind that it does not mean that in three years that Council will not  
2 extend the M-1 zoning. There's nothing that states that Council won't do that. They  
3 want to revisit the M-1 zoning in 2010 to evaluate it at that time.

4 MR. MANNING: And your plans are not to move forward before 2010?

5 MS. JONES: Our plans are to begin, very shortly, looking at potential retailers for  
6 site, marketing the site, but realistically we don't believe that the site will begin  
7 developing until about 2010. As you know, the Wal-Mart and those retailers around the  
8 Wal-Mart will generate a lot more interest in this area and we just – we would really like  
9 to preserve a nice list of retail and commercial type uses for more than three years.  
10 Just have a little more of a comfort zone than what we have right now.

11 MR. MANNING: Did you have any discussions with Staff regarding the use of  
12 PDD?

13 MS. JONES: We did meet with Staff a week ago. We received the site plan a  
14 week ago Thursday and we did meet with Anna on Friday and briefly discussed that  
15 during our meeting.

16 MR. MANNING: And your objections to that would be what?

17 MS. JONES: Well at that time we were a week away from the Planning  
18 Commission meeting and had had the Staff recommendation for I guess less than 24  
19 hours so we didn't have a lot of time to respond to that suggestion.

20 MR. VAN DINE: Mr. Chairman, if I may? I am consistently concerned that  
21 straight rezonings, especially to the magnitude as this, open up areas for an awful lot of  
22 uses which may not be compatible with anything else that's going in in that area. That  
23 area out in there I don't see as being a residential in the form of single-family housing so

1 any idea that that is going to be in there I don't think will take place. However, the  
2 simple fact that somebody wants to come in to try and preserve a piece of property in  
3 some category into the future without any idea of what they really want to do to me  
4 doesn't justify the change from the present classification which allows you virtually  
5 everything that you can get in a GC to begin with. If the time were coming closer and  
6 the changes to the LI were in fact to constrict this area we might be in a different  
7 situation. But that's three years from now. In that three years I would hope that there  
8 would be some more planning and some more thought as to what was actually going to  
9 take place on that property and in that regard it either could be a PDD or have better  
10 justification for a commercial, general commercial rezoning. I think this is way too early  
11 in the process to rezone it at this stage. I would certainly revisit it as we got closer to  
12 the time when something wanted to take place or there was a discussion as to the  
13 change from M-1 to LI. As a result I don't – would not support this type of a rezoning  
14 and at the present time. I think that there are certainly plenty of GC out there in which  
15 to work with to try and get a feel for what the area would take place and I just think this  
16 size of rezoning is beyond what is necessary at this time.

17 CHAIRMAN FURGESS: Any other questions for Staff from the Commissioners?

18 MR. GREEN: You know, I share a lot of Howard's concerns especially since  
19 we're dealing with 130 acres. I guess the flipside of my thinking is that as M-1 from a  
20 practical standpoint while there's nothing for sure in the future, given how Council has  
21 viewed M-1, I'd almost rather see a GC here than an LI here. And they've got a  
22 mountain of a traffic issue to effectively deal with if they're going to get anybody  
23 interested in this site. I would suspect they're going to have to get with the owner of the

1 front two pieces and come back with a PDD anyway. But, you know, I too would be  
2 concerned, you know. I wish back in the day that we were trying to deal with the M-1  
3 issue we would have had the time and input to go ahead and deal with the M-1 issue  
4 two years ago and make what should have been LI, LI and make what should have  
5 been GC, GC and we elected not to do that. But having said that I think this is going to  
6 be a commercial site and I think we'll see these folks again and therefore I would not  
7 oppose a rezoning of this piece of property.

8 MS. CAIRNS: I mean, I would agree with some of the comments that also  
9 Howard said. I just think that when you've got vacant land, you've got no guarantees of  
10 zoning changes when there's renewals anyways and that it's just – there are enormous  
11 flexible uses now on the property and that the justification to rezone I don't feel is strong  
12 enough to warrant rezoning the property.

13 CHAIRMAN FURGESS: We need to put it in the form of a motion how we're  
14 going to send this to County Council.

15 MR. VAN DINE: I will – to get something on the floor I'll make a motion that we  
16 send this forward to County Council with a recommendation of denial.

17 CHAIRMAN FURGESS: Need a second?

18 MS. CAIRNS: I'll second.

19 CHAIRMAN FURGESS: You heard the motion and the second. All in favor that  
20 we send this to County Council for denial please raise your hand. Opposed?

21 *[Approved to Deny: Cairns, Van Dine; Opposed: Manning, Ward, Furgess, Green,*  
22 *Anderson; Recused: Palmer.]*

23 CHAIRMAN FURGESS: Thank you.

1 MR. GREEN: Mr. Chairman, given that vote I would make a motion that we send  
2 this forward with a recommendation for approval.

3 MR. MANNING: Second.

4 CHAIRMAN FURGESS: Okay. Make a motion that we send this forward. You  
5 heard the motion? Raise your hand to send this before County Council for approval  
6 raise your hand. For denial, oppose it?

7 *[Approved: Manning, Ward, Furgess, Green, Manning, Anderson; Opposed: Cairns,*  
8 *Van Dine; Recused: Palmer.]*

9 CHAIRMAN FURGESS: Thank you.

10 MR. VAN DINE: I need to ask since this is in counter [inaudible] of the  
11 Department position that the reasons being stated for the vote, for the Record purposes,  
12 please.

13 MR. GREEN: The reason for my motion was that the – given the current zoning  
14 of the property and uses that would be permitted under the existing code that GC was  
15 more appropriate given the range of uses that are listed in the code.

16 MR. VAN DINE: Thank you.

17 MS. JONES: Thank you for your time.

18 MR. VAN DINE: It will go forward to County Council. We're just a  
19 recommending body and when is the meeting scheduled for the first?

20 CHAIRMAN FURGESS: September the 25<sup>th</sup>.

21 MR. VAN DINE: September 25<sup>th</sup> will be first reading before County Council.

22 CHAIRMAN FURGESS: You need to be there.

23 MS. JONES: We will be. Thank you.

1 **CASE NO. 07-41 MA:**

2 MS. ALMEIDA: 07-41, Jonathan Holley, the property owner of Eternal Gardens.

3 CHAIRMAN FURGESS: Can you speak up – your mic is not on or -

4 MS. ALMEIDA: Can you hear me? Is that better? Okay. Case 07-41, Jonathan  
5 Holley. The location Garners Ferry Road. The existing zoning is actually a split zoning.  
6 It's RU and GC on the same property. The proposed zoning request is to general  
7 commercial. The adjacent funeral home has approximately 210 linear feet of frontage.  
8 Garners Ferry Road which is a four-lane divided major arterial road currently maintained  
9 by DOT, Level of Service C. The applicant is requesting GC to add an additional 13  
10 acres and Staff's recommendation is for approval.

11 MR. VAN DINE: Are we being asked to – has it been combined or -

12 MS. ALMEIDA: It was – okay. If you look at the arrow that portion of the  
13 property was once attached to the Brown residential piece. That's an apartment  
14 complex and as a subject of sale that was subdivided and was to be combined with the  
15 existing funeral home parcel. So as you can see the funeral home where Betty has her  
16 little pointer is GC. The remaining portion that was once part of the Brown section is  
17 RU. So it was combined for access.

18 MR. VAN DINE: So we're, we're only being asked to rezone the RU.

19 MS. ALMEIDA: Correct.

20 MR. VAN DINE: The GC in the front is already GC.

21 MS. ALMEIDA: Absolutely.

22 MR. VAN DINE: Okay. So it's not being actually combined into one parcel?

23 MS. ALMEIDA: It is combined. It exists as one parcel right now. Half of it RU.

1 MR. VAN DINE: Okay. I've got it. Okay.

2 CHAIRMAN FURGESS: This is the parcel behind the funeral home. Right?  
3 Anna, this is the parcel behind the funeral home?

4 MS. ALMEIDA: I'm sorry. I can't hear you.

5 CHAIRMAN FURGESS: This is the piece of property that is behind the funeral  
6 home?

7 MS. ALMEIDA: Correct.

8 MR. PALMER: We have four people signed up to speak. Dan Creed, followed  
9 by Monte Lemon.

10 **TESTIMONY OF DAN CREED:**

11 MR. CREED: Good afternoon. I'm Dan Creed with Heritage Engineering, 10719  
12 Wilson Boulevard. I'll speak briefly. The reason for the request for the commercial  
13 rezoning or the GC rezone is to permit the construction of a cemetery behind the  
14 existing funeral home. That can only be permitted in a commercial or an industrial  
15 district. The front, as you've been told, is already GC as are several other parcels up  
16 there. It didn't seem to be a good fit for OI or NC or RC, hence the GC request. I would  
17 also like to point out that of this 13 acres, five acres is delineated wetlands and would  
18 not be developed as part of this cemetery. Thank you.

19 MR. PALMER: Any questions for Mr. Creed? Thank you.

20 MR. CREED: Thank you.

21 MR. PALMER: Monte Lemon?

22 **TESTIMONY OF MONTE LEMON:**

1 MR. LEMON: How do you do? I'm Monte Lemon, I own Monterrey Construction,  
2 8130 Garners Ferry Road. My office is directly next to Holley Funeral Home. We have  
3 been neighbors approximately 25 years. This young gentleman's father died last year  
4 and he and his Mom's running the business and he's trying to expand it. I'm just  
5 speaking in favor of it. Thank you.

6 MR. PALMER: Johnathan Holley, followed by Sylvia Holley.

7 **TESTIMONY OF JOHNATHAN HOLLEY:**

8 MR. HOLLEY: How is everybody doing? I'm Johnathan Holley. I own J.P.  
9 Holley Funeral Home, 8132 Garners Ferry Road. And I just stepped up to see if you  
10 had any questions of me or concerns or anything.

11 CHAIRMAN FURGESS: If you don't want to speak you can say pass? Okay.  
12 Thank you. Any questions from -

13 MR. VAN DINE: Mr. Chairman, I would recommend we send 07-41 MA forward  
14 with a recommendation of approval.

15 MR. MURRAY: Second.

16 CHAIRMAN FURGESS: You heard the motion and the second. All those in  
17 favor that we send this forward to County Council please raise your hand. Opposed?

18 *[Approved: Cairns, Murray, Ward, Palmer, Furgess, Van Dine, Green, Manning;*  
19 *Anderson]*

20 CHAIRMAN FURGESS: Make sure you be at the County Council meeting  
21 September the 25<sup>th</sup>.

22 MR. PALMER: Case No. 07-42 MA.

23 **CASE NO. 07-42 MA:**

1 MS. ALMEIDA: Our next -

2 MR. VAN DINE: I must read into the record the following. This is addressed to  
3 Wes Furgess, Chairman of the Richland County Planning Commission. "Dear Mr.  
4 Furgess: I must request to be excused from participating in discussion or voting on  
5 agenda item No. 07-42 MA regarding rezoning on Blythewood Road which is scheduled  
6 for review and/or discussion at today's Planning Commission meeting. My  
7 understanding of the Rules of Conduct provisions of the Ethics Government  
8 Accountability and Campaign Reform Laws that since I work for a company involved  
9 with real estate on this property I will be unable to participate in this matter through  
10 discussion or voting. I would therefore respectfully request that you indicate for the  
11 Record that I did not participate in any discussion or vote relating to this item  
12 representing a potential conflict of interest. I would further request that you allow and  
13 direct this letter to be printed as part of the official Minutes and excuse me from such  
14 votes or deliberations and note such in the minutes. Thank you for your consideration  
15 in this matter. Sincerely, Eugene C. Green."

16 MS. ALMEIDA: Mr. Chairman, this is case, this site has approximately 72.73  
17 acres. The existing zoning is RU. The requested zoning is PDD. The site is currently  
18 located on the northwest intersection of Syrup Mill Road and Blythewood Road with  
19 approximately 2,100 linear feet of frontage on Syrup Mill Road, 474 linear feet of  
20 frontage on Blythewood Road. It is adjacent to an approved PDD back in 2006 that was  
21 rezoned called Red Gate Farms I. Syrup Mill Road and Blythewood Road is a two-lane  
22 undivided collector road currently maintained by DOT and there have been  
23 improvements currently done on Blythewood Road. The Level of Service was

1 estimated at Level of Service C. The planned development includes a mixed use of  
2 commercial and residential with an open space component which separates the  
3 intensive uses from the single-family detached units. A lake on the site provides a  
4 natural feature which encompasses natural walking trails throughout the entire  
5 development. Red Gate I Farms – Red Gate Farms I, which is an approved PDD,  
6 would complement the Red Gate Farms II development completing the existing block  
7 face from Mueller Road to Syrup Mill Road creating a walkable community. The  
8 developer does have development guidelines which would integrate with the existing  
9 approved PDD adjacent next door. And the Staff recommendation is for approval.

10 CHAIRMAN FURGESS: [inaudible] on this one.

11 MR. PALMER: Edward – can't get the last name. Edward Hayes, maybe.  
12 Harris?

13 AUDIENCE MEMBER: I'm sorry. I signed the wrong sheet. I apologize.

14 MR. PALMER: Okay. David Hillburn.

15 **TESTIMONY OF DAVID HILLBURN:**

16 MR. HILLBURN: Thank you, Planning Commission. My name is David Hillburn,  
17 29 Governor's Hill, Columbia, South Carolina 29201. We're very excited about this  
18 additional piece to Red Gate Phase I and this would be Red Gate Farms Phase II. This  
19 allows us to keep the integrity of the community that we wanted to do. It allows us to  
20 control from Syrup Mill to Mueller and that is to do a nicer end, high end residential  
21 community which Blythewood is famous for. And then allows the connection of the  
22 commercial piece in the front and as we were doing our marketing design we found out  
23 that there was a true desire for high-end patio homes, that is north of 300 in price point

1 and a high end condominium project that would be adjacent to Cobblestone. And we're  
2 hoping that with the approval of this, this will give us the ability to develop all of it at one  
3 time and making the connections, and I think we're very excited and I think the  
4 community is excited about seeing this happen. Do you have any questions for me?

5 CHAIRMAN FURGESS: Anybody have questions?

6 MR. HILLBURN: Thank you very much.

7 CHAIRMAN FURGESS: Okay. Thank you.

8 MR. PALMER: Ishmael Osbeck?

9 **TESTIMONY OF ISHMAEL OSBECK:**

10 MR. OSBECK: My name is Ishmael Osbeck. I'm with B.P. Barber & Associates.  
11 We are the engineers – I'm sorry. We are at 101 Research Drive, Columbia, South  
12 Carolina 29203. We are the engineers and planners for Red Gate Phase I and Phase  
13 II. So if you have any questions I'll be available.

14 CHAIRMAN FURGESS: Any questions? Thank you. Any questions from the  
15 Commissioners to Staff?

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

18 MR. VAN DINE: Second.

19 CHAIRMAN FURGESS: You heard the motion and the second. All in favor that  
20 we send this to Council for approval please raise –

21 MR. VAN DINE: Whoa, whoa, whoa. Subject to the conditions that are present  
22 on pages 31 and 32 of the Staff Report; is that part of the motion?

23 MR. PALMER: Yes.

1 MR. VAN DINE: That would be part of my second as well.

2 CHAIRMAN FURGESS: You heard the motion. All those in favor please by  
3 raising your hand. Opposed?

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

6 CHAIRMAN FURGESS: Thank you. This goes before County Council on  
7 September the 25<sup>th</sup>. Staff, the next one.

8 **CASE NO. 07-45 MA:**

9 MS. ALMEIDA: Mr. Chairman, Case No. 07-45 MA. Current zoning is RU. The  
10 acreage is 6.21. The applicant is requesting to be rezoned to RM-HD. Currently the  
11 site is located on Dawson Road which is also known as Windsor Lake Way. This is  
12 clearly an in-fill development. The site has approximately 940 linear feet of frontage as  
13 you can see from that. The road is a two road currently - it's a two-lane road currently  
14 maintained by DOT. We estimate the Level of Service as a C and the Staff's  
15 recommendation is for approval.

16 MR. GREEN: Anna, quick question.

17 MS. ALMEIDA: Yes.

18 MR. GREEN: The only way that the site – there's just one-way access to the  
19 site, it doesn't come from both roads?

20 MS. ALMEIDA: Correct. That is a dead end road currently.

21 MR. GREEN: Okay. Thank you.

1 MS. ALMEIDA: And just so you're aware, surrounding this neighborhood to the  
2 north and northeast is an existing apartment complex called Hunters Mill and of course  
3 a residential neighborhood.

4 MR. PALMER: Anna, didn't this come in last year?

5 MS. ALMEIDA: It was – as you see on your Staff Report this was brought before  
6 – it was withdrawn actually. It did not come before you. It was withdrawn at that time.

7 MR. PALMER: That's why we didn't see it in the background zoning history?

8 MS. ALMEIDA: That is correct.

9 MR. PALMER: But the Staff's recommendation if I remember correctly back then  
10 was for denial.

11 MS. ALMEIDA: I am not aware of what the proposal was at the time. It may  
12 have been for a much higher density but it did not come before you. It was not heard  
13 and therefore it's not part of this history.

14 MR. MANNING: We had this issue before.

15 MR. PALMER: Yeah.

16 MR. MANNING: And we [inaudible].

17 MR. PALMER: Right. I know we voted on it for denial at some point.

18 MS. ALMEIDA: I'll have Staff check but nothing has come up.

19 MR. PALMER: Because we tried to get them to connect through that other  
20 development that was there possibly.

21 MR. MANNING: The patio home project that was [inaudible].

22 MR. PALMER: Yeah. See there's a new patio home project – there's a new  
23 quad project that's going right there on that turn, stacking them in there. [Inaudible]?

1 MR. VAN DINE: Which turn?

2 MR. PALMER: Right there in that Windsor Lake Boulevard turn. You know  
3 where they -

4 MR. VAN DINE: Oh, back here?

5 MR. PALMER: Yeah. Where you access this piece at? And this as a – yeah it's  
6 right there on Windsor Lake Boulevard.

7 MS. ALMEIDA: Mr. Price is going downstairs to double check.

8 MR. PALMER: That turn might not have been as bad but I remember we voted  
9 of a PDD over there that had shared driveways on some homes and for some reason  
10 those shared driveways weren't put in. I happen to know because I drive by there about  
11 every few days or so. But I don't know how we tell people in PDDs to put in shared  
12 driveways and they don't end up getting in. I'll take some photos and bring them to you.  
13 But anyhow that comes out right on a turn and I know we voted on it too, Deas,  
14 somewhere down the road.

15 MR. GREEN: While we're waiting on Staff has anybody signed up to speak on  
16 this?

17 MR. PALMER: Yeah. Mr. David Hillburn.

18 **TESTIMONY OF DAVID HILLBURN:**

19 MR. HILLBURN: Thank you Planning Commission. This particular piece of  
20 property was originally a D-1 designed for an academy to be built there, which, when we  
21 purchased this piece of property the academy decided to move somewhere else. This  
22 piece of property is not adjoining any other piece of property so there's no other access  
23 to it. There – maybe it's a misunderstanding. There was a developer at the corner who

1 developed a piece of property further on down the road about three years ago which is  
2 the reason why we withdrew because we felt like we would be building - they would be  
3 comparable to what was being built and already approved. So we decided we would  
4 just hold off and wait until they're completed and then come back and see what the  
5 market conditions were. And at this time we felt the market condition is for this  
6 townhouse development.

7 CHAIRMAN FURGESS: Any questions?

8 MR. PALMER: How many units do you plan to put per acre?

9 MR. HILLBURN: We have it designed for 84 which is less than what would be  
10 allowable but we've already had the design work done for that many units. It allows for  
11 a little bit more open space and gets us further away from the apartment complex.

12 CHAIRMAN FURGESS: Thank you.

13 MR. HILLBURN: Thank you.

14 MR. PALMER: Ishmael Osbeck.

15 **TESTIMONY OF ISHMAEL OSBECK:**

16 MR. OSBECK: I'm Ishmael Osbeck. We are again with B.P. Barber, 101  
17 Research Drive, Columbia, South Carolina. And we are the engineers for this site so if  
18 you have any technical questions in that nature I'll be more than glad to answer.

19 MR. PALMER: Linda Brinnison?

20 **TESTIMONY OF LINDA BRINNISON:**

21 MS. BRINNISON: Hello. I'm Linda Brinnison. I live at 140 Calloway Court,  
22 Columbia 29223. This is directly behind the subject property, residential home that I've  
23 lived in for about 20 years. I just want to point out that you were correct. This has come

1 up before Commission before and I'm worried about traffic concerns; that's a very curvy  
2 and narrow road. Also I think that it's interesting that the representative of the  
3 developer or the developer here pointed out that they were trying to move the  
4 development further away from the apartment complex. And I would like to see them  
5 move it further away from the residential area as well because this will be a multi-unit  
6 type, high density. So I know that they were asked to come back with a better plan last  
7 time. This is actually I think the third time this has been up for rezoning. The two  
8 apartment complexes that are there now have caused a lot of disruption in the area so I  
9 would advise the developer to put in his construction budget enough money for a very  
10 good fence. Otherwise he's going to have about 1,200 people trespassing on his site  
11 causing vandalism, littering and crime, which is what we've experienced. So that's just  
12 a cautionary word for them. The traffic as I said will be really bad. I don't think we need  
13 more people in this area where we've been unable to water our grass all summer  
14 already and a new announcement was made today to that effect. Those restrictions are  
15 in place again. Our power goes off a lot more in this area than it used to. We have  
16 power surges a lot and power outages a lot. I just don't think – I think we need to really  
17 carefully consider this particular site and the way that it does cause a traffic issue and  
18 overcrowding. Thank you.

19 CHAIRMAN FURGESS: Thank you.

20 MR. VAN DINE: Can I ask you a quick question? Does Calloway Court or  
21 Baynard Court actually exit out onto Windsor Lake Way?

22 MR. BRINNISON: They do not; they are cul-de-sacs. They have very narrow  
23 lots though so I'm very concerned about any proposed buffer, buffering.

1 MR. MANNING: It appears that you have fences in your backyard there; is that  
2 correct?

3 MS. BRINNISON: The neighbors, the various neighbors have put up fences.  
4 We could not get the current apartment owner to put in fences. We tried, in fact, one of  
5 our representatives from the county actually wrote to him and asked him would he put in  
6 a fence because there'd been so much trespassing, littering, etc., but he did not feel  
7 that it was necessary.

8 MR. MANNING: But there are fences along the cul-de-sacs?

9 MS. BRINNISON: Yes, there are but the individual homeowners have placed  
10 there Yes, sir.

11 MR. MANNING: Thank you.

12 MR. PALMER: One of the problems we may have here is if this map is correct is  
13 that the homes on Calloway Court and Baynard are zoned RM-HD; is that right Anna?

14 MS. ALMEIDA: That is correct.

15 MR. PALMER: So the buffering between single-family and multi-family wouldn't  
16 be there.

17 MS. ALMEIDA: The buffering is not according to zoning, it's according to use.  
18 So when you have a more intensive use you are required to buffer, yes.

19 MR. PALMER: Okay. What would the buffer be for – 10', something like that?

20 MS. ALMEIDA: A minimum 10' wide and of course would probably range from  
21 the B to the D buffer. I would suspect it would fall into the C range. I'd like to also bring  
22 to the floor that Mr. Price did find a rezoning back in 2005. Staff did recommend  
23 approval and the Planning Commission recommended denial at that time.

1 MR. GREEN: Did it go to County Council?

2 MS. ALMEIDA: No. It did not; it was withdrawn.

3 MR. VAN DINE: Does the parcel that we're talking about actually cross over  
4 Windsor Lake Way as it shows on page 42 or is the edge of Windsor Lake -

5 MS. ALMEIDA: It's the road is the edge.

6 MR. VAN DINE: Okay. So that's just the way it lines up on the [inaudible]?

7 MS. ALMEIDA: That is correct.

8 MR. GREEN: Mr. Chairman, to get a motion – has everybody spoken on it that's  
9 signed up?

10 MR. PALMER: Yes.

11 MR. GREEN: Just to get a motion on the floor this is to me a classic infill project  
12 that is consistent with all its surrounding zoning. It's just hard for me to come up with a  
13 good reason given its consistency with zoning and our desire to take advantage of infill  
14 opportunities when possible. But I would make a motion to send it forward with a  
15 recommendation for approval.

16 MR. MANNING: Second.

17 CHAIRMAN FURGESS: You heard the motion and the second. All those in  
18 favor by sending to County Council for approval please by raising your hand.  
19 Opposed?

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

1 CHAIRMAN FURGESS: This will go to County Council for approval. Make sure  
2 that you go to the County Council meeting on September the 25<sup>th</sup>, because it'll come up  
3 – County Council have the final approval over it. Anna?

4 [Inaudible discussion]

5 CHAIRMAN FURGESS: Sir, which one did you need to sign up for?

6 **CASE NO. 07-46 MA:**

7 MS. ALMEIDA: Okay. 07-46, Billy Stanick, Dutch Fork Road. This site is  
8 approximately 2.85 acres. The existing zoning is RU. The applicant is requesting to be  
9 rezoned to GC. The site has approximately 825 linear feet of frontage. Dutch Fork  
10 Road is a two-lane undivided minor arterial road currently maintained by DOT. We  
11 estimated that the existing Level of Service is F and we clearly feel that the rezoning  
12 would somewhat finish that out parcel there between the railroad track and Dutch Fork  
13 Road and Staff is recommending approval.

14 CHAIRMAN FURGESS: No one didn't sign up to speak on that. Any questions  
15 from the Commissioners to Staff?

16 MR. PALMER: I make a motion to send this forward to Council with a  
17 recommendation of approval.

18 MR. VAN DINE: Second.

19 CHAIRMAN FURGESS: You heard the motion and the second. All those in  
20 favor that we send this to County Council for approval please by raising your hand.  
21 Opposed?

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

1 CHAIRMAN FURGESS: This will go forward to County Council for approval.  
2 Next on the agenda item?

3 **CASE NO. 07 48 MA:**

4 MS. ALMEIDA: 07-48.

5 MR. VAN DINE: Anna?

6 MS. ALMEIDA: Sorry.

7 MR. VAN DINE: I need to read this into the record. This is to Wes Furgess,  
8 Chairman of the Richland County Planning Commission. "Mr. Furgess: I must request  
9 to be excused from participating in discussion or voting on agenda item number 07-48  
10 MA regarding rezoning the Dutch Fork Road which is scheduled to review and or  
11 discussion at today's Planning Commission meeting. It is my understanding of the  
12 Rules of Conduct Provisions of the Ethics Government Accountability and Campaign  
13 Reform Laws that since I work for the real estate firm handling the sale of this property I  
14 will be unable to participate in this matter through discussion or voting. I would  
15 therefore respectfully request that you indicate for the Record that I did not participate in  
16 any discussion or vote relating to this item by representing a potential conflict of interest.  
17 I would further request that you allow and direct this letter to be printed as part of the  
18 official Minutes and excuse me from such votes or deliberations and note such in the  
19 minutes. Thank you for your consideration in this matter. Signed, Eugene C. Green."

20 MS. ALMEIDA: Case No. 07-48. The parcel is located on Dutch Fork Road.  
21 The acreage is .67. The existing zoning is OI and the applicant is requesting to be  
22 rezoned to GC. The site currently has approximately 80 linear feet of frontage on Dutch  
23 Fork Road. This site has been rezoned in the past from RU to OI. Dutch Fork Road is

1 a two-lane, undivided minor arterial road currently maintained by DOT. We estimate the  
2 Level of Service currently as an F. And Staff is recommending denial. One of the  
3 reasons as you can see from our zoning map on page 56, this is part of an existing little  
4 office park which had been rezoned. The site northwest is GC; it is vacant. We feel  
5 that by intruding GC into that little office park that we're just going to have to rezone the  
6 whole thing because of the conflicting uses from OI to GC. So that's one of the reasons  
7 that Staff is recommending denial.

8 MR. PALMER: How long ago was the office park rezoned; does it say?

9 MS. ALMEIDA: 2005, I'm sorry.

10 MR. VAN DINE: July 2005.

11 MS. ALMEIDA: Correct.

12 MR. PALMER: It doesn't seem like it's doing very well. There's not a lot of  
13 activity in the office park is there?

14 MS. ALMEIDA: No. And the adjacent parcel GC is vacant.

15 MR. PALMER: Just because it's vacant doesn't mean it's available.

16 MS. ALMEIDA: Available.

17 MR. MANNING: How many buildings have been built in the park?

18 MS. ALMEIDA: In the park? Three? Three.

19 MR. MANNING: Three out of about 10 lots?

20 MS. ALMEIDA: Correct.

21 MR. MANNING: Are there any restrictive covenants on this office park?

22 MS. ALMEDIA: Not that Staff knows of. That - you'd have to ask the applicant.

23 And there is water and sewer on the site.

1 MR. PALMER: Cheryse Jordan?

2 **TESTIMONY OF CHERYSE JORDAN:**

3 MS. JORDAN: Hi. My name is Cheryse Jordan, 11 Regatta Court, Columbia.  
4 This site was rezoned 17 years ago for a veterinary hospital. And what we would like to  
5 do is change it from OI to general commercial. It's a specialized building and we have  
6 someone wanting it to put boarding in the back and retail sales in the front and in order  
7 to get the retail sales we need it to be zoned general commercial.

8 MR. MANNING: So this site was zoned how long ago?

9 MS. JORDAN: Seventeen years ago. The building is 17 years old.

10 MR. VAN DINE: It went to C-1 and then it was made OI when the changes were  
11 made.

12 MR. MANNING: Are you aware of any restrictive covenants on the office park?

13 MS. JORDAN: There are restrictions in there and the gentleman that's going to  
14 speak next, Ray Carter, developed the office park. So he can answer any of these  
15 questions for you.

16 MR. MANNING: And what would be the need to change from OI to GC?

17 MS. JORDAN: For us to have retail sales in the front with a veterinary hospital  
18 so the front is offices, exam rooms, a pharmacy, and a surgery room. We're going to  
19 demolish all of those and make it open space in the front and have retail sales and in  
20 the back where we have 40 runs we're going to use it for grooming and boarding. So  
21 the back will stay the same but we need to rezone it for the sales part, retail sales in the  
22 front.

23 MR. MANNING: And that cannot be done under the existing zoning?

1 MS. JORDAN: No, sir. And we also have access from O'Brian Way and from  
2 76, Dutch Fork Road. We have two lots in there.

3 MR. VAN DINE: What's being built in that – or what was built? I assume this is  
4 an old photograph - right at the corner of O'Brian Way but inside your piece of property.  
5 Do you know what that is?

6 MS. JORDAN: Insurance office.

7 MR. VAN DINE: Insurance office?

8 MS. JORDAN: He's not opposed to this and then in the other building in there is  
9 a dentist's office and he's not opposed to it. And we have general commercial to the left  
10 of us and general commercial to the right, on the other side of the park and across the  
11 street.

12 MR. PALMER: I image in you guys, ya'll's retail would face towards Dutch Fork;  
13 correct?

14 MS. JORDAN: Correct. The front -

15 MR. PALMER: That's where your main entrance is?

16 MS. JORDAN: Correct. Well that's where all the office is and the exam rooms  
17 were.

18 MR. PALMER: Right. Okay. Any other questions for Ms. Jordan? Ray Carter?  
19 Thank you.

20 **TESTIMONY OF RAY CARTER:**

21 MR. CARTER: My name is Ray Carter. I live at 181 Captain Lowman Road in  
22 Chapin, South Carolina which is off of Johnson Marina Road probably about two and a  
23 half miles from this property. And I've lived up there since '78. I also developed the

1 office park and we've actually sold three lots last year. We're presently getting ready to  
2 sell another lot in there this year. The Allstate Insurance Company just came in there  
3 and I would be in favor of this being changed. General commercial is just right beside it.  
4 It's on Dutch Fork Road which is basically a four-lane road through the Ballentine area  
5 and it goes maybe 100 yards from Rauch Meetze which goes out to the interstate. And  
6 we do have deed restrictions and I have architectural approval on anything that's done  
7 in this office park. And so like [inaudible] this was done about 17 years ago. We're  
8 getting a lot of activity and I think this would be beneficial to have a building that's  
9 occupied and rented and even if it is retail use.

10 MR. MANNING: Are there any prohibitions against retail in the restrictive  
11 covenants?

12 MR. CARTER: Not that I know of.

13 MR. MANNING: Use restrictions as to what type of commercial can go  
14 [inaudible]?

15 MR. CARTER: Actually when we – Clyde Jordan and Marnie Hook came to me  
16 back 17 years ago zoning for veterinarian was C-3 and I got Sid Thomas at the time to  
17 go in and we were able to change the zoning so this was permitted. So really this is  
18 almost going back to the original intent of, you know, the veterinarian although now the  
19 veterinarian's moved across the street, directly across and they have C-3 zoning.

20 CHAIRMAN FURGESS: Any other questions? Thank you. Need a motion. We  
21 need a motion on this.

22 MR. PALMER: I see this site as being sandwiched in between two large GC  
23 parcels. Now if it were on the outskirts of one or the other I could see where possibly it

1 would need to be stepped down but it's sandwiched in between two larger C-3 parcels  
2 and just because they may be available, you know, to try to get somebody to buy a  
3 large tract when they don't need but a couple of acres doesn't make sense to me. And,  
4 you know, I see they've made a run of this thing from back in '87. They've got three  
5 tracts that are taken up as an office user since '87. This could possibly spur on the  
6 office park to get cranked up. I make a motion that we send it forward to Council with a  
7 recommendation of approval.

8 MR. MURRAY: Second.

9 CHAIRMAN FURGESS: You heard the motion and the second. All those in  
10 favor that we send this to County Council for approval please by raising your hand.  
11 Opposed?

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

14 CHAIRMAN FURGESS: This will go to County Council for approval. You need  
15 to be there September the 25<sup>th</sup>. Next case on the agenda item.

16 **CASE NO. 07-50 MA:**

17 MS. ALMEIDA: Case No. 07-50 located on Johnson Marina Road, Guise Road,  
18 and Forrest Shealy Road. The acreage of the site is approximately 83.98 acres  
19 currently zoned RU. The proposed zoning request is RS-LD. Lot size 12,000 square  
20 feet. The – as you can see from the Staff Report on page 61 the site fronts or has  
21 borders on three roads. Johnson Marina Road is a two-lane undivided collector road  
22 currently maintained by DOT. The current Level of Service estimated is a Level of

1 Service A. North of the site is an existing rural district and Staff feels that this is a good  
2 fit for the area and we recommend approval.

3 CHAIRMAN FURGESS: How many people signed up on speak on that?

4 MR. PALMER: We've got four.

5 CHAIRMAN FURGESS: Four? Call the first one up.

6 MR. PALMER: David Hillburn.

7 **TESTIMONY OF DAVID HILLBURN:**

8 MR. HILLBURN: I'm David Hillburn, 29 Governor's Hill, Columbia, South  
9 Carolina. This parcel became available to us a couple of years ago. The parcels to the  
10 north are larger tracts of land and they are large tracts of land because they happen to  
11 be relatives of who owns this piece of property and they were given as gifts so they can  
12 move their home there. But we are surrounded on the other two sides with mirroring  
13 [inaudible] that we're ready to build on. It is Foxport on one side and we have just  
14 mirrored that size lot. It's been a very successful neighborhood for the area and on the  
15 other side is the Lowman Homes and the Lowman Home is typical smaller sites. Our  
16 entrance road would be off of Johnson Marina Road also with Forrest Shealy Road. We  
17 feel like it's a perfect fit for the community.

18 MR. PALMER: Thank you. Ishmael Osbeck.

19 **TESTIMONY OF ISHMAEL OSBECK:**

20 MR. OSBECK: Again, Ishmael Osbeck, B.P. Barber & Associates, 101 Research  
21 Drive, Columbia, South Carolina 29203. We are the engineers, planners of this  
22 development. Again, if you have any questions please let me know.

23 MR. PALMER: L.E. Outlaw, followed by Kim Murphy.

1 **TESTIMONY OF L.E. OUTLAW:**

2 MR. OUTLAW: My name is L.E. Outlaw. I live at 1060 Trelley(?) Lane. The  
3 reason I'm objecting is this property is I have property adjoining the property. It's  
4 approximately 10 acres. It's in the little rectangle up in the top right-hand corner. My  
5 son has a three-acre tract right on Lowman Home Barn Road. And there's a small dirt  
6 road, Guise Road and I can't believe they're not going to access it from that road also.  
7 But my daughter has built on the 10 acres which my wife and I have given her about an  
8 acre and a third. I'm not objecting to developing the property but I just really hate to see  
9 them butchering it like that putting three and four houses per acre. Two other  
10 developers has developed the land across Johnson Marina Road. There's a potential  
11 development going in that another developer already has. He's waiting on the lots  
12 across Johnson Marina to sell to start grading on it. The school district, the sewage  
13 facility – right beside that property is a sewage easement. It has a force fed sewer and  
14 a gravity fed sewer and it's at capacity right now. So they've got no sewage  
15 capabilities. Johnson Marina's a two-lane road. U.S. 76 is also a two-lane road. You  
16 have a traffic light on Three Dog Road which this Forrest Shealy runs into. You also  
17 have a traffic light on Lowman Home Barn Road. So it's not enough – it's just really for  
18 all the houses that lots are already graded and for sale now sell. We come up Johnson  
19 Marina Road, Captain Lowman runs into Johnson Marina and I live on Trelley. So right  
20 now even without this development at three and four lots per acre it is just  
21 unforeseeable how you're going to get up and down any of these roads. I wouldn't be  
22 opposed of one lot per acre – have and I don't know – I'm not real familiar with all the  
23 rural, urban/rural or whatever you call it but I know that the – one of the County Council

1 members got my first cousin out in the northeast to donate the property so it couldn't be  
2 completely destroyed. But what these developers do they come in and all these  
3 hardwoods that's been there for 70 and 100 years, that's the first thing they do is cut  
4 down putting the roads in. So if you have some kind of organized development with the  
5 houses starting about \$300,000 and going in the one lot per acre, that's the reason they  
6 don't want to do it because all these other lots over here anything over \$150,000 to  
7 \$200,000 is not selling. So it's strictly a financial point of view but it's nothing about  
8 maintaining the integrity of that property and, you know, we only got so much property  
9 to go around.

10 CHAIRMAN FURGESS: Thank you, sir.

11 MR. OUTLAW: Thank you. Any questions? Anybody have any questions?

12 **TESTIMONY OF KIM MURPHY:**

13 MS. MURPHY: Hello there, Kim Murphy, 154 Old Laurel Lane in Chapin here  
14 with the Springhill Community Association and I'm speaking on behalf of Mike Sloan  
15 with the Ballentine Civic Association and Lee Ann Johnson with the Dutch Fork  
16 Concerned Citizens. First I am concerned about the signage. I do not know if proper  
17 signage was posted. This does touch on four properties. There was one sign posted,  
18 the end of last week a second sign was posted. As a community representative I was  
19 asked to meet by the developers in an effort to gain support for their proposed  
20 subdivision. Similarly, last year the community representatives came together with the  
21 Wescott Developers and had a very productive experience. We had hoped for similar  
22 communications and negotiations with this developer and as a matter of fact with  
23 Wescott we actually signed up on the for side which was nice for a change. When I met

1 the developers initially it was early in their planning stages. I was told they did not have  
2 specific information available or calculated at that time. When a detailed plan was  
3 available I was asked to meet with them again and did so last Thursday. There are a  
4 number of issues that we thought needed to be addressed. Unfortunately the  
5 developers were late to the meeting so we were not able to discuss the project in depth.  
6 At that meeting however the developers informed me that although they were unable to  
7 tell me what zoning classification was being requested the project was going to go in  
8 front of the Development Review Team this week. This would mean as far as  
9 scheduling the development would not go in front of the Planning Commission until next  
10 month and there would be adequate time to discuss the project in depth and have  
11 unanswered questions answered. However, when I reviewed the Planning  
12 Commission's agenda this weekend, to my surprise that instead of going to the DRT, it's  
13 on the Planning Commission's agenda today. Since we have had very little time to  
14 discuss the matter I'm hopeful that you would defer action until next month so we have  
15 the opportunity for another successful resolution as we did with the Wescott  
16 Development prior to defining the ordinance. Thank you very much.

17 MR. CARTER: Can I speak briefly on this? I didn't see the thing and didn't sign  
18 up for it but I live within a mile of it.

19 CHAIRMAN FURGESS: Give you two minutes.

20 **TESTIMONY OF RAY CARTER:**

21 MR. CARTER: Yeah. My name is Ray Carter, 181 Captain Lowman Road.  
22 What?

23 CHAIRMAN FURGESS: Are you for or against?

1 MR. CARTER: I'm against. I live at 181 Captain Lowman Road, right off of  
2 Johnson Marina Road. And we've lived up there since '78 and we moved up there to  
3 live on the lake but we moved up there to get away from the urban sprawl. There's  
4 about one developer doing 250 or 200 homes right off of Johnson Marina Road.  
5 There's another developer doing the same thing and we're ruining our rural community  
6 and where most of the lots up there are an acre, I've been involved with the Ballentine  
7 Civic Association before and actually been a past president of it but I would be against  
8 this just because there's too much going on there now and we're trying to preserve our  
9 identity in the rural community we live in.

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

11 MR. VAN DINE: I have a question for the applicant if I could. The question was  
12 raised whether or not you were going to access Guise Road as part of the development.  
13 What is your response to that concern?

14 MR. HILLBURN: Our response to that is that we had not intended to. It is a dirt  
15 road with not adequate width. We would put in an emergency access there. We think  
16 that would be appropriate.

17 MR. VAN DINE: Would that be as part of your –

18 MR. HILLBURN: Design plan?

19 MR. VAN DINE: - plan or whatever. Would that be a – I hate to call it a gated or  
20 a locked access. I know that in the past if you have emergency access you also have  
21 everybody else using the access if they decide they want to go out that way.

22 MR. HILLBURN: That would be – I cannot answer that question. I'm sure  
23 Richland County codes require us I believe to have a chain. So I would say that we'd

1 have a chain there. Currently the design plan is for Johnson Marina Road and Forrest  
2 Shealy along with – we're working with Richland County School District to provide a  
3 walking path from the neighborhood directly into the school.

4 MR. VAN DINE: Does the school site access off of Forrest Shealy or does it  
5 access off of Three Dog?

6 MR. HILLBURN: It accesses off of Forrest Shealy and this neighborhood would  
7 back up to the rear of that school and we do have a design plan that we certainly would  
8 make available to you if you'd like to see.

9 MR. VAN DINE: If you have a design plan is there any reason why you did not  
10 submit this as a PDD request?

11 MR. HILLBURN: I believe we went to straight rezoning because it mirrored the  
12 surrounding subdivisions and we didn't do PDD for that reason.

13 MR. VAN DINE: The other areas that have been worked on it looks like Foxport  
14 and I'm not sure what the other development is but they are -

15 MR. HILLBURN: It's Foxport I and II and then directly across the street is  
16 Lakeport.

17 MR. VAN DINE: But up above you it looks like that's a PDD further up Johnson  
18 Marina Road?

19 MS. ALMEIDA: That's the Lowman Home.

20 MR. HILLBURN: Yes. I believe that's all the Lowman Home. We do not have  
21 any mixed use on our site, sir.

22 MR. VAN DINE: Okay.

23 CHAIRMAN FURGESS: Any other questions?

1 MR. VAN DINE: Thank you.

2 MR. HILLBURN: Thank you, Mr. Van Dine.

3 MR. OUTLAW: Can I comment on what he said about the dirt road? We just  
4 finished [inaudible] in the last month finishing my daughter's house on Guise Road and  
5 the Highway Department informed us they're going to pave that road within a year.

6 MR. HILLBURN: That's something we would not – we did not know about.

7 CHAIRMAN FURGESS: Any other questions? Any questions to Staff?

8 MR. PALMER: Just to get a motion out Mr. Chairman. I would make a motion to  
9 send it forward to Council for approval. I think it mirrors what's on either side and with  
10 the school being right there, walking trails to the school, certainly the school district  
11 anticipated further growth out in this area. I think the closer that we can get kids to the  
12 schools is the better. RS-LD is not the highest but almost the highest residential  
13 classification that we have. Without there being any mixed use component to this  
14 subdivision I don't see where a PDD would be applicable. So my recommendation  
15 would be to send it forward to Council with a recommendation of approval.

16 CHAIRMAN FURGESS: Need a second.

17 MR. MANNING: Second.

18 CHAIRMAN FURGESS: You heard the motion and the second. All those in  
19 favor of sending this to County Council for approval please by raising your hand.  
20 Opposed?

21 *[Approved: Ward, Palmer, Furgess, Van Dine, Green, Manning, Anderson; Opposed:*  
22 *Cairns, Murray]*

1 CHAIRMAN FURGESS: This will go to County Council for approval. Make sure  
2 you're at the County Council meeting September the 25<sup>th</sup>, 7:00 o'clock. Thank you.  
3 Next on the agenda item?

4 **CASE NO. 07-51MA:**

5 MS. ALMEIDA: Case 07-51. This site is located on Hollingshed Road. The  
6 acreage of the site is 8.34. The existing zoning is RU. The proposed zoning is RS-MD.  
7 The site currently is located on Hollingshed Road with approximately 275 linear feet of  
8 frontage. Peachtree Drive is an existing county maintained road which dead ends at  
9 this site. However it is currently being utilized as the primary access to the site.  
10 Currently on the site is a single-family home as you can see from our aerial.  
11 Hollingshed Road is a two-lane undivided major collector road currently maintained by  
12 DOT and we have estimated the Level of Service to be an A. Staff is recommending  
13 approval.

14 CHAIRMAN FURGESS: Okay, we have some people signed up to speak.

15 MR. PALMER: Mr. Fuller?

16 **TESTIMONY OF ROBERT FULLER:**

17 MR. FULLER: Thank you, Mr. Chairman, Members of the Planning Commission.  
18 My name's Robert Fuller. I'm an attorney in Columbia at 1728 Main Street here today  
19 representing Hurricane Construction, the owner/applicant for this property. It's really a  
20 fairly simple application in its projection. It is the request to convert an essentially  
21 vacant piece of property that is zoned rural currently to compatible zoning with that  
22 which exists on its borders on both the east and on the southern sides. If you reflect on  
23 the prior display that was on your screen there the properties that abut this property are

1 a combination of single-family high density in this configuration and medium density in  
2 the yellow configuration. The site would fit nicely within that already built out and  
3 developed area of medium density, single-family residential. While there does remain a  
4 good deal of rural property in the area for the main with relationship to the property that  
5 is subject to this application; it's to the north of Hollingshed Road. The applicant is  
6 prepared to build in a configuration that will yield barely 30 lots on that 8.3 acres of  
7 property simply because of its layout and access and topographical considerations on  
8 the site. It will not produce a large number of residential units and it will also, I remind  
9 you, produce something that is presently within the recommendations of the area plans,  
10 sub-area plan and is wholly compatible with the uses that are adjacent to it. In fact it is  
11 significantly less dense than the properties that are adjacent to it on one side. It's not  
12 an intensive project. The Hollingshed Road carrying ability is certainly not anywhere  
13 near capacity. There should be no particular problems involved in the design and  
14 development of the property to make it wholly compatible with the surrounding  
15 community. Mr. Ramirez is here as the owner/developer of Hurricane. Mr. Osbeck is,  
16 with B.P. Barber & Associates is here. They are the project engineers that would be  
17 responsible for the layout, site plan and design work to make what would become a very  
18 modest intensity single-family residential.

19 CHAIRMAN FURGESS: Thank you. [Inaudible]

20 MR. PALMER: Mr. Osbeck.

21 **TESTIMONY OF ISHMAEL OSBECK:**

22 MR. OSBECK: Again, I guess for the last time, this is Ishmael Osbeck with B.P.  
23 Barber & Associates. I'm the land developer contractor for B.P. Barber, 101 Research

1 Drive, Columbia, South Carolina 29203. And if you have any questions in technical or  
2 planning nature please let me know.

3 MR. VAN DINE: I do have one quick question. Engle Road from our zoning map  
4 appears to dead end at the property line but from the aerial it appears to come up short.  
5 Do you know if there is access to the property from Engle Road?

6 MR. OSBECK: There is access, yes, there is access all the way to the property.

7 MR. VAN DINE: Okay. Is that a dirt road?

8 MR. OSBECK: That is not – I'm sorry. The one, the cul-de-sac, that dead ends,  
9 here. Peachtree is the one I'm talking about. I'm sorry.

10 MR. VAN DINE: Yeah. I mean I'm looking at Engle Road on the left-hand side  
11 on that map -

12 MR. OSBECK: No. That one does not. I'm sorry. The cul-de-sac you saw at  
13 the bottom.

14 MS. ALMEIDA: Engle Road is a private road for that lot that has the pond on it.

15 MR. VAN DINE: So it does not connect into? Okay.

16 MR. OSBECK: No. I'm sorry.

17 MR. PALMER: Do you plan to connect to Peachtree?

18 MR. OSBECK: At this time we don't have a need for that but it could be used as  
19 an emergency access for fire, EMS.

20 MR. PALMER: Okay. Anybody else? Michael Nunn?

21 **TESTIMONY OF MICHAEL NUNN:**

22 MR. NUNN: Good afternoon. My name is Michael Nunn, 1920 Hollingshed  
23 Road, Irmo 29063. I'm also representing my wife which is next on your list, Carmen

1 Nunn. As owners of the tax map 05-200-0359 and 69 located to the north of this site,  
2 we oppose this rezoning. The land [inaudible] rezoned is extremely sloped towards our  
3 land. Back in December when this site – when this came up for the first hearing that it  
4 was cancelled, in other relevant issues you have since the site, the site steep slopes,  
5 260 MSL at the south end of the site to 200 MSL at the north end of the site, which is  
6 what we live at, very careful site engineering and site construction will be required to  
7 ensure its natural [inaudible] are preserved. What our main concern is what you are  
8 going to do with your storm drainage. Since we're at the bottom it's going to come  
9 towards us. Our land can't take anymore runoff. We have lost probably four feet of the  
10 creek basin due to the Chestnut Hill subdivision that is in the city. They decided to run  
11 their drainage to the corner of our land and now when it rains we instead of having a  
12 nice flowing creek we have a, you know, a roaring river basically. More water will  
13 destroy our property. I have some pictures that I would like to submit as evidence of our  
14 property if that would be okay. I have them numbered on the back. The first three just  
15 shows the creek basin coming up to the bottom of our house. It shows basically – of  
16 course you haven't seen it before but it shows basically how much our creek basin has  
17 eroded over the last three or four years. Also this creek basin goes on down through  
18 Raintree subdivision to the lake or pond, whatever you want to call Chestnut Hills. If  
19 you go down through there the banks are not as steep in a lot of places. More water,  
20 more runoff is going to cause more property in that area to flood also. In pictures four  
21 through seven it kind of just shows the natural runoff to these people's site. Just runoff  
22 from construction, groundwater from the lawns and everything would, you know,  
23 basically come down that, come into our property. Pictures eight through 11, between

1 our property and of course on the other side of their property there's a pond. Martin  
2 Miller owns this pond. It's an earthen dam. In between there of course is the creek  
3 basin for this pond; it comes through our property. My driveway crosses over this. If  
4 you allow this and allow them to dump their storm water into this creek basin the first  
5 hard rain my driveway's gone, okay? I have no way to access my house or most of our  
6 property. Also if the access road – I take it they're planning on coming out on  
7 Hollingshed Road. In this area there is – well we were told originally that this was  
8 wetlands, okay? There was a stretch wetlands through there. Number one, if you do  
9 this you're going to destroy those wetlands, number two, there's a possibility you could  
10 weaken that dam. If you weaken that dam the first good rain or over a period of time,  
11 you know, this dam could collapse. You know we request that if they – if you do  
12 approve this there's a study done on this dam to assure that it's going to be, you know,  
13 stable enough for, you know, a road, storm drainage or whatever to come through there.  
14 Of course, you know, that would at the expense of, you know, the developer. But in  
15 conclusion we feel that, you know, this is basically going to destroy our land. You know,  
16 it's going to devalue the land. If we ever decide to sell it we're not going to get as  
17 much money for it. And we would just really, truly like for you all to deny this. Thank  
18 you very much. Any questions? Okay.

19 MR. PALMER: Thank you. Danny Beaufort?

20 **TESTIMONY OF DANNY BEAUFORT:**

21 MR. BEAUFORT: My name is Danny Beaufort. I live at 1909 Hollingshed Road  
22 directly across the street from the property. Evidently they're going to put a driveway in  
23 right across from my driveway and there's a curve there that's very dangerous. There's

1 been a couple people killed there in the last six or eight years and I strictly oppose this  
2 development. It's too much traffic right there already and that's about all I've got to say.

3 CHAIRMAN FURGESS: Thank you.

4 MR. PALMER: David Hillburn?

5 **TESTIMONY OF DAVID HILLBURN:**

6 MR. HILLBURN: I'll pass.

7 CHAIRMAN FURGESS: Any questions of Staff?

8 MR. GREEN: I'd just like to since the engineer's here if they could respond to  
9 the issues raised on the [inaudible].

10 MR. OSBECK: [inaudible] I was waiting when they was going to ask some  
11 technical engineering questions. That's what I guess the developers and owners hire  
12 us. This site and any other site in Richland County or anyplace in the State of South  
13 Carolina we have to mitigate the pre-development and post-development flows; not just  
14 water quantity. So we're going to install obviously the storm water detention facilities  
15 and also we're going to take care of the water quality that leaves the site so it will be  
16 better treated volume wise before it leaves. As far as wetlands we have already  
17 delineated the wetlands at the entrance. It will be either permitted or bridged over and  
18 there won't be any loss or destruction of any wetlands. But the gentleman is correct, if  
19 you let it go without anything - which that's what the engineering department does, it will  
20 hurt their property downstream; not only they're nice people but it's by law that we have  
21 to take care of all the storm water.

1 MR. GREEN: Out of curiosity since one of the developments in question's in the  
2 city has the city allowed just open pipe drainage through this – through his property as  
3 opposed to retaining on site?

4 MR. OSBECK: I'm not aware of that.

5 MR. GREEN: I've just seen some of the piping that was in the photographs and  
6 didn't know whether you –

7 MR. OSBECK: We have not done any [inaudible].

8 AUDIENCE MEMBER: [Inaudible].

9 MR. OSBECK: So somebody here, the property owner put the pipes too cross  
10 his driveway. I [inaudible] to happen to have access to their property.

11 AUDIENCE MEMBER: It's not my property, Ishmael.

12 MR. OSBECK: No, I know.

13 MR. PALMER: How do you plan to – are you going to detained the water, retain  
14 it? What are you – how are you going to get it out to the storm water?

15 MR. OSBECK: We're going to put detention ponds and hold the water then  
16 meter with it a small size outlet structure and discharge it to a suitable area. We can –

17 MR. PALMER: Where's a suitable area you're going to be discharging it?

18 MR. OSBECK: Into the creek.

19 MR. PALMER: Into the creek.

20 MR. OSBECK: Right.

21 MR. MANNING: How close would that detention pond be to the gentleman's  
22 property [inaudible]?

1 MR. OSBECK: We haven't done the design yet but we have the topographic  
2 map and we will make sure.

3 MR. MANNING: But typically it's at the lowest place. You don't have – wouldn't  
4 plan to have any intermittent detention coming down the hill?

5 MR. OSBECK: We may have several of them. So detention doesn't have to be  
6 a single one. We may have several series of detention ponds.

7 MR. PALMER: Right.

8 CHAIRMAN FURGESS: Any other questions?

9 MR. OSBECK: In order to make up obviously the terrain is sloping so we are  
10 going to divert. It could be pipes, it could be ditches to take it away and take that storm  
11 water to a suitable area to treat it. It doesn't have to be immediately. The detention  
12 pond doesn't have to be right behind his back yard. If we can capture that water and  
13 carry it to a suitable area. We have preliminary plans but we don't have the details  
14 worked out.

15 CHAIRMAN FURGESS: Any other questions? Yes, sir?

16 MR. NUNN: Commissioner, you mentioned the city's pipe that comes to the  
17 corner of our property. There is a holding pond on that and we contacted the city.  
18 Basically it doesn't hold any water. The [inaudible] comes into it, the drainage level of  
19 the –

20 CHAIRMAN FURGESS: You need to come down.

21 MR. NUNN: - Yes, sir. Concerning the city drainage from Chestnut Hill. There  
22 is a holding pond. It's up the hill on Hollingshed Road around the curve. The problem  
23 with this is that it doesn't hold any water, okay? The drainage pipe in the holding pond

1 – and I've contacted them and they assure me that everything is appropriate, okay – but  
2 like I said it doesn't hold any water. The drainage pipe is level with the ground where in  
3 a natural holding pond if I would think and not mistakenly it would be higher to hold the  
4 water. Second the pictures we see on the pipe, that is the pipe under my driveway. It's  
5 roughly probably 36", you know. It will not hold a mass amount of water going through  
6 that. The gentleman said that they would, you know, carry the water to the creek. How  
7 are they going to do this? They've got to go across my property to do this, you know,  
8 and I'm not going to let them do it. Thank you very much.

9 CHAIRMAN FURGESS: Thank you. Any other questions? Need a motion on  
10 this. How are we going to send this to County Council?

11 MR. PALMER: I make a motion to send it forward to County with a  
12 recommendation of approval. If it had been HD possibly not, but the developer has  
13 come with the lower of the two densities that it's surrounded by. I know from personal  
14 experience that we have very tight restrictions as far as dealing with water and runoff  
15 and all those need to be met not only through our county but through DHEC and  
16 everyone else who gets involved with it so. And if it's not done properly then the  
17 adjacent landowners certainly have legal ramifications that they can take. So my  
18 recommendation would be to send it forward to County with a recommendation of  
19 approval.

20 MR. GREEN: Second.

21 CHAIRMAN FURGESS: All those in favor to send it to the County Council for  
22 approval please by raising your hand. Opposed?

1 [Approved: Ward, Palmer, Furgess, Green, Anderson; Opposed: Cairns, Murray, Van  
2 Dine, Manning]

3 CHAIRMAN FURGESS: This goes to County Council for approval. Make sure  
4 you're at County Council meeting on the 25<sup>th</sup> of September. Next case?

5 **CASE NO. 07-52 MA:**

6 MS. ALMEIDA: Case No. 07-52. Applicant's name is Mike Shelley. The  
7 acreage is 29.30. The existing zoning is M-1, and the proposed zoning is RS-LD. The  
8 site is currently located on Farrow Road with approximately 100 linear feet of easement  
9 frontage. The ingress and egress, the 100' easement will be over the existing Southern  
10 Railroad onto Farrow Road which is a two-lane undivided major collector road currently  
11 maintained by DOT. The Level of Service, estimated Level of Service is a C. The  
12 current zoning of the parcel would allow for anything from manufacturing to light  
13 industrial and retail. Residential is not allowed in the land use of M-1. The proposal is  
14 residential, single-family, low density which is 12,000 square feet and Staff is  
15 recommending approval.

16 MR. PALMER: I have a question for Staff. How do you exit this site? You've got  
17 to cross the railroad tracks?

18 MS. ALMEIDA: The – I'm sorry, Mr. Shelley.

19 **TESTIMONY OF MIKE SHELLEY:**

20 MR. SHELLEY: Go ahead.

21 MS. ALMEIDA: The applicant is in negotiations to acquiring a lot into the existing  
22 development called Willow Lakes subdivision. The 100' easement from what I  
23 understand will be emergency exit for fire; is that correct?

1 MR. SHELLEY: Yes.

2 MR. PALMER: Okay. Mr. Shelley [inaudible] Edward Harris?

3 MR. SHELLEY: Mike Shelley.

4 MR. PALMER: Mike Shelley? Okay.

5 MR. SHELLEY: I'm Mike Shelley. My office is located at 209 Blythewood Road,  
6 South Carolina. And I had a meeting with the Eagles Glen and Willow Lakes folks were  
7 invited and no one from Eagles Glen showed up but there were several people at the  
8 meeting for Willow Lakes. Jim Cisco who's the president of the homeowners  
9 association, Jamie Riley Reed was there, and Joyce Dickerson was there and Jennie-  
10 Sherry Lindler was there. And so we – I made a presentation and they accepted. We  
11 were going to put 101 lots in there, spots, and we dropped to 85 and they said that  
12 would be fine.

13 CHAIRMAN FURGESS: Okay. Thank you.

14 MR. GREEN: But again, go over the access points for the property for us.

15 MR. SHELLEY: Well David Hillburn is here. He has the adjoining property that  
16 he's developing in Willow Lakes and he has agreed for me to purchase a lot to get us  
17 out [inaudible] Willow Lakes.

18 MR. PALMER: But wouldn't that require an amendment to the PDD? Is he  
19 coming to the right or to the left?

20 MR. HILLBURN: To the right. Upper right.

21 MR. PALMER: Coming over here?

22 MR. SHELLEY: Yeah, if you can see to the right of this yellow line. Yeah. Right  
23 there.

1 MR. PALMER: Not going through the PDD?

2 MR. HILLBURN: That's correct. Not going through Eagles Glen.

3 MR. PALMER: Okay.

4 CHAIRMAN FURGESS: Thank you, sir. Any other questions from  
5 Commissioners to Staff? If not, we need a motion.

6 MR. VAN DINE: Before you get off that. There was something that was  
7 discussed about emergency access point. Where is that?

8 MS. ALMEIDA: That is –

9 MR. SHELLEY: [Inaudible] that tree.

10 MS. ALMEIDA: No, no, no.

11 MR. VAN DINE: That's the main – that's [inaudible] emergency access they're  
12 talking about?

13 MS. ALMEIDA: Railroad track?

14 MR. GREEN: Across the railroad tracks.

15 MS. ALMEIDA: Yeah. Emergency.

16 MR. GREEN: What is that, an at-grade crossing or something?

17 MS. ALMEIDA: Mr. Shelley?

18 MR. SHELLEY: We have 100 – I mean, 100' strip there at the top – bottom left  
19 hand corner.

20 MR. GREEN: Would you mind coming over and pointing out where that is? I'm  
21 just having a hard time.

22 MR. VAN DINE: But you have it to the left of the railroad track. My question is  
23 because obviously you don't own the railroad track?

1 MR. SHELLEY: Well but this was approved back in 1978 by Richland County  
2 and by the railroad company. It's [inaudible].

3 MR. GREEN: There's a crossing there now?

4 MR. SHELLEY: There was a crossing. Somebody pushed up some dirt but yes.

5 MR. VAN DINE: Has anybody been in contact with the railroad to make sure that  
6 30 years later they still think that that can be accessed? Because –

7 MR. SHELLEY: Yeah. I have.

8 MR. VAN DINE: - having dealt with the railroad [inaudible] they change their  
9 mind an awful lot.

10 MR. SHELLEY: They can't change – this is a legal document and Richland  
11 County has a copy of it. And they signed it originally. They'd like to get out of it, yeah.

12 MR. VAN DINE: I can imagine they would.

13 MR. SHELLEY: Yeah.

14 MR. VAN DINE: Alright. I'm sorry. I didn't mean to [inaudible].

15 MR. MANNING: Mr. Chairman, I'd like to move that we send this forward with a  
16 motion of approval.

17 MR. ANDERSON: Second.

18 CHAIRMAN FURGESS: Second. You heard the motion and the second. We'll  
19 send this to County Council for approval please by raising your hand. Opposed?

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

22 CHAIRMAN FURGESS: Thank you.

1 MR. VAN DINE: Since we have a – question you real quick about railroads.  
2 Could I ask you a question as to the status of discussions that were taking place in the  
3 back of Mr. Mungo's property where they blocked off the road – what was Hobart Road?  
4 And we were talking about they were going to add it to someplace further down and I  
5 don't believe that's ever taken place. Where do we stand, if any place, on that?

6 MS. ALMEIDA: It's – communication has stalled so – to put it lightly. So they're  
7 still negotiating with Council and the railroad company and Mr. Mungo in trying to work  
8 something out.

9 MR. GREEN: Who's representing the county in that discussion?

10 MS. ALMEIDA: I am not – I believe it's our counsel.

11 MR. GREEN: You know who isn't, right?

12 MS. ALMEIDA: I believe it's our counsel.

13 MR. GREEN: Your counsel?

14 MS. ALMEIDA: Yeah.

15 MR. VAN DINE: Nobody on behalf of Council since there are a lot of voices on  
16 Council?

17 MS. ALMEIDA: Our legal counsel I believe is in negotiations.

18 MR. VAN DINE: And Hobart Road is at present time blocked off from access into  
19 that area?

20 MS. ALMEIDA: That is correct.

21 MR. VAN DINE: Are they actually building a – or have they subdivided a lot at  
22 the point where that road used to cross?

1 MS. ALMEIDA: Yes. But like I said it's being reserved and put in abeyance until  
2 other plans can be worked out.

3 MR. VAN DINE: Okay.

4 CHAIRMAN FURGESS: At this time we'll take a five-minute break.

5 *RECESS*

6 CHAIRMAN FURGESS: We're back in session now. At this time we go to New  
7 Business. [Inaudible]

8 MS. ALMEIDA: Mr. Chairman, found on page 85 -

9 CHAIRMAN FURGESS: Page 83.

10 MS. ALMEIDA: - 83, Jasmine Place Phase II. This is a phase two of an existing  
11 subdivision and the applicant is requesting a sidewalk waiver. If you turn to page 84  
12 you can see phase two is located towards the back end of the subdivision and Staff has  
13 no objection.

14 MR. MANNING: I move approval.

15 MR. VAN DINE: Second.

16 CHAIRMAN FURGESS: You heard the motion and the second. All in favor by  
17 saying aye – I mean by raising your hand. Opposed? Are you opposed or you  
18 approve?

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

20 *Opposed: Cairns]*

21 MS. CAIRNS: Yeah, yeah. No, I oppose. Sorry.

22 CHAIRMAN FURGESS: Next.

1 MS. ALMEIDA: Mr. Chairman, found on page 85, the project name is Crescent  
2 Lake Phase VIII. The location is Long Creek Plantation as you can see from the aerial.  
3 The applicant is also requesting a sidewalk waiver.

4 MR. VAN DINE: That's on Flycatcher Court or is it all that area?

5 MS. ALMEIDA: Flycatcher Court and –

6 MR. GREEN: All lots outlined in yellow?

7 MS. ALMEIDA: Yes.

8 MR. VAN DINE: Okay.

9 MR. PALMER: Motion to approve.

10 MR. VAN DINE: Second.

11 CHAIRMAN FURGESS: You heard the motion and the second. All approved  
12 raise your hand. All to deny raise your hand.

13 *[Approved: Cairns, Murray, Ward, Palmer, Furgess, Van Dine, Green, Manning;*  
14 *Anderson; Opposed: Cairns]*

15 CHAIRMAN FURGESS: Thank you.

16 MS. ALMEIDA: Mr. Chairman, found on page 87, the project name is Brad  
17 Grooms Allstate on Dutch Fork Road. The applicant is requesting a waiver of the  
18 sidewalk due to the fact that there is no sidewalk in the vicinity.

19 MR. VAN DINE: That's the one we just looked, wasn't it?

20 MS. ALMEIDA: That is correct.

21 MR. PALMER: Adjacent to the one we just looked at.

22 MS. ALMEIDA: Adjacent.

23 MR. VAN DINE: It's the next, it's the same area?

1 MR. PALMER: Yes.

2 MS. CAIRNS: It's the what is the pile of dirt question?

3 MR. VAN DINE: Yeah.

4 MS. ALMEIDA: And Staff recommends denial.

5 MR. MANNING: Anna, when these plans were submitted was the code in effect  
6 for sidewalks?

7 MS. ALMEIDA: That is correct, and the applicant did send a promissory letter  
8 stating that he would install a sidewalk.

9 MR. MANNING: You have a letter saying that they would install sidewalks?

10 MS. ALMEIDA: Um-hum (affirmative)

11 MR. GREEN: Mr. Chairman, on this one – you know the other two were the back  
12 end of subdivisions with no sidewalks in them. They were cul-de-sacs or there was no  
13 through traffic. This sits right up on a main road. There's a lot a undeveloped property  
14 around it that potentially is going to have sidewalks on it. And on main drags with a lot  
15 of land to be developed this was kind of the whole thinking behind going ahead and  
16 putting sidewalks in. So while I voted for the last two [inaudible] so I don't know that it's  
17 appropriate [inaudible] vote against this one.

18 MR. PALMER: I would just like to state that oftentimes I say that if you don't like  
19 it, change the code. We talk about setbacks and different things. This is one of those  
20 cases where as well I may not like having to put – people put sidewalks out in front of  
21 areas where there's not stuff at. But I made that argument and that fight back when we  
22 passed the sidewalks and it's passed, it's part of our ordinances now so if someone  
23 wants to change it, change the code. So I would be in favor of the sidewalk as well.

1 MR. VAN DINE: I move we reject the request to eliminate the sidewalks.

2 MR. GREEN: Second.

3 CHAIRMAN FURGESS: You heard the motion. All in favor that we deny it.

4 MR. MURRAY: That we do what?

5 CHAIRMAN FURGESS: The sidewalk - please by raising your hand. Those  
6 opposed?

7 *[Approved: Cairns, Ward, Palmer, Furgess, Van Dine, Green, Manning, Anderson;*

8 *Abstained: Murray*

9 CHAIRMAN FURGESS: Next on the agenda [inaudible] minor subdivisions.

10 MR. MANNING: Yeah, Mr. Chairman, at our last meeting in July we had some  
11 discussion about the interpretation of what a minor subdivision was and there was some  
12 debate as to whether we had in effect approved language that required sidewalks in  
13 minor subdivisions. And not having the information at the time I think there was a  
14 request made of Staff to bring back some language and I think I also asked that if you  
15 could please reflect in the minutes some of our discussion about that and then I think  
16 Mr. Van Dine also said that this may have gone to Council after we had some  
17 discussion and then voted on differently than we had approved it. So I'm just looking for  
18 some clarification here.

19 MS. ALMEIDA: Well we had been having difficulty finding, as far as the tapes for  
20 the County Council discussion, on the code. As you can imagine we have tons of tapes  
21 that we would have to go through. We just did a preliminary review. We couldn't find  
22 anything offhand. The minor subdivision as far as sidewalks are concerned?

1 MR. MANNING: And what constitutes a minor subdivision. I think there was a  
2 large debate about infrastructure – dedication of infrastructure?

3 MS. ALMEIDA: Right.

4 MR. MANNING: Did that trigger -

5 MS. ALMEIDA: It triggers –

6 MR. MANNING: - the requirement of bring classified a major development or  
7 minor development and -

8 MS. ALMEIDA: It does only because if it's a minor you have to go straight to the  
9 final stage. If you have infrastructure most developers want to bond that infrastructure.  
10 They need to submit preliminary plans in order to get reviewed by Public Works. In  
11 order for that to happen you have to be a major subdivision. We're finding that the  
12 interpretation before if it was not triggered by infrastructure you would go from minor  
13 subdivision to final plat. And -

14 MR. MANNING: And I do remember some of that discussion but I also  
15 remember that the intent of the code was to allow 50 lots or less to be classified as a  
16 minor subdivision and we had an extensive debate about dedication of infrastructure.

17 MS. ALMEIDA: Fifty lots or –

18 MR. MANNING: It was my recollection that we came to the consensus, at least  
19 on the Commission - without have the record in front of me I can't swear to this - but we  
20 adopted language that allowed for dedications of road, water and sewer and common  
21 spaces and still maintained the minor subdivision status.

22 MS. ALMEIDA: Well but the problem was as the code reads if you're 50 lots or  
23 less even if you're developing – even if you have infrastructure that you're dedicating,

1 you're not required to put in sidewalks – 50 lots or less even if you are classified a major  
2 subdivision. If you reach that 50 lot threshold within five years you would then have to  
3 install the sidewalks. But again the issue was if you are classified a minor subdivision  
4 you do not go through the preliminary stage of construction plans; you go straight to  
5 final plat. And that is a problem with a lot of development because Public Works is not  
6 going to review any infrastructure in a minor subdivision.

7 MR. PALMER: What you're telling me is that if I bought in a 49-lot subdivision  
8 and I wanted to dedicate the detention, the roadways, even a part of Richland County  
9 that was inside the subdivision, I would not have to put sidewalks?

10 MS. ALMEIDA: That is correct.

11 MS. CAIRNS: Then if you came back and added 10 lots later you could ask for a  
12 waiver for those 10?

13 MS. ALMEIDA: Yes, you could. But if you came back, you know, a year later  
14 and you added another 10 or another two, that would trigger the sidewalk requirement.

15 MR. PALMER: And then you would be required to put in sidewalks in front of all  
16 50 plus the 10. If the developer didn't want to do it he could appeal to the Planning  
17 Commission at which time the Planning Commission could decide [inaudible]?

18 MS. ALMEIDA: That's correct.

19 MR. PALMER: Alright.

20 MS. ALMEIDA: That is correct.

21 MR. MANNING: So basically you're saying that if it's under 50, there's no  
22 sidewalk requirement.

23 MS. ALMEIDA: Correct.

1 MR. MANNING: Even if it's a major?

2 MS. ALMEIDA: Right. As long as within a five-year period you do not go over  
3 that 50 lot threshold.

4 MR. MANNING: Can you see where other than sidewalks that there could be  
5 some confusion in something that might come before us on this dedication issue?  
6 Sidewalks was obviously I wanted to get cleared up but I don't want to have a debate  
7 again about whether it's minor or major or, you know.

8 MS. ALMEIDA: Well anything that's going to be dedicated to the county  
9 especially like I said the infrastructure, detention basins, has to be reviewed. You have  
10 to have construction plans. They will not accept any of that so when the wording was  
11 going back and forth that was the issue. Yeah – 50 lots or less you want to be a minor  
12 but you're going to have to go straight to final and we wouldn't accept your infrastructure  
13 if we didn't review it. So that's where the disconnect was.

14 MR. VAN DINE: So in essence what you're saying is it doesn't matter whether  
15 it's 50 or less if there's a dedication of infrastructure, roads or whatever personally  
16 you're never going to get COs or anything else because you're never going to get to  
17 that stage because nobody's going to accept the plans.

18 MS. ALMEIDA: The roads.

19 MR. VAN DINE: So you're going to have to do all of that work anyways.

20 MS. ALMEIDA: It was creating an additional step. You'd submit a minor, you'd  
21 be granted your minor subdivision and what happened was then they had the additional  
22 two other steps because they'd want to submit preliminary plans which triggers the

1 major subdivision which another fee. It just added an extra step because most would  
2 not go straight to final.

3 MR. PALMER: I think that accomplishes what we needed to. I mean, I don't  
4 want – I don't have a problem if you're dedicating the roads and the county's going to  
5 accept them they have to approve how they're built. We just didn't want to have to put  
6 sidewalks in a subdivision of 50 lots or less. I think that's been accomplished to my  
7 satisfaction.

8 MR. MANNING: I'm satisfied.

9 MS. ALMEIDA: Okay.

10 CHAIRMAN FURGESS: Any other questions? [Inaudible] Next text amendment  
11 on fill. Do you have anything [inaudible]?

12 MS. ALMEIDA: Mr. Chairman, the handout with the green and red lettering was  
13 the last amendment emailed to all of you. I apologize. This had been given to me late  
14 Friday. This is the wording that County Council would like you to review and make your  
15 recommendations and Ms. Brenda Carter from – our GIS manager and floodplain is  
16 here to answer any questions that you may have on this issue.

17 MR. VAN DINE: So we're dealing with the floodplain issue?

18 MS. ALMEIDA: Yes.

19 MR. VAN DINE: Fill in floodplains now?

20 MS. ALMEIDA: Correct. The request – the recommendation that you all had  
21 made previously had been turned down and Staff was requested to go back to the  
22 drawing board with the home builders and others from the community in order to come

1 up with some acceptable language and this was the language that was at least in  
2 concept agreed to and this is the language they would like you to consider.

3 MR. GREEN: Anna, just from a technical standpoint I understand that the  
4 ordinance has been read at County Council on two occasions and been passed except  
5 for third reading. Was that approval in title only? I mean, what I'm trying to understand  
6 is next County Council meeting, irrespective of what we say or do, are they voting on  
7 something that already – is this water, you know, under the bridge or are we wasting our  
8 time looking at this because they're going to vote for it on third reading anytime or is this  
9 the language they voted on in the first to readings?

10 MS. LINDER: At the zoning public hearing there was the language that you had  
11 looked at I believe and County Council amended it at that time to want – to put back in  
12 some language we had originally taken out. They wanted that back in. They wanted to  
13 use a best reasonable and they allowed a lot of discretion for Staff to come up with the  
14 best reasonable as, you know, as an alternative. And so the Staff worked with this  
15 language. So Council themselves has not seen this language but it will be presented to  
16 them as their – based on their amendments that they had at the zoning public hearing.

17 MS. ALMEIDA: Staff will [inaudible] will need to be another public hearing held  
18 because there is – there has been a large modification. And the public really only  
19 addressed what was before them at that time and the language has significantly  
20 changed. So that's something that we're internally trying to battle with.

21 MR. GREEN: I just don't want to go through an exercise, a fruitless exercise if  
22 Council's already decided that they're ready to vote third reading approval of something  
23 and, you know, we just end up here talking and working for no reason.

1 MS. LINDER: I believe that it is before you for your opinion. Council had made  
2 some amendments to it but again because they made amendments to it they wanted to  
3 get your take on it and so your opinion, either you want to do something different, you  
4 want to go back to the original, you want to do something less or more. We would take  
5 your recommendation then to Council for their consideration. But yes, ultimately it's  
6 going to be their decision but I would not say you're doing this – this is not a futile  
7 exercise.

8 MR. GREEN: But what you're saying is is that there is no third - whatever they  
9 voted on in the first two readings is immaterial that's going to go back through first  
10 reading status?

11 MS. LINDER: No. It's being amended.

12 MR. GREEN: And so it comes up – when does – it comes up for third reading  
13 approval in front of Council when?

14 MS. LINDER: I think like Ms. Almeida said if she's trying to get it at public  
15 hearing then that third reading will be delayed from the next Council meeting. If there is  
16 – if it's decided that another public hearing is not going to be held it could come up as  
17 early as September 18<sup>th</sup>.

18 MR. PALMER: From my understanding is it's not going to receive third reading  
19 status.

20 MR. GREEN: It's not?

21 MR. PALMER: No.

22 MR. MANNING: Can you explain, Ms. Carter, the differences? The original text  
23 you sent us and the text that we got Friday, we've got green lines and red lines.

1 MR. GREEN: We have double underlines, red lines and strikeout red lines.

2 MR. MANNING: What are the differences from the original text to this text? We  
3 sent some text back and I don't know whether any of that was incorporated into this or  
4 not. Can you just kind of -

5 MS. CARTER: Who did you send your text back to because I didn't -

6 MR. MANNING: Well ya'll took the revision back to Council which they denied or  
7 disapproved and suggested ya'll go back to the HBA for additional wording. I don't  
8 know what was left in, what was taken out.

9 MS. ALMEIDA: Your recommendation – are you talking about the last  
10 modification from the July meeting?

11 MR. MANNING: The first amendment changes we modified and sent back.  
12 What are the differences in this amended version and the first version?

13 MS. ALMEIDA: I wouldn't even be able to tell you it's changed so much. I mean,  
14 the way that Staff presents it to Council is what was presented to you all and we show  
15 the changes in red from the Planning Commission and then Council then decides on  
16 what they want to do and I believe through Council meetings it's been a conglomeration  
17 of just changes.

18 MR. MANNING: Is anybody else on Staff - was there an engineer involved in  
19 creating this language from Richland County's standpoint – an engineer?

20 MS. CARTER: An engineer? There were some engineers from the HBA that  
21 reviewed it but not the County engineer, no.

22 MR. MANNING: So there was no engineer offering –

23 MS. CARTER: No.

1 MR. MANNING: - language to this?

2 MS. CARTER: No.

3 MR. MANNING: Okay. Well I think that's something that we need to consider in  
4 this. Obviously we're dealing with an engineering question here and it would seem to  
5 me we would look to the experts to do that.

6 MR. PALMER: Mr. Chairman, I'd make a motion that we defer this to our next  
7 Planning Commission meeting and if need be we schedule a work session between  
8 now and then to get the parties together, be it the HBA industry engineers, the County  
9 and Staff. You know, we've received two versions of this. With our last version we  
10 didn't even receive a key to be able to understand what changes were needed and  
11 which ones weren't. That came on Friday. I'd make a motion we defer this matter for  
12 30 days until our next Planning Commission meeting.

13 MR. MURRAY: Second.

14 CHAIRMAN FURGESS: You heard the motion and second. All in favor that we  
15 defer this to –

16 MR. VAN DINE: Before we vote. What we sent forward to County Council was  
17 rejected. It was rejected outright. It wasn't rejected with modifications. They simply  
18 said we don't like what you sent. This has been – the modifications that both Council  
19 and others involved in the process have suggested to be made to the ordinance. I'm  
20 not sure what a 30-day delay is going to give us in relation to any more information  
21 because this has already taken place what everybody seems to indicate they want to  
22 have happen.

23 MR. PALMER: No. That's not true. I know from –

1 MR. VAN DINE: I'm talking about want to have happen in relation to discussions  
2 with other people. They've already had the discussions with HBA. They've had the  
3 discussions with people and these are the results of what's going on. If we have  
4 particular problems with what is here then we ought to address those problems now.  
5 The fact is that we have had these items and I've looked between the two that was  
6 amended versus the one that we got earlier and there were virtually insignificant  
7 amendments between those two documents. So what we've had, we've had sufficient  
8 time in which to make our recommendations. We also discussed all of this stuff when  
9 we made our first recommendations in July. There shouldn't be any reason for us to be  
10 delaying any further on this. We ought to be dealing with what's before us, moving it  
11 forward to Council and letting them make the decision as to how they want to proceed.  
12 Whether we agree with this document or not we ought to be discussing it because that's  
13 what we're supposed to be doing here. I'm opposed to delaying it any further. I think  
14 we ought to talk about it.

15 MR. PALMER: I wholeheartedly disagree. I've been in contact with not only the  
16 industry but also Council members and the HBA and everyone else and this is not to  
17 anyone's liking or standard whether it be Council Members or HBA or industry  
18 engineers. And I think it's at their request that we defer it for 30 days which means it's  
19 in my request to take a look at this. We haven't addressed this in several years. Once  
20 it gets done this time it'll be done for quite awhile. And what this does is this makes it  
21 no easier to fill in this county then what it currently does. And that's no ones desire in  
22 this county so.

23 MR. VAN DINE: I would wholeheartedly disagree.

1 MR. PALMER: I take that back.

2 MR. CARTER: I totally disagree.

3 MR. PALMER: I take that back. But this makes it virtually impossible to fill in this  
4 county and from the industry as well as some Council Members as well as the HBA I  
5 think we need another 30 days to take a look at this issue and that's my motion and I  
6 think it's been seconded.

7 CHAIRMAN FURGESS: We do have a motion on the floor.

8 MR. VAN DINE: And I was simply responding to the motion as to my thoughts.

9 CHAIRMAN FURGESS: We have a motion on the floor. Need to vote on the  
10 motion, how we going to send it. For all those in favor that we send this forward to –  
11 that we do it for 30 days by raising your hand.

12 MS. LINDER: What – rather than having the 30 days you just want it to the  
13 October Planning Commission meeting?

14 MR. PALMER: Until our next Planning Commission meeting.

15 MS. LINDER: Because I'm thinking that might be a little shorter than 30 days.

16 MR. PALMER: It may be. Correct, our next Planning Commission meeting.

17 MR. GREEN: If we're going to do that I would just like to have an amended  
18 motion that we're going to have a work session between now and that meeting so that  
19 we can really focus on it and really talk about it.

20 MR. PALMER: Absolutely.

21 MR. GREEN: And not have an agenda of other things that, you know, if we as a  
22 Commission want to get into this thing, that we'd be willing to set aside the time in a  
23 work session, to have people attend that will address the technical issues of this. I

1 didn't get my – the email was sent late Friday. I didn't – I was not in the office late  
2 Friday. It comes to my office. I saw it at 11:00 o'clock this morning. I am not an  
3 engineer. I just want everybody's commitment that if we do this we make sure we give  
4 it the time and attention it needs to get it done right the next time.

5 MR. PALMER: I would not be opposed to stating that in the motion that that  
6 meeting, that work session occur no later than one week prior to our next Planning  
7 Commission meeting and let's – we just get our schedules put together and get it  
8 figured out.

9 MS. ALMEIDA: I would suggest, understand that Staff has to get out the  
10 agendas to print at least ten days prior.

11 MR. GREEN: It can be on the agenda.

12 MS. ALMEIDA: Without the changes or -

13 MR. GREEN: Heck, I got this this morning.

14 MR. PALMER: You need 24 hours don't you?

15 MR. VAN DINE: And just to respond to that. We're now talking about oh, we can  
16 through it out there 24 hours beforehand and that's the very reason it's being used to  
17 say, no, no, let's stall it right now because this is what's going on. If you want it have it  
18 out there and have the meeting, have it in sufficient time so that they can get it forward  
19 so people can talk about it and not let's sit here and be duplicative and say oh, I didn't  
20 get it in enough time. But don't worry, next month we'll throw it out there so nobody else  
21 will have it in the same amount of time. Let's do it one way or let's do it the other way.  
22 Let's not try and play both sides against the middle. Either set your meeting early so  
23 you can do it or let's do it right now.

1 MR. PALMER: Well let's set the meeting then.

2 CHAIRMAN FURGESS: It will have to be the week of the – the 18<sup>th</sup> or the 19<sup>th</sup>.

3 MR. MURRAY: You can set the meeting any time you want to to give everyone  
4 time to comply with what Staff needs to do it.

5 CHAIRMAN FURGESS: Okay. We have to set it for the 18<sup>th</sup>.

6 MR. VAN DINE: Let's vote on the motion to delay first before we decide on what  
7 the time is. And I call the question on that motion.

8 CHAIRMAN FURGESS: Let's take the vote on the motion by deferring it 30 days  
9 or the next Planning Commission meeting. All in favor? Opposed?

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

12 CHAIRMAN FURGESS: Did you vote?

13 MR. ANDERSON: I voted.

14 MR. VAN DINE: They got it out there.

15 CHAIRMAN FURGESS: Okay. They got it out there. Okay.

16 MR. PALMER: Do ya'll want to compare calendars at the end of the meeting?

17 CHAIRMAN FURGESS: No, let's do it now and get that out the way. The date  
18 to come forth with will be the 18<sup>th</sup>. That'd be on a Tuesday, or the 17<sup>th</sup>. The 17<sup>th</sup> and  
19 the 18<sup>th</sup>. That'll be next week. It's the following week [inaudible].

20 MS. ALMEIDA: Right. We need to go to print by the 21<sup>st</sup>.

21 CHAIRMAN FURGESS: By the 21<sup>st</sup>. So that's the week of the 21<sup>st</sup>. The  
22 Planning Commission meeting is October the first.

23 MR. PALMER: That's for it to be in the complete agenda?

1 MS. ALMEIDA: Correct.

2 MR. PALMER: Which we would all be privy to the meeting prior to anyhow,  
3 right?

4 MS. ALMEIDA: I'm sorry?

5 MR. PALMER: We would all be – if you're talking about putting it is a Planning  
6 Commission agenda?

7 MS. ALMEIDA: Correct.

8 MR. PALMER: And we would all be involved in the meeting, the work session,  
9 so we would all be available for the comments so we wouldn't necessarily need to be in  
10 the printed agenda. We're all up there for the work session anyhow; correct?

11 MS. WARD: I see what you're saying. Because in case we don't get this until  
12 the day before, we were at the work session and this was what the product of our work  
13 session was.

14 MR. PALMER: Right.

15 MS. ALMEIDA: Well you had a version in your PC packet. It just had another  
16 revision to it but as you could tell what was – the green was the difference so it was just  
17 some minor modifications from the red.

18 MR. PALMER: But what I'm saying is is that for you to get it into the printed  
19 package you need to have that by the –

20 MS. ALMEIDA: Friday.

21 MR. PALMER: But we'll all be at the work session which is what Mr. Van Dine's  
22 talking about. We don't need something coming out 24 hours in advance. We'll all be  
23 there.

1 MS. ALMEIDA: But don't you want to see everything in print and how it's going  
2 to be presented to Council?

3 MR. PALMER: Right. But we don't need – when is our meeting?

4 MS. ALMEIDA: The first of October.

5 CHAIRMAN FURGESS: October the first.

6 MR. PALMER: So that's what, 10 days –

7 MS. LINDER: Three weeks.

8 MR. PALMER: - 12 days?

9 MS. LINDER: It's three weeks.

10 MS. ALMEIDA: From now.

11 MS. LINDER: From now.

12 MR PALMER: Right. But we need to have that meeting within a week to have it.

13 CHAIRMAN FURGESS: You need to have the meeting either on the 17<sup>th</sup> or the  
14 18<sup>th</sup> of September.

15 MS. ALMEIDA: Correct.

16 MR. GREEN: The 17<sup>th</sup> is a Sunday.

17 CHAIRMAN FURGESS: I mean ah –

18 MS. ALMEIDA: It's a Monday.

19 MR. GREEN: This is a year old calendar. No wonder. No wonder we find  
20 County Council a year behind times. [Laughter]

21 CHAIRMAN FURGESS: Either take that Monday or that Tuesday.

22 MR. VAN DINE: Mr. Chairman, I'm unavailable on the 18<sup>th</sup>. I know I'm out of  
23 town all day and that evening.

1 MS. ALMEIDA: And we need to know where as well.

2 MR. MURRAY: [inaudible]?

3 MS. ALMEIDA: Tuesday is Council.

4 CHAIRMAN FURGESS: [inaudible] want to have it on the 17<sup>th</sup>?

5 MR. VAN DINE: Do you think you're going to be here until midnight on the 18<sup>th</sup>?

6 MR. PALMER: All I'm saying is I don't think a week is enough time to get the  
7 language put together.

8 MR. MURRAY: Well then if Council's going to change it what's the hurry?  
9 What's the worry?

10 CHAIRMAN FURGESS: They want it – they need to have it published so they  
11 can put it out before then. [Inaudible] They can print on the 24<sup>th</sup>, on the 21<sup>st</sup>, right?

12 MR. PALMER: We can come to an agreement on the 25<sup>th</sup>. We can have our  
13 meeting on the 25<sup>th</sup>. To give you guys what three or four days to get it printed up and  
14 then get it put out?

15 MS. ALMEIDA: You can have it as a handout.

16 MR. PALMER: Right.

17 CHAIRMAN FURGESS: Okay. So do you want to go for September the 25<sup>th</sup>?

18 MR. PALMER: Twenty-fifth.

19 CHAIRMAN FURGESS: Twenty-fifth, Tuesday.

20 MS. ALMEIDA: Depending on where you're going to have it on the 25<sup>th</sup>, every  
21 Tuesday is Council and they're usually in chambers from 3:00 to 7:00.

22 MR. PALMER: Yeah. We can do it on the fourth floor or wherever.

23 CHAIRMAN FURGESS: The fourth floor on the 25<sup>th</sup> at what time? What time?

1 MR. GREEN: Five o'clock? Four?

2 CHAIRMAN FURGESS: Four, 4:00 o'clock. Put on your calendar, 4:00 o'clock  
3 on the 25<sup>th</sup>, fourth floor.

4 MS. HAYNES: Any you'll have to remember that day to work on the roof  
5 because Council [inaudible].

6 MS. LINDER: And there's also two committee meetings before the zoning public  
7 hearing. So it's very possible that Council will be involved in a 5:00 o'clock, 6:00 o'clock  
8 and there could be a 4:00 o'clock even. But right now there's normally a 5:00 o'clock  
9 meeting, a 6:00 o'clock meeting and a 7:00 o'clock meeting on that fourth Tuesday.

10 MS. ALMEIDA: And Staff does have to be at 6:00 and 7:0 o'clock because it's  
11 zoning public hearing. So we'd have to wrap it up by 6:00

12 MR. PALMER: Six? From 4:00 to 6:00?

13 CHAIRMAN FURGESS: Okay. Fourth floor.

14 MR. VAN DINE: May I request that you please provide us all with an email or  
15 something of the specifics of the meeting?

16 CHAIRMAN FURGESS: Thank you. Next on the agenda is billboards.  
17 Billboards, please.

18 MS. ALMEIDA: Yes, Mr. Chairman. There should be a proposed ordinance  
19 before you. This language was proposed by the industry and Council would like you to  
20 review this and make your recommendations. Found on page 96 – I'm sorry – found on  
21 page 91 is Staff's recommendation. Mr. Price is here if you have any questions or  
22 concerns. Well briefly Staff recommends denial of this proposed language as it is  
23 presented before you.

1 MR. GREEN: But we don't have substitute language recommended by Staff at  
2 this point?

3 MS. ALMEIDA: That is correct. We were not directed to come up with substitute  
4 language. We were directed to review this language and give our recommendations.

5 CHAIRMAN FURGESS: We do have some people signed up to speak. We'll  
6 call them at this time.

7 MR. PALMER: Susan James.

8 **TESTIMONY OF SUSAN JAMES:**

9 MS. JAMES: Thank you. Others have been giving their name and address; is  
10 that what you want?

11 CHAIRMAN FURGESS: Thank you.

12 MS. JAMES: Susan James, 230 South Waccamaw Avenue 29205. When the  
13 billboard moratorium went into effect in 2001, I was amazed and delighted that our  
14 county had seen fit to protect the citizens from this blight. Richland County has been  
15 farsighted and I appreciated it. I'm not surprised that the industry's back because they  
16 need to sell more advertising. I doubt if anybody here could honestly say that billboards  
17 benefit anybody other than the industry's bottom line. They are ugly, distract drivers.  
18 The new sparkly ones are hideous, hideous, and they have many negative parts to  
19 them. When I'm driving and I go through other cities and counties and they don't have  
20 billboards, I feel good about that place. When I go through places that have lots of them  
21 I feel, Bless their hearts, they're too poor and their county council's sold them out. They  
22 do not add to the ambience of this nice county with beautiful scenery. They are

1 hideous. I'm hoping that you'll recommend that we do not extend the benefit of  
2 billboards to this industry. Thank you.

3 MR. PALMER: Hal Stevenson?

4 **TESTIMONY OF HAL STEVENSON:**

5 MR. STEVENSON: My name is Hal Stevenson. I reside at 1511 Hagood  
6 Avenue, Columbia, South Carolina 29205. I'm here to speak in support of electronic  
7 signs. I've been in the billboard business for about 25 years and in this county for 20  
8 years. In all due respect to Ms. James, I think beauty's in the eyes of the beholder.  
9 There are many non-profit groups that benefit and one personal reason for me to go into  
10 the electronic sign business is our ability to provide advertising for groups. I do a lot of  
11 work for non-profit groups that need to advertise in different ways very cheaply. I can't  
12 give away – I can give away space on my boards but there's still a cost of putting the  
13 production up there. You have to buy vinyl, you have to do things. Electronic signs will  
14 enable us to do things and be able to provide advertising not only for non-profit groups  
15 but for amber alert systems, for emergencies that come up. Just recently when the  
16 bridge in Minneapolis collapsed, within 15 minutes the private company redirected traffic  
17 and said, you know, that the bridge was out. I think there ought to be controls. I think  
18 that the industry has been very pro-active and I think they're going to speak to that in a  
19 minute. But I think it can be very positive and I would request that you guys give it  
20 some thought. And we realize – I've been in business a long time. We've got thick skin  
21 that people, you know, have a prejudice against billboards. I would venture to say there  
22 are a lot of things that we need to deal with in our community besides billboards as it  
23 has to do with appearance and I just ask you to have an open mind on it. Thank you.

1 MR. PALMER: Scott Shockley?

2 **TESTIMONY OF SCOTT SHOCKLEY:**

3 MR. SHOCKLEY: Good afternoon. Scott Shockley. I reside at 14 Otranto Lane,  
4 Columbia 29209. I would like with the Commission's indulgence to show a five-minute  
5 video that gives a little bit of a background on what these old billboards are and what  
6 they're not. Because I think it's pertinent to this discussion as the county considers this  
7 issue.

8 AUDIENCE MEMBER: May I make a comment? We have people here who are  
9 going to speak and five minutes is going to take a long time [inaudible].

10 CHAIRMAN FURGESS: Is this video very long?

11 MR. SHOCKLEY: Five minutes.

12 CHAIRMAN FURGESS: Five minutes.

13 MR. SHOCKLEY: Well with respect to your time why don't we abandon that  
14 because we can't seem to get the volume cued up with the video. I'm the vice president  
15 and general manager for Lamar Advertising. We have currently six displays up in City  
16 of Columbia and five displays up in Lexington County. What we are asking Richland  
17 County to consider is simply to convert existing inventory that's on steel not to add  
18 inventory, not to increase the number of signs in the area, but simply to have the  
19 capacity to be able to upgrade existing inventory. We have been underneath a ban  
20 since 2001. We have seen an attrition in our inventory, meaning signs coming down  
21 due to development. So we have not had an opportunity to keep pace with the  
22 community. One of the biggest benefits that this technology has for the business  
23 community is [inaudible] real time. [Inaudible] we change copy relative to what's going

1 on the marketplace and be nimble with what's happening from the marketing standpoint.  
2 We've seen news organizations, hospital, car dealers, developers and others take  
3 advantage of this opportunity in the City of Columbia and in Lexington County. One of  
4 the other big benefits that Mr. Stevenson alluded to is the opportunity to have even  
5 more of a community voice than we've had a chance to provide up to this point in time.  
6 And what I mean by that is in the area of emergency preparedness we've had dialogue  
7 with the South Carolina Management Division of Emergency Services as well as  
8 discussions with City of Columbia personnel in those departments and also in Lexington  
9 County. We hope to have the same kind of discussions with the folks in Richland  
10 County for the opportunities to provide information when emergencies occur whether  
11 they be chemical spills, hurricane preparedness or the like. Again what my  
12 consideration would be and my request of this Commission is to duly consider this  
13 request and recognize that it is basically a change to existing inventory. We send our  
14 crews out every day to change our signs manually. This is an electronic change and  
15 copy. We're not talking about existing signage, we're talking about converting existing  
16 inventory. If there are any questions I'd be happy to answer any of them. My apologies  
17 again for the lack of video on this.

18 CHAIRMAN FURGESS: Thank you.

19 MR. GREEN: Anna, between speakers, clarify - we're considering the language  
20 on page 93 of our report?

21 MS. ALMEIDA: Yes.

22 MR. VAN DINE: It's 97

23 MR. CAIRNS: Ninety-seven.

1 MS. ALMEIDA: It's 97.

2 MR. PALMER: Robert O'Brien?

3 **TESTIMONY OF ROBERT O'BRIEN:**

4 MR. O'BRIEN: Good afternoon. My name's Robert J. O'Brien. I reside at 9604  
5 Highgate Road 29223. First of all I'd like to introduce myself as being president of the  
6 Richland County Neighborhood Council. We represent over 200,000 residents in the  
7 County and I'm here to inform the Planning Commission that our organization opposes  
8 this for many of the reasons that people have talked about before. It's changing the  
9 landscape. When we were looking at the video there they didn't show us what it looks  
10 like at night time. When you turn those lights on at night that's going to light up the sky.  
11 Around residential areas, Two Notch Road and places like that it's just going to look like  
12 a big lamppost up in the air. How much electricity is it using? Where the signs right  
13 now only have a few lights on them, you put the electronics in there and you've got a  
14 higher wattage being used for those signs. I've just been told as it was mentioned  
15 earlier I have to cut back on my water. I can only water every other day and not Friday.  
16 Well what about my electricity bill? That's been going up steady too. These people  
17 want to come in, they want to change our overview of our city. People come down here  
18 from the North – I have relatives that just moved here. They think it's really nice here.  
19 All of a sudden we're going to turn into a Las Vegas type signage out there in our  
20 streets. Again I want to end by saying that our organization of over 200,000 members  
21 opposes this approval of this zoning. Thank you very much. Any questions? Thank  
22 you.

23 MR. PALMER: Peter Mairs? Is that right? Mairs?

1 **TESTIMONY OF PETER MAIRS:**

2 MR. MAIRS: My name is Peter Mairs. I live at 2941 Kennedy Street in the  
3 Rosewood section. I represent several residents within the neighborhood and also in  
4 Richland County. Just a few moments here and a few facts. [Inaudible] today. There's  
5 something like 130,000 hits on these things. There are 450,000, 500 are digital.  
6 They're huge profit makers for their owners. It's \$10,000 a sign, a month. It cost  
7 around \$350,000 to build one so you can figure the numbers on that one. It's a big  
8 profit for the makers. It's small tax for the people that have real estate. Now they want  
9 to [inaudible] anywhere from six to eight to ten foot squares. How much tax do you pay  
10 on that much real estate? They're environmentally unfriendly. The City of Columbia's  
11 gone into what they call "green cities" which we need to take into consideration of that  
12 [inaudible] is in conjunction with Richland County. They need to be limited only to  
13 designated areas. Plus when they put these things up new ones that means removal of  
14 trees, [inaudible] an obstruction, they become an unnatural nightlight at night time.  
15 [Inaudible] they add power loads for something like 4300 btus per square foot. They will  
16 be used for public announcements. That's what they use to say pass them on as a  
17 [inaudible] which I can understand that which is one of the things that should be in their  
18 contracts. Some people do it, some people don't. They should be limited for future  
19 expansion. If you remove one of these you have to pay the cost – the taxpayer pays for  
20 the removal of it. The City of Columbia has gone into a standing agreement which is  
21 what I understand it's kind of a carte blanche situation. But the agreements are through  
22 the state as I understand it is if these things are asked to be removed once they're up  
23 the taxpayers have to pay the toll. How much the taxes we going to pay on that at

1 \$10,000 a month? They [inaudible] light and they're driver distractions and they are  
2 [inaudible] prohibited at night. Thank you.

3 MR. PALMER: Kiki Brown?

4 **TESTIMONY OF KIKI BROWN:**

5 MS. BROWN: My name is Kiki Brown and I reside at 1620 Crestwood Drive,  
6 Columbia, South Carolina 29205. And I represent the USC students. I'm a sophomore  
7 at USC. I'm a retail major and I'm also a manager of a franchise and I would just like to  
8 say that our company would never advertise on billboards. They're tacky and like one  
9 of the previous people said, they're like Las Vegas. And I've been to Las Vegas and  
10 there are always lights and everything and that's fine to visit but, you know, like I'd hate  
11 for that to be in South Carolina. It's so pretty and green and I would just like to say that  
12 I would definitely not recommend advertising on billboards. Thank you.

13 MR. PALMER: Greg Dawes.

14 **TESTIMONY OF GREG DAWES:**

15 MR. DAWES: My name is Greg Dawes. I'm a senior at the University of South  
16 Carolina. I reside at 510 Heyward Street, Columbia, South Carolina 29201. I would like  
17 to briefly state that as a future businessman in Richland County I do not think it would  
18 be in the best interest of the county to allow the display of these billboards. In addition, I  
19 would never use a digital billboard for my own personal business. I'm also speaking on  
20 behalf of many of my peers who do not want to see these billboards placed in our  
21 county and I personally think that there is a better solution for advertising and marketing  
22 besides using these billboards. And the limited number of benefits such as public

1 announcements for emergencies and things like that is just too limited for the public  
2 announcements and things that they said they're going to do so. Thank you.

3 MR. PALMER: Van Kornegay?

4 **TESTIMONY OF VAN KORNEGAY:**

5 MR. KORNEGAY: I am Van Kornegay. I reside at 1200 Shirley Street here in  
6 Columbia. I'd also like to urge you to follow Staff's recommendation to reject this  
7 proposed change to the ordinance. This is something that goes back I think to the ban.  
8 What happened here in 2001 is that Richland County residents came together and said  
9 the volume of commercial speech from the billboards is up too high and we wanted it  
10 stopped and we wanted it turned down. That is what people said when they protested  
11 under signs out in Eau Clair. That's what they said when neighborhoods produced  
12 petitions that were brought in front of Council and people were urged to ban billboards  
13 or put a permanent moratorium and they did. The newspapers editorialized against it  
14 and I think we have a good law that ought to stay the way it is. And the industry's  
15 asking us to change that. I think the proposed changes would violate the spirit of the  
16 current ordinance. The problems, as you've heard people say, this is out of character  
17 with Richland County. They do look like something you'd see in a different kind of  
18 climate and we have to decide what kind of counsel, I mean, what kind of county we  
19 want to be. Do we want to look more like a Times Square, Las Vegas or do we want to  
20 look more like a Columbia, South Carolina? I think the majority of residents would like  
21 us to stay like a Columbia, South Carolina. There are also safety concerns with these.  
22 They are the brightest thing in the driver's field of vision and that should be a cause for  
23 concern with all the other distractions drivers have now. The Federal Highway

1 Administration's conducting a study on these things. They haven't been studied  
2 extensively and that study is due out in 2009. At the very least, as this is a matter of  
3 public safety, at the very least County Council should reject proposals to allow  
4 electronic billboards until we see what the data shows. So I'd urge you to reject this  
5 proposal on that ground alone. Also I'd urge you to reject what is something of a red  
6 herring argument about, you know, allowing this is a - something that could be a public  
7 service. There's good things we can do with just about anything but I think the  
8 negatives far outweigh the positive. Thank you.

9 MR. PALMER: Ryan Nevias?

10 **TESTIMONY OF RYAN NEVIAS:**

11 MS. NEVIAS: I'm Ryan Nevias and I'm the chair of the Richland County  
12 Appearance Commission. I wanted to come to you today. I have a handout, a letter  
13 from the Appearance Commission to each one of you. If you could pass that around I'd  
14 appreciate it. In 2001 the Appearance Commission supported the billboard moratorium.  
15 When we were notified that a member of Council had introduced a revision allowing  
16 video billboards we began to examine the issue of these proposed changes. Today I  
17 will share with you the concerns that have arisen from our investigation. We will reserve  
18 our formal recommendation to County Council until after our public information forum.  
19 That will be held at 6:00 p.m. this Thursday at the Main Branch of the Richland County  
20 Library. I invite all of you to attend to hear from both sides of the issues. First we  
21 reviewed photos of areas with video billboards. Flashy, provocative, slick are adjectives  
22 that describe the landscapes that we reviewed. They do not describe our county nor do  
23 we wish them to. We are uniquely urban and uniquely rural. We found numerous video

1 billboards advertising adult entertainment and displaying provocative ads. A news  
2 article about a congregation in New York that was appalled when an ad for a new toilet  
3 system with a dancing naked bottom appeared on a billboard next to their church. The  
4 Richland County Conservation Commission has sent a letter to Council cautioning them  
5 about several conservation issues. I believe you received a copy of that as well so I  
6 won't address those concerns. However, the night time pollution issue is very serious.  
7 The bright light of these boards shines through windows of homes and offices and can  
8 be terribly disturbing to people. According to a member of our Columbia City Council a  
9 long piece of property on the corner of Harden and Gervais was about to be sold for  
10 mixed use. Now there is great concern about the light pollution from the new video  
11 billboard affecting the marketability of those condos. Who would have predicted new  
12 condos on Rosewood Drive offered for over \$270,000. How would a nearby video  
13 billboard have affected that project? Study after study that we reviewed showed  
14 communities with restrictive sign legislations thrive. Hilton Head is a good local  
15 example. We reviewed reports that video billboards distract drivers on already  
16 dangerous roads. In some parts of the country video clips are played to advertise TV  
17 shows and movies. In Canada one Calvin Klein ad asks the question and tells you the  
18 driver to dial on your cell phone to answer the question. Many communities say that no  
19 amount of promised community service free announcements are worth these risks.  
20 Studies show it takes only two seconds of distraction to dramatically increase the  
21 chance of an accident. As Mr. Kornegay said, the Federal Highway Administration is  
22 currently conducting a study to examine these safety issues surrounding the billboards  
23 and those results will not be available until 2009. The literature that we reviewed

1 cautions all local governments to be wary of approving these signs before the outcome  
2 of this study is published. If the signs must be removed because they are deemed a  
3 hazard the cost of compensating – the compensation required by law would be  
4 enormous. I've conducted my own informal study. I've spoken to close to 100 people in  
5 Richland County asking them if they've seen the video billboards in the city and what  
6 their reaction was. A vast majority of those people answered that they thought video  
7 billboards were a dangerous distraction to their driving. Most were angry and said they  
8 did not know why the City of Columbia allowed them to be installed. I have great  
9 respect for the common sense of our citizens and their ability to know what distracts  
10 them while driving. We urge the Planning Commission to speak to other community  
11 governments such as Myrtle Beach that have upheld their legislations intended to over  
12 time rid their landscapes of billboards. I've attached two articles to our written version of  
13 this report to our findings. One is on how billboards hamper economic growth and  
14 negatively affect property value and one on a concern of clustering of these signs in  
15 economically disadvantaged areas. Thank you for considering these findings and thank  
16 you for your service to our county. Any questions?

17 MR. PALMER: Kim Murphy?

18 **TESTIMONY OF KIM MURPHY:**

19 MS. MURPHY: Kim Murphy, 154 Old Laurel Lane in Chapin and I just wanted to  
20 say the signs are amazing. Driving down I-26 the other day I spotted one for the first  
21 time. It caught my eye. I thought this is pretty cool and as I watched it changed I  
22 thought, Wow! The only problem was I was driving and every time I go pass that sign I  
23 want to see what's there. It's human nature. I'm afraid that this is just one more

1 dangerous distraction for drivers on the road. I have a 15-year-old who's about to start  
2 driving and I guarantee she's going to have my habit of not paying close enough  
3 attention to the road. They're a major distraction and I urge you to deny this request.

4 Thank you.

5 CHAIRMAN FURGESS: Has everyone signed up to speak? [inaudible]. Yes,  
6 sir.

7 MR. SHOCKLEY: May I have a chance to respond -

8 CHAIRMAN FURGESS: Go ahead.

9 MR. SHOCKLEY: - to a couple points that were raised? There were a couple  
10 comments made about Las Vegas, Times Square. Scrolling and flashing, blinking.  
11 These units don't flash, they don't scroll, they don't blink. There was also a comment  
12 made about video clips. These units don't show video clips. They're freeze frame. Our  
13 industry and our company will refuse to display any technology that has streaming video  
14 and the ordinance is designed to prevent that. I'd also like to make a comment about  
15 adult entertainment. We refuse adult entertainment. Any copy that comes before us in  
16 terms of being obscene or contrary to the morals of our community like a naked rear  
17 end on a toilet seat will not go up in the air. There are controls for that to prevent that  
18 from happening. This technology is impressive. It's impressive for a lot of different  
19 reasons because it gives advertisers, the business community, an opportunity to be  
20 much more nimble than the choices that are available to them right now. There are  
21 many solid companies that use this technology currently and have the need and desire  
22 to do the same in Richland County. They are healthy, they are companies that you all  
23 know and respect. And I'd just like to comment that from a safety standpoint there have

1 been recent studies that have been recently released and they indicate that the  
2 technology is safety neutral meaning there's no more incidence of accidents with visual  
3 technology on a roadway than without it. So I'd just like to clear up some of those  
4 things and answer any questions you may have of me.

5 CHAIRMAN FURGESS: Thank you. Any questions for -

6 MR. MANNING: How many billboards are we talking about?

7 MR. NEVIAS: There are 500 in the county.

8 CHAIRMAN FURGESS: Are you talking to Staff?

9 MR. MANNING: I'm talking to Staff.

10 MS. ALMEIDA: Mr. Price is here to answer those questions.

11 MR. PALMER: We're talking about replacing 10, I think; is that your question?

12 MR. MANNING: Well I wanted to know how many we've got and how many  
13 [inaudible] for discussion.

14 MS. ALMEIDA: Over 450.

15 MR. PRICE: Yeah, there's a little less than 500.

16 MR. MANNING: And this ordinance would affect how many?

17 MR. PRICE: The ordinance that you have before you would affect all of them.

18 MS. CAIRNS: And maybe even more. I mean, the ordinance affects any non-  
19 conforming whether it's a non-conforming billboard or any other kind of non-conforming  
20 sign which there maybe others that are non-conforming that aren't currently billboards  
21 that under this legislation could pop up as a billboard.

22 MR. PRICE: Yes. This will affect all off-premise signage. So no limit on calling  
23 these just for a billboard ordinance, this is off-premise advertising.

1 MR. GREEN: Mr. Chairman, I mean, a couple things strike me at this point. I  
2 guess first and foremost I think the proposed changes to the text irrespective of what  
3 you think about electronic billboards is inadequate for what, you know, what we're  
4 discussing. I mean, it just opens the door for a lot of things. It's a couple of sentences  
5 thrown into our code and I don't know a lot about the subject of electronic billboards.  
6 I'm certainly no expert. I spent about 45 minutes at the office right before I came over  
7 here to see what was on the Internet and one of the things I found that struck me as the  
8 most important to me at least in what we're considering. Obviously technologies  
9 change all the time. This is a new technology that probably bears some consideration  
10 under certain circumstances. But I don't think it's the broad way that it's presented in  
11 the document we're looking at and in the one sentence or the two sentences I read in  
12 the study, this is from Bloomington, Illinois, I think; Bloomington somewhere. Because  
13 there are many different technologies that can be used to create the image that is seen  
14 on a large video display sign, it is not feasible to develop technology based sign  
15 regulations. Rather the regulations must address operational characteristics, capability  
16 and functions. The proposed ordinance would prohibit animation video displays,  
17 flashing light displays, displays of imitating motion, etc. So if we're going to even  
18 consider electronic billboards I think we've got to get very specific about all the  
19 operational issues, the location issues and if that's something that Council wants us to  
20 look at, fine but I certainly find the minimal changes to the language here just too broad  
21 to even really talk a lot about. And therefore my recommendation or my motion would  
22 be, and certainly open to more discussion but just to get a motion on the floor for  
23 discussion, would be to vote to disapprove the proposed language.

1 MR. VAN DINE: I'll second that motion and I'd like to also add comments. In  
2 essence what the text amendment that is being requested has done is to take billboards  
3 and make them conforming uses, they're no longer non-conforming uses. As a result of  
4 that you no longer have the actual act that was in place back in 2001. You have a  
5 whole different set of rules which would need to be addressed. This language is way  
6 too broad, it's way too open for interpretation and it's way too nebulous. Having seen in  
7 the past what people can do with language that is this broad I don't believe that you can  
8 go this far. We just barely went through a discussion as to whether or not the language  
9 in the floodplain fill ordinance needed to be looked at because it was either too  
10 restricting or too broad. I think that this is an exact same issue here. This ordinance  
11 cannot be adopted in its present state without opening the door for everything with no  
12 control. I would only add also that there is and there was in the paper today a specific  
13 issue that was raised regarding whether or not South Carolina is going to follow a  
14 growing trend of states which are banning the use of cell phones, I-pods or any other  
15 handheld item by anybody under the age of 21 because it is a distraction for people who  
16 are actually on the road. This is no different. As was said earlier, someone driving  
17 down the road will look up at that thing and wait for the next one to change over to find  
18 out what the next one will be. They're not looking at the road and most of them are  
19 placed along the Interstate where people are doing 70 to 75 miles per hour. That  
20 restricts your reaction time a whole lot more. I don't believe that as it sits right here that  
21 we could adopt this and have any kind of protection as to what we need in order to  
22 adequately review this. As Mr. Green has said, in certain circumstances there may be  
23 opportunities where these are appropriate but the opportunity to put 450 billboards plus

1 every other sign that's out there as this ordinance states is just too great a risk to adopt  
2 it at present.

3 CHAIRMAN FURGESS: Do any of the Commissioners have anything to say?

4 MR. PALMER: I have a question for Mr. Shockley. You stated that the  
5 ordinance wouldn't allow for moving flashing lights, moving display, streaming video?

6 MR. SHOCKLEY: Yes, sir.

7 MR. PALMER: But to Mr. Green's point I don't see that in our packets.

8 MR. SHOCKLEY: There was a proposed amendment of May 25<sup>th</sup> and [inaudible]  
9 August 10<sup>th</sup>. This is referred to in the August 10<sup>th</sup> Staff proposal.

10 MR. GREEN: Just for clarification from Staff. What I'm reading is the ordinance  
11 in our package labeled page 97.

12 MS. ALMEIDA: Apparently there was a handout that Mr. Price gave you.

13 MR. VAN DINE: The August 10<sup>th</sup> provisions are not in our package and are not  
14 before us for any kind of discussion or as part of the ordinance.

15 MR. SHOCKLEY: I do believe though that the existing code prevents flashing,  
16 scrolling, and movement of animated signs in the present context.

17 MR. VAN DINE: Would that not by its very nature moving signs or rolling over  
18 between various items become moving by its very definition? But doesn't the present  
19 code already reject digital signs in its present form and this ordinance would not alter  
20 that provision which says you can't have movement and movement would include the  
21 turning or the changing of the digital signs. So it seems to me that we would have  
22 certainly an ambiguity in the ordinance that needs to be addressed and simply  
23 addressing these particular limited issues I think you need to go more into the entire

1 ordinance if in fact we are going to be looking at digital signs. And I'm not rejecting the  
2 idea that digital signs in certain circumstances may be appropriate. I'm suggesting that  
3 what we have here is insufficient at this time in order for us to address the issues that  
4 need to be addressed.

5 MR. SHOCKLEY: And we are prepared to continue our dialogue to develop a  
6 plan that's appropriate.

7 MR. VAN DINE: And I think that would certainly be in everybody's best interest  
8 to try and move in that fashion. Mr. Chairman, I call the question since I don't hear  
9 anybody else speaking up.

10 CHAIRMAN FURGESS: [Inaudible] motion.

11 MR. VAN DINE: The motion was that we send it forward with a recommendation  
12 of rejection or denial.

13 CHAIRMAN FURGESS: Second on that?

14 MR. VAN DINE: I seconded it.

15 CHAIRMAN FURGESS: Okay. You heard the motion that we send this forward  
16 with denial. All in favor please by raising your hand. Opposed?

17 *[Approved: Cairns, Murray, Ward, Palmer, Furgess, Van Dine, Green, Manning,*  
18 *Anderson]*

19 CHAIRMAN FURGESS: Thank you.

20 MR. PRICE: Excuse me. Is that for just denial of the ordinance in its current  
21 state or do you have any recommendations on how it's [inaudible]?

22 MR. VAN DINE: I think it's denial at present. I would certainly recommend that  
23 everybody get together and try and figure out if there are ways that this can be adopted

1 [inaudible] because Mr. Green is correct. Changing technology is always going to raise  
2 new issues and we need to address changing technologies but I don't think we need to  
3 address it at the speed with which we're trying to go forward here.

4 MS. CAIRNS: Well, you know, I was just going to offer that I would say that the  
5 2001 ban on the off-premises signs in the ordinance as it was written in 2001 indicated  
6 an intent of, a fairly clear intention, that over time there would be no billboards left in the  
7 end or virtually none. And if this ordinance the ways it's written even with reasonable  
8 adaptations would just allow the permanence of billboards in the county.

9 MR. VAN DINE: And I think that's certainly an issue that needs to be addressed  
10 in the discussion that takes place on all of it.

11 MS. CAIRNS: Right. Right.

12 CHAIRMAN FURGESS: Let's move forward on the comprehensive plan. Thank  
13 you.

14 MR. VAN DINE: Mr. Chairman, while we're setting up for this I move we adopt  
15 the street names.

16 MR. GREEN: Second.

17 CHAIRMAN FURGESS: It's been moved that we adopt the street names. All  
18 those in favor that we adopt those street names by raising your hand. Opposed?

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

20 *Opposed: Cairns]*

21 CHAIRMAN FURGESS: It's been approved.

22 MS. CAIRNS: I have problems with some of them. I'm sorry.

1 MR. GREEN: Taste is not a matter when it comes to street names. That's not  
2 the – we've had worse.

3 MR. PALMER: Do we not have to put lane or road or – you can just come up  
4 with a word now?

5 MS. CAIRNS: I think it's road if you don't say otherwise.

6 MR. PALMER: Like now we just have something called Cockshell?

7 MS. CARTER: Yes. Because we don't know what that's going to go with yet.  
8 We don't know if it's going to go with court, we don't know if it's going to go with  
9 [inaudible].

10 MR. PALMER: Oh but it will go with something sooner or later.

11 MS. CARTER: It will go with something sooner or later.

12 MR. PALMER: You don't just throw out inanimate objects as street names?

13 [Inaudible discussion]

14 MR. CRISS: Short and sweet. The comprehensive plan update. You have a  
15 memo and I'll paraphrase [inaudible] a request for proposals has been [inaudible]  
16 prequalified under a previous RFQ request for [inaudible]. We've got four firms  
17 [inaudible] O'Neill based here in Columbia, Jordan Jones [inaudible] out of their  
18 Columbia office, [inaudible] Charlotte and [inaudible] out of their Greenville office. The  
19 request is specifically for proposals from those four firms to produce the community  
20 facilities and priority investment elements of the updated plan based on a ten-year  
21 horizon covering all five planning areas. As you may know there are nine elements now  
22 required in the comp plan update. Yes, sir?

1 MR. GREEN: Michael? How can somebody do a community facilities and  
2 priority investment plan when there is no comprehensive plan to do one to?

3 MR. CRISS: We're working on the land use element and the Transportation  
4 Study Commission is working on the transportation element. I would suggest the four  
5 elements together constitute the essence of the plan. It will complicate - it's production  
6 having three or more parties producing separate elements but we apparently can't  
7 afford to outsource the entire effort.

8 MR. GREEN: What's the time horizon for seeing a draft of the land use element?

9 MR. CRISS: Well, of course, you've already seen a ten-year future land use map  
10 [inaudible] the paper copy here if you want to refresh your memory. The next step in  
11 that element is to take the broad land use plan, suburban, suburban, rural, and  
12 conservation and categorize them into finer levels of detail - residential, commercial,  
13 institutional, industrial, agricultural, etc. land use categories.

14 MR. GREEN: Are we going to have text to go with these different categories and  
15 what they mean and what the densities are?

16 MR. CRISS: [Inaudible] brief overview of the ten-year future land use map and  
17 its 12 classification [inaudible].

18 MR. GREEN: The map I know but I'm talking about the text that's going to  
19 accompany it that gives us some direction as to what it means and how we're to treat -

20 MR. CRISS: [inaudible] and it's also on the website if you want to direct others  
21 [inaudible]

22 MR. GREEN: The text to go with the -

1 MR. CRISS: The map and the accompanying text at four or five page brief on  
2 those land use classes.

3 MR. GREEN: I'm not talking about describing what the class is but what it  
4 means from a planning and zoning standpoint.

5 MR. CRISS: Well there is some [inaudible] discussion of that in the brief that you  
6 have received to date but obviously we need more detail.

7 MR. GREEN: When will we be seeing that?

8 MR. CRISS: The Transportation Study Commission's deadline for their report to  
9 Council is May of 2008, and we're going to try to coincide the production of the land use  
10 element to the community facilities and priority investment with that deadline but of  
11 course you'll be seeing intermediate product before then. We've also hired one of the  
12 two vacant comprehensive planner positions. Julia Wilke from Florence will be joining  
13 us shortly and we'll be working first on the population element, the natural resources,  
14 then cultural resources. That's the [inaudible] and economic development unaccounted  
15 for as to authors.

16 MR. VAN DINE: So I guess what you're basically telling me is that based upon  
17 your schedule I will be long gone from this Commission by the time anything is put  
18 before us for which to discuss?

19 MR. PALMER: That's by design, Howard. [Laughter]

20 MR. VAN DINE: I'm beginning to think that's true after two years to be [inaudible]

21 MR. CRISS: I think we can wring a lot more work out of you before your term  
22 expires.

23 CHAIRMAN FURGESS: March of 2008.

1 MR. ANDERSON: I would just – it's just moving kind of slow and can we not  
2 have text in front of us? I mean, just text. Page one through 45. Let's look over it and  
3 let's take the existing comp plan and let's go over what we have and apply it to certain  
4 planning areas.

5 MR. CRISS: We intend to have the population element in about two months out  
6 and natural resources, cultural resources two months thereafter. Each – we'll be  
7 working on all nine elements simultaneously.

8 MR. ANDERSON: Can we go back and put in –

9 MR. CRISS: [Inaudible] Planning Commission can take whatever direction it  
10 desires as far as sequence.

11 MR. GREEN: But, I - never mind.

12 MR. VAN DINE: I'm going to raise a frustration level which I've raised for two  
13 years and I'm getting towards the end of my time so people don't have to listen to me  
14 much more.

15 MR. PALMER: I'm getting out of here. [Laughter]

16 MR. VAN DINE: However, when we were doing the Land Development Code,  
17 the reason we got it done was because we were given a document, pieces of paper  
18 which we could review and we could say, yea, nay, or let's change it. We're not getting  
19 that. Nobody up here is figuring out what we're really trying to do. The maps we're  
20 getting are great but they are just that, they're maps. They don't tell us how we're trying  
21 to move forward, they don't tell us what we're trying to put them into context with. What  
22 I have wanted for at least a year is to have somebody hand me something that looks  
23 like this that I can sit down and I can look at and I can say, okay, I agree with this; I

1 don't agree with this, now let's talk about the area that we don't agree with. I don't  
2 understand how come I can't get a piece of paper that I can look at. After two years of  
3 beating this thing to death we don't have it. I've heard Staff issues, I've heard  
4 everything else but frankly we ought to be able to either do it in that timeframe or get  
5 somebody else to do it for us and we jokingly sit in the other room, let's just go up to  
6 Greenville, take their comprehensive plan, pull out the words Greenville and put in the  
7 Richland and at least we'd have something to start with.

8 MR. PALMER: I wasn't joking.

9 MR. VAN DINE: But, you know, seriously.

10 MR. PALMER: I know.

11 MR. CRISS: You have a plan now.

12 MR. VAN DINE: Buy nobody has put it before us and said – because all I've  
13 heard for the last three years is this comprehensive plan stinks. We can't use it, we  
14 need to change something, we've got to do this. Well by God then change it!

15 MR. CRISS: What's most out of date is the maps, the land use.

16 MR. GREEN: Okay. Then why don't we take the maps -

17 MR. CRISS: Well you have start with the land use.

18 MR. VAN DINE: Let's – why don't you over the next month scrap everything  
19 else, take the comprehensive plan that you have right now, go through it line by line,  
20 change the items you think ought to be changed, hand it to us and say, these are my  
21 initial thoughts on what we ought to change. That's what I'd like to see happen. That's  
22 all I want to see happen. If there's some change that makes that plan it stinks, tell me  
23 where it stinks. Tell me where it's deficient and let's put it in front of me so I can say,

1 okay, this is what we need to deal with. Then this Body up here can sit down and think  
2 to itself, you know, okay we need more work in this area, we need more work in that  
3 area. I'm not sure that that's such an unreasonable request but for the time delay that  
4 we've had I'm beginning to wonder if I'm really out in left field like some people may  
5 think on this Commission.

6 MR. ANDERSON: And I'd also be willing to add that I would be glad to be a part  
7 of a work session that where, you know, we could sit down with you and say, and just  
8 kind of go over it line by line and, you know, put it together so that when we bring it  
9 before the Commissioners or when it's before the Commissioners we can vote on, you  
10 know, the economic element, the housing element, the cultural resources element and  
11 the natural resources element and take it that far in one – maybe by next meeting. And  
12 then flip the page and go to the next four. And I know that's – I mean, that's a daunting  
13 task because everybody – I mean, we want to have so – those maps are great and  
14 they're very detailed but sometimes, you know, just for the sake of getting it done  
15 because we do have two Planning Commissioners that, you know, are seasoned  
16 veterans.

17 MR. GREEN: Old. Tired.

18 MR. VAN DINE: Worn out.

19 MR. PALMER: You're tired and you're weary.

20 MR. ANDERSON: Yeah. And I guess I want to make sure that we can  
21 incorporate some of their knowledge into this before – instead of stretching it out and  
22 finishing all the planning elements like you're talking about. And I see – I mean, you're  
23 following it the planning elements, you know, the housing element, economic – you're

1 following them all. But I'm just saying why can't we do a nice big chunk and then go  
2 back and modify it as we need to.

3 MR. CRISS: The most relevant language in my opinion in the current code, or  
4 the current plan as adopted back in 1999 is the Town and Country planning principles  
5 from Appendix A that you folks of course have had for, well eight years technically but  
6 specifically the last year and a half. I think most of that language is still relevant to the  
7 update of this comprehensive plan. What it fails to address is the changes in the  
8 development pattern of the county. The suburban land use class on your pending map  
9 is three times the size of the suburban area projected in the '99 plan. That's how much  
10 we have expanded in just the last seven or eight years.

11 MR. GREEN: I wouldn't get so upset if we hadn't been talking about this for two  
12 years and I was totally unknowledgeable about comprehensive land use planning. I  
13 have written comprehensive land use plans in my life. We've not seen a in-depth  
14 analysis of the economy and the kind of jobs we have to preserve land use for. We've  
15 seen no housing element. All we've seen in population forecast are gross numbers.  
16 We've seen nothing that interprets anything. We haven't seen one ounce of language  
17 that has – I mean, the frustration that many of us felt with the 20/20 plan when it was  
18 finished eight years ago was it was too general, it was too broad. There maybe some  
19 nice principles in there but from a zoning standpoint, from a land development  
20 standpoint it wasn't giving us adequate direction what to do today, not 20, 25 years  
21 down the road. I know what goes into these things. I've work on them. We have not  
22 seen one completed draft of any of the eight or nine elements of a comprehensive plan.  
23 We've been asking for two years. We were told we'd have a draft at some point, we

1 were told we'd have a draft plan by June of this year. And we don't have one thing  
2 more today than we had three or four months ago. This county has failed to plan.  
3 Period, paragraph, the end. We keep asking for our Staff to provide us a plan to work  
4 from and to this day we still don't have one piece of paper other than a couple of maps.

5 MR. VAN DINE: I'll add two real quick things. We are asked to make decisions  
6 concerning whether or not we ought to be doing away with industrial or other such land  
7 throughout the county. People coming in and LI, M-1 and all the rest of it are being  
8 asked to change to certain things. One of the things that we needed to be addressing is  
9 whether or not we're really stripping the inventory of M-1. We don't know that because  
10 we don't know what kind of things we're looking at comprehensive plan. The second  
11 thing I will say is two months ago we had basically this same discussion and what we  
12 were presented today are three sheets of paper, one of which talks about Planning  
13 Commissioners and your educational process. To me we haven't moved since July. I  
14 don't know what else is out there, I don't know what else is being done but I can tell you  
15 for a fact from my perspective we didn't move. And I'm so frustrated right now that I'm  
16 sure it shows but, I mean, I wanted to help on this process and I'm getting to the end of  
17 the point in time where there isn't any reason for me to help anymore because I'm not  
18 going to be here when any of this happens. And we're talking now May of 2008 and the  
19 same way June 2007 was a deadline I don't – I'll sit here right now and I'll tell you I  
20 doubt very highly you'll even meet that deadline. So the fact is what I want to see within  
21 the next 30 days is give me some paper in front of me, a draft, something. I don't care  
22 what it is just change the names of something so that we can have it and we can start  
23 talking about it in-depth about specific issues. That's what I want.

1 MR. CRISS: How about 146 pages of –

2 MR. MURRAY: We don't care.

3 MR. CRISS: - [inaudible] number two from [inaudible] transportation only.

4 MR. VAN DINE: Whatever. You know, at this point I might take all of that but  
5 that's ridiculous for us to try and digest 146 pages when we're being asked to give, to  
6 be given something that we can actually look at. The Land Development code – we  
7 sure never had this problem dealing with. We had sections, we had language, we had  
8 specific items that we were asked to look at. We did and at that point in time we  
9 objected to parts of it or we accepted parts of it. That's what we were hoping to  
10 accomplish here and I don't know why it's so difficult to get that done.

11 MR. PALMER: I guess what I'm hearing is is that we came – they came to us at  
12 a stage and said, okay, we're readjusting the Land Development Code in this county  
13 and here's what we think you guys should take a look at. I guess we're now in the  
14 process of coming up with this where Michael's keeping us involved in the loop I guess.  
15 I'm just – from my understanding trying to come up with the information to put in this  
16 and he hasn't been able to come up with the information yet to put in this, to hand to us.  
17 Now I understand it's taking quite awhile. I don't know how long it takes to do this stuff  
18 but that's kind of what I'm reading. We don't have all the information necessary yet to  
19 come up with land development, I mean, to come up with the comprehensive plan. Well  
20 I don't know if we do or not, that's just what I'm reading.

21 MR. MANNING: They said from start to finish it generally should take 18 months.  
22 If it's taking any longer than 18 months you're backing up. I mean, people [inaudible]

1 exactly what's happening here is going to happen. You get disillusioned with the  
2 process. You don't know what information you need and what you do need.

3 MR. PALMER: And by the time you get the information it's outdated I guess.

4 MR. MANNING: And so -

5 MR. CRISS: Well, each plan should be updated on an annual basis in my  
6 opinion, not every five or ten years.

7 MR. VAN DINE: If that's the case we ought to be able to be able to do it inside of  
8 12 months because you only got 12 months from [inaudible].

9 MR. CRISS: The plan you have from 1999 was not a plan to start with. It had no  
10 future land use map. The hard decisions were not made. The zoning map was kept  
11 intact.

12 MR. PALMER: I have a great idea, see if you guys like it. We can get the ball  
13 rolling. Everybody come back with three counties they want to take a look at the comp  
14 plan. We'll see if we can do our own research in the next 30 days and we'll see if we  
15 can start from someone else's comp plan. Everybody come back with three that they  
16 like and we'll all see if we can agree to start from one of them.

17 MR. ANDERSON: We've got one right here.

18 MR. PALMER: But Michael's saying it's not a plan.

19 MR. ANDERSON: Yeah. Less a future land use map. That's all he's saying.

20 MR. CRISS: The essence of that plan is in Appendix A.

21 MR. VAN DINE: So then convert Appendix A into the comp plan?

22 MR. CRISS: Well, you'd have to add all the current statistics on housing and  
23 demographics and so forth.

1 MR. PALMER: What's that take, a week?

2 MR. CRISS: But the policies, the essence of the policies is in the back of that  
3 plan. It was never translated into a future land use map or a zoning map. That's the  
4 hard part. You've got 150,000 parcels out there to decide how you're going to use.

5 MR. VAN DINE: So somebody has to make the hard choice of what that is? As I  
6 said, I'm five months from sun setting of two terms. I'm not sure –

7 MR. MURRAY: The sun is going down on him.

8 MR. VAN DINE: - what is going to happen.

9 MR. CRISS: Posted on the current land use class map is five-county, five  
10 planning areas. We started with the northeast because it's growing so rapidly and  
11 encases so many land use decisions.

12 MR. MANNING: [Inaudible] moratorium(?). Let's go somewhere else. We did(?)  
13 go southeast where we could [inaudible].

14 MR. CRISS: I propose [inaudible] for the northeast area now and refine that land  
15 use class map into eight or ten categories of where you want residential, commercial,  
16 office, institutional and all the other land uses.

17 MR. VAN DINE: I'll leave it to everybody else on the Commission because  
18 obviously you guys are going to be around longer than I will. I've had my say.

19 MR. CRISS: It sounds like you're more interested in the land use than say -

20 MR. GREEN: I don't know what's confusing, Michael. Do you know what a  
21 comprehensive plan – you know what a comprehensive plan looks like.

22 MR. CRISS: Yep.

1 MR. GREEN: We want to see a draft comprehensive plan. Period, paragraph,  
2 the end.

3 MR. CRISS: [inaudible] nine elements?

4 MR. GREEN: I want to see a draft comprehensive plan. You know what that is.  
5 We've been asking for it for over two years and we've seen not one full completed  
6 chapter in two years.

7 MR. CRISS: Well you have a [inaudible].

8 MR. GREEN: That is a failure to plan.

9 MR. CRISS: You do have that executive summary from the consolidated plan  
10 done for community development on housing. Did you folks take a look at that? Was it

11 -

12 MR. GREEN: We get all this stuff piecemeal, a little bit here, a little bit there.  
13 You know what a comprehensive plan looks like. Why can't we see a draft of one?

14 MR. CRISS: The time it takes to write one.

15 MR. GREEN: Its been two years and we've not seen one completed element yet  
16 proposed to us.

17 MR. ANDERSON: So the housing element you gave us.

18 MR. CRISS: I gave you an executive summary of what could constitute the  
19 foundation for the housing element. We now have a basis for the transportation  
20 element.

21 MR. ANDERSON: Okay. [Inaudible] for the transportation element.

22 MR. CRISS: Yes. It's not in a final form. This is an intermediate product from  
23 the \$500,000 consulting project supporting the Transportation Study Commission's

1 work. And I just got it this morning so I didn't have time to reproduce it for you yet so I'll  
2 mail it to you.

3 MR. ANDERSON: Okay. Is there any way that by next month or by the next  
4 Planning Commission meeting we could take the four elements and have four elements  
5 drafted with language that the Planning Commission can look at?

6 MR. CRISS: Not to any significant depth.

7 MR. ANDERSON: Okay. What's missing from – what's the depth?

8 MR. CRISS: One of those elements is taking a team of consultants 18 months to  
9 –

10 MR. ANDERSON: The transportation [inaudible]

11 MR. CRISS: Which is one of the most difficult. That land use, community  
12 facilities other than transportation, water, sewer also demanding that the new priority  
13 investment element I would argue is the equivalent of a capital improvements program  
14 the county has never created. We don't have a basis for that to update.

15 MR. ANDERSON: Sure. And not that by any means the Commissioners here  
16 are planners unless there are, I don't know. But you are and –

17 MR. CRISS: I think one is.

18 MR. ANDERSON: Oh yeah, we sure have.

19 MR. CRISS: [inaudible]

20 MR. VAN DINE: I happen to have a Masters in planning.

21 MR. ANDERSON: Nice. I'm sorry. I apologize.

22 MR. GREEN: He's from up north though so.

1 MR. ANDERSON: And I guess my point is we can kind of go back and look at  
2 some of this and see what we've changed through recent rezonings and maybe add  
3 some of these elements or I don't know. You've got to help me because I'm not in the  
4 planning process. I guess I want to see something that we can look at.

5 MR. CRISS: Sounds like you want an updated zoning map or proposed zoning  
6 map with text explanation of why the land uses are –

7 MR. VAN DINE: I think we are getting too tied down with zoning maps. I think  
8 we need to see text that explains what we are trying to accomplish. What we are trying  
9 to accomplish then can be converted into the zoning map and the projected land uses  
10 and the other things. We must make decisions before you can generate the zoning  
11 map because if we try to generate a future zoning map out of thin air without any kind of  
12 a comp plan then you're going to have to come a full circle again and look at the written  
13 thing and then you're going to have to redo the comp. It seems to me that we're going  
14 from the back end. You need to have ideas, you need to have the written text as to  
15 what you're trying to accomplish. From what you're trying to accomplish we can then  
16 project out as to what we think the appropriate comprehensive plan and development  
17 patterns will be. That is why the text becomes the important aspect of what we are  
18 trying to do. The maps are good for background as to what exists now but where we've  
19 got plenty of those maps at this stage it is now time to start putting pencil to paper and  
20 coming up with the text of the comprehensive plan and the ideas that we are trying to  
21 accomplish. Once we have agreed on that we will then convert that into the zoning map  
22 of the future with generalized areas. We are sitting here as we deal with these things  
23 today with sub-area plans we are being asked to look at for whatever purposes they're

1 for for the rezoning that are 17 years old, 15 years old, and are so worthless as to - I  
2 don't even know why we even mention them anymore in anything we ever do, other  
3 than we have to. And those are the things which we're never going to be able to get to  
4 unless we actually sit down and say, here is the text of what we are trying to accomplish  
5 for the county and break it down into small areas, fine. But it is the text. The text is  
6 what drives what we are trying to do. For two years we have been trying to say the text,  
7 the text, the text and I don't where the disconnect is but we never seem to be able to get  
8 the message across that we want the text and that's what I want to see is text. I don't  
9 want to see any more maps. I don't want to see any more projections. I want to have  
10 an idea of what we have and what we think is the appropriate comprehensive plan for  
11 future planning, pure and simple. Maybe I'm way off base but the fact is in during the  
12 time that I was a planner and during the time when I was in school and we wrote plans  
13 for places in Virginia, that's what we did. We did text first. We got background  
14 information, we background knowledge and we got background data. Then we  
15 converted that to text, from there we worked to the next step which was how do we  
16 project that into the county.

17 MR. ANDERSON: Well, where's a starting point, where's a starting point, is it –

18 MR. CRISS: Well, we're hiring help on population, natural resources, cultural  
19 resources. We've effectively outsourced the transportation element already, we the  
20 county. The RFP is for the community facilities and priority investment elements. I'm  
21 trying to do the land use element myself which is the map and the class summary that  
22 you've seen so far and the analysis of 150,000 parcels as to their current land use.  
23 There's no database that is complete accurate and current as to current land use.

1 MR. MANNING: Given that all these other elements are forthcoming, some way  
2 out, what would you have us do? What would you want us to do?

3 MR. CRISS: If you could agree on the planning principles for the future growth  
4 and development pattern of the county. Do you want an urban/suburban/rural  
5 boundary? Do you want conservation lands? Do you want priority development areas?  
6 Do you want to control the extension of a central infrastructure such as water and sewer  
7 into some parts of the county and not others?

8 MR. VAN DINE: Could you not –

9 MR. CRISS: Do you want to [inaudible] -

10 MR. VAN DINE: - could you put those in writing as to areas that you want us to  
11 address so that we know what you want us to address? Can that be a draft piece of  
12 paper that says, here are the things that you need to address so that we can talk about  
13 them.

14 MR. CRISS: Policy decisions. Do you want to enter into intergovernmental  
15 agreements with your sister municipalities – there are six of them of course, as to their  
16 ten-year future annexation boundaries. So that within the annexation zones the county  
17 and the cities can collaborate on zoning map amendment decisions, at least to -

18 MR. PALMER: I want to know the things that we have the prerogative, to  
19 purview to handle within Richland County. The things, the annexation boundaries and  
20 all that stuff - I mean, water and sewer where those are run, is that really up to the  
21 county or is that not up to the city and the –

22 MR. CRISS: It's a mutual responsibility.

1 MR. PALMER: But isn't it individually up to – East Richland they get to say  
2 where the sewer's going, the City of Columbia says where the water's going. Kershaw  
3 says where the water's going?

4 MR. CRISS: If the county wants to plan -

5 MR. PALMER: The county has a sewer, right. But outside of what the county  
6 owns.

7 MR. CRISS: - [inaudible] must have control of the extension of major community  
8 infrastructure.

9 MR. PALMER: Say that again.

10 MR. CRISS: If we want to plan for future land use the county must have  
11 significant say over the extension of new community infrastructure. And the  
12 improvement of existing community infrastructure.

13 MR. PALMER: But it doesn't now, how do you get that?

14 MR. CRISS: Through a variety of tools.

15 MR. PALMER: Such as?

16 MR. CRISS: For example, some members of the County Council right now are  
17 thinking about gaining control over the extension of water and sewer systems.

18 MR. PALMER: How?

19 MR. CRISS: Through new legislation; either at the county level or the state or  
20 both.

21 MR. MURRAY: For right now if the City of Columbia wants to go down to  
22 Eastover from McEntire Air Force Base all they've got to do is run the line down there

1 and send the paperwork down there and anyone who wants to hook up to the waterline  
2 they automatically forfeits all of their options of ever being on a county line.

3 MR. PALMER: Yes.

4 MR. MURRAY: The city then they can annex the entire area. That's how  
5 Columbia's starting the Greenview area out on Farrow Road.

6 CHAIRMAN FURGESS: That's what they're doing now.

7 MR. MURRAY: All back up on back up on I-77, that's how they do. And until the  
8 county is able to plan and execute a plan of action we are always going to be the little  
9 red-headed stepchild if you know what I mean.

10 MR. CRISS: The Planning Commission could be meeting with the respective  
11 school districts to plan for the location and siting of your schools.

12 MR. PALMER: And all those are outside of our jurisdiction anyhow?

13 MR. MURRAY: Yeah.

14 MR. PALMER: We don't have any authority over school districts.

15 MR. CRISS: You have limited authority. You have a review authority though it  
16 does not amount to a veto.

17 MR. PALMER: Right.

18 MR. CRISS: But a voluntary public/public or public/private partnership could lead  
19 to more effective community infrastructure planning.

20 MR. PALMER: I want to see the things that we have the control over. I mean –

21 MR. CRISS: The most [inaudible] is your zoning map.

1 MR. PALMER: Right. And, you know, we could always go down the path that  
2 Blythewood trying to go down where if you're going to annex into Blythewood you've got  
3 to agree to get on Kershaw water and all that kind of stuff.

4 MR. MANNING: What if we did like Howard said, put this thing in writing and you  
5 put a timeline on it when you want to see whether by section, planning area or sub-area,  
6 put a timeline that you want, you think we ought to have something there that we can  
7 look at, discuss, approve, send back, whatever.

8 MR. VAN DINE: But I, you know, if that's going to be the way it works then I  
9 want to know what questions. We're not going to be able to write sections ourselves. I  
10 want to know the questions that you want answered so you can write them. If that's the  
11 approach that wants to be taken then fine, tell us what you want for us to decide so we  
12 can decide it, so we can get it written. And then I want a short fuse on the writing. I  
13 don't want to say, okay, here are the answers to these 25 questions now it's going to  
14 take me nine months to do it. To everybody on this Board that's – now we're going to  
15 sit on our hands for nine months and you're going to lose the momentum. One of the  
16 things you cannot do is to jump start things and go in fits and starts because nobody  
17 gets invested in what you're doing. That's what we're doing. We're not invested at this  
18 point in time other than in a frustration level.

19 MR. CRISS: [Inaudible]

20 MR. ANDERSON: Do we have all the planning area maps; have you finished all  
21 the planning area maps?

22 MR. CRISS: From the existing 1999 plan?

1 MR. ANDERSON: No. Just what you're working on – the new maps you're  
2 giving us.

3 MR. CRISS: You should have one or more of these, if you don't we'll provide  
4 them.

5 MR. ANDERSON: Okay. Here's the question. Basically on the table of contents  
6 it talks about the planning areas and this is so old it has the northeast as not growing  
7 very much. But maybe we could just take this and work on this and just work on this  
8 text right here, just to define the planning areas and where we want to see the growth. I  
9 mean, in a text version, not necessarily in a map version but in a text version like it is  
10 right here.

11 MR. CRISS: [Inaudible] planned land use element?

12 MR. ANDERSON: Correct. So could we have that, a draft of that along with the  
13 maps that you provided for us, the new maps that you provided for us.

14 MR. CRISS: I'll do as much as I can in the next month.

15 MR. ANDERSON: Okay.

16 [Inaudible discussion]

17 MR. ANDERSON: So as far as this right here you could get us, for the most part,  
18 this draft right here, make some corrections that you see fit. So we're going to take it  
19 one chapter at a time and go back and revise after that. I mean, that just defines the  
20 planning areas, what we see in that area.

21 MR. CRISS: You've got maps and now you need [inaudible] text?

22 MR. ANDERSON: Yeah. So would that be feasible by the end of next meeting?

1 MR. CRISS: I think so. Of course I've got [inaudible] of proposals coming back  
2 in in a week to go through and I would invite perhaps a subcommittee of this  
3 Commission to review those proposals.

4 MR. ANDERSON: That would be great.

5 MR. CRISS: [Inaudible]

6 MR. ANDERSON: I would be willing to -

7 MR. CRISS: We'll take any volunteers or a delegation of responsibility by the  
8 Chair perhaps.

9 CHAIRMAN FURGESS: Unless you want to volunteer [inaudible].

10 MR. CRISS: Of course we'll provide the materials to any and all Commissioners  
11 that want to see them but this would be rather lengthy review.

12 MR. MANNING: So this is not a low bid.

13 CHAIRMAN FURGESS: [Inaudible] willing to do it that be great.

14 MR. CRISS: Right. This is – well it is not required to be low bid. These are pre-  
15 qualified vendors working on two of the toughest elements in the plan. We would have  
16 put transportation in there with community facilities, where it used to be by the way.

17 MR. VAN DINE: Have you put a timeframe on the work product that they must  
18 produce?

19 MR. CRISS: The same May 2008 deadline as the current consultant because  
20 community facilities with transportation, land use and priority investment all have to be  
21 done in concert.

22 MR. PALMER: And then you take that information you get in May, decipher it  
23 and put that into a comp plan?

1 MR. CRISS: Well we would hope to have drafts of all the elements by May 2008.

2 MR. PALMER: My proposal –

3 MR. CRISS: We'll be seeing I hope intermediate drafts between now and then.

4 MR. PALMER: Me personally –

5 MR. CRISS: - [inaudible] until May.

6 MR. PALMER: - my proposal would be I don't talk about it again until May of '08  
7 when you can deliver me a draft, fully draft comprehensive plan document.

8 MR. CRISS: How about one element at a time?

9 MR. PALMER: Nope. I want the whole stinking thing. May of '08, give me a  
10 comp plan.

11 MR. CRISS: Let's see, the other handout you might have seen there are some  
12 meetings that the City of Columbia's having, public meetings that you're welcome to  
13 participate in if you choose and on the planning and zoning training we have a new  
14 schedule. I believe Commissioners Ward and Murray are obligated to fulfill the six  
15 hours of initial orientation training this year. I believe Commissioner Murray's taken the  
16 first three hours. So let me give you separate handouts that offer one more opportunity  
17 in September and the [inaudible] handout is for the rest of you. Commissioners Van  
18 Dine and Cairns are exempt [inaudible] law licenses so the rest of you owe three hours  
19 of continuing education before the end of 2007.

20 MR. ANDERSON: Real quick, Michael because Commissioner Palmer just said  
21 that he didn't want to see anything until '08 and then slammed his hand down. Now I  
22 don't know.

1 MR. VAN DINE: I'm not in favor of that because I would like to be part of the  
2 process between now and the time I'm off of this.

3 MR. CRISS: We would hope to present the draft elements to whatever  
4 Commissioners are ready to receive them.

5 MR. ANDERSON: Okay. What elements do you have right now?

6 MR. CRISS: Written?

7 MR. ANDERSON: Written.

8 MR. CRISS: None.

9 MR. ANDERSON: None. What elements do you have complete right now?

10 MR. CRISS: None.

11 MR. ANDERSON: What elements have you started?

12 MR. CRISS: Started -

13 MR. ANDERSON: Huh?

14 MR. CRISS: - population, housing, transportation.

15 MR. ANDERSON: Okay.

16 MR. MANNING: What can you finalize without the help of some other  
17 consultants?

18 MR. CRISS: Well in a month, none, but land use, population, cultural resources,  
19 natural resources, we're hoping to use the consolidated plan.

20 MR. MANNING: And what would be the first one of those three that you  
21 mentioned -

22 MR. CRISS: Pardon me?

1 MR. MANNING: What would the first of the three that you mentioned that you  
2 can affect by yourself that you [inaudible] complete?

3 MR. CRISS: One of the [inaudible] is the glue that binds all of them together.

4 MR. MANNING: The land use?

5 MR. CRISS: It's the most challenging, the most difficult, it requires the most  
6 coordination. That's where I spend a lot of my time with the Transportation Study  
7 Commission, Central Midlands Council of Governments, the Greater Columbia  
8 Chamber of Commerce and on and on.

9 MR. VAN DINE: And when could that be presented to us?

10 MR. CRISS: A full draft land use element?

11 MR. ANDERSON: Yes.

12 MR. CRISS: I don't think it will be done until the community facilities, priority  
13 investment, and the transportation are done.

14 MR. MANNING: So you can't do that without some other consultant.

15 MR. CRISS: All four of those have to be done together.

16 MR. MANNING: Oh, I thought you said you could do this one by yourself.

17 MR. CRISS: Well, and I am working on it by myself.

18 MR. MANNING: But transportation's being done by somebody else?

19 MR. CRISS: They're not done in isolation from one another. You'll be getting  
20 this tech memo from Parsons Brinkerhoff which is in the formative stages of the  
21 transportation element of your comp plan. But it doesn't yet prioritize in future projects  
22 nor does it determine how it should be paid for which of course would be the climax of  
23 the entire study. But there's a lot of useful information in here about roadway, transit,

1 bike and ped, and greenway that will inform the land use element, the rest of the  
2 community facilities and the [inaudible].

3 MR. PALMER: Is there any element that you can give us within 60 days? A full  
4 draft of [inaudible]?

5 MR. CRISS: [inaudible]

6 MR. ANDERSON: But what he can do -

7 MR. CRISS: Possibly population.

8 MR. ANDERSON: You can possibly – well what about, what about taking from  
9 the introduction which I know probably can be copy and pasted, planning areas  
10 because we have the maps.

11 MR. CRISS: We've got those.

12 MR. ANDESON: Okay. So we have the planning areas. We can go straight to  
13 planning areas and then we could get done with population. Right?

14 MR. CRISS: I think we can have population; I hope to have it in 60 days.

15 MR. VAN DINE: What about natural resources? That shouldn't have changed a  
16 whole lot in the -

17 MR. CRISS: It depends on the depth that you go into. If you wanted to have an  
18 agricultural conservation initiative then that would be more complicated but just doing  
19 inventory then another 45 days.

20 MR. MANNING: But those things we could discuss when we got it. I mean, you  
21 know, how in-depth do we want to take it.

22 MR. CRISS: The population, natural, cultural and housing are mostly inventory  
23 of existing conditions. The tough ones are those big [inaudible].

1 MR. PALMER: You're talking about text not just mapping, right?

2 MR. ANDERSON: Yeah. So population, population reasonably 60 days?

3 MR. CRISS: Yes.

4 MR. ANDERSON: But as far as introduction and planning areas, next meeting?

5 MR. CRISS: Yes.

6 MR. ANDERSON: Okay. And we could have something to look at.

7 MR. CRISS: And Howard wants planning principles that we need addressed or  
8 questions to be answered.

9 MR. VAN DINE: That's fine.

10 MR. CRISS: Gene mentioned economic development. Of course he's in that  
11 arena. We have not identified [inaudible].

12 CHAIRMAN FURGESS: If you just took the things that probably can't get to  
13 Gene's but what Chris wants, that Howard wants, do those three things but we can get  
14 started.

15 MR. CRISS: Okay.

16 CHAIRMAN FURGESS: We don't need to look at nothing else right now until  
17 you put the other pieces together. Because we're prolonging this thing saying the same  
18 thing over and over and not accomplishing anything.

19 MR. PALMER: So we're going to look for 30 or 60? So just so we're clear.

20 CHAIRMAN FURGESS: Thirty days on one thing and 60 days on another.

21 MR. ANDERSON: The at next Planning Commission meeting introduction and  
22 the planning areas. We already have the planning maps, the planning area maps. So  
23 all we need to deal with is the text.

1 MR. CRISS: And of course keep in mind that your draft ten-year future land use  
2 map has already been before the municipal or the planning summit that the County  
3 Council hosted at the Convention Center and the other six municipalities, other six  
4 governments were there and I can't say that there is unanimous consent but it received  
5 a strong endorsement from the Chair and other members of County Council as to the  
6 future growth and development pattern of the county. Your work is already being  
7 referred to. Councilman Malinowski is proposing to use this map or one like it to  
8 address the water/sewer extension issue that seems to be emerging as a major topic  
9 amongst County Council. So the lines that you've been considering are starting to  
10 effect or affect public policy.

11 MR. PALMER: All right. So give us the goals again.

12 MR ANDERSON: So 30 days introduction, planning areas. Sixty days  
13 population element.

14 MR. CRISS: I'll give you a schedule for the rest.

15 MR. VAN DINE: [inaudible] natural resources you said could be very quickly  
16 after that [inaudible] inventory. As I said, the natural resources part of it shouldn't have  
17 changed that much in that time.

18 MR. CRISS: And cultural is also [inaudible]

19 MR. VAN DINE: So all of those ought to be fairly simple -

20 MR. ANDERSON: Within 90 days.

21 MR. VAN DINE: - to bring forward. We understand there's the harder ones later.  
22 Okay. Just bring those forward to us over the next 90 [inaudible].

23 CHAIRMAN FURGESS: Thirty days for one and 60 for [inaudible].

1 MR. VAN DINE: Between now and January first get all those to us so that we  
2 can have it to deal with.

3 MR. ANDERSON: So hold on. Within 90 days, from 60-90 days natural  
4 resources, housing element, and cultural resources?

5 MR. CRISS: I have one person to work on population, natural and cultural. It'll  
6 take two months to do each so 60 days for population, and we'll see what we can do  
7 about compressing the schedule thereafter for natural and cultural.

8 MR. ANDERSON: Okay.

9 MR. CRISS: Meanwhile I'm working on land use and the consultants are working  
10 on community facilities and priority investment. Obviously consultants are already  
11 working on transportation. It leaves out housing and economic.

12 CHAIRMAN FURGESS: We're not worried about that. Just the ones that we  
13 want you to -

14 MR. ANDERSON: So we've got a 90-day outlook -

15 MR. CRISS: Yeah.

16 MR. ANDERSON: - on where we want the comp plan to be. As part of our  
17 package next meeting we have, you know, what we want to look at and then -

18 MR. PALMER: We don't have anything due by the next meeting?

19 CHAIRMAN FURGESS: Yeah, yeah we do.

20 MR. CRISS: Yes.

21 MR. VAN DINE: We do. Introduction and the planning areas.

22 MR. ANDERSON: Introduction and planning areas.

23 MR. PALMER: That's part of our packages, not to be delivered at the meeting.

1 MR. CRISS: Hmmmm.

2 MS. CAIRNS: That's two weeks.

3 MR. VAN DINE: I think delivering at the meeting is –

4 CHAIRMAN FURGESS: Yeah [inaudible]

5 MR. PALMER: I was just thinking we could – then what are we going to discuss  
6 at the meeting; it's just going to be a handout session?

7 CHAIRMAN FURGESS: May have to call a special -

8 MR. VAN DINE: May have to call a special meeting

9 MR. PALMER: Okay. That's fine.

10 CHAIRMAN FURGESS: Let's not complicate it anymore.

11 MR. VAN DINE: Mr. Chairman, do we have any other business?

12 CHAIRMAN FURGESS: No.

13 MR. VAN DINE: I move we adjourn.

14 CHAIRMAN FURGESS: You're adjourned.

15

16

17

*[Meeting Adjourned at 5:00 p.m.]*