

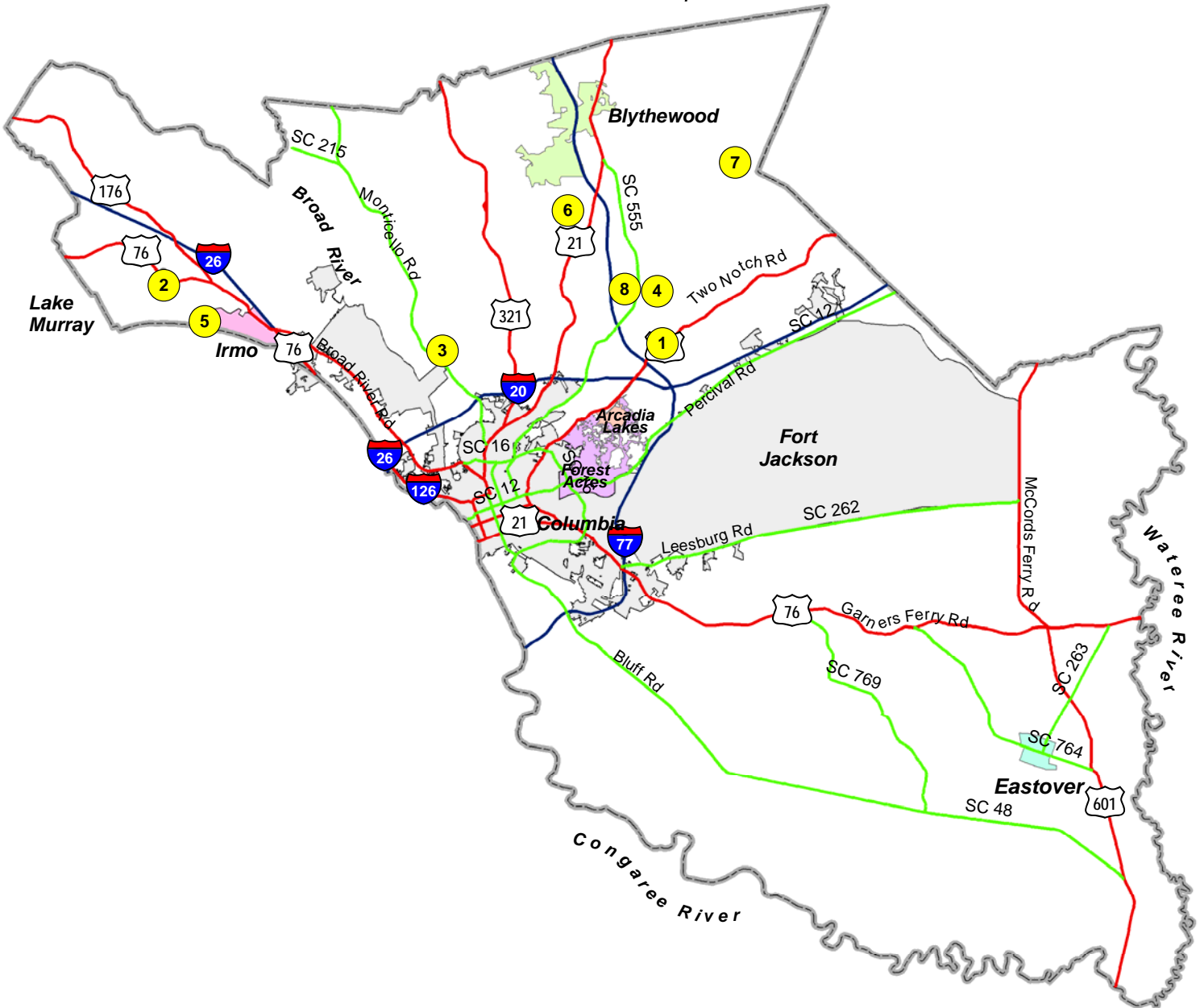
RICHLAND COUNTY  
PLANNING COMMISSION



DECEMBER 2, 2004



# RICHLAND COUNTY PLANNING COMMISSION DECEMBER 2, 2004



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 05-21 MA	Mary Ann Herrington c/o Charnell G. Peake	19903-06-14	139 Rabon Road	McEachern
2. 05-22 MA	Murray W. Clepper	02412-01-11 (p)	1016 Gates Road in Ballentine	Corley
3. 05-25 MA	Brockington Acres (Alyan Brown)	07700-03-23 (p)	Heyward Brockington Road	Tuten
4. 05-26 MA	Michael Sloan c/o Charnell G. Peake	17300-07-01	3408 Hardscrabble Road	Brady
5. 05-27 MA	English Village Gardens (Robert Fuller)	03206-01-09	Dreher Shoals Road (SC Hwy 6)	Corley
6. 05-28 MA	Beasley Creek Estates (Tom Margle)	14800-05-09	281 Turkey Farm Road	McEachern
7. 05-29 MA	Lake Carolina Development, Inc. (H.B. Munn)	23200-01-20 (p)	Northern Boundary of Lake Carolina PUD	Brill
8. 05-30 MA	The James Company (E. Clifton Kinder, Jr.)	17300-02-10 (p)	Hardscrabble/Farrow Road	McEachern





**RICHLAND COUNTY PLANNING COMMISSION**

**Thursday, December 2, 2004**

**Agenda**

**1:00 PM**

**2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers**

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

**I. PUBLIC MEETING CALL TO ORDER** Gene Green, Chairperson

**II. PUBLIC NOTICE ANNOUNCEMENT**

**III. PRESENTATION OF MINUTES FOR APPROVAL**

Consideration of the October 4, 2004 and November 1, 2004 minutes

**IV. AGENDA AMENDMENTS**

**V. OLD BUSINESS**

None

**VI. NEW BUSINESS - SUBDIVISION REVIEW**

<b>PROJECT #</b>	<b>NAME</b>	<b>LOCATION</b>	<b>UNITS</b>	<b>Page</b>
SD-05-81	Sassafras Springs Phase 2	Rice Creek Farms TMS # 20300-02-02	32	09
SD-05-106	Wildewood Business Center, Phase 2B	Two Notch Road TMS # 22807-01-05	5	17
SD-05-85	Watershire	Next To Lake Murray Marina TMS # 02308-01-02	15	25
SD-05-110	Cutlip - Private Driveway S/D	Wilson Blvd, North of Blythewood TMS # 15300-02-79	6	33

**VII. NEW BUSINESS - ZONING MAP AMENDMENTS**

(MAP #) CASE #	(1) 05-21 MA	Page
APPLICANT	Mary Ann Herrington c/o Charnell G. Peake	41
REQUESTED AMENDMENT	D-1 to C-3 (1.25 acres)	
PURPOSE	Small commercial business	
TAX MAP SHEET NUMBER (S)	19903-06-14	
LOCATION	139 Rabon Road	

(MAP #) CASE #	(2) 05-22 MA	Page
APPLICANT	Murray W. Clepper	51
REQUESTED AMENDMENT	RU to C-3 (2.0 acres)	
PURPOSE	Marine and RV Storage	
TAX MAP SHEET NUMBER (S)	02412-01-11 (portion)	
LOCATION	1016 Gates Road in Ballentine	

(MAP #) CASE #	(3) 05-25 MA	Page
APPLICANT	Brockington Acres (Aylan Brown)	61
REQUESTED AMENDMENT	RS-1 to RU (72.40 acres)	
PURPOSE	Rural Residential Subdivision	
TAX MAP SHEET NUMBER (S)	07700-03-23 (portion)	
LOCATION	Heyward Brockington Road	

(MAP #) CASE #	(4) 05-26 MA	Page
APPLICANT	Michael Sloan c/o Charnell Peake	71
REQUESTED AMENDMENT	RS-1 to C-3 (4.18 acres)	
PURPOSE	Commercial Development	
TAX MAP SHEET NUMBER (S)	17300-07-01	
LOCATION	3408 Hardscrabble Road	

(MAP #) CASE #	(5) 05-27 MA	Page
APPLICANT	English Village Gardens (Robert Fuller)	81
REQUESTED AMENDMENT	RU to PUD-1R (34.38 acres)	
PURPOSE	Residential/commercial PUD (revision)	
TAX MAP SHEET NUMBER (S)	03206-01-09	
LOCATION	Dreher Shoals Road (Hwy. 6)	

(MAP #) CASE #	(6) 05-28 MA	Page
APPLICANT	Beasley Creek Estates (Tom Margle)	95
REQUESTED AMENDMENT	RU to PUD-1R (85 acres)	
PURPOSE	Single family residential subdivision	
TAX MAP SHEET NUMBER (S)	14800-05-09	
LOCATION	281 Turkey Farm Road	

(MAP #) CASE #	(7) 05-29 MA	Page
APPLICANT	Lake Carolina Development, Inc (H.B. Munn)	111
REQUESTED AMENDMENT	Minor PUD Amendment (12 acres)	
PURPOSE	Northeast YMCA	
TAX MAP SHEET NUMBER (S)	23200-01-20 (portion)	
LOCATION	Northern Boundary of Lake Carolina PUD	

(MAP #) CASE #	(8) 05-30 MA	Page
APPLICANT	The James Company (E. Clifton Kinder, Jr.)	115
REQUESTED AMENDMENT	M-1 to RS-3 (32.96 acres)	
PURPOSE	Single Family Residential	
TAX MAP SHEET NUMBER (S)	17300-02-10 (portion)	
LOCATION	Hardscrabble/Farrow Road	

### **VIII. ROAD NAME APPROVALS**

- a. New Road Name Approvals 129

### **IX. OTHER BUSINESS**

- a. Commission Nominations for Year 2005 Officers
- b. Consideration of the Comprehensive Plan Task Force Policy Recommendations Report (January 2001) To Amend The Imagine Richland County 2020 Comprehensive Plan
- c. Discussion Regarding The County Council's Direction To The Planning Commission To Initiate Preparation Of A Community Facilities Plan And Planning Process As Soon As Possible That Will Include Designation of Preferred Growth Areas
- d. Land Development Code Zoning Map Ordinance

### **X. PLANNING DIRECTOR'S REPORT**

- a. Meeting Schedule for Year 2005

### **XI. ADJOURNMENT**



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

December 2, 2004

<b>Applicant:</b> Joe Clark		<b>Preliminary Subdivision Plans For:</b> Sassafras Springs, Phase 2	
<b>RC Project # :</b> SD-05-81			
<b>General Location:</b> Lee Road and Hardscrabble Road			
<b>Tax Map Number:</b> 20300-02-02		<b>Current Zoning:</b> PUD	
<b>Subject Area:</b> 9.6 acres	<b>Number of Units:</b> 32	<b>Gross Density:</b> 3.3 DU/acres	
<b>Sewer Service Provider:</b> Palmetto Utilities		<b>Water Service Provider:</b> City of Columbia	

**SECTION I – ANALYSIS**

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

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

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

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

**Traffic Impact Discussion**

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Hardscrabble Rd	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	304	
Current Volume At The Nearest Count Station # 437 Located @ Lee Road	10,800	
Estimated Traffic Count <b>With</b> the Proposed Project	11,104	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.29</b>	

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 and used in the CMCOG long range transportation planning process.

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

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

As shown above, the proposed project will generate enough new traffic on Hardscrabble Road to cause the LOS C to be further exceeded. 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 20-acre site across from Ridgeview High School to permit up to 200,000 sq. ft. of general commercial development in 2002. This commercial project alone will generate more than 12,000 additional trips on Hardscrabble Road between Summit Parkway and Lee Road upon buildout. **In summary, upon buildout of the subject subdivision, the commercial project across from Ridgeview High School 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	6
Middle School @ 0.13 students per single family DU	4
High School @ 0.12 Students per single family DU	3

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

**Existing Site Conditions**

The site slopes downward (north) toward the wetlands located between the subject project and the Rice Creek Elementary School. The hardwoods are concentrated in, and near, the wetlands.

**Compatibility with the Surrounding Area**

The subject project is a continuation of the Sassafra Springs S/D. The Persimmon Hill S/D is located across Rice Creek Farms Road. The proposed project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

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

range vision..." [Plan, pg. 4-8]. The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The subject site is designated as Medium Density Residential within the Developing Urban Area on the I-77 Corridor Subarea Plan Proposed Land Use Map. **The proposed project is not consistent with this land use designation** because the proposed project's 3.3 DU/acre density is below the minimum allowable density of 5.0 to 9.0 DU/acre.

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

Objective –  
None Applicable

Principle –Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map – Medium Density - 5.0 to 9.0 DU/acre  
The proposed project will have a density below the minimum allowable density in the Medium Density Residential area. This project **does not implement** this Principle.

#### **Other Pertinent Factors**

- 1) On November 4, 2004, the Public Works Dept. **disapproved the stormwater management plans** and offered numerous comments to be addressed before the plans could be approved.
- 2) As of November 15, 2004, approval of the flood elevation statement had not been received.
- 3) As of November 15, 2004, approval of the wetlands encroachment permit, if applicable, had not been received
- 4) As of November 15, 2004, the City of Columbia had not approved the water line construction plans.
- 5) As of November 15, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of November 15, 2004, DHEC had not issued a water line construction permit.
- 7) The E-911 Coordinator commented that the lots must be renumbered to be consecutive from the phase one.

## **SECTION II – STAFF RECOMMENDATION**

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends **denial** of the preliminary subdivision plans for a 32 unit single family detached subdivision, known as Sassafra Springs, Phase 2 (Project # SD-05-81). 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, the commercial project across from Ridgeview High School 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.**
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 **does not implement** the relevant Objectives and Recommendations of the I-77 Corridor Subarea Plan.

## **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.

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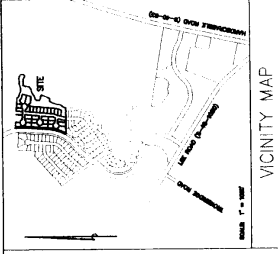
OWNER  
RICE CREEK FARMS  
Columbia, South Carolina

# Attachment A SD 05-81



PRELIMINARY PLAN  
SASYP&S SPURNS PHASE II  
DRAWING NUMBER

SD-04-283



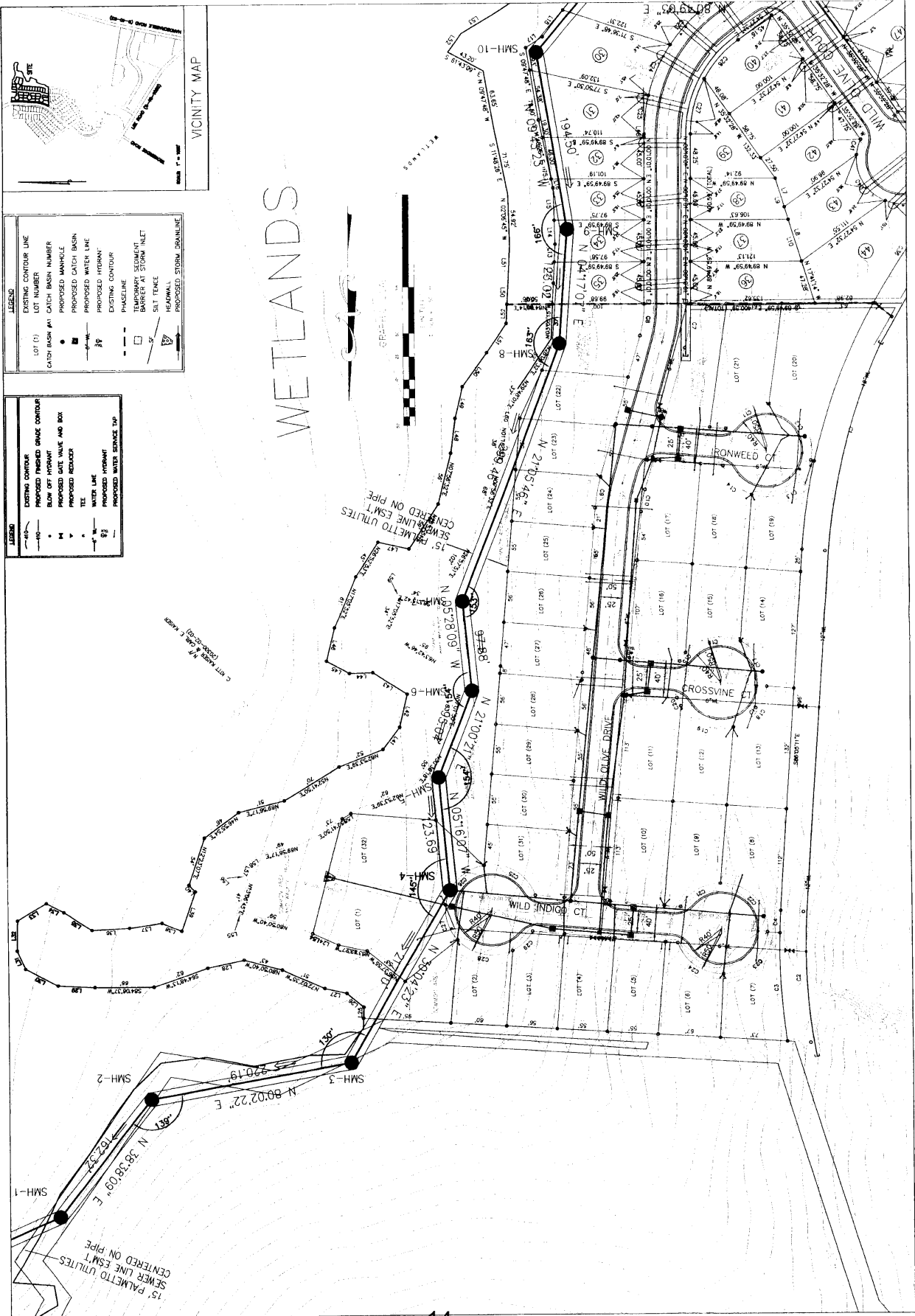
LEGEND

EXISTING CONTOUR LINE	---
LOT NUMBER	( )
CATCH BASIN #	CB
PROPOSED MANHOLE	●
PROPOSED CATCH BASIN	■
PROPOSED WATER LINE	—
PROPOSED HYDRANT	●
EXISTING CONTOUR	---
PHASELINE	- - -
SEWER MAIN	—
SEWER INLET	—
SILT TRENCH	—
PROPOSED STORM DRAINAGE	—

LEGEND

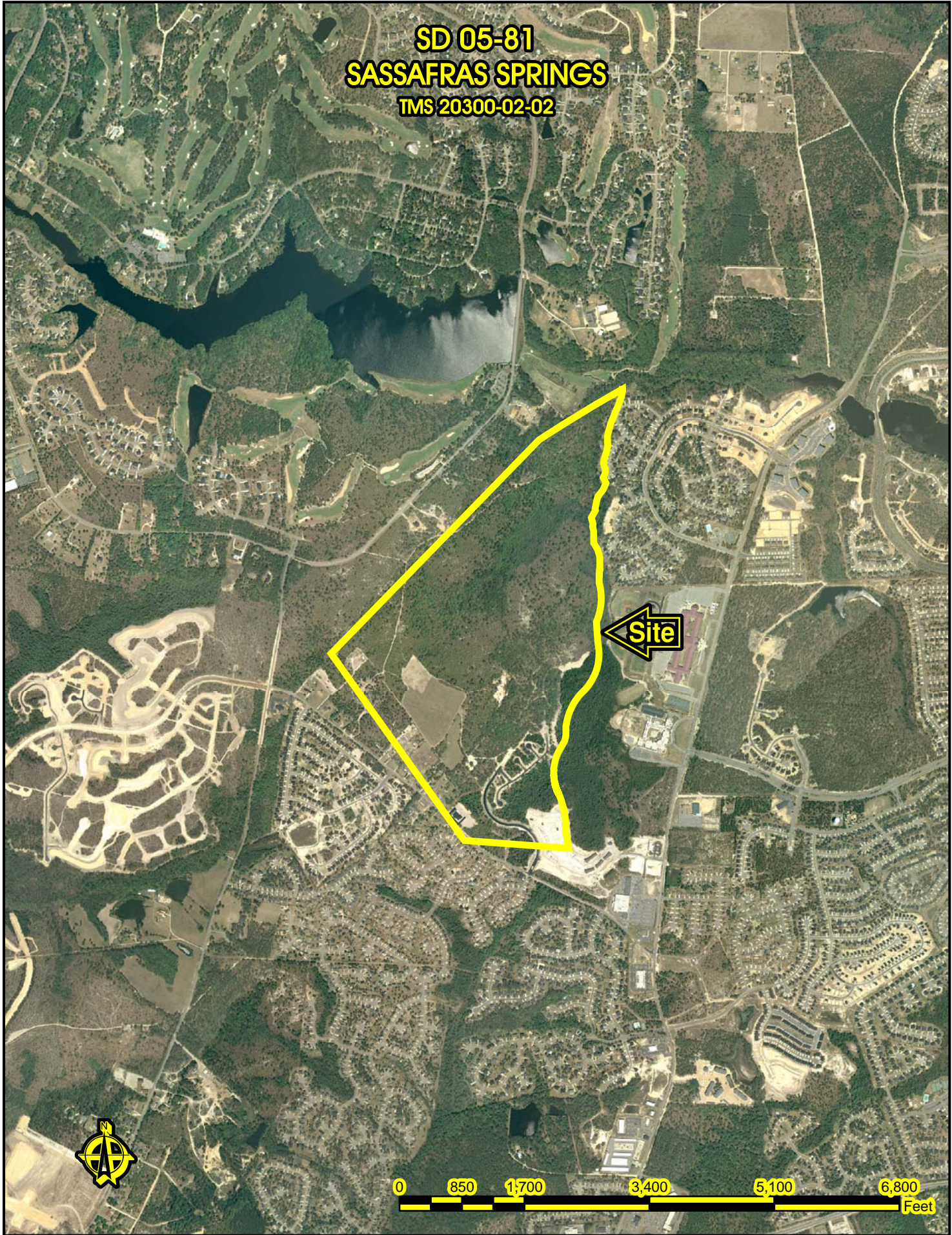
EXISTING CONTOUR	---
PROPOSED GRADE CONTOUR	---
BLACK CUT UPRAMP	—
PROPOSED SATE VALVE AND BOX	—
PROPOSED REDUCER	—
TEE	—
WATER LINE	—
PROPOSED HYDRANT	●
PROPOSED WATER SERVICE TAP	—

## WETLANDS



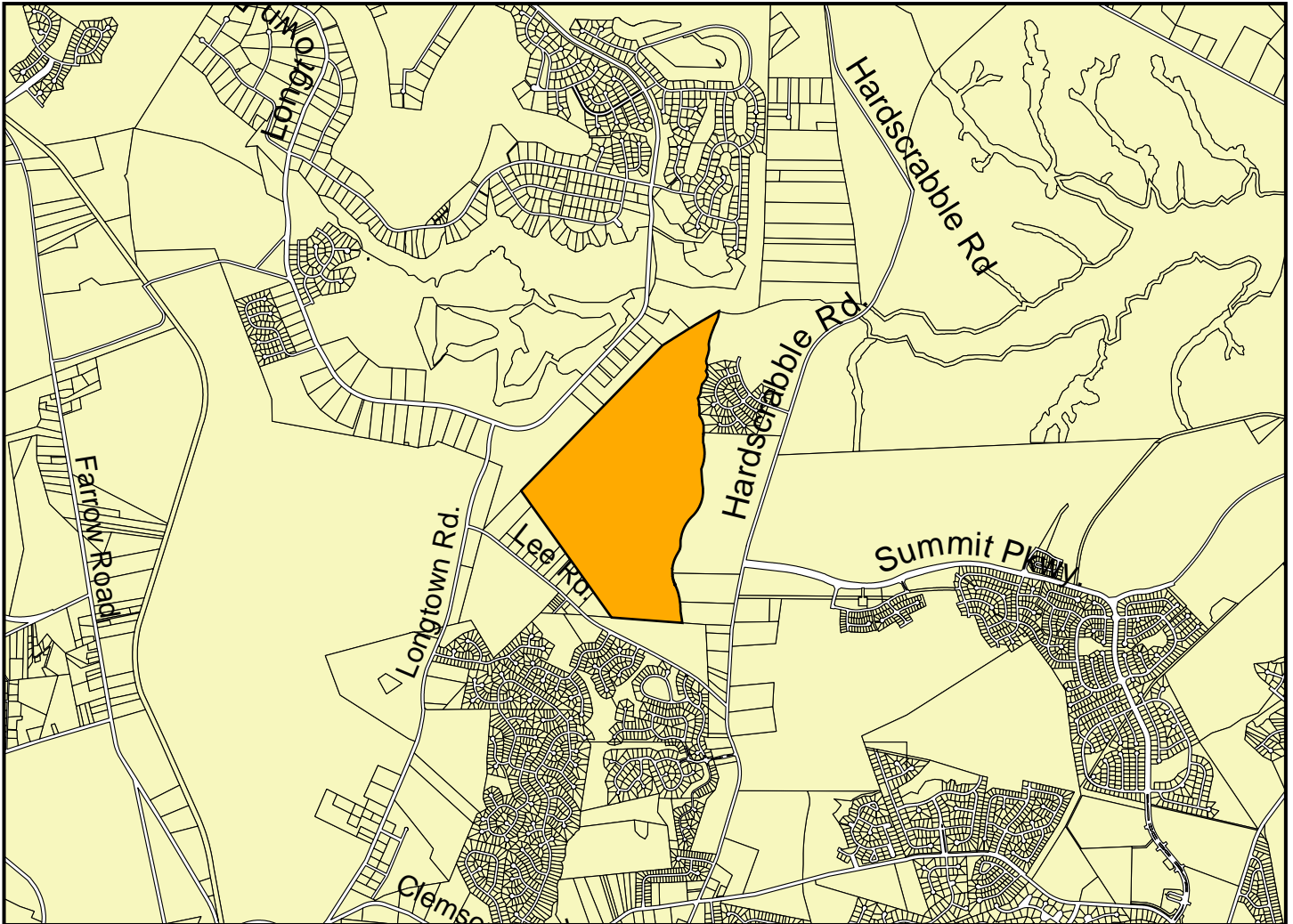


**SD 05-81**  
**SASSAFRAS SPRINGS**  
**TMS 20300-02-02**





# SD 05-81 SASSAFRAS SPRINGS, PHASE 2



Looking at entrance to SassafRAS Springs from Rice Creek Farms Rd.



Looking towards phase 2 from Rice Creek Farms Rd.

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

December 2, 2004

<b>Applicant:</b> Darnall Boyd		<b>Preliminary Subdivision Plans For:</b> Wildewood Business Center, Phase 2 (commercial subdivision)	
<b>RC Project # :</b> SD-05-106			
<b>General Location:</b> Wildewood Park Drive off Two Notch Road			
<b>Tax Map Number:</b> 22807-01-05 (p)			<b>Current Zoning:</b> M-1
<b>Subject Area:</b> 2.8 acres	<b>Number of Parcels:</b> 5	<b>Gross Density:</b> NAP	
<b>Sewer Service Provider:</b> East Richland		<b>Water Service Provider:</b> City of Columbia	

**SECTION I – ANALYSIS**

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

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

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

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

**Traffic Impact Discussion**

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Two Notch Road	
Functional Classification Of This Roadway	Four Lane Undivided Principal Arterial	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>29,200</b>	
Estimated Traffic Generated By The Proposed Project	167	
Current Volume At The Nearest Count Station # 115 Located @ near Maingate Road	38,600	
Estimated Traffic Count <b>With</b> the Proposed Project	38,767	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.33</b>	

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 and used in the CMCOG long range transportation planning process (6.97 ADTS per 1000 sq. ft GLA x an estimated 24000 sq.ft. of GLA)

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

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

Two Notch Road is already operating at LOS E in this area. The subject project will generate an insignificant increase in the traffic on Two Notch Road.

**Fire Service Impacts**

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

**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 has a few pine trees and is virtually all sandy soils. The site slopes downward toward the Wildewood S/D.

**Compatibility with the Surrounding Area**

The subject project is a continuation of commercial subdivision that has been under development for several years. There are a variety of commercial businesses on both sides of the subject site. The project is compatible with the adjacent development

**Discussion of Applicable Comprehensive Plan Issues**

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

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

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

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

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

The subject project is a continuation of commercial subdivision. The proposed project implements this Objective.

Principle – In general, commercial and office activities should be confined to 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

Since the proposed project meets both of these conditions, it implements this Principle.

### **Other Pertinent Factors**

- 1) As of November 15, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of November 15, 2004, the City of Columbia had not approved the water line construction plans.
- 3) As of November 15, 2004, DHEC had not issued a sewer line construction permit.
- 4) As of November 15, 2004, DHEC had not issued a water line construction permit.

## **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 5 lot commercial subdivision, known as Wildewood Business Center, Phase 2 (Project # SD-05-106). **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 subject project will generate an insignificant increase in the traffic on Two Notch Road.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

### **Specific Conditions**

- a) The Planning Dept. must issue a Controlled Clearing Certificate letter **PRIOR to any land clearing activity being initiated; and**
- b) The Department of Public Works must approve the stormwater management plans; **and**
- c) The City of Columbia must approve the water line construction plans; **and**
- d) DHEC must issue the sewer line construction permits; **and**
- e) DHEC must issue the water line construction permits; **and**



- f) **No building permits shall be issued until all of the conditions cited above are met; and**
- g) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- h) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **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/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- j) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance.

**SECTION III – COMMISSION RECONSIDERATION & APPEAL**

**Reconsideration**

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

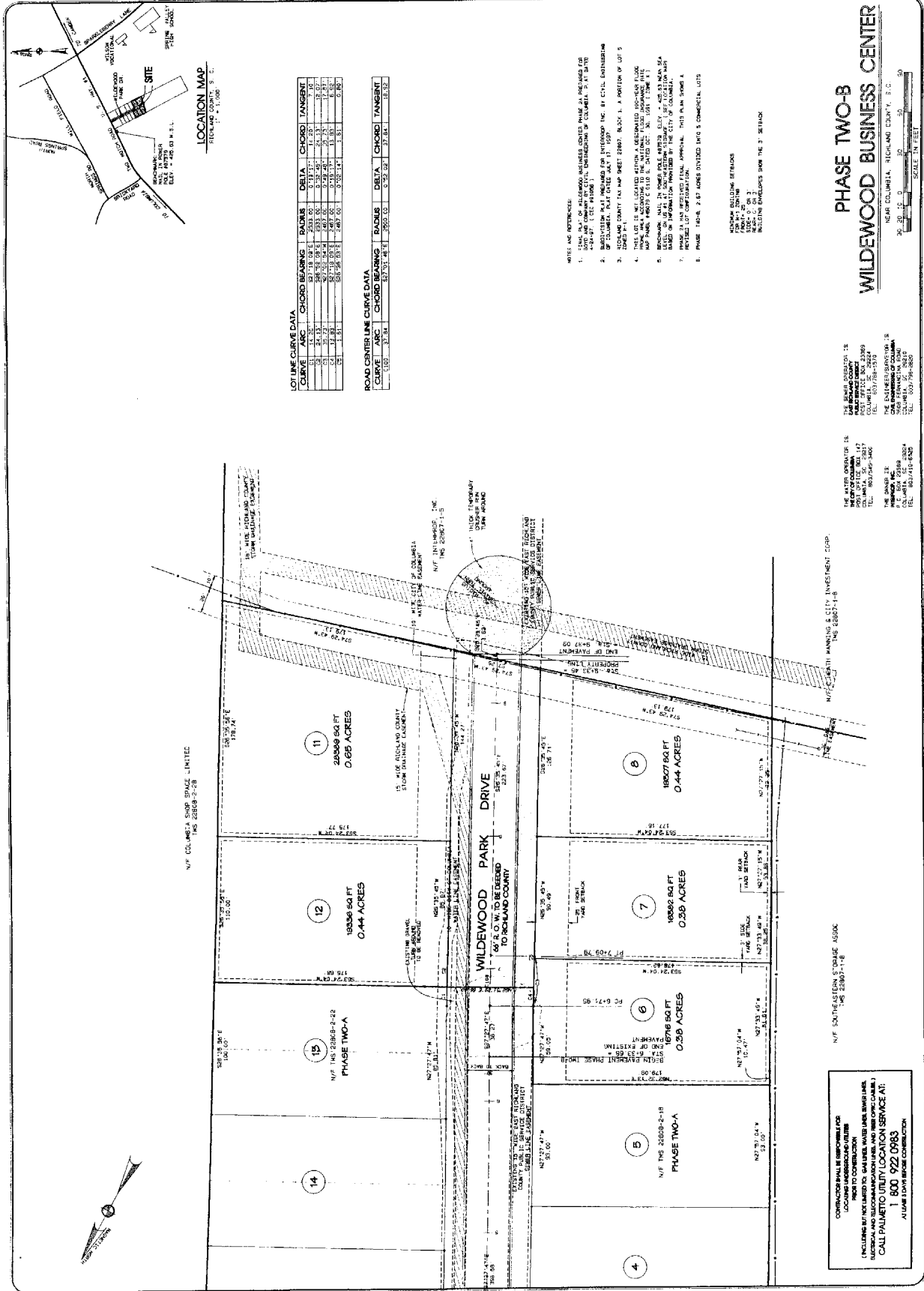
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

**Appeal**

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

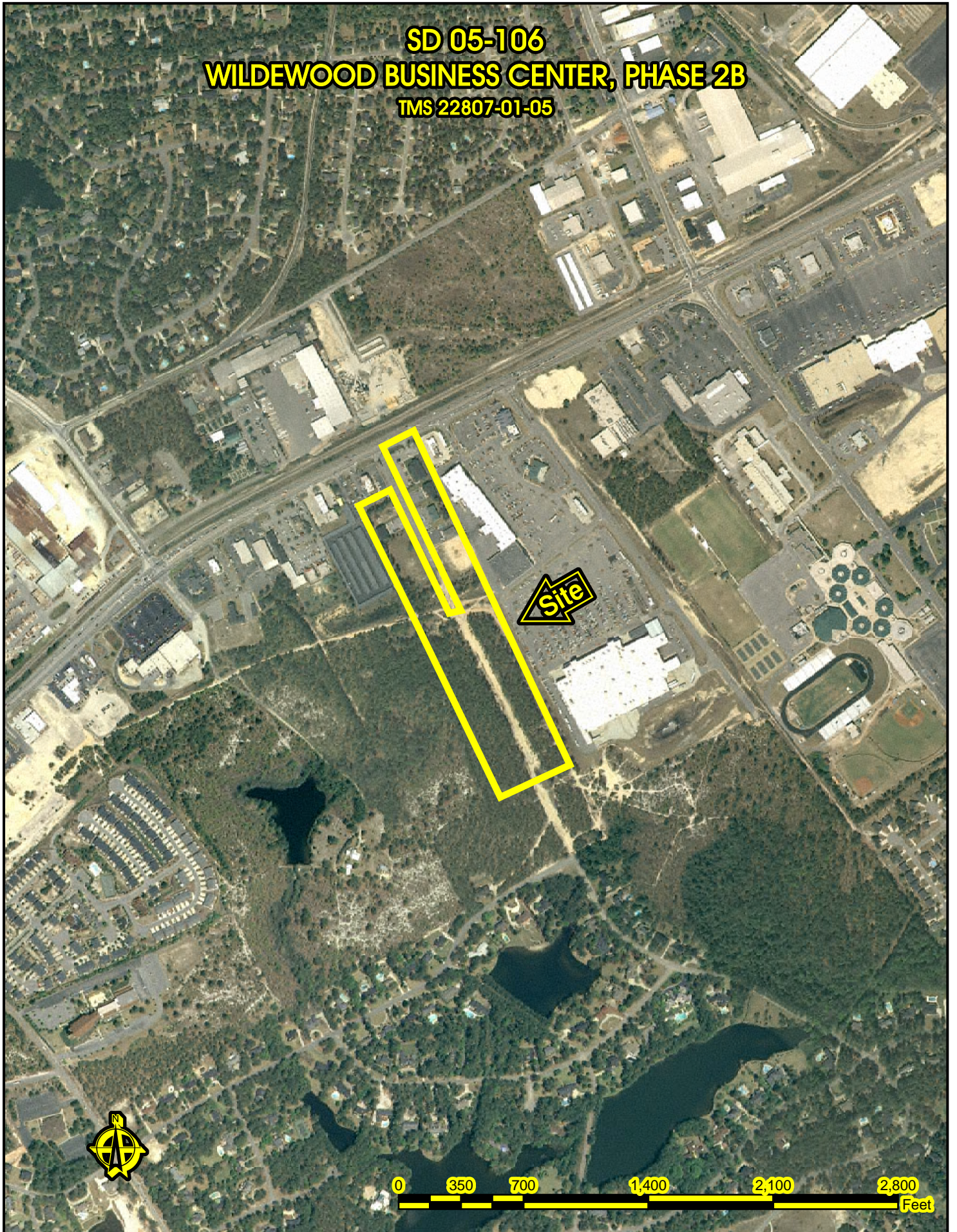
# Attachment A SD 05-106

		DATE: 10-09-04 DRAWN: M. Dwyer CHECKED: M. Dwyer 1 OF 8 SHEETS
CIVIL ENGINEERING, SURVEYING AND PLANNING 2608 REYNOLDS ROAD, COLUMBIA, SOUTH CAROLINA 29210 803-739-2525 FAX: 803-739-2526		PROJECT NO: 04093 JOB NAME: STAGING & ALIGNMENT PLAN



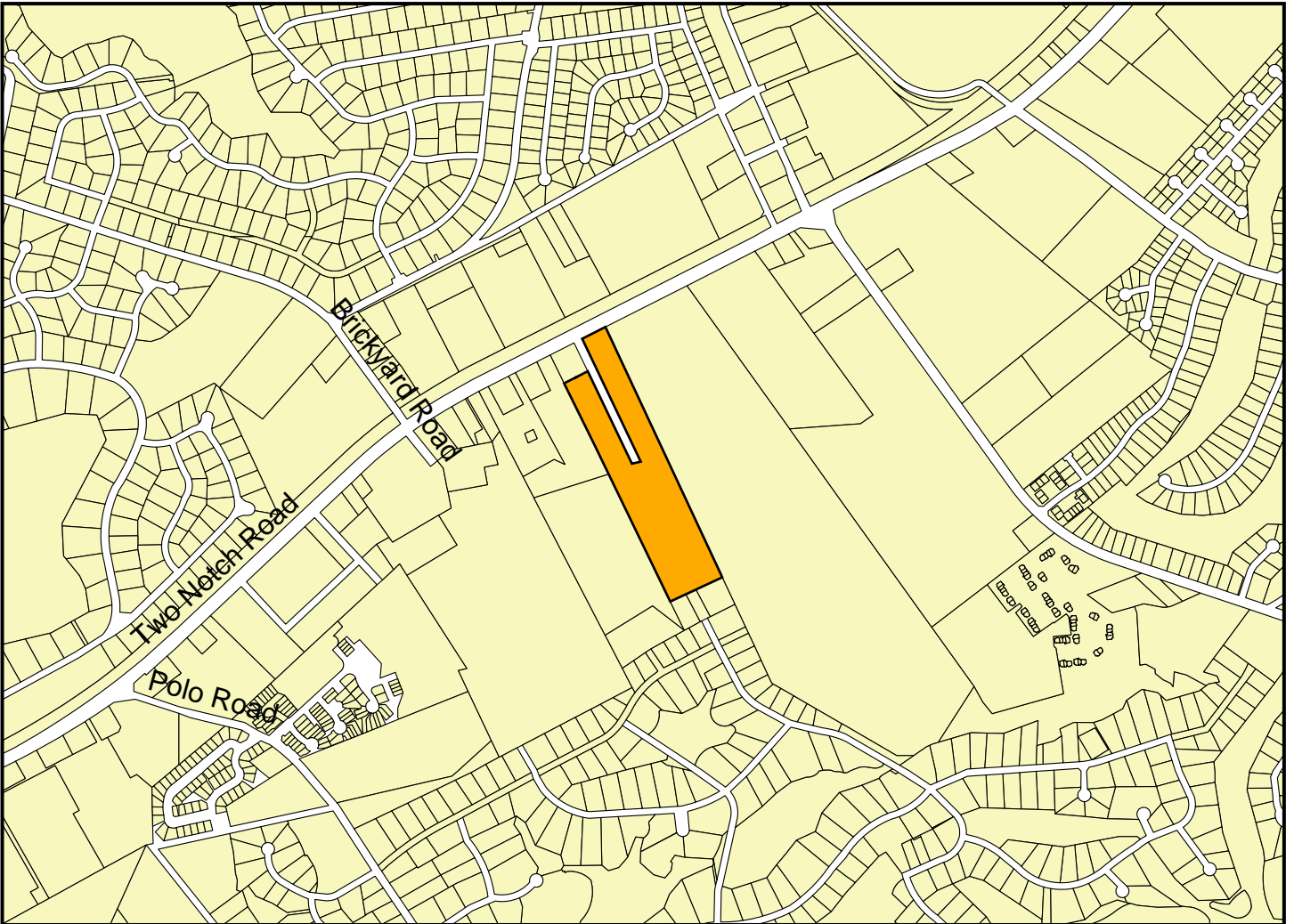


**SD 05-106**  
**WILDEWOOD BUSINESS CENTER, PHASE 2B**  
**TMS 22807-01-05**





# SD 05-106 WILDEWOOD BUSINESS CTR., PH. 2B



Looking at proposed phase 2

Looking towards Two Notch Rd. from phase 2

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

December 2, 2004

<b>Applicant:</b> Nick Pizzuti		<b>Preliminary Subdivision Plans For:</b> Watershire	
<b>RC Project # :</b> SD-05-85			
<b>General Location:</b> Marina Road adjacent to Lake Murray Marina			
<b>Tax Map Number:</b> 02308-01-02			<b>Current Zoning:</b> RS-1
<b>Subject Area:</b> 5.0 acres	<b>Number of Units:</b> 15	<b>Gross Density:</b> 3.0 DU/acres	
<b>Sewer Service Provider:</b> Richland County		<b>Water Service Provider:</b> City of Columbia	

**SECTION I – ANALYSIS**

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

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

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

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

**Traffic Impact Discussion**

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Marina Road	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	143	
Current Volume At The Nearest Count Station # 485 Located @ between the site and Dutch Fork Rd	1800	
Estimated Traffic Count <b>With</b> the Proposed Project	1943	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.23</b>	

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 and used in the CMCOG long range transportation planning process.

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

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

The proposed project will not result in the LOS C being exceeded at SCDOT count station 485.

**Fire Service Impacts**

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

**School Impacts**

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

Elementary School @ 0.20 students per single family DU	3
Middle School @ 0.13 students per single family DU	2
High School @ 0.12 Students per single family DU	1

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

**Existing Site Conditions**

The site includes an existing residence located near the Lake that will be removed. The site slopes downward from Marina Drive toward the Lake

**Compatibility with the Surrounding Area**

The subject is adjacent to the Beacon Point S/D and there are single family residences across Marina Drive. The project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

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

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

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department’s position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations of the Comprehensive Plan. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote new development in areas with adequate infrastructure

There is available capacity in both the water and sewer systems. Marina Road will operate at about 23 percent of its design capacity when the project is completely occupied. 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 – Low Density (1.3 to 3.0 DU/acre)

Since the project has a density of 3.0 DU/acre, it is within the allowed Low Density. This project implements this Principle.

**Other Pertinent Factors**

- 1) The Public Works Dept. commented that Watershire Drive must be properly spaced from the Beacon Point entrance.
- 2) As of November 15, 2004, approval of the flood elevation statement had not been received.
- 3) As of November 15, 2004, the City of Columbia had not approved the water line construction plans.
- 4) As of November 15, 2004, DHEC had not issued a sewer line construction permit.
- 5) As of November 15, 2004, DHEC had not issued a water line construction permit.

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...”

**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 15 unit single family detached subdivision, known as Watershire (Project # SD-05-85). **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 Marina Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northwest Subarea Plan Map land use designation.



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

### **Specific Conditions**

- a) The Planning Dept. must issue a Controlled Clearing Certificate letter **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) The City of Columbia must approve the water 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) Richland County Utilities (RCU) customers must present proof of payment of the sewer connection fees prior to getting a building permit; **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 Department receives the City of Columbia approval the water line easement documents; **and**
- j) Plats shall not be approved for recording until the Department receives the RCU approval of the sewer line easement documents; **and**
- k) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- l) 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**
- m) A Final Plat can not be approved by the Department until (1) the City of Columbia approves the water; (2) RCU approves the sewer line easement deeds; and (3) the County accepts the roads for maintenance.

## **SECTION III – COMMISSION RECONSIDERATION & APPEAL**

### **Reconsideration**

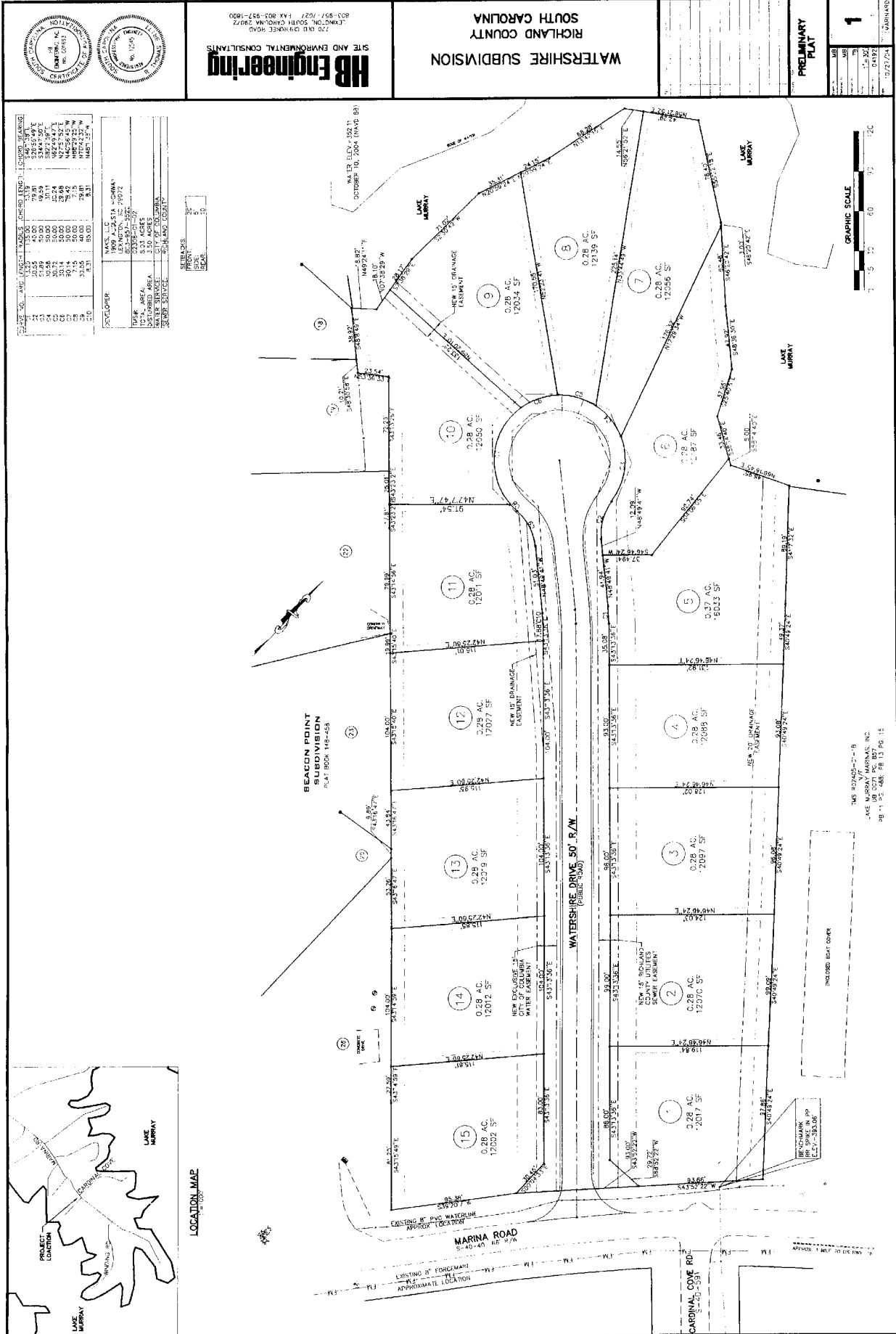
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days 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 05-85



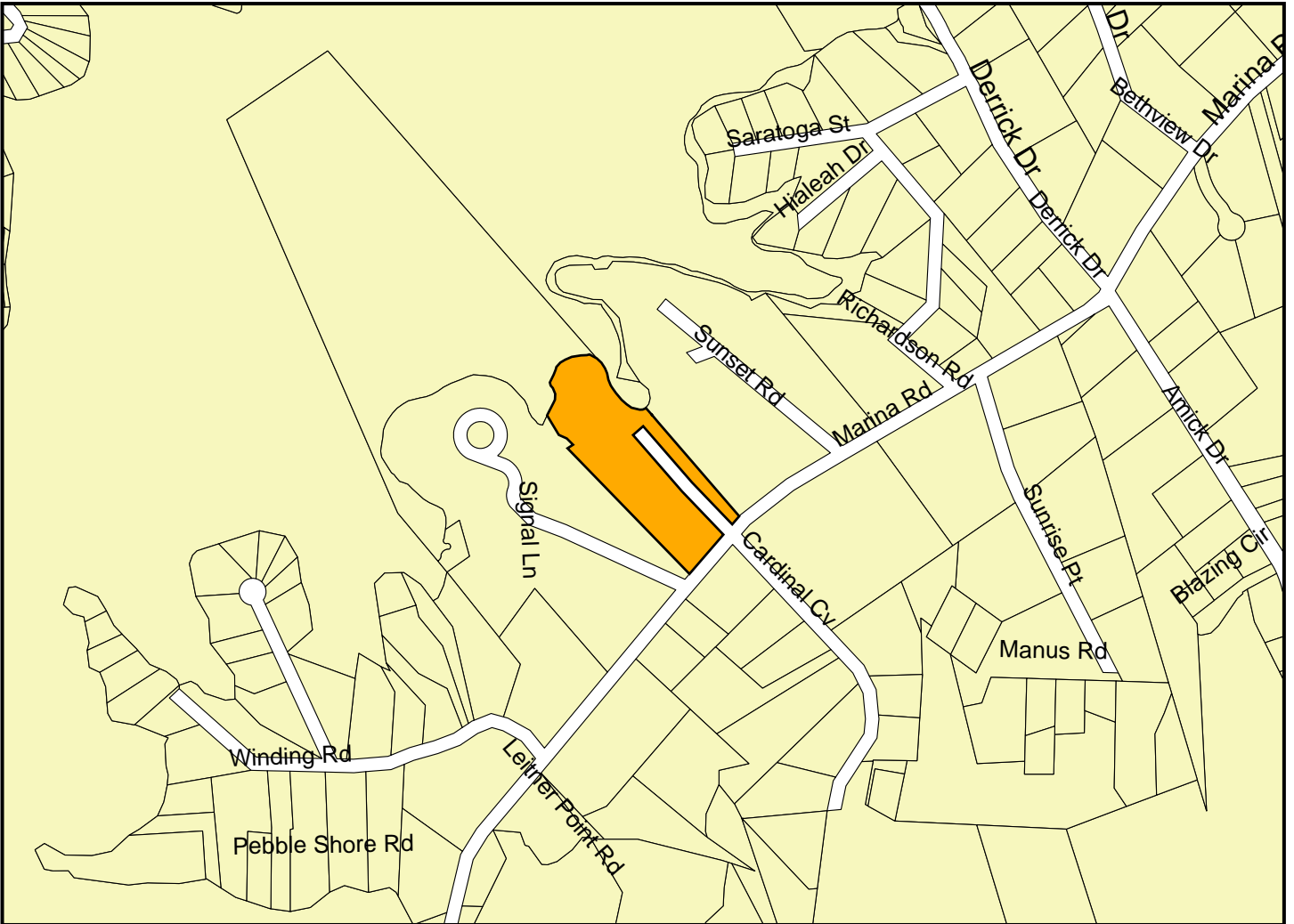


**SD 05-85  
WATERSHIRE  
TMS 02308-01-02**





# SD 05-85 WATERSHIRE



Looking at site from Cardinal Cove Rd.



Looking towards the subject site

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

December 2, 2004

<b>Applicant:</b> David Cutlip		<b>Private Driveway Subdivision Plans For:</b> David Cutlip	
<b>RC Project # :</b> SD-05-110			
<b>General Location:</b> West Side of Wilson Blvd, 1 Mile North of Blythewood			
<b>Tax Map Number:</b> 15300-02-79		<b>Current Zoning:</b> RU	
<b>Subject Area:</b> 6.8 acres	<b>Number of Units:</b> 6	<b>Gross Density:</b> 0.9 DU/acres	
<b>Sewer Service Provider:</b> Septic		<b>Water Service Provider:</b> 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..." It is the Department's position that compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

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

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

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

**Traffic Impact Discussion**

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

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road 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 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Wilson Blvd	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	57	
Current Volume At The Nearest Count Station # 139 Located @ the Fairfield County Line	3400	
Estimated Traffic Count <b>With</b> the Proposed Project	3457	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.40</b>	

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 and used in the CMCOG long range transportation planning process.

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

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

The proposed project will not result in the LOS C being exceeded at SCDOT count station 139.

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

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

**Existing Site Conditions**

The existing residence on lot 2 will remain. The partially wooded site slopes downward toward the west.

**Compatibility with the Surrounding Area**

There are residences on large lots scattered throughout the area. The adjacent parcel on the north includes several non-conforming manufactured homes as well as a single family detached residence. The proposed project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

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

The subject site is designated as Development District within the Rural Area on the I-77 Corridor Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

In addition to reviewing proposed project for consistency with the appropriate Subarea Proposed Land Use Map, it is the Department’s position that the development policies found in the Subarea Plans, must be analyzed to determine if the proposed project furthers the Objectives and Recommendations of the Comprehensive Plan. The I-77 Corridor Subarea Plan, adopted in April

1994, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 31 and 42 respectively, are discussed below:

Objective –  
None Applicable

Principle – The purpose of the rural area designation is to maintain the open character and natural setting of the landscape. Residential density is recommended to be 4 DU/acre or less  
The proposed project will have a residential density of 0.9 DU/acre. This project implements this Principle.

### **Other Pertinent Factors**

- 1) As of November 15, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of November 15, 2004, approval of the flood elevation statement, if applicable, had not been received.
- 3) As of November 15, 2004, the County Fire Marshal had not provided comments.
- 4) As of November 15, 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 (PDS) recommends **conditional approval** of the preliminary subdivision plans for a 6 lot private driveway subdivision, known as Cutlip Private Driveway Subdivision (Project # SD-05-110). **The preliminary 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 traffic generated by the proposed subdivision will not result in the adjacent portion of Wilson Blvd operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the 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 Public Works Dept must approve the subdivision plans. Contact Gordon Greene @ 576-2413; **and**
- b) The project street name must be certified by Alfreda Tindal @ 576-2147; **and**
- c) The plat must include the required statements found in Article VII of the Land Development Regulations (the Subdivision Regulations), a copy of which has been provided to the applicant; **and**



- d) The project roadway shall be a minimum of 50 feet of right-of-way with a minimum of a 20 foot wide passable surface; **and**
- e) The applicant must execute the Declaration of Restrictive Covenants document provided by the Department; **and**
- f) The applicant must execute a Hold Harmless Agreement with the County; **and**
- g) Street addresses must be assigned by Betty Etheredge @ 576-2171; **and**
- h) All of the above must be completed prior to Department approval of the plat for recording.

**SECTION III – COMMISSION RECONSIDERATION & APPEAL**

**Reconsideration**

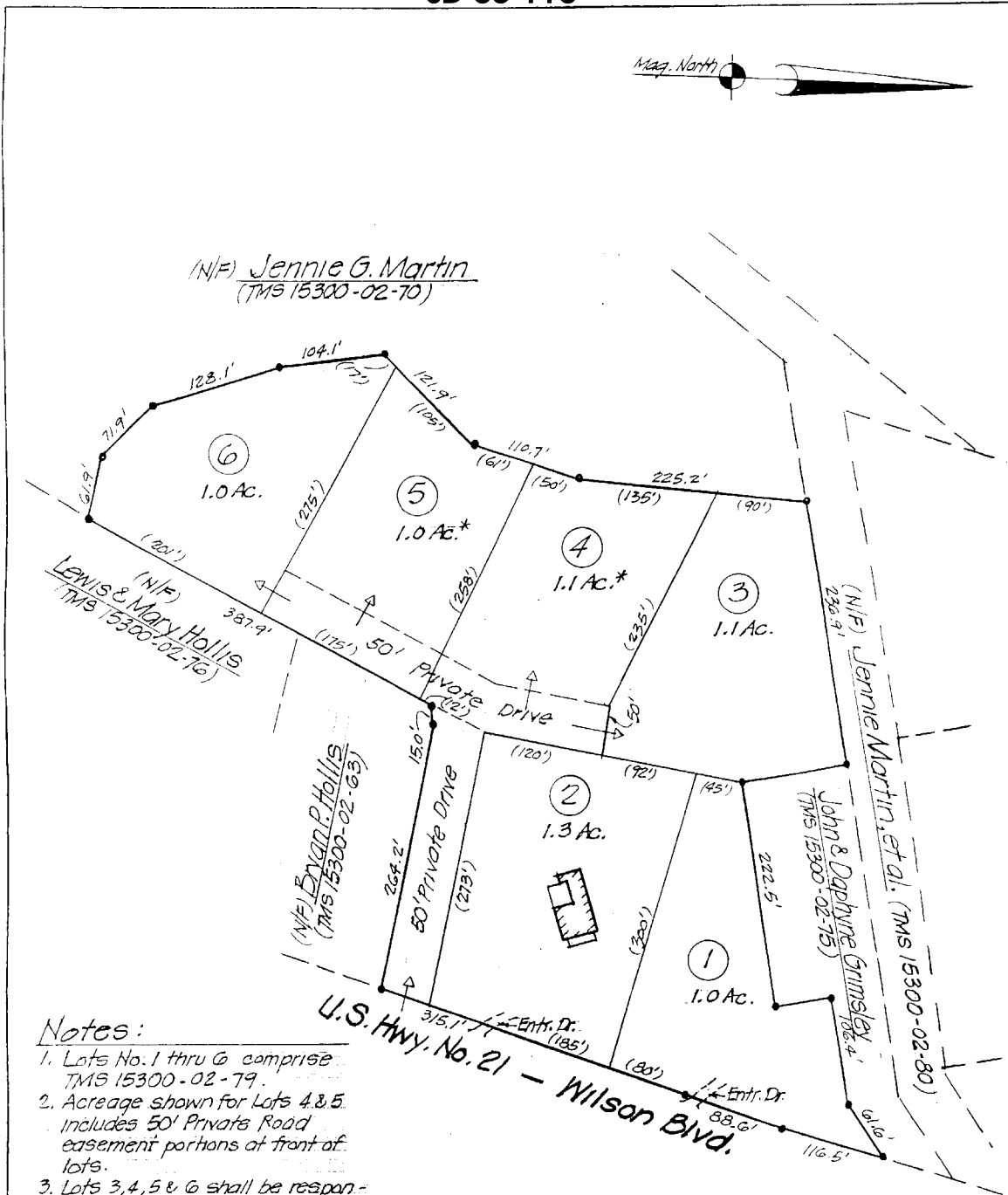
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days 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 05-110



Notes:

1. Lots No. 1 thru 6 comprise TMS 15300-02-79.
2. Acreage shown for Lots 4 & 5 includes 50' Private Road easement portions at front of lots.
3. Lots 3, 4, 5 & 6 shall be responsible for maintenance of Private Drives.

Proposed Subdivision Layout  
for  
David & Misty Cutlip  
In Richland County, Near Blythewood, SC

LUCIUS D. COBB, SR.  
SC Professional Land Surveyor, Inc.  
110 Firetower Road  
Irmo, SC 29063  
(803) 781-6080  
Fax (803) 781-5811

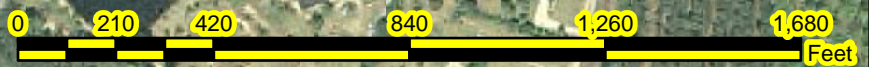
Scale: 1" = 100' — Date: Oct. 28, 2004



OCT 29 2004

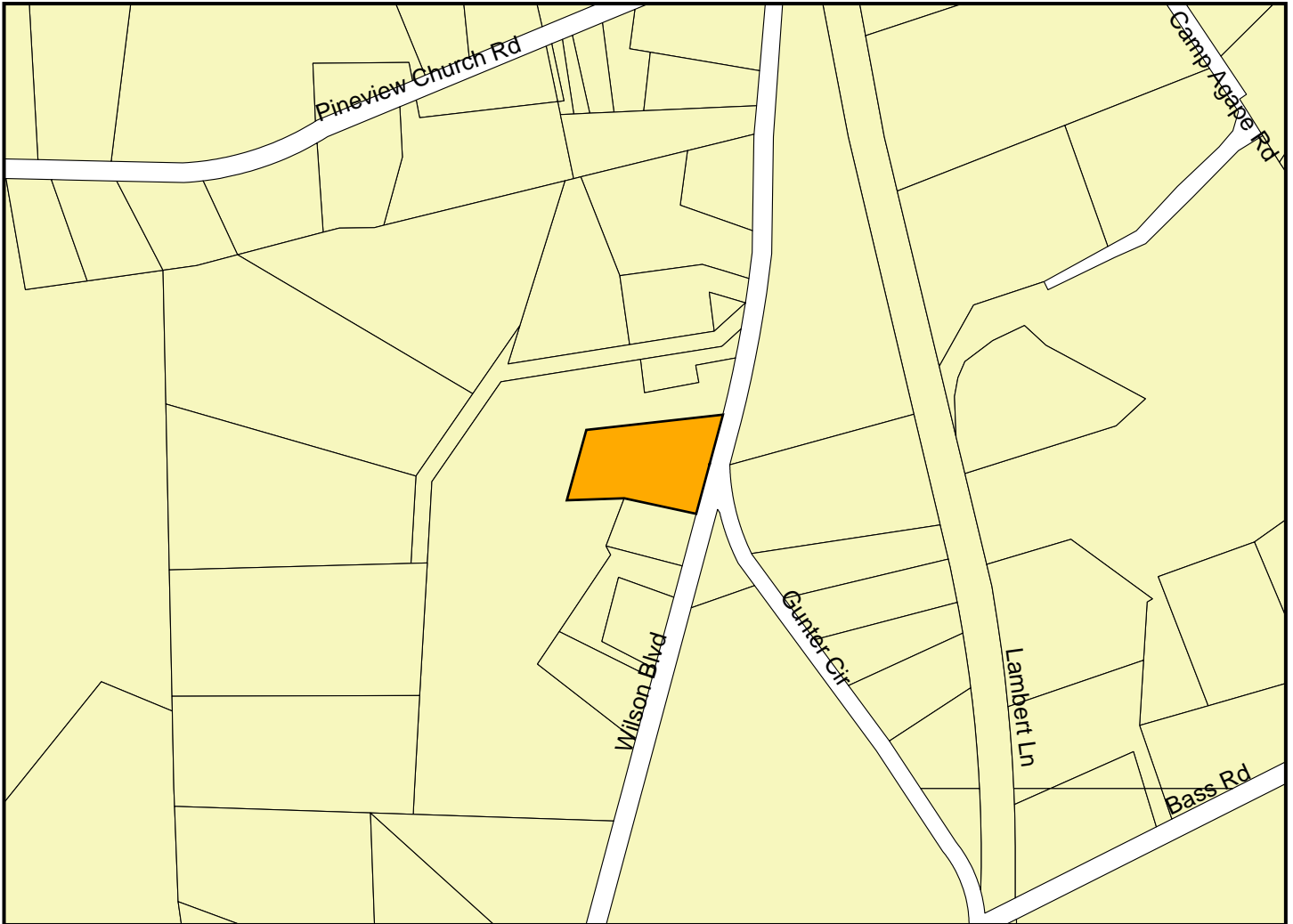


**SD 05-110**  
**CUTLIP - PRIVATE DRIVEWAY S/D**  
**TMS 15300-02-79**





# SD 05-110 CUTLIP, PRIVATE DRIVEWAY S/D



Looking at site from Gunter Rd./Wilson Blvd.



Looking across Wilson Blvd. from site

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

December 2, 2004

<b>RC Project # 05-21 MA</b>	<b>Applicant:</b> Mary Ann Herrington c/o Charnell Peake
<b>General Location:</b> 139 Rabon Road 2/10 of a mile north of Two Notch Road	
<b>Tax Map Number:</b> 19903-06-14	<b>Subject Area:</b> 1.25 ac MOL
<b>Current Parcel Zoning:</b> D-1	<b>Proposed Parcel Zoning:</b> C-3
<b>Proposed Use:</b> Commercial Development	<b>PC Sign Posting Date:</b> November 4, 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. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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



**Applicant’s Factual Justification For Proposed Change**

For the establishment of a commercial development

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	D-1	Single family residence on an estate size lot
<b>Adjacent North</b>	C-3	Single family residence on an estate size lot
<b>Adjacent East</b>	RG-2 & C-3	Multi-family residences & shopping center
<b>Adjacent South</b>	RG-2	Undeveloped woodlands
<b>Adjacent West</b>	RG-2	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><b><u>D-1 Zoning Designation Intent</u></b>                      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><b><u>Proposed C-3 Zoning Designation Intent</u></b>                      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><b><u>Existing D-1 Zoning Permitted Uses</u></b>                      Agriculture                      Horticulture                      Single family detached dwellings                      Churches</p>	<p><b><u>Proposed C-3 Zoning Permitted Uses</u></b>                      Retail, service, repair, &amp; personal services                      Offices, studios, &amp; financial institutions                      Eating and drinking establishments                      Wholesale/Distribution uses &lt; 8000 sq. ft.                      Private clubs, lodges and the like                      Automobile service stations                      Places of worship                      Enclosed recycle collections &amp; 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 subject site is encompassed by RG-2 and C-3 zoned property consisting of various uses and undeveloped woodlands. The proposed Amendment site is compatible with the existing zoning designations surrounding the site.

**Traffic Impact Discussion**

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

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

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

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

Proposed Project Gets Its Principal Access From	Rabon Road	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #611 Located @ west of site on Rabon Road	8,800	
Estimated Traffic Count <b>With</b> the Proposed Project	NP	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.02</b>	

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 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

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

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

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

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

As noted in the traffic impact discussion chart, Rabon Road is currently operating at a LOS D near Farrow Road. The site is located approximately 2/10 of a mile from the Rabon Road/Two Notch intersection to the south of the site.

### **Fire Service Impacts**

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

### **Relationship To Comprehensive Plan**

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

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

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, 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.

The proposed Amendment site abuts an existing site zoned General Commercial. The site is located approximately two-tenths of a mile from intersection of Rabon and Two Notch Rd. There is a shopping center across Rabon Road from the subject site. 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. Sites of major traffic junctions and cluster locations as opposed to strip development.  
The parcels to the north of the site are zoned C-3. This area of Rabon Road lends itself to commercial development due to the location and existing land uses. The proposed Amendment **implements** this Principle.

**Other Relevant Issues**

None

**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 # 05-21 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 Rabon at this location is **currently being exceeded at a LOS D.**
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 Recommendations of the Northeast 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**

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 December 2, 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 # 05-21 MA at the next available opportunity.

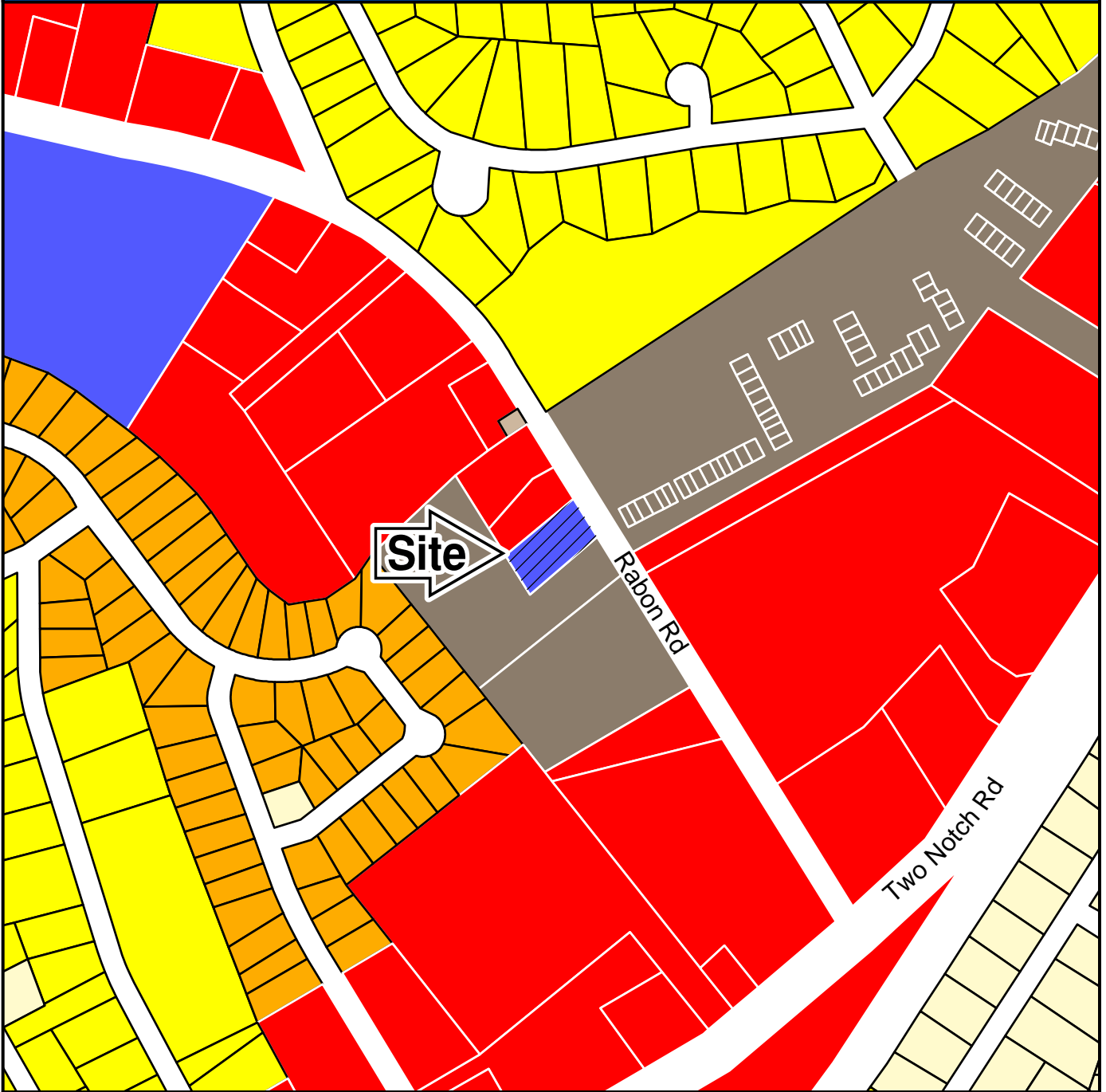
**Commission Findings of Fact/Recommendations**

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




















In consideration of the proposed Zoning Map Amendment # 05-21 MA, the Planning Commission made the findings of fact summarized below:



# CASE 05-21 MA 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 05-21 MA**  
**D-1 to C-3**  
**TMS 19903-06-14**





# CASE 05-21 MA FROM D-1 to C-3

TMS# 19903-06-14

139 Rabon Road



## **Attachment A**

### **Case 05-21 MA**

All that certain piece, parcel or tract of land, together with any improvements thereon, situate, lying and being on the Southwestern side of Rabon Road, near the City of Columbia, in the County of Richland, and State of South Carolina, being 1.25 acres, more or less, and being described as follows: commencing at a point on the Southwestern side of Rabon Road and running South 29.5° East for a distance of 100.0 feet to a point on the Southwestern side of Rabon Road; thence turning and running South 52.75° West for a distance of 275.0 feet to a point; thence turning and running North 29.5° West for a distance of 100.0 feet to a point; thence turning and running North 52.75° East for a distance of 275.0 feet to the point of beginning, all of which will more fully appear by reference to a certain plat of said property prepared for Boyd L. Jordan, dated May 10, 1968, by Keels Engineering Company, which plat is recorded in the Office of the Register of Deeds for Richland County in Plat Book 33 at page 113; and being the same tract of land conveyed to Mary Ann Herrington by Mary M. Hook's by deed dated June 29, 2001, and recorded in the Office of the Register of Deeds for Richland County in Deed Book 539 at page 789.

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

December 2, 2004

<b>RC Project # 05-22 MA</b>	<b>Applicant:</b> Murray W. Clepper
<b>General Location:</b> 1016 Gates Road in Ballentine	
<b>Tax Map Number:</b> 02412-01-11 (portion)	<b>Subject Area:</b> 2.0 ac MOL
<b>Current Parcel Zoning:</b> RU	<b>Proposed Parcel Zoning:</b> C-3
<b>Proposed Use:</b> Marine and RV Storage	<b>PC Sign Posting Date:</b> November 3, 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. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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



**Applicant’s Factual Justification For Proposed Change**

For the establishment of a marine and RV storage facility

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	RU	Undeveloped woodlands
<b>Adjacent North</b>	RU	Single family residence on estate size lot
<b>Adjacent East</b>	RU	Undeveloped woodlands
<b>Adjacent South</b>	RU	Custom Landscape Curbing Business on Hwy. 76
<b>Adjacent West</b>	RU	Single family residence on estate size lot and undeveloped woodlands across Gates 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><b><u>RU Zoning Designation Intent</u></b>                      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><b><u>Proposed C-3 Zoning Designation Intent</u></b>                      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><b><u>Existing RU Zoning Permitted Uses</u></b>                      All farm type enterprises                      Public buildings and utilities                      Orphanages, nursing homes and the like                      Places of worship                      Educational facilities                      One &amp; Two family dwellings</p>	<p><b><u>Proposed C-3 Zoning Permitted Uses</u></b>                      Retail, service, repair, &amp; personal services                      Offices, studios, &amp; financial institutions                      Eating and drinking establishments                      Wholesale/Distribution uses &lt; 8000 sq. ft.                      Private clubs, lodges and the like                      Automobile service stations                      Places of worship                      Enclosed recycle collections &amp; 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 site is surrounded by single family residences on estate size lots to the north and west. The site abuts undeveloped woodlands zoned RU to the east and abuts existing commercial businesses fronting on Dutch Fork Road (Hwy. 76) zoned RU. The site is not compatible with the single family residences, but is compatible with the existing businesses on Dutch Fork Road although they are not zoned C-3.

**Traffic Impact Discussion**

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

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

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

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

Proposed Project Gets Its Principal Access From	Dutch Fork Rd. (Hwy. 76) via Gates Rd.	
Functional Classification Of This Roadway	Five lane undivided collector	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>19,600</b>	
Estimated Traffic Generated By The Proposed Project	50	
Current Volume At The Nearest Count Station #145 Located @SE of site on Hwy. 76 east of Bickley Road	16,100	
Estimated Traffic Count <b>With</b> the Proposed Project	16,150	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.82</b>	

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 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Mini-warehouse business found on

page 226 of the TGM times the proposed square footage of the use. The calculation is as follows: an average rate of 2.50 trips per 1,000 sq. ft. of GFA was used. A common GFA for retail establishments per acre is 10,000 sq. ft., therefore, 2.5 trips x 20,000 sq. ft. = 50 average tips.

NOTE: The average daily trip rate for a mini-warehouse was used, as this was the most compatible with the proposed Marine and RV Storage yard.

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

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

### **Fire Service Impacts**

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

### **Relationship To Comprehensive Plan**

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

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

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

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

The parcels to the south of the site consist of nonconforming commercial uses on Rural (RU) zoned property. The Department believes that commercial zoning should be confined to the frontage on the north side of Dutch Fork Road. These parcels have adequate access for the public and are designated as commercial on the Map. The proposed Amendment **does not implement** this Objective.

Principle – The Plan recognizes the Ballentine area as the principal commercial hub for the Developing Urban Area. Secondary locations identified by the Plan as appropriate for commercial uses should consider alternative treatments (screening, buffering, setbacks or parcel-specific site designs) of the use to offset any incompatible effects created from the scale or nature of the proposed use.

The proposed Amendment would encroach or penetrate the existing area of single family residences on estate size lots. The proposed Amendment **does not implement** this Principle.

### **Other Relevant Issues**

The Department believes that C-3 zoning in this location would be premature; due to the location of the site amongst existing single family residences on estate size lots, minimal amount of frontage (50') feet on Gates Road, and the numerous amount of allowable land uses by C-3 zoning. The Department has discussed and recommended a Planned Development District (PDD) to the applicant. The Department does believe that at a later date all of the parcels between Dutch Fork Road and the railroad tracks north of the site should be rezoned commercial or light industrial. It is the Departments position that pro-active rezoning would be appropriate in this area.

## **SECTION II STAFF RECOMMENDATION**

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-22 MA **not be changed** from RU to C-3.

### **Findings of Fact:**

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses to the north, west and east.
3. The traffic analysis shows that the LOS C traffic capacity of Dutch Fork Road at this location **will not** be exceeded.
4. The proposed Amendment **is 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/Recommendations of the Northwest 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.

<b>SECTION III      PLANNING COMMISSION ACTION</b>
----------------------------------------------------

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 December 2, 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 # 05-22 MA at the next available opportunity.

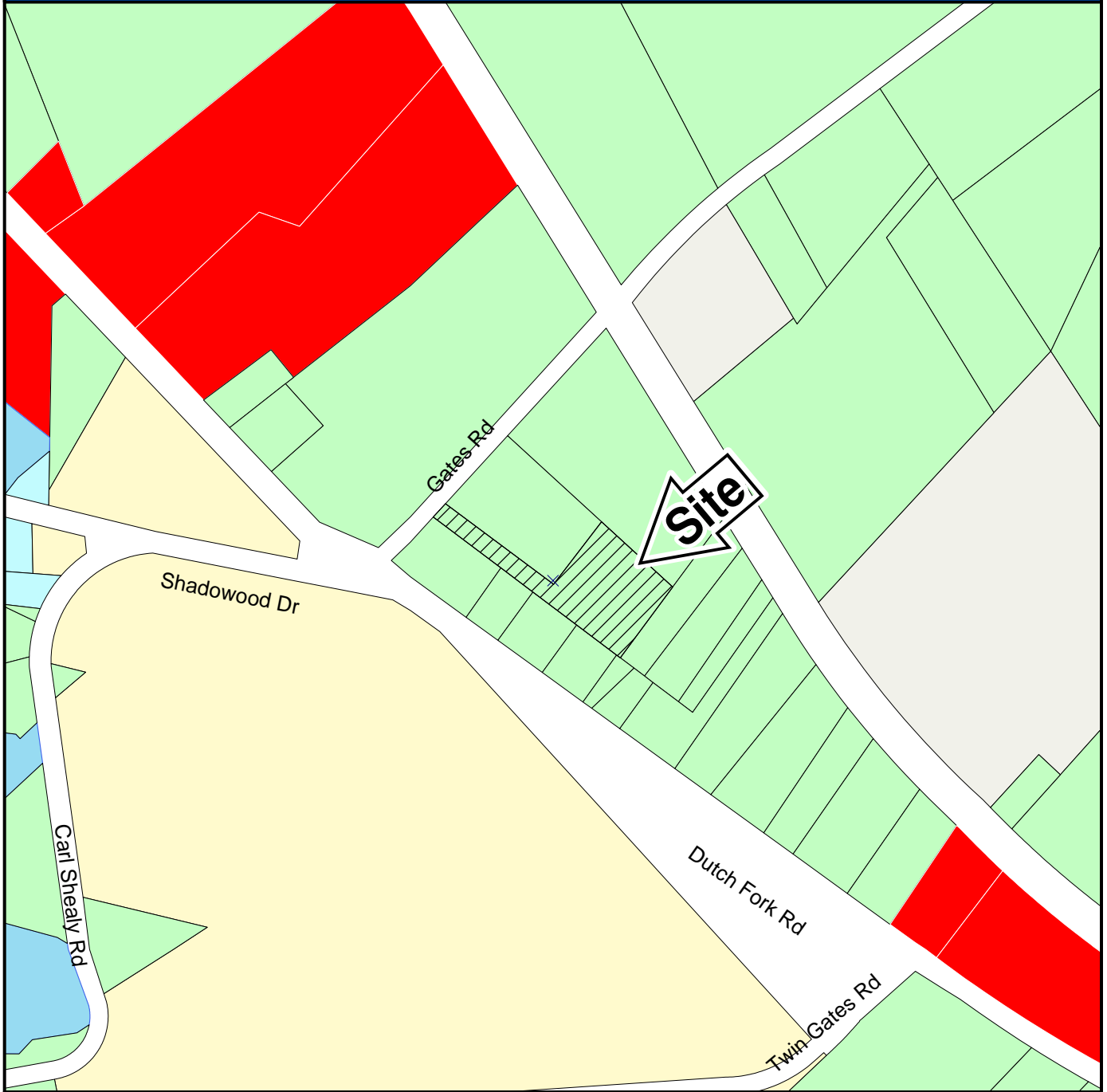
**Commission Findings of Fact/Recommendations**

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

In consideration of the proposed Zoning Map Amendment # 05-22 MA, the Planning Commission made the findings of fact summarized below:



# CASE 05-22 MA RU to C-3



## ZONING CLASSIFICATIONS

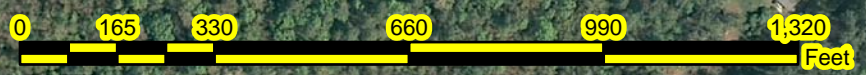
	C-1		D-1		MH-1		PDD		RG-2		RS-2
	C-2		M-1		MH-2		PUD		RR		RS-3
	C-3		M-2		MH-3		RG-1		RS-1		RU
							SUBJECT				





**CASE 05-22 MA**  
**RU to C-3**  
**TMS 02412-01-11 (p)**

**Site**





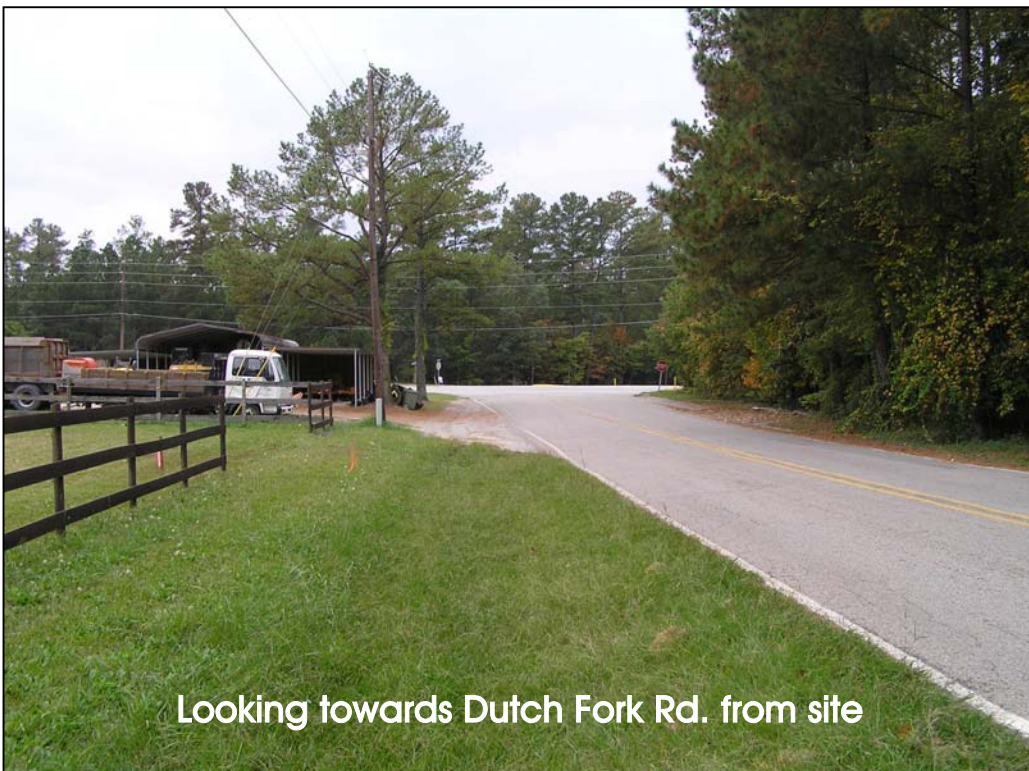
# CASE 05-22 MA FROM RU to C-3

TMS# 02412-01-11(p)

1016 Gates Road in Ballentine



Looking at site from Gates Road



Looking towards Dutch Fork Rd. from site

## Attachment A

### Case 05-22 MA

All that certain piece, parcel or tract of land, together with any improvements thereon, situate, lying and being near Ballentine, in the county of Richland and state of South Carolina, containing 2.00 acres and being described as follows. Commencing at a (O) 1" Pinch top pipe being 198+/-' Northeast of the centerline intersection of U.S. Hwy. 76 and Gates Road (S.C. Hwy 2399) and running N40 41'32"E for a distance of 50.14 feet along the right-of-way of Gates Road to a (N) ½" Rebar on said right-of-way, thence turning and proceeding along tract "B-1" S53 34'00"E for a distance of 371.75 feet to a (N) ½" Rebar, thence turning and continuing along tract "B-1" S40 41'30"W for a distance of 221.11 feet to a (N) ½" Rebar, thence turning and running along Tract "A" S48 56'27"E for a distance of 254.59 feet to a (O) ¾" Pinch top pipe, thence turning and running along the property of L.A. Kibler, Jr. S35 35'41"W for a distance of 249.99 feet to a (O) 2" Axle, thence turning and running along the properties of The Sanders Living Trust, Genevieve ET.AL., D.G. Goodwin, Mary A. Hollingsworth, & Jeannie Stokes N53 34'00"W for a distance of 635.63 feet to a (O) 1" Pinch top pipe. Said pipe being the point of beginning. This tract is 2.00 acres and is more particularly shown as tract "B-2" on a plat prepared for Murray W. Clepper by Belter & Associates, inc. dated: 09-04-2004.

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

December 2, 2004

<b>RC Project # 05-25 MA</b>	<b>Applicant:</b> Brockington Acres (Aylan Brown)
<b>General Location:</b> Heyward Brockington Road	
<b>Tax Map Number:</b> 07700-03-23 (p)	<b>Subject Area:</b> 72.40 ac MOL
<b>Current Parcel Zoning:</b> RS-1	<b>Proposed Parcel Zoning:</b> RU
<b>Proposed Use:</b> Residential S/D	<b>PC Sign Posting Date:</b> November 3, 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. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

**Applicant’s Factual Justification For Proposed Change**

To allow the use of manufactured homes in the subdivision

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	RS-1	Undeveloped woodlands
<b>Adjacent North</b>	RU	Scattered single family residences
<b>Adjacent East</b>	D-1 & MH-1	Scattered single family residences & undeveloped woodlands
<b>Adjacent South</b>	RS-1 & C-3	Single family residences on , undeveloped woodlands, and a commercial business
<b>Adjacent West</b>	RU	Scattered single family residences on large 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><b><u>RS-1 Zoning Designation Intent</u></b>                      Intended as single family residential areas with low to medium population densities.</p>	<p><b><u>Proposed RU Zoning Designation Intent</u></b>                      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><b><u>Existing RS-1 Zoning Permitted Uses</u></b>                      Single family detached dwelling units &amp; Modular building units on individual lots</p>	<p><b><u>Proposed RU Zoning Permitted Uses</u></b>                      All farm type enterprises                      Public buildings and utilities                      Orphanages, nursing homes and the like                      Places of worship                      Educational facilities                      One &amp; Two family dwellings; manufactured homes</p>

The land uses above represent a summary of the permitted uses in Chapter 26-63 and Chapter 26-61, respectively of the County Code. Some Special Exception uses are also possible.

The site is encompassed by scattered single family residences and mobile homes on large lots zoned Rural and MH-1. The site is compatible with the existing area and land uses.



**Traffic Impact Discussion**

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

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

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

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

Proposed Project Gets Its Principal Access From	Monticello Road via Heyward Brockington Road	
Functional Classification Of This Roadway	Five lane undivided major arterial	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>33,600</b>	
Estimated Traffic Generated By The Proposed Project	190	
Current Volume At The Nearest Count Station #249 Located @southeast of site on Monticello Road	9,800	
Estimated Traffic Count <b>With</b> the Proposed Project	9,990	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.29</b>	

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 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a single-family residence found in the Addendum times the number of proposed lots (9.5 x 20 = 190).

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

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

Monticello Road at this location is well under its LOS C design capacity and this project will have no significant effect on traffic in this vicinity.

### **Fire Service Impacts**

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

### **Relationship To Comprehensive Plan**

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

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

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The North Central Subarea Plan, adopted in November 1992, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 26 and 30 respectively, are discussed below:

Objective – Vary residential densities and development according to the character of the existing communities.

The density of the subject property will be 0.3 DU/acre. The proposed Amendment **implements** this Objective.

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

The proposal is for a rural zoning designation which allows for one dwelling unit per 33,000 square feet with a maximum of three dwellings per lot. The proposed Amendment **does not implement** this Principle.

### **Other Relevant Issues**

The Planning Commission approved a minor subdivision plan, i.e., 20 lots on 72 acres, for the subject site in November 2003. The applicant intended the subdivision for manufactured home use because it would be compatible with the existing manufactured homes in the immediate area. Due to staff error and a discrepancy between the Assessors Office records and the Department's zoning maps, three manufactured home permits were issued before it was determined the Official Zoning Map designated the site as RS-1 and not RU as shown in the Assessors records.

## **SECTION II STAFF RECOMMENDATION**

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-25 MA **not be changed** from RS-1 to RU.

### **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 not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Monticello at this location **will not** be exceeded.
4. The proposed Amendment **is not consistent** with the Proposed Land Use Map designation in the North Central Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Principals and Recommendations of the North Central 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**

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.

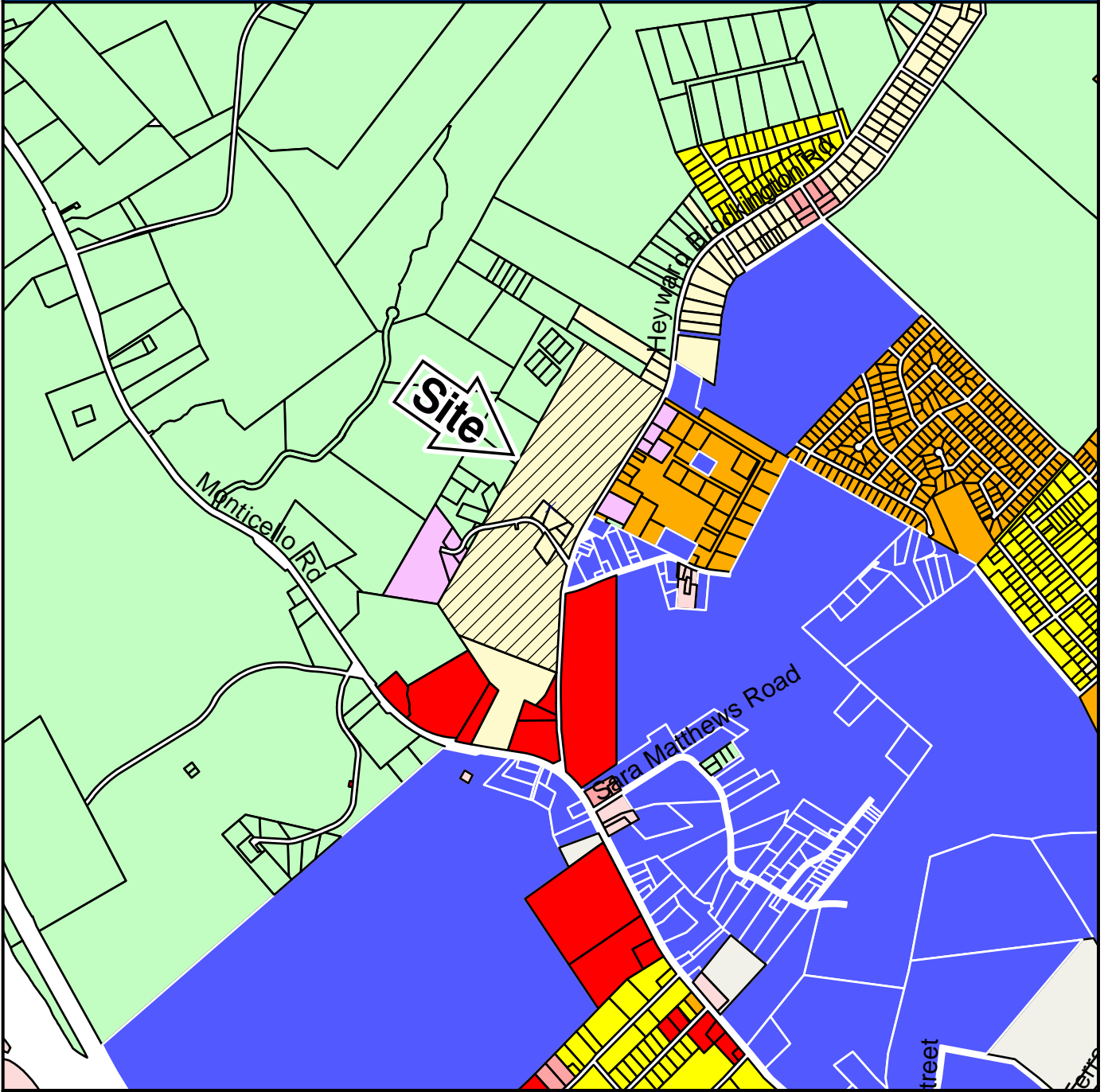
At their meeting of December 2, 2004, the Richland County Planning Commission agreed (did not agree) with the PSDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-25 MA at the next available opportunity.

**Commission Findings of Fact/Recommendations**


















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

In consideration of the proposed Zoning Map Amendment # 05-25 MA, the Planning Commission made the findings of fact summarized below:

# CASE 05-25 MA RS-1 to RU



## 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 05-25 MA**  
**RS-1 to RU**  
**TMS 07700-03-23 (p)**

**Site**





# CASE 05-25 MA FROM RS-1 to RU

TMS# 07700-03-23(p)

Heyward Brockington Road



# Attachment A

## Case 05-25 MA

All that certain piece, parcel or tract of land, situate, lying and being on the western side of Heyward Brockington Road, near the City of Columbia, in the County of Richland, State of South Carolina and containing 76.10 acres, more or less, and being described as follows: Beginning at an iron located on the western side of Heyward Brockington Road, 1056 feet north of the intersection of Heyward Brockington Road and Monticello Road, and thence running  $N71^{\circ}02'13''W$  for a distance of 597.47 feet; thence running  $N71^{\circ}02'14''W$  for a distance of 416.41 feet; thence running  $N36^{\circ}51'05''W$  for a distance of 280.48 feet; thence running  $N36^{\circ}51'06''W$  for a distance of 351.74 feet; thence running  $N34^{\circ}36'38''E$  for a distance of 450.36 feet; thence running  $N33^{\circ}14'23''E$  for a distance of 147.73 feet; thence running  $N33^{\circ}13'28''E$  for a distance of 232.32 feet; thence running  $N34^{\circ}17'58''E$  for a distance of 55.35 feet; thence running  $N34^{\circ}35'56''E$  for a distance of 227.27 feet; thence running  $N37^{\circ}31'47''E$  for a distance of 159.58 feet; thence running  $N30^{\circ}13'59''E$  for a distance of 15.81 feet; thence running  $N30^{\circ}13'59''E$  for a distance of 50.61 feet; thence running  $N30^{\circ}13'59''E$  for a distance of 263.60 feet; thence running  $N32^{\circ}08'31''E$  for a distance of 294.15 feet; thence running  $N32^{\circ}14'46''E$  for a distance of 52.11 feet; thence running  $N32^{\circ}02'00''E$  for a distance of 729.79 feet; thence running  $N32^{\circ}02'00''E$  for a distance of 26.28 feet; thence running  $N32^{\circ}02'00''E$  for a distance of 426.80 feet; thence running  $S58^{\circ}54'24''E$  for a distance of 485.38 feet; thence running  $S60^{\circ}04'40''E$  for a distance of 419.60 feet; thence running in a curved line  $S26^{\circ}48'13''W$  for a arc length of 209.71'; thence running  $S31^{\circ}22'36''W$  for a distance of 662.35 feet; thence running  $S31^{\circ}22'36''W$  for a distance of 151.09 feet; thence running  $S31^{\circ}22'36''W$  for a distance of 587.34 feet; thence running in a curved line  $S25^{\circ}02'14''W$  for a arc length of 399.76'; thence running  $S27^{\circ}40'29''W$  for a distance of 220.33 feet; thence running  $S6^{\circ}55'41''E$  for a distance of 129.25 feet; thence running in a curved line  $S7^{\circ}36'40''W$  for a arc length of 207.46'; thence running  $S3^{\circ}17'34''W$  for a distance of 47.12 feet; thence running  $S2^{\circ}35'03''W$  for a distance of 684.09 feet to a point said point being the point of beginning.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED tract which is located within the bounds of the above described property which is located on both sides of Larger Street and more particularly described as follows: Beginning at an iron on the Southwestern side of Larger Street approximately 420.51 feet North of the intersection of Larger Street and Heyward Brockington Road and thence running  $S36^{\circ}52'57''W$  for a distance of 206.52 feet; thence running  $N37^{\circ}53'04''W$  for a distance of 209.63 feet; thence running  $N37^{\circ}00'12''E$  for a distance of 204.17 feet; thence running  $N60^{\circ}57'18''W$  for a distance of 150.42 feet; thence running  $N5^{\circ}53'29''W$  for a distance of 82.24 feet; thence running  $N40^{\circ}48'06''E$  for a distance of 190.29 feet; thence running  $S51^{\circ}01'48''E$  for a distance of 410.86 feet; thence running  $S40^{\circ}29'40''W$  for a distance of 199.34 feet; thence running  $S40^{\circ}29'47''W$  for a distance of 68.66 feet to an iron, said iron being the point of beginning.

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

December 2, 2004

<b>RC Project # 05-26 MA</b>	<b>Applicant:</b> Michael Sloan c/o Charnell Peake
<b>General Location:</b> Northeast corner of Hardscrabble and Sloan Road	
<b>Tax Map Number:</b> 17300-07-01	<b>Subject Area:</b> 4.18 ac MOL
<b>Current Parcel Zoning:</b> RS-1	<b>Proposed Parcel Zoning:</b> C-3
<b>Proposed Use:</b> Commercial Development	<b>PC Sign Posting Date:</b> November 4, 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. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

**Applicant’s Factual Justification For Proposed Change**

For the establishment of a commercial development

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	RU	Single family residence on estate size lot
<b>Adjacent North</b>	RU	Undeveloped woodlands
<b>Adjacent East</b>	RS-2	Single family residences on estate size lots (Clear Springs Subdivision)
<b>Adjacent South</b>	RS-2	Undeveloped woodlands (SC ETV)
<b>Adjacent West</b>	RS-1	Single family residence on estate size lot

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><b><u>RU Zoning Designation Intent</u></b>                      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><b><u>Proposed C-3 Zoning Designation Intent</u></b>                      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><b><u>Existing RU Zoning Permitted Uses</u></b>                      All farm type enterprises                      Public buildings and utilities                      Orphanages, nursing homes and the like                      Places of worship                      Educational facilities                      One &amp; Two family dwellings</p>	<p><b><u>Proposed C-3 Zoning Permitted Uses</u></b>                      Retail, service, repair, &amp; personal services                      Offices, studios, &amp; financial institutions                      Eating and drinking establishments                      Wholesale/Distribution uses &lt; 8000 sq. ft.                      Private clubs, lodges and the like                      Automobile service stations                      Places of worship                      Enclosed recycle collections &amp; 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 site is surrounded by single family residences on estate size lots and undeveloped woodlands. The proposed Amendment is not compatible with the existing land uses.

**Traffic Impact Discussion**

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

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

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

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

Proposed Project Gets Its Principal Access From	Hardscrabble Road	
Functional Classification Of This Roadway	Two lane undivided minor arterial	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>10,800</b>	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station # 438 Located @ SW of site on Hardscrabble Road (east of Farrow Road)	18,000	
Estimated Traffic Count <b>With</b> the Proposed Project	NP	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.67</b>	

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 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old.**

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



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

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

As noted in the traffic impact discussion, Hardscrabble Road is currently operating at a **LOS F** in this vicinity. Any additional commercial traffic would exacerbate the existing traffic congestion on Hardscrabble 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**

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

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

The Map designates the subject area as Low Density Residential in the Established Urban area. **Therefore, the proposed General Commercial zoning is NOT consistent with the Map** designation as required by state statutes.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject Zoning Map Amendment.

The relevant Objectives and Principles/Recommendations, 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.

Sloan Drive and Hardscrabble Road is not a major intersection. The site is surrounded by undeveloped woodlands or single-family residences on estate size lots. There is a large area of commercially zoned property approximately 1 mile south in Hardscrabble/Farrow/I-77 area. There is another large area of commercial development approximately 2 miles to the north at Clemson Road and another commercial area approximately 2 miles to the east at Two Notch Road. The proposed Amendment **does not implement** 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 as Low Density Residential on the Map. The proposed Amendment **does not implement** this Principle.

### **Other Relevant Issues**

Transportation Recommendation - To the extent possible, rezoning decisions should be made with consideration of the Long Range Major Street Plan so that improvements are concurrent with new development

There are no road improvements scheduled to this portion of Hardscrabble Road for at least the next five fiscal years. Since Hardscrabble Road already far exceeds the LOS "F" capacity, **the proposed Amendment is not consistent with this Recommendation.**

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

The applicant has not proposed any measures to mitigate the traffic effects of this project. The current CMGOG Transportation Improvement Program, i.e., the fiscal year beginning July 1, 2002 through June 30, 2007, **does not have any road capacity improvements programmed for Hardscrabble Road. Furthermore, there are currently no funding sources available for any road capacity improvements in Richland County in the rest of this decade**

State statutes charge local governments with the responsibility to make land development decisions that protect public health, safety and welfare. More specifically, Section 6-29-1120, SC Code of Laws states, in part "...the regulation of land development by municipalities, counties or consolidated political subdivisions is authorized for the following purposes, among others...to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments..."

The Department interprets this provision to be an affirmative responsibility on the part of local government to ensure, as much as possible, that proposed developments do not exacerbate existing conditions. The principal tools available for local government to exercise this responsibility is careful review of proposed projects with regard to access management issues

and analysis of the safe traffic carrying capacity of the affected roadways. The Department believes that continuing to recommend approval of projects generating traffic in excess of the roadway's LOS "F" capacity does not conform to the statutory responsibility described in Section 6-29-1120, SC Code of Laws.

## 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 # 05-26 MA **not be changed** from RU to C-3.

### **Findings of Fact:**

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Hardscrabble Road at this location is **currently being exceeded at a LOS F**.
4. The proposed Amendment **is not consistent** with the Proposed Land Use Map designation in the Northeast Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Recommendations of the Northeast 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

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.

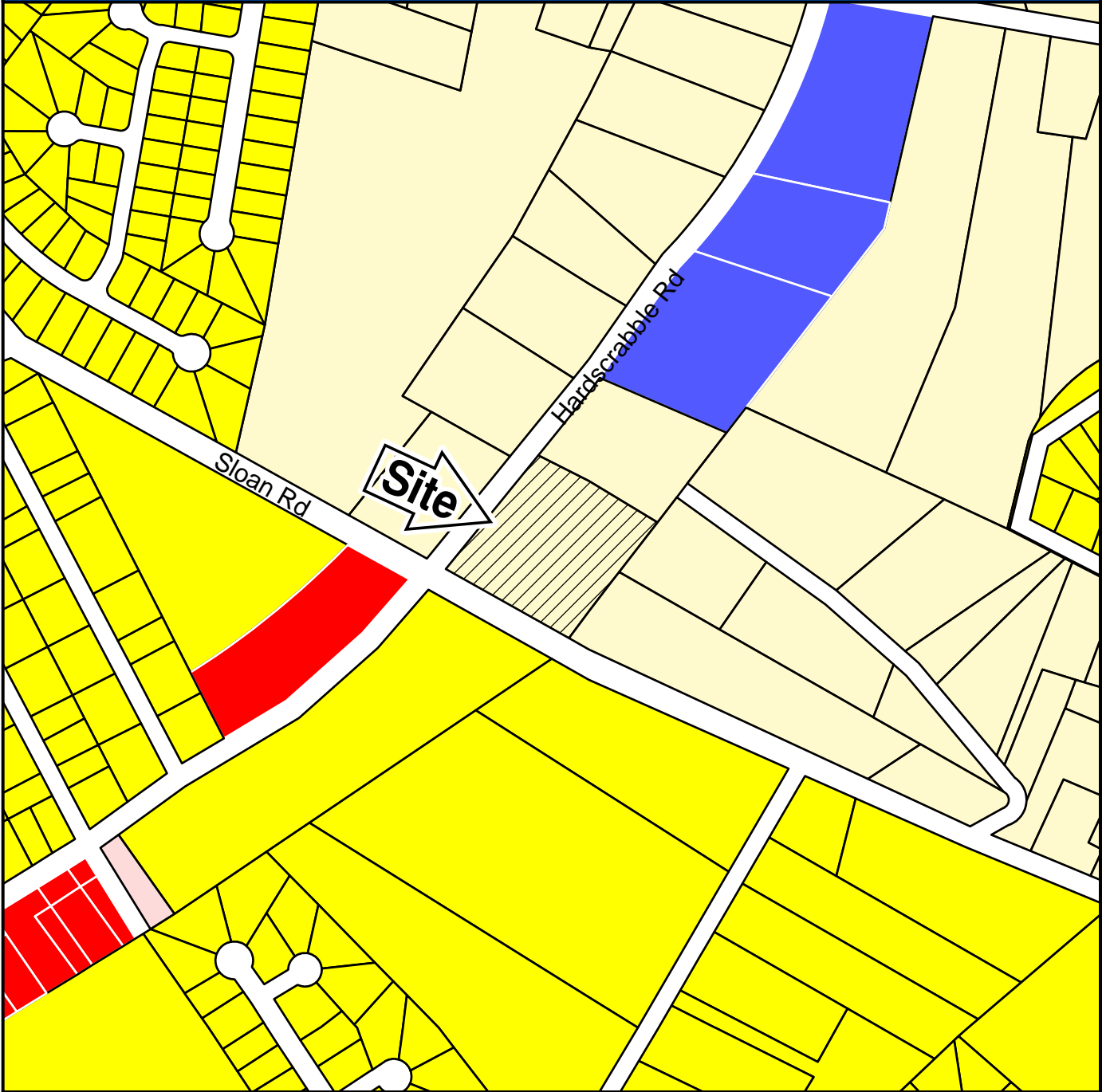
At their meeting of December 2, 2004, the Richland County Planning Commission agreed (did not agree) with the PDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-26 MA at the next available opportunity.

### **Commission Findings of Fact/Recommendations**



















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

In consideration of the proposed Zoning Map Amendment # 05-26 MA, the Planning Commission made the findings of fact summarized below:

# CASE 05-26 MA RS-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 05-26 MA**  
**RS-1 to C-3**  
**TMS 17300-07-01**





# CASE 05-26 MA FROM RS-1 to C-3

TMS# 17300-07-01

3408 Hardscrabble Road



Looking at site



Interior of site

## Attachment A Case 05-26 MA

All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being about 11 miles northeast of the City of Columbia, in the County of Richland, and State of South Carolina, the same containing Four and Eighteen Hundredths (4.18) acres, and being shown and designated as Tract "C" on a plat of property surveyed for Mamie Lee Sloan by B.P. Barber & Associates Engineers, dated April 7, 1959 and recorded in the Office of the Register of Deeds for Richland County in Plat Book 15, page 278, and having the following boundaries and measurements as shown on said plat: commencing at a point on the western most corner at an iron rod turning and running Northeast along Hard Scrabble Road, (S.C. Road No. 83), and measuring thereon Four Hundred Twenty (420') feet to an iron stake; thence turning and running South Sixty-Two Degrees Thirty Minutes East for a distance of Four Hundred Forty Eight and 8/10 (448.8') feet to an iron stake; thence turning and running South Forty One Degrees No Minutes West for a distance of Ninety Six and 5/10 (96.5') feet to an iron stake then continuing on Three Hundred Thirty-Three (333') feet to an old iron stake; thence turning and running North Sixty One Degrees Five Minutes West for a distance of Four Hundred Forty Six and 6/10 (446.6') feet to an iron stake at the beginning point; all according to said plat reference which will more fully show.

The above described property is the same property conveyed to Michael F. Sloan, Jeffrey E. Sloan and Teresa Charlene Sloan by deed of Peggy G. Sloan, dated June 2, 1988 and recorded in the Office of the Register of Deed for Richland County in Deed Book 890 at page 941.

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

December 2, 2004

<b>RC Project # 05-27 MA</b>	<b>Applicant:</b> English Village Gardens (Robert Fuller)
<b>General Location:</b> ¼ mile NW of Irmo Drive on Dreher Shoals Road (Hwy. 6)	
<b>Tax Map Number:</b> 003206-01-09	<b>Subject Area:</b> 34.38 ac MOL
<b>Current Parcel Zoning:</b> RU	<b>Proposed Parcel Zoning:</b> PUD-1R (revised previous plan to add 4.4 acres )
<b>Proposed Use:</b> 65 Dwelling Units (5 additional) & 40,000 sq. ft (5000 sq. ft. additional)	<b>PC Sign Posting Date:</b> November 3, 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. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/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 residential subdivision as a primary use with commercial/retail uses as a secondary use developed in an innovative style.

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	RU	Undeveloped woodlands
<b>Adjacent North</b>	RS-2	Waterford Subdivision
<b>Adjacent East</b>	RS-2	Waterford Subdivision
<b>Adjacent South</b>	RU	Single family residence
<b>Adjacent West</b>	RG-2	The Village at Lake Murray

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><b><u>RU Zoning Designation Intent</u></b>                      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><b><u>Proposed PUD-1R Zoning Designation Intent</u></b>                      To derive the benefits of efficiency, economy, and flexibility by encouraging unified development of large sites, while also obtaining the advantages of creative site design, improved appearance, compatibility of uses, optimum service by community facilities, and better functioning of vehicular access and circulation.</p>
<p><b><u>Existing RU Zoning Permitted Uses</u></b>                      All farm type enterprises                      Public buildings and utilities                      Orphanages, nursing homes and the like                      Places of worship                      Educational facilities                      One &amp; Two family dwellings</p>	<p><b><u>Proposed PUD-1R Zoning Permitted Uses</u></b>                      Limited to those uses specified on the Site Use Map</p>

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



The site is bounded by the Waterford subdivision to the east and north. Scattered estate size single family homes exist to the south. Multi-family dwellings at the Village at Lake Murray are across Dreher Shoals Road. The proposed Amendment is consistent with the existing land uses due to the variety of existing uses and the extensive open space and buffer provided.

**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 (Hwy 6)	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	1906	
Current Volume At The Nearest Count Station #203 Located @north of site on Dreher Shoals Rd. (Hwy 6)	8700	
Estimated Traffic Count <b>With</b> the Proposed Project	10,606	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.23</b>	

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 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

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

The estimated project traffic is calculated by multiplying the generation rate for a Nursery (Garden Center) business found on page 1290, a General Office Building found on page 1052, and a Walk in Bank found on page 1651 of the TGM times the proposed square footage of the use. The total number of homes 65 x 9.5 ADT per single-family dwelling unit was used to calculate the trips for the residential portion of the project. The rate for single-family detached dwellings is found in the Addendum To The Long Range Major Street Plan for Richland County on page 9.

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 LOS C design capacity of Dreher Shoals Road is currently being exceeded at a LOS D, the proposed project would increase the LOS design capacity to 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.

### **Relationship To Comprehensive Plan**

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

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

The Map designates the subject area as Residential Medium/Low Density in a Developing Urban District. The proposed project is consistent with the Subarea Map land use designation.

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

Objective – Promote new development in areas with adequate infrastructure.

Dreher Shoals Road provides access for residents to Lexington, Ballentine and the City of Columbia. The area is served by sewer and water along with uses (Publix shopping center ¼ mile to the south) that support residential areas such as the proposed Amendment. The proposed development is consistent with the uses in the area and the future growth of this portion of Dreher Shoals Road. 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. Compatible zoning classifications by density are recommended as follows.

A. Low-Medium (3-5 dwellings/acre): RS-1, RS-1A, RS-2, PUD-1 and PUD-2.

The Map designates the site as Medium/Low Density Residential. The proposal is for a PUD-1, which is consistent with the recommended zoning classification. The proposed Amendment **implements** this Principle.

### **Other Relevant Issues**

The applicant has contracted the services of a certified arborist to locate and protect all mature hardwood trees to the highest extent possible. The proposed Amendment is a mixed use PUD that promotes commercial uses amongst a well planned and resident friendly neighborhood consisting of walking trails, open space, and low impact development.

In addition to the 65 dwelling units, the project will contain the following commercial land uses:

- a. 5,000 sq. ft. of garden center
- b. 5,000 sq. ft. of branch bank
- c. 35-40,000 sq. ft. of retail/office

The developer estimates that initial construction will commence in 2005 and be completed by 2008. The residential portion of the project is anticipated to be sold out by 2007.

The only revision to the original submittal presented to the Planning Commission in July 2004 as case 04-64 MA was the acquisition of 4.38 acres, thereby increasing the maximum number of allowable homes from 60 to 65 and increasing the maximum allowable square footage of retail office space from 30,000 sq. ft. to 40,000 sq. ft. The additional 4.38 acres was pending at the time of the Zoning Public Hearing on July 27, 2004, hence the withdrawal of the original application and resubmittal.

## **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 # 05-27 MA **be changed** from RU to PUD-1R, subject to the PUD Conditions provided below:

### **Findings of Fact:**

1. The applicant has provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.

2. The proposed Amendment **is compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Dreher Shoals Raod at this location is currently being exceeded at a LOS D.
4. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
6. The Planning Commission recommends approval of the Site Use Map required by Section 26.70-15, herein known as the Attachment B (*applicant's Exhibit D*).
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.

**PUD Conditions**

- a) The site development shall be limited to 65 dwelling units (40,000 sq. ft of retail commercial, 5,000 sq. ft. of garden center, 5,000 sq. ft. out parcel) as depicted in (Attachment B), which is attached hereto; and
- b) The applicant shall transmit a phasing plan, if applicable, to the Department prior to reviewing any construction plans; and
- c) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and
- d) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes; and
- e) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- f) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
- g) The Planned Unit Development Guidelines submitted on October 27, 2004 and described below, are authorized for application to the subject project; and

Site Organization	Attachment B
Building Height, Setback and Minimum Lot Size	Pages 3-5
Street Standards	Page 6
Parking	Pages 6-7
Community Open Spaces	Page 9
Landscaping and Fencing	Page 8
Storm Drainage	Pages 7-8
Lighting	Pages 8-9
Signage and Monumentation	Page 8-9

- h) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
  - 1) Any increase in the number of access points to the external road network;
  - 2) Any decrease in the amount of open space/common areas;



- 3) Any increase in the gross project density (measured in DU/acre or square footage/acre) and/or
- 4) Any change in traffic flow; and
- i) The Planning Commission is hereby authorized to make minor amendments, to Attachment B, and Attachment C, or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- j) The PDSO is authorized to make minor adjustments to the phasing schedule and may become necessary during the project's construction; and
- k) **No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSO issues a Controlled Clearing letter;** and
- l) All internal streets shall be publicly owned and maintained by Richland County; and shall be subject to the relevant Guidelines described above; and
- m) Access to the subject site shall be limited to two intersections on Dreher Shoals Road (Hwy. 6); and
- n) The developer shall construct any necessary turn lanes for the project on Dreher Shoals Road (Hwy. 6); subject to obtaining all required state and /or county approvals; and
- o) The applicant shall construct a landscaped berm, fence, wall, or some combination thereof, to ensure that no parcel in the project will have direct access onto Dreher Shoals Road (Hwy. 6); and
- p) Other conditions resulting from the Commission consideration?
- q) The applicant shall submit a draft description of proposed procedures of any homeowners association or other group maintenance or group ownership features for the Department's and inclusion in the project records; and
- r) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.

<b>SECTION III PLANNING COMMISSION ACTION</b>
-----------------------------------------------

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 December 2, 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 # 05-27 MA at the next available opportunity.

## PUD SUBMISSION CHECKLIST

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

**Project Number:** 05-27 MA

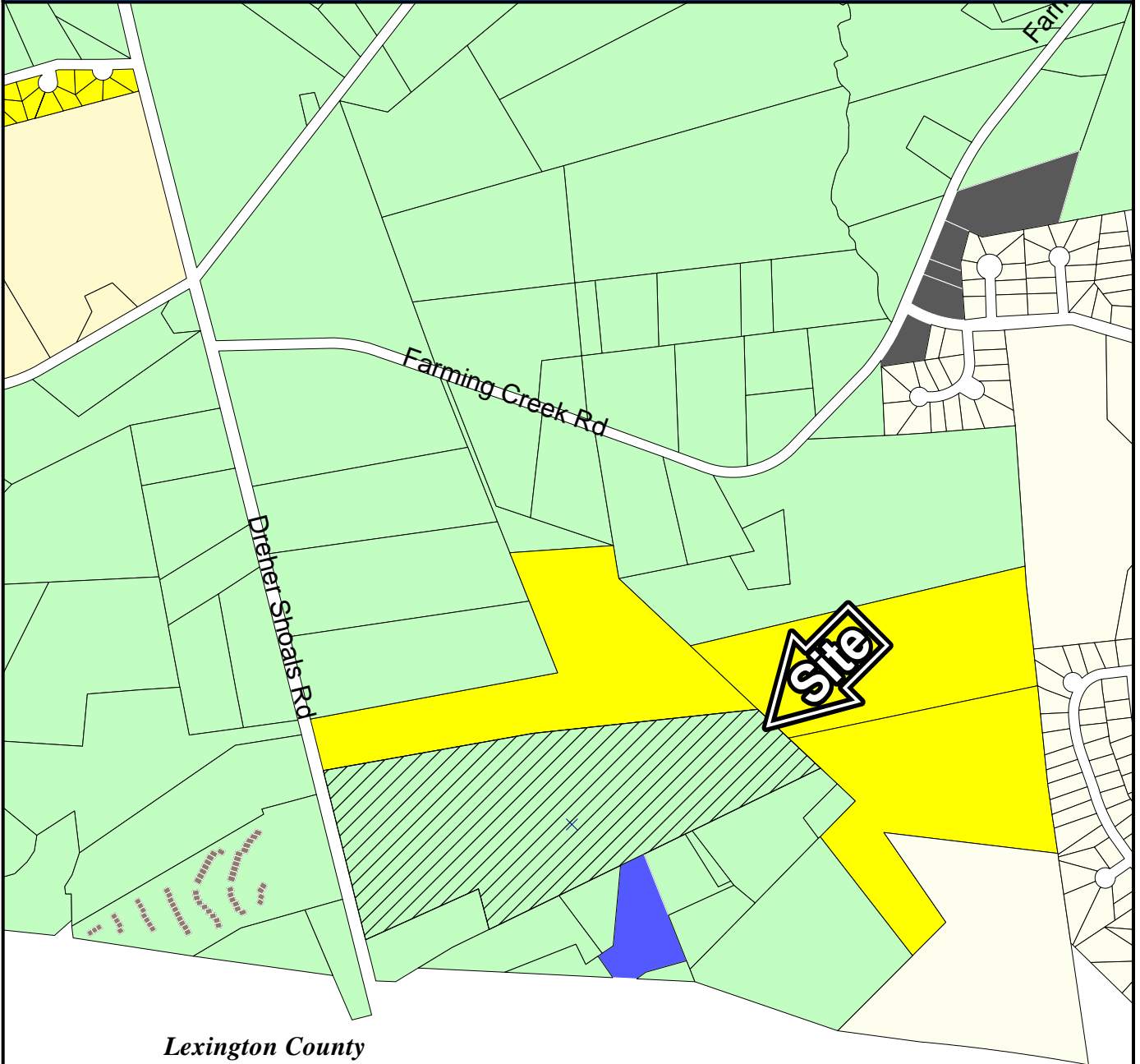
**Applicant:** English Village Gardens

**TMS#:** 03206-01-09




















**General Location:** Dreher Shoals Road

Chapter #	General Development Plan Requirements	Comply
26-70.16	Generalized drawing (s) for entire site showing the general development pattern, including relationship between the various uses	Exhibit D
26-70.16 a	Statement of major project assumptions and objectives	Page 1
26-70.16 b	Statement of the range of percentages of the total area intended for residential, commercial industrial, open space, social/community uses & major streets and roads	Page 2
26-70.16 c	Statement of intended overall maximum dwelling unit density per acre	Page 2
26-70.16 d	Legal description	Attchmt. A
26-70.16 e	Total acres	Page 2
26-70.16 f	Tentative number of units of various types	Page 2
26-70.16 g	Description of open space & community facilities & adequacy to serve the anticipated demand	Page 9
26-70.16 h	Approximate timing of development by phase	Page 6
26-70.16 i	Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features	Exhibit G
26-70.16 j	Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review	Pages 6-10

# CASE 05-27 MA RU to PUD-1R



## ZONING CLASSIFICATIONS

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





**CASE 05-27 MA**  
**RU to PUD-1R**  
**TMS 03206-01-09**

*Richland County*  
*Lexington County*





# CASE 05-27 MA FROM RU to PUD-1R

TMS# 03206-01-09

Dreher Shoals Road (SC Hwy 6)



Looking at site



Looking north on Dreher Shoals Road

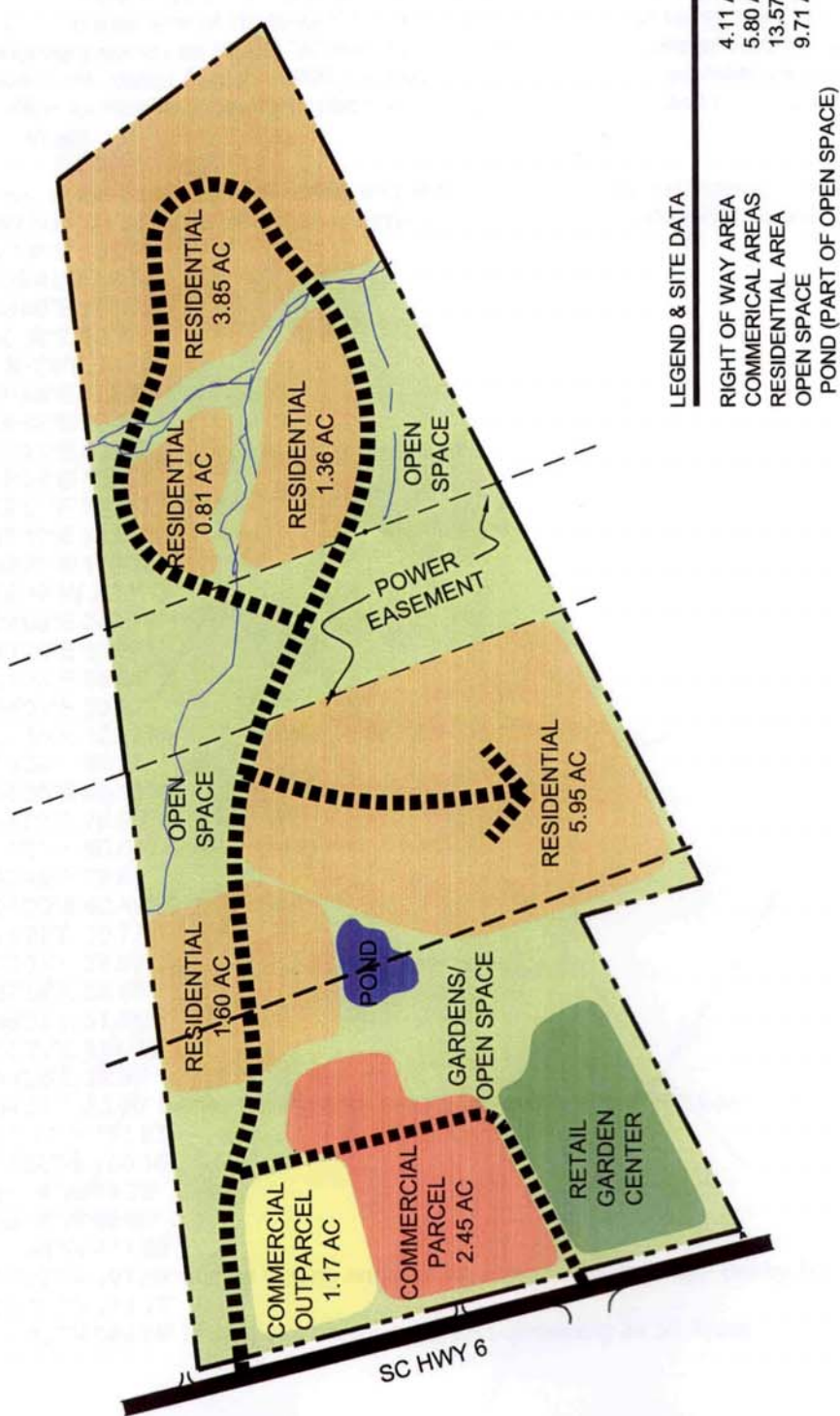
# Attachment A

## Case 05-27 MA

All that certain piece, parcel or lot of land, with all improvements thereon, situate, lying and being on the East side of S.C. Highway 6 (Dreher Shoals Road), near Ballentine, in Richland County, South Carolina, containing 34.38 acres, more or less, and identified as Parcel "A" and Parcel "B", on that certain plat prepared for Village Venture Group, Inc. by Whitworth & Associates, Inc., dated April 27, 2004, revised May 19, 2004, and further revised September 28, 2004, to be recorded in the Office of the Register of Deeds for Richland County, South Carolina, Record Book \_\_\_\_\_ at page \_\_\_\_\_, having metes, bounds, courses and distances as shown on said plat, to wit:

Commencing at an iron pin marking the southwesternmost corner of this parcel (located on the eastern boundary of the R/O/W for S.C. Hwy 6, 5464.44 feet N 06° 38' 35" E [North] of NGS Monument Innsbruck) and from said corner running N 14° 01' 36" W for 937.97 feet along the easternmost right-of-way boundary of Dreher Shoals Road to an iron pin marking the northwesternmost corner of the property; thence turning and running in a generally easterly direction along Waterford Subdivision (on a line marked by a series of iron pins and constituting the North boundary of the property) N83°49'08"E 10.21' to a pin, thence N83°39'43"E 39.83' to a pin, thence N83°38'40"E 132.72' to a pin, thence N83°40'38"E 80.75' to a pin, thence N83°30'28"E 19.12' to a pin, thence N83°35'48"E 122.13' to a pin, thence N83°46'42"E 90.12' to a pin, thence N83°37'21"E 80.45' to a pin, thence N83°39'24"E 159.90' to a pin, thence N83°29'01"E 79.88' to a pin, thence N83°45'10"E 79.62' to a pin, thence N83°40'21"E 113.78' to a pin, thence N19° 19'38"W 2.71' to a pin, thence N83°29'03"E 243.70' to a pin, thence N83°33'24"E 85.07' to a pin, thence N83°31'33"E 38.54' to a pin, thence N88°54'03"E 39.37' to a pin, thence N83°37'55"E 122.77' to a pin, thence N83°38'39"E 98.24' to a pin, thence N83°38'35"E 95.15' to a pin, thence N83°44'07"E 79.96' to a pin, thence N83°37'30"E 80.04' to a pin, thence N83°42'49"E 79.88' to a pin, thence N83°53'20"E 40.49' to a pin, thence to an iron pin marking the northeasternmost corner of the property; thence turning and running in a generally southerly direction along Waterford Subdivision (on a line marked by a series of iron pins and constituting the easternmost property line) S38°48'22"E 10.77' to a pin, thence S36°22'05"E 28.97' to a pin, thence S37°07'58"E 55.46' to a pin, thence S37°06'23"E 81.55' to a pin, thence S37°10'21"E 11.28' to a pin, thence S37°09'25"E 79.97' to a pin, thence S37°04'21"E 63.80' to a pin, thence to an iron pin marking the southeastmost property corner; thence turning and running S 63°11'0" W for 751.67 feet along property now or formerly Calvin K Meetze, to an iron pin; thence continuing in a generally westerly direction along property now or formerly Tim S. Meetze S 64° 13' 50" W for 100.16 feet to an iron pin; thence S 62° 55' 05" W for 13.25 feet to an iron pin, thence S 62° 55' 05" W for 92.60 feet, thence S63° 21' 46" W for 471.98 feet; thence running S 63° 21' 46" W for 191.59 feet along property now or formerly Elton S. Meetze to a corner pin; thence turning and running N 15° 27' 32" W for 211.77 feet along property now or formerly Bobby Meetze to a corner pin; thence turning and running S 63° 16' 33" W for 589.69 feet along property now or formerly Bobby Meetze, to the point of commencement, be all measurements a little more or less.

Attachment B  
Case 05-27 MA



THE HAYTER FIRM  
Landscape Architecture  
Land Planning  
30 Parker Lane  
P.O. Box 5083  
Pinehurst, NC 28374  
Telephone: 910-395-2322  
Fax: 910-395-3420  
E-mail: thf@pinehurst.net



North

Scale 1" = 300'-0"

VILLAGE VENTURE GROUP  
RICHLAND CO., SOUTH CAROLINA  
PUD R-1 SITE USE MAP  
EXHIBIT D





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

December 2, 2004

<b>RC Project # 05-28 MA</b>	<b>Applicant:</b> Shumaker Homes (Beasley Creek Estates)
<b>General Location:</b> South Side of Turkey Farm Road, 3/4 miles West of Wilson Blvd	
<b>Tax Map Number:</b> 14800-05-09	<b>Subject Area:</b> 83 ac MOL
<b>Current Parcel Zoning:</b> RU	<b>Proposed Parcel Zoning:</b> PUD-1R
<b>Proposed Use:</b> Single Family Detached S/D	<b>PC Sign Posting Date:</b> November 4, 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. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

**Applicant’s Factual Justification For Proposed Change**

Develop a residential community with two different product types and on-site recreation

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	RU	Residence, a barn and sheds
<b>Adjacent North</b>	PUD & RU	Undeveloped woodlands
<b>Adjacent East</b>	RU	Undeveloped woodlands
<b>Adjacent South</b>	RU & PUD	Wetlands & unplatted portion of Stonington PUD
<b>Adjacent West</b>	RU	Single family residences on estate sized 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><b><u>RU Zoning Designation Intent</u></b>                      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><b><u>Proposed PUD-1R Zoning Designation Intent</u></b>                      Intended to accommodate primarily residential uses, with nonresidential uses integrated into the design of such districts as secondary uses</p>
<p><b><u>Existing RU Zoning Permitted Uses</u></b>                      All farm type enterprises                      Public buildings and utilities                      Orphanages, nursing homes and the like                      Places of worship                      Educational facilities                      One &amp; Two family dwellings</p>	<p><b><u>Proposed PUD-1R Zoning Permitted Uses</u></b>                      Limited the types, amounts and locations of land uses specified in the General Development Plan</p>

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

The subject site is situated between two residential Planned Unit Developments that are under development. The proposed 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 ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

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

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

Proposed Project Gets Its Principal Access From	Wilson Blvd via Turkey Farm Rd	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	2755	
Current Volume At The Nearest Count Station # 135 Located @ just south of Killian Rd	6200	
Estimated Traffic Count <b>With</b> the Proposed Project	8955	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.04</b>	

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 multiplying the number of dwelling units by the average daily trip generation rate for single-family detached residences (9.5 x 290 DU)

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

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

The proposed project will result in the LOS C at SCDOT count station # 135 being exceeded. However, the County Council approved a Planned Unit development (04-35 MA) across Turkey Farm Road that will generate approximately 4800 additional vehicle trips daily when completed occupied. In addition, phase one of an industrial park PUD on the east side of Wilson Blvd at Turkey Farm Road has been approved the County Council (04-42 MA).

If both phases of the industrial park PUD build out as planned, the industrial park will generate an additional 21,000 average daily trips on Wilson Road at this location. **Therefore, upon complete occupancy of the Wilson Blvd industrial park, the PUD across Turkey Farm Road and the subject project, there will be an additional 28,500 average daily vehicles trips on Wilson Blvd in the Turkey Farm Road area.**

### **Fire Service Impacts**

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

### **Relationship To Comprehensive Plan**

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

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

**The Map designates the subject area as Low Density Residential in the Developing Urban area.** The proposed project is consistent with the Map designation.

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



Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 39 respectively, are discussed below:

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

The proposed project will have a gross density of 3.5 DU/acre and a net residential density of 4.8 DU/acre. The table below compares the gross and net densities of the subject project with other residential projects in the area. The proposed Amendment implements this Objective.

<b>Project Name</b>	<b>Gross Project Density *</b>	<b>Net Residential Density **</b>
Mungo PUD	1.1 DU/ac (400 DU / 367 acres)	2.3 DU/ac (400 DU / 176 acres) (approx. D-1 zoning)
Stonington PUD	1.2 DU/ac (201 DU / 165 acres)	1.7 DU/ac (201 DU / 118 acres) (approx. D-1 zoning)
Proposed Kerry Lee	1.7 DU/ac (42 DU / 25 acres)	2.6 DU/ac (42 DU / 16.3 acres) (approx. RS-1 zoning)
Beasley Creek Estates	3.5 DU/ac (290 DU / 83 acres)	4.8 DU/ac (290 DU / 60.3 acres) (approx. RS-2 zoning)

\* Gross project density = total number of dwelling units divided by the total project acreage

\*\* Net Residential Density = total number of dwelling units divided by the residential acreage

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

The subject project is designed to take advantage of the site’s natural conditions by leaving undeveloped areas for nature trails, viewing sites and the like. The proposed Amendment implements this Principle.

**Other Relevant Issues**

A review of the proposed Declarations, Covenants, Conditions, Restrictions and Easements for the proposed Beasley Creek Estates discloses numerous changes are necessary to clarify the respective roles of the Architectural Review Board and the County. The Department will provide the applicant with the needed specific changes in a separate letter.

The General Development Plan (*applicant’s General Layout Plan*) shows the medium density portion of the project will be located in the northeast corner of the project adjacent to estate-sized residences. It would seem more appropriate to locate the medium density portion of the project in the west central portion of the project where more natural buffer area from adjacent land uses is available.

The applicant states project “...will include active recreation areas such as nature trails and sidewalks as well as a neighborhood park. The community recreation facilities may include a children’s playground, swimming pool, covered gazebo or pavilion with parking. The total percent of open space, which will include recreation areas, parks, trail areas, wetlands, flood plain and buffers will not be less than 25 percent of the total project area.

## SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-28 MA **be changed** from RU to PUD-1R, subject to the conditions described below:

### **Findings of Fact:**

1. The applicant has provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is compatible with the adjacent existing land uses.
3. **Upon complete occupancy of the Wilson Blvd industrial park, the PUD across Turkey Farm Road and the subject project, there will be an additional 28,500 average daily vehicles trips on Wilson Blvd in the Turkey Farm Road area.**
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 Recommendations of the I-77 Corridor Subarea Plan discussed herein.
6. As required by Chapter 26-70.15 of the County Code, the Planning Commission approved the General Development Plan as submitted on October 29, 2004 (the *applicant's General Layout Plan*), subject to the conditions described below and as otherwise amended herein; said Plan is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD"); and is incorporated herein by reference.
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.

### **PUD Conditions**

- a) The site development shall be limited to 175 low density dwelling units; 115 medium density dwelling units; and 22.7 acres of open space/recreation area as depicted in (Attachment B), which is attached hereto; and
- b) The applicant shall transmit a phasing plan, if applicable, to the Department prior to reviewing any construction plans; and
- c) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and
- d) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes and is hereby approved for such purposes; and
- e) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- f) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and

- g) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
  - 1) Any increase in the number of access points to the external road network;
  - 2) Any decrease in the amount of open space/common areas;
  - 3) Any increase in the gross project density (measured in DU/acre or square footage/acre) and/or
  - 4) Any change in traffic flow; and
- h) The Planning Commission is hereby authorized to make minor amendments, to Attachment B, or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- i) The PDSO is authorized to make minor adjustments to the phasing schedule as may become necessary during the project's construction; and
- j) **No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSO issues a Controlled Clearing letter;** and
- k) All internal streets shall be publicly owned and maintained by Richland County; and
- l) Access to the subject site shall be limited to 2 intersections on Turkey Farm Road; and
- m) The developer shall construct any necessary turn lanes for the project at both entrances on Turkey Farm Road, subject to obtaining all required state and /or county approvals; and
- n) The applicant shall construct a landscaped berm, fence, wall, or some combination thereof, to ensure that no parcel in the project will have direct access onto Turkey Farm Road; and
- o) Other conditions resulting from the Commission consideration ?
- p) The applicant shall make the text changes required by the Department prior to the public hearing regarding this project; and
- q) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.

<b>SECTION III      PLANNING COMMISSION ACTION</b>
----------------------------------------------------

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 December 2, 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 # 05-28 MA at the next available opportunity.

**Commission Findings of Fact/Recommendations**

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

In consideration of the proposed Zoning Map Amendment # 05-28 MA, the Planning Commission made the findings of fact summarized below:

## PUD SUBMISSION CHECKLIST

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

**Project Number:** 05-28 MA

**Applicant:** Shumaker Homes

**TMS#:** 14800-05-09

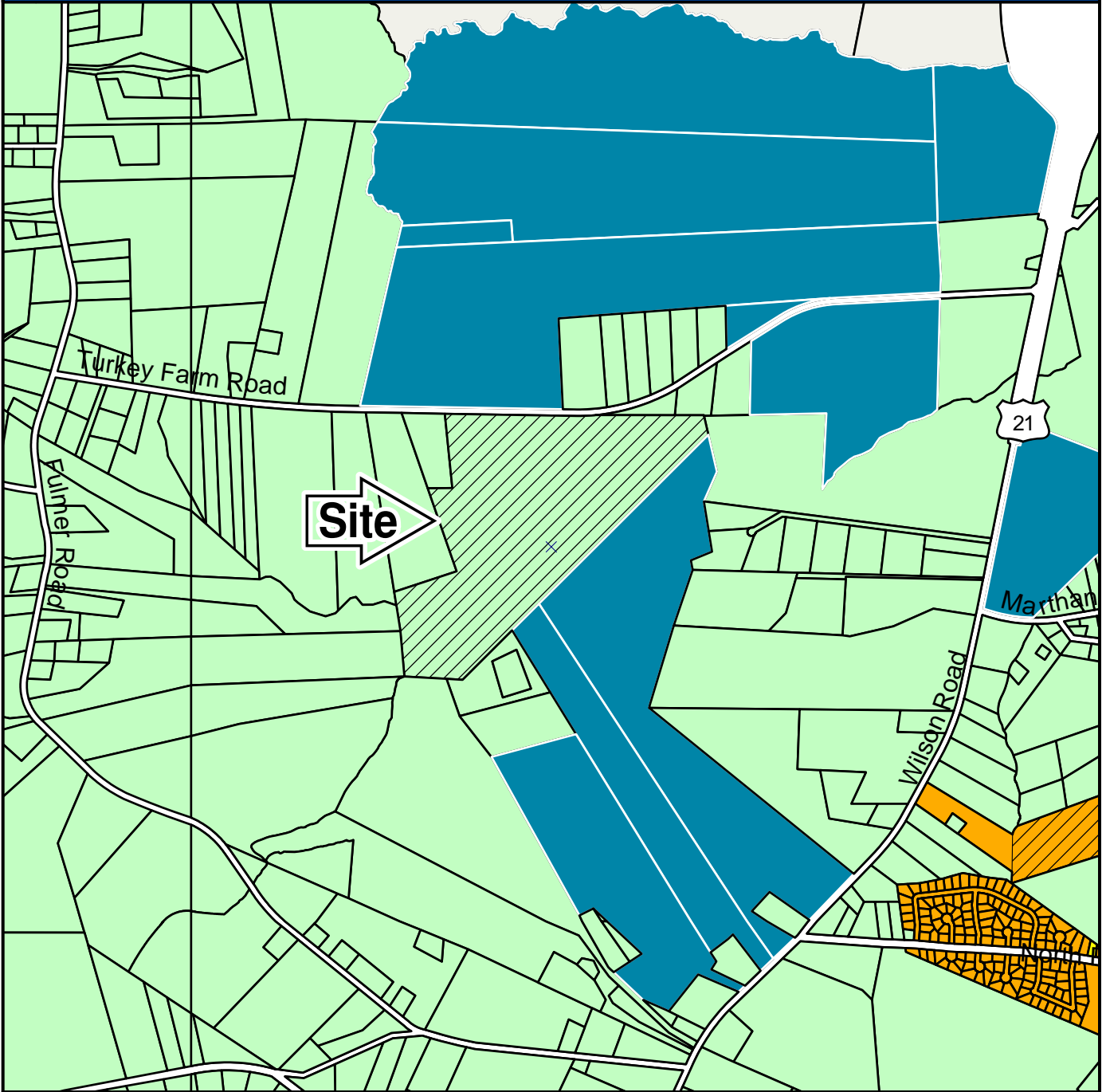
**General Location:** Turkey Farm Road

Chapter #	General Development Plan Requirements	Comply
26-70.16	Generalized drawing (s) for entire site showing the general development pattern, including relationship between the various uses	Yes
26-70.16 a	Statement of major project assumptions and objectives	Page 3
26-70.16 b	Statement of the range of percentages of the total area intended for residential, commercial industrial, open space, social/community uses & major streets and roads	Page 5
26-70.16 c	Statement of intended overall maximum dwelling unit density per acre	Page 6
26-70.16 d	Legal description	Appendix A
26-70.16 e	Total acres	Page 6
26-70.16 f	Tentative number of units of various types	Page 6
26-70.16 g	Description of open space & community facilities & adequacy to serve the anticipated demand	Page 6
26-70.16 h	Approximate timing of development by phase	Page 7
26-70.16 i	Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features	Appendix B
26-70.16 j	Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review	None Proposed
























# CASE 05-28 MA RU to PUD-1R



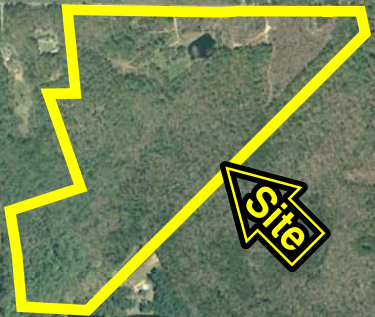
## ZONING CLASSIFICATIONS

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





**CASE 05-28 MA**  
**RU to PUD-1R**  
**TMS 14800-05-09**





# CASE 05-28 MA FROM RU to PUD-1R

TMS# 14800-05-09

281 Turkey Farm Road



## Attachment A Case 05-28 MA

### Courses and Distances Description of Tax Map No. R14800-05-09

All that certain piece, parcel or tract of land, containing 83.18 acres, more or less, situate, lying and being on the southern side of Turkey Farm Road (Road SC-40-1694), in the County of Richland, State of South Carolina, being shown and delineated on a Composite Drawing prepared for Mary M. Davis dark by Associated Engineers and Surveyors, Inc. dated October 24, 2003, and according to said Drawing having the following courses and distances: beginning at a point on the southern side of Turkey Farm Road and running along the southern edge of the right of way of Turkey Farm Road as follows: S85-17-00E for the distances of 952.71 feet, 51.52 feet and 263.32 feet; S88-43-00E for a. distances of 100.68 feet; S87-38-00E for a distance of 101.78 feet; N86-04-00E for a distance of 127.27 feet; and N84-42-08E for a distance of 100.40 feet; then turning and leaving Turkey Farm Road and running as follows; S83-41-52E for a distance of 633.10 feet; then turning and running S07-03-05W for a distance of 231.87 feet; then turning and running 347-31-08W for a distance of 1,957.55 feet; then turning and running S48-55-55W for a distance of 285.75 feet; then turning and running S47-42-00W for a distance of 701.85 feet; then turning and running S84-42-30W for the distances of 270.17 feet and 317.8C feet; then turning and running W02-57-00W for a distance of 376.30 feet; then turning and running N02-00-00E for a distance of 166.10 feet, then turning and running N13-10-00W for a distance of 158.10 feet; then turning and running N06-11-00E for a distance of 159.15 feet; then turning and running N75-47-50E for a distance of 522.00 feet; then turning and running N13-47-40W for a distance of 799.30 feet; than fuming and running S89-08-00E for a distance of 229.39 feet; then turning and running N03-17-45W for a distance of 635.55 feet to the Point of Beginning. All measurements are more or less.




Attachment B  
Case 05-28 MA





**RICHLAND COUNTY, SOUTH CAROLINA  
PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
Land Development Division Memo**

**TO:** Planning Commission Members; Other Interested Parties  
**FROM:** Carl D. Gosline, AICP, Subdivision Administrator   
**DATE:** November 23, 2004  
**RE:** Minor PUD Amendment – YMCA Project on Kelly Mill Road

**Background:**

The Lake Carolina PUD, hereinafter known as the Project, was adopted by ordinance on August 11, 1997. The PUD text states "... a modification, or variance, may be granted from the terms of this General Development Plan when such modification, or variance, is in harmony with the general intent and purpose of the Project and is not detrimental to the public health, safety or welfare..."

In June 2002, the Lake Carolina PUD was amended to relocate the Kelly Road Project entrance to consolidate the long planned recreation area rather than splitting it with an entrance road. The original intent was for the Project and the School Board to enter into a shared use agreement for these facilities.

The YMCA has been exploring the possibility of moving their proposed facility from the Rabon/Sloan Road area to a more desirable location. The Project and the YMCA reached an agreement in principle to relocate their facility to the subject site. The proposed facilities include a pool and splash center, tennis facilities and a two-story facility for a variety of indoor recreation activity.

A copy of the revised Lake Carolina Development Plan, including the YMCA area, is attached for your information. A copy of the conceptual YMCA site development plan is also attached for your information.

**Findings of Fact:**

- 1) The County and the Lake Carolina Development Incorporated executed a Development Agreement in the Spring of 2001.
- 2) A portion of the Agreement allows the Planning Commission to consider minor amendment to the basic PUD General Development Plan.
- 3) The proposed YMCA facility will provide on-site indoor and outdoor recreation opportunities for the Project residents.
- 4) The proposed minor PUD amendment is "...in harmony with the general intent and purpose of the Project and is not detrimental to the public, health, safety or welfare..."

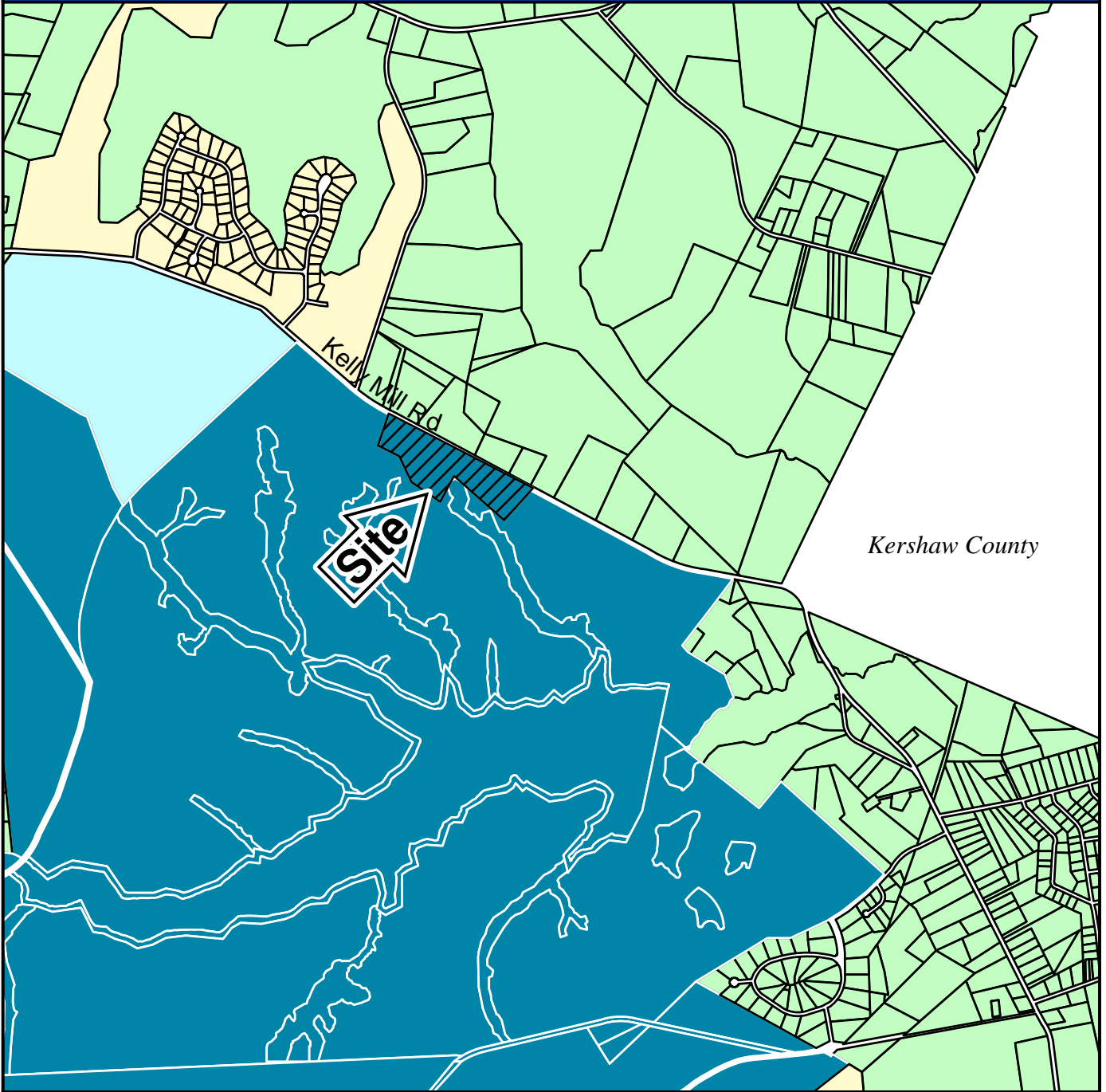
**Recommendation:**

The Department recommends approval of the proposed minor PUD amendment in the area bounded by Lake Carolina Blvd, Old Somerby Way, Kelly Mill Road and the Kelly Mill Middle School.

























# CASE 05-29 MA MINOR PUD-1R AMENDMENT

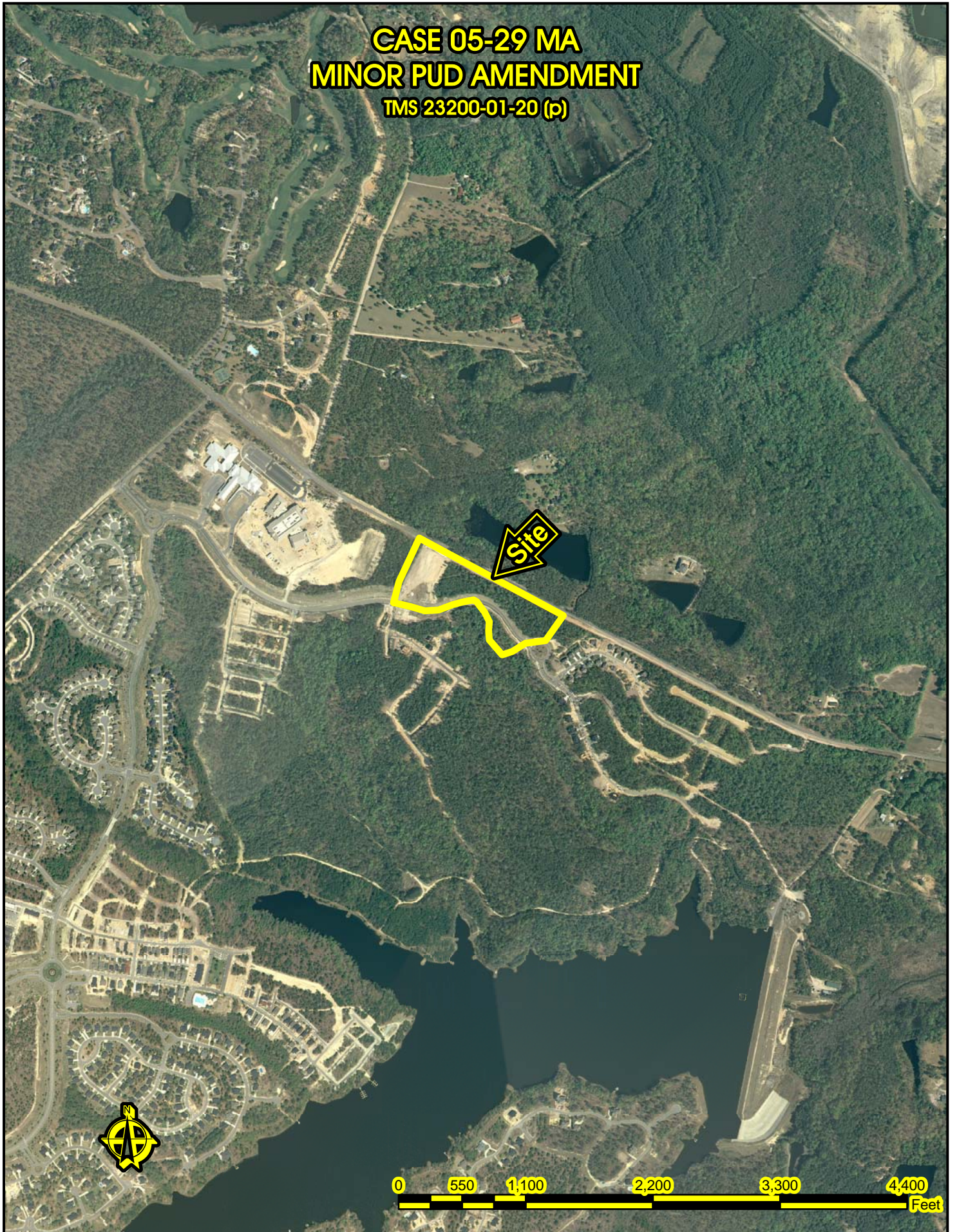


## ZONING CLASSIFICATIONS

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



**CASE 05-29 MA**  
**MINOR PUD AMENDMENT**  
TMS 23200-01-20 (p)





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

November 1, 2004

<b>RC Project # 05-30 MA</b>	<b>Applicant:</b> The James Company (E. Clifton Kinder, Jr.)
<b>General Location:</b> Northwest corner of intersection of Hardscrabble and Farrow Road	
<b>Tax Map Number:</b> 17300-02-10 (portion)	<b>Subject Area:</b> 32.96 ac MOL
<b>Current Parcel Zoning:</b> M-1	<b>Proposed Parcel Zoning:</b> RS-3 (5,000 sq. ft. lots)
<b>Proposed Use:</b> Single family residences	<b>PC Sign Posting Date:</b> November 4, 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. It is the Department's position that this provision means the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

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

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

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

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

**Applicant’s Factual Justification For Proposed Change**

For the establishment of single family residences

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	M-1	Undeveloped woodlands
<b>Adjacent North</b>	M-1	Undeveloped woodlands
<b>Adjacent East</b>	M-1	Undeveloped woodlands
<b>Adjacent South</b>	M-2	I-77 Business Park
<b>Adjacent West</b>	RS-3	Washington Heights Subdivision

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

<p><b><u>M-1 Zoning Designation Intent</u></b>                      Intended to accommodate wholesaling, distribution, storage, processing, light manufacturing, and general commercial or agricultural uses.</p>	<p><b><u>Proposed RS-3 Zoning Designation Intent</u></b>                      Intended as single family residential areas with low to medium population densities.</p>
<p><b><u>Existing M-1 Zoning Permitted Uses</u></b>                      Wholesaling, warehousing, storage, supply, and distribution                      Truck terminals, freight terminals, and passenger terminals                      Light manufacturing and processing                      Outdoor storage lots and yards                      Offices                      Hotels and motels</p>	<p><b><u>Proposed RS-3 Zoning Permitted Uses</u></b>                      Single family detached dwellings or modular building units located on individual lots</p>

The land uses above represent a summary of the permitted uses in Chapter 26-68 and Chapter 26-63, respectively of the County Code. Some Special Exception uses are also possible.

The site is encompassed by undeveloped woodlands zoned M-1 and abuts the Washington Heights Subdivision to the west. The 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 ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

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

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

Proposed Project Gets Its Principal Access From	Hardscrabble Road	
Functional Classification Of This Roadway	Two lane undivided minor arterial	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>10,800</b>	
Estimated Traffic Generated By The Proposed Project	1,909	
Current Volume At The Nearest Count Station #438 Located @east of site on Hardscrabble Road	18,000	
Estimated Traffic Count <b>With</b> the Proposed Project	19,909	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.84</b>	

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 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying estimated number of lots times the average generation rate for a single family residence as listed in the Addendum. The calculation is as follows; 32.96 acres – 30% for infrastructure = 23.16 acres x 43,560 = 1,008,849/5,000 sq. ft. as allowed by RS-3 = 201 lots x 9.5 average daily trips = 1,909

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



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

The area of Hardscrabble Road where the traffic count station was located is currently operating at almost double its LOS design capacity. The current LOS of Hardscrabble Road in this area is **LOS F**.

### **Fire Service Impacts**

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

### **Relationship To Comprehensive Plan**

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

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

**The proposed RS-3 zoning is NOT consistent with the Map designation** as required by state statutes because it is for single family residential zoning in an area designated for industrial. The zoning should be M-1, M-2, PDD or PUD to be consistent with the Industrial/Commercial/Technological land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 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 site lies amongst areas zoned M-1 which allows for numerous uses which could be detrimental to an existing neighborhood. The proposed Amendment **does not implement** this Objective.

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

The Map designates the area as Industrial/Commercial/Technological. The proposed Amendment **does not implement** this Principle.

### **Other Relevant Issues**

The subject site was divided from a 70 plus acre tract that included a 22 acre parcel on the northwest corner of the Farrow Road/Hardscrabble Road intersection. Prior to the subject site being divided, the Department attempted to get the owners of the 70 plus acre tract to do a PUD for the whole site. The property owner chose not to pursue a PUD and subsequently processed a property division into the subject 33 acre parcel, a 12 acre parcel and a 22 acre parcel.

The Department believes the County has an opportunity to encourage a comprehensive development of a significant undeveloped parcel located in a highly suitable development location. A comprehensive site development plan is particularly critical for this area in order to mitigate traffic congestion and to prevent incompatible land uses from being developed on a parcel-by-parcel basis.

The Department believes this area is clearly suitable for residential, commercial and/or industrial development. The Department further believes that such development should occur in a coordinated manner. The requested RS-3 zoning would effectively preclude the comprehensive development of this area.

## **SECTION II STAFF RECOMMENDATION**

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-30 MA **not be changed** from M-1 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 Hardscrabble Road near this location is **currently being exceeded**.
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 not consistent** with the Objectives and Recommendations 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.

<b>SECTION III PLANNING COMMISSION ACTION</b>
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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.

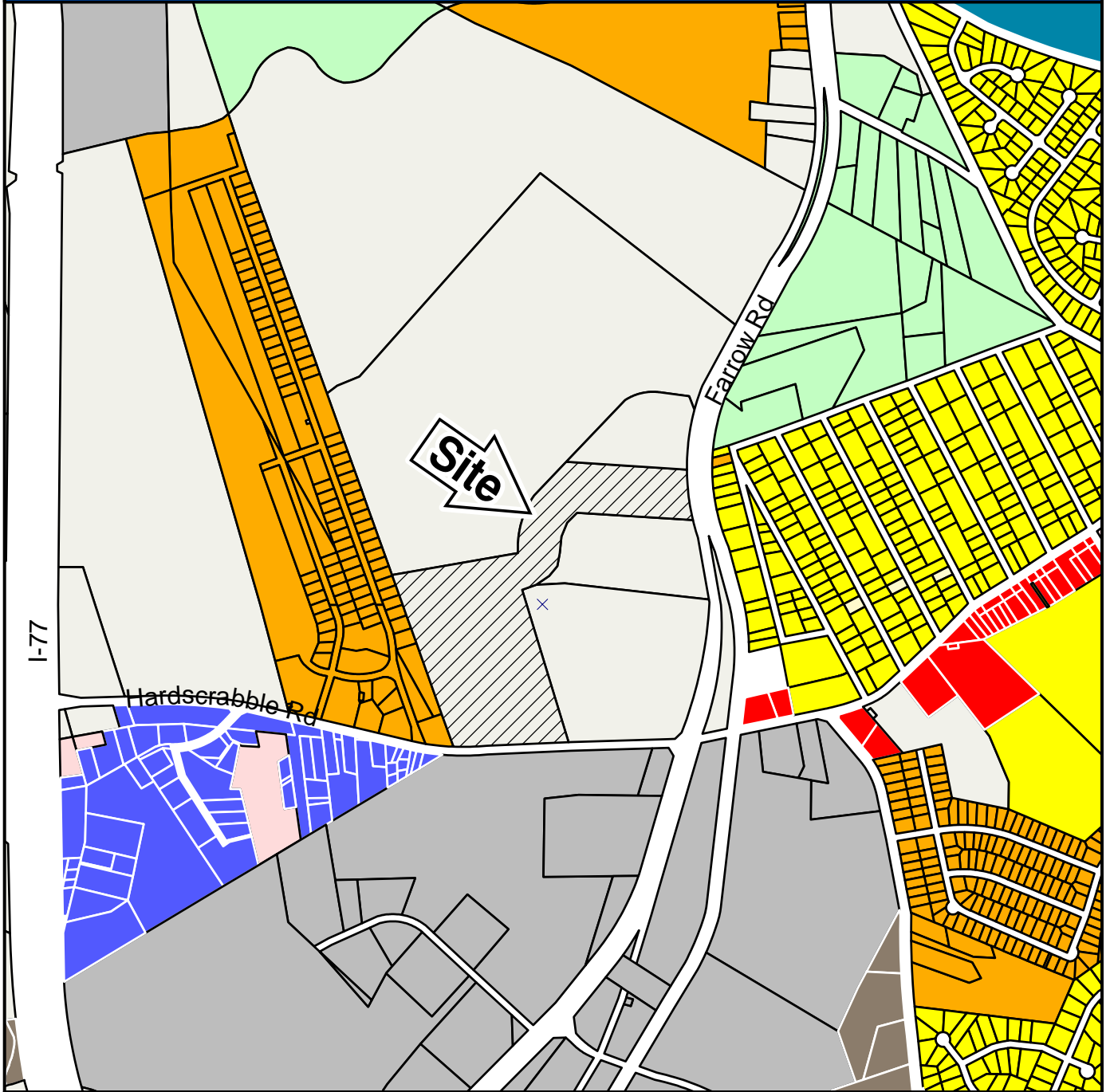
At their meeting of December 2, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-30 MA at the next available opportunity.

**Commission Findings of Fact/Recommendations**



















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

In consideration of the proposed Zoning Map Amendment # 05-30 MA, the Planning Commission made the findings of fact summarized below:

# CASE 05-30 MA M-1 to RS-3



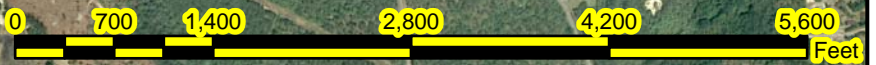
## ZONING CLASSIFICATIONS

 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 05-30 MA**  
**M-1 to RS-3**  
**TMS 17300-02-10 (p)**

**Site**





# CASE 05-30 MA FROM M-1 to RS-1

TMS# 17300-03-10 (p)

Hardscrabble/Farrow Road



Looking at site



Looking east on Hardscrabble Road



## Attachment A Case 05-30 MA

### LEGAL DESCRIPTION:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING NORTHEAST OF THE CITY OF COLUMBIA, COUNTY OF RICHLAND, STATE OF SOUTH CAROLINA, CONTAINING 32 96 ACRES, MORE OR LESS, AS SHOWN AND DELINEATED ON A PLAT PREPARED FOR THE JAMES COMPANY, LLC BY GLENN ASSOCIATES SURVEYING, INC., MICHAEL R. MILLS, SCPLS #11606, DATED OCTOBER 19, 2004, DESIGNATED AS TRACT "A", AND ACCORDING TO SAID PLAT. HAVING THE FOLLOWING METES AND BOUNDS: FROM THE POINT OF COMMENCEMENT, BEING A POINT AT THE INTERSECTION OF THE CENTERLINE OF HARD SCRABBLE ROAD (S 40-83) AND THE CENTERLINE OF SOUTHERN RAILROAD, LOCATED AT SOUTH CAROLINA STATE GRID COORDINATES: NORTH 829,583.15, EAST 2,016,196.43, THENCE SOUTH 83°42'48" WEST FOR A DISTANCE OF 475 48 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND, THENCE SOUTH 88°28'13" WEST FOR A DISTANCE OF 567.18 FEET TO A 1-INCH REBAR SET, THENCE SOUTH 87°29'44" WEST FOR A DISTANCE OF 86.41 FEET TO A 1-INCH REBAR SET, BEING THE POINT OF BEGINNING, THENCE SOUTH 87°29'44" WEST FOR A DISTANCE OF 670.84 FEET TO A 1-INCH REBAR SET, THENCE IN A CURVED LINE FOR A DISTANCE OF 178.02 FEET. THE ARC OF SAID CURVED LINE HAVING A RADIUS OF 1876 77 FEET AND THE CHORD OF WHICH RUNS NORTH 89°47'11" WEST FOR A DISTANCE OF 177.95 FEET TO A 1-INCH REBAR SET, THENCE NORTH 19°10'06" WEST FOR A DISTANCE OF 1.20 FEET TO A 1-INCH PIPE FOUND, THENCE NORTH 19°10'00" WEST FOR A DISTANCE OF 324 76 FEET TO A 1-INCH PIPE FOUND, THENCE NORTH 19°09'36" WEST FOR A DISTANCE OF 99.73 FEET TO A 3/4-INCH PIPE FOUND, THENCE NORTH 19° 16'37" WEST FOR A DISTANCE OF 100.11 FEET TO A 3/4-INCH PIPE FOUND, THENCE NORTH 19°30' 10" WEST FOR A DISTANCE OF 99.69 FEET TO A 1-INCH PIPE FOUND, THENCE NORTH 19°34'47" WEST FOR A DISTANCE OF 99.93 FEET TO A T/2-PIPE FOUND, THENCE NORTH 19°18'07" WEST FOR A

DISTANCE OF 99.71 FEET TO A 1-INCH PIPE FOUND, THENCE NORTH  $19^{\circ}23'40''$  WEST FOR A DISTANCE OF 159.27 FEET TO A 1/2-IRON PIN FOUND, THENCE NORTH  $19^{\circ}24'27''$  WEST FOR A DISTANCE OF 69.87 FEET TO A 1-INCH PIPE FOUND, THENCE NORTH  $19^{\circ}05'15''$  WEST FOR A DISTANCE OF 103.08 FEET TO A 1/2-INCH IRON PIN FOUND, THENCE NORTH  $78^{\circ}36'18''$  EAST FOR A DISTANCE OF 862.73 FEET TO A 1/2-INCH IRON ROD FOUND, THENCE IN A CURVED FINE FOR A DISTANCE OF 489.00 FEET, THE ARC OF SAID CURVED FINE HAVING A RADIUS OF 576.60 FEET AND THE CHORD OF WHICH RUNS NORTH  $17^{\circ}58'26''$  EAST FOR A DISTANCE OF 474.48 FEET TO A 1/2-INCH IRON ROD FOUND, THENCE NORTH  $42^{\circ}17'43''$  EAST FOR A DISTANCE OF 170.04 FEET TO A 5/8-INCH REBAR FOUND, THENCE SOUTH  $83^{\circ}52'37''$  EAST FOR A DISTANCE OF 933.90 FEET TO A 5/8-INCH REBAR FOUND, THENCE IN A CURVED FINE FOR A DISTANCE OF 180.81 FEET, THE ARC OF SAID CURVED FINE HAVING A RADIUS OF 1400.63 FEET AND THE CHORD OF WHICH RUNS SOUTH  $10^{\circ}19'33''$  EAST FOR A DISTANCE OF 180.68 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $14^{\circ}19'17''$  EAST FOR A DISTANCE OF 104.28 FEET TO A 1-INCH REBAR SET, THENCE NORTH  $83^{\circ}52'33''$  WEST FOR A DISTANCE OF 877.02 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $38^{\circ}41'59''$  WEST FOR A DISTANCE OF 69.83 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $32^{\circ}15'53''$  WEST FOR A DISTANCE OF 70.98 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $15^{\circ}20'28''$  WEST FOR A DISTANCE OF 76.53 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $00^{\circ}49'38''$  WEST FOR A DISTANCE OF 74.73 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $02^{\circ}26'33''$  EAST FOR A DISTANCE OF 38.11 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $09^{\circ}28'32''$  WEST FOR A DISTANCE OF 74.87 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $25^{\circ}09'33''$  WEST FOR A DISTANCE OF 74.99 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $40^{\circ}48'39''$  WEST FOR A DISTANCE OF 74.86 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $56^{\circ}26'25''$  WEST FOR A DISTANCE OF 74.96 FEET TO A 1-INCH REBAR SET, THENCE SOUTH  $71^{\circ}37'37''$  WEST FOR A DISTANCE OF 74.39 FEET TO A 1-INCH REBAR SET. THENCE SOUTH  $19^{\circ}17'12''$  EAST FOR A DISTANCE OF 1019.25 FEET TO A 1-INCH REBAR SET BEING THE POINT OF BEGINNING, BE ALL MEASUREMENTS A LITTLE MORE OR LESS. SURVEY COURSES AND COORDINATES GIVEN HEREIN ARE BASED ON THE SOUTH CAROLINA STATE PLANE GRID SYSTEM, NORTH




AMERICA DATUM OF 1983 (2001).

DERIVATION; THE ABOVE DESCRIBED PROPERTY BEING A PORTION OF TAX MAP PARCEL 17300-02-010 AS SHOWN ON RICHLAND COUNTY TAX MAPS. ALSO A PORTION OF THAT PROPERTY DEEDED TO SPS LIMITED LIABILITY COMPANY BY MARGARET P. SMITH, STEPHANIE E SMITH-PHILLIPS, WALTER C. PUTNAM, JR., AND SARAH J. CAHALAN, AS TRUSTEES UNDER THE LAST WILL AND TESTAMENT OF WILBUR S. SMITH AND RECORDED DECEMBER 27, 1995 IN DEED BOOK 1294, PAGE 662.



**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:** November 19, 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.

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Arden Park S/D	Off Longtown Road, Northeast Richland County
Ashcroft S/D	Future Mungo Development/ Location undetermined
Cooper Glen S/D	Future Mungo Development/Location undetermined
David Culip S/D	Off Wilson Blvd, Northeast Richland County
Padgett Road	Off Padgett Road, Southeast Richland County
Riverwood S/D	Future Mungo Development/ Location undetermined
Sage Pointe S/D	Off Clemson Road, Northeast Richland County
Timbercove S/D	Future Mungo Development/ Location undetermined
Windance S/D	Future Mungo Development/ Location undetermined

**Planning Commission Meeting  
December 6, 2004**

<b>PROPOSED STREET NAMES</b>	<b>SUBDIVISION/ROAD LOCATION</b>
Arden Drive	Arden S/D/ Off Longtown Road
Baybridge (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Bayside (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Beaufin (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Coopers Glen(Suffix undetermined)	Future Mungo Development/Location undetermined
Crooked Creek Place	Legend Oaks, Ph 4& 5 @ Summit Ridge/Off Summit Ridge Dr
Howeson (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Kennebeck (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Laurel Field Court	Legend Oaks, Ph 4&5 @ Summit Ridge/Off Summit Ridge Dr
Leighbrooke (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Limehouse (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Mapleside (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Pine Landing Court	Legend Oaks, Ph 4 & 5 @ Summit Ridge/Off Summit Ridge Dr
Remley Lane	Legend Oaks, Ph 4& 5 @ Summit Ridge/Off Summit Ridge Dr
Rexton Court(Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road)
Riverwood (Suffix undetermined)	Future Mungo Development/Location undetermined
Sandringham (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Sapello (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Stribling (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Timbercove (Suffix undetermined)	Future Mungo Development/ Location undetermined
Vilandry (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road
Waterglen (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road)
Windance (Suffix undetermined)	Future Mungo Development/Location undetermined
Winsham (Suffix undetermined)	Future Development of Lake Carolina/Off Hard Scrabble Road