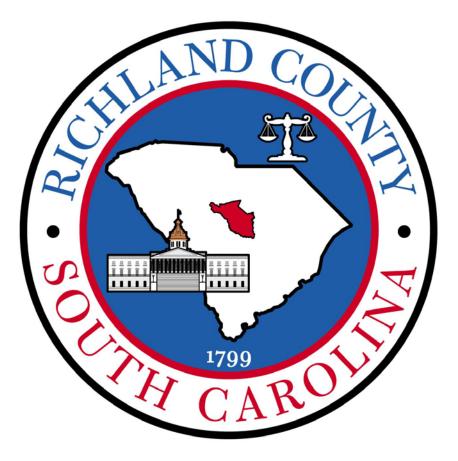
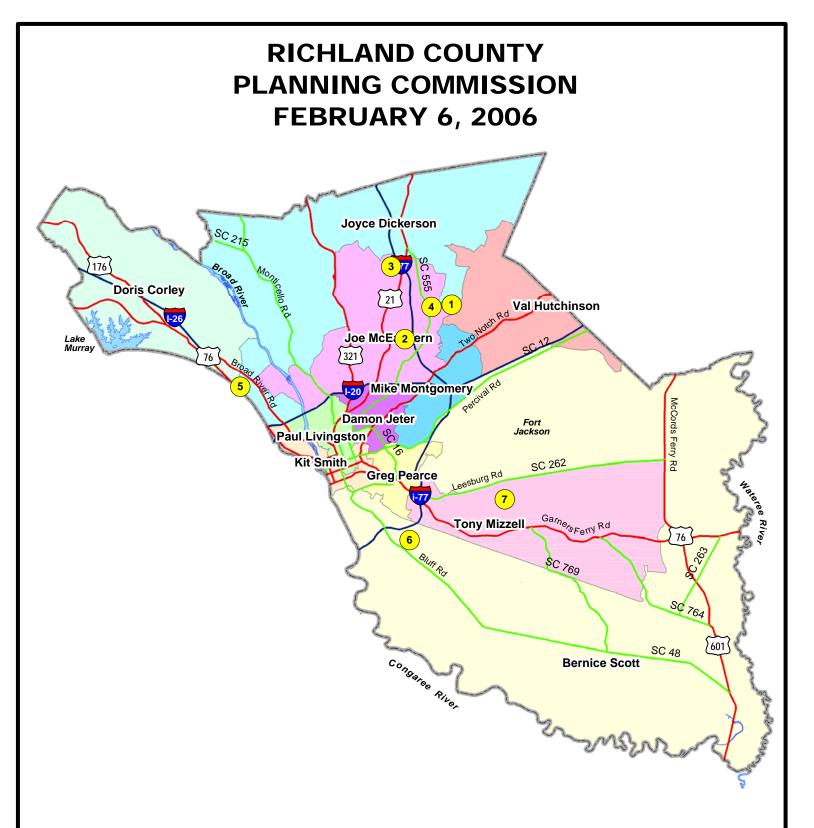
RICHLAND COUNTY PLANNING COMMISSION



FEBRUARY 6, 2006



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 05-105 MA	Robert Fuller	20200-01-18 (P)	Across from Killian Elementary School	Dickerson
2. 05-116 MA	Preston Young	14500-02-08/25	Southwest Quadrant of Powell Road & Hardscrabble Road	McEachern
3. 05-119 MA	Steve Corboy	14900-01-02	Adjacent to Northpoint Business Park	McEachern
4. 05-119 MA	Don Lovett	17414-01-17 (P)	Adjacent to Killian Green S/D	McEachern
5. 05-121 MA	William Higgins	04910-01-09 & 04913-01-01/03/05	Northeast Quadrant of Fernandina Road & Piney Woods Road	Dickerson
6. 05-117 MA	Tom Milliken	16200-04-18 (P)	South Side of Shop Road west of Pineview Rd.	Scott
7. 05-122 MA	Tommy Simons	22014-05-02	West side Lower Richland Blvd. 1/2 Mile south of Padgett Road	Mizzell

RICHLAND COUNTY PLANNING COMMISSION

Monday, February 6, 2006 Agenda 1:00 PM 2020 Hampton Street 2nd Floor, Council Chambers

STAFF	Donny Phipps	Interim Planning Director
	Anna Almeida	Development Services Manager
	Michael Criss, AICP	Planning Services Manager
	Amelia R. Linder, Esq	Assistant County Attorney
	Carl D. Gosline, AICP	Sr. Comprehensive Planner

I. 1:00 PM - PUBLIC MEETING CALL TO ORDER Pat Palmer, Chairman

II. PUBLIC NOTICE ANNOUNCEMENT

III. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the January 9, 2006 Minutes

IV. AGENDA AMENDMENTS

V. OLD BUSINESS

VI. NEW BUSINESS - ZONING MAP AMENDMENTS

		Page
Robert Fuller		01
RS-MD to NC	(10 acres)	
Develop Small Office Park		
20200-01-18 (p)		
Across From Killian Elementary	School	
	RS-MD to NC Develop Small Office Park 20200-01-18 (p)	RS-MD to NC (10 acres) Develop Small Office Park

CASE # 05 - 116 MA		Page
APPLICANT	Preston Young	11
REQUESTED AMENDMENT	RU to RM-HD (43 acres)	
PURPOSE	Residential Subdivision	
TAX MAP SHEET NUMBER (S)	14500-02-08/25	
LOCATION	Southwest Quadrant of Powell Road	
	Hardscrabble Road	

CASE # 05 - 119 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION	Steve Corboy M-1 to PDD (94 acres) Develop a 356 DU Subdivision 14900-01-02 Adjacent to Northpoint Business Park	Page 21
CASE # 05 - 118 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION	Don Lovett PDD to GC (0.09 acres) General Commercial 17414-01-17 (p) Adjacent to Killian Green S/D	Page 39
CASE # 05 - 121 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION	William Higgins M-1 to GC (17 acres) General Commercial 04910-01-09 & 04913-01-01/03/05 Northeast Quadrant of Fernandina Road & Piney Woods Road	Page 47
CASE # 05 - 117 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION	Tom Milliken RU to LI (67 acres) Industrial Park 16200-04-18 (p) South Side Shop Rd West of Pineview Rd	Page 57
CASE # 05 - 122 MA APPLICANT REQUESTED AMENDMENT PURPOSE TAX MAP SHEET NUMBER (S) LOCATION	Tommy Simons RU to RM-MD (2.2 acres) Construct Duplex Residential S/D 22014-05-02 West Side Lower Richland Blvd ½ Mile South of Padgett Road	Page 67

VII. ROAD NAME APPROVALS

VIII. **COMPREHENSIVE PLAN**

- a. Comprehensive Plan Update
- b. Neighborhood/Community Master Plans Status Report

Page 79

Page 77

IX. TEXT AMENDMENTS - NEW BUSINESS

- a. Amend the required conditions for Day cares (Adult, Family or Group Daycares) regarding parking.
- b. Amend the maximum height of structures in the GC district from (35) thirtyfive feet to (45) forty-five feet.
- c. Amend the time in which an applicant may withdraw an amendment application.

X. COUNTY COUNCIL & STAFF ACTIONS REPORT

- a. Zoning Map Amendments
- b. Development Review Team Actions
- c. PDD Checklist

XI. ADJOURNMENT

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

February 6, 2006

RC Project # 05-105 MA	Applicant: Robert Fuller
General Location: North Side of Clemson Ro	ad Across From Killian Elementary School
Tax Map Number: 20200-01-18 (p)	Subject Area: 10 ac MOL
Current Parcel Zoning: RS-MD	Proposed Use: Small Office & Retail Uses
Proposed Parcel Zoning: NC	Gross Density: NAp
	Open Space: NAp
PC Sign Posted: January 6, 2006	

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states "...All proposed amendments 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 the Land Development Code and the Comprehensive Plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies 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 are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Map Change Justification Statement

Construct 48,000 sq. ft GLA of office and retail space in 12 separate buildings

Effect Of the Proposed Amendment On the Surrounding Properties

Existing Zoning and Land Use

	Existing Zoning	Existing Land Use
Subject Parcel	RS-MD	Undeveloped
Adjacent North	RU, GC &	Whitehurst S/D & undeveloped woodlands
	RS-MD	
Adjacent East	RS-MD	Single Family residence & Whitehurst S/D
Adjacent South	RU	Killian Elementary School
Adjacent West	RS-MD & GC	River of Life Church and undeveloped woodlands

Adjacent Parcel Compatibility

The adjacent parcels on the north and east are occupied by single-family detached residences. Killian Elementary School is located across Clemson Road. Two churches and vacant undeveloped parcels are adjacent to the site on the west. The proposed 48,000 sq. ft. office park is not compatible with the adjacent development.

Traffic Management Plan (TMP) Evaluation

Not Required – Less than 100,000 square feet of non-residential land use

Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the Department's 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 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		Clemson Road	
Functional Classification Of This Roadway]	Four lane undivided minor arterial	
Level-Of-Service <u>C</u> Design Capacity $(V/C = 1.00)$)	21,600	
Estimated Traffic Generated By The Proposed Project		690	
Current Volume At The Nearest Count Station # 442 Located @ the site		10,100	
Estimated Traffic Count With the Proposed Project		10,790	
Volume-To-Capacity Ratio With The Proposed Project		0.50	

Notes:

- The <u>functional classification of the roadway</u> is taken from the <u>Richland County Long Range</u> Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.
- The <u>estimated project traffic</u> is determined by applying the traffic generation rates in the 5th Edition of the Institute of Traffic Engineers <u>Traffic Generation Manual (TGM)</u>. In this case, the estimated traffic is calculated by multiplying the generation rate for a business park (14.37 ADTS per 1000 square feet GLA) found on page 1086 of the <u>TGM</u> times the proposed square footage (48,000) of proposed Gross Leaseable Area.
- The <u>current traffic counts</u> were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old**.
- The <u>volume-to-capacity ratio with the proposed project</u> is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The traffic assessment described above shows that the proposed project would not result in exceeding the LOS C capacity of this portion of Clemson Road. It should be noted that when Clemson Road is completely opened to I-77, the amount of traffic will significantly increase on this portion of Clemson Road.

Amendment Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the <u>Imagine Richland 2020 Comprehensive Plan</u>, (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 <u>Plan</u>. Specifically, the <u>Plan</u> 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 also amended all the <u>Subarea Proposed Land Use Maps</u> on May 3, 1999.

The <u>I-77 Corridor Subarea Plan Proposed Land Use Map</u> (Map) designates the subject area as Medium Density Residential in the Developing Urban Area. The <u>proposed</u> NC zoning **is not consistent with the <u>Map</u>** designation because it is a commercial zoning in an area designated for medium density residential development

In addition to reviewing the consistency with the <u>Proposed Land Use Map</u>, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The <u>I-77 Corridor Subarea Plan</u>, 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 36 respectively, are discussed below:

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

There is 50 acres MOL of general commercial zoning approximately ¹/₂ mile west of the site at the intersection of Clemson Road and Longtown Road. Another 30 acres MOL is zoned M-1 in the same area. The Killian Station PDD (RC # 04-07 MA - Ordinance # 60-0HR adopted November 4, 2003) adjacent to the Killian Elementary School on the east, includes 80,000 sq. ft. of office commercial space and 34,000 sq. ft of retail commercial space. The Amendment does not implement this Objective.

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

1. Areas identified on the Proposed Land Use Map;

The Proposed Land Use Map designates the subject site as Medium Density Residential not some type of commercial land use.

3. <u>Sites of major traffic junctions and cluster locations as opposed to strip development</u> See the discussion above.

The proposed Amendment does not implement this Principle.

Other Relevant Issues

The proposed entrance to the subject project cannot be aligned opposite the existing Killian Elementary School entrance because there is an intervening parcel. It is critical to control the amount and location of access points to Clemson Road in order to preserve its ability to efficiently move traffic through the area. Therefore, it is important to ensure that the subject site and the adjacent site to the east have a single access point to Clemson Road.

The subject Amendment involves the front (south) 10 acres that was divided from a 15 acre site in July 2005. The proposed office park will ensure access to the rear (north) 5 acres through the project site.

The subject site could be immediately developed with up to 50 single family detached dwelling units, if the Amendment is not granted. Development of the site could take advantage of the open space provisions in Section 26-184 of the Land Development 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 # 05-105 MA **not be changed** from RS-MD to NC.

Findings of Fact:

- 1. The applicant **has justified the need** to change the zoning on the subject site.
- 2. The proposed office park is not compatible with the adjacent development.
- 3. The traffic assessment described above shows that the proposed project **will not result in exceeding the LOS C capacity** of this portion of Clemson Road.
- 4. The proposed Amendment **is not consistent with** <u>Proposed Land Use Map</u> designation in the <u>I-77 Corridor Subarea Plan</u>.
- 5. The proposed Zoning Map Amendment **is not consistent with** the Objectives and Recommendations of the <u>I-77 Corridor Subarea Plan</u> discussed herein.
- 6. If the proposed Amendment fails, the subject site may be used by any of the permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

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:

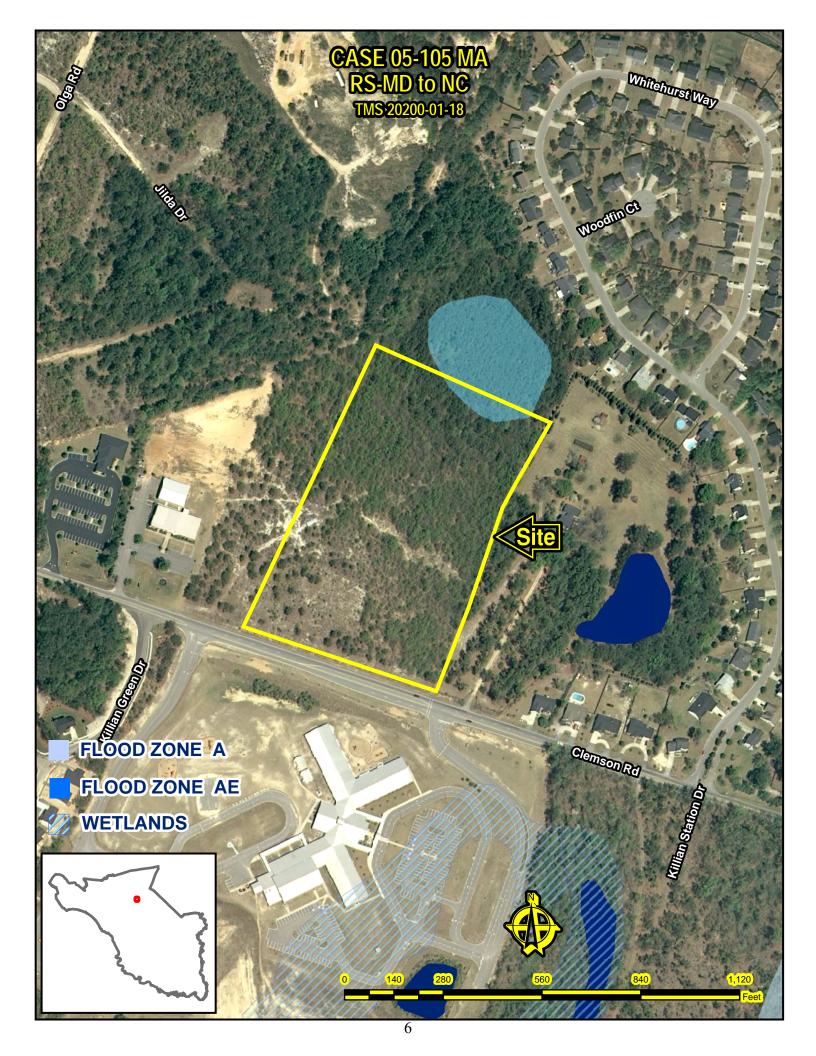
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; or
- (c) A clerical or map error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

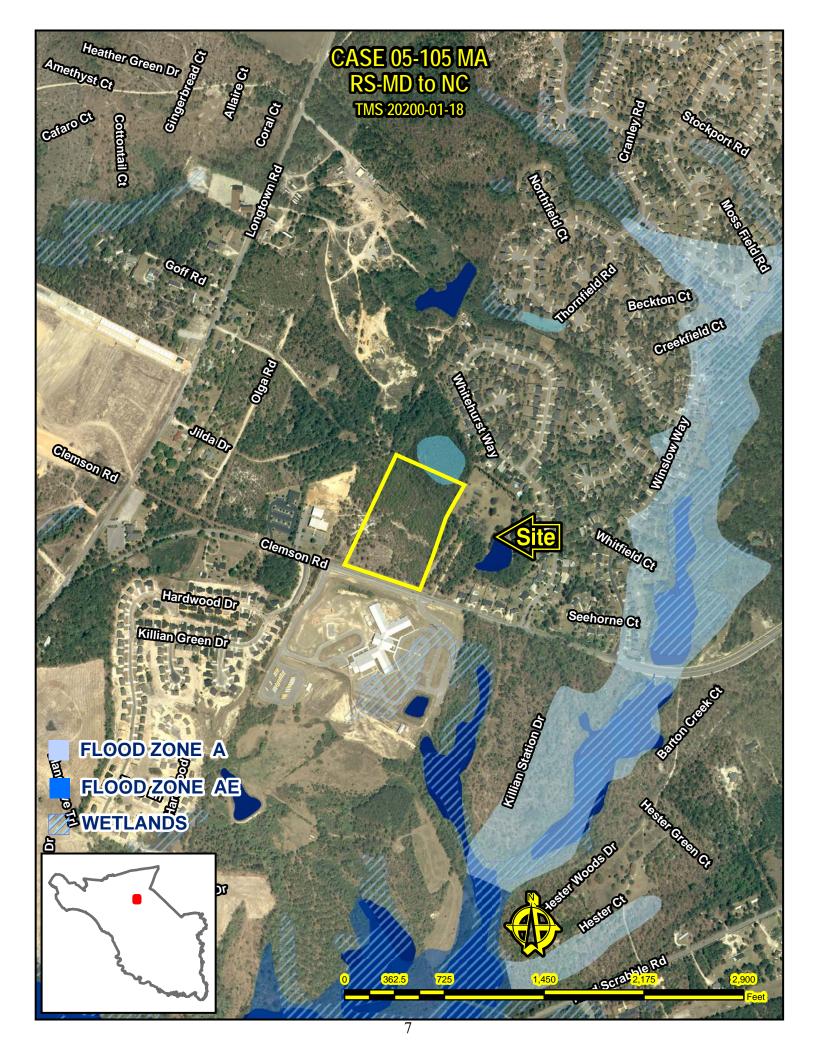
At their meeting of February 6, 2006, the Richland County Planning Commission **agreed** (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-105 MA at the next available opportunity.

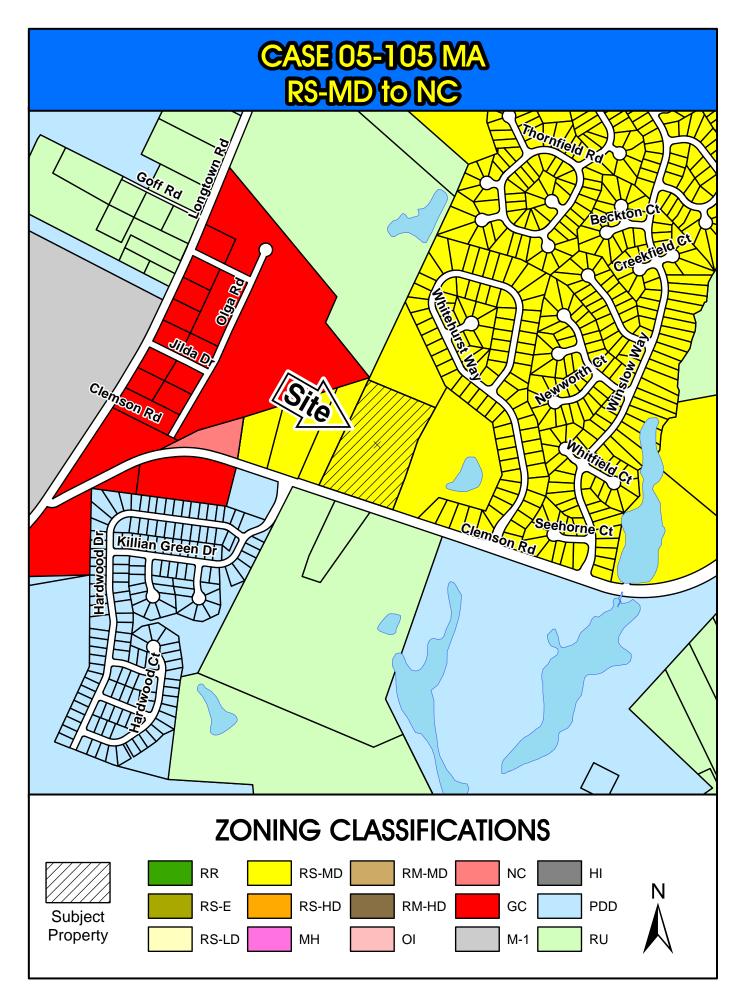
Commission Findings of Fact/Recommendations

(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 # 05-105 MA, the Planning Commission made the findings of fact summarized below:



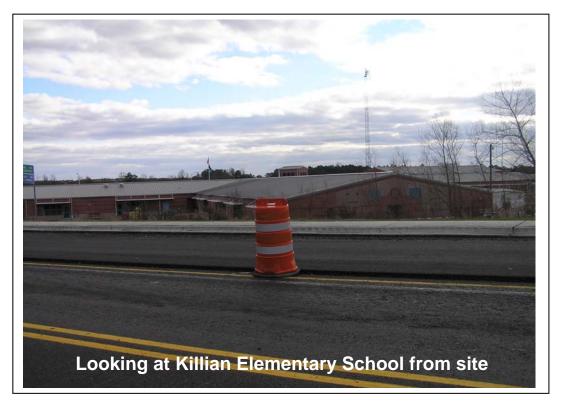




CASE 05-105 MA From RS-MD to NC

TMS# 20200-01-18 (P) Across from Killian Elementary School





Attachment A

05-105 MA LEGAL DESCRIPTION

All that certain piece, parcel or lot of land consisting of ten (10.0) acres, together with any and all improvements thereon, situate, lying and being in Richland County, South Carolina, on the North side of Clemson Road (S-40-52), being more particularly shown on that certain plat prepared for George McCutchen by B.P. Barber & Associates, Inc., dated June 20, 2005, and recorded in the Office of the Register of Deeds for Richland County in Record Book 01074 page 1218, being designated thereon as Parcel 1 of two parcels, and having metes bounds, courses and distances as appear on said plat, to wit:

Beginning at an iron constituting the southwesternmost corner of the said Parcel 1, set on the northern right-of-way boundary of Clemson Road approximately 2,157 feet East of its intersection with Longtown Road, and from said iron running N23°26'12"E for 895.31 f t. to an iron pipe; thence continuing on the same line a distance of 98.35ft. to and iron rebar; thence and cornering and running S38°31'15"E for a distance of 577.84 ft. to an iron rebar; thence contening and running S28°05'31W for 68.69 ft. to an iron rebar; thence turning and running S17°32'18"W for 208.01 ft. to an iron rebar; thence turning and running S22°59'31'W for 269.24 ft. to an iron rebar set on the northern right-of-way boundary for Clemson Road, constituting the southeasternmost corner of said Parcel 1; thence turning and running in a westerly direction along the said right-of-way boundary N71°58'20"W for 533.92 ft. to the POINT OF BEGINNING, all measurements herein being a little more-or-less.

TMS No. 20200-01-18 [Portion]

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

February 6, 2006

RC Project # 05-116 MA	Applicant: Preston Young
General Location: West Side of Powell Road	Across From the Public Works Dept
Tax Map Number: 14500-02-08/25	Subject Area: 43 ac MOL
Current Parcel Zoning: RU Proposed Parcel Zoning: RM-HD	Proposed Use:Single Family S/DGross Density:Max. 16 DU/acre allowedOpen Space:Unknown
PC Sign Posted: January 6, 2006	

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states "...All proposed amendments 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 the Land Development Code and the Comprehensive Plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies 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 are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Map Change Justification Statement

Mixed Multi-family and Single Family Residential Subdivision

Effect Of the Proposed Amendment On the Surrounding Properties

Existing Zoning and Land Use

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands
Adjacent North	RU	Undeveloped woodlands and single family residences
Adjacent East	M-1 & OI	Public Works Dept & junk yard
Adjacent South	RU & RM-HD	Undeveloped woodlands, a powerline easement & Twin Eagles S/D
Adjacent West	RU	Undeveloped woodlands and low density residential

Adjacent Parcel Compatibility

The adjacent parcel to the east includes the Public Works facility and the Sheriff's impound yard. The adjacent parcel to the south in undeveloped woodlands, a powerline easement and the Twin Eagles subdivision. The Fairways apartment complex is adjacent to the Public Works facility on the south side. The proposed mixed density residential project will serve as a buffer between the intensive light industrial and commercial around the Public Works facility and the low density residential areas to the west.

Traffic Management Plan (TMP) Evaluation

Since the proposed project is a major subdivision (50 + proposed dwelling units), a Traffic Management Plan must be approved by the Department prior to approval of the preliminary subdivision plans. Preparation of a TMP requires a mandatory pre-application meeting with the Department.

Traffic Impact Analysis

The proposed RM-HD zoning allows a maximum of 16 DU/acre, or a possible 688 dwelling units. In the pre-application conference, the applicant indicated they would develop less than half the allowable 688 units. The applicant further indicated that the portion of the project along Powell Road would be multi-family units. The portion of the site to the west adjacent to the existing single-family residential area would be developed as single-family units.

Without knowing the exact number of multi-family and single family detached units in the project, it is not possible estimate the total traffic impact. The required Traffic Management Plan will provide a more detailed evaluation of the off-site traffic impacts.

However, if the project actually develops 344 dwelling units and they are all single-family detached residences, the total traffic generated at buildout would be 3268 average daily trips. These trips will be able to use entrances on both Hardscrabble Rd and Powell Rd.

The Department's preliminary analysis shows the proposed project will not result in the LOS capacity being exceeded at this location on Hardscrabble Rd. Even though Powell Rd is not classified, the project will not significantly increase traffic on this roadway.

Amendment Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the <u>Imagine Richland 2020 Comprehensive Plan</u>, (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 <u>Plan</u>. Specifically, the <u>Plan</u> 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 also amended all the <u>Subarea Proposed Land Use Maps</u> on May 3, 1999.

The <u>I-77 Corridor Subarea Plan Proposed Land Use Map (Map)</u> designates the subject area as Industrial/Technological/Commercial in the Established Urban Area. The <u>proposed</u> RM-HD zoning **is not consistent with the <u>Map</u>** designation because the proposed amendment is a for a residential land use in an area designated for light industrial land use.

In addition to reviewing the consistency with the <u>Proposed Land Use Map</u>, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The <u>I-77 Corridor Subarea Plan</u>, 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 36 respectively, are discussed below:

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

The subject site has public water and sewer service available for the City of Columbia. There appears to be available road capacity to meet the additional demand from the subject project. The proposed Amendment implements this Objective.

<u>Principle – The Established Urban Area should contain overall higher density levels...and should</u> to the proposed Land Use Map...medium density is 5 to 9 DU/acre

The proposed project will likely construct 320 to 340 dwelling units or a possible gross density of approximately 8.0 units per acre. The proposed Amendment implements this Principle.

The situation described above is one that is repeated throughout the County. That is, the adopted <u>Proposed Land Use Map</u> (Map) is not consistent with the Objectives and Policies expressed in the text of the <u>Subarea Plans</u>. The <u>Maps</u> were changed **without consideration of** the text in the Objectives and Policies of the adopted <u>Subarea Plans</u>.

This situation results in the lack of clear direction regarding how the future development of this portion of the County should occur. The Department believes this situation is tenuous because the <u>Maps</u> in the Subarea Plans are often in direct contradiction to the policy statements embodied in the **text** of the Subarea Plans.

Other Relevant Issues

A cursory review of the aerial photography of the site discloses a possible wetland area in the center of the site. It appears that the applicant could benefit from using the open space provisions (Section 26-184) of the Land Development Code in the development of the site.

The text of the <u>Subarea Plan</u> contains relevant statements regarding the proposed Amendment. For example, "...The I-77 Corridor Task Force report (1988) identified four major concerns which it requested the Planning Commission to address in formulating the update of the land development for the I-77 Corridor Study Area. These were...(3) the present lack of apartments and medium priced homes to enable portions of the growing work force to live near their job sites..." (pg 34) The proposed project directly addresses this concern identified in the Task Force Report

In addition, "...The theme for this district is to encourage infill development where possible and preserve existing stable areas from decay through intrusive incompatible land uses..." (pg 35) The proposed Amendment is an infill project because it is located on undeveloped property between a junkyard and the Public Works facility and an established low-density residential area. The Twin Eagles subdivision is occupied by single story triplex and quadraplex structures. The Fairways apartment adjacent to the Public Works facility are typical garden apartments.

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 # 05-116 MA **be changed** from RU to RM-HD.

Findings of Fact:

- 1. The applicant **has justified the need** to change the zoning on the subject site.
- 2. The proposed project must obtain Department approval of a Traffic Management Plan prior to approval of the preliminary subdivision plans.
- 3. The Department estimates the proposed Amendment will not result in the LOS C design capacity being exceeded on this portion of Hardscrabble Rd.
- 4. The proposed Amendment **is not consistent** with <u>Proposed Land Use Map</u> designation in the <u>I-77 Corridor Subarea Plan</u>.
- 5. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the <u>I-77 Corridor Subarea Plan</u> discussed herein.
- 6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any of the permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

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:

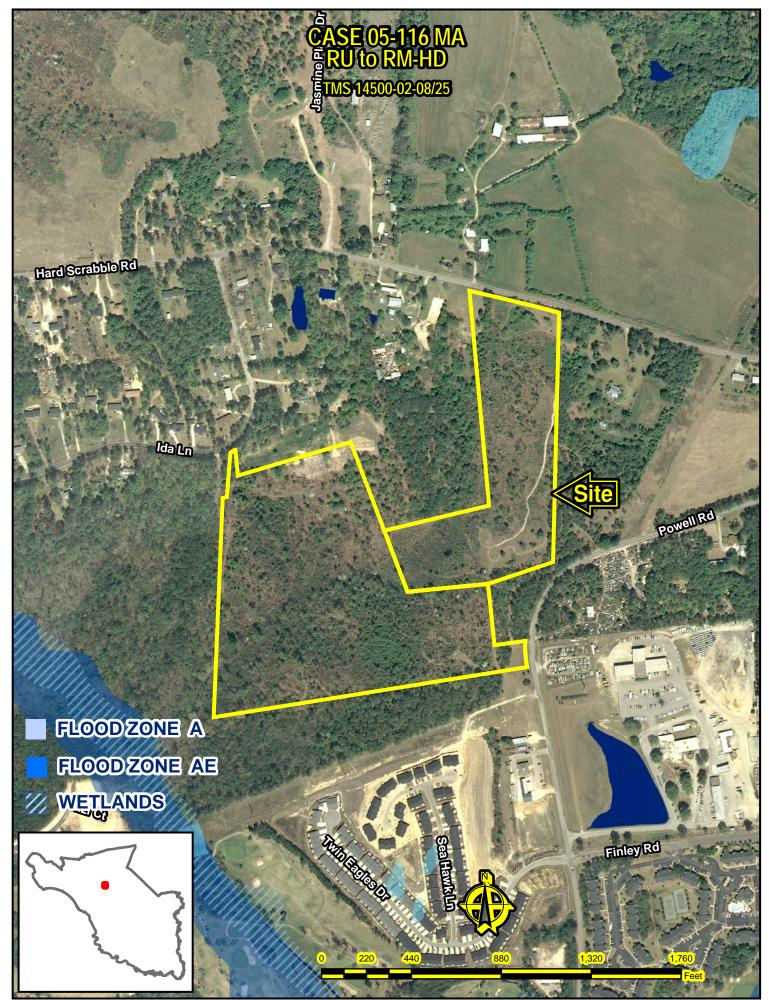
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

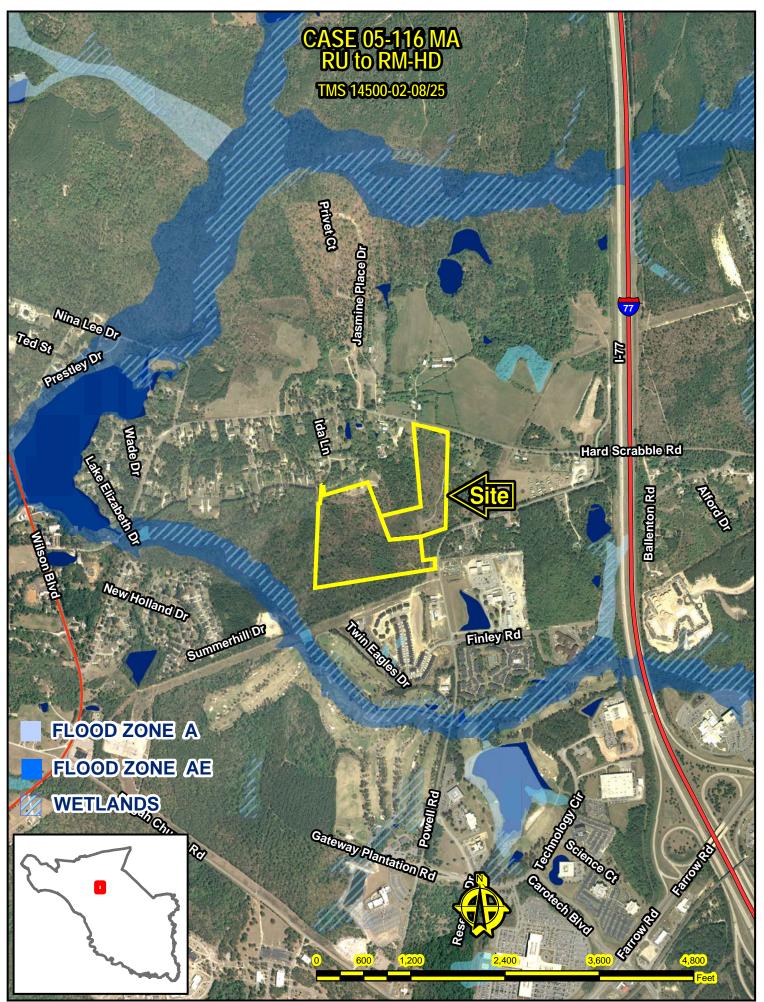
At their meeting of February 6, 2006, the Richland County Planning Commission **agreed** (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-116MA at the next available opportunity.

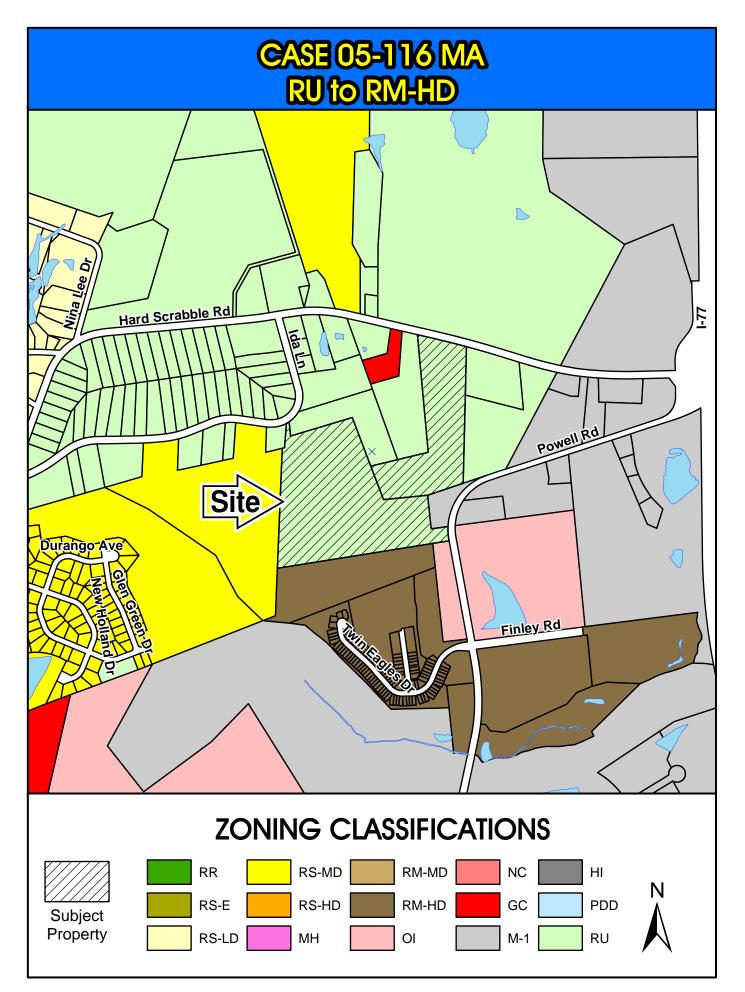
Commission Findings of Fact/Recommendations

(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 # 05-116 MA, the Planning Commission made the findings of fact summarized below:







CASE 05-116 MA From RU to RM-HD

TMS# 14500-02-08/25 Southwest Quadrant of Powell Rd. & Hardscrabble Rd.





Attachment A

05-116 MA Legal Description

All that certain piece, parcel or tract of land, situate, lying and being in the County of Richland, State of South Carolina, containing 14.35 acres and shown and delineated on plat prepared for Dale Davis Mayimov dated June 30, 1992 and recorded in the Office of the ROD for Richland County in Plat Book 54 at Page 2113 and according to said plat having the following metes and bounds: Beginning at an iron on Hard Scrabble Road and running S5°19'26"W for a distance of 1,214.17 feet to an iron; then turning and running S73°2'01"W for a distance of 195.69 feet to an iron; then turning and running S84°2'34"W for a distance of 87.87 feet to an iron; then turning and running N14°48'05"W for a distance of 313.87 feet to an iron; then turning and running N14°48'05"W for a distance of 313.87 feet to an iron; then turning N05°19'26"W for a distance of 1,069.78 feet to an iron; then turning and running And running And running AND

All that certain piece, parcel or tract of land, situate, lying and being in the County of Richland, State of South Carolina, shown as Tract A containing 28.54 acres on a plat prepared for Hunt-Taylor-Hardy Investments dated March 11, 1985; according to said plat being bound as follows: Beginning at an iron on Hard Scrabble Road and running S83°59'4"W for a distance of 134.04 feet to an iron; then turning and running S4degrees 34"34"E for a distance of 29.15 feet to an iron; then turning and running S79°36'56"W for a distance of 1,499.26 feet to an iron; then turning and running N5°53'24"E for a distance of 1,096.54 feet to an iron; then turning and running N84°06'16"W for a distance of 56 feet to an iron; then turning and running N5°51'18"E for a distance of 224.68 feet to an iron; then turning and running in a curved line with a chord bearing of N73°25'07"E with a chord a distance of 71.43 feet to an iron; then turning and running S05°51'52"W for a distance of 156.15 feet to an iron then turning and running N74°15'03"E for a distance of 617.18 feet to an iron; then turning and running S15°54'41"E for a distance of 706.67 feet to an iron; then turning and running N83°12'15"E for a distance of 531 feet to an iron; then turning and running S4°34'34"E for a distance of 338.79 feet to an iron; then turning and running N83°59'04"E for a distance of 31.69 feet to an iron; then turning and running in a curved line with a chord bearing of S04°12'15"E with a chord distance of 100.02 feet to the point of beginning. AND

All that certain piece, parcel or tract of land, situate, lying and being in the County of Richland, State of South Carolina, shown as Parcel B containing .09 acres on a plat prepared for Hunt-Taylor-Hardy Investments dated March 11, 1985; according to said plat being bound as follows: Beginning at an iron on Hard Scrabble Road and running S83 degrees 59' 04"W for a distance of 131.04 feet, then turning and running S 4degrees 34'34"E for a distance of 29.18 to an iron, then turning and running S 83degrees 58'20W" for a distance of 133.52 feet to an iron, then turning and running S 10 degrees 2'15"E for a distance of 27.31 feet to an iron, then turning and running in a curved line with a chord bearing of S 09 degrees 55' 54"E for a chord distance of 1.88 feet to the point of beginning.

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

February 6, 2006

RC Project # 05-119 MA	Applicant: Steve Corboy
General Location: Northpoint Business	s Park
Tax Map Number: 14900-01-02	Subject Area: 94 ac
Current Parcel Zoning:M-1Proposed Parcel Zoning:PDD	Proposed Use:Mixed Density Residential S/DGross Density:3.8 DU/acreOpen Space:36 %
PC Sign Posted: January 6, 2006	

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states "...All proposed amendments 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 the Land Development Code and the Comprehensive Plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies 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 are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Map Change Justification Statement

Construct a mixed density residential subdivision with 36 percent open space. **Anticipated project completion date: 2010**

Effect Of the Proposed Amendment On the Surrounding Properties

Existing Zoning and Land Use

	Existing Zoning	Existing Land Use
Subject Parcel	M-1	Undeveloped woodlands
Adjacent North	M-1	Light industrial uses
Adjacent East	M-1	Siemens Diesel Systems, Coca-Cola distribution & undeveloped woodlands
Adjacent South	PDD	Single family residences & planned new high school
Adjacent West	M-1	Light industrial uses & undeveloped woodlands

The Effect Of The Change On Surrounding Properties - Compatibility

The subject site is located in the middle of the Northpoint Business Park and will utilize Northpoint Blvd South for access to Community Drive. Industrial truck traffic will be prohibited from entering the proposed residential project.

The subject project is adjacent to the Wren Creek subdivision currently under construction by the Mungo Co. on the south side of Roberson Branch. A new high school is also planned on the south side of Roberson Branch adjacent to Wren Creek.

Traffic Management Plan (TMP) Evaluation

Section 26-22 of the County Code defines a traffic management plan as "...an evaluation of the effect of traffic generated by a development on the operation and safety of the adjacent public roads. Such analysis shall include an identification of traffic impact mitigation measures needed to improve safety, operation, and flow of vehicular and pedestrian movement into and out of the development..." The submitted <u>TMP</u> meets the Department's interpretation of the minimum requirements described above.

A summary of the <u>TMP</u> recommendations is provided below:

- Based on annual SCDOT traffic counts, the background traffic growth rate was assumed to be 2 % per year.
- The existing operations at the entrances to Community Drive and Wilson Blvd are acceptable under the no build scenario.
- The proposed project will generate 3470 ADTS with 8% of the total in the AM peak hour and 10 % in the PM peak hour.
- The 2010 no build scenario results in LOS D at the Wilson Blvd/Community Drive intersection due to increased background traffic, i.e., traffic from existing development.
- > The 2010 build scenario also results in a LOS D at this intersection.
- The project will generate a need for a minimum 175 foot long northbound turn lane on Community Drive into the project.

- Construction of the proposed PDD across Wilson Blvd will require installation of a traffic signal at Wilson Blvd and Community Drive.
- The Wilson Blvd/Community Drive intersection will operate at LOS D under the project build scenario – LOS D is acceptable in this situation because the delay occurs on the minor road, Community Drive.
- > A southbound right turn lane at the Community Drive/Wilson Blvd is required under current conditions.

<u>Traffic Impact Analysis</u> See the discussion above

Amendment Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the <u>Imagine Richland 2020 Comprehensive Plan</u>, (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 <u>Plan</u>. Specifically, the <u>Plan</u> 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 also amended all the <u>Subarea Proposed Land Use Maps</u> on May 3, 1999.

The <u>I-77 Corridor Subarea Plan Proposed Land Use Map (Map)</u> designates the subject area as Industrial/Commercial/Technological in the Developing Urban Area. The <u>proposed PDD zoning</u> **is not consistent with the <u>Map</u>** designation because it is a residential project in an area designated for light industrial land use.

In addition to reviewing the consistency with the <u>Proposed Land Use Map</u>, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The <u>I-77 Corridor Subarea Plan</u>, 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 36 respectively, are discussed below:

<u>Objective – Accommodate in certain planned higher density residential areas, a full range of housing opportunities, to meet the various needs of residents</u>

The subject site is located in the northwest quadrant of the I-77/Wilson Blvd interchange. The location in proximity to the interchange warrants a higher density project.

The proposed Amendment implements this Objective.

<u>Principle – In environmentally sensitive areas, the Plan encourages the use of large tract site</u> design and planning in conjunction with PDD zoning

The proposed General Development Plan takes advantage of the natural drainage pattern by preserving these drainage ways as part of the open space system. Low Impact Design technology will be used throughout the project.

The proposed Amendment implements this Principle.

<u>Principle – Mixed residential densities are appropriate within the Developing Urban Area and</u> should conform to the Proposed Land Use Map...Low Density is 4 DU/acre or less

The subject project will have a gross density of 3.8 DU/acre. Although this density is somewhat higher than the adjacent Wren Creek subdivision, it is compatible to other projects in the area. See the table below for a more detailed comparison of nearby project's densities.

The proposed Amendment implements this Principle.

Project Name	Gross Project Density *	Net Residential Density **
Wren Creek	1.1 DU/ac (400 DU / 367 acres)	2.3 DU/ac (400 DU / 176 acres)
(approved PDD)		
Stonington	1.2 DU/ac (201 DU / 165 acres)	1.7 DU/ac (201 DU / 118 acres)
(approved PDD)		
Kerry Lee	1.7 DU/ac (42 DU / 25 acres)	2.6 DU/ac (42 DU / 16.3 acres)
(approved PDD)		
Beasley Ck Est.	2.8 DU/ac (235 DU / 83 acres)	3.9 DU/ac (235 DU / 60.3 acres)
(approved PDD)		
Hawkins Creek	3.9 DU/ac. (202 DU / 52.3 acres)	4.2 DU/ac (202 DU / 48.6 acres)
(approved PDD)		
Walter Taylor	5.8 DU/ac (900 DU / 154.6 acres)	9.1 DU/ac. (900 DU / 99.4 acres)
(approved PDD)		
Summer Pines, Ph. 1	2.98 DU/ac (29 DU on 9.7	3.41 DU/ac (29 DU on 8.5 acres)
Recorded plat	acres)	
Summer Pines, Ph. 2	2.80 DU/ac (35 DU on 12.5	3.04 DU/ac (35 DU on 11.5 acres)
Recorded plat	acres)	, , , , , , , , , , , , , , , , , , ,
Summer Pines, Ph. 3	4.07 DU/ac (53 DU on 13 acres)	same
Recorded plat		
Summer Pines, Ph. 4	4.34 DU/ac (291 DU on 67.1	4.81 DU/ac.(291 DU on 60.4 ac)
Proposed PDD	acres)	
Pennsberry Reserve	3.8 DU/ac (356 DU on 93.8 acres)	5.8 DU/ac.(356 DU on 60.6 acres)
Proposed PDD		

Turkey Creek – Wilson Blvd Residential Projects Density Comparison

* Gross Project Density = total dwelling units / total acres

** Net Residential Density = total dwelling units/ acres devoted to residential use

Other Relevant Issues

Since a PDD allows significant flexibility in the design and construction of the project, an evaluation of the data submitted in the application document is necessary to ensure it substantially meets the minimum development standards proscribed by Section 26-100 (d) of the County Code. This evaluation is provided below:

- 1) Pg 13 Provides general site development guidelines
- 2) Pg 14 Establishes the minimum building heights, setbacks and lot sizes
- 3) Pg 15 thru 20 Establishes the street development standards and geometry
- 4) Pg 21 Provides the parking standards
- 5) Pg 22 Establishes the open space preservation criteria
- 6) Pg 23 Provides the landscaping and fencing standards
- 7) Pg 24 Provides the stormwater management standards
- 8) Pg 25 Establishes the lighting standards
- 9) Pg 26 Provides the signing and monumentation standards

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 # 05-119 MA **be changed** from M-1 to PDD, subject to the conditions described below:

Findings of Fact:

- 1. The applicant **has justified the need** to change the zoning on the subject site.
- 2. The proposed subdivision is compatible with the adjacent development.
- 3. The submitted <u>Traffic Management Plan</u> meets the Department's interpretation of the minimum requirements described above.
- 4. The proposed Amendment **is not consistent with** <u>Proposed Land Use Map</u> designation in the <u>I-77 Corridor Subarea Plan</u>.
- 5. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the <u>I-77 Corridor Subarea Plan</u> discussed herein.
- 6. The Planning Commission hereby approves the **General Development Plan** (*aka applicant's PDD Master Plan, Exhibit D*) and attached hereto as Attachment B, subject to the conditions listed below, as required by Chapter 26-59 of the Richland County Land Development Code.
- 7. If the proposed Amendment fails, the subject site may be used by any of the permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

PDD Conditions

- a) The Planning Commission approved the <u>General Development Plan</u> dated December 29, 2005, except as otherwise amended herein, required by Section 26.59 of the Richland County Land Development Code, 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 356 dwelling units substantially in the amounts and locations depicted in Attachment B; and
- c) The applicant has included a phasing plan as required; 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
- f) Proposed changes to the approved <u>General Development Plan</u> described below are termed major changes and shall be subject to the requirements of Section 26-59 (j) of the Richland County Land Development Code, i.e., a review and recommendation by the Planning Commission and a new ordinance by the Richland County Council; and
 - 1) Changes in the location of land uses; or
 - 2) Increase in the gross density or intensity; or
 - 3) Changes in the pattern or amount of traffic flow

- g) The Planning Commission is hereby authorized to make minor amendments to the <u>General</u> <u>Development Plan</u>, or as otherwise allowed by Section 26-59 (j) (2) of the Land Development Code; and
- h) The PDSD is hereby authorized to make minor adjustments in the phasing schedule or similar projects construction activities; and
- i) No land development permits or building permits shall be issued until the project complies with the requirements of Section 26-59 (h)(1-5) of the Richland County Land Development Code; and
- j) All internal streets, except the alleys, shall be publicly owned and maintained by Richland County. The alleys shall be owned and maintained by the HOA; and
- k) External access to the subject site shall be limited to existing the Northpoint Blvd North and Northpoint Blvd South entrances onto Community Drive; and
- 1) The developer shall install a minimum 175 foot long northbound right turn lane on Community Drive into Northpoint Blvd South; and
- m) The applicant shall construct landscaped berms, fences, walls, or some combination thereof, to ensure that no parcel will have direct vehicular access onto Northpoint Blvd; and
- n) The Department shall receive the written US Army Corps of Engineers approval of the wetlands delineation and/or encroachment permit prior to approval of the preliminary subdivision plans; and
- o) The Department shall receive the written FEMA approval of the 100 year flood elevation statement, if necessary, prior to approval of the preliminary subdivision plans; and
- p) Other conditions resulting from the Commission consideration?
- q) Pursuant to the requirements of Section 26-59 (k) of the County Code, the County may require a bond be posted to guarantee the phasing schedule is met and the construction of roads, utilities, other facilities and amenities are met; and
- r) Pursuant to the requirements of Section 26-59 (k) (4) of the County Code, the PDD zoning shall automatically expire 730 days after the date of the Zoning Map Amendment Ordinance, for this project, unless development activity is initiated; and
- s) The applicant has provided the Department with a draft description of proposed procedures and processes of the homeowners association for the Department's review and inclusion in the project records; and
- t) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest; and
- u) All the conditions described herein shall apply to the applicant, the developer and/or their successors in interest.

Development Review Team Action

Pursuant to the provisions of Chapter 26-59 (d) of the County Code requires the Development Review Team (DRT) to take action regarding requests for a PDD Zoning Map Amendment. On January 27, 2006, the DRT approved the <u>General Development Plan</u> (AKA applicant's proposed master plan) dated December 30, 2005 for 05-119 MA.

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:

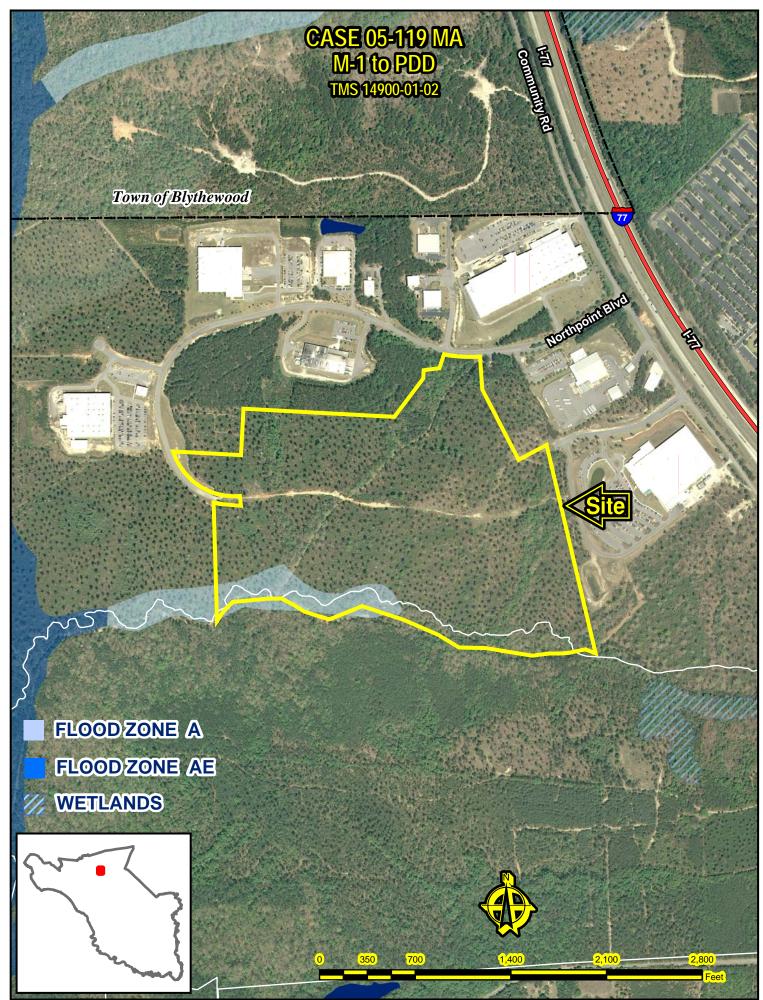
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; or
- (c) A clerical or map error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

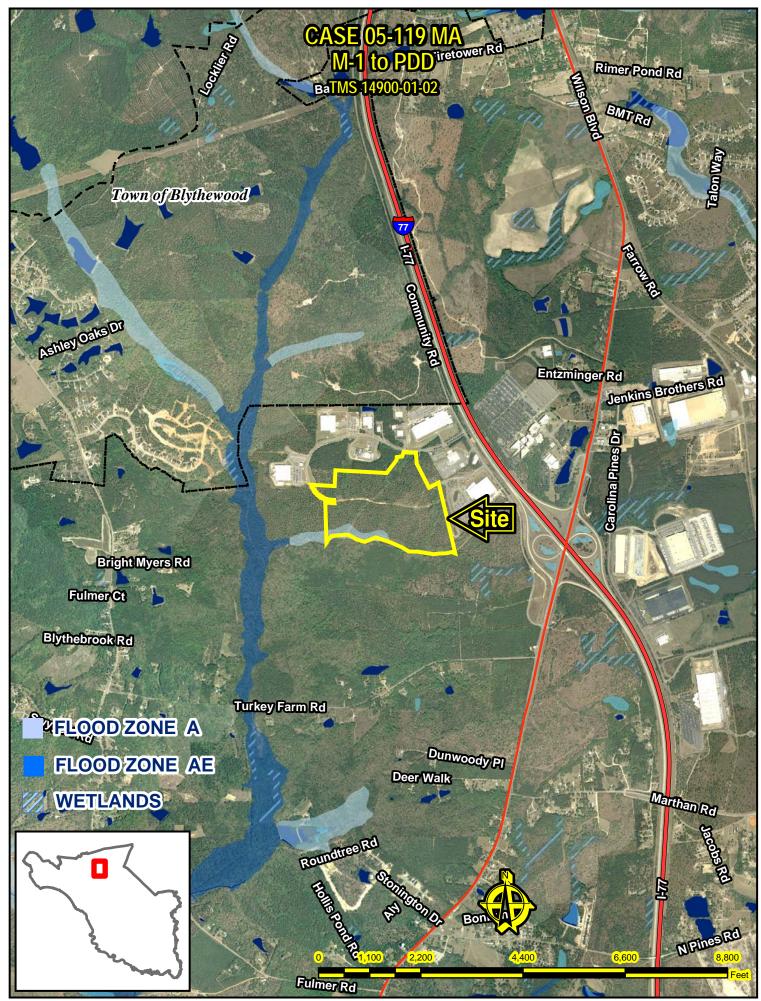
At their meeting of February 6, 2006, the Richland County Planning Commission **agreed** (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-119 MA at the next available opportunity.

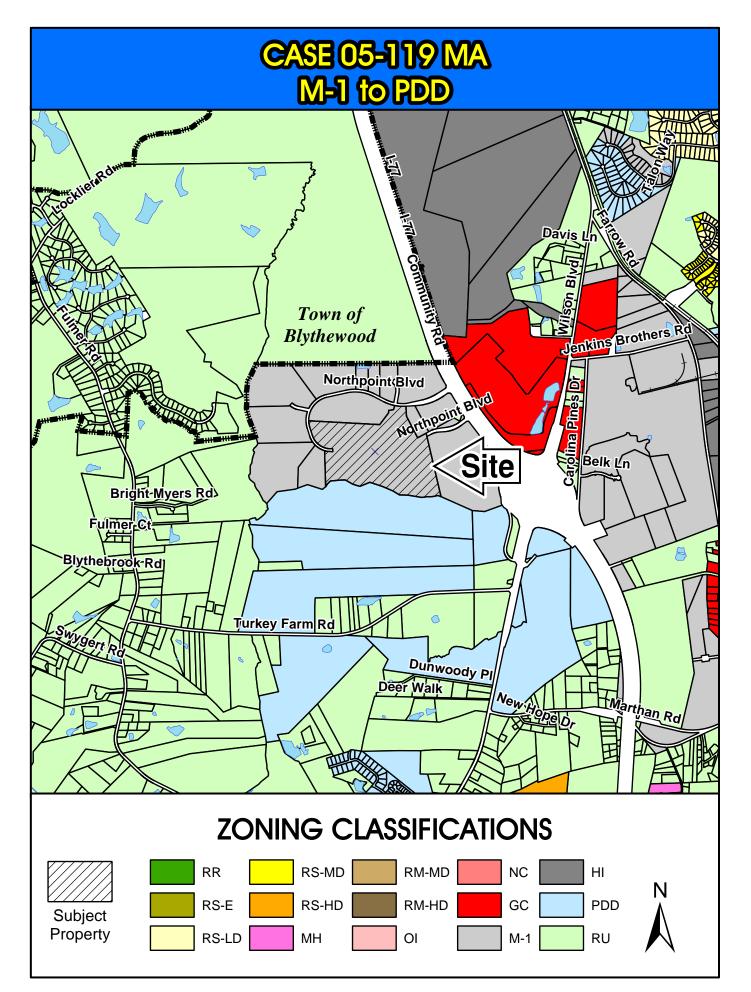
Commission Findings of Fact/Recommendations

(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 # 05-119 MA, the Planning Commission made the findings of fact summarized below:





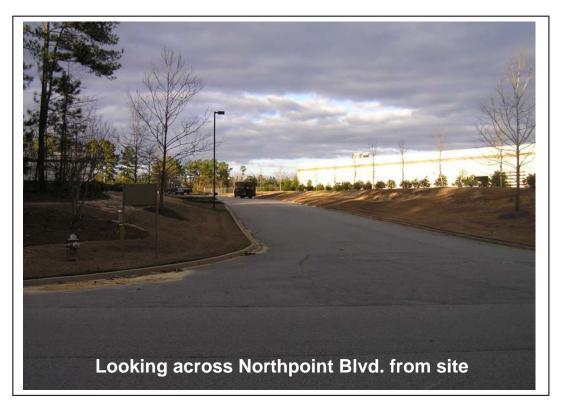


CASE 05-119 MA From M-1 to PDD

TMS# 14900-01-02

Adjacent to Northpoint Business Park





Attachment A

O5-119 MA-LEGAL DESCRIPTION

All that certain piece, parcel or tract of land with improvements thereon, situate, lying, and being in Richland County near Blythewood, State of South Carolina being shown and delineated as a tract of land containing 94.5 acres being a portion of 162.79 acres on a boundary plat prepared by W.R. Williams, Jr., PLS & PE #3979, dated April 15, 2002 entitled in part "Survey for T. Walter Brashier Near Blythewood, Richland County, State of South Carolina," and recorded in plat book 667 at page 1747 RMC Office, for Richland County.

Tax Map Number 14900-01-02 (93.82 acres)

The point of beginning of the property herein described being an iron pin located on the southern most side of the right of way of North point Boulevard on the common boundary of property, Richland County Tax map sheet 14900-01-02 (93.82 acres).

Starting at point of beginning proceed along the above said common boundary S 03°51'30" E for a distance of 224.46' to an iron;

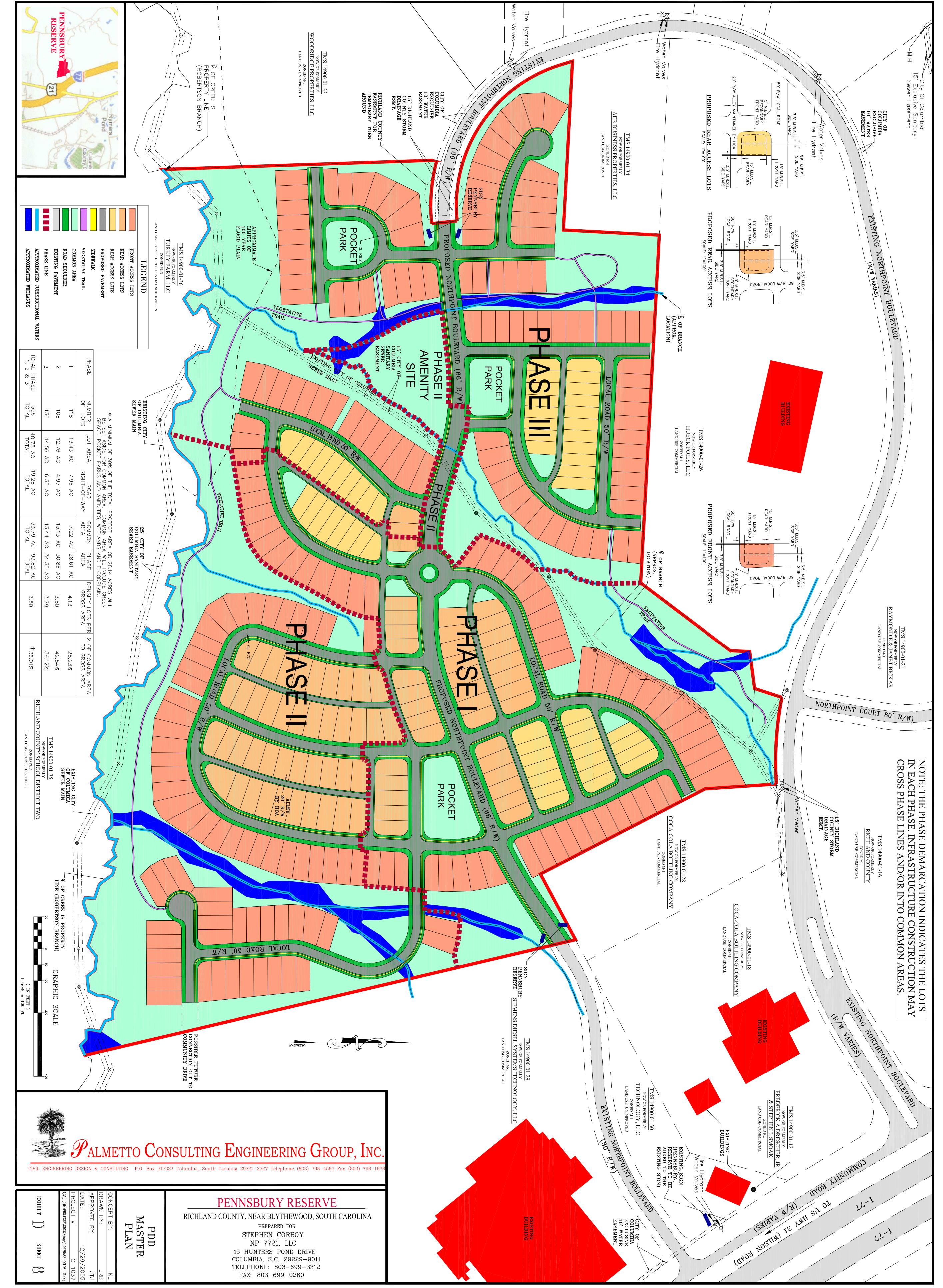
Thence proceeding S 27 ° 21 ′ 10 ″ E for a distance of 579.24' to an iron pin Thence proceeding N 61 ° 51 ′ 10 ″ E for a distance of 84.49' to an iron pin Thence proceeding N 61 ° 51 ′ 10 ″ E for a distance of 143.27' to calculated point Thence proceeding S 13 ° 15 ′ 20 ″ E for a distance of 1575.18' to calculated point Thence proceeding S 13 ° 15 ' 20 " E for a distance of 9.11' to calculated point Thence proceeding S 65 ° 16 ′ 51 ″ W for a distance of 34.02' to calculated point Thence proceeding N 47 ° 03 ' 46 " W for a distance of 26.46' to calculated point Thence proceeding S 89 ° 08 ′ 07 ″ W for a distance of 27.72' to calculated point Thence proceeding N 10 ° 26 ' 35 " W for a distance of 13.21' to calculated point Thence proceeding N 10 ° 32 ′ 25 ″ E for a distance of 31.35' to calculated point Thence proceeding N 64 ° 44 ' 49 " W for a distance of 35.67' to calculated point Thence proceeding N 18 ° 26 ' 22 " W for a distance of 25.19' to calculated point Thence proceeding S 87 ° 40 ′ 24 ″ W for a distance of 22.79' to calculated point Thence proceeding N 65 ° 58 ' 22 " W for a distance of 34.74' to calculated point Thence proceeding S 24 ° 17 ′ 56 ″ W for a distance of 36.12' to calculated point Thence proceeding S 07 ° 03 ' 16 " W for a distance of 29.98' to calculated point Thence proceeding S 27 ° 08 ′ 08 ″ W for a distance of 29.04' to calculated point Thence proceeding S 84 ° 28 ' 21 " W for a distance of 46.15' to calculated point Thence proceeding N 37 ° 48 ' 09 " W for a distance of 30.84' to calculated point Thence proceeding N 82 ° 59 ' 50 " W for a distance of 42.47' to calculated point Thence proceeding S 51 ° 58 ' 22 " W for a distance of 43.51' to calculated point Thence proceeding N 70 ° 32 ' 49 " W for a distance of 73.16' to calculated point Thence proceeding S 63 ° 21 ′ 01 ″ W for a distance of 23.78' to calculated point Thence proceeding S 72 ° 34 ′ 06 ″ W for a distance of 36.09' to calculated point Thence proceeding N 68 ° 25 ' 45 " W for a distance of 16.23' to calculated point Thence proceeding N 03 ° 01 ′ 29 ″ E for a distance of 29.46' to calculated point Thence proceeding N 71 ° 12 ′ 28 ″ W for a distance of 46.51' to calculated point

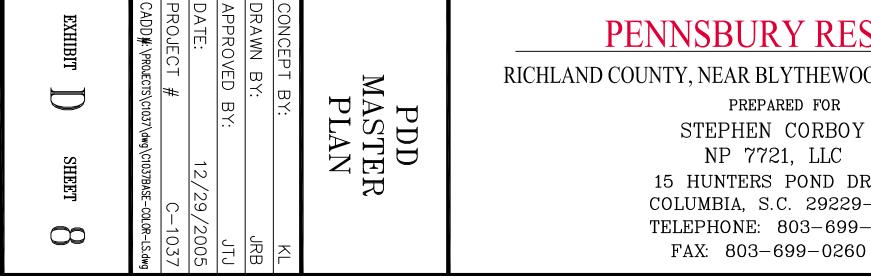
Thence proceeding N 36 ° 08 ' 27 " W for a distance of 50.73' to calculated point Thence proceeding N 72 ° 00 ′ 27 ″ W for a distance of 20.90' to calculated point Thence proceeding S 18 ° 28 ' 45 " W for a distance of 30.29' to calculated point Thence proceeding N 40 ° 06 ' 01 " W for a distance of 42.14' to calculated point Thence proceeding S 66 ° 00 ' 24 " W for a distance of 21.71' to calculated point Thence proceeding N 69 ° 36 ' 00 " W for a distance of 34.68' to calculated point Thence proceeding S 09 ° 16 ' 07 " W for a distance of 23.95' to calculated point Thence proceeding S 70 ° 06 ' 42 " W for a distance of 23.31' to calculated point Thence proceeding N 47 ° 36 ' 29 " W for a distance of 25.32' to calculated point Thence proceeding S 88 ° 48 ' 02 " W for a distance of 37.83' to calculated point Thence proceeding S 55 ° 36 ' 29 " W for a distance of 48.42' to calculated point Thence proceeding S 29 ° 07 ' 00 " W for a distance of 29.06' to calculated point Thence proceeding S 75 ° 24 ' 53 " W for a distance of 43.24' to calculated point Thence proceeding N 37 ° 51 ' 48 " W for a distance of 44.38' to calculated point Thence proceeding S 47 ° 40 ' 14 " W for a distance of 25.54' to calculated point Thence proceeding N 82 ° 52 ' 14 " W for a distance of 17.46' to calculated point Thence proceeding S 46 ° 43 ' 51 " W for a distance of 28.94' to calculated point Thence proceeding N 68 ° 27 ' 26 " W for a distance of 44.84' to calculated point Thence proceeding N 58 ° 14 ' 11 " W for a distance of 46.07' to calculated point Thence proceeding S 89 ° 19 ′ 59 ″ W for a distance of 36.26' to calculated point Thence proceeding N 37 ° 35 ' 17 " W for a distance of 38.27' to calculated point Thence proceeding N 78 ° 23 ' 53 " W for a distance of 14.61' to calculated point Thence proceeding N 44 ° 20 ' 23 " W for a distance of 33.11' to calculated point Thence proceeding S 52 ° 24 ′ 59 ″ W for a distance of 32.66' to calculated point Thence proceeding N 43 ° 01 ' 04 " W for a distance of 16.74' to calculated point Thence proceeding N 08 ° 49 ' 50 " W for a distance of 44.37' to calculated point Thence proceeding N 07 ° 07 ′ 07 ″ E for a distance of 29.90' to calculated point Thence proceeding N 70 ° 12 ′ 02 ″ W for a distance of 38.78' to calculated point Thence proceeding N 38 ° 04 ' 15 " W for a distance of 43.95' to calculated point Thence proceeding S 74 ° 57 ' 10 " W for a distance of 75.86' to calculated point Thence proceeding S 30 ° 15 ' 16 " W for a distance of 34.55' to calculated point Thence proceeding N 65 ° 28 ' 02 " W for a distance of 28.92' to calculated point Thence proceeding N 38 ° 11 ′ 33 ″ E for a distance of 17.83' to calculated point Thence proceeding N 11 ° 30 ' 48 " W for a distance of 21.76' to calculated point Thence proceeding N 22 ° 26 ′ 10 ″ E for a distance of 30.43' to calculated point Thence proceeding N 55 ° 12 ′ 51 ″ W for a distance of 19.33' to calculated point Thence proceeding N 86 ° 52 ' 55 " W for a distance of 41.14' to calculated point Thence proceeding S 60 ° 40 ' 59 " W for a distance of 37.39' to calculated point Thence proceeding N 63 ° 52 ' 04 " W for a distance of 62.41' to calculated point Thence proceeding S 20 ° 52 ′ 52 ″ W for a distance of 26.20' to calculated point Thence proceeding N 73 ° 38 ' 23 " W for a distance of 28.41' to calculated point Thence proceeding N 09 ° 13 ' 01 " W for a distance of 30.50' to calculated point Thence proceeding N 83 ° 09 ' 23 " W for a distance of 27.49' to calculated point Thence proceeding S 66 ° 58 ' 41 " W for a distance of 43.40' to calculated point

Thence proceeding N 18 ° 12 ′ 08 ″ W for a distance of 97.68' to calculated point Thence proceeding N 72 ° 34 ' 35 " W for a distance of 42.22' to calculated point Thence proceeding S 79 ° 50 ' 01 " W for a distance of 55.98' to calculated point Thence proceeding S 45 ° 50 ' 13 " W for a distance of 33.86' to calculated point Thence proceeding N 82 ° 21 ′ 46 ″ W for a distance of 30.32' to calculated point Thence proceeding N 89 ° 35 ' 42 " W for a distance of 50.66' to calculated point Thence proceeding S 64 ° 58 ' 17 " W for a distance of 49.38' to calculated point Thence proceeding S 43 ° 34 ' 12 " W for a distance of 27.40' to calculated point Thence proceeding S 43 ° 18 ' 15 " W for a distance of 42.81' to calculated point Thence proceeding S 65 ° 20 ' 56 " W for a distance of 52.57' to calculated point Thence proceeding N 68 ° 09 ' 46 " W for a distance of 40.66' to calculated point Thence proceeding N 89 ° 43 ' 20 " W for a distance of 37.98' to calculated point Thence proceeding N 56 ° 19 ' 47 " W for a distance of 17.84' to calculated point Thence proceeding N 18 ° 14 ' 06 " W for a distance of 44.59' to calculated point Thence proceeding N 64 ° 32 ' 13 " W for a distance of 31.07' to calculated point Thence proceeding S 60 ° 54 ' 06 " W for a distance of 54.76' to calculated point Thence proceeding S 89 ° 25 ' 53 " W for a distance of 46.11' to calculated point Thence proceeding N 36 ° 58 ' 59 " W for a distance of 46.70' to calculated point Thence proceeding N 05 ° 41 ′ 33 ″ W for a distance of 32.00' to calculated point Thence proceeding N 67 ° 36 ' 44 " W for a distance of 87.74' to calculated point Thence proceeding S 38 ° 38 ' 02 " W for a distance of 33.48' to calculated point Thence proceeding S 70 ° 08 ' 42 " W for a distance of 32.06' to calculated point Thence proceeding S 34 ° 20 ' 23 " W for a distance of 21.43' to calculated point Thence proceeding S 55 ° 43 ′ 51 ″ E for a distance of 28.93' to calculated point Thence proceeding S 22 ° 20 ' 28 " E for a distance of 9.80' to calculated point Thence proceeding S 57 ° 32 ' 46 " W for a distance of 54.58' to calculated point Thence proceeding N 52 ° 42 ' 46 " W for a distance of 30.41' to calculated point Thence proceeding N 19 ° 36 ′ 08 ″ E for a distance of 30.37' to calculated point Thence proceeding N 25 ° 31 ' 45 " W for a distance of 44.25' to calculated point Thence proceeding N 82 ° 26 ' 15 " W for a distance of 17.17' to calculated point Thence proceeding S 52 ° 18 ' 11 " W for a distance of 25.18' to calculated point Thence proceeding S 77 ° 45 ' 00 " W for a distance of 19.85' to calculated point Thence proceeding S 67 ° 57 ' 44 " W for a distance of 15.73' to calculated point Thence proceeding S 08 ° 44 ' 38 " W for a distance of 41.32' to calculated point Thence proceeding N 69 ° 41 ' 38 " W for a distance of 42.33' to calculated point Thence proceeding N 58 ° 38 ' 07 " W for a distance of 80.44' to calculated point Thence proceeding S 76 ° 37 ' 06 " W for a distance of 29.96' to calculated point Thence proceeding S 58 ° 04 ' 59 " W for a distance of 38.91' to calculated point Thence proceeding N 29 ° 57 ' 36 " W for a distance of 23.33' to calculated point Thence proceeding N 57 ° 04 ' 35 " W for a distance of 28.33' to calculated point Thence proceeding S 59 ° 23 ' 42 " W for a distance of 62.37' to calculated point Thence proceeding S 07 ° 44 ′ 35 ″ E for a distance of 59.42' to calculated point Thence proceeding S 33 ° 16 ′ 46 ″ E for a distance of 48.49' to calculated point Thence proceeding S 67 ° 53 ' 34 " W for a distance of 36.92' to calculated point

Thence proceeding N 29 ° 03 ′ 12 ″ W for a distance of 19.60' to calculated point Thence proceeding S 45 ° 33 ′ 51 ″ W for a distance of 38.88' to an iron pin Thence proceeding N 10 ° 56 ′ 35 ″ W for a distance of 859.61' to an iron pin Thence proceeding S 85 ° 21 ′ 27 ″ E for a chord distance of 200.00' to an iron pin Thence proceeding N 06 ° 03 ′ 18 ″ W for a distance of 80.00' to an iron pin Thence proceeding N 56 ° 41 ′ 55 ″ W for a chord distance of 583.41' to an iron pin Thence proceeding N 17 ° 20 ′ 33 ″ W for a distance of 41.88' to calculated point Thence proceeding N 86 ° 56 ′ 29 ″ W for a distance of 529.34' to calculated point Thence proceeding N 03 ° 03 ′ 31 ″ E for a distance of 300.00' to calculated point Thence proceeding S 86 ° 56 ′ 29 ″ E for a distance of 300.00' to calculated point Thence proceeding N 03 ° 03 ′ 31 ″ E for a distance of 1088.50' to an iron pin Thence proceeding N 37 ° 04 ′ 25 ″ E for a distance of 352.95' to an iron pin Thence proceeding N 82 ° 29 ′ 24 ″ E for a distance of 117.06' to an iron pin Thence proceeding N 18 ° 02 ′ 10 ″ E for a distance of 89.50' to an iron pin Thence proceeding N 18 ° 02 ′ 10 ″ E for a distance of 89.50' to an iron pin

The same iron pin being the point of beginning of the 93.82 acre parcel herein described.





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

February 6, 2006

RC Project # 05-118 MA	Applicant: Don Lovett		
General Location: Southeast Quadrant of Longtown Road and Clemson Road			
Tax Map Number: 17414-01-17 (p)	Subject Area: 0 <u>.09</u> ac MOL		
PC Sign Posted: January 6, 2006	Proposed Use: Part of Shopping Center		
Current Parcel Zoning:PDDProposed Parcel Zoning:GC	Gross Density: NAp Open Space: NAp		

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states "...All proposed amendments 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 the Land Development Code and the Comprehensive Plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies 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 are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Map Change Justification Statement

The applicant has requested a Zoning Map Amendment for a **0.09 acre parcel** to connect two portions of a site that was zoned commercial about one year ago (Ordinance # 64-04 HR, enacted October 28, 2004). The subject parcel is a portion of a lot in the Killian Green subdivision. It is necessary to connect the two separate GC parcels for a commercial development. When the previous zoning occurred, it was understood the two parcels were connected.

The boundary discrepancy was discovered at the closing of the sale of the commercial site to the developer. This situation is perfect example of the need to require recent boundary surveys as part of the zoning application package.

The Department attempted to determine if there was any administrative process to resolve this issue without completion of the Zoning Map amendment process. The Department determined the Amendment request should be processed to avoid any future ownership problems.

Staff Recommendation

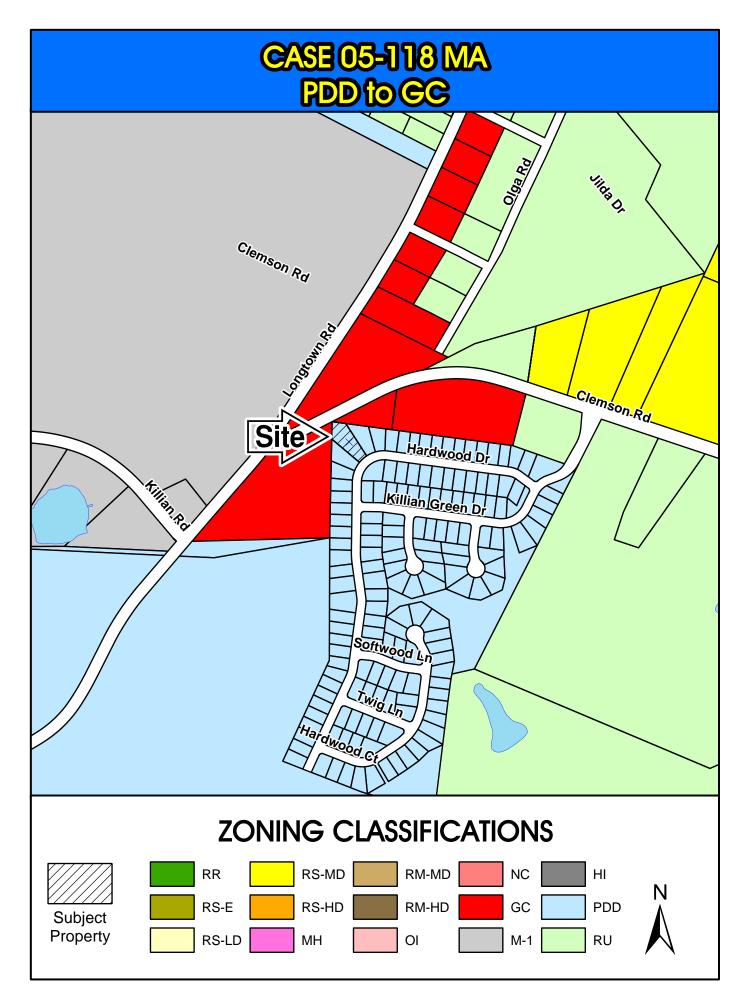
Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-118 MA **be changed** from PDD to GC.

Planning Commission Action

At their meeting of February 6, 2006, 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 # 05-118 MA at the next available opportunity.







CASE 05-118 MA From PDD to GC

TMS# 17414-01-17 (P) Adjacent to Killian Green Subdivision





Attachment A

05-118 MA Legal Description

Beginning at the intersection of the Eastern right-of-way of Longtown Road (S.C. Hwy. No. S-40-1051) and the Southern right-of-way of Clemson Road (S.C. Hwy. No. S-40-52) (to be abandoned) at a 3/4" Pinch top (o); thence running along the common line of Parcel No. 1 and Parcel No. 2 approximately 474.2 feet to a 3" Pipe (o), this being the POINT OF BEGINNING (P.O.B.); thence turning and running S 82d28'17" E along Parcel No. 5 for a distance of 78.41 feet to a 1/2" Rebar (o); thence turning and running S 42d52'33" W along the Remainder of TMS#17414-01-17, now or formerly Gentry Development for a distance of 116.80 feet to a 1/2" Rebar (o); thence turning and running N 01d02'24" E along Parcel No. 1 for a distance of 95.89 feet to a 3" Pipe (o), the POINT OF BEGINNING (P.O.B.).

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

February 6, 2006

RC Project # 05-121 MA	Applicant: William Higgins	
General Location: Northwest Quadrant of Piney Woods Rd & Piney Grove Rd		
Subject Area: 17 ac 04913-01-01/03/05 Subject Area: 17 ac		
PC Sign Posted: January 6, 2006	Proposed Use: Apartments & Commercial	
Current Parcel Zoning: M-1	Gross Density: NAp	
Proposed Parcel Zoning: GC	Open Space: NAp	

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states "...All proposed amendments 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 the Land Development Code and the Comprehensive Plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies 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 are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Map Change Justification Statement

Develop apartments and general commercial

Effect Of the Proposed Amendment On the Surrounding Properties

Existing Zoning and Land Use

	Existing Zoning	Existing Land Use
Subject Parcel	M-1	Undeveloped woodlands
Adjacent North	M-1	Undeveloped woodlands
Adjacent East	RU	Single family residences
Adjacent South	RU	Undeveloped woodlands
Adjacent West	M-1	Sunoco station, Motel, Greens Liquor store

Adjacent Parcel Compatibility

The proposed multi-family residential portion of the proposed project will provide a buffer between the single family residences to the east and the existing and proposed commercial activity to the west. The proposed project is compatible with the adjacent development.

Traffic Management Plan (TMP) Evaluation

Since the proposed project is a commercial land development project and multi-family residential project, a traffic management plan must be prepared and approved by the Department prior to approval of any site plan on the subject site. Preparation of a TMP requires a mandatory pre-application meeting.

Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the Department's 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 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	Piney Woods Rd
Functional Classification Of This Roadway	Not Classified
Level-Of-Service <u>C</u> Design Capacity $(V/C = 1.00)$) NAp
Estimated Traffic Generated By The Proposed Proje	ect NP
Current Volume At The Nearest Count Station # Located @ ¹ / ₂ mile south of Piney Grove Road (the	643 1400 site)
Estimated Traffic Count With the Proposed Project	NAp
Volume-To-Capacity Ratio With The Proposed Pro	ject NAp

Notes:

- The <u>functional classification of the roadway</u> is taken from the <u>Richland County Long Range</u> Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.
- The <u>estimated project traffic</u> is determined by applying the traffic generation rates presented on pages 9 through 11 of the <u>Addendum To The Long Range Major Street Plan for Richland</u> <u>County</u>, October 1993, or the 6th Edition of the Institute of Traffic Engineers <u>Traffic</u> <u>Generation Manual (TGM)</u>, whichever is most appropriate for the requested use.
- The <u>current traffic counts</u> were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old**.
- The <u>volume-to-capacity ratio with the proposed project</u> 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 <u>TGM</u> 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 on a Saturday.

While it is not possible to determine the extent of the traffic impact of the proposed project, it is not likely that the proposed Amendment would result in the LOS C of Piney Woods Road being exceeded in this location.

Amendment Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the <u>Imagine Richland 2020 Comprehensive Plan</u>, (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 <u>Plan</u>. Specifically, the <u>Plan</u> 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 also amended all the <u>Subarea Proposed Land Use Maps</u> on May 3, 1999.

The <u>Northwest Subarea Plan Proposed Land Use Map</u> (Map) designates the subject area as Light industrial in the Established Urban Area. The <u>proposed</u> GC zoning **is not consistent with the** <u>**Map**</u> designation because it is a proposed commercial and multi-family development in an area designated for light industrial land use.

In addition to reviewing the consistency with the <u>Proposed Land Use Map</u>, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The <u>Northwest Subarea Plan</u>, adopted in January 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 34 respectively, are discussed below:

<u>Objective –</u> None Applicable

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

- 1. Areas identified on the Proposed Land Use Map; and
- 2. <u>Sites that do not encroach or penetrate established residential areas; and</u>
- 3. Sites of major traffic junctions and cluster locations as opposed to strip development
- 1. The proposed commercial and multi-family development is not consistent with the Proposed Land Use Map.
- 2. The subject site does not encroach into the adjacent residential area.
- 3. The site is adjacent to the Piney Grove Road/I-26 interchange.

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 # 05-121 MA **be changed** from M-1 to GC.

Findings of Fact:

- 1. The applicant has justified the need to change the zoning on the subject site.
- 2. A traffic management plan must be approved by the Department prior to approval of any site development plans.
- 3. While it is not possible to determine the extent of the traffic impact of the proposed project, it is not likely that the proposed Amendment would result in the LOS C of Piney Woods Road being exceeded in this location.
- 4. The **multi-family portion** of the proposed Amendment **is consistent with** <u>Proposed</u> <u>Land Use Map</u> designation in the <u>Northwest Subarea Plan</u>.
- 5. The **commercial portion** of the proposed Amendment **is not consistent** with <u>Proposed</u> <u>Land Use Map</u> designation in the <u>Northwest Subarea Plan</u>

- 6. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the <u>Northwest Subarea Plan</u> discussed herein.
- 7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any of the permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

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:

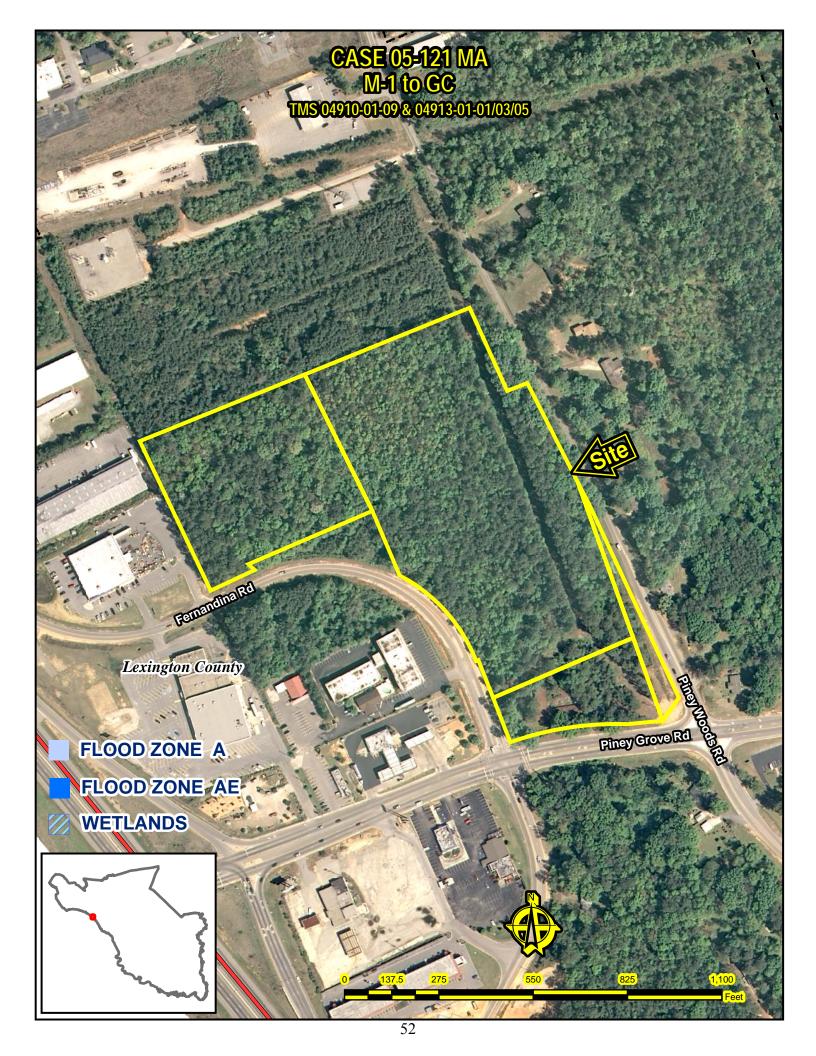
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; or
- (c) A clerical or map error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

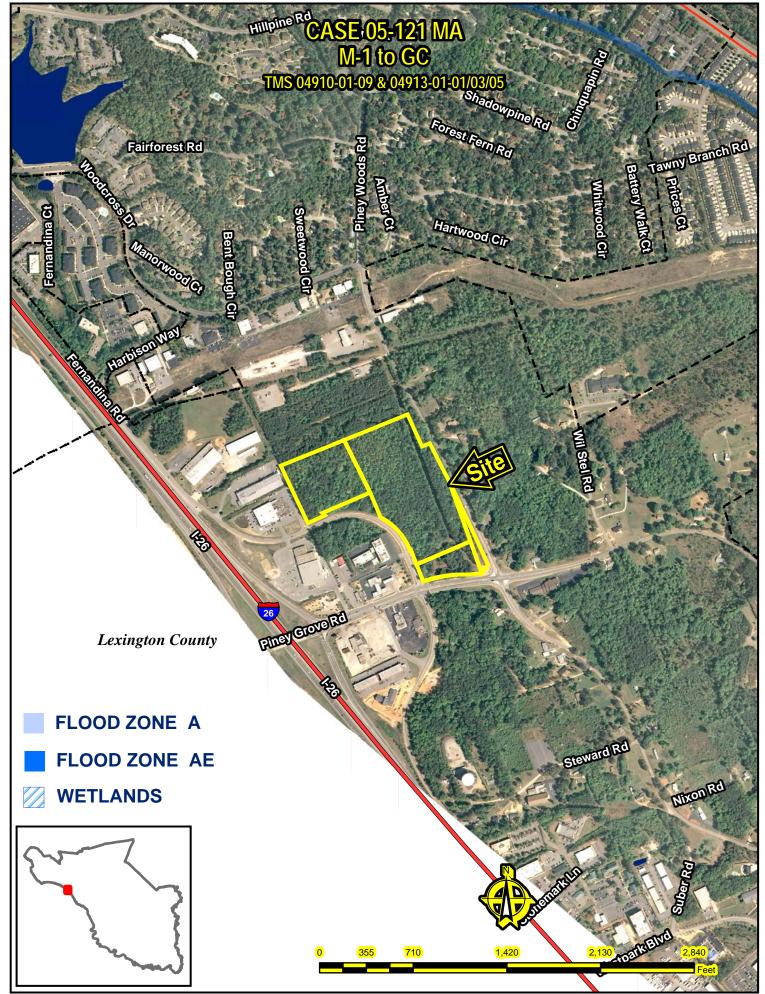
At their meeting of February 6, 2006, the Richland County Planning Commission **agreed** (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-121 MA at the next available opportunity.

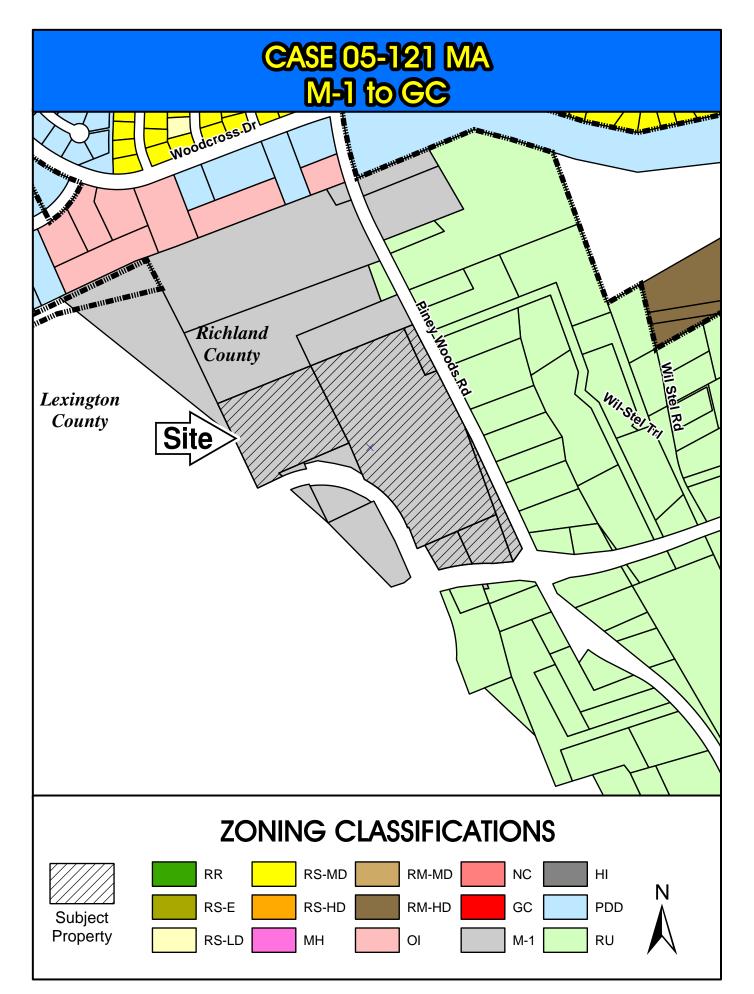
Commission Findings of Fact/Recommendations

(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 # 05-121 MA, the Planning Commission made the findings of fact summarized below:

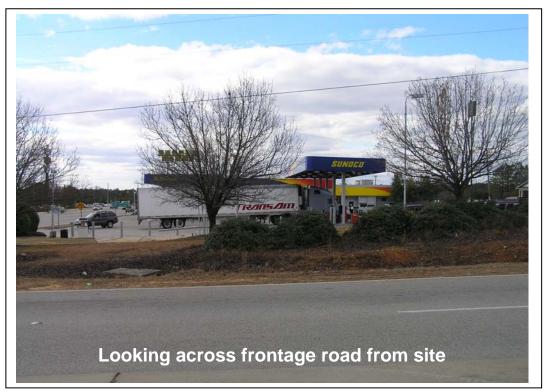


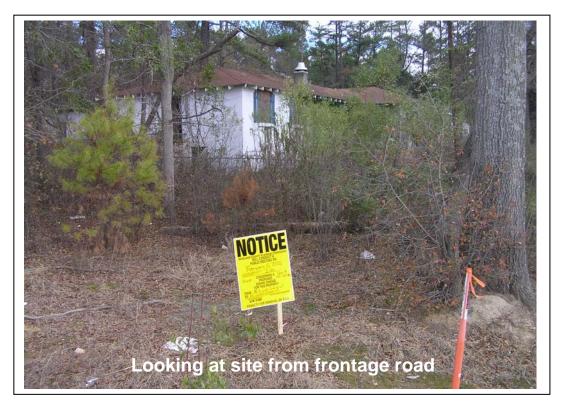




CASE 05-121 MA From M-1 to GC

TMS# 04910-01-09 & 04913-01-01/03/05 Northeast Quadrant of Fernandina Rd. & Piney Woods Rd.





Attachment A

05-121 MA Legal Description

TMS # 04910-01-09 & 04913-01-01/03/05

Beginning at the intersection of the northern right-of-way margin of Piney Grove Road and the eastern right-of-way margin of N.E. Frontage Road at a 5/8" Rod (o), this being the POINT OF BEGINNING (P.O.B.); thence turning and running along the eastern right-of-way margin of N.E. Frontage Road for the following bearings and distances: N 21°35'54" W for a distance of 252.06 feet to a ⁵/₈" Rod (0); thence turning and running in a curved line of length 227.77 feet (curve of radius 485.74 feet, chord bearing of N 35°03'37" W, chord distance of 225.69 feet) to a 5/8" Rod (o); thence turning and running N 61'25'46" W for a distance of 87.75 feet to a 5/8" Rod (o); thence turning and running in a curved line of length 42.16 feet (curve of radius 473.74 feet, chord bearing of N 61°24'19" W, chord distance of 42.15 feet) to a $\frac{1}{2}$ " Rebar (o); thence turning and running N 25°25'28" W for a distance of 18.84 feet to a 5/8" Rod (o); thence turning and running in a curved line of length 97.74 feet (curve of radius 485.74 feet, chord bearing of N 71°31'38" W, chord distance of 97.57 feet) to a $\frac{1}{2}$ " Rebar (n); thence turning and running N 26°49'47" W along property now or formerly Maximillian, LLC for a distance of 513.60 feet to a ⁵/₈" Rebar w Cap (o); thence turning and running S 66°21'43" W along property now or formerly Maximillian, LLC for a distance of 429.54 feet to a ⁵/₈" Rebar w/ cap (o) (Ref. Iron); thence turning and running S 66°21'42" W along property now or formerly Maximillian, LLC for a distance of 4.81 feet to a Calc. Point in Ditch; thence turning and running N 26°46'46" W along property of now or formerly Francis M. Burriss for a distance of 31.04 feet to a 5/8" Rod (o); thence turning and running N 66°21'49" E along property of now or formerly James R. Jackson & Greta Davis for a distance of 517.73 feet to a Nail in ³/₄" Pipe (o); thence turning and running N 66°05'39" E along property of now or formerly Piney Woods Associates for a distance of 533.75 feet to a Bolt (o); thence turning and running S 22°48'19" E along property of now or formerly Johnnie Mae Patterson for a distance of 267.47 feet to a ³/₄" Pipe (o); thence turning and running N 66°31'10" E along property of now or formerly Johnnie Mae Patterson for a distance of 62.83 feet to a 1" Pipe (o) along the western right-of-way margin of Piney Woods Road; thence turning and running along the western right-of-way margin of Piney Woods Road for the following bearings and distances: S 27°11'51" E for a distance of 367.42 feet to a 1¹/₄" Pipe (o); thence turning and running S 24°14'41" E for a distance of 171.90 feet to a 5/8" Rod (o); thence turning and running S 18°25'15" E for a distance of 120.78 feet to a 5/8" Rod (o); thence turning and running S 24°50'25" E for a distance of 347.31 feet to a 5/8" Rod (o); thence turning and running S 20"28'46" W for a distance of 82.27 feet to a ¹/₂" Rebar (o) at the northern right-of-way margin of Piney Grove Road; thence turning and running along the northern rightof-way margin of Piney Grove Road for the following bearings and distances: S 89°40'54" W for a distance of 100.16 feet to a ³/₄" Pipe (o); thence turning and running S 87°55'34" W for a distance of 106.58 feet to a Nail & Cap (o); thence turning and running S 80°01'46" W for a distance of 180.23 feet to a ⁵/₈" Rod (o); thence turning and running S 72°43'45" W for a distance of 21.70 feet to a 1¹/₄" Pipe (o); thence turning and running S 70°50'05" W for a distance of 33.52 feet to a ⁵/₈" Rod (o); the POINT OF BEGINNING (P.O.B.).

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

February 6, 2006

RC Project # 05-117 MA		Applicant: Tom Milliken		
General Location: South Side of Shop Road West of Pineview Road				
Tax Map Number: 16200-04-18 (p)	Subject Area: 61 ac (part of 133 acre project, 72 acres of which remain zoned M-1)			
PC Sign Posted: January 6, 2006		Proposed Use: Industrial Park		
Current Parcel Zoning: RU Proposed Parcel Zoning: LI		Gross Density: NAp Open Space: NAp		

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states "...All proposed amendments 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 the Land Development Code and the Comprehensive Plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies 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 are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Map Change Justification Statement

Develop an industrial park

Effect Of the Proposed Amendment On the Surrounding Properties

Existing Zoning and Land Use

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped
Adjacent North	M-1	Light Industrial Uses & Residences
Adjacent East	M-1	Vacant (part of the subject 133 acre industrial park)
Adjacent South	RS-HD	Single Family Residences
Adjacent West	RS-HD & RU	Single Family Residences & Church

Adjacent Parcel Compatibility

The adjacent parcels to the south are occupied by single family residences. The parcels to the west and include a large church, scattered single family residences, light industrial land uses and vacant lots. The proposed light industrial park is compatible with the adjacent development.

Traffic Management Plan (TMP) Evaluation

Since the proposed project is a major land development project (100,000 sq. ft. of non-residential space, a traffic management plan must be prepared and approved by the Department, prior to approval of the preliminary plans for a subdivision. Preparation of a TMP requires a mandatory pre-application meeting.

Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the Department's 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 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		Shop Road	
Functional Classification Of This Roadway	Four Lane Divided Minor Arteria		
Level-Of-Service <u>C</u> Design Capacity $(V/C = 1.00)$		28,600	
Estimated Traffic Generated By The Proposed Project		1342	
Current Volume At The Nearest Count Station # Located @ the site	292	16,400	
Estimated Traffic Count With the Proposed Project		17,342	
Volume-To-Capacity Ratio With The Proposed Project		0.61	

Notes:

- The <u>functional classification of the roadway</u> is taken from the <u>Richland County Long Range</u> <u>Major Street Plan</u>, adopted in October 1993 as part of the regional traffic planning process.
- The <u>estimated project traffic</u> is determined by applying the traffic generation rates presented in the 5th Edition of the Institute of Traffic Engineers <u>Traffic Generation Manual (TGM)</u>. In this case, the estimated traffic is calculated by multiplying the generation rate for an industrial park found on page 145 of the <u>TGM</u>, i.e. 10.09 ADTs per acre times 133 acres.
- The <u>current traffic counts</u> were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old**.
- The <u>volume-to-capacity ratio with the proposed project</u> is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

Shop Road in this location is operating far below its LOS C capacity. The proposed Amendment will not result in the LOS C capacity of Shop Road being exceeded in this location.

Amendment Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the <u>Imagine Richland 2020 Comprehensive Plan</u>, (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 <u>Plan</u>. Specifically, the <u>Plan</u> 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 also amended all the <u>Subarea Proposed Land Use Maps</u> on May 3, 1999.

The <u>Southeast Subarea Plan Proposed Land Use Map</u> (Map) designates the subject area as Light Industrial in the Developing Urban Area. The <u>proposed</u> LI zoning is consistent with the <u>Map</u> designation.

In addition to reviewing the consistency with the <u>Proposed Land Use Map</u>, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The <u>Southeast Subarea Plan</u>, 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 41 respectively, are discussed below:

<u>Objective – Provide areas with commercial and industrial facilities and services that are related</u> to each other in an efficient manner, served by adequate infrastructure and readily accessible to the public

The proposed Amendment will result in a continuation of the industrial development occurring in the area. The traffic analysis disclosed that there is adequate traffic capacity to accommodate the proposed project. Public water and sewer service is available in the area. The proposed Amendment implements this Objective.

<u>Principle – Industrial uses, specifically wholesale and distribution related activities, should have access to major streets with frontage on commercial or higher classification streets.</u>

The subject site will have direct access to Shop Road, a 4 lane divided highway. The proposed Amendment implements this Principle.

Other Relevant Issues

A portion of the subject site has frontage on Harlem Street which is primarily a residential street. Access to Harlem Street should be limited to emergency access only.

The subject site is part of a proposed 133 acre industrial park. The eastern 72 acre portion of the site is currently zoned M-1 and has frontage on Shop Road.

The Department suggested the entire 133 acres be zoned L-I so that the entire industrial park has the same zoning classification. The applicant chose to maintain the proposed zoning pattern in order to allow a greater choice in land uses afforded by the M-1 Zoning district.

The definition of a subdivision is the dividing of a parcel into two, or more, lots for any purpose. Section 26-54 of the County Code requires the Department to receive a copy of a recorded plat prior to issuing any development permits. Therefore, the applicant will be required to complete the subdivision process prior to commencing any development activity.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-117 MA **be changed** from RU to LI.

Findings of Fact:

- 1. The applicant **has justified the need** to change the zoning on the subject site.
- 2. A traffic management plan must be approved by the Department prior to any division of the subject parcel.
- 3. The applicant will be required to complete the subdivision plan prior to commencing any development activity.
- 4. The proposed Amendment will not result in the LOS C capacity of Shop Road being exceeded in this location.
- 5. The proposed Amendment **is consistent with** <u>Proposed Land Use Map</u> designation in the <u>Southeast Subarea Plan</u>.
- 6. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the <u>Southeast Subarea Plan</u> discussed herein.
- 7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any of the permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

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.

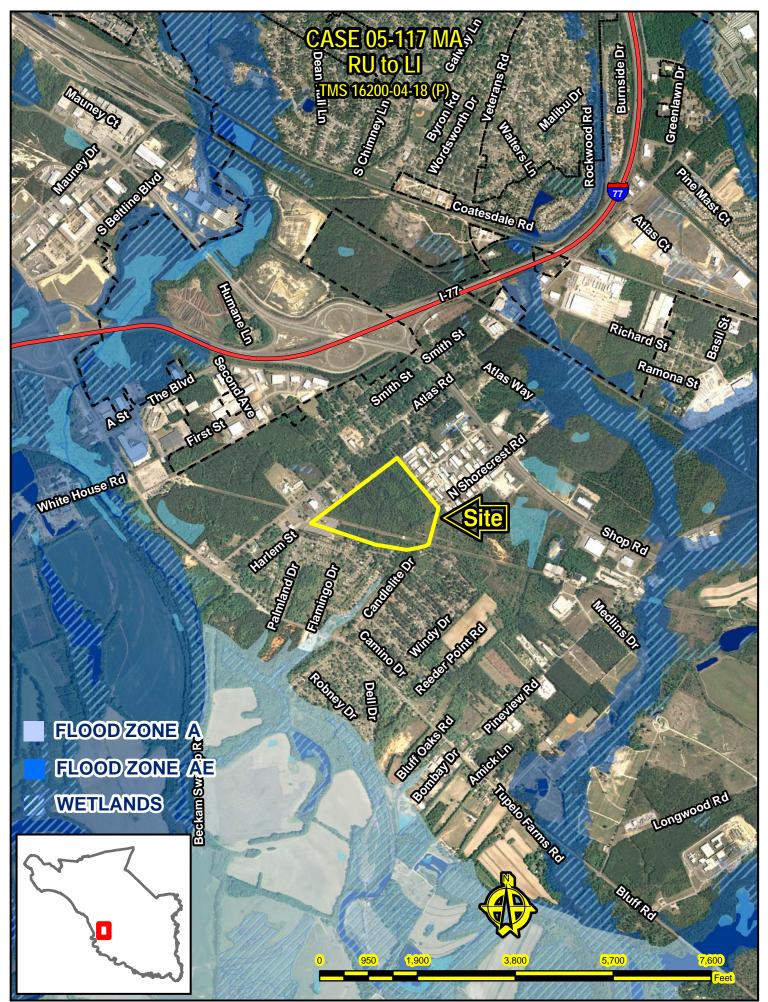
At their meeting of February 6, 2006, the Richland County Planning Commission **agreed** (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-117 MA at the next available opportunity.

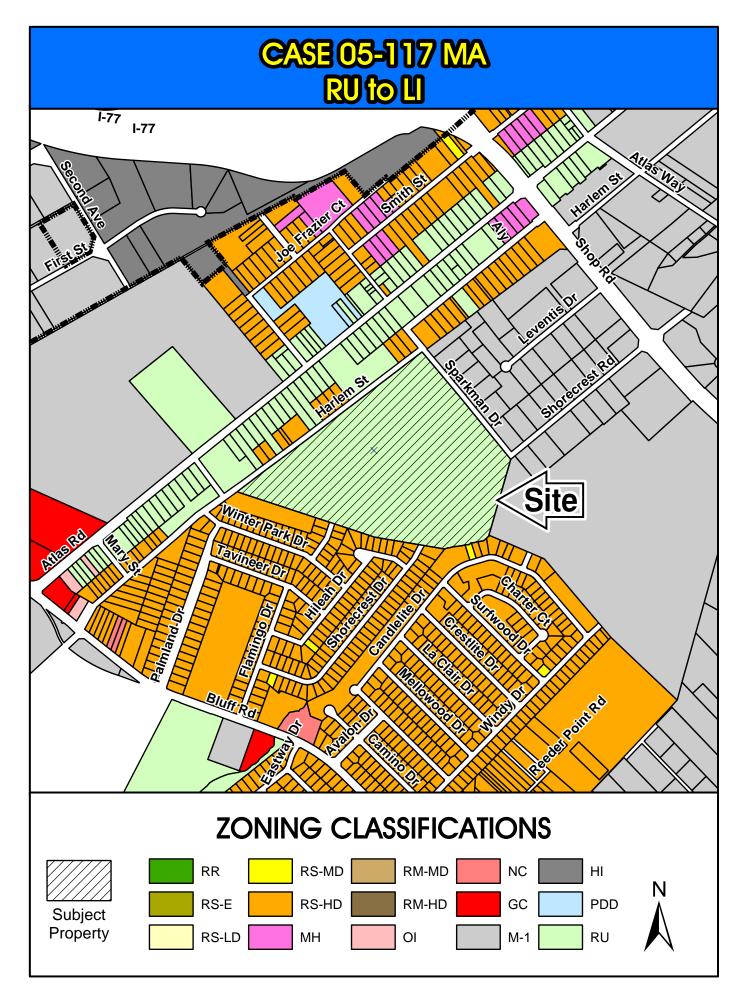
Commission Findings of Fact/Recommendations

(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 # 05-117 MA, the Planning Commission made the findings of fact summarized below:







CASE 05-117 MA From RU to LI

TMS# 16200-04-18 (P) South side of Shop Road west of Pineview Road





Attachment A

05-117 MA Legal Description

All that certain piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Richland, near the City of Columbia, and being shown on plat entitled "Boundary Survey" for Saro Properties, by BPB, dated October 13, 2005, revised October 25, 2005, said plat having the following metes and bounds to wit:

Beginning at a 5/8" rebar, being the most northerly corner of this tract. Said beginning point also being the intersection of the westerly R.O.W. line of Sparkman Drive with the southerly R.O.W. line of Harlem Street. Proceeding along Sparkman Drive in a direction of S 33°-45'-53" E for a distance of 1170.44' to 5/8" rebar; thence along a curve to the left in a direction of S 58°-53'-31" E for a chord distance of 78.98' (said curve having an arc distance of 81.57' and a radius of 93.00') to a point, thence in a direction of S 33°-47'-32" E for a distance of 176.45' to a point, thence along a curve to the right in a direction of S $02^{\circ}-24'-48''$ E for a chord distance of 624.84' (said curve having an arc distance of 657.20' and a radius of 600.00') to a point, thence in a direction of S 28°-57'-57" W for a distance of 123.60' to a point, thence turning and proceeding in a direction of N 59°-29'07" W for a distance of 385.54', along the northerly line of Starlite Subdivision to a 5/8" rebar, thence turning and proceeding the following seven courses along the northerly line of Starlite Subdivision, in a direction of S 58°-03'-52" W for a distance of 43.81' to a point, thence in a direction of S 66°-45'-37" W for a distance of 21.58' to a point, thence in a direction of S 80°-12'-14" W for a distance of 114.74' to a point, thence in a direction of S 80°-20'-35" W for a distance of 62.15' to a point, thence in a direction of S 82°-13'-06" W for a distance of 104.79 to a point, thence in a direction of S 83°-19'-38" W for a distance of 43.80' to a point, thence in a direction of S 82°-44'-43" W for a distance of 42.35' to a 5/8" rebar, thence turning and proceeding in a direction of N 74°-25'-12" W for a distance of 656.10' along the northerly line of Bluff Estates Subdivision to a 28" oak, thence turning and proceeding in a direction of N 66°-01'-12" W for a distance of 555.83' along the northerly line of Bluff Estates Subdivision to a point, thence turning and proceeding in a direction of N 66°-54'-04" W for a distance of 752.70' along the northerly line of a Bible Way Church of Atlas Road to a 5/8" rebar, thence turning and proceeding in a direction of N 58°-55'-45" E 2014.19' along the southerly R.O.W. of Harlem Street to a 5/8" rebar. This being the point of beginning. This parcel contains 60.989 acres (2,656,680 Sq. Ft.).

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

February 6, 2006

RC Project # 05-122 MA	Applicant: Tommy Simons
General Location: West Side of Lower Richland Blvd, ¹ / ₄ mile south of Padgett Road	
Tax Map Number: 22014-05-02	Subject Area: 2.3 ac MOL
PC Sign Posted: January 6, 2006	Proposed Use: Duplex development
Current Parcel Zoning: RU Proposed Parcel Zoning: RM-MD	Gross Density: Max. 8.0 DU/acre Open Space: Unknown

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states "...All proposed amendments 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 the Land Development Code and the Comprehensive Plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies 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 are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Map Change Justification Statement

Develop duplex residential project

Effect Of the Proposed Amendment On the Surrounding Properties

Existing Zoning and Land Use

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Vacant
Adjacent North	RU	Single Family Residence
Adjacent East	RU	Single Family Residence
Adjacent South	RU	Manufactured Home
Adjacent West	RU &RS-MD	Vacant woodlands & Single Family S/D

Adjacent Parcel Compatibility

The subject site is surrounded by single-family residences. A narrow vacant parcel separates the site from a single family detached subdivision to the west. There are single family residences, on varying lot sizes, to the north, east and south. The proposed Amendment would result in a project that is totally out of character with the adjacent development.

Traffic Management Plan (TMP) Evaluation Not Required

Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the Department's 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 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 Proje	ect 119
Current Volume At The Nearest Count Station # Located @ Starling Road	481 2000
Estimated Traffic Count With the Proposed Project	2119
Volume-To-Capacity Ratio With The Proposed Pro	ject 0.25

Notes:

- The <u>functional classification of the roadway</u> is taken from the <u>Richland County Long Range</u> Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.
- The <u>estimated project traffic</u> is determined by applying the traffic generation rates presented on pages 9 through 11 of the <u>Addendum To The Long Range Major Street Plan for Richland</u> <u>County</u>, October 1993 (6.6 ADTs times 18 DUs).
- The <u>current traffic counts</u> were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old**.
- The <u>volume-to-capacity ratio with the proposed project</u> is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The traffic generated by the proposed Amendment will not result in any significant increase in the traffic on Lower Richland Blvd. This portion of the Boulevard is operating far below its LOS C capacity.

Amendment Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the <u>Imagine Richland 2020 Comprehensive Plan</u>, (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 <u>Plan</u>. Specifically, the <u>Plan</u> 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 also amended all the <u>Subarea Proposed Land Use Maps</u> on May 3, 1999.

The <u>Southeast Subarea Plan Proposed Land Use Map</u> (Map) designates the subject area as low Density Residential in the Developing Urban Area. The <u>proposed</u> RM-MD zoning **is not consistent with the <u>Map</u>** designation because it is a high-density multi-family residential classification in an area designated for single-family development.

In addition to reviewing the consistency with the <u>Proposed Land Use Map</u>, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The <u>Southeast Subarea Plan</u>, 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 – Buffer established areas from new, higher density uses through open areas and/or transitional land uses

The proposed project could result in as many as 18 dwelling units being constructed on the subject site. All the surrounding parcels have either single family detached residences or are undeveloped. The proposed Amendment **does not implement** this Objective.

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

The proposed duplex development would result in a high density residential encroachment into a low density residential area. The proposed Amendment **does not implement** 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 # 05-122 MA **not be changed** from RU to RM-MD.

Findings of Fact:

- 1. The applicant **has not justified the need** to change the zoning on the subject site.
- 2. The proposed Amendment would result in a **project that is out of character** with the adjacent development.
- 3. The proposed use **will not have a significant effect on traffic** on this portion of Lower Richland Boulevard.
- 4. The proposed Amendment is not consistent with <u>Proposed Land Use Map</u> designation in the <u>Southeast Subarea Plan</u>.
- 5. The proposed Zoning Map Amendment **is not consistent with** the Objectives and Recommendations of the <u>Southeast Subarea Plan</u> discussed herein.
- 6. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any of the permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

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:

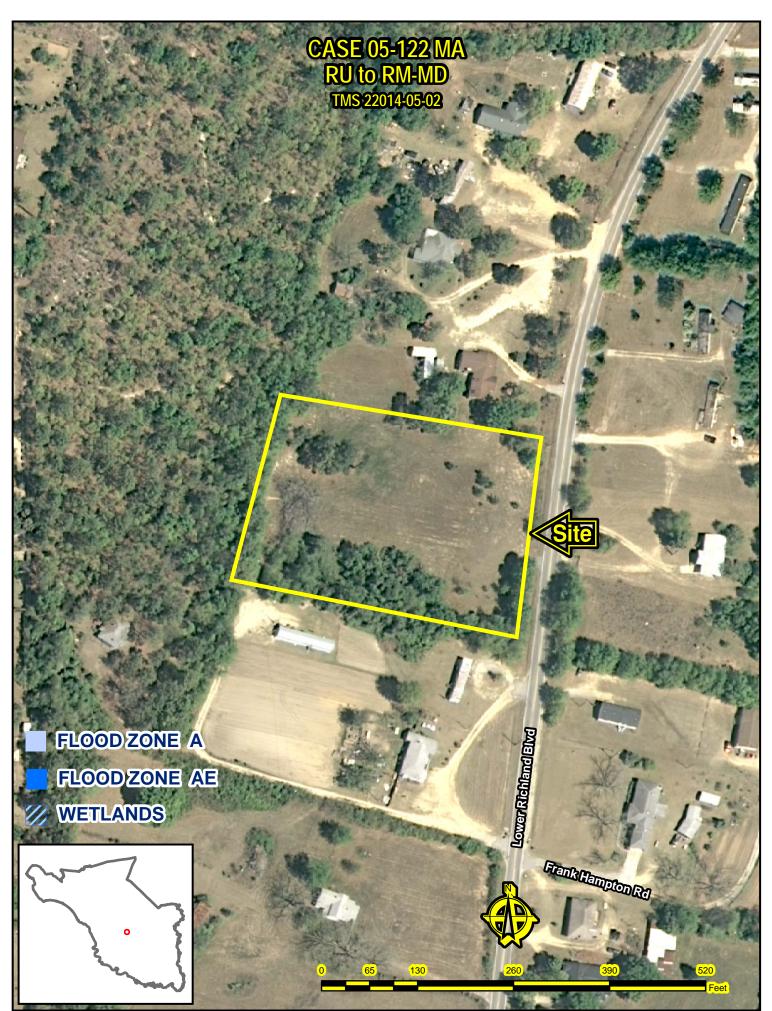
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map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

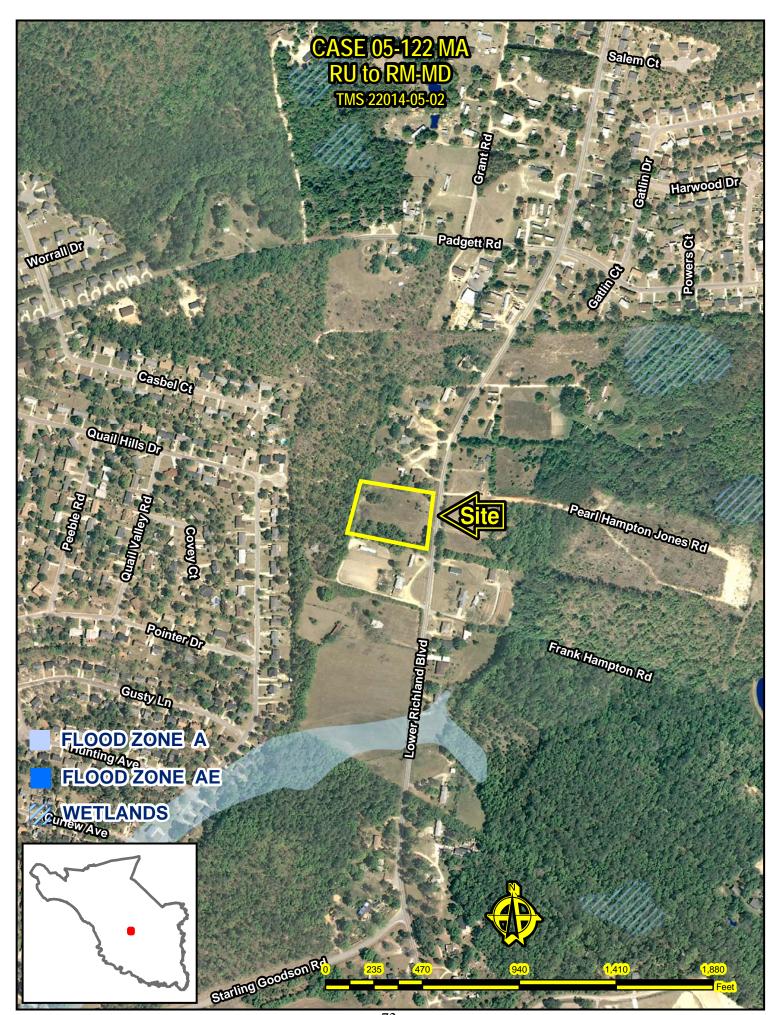
At their meeting of February 6, 2006, the Richland County Planning Commission **agreed** (**did not agree**) with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-122 MA at the next available opportunity.

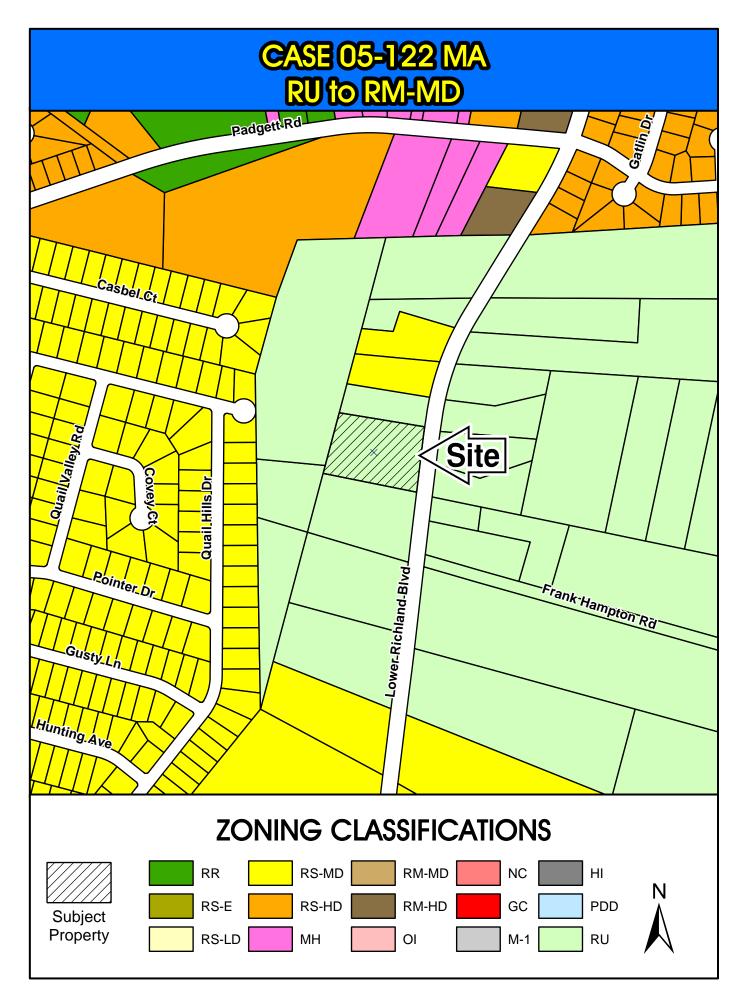
Commission Findings of Fact/Recommendations

(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 # 05-122 MA, the Planning Commission made the findings of fact summarized below:

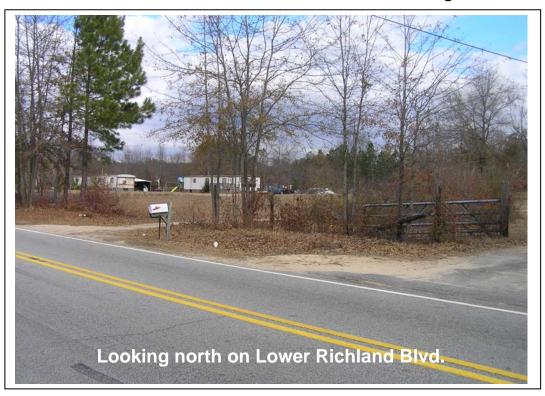






CASE 05-122 MA From RU to RM-MD

TMS# 22014-05-02 West side Lower Richland Blvd. ½ mile south of Padgett Road





Attachment A

05-122 MA Legal Description

TMS # 22014-05-02

Beginning at a corner on the western side of Lower Richland Blvd; proceeding N 17 degrees, 45 minutes, 0 seconds E for a distance of 250.38 feet; thence turning and running S 79 degrees, 4 minutes, 32 seconds E for a distance of 359.73 feet; thence turning and running S 9 degrees, 51 minutes, 18 seconds for a distance of 28.21 feet; thence turning and running S 9 degrees, 44 minutes, 35 seconds W for a distance of 248.71 feet to the point of beginning.

RICHLAND COUNTY, SOUTH CAROLINA PLANNING & DEVELOPMENT SERVICES DEPARTMENT

GIS/Technical Support Division Memo

TO:	Planning Commission Members: Interested Parties
FROM:	Alfreda W. Tindal, 9-1-1 Address Coordinator
DATE:	January 11, 2006
RE:	Subdivision and Street Name Approval

Pursuant Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, 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 proposed street/road/subdivision names listed below have been given preliminary approval as related to the Emergency 9-1-1 system requirements. The proposed subdivision/commercial names are included for your information only.

Action Requested

The Addressing Office recommends the Commission given final approval of the street/road names listed below. Unless specifically stated, the street name suffixes are added after receipt of the subdivision lot layout.

APP'D SUBDIVISION NAMES	GENERAL LOCATION
Pennington Square	Off Pennington Road, Southeast
Moores Creek	Off Caughman & Hallbrook Drives

PROPOSED STREET NAMES	GENERAL LOCATION
Alatera Ct	Brookhaven, Ph 11, Northeast
Braiden Manor Rd	Off Pennington Road, Southeast
Gavinshire Rd	Off Pennington Road, Southeast
Moores Creek Drive	Off Caughman & Hallbrook Drives
Musgroves Mill Lane	Off Caughman & Hallbrook Drives
Nestle Court	Off Caughman & Hallbrook Drives
Pennington Square Way	Off Pennington Road, Southeast



Date:1/24/06To:Richland County Planning Commission

From: Michael P. Criss, AICP, Planning Services Manager

Regarding: Comprehensive Plan Update

As requested by the Planning Commission during your January, 2006 meeting, following is a revised schedule for updating the County's comprehensive plan.

February to July, 2006

Debate and map the 10-year future locations for urban, suburban, rural, and conservation land uses.

Debate and map the 10-year future locations for municipal annexation boundaries.

Debate and map the 10-year future locations for priority investment areas within the urban, suburban, and rural areas.

August to December, 2006

By planning area, debate and map the 10-year future locations for residential, commercial, industrial, recreational, educational, governmental, civic, agricultural, mining, military, and conservation land uses.

January, 2007 to June, 2007

Draft text of comprehensive plan elements: population; economic development; natural resources; cultural resources; community facilities; transportation; housing; land use; priority investment; and intergovernmental coordination.

July, 2007 to December, 2007

Conduct public participation sessions, and revise draft comprehensive plan in response to public comments.

January, 2008

Transmit recommended comprehensive plan to County Council.

(OVER)

Page 2

Staff are reserving the fourth floor back conference room for the Planning Commission to conduct work sessions on the comprehensive plan as often as once a month, apart from the Commission's regular meetings. The fourth floor back conference room will be available to the Commission on Thursday afternoons, from 4:00 pm to 6:00 pm, on these dates:

February 16, 2006; March 23, 2006; April 20, 2006; May 18, 2006; June 15, 2006; July 20, 2006; August 17, 2006; September 21, 2006; October 19, 2006; November 16, 2006; and December 21, 2006.

cc: M. Donny Phipps, CBO, Interim Planning Director Anna Almeida, Development Services Manager Brenda Carter, GIS Services Manager Susan Britt, AICP, Neighborhood Planner Carl Gosline, AICP, Comprehensive Planner John Newman, AICP, Comprehensive Planner

STATE OF SOUTH CAROLINA COUNTY COUNCIL FOR RICHLAND COUNTY ORDINANCE NO. ____06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, ZONING; ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-152, SPECIAL EXCEPTIONS; SUBSECTION (D), STANDARDS; PARAGRAPHS (8), (9), AND (10); SO AS TO AMEND THE REQUIRED CONDITIONS FOR DAY CARES (ADULT DAY CARES, FAMILY DAY CARES, AND GROUP DAY CARES) REGARDING PARKING.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

<u>SECTION I.</u> The Richland County Code of Ordinances, Chapter 26, Zoning; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (D), Standards; Paragraphs (8), (9), and (10) are hereby amended to read as follows:

- (8) Day care, adult, home occupation (six or less).
 - a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
 - b. An adult day care, home occupation, with six (6) or fewer attendees must be operated in an occupied residence.
 - c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
 - d. Parking shall not be located in the front yard.
 - e. d. All other state and federal regulations shall be met.
- (9) Day Care, Child, Family Day Care, Home Occupation (5 or less)
 - a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
 - b. A child group family day care home occupation must be operated in an occupied residence.
 - c. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.

- d. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- e. Parking shall not be located in the front yard.
- f. e. All other state and federal regulations shall be met.
- (10) Day Care, Child, Group Day Care, Home Occupation (6 to 12).
 - a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
 - b. A child group day care home occupation must be operated in an occupied residence.
 - c. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
 - d. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
 - e. Parking shall not be located in the required front yard.
 - f. e. All other state and federal regulations shall be met.

<u>SECTION II.</u> <u>Severability</u>. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

<u>SECTION III.</u> <u>Conflicting Ordinances Repealed</u>. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2006.

RICHLAND COUNTY COUNCIL

BY:_____

Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY

OF_____, 2006

Michielle R. Cannon-Finch Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only No Opinion Rendered As To Content

Public Hearing: First Reading: Second Reading: Third Reading:

STATE OF SOUTH CAROLINA COUNTY COUNCIL FOR RICHLAND COUNTY ORDINANCE NO. ____-06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, ZONING; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-96, GC GENERAL COMMERCIAL DISTRICTS; SUBSECTION (C), DEVELOPMENT STANDARDS; PARAGRAPH (5), HEIGHT STANDARDS; SO AS TO AMEND THE MAXIMUM HEIGHT OF STRUCTURES IN THE GC DISTRICT FROM THIRTY-FIVE (35) FEET TO FORTY- FIVE (45) FEET.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

<u>SECTION I.</u> The Richland County Code of Ordinances, Chapter 26, Zoning; Article V, Zoning Districts and District Standards; Section 26-96, GC General Commercial Districts; Subsection 26-96(c)(5) is hereby amended to read as follows:

(5) Height standards: The maximum height of structures in the GC District shall be three (3) stories or thirty-five forty-five (45) feet, whichever is taller. However, high rise structures may be permitted as a permitted use subject to special requirements (4-5 stories) or a special exception (6 or more stories), as set forth in Section 26-151(c)(11) and Section 26-152(d)(4) of this chapter.

<u>SECTION II.</u> <u>Severability</u>. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

<u>SECTION III.</u> <u>Conflicting Ordinances Repealed</u>. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2006.

RICHLAND COUNTY COUNCIL

BY:_

Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY

OF_____, 2006

Michielle R. Cannon-Finch Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only No Opinion Rendered As To Content

Public Hearing: First Reading: Second Reading: Third Reading:

STATE OF SOUTH CAROLINA COUNTY COUNCIL FOR RICHLAND COUNTY ORDINANCE NO. ____06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, ZONING; ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-52, AMENDMENTS; SUBSECTION (H), WITHDRAWAL OR RECONSIDERATION OF PROPOSED AMENDMENTS; PARAGRAPH (1), WITHDRAWAL; SO AS TO AMEND THE TIME IN WHICH AN APPLICANT MAY WITHDRAW AN AMENDMENT APPLICATION.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

<u>SECTION I.</u> The Richland County Code of Ordinances, Chapter 26, Zoning; Article IV, Amendments and Procedures; Section 26-52, Amendments; Subsection 26-52(h)(1) is hereby amended to read as follows:

(1) Withdrawal. An applicant may only withdraw an amendment application (which has been submitted to the Richland County Council with planning commission recommendation) prior to publication of the agenda not less than fifteen (15) days prior to the scheduled County Council Zoning <u>Public Hearing</u>. Once the agenda has been published, an application cannot be withdrawn without the approval of county council. Less than 15 days before the Zoning Public Hearing, the applicant may only request a withdrawal by appearing before County Council at the scheduled zoning <u>public hearing</u>. A withdrawal shall be considered a termination of the application. Resubmission shall be processed as a new application and all applicable fees will be assessed.

<u>SECTION II.</u> <u>Severability</u>. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

<u>SECTION III.</u> <u>Conflicting Ordinances Repealed</u>. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2006.

RICHLAND COUNTY COUNCIL

BY:_____

Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY

OF_____, 2006

Michielle R. Cannon-Finch Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only No Opinion Rendered As To Content

Public Hearing: First Reading: Second Reading: Third Reading:



Richland County Planned Development District Guidelines and Checklist

The Planned Development District (PDD) regulations and procedures may apply to the redevelopment of presently developed lands, or the development of open or vacant lands, and may apply to parcels of relatively small size (a minimum of two (2) acres) as well as large-scale developments and their relationship with other surrounding uses and the overall characteristics of the area in which they are located.

Project Name:	
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Nome of Annlinent	
Name of Applicant:	

INTENT:

PDD regulations are intended to encourage innovations in land development techniques so that the growing demands of the community may be met with greater flexibility and variety in design and layout of sites and buildings and by the conservation and more efficient use of open spaces and other amenities generally enhancing the quality of life. PDD regulations shall strive and encourage a more efficient use of land that reflects the changes in the technology of land development so that resulting economies may accrue to the benefit of the community at large.

The Richland County staff will review applications to ensure completeness within <u>fifteen (15) days of submittal</u>, failure to provide all of the information indicated below will result in the County returning the application and notifying the applicant of any deficiencies. The applicant may resubmit the application at which point the application will undergo another completeness review.

If the application is deemed complete staff shall schedule the matter for consideration by the DRT (Development Review Team) <u>within thirty (30) days of receipt of this application</u>, the DRT shall take action on the application within thirty (30) days of reviewing the proposed PDD. The matter shall then be scheduled for consideration by the Planning Commission. *** <u>Prior to submitting an application for PDD district zoning, a pre-application conference must be held with Planning & Development Services Department staff.</u> ***

When submitting an application for PDD district zoning, the applicant shall include the following Checklist: PDD CHECKLIST

1. A completed Application for Zoning Map Amendment

2. 35 Copies of the PDD Package

3. One digital submission in an acceptable format (include legal description and General Development Plan)

4. Appropriate application fee

_____5. Submission of a letter of Owner Authorization (if the applicant/agent is not the landowner)

6. A completed PDD checklist;

PDD checklist and Details Page 1 Revision Date: 07/14/05

- 7. All other information requested on the PDD Checklist that is applicable to the development.
- 8. A copy of the Home Owner's Association document, covenants, to be made a part of the PDD.
 - 9. A traffic management plan
 - 10. Identify the pre-application conference date

General Provisions & Checklist

- 1. Proposed layout of streets, open space, sidewalks and pedestrian amenities, and other basic elements of the plan must be identified.
- 2. Proposed sign location for the proposed development.
- 3. Separate location map to scale shall show the boundary lines of adjacent land and existing zoning (with a list of existing allowable uses) of the area proposed to be developed as well as the adjacent land.
- 4. A statement which identifies the relationship of the proposed PDD to the general character of the area and the uses to be included in the proposed PPD. A breakdown of specific densities proposed for the PDD shall be included.
- 5. A complete set of written, quantitative and graphic materials including scope of work for each phase of development.
- 6. A site analysis and Inventory shall be submitted that address the following:
 - Adjacent Land uses;
 - surface water and drainage;
 - natural vegetation ;
 - wetlands (as defined by the National Wetlands Inventory map);
 - site contours;
 - existing public facilities;
 - Adequacy of existing utilities;
 - soil types and regional geology
 - parks and or recreational facilities
- 7. An analysis of potential impacts which focuses on the effects of water and sewer availability, school, police, fire, flood protection, noise, light and glare to the surrounding areas.
- 8. A general summary which focuses on quality of site design, building design and landscaping and special features of the PDD.
- 9. Traffic management plan which will include existing traffic flow, volume and levels of service, site circulation and parking, accessibility for emergency vehicles. A determination of traffic volumes, speeds, and resulting LOS on neighboring residential streets approaching the site of the proposed PDD, and other key locations.
- 10. Although not required, it is highly recommended that the applicant(or his/her agent) of the proposed PDD meet with representatives of the neighborhood in which the proposed PDD will be located.

General Details

- 1. Plans must be prepared by a <u>licensed engineer</u>, <u>architect</u>, <u>landscape architect</u>, <u>or registered land surveyor</u>, <u>with</u> <u>site engineering performed by a registered engineer</u>. Due to the complexity of Planned Development District projects, it is encouraged that a land planner and/or team of design professionals be involved in the preparation of the Master Plan.
- 2. Boundary of the subject property, identified by a heavy line; including a legal description, total acreage and location map.
- 3. A statement of planning objectives for the site.
- 4. Identify the general location of land uses within individual development areas or the mix of land uses.
- 5. Proposed layout of streets, open space and other basic elements of the plan.
- 6. Calculate the acreage, number, type, and mix of land uses, including the total number of residential units, residential densities, and non-residential intensities within each development area or the total number, type and mix of land uses for the entire PDD Master Plan.
- 7. A map depicting existing natural features of the site, including the existing tree canopy, topography (with contour intervals no greater than 2 foot intervals), and streams, ponds, or other wetland areas.
- 8. Identify the location of proposed open space and tree-save areas.
- 9. Identify the location of environmentally sensitive lands, wildlife habitat, and stream corridors.
- 10. Identify the on-site transportation circulation system including collector roads, existing or projected transit corridors and pedestrian and bicycle pathways. (as may be applicable to the specific site).
- 11. Identify on-site potable water and wastewater facilities.
- 12. Identify the general location of all public facility sites, including parks, fire, police, EMS, storm water, and schools.
- 13. Incorporate all information requested on the PDD Checklist that is applicable to the proposed development.
- 14. Include an inset map at a scale of not less than one inch to one mile, showing the property in relation to surrounding roads, subdivisions or major landmarks.
- 15. Include a north arrow.
- 16. Include statement satisfactory to the County on the guarantees and assurances to be provided for the maintenance of common open space, recreation areas, sidewalks, parking, private streets, and other privately-owned but common facilities serving the project.
- 17. Include a reduced (11X17) copy of the Master Plan. The County may require additional information deemed necessary to demonstrate compliance with the requirements with this Section.



Richland County Government 2020 Hampton Street Columbia, SC 29204 Phone (803) 576-2180 Fax (803) 576-2182