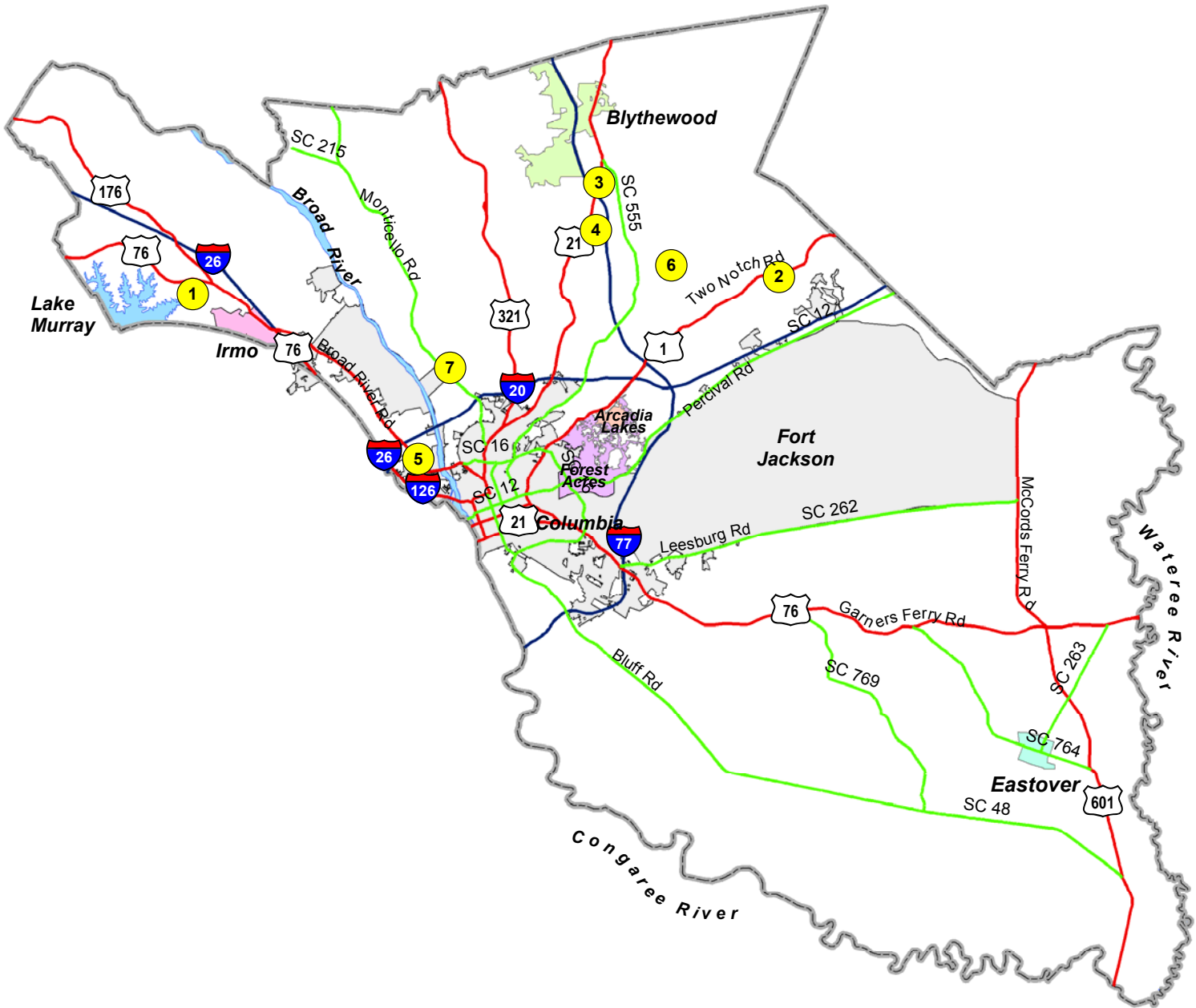


**RICHLAND COUNTY
PLANNING COMMISSION**



MAY 3, 2004

RICHLAND COUNTY PLANNING COMMISSION MAY 3, 2004



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 04-36 MA	Judith Ann West	03303-03-04(p)	Dreher Shoals Rd. south of Dutch Fork Rd.	Corley
2. 04-45 MA	Rhett Jacobs	25807-02-01/02	Spears Creek Church Rd. near Two Notch Rd.	Brill
3. 04-50 MA	R.E. Stations	14900-03-03	Wilson Boulevard north of I-77	McEachern
4. 04-51 MA	Gregg Douglas	14800-04-24	Summer Pines Dr. east of Wilson Blvd.	McEachern
5. 04-52 MA	William B. Banning, Sr.	07308-05-08	1335 Elm Abode Road	Livingston
6. 04-53 MA	Charleston Estates of Columbia N.E.	20281-01-41/42	4037 Hard Scrabble Road	McEachern
7. 04-54 MA	Pat Murphy	09404-02-03(p)	7118-B Monticello Road	McEachern

RICHLAND COUNTY PLANNING COMMISSION

Monday, May 3, 2004

Agenda

1:00 PM

STAFF: Michael P. Criss, AICP Planning Director
 John W. Hicks Development Services Manager
 Anna Almeida Land Development Administrator
 Carl D. Gosline, AICP Subdivision Administrator

I. PUBLIC MEETING CALL TO ORDER Gene Green, Chairperson

II. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the April 5, 2004 minutes

III. AGENDA AMENDMENTS (limited to matters NOT covered by the FOIA)

IV. OLD BUSINESS

None

V. NEW BUSINESS - SUBDIVISION REVIEW

PROJECT #	SUBDIVISION NAME	LOCATION	UNITS	Page
SD-04-199	Cedar Heights	Alpine & Old Percival Rd TMS #19712-03-30 & 19809-04-05	90	09
SD-04-205	Dutch Oaks	Shady Grove Rd TMS # 03400-01-03/04/14	66	19
SD-04-208	Pinnacle Point Business Park, Ph. 2	Rabon Road Near Farrow TMS # 17108-01-06/07	24	31
SD-04-218	Seaton Ridge	Rimer Pond Road TMS # 20500-01-09/10	38	41

PROJECT #	SUBDIVISION NAME	LOCATION	UNITS	Page
SD-04-219	The Homestead	Brickyard Rd TMS # 20100-02-29	89	51
SD-04-226	Hollingshed Estates	Kennerly Road TMS # 04300-04-35	3	61
SD-04-236	Killian Station & Hester Woods	Hardscrabble Road TMS # 20200-04-02	172	71
SD-04-238	Longtown Place	Villages @ Longtown TMS # 17500-01-42 (p)	72	81
SD-04-239	Renaissance Park Parcel B	Atrium Way TMS # 17114-01-25	5	91
SD-04-241	Villages @ Sandhills	Clemson Road TMS # 23000-02-02 (p)	14	101
SD-04-242	Harborside, Parcel 4 Phase 7 - 10	Lake Carolina TMS # 23200-01-02	85	113
SD-04-243	Willow Lakes, Phase 4	Farrow Road TMS # 17700-01-15 (p)	49	123

VI. NEW BUSINESS - ZONING MAP AMENDMENTS

(Map Number) CASE	(1) 04-36 MA	Page
APPLICANT	Judith Ann West	133
REQUESTED AMENDMENT	RU to C-2	
PURPOSE	Commercial use	
TAX MAP SHEET NUMBER (S)	03303-03-04 (p)	
LOCATION	Dreher Shoals Road south of Dutch Fork Rd.	

(Map Number) CASE	(2) 04-45 MA	Page
APPLICANT	Rhett Jacobs	143
REQUESTED AMENDMENT	D-1 to C-3	
PURPOSE	Commercial use	
TAX MAP SHEET NUMBER (S)	25807-02-01,02	
LOCATION	Spears Creek Church Rd near Two Notch Rd	

(Map Number) CASE	(3) 04-50 MA	Page
APPLICANT	R.E. Stations	153
REQUESTED AMENDMENT	RU to C-3	
PURPOSE	Gas Station	
TAX MAP SHEET NUMBER (S)	14900-03-03	
LOCATION	Wilson Boulevard north of I-77	

(Map Number) CASE	(4) 04-51 MA	Page
APPLICANT	Gregg Douglas	163
REQUESTED AMENDMENT	RU to RS-3	
PURPOSE	Residential Subdivision	
TAX MAP SHEET NUMBER (S)	14800-04-24	
LOCATION	Summer Pines Drive east of Wilson Blvd.	

(Map Number) CASE	(5) 04-52 MA	Page
APPLICANT	William B. Banning, Sr.	173
REQUESTED AMENDMENT	RS-1 to C-1	
PURPOSE	Commercial and service uses	
TAX MAP SHEET NUMBER (S)	07308-05-08	
LOCATION	1335 Elm Abode Road	

(Map Number) CASE	(6) 04-53 MA	Page
APPLICANT	Charleston Estates of Columbia N.E.	183
REQUESTED AMENDMENT	RU to RS-1	
PURPOSE	Residential subdivision	
TAX MAP SHEET NUMBER (S)	20281-01-41,42	
LOCATION	4037 Hard Scrabble Road	

(Map Number) CASE	(7) 04-54 MA	Page
APPLICANT	Pat Murphy	193
REQUESTED AMENDMENT	D-1/C-1 to PDD	
PURPOSE	Boarding houses	
TAX MAP SHEET NUMBER (S)	09404-02-03 (p)	
LOCATION	7118-B Monticello Road	

VII. ROAD NAME APPROVALS

- a. New Road Name Approvals

203

VIII. OTHER BUSINESS

- a) Consideration of an Amendment to Chapter 26-68.5 of the Zoning Ordinance Regarding Special Exceptions for Residential Uses in the M-1 Zoning District
- b) Discussion Regarding the Status Report of Planning Commission Recommendations to the County Council
- c) Discussion Regarding Revisions To The Planning Commission Rules of Procedure (latest version is February 2, 2002)

IX. ADJOURNMENT

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

May 3, 2004

Applicant: Jim Mayes		Preliminary Subdivision Plans For: Cedar Heights	
RC Project # : SD-04-199			
General Location: NW Corner of Alpine Road & Old Percival Road			
Tax Map Number: 19712-03-30 & 19809-04-05		Current Zoning: RG-2	
Subject Area: 12.8 acres	Number of Parcels: 98	Gross Density: 7.6 DU/acre	
Sewer Service Provider: East Richland		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Alpine Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	931	
Current Volume At The Nearest Count Station # 498 Located @ Faraway Drive	12600	
Estimated Traffic Count With the Proposed Project	13531	
Volume-To-Capacity Ratio With The Proposed Project	1.57	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

This portion of Alpine Road has a V/C ratio of 1.47, or a LOS F. The subject will increase the V/C ratio to 1.57. **The traffic generated by the subject project will further exacerbate the traffic problems on this portion of Alpine Road.**

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	20
Middle School @ 0.13 students per single family DU	13
High School @ 0.12 Students per single family DU	12

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

Existing Site Conditions

The existing site is fairly level and is virtually entirely vegetated by pine trees. The principal entrance to the project is on Alpine Road. There is an emergency entrance on Old Percival Road.

Compatibility with the Surrounding Area

There is an old manufactured home subdivision across Old Percival Road and another subdivision across Alpine Road. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Office/Institutional on this Map.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a subdivision located in an area designated for office/institutional use. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map.

Even though the County zoned the entire project RG-2, the Northeast Subarea Plan Proposed Land Use Map was not changed to a high or medium density residential designation as required by state law.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use

The subject site is designated for office/institutional development, but the proposed project is a residential subdivision. The proposed project **does not implement** this Objective.

Principle – The Established Urban Area should contain overall higher density levels ...and should conform to the Proposed Land Use Map

The Map designates the subject site for office/institutional land uses. The subject project **does not implement** this Principle because it is a residential project.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

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

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

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends **denial** of the preliminary subdivision plans for a 98 unit single family attached subdivision, known as Cedar Heights (Project # SD-04-199). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the subject project will further exacerbate the traffic problems on this portion of Alpine Road.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is **not consistent** with the Northeast Subarea Plan Map land use designation.
4. The proposed project **does not implement** the relevant Objectives and Recommendations of the Northeast Subarea Plan.

Specific Conditions To Be Applied If the Project Is Approved

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The County Fire Marshal requires all subdivision streets have a minimum of 26 feet of pavement and cul-de-sacs to have a minimum radius of 45 feet; **and**
- f) The City of Columbia must approve the water line construction plans; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) DHEC must issue the water line construction permits; **and**
- i) **No building permits shall be issued until all of the conditions cited above are met; and**
- j) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- k) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
- l) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- m) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- n) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat cannot be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

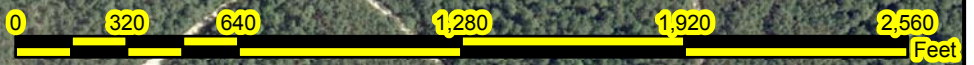
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

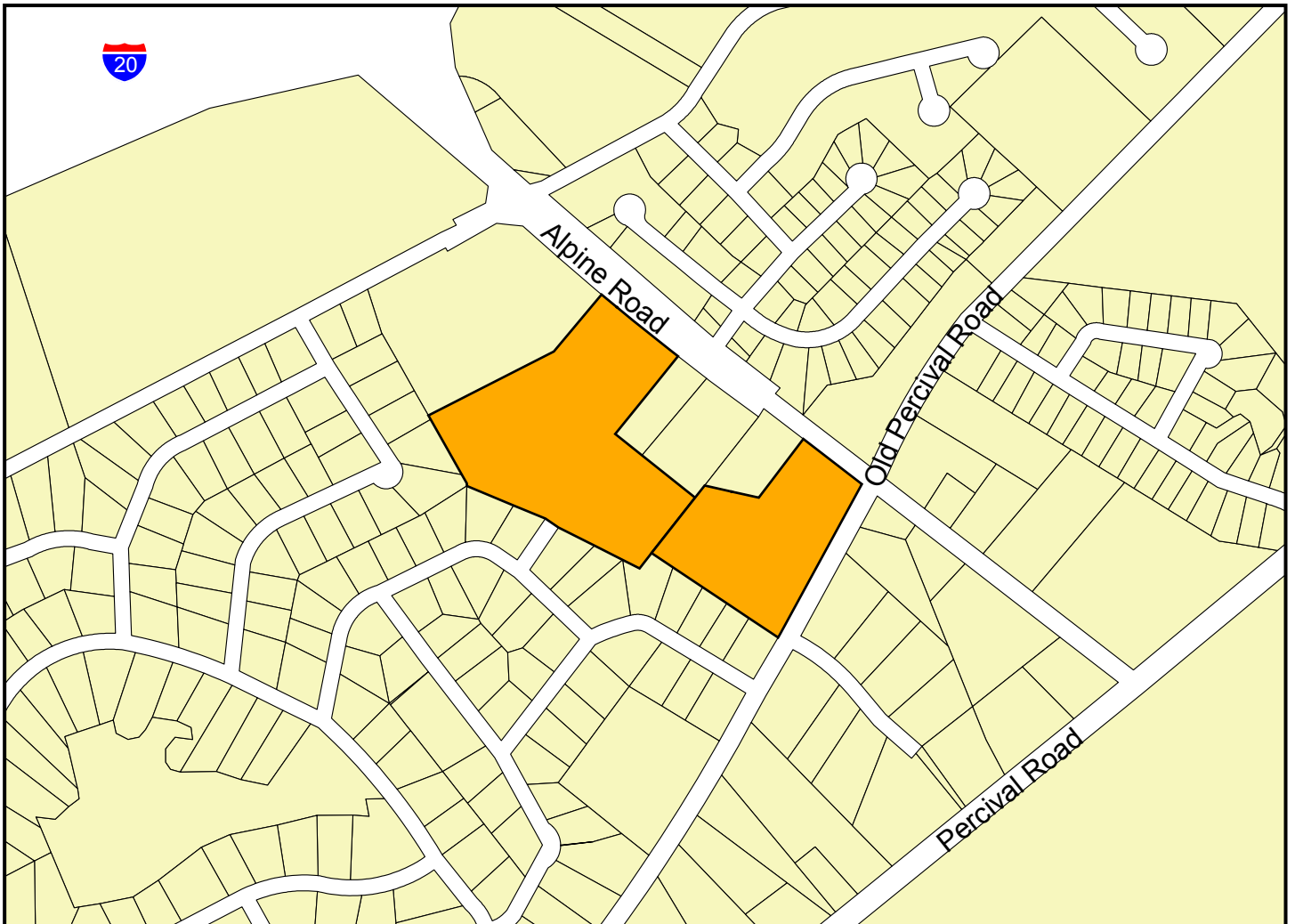
Appeal

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

SD 04-199
CEDAR HEIGHTS
TMS 19712-03-30 & 19809-04-05



SD 04-199 CEDAR HEIGHTS



Looking across Old Percival Rd. from the site



Looking at site from across Alpine Rd.

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

May 3, 2004

Applicant: Willow Ridge, LLC		Preliminary Subdivision Plans For: Dutch Oaks (FNA Willow Ridge)
RC Project # : SD-04-205		
General Location: Shady Grove Road at Old Tamah Road		
Tax Map Number: 03400-01-04/14		Current Zoning: RS-1
Subject Area: 37 acres	Number of Parcels: 76	Gross Density: 2.1 DU/acre
Sewer Service Provider: Richland Co. Utilities		Water Service Provider: City of Columbia

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Shady Grove Road	
Functional Classification Of This Roadway	* Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	722	
Current Volume At The Nearest Count Station #573 Located @ Dutch Fork HS	1850	
Estimated Traffic Count With the Proposed Project	2572	
Volume-To-Capacity Ratio With The Proposed Project	0.30	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

* Not formally classified but functions as a collector

The proposed project will not result in the LOS C being exceeded at SCDOT count station 573.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	15
Middle School @ 0.13 students per single family DU	10
High School @ 0.12 Students per single family DU	9

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

Existing Site Conditions

When the subject site was zoned RS-1 in November 2003, the site was heavily wooded. The site included numerous hardwood trees in excess of 92 inches in circumference. When the site inspection for the subdivision application was conducted on April 7, 2004, virtually every tree on the site had been completely removed. Aerial photography and site inspection photos from Zoning Map Amendment staff report will be provided at the meeting.

Compatibility with the Surrounding Area

The subject site is adjacent to the Walnut Grove S/D. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Medium/Low Density Residential on this Map.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a low-density residential (1.3 to 3.0 DU/acre) project located in an area designated for medium/low density residential (3.0 to 5.0 DU/acre) development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map.

The RS-1 zoning, roughly equivalent to 3.7 DU/acre, is consistent the Northwest Subarea Plan Proposed Land Use Map. However, **the project is proposed for development at a low density (2.1 DU/acre) that is not consistent with the Map**.

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

Objective – Promote new development in areas with adequate infrastructure

The proposed project will be served by public water and sewer facilities. There is available traffic capacity in the adjacent road network. The proposed project implements this Objective.

Principle – Residential development should be limited to individual dwellings on individual lots.

The proposed project is a single family detached residential subdivision. This project implements this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) On March 29, 2004, the Flood Hazard Manager stated, “...**The flood elevation statement was disapproved.** A flood discharge elevation study is required on the creek and the pond... “(Sketch Plan comments provided to the applicant on March 15, 2004 required flood elevation approval)
- 3) The County Fire Marshal commented, “ This site plan is approved as ordered. As a result of the number of lots exceeding 30, two separate and approved fire apparatus access roads shall be required. Where two access roads are required, they shall be placed a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the property served. When a fire hydrant is located on a fire apparatus road, the width shall be 26 ft. The minimum turning radius for a cul-de-sac shall not be less than 45 ft...” (Sketch Plan comments provided to the applicant on March 15, 2004)
- 4) As of April 19, 2004, the PDS has not issued a Land Disturbance Permit for the subject project. (Sketch Plan comments provided to the applicant on March 15, 2004)
- 5) As of April 16, 2004, the Columbia had not approved the water line construction plans.
- 6) As of April 16, 2004, the RUC had not approved the sewer line construction plans.
- 7) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 8) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 9) On March 14, 2004, the E-911 Coordinator required the subdivision name to be changed and several street names to be changed. These changes will be on the May 3, 2004 Commission agenda.

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

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

The preliminary plans submitted by the applicant failed to comply with the Fire Marshal’s Sketch Plan comments (See above discussion) that the subdivisions streets must have a minimum of 26 feet of paving and have a secondary access point. The plans also failed to comply with the Fire Marshal’s comments for a minimum radius of 45 feet of paving in the cul-de-sacs. The plans show a 40-foot paving radius.

Chapter 22-11 (2) (f) [preliminary plans requirements] of the County Code “...The planning commission approval of the preliminary plans...constitutes authority to the subdivider to construct site improvements in accordance with the approved preliminary plans...” Construction of a subdivision can not begin until the Planning Commission approves the construction plans. **The applicant began construction, i.e., lot clearing, prior to the Planning Commission’s approval.**

Chapter 22-36 (h) [subdivision improvements] of the County Code “...An adequate drainage system based on acceptable storm water management principles...shall be installed by the subdivider according to plans in accordance with the county storm drainage ordinance and approved by the county engineer...”. The purpose of the stormwater management system plans is to demonstrate how the project will ensure that the post-development stormwater runoff will not be greater than the pre-development stormwater runoff. **The applicant cleared the entire site without County approval of the stormwater management plans.**

Chapter 27-6.50 [Landscape Ordinance - controlled clearing] of the County Code states “...Prior to development, it shall be a violation of this ordinance to remove more than 20 percent over 24 inches in circumference on any lot in any one year period...” **The applicant removed in excess of 95 percent of the trees on the site, including virtually all the trees over 24 inches in circumference.** The applicant clearly violated this provision of the Code.

Chapter 27-6.51 [controlled clearing] of the County Code states “...During and after development, a minimum of 50 percent of the trees over 24 inches in circumference within required setback yards, as required by the zoning ordinance or subdivision regulations, shall be

preserved...” **The applicant is in violation of this provision of the County Code because 95 percent of the site’s trees were removed, including virtually all the trees over 24 inches in circumference.**

Chapter 27-6.60 [trees] of the County Code states “...After the necessary development approvals have been granted, and before any site work has begun, the developer shall cause protected trees to be marked with surveyor’s flagging and shall instruct work crews to protect such trees during development in accordance with paragraph 27-6.61...” **The applicant did not comply with this provision of the Code because so many trees were removed.** One of the few remaining trees was clearly damaged by clearing equipment.

Chapter 27-6.61 [trees] of the County Code states “...During and after development, a protective zone with a diameter of one foot per inch of tree diameter, shielded by suitable protective barriers or curbing, shall be established and maintained around all trees to be retained as required by this article. During construction, there shall be no construction, paving, grading, operation of equipment or vehicles, storage of materials within this protective zone. The protective zone shall extend a minimum of 5 feet measured from the tree trunk at any point...” The applicant did not comply with this provision of the Code because so many trees were removed. **One of the few remaining trees was clearly damaged by clearing equipment.**

The applicant’s actions may also be violation of various rules or laws regarding stormwater management and erosion/sediment control. The Department has notified DHEC of the situation on the site.

The Department has issued citations to applicant for the violations cited above. At this writing, the Public Works Department has also initiated an investigation of possible other violations.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends the Planning Commission **defer further consideration of this project until final adjudication of the various violations of the County Code, and state laws if applicable, is completed.**

Findings of Fact

- 1) The flood elevation statement submitted with the application material was disapproved.
- 2) The preliminary plans do not comply with the Fire Marshal’s road paving and access requirements identified in the Sketch Plan comments.
- 3) The applicant conducted clearing activities without a Land Disturbance Permit from the Planning & Development Services Department (PDSD)
- 4) The applicant violated the following provision of the County Code:
 - a. Chapter 22-11 (f) – initiating construction prior to Planning Commission approval
 - b. Chapter 22-36 (h) – clearing without County stormwater plans approval
 - c. Chapter 27-6.50 – removing more than 20 percent of the 24 inch trees
 - d. Chapter 27-6.51 – removing more than 50 percent of the 24 inch trees in setback areas
 - e. Chapter 27-6.60 – failure to mark and protect certain trees
 - f. Chapter 27-6.61 – failure to establish, and implement, a protective zone around trees

- 5) The applicant may also be in violation of DHEC rules and/or laws regarding County stormwater management laws and/or sediment/erosion control laws.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

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

Attachment A SD 04-205

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.
5. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.
6. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.
7. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.
8. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.
9. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.
10. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.

CONTINGENT CLEARING CERTIFICATION:

THE DEVELOPER HEREBY CERTIFIES THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF AND THAT HE HAS BEEN ADVISED BY A LICENSED PROFESSIONAL ENGINEER THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

GENERAL NOTES:

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

2. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.

3. ALL DIMENSIONS ARE TO FACE OF CURB OR SIDE OF PARALLEL SLOPE UNLESS OTHERWISE SPECIFIED.

PROPOSED ROADWAY DATA:

LINE	BEARING	DISTANCE	AREA
1	N 14.00° E	114.00'	12.96 AC
2	S 75.00° W	114.00'	12.96 AC
3	S 75.00° W	114.00'	12.96 AC
4	N 14.00° E	114.00'	12.96 AC
5	S 75.00° W	114.00'	12.96 AC
6	N 14.00° E	114.00'	12.96 AC
7	S 75.00° W	114.00'	12.96 AC
8	N 14.00° E	114.00'	12.96 AC
9	S 75.00° W	114.00'	12.96 AC
10	N 14.00° E	114.00'	12.96 AC
11	S 75.00° W	114.00'	12.96 AC
12	N 14.00° E	114.00'	12.96 AC
13	S 75.00° W	114.00'	12.96 AC
14	N 14.00° E	114.00'	12.96 AC
15	S 75.00° W	114.00'	12.96 AC
16	N 14.00° E	114.00'	12.96 AC
17	S 75.00° W	114.00'	12.96 AC
18	N 14.00° E	114.00'	12.96 AC
19	S 75.00° W	114.00'	12.96 AC
20	N 14.00° E	114.00'	12.96 AC
21	S 75.00° W	114.00'	12.96 AC
22	N 14.00° E	114.00'	12.96 AC
23	S 75.00° W	114.00'	12.96 AC
24	N 14.00° E	114.00'	12.96 AC
25	S 75.00° W	114.00'	12.96 AC
26	N 14.00° E	114.00'	12.96 AC
27	S 75.00° W	114.00'	12.96 AC
28	N 14.00° E	114.00'	12.96 AC
29	S 75.00° W	114.00'	12.96 AC
30	N 14.00° E	114.00'	12.96 AC
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77	S 75.00° W	114.00'	12.96 AC
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79	S 75.00° W	114.00'	12.96 AC
80	N 14.00° E	114.00'	12.96 AC
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83	S 75.00° W	114.00'	12.96 AC
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86	N 14.00° E	114.00'	12.96 AC
87	S 75.00° W	114.00'	12.96 AC
88	N 14.00° E	114.00'	12.96 AC
89	S 75.00° W	114.00'	12.96 AC
90	N 14.00° E	114.00'	12.96 AC
91	S 75.00° W	114.00'	12.96 AC
92	N 14.00° E	114.00'	12.96 AC
93	S 75.00° W	114.00'	12.96 AC
94	N 14.00° E	114.00'	12.96 AC
95	S 75.00° W	114.00'	12.96 AC
96	N 14.00° E	114.00'	12.96 AC
97	S 75.00° W	114.00'	12.96 AC
98	N 14.00° E	114.00'	12.96 AC
99	S 75.00° W	114.00'	12.96 AC
100	N 14.00° E	114.00'	12.96 AC

LEGEND:

- PROPOSED ASPHALT PAVEMENT

DEVELOPER:
WILLOW RIDGE, LLC
1000 WILLOW RIDGE DRIVE
COLUMBIA, S.C. 29202
(803) 779-7777

LOT SUMMARY:
TOTAL NUMBER OF LOTS: 100
TOTAL AREA: 10.00 AC
TOTAL LENGTH OF PROPOSED ROADWAY: 8,000 FT.

APR 01 2004

SD-04-205

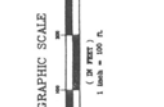
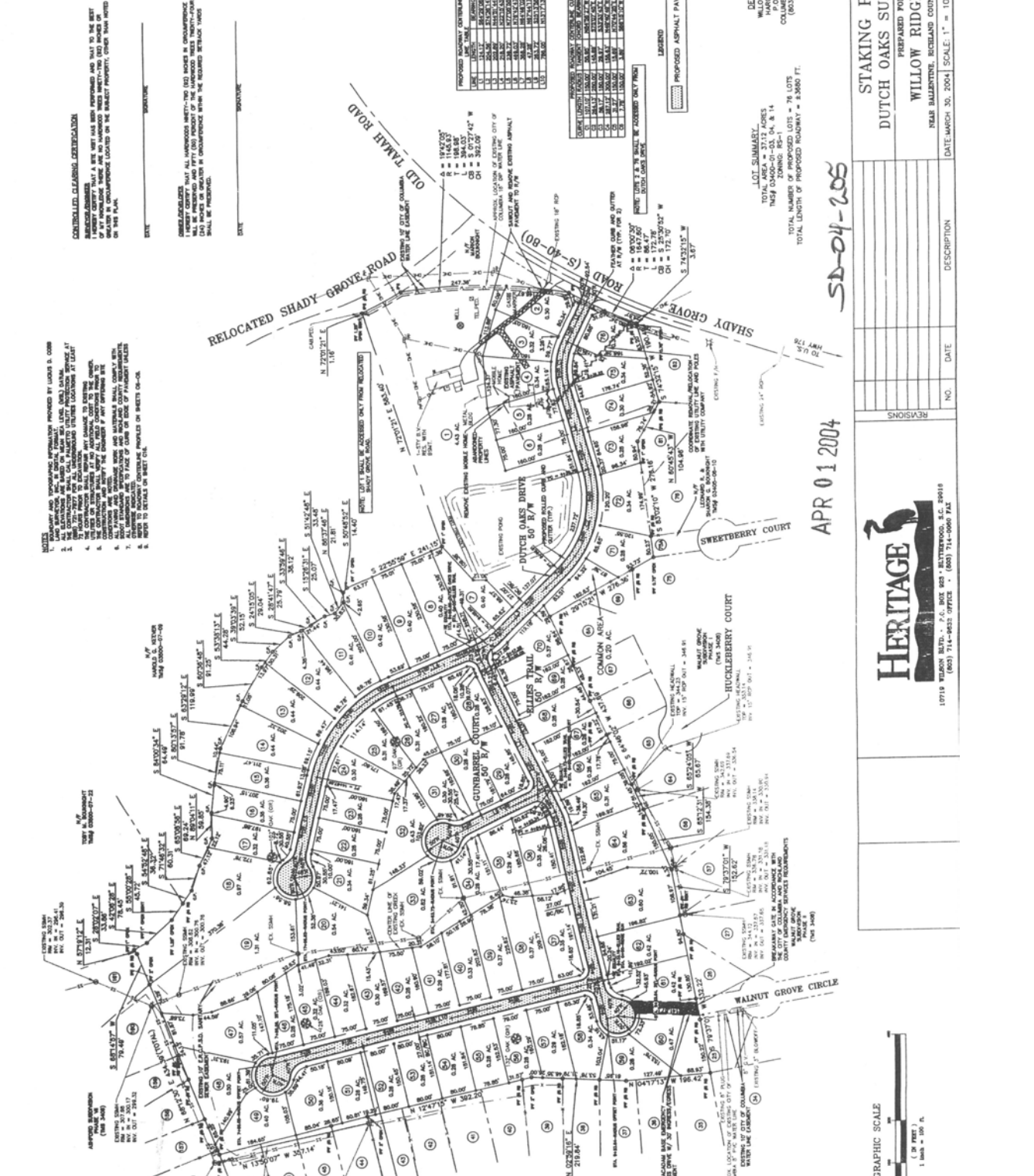
PROJECT No. 00046

STAKING PLAN

DUTCH OAKS SUBDIVISION

PREPARED FOR:
WILLOW RIDGE, LLC
NEAR BALENTINE, RICHLAND COUNTY, SOUTH CAROLINA

DATE: MARCH 30, 2004
SCALE: 1" = 100'
SHEET: C1 OF 16



HERITAGE

19719 WILSON BLVD., P.O. BOX 263 • BATTERYROAD, S.C. 29018
(803) 714-9855 OFFICE • (803) 714-9866 FAX

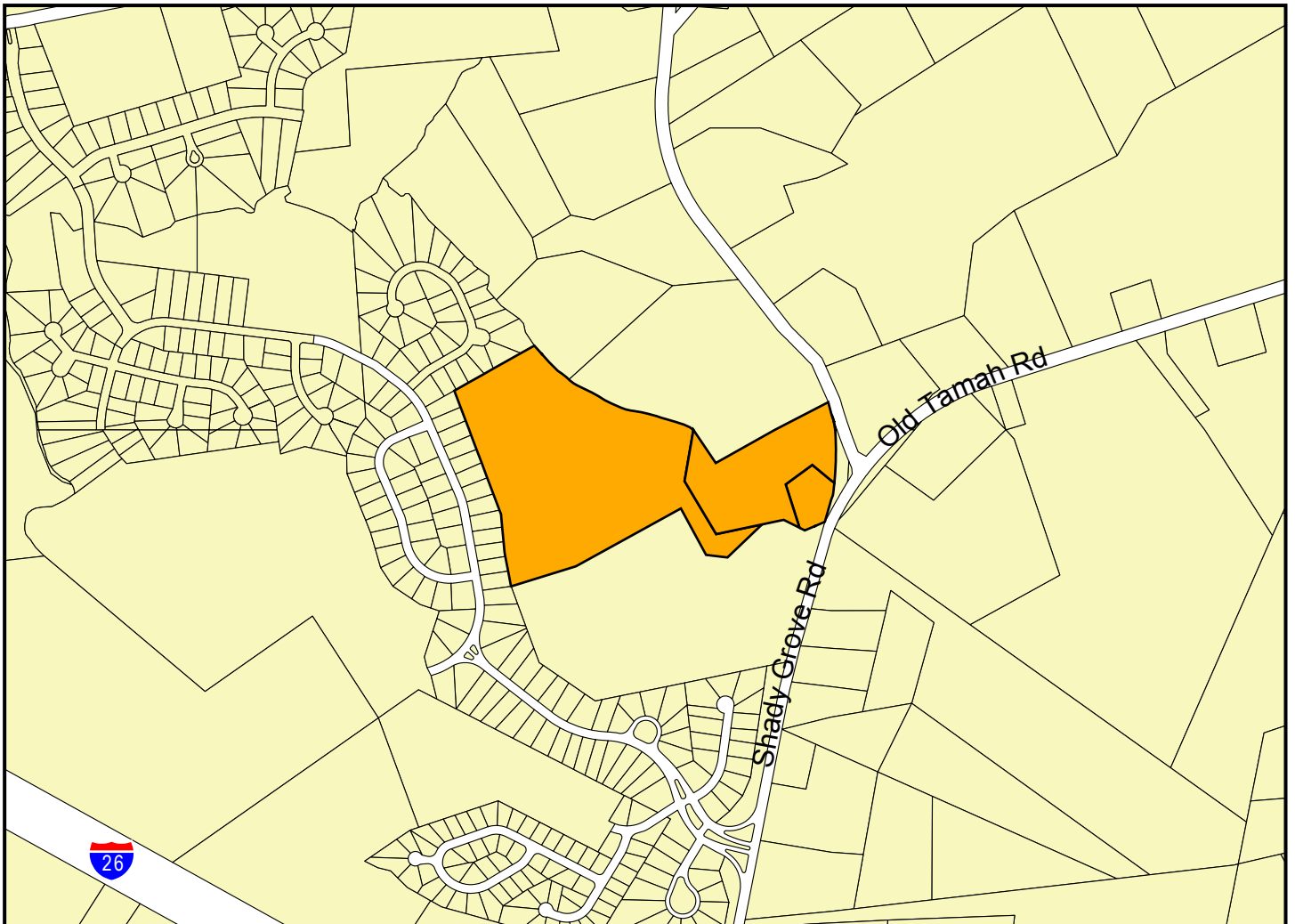
SD 04-205
DUTCH OAKS
TMS 03400-01-03/04/14



Site



SD 04-205 DUTCH OAKS



Looking at the back of Walnut Grove S/D



Looking towards the pond

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

May 3, 2004

Applicant: Engineering Resources Corp.		Preliminary Subdivision Plans For:	
RC Project # : SD-04-208		Pinnacle Point Business Park, Phase 2	
General Location: South Side of Rabon Road. 1/4 mile East of Farrow Road			
Tax Map Number: 17108-01-06/07		Current Zoning: M-1	
Subject Area: 29.4 acres	Number of Parcels: 24	Gross Density: NAp	
Sewer Service Provider: East Richland		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Rabon Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	See below	
Current Volume At The Nearest Count Station # 611 Located @ on Rabon Road	8600	
Estimated Traffic Count With the Proposed Project	See below	
Volume-To-Capacity Ratio With The Proposed Project	N/A	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The applicant contracted with Parsons Brinckerhoff to do a traffic study, herein after known as the PBS, for the entire project at buildout conditions. The PBS assumed the development would include offices, medical offices, a hotel and a bank. The buildout year was assumed to be 2008.

The PBS concluded that the project would generate approximately 13,035 ADTs upon completion. It also concluded that the “..Analysis indicates that the signalized intersection of Rabon Road and Farrow Road will operate at an unacceptable peak hour operating condition, with volumes generally exceeding capacity...” (PBS pg. 2). The PBS further stated that “...Of particular note is the high increase in the V/C ratio at each of the intersections, and the high initial V/C ratio at the proposed North Driveway (*the Rabon Road entrance*)...”

The PBS recommended numerous improvements to the roadways in the area. Among the recommendations are the following:

- a) Construct an additional eastbound and westbound through-lane between Farrow Road and the Rabon Road entrance
- b) Construct an additional westbound left turn lane on Rabon Road at Farrow Road to form dual left turn lanes with a shared through/right turn lane

In summary, the applicant has provided very detailed mitigative measures that will be required to accommodate the proposed development. The County, the SCDOT and private developments in the area need to begin negotiations to find the funds to make the identified improvements a reality.

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

The site is fairly level, undeveloped pine woodlands. The site was rezoned M-1 in 2002. Public water and sewer service is available to the development.

Compatibility with the Surrounding Area

There is a mixture of office and retail commercial land uses on the adjacent parcels to the northwest. The project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Industrial on this Map. The proposed project is consistent with this land use designation.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use

The site is designated for light industrial/commercial development and is zoned M-1. The proposed project implements this Objective.

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

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

The proposed project complies with all of these criteria. This project implements this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 24 parcel commercial/industrial subdivision, known as Pinnacle Point Business Park, Phase 2 (Project # SD-04-208). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The “..Analysis indicates that the signalized intersection of Rabon Road and Farrow Road will operate at an unacceptable peak hour operating condition, with volumes generally exceeding capacity...”
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

Specific Conditions

- c) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- d) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- e) The Department of Public Works must approve the stormwater management plans; **and**
- f) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- g) The City of Columbia must approve the water line construction plans; **and**
- h) DHEC must issue the sewer line construction permits; **and**
- i) DHEC must issue the water line construction permits; **and**
- j) **No building permits shall be issued until all of the conditions cited above are met; and**
- k) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- l) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- m) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- n) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

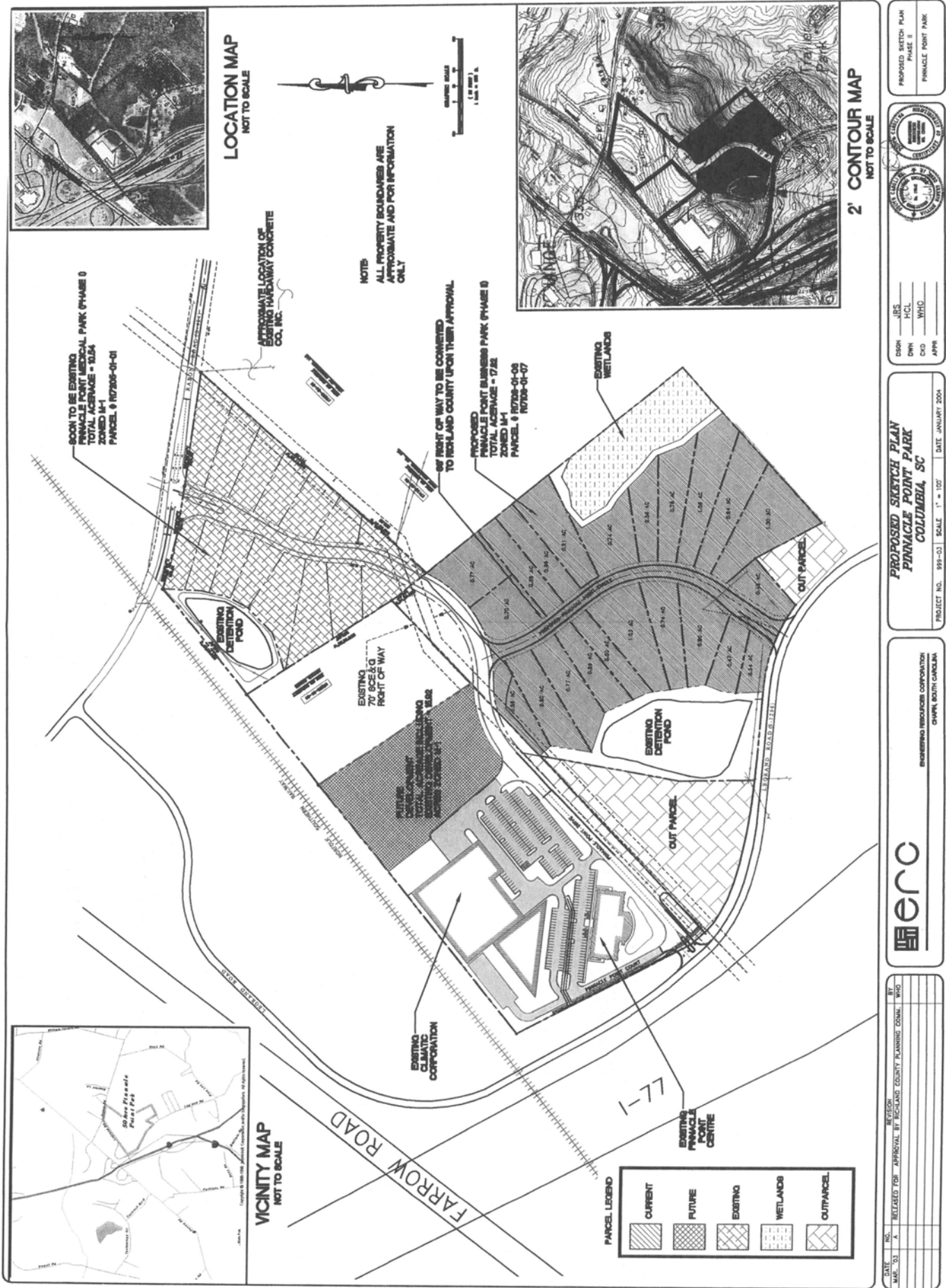
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- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or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

Appeal

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

Attachment A SD 04-208



BOOK TO BE EXISTING
TOTAL AREA OF LOCAL PARK PHASE 0
TOTAL ACRES - 11.64
ZONED M-4
PARCEL # 107306-01-01

APPROXIMATE LOCATION OF
EXISTING MAINWAY CONCRETE
CO. INC.

NOTES
ALL PROPERTY BOUNDARIES ARE
APPROXIMATE AND FOR INFORMATION
ONLY

IF RIGHT OF WAY TO BE CONVEYED
TO RICHLAND COUNTY UPON THEIR APPROVAL

PROPOSED
PINNACLE POINT BUSINESS PARK PHASE B
ZONED M-4
PARCEL # 107308-01-03
107308-01-07

EXISTING
DETENTION
POND

EXISTING
WETLANDS

EXISTING
CLIMATE
CORPORATION

EXISTING
DETENTION
POND

EXISTING
WETLANDS

EXISTING
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PARCEL LEGEND	
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	OUTPARCEL

DATE	NO.	REVISION	BY
MAR '03	A	RELEASED FOR APPROVAL BY RICHLAND COUNTY PLANNING COMM.	WHO

erc
ENGINEERING RESOURCES CORPORATION
CHARL, SOUTH CAROLINA

PROPOSED SKETCH PLAN
PINNACLE POINT PARK
COLUMBIA, SC
PROJECT NO. 999-03 | SCALE: 1" = 100' | DATE: JANUARY 2004

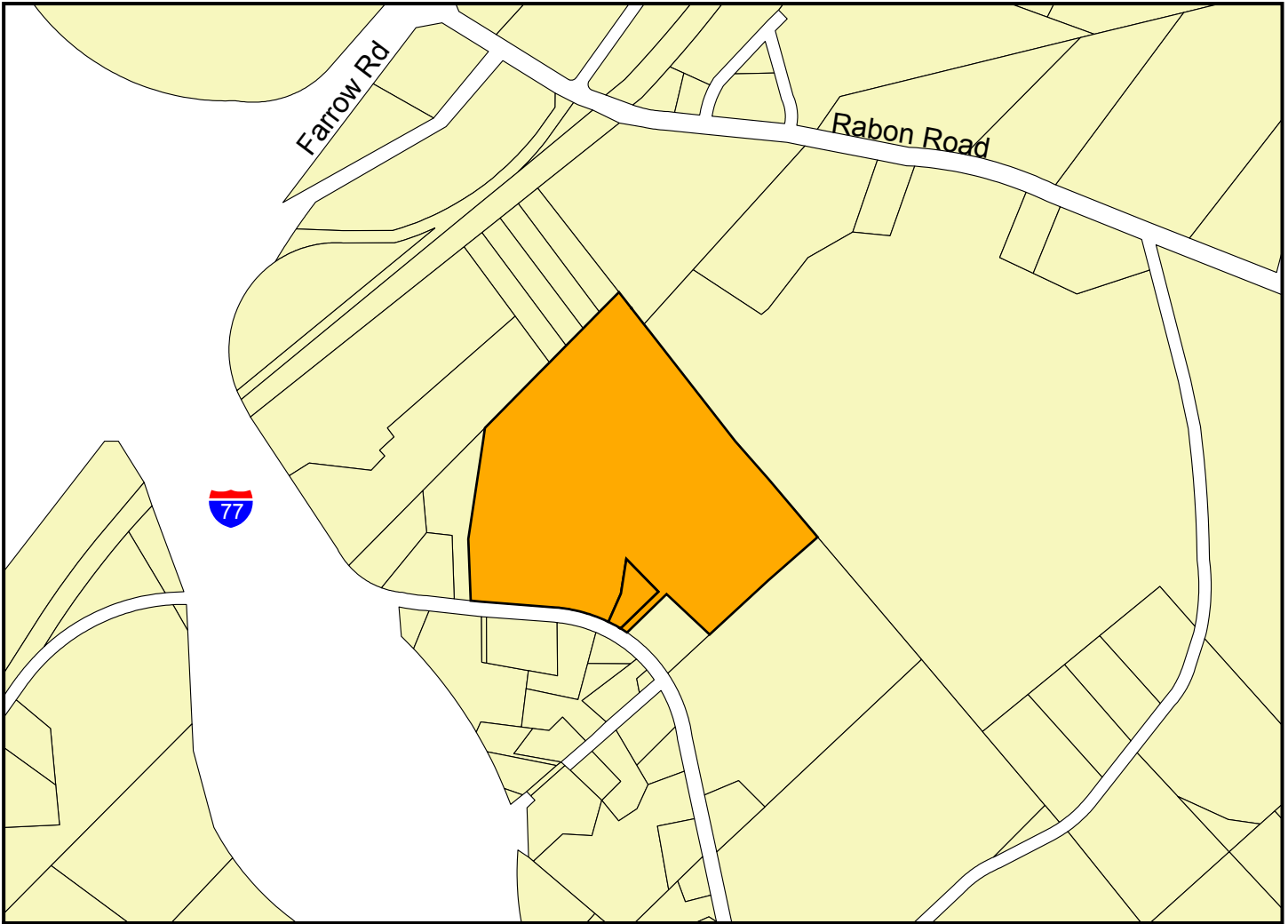
DESIGN: JRS
DRAWN: HCL
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APPROVED: [Signature]
PROPOSED SKETCH PLAN
PHASE II
PINNACLE POINT PARK



SD 04-208
PINNACLE POINT BUSINESS PARK, PH. 2
TMS 17108-01-06/07



SD 04-208 PINNACLE POINT BUSINESS PARK, PH. 2



Looking at site from Pinnacle Point Dr

Looking towards Rabon Rd. from site

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

May 3, 2004

Applicant: W. K. Dickson & Co.		Preliminary Subdivision Plans For: Seaton Ridge	
RC Project # : SD-04-218			
General Location: Rimer Pond Road, 1/2 mile west of Hardscrabble Road			
Tax Map Number: 20500-01-10/09 (p)		Number of Residences: 38	
Subject Area: 46.4 acres		Sewer Service Provider: Palmetto Utilities	
Current Zoning: RU		Water Service Provider: Private Well	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Rimer Pond Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	361	
Current Volume At The Nearest Count Station # 705 Located @ the subject site	1850	
Estimated Traffic Count With the Proposed Project	2211	
Volume-To-Capacity Ratio With The Proposed Project	0.26	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 705.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	8
Middle School @ 0.13 students per single family DU	5
High School @ 0.12 Students per single family DU	4

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

Existing Site Conditions

The site is undeveloped pasture land that contains an existing residence and a pond on the north side of the site. The existing residence will be incorporated into the proposed subdivision.

Compatibility with the Surrounding Area

The adjacent area is developed with estate sized residences. The 3/4 acre lot subdivision is a permitted use in the RU zoning district.

Discussion of Applicable Comprehensive Plan Issues

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

The I-77 Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Medium Density Residential on this Map. The proposed project is consistent with this land use designation.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a 0.8 DU/acre subdivision project located in an area designated for 5.0 to 9.0 DU/acre residential development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Attract quality residential development in the area by restricting uses which would compromise the area’s residential qualities

The proposed 3/4 acre lots subdivision will ensure above average housing prices due to the high land costs. The proposed project implements this Objective.

Principle –Mixed residential densities are appropriate within the Developing Urban Area...the Medium Density Residential project must have a minimum density of 5.0 DU/acre and a maximum density of 9.0 DU/acre

The proposed 0.8 DU/acre subdivision project located in an area designated for 5.0 to 9.0 DU/acre residential development **This project does not implement this Principle.**

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 38 unit single family detached subdivision, known as Seaton Ridge (Project # SD-04-218). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Rimer Pond Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project **is not consistent** with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the cited Objective in the I-77 Corridor Subarea Plan.
5. The project **does not implement** the cited Principle in the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
- c) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- d) The Department of Public Works must approve the stormwater management plans; **and**
- e) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- f) The County Fire Marshal commented that all roads in the subdivision must be a minimum of 26 feet of pavement and the cul-de-sacs must have a minimum radius of 45 feet; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) **No building permits shall be issued until all of the conditions cited above are met; and**
- i) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- j) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Sewer system; **and**
- k) A Final Plat can not be approved by the Department until the County accepts the road for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

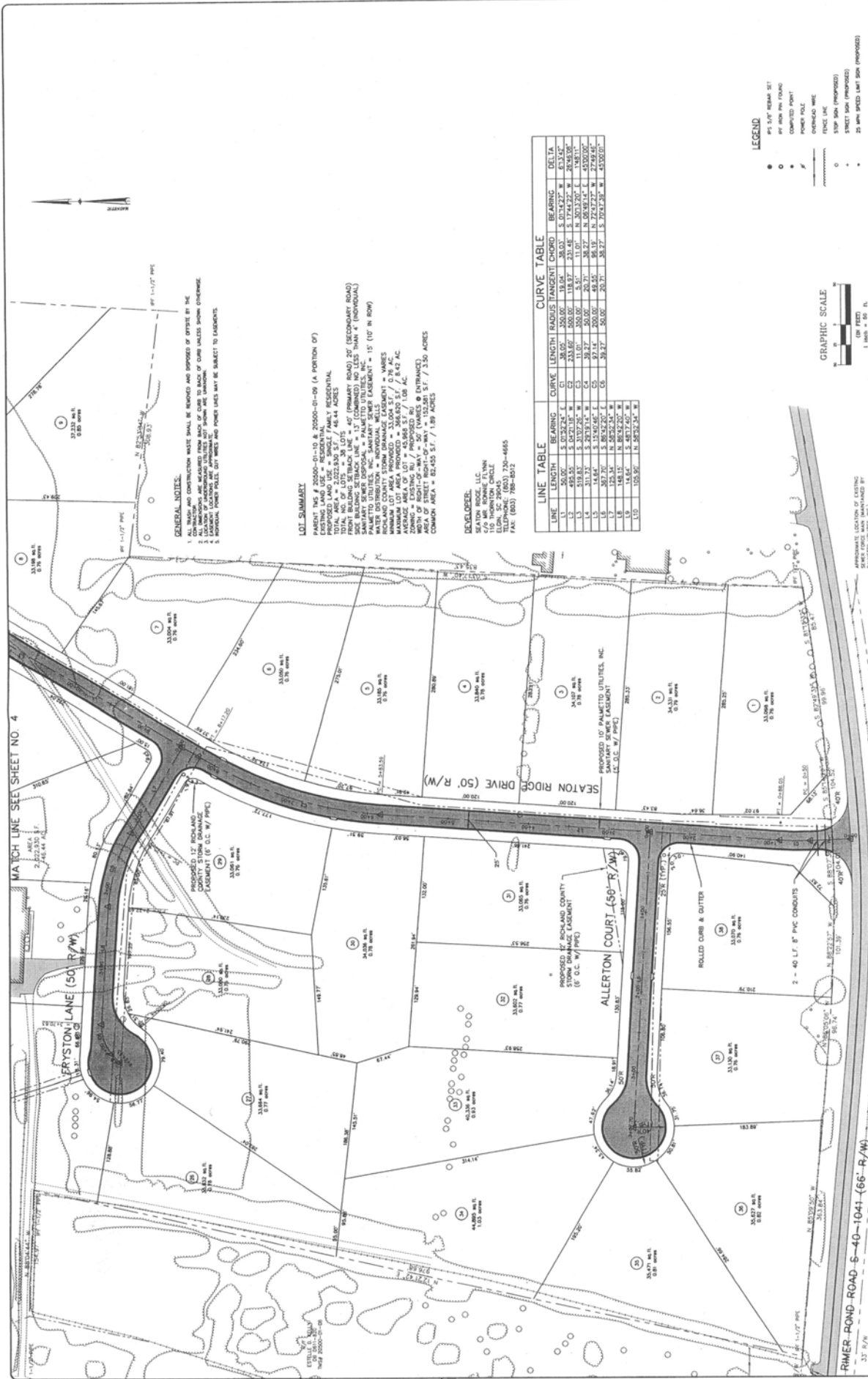
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

Appeal

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

Attachment A SD 04-218



GENERAL NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL AND STATE AUTHORITIES.
2. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
3. THE LOCATION OF UNDERGROUND UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR.
4. ALL UTILITIES SHALL BE DEEPENED AND REPAIRED TO MEET THE REQUIREMENTS OF THE LOCAL AND STATE AUTHORITIES.
5. INDIVIDUAL POWER POLES, DOT WRECK AND POWER LINES MAY BE SUBJECT TO EASEMENTS.

LOI SUMMARY

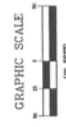
PARENT TWP # 20500-01-10 & 20500-01-09 (A PORTION OF)
 EXISTING LAND USE = RESIDENTIAL
 TOTAL AREA = 2,022,838 S.F. / 46.44 ACRES
 TOTAL NO. OF LOTS = 38
 TOTAL AREA OF LOTS = 1,100,000 S.F. / 25.23 ACRES
 SIZE BUILDING SETBACK LINE = 15' (COMBINED) NO LESS THAN 4' (INDIVIDUAL)
 PROPOSED 12' ROWLAND STORM DRAINAGE EASEMENT (S.O.C. W/ P/PE)
 PROPOSED 10' PALMETTO UTILITIES, INC. SANITARY SEWER EASEMENT = 15' (10' IN ROW)
 PALMETTO COUNTY STORM DRAINAGE EASEMENT = VARIES
 MINIMUM LOT AREA PROVIDED = 33,000 S.F. / 0.76 AC.
 AVERAGE AREA OF LOT = 28,947 S.F. / 0.66 AC.
 AREA OF STREET RIGHT-OF-WAY = 150,000 S.F. / 3.41 AC.
 COMMON AREA = 28,450 S.F. / 0.65 ACRES

DEVELOPER:
 SEATON RIDGE, LLC
 670 W. BOWNE BLVD
 LITTLE ROCK, SC 29045
 TEL: (803) 780-2032
 FAX: (803) 780-2032

LINE TABLE		CURVE TABLE		BEARING		DELTA	
LINE	LENGTH	CURVE	RADIUS	TANGENT	CHORD	BEARING	DELTA
L1	495.55	S 02°12'34" E	118.97	118.97	233.48	S 01°42'27" W	80.3342°
L2	233.48	S 01°42'27" W	233.48	233.48	233.48	S 17°45'27" W	20.24830°
L3	519.83	S 31°27'25" W	519.83	519.83	519.83	N 50°33'20" E	45.81810°
L4	11.00	S 00°00'00" W	11.00	11.00	11.00	N 27°43'27" W	27.43270°
L5	14.74	S 15°40'46" E	14.74	14.74	14.74	N 27°43'27" W	27.43270°
L6	502.70	S 89°24'20" E	502.70	502.70	502.70	S 27°43'27" W	45.81810°
L7	148.13	S 89°24'20" E	148.13	148.13	148.13	S 27°43'27" W	45.81810°
L8	148.13	S 89°24'20" E	148.13	148.13	148.13	S 27°43'27" W	45.81810°
L9	148.13	S 89°24'20" E	148.13	148.13	148.13	S 27°43'27" W	45.81810°
L10	105.99	N 28°52'34" W	105.99	105.99	105.99	N 28°52'34" W	45.81810°

LEGEND

- 1/2" DIA. REBAR SET
- 4" DIA. PIPE FOUND
- COMPUTED POINT
- POWER POLE
- OVERHEAD WIRE
- FENCE LINE
- STOP SIGN (PROPOSED)
- STREET SIGN (PROPOSED)
- 25 MPH SPEED LIMIT SIGN (PROPOSED)



0609-0
18
2
MAR 30 2

STAKING PLAN

SEATON RIDGE SUBDIVISION
 SEATON RIDGE, LLC
 NEAR COLUMBIA, RICHLAND COUNTY, SOUTH CAROLINA

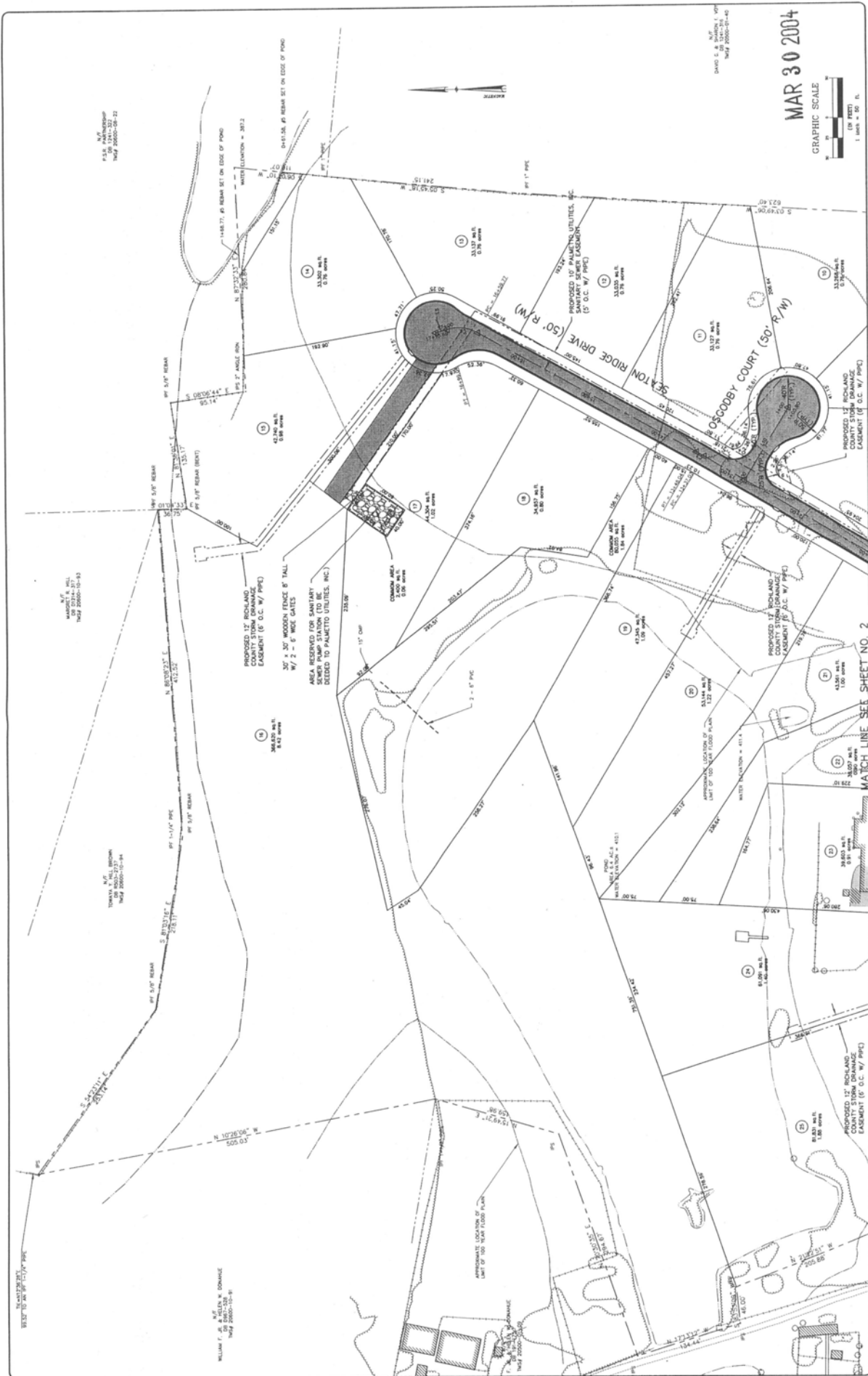


DATE	DATE
ISSUED FOR	DATE
BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE

WK DICKSON
 Surveying, Engineering & Construction
 1000 W. BOWNE BLVD
 LITTLE ROCK, SC 29045
 TEL: (803) 780-2032
 FAX: (803) 780-2032

PROJECT NO. 2020-01-10
 SHEET NO. 4 OF 4
 DATE: 03/25/2020

DATE	BY	DESCRIPTION



MAR 30 2004
 GRAPHIC SCALE
 1" = 40' H.L.

STAKING PLAN

SEATON RIDGE SUBDIVISION
 PROPOSED 17' RICHLAND COUNTY STORM DRAINAGE EASEMENT (18" O.C. W/ P/P/E)
 NEAR COLUMBIA, RICHLAND COUNTY, SOUTH CAROLINA

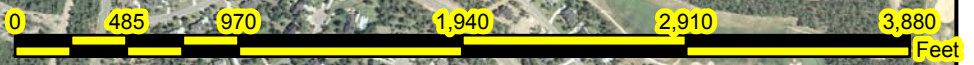
MATCH LINE SEE SHEET NO. 2

DATE		RELEASED FOR	

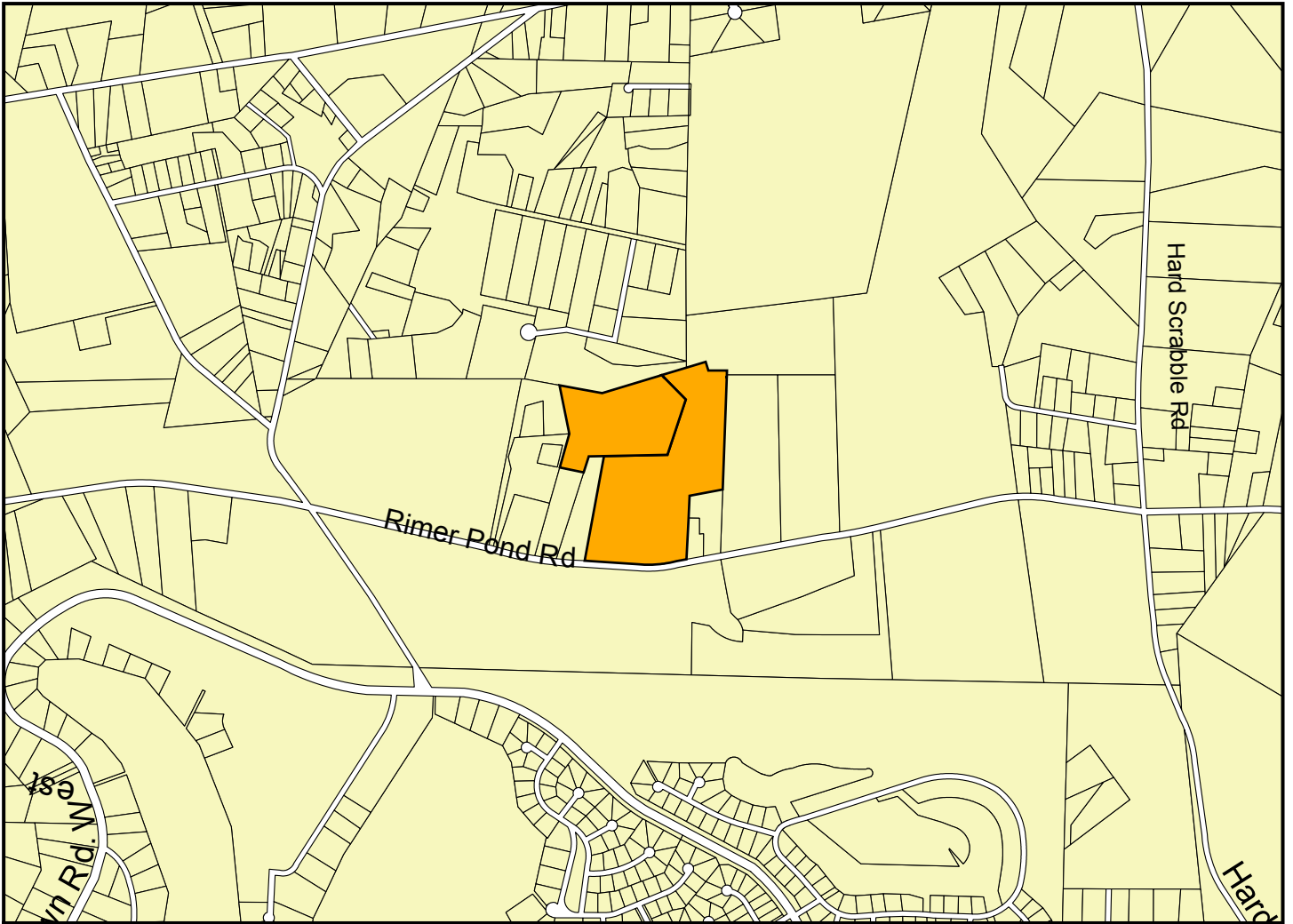
WK DICKSON
 Professional Engineer
 South Carolina

SD 04-218
SEATON RIDGE
TMS 20500-01-09/10

Site



SD 04-218 SEATON RIDGE



Looking at interior of site



Looking at Rimer Pond Rd. from site

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

May 3, 2004

Applicant: W.K. Dickson		Preliminary Subdivision Plans For: The Homestead	
RC Project # : SD-04-219			
General Location: North Side of Brickyard Road opposite Cedar Springs S/D			
Tax Map Number: 20100-02-29		Current Zoning: RS-2 (minimum 8500 sq. ft. lots)	
Subject Area: 44 acres	Number of Parcels: 89	Gross Density: 2.1 DU/acre	
Sewer Service Provider: City of Columbia		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Brickyard Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	846	
Current Volume At The Nearest Count Station # 445 Located @ at Sloan Road	9200	
Estimated Traffic Count With the Proposed Project	10,046	
Volume-To-Capacity Ratio With The Proposed Project	1.17	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

Brickyard Road in this location is currently at LOS D. The traffic generated by the proposed project will result in this portion of Brickyard Road having a LOS E.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	18
Middle School @ 0.13 students per single family DU	12
High School @ 0.12 Students per single family DU	11

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

Existing Site Conditions

The subject site has a mixture of pine trees and hardwood trees. There is a significant downward change in elevation at the rear (north) side toward a wetland and a creek that feeds into a lake west of Hardscrabble Road in the Villages @ Lakeside S/D.

Compatibility with the Surrounding Area

The well-established Cedar Springs subdivision is across Brickyard Road from the site and another subdivision is across the creek to the north.

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Medium Density Residential in the Established Urban Area on this Map.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a low density (2.1 DU/acre) subdivision located in an area designated for medium density residential development, i.e., 5.0 to 9.0 DU/acre. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

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

The subject project includes 12 acres of common area/open space, approximately 27 percent of the site, and an average lot size of 11,227 sq. ft. The proposed project implements this Objective.

Principle – The Established Urban Area should contain overall higher density levels...and these density levels should conform to the Proposed land Use Map

The RS-2 zoning district has a gross density of 5.1 DU/ acre (43,560 sq. ft. per acre divided by the minimum lot size of 8500 sq. ft.) The applicant has chosen to build a project with a gross density of the project is 2.1 DU/acre. In other words, the applicant has chosen to build at a gross density less than half of the required minimum density on the Map. The subject project **does not implement** this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

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

The Department believes that a potential safety hazard exists when subdivision lots have double frontage, i.e., access to both the interior residential streets and the adjacent roadways. Therefore in order to promote adequate pedestrian and vehicular safety in subdivisions as required by state law, it is necessary to ensure such lots have access only from the interior residential streets. To this end, the developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Brickyard Road from lots 89, 1, 2, 3, 42, 43 and 44.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 89 unit single family detached subdivision, known as The Homestead (Project # SD-04-219). **The preliminary plans are not officially approved until there is substantial compliance with**

all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:

Findings of Fact

1. The traffic generated by the proposed project will result in this portion of Brickyard Road having a LOS E.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project **is not consistent** with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objective of the Northeast Subarea Plan.
5. The proposed project **does not implement** the relevant Recommendations of the Northeast Subarea Plan.

Specific Conditions

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The County Fire Marshal requires all subdivision streets have a minimum of 26 feet of pavement and cul-de-sacs to have a minimum radius of 45 feet; **and**
- f) The City of Columbia must approve the water and sewer line construction plans; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) DHEC must issue the water line construction permits; **and**
- i) The developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Brickyard Road from lots 89, 1, 2, 3, 42, 43 and 44; **and**
- j) **No building permits shall be issued until all of the conditions cited above are met; and**
- k) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- l) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
- m) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water and sewer line easement documents; **and**
- n) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- o) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable phase by phase; **and**
- p) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

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

Attachment A SD 04-219

D-4115
2
20



STAKING PLAN

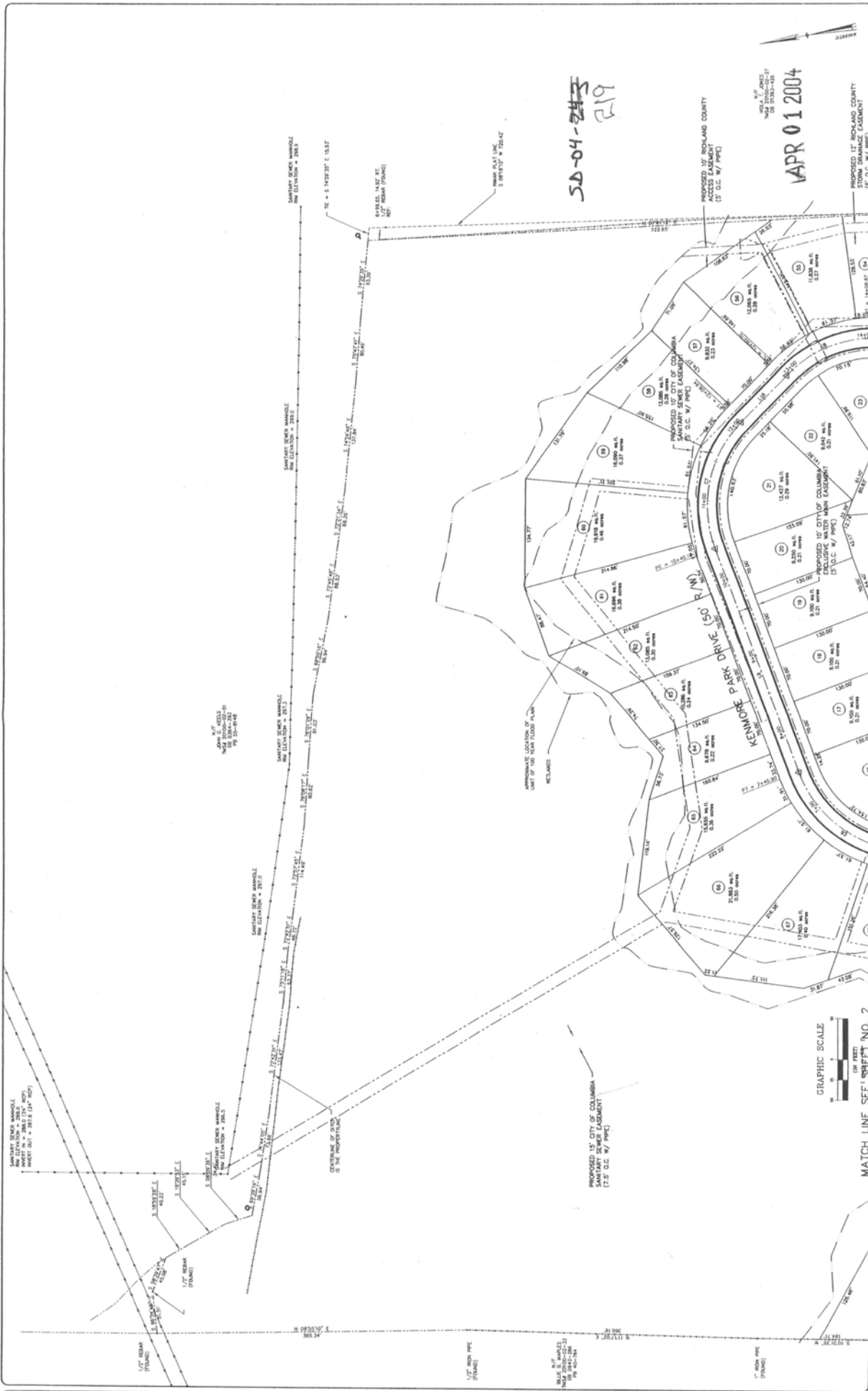
THE HOMESTEAD SUBDIVISION
BRICKYARD 44, LLC
NEAR COLUMBIA, RICHLAND COUNTY, SOUTH CAROLINA



DATE	RELEASED FOR
APPROVAL	
DRAWING	
CONSTRUCTION	
RECORD	



PROJECT	DATE
DRAWN BY	
CHECKED BY	
SCALE	
REVISIONS	



3 20

STAKING PLAN

THE HOMESTEAD SUBDIVISION
PREPARED FOR
BRICKYARD 44, LLC
NEAR COLUMBIA, RICKLAND COUNTY, SOUTH CAROLINA

CAROLINA SURVEYING & ENGINEERING, INC. PROFESSIONAL SEAL NO. 60917

RELEASED FOR:	DATE:
AS SHOWN	
FOR CONSTRUCTION	
FOR RECORD	

BY:	DATE:
DESIGNED	
CHECKED	
DRAWN	
NOTED	

DATE PLOTTED: 03/27/2004 11:18 AM
PLOT BY: JEFFREY W. HARRIS
JOB NO: 04-0243
PROJECT: BRICKYARD 44, LLC

WK DICKSON
COMMUNITY DEVELOPMENT CONSULTANTS

1" = 40' (ROUND)
1" = 80' (ROUND)

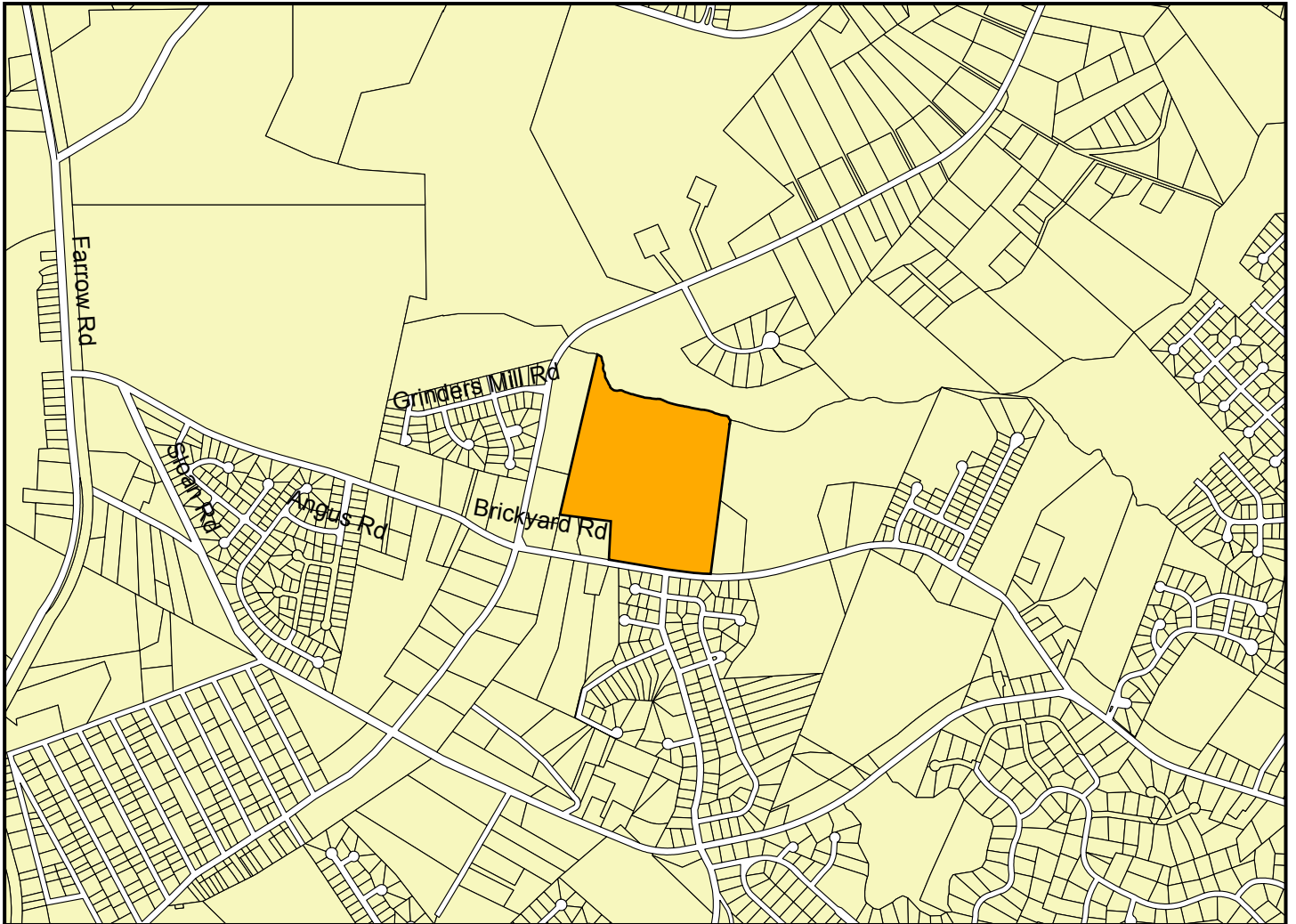
SD 04-219
THE HOMESTEAD
TMS 20100-02-29



Site ←



SD 04-219 THE HOMESTEAD



Looking at site from Cedar Springs S/D

Looking from site towards Cedar Springs S/D

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

May 3, 2004

Applicant: Kris Feldner		Minor Subdivision Plans For:	
RC Project # : SD-04-226		Hollingshed Estates	
General Location: Kennerly Rd @ Old Tamah Road			
Tax Map Number: 04300-04-35		Number of Residences: 3	
Subject Area: 11.7 acres		Sewer Service Provider: Septic Tank	
Current Zoning: RU		Water Service Provider: Private Well	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Kennerly Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	27	
Current Volume At The Nearest Count Station # Located @	Not Counted	
Estimated Traffic Count With the Proposed Project	NAp	
Volume-To-Capacity Ratio With The Proposed Project	NAp	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project will not generate any significant amount of traffic on this portion of Kennerly Road.

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

The site slopes downward to the south and east. The site is vegetated with small diameter pine trees. There is a vacant barn on the site.

Compatibility with the Surrounding Area

The proposed project will have an average lot size of 3.5 acres with a single access point to Kennerly Road. The project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Rural/Undeveloped on this Map. The proposed project is consistent with this land use designation.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 38 respectively, are discussed below:

Objective – In areas with environmentally sensitive lands of limited infrastructure, low density development is encouraged

The proposed project implements this Objective.

Principle – None Applicable

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the minor subdivision plans for a 3 unit single family detached subdivision, known as Hollingshed Estates (Project # SD-04-226). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

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

Specific Conditions

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The Department of Public Works must approve the stormwater management plans; **and**
- c) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- d) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit until the Department receives a copy of the **recorded** Final Plat; and
- e) **No building permits shall be issued until all of the conditions cited above are met.**

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

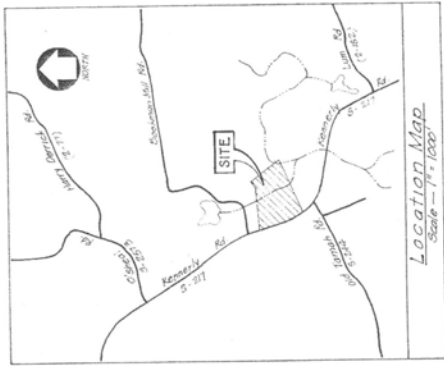
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- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
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- (c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

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

Attachment A SD 04-226



- Notes:
- 3 Lots Total Area = 11.07 Acres
 - Zoned R-1U
 - Plan Map No. 04300-04-46
 - P.L.M. No. 25079C00408, July 17, 1995
 - Established based on N.G.S. Quad Sheet - 19076, S. 1911, N.O.V.D. 1959 Datum.
 - The same being shown on Map of 11.06 Ac. for Eloyim Derrick owned by Millidge Nelson, P.C.S., dated June 25, 1996.

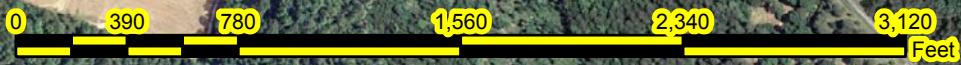


STATEMENTS: I, the undersigned, being a duly qualified and licensed Professional Engineer, do hereby certify that the above is a true and correct copy of the original as shown to me, and that the same has been prepared in accordance with the requirements of the laws of the State of South Carolina, and that the same has been prepared in accordance with the requirements of the laws of the State of South Carolina, and that the same has been prepared in accordance with the requirements of the laws of the State of South Carolina.

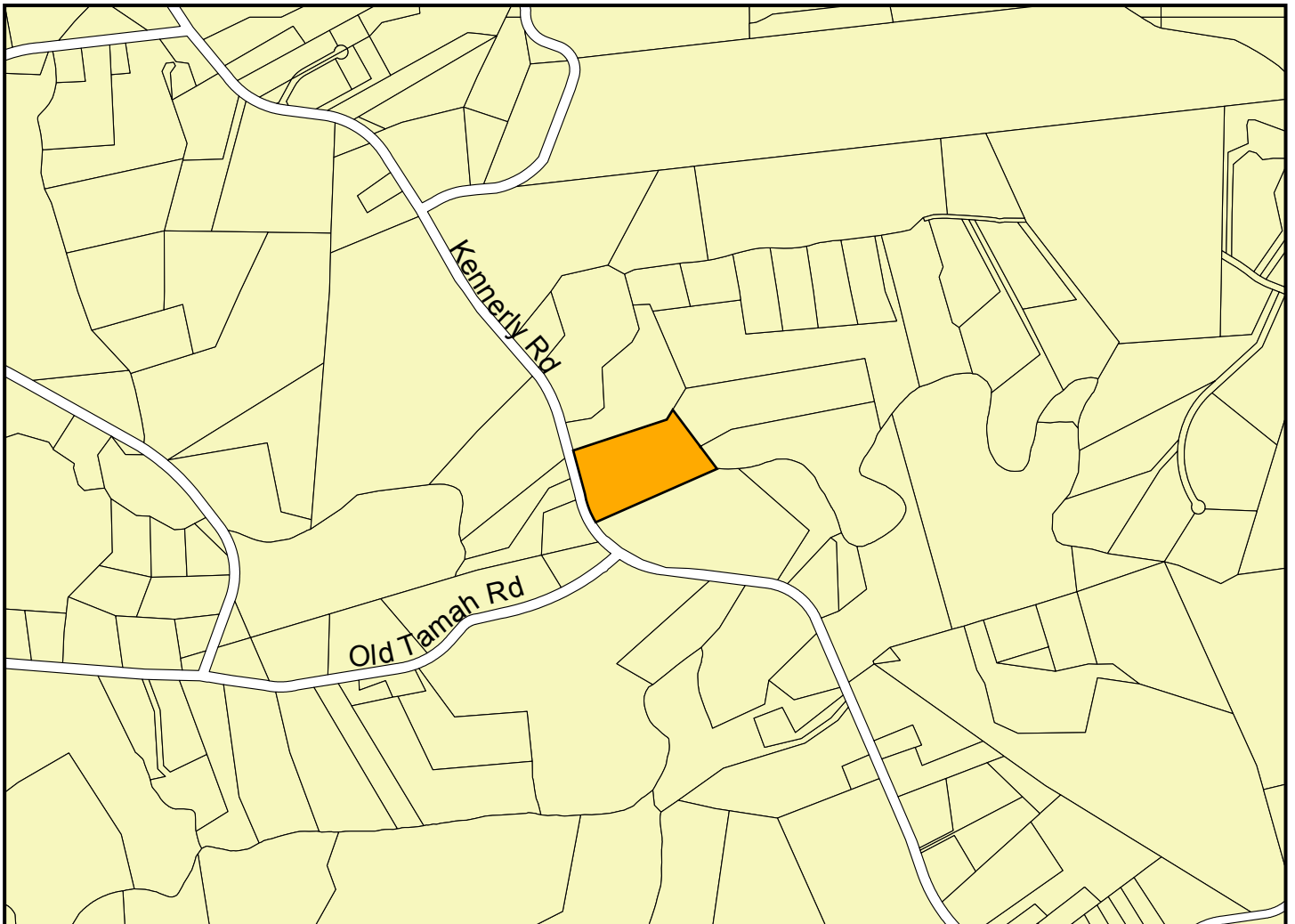
John P. Hill
LICENSED ENGINEER
SOUTH CAROLINA
NO. 11000
ISSUED 11/2003
RENEWED 11/2003



SD 04-226
HOLLINGSHEED ESTATES
TMS 04300-04-46



SD 04-226 HOLLINGSHEED ESTATES



Looking at interior of the site



Looking at site from Kennerly Rd.

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

May 3, 2004

Applicant: Steve Corboy		Preliminary Subdivision Plans For: Killian Station & Hester Woods
RC Project # : SD-04-236		
General Location: Between Clemson Rd and Hardscrabble Rd, 1/2 mile south of Clemson Rd		
Tax Map Number: 20200-04-02/04/05		Number of Residences: 172
Subject Area: 122.6 acres	Sewer Service Provider: City of Columbia	
Current Zoning: PUD	Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Killian Station Gets Its Access From	Clemson Road	
Hester Woods Gets Its Access From	Hardscrabble Road	
Functional Classification Of Clemson Road	Five Lane Undivided Minor Arterial	
Functional Classification Of Hardscrabble Road	Two Lane Undivided Collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	24,800	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By Killian Station	722	
Estimated Traffic Generated By Hester Woods	912	
Current Volume At The Nearest Clemson Rd Count Station # 442 *	9400	
Current Volume At The Nearest Hardscrabble Rd Count Station # 438 **	15,900	
Estimated Traffic Count With the Proposed Project	10,122	
Estimated Traffic Count With the Proposed Project	16,812	
Volume-To-Capacity Ratio With The Proposed Project	0.41	
Volume-To-Capacity Ratio With The Proposed Project	1.95	

* Clemson Road Count Station Almost Opposite the Site

** Hardscrabble Rd County Station Almost At Farrow Rd – approx. 1 mile south of the site

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at the Clemson Road SCDOT Count Station. Hardscrabble Road already operates at far below the LOS F level at the SCDOT Count Station near Farrow Rd.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	34
Middle School @ 0.13 students per single family DU	22
High School @ 0.12 Students per single family DU	21

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

Existing Site Conditions

Both subdivisions are situated in the upland areas adjacent to the Barton Creek floodway. The City of Columbia will provide water and sewer service to both subdivisions.

Compatibility with the Surrounding Area

The proposed subdivisions are substantially consistent with the requirements of the Planned Unit Development adopted by Ordinance 60-03 HR on October 21, 2003.

Discussion of Applicable Comprehensive Plan Issues

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

The I-77 Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Medium Density Residential on this Map. **The proposed project is not consistent with this land use designation.**

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a 1.4 DU/acre residential project located in an area designated for 5.0 to 9.0 DU/acre residential development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map. **Even though the County rezoned the entire project to PUD, the I-77 Corridor Subarea Plan Proposed Land Use Map was not changed to a residential as required by state law.**

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – None Applicable

Principle –In environmentally sensitive areas, the Plan encourages the use of large land tract site design and planning in conjunction with PDD or PUD zoning.

The proposed subdivisions are part of a PUD approved by the Council County on October 21, 2003. This project implements this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

The applicant proposes to construct two subdivisions separated by a substantial floodplain/wetland/common area. The Killian Station subdivision, a patio home project with a density of 1.78 DU/acre, will have its direct access to Clemson Road. The Hester Woods subdivision, a conventional subdivision with a density of 2.67 DU/acre, will have its direct access to Clemson Road.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary subdivision plans for 172 unit single family detached residences, known as Killian Station & Hester Woods (Project # SD-04-236). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The proposed project, by itself, will not result in the LOS C being exceeded at the Clemson Road SCDOT Count Station # 440. Hardscrabble Road already operates at far below the LOS F level at the SCDOT Count Station near Farrow Rd.
2. The proposed subdivision is compatible with existing development in the area.
3. The project is **not consistent** with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The County Fire Marshal requires all subdivision streets have a minimum of 26 feet of pavement and cul-de-sacs to have a minimum radius of 45 feet; **and**
- f) The City of Columbia must approve the water and sewer line construction plans; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) DHEC must issue the water line construction permits; **and**
- i) **No building permits shall be issued until all of the conditions cited above are met; and**
- j) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- k) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
- l) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water and sewer line easement documents; **and**
- m) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- n) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

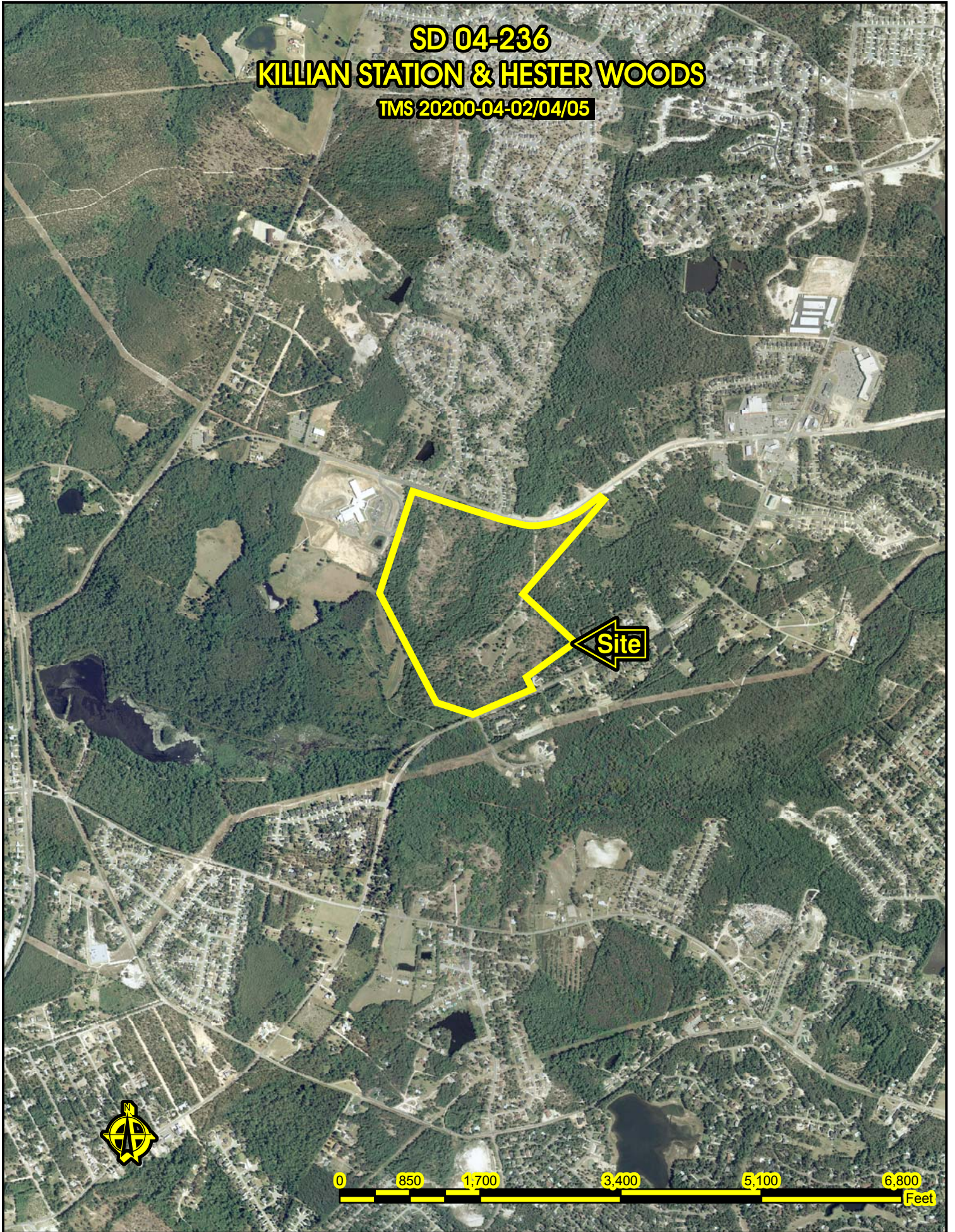
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- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or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

Appeal

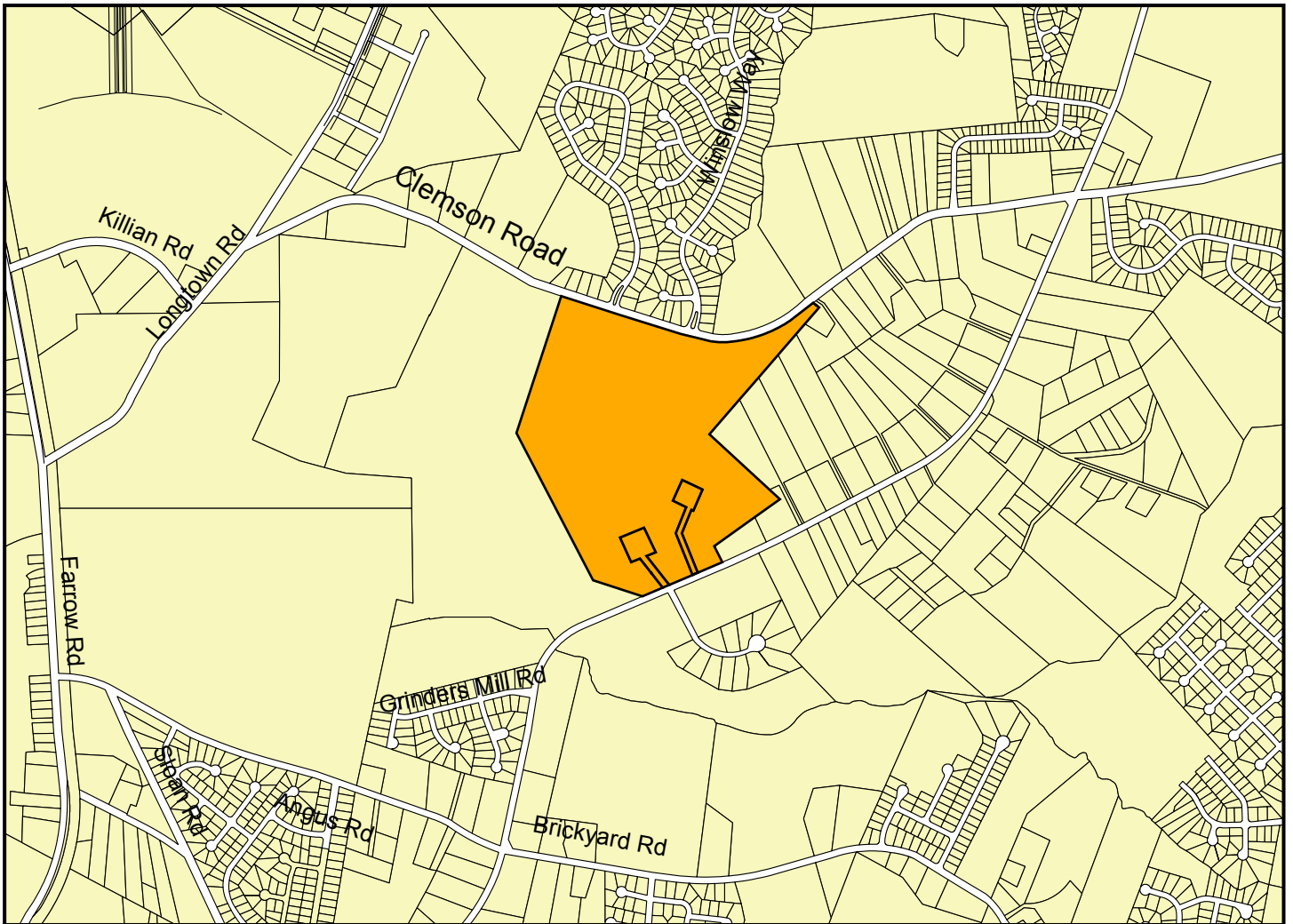
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SD 04-236
KILLIAN STATION & HESTER WOODS
TMS 20200-04-02/04/05



SD 04-236

KILLIAN STATION & HESTER WOODS



Looking at site from Whitehurst S/D

Looking at site across Hardscrabble Rd.
from Wild Azalea Ct.

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

May 3, 2004

Applicant: The Mungo Company	Preliminary Subdivision Plans For:	
RC Project # : SD-04-238	Longtown Place, Phase 1 & 2	
General Location: Villages @ Longtown		
Tax Map Number: 17500-03-42 (p)	Number of Residences: 72	
Subject Area: 24.5 acres	Sewer Service Provider: City of Columbia	
Current Zoning: PUD-2	Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Longtown Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	684	
Current Volume At The Nearest Count Station # 711 Located @ South of Lee Road	4000	
Estimated Traffic Count With the Proposed Project	4684	
Volume-To-Capacity Ratio With The Proposed Project	0.54	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project, by itself, will not result in the LOS C being exceeded at count station # 711. However, **the Department estimates that upon completion of the Villages @ Longtown project, the traffic on Longtown Road will far exceed the minimum LOS F level.**

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	14
Middle School @ 0.13 students per single family DU	9
High School @ 0.12 Students per single family DU	8

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

Existing Site Conditions

The site contains scrub oak and pine trees. City of Columbia water and sewer service is available to the site.

Compatibility with the Surrounding Area

The proposed project is consistent with the PUD Conceptual Plan, Ordinance # 64-02 HR, for the project now known as Villages @ Longtown

Discussion of Applicable Comprehensive Plan Issues

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

The I-77 Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Industrial on this Map.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a residential project located in an area designated for industrial development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map. **Even though the County rezoned the entire project to PUD-2, the I-77 Corridor Subarea Plan Proposed Land Use Map was not changed to a residential as required by state law.**

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Accommodate in certain higher density residential areas, a full range of housing opportunities, to meet the various needs of area residents

The proposed project will have a density of 2.93 DU/acre. The proposed project implements this Objective.

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map

The proposed project is a subdivision in an area designated for industrial development. This project does not implement this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Department had not received the Public Works Dept. approval of the stormwater management plans.
- 2) As of April 16, 2004, the Floodplain Manager had not approved the flood elevation statement.
- 3) As of April 16, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of April 16, 2004, DHEC had not issued a construction permit for the sewer lines.
- 5) As of April 16, 2004, DHEC had not issued a construction permit for the water lines.

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

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 72 unit single family detached subdivision, known as Longtown Place, Phase 1 & 2 (Project # SD-04-238), **subject to compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity. **The Department estimates that upon completion of the Villages @ Longtown project, the traffic on Longtown Road will far exceed the minimum LOS F level.**

2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project **is not consistent** with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives of the I-77 Corridor Subarea Plan.
5. The proposed project **does not implement** the relevant Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The front yard setback shall be a minimum of 25 feet from the street right-of-way; the side yard setbacks shall total 12 feet with a minimum of 6 feet; the rear yard setback shall be a minimum of 20 feet and the maximum lot coverage shall be 50 percent; and
- b) The Department of Public Works (must approve the stormwater management plans; and
- c) The Flood Hazard Coordinator must approve the flood elevation statement; and
- d) The City of Columbia must approve the water and sewer line construction plans; and
- e) DHEC must issue the sewer line construction permits; and
- f) DHEC must issue the water line construction permits; and
- g) No site clearance activity shall commence until this Department has issued a Land Disturbance Permit. Contact Sean Busbee @ 576-2171 for more details; and
- h) No building permits shall be issued until all of the conditions cited above are met; and
- i) Plats shall not be approved for recording until the City of Columbia approves the water & sewer line easement documents; and
- j) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; and
- k) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water & sewer line easement deeds **AND (2)** the County accepts the roads for maintenance; and
- l) The County will not issue any Certificates of Occupancy until the Department receives a copy of the DHEC Permit To Operate the water system **and** the DHEC Permit To Operate the sewer system

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

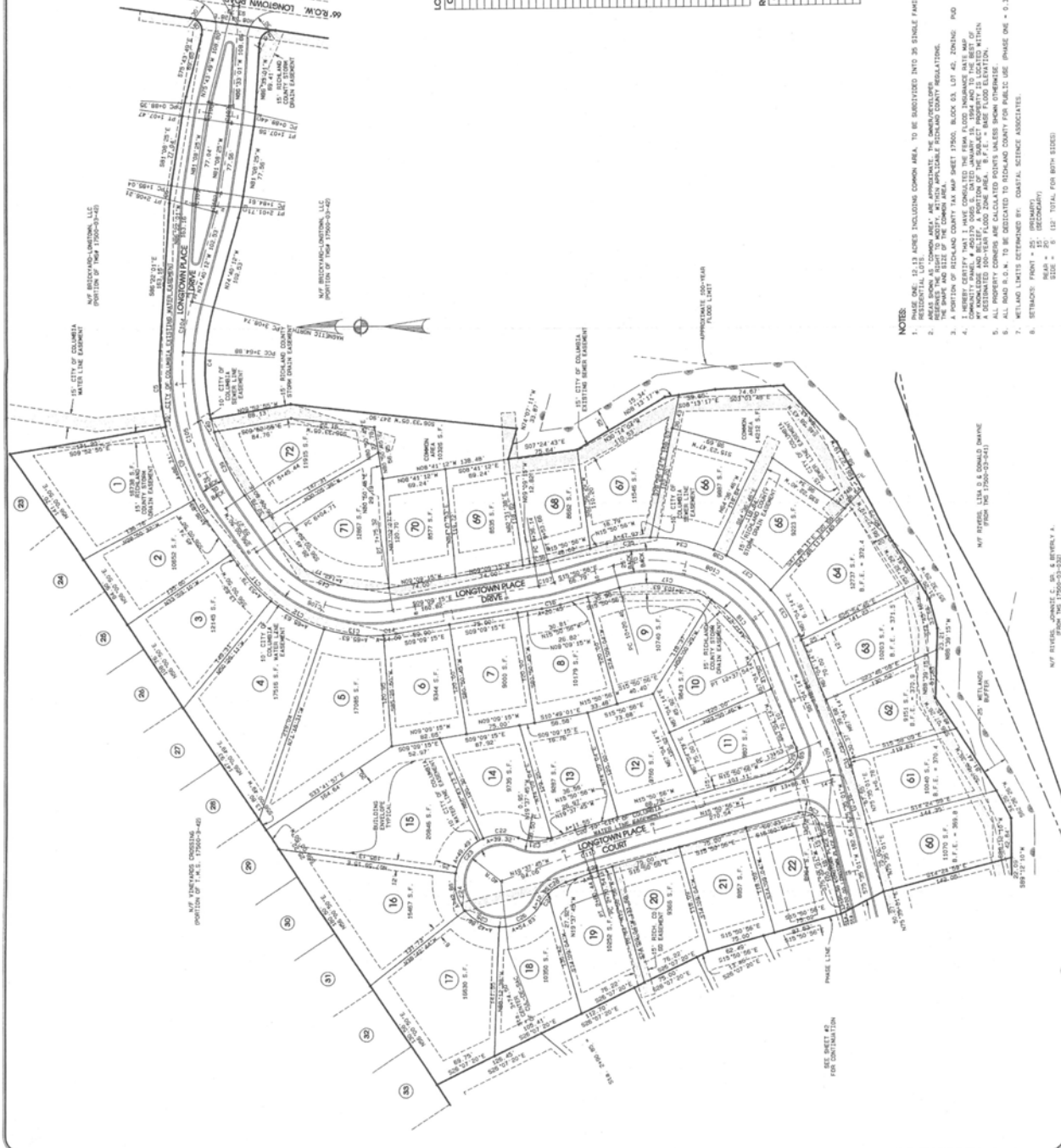
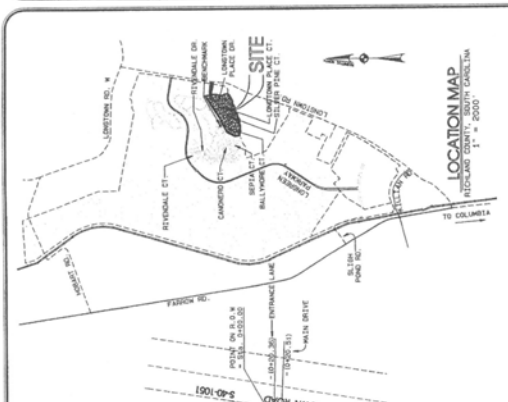
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

Appeal

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

Attachment A SD 04-238

	CIVIL ENGINEERING OF COLUMBIA CONSULTING ENGINEERING, SURVEYING AND PLANNING 3508 FERNANDINA ROAD, COLUMBIA, SOUTH CAROLINA 29210 (803) 798-8524 FAX: (803) 798-9254	PROJECT NO. 03062	DRAWING NO. STAGING & ALIGNMENT PLAN	DATE 02-16-14	SCALE 1" = 50'	SHEET 1 OF 16
	REVISION NO. DATE DESCRIPTION					



LOT LINE CURVE TABLE

CURVE	ARC	CHORD BEARING	BACKSIGHT	SIGHT	CHORD	TANGENT
1	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
2	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
3	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
4	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
5	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
6	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
7	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
8	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
9	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
10	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
11	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
12	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
13	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
14	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
15	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
16	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
17	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
18	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
19	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
20	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
21	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
22	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78

ROAD CENTERLINE CURVE DATA

CURVE	ARC	CHORD BEARING	BACKSIGHT	SIGHT	CHORD	TANGENT
1	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
2	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
3	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
4	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
5	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
6	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
7	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
8	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
9	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
10	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
11	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
12	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
13	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
14	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
15	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
16	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
17	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
18	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
19	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
20	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
21	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78
22	15.31	S 77.41° E 33.24	S 16.81° E 16.78	S 77.41° E 16.78	33.24	16.78

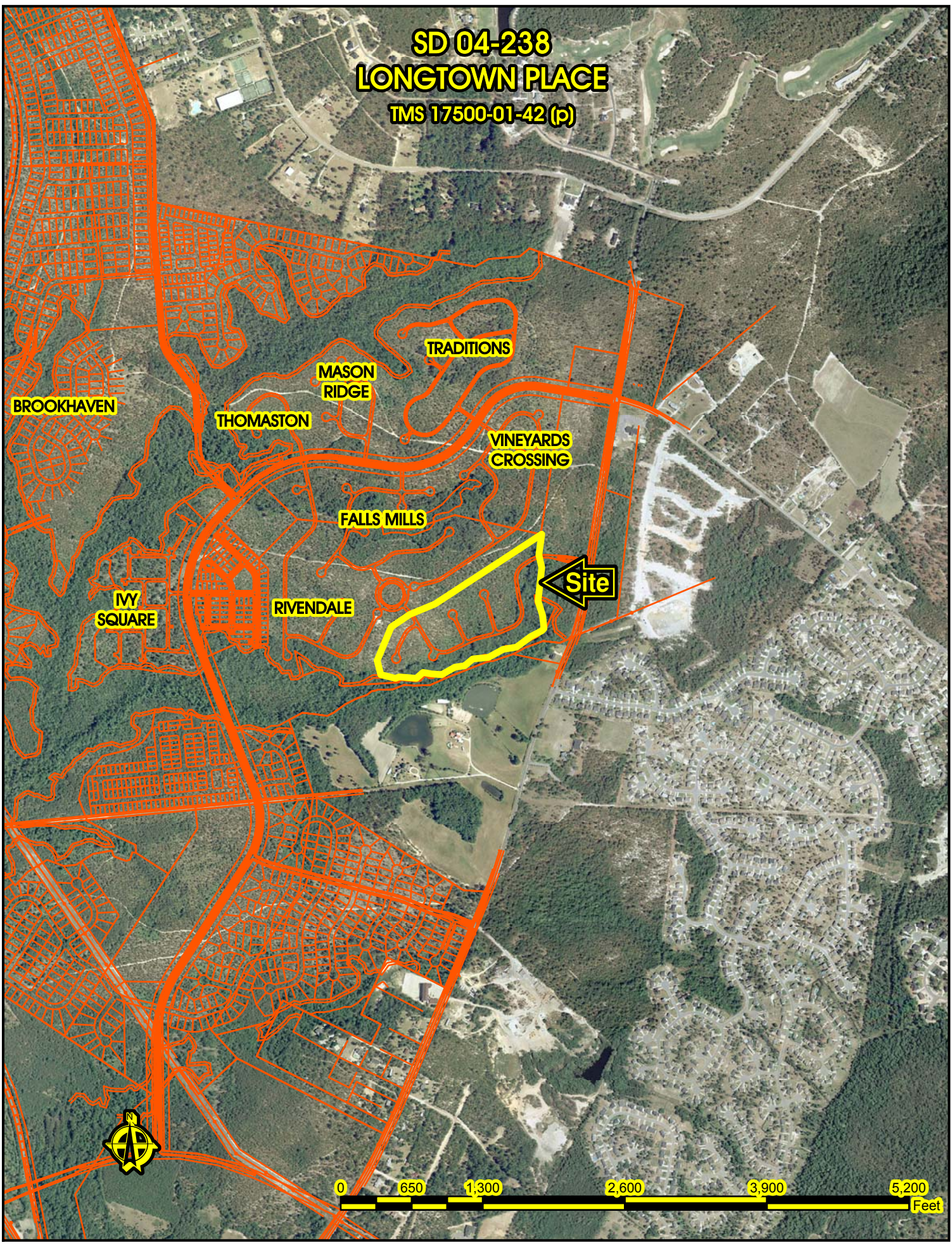
PHASE ONE
LONGTOWN PLACE
 RICHLAND COUNTY, S.C.

NOTES:

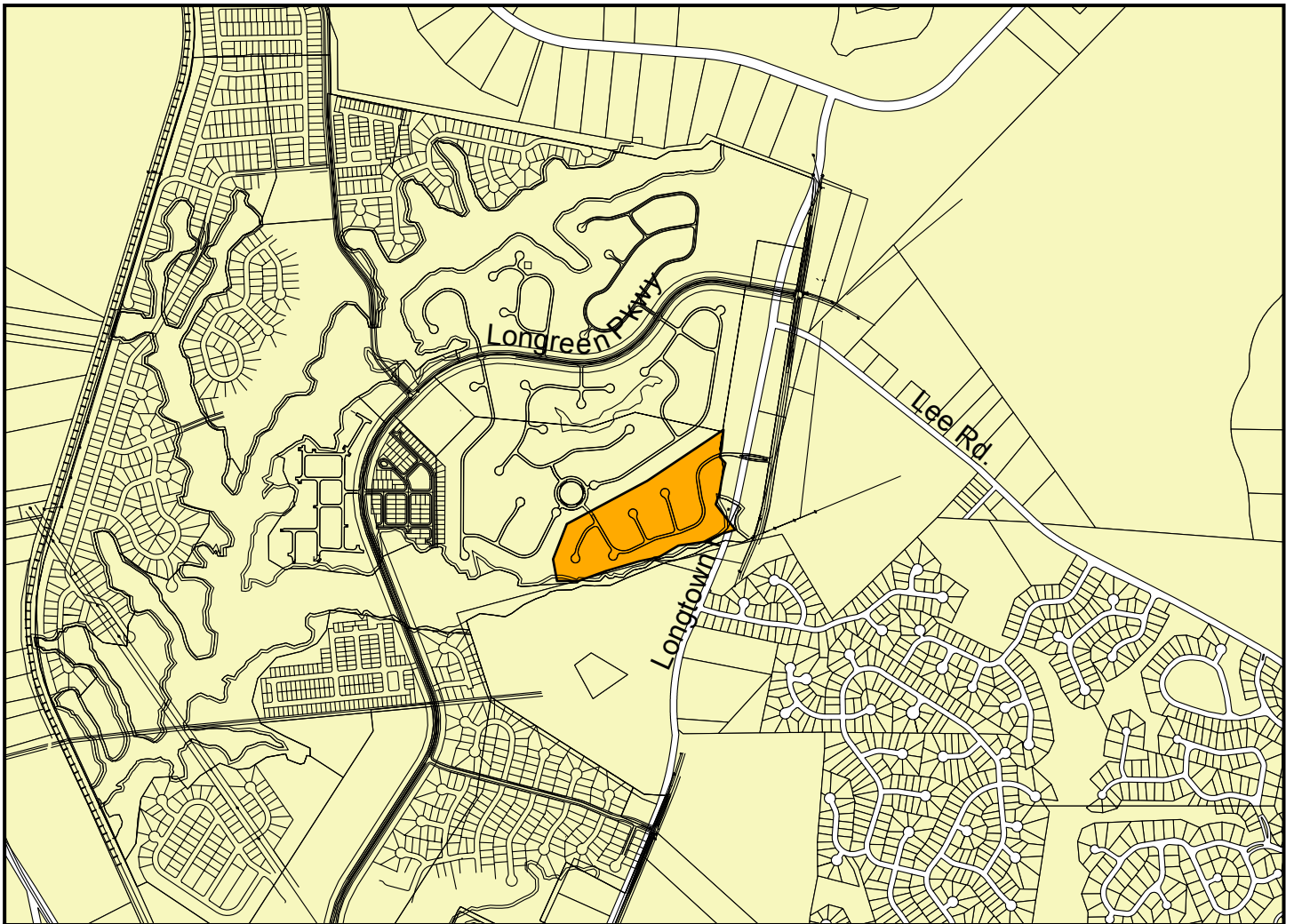
- PHASE ONE, 12.13 ACRES INCLUDING COMMON AREA, TO BE SUBDIVIDED INTO 26 SINGLE FAMILY AREAS SHOWN AS "COMMON AREA" ARE APPROXIMATELY THE SHOWN/DEVELOPED.
- THE SHAPES AND SIZES OF THE COMMON AND SUBDIVISION ARE APPROXIMATELY AS SHOWN ON THIS PLAN. THE SHAPES AND SIZES OF THE COMMON AND SUBDIVISION ARE APPROXIMATELY AS SHOWN ON THIS PLAN.
- A PORTION OF RICHLAND COUNTY TRAC MAP SHEET 17506, BLOCK 2A, LOT 42, ZONING PUD 42A, MEETING AT THE CORNER OF LONGTOWN PLACE AND LONGTOWN PLACE, IS TO BE ABANDONED TO THE WEST OF THE COMMON AREAS SHOWN ON THIS PLAN AND TO THE WEST OF LONGTOWN PLACE.
- PROPERTY CORNERS ARE CALCULATED BASED UPON 1988 AND TO THE BEST OF OUR KNOWLEDGE AND BELIEF. THE SHOWN AREAS AND BOUNDARIES ARE BASED UPON AN ESTIMATED 100-YEAR FLOOD ZONE PER 1988. THE P.L. ARE MADE FLOOD ELEVATION.
- ALL PROPERTY CORNERS ARE CALCULATED POINTS UNLESS SHOWN OTHERWISE.
- ALL ROAD R.O.M. TO BE DEDICATED TO RICHLAND COUNTY FOR PUBLIC USE PHASE ONE - 0.37 ACRES.
- SETBACK LIMITS DETERMINED BY: COMETA SETBACK ASSOCIATE.
 - FRONT - 10' (SECCORP)
 - REAR - 10' (SECCORP)
 - SIDE - 5' (SECCORP)
 - MIN. TOTAL FOR BOTH SIDES
- BY: REVIEWS, JENNIFER L. DR. & BENTLEY A. FROM THE 17506-03-100

SCALE: 1" = 50'

SD 04-238
LONGTOWN PLACE
TMS 17500-01-42 (p)



SD 04-238 LONGTOWN PLACE



Looking at site



Looking at site

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

May 3, 2004

Applicant: Bill Walkup		Minor Subdivision Plans For: Renaissance Park, Phase B	
RC Project # : SD-04-239			
General Location: Alpine Road and Two Notch Road			
Tax Map Number: 17114-01-25		Current Zoning: C-3	
Subject Area: 7.9 acres	Number of Parcels: 5	Gross Density: NAp	
Sewer Service Provider: East Richland		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Two Notch Road	
Functional Classification Of This Roadway	Five Lane Undivided Principal Arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	1541	
Current Volume At The Nearest Count Station # 113 Located @ just south of the I-77 interchange	32,700	
Estimated Traffic Count With the Proposed Project	33,241	
Volume-To-Capacity Ratio With The Proposed Project	0.99	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying 195.1 average weekday trips per acre for an office park (See page 1051 of the ITE Traffic Generation Manual (5th Edition).

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

The proposed project will result in the LOS C being reached at SCDOT count station 113.

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

The site slopes downward to the west away from Two Notch Road. A portion of Alpine Circle has been completed. Water, sewer and drainage easements are already in place. There are very few trees on the site.

Compatibility with the Surrounding Area

Lot 1 of the proposed project has a newly constructed office. Lots 1 and 2 within the hatched lines are already occupied with medical offices. The Atrium Way Apartments project is adjacent to the site on the west. The proposed project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as General Commercial on this Map. The proposed project is consistent with this land use designation.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use

The subject project is an expansion of an existing office park. The project has an access point at the Alpine Road/Two Notch Road intersection. The proposed project implements this Objective.

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

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

The proposed project meets all three of these criteria. This project implements this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

The water, sewer and stormwater facilities approvals may NOT be necessary. The agency comments regarding this project will determine whether additional approvals are necessary.

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

The title on the proposed plat must be changed to read “ Renaissance Park, Phase B”. Since this is a minor subdivision, a one-step review process, all of the lot corners must be pinned prior to approval of the plat for recording.

The proposed project concerns only Parcel B. Parcels D and E may not be divided without completion of the minor subdivision process.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends **conditional approval** of the minor subdivision plans for a 5 parcel commercial subdivision, known as Renaissance Park, Phase B (Project # SD-04-239). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The proposed project will result in the LOS C being reached at SCDOT count station 113.
2. The proposed subdivision is compatible with existing development in the area.
3. The project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

Specific Conditions

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
- c) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- d) The Department of Public Works must approve the stormwater management plans; **and**
- e) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- f) The County Fire Marshal must approve the project; **and**
- g) The City of Columbia must approve the water line construction plans, if appropriate; **and**
- h) DHEC must issue the sewer line construction permits; **and**
- i) DHEC must issue the water line construction permits; **and**
- j) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents, if appropriate; **and**
- k) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording, if appropriate; **and**
- l) A Certificate of Occupancy shall **not** be issued for any building in Phase B until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- m) Chapter 22-70 (c) of the County Code prohibits the County from issuing any Building Permit in Phase B until the Department receives a copy of the recorded Final Plat; **and**
- n) No property transfers may be negotiated, or sold, until the Department receive a copy of the recorded Final Plat; **and**
- o) Neither parcel D nor Parcel E may be divided without completion of the minor subdivision process.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal


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

Attachment A SD 04-239

540 ST. ANDREWS ROAD, COLUMBIA, SC 29210 ■ (803)750-9142

UNITED DESIGN SERVICES, INC.

LAND SURVEYING SERVICES

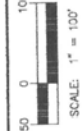


RICHLAND COUNTY near COLUMBIA, SOUTH CAROLINA

PRELIMINARY SUBDIVISION PLAT OF

PARCEL "B" AT ATRIUM WAY

Renaissance Park Parcel B



DATE: 25 MARCH 2004

T.M.S.#: 17114-01-25

DWG.#: US-402

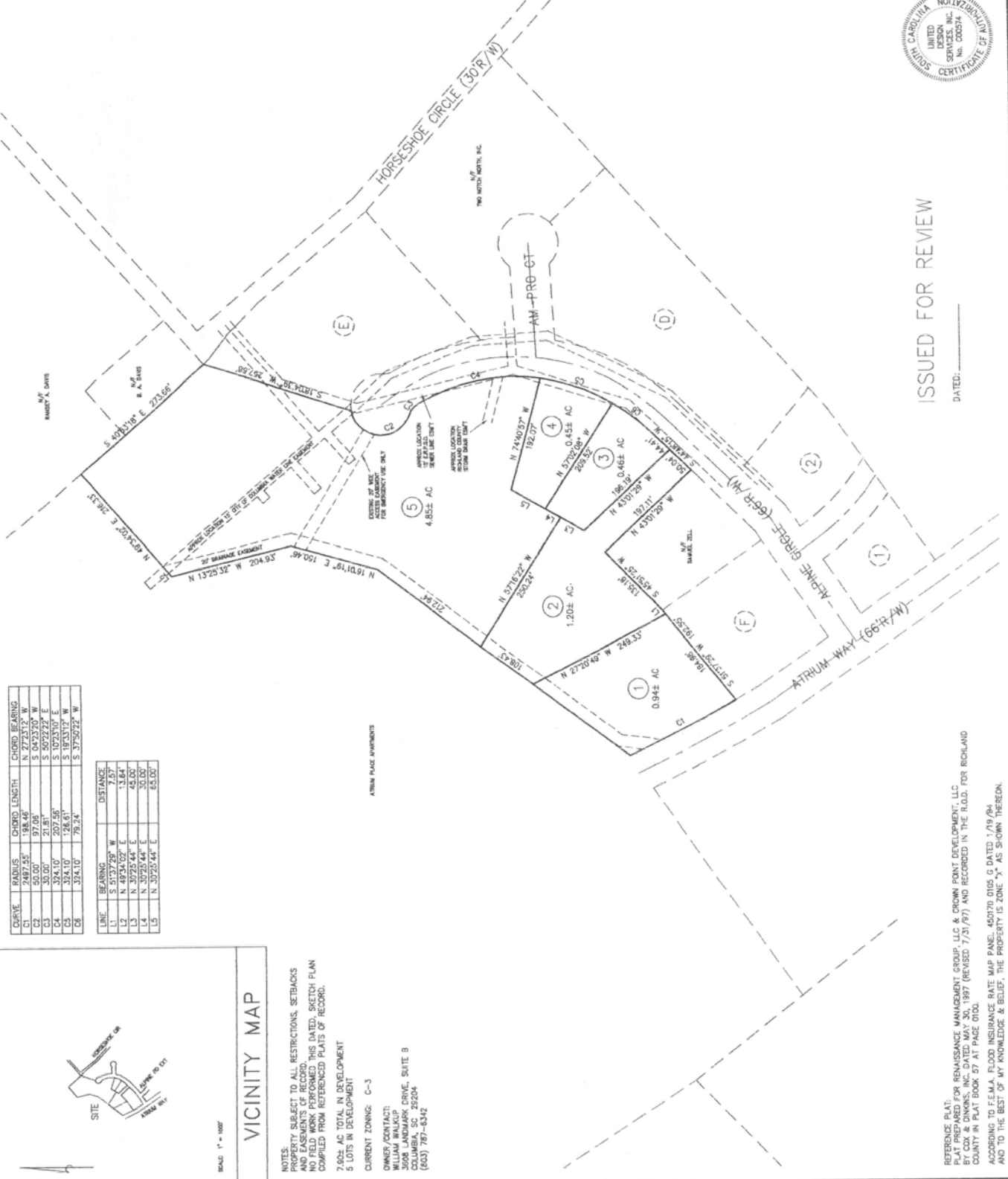
SHEET

1 OF 1



ISSUED FOR REVIEW

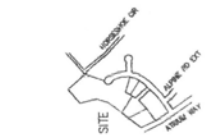
DATED: _____



CHURVE	RADIUS	CHORD LENGTH	CHORD BEARING
C1	2487.55'	188.46'	N 27°25'12" W
C2	50.00'	97.05'	S 04°23'50" W
C3	30.00'	21.81'	S 50°22'22" E
C4	324.10'	207.55'	S 10°23'10" E
C5	324.10'	126.61'	S 18°53'10" W
C6	324.10'	79.24'	S 27°25'22" W

LINE	BEARING	DISTANCE
L1	S 91°59'27" W	1.64'
L2	S 18°24'02" E	13.64'
L3	N 39°23'44" E	45.00'
L4	N 30°25'44" E	30.00'
L5	N 30°25'44" E	65.00'

VICINITY MAP



NOTES:
PROPERTY SUBJECT TO ALL RESTRICTIONS, SETBACKS
AND EASEMENTS. THIS DATED, SKETCH PLAN
AND FIELD WORK PERFORMED THIS DATED, SKETCH PLAN
COMPILED FROM REFERENCED PLATS OF RECORD.

7.80± AC TOTAL IN DEVELOPMENT
9 LOTS IN DEVELOPMENT

CURRENT ZONING: C-3

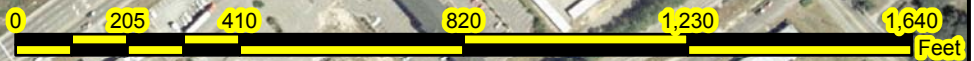
OWNER CONTACT:
WILLIAM WALKUP
3008 LANDMARK DRIVE, SUITE B
COLUMBIA, SC 29204
(803) 787-8342

REFERENCE PLAT FOR RENAISSANCE MANAGEMENT GROUP, LLC & CROWN POINT DEVELOPMENT, LLC
BY COX & DINKINS, INC. DATED MAY 30, 1987 (REVISED 7/31/97) AND RECORDED IN THE P.L.O.D. FOR RICHLAND
COUNTY IN PLAT BOOK 57 AT PAGE 0100.

ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP PANEL 45070 0105 G DATED 1/19/94
AND TO THE BEST OF MY KNOWLEDGE & BELIEF, THE PROPERTY IS ZONE "X" AS SHOWN THEREON.

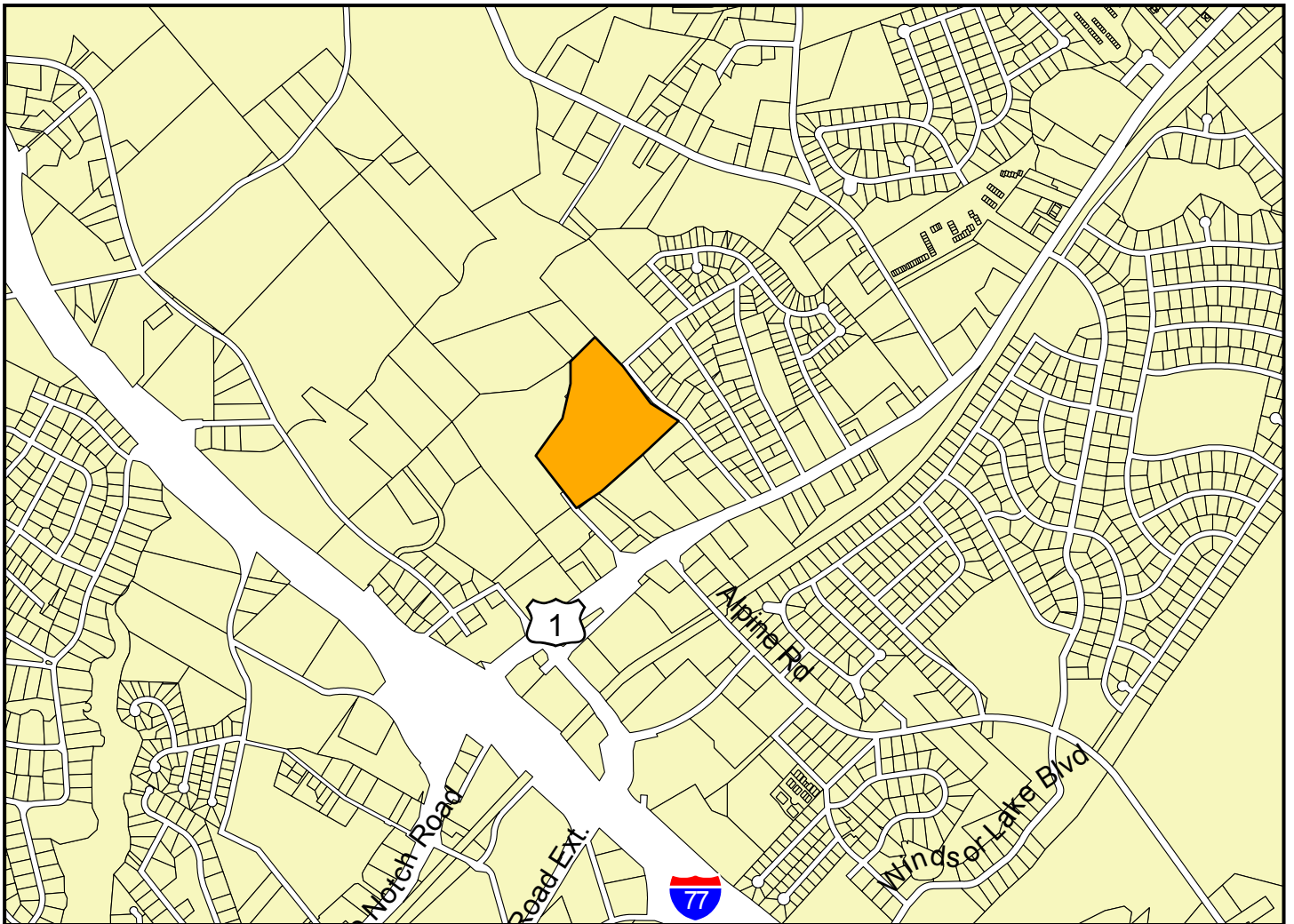
SD 04-239
RENAISSANCE PARK, PARCEL B
TMS 17114-02-25

Site



SD 04-239

RENAISSANCE PARK, PARCEL B



Looking at site from Atrium Way



Looking at site from Alpine Rd.

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

May 3, 2004

Applicant: Cox & Dinkins		Minor Subdivision Plans For:	
RC Project # : SD-04-241		Villages @ Sandhills, Phase 2	
General Location: South Side of Clemson Road Between Rhame & Two Notch Roads			
Tax Map Number: 23000-02-02 (p)		Current Zoning: C-3	
Subject Area: 63.9 acres	Number of Parcels: 14	Gross Density: NAp	
Sewer Service Provider: City of Columbia		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Clemson Road	
Functional Classification Of This Roadway	Two Lane Undivided Minor Arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	24,800	
Estimated Traffic Generated By The Proposed Project	19,325	
Current Volume At The Nearest Count Station # 441 Located @ Clemson Rd Just East of Rhame Road	14,800	
Estimated Traffic Count With the Proposed Project	34,125	
Volume-To-Capacity Ratio With The Proposed Project	1.38	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the rate of 38.65 weekday trips times an **assumed** 500,000 sq. ft of GLA of general retail development. (See pg 1234 of the ITE Trip Generation Manual, 5th Edition)

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

Estimated Cumulative Traffic In the Villages @ Sandhills Area

SCDOT Count Station # 492 – N. Spgs. Rd		SCDOT Count Station # 441 Clemson Rd	
6900 ADTs	Year 2000 Traffic Counts	(1)	13,450 ADTs
8350 ADTs	Projected 2005 Traffic Counts	(2)	16,300 ADTs
8900 ADTs	Year 2001 Traffic Counts	(3)	14,700 ADTs
NAv	Est. Phase 2 Buildout Traffic Counts	(4)	34,125 ADTs
NAv	Est. S/D Buildout Traffic Counts	(5)	31,500 ADTs

Notes:

- (1) SCDOT Traffic Counts For The Year 2000 At The Cited Station
- (2) Villages @ Sandhills Projected Traffic Counts For 2005 (Geraghty & Miller, March 2001)
- (3) SCDOT Traffic Counts For The Year 2001 At The Cited Station
- (4) PDS Estimated Traffic Counts = SCDOT 2002 Counts PLUS Estimated Phase 2 ONLY Traffic (specifically not including Phase 1 traffic generation)
- (5) PDS Estimated Traffic Counts = SCDOT 2002 Counts PLUS Approved Subdivisions ONLY (specifically not including any commercially generated traffic)

In summary, the Department estimates that the traffic count at SCDOT station # 441 will be 50,825 upon buildout of the subdivisions approved between July 1, 2000 and March 1, 2004 and the buildout of Phase 2 ONLY of the Villages @ Sandhills. This estimate does not include any other non-residential traffic, except the estimated traffic generated by Phase 2 of the Villages @ Sandhills. Assuming the Department’s estimate is correct, the projected V/C ratio at Station # 441 will be 2.05 under these conditions.

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

The existing site is an undeveloped fairly level site with predominately sandy soils. Public water and sewer service is available to the site.

Compatibility with the Surrounding Area

The subject project is the second phase of the Villages @ Sandhills project. Portions of Phase 1 are currently under construction. The site is compatible with the Master Development Plan in the Development Agreement for the Villages & Sandhills executed on March 21, 2001

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Recreational Facilities on this Map.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a general retail/office development project located in an area designated for recreational development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map. **Even though the County entered into a Development Agreement regarding the whole project, the Northeast Subarea Plan Proposed Land Use Map was not changed to a commercial land use designation as required by state law.**

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use

The Villages @ Sandhills project is situated in the virtual center of the Northeast portion of the County at the intersection of two major thoroughfares and adjacent to a main CSX Railroad line. The project has access points on Two Notch Road, Clemson Road and Northsprings Road. The proposed subdivision implements this Objective.

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

1. Areas identified on the Proposed Land Use Map

The subject site is designated for Recreational Facilities of the Map. Therefore, the subject project **does not implement** this Principle.

2. Sites that don't encroach or penetrate established residential areas

The proposed Phase 2 commercial subdivision is adjacent to an existing subdivision on the south side and surrounded by roads and the railroad on the other sides. The subject project implements this Principle.

3. Sites of major traffic junctions and cluster locations as opposed to strip development

The site is at the intersection of two major thoroughfares. The total project will have 300 acres of mixed commercial and residential development. The entrances to the project are limited to two point on Clemson Rd, one on Two Notch Rd and one on Northsprings Rd. This project implements this Principle.

Other Pertinent Factors

- 1) The Public Works Dept. commented that lots 10 and 11 will be landlocked if a secondary entrance to Two Notch Road is not approved. (See discussion below)
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

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

The Villages @ Sandhills project has an 80-foot wide access easement across the Parcone property located between the Villages and Two Notch Road. The owners of both properties are negotiating with the CSX RR and the SCDOT to get a wider railroad crossing.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the minor subdivision plans for a 14 parcel commercial subdivision, known as Villages @ Sandhills, Phase 2 (Project # SD-04-241). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. **The Department estimates that the traffic count at SCDOT station # 441 will be 50,825 upon buildout of the only the subdivisions approved between July 1, 2000 and March 1, 2004 plus the buildout of Phase 2 ONLY of the Villages @ Sandhills.**
2. The proposed subdivision is compatible with existing development in the area.
3. The project **is not consistent** with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the cited Objective and some Principles of the Northeast Subarea Plan.

Specific Conditions

- a) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- b) The Department of Public Works must approve the stormwater management plans; **and**
- c) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- d) The County Fire Marshal typically requires all subdivision streets to have a minimum of 26 feet of pavement and cul-de-sacs to have a minimum radius of 45 feet; **and**
- e) The City of Columbia must approve the water and sewer line construction plans; **and**
- f) DHEC must issue the sewer line construction permits; **and**
- g) DHEC must issue the water line construction permits; **and**
- h) Plats shall not be approved for recording until **(1)** the Department receives the City of Columbia approval the water and sewer line easement documents and **(2)** Public Works Dept accepts the bond documents for the road and stormwater facilities; **and**
- i) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and the DHEC Permit To Operate the Sewer system for all of Phase 2; **and**
- j) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads and stormwater facilities for maintenance; **and**
- k) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the recorded Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

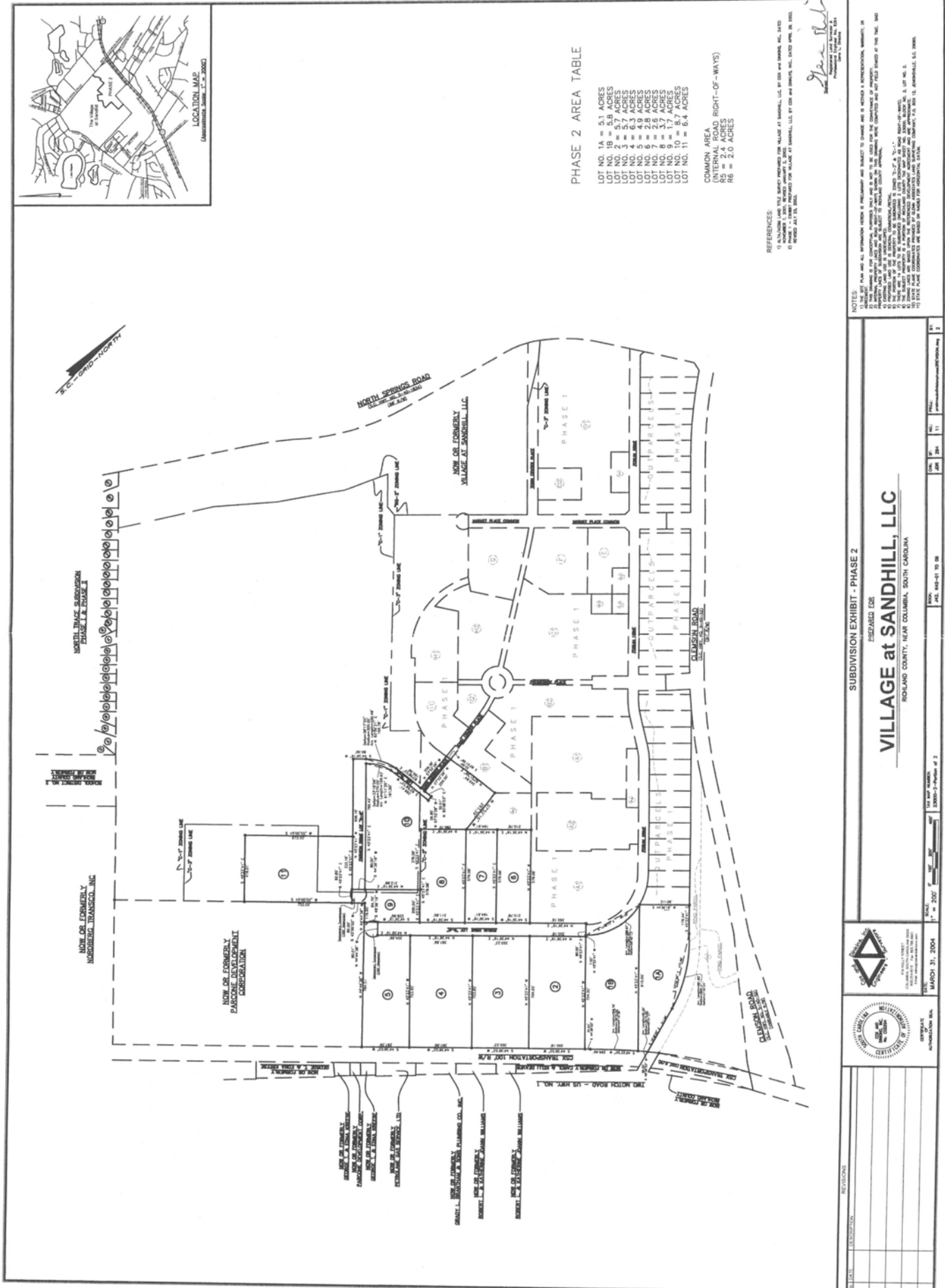
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
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- (c) A clerical or map error is such that it may affect the result of the Commission's action.

Appeal

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Attachment A SD 04-241



PHASE 2 AREA TABLE

LOT NO. 1A	= 5.1 ACRES
LOT NO. 1B	= 5.8 ACRES
LOT NO. 2	= 5.7 ACRES
LOT NO. 3	= 5.7 ACRES
LOT NO. 4	= 5.7 ACRES
LOT NO. 5	= 5.9 ACRES
LOT NO. 6	= 2.8 ACRES
LOT NO. 7	= 2.8 ACRES
LOT NO. 8	= 2.7 ACRES
LOT NO. 9	= 1.7 ACRES
LOT NO. 10	= 1.7 ACRES
LOT NO. 11	= 6.4 ACRES

COMMON AREA
(INTERNAL ROAD RIGHT-OF-WAYS)
RA = 2.6 ACRES
RB = 2.6 ACRES

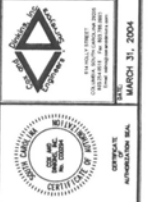
REFERENCES:
1) SUBDIVISION MAP FOR VILLAGE AT SANDHILL, LLC BY DOR AND SHAWK, INC. DATED 12/15/2007.
2) SUBDIVISION MAP FOR VILLAGE AT SANDHILL, LLC BY DOR AND SHAWK, INC. DATED APRIL 18, 2008.
3) RECORD PLAN 2007-0002.

[Signature]
Professional Engineer No. 10141

NOTES:
1) THE SET PLAN AND ALL INFORMATION HEREON IS PRELIMINARY AND SUBJECT TO CHANGE AND IS INTENDED FOR INFORMATION PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
2) THIS SET PLAN IS FOR CONSTRUCTION PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
3) THE SUBDIVISION MAP FOR VILLAGE AT SANDHILL, LLC BY DOR AND SHAWK, INC. DATED APRIL 18, 2008, IS THE BASIS FOR THIS SET PLAN.
4) THE SUBDIVISION MAP FOR VILLAGE AT SANDHILL, LLC BY DOR AND SHAWK, INC. DATED APRIL 18, 2008, IS THE BASIS FOR THIS SET PLAN.
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11) THE SUBDIVISION MAP FOR VILLAGE AT SANDHILL, LLC BY DOR AND SHAWK, INC. DATED APRIL 18, 2008, IS THE BASIS FOR THIS SET PLAN.

SUBDIVISION EXHIBIT - PHASE 2
RELEASED FOR
VILLAGE at SANDHILL, LLC
ROHLAND COUNTY, NEAR COLUMBIA, SOUTH CAROLINA

SCALE: 1" = 200'
DATE: MARCH 31, 2004
SHEET NO. 11 OF 11
PROJECT NO. 2003-0002-01-08

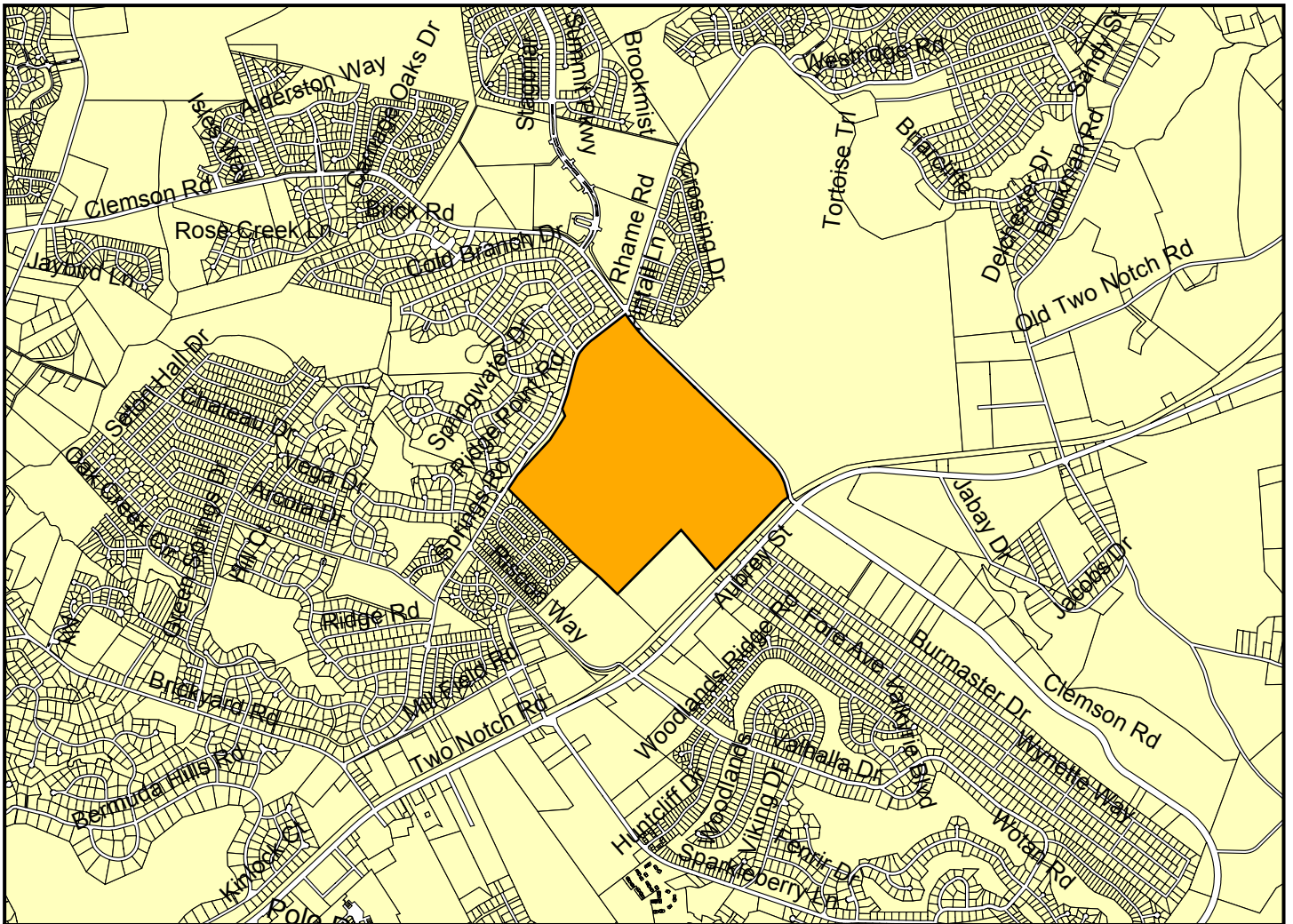


NO.	DATE	REVISIONS

SD 04-241
VILLAGES AT SANDHILLS
TMS 23000-02-02 (p)



SD 04-241 VILLAGES AT SANDHILLS



Looking at site from Clemson Rd.



Looking at site from Clemson Rd.

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

May 3, 2004

Applicant: Lake Carolina Dvlpmt.		Preliminary Subdivision Plans For: Harborside, Parcel 4 – Phases 7 - 10	
RC Project # : SD-04-242			
General Location: East of the circle near the amenity center			
Tax Map Number: 23200-01-02		Number of Residences: 85	
Subject Area: 16.0 acres		Sewer Service Provider: Palmetto Utilities	
Current Zoning: TND		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Hardscrabble Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	808	
Current Volume At The Nearest Count Station # 437 Located @ Lee Road	9500	
Estimated Traffic Count With the Proposed Project	10,108	
Volume-To-Capacity Ratio With The Proposed Project	1.20	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

As shown above, the proposed project, by itself, will generate enough new traffic on Hardscrabble Road to cause the LOS C to be exceeded. However, the Department estimates that upon buildout of the subdivisions already approved in the area, there will be in excess of 21,000 trips on this portion of Hardscrabble Road. The V/C ratio, without the subject project, will exceed 2.26, or far above the LOS F level.

In addition, the County recently rezoned a 20-acre adjacent to the subject site on the west to permit up to 200,000 sq. ft. of general commercial development. This commercial project alone will generate more than 12,000 additional trips on Hardscrabble Road between Summit Parkway and Lee Road. **In summary, upon buildout of the subject subdivision and the subdivisions approved to date, the Department estimates at SCDOT count station # 437 there will be more than 32,000 daily vehicle trips on a road designed for 8600 trips.**

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	17
Middle School @ 0.13 students per single family DU	11
High School @ 0.12 Students per single family DU	10

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

Existing Site Conditions

The site is a sparsely wooded area that slopes downward to the east toward the wetlands adjacent to Lake Carolina. Public water and sewer service is available for the project.

Compatibility with the Surrounding Area

The subject project is the last phases of the residential portion of the Harborside community in Lake Carolina. The project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Development on this Map. The proposed project is consistent with this land use designation.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 38 respectively, are discussed below:

Objective – Minimize incompatibility between existing and proposed land uses

The proposed project is a continuation of an existing development and completes the development in this area of the Lake Carolina project. The project implements this Objective.

Principle –

Mixed residential densities are appropriate within the Developing Urban Area. The proposed 5.3 DU/acre project implements this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 85 unit single family detached subdivision, known as Harborside, Parcel 4, Phases 7 through 10 (Project # SD-04-242). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. Upon buildout of the subject subdivision and the subdivisions approved to date, the Department estimates at SCDOT count station # 437 there will be more than 32,000 daily vehicle trips on a road designed for 8600.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.

4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

Specific Conditions

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) No building permit can be issued until the Lake Carolina officials approve the plat for each lot's development; **and**
- c) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- d) The Department of Public Works must approve the stormwater management plans; **and**
- e) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- f) The County Fire Marshal must approve the project with or without conditions; **and**
- g) The City of Columbia must approve the water line construction plans; **and**
- h) DHEC must issue the sewer line construction permits; **and**
- i) DHEC must issue the water line construction permits; **and**
- j) **No building permits shall be issued until all of the conditions cited above are met; and**
- k) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- l) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- m) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- n) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

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

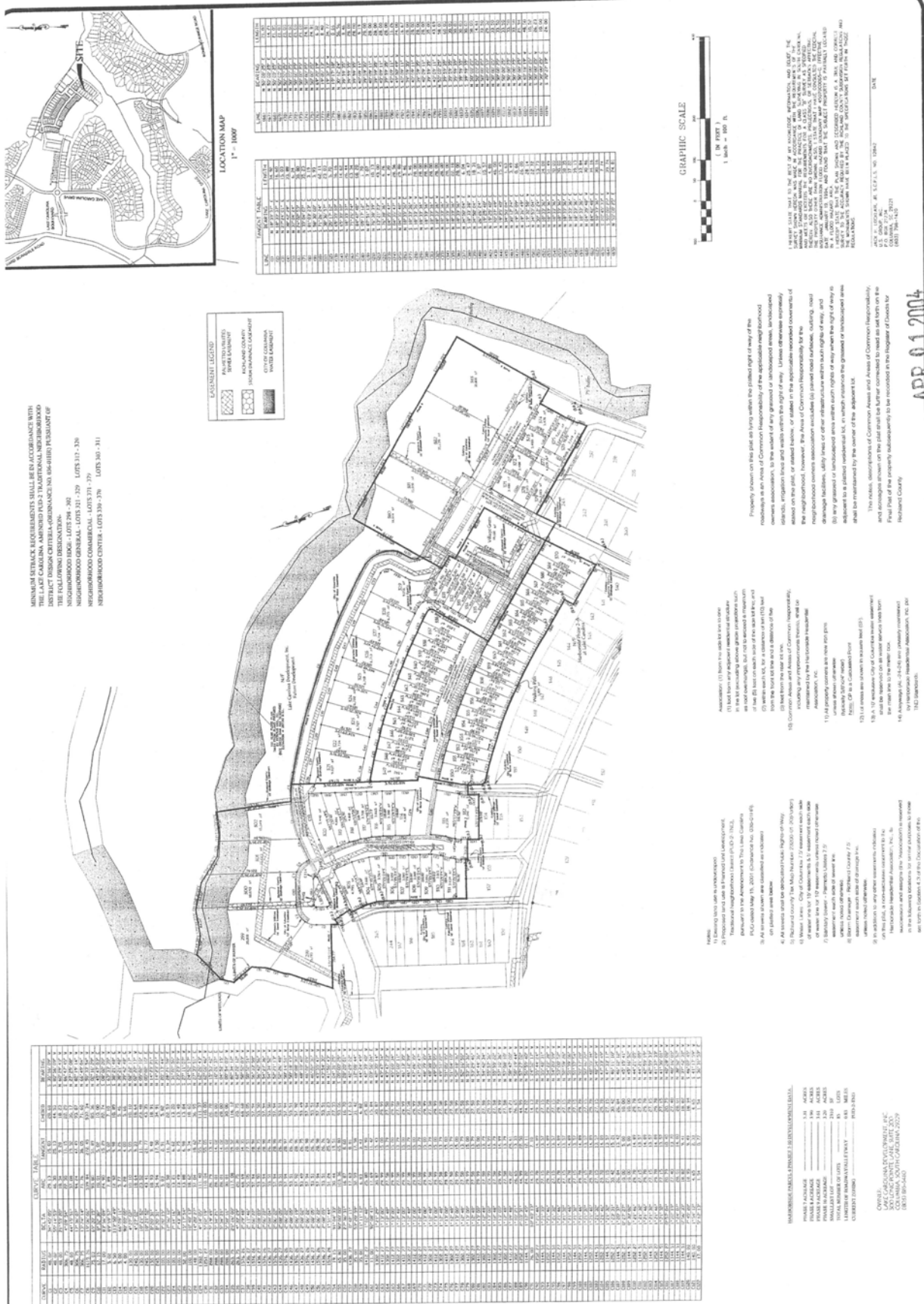
Attachment A SD 04-242

U.S. GROUP, INC.
P.O. BOX 2124
COLUMBIA, S.C. 29221
(803) 798-1420

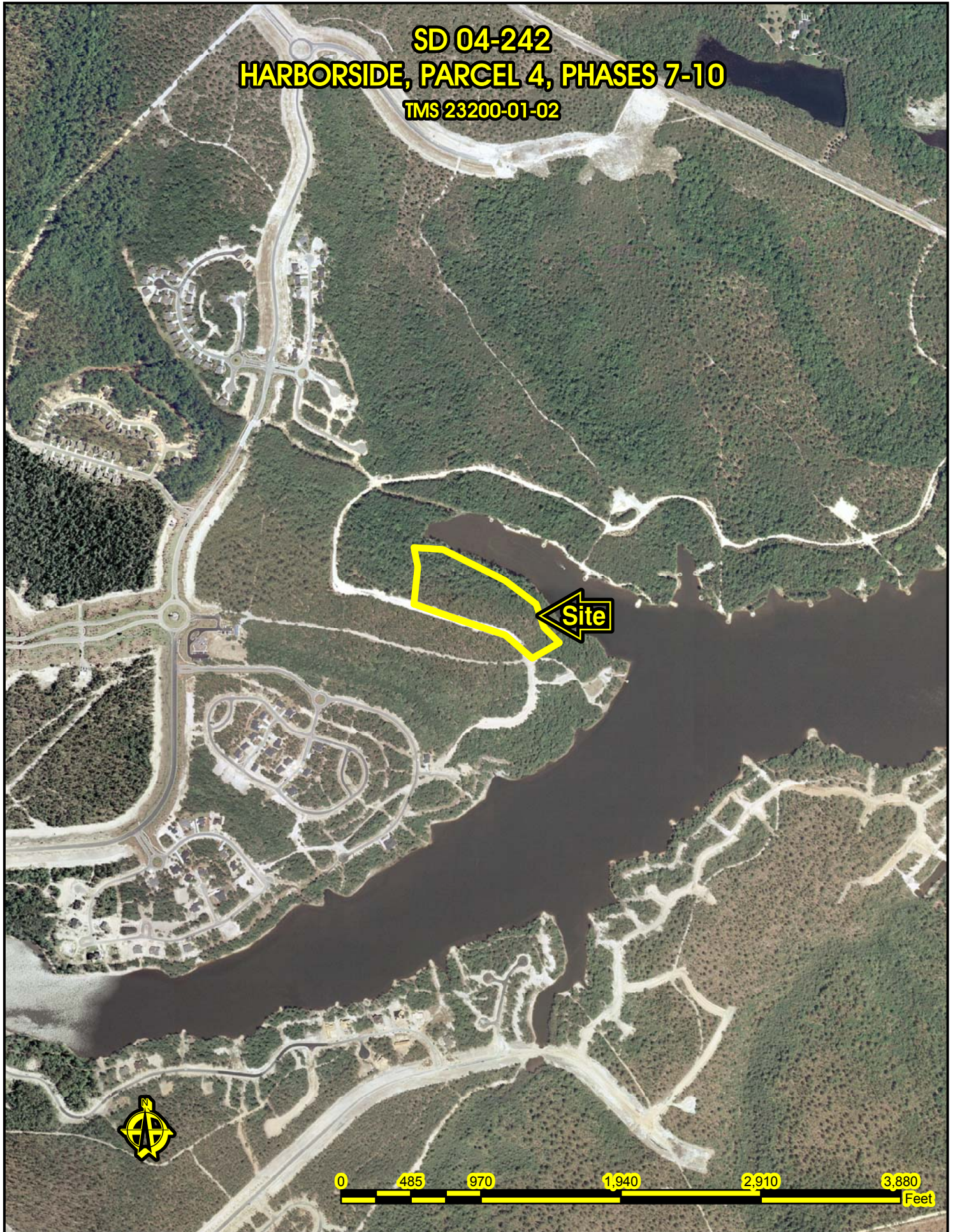
U.S. GROUP
MEMBER OF
BOYD GROUP

Richland County, South Carolina
Preliminary Plat
at Lake Carolina
Harborside Parcel 4 Phases 7-10

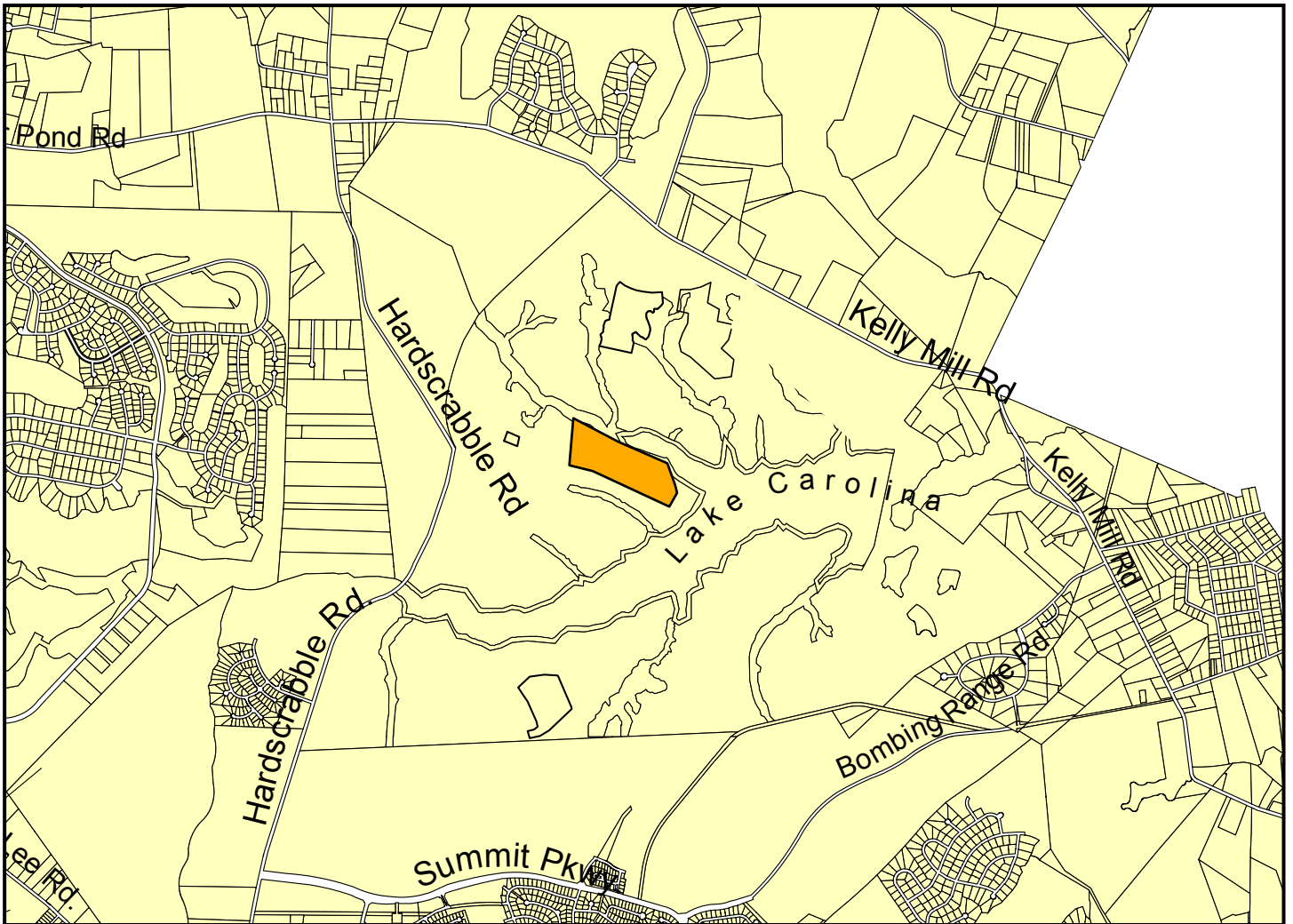
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2 of 11



SD 04-242
HARBORSIDE, PARCEL 4, PHASES 7-10
TMS 23200-01-02



SD 04-242 HARBORSIDE, PARCEL 4, PH. 7-10



Looking towards Lake Carolina Blvd.



Looking at site

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

May 3, 2004

Applicant: Fairways Dvlpmt.		Preliminary Subdivision Plans For: Willow Lakes, Phase 4	
RC Project # : SD-04-243			
General Location: Farrow Road near Jenkins Brothers Road			
Tax Map Number: 17700-01-15 (p)		Number of Residences: 49	
Subject Area: 14.8 acres		Sewer Service Provider: City of Columbia	
Current Zoning: RS-2		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Farrow Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	466	
Current Volume At The Nearest Count Station # 285 Located @ 2 miles south of the site	4900	
Estimated Traffic Count With the Proposed Project	5366	
Volume-To-Capacity Ratio With The Proposed Project	0.62	

Notes:

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

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

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

The proposed project will not result in the LOS C being exceeded at SCDOT count station 285.

Fire Service Impacts

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

School Impacts

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

Elementary School @ 0.20 students per single family DU	10
Middle School @ 0.13 students per single family DU	6
High School @ 0.12 Students per single family DU	5

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

Existing Site Conditions

The subject site is fairly flat and is vegetated with small diameter pine trees. The City of Columbia will provide water and sewer service to the site.

Compatibility with the Surrounding Area

The project is a continuation of a multi-phase subdivision that began several years ago when it was known as The Lakes. The project is compatible with the adjacent development.

Discussion of Applicable Comprehensive Plan Issues

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

The I-77 Corridor Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Medium Density Residential on this Map. The proposed project is **not consistent** with this land use designation.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a 3.3 DU/acre residential project located in an area designated for 5.0 to 9.0 DU/acre development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map.

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Attract quality residential development in the area by restricting uses which would compromise the area’s residential qualities

The subject project will expand the amount available single family residences in the Blythewood area. The proposed project implements this Objective.

Principle – Established low-density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development

The proposed project is a single family detached residential development. This project implements this Principle.

Other Pertinent Factors

- 1) As of April 16, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 16, 2004, the flood elevation statement had not been approved.
- 3) As of April 16, 2004, the County Fire Marshal had not provided comments.
- 4) As of April 16, 2004, the City of Columbia had not approved the water and sewer line construction plans.
- 5) As of April 16, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of April 16, 2004, DHEC had not issued a water line construction permit.
- 7) As of April 16, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 49 unit single family detached subdivision, known as Willow Lakes, Phase 4 (Project # SD-04-243). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision will not result in the adjacent portion of Farrow Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is not consistent with the I-77 Corridor Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**

- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The County Fire Marshal requires all subdivision streets have a minimum of 26 feet of pavement and cul-de-sacs to have a minimum radius of 45 feet; **and**
- f) The City of Columbia must approve the water and sewer line construction plans; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) DHEC must issue the water line construction permits; **and**
- i) **No building permits shall be issued until all of the conditions cited above are met; and**
- j) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- k) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
- l) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water and sewer line easement documents; **and**
- m) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- n) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

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

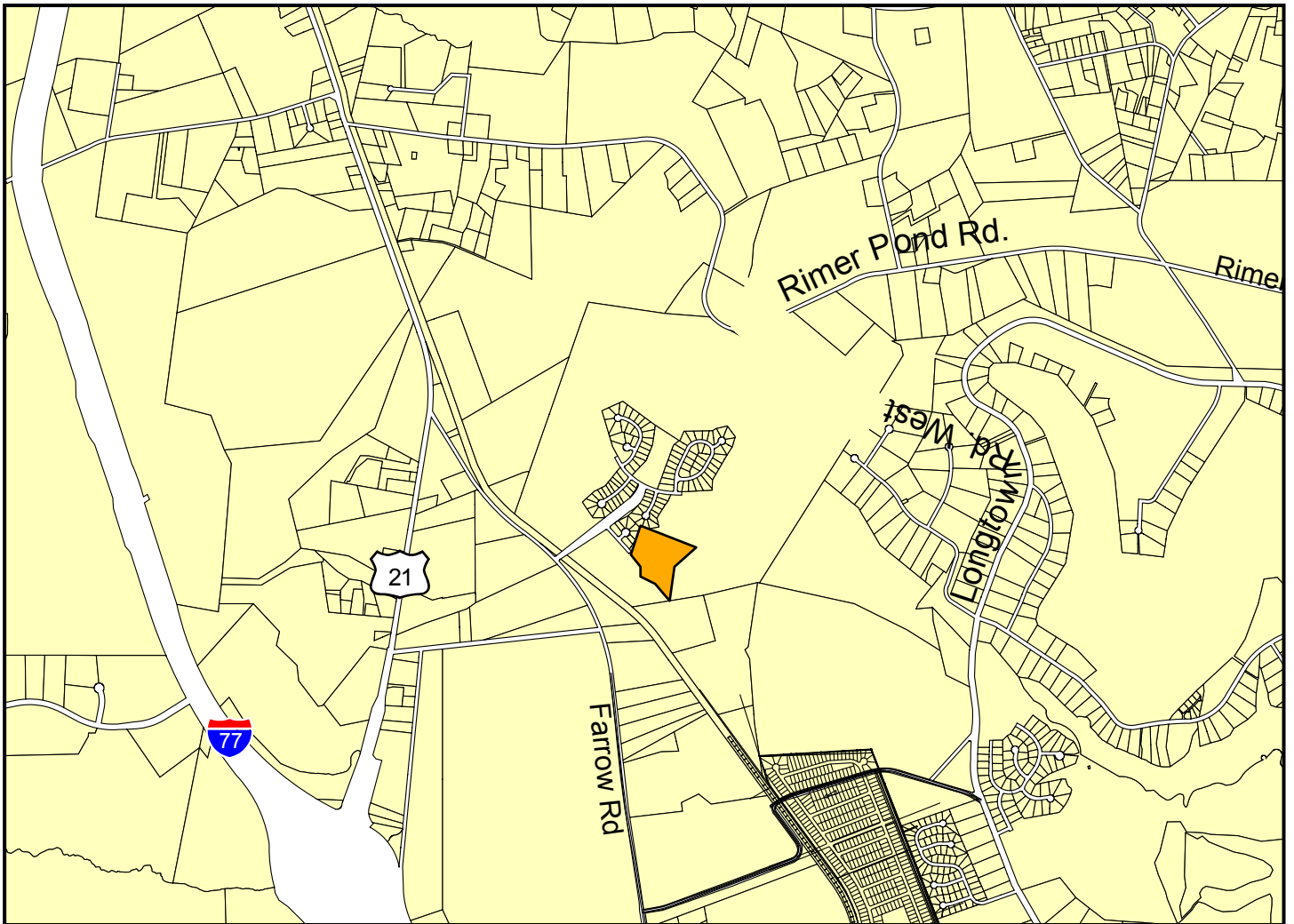
Attachment A SD 04-243



SD 04-243
WILLOW LAKES, PHASE 4
TMS 17700-01-15 (p)



SD 04-243 WILLOW LAKES, PHASE 4



Looking at site from High Duck Trail

Looking towards Willow Lakes entrance

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

May 3, 2004

RC Project # 04-36 MA	Applicant: Judith Ann L. West
General Location: Dreher Shoals Road south of the intersection of Dutch Fork Road	
Tax Map Number: 03303-03-04(p)	Subject Area: 2.25 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-2
Proposed Use: Thrift/Consignment Store	PC Sign Posting Date: April 6, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of a thrift/consignment store and other possible uses as allowed by C-2 zoning.

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	RU	Undeveloped woodlands
Adjacent East	RU	Undeveloped woodlands
Adjacent South	RU	Undeveloped woodlands
Adjacent West	RU	Dutch Fork Baptist Church across Dreher Shoals Rd.

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

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed C-2 Zoning Designation Intent</u> Intended to accommodate commercial and service uses oriented primarily to serving the needs of person who live or work in nearby areas</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed C-2 Zoning Permitted Uses</u> Limited price variety stores limited to 10,000 sq. ft. of floor area Arts and crafts supply stores Gift, novelty and souvenir stores Antique shops Garden supply stores</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-66, respectively of the County Code. Some Special Exception uses are also possible.

The subject site is encompassed by undeveloped woodlands and the Dutch Fork Baptist church is located to the west across Dreher Shoals Road. The site is not compatible with the existing area.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Dreher Shoals Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	342	
Current Volume At The Nearest Count Station #203 Located @south of site on Dreher Shoals Road	7900	
Estimated Traffic Count With the Proposed Project	8,242	
Volume-To-Capacity Ratio With The Proposed Project	0.96	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the generation rate for a Specialty Retail Center business found on page 1224 of the TGM times the proposed square footage of the use.

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

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the Northwest Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing RU zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RS-1, RS-1A, RS-2, RS-3, or RG-1 to be consistent with the Medium/Low Density Residential land use designation.

The Proposed Land Use Element Map (Map) of the Northwest Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Medium/Low Density Residential in a Developing Urban Area. The proposed Zoning Map Amendment **is not consistent** with this land use designation.

The **proposed C-2 zoning is not consistent** with the Map designation as required by state statutes. The zoning should be RS-1, RS-1A, RS-2, RS-3, or RG-1 to be consistent with the Medium/Low Density Residential land use designation.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use.

The primary function of Dreher Shoals Road is to provide access to the residential areas between the Ballentine commercial area and the residential area around Lake Murray. The Dreher Shoals Road and Dutch Fork Road intersection is a well-established commercial area with ample space available for commercial establishments. The proposed Amendment **does not implement** this Objective.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters, and/or proposed locations as identified on the Proposed Land Use Map.

The subject site is designated for low to medium density residential development. This designation was established to provide a buffer between the commercial in Ballentine and the residential areas to the east and south. The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

The subject site (5 acres) was presented to the Planning Commission for a Zoning Map Amendment from RU to C-3 on July 9, 2001. The Planning Commission granted the applicant's request to withdraw the Amendment proposal at their meeting on July 9, 2001.

The applicant subsequently presented the same site (5 acres) to the Planning Commission on September 10, 2001 for an Amendment from RU to C-2. The applicant was deferred to the October 1, 2001 meeting.

The Planning Commission denied the request, however, the applicant had no representation at the meeting and the request was deferred to the November 5, 2001 meeting for reconsideration. The Planning Commission did not agree with the request for a second postponement and reaffirmed its vote to recommend that the County Council deny the proposed Zoning Map Amendment request. The applicant withdrew the request on November 26, 2001 prior to Zoning Public Hearing.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-36 MA **not be changed** from RU to C-2.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Dreher Shoals Road at this location will not be exceeded.

4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Principles of the Northwest Subarea Plan discussed herein.
6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the Northwest Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a residential zoned district.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

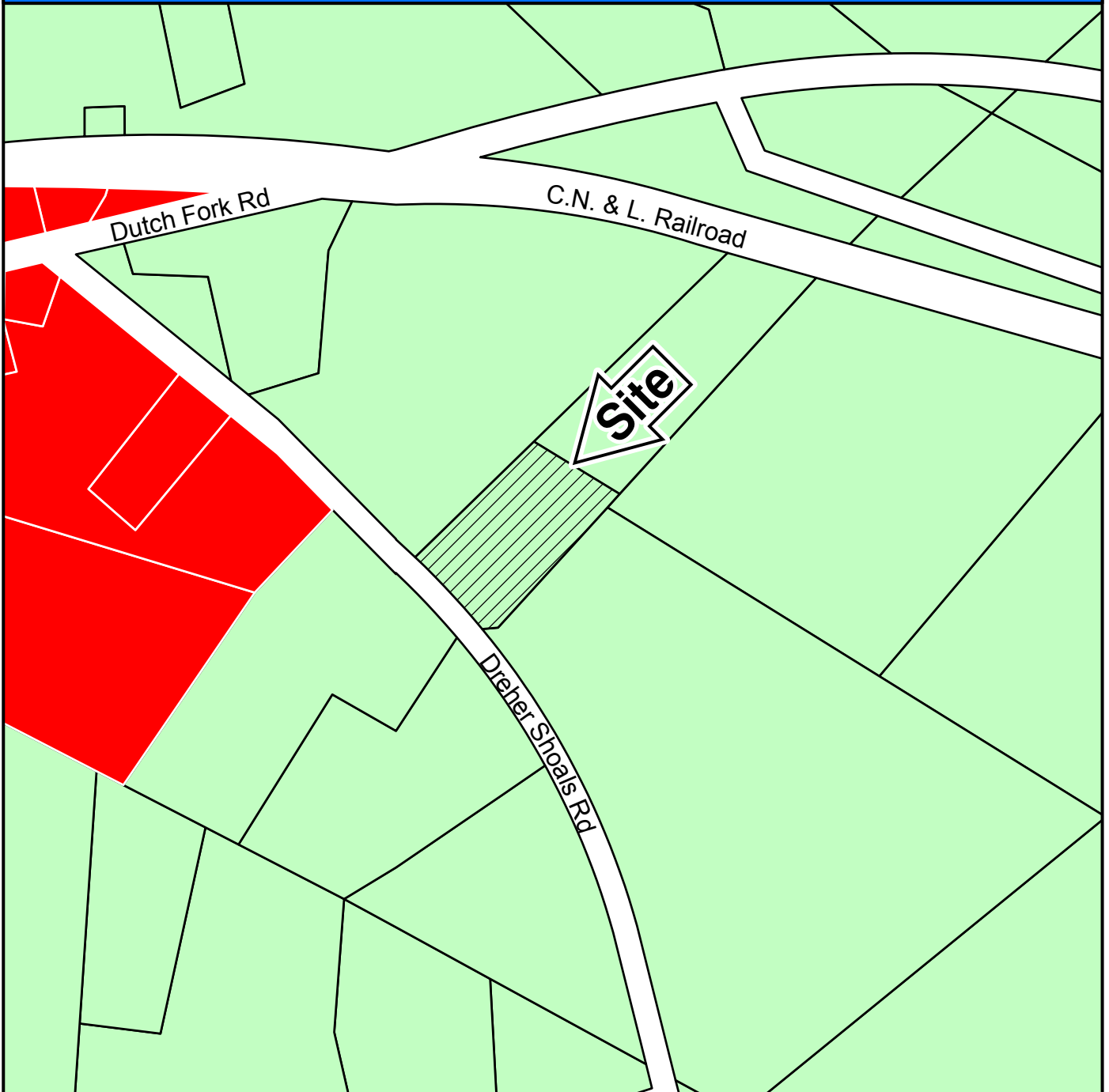
At their meeting of May 3, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-36 MA at the next available opportunity.

Commission Findings of Fact/Recommendations




















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

In consideration of the proposed Zoning Map Amendment # 04-54 MA, the Planning Commission made the findings of fact summarized below:

CASE 04-36 MA FROM RU to C-2



ZONING CLASSIFICATIONS

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

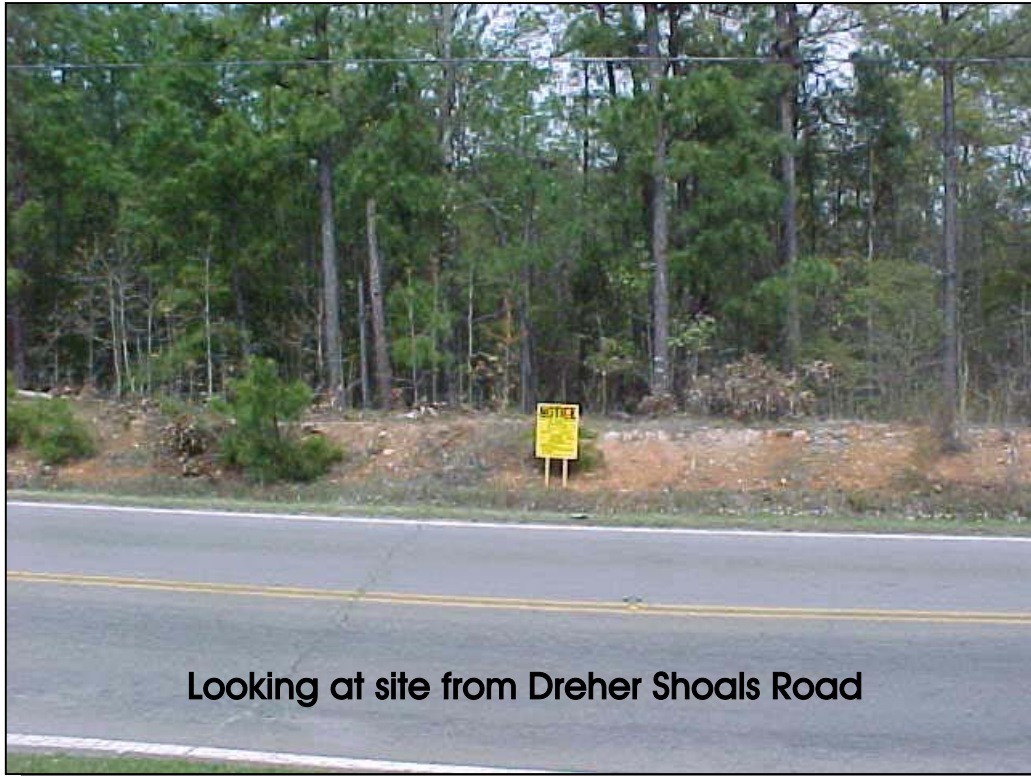


CASE 04-36 MA
RU to C-2
TMS 03303-03-04 (p)



CASE 04-36 MA FROM RU to C-2

TMS# 03303-03-04 (p) Dreher Shoals Rd south of Dutch Fork Rd.



Looking at site from Dreher Shoals Road



Looking north towards Dutch Fork from site

EXHIBIT A
CASE 04-36 MA

All that certain piece, parcel or lot of land, with any improvements thereon, situate, lying and being on Dreher Shoals Road (Hwy #6) in the County of Richland, State of South Carolina, containing 2.25 acres and being bounded as follows: beginning at a point in the southwestern corner of the property, bearing N 43° 07' 30" E to a point for a distance of 410.90 feet; thence turning in a southeasterly direction and running S 50° 31' 08" E to a point for 218.89 feet; thence turning in a southwesterly direction, bearing S 39° 43' 30" W to an iron for 23.12 feet; thence continuing in a southwesterly direction, bearing S 39° 36' 09" to a rod for 392.72 feet; thence turning in a northwesterly direction bearing N 76° 38' 38" W to a pipe for a distance of 47.00 feet; thence curving in a northwesterly direction along a chord bearing N 41° 58' 23" W to a rod for a distance of 123.27 feet; thence, continuing along a chord bearing N 44° 42' 12" W to the point of origin for a distance of 80.38 feet. Said property more specifically shown and delineated as TRACT "B-1" on a plat prepared for Judy West by Belter & Associates, Inc., dated February 17, 2004 and recorded in the Richland County Register of Deeds Office in Book 912 at page 2128.

This tract is subject to a fifty (50') foot ingress-egress easement, extending from Dreher Shoals Road to Tract B-2 as shown on the above-referenced plat.

This being a portion of the property conveyed to Judith Ann L. West by deed of Mary Jane Metts, Janice Lowman Young, and Linda Lowman Minick, recorded December 19, 2000 in the Register of Deeds Office for Richland County in Record Book 467 at page 2659.

Richland County TMS # 03303-03-04 (a portion thereof)

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

May 3, 2004

RC Project # 04-45 MA	Applicant: Rhett Jacobs
General Location: 114 & 118 Spears Creek Church Road south of Two Notch Road	
Tax Map Number: 25807-02-01,02	Subject Area: 1.94 ac MOL
Current Parcel Zoning: D-1	Proposed Parcel Zoning: C-3
Proposed Use: Commercial	PC Sign Posting Date: April 2, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For commercial use

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	One single family residence on each parcel
Adjacent North	C-3	First Palmetto Savings Bank
Adjacent East	C-3	Realty/Mortgage company in single family residence
Adjacent South	D-1	Undeveloped property
Adjacent West	C-3	Undeveloped woodlands abutting Two Notch Road

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

<p><u>Existing D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semi-developed, with scattered related uses</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office, and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> Single family detached dwellings Agriculture, horticulture forestry Parks, playgrounds, playfields Places of worship Community service structures Elementary and high schools</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair, & personal services Offices, studios, & financial institutions Eating and drinking establishments Wholesale/Distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collections & transfer uses</p>

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

The property to the north, west and east are all zoned C-3 with commercial uses operating on the north and east parcels. The property to the west and the south are undeveloped. The proposed Amendment is compatible with the surrounding land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Two Notch Road via Spears Creek Church Road	
Functional Classification Of This Roadway	Five Lane Undivided Minor Arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	24,800	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #117 Located @west of Two Notch/Spears Creek Intersection	14,700	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

NP = Not possible to determine the generation rate from the TGM (use not specific enough)

Without a more specific idea of the intended use, it is not possible to estimate the traffic that could be generated by the use of the site for general commercial uses. For example, the TGM has factors for retail commercial use ranging from 4.8 trips per 1000 sq. ft for unspecified general commercial to 688 trips 1000 sq. ft for a drive-in restaurant to 1855 trips per 1000 sq. ft. GLA for a convenience store with gas pumps.

The portion of Two Notch Road that was counted at station #117 is operating well below its LOS C design capacity. The proposed Amendment should not cause the LOS C to be exceeded.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the Northeast Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing D-1 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be C-3 to be consistent with the General Commercial land use designation.

The Proposed Land Use Element Map (Map) of the Northeast Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as General Commercial in an Established Urban Area. The proposed Zoning Map Amendment **is consistent** with this land use designation.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Limit commercial development to select locations such as major intersections, reducing the effects of non-residential intrusion on neighborhoods.

One of the goals of the Plan is to locate commercial development at major intersections that consist of roads with a minimum classification of a collector. Two Notch Road is classified as a minor arterial and Spears Creek Church Road is classified as a collector thereby implementing one of the goals of the Plan.

The site does not penetrate a residential neighborhood due to the proximity of the intersection of Two Notch and Spears Creek Church Road and the fact that it abuts a C-3 zoning district and would continue the C-3 zoning line from the east across the Spears Creek Church Road to the existing C-3 district to the west. The proposed Amendment **implements** this Objective.

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

1. Areas identified on the Proposed Land Use Map:
The site is designated General Commercial by the Map.
2. Sites that don't encroach or penetrate established residential areas; and
The site abuts existing C-3 zoned property to the north, west and east and undeveloped property to the south.
3. Sites of major traffic junctions and cluster locations as opposed to strip development.
The site is located directly south of the Two Notch and Spears Creek Church Road intersection and is located amongst existing commercial land uses.

The proposed Amendment **implements** this Principle.

Other Relevant Issues

The site would be easily accessible for residents in the area, especially the residents living south on Spears Creek Church Road who would not have to access Two Notch Road.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-45 MA **be changed** from D-1 to C-3.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Two Notch at this location will not be exceeded.
4. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northeast Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the Northeast Subarea Plan discussed herein.
6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the Northeast Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a general commercial zoned district.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

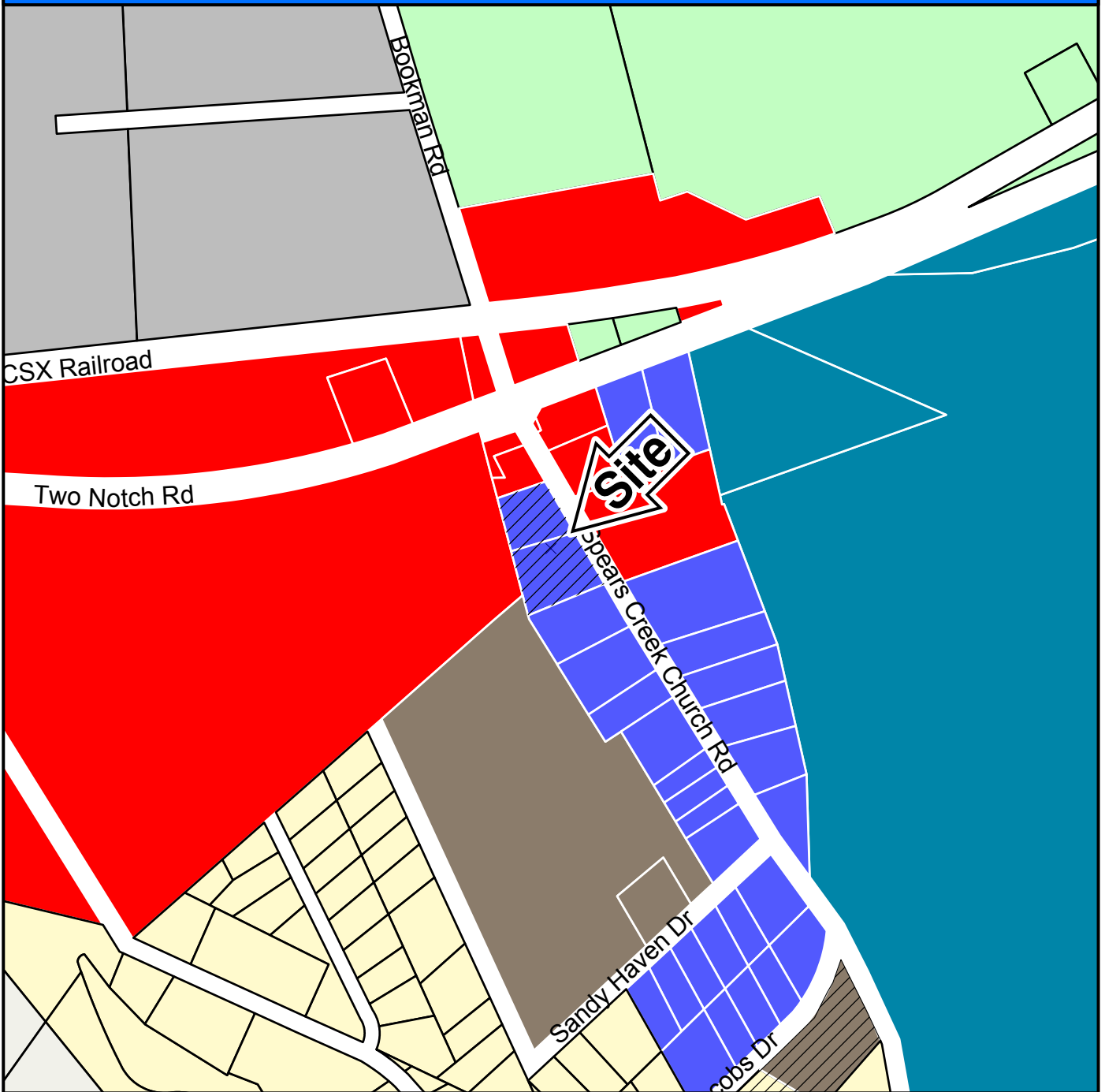
At their meeting of May 3, 2004, the Richland County Planning Commission agreed (did not agree) with the PSDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-45 MA at the next available opportunity.

Commission Findings of Fact/Recommendations




















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

In consideration of the proposed Zoning Map Amendment # 04-45 MA, the Planning Commission made the findings of fact summarized below:

CASE 04-45 MA FROM D-1 to C-3



ZONING CLASSIFICATIONS

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



CASE 04-45 MA
D-1 to C-3
TMS 25807-02-01/02



Site



CASE 04-45 MA FROM D-1 to C-3

TMS# 25807-02-01/02

Spears Creek Church Rd near Two Notch Rd



Looking at site from Spears Creek Church Road



Looking north on Spears Creek Church Rd
towards Two Notch Road

ATTACHMENT A
CASE 04-45 MA

Legal Description of Spears Creek Church Rd Property for zoning from D-1 - C-3

All that piece, parcel or tract of land, with the improvements thereon, situate lying and being in Tax District 2DP in the County of Richland, State of South Carolina being on the Western side of Spears Creek Church Road and lying and being near the Town of Pontiac, being Lot 3 and being more particularly shown and delineated on a plat prepared for Laura O. Jacobs et al., and prepared by W.H. Miller, C.E., dated September 21, 1934, and recorded in the Office of the RMC for Richland County in Plat Book "G" at Page 128 and being more particularly shown on a plat prepared for Earline LeGrand by Daniel Riddick & Associates, Inc., dated September 27, 1991 recorded in the Office of Register of Deeds for Richland County in Plat Book 266 at Page 2492 and having the following boundaries and measurements as follows, to wit: on the North by property now or formerly of Gladys B. Jacobs measuring thereon 146.54 feet; on the East by Spears Creek Church Road measuring thereon 193.21 feet; on the South by property now or formerly of Julias Griggs measuring 206.88 feet; and on the West by property now or formerly of Richland County measuring thereon 183.3 feet; be all measurements a little more or less.

TMS # 25807-02-01

All that certain piece, parcel or lot of land, with improvements thereon situate, lying and being in the Town of Pontiac, County of Richland, State of South Carolina, being shown and designated as Lot No. 4 on a plat prepared by W.H. Miller, C.E., dated September 21, 1934, and recorded in the Office of the RMC for Richland County in Plat Book G at page 128. Said lot being more specifically shown on a plat for John H. Fowlkes prepared by Polson Surveying Company dated June 23, 1993, and recorded in the Office of the RMC for Richland County in Plat Book 54 at page 7198. Said plat is incorporated herein by reference for a more and complete and accurate description.

This being the same property conveyed to the Grantors herein by that deed of Wyona Meinhardt dated June 10, 1985, and recorded in the Office of the RMC for Richland County in Deed Book D745 at page 203.

TMS #25807-02-02

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

May 3, 2004

RC Project # 04-50 MA	Applicant: R.E. Stations Inc./Robert Brandi
General Location: 10324 Wilson Boulevard north of I-77	
Tax Map Number: 14900-03-03	Subject Area: 2.02 MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-3
Proposed Use: Convenience store/gas station	PC Sign Posting Date: April 2, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To add additional square footage to the existing building

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Gas station/convenience store
Adjacent North	C-3	Blythewood Animal Hospital and Blythewood Automotive
Adjacent East	M-1	Belk and Sony
Adjacent South	RU	Myers BBQ
Adjacent West	C-3	South Carolina Department of Public Safety

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

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

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

The developments surrounding the site are all commercial or industrial land uses. The site to the north is zoned C-3 and comprised of an animal hospital and an automobile repair shop. The site to the south is a barbecue restaurant that is zoned RU and has been allowed due to a special exception in 1997. The development to the west is comprised of the SC Department of Public Safety. The development to the east is zoned M-1 and is comprised of Belk, Sony and other industrial uses. The proposed Amendment is compatible with the surrounding land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Wilson Boulevard (Hwy. 21)	
Functional Classification Of This Roadway	Five Lane Undivided Collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	19,600	
Estimated Traffic Generated By The Proposed Project	No Change	
Current Volume At The Nearest Count Station #137 Located @north of site on Wilson Boulevard	7,400	
Estimated Traffic Count With the Proposed Project	7,400	
Volume-To-Capacity Ratio With The Proposed Project	0.34	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

No Change = The current SCDOT traffic count includes any traffic generated by the business. The business was in existence during the period the traffic count was taken.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the I-77 Corridor Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing RU zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be C-3, M-1, M-2, PUD-1C or PDD to be consistent with the Industrial/Commercial/Technological land use designation.

The Proposed Land Use Element Map (Map) of the I-77 Corridor Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Industrial/Commercial/Technological in a Developing Urban Area. The proposed Zoning Map Amendment **is consistent** with this land use designation.

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Establish commercial pockets or clusters as needed to serve the area.

The gas station has been in existence since 1988, thereby proving its necessity to the area. The surrounding land uses are comprised of commercial uses which serve the needs of the residents in the area. The area running from the interstate to Jenkins Brothers Road is an existing commercial cluster or pocket and should be zoned appropriately. The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to or expanded at existing clusters, and/or locations as identified on the Proposed Land Use Map.

As stated in the Objective, the area is comprised of existing commercial land uses and C-3 zoned areas. The Map designates the area as Industrial/Commercial/Technological. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The inappropriate zoning designation for the site was realized upon application for expansion at the site by the applicant in March 2004. Based on research by the Assistant Zoning Administrator, it was realized that the site received a Special Exception to operate in this location.

The Department recommended that the applicant apply for a Zoning Map Amendment to rezone the site to C-3 and allow for future expansion without having to apply for another Special Exception. The Department has also contacted the owners of Myers Barbecue to the south of the site and recommended that they have their parcel rezoned to C-3 as well.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-50 MA **be changed** from RU to C-3.

Findings of Fact:

1. The applicant has provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis show that the traffic capacity is currently well below the LOS C traffic capacity at this site and has not been affected by the existing use.
4. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the I-77 Corridor Subarea Plan discussed herein.
6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

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

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

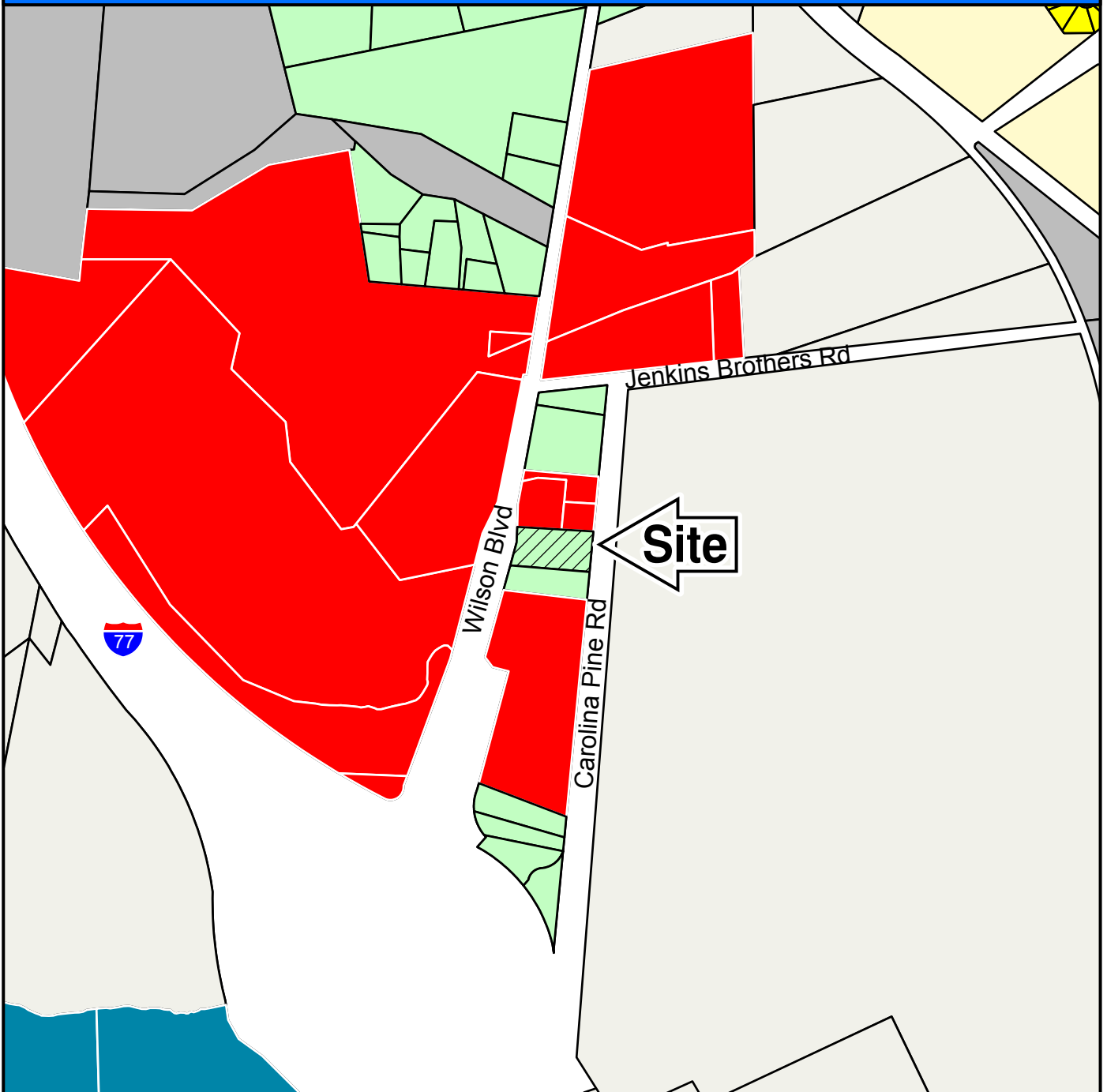
At their meeting of May 3, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-50 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 04-50 MA, the Planning Commission made the findings of fact summarized below:

CASE 04-50 MA FROM RU to C-3

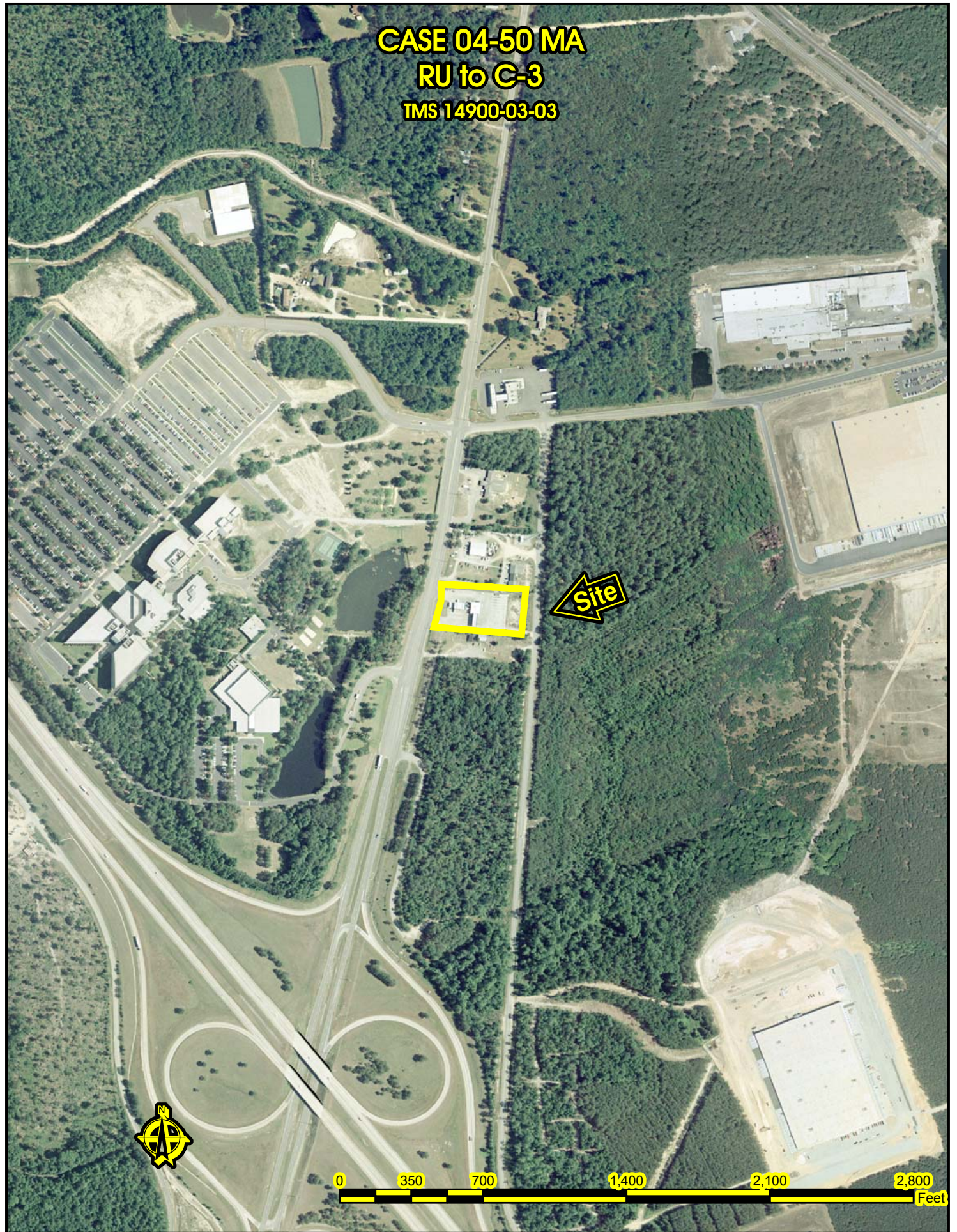


ZONING CLASSIFICATIONS

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



CASE 04-50 MA
RU to C-3
TMS 14900-03-03



CASE 04-50 MA FROM RU to C-3

TMS# 14900-03-03

Wilson Blvd north of I-77



EXHIBIT A
CASE 04-50 MA

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being on the Eastern side of U. S. Hwy. No. 21 in the County of Richland, State of South Carolina, containing 2.02 acres, more or less, and being more fully shown and delineated on a plat prepared for Robert R. Brandi by Cox and Dinkins, Inc., dated December 9, 1987, and recorded in the Office of the RMC for Richland County in Plat Book 51 at page 9786 .

TMS # R14900-03-03

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

May 3, 2004

RC Project # 04-51 MA	Applicant: Gregg Douglas
General Location: Summer Pine Road east of Wilson Boulevard (Hwy. 21)	
Tax Map Number: 14800-04-24	Subject Area: 21.652 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: RS-3 (min. 5,000 sq. ft. lots)
Proposed Use: Single family subdivision	PC Sign Posting Date: April 2, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of a single family subdivision similar to the existing Summer Pines subdivision

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	RU	Single family residences on estate size lots
Adjacent East	D-1	Undeveloped woodlands
Adjacent South	RS-3	Summer Pines S/D Phases 1 & 2
Adjacent West	RU	Single family residences on estate size lots

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

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed RS-3 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities.</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed RS-3 Zoning Permitted Uses</u> Single family detached dwellings Modular units on individual lots</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-66, respectively of the County Code. Some Special Exception uses are also possible.

The proposed project is a single family detached residential subdivision that is contiguous to an existing single family residential subdivision to the south. The project is compatible with the adjacent development.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Wilson Blvd via Summer Pines Dr	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	1,159	
Current Volume At The Nearest Count Station #135 Located @southwest of site on Wilson Boulevard	5600	
Estimated Traffic Count With the Proposed Project	*6759	
Volume-To-Capacity Ratio With The Proposed Project	0.79	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the generation rate for a single family detached residence from the Addendum To The Long Range Major Street Plan for Richland County times the total possible number of lots after deducting the area to be used for infrastructure. 21 acres – 35% for infrastructure = 14 buildable acres/5,000 sq. ft. = 122 lots x 9.5 = 1,159 trips.

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

The total traffic does not count the recently approved PUD on Turkey Farm Road, or the recent industrial park on Wilson Blvd. just below I-77 that received recommendation for approval by the Planning Commission in April 2004. The PUD is expected to generate at least 4848 trips and the 60 acre industrial park will generate 9000 trips with 21,000 trips upon full buildout of the 143 acre site.

The traffic analysis shows that this project alone would not result in the LOS C capacity of this portion of Wilson Blvd being exceeded. However, upon completion of the PUD on Turkey Farm Road and the 60 acre industrial park to the north, traffic will be greatly increased on Wilson Blvd and the LOS C will be exceeded and a LOS F will be reached with a 2.4 V/C ratio assuming all traffic were heading south on Wilson Blvd from the aforementioned sites.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the I-77 Corridor Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing RU zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be C-1, C-2, C-3, M-1, M-2, PDD or PUD to be consistent with the Industrial/Commercial/Technological land use designation.

The Proposed Land Use Element Map (Map) of the I-77 Corridor Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Industrial/Commercial/Technological in the Developing Urban Area. The proposed Zoning Map Amendment is not consistent with this land use designation.

The **proposed RS-3 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be C-1, C-2, C-3, M-1, M-2, PDD or PUD to be consistent with the Industrial/Commercial/Technological land use designation.

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Attract quality residential development in the area by restricting uses which would compromise the area’s residential qualities.

The proposed Amendment will continue the single family residential development adjacent to the site to the south. The proposed Amendment **implements** this Objective.

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map – Medium Density (5 to 9 DU/ac)

The project will allow for approximately 8 DU/gross ac which is within the Medium Density designation. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The parcel directly to the south was presented to the Planning Commission for a Zoning Map Amendment proposal from RU to RS-3 on June 3, 2002. The Planning Commission recommended County Council initiate the ordinance consideration process for the 22 acre tract. County Council agreed with the Planning Commission and gave the project third reading approval on July 16, 2002.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-51 MA **be changed** from RU to RS-3.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Wilson Blvd at this location will not be exceeded with this project alone.

4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the I-77 Corridor Subarea Plan discussed herein.
6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the I-77 Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to an Industrial/Commercial/Technological zoned district.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

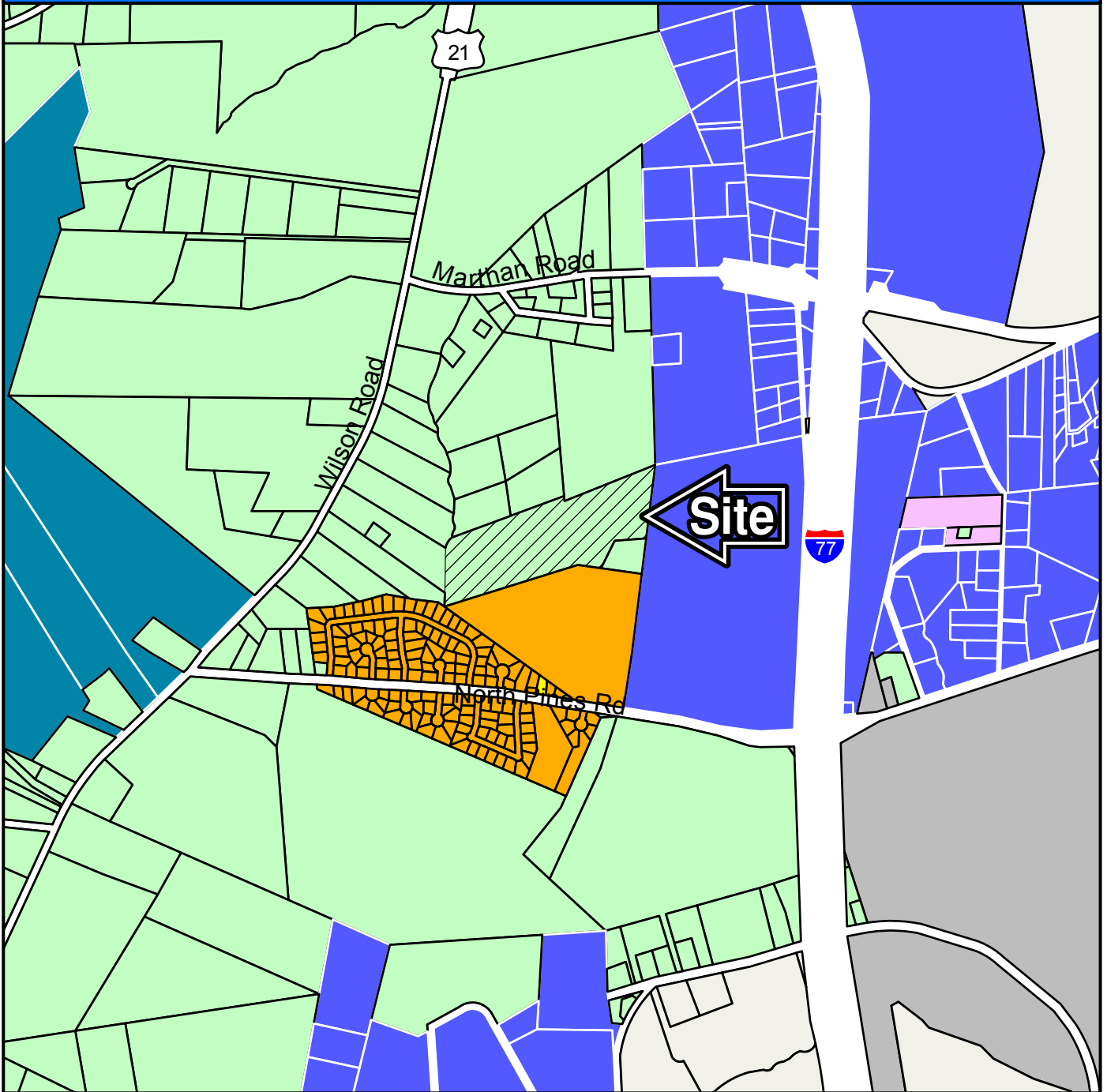
At their meeting of May 3, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-51 MA at the next available opportunity.

Commission Findings of Fact/Recommendations




















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

In consideration of the proposed Zoning Map Amendment # 04-51 MA, the Planning Commission made the findings of fact summarized below:

CASE 04-51 MA FROM RU to RS-3



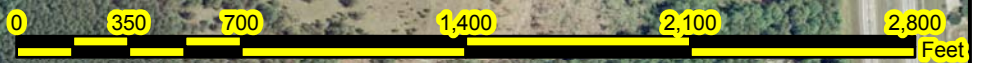
ZONING CLASSIFICATIONS

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



CASE 04-51 MA
RU to RS-3
TMS 14800-04-24

Site



CASE 04-51 MA FROM RU to RS-3

TMS# 14800-04-24 Summer Pines Drive east of Wilson Blvd



Exhibit A
CASE 04-51 MA

Real Property Description

ALL that certain piece, parcel, or lot of land, with the improvements thereon, situate, lying, and being in the County of Richland, State of South Carolina, containing 21.652 acres, shown and designated on a Plat of RTL Grading, Inc. prepared by CTH Surveyors, Inc., dated March 1, 2004 and according to said plat having the following metes and bounds: Beginning at a point on the Southeastern corner of said property and running N88 degrees 18' 19"W for a distance of 173.90 feet to an iron, then turning and running S79 degrees 43'09" W for a distance of 1121.89 feet to and iron then turning and running N05 degrees 01'40"E for a distance of 447.92 feet to an iron then turning and running N69 degrees 45'07"E for a distance of 1015.99 feet to and iron then turning an running S09 degrees 59'18"W for a distance of 587.35 feet to an iron, then turning and running 567 degrees 34'02"W for a distance of 228.41 feet to an iron then turning and running S41 degrees 38'59"W for a distance of 240.57 feet to the point of beginning.

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

May 3, 2004

RC Project # 04-52 MA	Applicant: William B. Banning, Sr.
General Location: 1335 Elm Abode Terrace east of the Broad River Road & Bush River Road intersection	
Tax Map Number: 07308-05-08	Subject Area: 3.00 ac MOL
Current Parcel Zoning: RS-1	Proposed Parcel Zoning: C-1
Proposed Use: Office and service uses	PC Sign Posting Date: April 7, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To accommodate commercial and service uses oriented primarily to serving the needs of persons who live or work in nearby areas

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RS-1	Large residence on estate size lot
Adjacent North	RS-1	Single family residences
Adjacent East	RS-1	Single family residences
Adjacent South	C-3	Saint Andrews Lutheran Church
Adjacent West	C-3	Lutheran Family Services

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

<p><u>RS-1 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities.</p>	<p><u>Proposed C-1 Zoning Designation Intent</u> Intended to accommodate office, institutional, and certain types of residential uses in areas whose characteristic in neither general commercial nor exclusively residential in nature.</p>
<p><u>Existing RS-1 Zoning Permitted Uses</u> Single family detached dwellings Modular units on individual lots</p>	<p><u>Proposed C-1 Zoning Permitted Uses</u> Offices Various types of studios Medical and dental laboratories Nursing homes Funeral homes Places of worship Rooming and boarding houses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-63 and Chapter 26-65, respectively of the County Code. Some Special Exception uses are also possible.

The adjacent property to the north and east across Thor Drive is comprised of single family residences. The property to the south across Elm Abode Terrace and to the west is comprised of uses affiliated with the Lutheran Church on C-3 zoned property. The proposed Amendment is consistent with the existing land uses and would serve as a transition between the single family residences across Thor Drive and the C-3 zoned property along Broad River Road.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Broad River Rd via Elm Abode Terrace	
Functional Classification Of This Roadway	Five lane undivided major arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #183 Located @south of the site on Broad River Road	24,600	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

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

NP = Not possible to determine the generation rate from the TGM (use not specific enough)

Without a more specific idea of the intended use, it is not possible to estimate the traffic that could be generated by the use of the site for commercial use. The proposed Amendment would not have a significant effect on the traffic on Broad River Road.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the I-20 Interbeltway Corridor Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing RS-1 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RS-2, RS-3 or RG-1 to be consistent with the Medium Density land use designation.

The Proposed Land Use Element Map (Map) of the I-20 Interbeltway Corridor Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Medium Density Residential. The proposed Zoning Map Amendment is not consistent with this land use designation.

The **proposed C-1 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RS-2, RS-3 or RG-1 to be consistent with the Medium Density Residential land use designation.

The I-20 Interbeltway Corridor Subarea Plan, adopted in November 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 9 and 12 respectively, are discussed below:

Objective – Minimize incompatibility between existing and proposed land uses.

The proposed Amendment implements the objective of C-1 zoning by providing a use which serves as a compatible transition between the existing residences across Thor Drive and the general commercial uses along Broad River Road. The proposed Amendment **implements** this Objective.

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

Sites that don't encroach or penetrate established residential areas.

The location of the property prohibits the encroachment upon the existing residential area across Thor Drive. The site provides for traffic accessibility due to the proximity of the Broad River Road and Elm Abode Terrace intersection. Traffic would not enter the existing neighborhood to the east of the site. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The proposed Amendment exemplifies the use of C-1 zoning in a location which is neither general commercial nor exclusively residential in nature. The large home is over 7,000 sq. ft. and would be a prime space for offices, professional studios and similar uses due to its design and interior layout.

The subject property was presented to the Richland County Planning Commission for rezoning from RS-1 to C-3 as case #01-09 MA on October 2, 2000. The case was denied by the Planning Commission and subsequently withdrawn.

The case was to be amended to reflect the recommendation of the Planning Commission on October 2, 2000 for a C-1 proposal. The case was withdrawn on December 4, 2000 with no further action taken.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-52 MA **be changed** from RS-1 to C-1.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.

2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the proposed Amendment would not have a significant effect on the LOS design capacity of Broad River Road.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the I-20 Interbeltway Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the I-20 Interbeltway Corridor Subarea Plan discussed herein.
6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the I-20 Interbeltway Corridor Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to an office/institutional zoned district.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

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

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

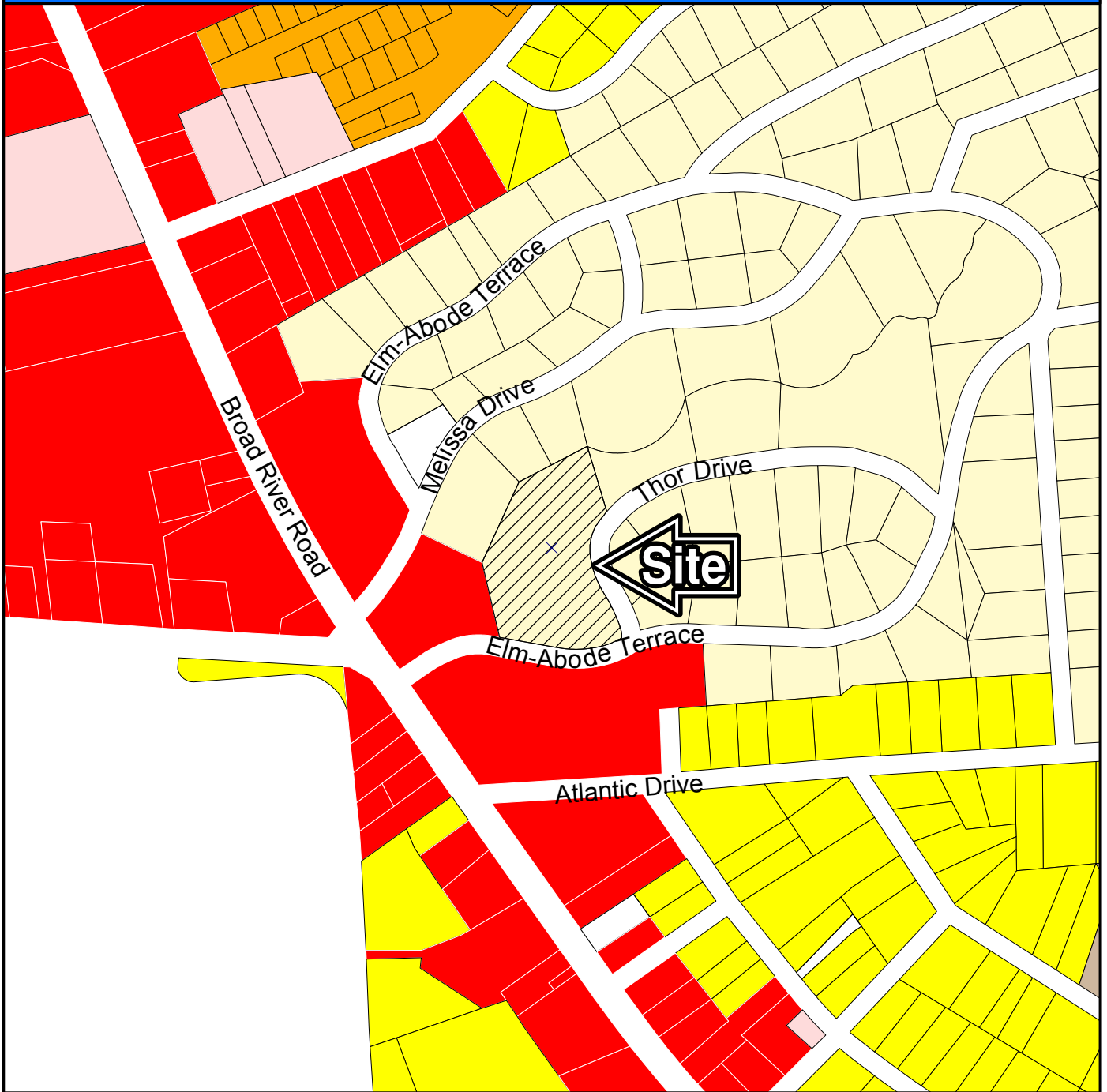
At their meeting of May 3, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-52 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 04-52 MA, the Planning Commission made the findings of fact summarized below:

CASE 04-52 MA FROM RS-1 to C-1

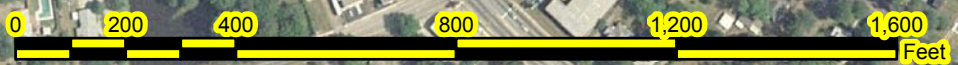


ZONING CLASSIFICATIONS

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



CASE 04-52 MA
RS-1 to C-1
TMS 07308-05-08



CASE 04-52 MA FROM RS-1 to C-1

TMS# 07308-05-08

1335 Elm Abode Terrace



EXHIBIT A
CASE 04-52 MA

All that certain piece, parcel, lot or tract of land, with improvements thereon, in any, situate, lying and being in the City of Columbia, County of Richland, State of South Carolina, being more fully shown and delineated as Lots 1, 2, and 5, Block E, Elm-Abode Subdivision as shown on a plat prepared for Hannah S. Elmgren by Arthur K. Keels, C.E., dated November 23, 1964, recorded in the Office of the Register of Deeds for Richland County, SC in Plat Book V at Page 216; said Lot 5 is more particularly shown on a plat prepared for Lowell Duane Reese and Carol R. Reese By Donald G. Platt, RLS, dated March 28, 1985, recorded in the Office of the register of Deeds for Richland County, SC in Plat Book 50 at Page 2827, and having such metes and bounds as are shown on said plats. The metes and bounds as shown on said plats are incorporated herein by reference.

DERIVATION: This being the identical property conveyed to William B. Banning, Sr., Danny T. Turner, and Robert H. Skelton from John R. Roof by Deed of Record dated January 03, 2000 and recorded in the Office of the Register of Deeds for Richland County, SC in Record Book 375 at Page 2417.

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

May 3, 2004

RC Project # 04-53 MA	Applicant: Charleston Estates of Columbia, N.E./Troy Berry
General Location: 4037 Hardscrabble Road and adjacent lot to the west	
Tax Map Number: 20281-01-41,42	Subject Area: 9.9 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: RS-1
Proposed Use: Single family subdivision	PC Sign Posting Date: April 2, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment single family detached residential subdivision

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Single family residence and undeveloped woodlands
Adjacent North	PUD	Proposed commercial area in PUD/currently undeveloped woodlands
Adjacent East	RU	Single family residences on estate size lots
Adjacent South	RU	Single family residences across Hardscrabble Road
Adjacent West	PUD	Proposed single family residences/currently undeveloped woodlands

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

<p><u>RU Zoning Designation Intent</u> Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><u>Proposed RS-1 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities</p>
<p><u>Existing RU Zoning Permitted Uses</u> All farm type enterprises Public buildings and utilities Orphanages, nursing homes and the like Places of worship Educational facilities One & Two family dwellings</p>	<p><u>Proposed RS-1 Zoning Permitted Uses</u> Single family detached dwellings Modular building units on individual lots</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-63, respectively of the County Code. Some Special Exception uses are also possible.

The areas to the west, south and east are comprised of single-family residential dwellings. The area to the north of the site is a proposed commercial area of an approved PUD. The commercial development will be required to buffer itself from the subject site. The subject site is compatible with the existing land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Hardscrabble Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	219	
Current Volume At The Nearest Count Station #438 Located @southwest of the site on Hardscrabble Road	15,900	
Estimated Traffic Count With the Proposed Project	16,119	
Volume-To-Capacity Ratio With The Proposed Project	1.87	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the generation rate for a single family residence found on page 9 of the Addendum To The Long Range Major Street Plan for Richland County times the approximate maximum number of lots allowed by RS-1 zoning. 23 lots x 9.5 trips = 219

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

The proposed project, by itself, will not generate a significant amount of traffic on Hardscrabble Road to cause the LOS C to be exceeded. However, the Department estimates that upon buildout of the subdivisions already approved in the area, there will be in excess of 21,000 trips on this portion of Hardscrabble Road. The V/C ratio, without the subject project, will exceed 2.26, or far above the LOS F level.

In addition, the County rezoned a 100-acre PUD adjacent to the subject site on the west to permit up to 18 acres of general commercial development and 172 single family detached residences. This PUD will generate approximately 941 daily vehicle trips on Hardscrabble Road, virtually next door to the subject project.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the I-77 Corridor Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing RU zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RS-2, RS-3 or RG-1 to be consistent with the Medium Density Residential land use designation.

The Proposed Land Use Element Map (Map) of the I-77 Corridor Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Medium Density Residential in a Developing Urban Area. The proposed Zoning Map Amendment is not consistent with this land use designation.

The **proposed RS-1 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RS-2, RS-3 or RG-1 to be consistent with the Medium Density Residential land use designation.

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Attract quality residential development in the area by restricting uses which would compromise the area’s residential qualities.

The proposed Amendment for RS-1 is compatible with the surrounding area comprised of single family residences on varying sized lots. The proposed Amendment **implements** this Objective.

Principle – Established low-density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development.

The proposed Amendment is not a more intense development than the existing land uses of single family residences and will be buffered from the proposed commercial development to the north. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The proposed Amendment is the most appropriate development for this portion of Hardscrabble Road. The development would be one of the least detrimental uses to increased traffic on Hardscrabble Road.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Official Zoning Map designation for the parcels included in Project # 04-53 MA **be changed** from RU to RS-1.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Hardscrabble Road at this location is currently being exceeded at a LOS F.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the I-77 Corridor Subarea Plan discussed herein.

6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the I-77 Corridor Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a low density residential zoned district.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

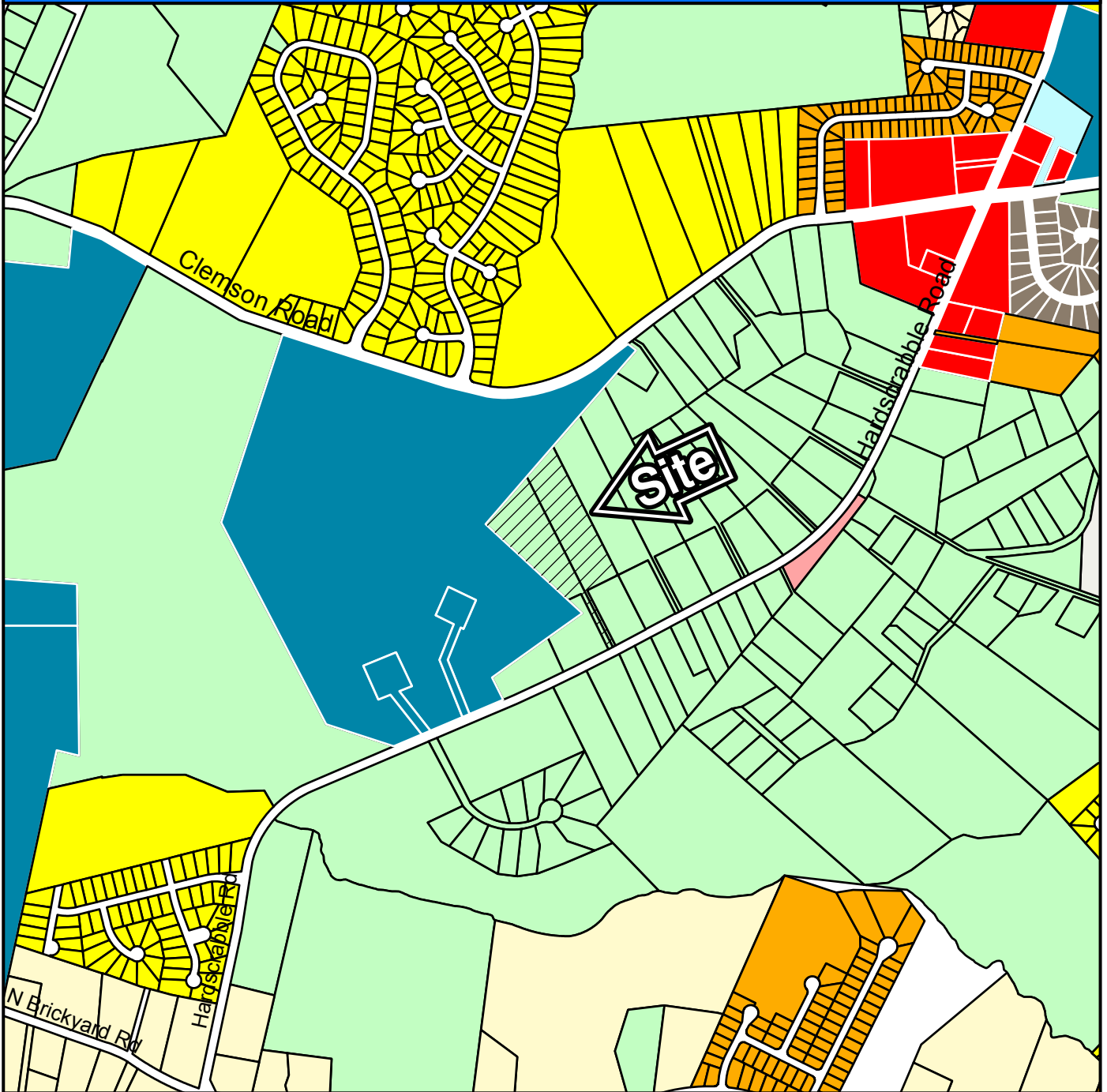
At their meeting of May 3, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-53 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

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

In consideration of the proposed Zoning Map Amendment # 04-53 MA, the Planning Commission made the findings of fact summarized below:

CASE 04-53 MA FROM RU to RS-1



ZONING CLASSIFICATIONS

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



CASE 04-53 MA
RU to RS-1
TMS 20281-01-41/42



CASE 04-53 MA FROM RU to RS-1

TMS# 20281-01-41/42

4037 Hardscrabble Road



Looking at Hardscrabble Road from site



Looking at site from Hardscrabble Road

Attachment A
CASE 04-53 MA
Legal Description

All that certain piece, parcel or lot of land with improvements thereon, if any, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, containing 4.79 acres, and being shown and designated as LOT FORTY-TWO (42), on a plat of "PEPPERTREE SUBDIVISION", prepared for the First Commercial company, Inc., by Civil Engineering of Columbia, dated September 24, 1980, and recorded in the office of the RMC for Richland County, in Plat Book "Y", at Page 9773.

TMS #20281-01-42, RMC Book D0795 Page 522

All that certain piece, parcel or lot of land with improvements thereon, if any, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, containing 5.16 acres, and being shown and designated as LOT FORTY-ONE (41), on a plat of "PEPPERTREE SUBDIVISION", prepared for the First Commercial company, Inc., by Civil Engineering of Columbia, dated September 24, 1980, and recorded in the office of the RMC for Richland County, in Plat Book "Y", at Page 9773.

TMS #20281-01-41, RMC Book D-130 Page 300

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

May 3, 2004

RC Project # 04-54 MA	Applicant: Truman J. "Pat" Murphy, III
General Location: 7118-B Monticello Road south of Sara Matthews Road	
Tax Map Number: 09404-02-03 (p)	Subject Area: 4.02 ac MOL
Current Parcel Zoning: D-1/C-1	Proposed Parcel Zoning: PDD
Proposed Use: Boarding Houses	PC Sign Posting Date: April 7, 2004

SECTION I ANALYSIS

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To bring existing boarding houses into compliance and to build additional residences at a later date

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1/C-1	Vacant boarding homes and undeveloped woodlands
Adjacent North	D-1	Undeveloped woodlands, single family residences, and a multi-family residence
Adjacent East	D-1	Large lot residences and undeveloped woodlands
Adjacent South	D-1	Undeveloped woodlands and single family residential
Adjacent West	D-1 & M-1	Scattered single family residences and scattered commercial structures

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

<p><u>C-1 Zoning Designation Intent</u> Intended to accommodate office, institutional, and certain types of residential uses</p> <p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semideveloped, with scattered related uses</p>	<p><u>Proposed PDD Zoning Designation Intent</u> Intended better bridge the inherent difference between residential and non residential uses</p>
<p><u>Existing C-1 Zoning Permitted Uses</u> Offices Studios Single, two family, and multi family dwellings</p> <p><u>Existing D-1 Zoning Permitted Uses</u> Agriculture Horticulture Single family detached dwellings Places of worship</p>	<p><u>Proposed PDD Zoning Permitted Uses</u> Limited to only those depicted in the Site Plan provided as Attachment A</p>

The land uses above represent a summary of the permitted uses in Chapter 26-65/62 and Chapter 26-72, respectively of the County Code. Some Special Exception uses are also possible.

The adjacent developments to the north, east, and south are undeveloped woodlands or single-family residences. The area across Monticello Road consists of a commercial building and single family residences. Since the proposed site will be enveloped by natural woodlands the site is compatible with the adjacent development.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Monticello Road	
Functional Classification Of This Roadway	Five Lane Undivided Major Arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	304	
Current Volume At The Nearest Count Station #249 Located @ southeast of site on Monticello Road	9400	
Estimated Traffic Count With the Proposed Project	9704	
Volume-To-Capacity Ratio With The Proposed Project	0.29	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the generation rate for a low rise apartment business found on page 9 of the Addendum To The Long Range Major Street Plan for Richland Count times the total number of proposed units. $46 \times 6.6 = 304$

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

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

State statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the North Central Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The **existing D-1/C-1 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be either RS-1, RS-2, RS-3, RG-1, RG-2, PUD, or PDD to be consistent with the Residential land use designation.

The Proposed Land Use Element Map (Map) of the North Central Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Residential in a Developing Urban Area. The proposed Zoning Map Amendment **is consistent** with this land use designation.

The North Central Subarea Plan, adopted in November 1992, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 26 and 30 respectively, are discussed below:

Objective – Vary residential densities and development according to the character of existing communities.

The existing adjacent residential development consists of single family residences on varying lot sizes. Due to location of the proposed site, the character of the existing residences would not be affected by the development. The proposed Amendment **implements** this Objective.

Principle – Established low density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development.

The proposed amendment will only allow for a maximum of 34 units. The location of site prevents it from penetrating the existing neighborhood on Sara Matthews Road and surrounding areas. The proposed Amendment **implements** this Principle.

Other Relevant Issues

Prior to any further development of the subject property, the applicant must bring the existing structures into compliance with all the relevant County regulations. The applicant must also obtain all necessary site development, and Building Code, approvals prior to initiating any new development activity.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-54 MA **be changed** from D-1/C-1 to PDD.

Findings of Fact:

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Monticello Road at this location will not be exceeded.
4. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the North Central Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Principles of the North Central Subarea Plan discussed herein.
6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the North Central Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a residential zoned district.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

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

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

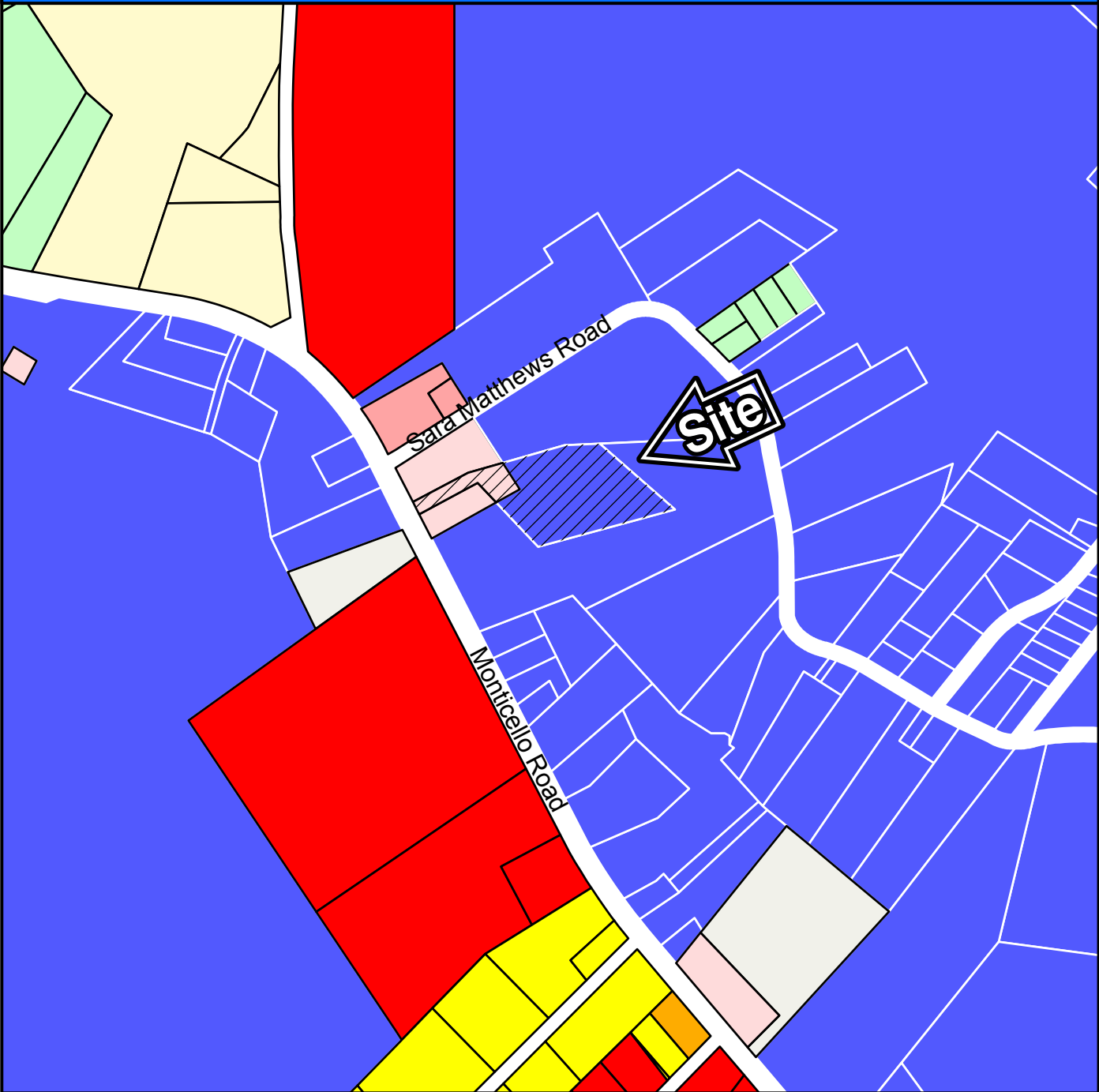
At their meeting of May 3, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-54 MA at the next available opportunity.

Commission Findings of Fact/Recommendations


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

In consideration of the proposed Zoning Map Amendment # 04-54 MA, the Planning Commission made the findings of fact summarized below:

CASE 04-54 MA FROM D-1/C-1 to PDD



ZONING CLASSIFICATIONS

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



CASE 04-54 MA
D-1/C-1 to PDD
TMS 09404-02-03 (p)



CASE 04-54 MA FROM D-1/C-1 to PDD

TMS# 09404-02-03 (p)

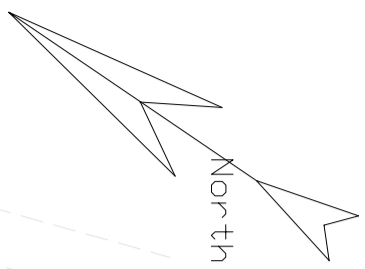
7118-B Monticello Road



Looking at interior of site

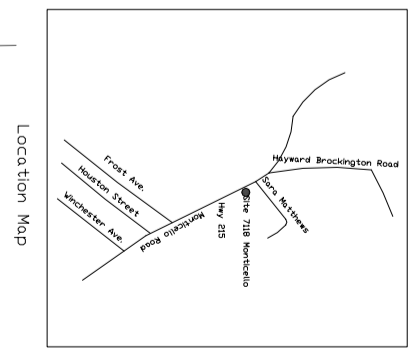


Looking at site from Monticello Road



Notes: For Parcel "B-1"
 Present Zoning C-1 and D-1
 Proposed New Zoning PDD For Parcel "B-1"
 Phase I 12 Bedrooms
 Future Phase II 24 Bedrooms
 Height of Structure single Story 16'-0"


There will be no signs for this project



RC Project # 04-54 MA

<p>PROJECT Murphy Property</p>	<p>DRAWING Site Plan</p>	<p>OWNER: Truman J. Murphy III</p>	<p>RC Project # 04-54 MA</p>		
DRAWN BY	DATE 3/25/04	PROJECT NO.			
SCALE 1"=50'		DRAWING NO.		S-1	

**RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
Development Services Division Memo**

TO: Planning Commission Members
FROM: Carl D. Gosline, AICP, Land Development Administrator 
DATE: April 20, 2004
RE: Subdivision and Street Name Approval

Background

Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, the statute states, "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."

The attached list of proposed street/road names has been certified by Alfreda Tindal, Richland County E-911 Addressing Coordinator, as being in compliance with the E-911 system requirements. A list of proposed subdivision names is included for your information.

Action Requested

The Department recommends the Commission approve the attached street/road name list. The subdivision names are for information only. No Commission action is necessary.

PROPOSED STREET NAMES	GENERAL LOCATION
Dutch Oaks Drive	Dutch Oaks
Small Oak Lane	Longcreek Plantation
Oakvale Court	Longcreek Plantation
Rivermist Court	Watersong
Redbourne Road	Watersong
Ridge Run Trail	Watersong
Cleyeria Court	Palmetto Place, Phase 4 thru 7
Acuba Court	Palmetto Place, Phase 4 thru 7
Alelia Court	Palmetto Place, Phase 4 thru 7
Gingo Court	Palmetto Place, Phase 4 thru 7
Cotoneaster Drive	Palmetto Place, Phase 4 thru 7
Blackloon Drive	Palmetto Place, Phase 4 thru 7
Sawtooth Lane	Palmetto Place, Phase 4 thru 7

APP'D SUBDIVISION NAMES	GENERAL LOCATION
Chapel Oaks	Undetermined Location
Dutch Oaks	Shady Grove Road @ Old Tamah Road