

RICHLAND COUNTY PLANNING COMMISSION
June 3, 2024

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4 *[Members Present: Christopher Yonke, Beverly Frierson, Frederick Johnson, II, Charles*
5 *Durant, Bryan Grady; Chris Siercks; Absent: Terrence Taylor]*

6
7 Called to order: _____pm
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9 CHAIRMAN YONKE: - Richland County Planning Commission meeting. Staff,
10 please confirm the following, in accordance with the Freedom of Information Act a copy
11 of the Agenda was sent to the news media, persons requesting notification and posted
12 on the bulletin board located in the County administration building, is that correct?

13 MR. PRICE: Yes, sir.

14 CHAIRMAN YONKE: Thank you. Staff, can you please take attendance for
15 today's meeting?

16 MR. PRICE: Alright, attendance for the Monday, June 3, 2024 Planning
17 Commission meeting, Yonke?

18 CHAIRMAN YONKE: Here.

19 MR. PRICE: Frierson? Johnson?

20 MR. JOHNSON: Here.

21 MR. PRICE: Duffy?

22 MR. DUFFY: Here.

23 MR. PRICE: Metts?

24 MR. METTS: Here.

25 MR. PRICE: Durant?

26 MR. DURANT: Here.

27 MR. PRICE: Taylor? Siercks?

1 MR. SIERCKS: Here.

2 MR. PRICE: Grady?

3 MR. GRADY: Here.

4 MR. PRICE: We have a quorum.

5 CHAIRMAN YONKE: Thank you, Staff. Ladies and gentlemen, welcome to the
6 June 3, 2024 Richland County Planning Commission meeting. As Planning
7 Commissioners we are concerned residents of Richland County who volunteer our time
8 to thoroughly review and make recommendations to County Council. Our
9 recommendations are to approve or deny Zoning Map Amendment requests. Per Title
10 VI, Chapter 29 of the *SC Code of Laws* Planning Commission may also prepare and
11 revise plans and programs for the development or redevelopment of unincorporated
12 portions of the county. The County's Land Development Code rewrite process
13 conducted last year is an example of this. Once again, we are a recommending body to
14 County Council and they will conduct their own public hearing and take official votes to
15 approve or deny map amendments and text amendments on a future date to be
16 published by the county. Council typically holds Zoning Public Hearings on the fourth
17 Tuesday of the month. Please check the county's website for updated agendas, dates
18 and times. Please take note of the following guidelines for today's meeting. Please turn
19 off or any silence any cellphones. Audience members may quietly come and go as
20 needed. Applicants are allowed up to two minutes to make statements. Citizens signed
21 up to speak are allowed to two minutes each. Redundant comments should be
22 minimized. Please only address remarks to the Commission and do not expect the
23 Commission to respond to questions from the speaker in a back and forth style, that is

1 not the purpose of the meeting. Please no audience/speaker exchanges. No audience
2 demonstrations or other disruptions to the meeting are permitted nor are comments
3 from anyone other than the speaker at the podium. Please remember the meeting is
4 being recorded so please speak into the microphone and give your name and address.
5 Abusive language is inappropriate and will not be tolerated. Please don't voice
6 displeasure or frustration at a recommendation while the Planning Commission is still
7 conducting business. If you have any questions or concerns you may contact Richland
8 County Planning Department Staff. This moves us on to Item number 3 on our Agenda
9 which is Additions and Deletions to the Agenda. Are there any motions for additions or
10 deletions to the Agenda today, Commissioners? Hearing none we can move on. This is
11 when we normally have Minutes to approve from prior meetings but we don't have that
12 on our Agenda today so we'll get that next month. This moves us on to Item number 4,
13 the Consent Agenda. The Consent Agenda is an action item that allows the
14 Commission to approve road names and Map Amendment requests where the Staff
15 recommends approval and either no one from the public has signed up to speak against
16 the amendment or no Member of the Commission is in need of further discussions on
17 the request. Commissioner, do we have any cases on our Agenda today where no one
18 has signed up to speak?

19 MR. GRADY: We do not.

20 CHAIRMAN YONKE: Okay. How about the fourth one? The Applicant is here,
21 correct?

22 MR. GRADY: Yes.

1 CHAIRMAN YONKE: Okay. Okay, looking at our Consent Agenda today, we do
2 not have Road Names so Consent Agenda is 4.b, Staff has a recommendation of
3 approval for Item 3. and we just have the Applicant here.

4 MR. GRADY: That is correct.

5 CHAIRMAN YONKE: Okay. So I'm guessing you'd like that approved. Can you
6 raise your hand? Yep, okay so we're gonna go ahead, the Chair makes a motion for the
7 Consent Agenda to remove Items 1., 2., and 4., just keep 3. on there, thus approving
8 Case Number 24-015. Is there a second?

9 MR. GRADY: Second.

10 CHAIRMAN YONKE: Second from Commissioner Grady. Staff, can you please
11 take a vote for the Consent Agenda?

12 MR. PRICE: Alright, we have a motion for the approval of the Consent Agenda
13 which would be for Case 4.b.3., which is Case 24-015MA, Megan Newbold GC to MU3
14 at 3003 Two Notch Road, tax map R11613-02-02 which was for approval. Those in
15 favor, Yonke?

16 CHAIRMAN YONKE: Aye.

17 MR. PRICE: Johnson?

18 MR. JOHNSON: Aye.

19 MR. PRICE: Duffy?

20 MR. DUFFY: Aye.

21 MR. PRICE: Metts?

22 MR. METTS: Aye.

23 MR. PRICE: Durant?

1 MR. DURANT: Aye.

2 MR. PRICE: Siercks?

3 MR. SIERCKS: Aye.

4 MR. PRICE: Grady?

5 MR. GRADY: Aye.

6 MR. PRICE: Motion passes.

7 *[Approved: Yonke, Johnson, Duffy, Metts, Durant, Siercks, Grady; Absent for vote:*
8 *Frierson; Absent: Taylor]*

9 CHAIRMAN YONKE: Thank you, Staff. We will now look at Item 4.b., under Map
10 Amendments, case number 1. I'll turn it over to Staff for more information.

11 **CASE NO. 24-011 MA:**

12 MR. PRICE: Yes, sir. And also Mr. Chair –

13 CHAIRMAN YONKE: Yes?

14 MR. PRICE: - I'm not sure if you mentioned it or not but both podiums the mics
15 are live so they can –

16 CHAIRMAN YONKE: Yes, please come down to either podium today. Thank you.

17 MR. PRICE: Alright, the first item is Case 24-011 MA. The Applicant is Denise
18 Lawson, the location is 1700 [sic] Dutch Form Road. The Applicant is requesting to
19 rezone .69 acres from RT to General Commercial GC. Staff recommends disapproval of
20 this request with the understanding that it would not be consistent with the objectives
21 outlined in the Comprehensive Plan as the Comprehensive Plan recommends
22 commercial development within neighborhood activity centers and within contextually
23 appropriate distances from the intersection of a primary arterial. The subject parcel is

1 not located at a traffic junction and is not within a contextually appropriate distance of an
2 intersection or neighborhood activity center. Also the Plan discourages strip commercial
3 development or fragmented leapfrog development patterns along corridors. Again, for
4 these reasons Staff recommendations disapproval. However, we would like to point out
5 that the reference of the Comprehensive Plan, that the map should not result in strip
6 commercial or fragmented leapfrog development may be negated due to the approvals
7 of the previous map amendment approvals which you can find under zoning history of
8 the area. The proposed district would be consistent with the existing zoning and uses in
9 the immediate area. So again, disapproval is based strictly on the Comprehensive Plan
10 but we wanted to point out that the existing zoning and uses in the area, actually the
11 request may be in compliance with those, or compatible with those.

12 CHAIRMAN YONKE: Thank you, Staff. Commissioners, do we have any
13 questions for Staff? Okay. Welcome, Ms. Frierson. Also our first case was approved, I
14 see a puzzled case. So that means it'll go to County Council with a recommendation of
15 approval and they'll have that at their zoning meeting at the end of the month. You got a
16 date on that one, Mr. Price?

17 MR. PRICE: It'll be the 25th of June.

18 CHAIRMAN YONKE: 25th of June.

19 MR. PRICE: 7:00pm.

20 CHAIRMAN YONKE: Thank you. [Inaudible]. You can take off if you'd like. Okay,
21 we'll have you come down in a minute. Go ahead, Commissioner Grady.

22 MR. GRADY: Yes, the only person signed up to speak on 23-011 MA is Matt
23 Lawson speaking on behalf of the Applicant.

1 CHAIRMAN YONKE: Okay, come on down. You'll have two minutes. Please give
2 your name and address.

3 **TESTIMONY OF MATT LAWSON:**

4 MR. LAWSON: My name's Matt Lawson. The address of the property is 1710
5 Dutch Fork Road, Irmo. I have been the owner of the property, well me and my wife
6 have been the owner of the property since – I had all these notes in my phone and it
7 went dead – so we owned Aesop(?) Mechanical which is a heating and air company
8 and we used it for warehouse space. It was leased to Chariot Ironworks who did
9 production of gates and fence. Before I owned it it was another heating and air company
10 that owned it. Before they owned it it was Carter Canvas so they did production of, like
11 exterior roofing. So it's been used for commercial, in fact the building is still considered
12 commercial. The property's considered residential since the rezoning, it was RU and it
13 was accepted as a commercial property for, well since '78 I assume when it was built.
14 There is commercial property that adjoins it. There's another property that's an actual
15 garage. I talked to the owner of that property that's right next door and it's actually, like
16 a 10-bay automotive shop, so I just feel like it should be, should go under commercial
17 instead of residential when it was rezoned. That's pretty much all I've got, thank you.

18 CHAIRMAN YONKE: Alright, thanks a lot, thanks for coming out. Okay
19 Commissioners, is there anyone else to speak?

20 MR. GRADY: No, there is not.

21 CHAIRMAN YONKE: Okay Commissioners, this is on the floor for discussion and
22 any other questions for Staff.

23 MR. DUFFY: Mr. Chair, I've got a question for Mr. Price.

1 CHAIRMAN YONKE: Commissioner Duffy.

2 MR. DUFFY: Geo, could you speak a little bit to the, there's another parcel on the
3 south side of Gates Road which was rezoned from RU to GC. There's obviously, like a
4 precedent for GC in that general area. I was wondering, you know, do you have any
5 history on that case and are a lot of adjacent properties GC?

6 MR. PRICE: Yes, sir. It's on page 1 of your Agenda where yeah, that property
7 was zoned, again from Rural to General Commercial and I think it's currently being used
8 as a boat storage on that site. It's not really much from a history standpoint, but it was
9 rezoned as you can see from, in 2005.

10 MR. DUFFY: Thank you.

11 MR. GRADY: Mr. Chair?

12 CHAIRMAN YONKE: Yes, Commissioner Grady.

13 MR. GRADY: Question for Staff. So as the Applicant indicated this is a property
14 that has been operating as, in a, one commercial mode or another for some time. So I
15 guess the question I have is when we built the new zoning map in that time between my
16 two stints on this Commission, what was the process for determining how these
17 properties should be zoned and why was it decided that this parcel should be zoned as
18 RT when it had commercial structures on the property?

19 MR. PRICE: Well, if you remember on your first stint as we like to say, I think one
20 of the things that was proposed by Staff was to be a little more proactive as far as
21 creating new zoning maps and to take a look at certain uses such as this and to apply
22 appropriate zoning. However, when it was brought back to the Planning Commission
23 the recommendation was just go with an equivalency. So this went from Rural and

1 because of the acreage of the parcel the equivalence was deemed to be RT. So it
2 maintained, the lot maintained a non-commercial zoning designation. As far as the uses
3 that were there, of course, they would've been deemed to be nonconforming, also
4 grandfathered in as a lotta people know. But however, once there's a change in use,
5 you know, that's one of the, you know, criteria for losing your nonconforming status, so
6 even if it was used previously for air condition work or mechanic shop or something
7 along that way, the change in use would've required a rezoning to establish that, the
8 new use.

9 MR. GRADY: Thank you.

10 CHAIRMAN YONKE: Thank you, Commissioner Grady. This is on the floor for
11 discussion or open for any motions. Staff, question. So the map that we have printed
12 out in our Agenda, zoning is different from the map. No, it's not, we're looking at – yeah
13 we're looking at across the street where that's all GC, red. Okay. Never mind, Staff.

14 MR. GRADY: Mr. Chair?

15 CHAIRMAN YONKE: Yes, Commissioner Grady.

16 MR. GRADY: I would like to make a motion to advance Case 24-011 MA to
17 County Council with a recommendation of approval, the reasons being that a rezoning
18 to commercial would be in keeping with the general character of the area surrounding
19 the parcel in question.

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

21 MR. DUFFY: Second.

22 CHAIRMAN YONKE: Did I hear a second from Commissioner Duffy? Alright.
23 With that we can take a vote, Staff please? Motion for approval.

1 MR. PRICE: Thank you, we have a motion for approval of Case 24-011 MA.

2 Those in favor of the motion for approval, Grady?

3 MR. GRADY: Aye.

4 MR. PRICE: Siercks?

5 MR. SIERCKS: Aye.

6 MR. PRICE: Durant?

7 MR. DURANT: Aye.

8 MR. PRICE: Metts?

9 MR. METTS: Aye.

10 MR. PRICE: Duffy?

11 MR. DUFFY: Aye.

12 MR. PRICE: Johnson?

13 MR. JOHNSON: Aye.

14 MR. PRICE: Frierson?

15 MS. FRIERSON: Aye.

16 MR. PRICE: Yonke?

17 CHAIRMAN YONKE: Aye.

18 MR. PRICE: Alright, motion passes.

19 *[Approved: Grady, Siercks, Durant, Metts, Duffy, Johnson, Frierson, Yonke; Absent:*

20 *Taylor]*

21 CHAIRMAN YONKE: Thank you, Staff. That was a recommendation of approval,
22 that will go to County Council for their meeting on June 25th. [Inaudible]

23 MS. FRIERSON: - too much entertainment by falling flat on the ground.

1 CHAIRMAN YONKE: We'll continue to move on, number 4.b., the Map
2 Amendments, number 2., Case Number 24-014. I'll flip it back over to Staff.

3 **CASE NO. 24-014 MA:**

4 MR. PRICE: Thank you. Again, item, next item is Case 24-014 MA. The
5 Applicant is Eric Norton and the Applicant is requesting to rezone 2.6 acres from RT,
6 Residential Transition, to MU1 which is mixed use. The Staff recommends disapproval
7 of this request and again very similar to the previous case that you had, the
8 Comprehensive Plan does not support the requested zoning along this area. Again, it's
9 not within a contextually appropriate distance from the intersection of a primary arterial.
10 It's also not located at a traffic junction or a neighborhood activity center. And of course
11 the Plan does of course discourage strip commercial development or fragmented
12 leapfrog development along corridors. Again so for that reason Staff recommends
13 disapproval. But again, there's a however found within the Conclusion of this and this is
14 mainly looking at the history along this stretch of parcels that have previously been
15 rezoned from what was formerly the Rural zoning designation to a neighborhood
16 commercial which is now based on the equivalency MU1. So the request would be
17 compatible with the existing zoning along Dutch Fork Road, as you can see Mr. DeLage
18 is kind of going over with his, with the arrow. But Staff's recommendation is for
19 disapproval just solely based on the Comprehensive Plan.

20 CHAIRMAN YONKE: Thank you, Staff. Are there any questions, Commissioners,
21 for Staff? Commissioner Johnson?

22 MR. JOHNSON: I was just gonna ask, would you just repeat the last sentence
23 you made about – yes, that parcel right there – just to make sure I heard that correctly?

1 MR. PRICE: Yeah, what we're saying is – I can't remember what I said or what I
2 did a few minutes ago, but –

3 MR. JOHNSON: Well, the way that I was looking at it I was just making sure that
4 –

5 MR. PRICE: No, I can explain. What I was saying was that, again Staff's
6 recommendations were for disapproval and Staff's recommendations are always based
7 on whether this is in compliance with the guidelines, the recommendations of the
8 Comprehensive Plan. However, we wanted to point out that there were a number of
9 parcels that are adjacent to and along this particular section of Dutch Fork Road that
10 were rezoned, and so just wanted to point out that that could negate some of the, you
11 know, the recommendations of the Comprehensive Plan if you look at it. But you know,
12 our recommendations, again are based on the Comp Plan but it would be compatible
13 and in character with the previous rezonings that have taken place east of the site.

14 CHAIRMAN YONKE: Commissioner Grady?

15 MR. GRADY: Yes, question for Staff and this might be multi-parted depending on
16 the answer. Okay, so I'm reading the text of Staff's recommendation and in here we
17 have a section that says, The subject parcel is not located at a traffic junction whereas
18 on the map it appears to be, is that an incomplete statement or, if Staff could explain
19 why this intersection doesn't count as a traffic junction?

20 MR. PRICE: Yes, excuse me, thank you Mr. Grady that was a typo on our part. I
21 believe there is a light at that intersection of Three Dog Road and Dutch Fork Road so
22 that part should be taken out. However, even with the removal of that particular portion

1 of that sentence it still doesn't change the recommendations that Staff has for
2 disapproval based on the Comprehensive Plan.

3 MR. GRADY: And so that is, is it based on the fact that Dutch Fork Road is
4 classified apparently as a minor arterial, is that why or is there another reason?

5 MR. PRICE: It has to do with the fact that it's not within a, that one it's zoned
6 neighborhood low density, so the, it's zoned neighborhood low density and also it is not
7 within a neighborhood activity center. So really that's the, it's not within the
8 neighborhood activity center is where we would, the Plan recommends commercial
9 development to take place.

10 MR. GRADY: Okay, thank you.

11 CHAIRMAN YONKE: Thank you, Commissioner Grady. Any other questions for
12 Staff? Okay, Commissioner Grady do we have anyone signed up to speak?

13 MR. GRADY: We do. We have three people who have signed up to speak. The
14 first is the Applicant, Eric Norton.

15 CHAIRMAN YONKE: Please state your name and address and you have two
16 minutes.

17 **TESTIMONY OF ERIC NORTON:**

18 MR. NORTON: Yes, my name is Eric Norton, I'm an attorney at Harold, Martin
19 and Peace at 135 Columbia Avenue in Chapin, South Carolina representing the
20 Applicant. I've been working with Mr. Gardner for the last year or so trying to find an
21 appropriate use. I agree with Mr. Price's comments, it's very similar to the last situation.
22 Just so the Commissioners have all the sort of back story here, this is the same parcel
23 that was in front of you last year for some of you that may remember. There was a sale

1 contract pending on it last year for a gas station so it was, it was going to be, the
2 request then was to have it zoned General Commercial. At the time guidance from Staff
3 and really comments from all the way up to County Council was that it was more
4 consistent with Neighborhood Commercial which of course is consistent with MU1 now.
5 But as Mr. Price pointed out and the mapping process, because it was an equivalency
6 process it ended up as an RT. This actually gives you an opportunity I think to fix one of
7 the problems as opposed to create one because there is a, it's already in a leapfrog
8 situation. It literally goes, it goes MU, MU, RT, GC, [inaudible] back to GC again. And so
9 this would actually allow you to correct a leapfrog situation between Lowman Home
10 Road and Three Dog Road where you can simply put in another MU1 and it would get
11 rid of that leapfrog situation. I also think it's important to point out that the, it is
12 consistent with the uses that are just next to it, just adjacent to it along Dutch Fork Road
13 which are these flex space buildings, there are eight commercial flex space buildings on
14 one adjacent property and then a gas station that's being built right next to it. Yes, we
15 know, the irony. And then there is my client's property, then there's a vacant GC
16 property, the cemetery, an auto repair shop, and then a Mexican restaurant all along the
17 way. So we –

18 CHAIRMAN YONKE: Final thoughts for me. That's your two minutes.

19 MR. NORTON: Yeah, thank you. So final thought is that the secondary land uses
20 for neighborhood low density are the same ones that are permitted under MU1 and so
21 this property really should be designated as an MU1 under the remapping process just
22 as the last parcel was. So we'd appreciate it if you'd approve it. Thanks.

23 CHAIRMAN YONKE: Thank you, sir. Thanks for coming down.

1 MR. GRADY: Also speaking in favor of the application is Bar Gardner?

2 **TESTIMONY OF BAR GARDNER:**

3 MR. GARDNER: My name's Bar Gardner. I live on Elliott Road, 1220 Elliott Road,
4 Chapin. I bought this property approximately 20 years ago with the hope that at some
5 point it would have some value as a commercial property. Two years ago we got the
6 opportunity to market the property to a national convenience store chain. They spent
7 \$50,000 on engineering with the South Carolina Highway Department agreeing to put in
8 an extra turn lane, to pay for it to make the intersection much better and obviously we
9 ended up not getting approval. And I respectfully request a recommendation for the
10 zoning change.

11 CHAIRMAN YONKE: Thank you.

12 MR. GRADY: Alright, and we have one speaker signed up in opposition, Kim
13 Murphy?

14 **TESTIMONY OF KIM MURPHY:**

15 MS. MURPHY: Good evening. First I'd like to thank you so much for your
16 diligence and time consuming efforts which very –

17 CHAIRMAN YONKE: Excuse me, please state your name and address.

18 MS. MURPHY: Oh, I should know that. Kim Murphy, 154 Old Laurel Lane in
19 Chapin. So I wanna thank you for your diligent efforts which very few people know
20 about to successfully the new Land Development Code I believe we will have better
21 development when it occurs because of your had work. And the new Code will still allow
22 County Council to weigh in on whether development is appropriate or whether the
23 infrastructure is suitable for the burdens that can come with development. Taking away

1 Council's ability to do that as originally proposed would've led to the uncontrolled growth
2 that is occurring in Lexington County. Although Lexington County has now implemented
3 better development standards but still not as good as Richland's, over thousands of
4 homes not yet constructed made it into the pipeline and is having a tremendous impact
5 on the community just up the road from this proposed rezoning. This small intersection
6 that runs parallel to the railroad track is essentially the entrance to the elementary
7 school and cannot handle the additional traffic and congestion that would occur due to
8 the construction of multi-family units or other development allowed in the proposed MU1
9 zoning. Staff said there are no road improvements projected yet traffic is continuing to
10 grow from unfettered development up the road in Chapin. Please don't approve this
11 rezoning as recommended by the Comprehensive Plan and as it was denied last year
12 by this Commission and County Council. Thank you, appreciate your consideration.

13 CHAIRMAN YONKE: Thank you.

14 MR. GRADY: Those are all the people we have signed up to speak.

15 CHAIRMAN YONKE: Okay, thank you Commissioner Grady. This is now open
16 on the floor for discussion. Questions or a motion as well.

17 MR. METTS: Mr. Chair?

18 CHAIRMAN YONKE: Commissioner Metts.

19 MR. METTS: Question for Staff. Staff, can you just talk about last year and what
20 went down just refreshing our memory I guess on that?

21 MR. PRICE: Are you referring to the recommendations of the Planning
22 Commission at the last meeting?

23 MR. METTS: Yes, sir.

1 MR. PRICE: Excuse me one moment.

2 CHAIRMAN YONKE: Good question, Commission Metts, I was thinking the same
3 thing.

4 MR. PRICE: At the July 10th, 2023 Planning Commission meeting the
5 recommendation was for disapproval by, and of course Staff's recommendation was for
6 disapproval also being consistent with the Comp Plan, but the recommendation of the
7 Planning Commission was for disapproval by a 3/2 vote.

8 CHAIRMAN YONKE: This was GC they were requesting?

9 MR. PRICE: That was actually for RC.

10 CHAIRMAN YONKE: RC. So we have a clean slate here today cause that was a
11 small quorum and split vote. So let's have a good discussion.

12 MR. JOHNSON: Mr. Chairman?

13 CHAIRMAN YONKE? Commissioner Johnson?

14 MR. JOHNSON: Just to be clear, under the new Code adopted am I to
15 understand that we have a contiguous parcel that has the same zoning of what is being
16 requested?

17 MR. PRICE: That is correct.

18 CHAIRMAN YONKE: Any motions, Commissioners?

19 MR. DURANT: Mr. Chair, one question before we get to a motion.

20 CHAIRMAN YONKE: Yes, Commissioner Durant.

21 MR. DURANT: Mr. Price, that contiguous plot of land to the immediate east of the
22 parcel at issue, it is zoned MU1 also but if I'm reading the maps correctly nothing has
23 been developed on that property, correct?

1 MR. PRICE: Just looking at it I would agree that it hasn't at this time. I think the
2 only development that's taken place on the MU1 parcel is further east from the subject
3 site. It does seem to be undeveloped, yes.

4 MR. GRADY: Mr. Chair?

5 CHAIRMAN YONKE: Yes, Commissioner Grady?

6 MR. GRADY: I would like to make a motion to advance Case 24-014MA to
7 County Council with a recommendation of approval. The –

8 MR. JOHNSON(?): Second.

9 MR. GRADY: - the rationale being that the requested zoning amendment would
10 result in development that is contextually appropriate for the surrounding area.

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

12 MR. DURANT: Second.

13 CHAIRMAN YONKE: Second from Commissioner Durant for approval off of that
14 condition that he stated. Staff, could you please take a vote?

15 MR. PRICE: Let me start that over. So we have a motion for the approval of
16 Case 24-014MA. A yes vote would be in favor of the motion for approval. Those in
17 favor, Grady?

18 MR. GRADY: Aye.

19 MR. PRICE: Siercks?

20 MR. SIERCKS: Aye.

21 MR. PRICE: Durant?

22 MR. DURANT: Aye.

23 MR. PRICE: Metts?

1 MR. METTS: Aye.

2 MR. PRICE: Duffy?

3 MR. DUFFY: Nay.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: Aye.

6 MR. PRICE: That was a nay?

7 MR. JOHNSON: Aye.

8 MR. PRICE: Aye, okay thank you. Frierson?

9 MS. FRIERSON: Aye.

10 MR. PRICE: Yonke?

11 CHAIRMAN YONKE: Aye.

12 MR. PRICE: Alright, that motion passes.

13 *[Approved: Grady, Siercks, Durant, Metts, Johnson, Frierson, Yonke; Opposed: Duffy;*

14 *Absent: Taylor]*

15 CHAIRMAN YONKE: Thank you, Staff. This goes as a recommendation to
16 County Council as approval and they will have their meeting on June 25th. We are now
17 moving on to 4.b., Map Amendments, Case Number 24-016. I'll flip it back to Staff.

18 **CASE NO. 24-016MA:**

19 MR. PRICE: Alright, the next item as you stated is Case 24-016MA. The
20 Applicant is Phillip Bradley. The Applicant is requesting to rezone 21.24 acres along
21 Rabon Road from R3 to R5. So Staff recommends again disapproval of this request as
22 we feel it's not consistent with the objectives of the neighborhood medium density
23 zoning district land use designation of the Comprehensive Plan. Multi-family housing is

1 recommended near activity centers and within priority investment areas with access to
2 roads with adequate capacity in order to model transportation options, the proposed
3 request does not meet the location recommendations of the neighborhood medium
4 density designation. So again for these reasons Staff recommends disapproval of this
5 request. Just wanna kinda point out, Tommy, could you drop the – yes, that you know,
6 of us looking at this, this parcel is just outside of the, yeah the economic corridor and
7 also for the priority investment area, it's just outside of it. Again, you know, we've just
8 kind of, like kind of a circled area so it doesn't take into account all parcels, but again
9 just wanted to note that this is just outside of the priority investment area and had it, you
10 know, been a little further over Staff's recommendation would've been for approval,
11 however, this case because it is not, Staff's recommendation to be consistent with the
12 recommendations and guidelines of the Comprehensive Plan it's for disapproval.

13 CHAIRMAN YONKE: Thank you, Staff, and it's to note that it's a portion cause
14 what we have in our packet is highlighted the eastern portion of it, right?

15 MR. PRICE: Yes, sir, on page 36 it should outline exactly which portion is, let's
16 say on page 35 and 36 would show you exactly which portion is before you for a
17 rezoning.

18 CHAIRMAN YONKE: Thank you. Any other questions for Staff? Commissioner
19 Grady, anyone signed up to speak?

20 MR. GRADY: The only speaker signed up is a representative of the Applicant,
21 Phil Bradley.

22 **TESTIMONY OF PHIL BRADLEY:**

1 MR. BRADLEY: Good evening. My name's Phil Bradley with Haven
2 Communities. As Mr. Price stated we're looking for, requesting a rezoning from R3 to
3 R5, and that, the idea between, behind this is as you can see in our sketch plan it looks
4 like a big piece of land, right, but as you can see the challenges that we have with all
5 the wetlands going for a single family detached just didn't make sense. That's why we're
6 requesting for the R5 zoning so that we can get townhomes, they'd be fee-simple
7 townhomes, one car garages, HOA maintained so no maintenance for the actual buyers
8 of the building. We are discussing internally a possibility of one of these pods being H
9 targeted for empty nesters to come in as well as workforce housing. We all know 7,000+
10 jobs coming to Richland County here in the next couple of years, plus it's close to the
11 universities, hospital system for nurses, doctors, you know, very large military presence
12 in this market as well. So we're trying to target people who can come in, first time
13 homebuyers possibly, so that's why we're going for the R5 rezone. We do have a
14 conceptual rendering of what the townhomes, conceptually may look like. Like I said,
15 HOA controlled community so HOA would maintain the yards, the irrigation, buildings,
16 structures, so forth and so on. I have provided you guys with current DOT
17 recommendations on road improvements. They would be done by us as well as the
18 other developer in the area so we had this put together to kinda show both projects
19 working together since they are across the street from each other. I'm obviously here for
20 any questions y'all may have for me.

21 CHAIRMAN YONKE: Thank you, sir. Thanks for coming out. Perfect two
22 minutes. Now on the floor for discussion, I don't see anyone else signed up to speak.
23 Was anyone else here that needed to speak? No? Okay. Okay, on the floor for

1 discussion, Commissioners, and questions for Staff, too. I have a question for Staff,
2 can we open up the wetlands – you already knew I was gonna ask, thank you.

3 MR. DELAGE: Mr. Chair?

4 CHAIRMAN YONKE: Yes?

5 MR. DELAGE: Just one mention about the wetlands layer. This is a national
6 wetlands inventory so it is a best guess estimate based upon the aerial photography of
7 where wetlands may be present. So typically if there are additional wetlands that's
8 identified as part of the site planning process, so this may or may not accurately reflect
9 the amount of wetlands that are on site.

10 CHAIRMAN YONKE: Can we turn on the contour lines? Does this reflect his site
11 plan? I understand, this my fifth year on Planning Commission, that we look at the
12 zoning, we don't, that sketch plan can go away. But if that is what the land looks like
13 that's the relationship I'm looking for.

14 MR. FRIERSON: Mr. Chair, what are contour lines? I see the wavy lines but what
15 does that actually mean?

16 CHAIRMAN YONKE: Elevations. Which could lead to where wetlands are, which
17 way the water flows. I'm a GIS guy by day. I have no direction on this one, I just wanna
18 say I appreciate where we come from the old Code to the new Code and that we are
19 able to discuss this right now. This is what I was hoping the process would include. An
20 R3 to an R5, and before the developments just like sneakily come in, they would come
21 in before us and the way that the Applicant explains it as this is why we need a denser
22 area, it helps me with more understanding just in general. Understanding the land
23 cover. So that's enough out of me. Commissioners, please talk.

1 MR. GRADY: Mr. Chair?

2 CHAIRMAN YONKE: Yes, Commissioner Grady.

3 MR. GRADY: So obviously we heard from, we heard from the Applicant so this is
4 a question for Staff. So, and we heard the interchange a moment ago, so what would be
5 the process that the County would have for determining what constitutes a wetland and
6 more broadly what land could or could not be built upon? If you can kinda speak to what
7 that looks like that would be appreciated.

8 MR. DELAGE: So typically a wetland scientist would go out, they would look at a
9 variety of different factors as to determining whether or not a wetland is present, some
10 which are combination of certain species of vegetation, doing soil samples, looking to
11 see if there's water present on site. It could be a wetland but doesn't necessarily have to
12 have water present throughout the year, it could be portions of the year, depending on
13 the soil type. But that's typically done as part of their site plan submittal so potentially in,
14 you know, the due diligence they might've gone out as kind of that pre, you know,
15 figuring out whether or not what's buildable, what are their boundaries, they've gone in
16 and done that studies which is why they mention it. But it would not be reflective on our
17 maps until later on when they would submit and show basically that data to kinda
18 support that there is or is not wetlands present on the property. That would also be
19 shown on their site plans because we do require a buffer from any kind of identified
20 wetlands.

21 CHAIRMAN YONKE: Thanks for the explanation, Staff. Commissioners, further
22 discussion or a motion?

23 MR. PRICE: Mr. Chair, just –

1 CHAIRMAN YONKE: Yes, Staff?

2 MR. PRICE: - you know, you touched on this but just for the Record I wanna
3 make sure that what you have before you is actually a rezoning request and, you know,
4 I appreciate the Applicant giving you, you know, presenting to you a model of what it is
5 they're proposing to place on the site, but that's really not relevant at this point for the
6 request. I know some people may be looking at this and, you know, wondering what's
7 gonna happen there, but I just wanted to make sure that this is strictly about the
8 rezoning to another zoning designation, in this case R5, and all of the permitted uses
9 that potentially could go on that site.

10 MR. JOHNSON: Mr. Chairman.

11 CHAIRMAN YONKE: Yes, Commissioner Johnson.

12 MR. JOHNSON: I could walk Staff's comments a little bit further, and this is not
13 taking a position on it it's just pointing out an observation. Looking at the existing zoning
14 map there's a higher level of density to the left, west of the site, the green. And you
15 have R3, so arguably the same logic we just used in the previous case that had
16 contiguous zoning, once we rezone that, there's a portion of that site, then there's no
17 real legal basis to not rezone the rest of that site, so now you're gonna have all of that
18 that could really be R5.

19 CHAIRMAN YONKE: Commissioner Johnson, I see on the map what's, what
20 you're pointing at, this R6 to the southwest of it. So then the parcel itself is an R3 -

21 MR. JOHNSON: Right, that's what I'm saying, so you have more, higher density
22 to that side where he's pointing as opposed to all of the yellow to the east. So I'm just
23 saying it's just gonna make it, you're just gonna fill in and make it to where - oh I guess

1 we can ask, I mean, again the legal basis of what's gonna be used on the site but I'm
2 just pointing out that eventually that remaining parcel's gonna end up being zoned
3 virtually the same cause it's gonna be surrounded at that point.

4 CHAIRMAN YONKE: Correct. If we approve this to R5 –

5 MR. JOHNSON: If we approve this, yes.

6 CHAIRMAN YONKE: - then it would be surrounded by R3, right, and almost
7 creating a leapfrog.

8 MR. JOHNSON: Right.

9 CHAIRMAN YONKE: Good point, Commissioner Johnson. Further discussion?
10 How about to my left, how are you guys doing? Comments? Staff, question. Could it be
11 appropriate to ask the Applicant why we're not rezoning the entire parcel?

12 MR. PRICE: Sure.

13 CHAIRMAN YONKE: Come on down, sir.

14 MR. PRICE: I actually, I think I could've answered that but since Mr. Bradley's
15 here I'll let him go ahead and –

16 MR. BRADLEY: Well essentially guys, we're already engineering the other side
17 under R3, it's actually in current engineering as we speak. So, and for us to get the
18 other side, like I said with all the wetlands, a townhome in R5 is, is why we're – so I
19 mean, I understand and appreciate your concern on that, it makes sense, that train of
20 thought but we're already currently engineering the other side of the property to be
21 single-family detached.

22 MS. FRIERSON: R3 you said?

23 MR. BRADLEY: Yes, ma'am.

1 MR. FRIERSON: What would R, is there such a thing as R4 and what would that
2 look like?

3 MR. BRADLEY: There is an R4, Mr. Price can probably give a little more detail
4 on what that exactly looks like.

5 CHAIRMAN YONKE: Staff, what would be permitted in R4? But that's not what's
6 in front of us today. What's in front of us is R3 to R5 so that's what we look at.

7 MS. FRIERSON: The reason I was asking, we heard about the R6 –

8 CHAIRMAN YONKE: Commissioner Frierson.

9 MS. FRIERSON: I'm sorry.

10 CHAIRMAN YONKE: Go ahead.

11 MS. FRIERSON: I was, the only reason I was asking we heard about R6 and
12 what might happen, R3 and what is already being done, and so I was just wondering
13 about R4 and how that would look, cause I'm just trying to figure out, you know, that's
14 the only reason I was asking.

15 MR. PRICE: So primarily R2, the R3 and the R4 zoning designations have
16 replaced what was our RS-LD [inaudible]. And one of the big differences between our
17 previous Land Development Code and this one is under the high, I guess you would call
18 them the higher density designations which in this case would be R5 and R6, that
19 single-family detached is not permitted in those zoning designations. Under our
20 previous Code you could do single-family, multi-family, you know, of course you got two
21 family also, in the higher density zoning designations. But under the new Code it stops
22 at R4 for single-family detached and anything R5 and R6 would be multiple units so it
23 would be two family, three family, quadraplexes, multi-family.

1 MS. FRIERSON: Thank you.

2 CHAIRMAN YONKE: Thank you both. So R5 is the minimum you could be to
3 have this type of development, townhome?

4 MR. PRICE: Yes, sir.

5 CHAIRMAN YONKE: Thank you. Okay Commissioners, further discussion or a
6 motion from anyone? I know you want to, Commissioner Grady.

7 MR. GRADY: Mr. Chair?

8 CHAIRMAN YONKE: Yes, Commissioner Grady.

9 MR. GRADY: Yes, I would like to recommend that we advance Case 24-016MA
10 to County Council with a recommendation for approval. The rationale being that while
11 the precise site is indicated as neighborhood medium density on a future land use map,
12 it is in very close proximity to both a priority investment area as well as a mixed use
13 corridor, and that given the presence of an R6 zoning in the immediate neighborhood,
14 not adjacent to the portion that's being rezoned but adjacent to the parcel that is being
15 rezoned, I would argue that this is contextually appropriate to rezone to R5.

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

17 MS. FRIERSON: I second.

18 CHAIRMAN YONKE: Second from Commissioner Frierson. With that, Staff can
19 you please take a vote?

20 MR. PRICE: Yes, sir. Alright, so we have a motion for approval of Case 24-
21 016MA. A yes vote is in support of the motion for approval. Those in favor, Grady?

22 MR. GRADY: Aye.

23 MR. PRICE: Siercks?

1 MR. SIERCKS: Nay.

2 MR. PRICE: Durant?

3 MR. DURANT: Nay.

4 MR. PRICE: Metts?

5 MR. METTS: Aye.

6 MR. PRICE: Duffy?

7 MR. DUFFY: Nay.

8 MR. PRICE: Johnson?

9 MR. JOHNSON: [Inaudible]

10 MR. PRICE: Frierson?

11 MS. FRIERSON: Aye.

12 MR. PRICE: Yonke?

13 CHAIRMAN YONKE: Aye.

14 MR. PRICE: Alright, that motion passes.

15 *[Approved: Grady, Metts, Johnson, Frierson, Yonke; Opposed: Siercks, Durant, Duffy;*

16 *Absent: Taylor]*

17 CHAIRMAN YONKE: Thank you, Staff. Thank you, Commissioners. That goes
18 as an approval recommendation to County Council and they will have their meeting on
19 June 25th. For our meeting today that is the end of Section 4.b., the Map Amendments.
20 We move to Item Number 5., which is Other Items. Commissioners, Staff, are there any
21 other items to discuss today?

22 MR. PRICE: Just from a Staff standpoint one of the things that we pointed out
23 was doing a potential tour of the Olympia community so we've managed to secure a

1 vehicle. I will just send out a couple of dates to you, it won't be next week so it'll be
2 following that week, you know, just to see, you know, some times and dates that y'all
3 may be available for the tour.

4 CHAIRMAN YONKE: Thank you, Staff. This rolls into my Item Number 6.,
5 Chairman's Report. Just thank you again Commissioners for everything you're doing
6 here, appreciate the hard work from all of you. I did put out a Google spreadsheet to
7 help track our dates of availability for the summer so we can get this tour on the
8 calendar or some Comp Plan workshops as well, and towards the end of the summer
9 hopefully a Planning Commission training/retreat which I've always found to be very
10 beneficial. So please if you have any IT issues with that let me know. It should be as
11 easy as clicking a link and filling in a spreadsheet, it's something I sent out last year for
12 us to do as well. So the summer looking ahead we have a regular meeting next month
13 and then August we usually have off to go alongside of County Council if I'm correct.

14 MR. PRICE: That is correct.

15 CHAIRMAN YONKE: Okay. And that's it for my Chairman's Report. We'll go back
16 to Mr. Price for the Planning Director's Report, number 7.

17 MR. PRICE: Alright, as you will see on page 41 is a report of County Council's
18 actions from their May Zoning Public Hearing Agenda. And that would be it for the
19 Planning Director's Report.

20 CHAIRMAN YONKE: Thank you, Staff. Item Number 8., Adjournment. The Chair,
21 I'd like to make a motion for adjournment, do I have a second?

22 ?: Second.

1 CHAIRMAN YONKE: Alright, with that we'll do a vote of hands, right? Mr. Price,
2 see all the hands?

3 MR. PRICE: Yes, it's unanimous.

4 CHAIRMAN YONKE: Thank you, sir. We are adjourned.

5

6

[Meeting adjourned at _____pm]