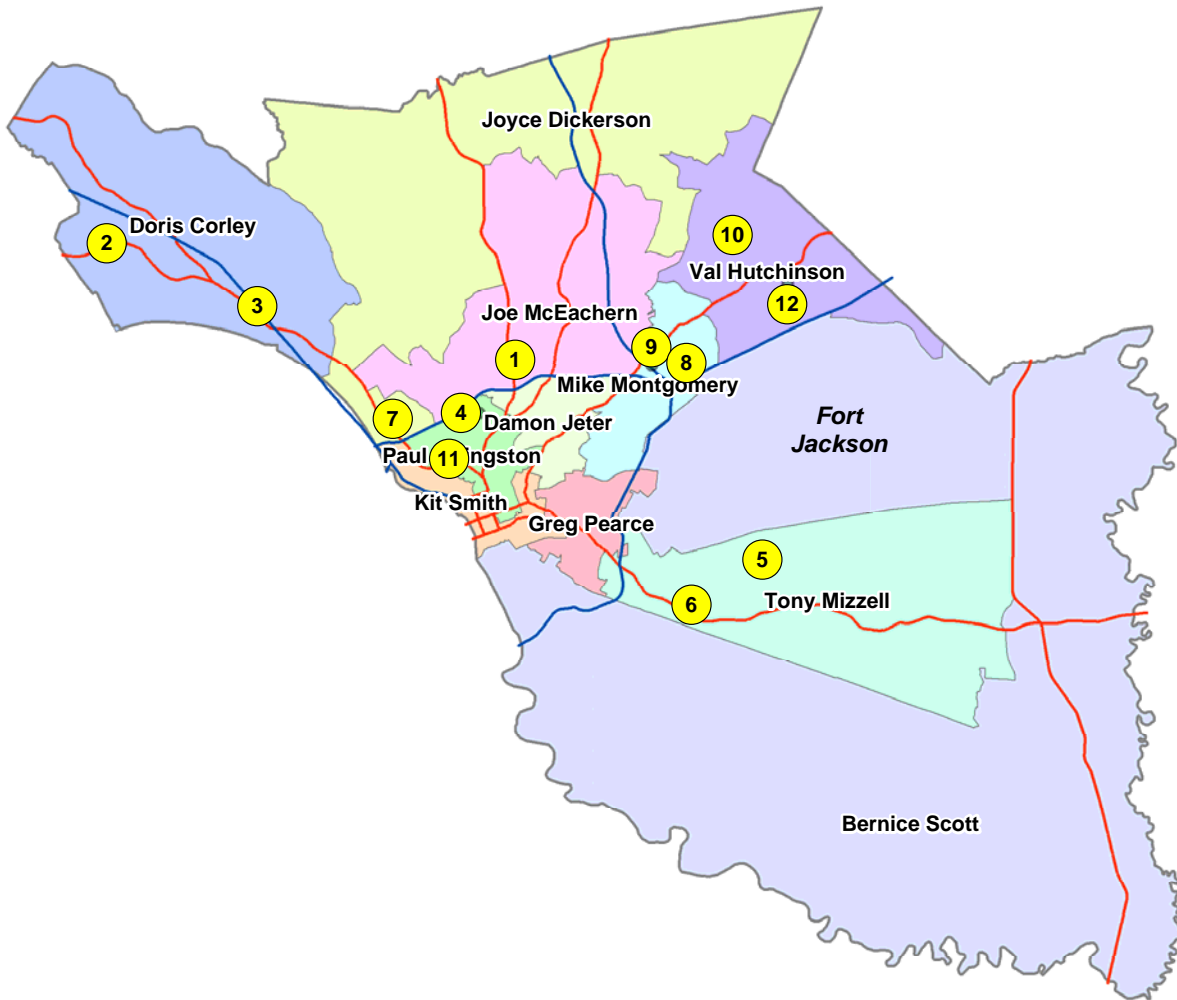


RICHLAND COUNTY
PLANNING COMMISSION



MAY 2, 2005

RICHLAND COUNTY PLANNING COMMISSION MAY 2, 2005



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 05-59 MA	Otis Smith	11808-02-03	East Side of Fairfield Rd Near Webber Rd	McEachern
2. 05-60 MA	Randy Mosteller	01511-01-04/05/06/08	Dutch Fork Rd Near The Lowman Home	Corley
3. 05-61 MA	David Lucas	04003-02-16	Broad River Rd & Sease Rd	Corley
4. 05-62 MA	Karen McMillan	09311-06-05	5752 Knightner Rd near Monticello Rd	Livingston
5. 05-63 MA	Christina Middleton	22015-03-40/63	Lower Richland Boulevard	Mizzell
6. 05-64 MA	Carroll Investment Properties, Inc.	19100-04-20	North Side of Garners Fery Rd @ Mill Creek	Mizzell
7. 05-65 MA	Resource Properties, Inc.	06113-02-28/32	1401 & 1410 St Andrews Rd	Dickerson
8. 05-66 MA	Windsor Square, LLC	19808-05-01	SW Corner of Windsor Lake Blvd & Alpine Rd	Montgomery
9. 05-67 MA	South Capital Group, Inc.	17016-03-03	I-77 Frontage Rd @ Windsor Lake Boulevard	Montgomery
10. 05-68 MA	RSL Simon, LLC	23000-03-19	Summit Terrace Court	Hutchinson
11. 05-70 MA	Village of Hope, CDC	09104-01-06/20	McRae and Gibson Streets	Livingston
12. 05-71 MA	William F. Cotty	25807-02-03/04/05/06/07/08/09/13	South Side of Spears Creek Church Rd	Hutchinson

RICHLAND COUNTY PLANNING COMMISSION

Monday, May 2, 2005

Agenda

1:00 PM

**2020 Hampton Street
2nd Floor, Council Chambers**

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

I. PUBLIC MEETING CALL TO ORDER Howard VanDine, Chairperson

II. PUBLIC NOTICE ANNOUNCEMENT

III. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the April 4, 2005 minutes

IV. AGENDA AMENDMENTS

V. OLD BUSINESS

- a. SD-05-206 – Polo Village Minor S/D (deferred 4/4/05) Page **(1)**
- b. SD-05-193 – Jacobs Creek, Phase 3 (deferred 4/4/05) Page **(11)**
- c. SD-05-97 – BJ Glover PDS (2nd deferral 4/4/05) Page **(21)**

VI. NEW BUSINESS - SUBDIVISION REVIEW

PROJECT #	NAME	LOCATION	UNITS	Page
SD-05-201	Woodcreek Farms Village, Ph. 2	Woodcreek Farms TMS # 25800-03-28	13	(31)
SD-05-226	River Trails Minor S/D	Kennerly Road TMS # 04300-04-10	7	(39)
SD-05-232	Brookhaven Phase 6	Hobart Rd near Railroad TMS # 17500-03-42 (p)	4	(47)

SD-05-199	Stonington Phase II	Wilson Boulevard (Hwy. 21) TMS # 14800-05-24/25/27	33	(57)
-----------	------------------------	---	----	------

VII. NEW BUSINESS - ZONING MAP AMENDMENTS

				Page
CASE # 05 – 59 MA APPLICANT Otis Smith REQUESTED AMENDMENT RS-3 to C-3 (2.0 acres) PURPOSE Tire Repair Shop TAX MAP SHEET NUMBER (S) 11808-02-03 LOCATION East Side of Fairfield Rd Near Webber Rd				(63)
CASE # 05 – 60 MA APPLICANT Randy Mosteller REQUESTED AMENDMENT RU to C-3 (3.0 acres) PURPOSE Retail Commercial TAX MAP SHEET NUMBER (S) 01511-01-04/05/06/08 LOCATION Dutch Fork Rd Near The Lowman Home				(75)
CASE # 05 – 61 MA APPLICANT David Lucas REQUESTED AMENDMENT D-1 to C-3 (0.5 acres) PURPOSE General Commercial TAX MAP SHEET NUMBER (S) 04003-02-16 LOCATION Broad River Rd & Sease Rd				(85)
CASE # 05 – 62 MA APPLICANT Karen McMillan REQUESTED AMENDMENT RS-2 to C-1 (0.5 acres) PURPOSE Boarding House TAX MAP SHEET NUMBER (S) 09311-06-05 LOCATION 5752 Knightner Road near Monticello Rd				(95)
CASE # 05 – 63 MA APPLICANT Christina Middleton REQUESTED AMENDMENT D-1 to RS-2 (2.2 acres) PURPOSE Single Family Detached Subdivision TAX MAP SHEET NUMBER (S) 22015-03-40/63 LOCATION Lower Richland Boulevard				(105)

		Page
<p>CASE # 05 – 64 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION</p>	<p>Carroll Investment Properties C-3 & D-1 to RG-2 (19.0 acres) Construct multi-family development 19100-04-20 North Side Garner’s Ferry Rd @ Mill Creek</p>	<p>(115)</p>
<p>CASE # 05 – 65 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION</p>	<p>Resource Properties, Inc. C-3 to PDD (3.0 acres) Existing Office/Distribution Structures 06113-02-28/32 1401 & 1410 St Andrews Road</p>	<p>(125)</p>
<p>CASE # 05 – 66 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION</p>	<p>Windsor Square, LLC C-3 to PDD (4.7 acres) Proposed Office/Distribution Structures 19808-05-01 SW Corner Windsor Lake Blvd & Alpine Rd</p>	<p>(139)</p>
<p>CASE # 05 – 67 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION</p>	<p>South Capital Group, Inc. D-1 to RG-2 (6.1 acres) Construct 87 Townhomes 17016-03-03 I-77 Frontage Rd @ Windsor Lake Blvd</p>	<p>(153)</p>
<p>CASE # 05 – 68 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION</p>	<p>RSL Simon, LLC (Jeff Freeman) PUD-MH to PUD-O (3.0 acres) Office Park 23000-03-19 Summit Terrace Court</p>	<p>(163)</p>
<p>CASE # 05 – 70 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION</p>	<p>Village of Hope, CDC RG-2 to PUD (24.5 acres) Mixed Residential densities & commercial 09104-01-06/20 McRae and Gibson Streets</p>	<p>(175)</p>

CASE # 05 – 71 MA	
APPLICANT	William F. Cotty
REQUESTED AMENDMENT	D-1 to C-3 (5.2 acres)
PURPOSE	Unspecified Commercial
TAX MAP SHEET NUMBER (S)	25807-02-03/04/05/06/07/08/09/13
LOCATION	South Side of Spears Creek Church Road

VIII. ROAD NAME APPROVALS - Page (199)**IX. OTHER BUSINESS****X. PLANNING DIRECTOR'S REPORT****XI. ADJOURNMENT**

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

April 4, 2005

Applicant: Cox & Dinkins, Inc.		Minor Subdivision Plans For: Polo Village – Apartments and 2 outparcels	
RC Project # : SD-05-206			
General Location: N side of Polo Rd 1/4 east of Alpine Rd			
Tax Map Number: 19810-01-02		Current Zoning: C-3	
Subject Area: Apts. 17.9 ac. & 3.5 ac. commercial	Number of parcels: 3	Gross Density: 21.7 DU/acre & Net Resid. Density 25.9 DU/acre	
Sewer Service Provider: E. Richland		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Polo Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	4886	
Current Volume At The Nearest Count Station # 845 Located @ the site	9000	
Estimated Traffic Count With the Proposed Project	13,886	
Volume-To-Capacity Ratio With The Proposed Project	1.61	

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 page 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993, i.e., 6.6 ADTs per DU x 464 DUs (3062 ADTs) **PLUS** an estimated 38,000 sq. ft. of GLA (3.5 acres x a FAR of 0.25) x 48 ADTs per 1000 sq. ft. GLA (1824 ADTs)

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

Based on the latest available (2003) traffic counts from SCDOT at SCDOT count station 845, Polo Rd was already operating above the LOS C limit. The proposed elementary school will add 918 ADTs to the existing traffic on Polo Road, **a 10 % increase in traffic.**

The subject project will add 4886 ADTS, **a 50 % increase in traffic. Even if the commercial outparcels were eliminated, the project would generate a 30 increase in traffic.**

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

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

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

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

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

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

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

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

1. Areas identified on the Proposed Land Use Map:
 2. Sites that don't encroach or penetrate established residential areas; and
 3. Sites of major traffic junctions and cluster locations as opposed to strip development
1. The subject site **is not designated for multi-family development** on the Proposed Land Use Map. It is designated for office and institutional development
 2. The subject site does not penetrate or encroach into an established residential area. The site is surrounded by an office building, Sesqui State Park, an elementary school and Interstate 20.
 3. The proposed subdivision will create two commercial lots, each approximately 1.7 acres in area. Unless the use of the two commercial parcels is limited to office development, which can not be done through the subdivision process, these sites may be used for other commercial purposes.

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

Other Pertinent Factors

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

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

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

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

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

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends **DENIAL** of the minor subdivision plans for a 3 parcel minor subdivision, known as Polo Village (Project # SD-05-206). **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 add 4886 ADTS, a 50 % increase in traffic. Even if the commercial outparcels were eliminated, the project would generate a 30 increase in traffic.
2. The proposed apartments are compatible with existing development in the area. The proposed general commercial sites are not compatible with the adjacent development.
3. The proposed project **is not consistent** with the Northeast Subarea Plan Map land use designation.
4. The proposed project **implements** the relevant Objective of the Northeast Subarea Plan.
5. The proposed project **does not implement** the relevant Recommendations of the Northeast Subarea Plan.

Specific Conditions

- a) The Department of Public Works must approve the stormwater management plans; **and**
- b) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to the plat being recorded; **and**

- c) The Department must receive a copy of the USCOE wetlands encroachment letter prior to the plat being approved for recording; **and**
- d) A Controlled Clearing Certificate letter must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for details; **and**
- e) The final plat must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
- 4. The County Fire Marshal must approve the project with, or without, conditions; **and**
- 5. The City of Columbia must approve the water line construction plans; **and**
- 6. DHEC must issue the sewer line construction permits; **and**
- 7. DHEC must issue the water line construction permits; **and**
- 8. Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- 9. 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; **and**
- 10. A Final Plat can not be approved by the Department until the City of Columbia approves the water line easement deeds; **and**
- 11. The access to the site shall be limited to a single point on Polo Road; **and**
- 12. The developer shall pay the costs associated with construction of any acceleration, deceleration and/or turn lanes that may be required by the SCDOT; **and**
- 13. Chapter 22-70 (c) of the County Code prohibits the County from issuing any Building Permits until the Department receives a copy of the recorded Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

Appeal

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

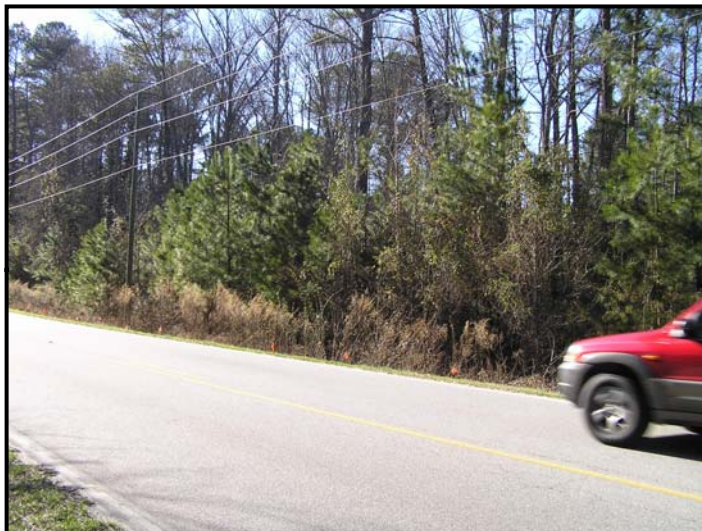
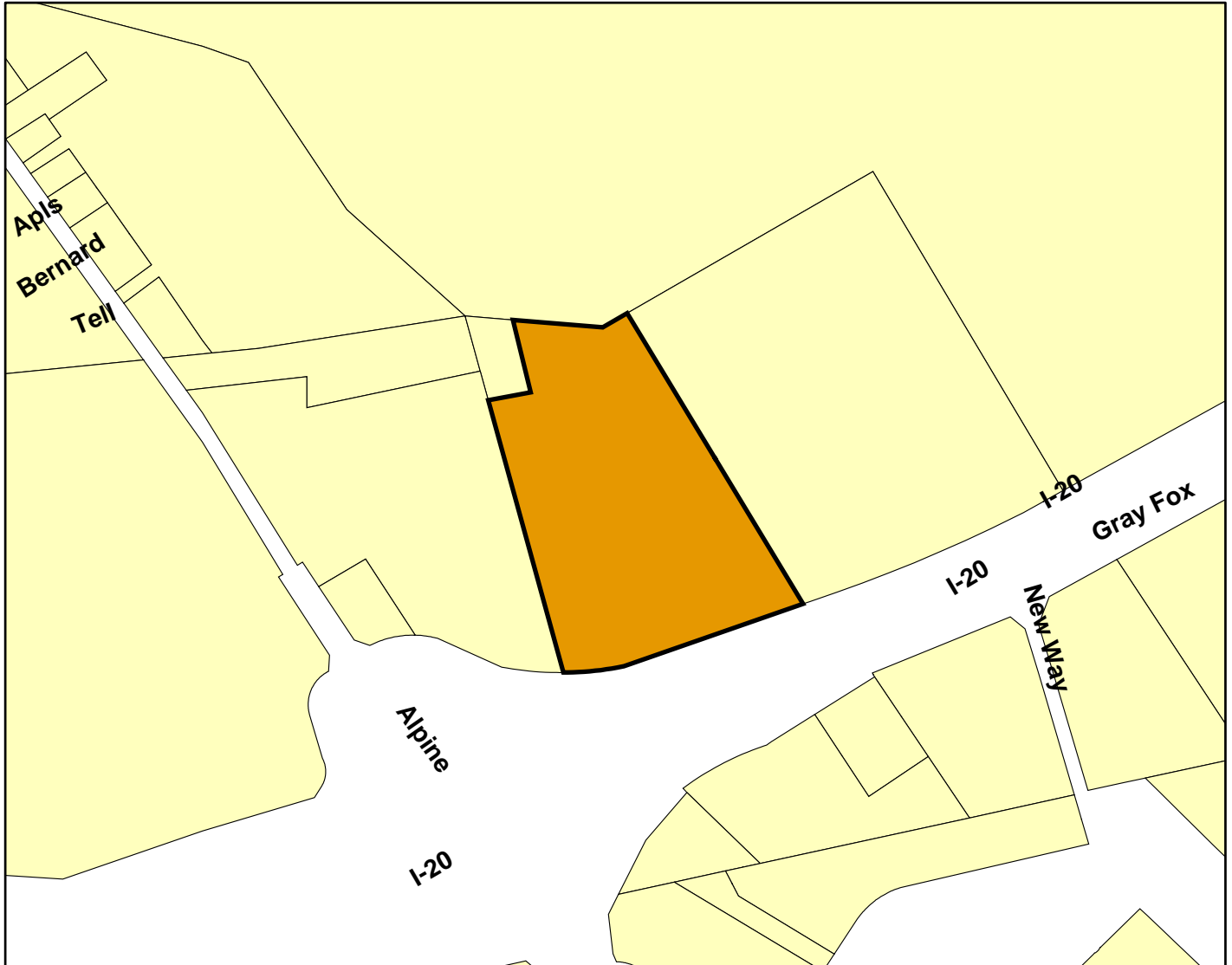
**SD 05-206
POLO VILLAGE
TMS 19810-01-02**



 **WETLANDS**



SD-05-206 POLO VILLAGE

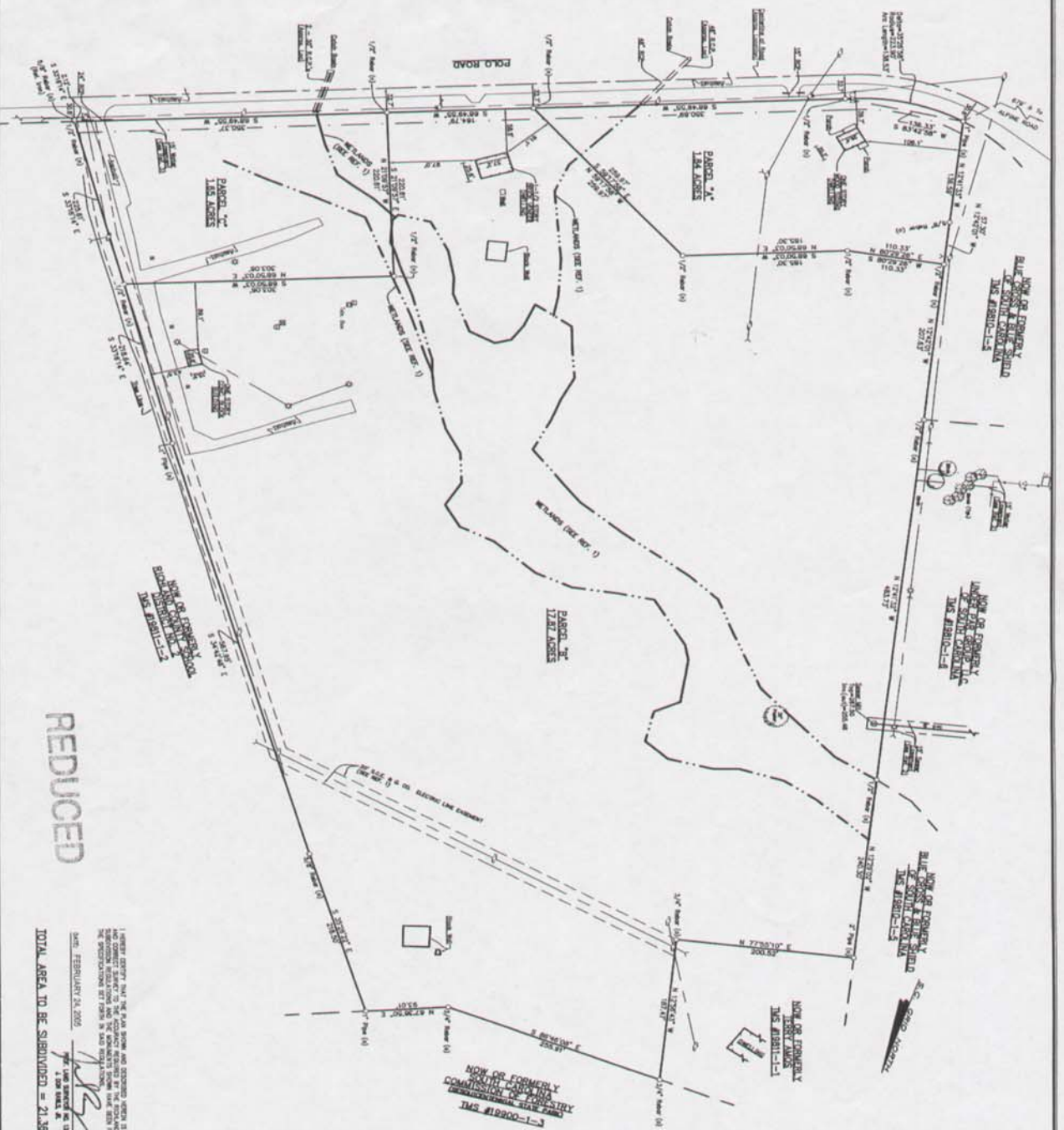


Looking West on Polo @ Site



Looking East on Polo Rd from Site

**Attachment A
SD 05-206**



REDUCED

DATE: FEBRUARY 24, 2005

PREPARED FOR: **APPLIGATE & CO.**

PLAT: **POLO VILLAGE**

SCALE: 1" = 60'

SECTION: 18-00-01

BOOK: 17-28, PAGE 78-79

DATE: FEBRUARY 24, 2005

CERTIFICATION: [Signature]

REFERENCES: [List of references]

NOTES: [List of notes]

LEGEND: [List of symbols and their meanings]

LOCATION MAP - NOT TO SCALE

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

April 4, 2005

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

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

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

Notes:

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

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

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

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

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

Bookman Rd LOS C Design Capacity = 8600 ADTs

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

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

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

This portion of the project is sparsely vegetated with pine trees and small hardwoods. It is adjacent to, but does not encroach into, one of the major wetland areas in the PUD. The entrance to this phase is through phase 1 and 2 across from Ringwood Lane in Briarcliff.

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

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

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

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

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

Principle –

None Applicable

Other Pertinent Factors

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

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

SECTION II – STAFF RECOMMENDATION

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

Findings of Fact

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

Specific Conditions

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

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

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

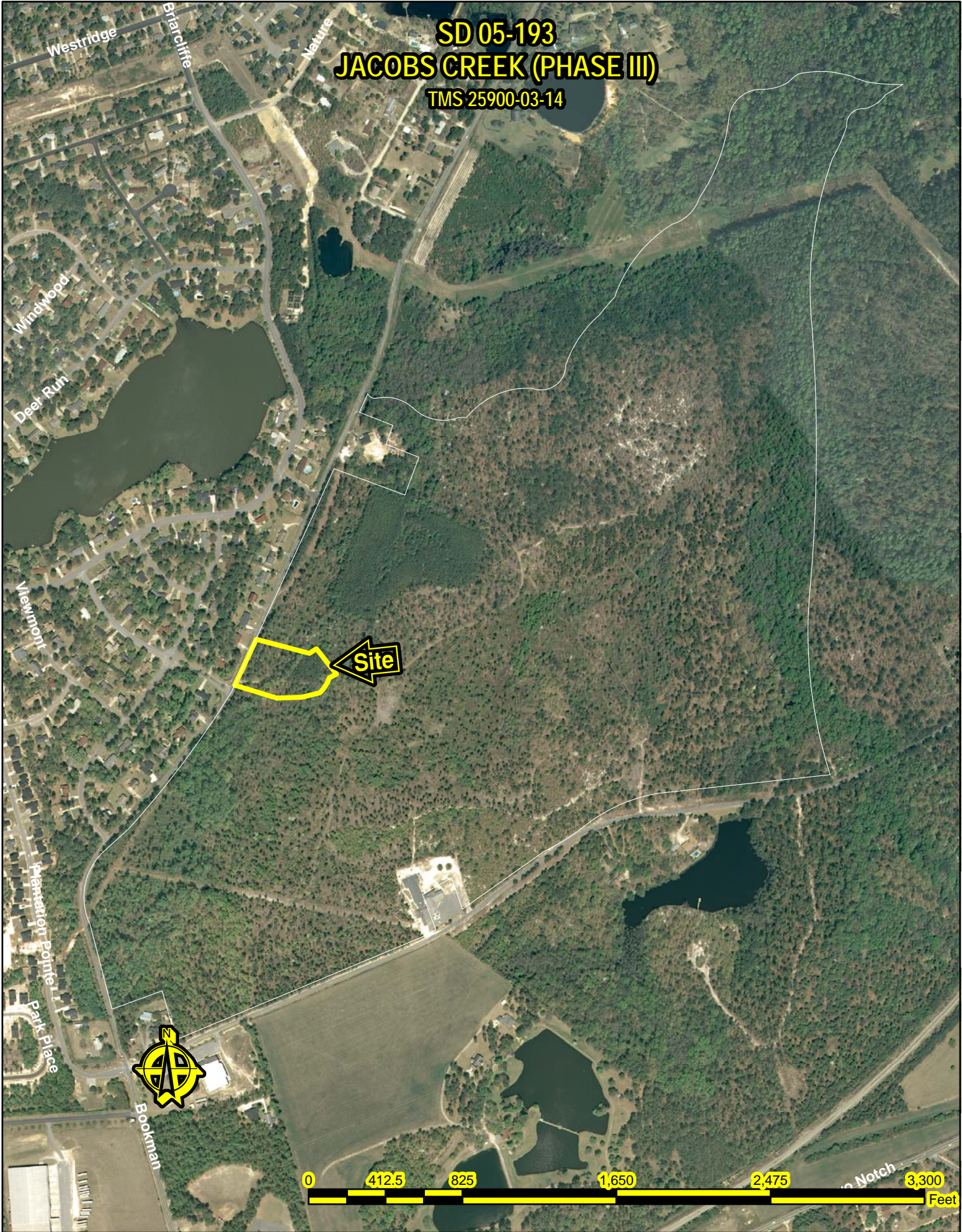
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days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

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

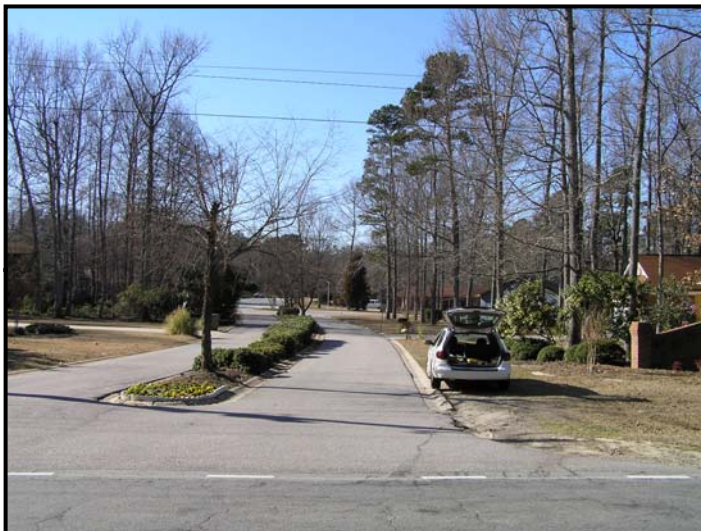
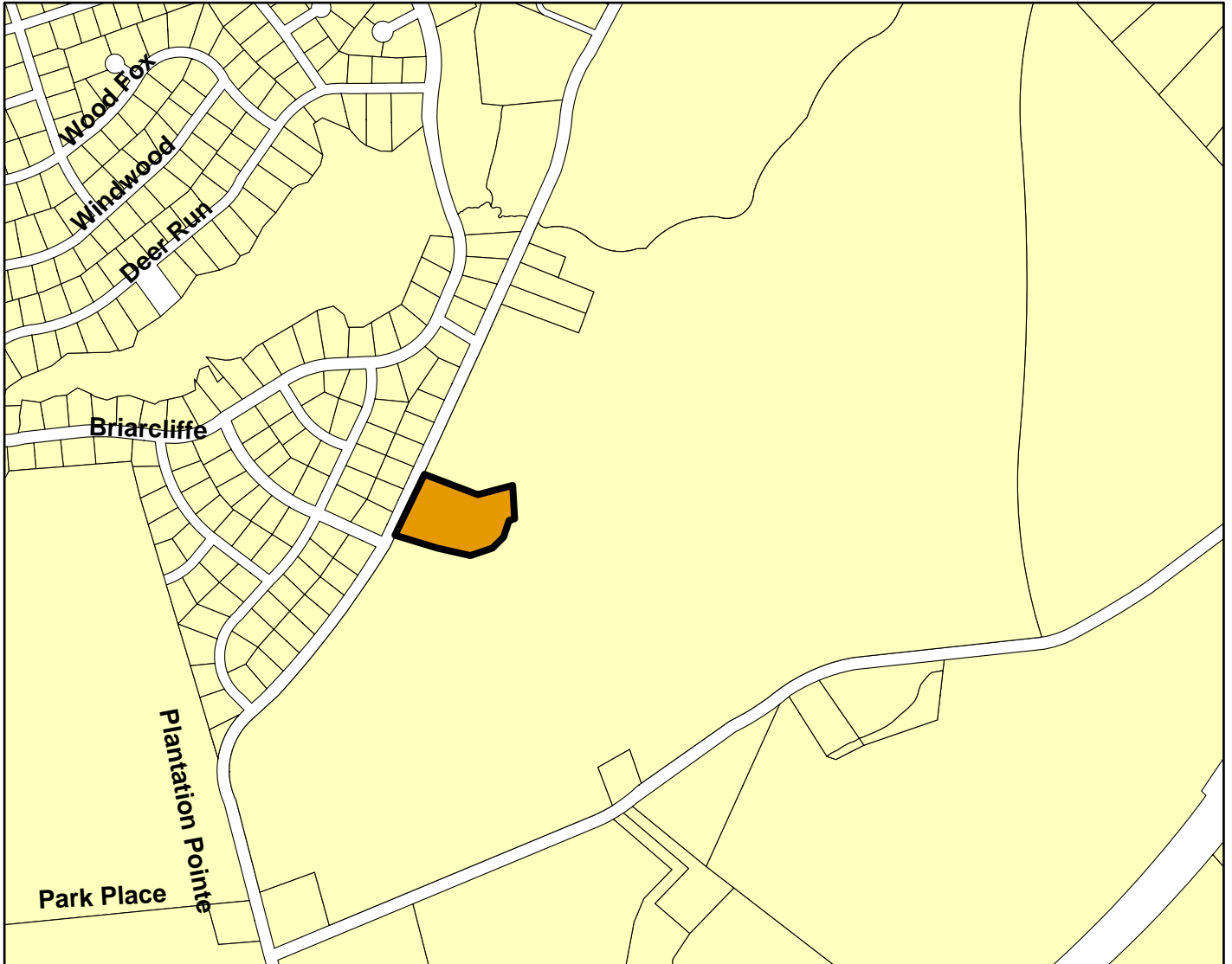
Appeal

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

SD 05-193
JACOBS CREEK (PHASE III)
TMS 25900-03-14



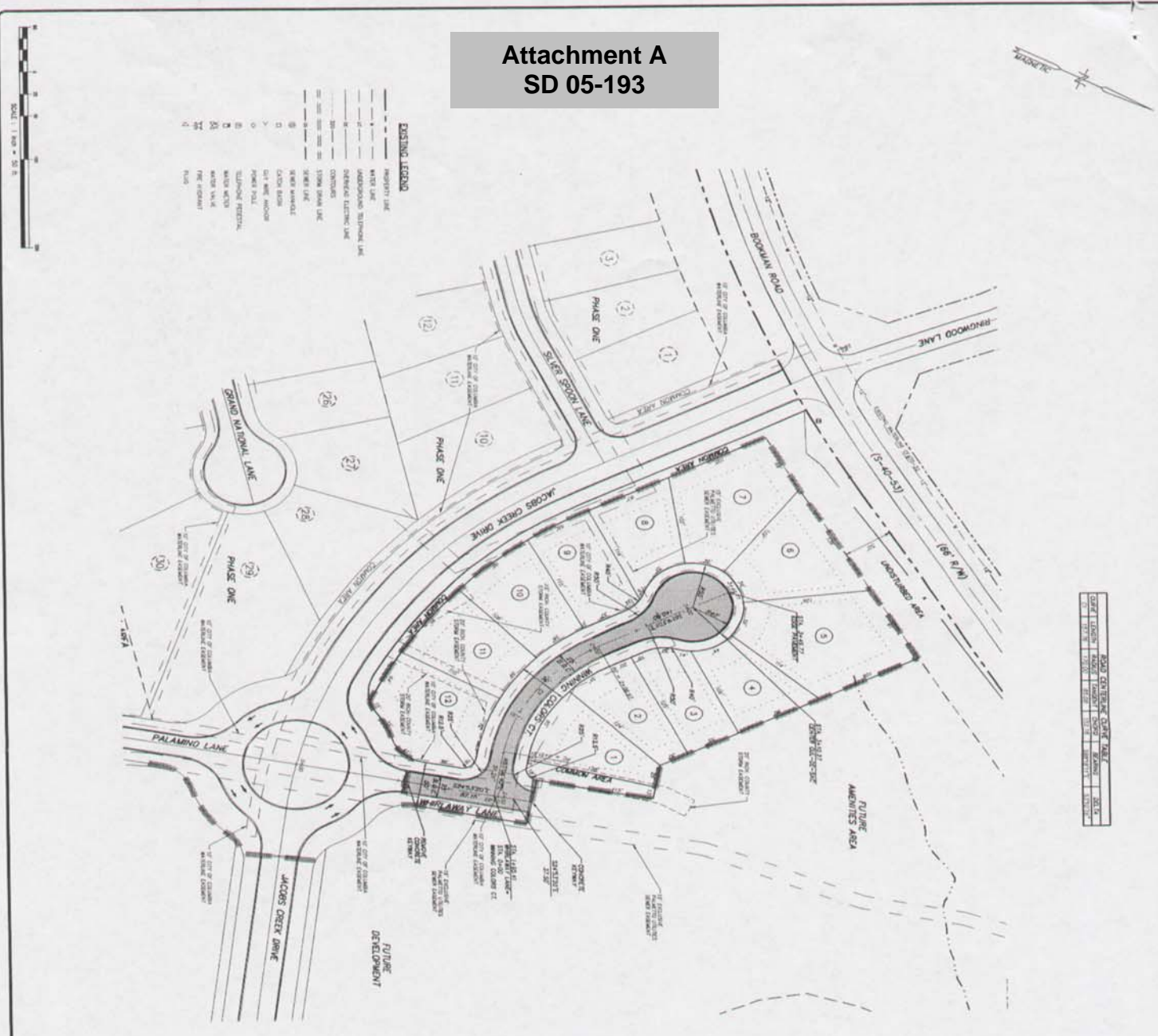
SD-05-193 JACOBS CREEK (PHASE III)



Looking @ Ringwood Drive

Looking @ the interior

**Attachment A
SD 05-193**



ROAD CENTERLINE CORNER TABLE

CURB CORNER	ROAD CENTERLINE CORNER	STATION	BEARING	DISTANCE

DATE INDEXED
 DATE INDEXED
 JACOBS CREEK PHASE THREE
 FUTURE DEVELOPMENT
 FILED IN SD-05-193

DATE INDEXED
 DATE INDEXED
 JACOBS CREEK PHASE THREE
 FUTURE DEVELOPMENT
 FILED IN SD-05-193

FEB 25 2006

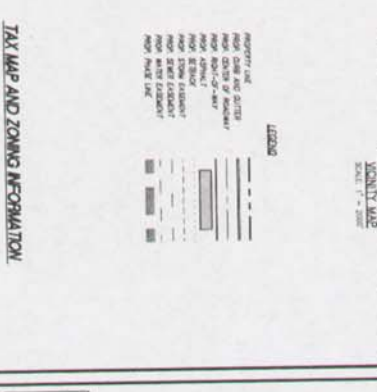
TAX MAP AND ZONING INFORMATION
 THIS IS 2005-03-04
 ZONED PUD R

SITE INFORMATION
 30355 ACRES (TOTAL)
 PHASE THREE - 124 ACRES

NO LOTS - 12
 AVERAGE LOT SIZE - 3000 SQ. FT.

DESIGNER
 STRICKLAND & ASSOCIATES
 300 WEST 14th STREET
 RICHLAND COUNTY, SC 29516

DESIGNER
 POWER ENGINEERING COMPANY, INC.
 220 EAST 12th STREET
 RICHLAND COUNTY, SC 29516



NO.	DATE	BY	REVISION
1			

**CENTEX HOMES
 STONEY PASTURES AT
 JACOBS CREEK PHASE THREE
 STAKING PLAN**

RICHLAND COUNTY, NEAR PORTING, SOUTH CAROLINA

PREPARED BY
POWER ENGINEERING COMPANY, INC.
 ENGINEERS - PLANNERS - SURVEYORS
 COLUMBIA, SC CHARLOTTE, NC

SD-05-193

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

March 7, 2005

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

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

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

Notes:

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

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

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

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

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

Fire Service Impacts

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

School Impacts

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

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

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

Existing Site Conditions

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

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

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

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

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

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

The proposed project is a very low-density single family detached residential project. The proposed project implements this Objective.

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

Other Pertinent Factors

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

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

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

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

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

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

SECTION II – STAFF RECOMMENDATION

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

Findings of Fact

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

Specific Conditions

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

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

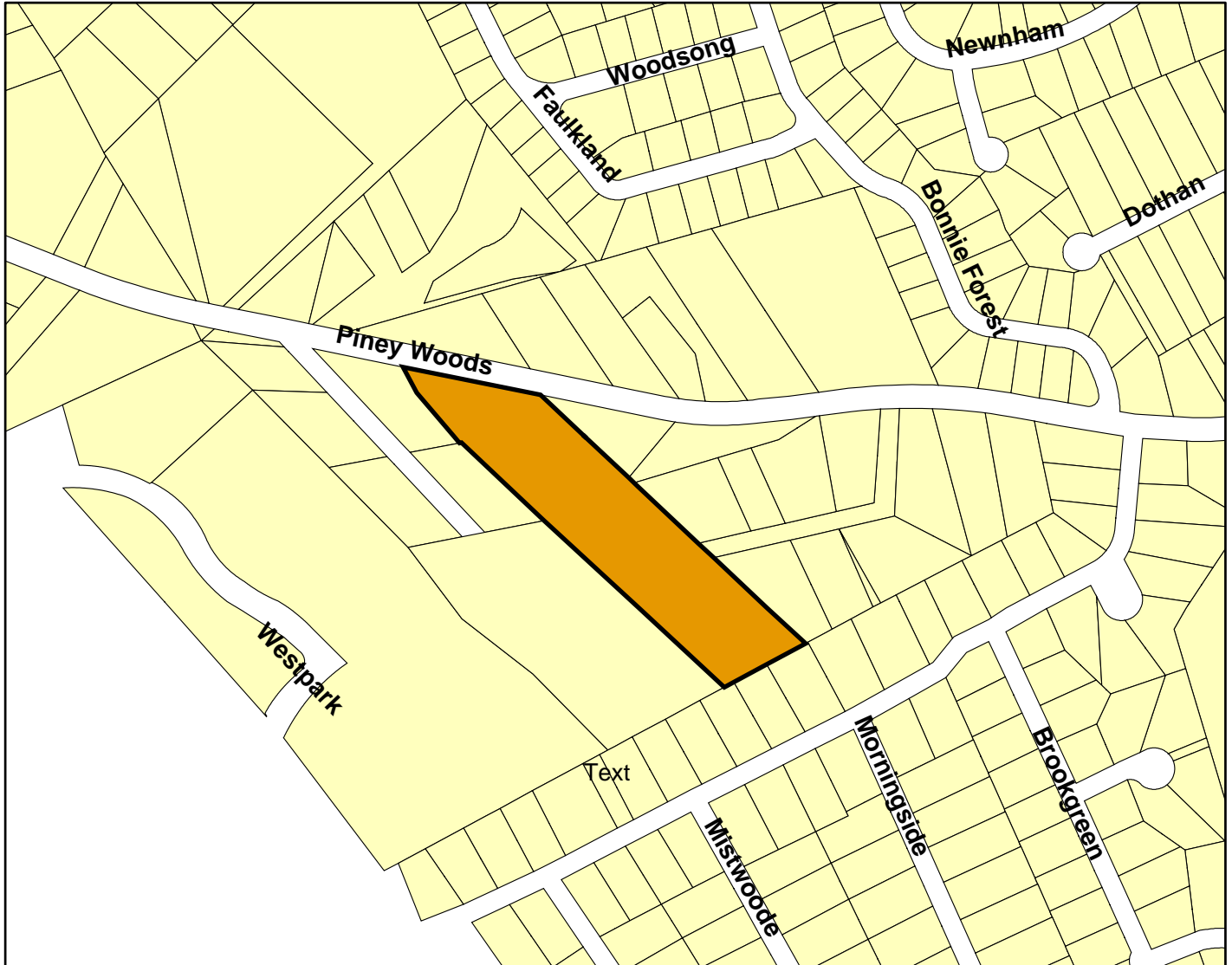
Appeal

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

SD-05-97
PINEY WOODS ROAD
TMS 06414-07-02



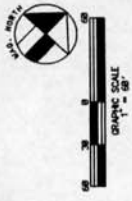
SD-05-97 PINEY WOODS ROAD



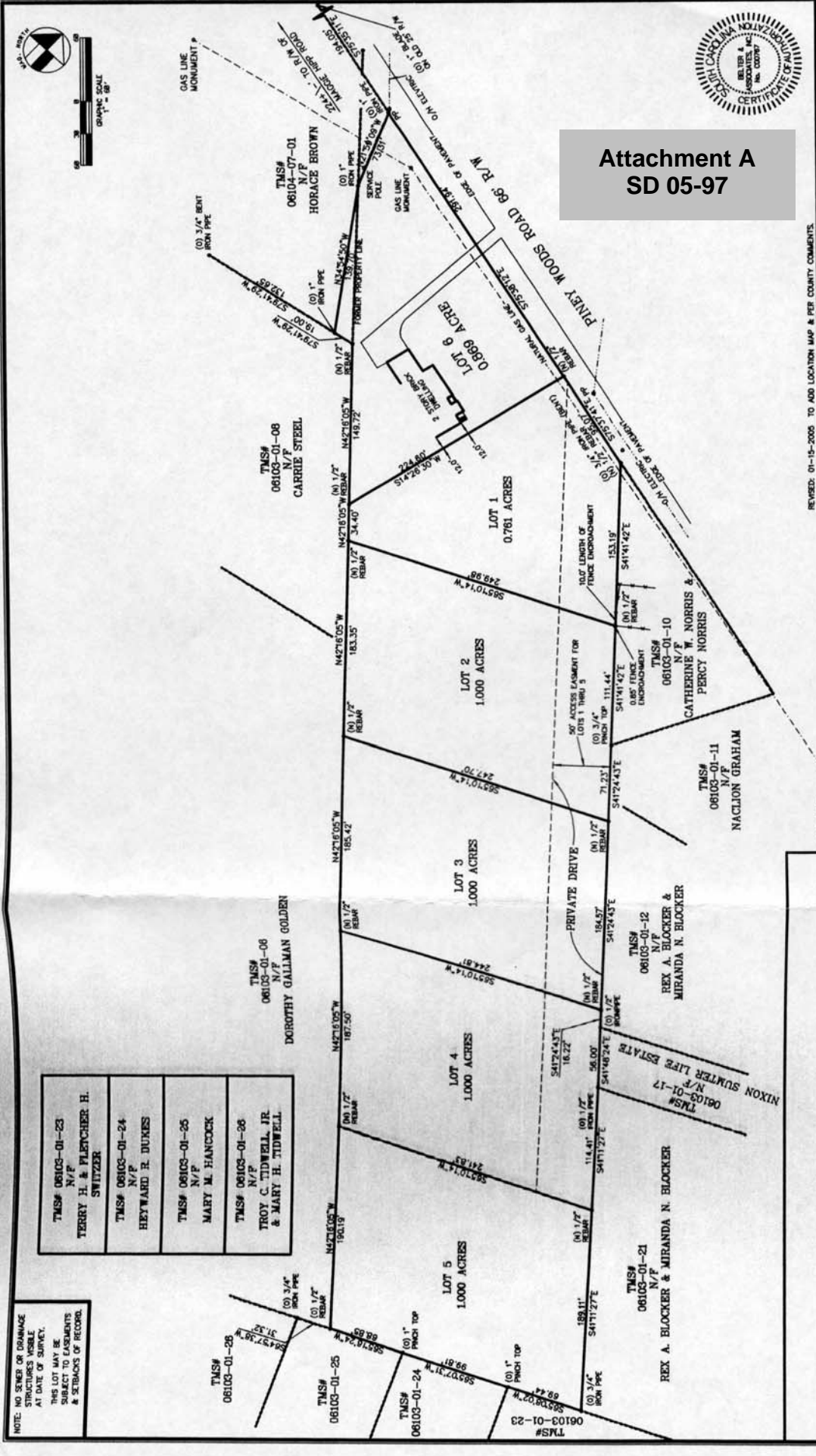
Looking at site from Piney Woods Road



Looking East on Piney Woods Road



Attachment A SD 05-97



TMS# 06103-01-23 N/F TERRY H. & FLETCHER H. SWITZER
TMS# 06103-01-24 N/F HEYWARD R. DUKES
TMS# 06103-01-25 N/F MARY M. HANCOCK
TMS# 06103-01-26 N/F TROY C. TIDWELL, JR. & MARY H. TIDWELL

NOTE: NO SENSE OR DRAINAGE STRUCKS OR SINKS AT DATE OF SURVEY. THIS LOT MAY BE SUBJECT TO EASEMENTS & SUBDIVISIONS OF RECORD.

DATE: 01-15-2005 TO ADD LOCATION MAP & PER COUNTY COMMENTS.
 DATE: 01-04-2005 PRIVATE ROAD SUBDIVISION CITY: NEAR COLUMBIA, S.C.
 LOT AREA: AS SHOWN ABOVE PREPARED FOR: COUNTY: RICHLAND

B. J. GLOVER ESTATE

NOTES & REFERENCES:
 1) REFERENCE IS MADE TO A PLAT OF PARCELS A-1, A-2 & A-3 ON A PLAT PREPARED FOR B.J. GLOVER & ROBERT LEE ORTIN BY RICHARD M. LEE DATED: 10-26-1970, BY DOUGLAS PLATT, SR. DATED: 09-10-88, (PROPERTY SWAP)
 2) REFERENCE IS MADE TO A PLAT OF PARCELS A-1, A-2 & A-3 ON A PLAT PREPARED FOR B.J. GLOVER & ROBERT LEE ORTIN BY RICHARD M. LEE DATED: 10-26-1970, BY DOUGLAS PLATT, SR. DATED: 09-10-88, (PROPERTY SWAP)
 3) REFERENCE IS MADE TO A PLAT OF HOMEWOOD TERRACE BY MOBLAM ENGINEERING COMPANY DATED: 05-14-1958 AND RECORDED IN THE OFFICE OF R/O FOR RICHLAND COUNTY IN PLAT BOOK 12 AT PAGE 399.
 4) RICHLAND COUNTY TAX MAP SHEET 08104-07-02.

TMS# 08104-07-01
N/F
HORACE BROWN

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

TMS# 06103-01-09
N/F
DOROTHY GALLMAN GOLDEN

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

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

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

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

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

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

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

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

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

TMS# 06103-01-28
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-29
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-30
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-31
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-32
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-33
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-34
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-35
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-36
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-37
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-38
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-39
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-40
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-41
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-42
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-43
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-44
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-45
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-46
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-47
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-48
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-49
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-50
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-51
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-52
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-53
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-54
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-55
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-56
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-57
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-58
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-59
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-60
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-61
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-62
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-63
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-64
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-65
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-66
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-67
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-68
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-69
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-70
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-71
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-72
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-73
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-74
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-75
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-76
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-77
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-78
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-79
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-80
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-81
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-82
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-83
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-84
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-85
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-86
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-87
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-88
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-89
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-90
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-91
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-92
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-93
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-94
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-95
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-96
N/F
MIRANDA N. BLOCKER

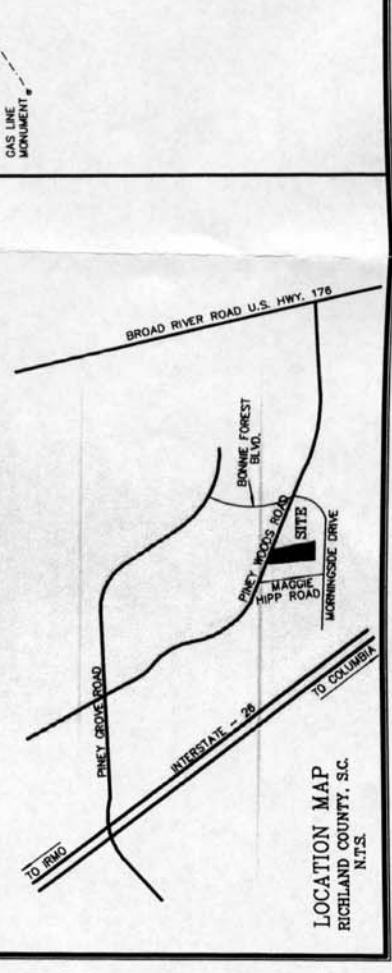
TMS# 06103-01-97
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-98
N/F
MIRANDA N. BLOCKER

TMS# 06103-01-99
N/F
MIRANDA N. BLOCKER

TMS# 06103-02-00
N/F
MIRANDA N. BLOCKER

JAN 25 2005



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

PROFESSIONAL LAND SURVEYORS
 BELTER & ASSOCIATES, INC.
 144 FRANKFORD BOULEVARD
 RENO, SOUTH CAROLINA 29083
 PHONE (803) 732-4044 FAX (803) 732-2891

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

April 4 , 2005

Applicant: Edwin Cooper		Preliminary Subdivision Plans For: Woodcreek Farms Village, Ph. 2	
RC Project # : SD-05-201			
General Location: Woodcreek Farms Town Center			
Tax Map Number: 25800-03-28		Current Zoning: PUD	
Subject Area: 3.3 acres	Number of Units: 13	Gross Density: 3.9 DU/acres	
Sewer Service Provider: Palmetto Utilities		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Spears Creek Church Rd	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	124	
Current Volume At The Nearest Count Station # 451 Located @ Spear Creek	6300	
Estimated Traffic Count With the Proposed Project	6424	
Volume-To-Capacity Ratio With The Proposed Project	0.75	

Notes:

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

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

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

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

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 451. However, **the Department estimates that upon buildout of the approved subdivisions in the area, the traffic on Spears Creek Church Road will far exceed the minimum LOS F level.**

Fire Service Impacts

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 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	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 is undeveloped pine woodlands. Public water and sewer service is available to the site

Compatibility with the Surrounding Area

The subject project is a continuation of a project begun several years ago. It is compatible with the adjacent development and the land use designations in the Woodcreek Farms PUD.

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 on the Northeast Subarea Plan Proposed Land Use Map. The proposed project is not consistent with this land use designation the density is less than the minimum 5.0 DU/acre allowed in this land use designation.

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

Objective – Foster new development in areas with adequate infrastructure

There is adequate public water and sewer service for the subject project. The proposed project implements this Objective.

Principle –

None Applicable

Other Pertinent Factors

- 1) As of April 15, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 15, 2005, approval of the flood issues and wetlands issues had not been received.
- 3) As of April 15, 2005, the City of Columbia had not approved the water and sewer line construction plans.
- 4) As of April 15, 2005, DHEC had not issued a sewer line construction permit.
- 5) As of April 15, 2005, DHEC had not issued a water line construction permit.
- 6) As of April 15, 2005, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 13 unit single family detached subdivision, known as Woodcreek Farms Village, Phase 2 (Project # SD-05-201). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

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

Specific Conditions

- a) The Department of Public Works must approve the stormwater management plans; **and**
- b) The Floodplain Mgmt. Specialist must approve the flood elevation statement, if applicable prior to building permits being issued; **and**
- c) The Department must receive a copy of the USCOE wetlands encroachment letter, if applicable; **and**
- d) A Controlled Clearing Certificate letter must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
- e) The preliminary, bonded and/or final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
- f) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
- g) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- h) The City of Columbia must approve the water and sewer line construction plans; **and**
- i) DHEC must issue the sewer line construction permits; **and**
- j) DHEC must issue the water line construction permits; **and**
- k) **No building permits shall be issued until all of the conditions cited above are met; and**
- l) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- m) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- n) The Department of Public Works must approve the bond documents prior to a bonded plat being approved for recording; **and**
- o) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- p) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

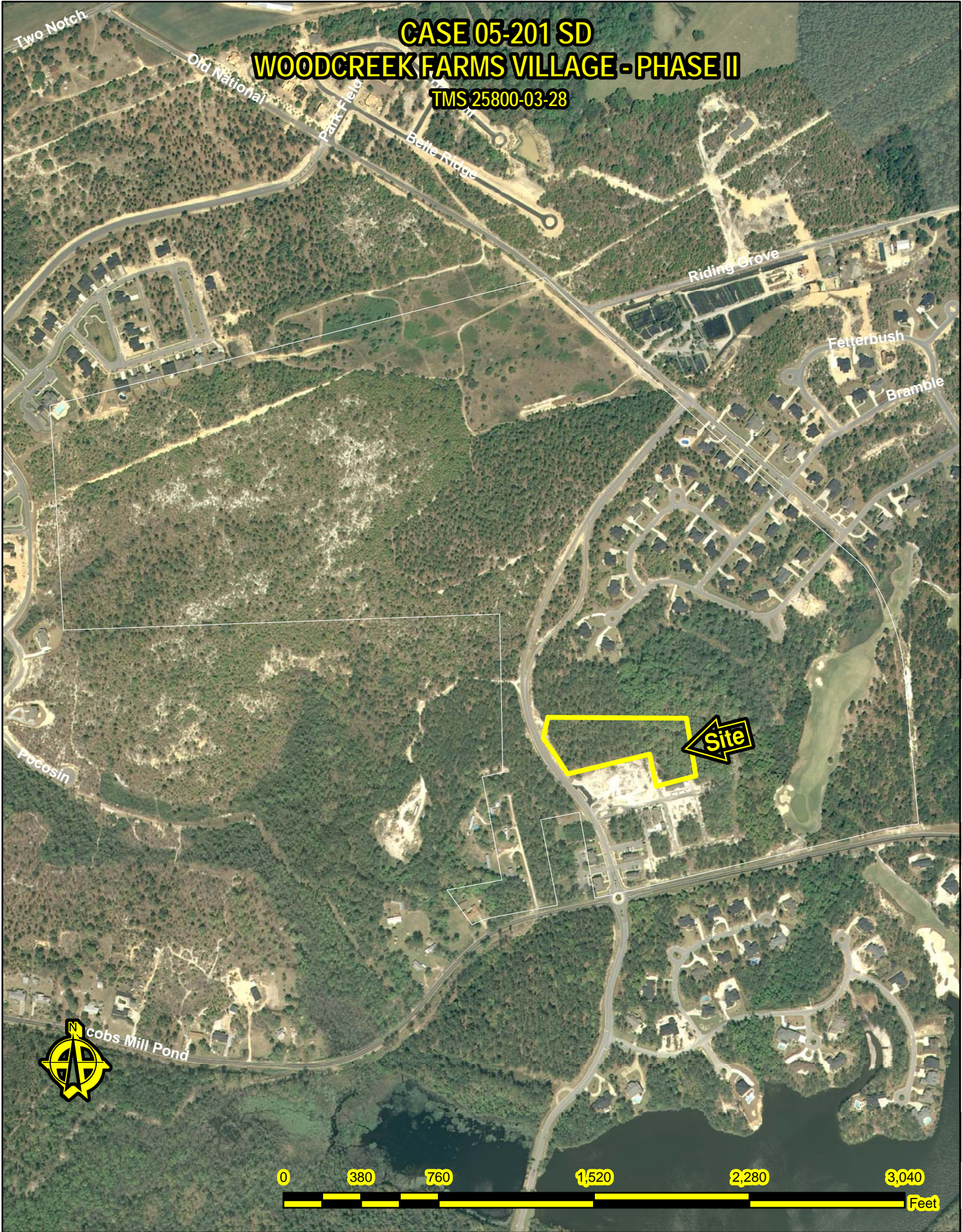
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

Appeal

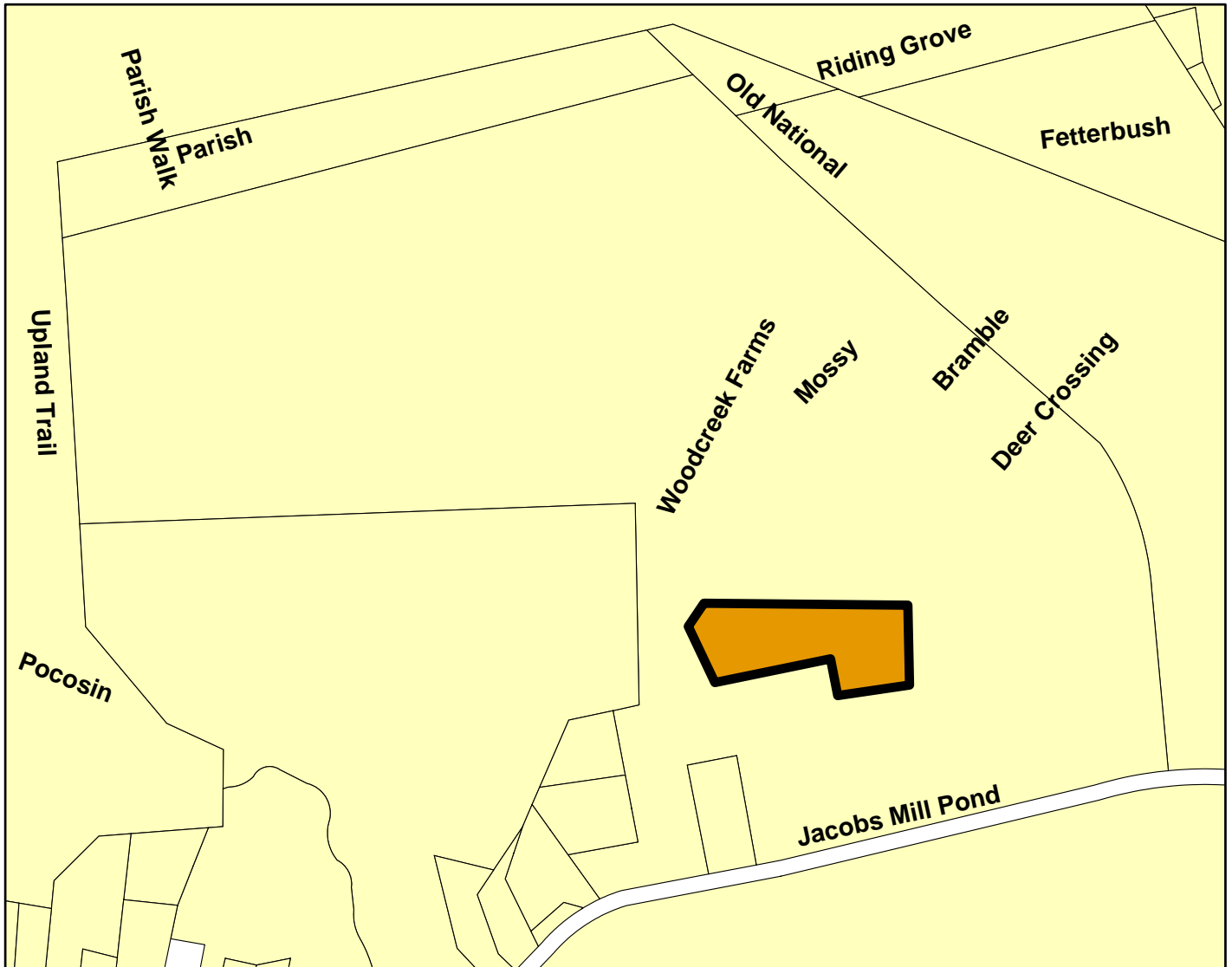
Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt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

CASE 05-201 SD
WOODCREEK FARMS VILLAGE - PHASE II

TMS 25800-03-28



SD-05-201 WOODCREEK FARMS VILLAGE

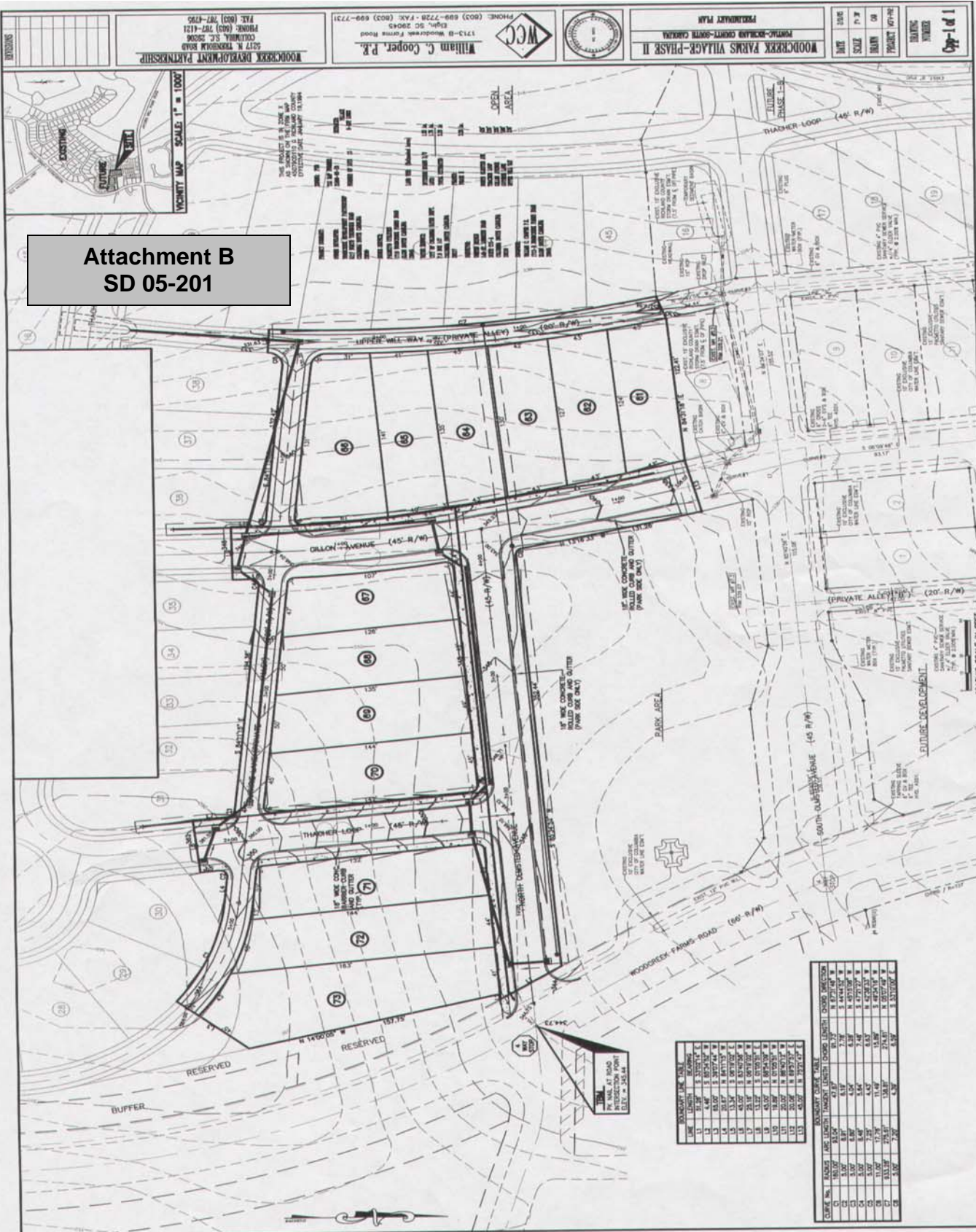


Looking @ Phase 2 from Phase 1



Looking @ Phase 1 from Phase 2

**Attachment B
SD 05-201**



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

April 4, 2005

Applicant: Don Lovett		Minor Subdivision Plans For:	
RC Project # : SD-05-226		River Trails	
General Location: O'Sheal Road @ Harry Derrick Road			
Tax Map Number: 04300-04-10		Current Zoning: RU	
Subject Area: 6.4 acres	Number of Units: 7	Gross Density: 0.9 DU/acres	
Sewer Service Provider: Richland Co Util		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Kennerly Rd via O’Sheal Rd	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	67	
Current Volume At The Nearest Count Station # 457 Located @ south of site on Kennerly Rd @ Broad River Rd **	17,100	
Estimated Traffic Count With the Proposed Project	17,100	
Volume-To-Capacity Ratio With The Proposed Project	1.99	

Notes:

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

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

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

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

** The traffic counts at SCDOT station 457 are somewhat irrelevant since it is located so far from 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 4 mile radius of a fire station.

School Impacts

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

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

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

Existing Site Conditions

The site slopes downward to the west toward an intermittent stream. The site is heavily wooded with pine trees for a few hardwood trees along the stream.

Compatibility with the Surrounding Area

The adjacent development is woodlands and large lot residential in character. 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 Residential Low Density on the Northwest Subarea Plan Proposed Land Use Map. The proposed project is consistent with this land use designation.

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

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

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

The proposed project has a density of less than 1.0 dwelling units per acre. The proposed project implements this Objective.

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

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

Other Pertinent Factors

- 1) As of April 15, 2005, the Public Works Dept. had not approved the stormwater management plans.

Section 24-81 of the County Code states “...The owner of all homes, buildings, or properties used for human occupancy, employment,, recreation, or other purposes situated within the county and abutting on any street, alley, or right-of-way in which there shall be located a public sanitary sewer is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with provisions of this article within 90 days after written notice from the county to the property owner requiring such property owner make connection thereto, provided that said public sewer shall be within 200 feet of the property line...” Since Richland County Utilities has a 12 “ force main across O’Sheal Rd from the subject site, all the residences will be required to connect to the County sewer system.

Public water is available from a City of Columbia water main located at the St John’s Place subdivision entrance Kennerly Road. There are currently no plans to extend the water lines to the subject site. Public water will not likely be necessary for the residences in this site because the lots are almost an acre in area and they will have to connect to the County sewer system.

SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the minor subdivision plans for a 7 unit single family detached subdivision, known as River Trails (Project # SD-05-226). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of O’Sheal Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The project is consistent with the Northwest Subarea Plan Map land use designation.

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

Specific Conditions

- a) The Department of Public Works must approve the stormwater management plans; **and**
- b) A Controlled Clearing Certificate letter must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
- c) The final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
- d) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
- e) Since Richland County Utilities has a 12 “ force main across O’Sheal Rd from the subject site, all the residences will be required to connect to the County sewer system; **and**
- f) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded** Final Plat.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

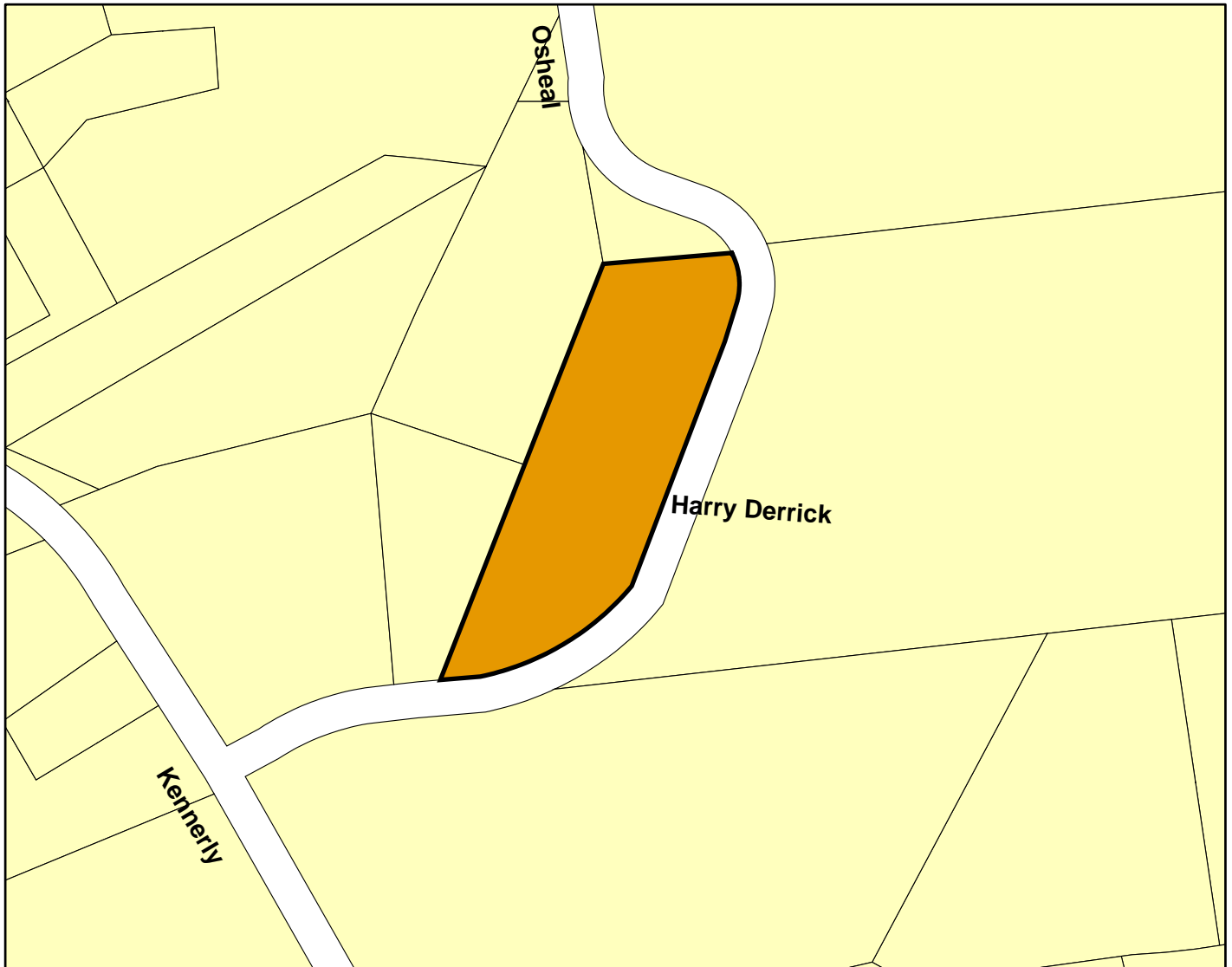
Appeal

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.

**CASE 05-226 SD
RIVER TRAILS
TMS 04300-04-10**



SD-05-226 RIVER TRAILS MINOR S/D

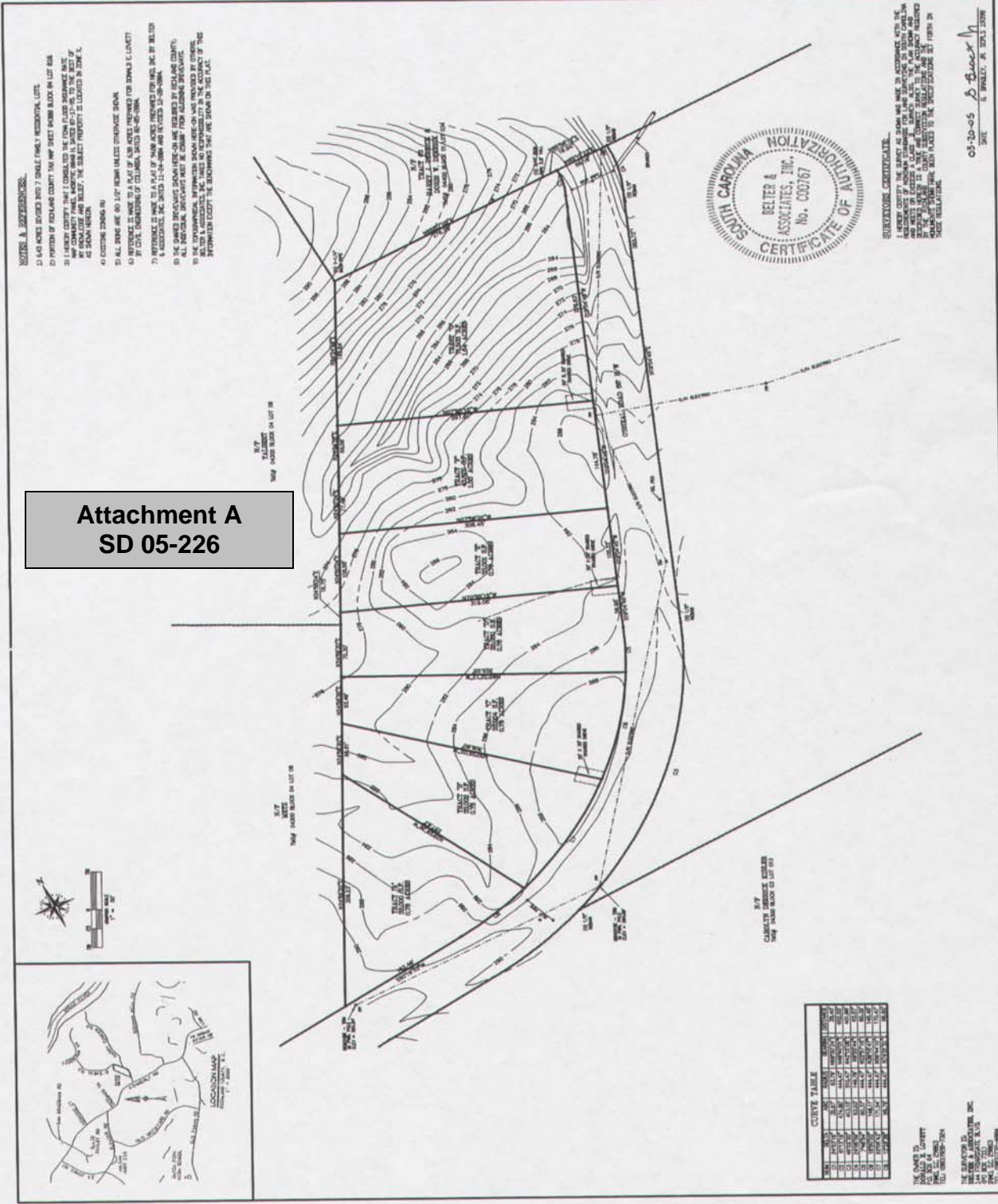


Looking east on O'Sheal Road



Looking @ Site

1 OF 1		DATE: 03-04-2008		SHEET NO. 000167	
DESIGNED BY: BELTER & ASSOCIATES, INC.		DRAWN BY: J. SMITH		CHECKED BY: J. SMITH	
PROJECT: RIVER TRAILS SUBDIVISION		DATE: 03-04-2008		SHEET NO. 000167	
DRAWN BY: J. SMITH		DATE: 03-04-2008		SHEET NO. 000167	
CHECKED BY: J. SMITH		DATE: 03-04-2008		SHEET NO. 000167	
APPROVED BY: J. SMITH		DATE: 03-04-2008		SHEET NO. 000167	
DATE: 03-04-2008		DATE: 03-04-2008		DATE: 03-04-2008	
DATE: 03-04-2008		DATE: 03-04-2008		DATE: 03-04-2008	
DATE: 03-04-2008		DATE: 03-04-2008		DATE: 03-04-2008	
DATE: 03-04-2008		DATE: 03-04-2008		DATE: 03-04-2008	



Attachment A
SD 05-226

- NOTES & SPECIFICATIONS:**
1. ALL LOTS BOUND BY THE RIVER SHALL BE CONSIDERED AS RIVERFRONT LOTS.
 2. PORTION OF RIVER IN COUNTY THE MAP SHEET FROM WHICH THIS MAP WAS OBTAINED SHALL BE CONSIDERED AS RIVERFRONT LOTS.
 3. ALL LOTS BOUND BY THE RIVER SHALL BE CONSIDERED AS RIVERFRONT LOTS.
 4. EXISTING LOTS ARE:
 5. ALL LOTS ARE 50' WIDE UNLESS OTHERWISE SHOWN.
 6. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 7. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 8. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 9. ALL DISTANCES SHOWN HEREON ARE MEASURED FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SHOWN.
 10. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 11. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 12. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 13. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 14. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 15. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 16. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 17. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 18. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 19. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.
 20. THE DISTANCE FROM THE CENTERLINE OF THE RIVER TO THE CENTERLINE OF THE ROAD SHALL BE 100' UNLESS OTHERWISE SHOWN.

CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC BEARING	ARC LENGTH
1+00.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+100.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+200.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+300.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+400.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+500.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+600.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+700.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+800.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
1+900.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00
2+000.00	S 89° 59' 59" W	100.00	89° 59' 59"	100.00

SURVEYOR'S CERTIFICATE:
I, BELTER & ASSOCIATES, INC., A PROFESSIONAL LAND SURVEYING FIRM, HAS BEEN LICENSED BY THE SOUTH CAROLINA BOARD OF SURVEYING AND MAPPING TO PREPARE THIS SURVEY. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE SOUTH CAROLINA BOARD OF SURVEYING AND MAPPING. THE SURVEY WAS COMPLETED ON 03/04/2008. THE SURVEY WAS CONDUCTED BY J. SMITH, A LICENSED SURVEYOR IN THE STATE OF SOUTH CAROLINA. THE SURVEY WAS COMPLETED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE SOUTH CAROLINA BOARD OF SURVEYING AND MAPPING. THE SURVEY WAS CONDUCTED BY J. SMITH, A LICENSED SURVEYOR IN THE STATE OF SOUTH CAROLINA.

03-20-08
SHEET 1 OF 1
E. SMITH, JR. SURVEYOR

THE SURVEYOR IS:
J. SMITH, JR.
1000 W. BROADWAY, SUITE 1000
FLORENCE, SOUTH CAROLINA 29502
TEL: 843/666-1000

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

May 2, 2005

Applicant: Mungo Company		Preliminary Subdivision Plans For: Brookhaven, Phase 6	
RC Project # : SD-05-232			
General Location: Hobart Road near the RR track			
Tax Map Number: 17500-03-42 (p)		Current Zoning: PUD	
Subject Area: 26.5 acres	Number of Units: 97	Gross Density: 3.6 DU/acres	
Sewer Service Provider: City of Columbia		Water Service Provider: City of Columbia	

SECTION I – ANALYSIS

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

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

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Longtown Road	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	922	
Current Volume At The Nearest Count Station # 711 Located @ just south of Lee Rd	5000	
Estimated Traffic Count With the Proposed Project	5922	
Volume-To-Capacity Ratio With The Proposed Project	0.69	

Notes:

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

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

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

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

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 711. However, the table below shows Longtown Road will be operating above LOS F levels upon buildout of the projects approved to date in this area.

Projected Traffic On Longtown Rd Between Longtown West Rd and Clemson Rd

Project Name	Number of Units (1)	Estimated Traffic (2)
Ivy Square, Ph. 1	115	1093
Rivendale	83	789
Falls Mill, Phase 1	74	703
Vineyard Crossings	94	893
Mason Ridge	42	399
Thomaston	29	276
Traditions	43	409
Longtown Place	72	684
Ashley Ridge, Phase 2	102	969
Heather Green, Phase 1	103	979
Deer Creek, Phase 1	89	846
Brookhaven, Phase 1	103	969
Brookhaven, Phase 2	80	760
Brookhaven, Phase 3	104	988
Longtown Rd Bus. Park	5	NAv
Brookhaven, Phase 4	76	722
Brookhaven, Phase 6 (prop)	97	922
Total Upon Project Completion		12,401

Notes:

- 1) Planning Commission approved projects with the principal access on Longtown Road
- 2) Based on 9.5 trips per day per single family detached dwelling units
- 3) NAv means the traffic generation can not be computed until more details are available

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	19
Middle School @ 0.13 students per single family DU	13
High School @ 0.12 Students per single family DU	12

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

Existing Site Conditions

The subject site is mostly flat and vegetated with pine trees and scrub oaks. Water and sewer service will be provided by the City of Columbia.

Compatibility with the Surrounding Area

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

Discussion of Applicable Comprehensive Plan Issues

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

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

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

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

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

The proposed project will have a density of 3.6 DU/acre. The proposed project implements this Objective.

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

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

Other Pertinent Factors

- 1) As of April 15, 2005, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of April 15, 2005, the City of Columbia had not approved the water and sewer line construction plans.
- 3) As of April 15, 2005, DHEC had not issued a sewer line construction permit.
- 4) As of April 15, 2005, 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 97 unit single family detached subdivision, known as Brookhaven, Phase 6 (Project # SD-05-232). **The preliminary plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

Findings of Fact

1. The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Longtown Road operating below a LOS C capacity. **However, the Department estimates that Longtown Road will be operating far above the LOS F when the already approved projects in the area are fully occupied.**
2. The proposed subdivision **is compatible** with existing development in the area.
3. The project **is not consistent with the I-77 Corridor Subarea Plan Map** land use designation.
4. The proposed project **implements** the relevant Objectives of the I-77 Corridor Subarea Plan.
5. The proposed project **does not implement** the relevant Principles of the I-77 Corridor Subarea Plan.

Specific Conditions

- a) The Department of Public Works must approve the stormwater management plans; **and**
- b) A Land Disturbance Permit must be issued by the Department prior to starting any site clearing activity. Contact Sean Busbee @ 576-2171 for more information; **and**
- c) The preliminary, bonded and/or final plats must include signed the tree certification statements. Contact Sean Busbee @ 576-2171 for more information; **and**
- d) The City of Columbia must approve the water and sewer line construction plans; **and**

- e) DHEC must issue the sewer line construction permits; **and**
- f) DHEC must issue the water line construction permits; **and**
- g) **No building permits shall be issued until all of the conditions cited above are met; and**
- h) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- i) Any further division of phase 6 identified herein shall require Planning Commission approval prior to recording; **and**
- j) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water and 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 and sewer line easement deeds **AND (2)** the County accepts the roads for maintenance.

SECTION III – COMMISSION RECONSIDERATION & APPEAL

Reconsideration

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

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

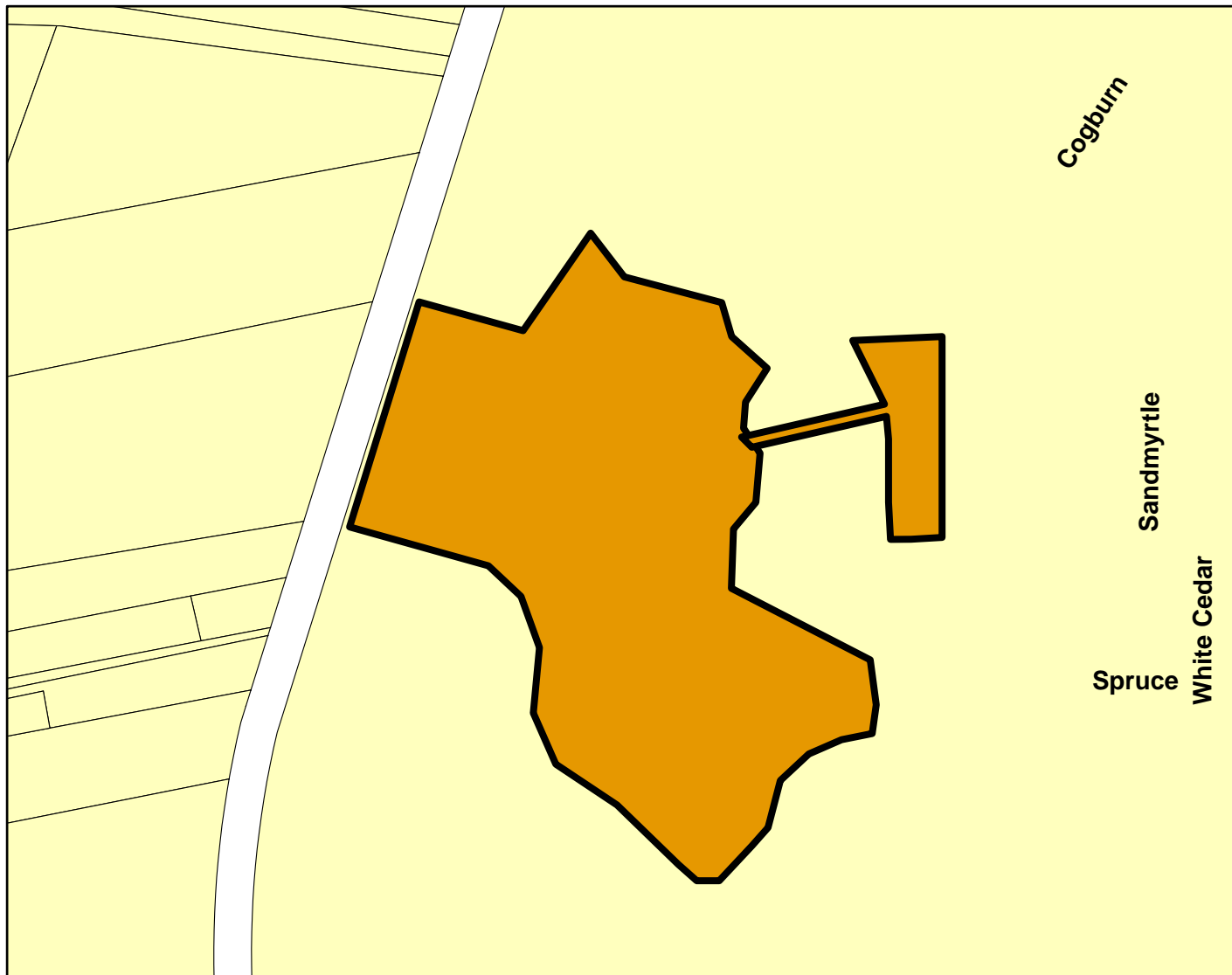
Appeal

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

CASE 05-232 SD
BROOKHAVEN (PHASE IV)
TMS 17500-03-42(p)



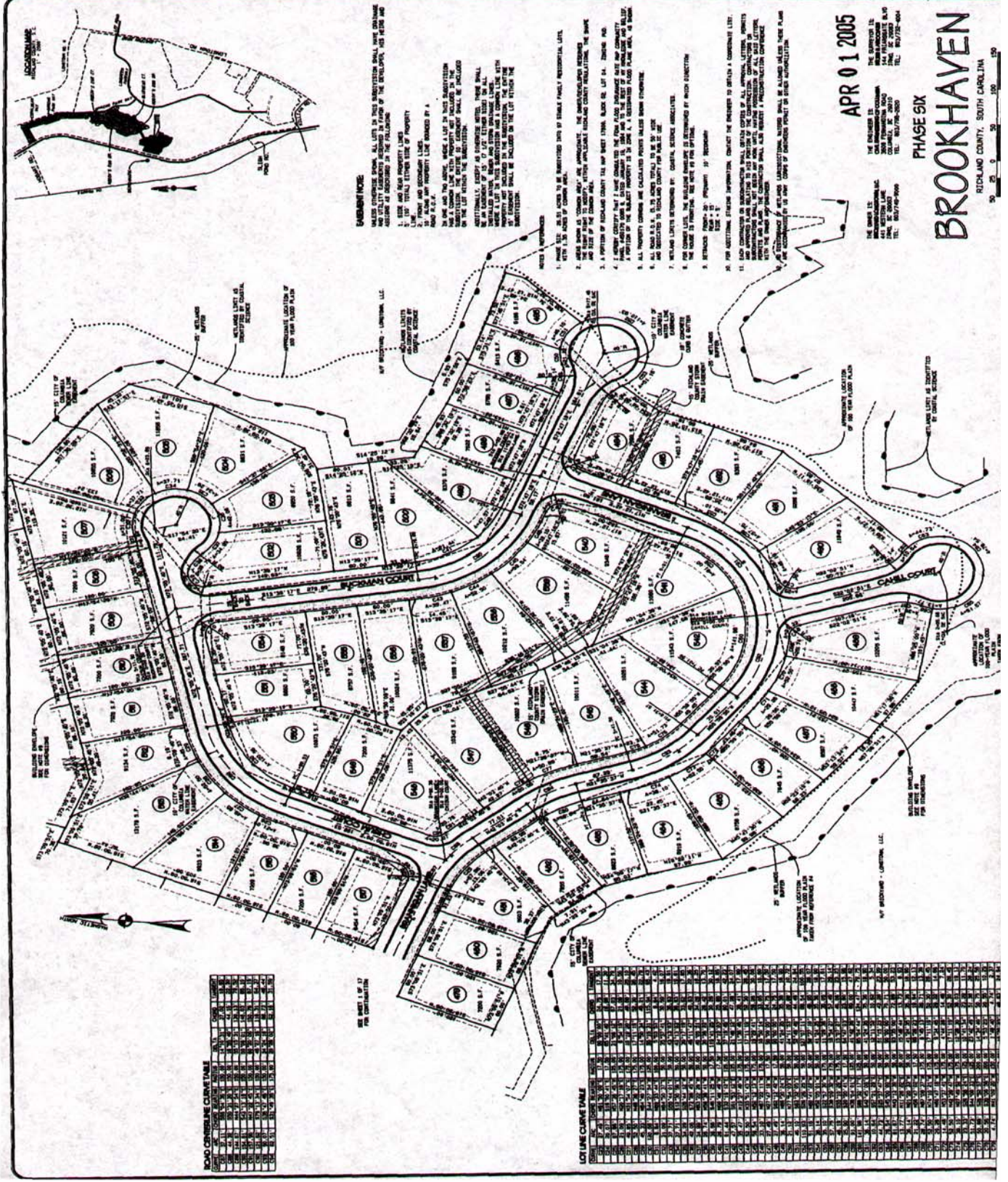
SD-05-232 BROOKHAVEN (PHASE IV)



Wetlands Crossing

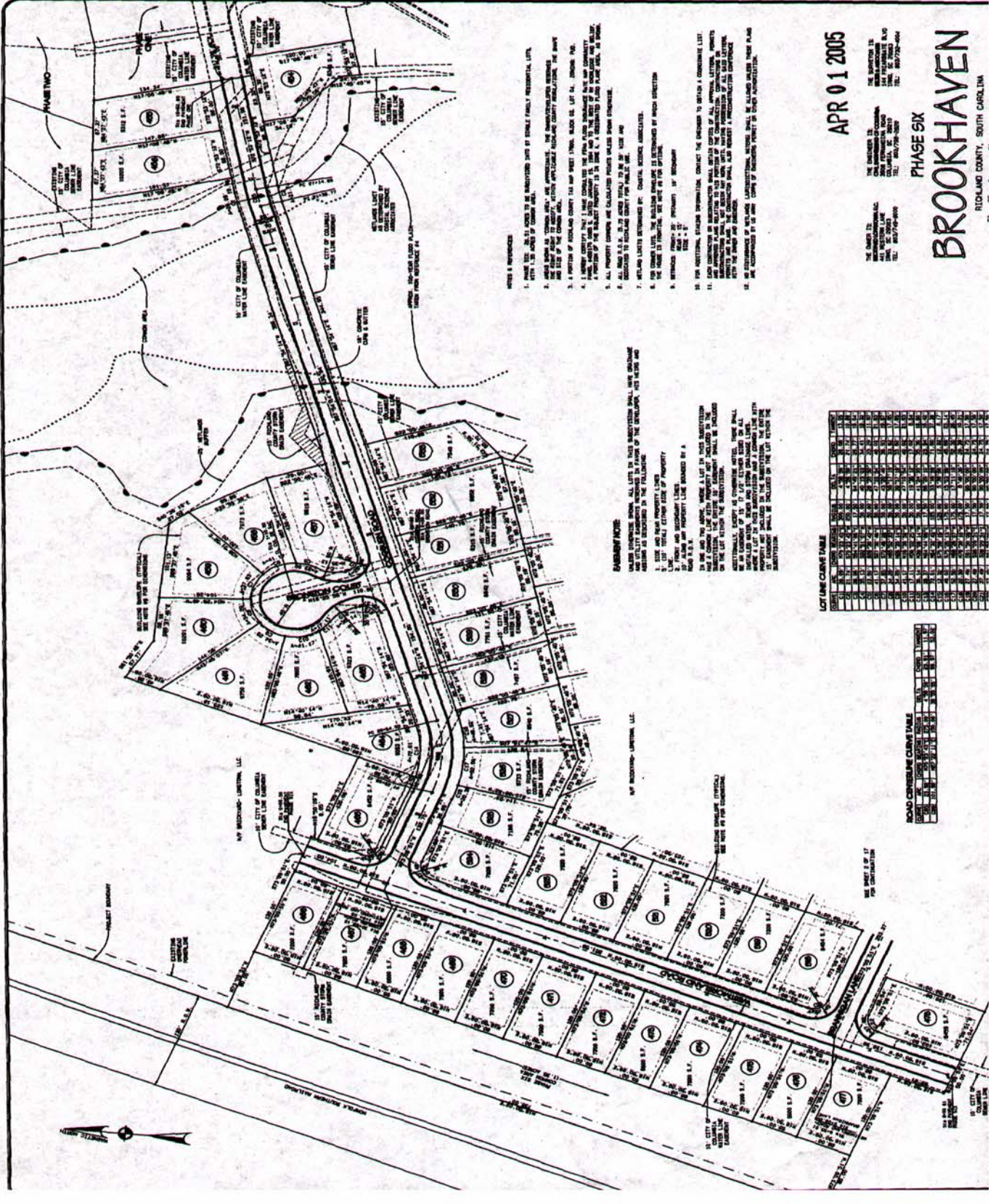
Looking at Site

2 of 17
BRICKWORKS - LINSTON, LLC
BRICKWORKS - LINSTON, LLC
4000 MEMPHIS ROAD, SUITE 200, COLUMBIA, SOUTH CAROLINA 29904
CONSULTING ENGINEERS, SURVEYING AND PLANNING
CIVIL ENGINEERS & SURVEYORS OF SOUTH CAROLINA
REGISTERED PROFESSIONAL ENGINEERS
COLUMBIA, SOUTH CAROLINA
J. ADY
11 FEB. 13, 2005
11.00
STAGING & ALIGNMENT PLAN
JOB NUMBER
04054



Attachment A
SD 05-232
2 of 2

		CIVIL ENGINEERING OF SOUTH CAROLINA CONSULTING ENGINEERS, SURVEYORS AND PLANNERS 2000 PINEAPPLE BOULEVARD, SUITE 200 COLUMBIA, SOUTH CAROLINA 29204 TEL: 803/799-9900	PROJECT NO. 04054 SHEET NO. 17 OF 17 DATE: APRIL 1, 2005
		STAGING & ALIGNMENT PLAN	BRICKYARD-LONGTOWN, LLC 1200 SOUTH CAROLINA COLUMBIA, SOUTH CAROLINA 29204 TEL: 803/799-9900
		PREPARED BY: J. ADY CHECKED BY: J. ADY DATE: APRIL 1, 2005	



- NOTES & REFERENCES:**
1. PARCEL 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

APR 01 2005

PHASE 5X

BROOKHAVEN
RICKLAND COUNTY, SOUTH CAROLINA

THE ENGINEER IS THE REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF SOUTH CAROLINA. THE ENGINEER'S LICENSE NO. IS 20055. THE ENGINEER'S EXPIRES ON APRIL 1, 2008.

LOT LINE CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE
1+00.00	N 00° 00' 00" E	100.00	0° 00' 00"	100.00	N 00° 00' 00" E	100.00	0° 00' 00"	100.00
1+10.00	N 00° 00' 00" E	110.00	0° 00' 00"	110.00	N 00° 00' 00" E	110.00	0° 00' 00"	110.00
1+20.00	N 00° 00' 00" E	120.00	0° 00' 00"	120.00	N 00° 00' 00" E	120.00	0° 00' 00"	120.00
1+30.00	N 00° 00' 00" E	130.00	0° 00' 00"	130.00	N 00° 00' 00" E	130.00	0° 00' 00"	130.00
1+40.00	N 00° 00' 00" E	140.00	0° 00' 00"	140.00	N 00° 00' 00" E	140.00	0° 00' 00"	140.00
1+50.00	N 00° 00' 00" E	150.00	0° 00' 00"	150.00	N 00° 00' 00" E	150.00	0° 00' 00"	150.00
1+60.00	N 00° 00' 00" E	160.00	0° 00' 00"	160.00	N 00° 00' 00" E	160.00	0° 00' 00"	160.00
1+70.00	N 00° 00' 00" E	170.00	0° 00' 00"	170.00	N 00° 00' 00" E	170.00	0° 00' 00"	170.00
1+80.00	N 00° 00' 00" E	180.00	0° 00' 00"	180.00	N 00° 00' 00" E	180.00	0° 00' 00"	180.00
1+90.00	N 00° 00' 00" E	190.00	0° 00' 00"	190.00	N 00° 00' 00" E	190.00	0° 00' 00"	190.00
2+00.00	N 00° 00' 00" E	200.00	0° 00' 00"	200.00	N 00° 00' 00" E	200.00	0° 00' 00"	200.00

ROAD CENTERLINE CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE
1+00.00	N 00° 00' 00" E	100.00	0° 00' 00"	100.00	N 00° 00' 00" E	100.00	0° 00' 00"	100.00
1+10.00	N 00° 00' 00" E	110.00	0° 00' 00"	110.00	N 00° 00' 00" E	110.00	0° 00' 00"	110.00
1+20.00	N 00° 00' 00" E	120.00	0° 00' 00"	120.00	N 00° 00' 00" E	120.00	0° 00' 00"	120.00
1+30.00	N 00° 00' 00" E	130.00	0° 00' 00"	130.00	N 00° 00' 00" E	130.00	0° 00' 00"	130.00
1+40.00	N 00° 00' 00" E	140.00	0° 00' 00"	140.00	N 00° 00' 00" E	140.00	0° 00' 00"	140.00
1+50.00	N 00° 00' 00" E	150.00	0° 00' 00"	150.00	N 00° 00' 00" E	150.00	0° 00' 00"	150.00
1+60.00	N 00° 00' 00" E	160.00	0° 00' 00"	160.00	N 00° 00' 00" E	160.00	0° 00' 00"	160.00
1+70.00	N 00° 00' 00" E	170.00	0° 00' 00"	170.00	N 00° 00' 00" E	170.00	0° 00' 00"	170.00
1+80.00	N 00° 00' 00" E	180.00	0° 00' 00"	180.00	N 00° 00' 00" E	180.00	0° 00' 00"	180.00
1+90.00	N 00° 00' 00" E	190.00	0° 00' 00"	190.00	N 00° 00' 00" E	190.00	0° 00' 00"	190.00
2+00.00	N 00° 00' 00" E	200.00	0° 00' 00"	200.00	N 00° 00' 00" E	200.00	0° 00' 00"	200.00

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

TO: Planning Commission Members; Interested Parties
FROM: Carl D. Gosline, AICP, Subdivision Administrator
DATE: April 25, 2005
RE: DRAFT Planning Commission Stonington Subdivision Report (SD-05-199)

Project History

- 1) In 2000, a PUD was approved for the subject project. A PUD included 86 acres of single family residences, 14 acres of neighborhood commercial, 23 acres of road R/W and 47 acres open space and recreation. The gross project density is 1.2 DU per acre (202 units on 165 acres).
- 2) The project includes 3 different subdivision, plus a commercial area along Wilson Blvd. The Stonebury S/D has a common area and an average lot size of 0.2 acres. This subdivision is at the current entrance to the project off Wilson Blvd.
- 3) The Stonecroft S/D is in the middle of the project and has the amenity center for the whole project. The average lot size of this subdivision is 0.5 acres. One of the PUD conditions states that the perimeter lots must have a minimum 50-foot wide conservation/access easement to serve as a buffer to adjoining development at the rear of the lot. (the Robinson property and Hollis Pond Road).
- 4) Stonecrest subdivision is at the rear of the site and has an average lot area of 0.7 acres.
- 5) The first communication regarding the actual subdivision of the site was a letter from the Public Works Dept. to the project engineer providing comments about the proposed Sediment and Erosion Control Permit (Grading Permit) for the project. One of the comments stated that "...100 Year Flood elevations shall be established within the designated A zone. Contract Harry Reed at the County Planning Dept... In addition, the following statement shall be added to the Sediment and Erosion Control Plan...During construction, the owner/contractor **shall continually monitor** the condition of both ponds which are located immediately downstream on the adjacent property (Janette Robinson's property). Should the ponds become impacted as a result of Stonington's construction, **then immediate corrective action shall be provided...**"
- 6) On June 4, 2001, The Planning Commission approved the Phase 1 Preliminary Plans submission, subject to the usual conditions. Phase 1 included 55 lots in a portion of the Stonebury and Stonecroft subdivisions.
- 7) A bonded plat was recorded for Phase 1 on June 10, 2002.
- 8) The DHEC Permits To Operate the water and sewer systems for Phase 1 (55 lots) were received on March 9, 2004.
- 9) On December 8, 2004, the Public Works Dept. sent a letter to the applicant stating "...you may continue in the existing phase (phase 1), **but do not have permission to perform any land disturbance activity in the portion of phase development that lies on the northerly side of Hawkins Branch...**You are hereby ordered to immediately correct the following: (a) Remove the accumulated sediment in the constructed detention pond and reconstruct the stone check dam that is currently under water...(b) Replace or repair non-functioning silt fence and remove accumulated sediment in the creek that

- crosses the sanitary sewer line and is directly upstream of the adjacent Robinson property without creating any disturbance or impact to the downstream receiving waters (Hollis Pond) – [on the Robinson property]
- 10) On February 11, 2005, the applicant submitted a request to review the bonded plat for Phase 2, the area adjacent to the Robinson property.
 - 11) The Dept. sent a letter to the applicant on March 2, 2005 stating that the bonded plat could not be processed until the Planning Commission approved the preliminary plans **and** that if a **complete** preliminary plans package was received by **5:00 PM on March 31, 2005**, the project would be scheduled for Commission consideration at the May 2, 2005 meeting. This letter further stated that “no plans, or plats, for any other phase of this project, including phase 2, can be approved until the following action occur:
 - (a) The right-of-way/access easement for Hollis Pond Road (the Robnson’s property accessway) location issues is resolved; and
 - (b) The wetlands encroachment permit is issued by USCOE; and
 - (c) The issues in Rocky Archer’s letter of December 28, 2004 (discussed above) are resolved to the satisfaction of the Public Works Dept.; and
 - (d) The plans and plats depict a minimum 50 foot wide buffer along the perimeter lots of the Stonecroft and Stonecrest subdivisions; and the Planning Commission approves the preliminary plans for phase 2; and
 - (e) ALL the conditions that may be established by the Commission are satisfactorily met; and
 - (f) Any substantial change in the approved PUD plan will require a major PUD amendment...”
 - 12) To date, the Department has not approved a flood elevation statement that was requested from the applicant on February 20, 2001.
 - 13) To date, the Department has not received the wetlands encroachment letter for the US Army Corps of Engineers (USCOE). The Department received a copy of a letter from the applicant’s wetlands consultant on April 22, 2005 stating that the USCOE wetlands encroachment permit has NOT been issued, but is expected in the near future.

RECOMMENDATION:

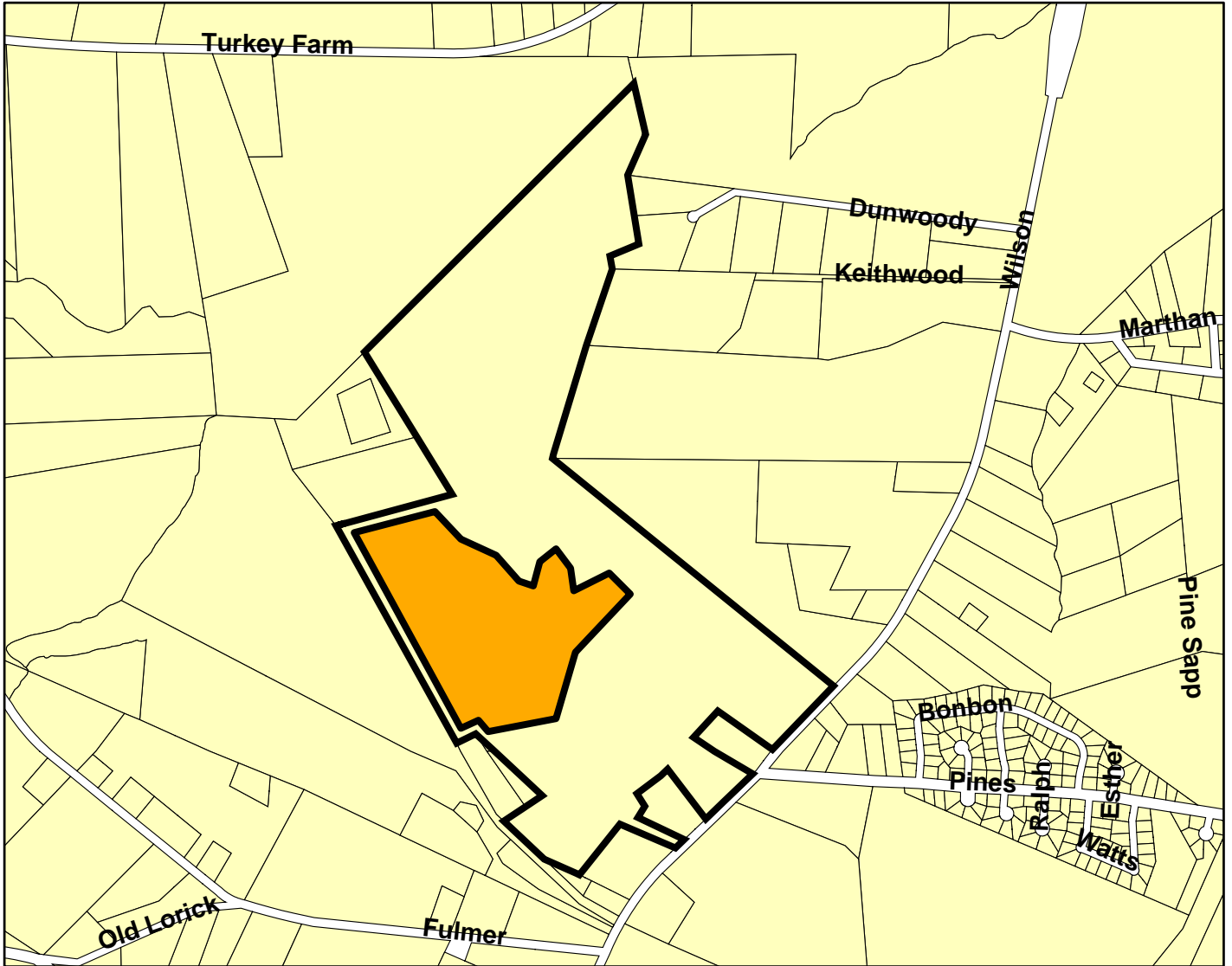
The Department recommends that no further preliminary plans submission in the Stonington project be scheduled for Planning Commission consideration until ALL of the outstanding issues cited herein are satisfactorily resolved.

**CASE 05-199 SD
STONINGTON (PHASE II)**

TMS 14800-05-24/25/27



SD-05-199 STONINGTON (PHASE II)



Looking at Phase I from Phase II



Looking at Phase II

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

May 2, 2005

RC Project # 05-59 MA	Applicant: Otis Smith
General Location: East side of Fairfield Road Near Webber Street	
Tax Map Number: 11808-02-03	Subject Area: 2.0 ac MOL
Current Parcel Zoning: RS-3	Proposed Parcel Zoning: C-3
Proposed Use: Tire Repair Shop	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of a tire repair shop

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RS-3	Undeveloped woodlands, storage of large truck containers & dilapidated construction equipment and storage of fill dirt
Adjacent North	RS-3	Single family residences
Adjacent East	RS-3	Single family residences and vacant commercial structure
Adjacent South	RS-3	Undeveloped woodlands & single family residences
Adjacent West	M-1	Undeveloped woodlands & single family residences (some vacant)

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.

<u>RS-3 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities.	<u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries
<u>Existing RS-3 Zoning Permitted Uses</u> Single family detached dwellings or modular building units located on individual lots.	<u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses

The land uses above represent a summary of the permitted uses in Chapter 26-63 and Chapter 26-67, respectively of the County Code. Some Special Exception uses are also possible.

The site is contiguous to existing single-family residences to the north and south on RS-3 zoned property. There are vacant single-family residences and undeveloped woodlands to the west on M-1 zoned property. Single-family residences and a vacant commercial structure exist on RS-3 zoned property to the east. 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 CMOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Fairfield Road (Hwy. 321)	
Functional Classification Of This Roadway	Five Lane Undivided Major Arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	249	
Current Volume At The Nearest Count Station #188 Located @south of site on Fairfield Road (Hwy. 321)	13,800	
Estimated Traffic Count With the Proposed Project	14,049	
Volume-To-Capacity Ratio With The Proposed Project	0.42	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process. The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Tire Store found on

page 1493 of the TGM times the proposed square footage of the use. The calculation is as follows; 10,000 sq. ft. x average rate of 24.87 per 1,000 sq. ft. = 249 ADT's.

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 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 Medium Density Residential in the Developing Urban area.**

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

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

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

The subject site is contiguous to single family residences to the north, south, and east on land zoned RS-3. Undeveloped woodlands exist to the west on M-1 zoned property. There is a substantial amount of underutilized M-1 zoned property directly across Fairfield Road that would permit the requested use. There is an existing convenience store to the south on C-3 zoned property to serve the area. The proposed Amendment **does not implement** this Objective.

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

As previously stated, the site is surrounded by single family residences on RS-3 zoned property and is not located within or near an existing commercial area.

1. Areas identified on the Proposed Land Use Map;
The Map designates the site as Medium Density Residential.
2. Sites that don't encroach or penetrate established residential areas; and
The subject site is encompassed by single family residences on RS-3 zoned property to the north, south, and east.
3. Sites of major traffic junctions and cluster locations as opposed to strip development.
The site is not located at a major intersection which is one of the guidelines of the Plan. Rezoning this parcel would start a precedent for strip development on the east side of Fairfield Road.

The proposed Amendment **does not implement** this Principle.

Other Relevant Issues

Upon a site investigation by the Department on April 6, 2004 it was evident that the subject site was in violation of the Richland County Zoning Ordinance Chapter 26 Section 63.5 *Prohibited uses and structures* in the RS-3 zoning district (4) Storage or long-term parking of commercial or industrial vehicles and the storage of fill dirt on the site is a prohibited use in the RS-3 zoning district.

Under Article II Section 3 (e) of the Planning Commission Rules of procedure, “when there are existing violations of those portions of the County Code for which the Department has enforcement responsibility on a subject site, the Planning Commission may, at a regularly scheduled meeting, delay consideration of the subject property for up to 90 days.

The parcel to the north zoned C-3 (TMS# 11905-01-16) was rezoned in 1990. Based on research of old zoning maps, the parcels to the north zoned C-2 (TMS#'s 11905-07-01/03) and the parcel to the south (TMS# 11808-02-23) zoned C-3 have had the current zoning designation since at least 1987.

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 # 05-59 MA **not be changed** from RS-3 to C-3.

Findings of Fact:

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

SECTION III PLANNING COMMISSION ACTION

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

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

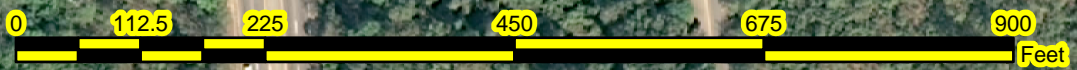
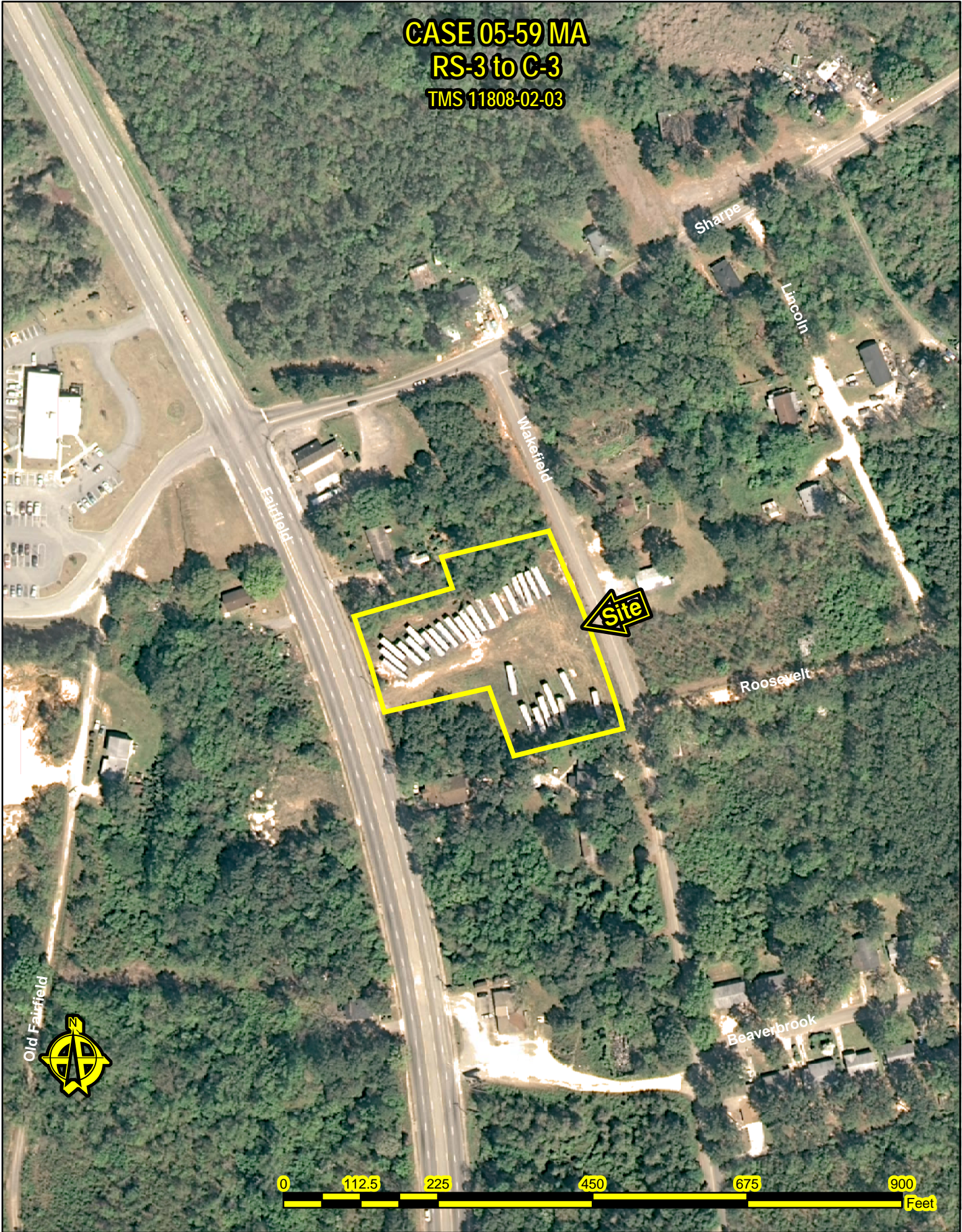
At their meeting of May 2, 2005, the Richland County Planning Commission agreed (did not agree) with the PSDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-59 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

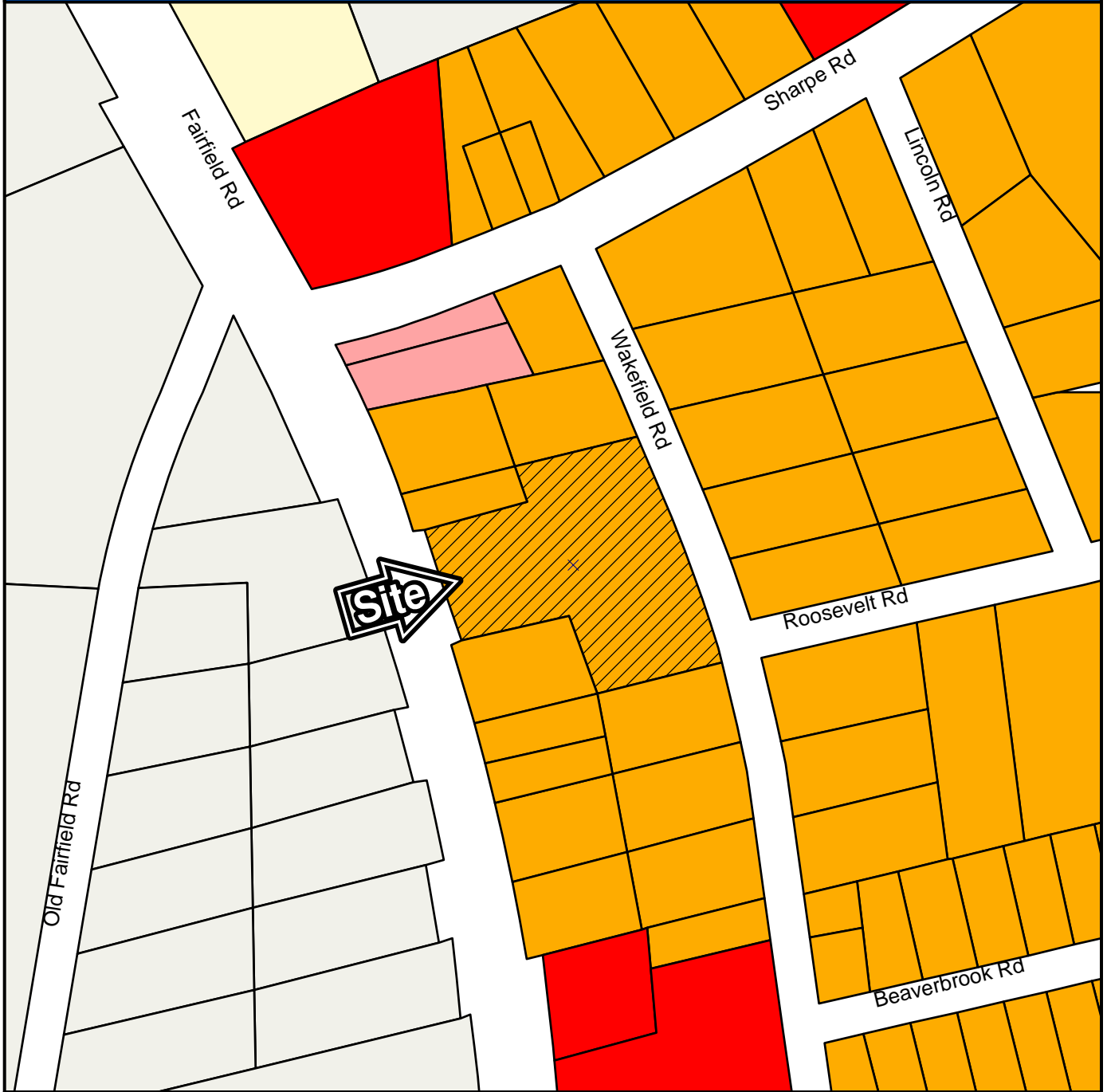
(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-59 MA, the Planning Commission made the findings of fact summarized below:




















CASE 05-59 MA
RS-3 to C-3
TMS 11808-02-03



CASE 05-59 MA RS-3 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 05-59 MA From RS-3 to C-3

TMS# 11808-02-03 / East side of Fairfield Rd just south of Sharpe Rd



**Attachment A
Case 05-59 MA**

D 592 ~~NR~~ 292

RECORDED & PAID
FOUR
COLUMBIA

FILED
TITLE TO REAL ESTATE FORM 14-B
COLUMBIA OFFICE SUPPLY CO. COLUMBIA, S. C.

State of South Carolina, }
COUNTY OF RICHLAND } Nov 3 4 41 PM '81

REGISTER OF
MERNE CONVEYANCES

WHEREAS, John Goldson died on January 8, 1944, leaving as his sole heirs and devisees at law, Luna Goldson, Lizzie Goldson and Charlotte Mae Goldson, his wife, and

WHEREAS, Luna Goldson and Lizzie Goldson conveyed all their interest in the below described property to Charlotte Mae Goldson by deed dated May 9, 1947, as recorded in the Office of the RMC for Richland County in Deed Book GW at page 228, and

WHEREAS, Charlotte Mae Goldson is now desirous of conveying all of her interest in the below described property to Otis Smith.

~~Know All Men By These Presents, That I, Charlotte Mae Goldson~~

NOW THEREFORE,
KNOW ALL MEN BY THESE PRESENTS, That I, Charlotte Mae Goldson

STATE OF SOUTH CAROLINA
SOUTH CAROLINA TAX COMMISSION
DOCUMENTARY
NOV 3 '81 STAMP TAX = 07.00
PB 11327

SOUTH CAROLINA COUNTY DOCUMENTARY TAX
NOV 3 '81 = 03.85

in the State aforesaid for and in consideration of the sum of Three Thousand Five Hundred and no/100 (\$3,500.00) Dollars to me paid by Otis Smith in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, by these presents do grant, bargain, sell and release unto the said Otis Smith, his heirs and assigns forever:

All that certain piece, parcel or lot of land, lying and being east of State Highway No. 218, about five (5) miles North of the City of Columbia, in the County of Richland and State of South Carolina; said Lot known and designated as Lot No. 12 as shown on a Plat of Crane Creek Lots prepared by James C. Covington, C.E., August 27, 1942 and recorded in the Office of the Clerk of Court for Richland County in Plat Book "J" at page 52.

This being the identical property heretofore conveyed to the Grantor herein by deed of Luna Goldson and Lizzie Goldson, dated May 9, 1947 and recorded in the Office of the Clerk of Court for Richland County in Deed Book GW at page 228.

ADDRESS OF GRANTEE:
201 1/2 Boyles Road
Columbia, S. C. 29203

D 592 ~~NR~~ 292

LEGAL DEPICTION



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

May 2, 2005

RC Project # 05-60 MA	Applicant: Randy Mosteller
General Location: Dutch Fork Road (Hwy. 76) at Mt. Vernon Church Road	
Tax Map Number: 01511-01-04/05/06/08	Subject Area: 2.95 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: C-3
Proposed Use: Various retail uses	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To allow for the continuance and expansion of existing commercial uses on the site.

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Barber Shop, Paintball Store, Hand Wash and Detail, and undeveloped woodlands
Adjacent North	RU	Railroad tracks
Adjacent East	PUD	Exxon gas station
Adjacent South	RU	Lowman Home
Adjacent West	RU	Hugh Vann Sales, Inc. and Wholesale Pet Supplies

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

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

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Dutch Fork Road (Hwy. 76)	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #145 Located @ south of the site on Dutch Fork Road (Hwy. 76)	16,100	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

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

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

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

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

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

It should be noted that there are currently commercial uses on the subject site(s) and unless additional structures are constructed or more intense uses move in to the existing site(s) then no additional traffic will be generated from the site. The SCDOT count station #145 is located on a five lane portion of Dutch Fork Road which is rated to handle 19,600 ADT's.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that if either the existing, or proposed zoning, is not consistent with the land use designation on the 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 subject site is comprised of existing commercial uses contiguous to various commercial uses to the east and west. The site(s) also have direct access onto Dutch Fork Road (Hwy. 76) which is a two lane undivided collector. The proposed Amendment **implements** this Objective.

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

As stated in the Objective, the site is comprised of and located amongst commercial uses. The Map designates the site as Commercial. 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 # 05-60 MA **be changed** from RU to C-3.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Dutch Fork Road (Hwy. 76) south of this location is not currently being exceeded and the subject site currently has commercial uses on the site which generate traffic.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent** with the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

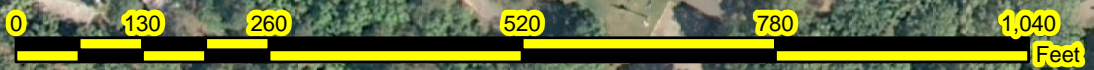
At their meeting of May 2, 2005, the Richland County Planning Commission agreed (did not agree) with the PSDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-60 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

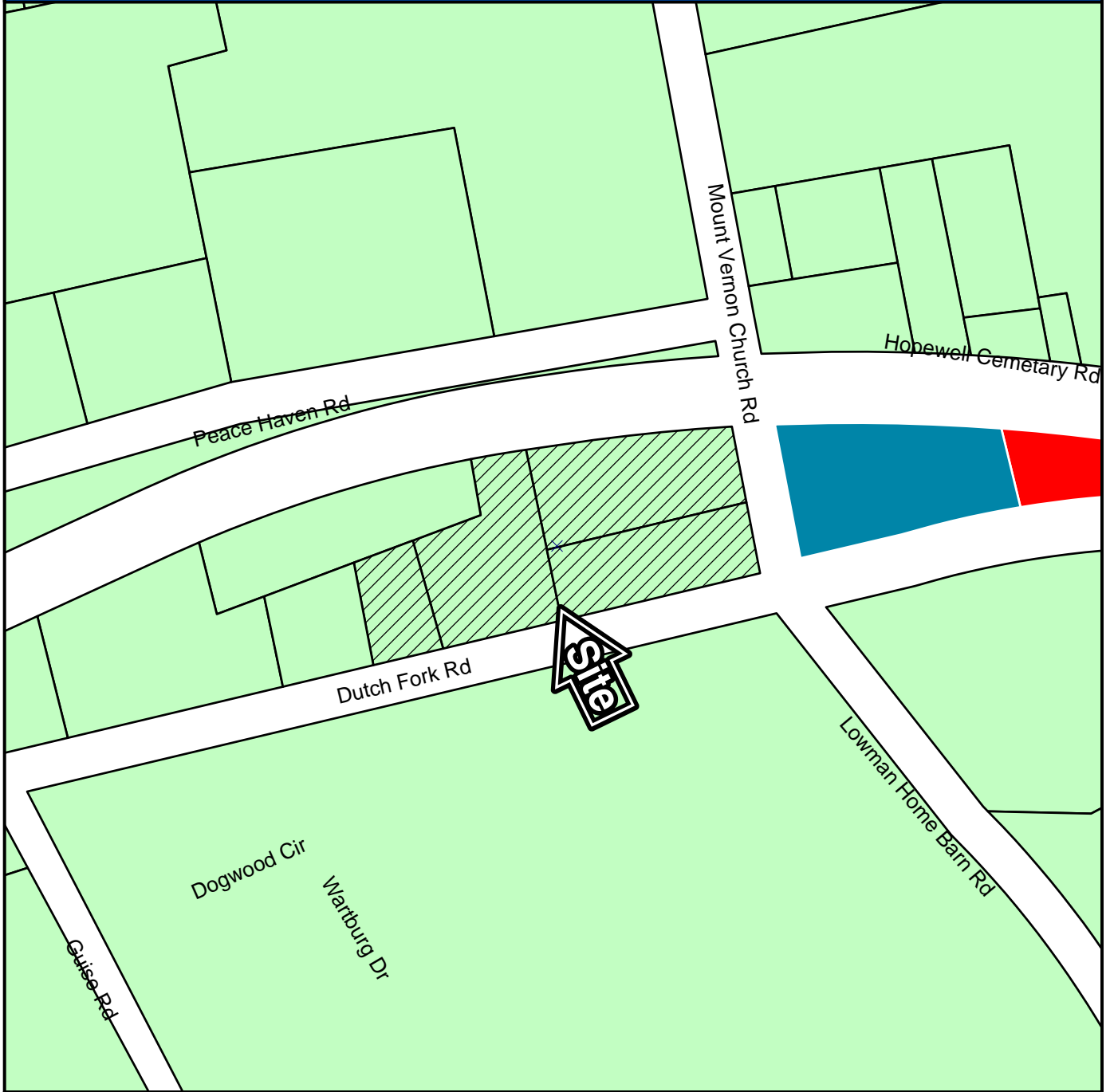
(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-60 MA, the Planning Commission made the findings of fact summarized below:




















CASE 05-60 MA
RU to C-3
TMS 01511-01-04/05/06/08



CASE 05-60 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 05-60 MA

From RU to C-3

TMS# 01511-01-04/05/06/08 Dutch Fork Rd near The Lowman Home



**Attachment A
Case 05-60 MA**

METES AND BOUNDS DESCRIPTION

Richland County TMS 01511-01-04 / 05 / 06 / 08 Totaling 2.95 Acres in White Rock

TMS 01511-01-04: Beginning at a 1" pipe on the northern ROW of US 76 463-86' from it*s intersection with S 40-234 in White Rock, thence continuing along US 76 ROW S 77-14-23 W for 163.86' to a RR spike, thence N 17-24-13 W for 155.67' to a 3/4" rebar, thence N 69-29-15 E 110-82' to a "*" rebar, thence N 10-57-47 W 104.83' to a 5/8" rebar on CN & L RR ROW, thence N 77-08-51 E 75' to a "*" rebar. Thence S10-20-22 E 173.69' to a RR spike, thence continuing S 10-20-22 E 101.56' to point of beginning.

TMS 01511-01-05 Beginning at a 3/4" rebar on the western ROW of S 40-234 in White Rock, thence with the ROW of S 40-234 at a bearing of S 07-50-32 E 142.73' to a 5/8" rebar, thence S77-05-32 W 290.20' to a RR spike, thence N 10-20-22 W 173.69' to a "*" rebar. thence along CN & L RR ROW along a curve with: Ch Brg = N 83-09-28 E, Ch Dist = 296.68', Delta = 9-15-58, Radius = 1836.52' and Arc = 297.01' to point of beginning.

TMS 01511-01-06 Beginning at a 5/8" rebar on the western ROW of S 40-234 in White Rock, thence along the ROW of S 40-234 101.50' to a RR spike at the intersection with US76, thence along US 76 ROW 300' to a 1" pipe, thence N 10-20-22 W 101.56' to a RR spike, thence N 77-05-32 E 290.20' to point of beginning.

TMS 01511-01-08 Beginning at point on the northern ROW of US 76, 463.86' from the intersection with the western ROW of S 40-234, thence along US 76 ROW 106.0' to a RR spike in the pavement, thence N 09-58-00- W 143.4' along the line of Hugh Vann*s property to an iron pin, thence along CN & L RR property N 69-29-16 E 89,7' to a 3/4" rebar, thence S 17-24-13 E 155.67' to point of beginning.

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

May 2, 2005

RC Project # 05-61 MA	Applicant: David L. Lucas, Sr./Bob Rocks, LLC
General Location: Corner of Broad River and Sease Road	
Tax Map Number: 04003-02-16	Subject Area: 0.915 ac MOL
Current Parcel Zoning: D-1	Proposed Parcel Zoning: C-3
Proposed Use: Various Commercial	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of various commercial uses such as a business park, restaurant, convenience store, pharmacy, etc.

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Undeveloped woodlands
Adjacent North	C-3	Grace K. Salon, Inc.
Adjacent East	D-1	Bethlehem Lutheran Church
Adjacent South	C-3	Undeveloped woodlands and vacant cleared property
Adjacent West	D-1	Undeveloped woodlands & RR track

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

<p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semideveloped, with scattered related uses.</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> Agriculture Horticulture Forestry Single family detached dwellings or modular building units located on individual lots Places of worship</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & 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 site abuts parcels zoned C-3 to the north (salon) and south with various commercial uses in the immediate vicinity of the site. The proposed Amendment is compatible with the existing land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Broad River Road (Hwy. 176)	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service C Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #150 Located @south of the site on Broad River Road	11,200	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

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

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

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

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

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

The LOS of the portion of Broad River Road at SCDOT count station #150 is currently being exceeded at a LOS E with a V/C of 1.30. The proposed Amendment should not have a significant affect on traffic due to the size of the site which prohibits the size of a commercial structure or use.

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 Residential Medium/Low Density in the Developing Urban area.**

The proposed C-3 zoning is NOT consistent with the Map designation as required by state statutes because it proposes commercial zoning in a residential designated area. The zoning should be RS-1, RS-2, RS-3 or PUD to be consistent with the Residential Medium/Low Density land use designation.

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

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

The site is located amongst commercial zoned property and commercial land uses. The parcel has frontage onto Broad River Road which provides the site with ample public access. The proposed Amendment **implements** this Objective.

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

As stated in the Objective, the site is located amongst commercial zoned property and commercial land uses. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The parcel directly to the south of the subject site was rezoned to C-3 in 2003.

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 # 05-61 MA **be changed** from D-1 to C-3.

Findings of Fact:

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

SECTION III PLANNING COMMISSION ACTION
--

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

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

At their meeting of May 2, 2005, 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 # 05-61 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

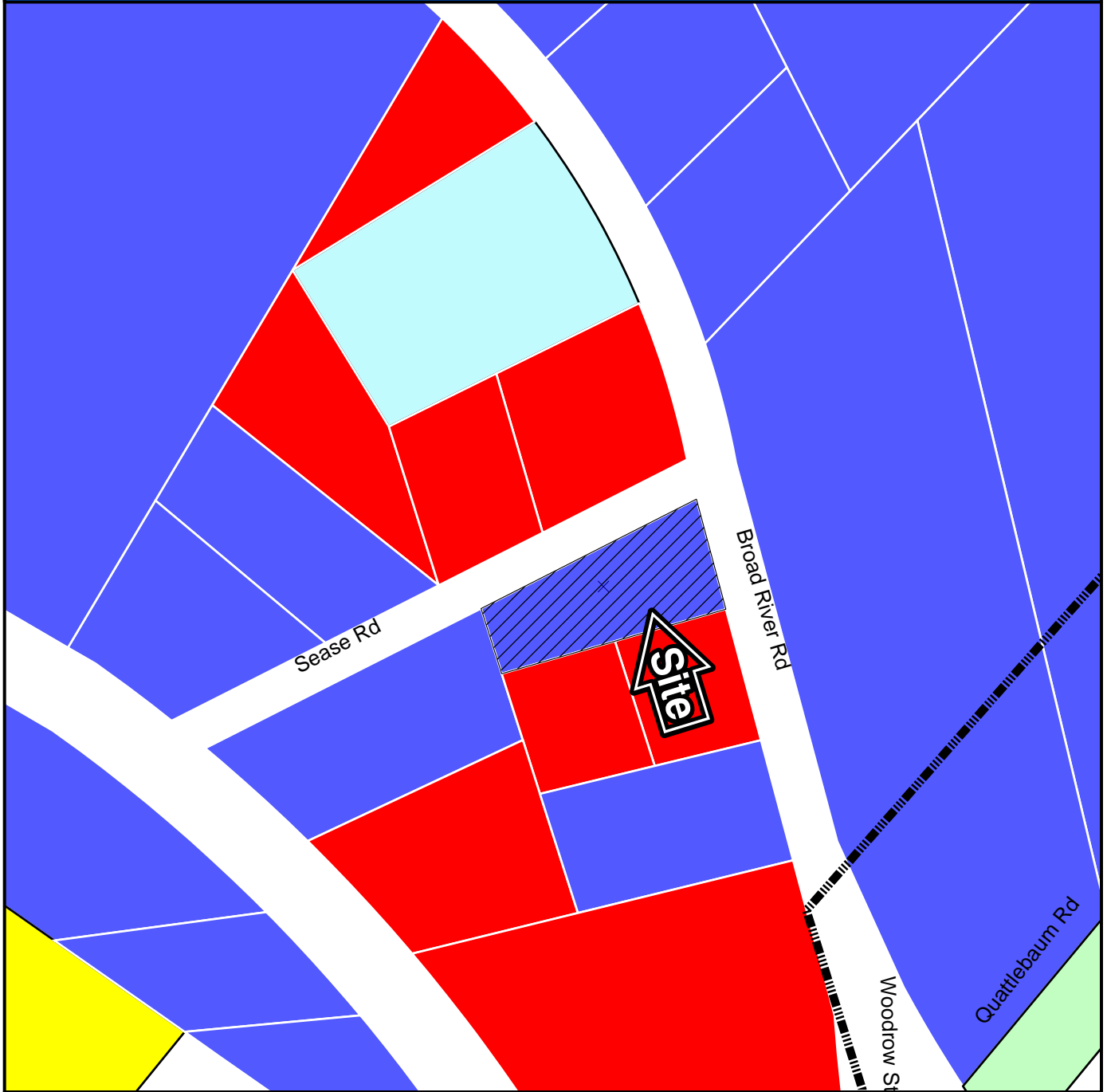
(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-61 MA, the Planning Commission made the findings of fact summarized below:




















CASE 05-61 MA
D-1 to C-3
TMS 04003-02-16



CASE 05-61 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 05-61 MA

From D-1 to C-3

TMS# 04003-02-16

Broad River Rd & Sease Rd



**Attachment A
Case 05-61 MA**

Legal Description

All that certain piece, parcel or lot of land lying and being in the County of Richland, State of South Carolina, being shown as Parcel R-1 containing .727 acres on a survey prepared for Bob Rocks, LLC by Dennis G. Johns dated November 17, 2004, revised January 11, 2005, recorded in the office of the Register of Deeds for Richland County in Book 1022 at Page 1158 and having the following metes and bounds:

Beginning at a corner in the Southeastern portion of the property bordering on Broad River Road the property runs S75° 22' 05"W for 145.03 feet, thence turning and running S75° 09' 30"W for 145.15 feet; thence turning and running N15° 48' 15"W for 79.35 feet; thence turning and running N63° 11' 40"E for 275.05 feet; thence turning and running S67° 00' 30"E for 24.21 feet; thence turning and running S16° 23' 30"E for 122.08 feet to the point of beginning. All measurements being a little more or less.

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

May 2, 2005

RC Project # 05-62 MA	Applicant: Karen McMillian
General Location: 5752 Knightner Street west of Monticello Road	
Tax Map Number: 09311-06-05	Subject Area: 0.23 ac MOL
Current Parcel Zoning: RS-3	Proposed Parcel Zoning: C-1
Proposed Use: Boarding Home	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To continue the use of a boarding home on site

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RS-3	Boarding home
Adjacent North	RS-3	Single family residences
Adjacent East	RS-3	Undeveloped woodlands
Adjacent South	RS-3	Single family residences
Adjacent West	C-1	Boarding home

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.

<u>RS-3 Zoning Designation Intent</u> Intended as single family residential areas with low to medium population densities.	<u>Proposed C-1 Zoning Designation Intent</u> Intended to accommodate office, institutional, and certain types of residential uses in areas whose characteristic in neither general commercial nor exclusively residential in nature.
<u>Existing RS-3 Zoning Permitted Uses</u> Single family detached dwellings or modular building units located on individual lots.	<u>Proposed C-1 Zoning Permitted Uses</u> Offices Photography studios Nursing homes Rooming and boarding houses Funeral homes Day nurseries

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

The site is surrounded by single family residences to the north and south, undeveloped woodlands to the east, and an existing boarding home on C-1 zoned property to the west. The proposed Amendment is compatible with the existing land uses and character of the area.

Traffic Impact Discussion

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-

to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C 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 Knightner Street	
Functional Classification Of This Roadway	Five lane undivided major arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	9	
Current Volume At The Nearest Count Station # 247 Located @ south of site on Monticello Road	11,200	
Estimated Traffic Count With the Proposed Project	11,209	
Volume-To-Capacity Ratio With The Proposed Project	0.33	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Congregate Care Facility found on page 457 of the TGM times the number of dwelling units.

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

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

*The proposed Amendment will actually not generate any additional traffic on Knightner or Monticello as it has been in operation for quite some time.

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-20 Interbeltway Corridor Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. **The Map designates the subject area as High Density Residential in the 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 I-20 Interbeltway Corridor Subarea Plan, adopted in November 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 9 and 12 respectively, are discussed below:

Objective – Minimize incompatibility between existing and proposed land uses.

The proposed site is adjacent to undeveloped woodlands to the east and an existing boarding home adjacent to the west on C-1 zoned property. The proposed site is in character with the existing area. The proposed Amendment **implements** this Objective.

Principle – Within single-family areas, higher density development is appropriate where it completes a block face and is oriented toward developments of similar density.

As stated in the Objective, the site is contiguous to undeveloped woodlands to the east and an existing boarding home to the west on C-1 zoned property. The proposed Amendment **implements** this Principle.

Other Relevant Issues

Upon a site investigation by the Department on April 6, 2004 it was evident that the existing home was being used as a boarding home. This was verified by an inspector from the Department who sent a certified letter to the applicant on May 24, 2005 which states that the property is in violation of the Richland County Zoning Ordinance Chapter 26 Section 22.46 *Rooming and Boarding Houses* and 26-53.5 (1) *Prohibited uses and structures* in the RS-3 zoning district. Another letter was sent to the Richland County Building Inspections/Permits Department from South Carolina Department of Health and Environmental Control dated January 12, 2005 stating that the facility appeared to be a boarding home, consisting of four residents, non of whom require assistance. As a result of the investigation, no violations of licensing standards were noted or cited.

It has come to the Planning Department's attention that this has been an ongoing investigation since at least 2003. In a letter from the applicant to the Department dated July 31, 2003 a statement was made to clarify the concerns of a Richland County Building Inspector. The applicant states in the letter that "the purpose of the dwelling is for Single Family use, and the dwelling will not be used as a Care Facility or Senior Care Facility of any kind".

The Richland County Land Use Inspector's letter dated May 24, 2005 gave the applicant 30 days to rectify the violation or further action would be taken. The Zoning Map Amendment is the recourse sought by the applicant to bring the boarding home into conformity with the applicable regulations of the County.

Under the OI zoning designation in the Land Development Code effective July 1, 2005, rooming and boarding houses are only permitted via a Special Exception by the Board of Zoning Appeals. The applicant will be required to present the case before the Board of Zoning Appeals for a Special Exception to allow a rooming and boarding home in an OI district if County Council approves the proposed Amendment. The applicant will also be required to submit site plans for review by the Department in accordance will all current County regulations.

Under Article II Section 3 (e) of the Planning Commission Rules of procedure, "when there are existing violations of those portions of the County Code for which the Department has enforcement responsibility on a subject site, the Planning Commission may, at a regularly scheduled meeting, delay consideration of the subject property for up to 90 days.

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 # 05-62 MA **be changed** from RS-3 to C-1.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Monticello at this location is not currently nor will be exceeded.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the I-20 Interbeltway Corridor Subarea Plan.

4. The proposed Zoning Map Amendment **is consistent** with the cited Objectives and Recommendations of the I-20 Interbeltway Corridor Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of May 2, 2005, 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 # 05-62 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 # 05-62 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-62 MA
RS-2 to C-1
TMS 09311-06-05

Monticello

Knightner

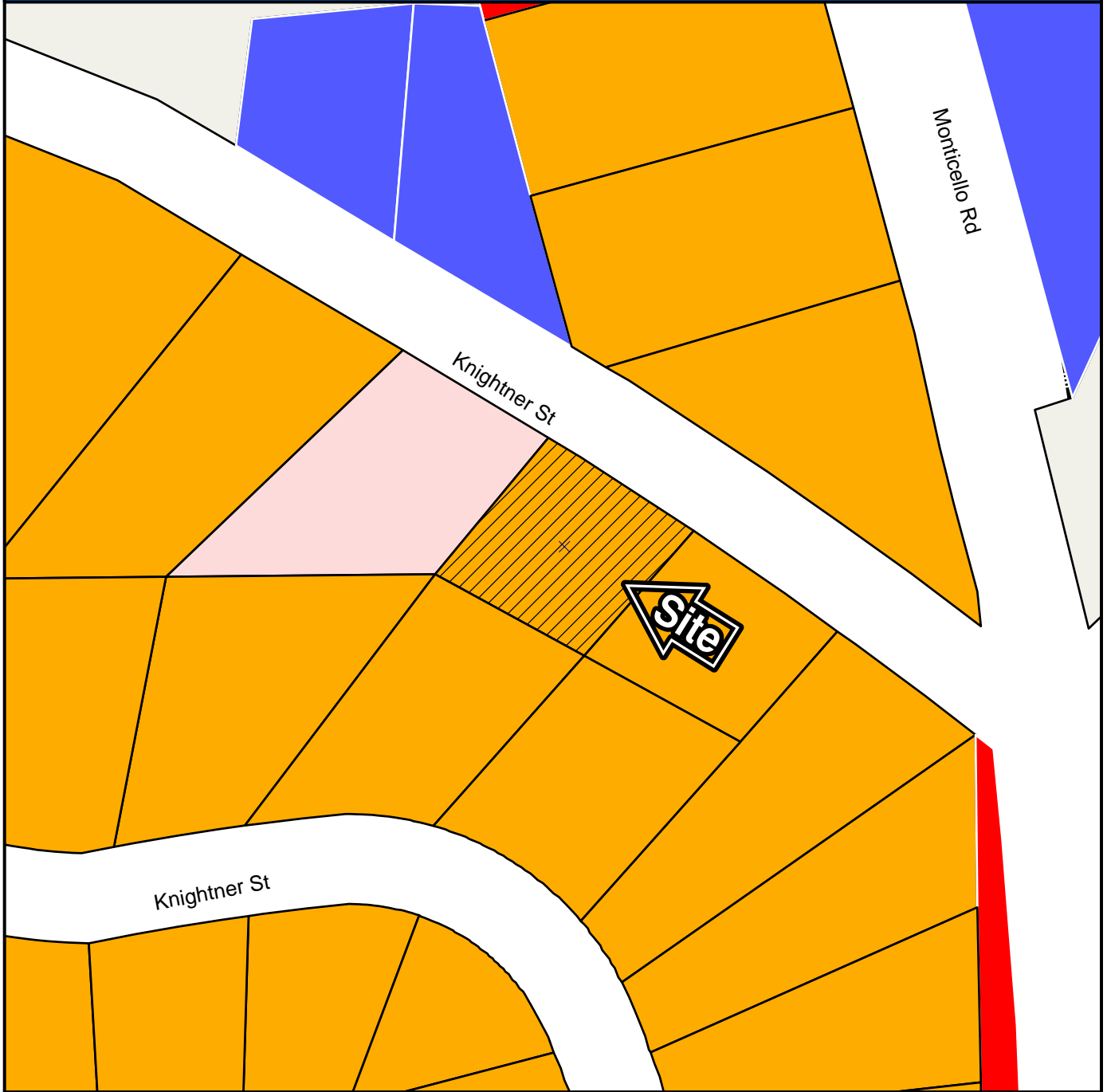
Site

Knightner




















Ridgedale



CASE 05-62 MA RS-2 to C-1



ZONING CLASSIFICATIONS

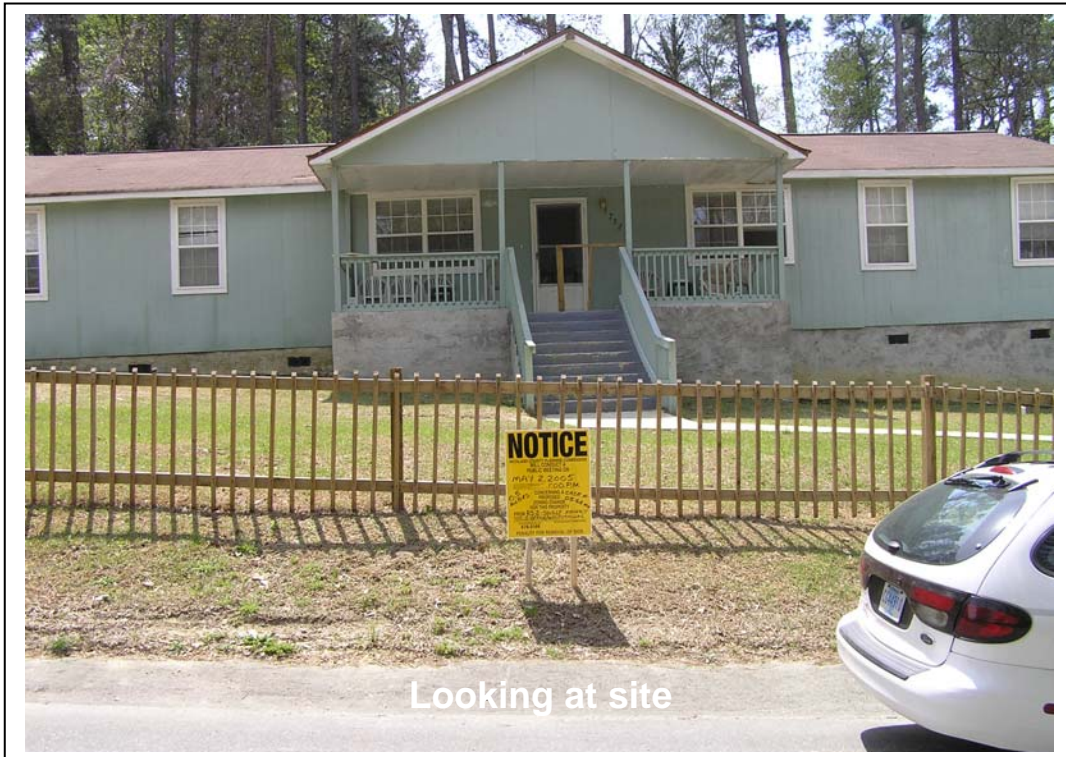
 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU
					 SUBJECT



CASE 05-62 MA

From RS-2 to C-1

TMS# 09311-06-05 / 5752 Knightner Road near Monticello Road



**Attachment A
Case 05-62 MA**

Richland County TMS 09311-06-05 on Knightner Road

All that certain place, parcel or lot of land situate, lying and being on the Southwestern side of an unnamed street just Northwest of Monticello Road, North of the Town of Eau Claire, in the county of Richland, State of South Carolina and being shown and designated as Lot 66 upon a plat of Laurel Park prepared by Jas. C. Covington, CE, July 18, 1946 and recorded in the Richland County Clerk of Court's Office in Plat Book L at page 88. Said Plat is incorporated herein for a more complete and accurate description.

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

May 2, 2005

RC Project # 05-63 MA	Applicant: Christine Middleton
General Location: West Side of Lower Richland Blvd, 1/2 Mile South of Padgett Rd	
Tax Map Number: 22015-03-63 & 22015-03-40	Subject Area: 22 ac MOL
Current Parcel Zoning: D-1	Proposed Parcel Zoning: RS-2
Proposed Use: Single Family Detached S/D	PC Sign Posting Date: April 16, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

Demolish existing substandard residences and replace with new residences

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Three substandard residences
Adjacent North	RU	Manufactured home
Adjacent East	D-1	Manufactured home
Adjacent South	RU	Manufactured home
Adjacent West	RS-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><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located on the fringe of urban growth where the predominant character of urban development has not yet been established</p>	<p><u>Proposed RS-2 Zoning Designation Intent</u> Intended to provide for single family residence with low to medium densities</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> All types of agriculture and related uses Single family detached residences Parks, playgrounds & playfields Community service structures Places of worship Elementary & high schools Day care facilities Cemeteries Manufactured homes</p>	<p><u>Proposed RS-2 Zoning Permitted Uses</u> Single family detached residences and their customary accessory uses</p>

The land uses above represent a summary of the permitted uses in Chapter 26-62 and Chapter 26-63, respectively of the County Code. Some Special Exception uses are also possible.

The proposed project will provide new “stick built” residences in an area where manufactured homes dominate. The proposed project is compatible with the adjacent zoning to the west.

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	Lower Richland Blvd	
Functional Classification Of This Roadway	Two lane undivided collector	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600	
Estimated Traffic Generated By The Proposed Project	57	
Current Volume At The Nearest Count Station # 481 Located @ 1/2 south of the site	2200	
Estimated Traffic Count With the Proposed Project	2257	
Volume-To-Capacity Ratio With The Proposed Project	0.26	

Notes:

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

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

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

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

The proposed project will not result in the LOS C being exceeded in this portion of Lower Richland Blvd.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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

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

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

Objective – Promote the development of affordable, quality housing for all segments of the resident population

The project will provide new affordable housing for the neighborhood. The proposed Amendment implements this Objective.

Principle – Established low density residential neighborhoods should be protected against penetration or encroachment from higher densities

The proposed project is compatible with adjacent RS-2 zoning to the west. The proposed Amendment implements this Principle.

Other Relevant Issues

The project will remove existing substandard housing and replace it with new residences. The project could be a catalyst for other new subdivisions in the 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 # 05-63 MA **be changed** from D-1 to RS-2.

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 Lower Richland Blvd at this location will not be exceeded.
4. The proposed Amendment is consistent with Proposed Land Use Map designation in the Lower Richland Subarea Plan.
5. The proposed Zoning Map Amendment is consistent with the Objectives and Recommendations of the Lower Richland 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 May 2, 2005, the Richland County Planning Commission agreed (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-63 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.)

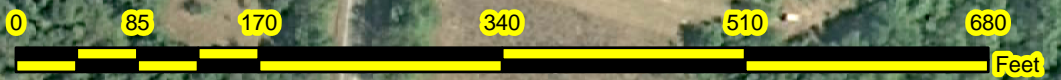
In consideration of the proposed Zoning Map Amendment # 05-63 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-63 MA
D-1 to RS-2
TMS 22015-03-40/63

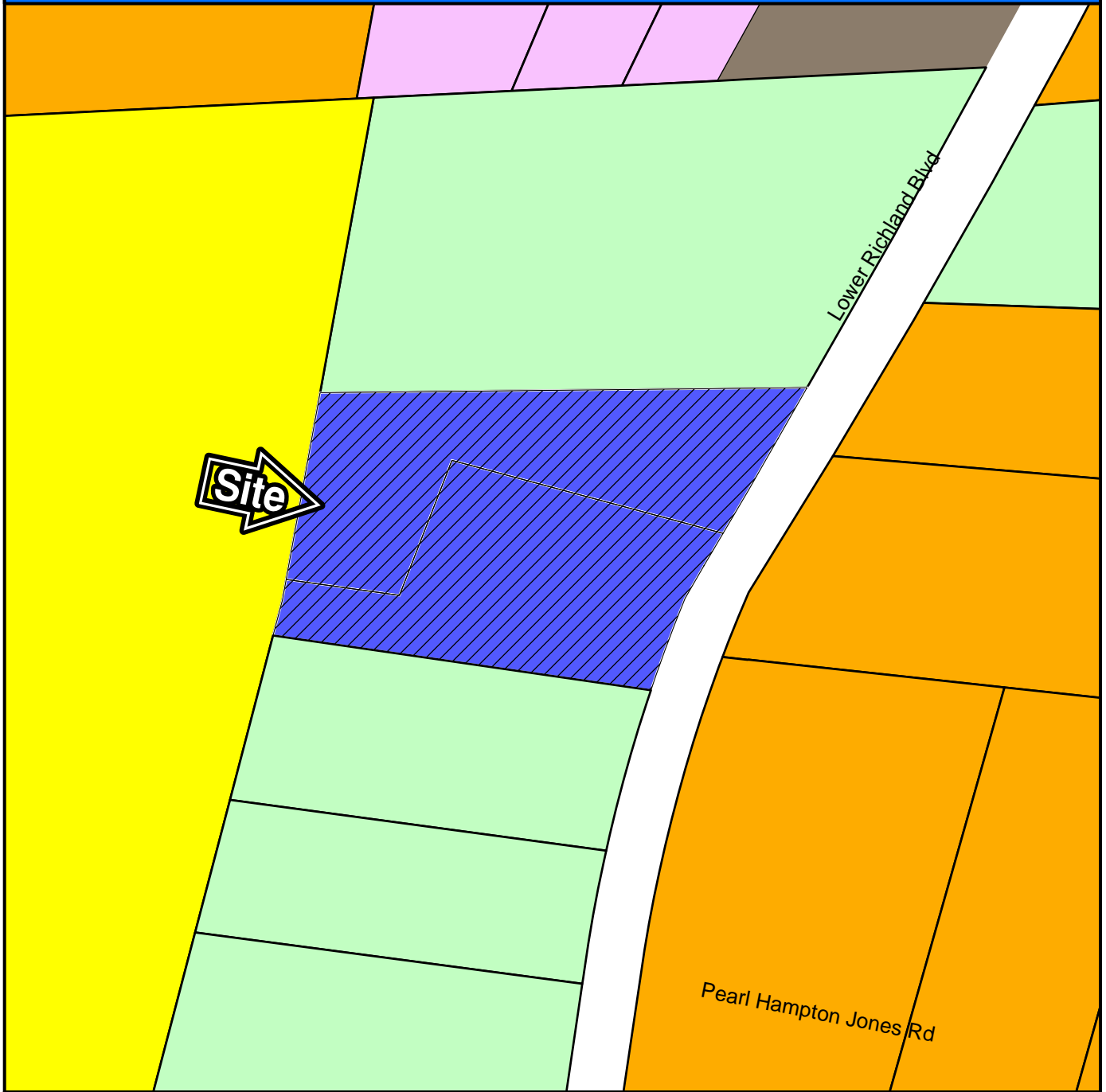
Site

Lower Richland

Pearl Hampton Jones



CASE 05-63 MA D-1 to RS-2



ZONING CLASSIFICATIONS

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



CASE 05-63 MA

From D-1 to RS-2

TMS# 22015-03-63 / Lower Richland Boulevard



Return to:
Carey A. Sellers
428 E. Fourth Street, Ste. 101
Charlotte, NC 28202

Attachment A
Case 05-63 MA

STATE OF SOUTH CAROLINA)
) LIMITED WARRANTY DEED
COUNTY OF RICHLAND)

KNOW ALL MEN BY THESE PRESENTS, That BANKERS TRUST COMPANY OF CALIFORNIA, N.A., AS CUSTODIAN OR TRUSTEE, (hereinafter called "Grantor"), for and in consideration of the sum of Eighteen Thousand and No/100 (\$18,000.00) Dollars, to the Grantor in hand paid at and before the sealing of these Presents, by

CHRISTINA R. MIDDLETON AND STANLEY MIDDLETON,
4609 Wilkinson Blvd., Charlotte, NC 28208
(hereinafter called "Grantee"), in the State aforesaid, has granted, bargained, sold and released, and by these Presents, does grant, bargain, sell and release unto the said Grantees, their heirs, successors and assigns:

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being near the Town of Hopkins, County of Richland, State of South Carolina, the same being on the Western side of Lower Richland Boulevard, containing 1.10 Acres, more or less, and being shown on that plat prepared for James Melvin Mitchell and Geneva F. Mitchell, by Cox & Dinkins, Inc., dated March 28, 1990, and recorded in the RMC Office for Richland County in Plat Book 53 at page 154; reference being made to said plat for a more complete description.

This being the same property conveyed to the Grantor herein by Deed of Master in Equity for Richland County, dated February 20, 2001, and recorded in the RMC Office for Richland County in Book B-R-490 at page 60.

TMS Number 22015-3-63.

Grantee's Address:

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantees, their heirs, successors and assigns forever.

Book 00560-1975

2001009467 08302001 08 33 31.28

Fee: \$18.00 County Tax: \$19.50 State Tax: \$46.50

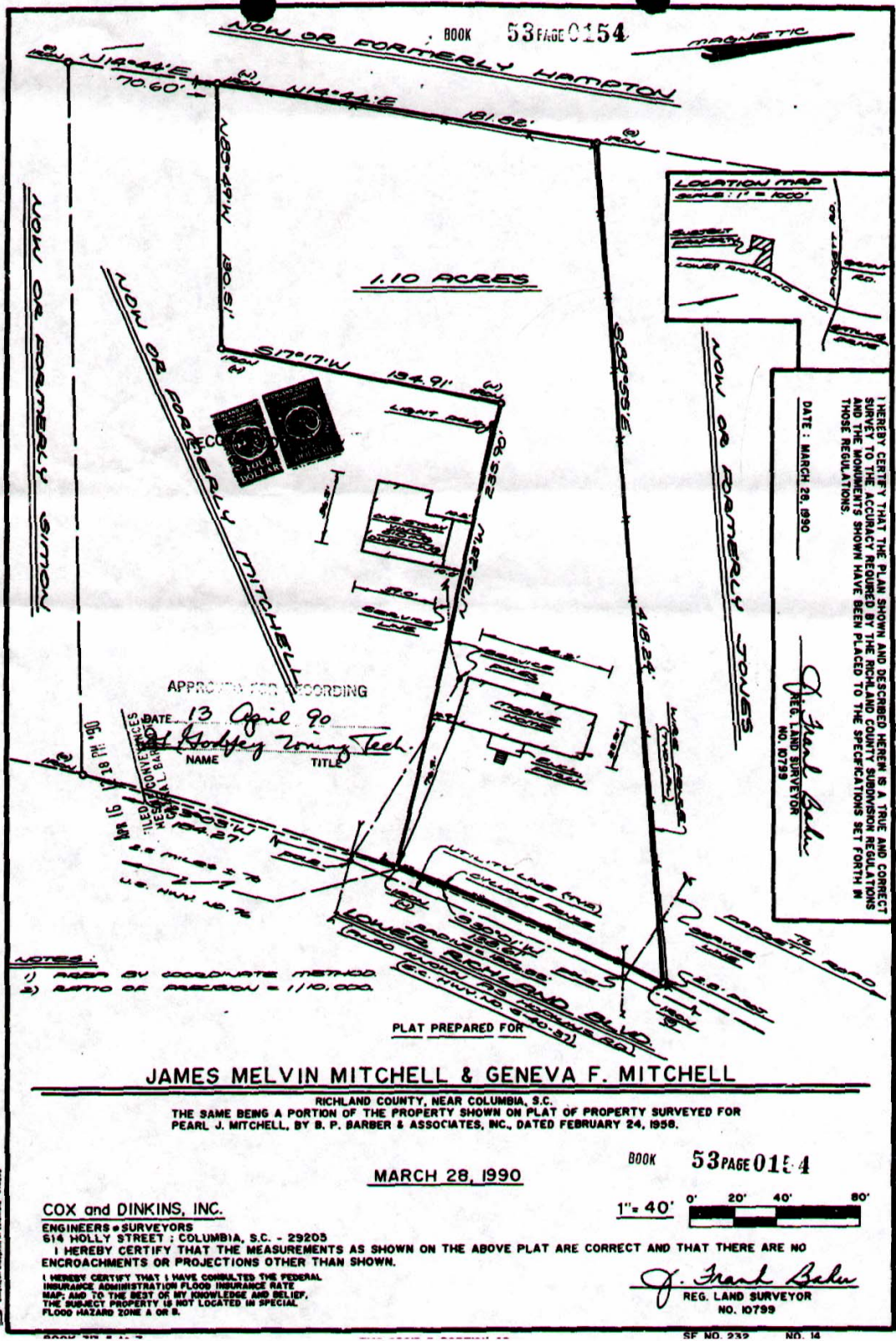
Warranty Deed



2001009467 John G. Nowls

Richland County ROD

Legal Depiction



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

May 2, 2005

RC Project # 05-64 MA	Applicant: Carroll Investment Property, Inc.
General Location: North Side of Garners Ferry Rd, Just West of Mill Pond	
Tax Map Number: 19100-04-20	Subject Area: 19 ac MOL
Current Parcel Zoning: C-3 & D-1	Proposed Parcel Zoning: RG-2
Proposed Use: Multi-family Residences	PC Sign Posting Date: April 16, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change
 Construct An Apartment Complex

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Cultivated Field
Adjacent North	D-1	Cultivated Field
Adjacent East	D-1	Undeveloped Woodlands & Mill Creek wetlands
Adjacent South	C-3	Holley Funeral Home, Produce Market, Driving Range
Adjacent West	D-1	Cultivated Field

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

<p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located on the fringe of urban growth where the predominant character of urban development has not yet been established</p>	<p><u>Proposed RG-2 Zoning Designation Intent</u> Intended for medium and high density residential areas characterized by multi-family structures, garden style apartments and high rise apartments</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> All types of agriculture and related uses Single family detached residences Parks, playgrounds & playfields Community service structures Places of worship Elementary & high schools Day care facilities Cemeteries Manufactured homes</p>	<p><u>Proposed RG-2 Zoning Permitted Uses</u> Single family and duplex residences Multi-family dwellings Cluster housing projects Parallel housing projects Common zero lot line housing projects</p>

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

A portion of the proposed project will be adjacent to the Mill Creek waterway and surround an existing funeral home. The project will serve as a buffer from the general commercial activities along Garners Ferry Road. The project is compatible with existing 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 CMOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Garners Ferry Road	
Functional Classification Of This Roadway	Four lane Divided Principal Arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	2006	
Current Volume At The Nearest Count Station # 171 Located @ Mill Pond	33,300	
Estimated Traffic Count With the Proposed Project	35,306	
Volume-To-Capacity Ratio With The Proposed Project	1.05	

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 (6.6 ADTS per DU x estimated 300 DUs) presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993.

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

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

The estimated traffic generated by the proposed project will result in the LOS C being reached in this portion of Garners Ferry Rd. The 2004 SCDOT Traffic Counts, due to be published in the next month, will likely show a significant increase in traffic on Garners Ferry 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 Lower Richland Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. The Map designates the subject area as Residential in the Developing Urban Area.

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

Objective – Vary residential densities according to the character of the area

The maximum number of dwelling units permissible with RG-2 zoning on a 19 acre parcel is 304 multi-family units. When allowances are made for parking areas, landscaping and on-site recreation facilities, it is more likely that 210 to 230 units will actually be constructed. The proposed Amendment implements this Objective.

Principle – High density residential developments are best suited where mixed densities exist and have direct access to collector level or higher classifications of streets

A 210 unit apartment complex is a density of 11 DU/acre. While this density is higher than any other multi-family development in this part of the County, it is not unreasonable for a site located on a major roadway like Garners Ferry Road that has public water and sewer service. 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 # 05-64 MA **be changed** from C-3/D-1 to RG-2.

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 Garners Ferry Road at this location will be reached.
4. The proposed Amendment is consistent with Proposed Land Use Map designation in the Lower Richland Subarea Plan.
5. The proposed Zoning Map Amendment is consistent with the Objectives and Recommendations of the Lower Richland 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 May 2, 2005, 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 # 05-64 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 # 05-64 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-64 MA
C-3 & D-1 to RG-2
TMS 19100-04-20

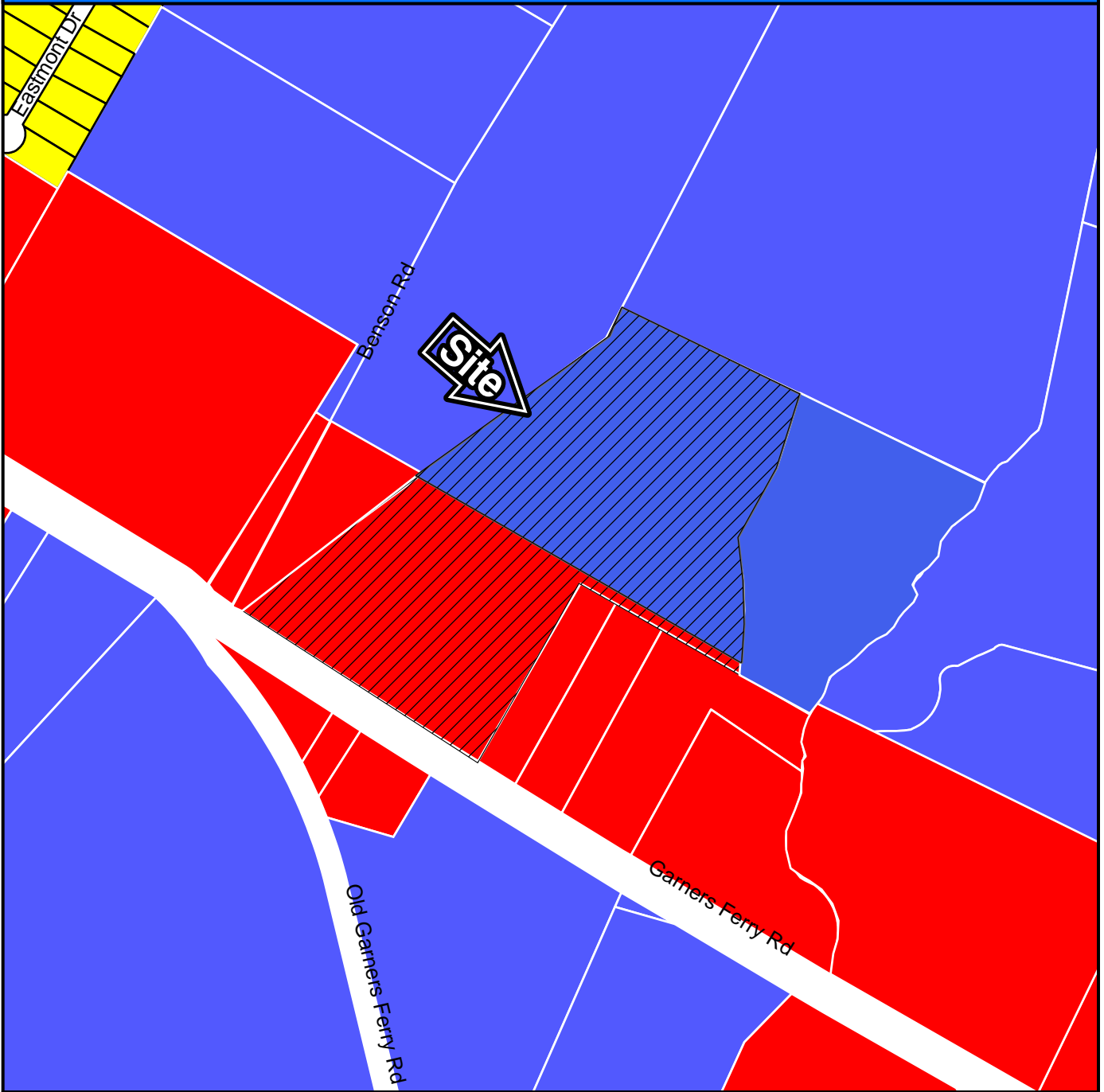


FEMA FLOOD ZONE

FORESTED WETLANDS



CASE 05-64 MA C-3 & D-1 to RG-2



ZONING CLASSIFICATIONS

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



CASE 05-64 MA

From C-3 & D-1 to RG-2

TMS# 19100-04-20 / North side of Garners Ferry Rd @ Mill Creek



**Attachment A
Case 05-64 MA**

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND WITH IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF RICHLAND, NEAR THE CITY OF COLUMBIA, SAID PARCEL BEING SHOWN ON A PLAT ENTITLED," BOUNDARY SURVEY" FOR C.I.P. CONSTRUCTION BY B. P. BARBER & ASSOCIATES, INC. (BPB FILE NO. 32,795-B75), SAID PLAT HAVING THE FOLLOWING METES & BOUNDS TO WIT:

BEGINNING AT A PINCHED TOP PIPE ON THE NORTHERN RIGHT OF WAY OF GARNERS FERRY ROAD (US HWY 76 & 378), BEING 1145' +/- FROM THE INTERSECTION OF UNIVERSAL DRIVE AND GARNERS FERRY ROAD, THENCE TURNING AND PROCEEDING ALONG THE PROPERTIES OF MARION JR. & HARRIET BURNSIDE/BURNRICH PARTNERSHIP THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF N49-00-00E FOR A DISTANCE OF 1210.50' TO A 1" PIPE, THENCE IN A DIRECTION OF N27-23-00E FOR A DISTANCE OF 98.90' TO A 1-1/4" PIPE, THENCE IN A DIRECTION OF S72-15-00E FOR A DISTANCE OF 543.42' TO A 5/8" REBAR; THENCE TURNING AND PROCEEDING ALONG THE PROPERTY OF ROBER H. BURNSIDE IN A DIRECTION OF S29-43-33W FOR A DISTANCE OF 884.20' TO A 5/8" REBAR; THENCE TURNING AND PROCEEDING ALONG THE PROPERTY OF MONTE A. LEMMON IN A DIRECTION OF N57-45-00W FOR A DISTANCE OF 120.00' TO A 1" PIPE; THENCE TURNING AND PROCEEDING ALONG THE PROPERTY OF R. KIRK WOODLIEF, JR. THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF N57-45-00W FOR A DISTANCE OF 85.25' TO A 5/8" REBAR, AND THEN IN A DIRECTION OF S29-42-00W FOR A DISTANCE OF 510.91' TO A 1-1/4" PIPE; THENCE TURNING AND PROCEEDING ALONG THE NORTHERN RIGHT OF WAY OF GARNERS FERRY ROAD IN A DIRECTION OF N57-45-00W FOR A DISTANCE OF 723.00' TO A PINCHED TOP PIPE, THIS BEING THE POINT OF BEGINNING. SAID PARCEL CONTAINS 19.000 ACRES (827,640 SQUARE FEET).

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

May 2, 2005

RC Project # 05-65 MA	Applicant: Resource Properties, Inc.
General Location: 1401, 1404 & 1410 St. Andrews Road east of Broad River Road	
Tax Map Number: 06113-02-28/32	Subject Area: 3.06 ac MOL
Current Parcel Zoning: C-3	Proposed Parcel Zoning: PDD
Proposed Use: Existing Uses of warehousing, retail and similar uses	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To allow for the continuance of the existing uses

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	C-3	Warehouses, retail and similar uses
Adjacent North	C-3	Various commercial uses
Adjacent East	C-3	Various commercial uses
Adjacent South	C-3	Various commercial uses & Single family residences
Adjacent West	C-3	Various commercial uses

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

<p><u>C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>	<p><u>Proposed PDD Zoning Designation Intent</u> Intended to better bridge the inherent difference between residential and non-residential uses; and to better accommodate change within those areas of the county where due to economics or other factors responsible for change, potentially incompatible development could compromise property values or adversely impact existing land, transportation facilities or infrastructure</p>
<p><u>Existing C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses</p>	<p><u>Proposed PDD Zoning Permitted Uses</u> Limited to only those depicted in the Site Plan provided as Attachment B & C</p>

The land uses above represent a summary of the permitted uses in Chapter 26-67 and Chapter 26-72, respectively of the County Code. Some Special Exception uses are also possible.

The site is surrounded by existing commercial uses with single-family residences to the south of lot 32. The proposed Amendment is not compatible with the adjacent development.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Broad River Road via St. Andrew Road	
Functional Classification Of This Roadway	Five Lane Undivided Major Arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	33,600	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station # 181 Located @ south of site on Broad River Road near Marley Drive	39,200	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	0.82	

Notes:

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

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

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 - The traffic generated from the subject site was counted in the 2004 SCDOT traffic count and no additional traffic should be generated from 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 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 – None applicable for an existing structure(s)

Principle – None applicable for an existing structure(s)

Other Relevant Issues

The applicant has requested a PDD to allow for the continued use of warehousing in a C-3 zoning district. The current Zoning Code allows for up to 8,000 sq. ft. of warehousing space per parcel and the Land Development Code with an effective date of July 1, 2005 only permits up to 12,000 sq. ft. of warehousing space per parcel as an accessory use in the General Commercial district. Without knowing the specific amount of square footage currently being used as warehousing in the C-3 district, it is possible that the existing site is non-conforming under the current Zoning Code.

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 # 05-65 MA **be changed** from C-3 to PDD.

Findings of Fact:

1. The site and uses are compatible with the existing land uses.
2. The traffic analysis shows that the LOS C traffic capacity of Broad River Road (Hwy. 176) near this location is being exceeded, however, the traffic generated by the site was counted in 2004 and should not generate additional traffic.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
4. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PDD Conditions

- a) The Planning Commission approved the Site Plan(s) prepared for Resource Properties, except as otherwise amended herein, required by Section 26.70-15, which are on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and are incorporated herein by reference; and
- b) The site development shall be limited to a 11,700 sq. ft. of warehouse space and 3,900 sq. ft. of office space and 33 parking spaces for TMS#06113-02-28 and 12,823 sq. ft. of warehouse space and 3,602 sq. ft. of office space and 47 parking spaces for TMS# 06113-02-32 as depicted in Attachments C and D respectively, which are attached hereto; and
- c) Pursuant to the requirements of Section 26-72.13 of the Richland County Code of Ordinances, the Planning Commission may approve changes to the Site Plan(s) (Attachment C and D) only upon findings that such changes will not: 1) increase the density of the project, 2) increase the amount of traffic generated, 3) reduce screening or off-street parking requirements, or 4) substantially alter the composition of the project; and
- d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and
- e) No Special Exceptions, as defined in Section 26-602 of the Richland County Code of Ordinances, or its relevant successor regulations shall be permitted; and
- f) Access to the subject site shall be limited to the existing intersections accessing St. Andrews Road as depicted on the attached site plans; and

- g) The existing vegetation on site should be maintained in an appropriate manner or amended to avoid the site(s) from hampering the existing single family residences to the south of TMS# 06113-02-32 and any future development that is not compatible with the existing land use; and
- h) The activity on the site shall not effect the adjacent properties by emitting noxious fumes, dust, noise, or other hazards or nuisances to the well-being of the public; and
- i) The interior of the site shall be maintained in a manner to allow accessibility for fire apparatuses to all areas of the site in accordance with the current regulations of the County Fire Marshal and to not hamper vehicular traffic within the site; and
- j) All lighting fixtures shall be installed with proper shielding to prevent encroachment of nuisance glare, from the site; and

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of May 2, 2005, 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 # 05-65 MA at the next available opportunity.




















CASE 05-65 MA
C-3 to PDD
TMS 06113-02-28/32/37



CASE 05-65 MA C-3 to PDD



ZONING CLASSIFICATIONS

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

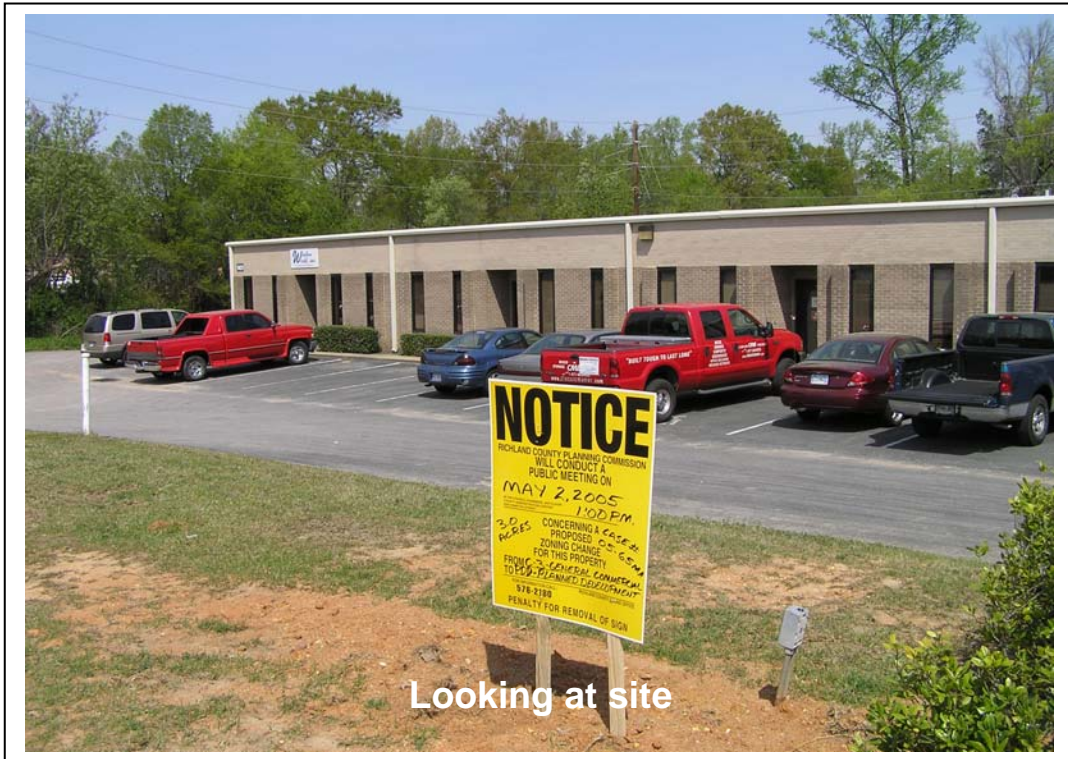


CASE 05-65 MA

From C-3 to PDD

TMS# 06113-02-29/32

1401 & 1410 St Andrews Road



THE BUSINESS PARK OF ST. ANDREWS-Phase I

TMS 06113-02-28

1401 St. Andrews Road, Columbia, SC 29210

Legal Description

Attachment A
Case 05-65 MA

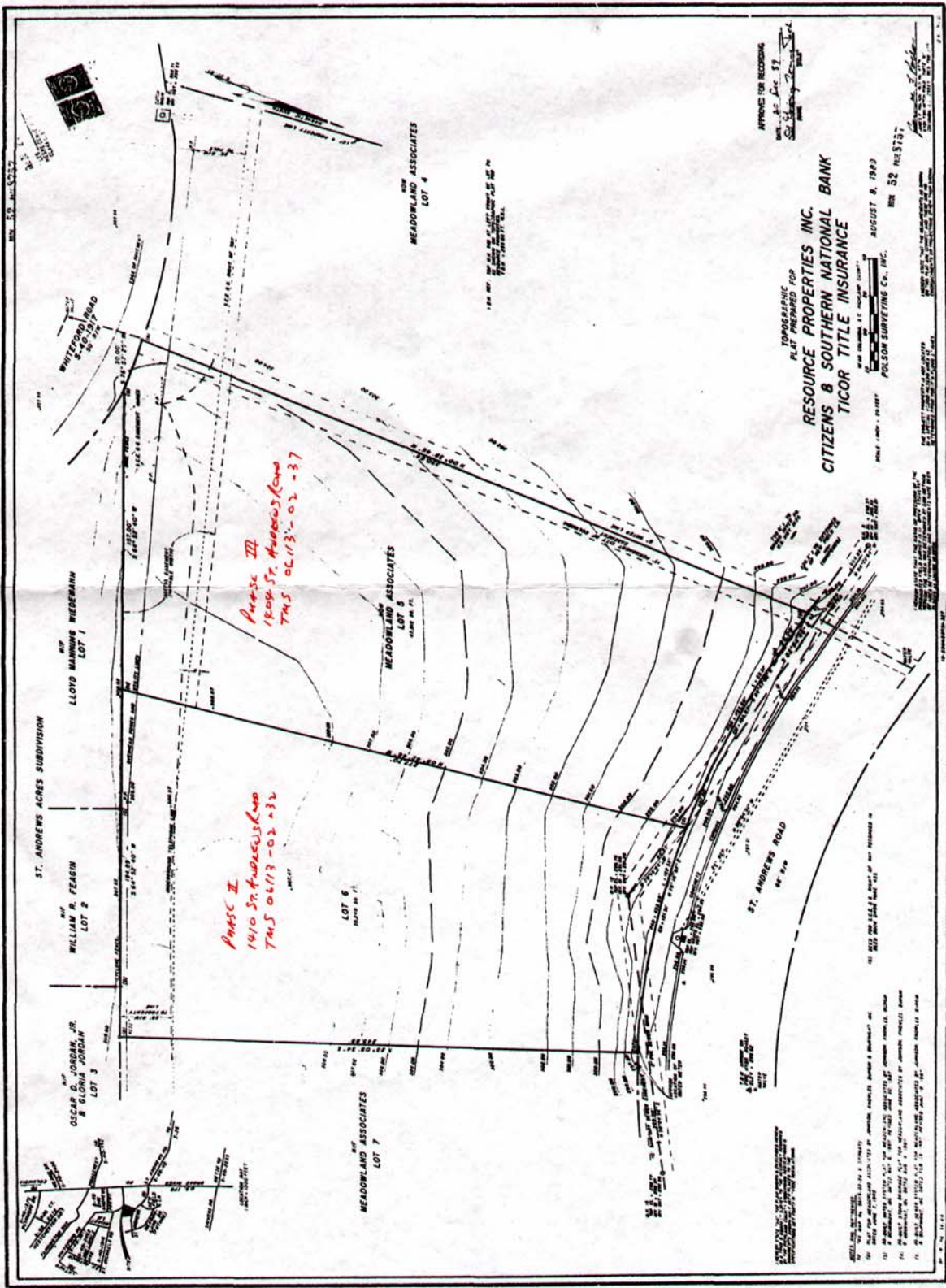
All that certain piece, parcel or tract of land lying and being situate in Richland County, South Carolina, as depicted on a plat (the "Plat") prepared by James M. Fetter, R.L.S. for Resource Properties, Inc. dated September 1, 1988, and more fully described hereinbelow, to-wit:

BEGINNING at a new iron located approximately 668.39 feet from the intersection of Broad River Road and St. Andrews Road set along the right-of-way for St. Andrews Road and running N 05°27'55" E for a distance of 160.01 feet along the site of New Field Lane (Future) to a new iron located at the northwesternmost corner of said parcel; thence cornering and running S 82°57'34" E for a distance of 290.41 feet along property now or formerly of Meadowland Associates to a new iron; thence cornering and running S 07°02'26" W for a distance of 154.36 feet along property now or formerly of Meadowland Associates to a new iron set along the right-of-way of St. Andrews Road; thence curving N 87°57'53" W for a chord distance of 64.08 feet, having an arc radius of 64.16 feet along the right-of-way of St. Andrews Road to an old iron; thence continuing N 82°57'34" W for a distance of 222.18 feet along the right-of-way for St. Andrews Road to the point of beginning; and containing 1.06 acres, more or less.

RESOURCE PROPERTIES, INC.

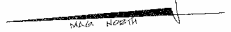
Real Estate Development • Construction • Brokerage • Property Management
Post Office Box 786, Irmo, SC 29063-0786
Office: 803.735.1108 Fax: 803.407.2166

Attachment B
Case 05-65 MA

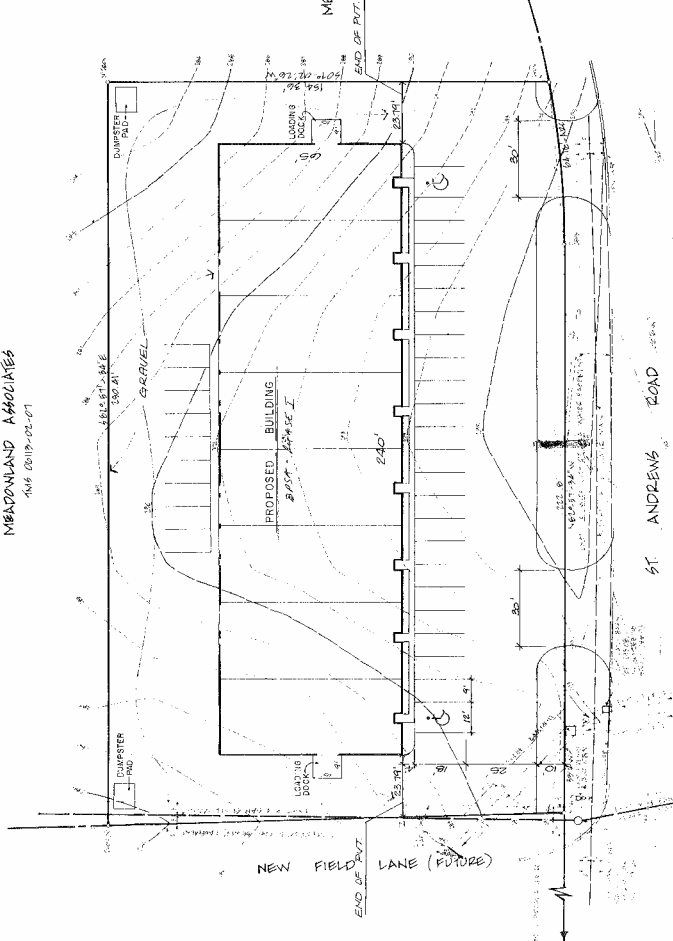


Record Plat

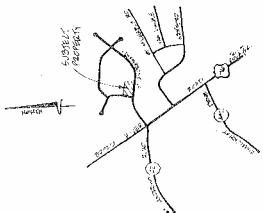
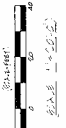
**Attachment C
Case 05-65 MA**



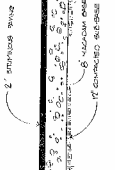
N/A
MEADONLAND ASSOCIATES
10/6 0010-05-01



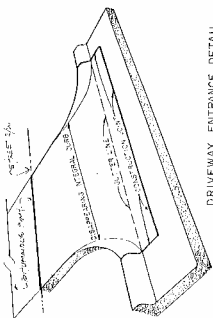
SEE 100 SHEET
NOT TO SCALE
TOTAL BUILDING SQUARE FOOTAGE 18,600 SQ. FT.
OFFICE SPACE SQUARE FOOTAGE 5,900 SQ. FT.
WAREHOUSE SPACE SQUARE FOOTAGE 11,700 SQ. FT.
NO. OF PARKING SPACES REQUIRED 53
NO. OF PARKING SPACES PROVIDED 33



LOCATION MAP
10/6-10-1-0001



TYPICAL DRIVEWAY SECTION



DRIVEWAY ENTRANCE DETAIL
IN T.S.

NOTES:
1. ALL PROPOSED WORK SHALL BE IN ACCORDANCE WITH THE 2008 INTERNATIONAL BUILDING CODE AND THE 2008 INTERNATIONAL PLUMBING AND MECHANICAL CODE.
2. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.
3. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.
4. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.
5. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.

called engineering consultants, inc.
111 STATE ST., P.O. BOX 3092, WEST COLUMBIA, S.C. 29169 (803)796-8527

SITE IMPROVEMENTS
PREPARED FOR
RESOURCE PROPERTIES, INC.
IN RICHLAND COUNTY, S.C.

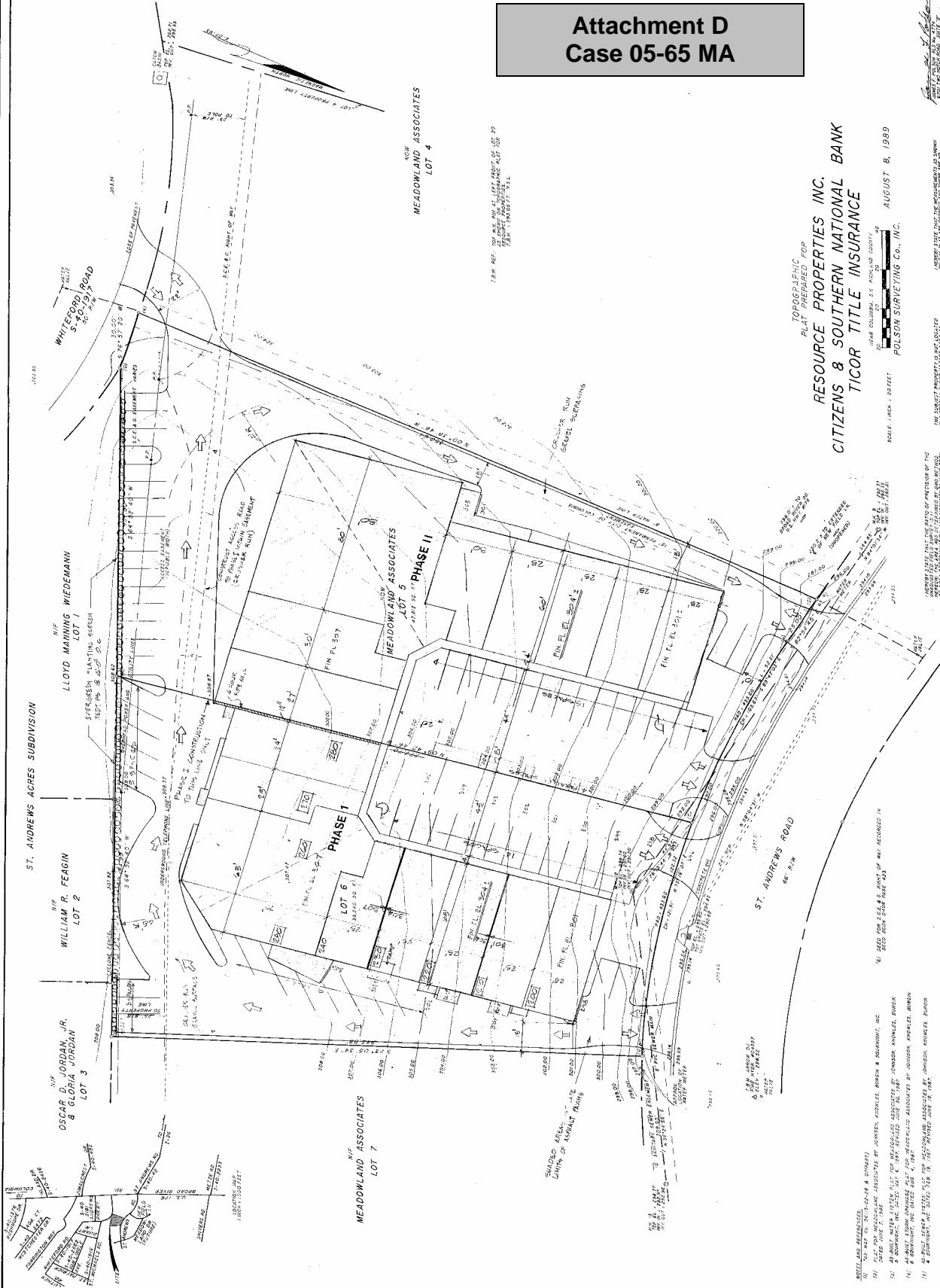
PROPERTY LOCATED IN RICHLAND COUNTY, NEAR COLUMBIA, SC
William Bailey Kauric, Architect
2210 DEVINE STREET
COLUMBIA, SOUTH CAROLINA 29205
803771-0417

NO.	DATE	REVISION
1	9-28-08	ISSUED FOR PERMIT
2		
3		
4		
5		

SHEET 1 OF 5
PROJECT: SITE PLAN

D-68-455

**Attachment D
Case 05-65 MA**



TOPOGRAPHIC
PLAT PREPARED FOR
**RESOURCE PROPERTIES INC.
CITIZENS & SOUTHERN NATIONAL BANK
TICOR TITLE INSURANCE**
POLSON SURVEYING CO., INC.
AUGUST 8, 1989

1. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
2. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
3. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
4. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
5. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
6. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
7. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
8. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
9. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.
10. SEE PLAN FOR ALL EASEMENTS AND RIGHTS OF WAY.

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

May 2, 2005

RC Project # 05-66 MA	Applicant: Windsor Square, LLC
General Location: Corner of Alpine Road & Windsor Lake Boulevard	
Tax Map Number: 19808-05-01	Subject Area: 4.74 ac MOL
Current Parcel Zoning: C-3	Proposed Parcel Zoning: PDD
Proposed Use: Office/Distribution Buildings	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To allow for the use of general storage/warehousing greater than 12,000 sq. ft. per parcel

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	C-3	Undeveloped woodlands
Adjacent North	RS-2	E.L. Wright Middle School
Adjacent East	PDD	Undeveloped woodlands & Waterford Retirement Home
Adjacent South	RS-1	Single family residences and salvage yard
Adjacent West	C-3	Columbia Scuba and salvage yard

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

<p><u>C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>	<p><u>Proposed PDD Zoning Designation Intent</u> Intended to better bridge the inherent difference between residential and non-residential uses; and to better accommodate change within those areas of the county where due to economics or other factors responsible for change, potentially incompatible development could compromise property values or adversely impact existing land, transportation facilities or infrastructure</p>
<p><u>Existing C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & transfer uses</p>	<p><u>Proposed PDD Zoning Permitted Uses</u> Limited to only those depicted in the Site Plan provided as Attachment B</p>

The land uses above represent a summary of the permitted uses in Chapter 26-67 and Chapter 26-72, respectively of the County Code. Some Special Exception uses are also possible.

The subject site is contiguous to existing C-3 zoned property to the west consisting of commercial land uses. The subject is contiguous to an existing non-conforming auto-repair/salvage yard to the south. Undeveloped woodlands and the Waterford retirement home are located to the east and an elementary school and church to the north. The proposed Amendment is compatible with the existing land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Alpine Road	
Functional Classification Of This Roadway	Two lane undivided minor arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	10,800	
Estimated Traffic Generated By The Proposed Project	459	
Current Volume At The Nearest Count Station #499 Located @east of site on Alpine Road near Windsor Lake intersection	8,200	
Estimated Traffic Count With the Proposed Project	8,659	
Volume-To-Capacity Ratio With The Proposed Project	0.80	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process. The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Single Tenant

Office Building found on page 1070 of the TGM times the proposed square footage of the use and Warehousing found on page 198 times the proposed square footage of the use. The aforementioned uses were the most relevant uses in the TGM for the proposed project site. The calculation is as follows and is approximate based on the TGM and the fact that only square footages for Phase I for the specific uses were depicted. The same square footage of office (6,000 sq. ft.) and warehousing (16,800 sq. ft.) were assumed for Phase II and III. The calculation is as follows; 18,000 sq. ft. of office x 11.57 average rate per 1,000 sq. ft. of office = 208 ADT's + 50,400 sq. ft. of warehousing x 4.96 average rater per 1,000 sq. ft. of warehouse = 251 = total of 459. The current traffic counts were received from SCDOT on May 25, 2004 and represent the Annual Average Daily Trips in 2003 i.e. **they are already more than one year old**. The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed Amendment should not have a significant effect on the LOS of Alpine Road as it is currently operating at a LOS Design Capacity of C.

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.**

The proposed PDD zoning is NOT consistent with the Map designation as required by state statutes because the proposed Amendment is for commercial uses in an area designated as Low

Density Residential by the Map. The zoning should be RS-1, RS-2 or PUD to be consistent with the Low Density Residential land use designation.

In addition to reviewing the consistency with the Proposed Land Use Map, it is necessary to review the Comprehensive Plan's development policies, as found in the Subarea Plans, to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The 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 on non-residential intrusion on neighborhoods.

The site is located at the intersection of Windsor Lake Boulevard and Alpine Road. The site is surrounded by existing commercial uses except for a single-family home to the south which will be buffered from the commercial use by the applicant per the Landscape Requirements in the Richland County Land Development Code. The proposed Amendment **implements** this Objective.

Principle – In general, commercial and office activities should be confined to existing zoned areas.

The subject site is currently zoned C-3 and a Planned Development District will limit the allowable uses on the site. The proposed Amendment **implements** this Principle.

Other Relevant Issues

The applicant has requested a PDD to allow for a “flex-space” facility for multiple land uses with office/reception/display space and warehouse/storage/distribution space in what is now a C-3 zoning district. In the C-3 district, the current Zoning Code allows for up to 8,000 sq. ft. (total) of wholesale and distribution space per parcel. The Land Development Code, effective July 1, 2005, does not limit the size of wholesale/distribution uses but it does limit the types.

The applicant has not specified a breakdown of square footage to be used for office/warehouse space for all phases of the project. Phase I has been stipulated as having 16,800 sq. ft. of warehouse space and 6,000 sq. ft. of office space. This is why the Department had to make an approximation in the traffic impact discussion for Phases II and III.

The Department is unable to verify exact sizes for the structures in Phases II and III because the site plan submitted is clearly conceptual for the aforementioned phases as the rear and sides of the buildings are not closed and some appear not to meet setbacks and/or possibly building codes for appropriate spacing. The parking and curb cuts for Phases II and III also cannot be properly calculated as undisturbed woodlands and silt fence are depicted over the drives and parking areas which would preclude vehicular access. The appropriate landscape standards have not been supplied or met for Phases II and III which omit landscaping and the required buffer abutting the single family residence to the south.

Other requirements set forth by the Planned Development District have been omitted such as the size of all signs to be located on site. The Department received a submittal from the applicant on a separate drawing showing the location of the sign for Phase I without size specifications. The applicant stated in separate letter requested by the Department that the sign entails a sand-blasted wood sign with ground-located flood lighting for each phase. The location of proposed signage was omitted for Phases II and III. The requirements of the Planned Development District have been met for Phase I on various site plan sheets submitted by the applicant excluding the size of signage. Phases II and III are insufficient per the discussion above.

The applicant has not presented a list of specific types of uses allowed in the proposed PDD, however, in a request from staff the applicant stated that, "This application was submitted at the suggestion of the Planning Dept. to preserve the C-3 commercial uses which will be prohibited in the new Land Development Code GC category and therefore requests approval for "Office/Distribution buildings with various commercial uses permitted under current C-3 zoning". If it would be helpful, we could attach the pages in the current L/D Code describing those uses."

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends that case 05-66 MA be **deferred** until an appropriate submittal has been made by the applicant addressing the deficiencies and guidelines discussed above.

Findings of Fact:

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

PDD Conditions

- a) The Planning Commission approved the Site Plan prepared for Windsor Square Business Center, except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and is incorporated herein by reference; and
- b) The site development shall be limited to a 16,800 sq. ft. of warehouse/storage/distribution space and 6,000 sq. ft. of office/reception/display space and 55 parking spaces for Phase I as

depicted in Attachment B. The sizes of structures and breakdown of uses and square footage and parking spaces can not be properly identified for Phases II and III; and

- c) Pursuant to the requirements of Section 26-72.13 of the Richland County Code of Ordinances, the Planning Commission may approve changes to the Site Plan (Attachment B) only upon findings that such changes will not: 1) increase the density of the project, 2) increase the amount of traffic generated, 3) reduce screening or off-street parking requirements, or 4) substantially alter the composition of the project; and
- d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSB); and
- e) 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
- f) Access to the subject site shall be limited to two intersections on Alpine Road as depicted on Attachment B and one intersection on Windsor Lake Boulevard; and
- g) The applicant shall transmit a phasing plan, if applicable, to the Department prior to reviewing any construction plans; and
- h) **No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSB issues a Controlled Clearing letter;** and
- i) The developer shall construct any necessary turn lanes for the project on both Alpine Road and Windsor Lake Boulevard; subject to obtaining all required state and /or county approvals; and
- j) The interior of the site shall be maintained in a manner to allow accessibility for fire apparatuses to all areas of the site in accordance with the current regulations of the County Fire Marshal and to not hamper vehicular traffic within the site; and
- k) All lighting fixtures shall be installed with proper shielding to prevent encroachment of nuisance glare, from the site; and
- l) The Planning Commission shall determine the specific land uses allowed under the Land Development Code, effective July 1, 2005, from the following categories:
Business, Professional and Personal Services; and
Retail Trade and Food Services; and
Wholesale Trade.

SECTION III PLANNING COMMISSION ACTION
--

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

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

At their meeting of May 2, 2005, 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 # 05-66 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 # 05-66 MA, the Planning Commission made the findings of fact summarized below:

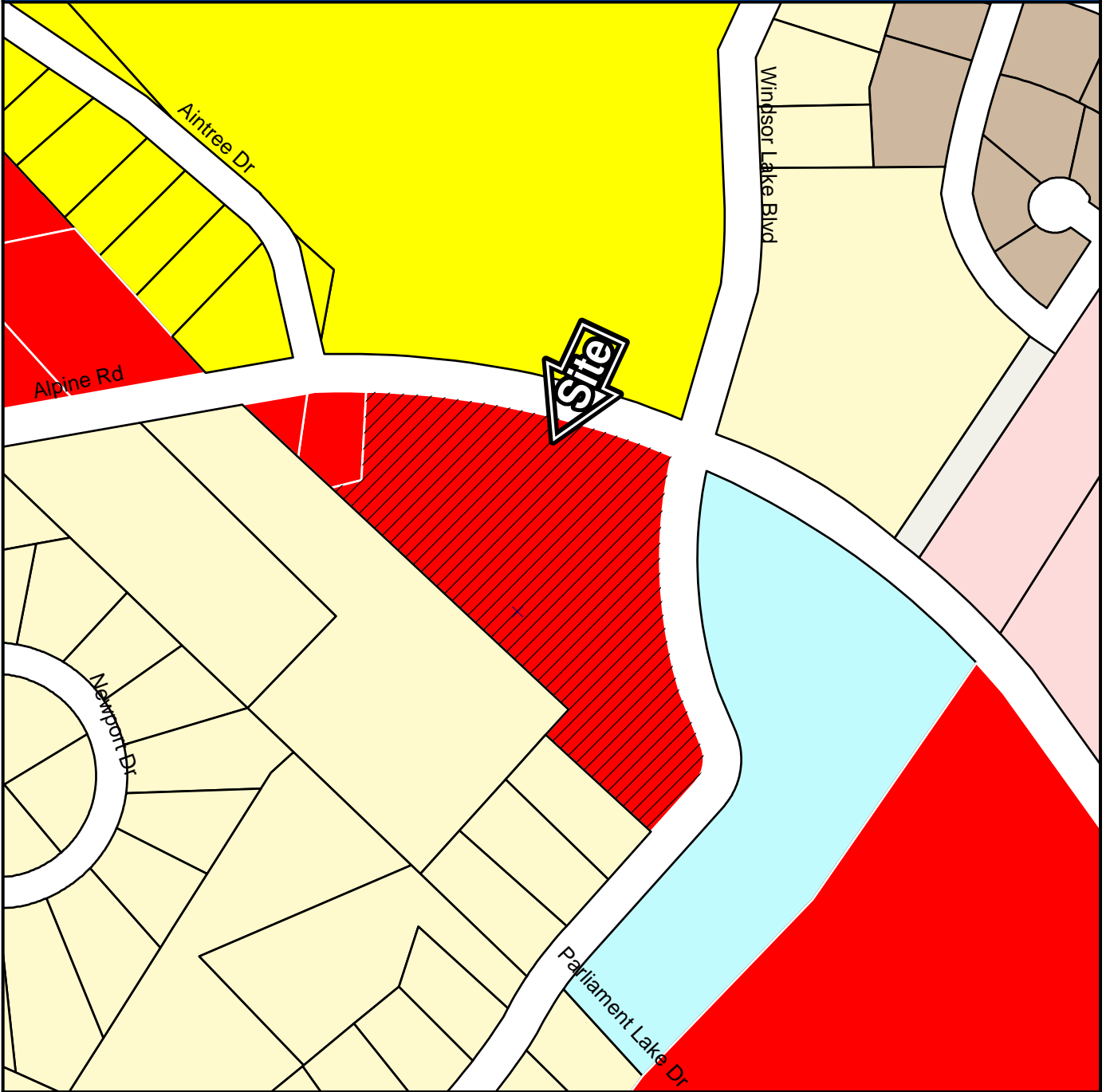
CASE 05-66 MA
C-3 to PDD
TMS 19808-05-01






















Site



CASE 05-66 MA C-3 to PDD



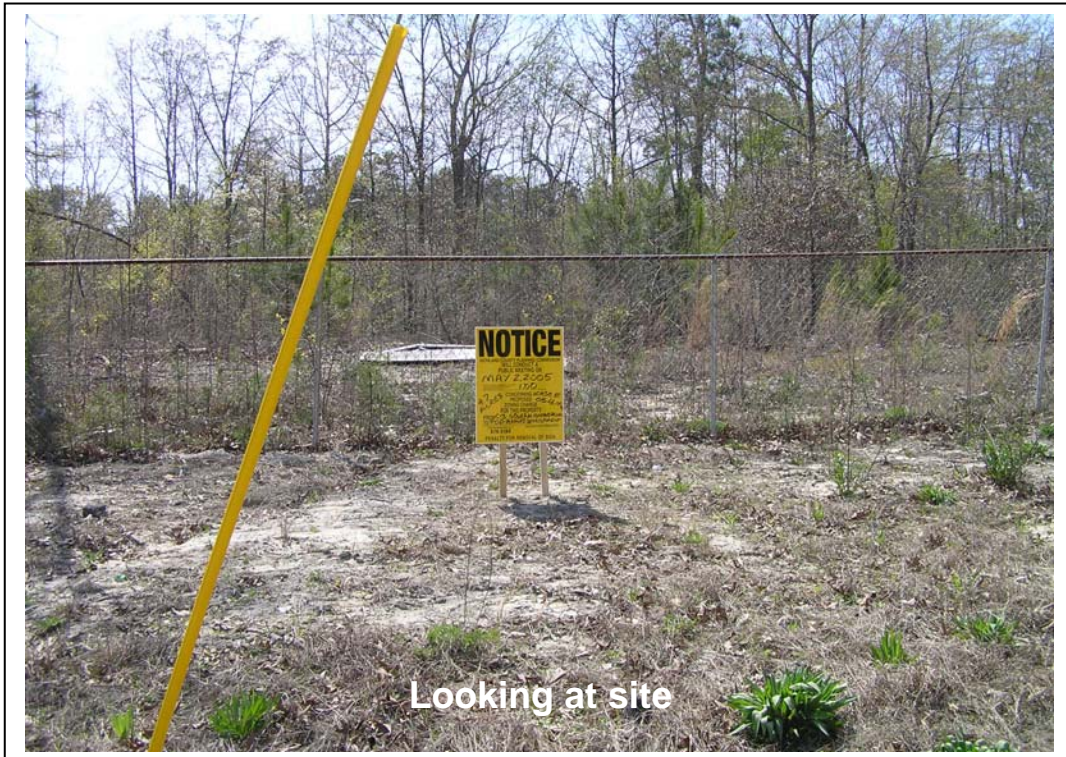
ZONING CLASSIFICATIONS

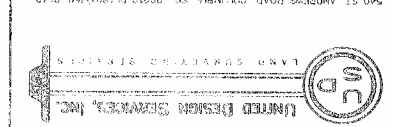
	C-1		D-1		MH-1		PDD		RG-2		RS-2
	C-2		M-1		MH-2		PUD		RR		RS-3
	C-3		M-2		MH-3		RG-1		RS-1		RU
							SUBJECT				

CASE 05-66 MA

From C-3 to PDD

TMS# 19808-05-01 SW corner of Windsor Lake Blvd & Alpine Rd

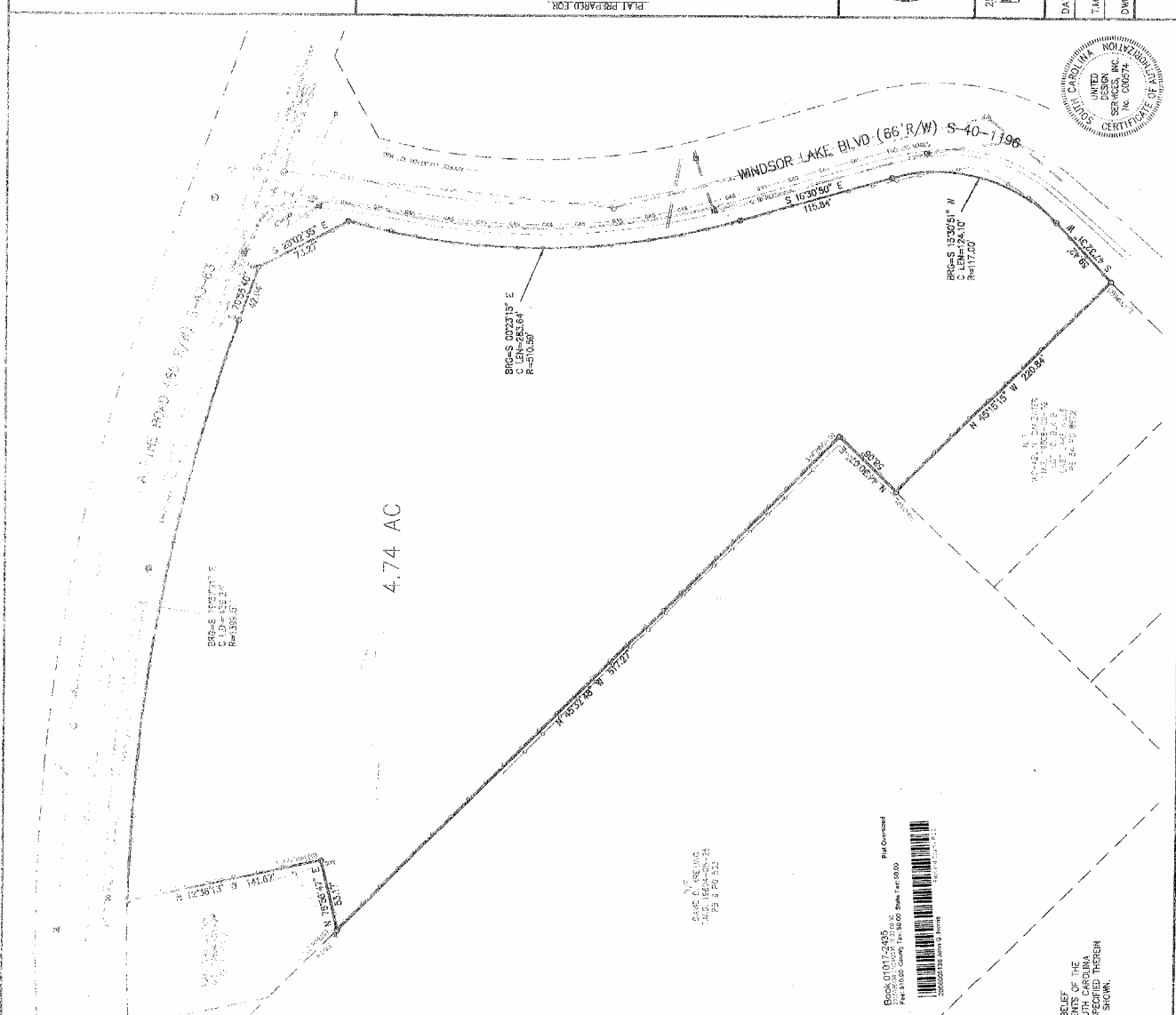




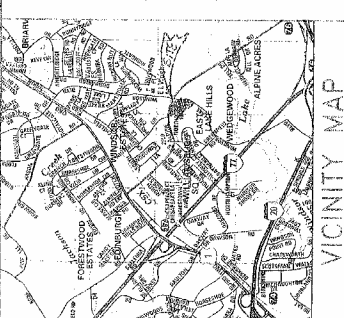
UNITED DESIGN SERVICES, INC.
 LAND SURVEYING SERVICE



SCALE: 1" = 50'
 DATE: 3 NOV 2004
 TALS: 18009-05-01
 DWG #: 101-800-01D1
 SHEET 1 of 1

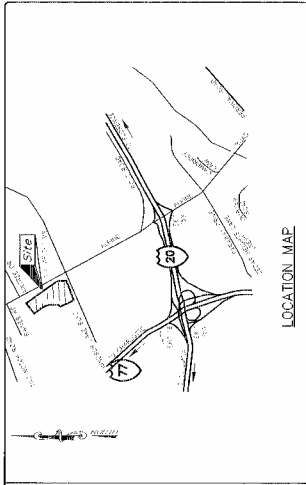


**Attachment A
 Case 05-66 MA**



NOTES: SUBJECT TO ALL RESTRICTIONS, SETBACKS AND EASEMENTS OF RECORD.
 NEW IRONS (4x REBAR) PLACED AT ALL CORNERS AND CHANGE IN DIRECTION, UNLESS OTHERWISE NOTED.
 I HAVE CONSULTED THE F.E.M.A. FLOOD INSURANCE RATE MAP PANEL 45070 01C5 6 DATED 1/19/74 AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PROPERTY IS LOCATED IN ZONE "X" AS SHOWN THEREON.
 I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY(S) SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINNESOTA SURVEYING MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND THAT THE SURVEY(S) WAS/WERE MADE AS SPECIFIED THEREIN AND ALSO THAT THERE ARE NO UNRECORDED ENCUMBRANCES OR PROCEEDINGS OTHER THAN SHOWN.

DATE: 01/15 9/160
 WINDSOR SQUARE, LLC
 RICHLAND COUNTY, SOUTH CAROLINA



EROSION CONTROL NOTES

1. CLEARING SHALL BE RESTRICTED TO THE LIMITS OF THE PROJECT INCLUDING ROADS, PIPELINES, AND FILL AREAS.
2. ALL DISTURBED AREAS NOT TO BE CROPPED SHALL BE GRASSED WITH SEED OR MULCH AND SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES.
3. MONITOR SITE FREQUENTLY AND REPAIR OR REPLACE ALL DAMAGED OR IMPROPERLY FUNCTIONING SILT BARRIERS.
4. MAINTAIN SLOPES AT ALL TIMES. REPAIRS SHALL BE MADE AS SOON AS COMPLETE AND AN ACCEPTABLE STAND OF GRASS IS ESTABLISHED.
5. AFTER COMPLETION OF CONSTRUCTION UPSTREAM OF SEDIMENT BASIN, SEDIMENT BASIN SHALL BE MAINTAINED AND OPERATED AS DESCRIBED UNTIL ALL DISTURBED AREAS ARE GRASSED TO A SUFFICIENTLY HIGH STAND OF GRASS AND A GRASSED SLOPE IS MAINTAINED TO THE BOTTOM OF EACH CUT AND A GRASSED SLOPE IS MAINTAINED TO THE BOTTOM OF EACH CUT.
6. STABILIZATION PRACTICES SHALL BE INITIATED WITHIN 14 CALENDAR DAYS IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED.
7. CLEAN OUT TEMPORARY SEDIMENT TRAPS AND BASINS WHEN 1/2 FULL OF SILT.

CONSTRUCTION SEQUENCE

1. INSTALL GRAVEL CONSTRUCTION EXIT.
2. INSTALL TEMPORARY SILT FENCING AND EROSION CONTROL MEASURES.
3. REMOVE AND STORE TOP SOIL.
4. ROUGH GRADE SITE.
5. INSTALL STORM DRAINAGE AND INSTALL DETENTION PONDS #1 AND #2.
6. BEGIN FINAL GRADING.
7. INSTALL TEMPORARY GRASSING AND SITE STABILIZATION AND MAINTAIN ALL EROSION CONTROL MEASURES.
8. BEGIN FINAL SITE PAVING, LANDSCAPING AND GRASSING.
9. REMOVE ALL EROSION CONTROL MEASURES AND CLEAN OUT DETENTION PONDS.

DESIGNER'S CERTIFICATION STATEMENT

I HEREBY CERTIFY THAT THIS PLAN IS DESIGNED TO CONTAIN SILT ON THE PROPERTY CONCERNED TO THE MAXIMUM EXTENT FEASIBLE. PROVISIONS FOR EROSION AND SEDIMENT CONTROL ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NORTH CAROLINA PERMITS REGULATIONS. I HEREBY CERTIFY THAT THESE PLANS ARE DESIGNED TO PROVIDE PROPER DRAINAGE AND FLOOD PROTECTION ON THE PROPERTY, TO THE MAXIMUM EXTENT FEASIBLE. I AM NOT PROVIDING DESIGN FOR EROSION CONTROL MEASURES OR FLOOD PROTECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE NORTH CAROLINA PERMITS REGULATIONS.

DATE: 2/15/16
 JAMES A. HAYES, JR. P.E.
 S.C. REG. # 12299
 WINDSOR SQUARE, LLC - OWNER

APPLICANT'S CERTIFICATION STATEMENT

I HEREBY CERTIFY THAT ALL CLEARING, GRASSING, CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE ACCORDING TO THIS PLAN.

DATE: 2/15/16
 WINDSOR SQUARE, LLC - OWNER

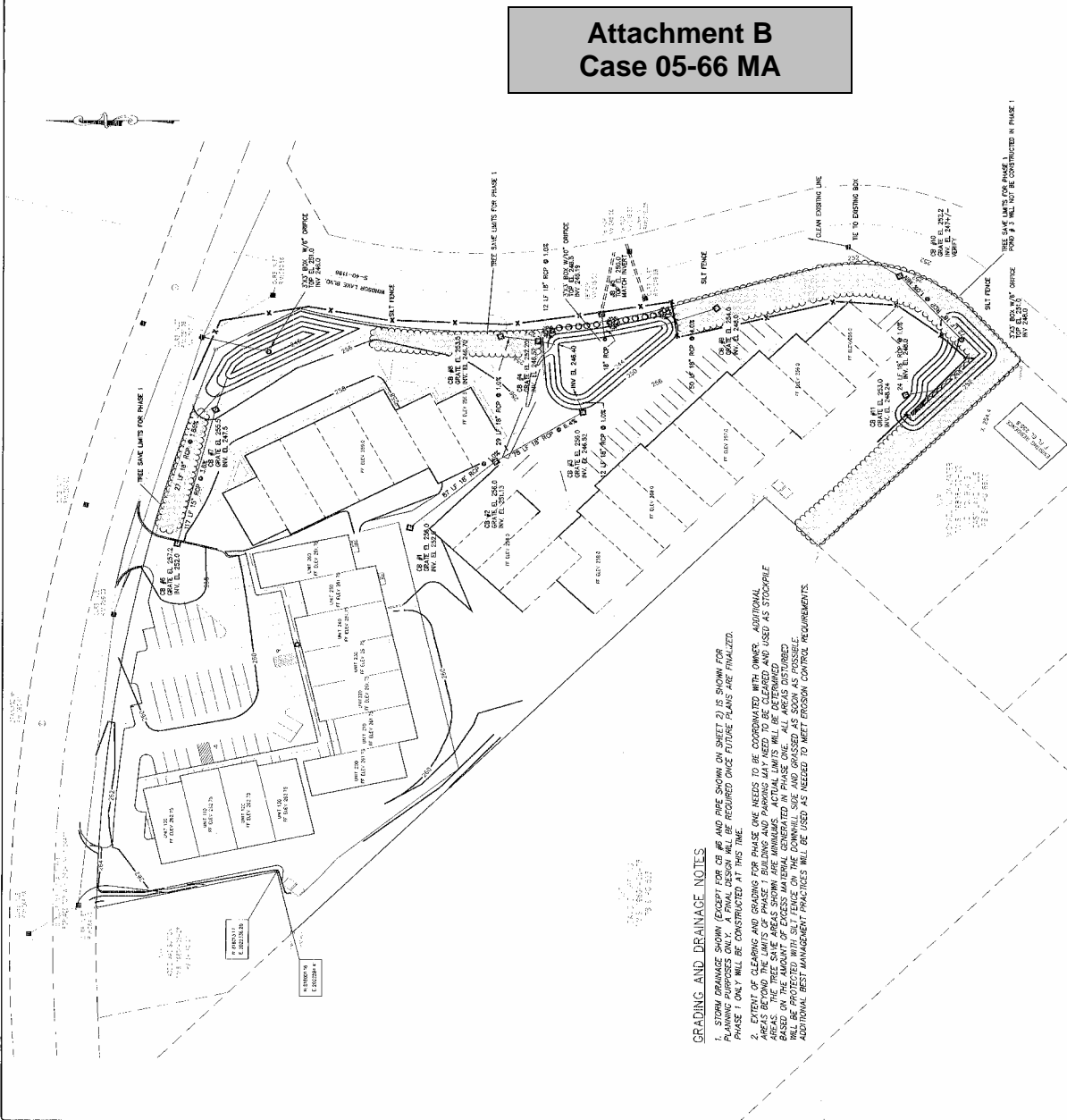
THIS PROJECT IS IN ZONE X AS SHOWN ON THE FIRM MAP 450701050 RICHMOND COUNTY EFFECTIVE DATE JANUARY 19, 1994

LANDSCAPE LEGEND

- 1. RIVER BURCH OR IN-KIND TREE (2.5" CALIBER AND 10' TALL AT TIME OF PLANTING)
- 2. WEeping MALLOW OR IN-KIND UNDERSTORY TREE (6' AT TIME OF PLANTING)

DATE: 2/15/16	SCALE: 1"=40'	PROJECT NO.: 05-66 MA	SHEET NO.: 25
DRAWN BY: JAC	DATE: 2/15/16	PROJECT FOR: WINDSOR SQUARE BUSINESS CENTER	ROWING NO.: 05-66 MA
DATE: 2/15/16	DATE: 2/15/16	PROJECT FOR: WINDSOR SQUARE, LLC	ROWING NO.: 05-66 MA
DATE: 2/15/16	DATE: 2/15/16	PROJECT FOR: WINDSOR SQUARE, LLC	ROWING NO.: 05-66 MA

**Attachment B
Case 05-66 MA**



GRADING AND DRAINAGE NOTES

1. STORM DRAINAGE SHOWN EXCEPT FOR CB #1 AND PIPE SHOWN ON SHEET 2) IS SHOWN FOR PLANNING PURPOSES ONLY. A FINAL DESIGN WILL BE REQUIRED ONCE FUTURE PLANS ARE FINALIZED. PHASE 1 ONLY WILL BE CONSTRUCTED AT THIS TIME.
2. EXCESS CLEARING AND GRASSING FOR PHASE ONE NEEDS TO BE COORDINATED WITH OWNER. ADDITIONAL AREAS FOR EXCESS CLEARING AND GRASSING TO BE USED AS STORAGE AREAS. THE TREE SAVE AREAS SHOWN ARE MINIMUMS. ACTUAL LIMITS WILL BE DETERMINED BASED ON THE AMOUNT OF EXCESS MATERIAL GENERATED IN PHASE ONE. ALL AREAS DISTURBED SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION. ADDITIONAL BEST MANAGEMENT PRACTICES WILL BE USED AS NEEDED TO MEET EROSION CONTROL REQUIREMENTS.

FOR AGENCY REVIEW

J. A. Moyes and Associates
 4 BARRELL COURT
 RICHMOND, SOUTH CAROLINA 29015
 TEL: (803) 736-1452 FAX: (803) 736-9882

WATER CONTROL DISTRICT 10

WINDSOR SQUARE, LLC

DATE: 2/15/16
 SCALE: 1"=40'
 PROJECT NO.: 05-66 MA
 SHEET NO.: 25

DATE: 2/15/16
 SCALE: 1"=40'
 PROJECT NO.: 05-66 MA
 SHEET NO.: 25

DATE: 2/15/16
 SCALE: 1"=40'
 PROJECT NO.: 05-66 MA
 SHEET NO.: 25

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

May 2, 2005

RC Project # 05-67 MA	Applicant: South Capital Group, Inc.
General Location: Dawson Road (I-77 Frontage) near Windsor Lake Blvd.	
Tax Map Number: 17016-03-03	Subject Area: 6.12 ac MOL
Current Parcel Zoning: D-1	Proposed Parcel Zoning: RG-2
Proposed Use: 87 Townhomes	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of 87 townhomes

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Undeveloped woodlands
Adjacent North	RG-2	Hunters Mill Apartments
Adjacent East	RG-2	Hunters Mill Apartments
Adjacent South	RG-2	Single family detached residences
Adjacent West	D-1	Undeveloped woodlands along I-77

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

<p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semideveloped, with scattered related uses.</p>	<p><u>Proposed RG-2 Zoning Designation Intent</u> Intended as medium and high density residential areas permitting progressively higher population densities, characterized by single family detached, two family detached, multiple family structures, garden-type apartments and high rise apartments.</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> Agriculture Horticulture Forestry Single family detached dwellings or modular building units located on individual lots Places of worship</p>	<p><u>Proposed RG-2 Zoning Permitted Uses</u> Single family detached dwellings Group Housing Developments Multiple family dwellings Cluster Housing Developments Parallel zero lot line dwelling units Common zero lot line dwelling units</p>

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

The area is comprised of existing apartments to the immediate north and west on property zoned RG-2, undeveloped woodlands along the I-77 frontage and small lot single family residences on property zoned RG-2 to the south. The proposed Amendment is compatible with the existing land uses.

Traffic Impact Discussion

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

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

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

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

Proposed Project Gets Its Principal Access From	Alpine Road via Windsor Lake Road	
Functional Classification Of This Roadway	Two lane undivided minor arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	10,800	
Estimated Traffic Generated By The Proposed Project	510	
Current Volume At The Nearest Count Station #499 Located @ Alpine Road south of E.L. Wright Middle School	8,200	
Estimated Traffic Count With the Proposed Project	8,710	
Volume-To-Capacity Ratio With The Proposed Project	0.81	

Notes:

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

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Condominium/Townhome found on page 9 of the Addendum To The Long Range Major Street Plan for Richland County times the proposed number of dwelling units (5.86 x 87 = 510).

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

The proposed Amendment consists of an approximate gross density of 15 DU/acre. This provides for a variation in density from the abutting single family residences, yet blends with the character of existing apartments, and garden/patio style homes. The proposed Amendment **implements** this Objective.

Principle – The Established Urban Area should contain overall higher density levels than the Developing Urban or Rural Areas of the County and that these density levels should conform to the Proposed Land Use Map.

A. High Density (9 dwellings/acre or greater): RS-3, RG-1, RG-2, PUD, and PDD.

The proposed Amendment for RG-2 conforms to the designation of High Density Residential by the Map as well as conforming to the number of dwelling units per acre and zoning classification set forth by the Plan. 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 (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-67 MA **be changed** from D-1 to RG-2.

Findings of Fact:

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

SECTION III PLANNING COMMISSION ACTION
--

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

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

At their meeting of May 2, 2005, 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 # 05-67 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 # 05-67 MA, the Planning Commission made the findings of fact summarized below:

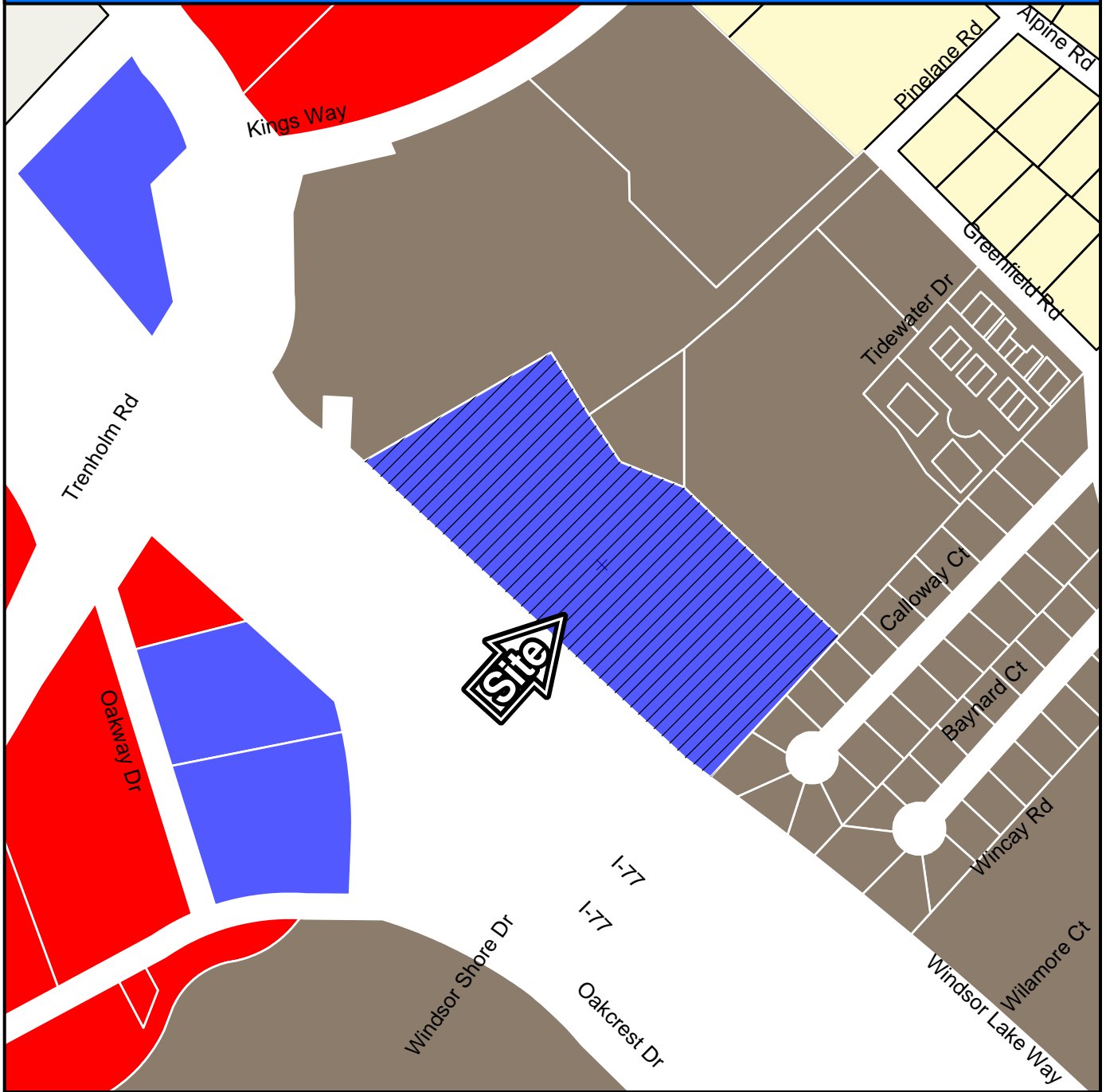
CASE 05-67 MA
D-1 to RG-2
TMS 17016-03-03






















Site



CASE 05-67 MA D-1 to RG-2



ZONING CLASSIFICATIONS

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



CASE 05-67 MA

From D-1 to RG-2

TMS# 17016-03-03 / I-77 Frontage Rd @ Windsor Lake Blvd.



**Attachment A
Case 05-67 MA**

LAND DESCRIPTION

ALL THAT PARCEL OF LAND LOCATED NEAR THE CITY OF COLUMBIA, COUNTY OF RICHLAND, STATE OF SOUTH CAROLINA CONTAINING 6.12 ACRES, BEING SHOWN ON PLAT PREPARED FOR SOUTH CAPITAL GROUP, INC., BY BAXTER LAND SURVEYING CO., INC., DATED JANUARY 25, 2005 AND HAVING THE FOLLOWING METES AND BOUNDS:

BEGINNING AT A ½ INCH REBAR (O) LOCATED 3/10 OF A MILE NORTHWEST OF WINDSOR LAKE BLVD. AND RUNNING NORTH 52 DEGREES 17 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 249.96 FEET TO A CONCRETE MONUMENT (O), THENCE CONTINUING NORTH 49 DEGREES 44 MINUTES 28 SECONDS WEST FOR A DISTANCE OF 689.12 FEET TO A ½ INCH ROD (O), THENCE TURNING AND RUNNING NORTH 72 DEGREES 16 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 441.79 FEET TO A ¾ INCH PIPE (O), THENCE TURNING AND RUNNING SOUTH 34 DEGREES 44 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 260.75 FEET TO A 1 INCH PIPE (O), THENCE CONTINUING SOUTH 46 DEGREES 48 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 484.63 FEET TO A ½ INCH SOLID IRON (O), THENCE TURNING AND RUNNING SOUTH 46 DEGREES 49 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 273.04 TO A ½ INCH REBAR (O), THE POINT OF BEGINNING.

PROPERTY IS BOUNDED ON THE NORTHEAST AND NORTHWEST BY HUNTERS MILL LLC, ON THE SOUTHWEST BY INTERSTATE HWY. NO. 77, ON THE SOUTHEAST BY RICHARD M. DABNEY & PAMELA M. DABNEY, LINDA C. ROBINSON, AND GREGORY S. LUMPKIN & VALERIE G. LUMPKIN.

TMS NO. 17016-03-03

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

May 2, 2005

RC Project # 05-68 MA	Applicant: RSL Simon, LLC c/o Jeff Freeman
General Location: Summit Terrace Court located within the Summit Development	
Tax Map Number: 2300-03-19	Subject Area: 2.99 ac MOL
Current Parcel Zoning: PUD-2 (MH) Maximum of 9 DU's/acre	Proposed Parcel Zoning: PUD-2 (O)
Proposed Use: General Office	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

To change the Summit PUD Map to allow for the establishment of general office (O) use on the 2.99 acre tract which currently permits multi-family housing (MH)

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	PUD-2 (MH)	Vacant cleared land
Adjacent North	PUD-2 (L)	Single family detached residences (2-3.5 DU/acre)
Adjacent East	PUD-2 (MH)	The Haven assisted living
Adjacent South	D-1	North Springs Elementary School & Recreation Cntr.
Adjacent West	PUD-2 (MH)	Attached single family residences

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

<u>PUD-2 Zoning Designation Intent</u> Intended to permit and encourage the effective, efficient, and economical development of large tracts of land by permitting a variety of residential accommodations and land uses in orderly relationship to one another.	<u>Proposed PUD-2 (O) Zoning Designation Intent</u> To allow for the uses as depicted on the Land Use Plan submitted by the applicant.
<u>Existing PUD-2 Zoning Permitted Uses</u> Those specified on the existing Land Use Plan as submitted by the applicant	<u>Proposed PUD-2 (O) Zoning Permitted Uses</u> Those specified on the proposed Land Use Plan as submitted by the applicant and here after referred to as Attachment B

The land uses above represent a summary of the permitted uses in Chapter 26-71 of the County Code.

The site is located within the Summit PUD Development and abuts single family dwellings (detached and attached) to the north and west. The site is adjacent to the Haven which is an assisted living development to the east. The site is adjacent to and screened from North Springs Elementary to the south. The proposed Amendment is compatible with the existing land uses.

Traffic Impact Discussion

The proposed Amendment is estimated to generate 116 average daily trips. The existing PUD-2 (MH) designation would generate approximately 178 average daily trips based on the maximum allowable number of units per acre (9 units per acre x 3 acres x 6.6 ADT’s per unit). **The traffic**

generated by the proposed Amendment would be less than the traffic generated by or an insignificant increase from the existing MH designation.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a Single Tenant Office Building found on page 1070 of the TGM times the proposed square footage of the use. The calculation is as follows; 11.57 generation rate per 1,000 sq. ft. of gross floor area x 10,000 sq. ft.

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.

Permitted Uses

The subject site under the PUD-2 (O) designation shall be limited to those uses as depicted in Attachment D *Permitted Uses* as submitted by the applicant. The overall acreage of the Summit PUD will not change as the applicant will deduct 2.99 acres from the MH designation and convert it to O or office as depicted in the new Land Use Plan.

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 # 05-68 MA **be changed** from PUD-2 (MH) to PUD-2 (O).

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. The traffic analysis shows that the traffic generated by the proposed Amendment will be less than or an insignificant increase in the traffic that would be generated if developed under the existing MH designation.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the Northeast Subarea Plan.
4. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PUD Conditions

- a) The Planning Commission approved the Land Use Plan (Attachment B) prepared for Westbrook Summit, LLC, except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and is incorporated herein by reference; and
- b) The site shall be limited to 2.99 acres as depicted in (Attachment B), which is attached hereto; and

- c) The applicant shall transmit a phasing plan, if applicable, to the Department prior to reviewing any construction plans; and
- d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and
- e) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- f) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
- g) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
 - 1) Any increase in the number of access points to the external road network;
 - 2) Any decrease in the amount of open space/common areas;
 - 3) Any increase in the gross project density (measured in DU/acre or square footage/acre) and/or
 - 4) Any change in traffic flow; and
- h) The Planning Commission is hereby authorized to make minor amendments, to Attachment B (Proposed Land Use Map), and Attachment D (Permitted Use list), or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- i) The PDSD is authorized to make minor adjustments to the phasing schedule and may become necessary during the project's construction; and
- j) **No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSD issues a Controlled Clearing letter;** and
- k) Other conditions resulting from the Commission consideration ?
- l) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.

SECTION III PLANNING COMMISSION ACTION

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

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

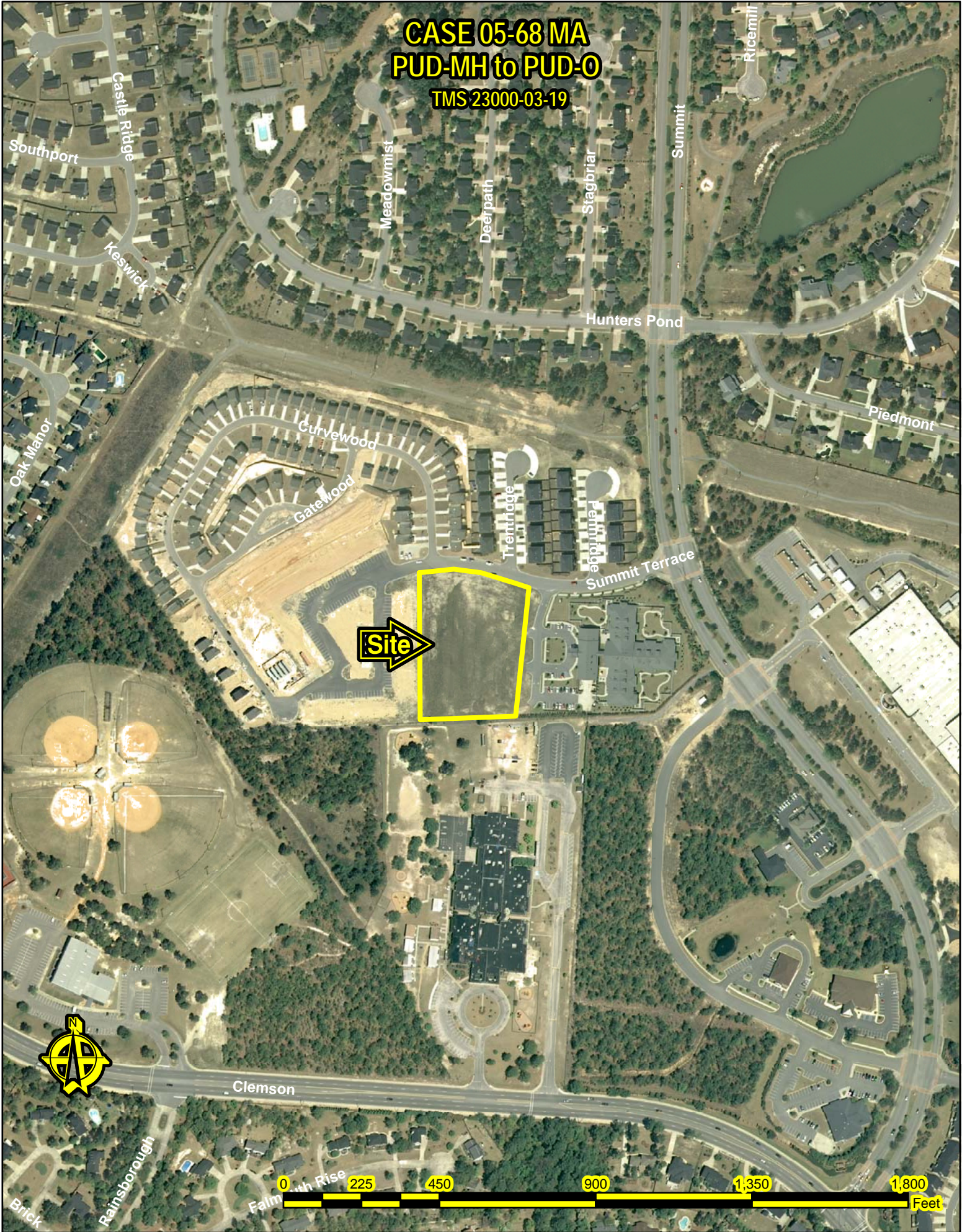
At their meeting of May 2, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-68 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

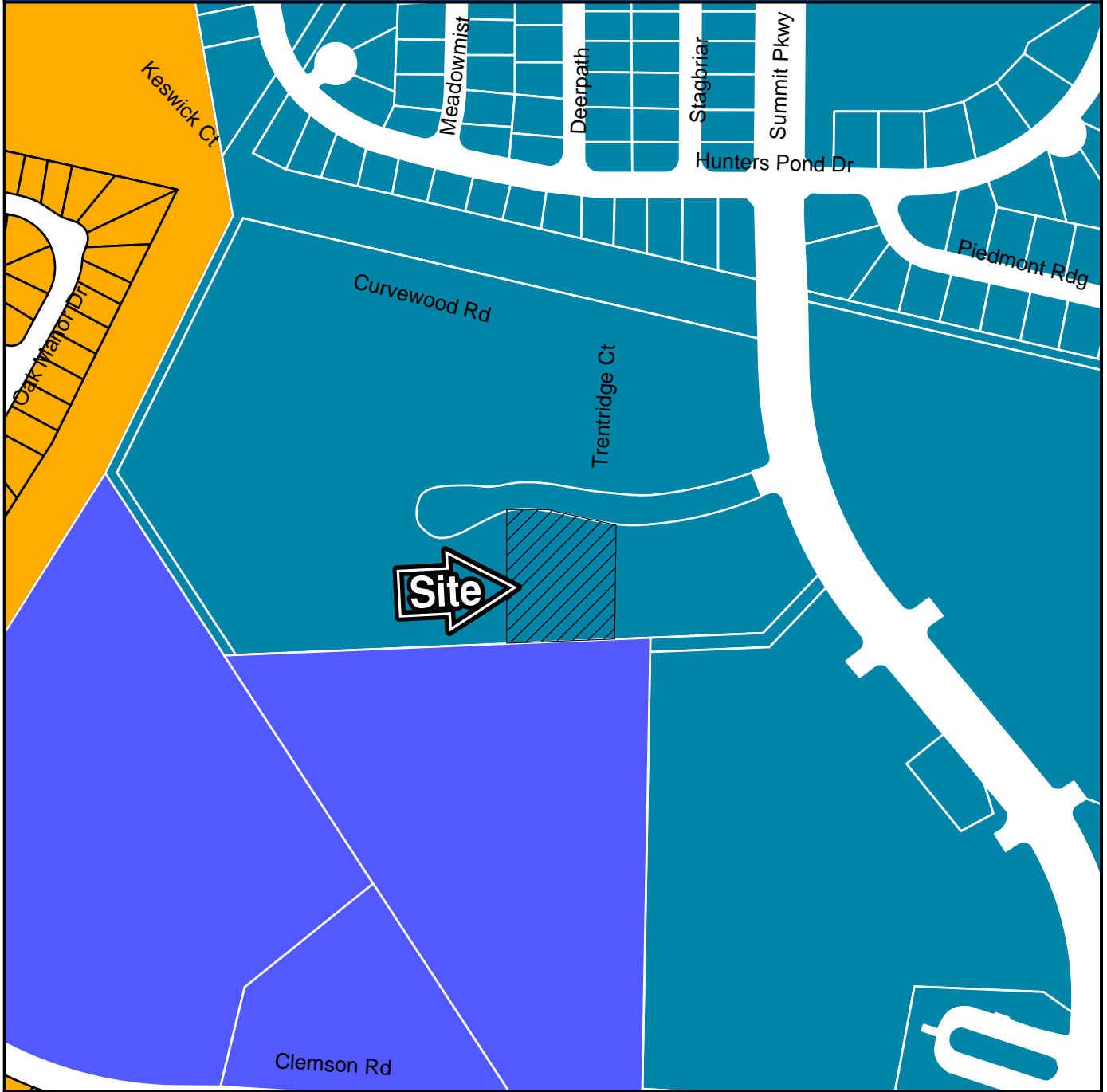
(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-68 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-68 MA
PUD-MH to PUD-O
TMS 23000-03-19



CASE 05-68 MA PUD-MH to PUD-O



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 05-68 MA

From PUD-MH to PUD-O

TMS# 23000-03-19

Summit Terrace Court



Looking at site



Looking across Summit Terrace Way

**Attachment A
Case 05-68 MA**

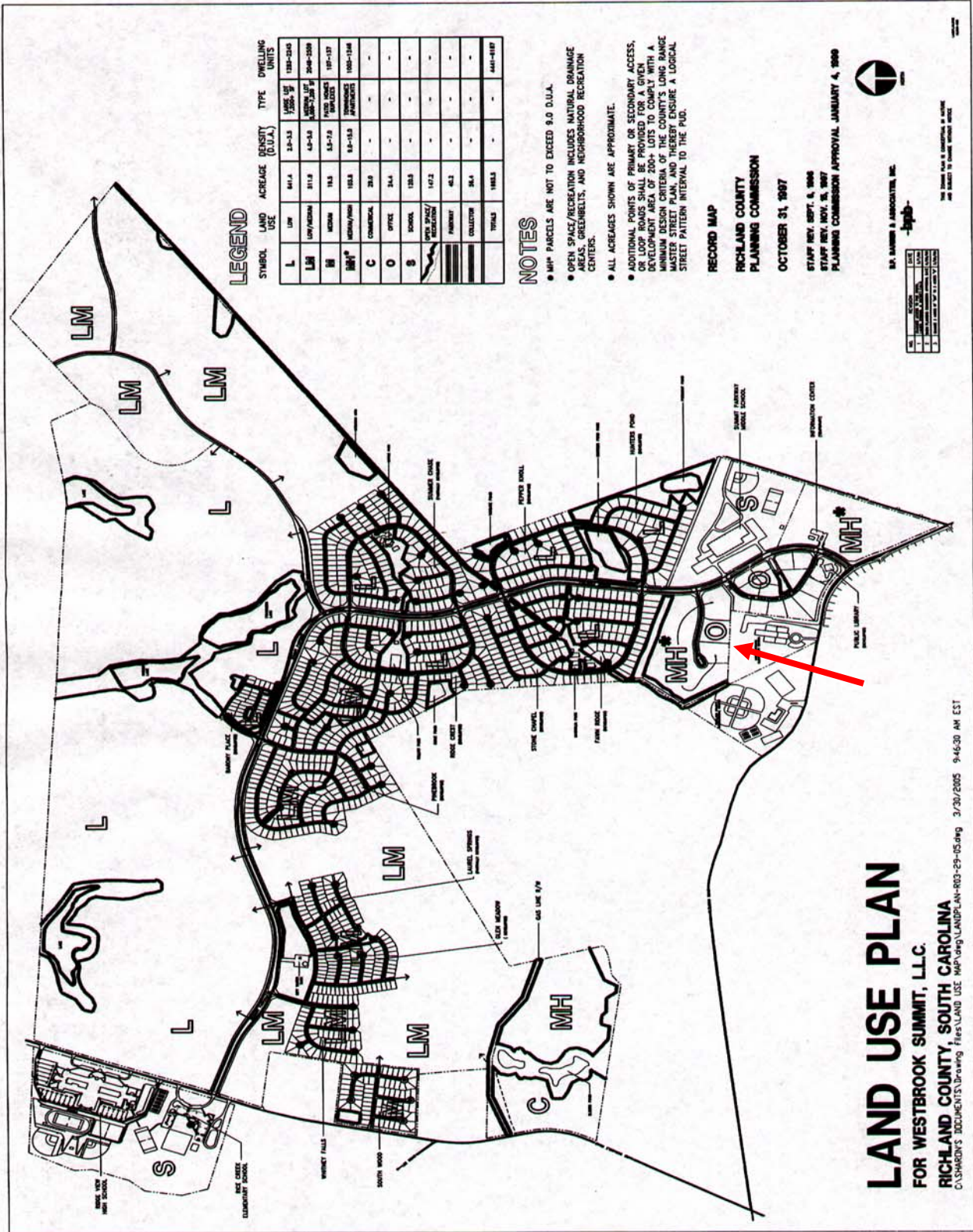
METES & BOUNDS DESCRIPTION:

Richland County Portion of TMS 23000-03-15, 2.99 Acres On Summit terrace Road

Beginning at a ½" rebar (o), located on the southern r/w of Summit Terrace road, 769' west of the intersection of Summit Parkway and Summit Terrace, near the City of Columbia; thence continuing along the southern right-of-way of Summit Terrace along the arc of a curve to the right having a radius of 434.00', a length of 233.69', a delta angle of 30°51'06", a chord of 230.88' and a chord bearing of S79°27'01"E to a ½" rebar (o), thence continuing along the southern right-of-way of Summit Terrace along the arc of a curve to the left having a radius of 566.00', a chord of 118.42' and a chord bearing of S70°01'45"E to a ½" rebar (o), thence turning and running along property of now or formerly The Havens S25°00'01"W for a distance of 74.22' to a ½" rebar (o), thence continuing along property of now or formerly Columbia/Summit/RSL/Haven, LLC S07°23'37"W for a distance of 282.10' to a ½" rebar (o), thence turning and running along property of now or formerly Richland County School District Two N87°27'43"W for a distance of 323.94' to a ½" rebar (o), thence turning and running along property of now or formerly Westbrook Summit, LLC N07°16'21"E for a distance of 418.77' to a ½" rebar (o), the point of beginning.

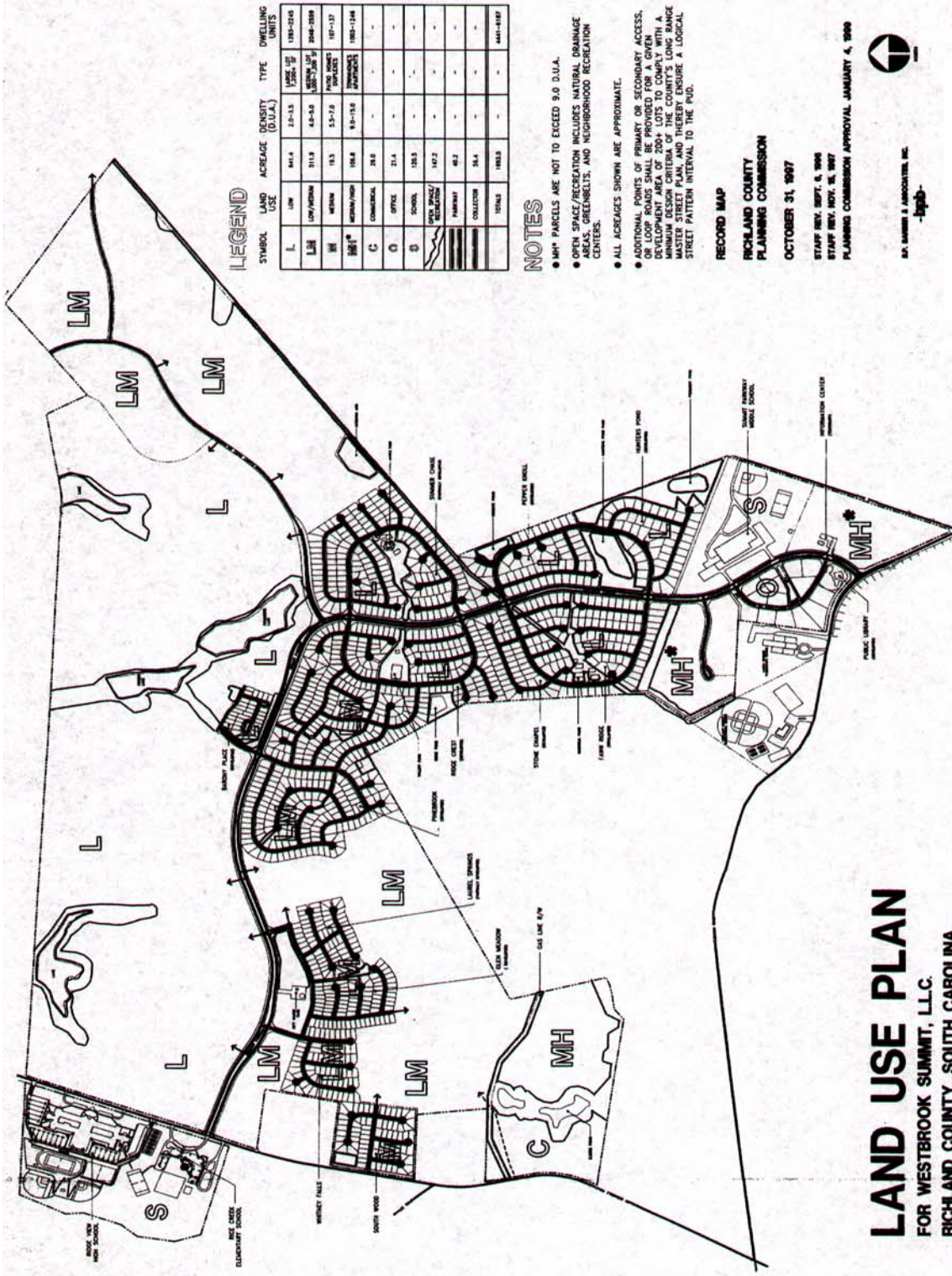
Attachment B
Case 05-68 MA

PROPOSED



**Attachment C
Case 05-68 MA**

EXISTING



**Attachment D
Case 05-68 MA**

**Applicant's List of Requested Permitted Uses Under
PUD-2-O Zoning Designation Regarding Application of RSL Simon, LLC
Richland County Tax Map 23000-03-19**

Permitted Principal Uses and Structures:

- General offices
- Medical, dental and related medical offices and services
- Nursing homes, assisted care facilities, long term care facilities
- Day nurseries/kindergarten, subject to Section 26-84 of Richland County Zoning Ordinance
- Parallel zero lot line dwelling units and developments subject to the provisions of Section 26-90 of Richland County Zoning Ordinances with density not to exceed 9 units per acre.
- Common zero lot line dwelling units and developments subject to the provisions of Section 26-90 of Richland County Zoning Ordinances with density not to exceed 9 units per acre.
- Cluster Housing Developments containing only single family detached dwellings subject to the provisions of Section 26-87, but no modular building units.

Permitted Special Exceptions:

- Rehabilitation centers with lot area of at least 10,000 square feet
- Assessorly uses to permitted uses and structures under 26-65.4

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

May 2, 2005

RC Project # 05-70 MA	Applicant: Village of Hope CDC
General Location: Roosevelt Homes site at Gibson Street & McRae St near the Broad River	
Tax Map Number: 09104-01-06/20	Subject Area: 24.5 ac MOL
Current Parcel Zoning: RG-2	Proposed Parcel Zoning: PUD
Proposed Use: 212 Single Family and Multi-family residences with associated light commercial uses	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

Demolish existing public housing and replace with a new mixed use development

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RG-2	Roosevelt Homes Project
Adjacent North	RS-2	Single family residences
Adjacent East	RG-2	Single family residences
Adjacent South	RG-2 & RS-3	Taylor Elem. School, Church & Convenience Store
Adjacent West	M-2	Broad River Riverwalk and undeveloped woodlands

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

<p><u>RG-2 Zoning Designation Intent</u> Intended for medium and high density residential areas characterized by multi-family structures, garden style apartments and high rise apartments</p>	<p><u>Proposed PUD Zoning Designation Intent</u> Intended to accommodate primarily residential uses, with nonresidential uses integrated into the design of such districts as secondary uses</p>
<p><u>Existing RG-2 Zoning Permitted Uses</u> Single family and duplex residences Multi-family dwellings Cluster housing projects Parallel housing projects Common zero lot line housing projects</p>	<p><u>Proposed PUD Zoning Permitted Uses</u> 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 26-64 and Chapter 26-70, respectively of the County Code. Some Special Exception uses are also possible.

The proposed project will replace an existing multi-family residential project with a new mixed residential density and associated light commercial use project. The density of the new project is comparable to the existing density. The proposed project is compatible with the adjacent development in the neighborhood.

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	Broad River Road	
Functional Classification Of This Roadway	Four Lane Undivided Principal Arterial	
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	29,200	
Estimated Traffic Generated By The Proposed Project	1178	
Current Volume At The Nearest Count Station # 184 Located @ Broad River Rd Bridge	24,100	
Estimated Traffic Count With the Proposed Project	25,278	
Volume-To-Capacity Ratio With The Proposed Project	0.87	

Notes:

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

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

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

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

The estimated traffic generation from the proposed project is likely too high due to the uncertainty of the automobile ownership characteristics of the new residents. In addition, bus service is available on Broad River Rd, approximately three blocks south of the project.

Fire Service Impacts

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

Relationship To Comprehensive Plan

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-20 Interbeltway Subarea Proposed Land Use Map, the Map should be amended through the statutory comprehensive plan amendment process. The Map designates the subject area as High Density Residential.

In 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-20 Interbeltway Subarea Plan, adopted in November 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 9 and 12 respectively, are discussed below:

Objective – Promote new development and redevelopment patterns as established areas worthy of preservation

The existing Roosevelt Home project will be demolished and replaced with some residences specifically for low income families and the elderly, some units will be available for rent and some for ownership. The proposed Amendment implements this Objective.

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

The proposed project will include apartments, townhouses, senior citizen housing and single family detached residences. The latter housing units will be located adjacent to the existing single family units in the Riverview Terrace and Broad River Heights neighborhoods. The gross density for the site is 10.4 DU/acre. The Amendment implements this Objective.

Objective – Support more intense residential and/or commercial development adjacent to locations for proposed public building and facilities

The proposed project includes approximately 6000 sq. ft. of neighborhood commercial space The proposed Amendment implements this Objective.

Principle – Where single family development occurs adjacent to higher intensity uses, multi-family development, at a comparable density, may be used as a buffer

The Overall Development Plan locates the apartments in the interior of the site and the townhouses along McRae Street and across from the Taylor Elementary School. The proposed Amendment implements this Principle.

Other Relevant Issues

Approximately 25 percent of the site is open space, including a variety of active recreation facilities in the center of the site. The subject site is adjacent to the Broad River “Riverwalk”.

The principal purpose of the project is to demolish existing substandard housing and replace it with a variety of new housing types. The new project will likely create a catalyst for more private redevelopment initiatives in the adjacent neighborhoods.

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 # 05-70 MA **be changed** from RG-2 to PUD, 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. The traffic analysis shows that the LOS C traffic capacity of Broad River Road at this location will not be exceeded.
4. The proposed Amendment is consistent with Proposed Land Use Map designation in the I-20 Interbeltway Subarea Plan.
5. The proposed Zoning Map Amendment is consistent with the Objectives and Recommendations of the I-20 Interbeltway Subarea Plan discussed herein.
6. The Planning Commission hereby approves the General Development Plan (*submitted as applicant's Overall Development Plan*), subject to the conditions listed below, as required by Chapter 26-70.15 of the County Code.

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 Planning Commission approved the General Development Plan prepared for Village of Hope PUD, except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as “PDSD”) and is incorporated herein by reference; **and**
- b) The site development shall be limited to 130 apartment units, 38 townhouse units, 38 senior citizen units, 20 single family dwelling units and a maximum of 6000 sq. ft. of neighborhood retail space as depicted in (Attachment B), which is attached hereto; **and**
- c) The applicant shall transmit a phasing plan, if applicable, to the Department prior to reviewing any construction plans; **and**
- d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); **and**
- e) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes; and is hereby approved for such purposes; **and**
- f) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; **and**
- g) No Special Exceptions, as defined in Section 26-602, of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; **and**
- h) 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 PDSD is authorized to make minor adjustments to the phasing schedule and may become necessary during the project's construction; **and**
- k) All internal streets shall be publicly owned and maintained by Richland County; **and**
- l) Other conditions resulting from the Commission consideration ?

SECTION III PLANNING COMMISSION ACTION
--

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

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

At their meeting of May 2, 2005, 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 # 05-70 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 # 05-70 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: 05-70 MA

Applicant: Village of Hope CDC

TMS#: 09104-01-06/20

General Location: Gibson Street & McRae Street

Chapter #	General Development Plan Requirements	Comply
26-70.16	Generalized drawing (s) for entire site showing the general development pattern, including relationship between the various uses	Page 1
26-70.16 a	Statement of major project assumptions and objectives	Page 2-4
26-70.16 b	Statement of the range of percentages of the total area intended for residential, commercial industrial, open space, social/community uses & major streets and roads	Page 12
26-70.16 c	Statement of intended overall maximum dwelling unit density per acre	Page 12
26-70.16 d	Legal description	Page Appen. B
26-70.16 e	Total acres	Page 12
26-70.16 f	Tentative number of units of various types	Page 12
26-70.16 g	Description of open space & community facilities & adequacy to serve the anticipated demand	Page 13
26-70.16 h	Approximate timing of development by phase	Page 13
26-70.16 i	Detailed description of the proposed homeowners association procedures, or other group maintenance & ownership features	Page NAp
26-70.16 j	Design standards, administrative procedures & such information or descriptions appropriate for Planning Commission review	Page NAp

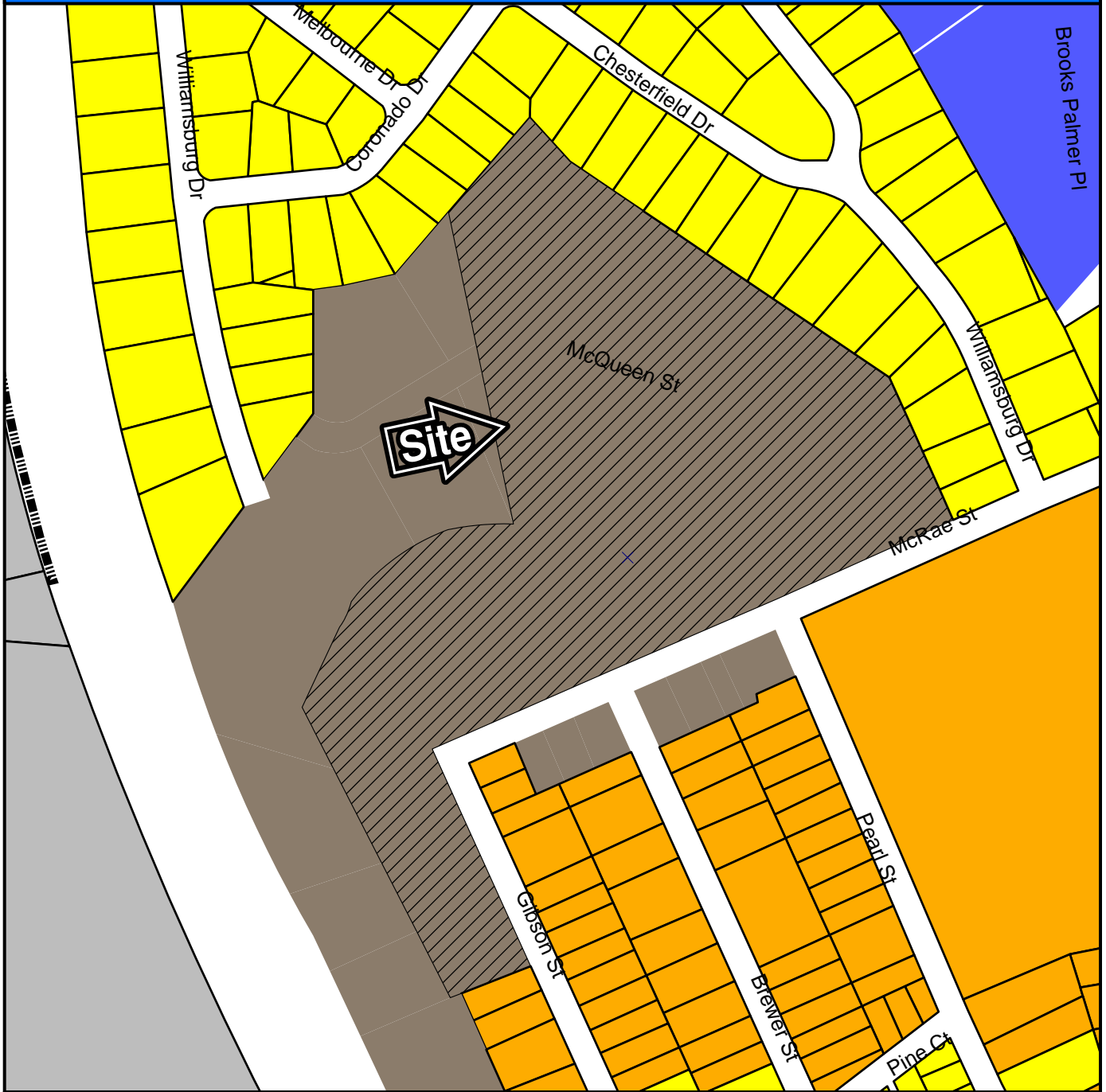
CASE 05-70 MA
RG-2 to PUD
TMS 09104-01-06/20



Site



CASE 05-70 MA RG-2 to PUD



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		

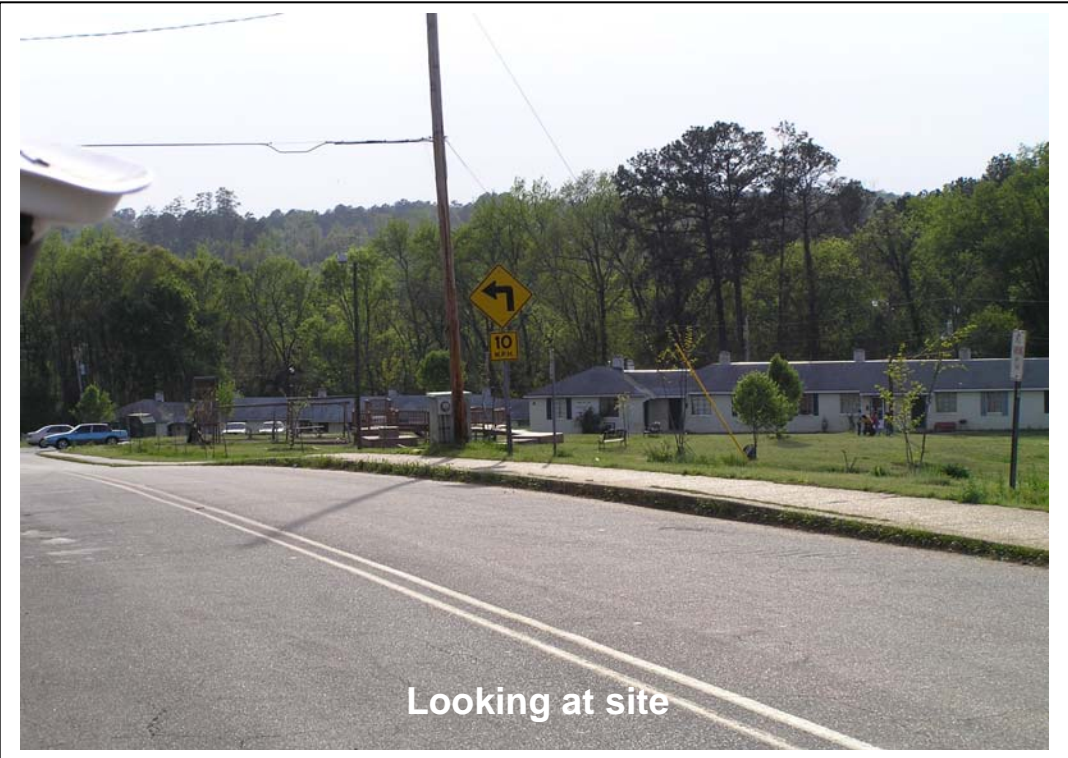
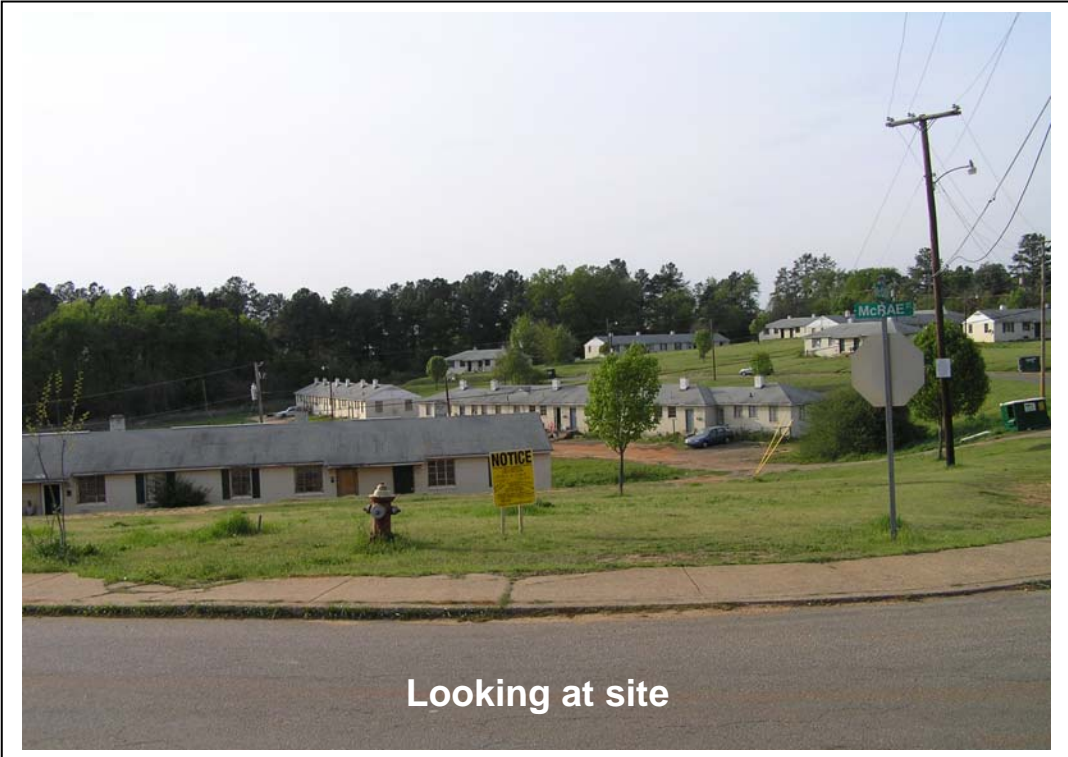


CASE 05-70 MA

From RG-2 to PUD

TMS# 09104-01-06/20

McRae and Gibson Streets



Attachment A
Case 05-70 MA

ALL that certain piece, parcel or lot of land and improvements thereon, situate, lying and being near the City of Columbia, County of Richland, State of South Carolina, said property embracing the Eastern half of Lots Nine (9), Ten (10), and Eleven (11), the Northern and Eastern portion of Lot Twelve (12), all of Lots Thirteen (13), Fifteen (15), Sixteen (16), a portion of Lot Seventeen (17), a portion of Lot Eighteen, and a portion of Lot Nineteen (19) of Block "W" as shown on a plat prepared for Roosevelt Village, Incorporated by Barber, Keels and Associates, dated October 3, 1949 and recorded in Plat Book N at Page 123 in the Office of the Clerk of Court for Richland County. Said property also embracing Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), and a portion of Lot Nine (9), in Block "S", as shown on the aforementioned plat. The aforementioned mentioned property is further shown on a plat prepared for Roosevelt Village, Incorporated by Barber, Keels & Assoc. - Engineers, dated October 3, 1949 and revised March 21, 1951 as to 50' street and recorded in Plat Book 1 at Page 315 in the Office of the Clerk of Court for Richland County and further shown on a plat prepared for Village of Hope Community Development Corporation, prepared by American Engineering Consultants, Inc. and dated November 13, 2003 and more specifically shown on boundary survey prepared for Village of Hope Community Development Corporation, prepared by American Engineering Consultants, Inc. dated November 13, 2003, last revised December 10, 2003 and recorded in the Office of the Register of Deeds for Richland County in Plat Book 285, at page 380.

DERIVATION: Deed of Roosevelt Village, Incorporated, dated August 3, 1988 and recorded August 18, 1988 in the Office of the RMC for Richland County in Deed Book D-901 at Page 18.

TAX MAP NO.: 9104-01-06 and 9104-01-20

Attachment B
Case 05-70 MA

The Village at River's Edge
McCrae Street, Richland County, SC

An Affordable Residential Community for Richland County



SENIOR HOUSING
The Village at River's Edge is a diverse community with a mix of housing types. The Village at River's Edge Senior Housing is a 24-unit community designed for active adults aged 55 and older. It features a central courtyard, walking paths, and a community room. The Village at River's Edge Senior Housing is a 24-unit community designed for active adults aged 55 and older. It features a central courtyard, walking paths, and a community room.

MARKET RATE LOTS
The Village at River's Edge Market Rate Lots are a mix of single-family homes and townhouses. They are designed to be affordable and provide a variety of housing options for the community. The Village at River's Edge Market Rate Lots are a mix of single-family homes and townhouses. They are designed to be affordable and provide a variety of housing options for the community.

CONNECTION TO THREE RIVERS
The Village at River's Edge is a diverse community with a mix of housing types. The Village at River's Edge is a diverse community with a mix of housing types. The Village at River's Edge is a diverse community with a mix of housing types.

APARTMENTS
The Village at River's Edge Apartments are a mix of studio, one, and two-bedroom units. They are designed to be affordable and provide a variety of housing options for the community. The Village at River's Edge Apartments are a mix of studio, one, and two-bedroom units. They are designed to be affordable and provide a variety of housing options for the community.

AFFORDABLE SINGLE FAMILY HOMES
The Village at River's Edge Affordable Single Family Homes are a mix of single-family homes and townhouses. They are designed to be affordable and provide a variety of housing options for the community. The Village at River's Edge Affordable Single Family Homes are a mix of single-family homes and townhouses. They are designed to be affordable and provide a variety of housing options for the community.

TOWNHOUSES
The Village at River's Edge Townhouses are a mix of single-story and two-story units. They are designed to be affordable and provide a variety of housing options for the community. The Village at River's Edge Townhouses are a mix of single-story and two-story units. They are designed to be affordable and provide a variety of housing options for the community.

THE VILLAGE CENTER
The Village at River's Edge Village Center is a central hub for the community. It features a community room, walking paths, and a central courtyard. The Village at River's Edge Village Center is a central hub for the community. It features a community room, walking paths, and a central courtyard.

OVERALL DEVELOPMENT PLAN
0 50' 100' 200'

DEVELOPMENT PROGRAM	
Market Rate Lots	115-120 Units
Senior Housing	24 Units
Apartment	150 Units
Affordable Single-Family Homes	17 Units
Market Rate Lots	3 Lots
TOTAL	209-222 Residences

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

May 2, 2005

RC Project # 05-71 MA	Applicant: William F. Cotty
General Location: South side of Spears Creek Church Rd. near Two Notch Road	
Tax Map Number: 25807-02-03/04/05/06/07/08/09/13	Subject Area: 5.2 ac MOL
Current Parcel Zoning: D-1	Proposed Parcel Zoning: C-3
Proposed Use: Unspecified Commercial	PC Sign Posting Date: April 6, 2005

SECTION I ANALYSIS

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

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

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

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

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

Applicant’s Factual Justification For Proposed Change

For the establishment of commercial uses

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	D-1	Undeveloped parcels and single family residences
Adjacent North	C-3	Single family residence
Adjacent East	D-1	Single family residences, undeveloped woodlands, mortgage company
Adjacent South	D-1	Single family residences
Adjacent West	RG-1	Hacienda Manufactured Home Park

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

<p><u>D-1 Zoning Designation Intent</u> Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semideveloped, with scattered related uses.</p>	<p><u>Proposed C-3 Zoning Designation Intent</u> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office and service establishments and oriented primarily to major traffic arteries</p>
<p><u>Existing D-1 Zoning Permitted Uses</u> Agriculture Horticulture Forestry Single family detached dwellings or modular building units located on individual lots Places of worship</p>	<p><u>Proposed C-3 Zoning Permitted Uses</u> Retail, service, repair & personal services Offices, studios & financial institutions Eating and drinking establishments Wholesale/distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collection & 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 site is completely surrounded by single family residences on land zoned D-1, RG-1, or C-3 to the north. 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	Two Notch Road via Spears Creek Church Road	
Functional Classification Of This Roadway	Five Lane Undivided Minor Arterial	
Level-Of-Service C Design Capacity (V/C = 1.00)	24,800	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station #117 Located @west of Two Notch/Spears Creek Intersection	15,700	
Estimated Traffic Count With the Proposed Project	NP	
Volume-To-Capacity Ratio With The Proposed Project	NP	

Notes:

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

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

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

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

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

The portion of Two Notch Road that was counted at station #117 is operating well below its LOS C design capacity. The proposed Amendment should not cause the LOS C to be exceeded, however, upon buildout of the Greenhill Parish PUD the average daily trips on this portion of Two Notch Road and Spears Creek Church road will increase dramatically.

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

This area of Spears Creek Road is not appropriate for commercial uses as there is currently existing C-3 zoning directly north at Two Notch Road and this site(s) lie amongst existing single family residences. One of the objectives of the Plan is to locate commercial uses at major intersections such as Spears Creek and Two Notch Road. If this area were to be rezoned to commercial it would exacerbate the existing traffic problem on Spears Creek Church Road. The proposed Amendment **does not implement this Objective.**

Objective – Minimize incompatibility between existing and proposed land uses.

As stated in the previous Objective, the site is encompassed by existing residential land uses. 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. Sites that don't encroach or penetrate established residential areas; and
As stated in the Objectives, the site is encompassed by existing single family uses and commercial uses at the location(s) would penetrate into the existing residential areas.
2. Sites of major traffic junctions and cluster locations as opposed to strip development.
As stated in the Objective, the site is not located at a major traffic junction and rezoning of this site(s) would set a precedent for stripping out the south side Spears Creek Church for additional commercial uses.

The proposed Amendment **does not implement this Principle.**

Other Relevant Issues

The Department and the Planning Commission recommended that no additional commercial zoning should be permitted any further south of the approved C-3 zoned parcels at 114 & 118 Spears Creek Church Road (TMS #'s 25807-02-01/02). The case for the aforementioned parcels was presented to the Planning Commission on May 3, 2004 and was approved by County Council on June 15, 2004. The C-3 zoning line has been clearly delineated and can be seen on the zoning map provided in the case directly north of the proposed Amendment site(s).

Greenhill Parish (PUD) is located directly across Spears Creek Church Road to the east and has approvals for the establishment of commercial areas. Representatives for the Greenhill Parish PUD are currently working with the Department to submit an amended layout plan for the commercial and multi-family portion of Greenhill Parish to be developed. The Department met with some of the representatives on April 20, 2005 to discuss the process of possibly amending the existing PUD for the relocation of the approved multi-family and commercial developments.

The Plan does not specifically depict the meaning or uses that should be provided for in the Development District. The definition of the Development District is therefore left up to the digression of the County to make the decision of what is an appropriate land use and zoning designation in a specific location within the Development District.

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 # 05-71 MA **not be changed** from D-1 to C-3.

Findings of Fact:

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

SECTION III PLANNING COMMISSION ACTION

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

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

At their meeting of May 2, 2005, 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 # 05-71 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 # 05-71 MA, the Planning Commission made the findings of fact summarized below:

Two Notch

CASE 05-71 MA RS-1 & D-1 to C-3

TMS 25807-02-03/04/05/06/07/08/09/13

Spears Creek Church

Site

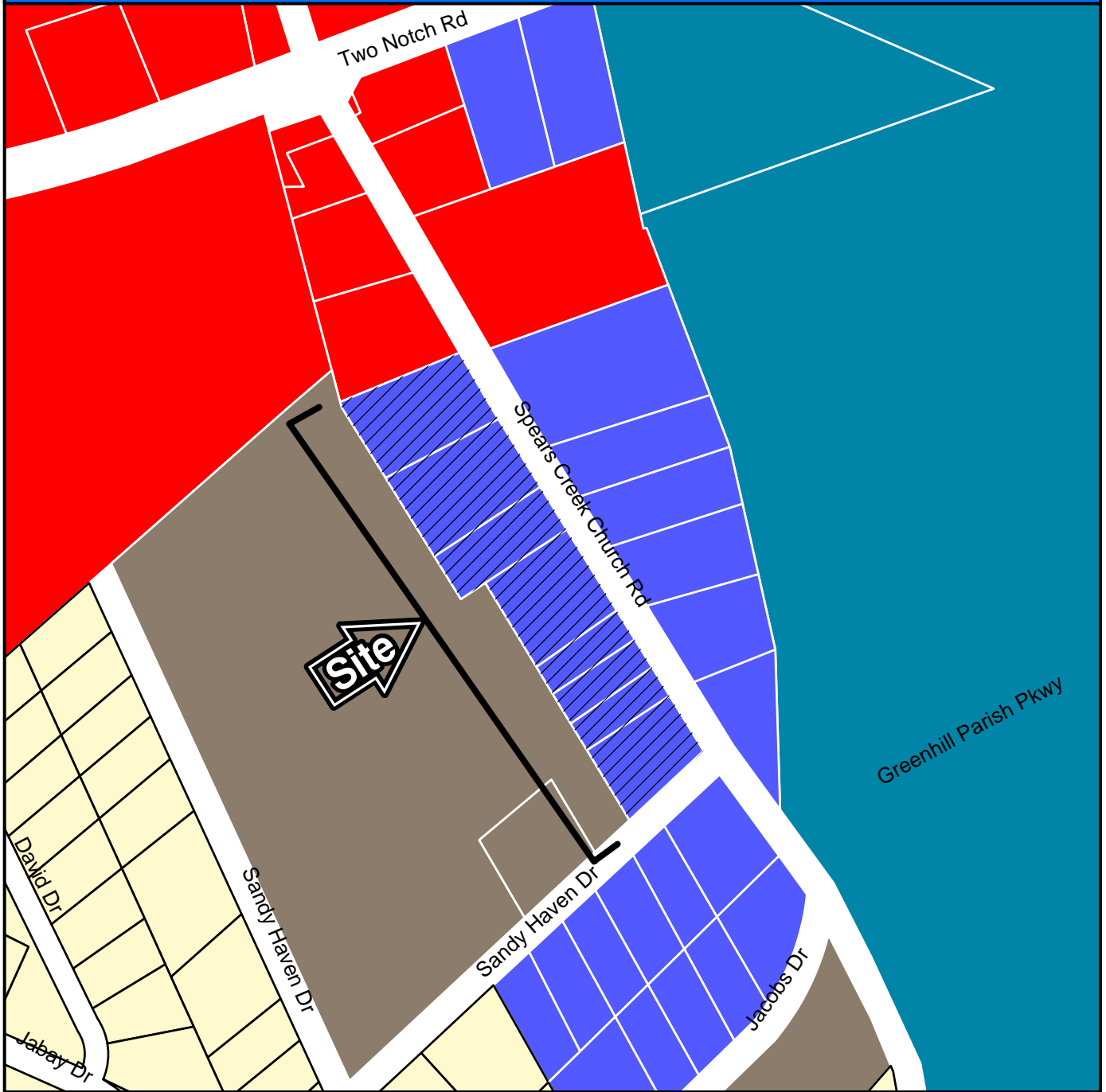
Sandy Haven

Sandy Haven




















Greenhill Parish



CASE 05-71 MA RS-1 & 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 05-71 MA

From D-1 to C-3

TMS# 25807-02-03/04/05/06/07/08/09/13
South Side of Spears Creek Church Road



Looking at site



Looking towards Two Notch Road



Looking towards Greenhill Parish



Looking at site and Sandy Raven Road

**Attachment A
Case 05-71 MA**

All that certain piece, parcel or lot of land with improvements thereon situate, lying and being on the Southwestern side of S.C. Road S-53, in the Town of Pontiac, County of Richland, State of South Carolina, being shown and designated as a parcel containing 1.00 acre on a plat prepared for T.F. Howell by E. F. Owens, R.L.S., dated August 27, 1980: said parcel having the following boundaries and measurements as shown on said plat, to wit: On the Northeast by S.C. Road S-53, whereon it measures 162.0 feet; on the Southeast by property of A.L. Jacobs, whereon it measures 269.4 feet; on the Southeast by Sandhurst Development Corp., whereon it measures 162.0 feet; and on the Northwest by property of A.L. Jacobs, whereon it measures 269.25 feet.

This being a portion of the property conveyed to the grantor herein by deed of Clara Mae Jacobs, dated December 12, 1972, and recorded in Deed Book D-265 at page 411.

TMS # : 25807-02-13

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

TO: Planning Commission Members
FROM: Carl D. Gosline, AICP, Land Development Administrator
DATE: April 21, 2005
RE: Subdivision and Street Name Approval

Background

Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, the statute states, "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."

The attached list of proposed street/road names has been certified by Alfreda Tindal, Richland County E-911 Addressing Coordinator, as being in compliance with the E-911 system requirements. A list of proposed subdivision names is included for your information.

Action Requested

The Department recommends the Commission approve the attached street/road name list. The subdivision/ commercial names are for information only. No Commission action is necessary.

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Anchor Watch	Future Mungo Development
Beaver Park	Wood Creek Farms S/D, Northeast Columbia
Langford Rd Estates	Future Development off Langford Road, Blythewood
River Trail	Future Development off O'Sheal Rd, Irmo
Villa Bella	Future Mungo Development

May 2, 2005

PROPOSED STREET NAMES	SUBDIVISION/ ROAD LOCATION
Buttercup Circle	Future Willow Lakes, Ph V
Ester Kelly Road	Future Harvey Kelly S/D, Blythewood
Gadwell Court	Future Willow Lakes, Ph V, Blythewood
Goldeneye Court	Future Willow Lakes, Ph V, Blythewood
Guard Tower Lane	Future Kingston Ridge S/D, Hopkins
Harlequin Court	Future Willow Lakes, Ph V, Blythewood
Harvey Kelly Lane	Future Harvey Kelly S/D, Blythewood
Knight Valley Circle	Future Kingston Ridge S/D, Hopkins
Loon Court	Future Willow Lakes, Ph V, Blythewood
Lord Byron Lane	Future Kingston Ridge S/D, Hopkins
Mood Kelly Road	Future Harvey Kelly S/D, Blythewood
Nottingham Court	Future Kingston Ridge S/D, Hopkins
Pogonia Lane	Future Willow Lakes, Ph V, Blythewood
Ring Neck Duck Ct	Future Willow Lakes, Ph V, Blythewood
Round Table Court	Future Kingston Ridge S/D. Hopkins
Ruddy Duck Court	Future Willow Lakes, Ph V, Blythewood
Rudy Duck Court	Future Willow Lakes, Ph V, Blythewood
Water Willow Way	Future Willow Lakes, Ph V, Blythewood
Whistling Duck Ct	Future Willow Lakes, Ph V, Blythewood