CITY OF COLUMBIA
PLANNING COMMISSION

April 4, 2016
Regular Session 5:15 P.M.
City Council Chambers, 3rd Floor, 1737 Main Street, Columbia, SC 29201

In attendance: Richard Cohn, Ernest Cromartie, III, Gene Dinkins, Jr., John Taylor, Brian Stern, Dale Stigamier, Craig Waites
Absent: April James, Joshua McDuffie
Staff: John Fellows, Brian Cook

I CALL TO ORDER/ROLL CALL

Meeting called to order at 5:15 PM by Chairperson Rick Cohn. Mr. Cohn explained the purpose and process of the Planning Commission and explained the rules of order for the Planning Commission.

Roll call and quorum established. John Fellows, Planning Administrator, proceeded with review of the Consent Agenda.

II CONSENT AGENDA

Approval of Minutes

1. Approve **March 7, 2016 Minutes**

Annexation, Comprehensive Plan Map Amendment, & Zoning Map Amendment

2. **E/S Spears Creek Church Road,** TMS#25716-02-02; request recommendation concerning application to annex, assign land use classification AC-3 (Regional Activity Corridor), and zone the property PUD-C (Planned Unit Development - Commercial District). The property is currently classified as Neighborhood (Medium Density) and zoned PDD (Planned Development District) in Richland County.

Annexation, Interim Comprehensive Plan Map Amendment, & Interim Zoning Map Amendment

3. **The Park - Phase Two: 509, 513, 517, 521, 523, 527, 531, 535 Cordgrass Road; 1346, 1347, 1352, 1353, 1360, 1361, 1366, 1367, 1372, 1373, 1378, 1379, 1384, 1388, 1391, 1392, 1398, 1401, 1404, 1407, 1412, 1415 Beechfern Circle; W/S Woodcreek Farm**; TMS# 25815-02-06, 25815-02-07, 25815-02-08, 25815-02-09, 25815-02-10, 25815-02-11, 25815-02-13, 25815-02-14, 25815-02-12, and 25815-05-03; 25815-01-17, 25815-02-15, 25815-01-16, 25815-02-16, 25815-01-14, 25815-02-17, 25815-01-13, 25815-02-18, 25815-01-12, 25815-02-19, 25815-01-11, 25815-02-20, 25815-01-10, 25815-01-09, 25815-02-21, 25815-01-08, 25815-01-07, 25815-02-22, 25815-01-06, 25815-02-23, 25815-01-05, 25815-02-24, 25815-01-15, and 25815-05-05; and 25815-01-18; request recommendation concerning application to annex, assign interim land use classification Urban Edge Residential (UER-2) and assign interim zoning of PUD-R (Planned Unit Development-Residential). The property is currently classified as platted land and zoned PDD (Planned Development) in Richland County.

4. **The Park - Phase Three: 1340, 1334, 1328, 1322, 1316, 1308, 1302, 1296, 1292, 1286, 1341, 1335,** Deferred **1329, 1323, 1317, 1311, 1303, 1297, 1291, 1285 Beechfern Circle**; TMS# 25815-01-19, 25815-01-20, 25815-01-21, 25815-01-22, 25815-01-23, 25815-01-24, 25815-01-25, 25815-01-26, 25815-01-27, 25815-01-28, 25815-01-29, 25815-01-30, 25815-02-26, 25815-02-27, 25815-02-28, 25815-02-29, 25815-02-30, 25815-02-31, 25815-02-32, 25815-02-33, 25815-02-34, 25815-02-35, and 25815-05-06; request recommendation concerning application to annex, assign interim land use classification Urban Edge Residential (UER-2) and assign interim zoning of PUD-R (Planned Unit Development-Residential). The property is currently classified as platted land and zoned PDD (Planned Development) in Richland County.

5. **The Park Phases Four and Five: 1712 Woodcreek Farms Road;** TMS# 25800-03-46; request recommendation concerning application to annex, assign interim land use classification Urban Edge Residential (UER-2) and assign interim zoning of PUD-R (Planned Unit Development-Residential). The property is currently classified as platted land and zoned PDD (Planned Development) in Richland County.

6. **The Village: Woodcreek Farms Road and S Olmsted Lane;** TMS# 28902-14-01and 28902-14-02; request recommendation concerning application to annex, assign interim land use classification Urban Edge Residential Small Lot (UER-1) and assign interim zoning of PUD-R (Planned Unit Development-Residential). The property is currently classified as platted land and zoned PDD (Planned Development) in Richland County.

Comprehensive Plan Map Amendment,
& Zoning Map Amendment

7. **W/S National Guard Road**, TMS# 11100-01-15; **E/S Congaree River**, TMS# 11100-01-05 and 11100-01-06; and **South of South Stadium Road/Southeast of Vine Street**, TMS# 11201-02-10; request recommendation concerning application to assign land use classification SD-1(Sports/Amusement District) and rezone the properties as follows: D-1 (Development District) for TMS#s 11100-01-05, 11100-01-06, and 11201-02-10 with zoning of –FW (Floodway Area) and – FP (Floodplain Area) where applicable for each parcel; and M-1, -FP (Light Industrial District, Floodplain Area) for TMS# 11100-01-15. The properties are currently classified as Rural Large Lot/Mixed Residential (High Density) and zoned RU, M-1 and HI (Rural District, Light Industrial and Heavy Industrial) in Richland County.

Zoning Map & Text Amendment

8. **1703 Wayne Street**, TMS#09010-11-14; request recommendation to rezone from RG-3, -DD (Townhouse and High Rise Residential District, -Design/Development Overlay District) to RG-3, -DD, -DP (Townhouse and High Rise Residential District, -Design/Development Overlay District, -Design Preservation); and Amend Sec. 17-691 (d) to establish 1703 Wayne Street as a Group III individual historic landmark in the City of Columbia.

9. **1608 Main Street**, TMS#09014-04-14; request recommendation to rezone from C-5, -DD (Central Area Commercial District, -Design/Development Overlay District) to C-5, -DD, -DP (Central Area Commercial District, -Design/Development Overlay District, -Design Preservation); and Amend Sec. 17-691 (d) to establish 1608 Main Street as a Group III individual historic landmark in the City of Columbia.

Mr. Dinkins, Jr. recused from discussion and vote on item 7, W/S National Guard Road, E/S Congaree River and South of South Stadium Road/Southeast of Vine Street.

Two separate motions were made.

Motion by Mr. Stigamier to approve the Consent Agenda with the occlusion of item 7.

Motion seconded by Mr. Waites. **Motion approved 7-0.**

Motion by Mr. Taylor to approve item 7 on the Consent Agenda.

Motion seconded by Mr. Stern. **Motion approved 6-0.**

III. REGULAR AGENDA

Site Plan Review

10. 4.1 acres, 100, 200 and 300 Blocks of Northwood Street, 200 and 201 Canal Place Drive, TMS#09004-04-34 thru -61, 09004-05-01, 09101-01-08 thru 39, and 09101-05-06; request site plan approval for the construction of a single-family residential cluster housing development (Canal Place Phase 2D3). The property is zoned RG-2 (General Residential).

Johnathan Chambers, Land Development Administrator, presented on the request for site plan approval for Canal Place Phase 2D3 for the construction of 52 lot single-family residential cluster housing development (Canal Place Phase 2D3) which includes common area and off-site parking for visitors.

The request was originally scheduled to be heard by the Planning Commission on January 5th; however the applicant deferred to meet with the neighborhood association regarding the proposal. Since then, the applicant has met with the neighborhood association who agreed on some items that the City cannot enforce. However, there is a signed agreement on behalf of the developer and the homeowners' association which was provided to the Commission and marked Exhibit A and was entered into the record.

Mr. Chambers again stated this agreement titled, *Articles of Agreement between the Developer, Declarant and Homeowners' Association, WTW Investments, LLC Canal Place LLC and the Canal Place Homeowners' Association Incorporated*, dated April 4, 2016 is not enforceable by the City.

Staff has reviewed the application and comments are generally standard for a subdivision. If the Commission is inclined to grant the request, staff requests that approval is subject to staff comments.

Trevor Woodlief of Southeastern Real Estate Group, authorized agent for the applicants, presented on the request. Mr. Woodlief stated the agreement with the homeowners association will provide construction services outside of the development with existing problems left behind by the previous developer.

Scott Hammond, Canal Place Homeowners Association, said numerous meetings have been held with the developer and the association is pleased with the project so far, which is far better than the last development.

Motion by Mr. Dinkins, Jr. to approve the request for site plan approval of the remaining 52 lots for Canal Place Phase 2D3 subject to staff comments.

Motion seconded by Mr. Stern. **Motion approved 7-0.**

Zoning Map Amendment

11. **N/S Devine Street, 2801 Devine Street,** TMS#11316-13-12, 11316-04-21; request recommendation to rezone from C-1 (Office and Institutional) to C-2 (Neighborhood Commercial); **and 720 Maple Street,** TMS#11316-04-22; request recommendation to rezone from RG-1 (General Residential) to C-2 (Neighborhood Commercial).

John Fellows, Planning Administrator, presented on the request. Staff recommends approval to rezone the parcels that are adjacent to Devine Street, and recommends denial for rezoning from RG-1 to C-2 on Maple Street.

1) Commercial development is discouraged from encroaching into neighborhoods.
2) The Land Use Plan for the City currently classifies the Maple Street parcel as a residential classification, while the properties on Devine Street are classified as commercial. The historic district does not come all the way to the existing commercial line.

Two items of correspondence from the neighborhood have been received with comments similar to staff, and were provided to Commission members.

Jimmy Williams spoke on behalf of Devine Station, LLC, owners of the properties and an affiliate of the States Management Company and 700 on the property which was purchased from AFLAC in December 2015. Mr. Williams said it is felt rezoning of all three parcels will allow for more flexibility to have all the same zoning. This would help with greenspace, open space and setbacks. The proposed use of the Maple Street parcel is for parking.

Brian Cook, Zoning Administrator, stated the existing lot zoned RG-2 can continue to be used for parking.

Derek Riley, president of the Old Shandon Neighborhood Association, said their goal is *to fight off commercial encroachment into the neighborhood and not give up any general residential.* The neighborhood is excited about the Devine Street parcels rezoning, however opposed to the Maple Street parcel.

A member of the audience said he felt it is not conducive to that general use to live between 18 units of commercial and a general corridor.

No one else spoke in favor or opposition of the request.

Mr. Waites recused from discussion and vote on this request.

Motion by Mr. Dinkins, Jr. to approve the request for rezoning for the two parcels on the north side of Devine Street and deny rezoning for the parcel at 720 Maple Street.

Motion seconded by Mr. Taylor. **Motion approved 4-2 with Mr. Stern and Mr. Stigamier opposed.**

Deferred at Applicant Request

12. **2611 Forest Drive,** TMS#11416-03-05; request recommendation to rezone from C-1 (Office and Institutional) to C-3 (General Commercial).

Deferred at Applicant Request

13. **7011 Garners Ferry Road,** TMS#16406-04-01; request recommendation to rezone from C-3 (General Commercial) to C-3, FS (General Commercial, Freeway Sign Overlay).

14. 2634 St. Phillips Street, TMS#11513-07-22; request recommendation to rezone from RG-2 (Single Family Residential) to C-1 (Office and Institutional).

John Fellows, Planning Administrator, presented on the request to combine a residential partial with commercial property to the east. Staff recommends denial of this request.

Burgess Mills of M Burgess Mills & Associates, Inc., represented Jim Kitchens who owns the adjacent property, and Robert Taylor who owns the parcel for proposed rezoning. Mr. Mills said the two obvious uses for the parcels are medical offices or residential care, however that has not been determined/

Mr. Cook said the encroachment of commercial adjacent to the residential area is the basis of staff request for denial

Motion by Mr. Dinkins, Jr. to deny the request for rezoning on St. Phillips Street because of the potential for encroachment into the neighborhood.

Motion seconded by Mr. Stern.

Mr. Mills questioned the reason for denial stating they are working on something, and he could provide a site plan however it is not complete.

Mr. Dinkins, Jr. and Mr. Stern felt as there was not a cohesive plan in place, it was a moot point.

Mr. Fellows reminded the Commission as there was a motion on the table, to continue with discussion:
1) either another motion needed to be made to table the current motion; or
2) the current motion could be voted on.

Motion to deny the request approved 7-0.

Text Amendment

15. Recommendation to City Council to **Amend § 17-283 (Wireless Communication Facilities – Cell Tower)** with a version that reflects current technology and law.

Brian Cook, Zoning Administrator, presented on the text amendment stating the proposed changes are meant to be consistent with Section 704 of the Telecommunications Act of 1996, Section 6409(a) of the Spectrum Act, and the FCC's interpretation of those Acts.

The bulk of the existing ordinance has not drastically changed, but has been reformatted to outline the application process based on the type of facility, timeframe for review, design standards, definitions and process for approval or denial.

Mr. Dinkins, Jr. voiced concern with regard to criterion #14 under Section (i) of the design criteria section which states, "No variance to the requirements of this section shall be granted by BOZA" as he felt that should be under the Board of Zoning Appeals' purview.

Mr. Cromartie questioned the source of that specific section.

Mr. Cook said is a City Requirement minus any FAA requirements.

Mr. Cromartie is aware that some of the criterion are under FAA or FCC guidelines and should not have any variance as they are federal requirements. If they are not FAA or FCC, there should be some flexibility.

Motion by Mr. Dinkins, Jr. to approve the Text Amendment for Wireless Communication Facilities – Cell Tower with a version that reflects current technology and law, with the removal of criterion #14 under Section (i) which states, "No variance to the requirements of this section shall be granted by BOZA".

***Motion seconded by Mr. Taylor*. Motion approved7-0.**

I. OTHER BUSINESS

16. Walkable 29203 Plan

Mr. Fellows provided an update on the Walkable 29203 Plan which is a joint planning project with SCDHEC, the County and the City. That particular zip code was chosen because of the large number of health issues in the area. Walkability, healthy food options and healthy lifestyles will be reviewed.

17. Capital City Mill District Area Plan

Mr. Fellows spoke on the Capital City Mill District Plan. Many events are planned in the next week. The Boudreaux Group is the Columbia consulting group, along with many sub-consultants. The Capital City Plan will present, upon completion, to the Planning Commission for endorsement to be part of the City's Comprehensive Plan.

Details on the Walkable 29203 Plan are to be determined.

18. Adjourn

There being no further business, meeting adjourned at 6:37 PM.

Respectfully submitted by Andrea Wolfe
Sr. Admin. Secretary
Planning and Development Services Department
City of Columbia