

---

**CITY OF COLUMBIA  
PLANNING COMMISSION  
September 10, 2007  
Meeting Minutes**

---

*[Informational presentation at 4:00 p.m. on the Comprehensive Plan element — Natural Resources by Nancy Lee Trihey –Land Development Planner, Planning Department City Staff. Notes from this session located at the end of the regular meeting minutes as a separate document. The regular Planning Commission meeting began at 5:15 p.m.]*

**Members Present:** Tiaa Rutherford, Billy Way, Jenny Screen, James Hildebrand, Susie Heyward, Isabelle Mandell, Nancy Reid, Ron Anderson, Jonathan Vipperman

**Members Absent:** None

**Staff Present:** Chip Land, Marc Mylott, Krista Hampton, Rebekah Thomas, Nancy Lee Trihey

**Call to Order:** The Planning Commission Meeting was called to order at 5:15 pm.

**CONSENT AGENDA**

**Annexations**

1. **410 Harbison Boulevard**, TMS# 04908-01-10. This property is zoned Richland County RU (Rural District) which is equivalent to D-1 (Development District).
2. **7232 Broad River Road**, TMS# 05004-02-11. This property is zoned Richland County C-3 (General Commercial).

**Rezoning Requests**

3. **13.09 acres of 24.97-acre parcel S/S South Beltline Boulevard (2150 South Beltline Boulevard—Travel Centers of America)**, TMS# 13605-02-01(p); rezone from M-2 (Heavy Industrial) to M-1 (Light Industrial).

**Minor Change to PUD**

4. **1115 Woodrow Street**, TMS# 11414-18-15; rezone to amend PUD-R, -DP (Planned Unit Development - Residential, Design Preservation).

**Site Plan Review**

5. **13.09 acres of 24.97-acre parcel S/S South Beltline Boulevard (2150 South Beltline Boulevard—Travel Centers of America)**, TMS# 13605-02-01(p); rezone from M-2 (Heavy Industrial) to M-1 (Light Industrial).
6. **Columbiana Drive (Homewood Suites)**, TMS# 05001-01-01(p). This property is zoned PUD-LS (Planned Unit Development - Large Scale).
7. **2409 Preston Street**, TMS# 11409-10-19. This property is zoned RG-1 (General Residential).

**Other Business**

8. **Approve August 6, 2007 minutes.**

*Items 3 and 5 - 13.09 acres of 24.97-acre parcel S/S South Beltline Boulevard (2150 South Beltline Boulevard—Travel Centers of America), TMS# 13605-02-01(p); rezone from M-2 (Heavy Industrial) to M-1 (Light Industrial) for rezoning request and site plan review were removed from the Consent Agenda for discussion; to be voted on as separate items.*

*Item 8 was removed to be voted on separately for minor correction - Jonathan Vipperman was shown as member present and member absent. Corrected to state 'members absent: Jonathan Vipperman'.*

**Motion by Mr. Anderson to recommend approval** of Consent Agenda items 1, 2, 4, and 7; *seconded by Mr. Hildebrand. Motion approved 9-0.*

**Motion by Ms. Screen to recommend approval** of Consent Agenda item 8 with noted correction; *seconded by Mr. Anderson. Motion approved 9-0.*

### **Rezoning Requests**

- 3. 13.09 acres of 24.97-acre parcel S/S South Beltline Boulevard (2150 South Beltline Boulevard—Travel Centers of America), TMS# 13605-02-01(p); rezone from M-2 (Heavy Industrial) to M-1 (Light Industrial).**

### **Site Plan Review**

- 5. 13.09 acres of 24.97-acre parcel S/S South Beltline Boulevard (2150 South Beltline Boulevard—Travel Centers of America), TMS# 13605-02-01(p); rezone from M-2 (Heavy Industrial) to M-1 (Light Industrial).**

Item 3 is annexation with rezoning and item 5 is site plan review. Mr. Land presented the subject property location for Travel Centers of America with the parking area for trucks defined. This includes an area for future development to be presented at a later date. Staff has recommended approval with comments and continues to recommend approval of the request. Mr. Land specified comments made by Engineering and Ms. Trihey, Land Development Planner.

Chris Winkle of WD Partners, applicant, spoke. Mr. Winkle said Mr. Land stated all necessary information for the case. The original annexation and rezoning of the both the M-1 and M-2 parcels were done and approved on June 6, 2007. The reason for return is that originally Travel Centers was only going to *buy* the area zoned as M-1 but have now decided to buy the whole property (all 29 acres available for Blanchard Machinery). In the original rezoning, Blanchard did not want to rezone the back portion into M-1; now that Travel Centers of America owns the property, they would like to have the entire parcel to have the same zoning. M-1 will match all the zoning in the area. Mr. Land stated Travel Centers owns the entire parcel and this is considered a 'down-grade' of zoning from heavy industrial to light industrial even though they may not extend into the area at this time. There may be extension of the parking area but not the building itself.

Ms. Heyward stated the exposure of the parking area to the interstate is a very 'critical intersection' where people enter. Seeing parked trucks will not be very visually appealing and questioned if there would be a buffer. Mr. Winkle referred to the site plan showing a buffer that will run the entire length of the parcel; there are heavily wooded areas on both sides of the ramp that will 'hide' it. With the landscaping and the buffer (there will be 6' landscape mountain and trees) that will keep the area from being visible. Ms. Heyward said her concern is with the ramp coming off of I-77 and how it will look to people coming into Columbia to see the back of trucks. Mr. Winkle stated the entire area is heavily landscaped and will be well screened. Only a small area for the truck bay/truck shop will remain open and the trucks will not be visible.

There are over 360 trees on the site. [The landscape plan was not included in packets. Ms. Mandell questioned whether Ms. Trihey had reviewed the landscape plan because there is a lot of blacktop in one area for the parking.] Ms. Trihey stated the Ordinance does require there is a shade tree in an island for every 3200 sq/ft of paved area. She said for a trucking service, it is hard to have the islands; therefore they are allowed to calculate the amount of islands they would need and add that to the buffer around the edge; and the request had been complied with. Mr. Winkler added if the islands were incorporated into the middle of the parking area, the trucks would run over them and that is why they are added to the ends. He stated that whatever area they were required to have, has been made up along the side or the front. The area is not justifiably projected on the Powerpoint – it appears very small but all of the required landscape areas [islands] are covered by spaces 12’ wide by 70’ long; and the islands are 140’ each with three trees in each island. Ms. Mandell concurred that it was ‘impossible to tell on the small area’. Mr. Land stated there are over 300 trees proposed in the landscape plan that are over 4” caliber, they are 127 Red Maples, 42 Willow Oaks, 42 Live Oaks, 76 Chinese Elm, 33 Loblolly, and approximately 1000 bushes. The center area will be left open for trucks to have drive through parking.

Mr. Anderson commented this was the only comparable facility in town [as compared with the Flying J facility which was developed in Richland County and annexed into the City]. Mr. Land stated this facility has two to three times the amount of landscaping that is visible at the Flying J and would have come in under the old Ordinance if developed in the City. He then addressed the areas and their specific landscaping locations; and stated Ms. Trihey has recommended the plan and recommended approval.

Liz Summers, Heathwood Hall Episcopal School, spoke. Ms. Summers said she wanted to ensure Planning Commission and the developer is aware that the school is less than one mile down South Beltline Boulevard; which is an exceedingly busy corner. They have many concerns regarding the number of trucks that will be added to the intersection with the large numbers of cars [of school age children]; school buses and teenage drivers. If the plans proceed, the school would like to know what will be done to keep the intersection ‘safe for the children’. Ms. Heyward agreed and expressed her concern about the intersection; asking if Planning Commission could make any recommendations to the Highway Department. Mr. Land said Staff has worked very closely with the Highway Department; David Brewer has recommended approval of the site plan and of the rezoning. Some changes were made: there is no direct access onto Bluff Road in this area because of the location of the interchange ramp and because Beltline [Boulevard] is a signalized intersection. The City required that the driveway be moved (on Beltline) into the ‘commercial/retail’ component of the gas station (further away from the intersection). Truck access is deeper back on the property. It is a large establishment with a large number of trucks coming and going, but it is on 29 acres. After the fatal accident years ago, different signal heads were installed [for notification with a special signal at night for better visual]. Mr. Winkler explained the truck traffic area and specific turns [mostly right hand turns] that will have to be made to enter the area [for safety].

- 4. Motion by Mr. Way to recommend approval** the rezoning request and site plan approval for **13.09 acres of 24.97-acre parcel S/S South Beltline Boulevard (2150 South Beltline Boulevard—Travel Centers of America)**, TMS# 13605-02-01(p); rezone from M-2 (Heavy Industrial) to M-1 (Light Industrial) subject to Staff comments; *seconded by Ms. Screen*. **Motion approved and carried 9-0.**

## **REGULAR AGENDA**

### **Master Plan Recommendation**

#### **9. Innovista Master Plan**

Lee Bustle, one of 22 private sector citizens that make up the Waterfront Steering Team, introduced many of the Steering team members and many of the Innovista Planning District property owners.

Dick Galehouse, Sasaki and Associates, introduced Igor Anderson, project designer. Mr. Galehouse spoke of the long-standing relationship Sasaki Associates has with the University of South Carolina and gave a brief overview and history of the project process. The University asked Sasaki to look at 'their holdings' around the Coliseum and the new Carolina Coliseum area; and shortly afterward, Guinyard Associates asked Sasaki to look at their waterfront holdings along the Congaree River. The University and Guinyard Associates entered into a partnership. The area was looked at as a whole to provide the context of the plan. Mr. Galehouse presented the planned area – Gervais, the Congaree River, and the Blossom Street Bridge – which is a concept for an *“urban, downtown mixed-use live/work district where the University can carry out research activities and where Guinyard Associates, with a great waterfront park and in between a series of other private property owners carrying out mixed use development”*.

Mr. Galehouse gave a brief overview [from a Powerpoint presentation] of the Innovista Master Plan planning process. He described the planning area; the plan concept [take synergies and create a new Congaree Parkway]; the plan [create a live/work concept]; proposed land use [University/private holders]; proposed vehicular circulation concept [take streets to river to continue/streetscape improvements/parking strategy/sculpture park and urban waterfront park]; and the market and financial feasibility [total development potential of almost 11M sq/ft under FAR assumption – relative share of property ownership. Significant impact for the City. Funding resources researched. Proposed zoning would 'lay over' mixed-use zone w/higher intensities along Greene Street and transition of lower density toward Mill Village.]

Mr. Anderson questioned (as shown on all plans) Catawba Street being reopened across the railroad tracks as plausible. Mr. Galehouse responded it is if the railroad will allow another on-grade crossing; connectivity and public access to the waterfront is a major objective of the plan. Mr. Anderson then asked if the lower parking requirements would only be done for this district. Mr. Galehouse responded the concept of mixed-use is shared parking and this is viewed as the potential to reduce the standard parking requirement based on the single use theory which will be done through a Zoning Ordinance. Mr. Anderson no maximum building heights were presented; saying he addressed this issue because building height has been an issue for almost every project presented to Planning Commission. Mr. Galehouse said they are 'trying to adopt to Columbia' and sense the marketplace will take care of that. "Urban design controls have been proposed in the event buildings become higher, there will be certain step backs that will ameliorate any impact on pedestrians." They are looking for density, intensity, energy, ground floor retail supporting the uses – therefore they are not recommending the building height. Mr. Anderson suggested maximum height be addressed to prevent future problems and issues. Ms. Heyward said this has occurred and it is a major issue in the Vista of buildings massing and blocking views down the Vista. Mr. Galehouse said it is expected the buildings will be four- to six-story buildings on average; it could be imagined to have eight-to ten-to twelve-stories but the market will probably not respond to beyond that – but that could certainly be the subject of a height limitation along with 'stepping down and back' of the building.

Ms. Heyward commented on the increasing difficulty of crossing the Blossom Street Bridge from any part of the Shandon area. She reminded Mr. Galehouse that the *'rest of the City is a City and needs to be able to function and get where one needs to go, emergency vehicles needs to be able to pass....'* He said he made a presentation to all the boards the previous Friday morning starting with the Birdseye [view of Columbia], stating the University must 'as they grow and expand must become more one with the City of Columbia' and 'reach out to the City in their planning and work'. It is code enforcement and a management problem on the City's part. Mr. Land said the developer is not proposing any closure of roads, but are *actually* proposing a couple of roads be opened up to allow better access [primarily Greene Street] and flow. Mr. Land said he would like to 'applaud Sasaki and Associates because they have tried to design facilities that are pedestrian oriented and bicycle oriented to encourage alternative types of travel and also encouraged mixed-use that may be able to incorporate residential development so there will be less need and more ability to share parking'. Mr. Anderson added that Planning Commission recommendation for the adoption of this plan

would provide additional protection that is currently not there to prevent concerns the Chairwoman has. Ms. Mandell stated concerns with correspondence of area residents and the University and whether this has been done or not. She is aware of traffic problems in the area (as a resident herself) and 'strongly encouraged that citizens of the City and not just members of the Waterfront Steering Group be asked their opinions on this issue. Mr. Galehouse said 70-80 meetings were held with various groups within the City after the Waterfront Steering Group was formed and additional public meetings will be held as the concept plan is approached. He *strongly requests this be a public process and public input be given.* The plan will be given to Staff as soon as possible so that the normal planning process can be run.

Ms. Heyward asked the plans – possibly burying them - of the existing power lines in the area. Mr. Galehouse responded numerous meetings have been held with the power company and alternatives are being reviewed. The fundamental requirement of the idea is that the powerlines will either be relocated or buried; but the main issue is the cost and who will bear the cost; there are also concerns with the wide area of no vegetation.

Robert Triplett, resident spoke. Mr. Triplett said he appreciated the work Sasaki Associates has done. His three concerns are what will happen to all the trees in the area? An overly manicured parkway in the area, and maintenance costs.

Silvie Dessau, resident spoke. Ms. Dessau expressed great interest in the project and the existence of long-term and long-range planning of this scale. Her one concern is with public transportation; for such a large project, it would be interesting to think of public transportation in it.

Lewis Caswell, property owner spoke. Mr. Caswell supports the project and feels it will be a tremendous benefit to Columbia.

Ms. Mandell asked for clarification on the Planning Commission's role for this project. Mr. Land stated the Planning Commission is being asked to recommend endorsement of the Master Plan to City Council. This project will present to City Council in October for adoption of the Master Plan. This does not entail any rezoning recommendations at this time. Staff recommends that the Commission recommends approval of the Masterplan. The next step would be that City Council would adopt the Master Plan and instruct Staff to work with the Steering Committee, USC and the property owners to come forward with any kind of recommendations or changes to land use regulations as it relates to the hearing. Overlays, rezoning have been investigated but specific 'language' to recommend at this time is not available. Staff does agree with the concepts in the Master Plan and the approach that Sasaki, the University and Guinyards and other involved property owners have come up with.

**Motion by Mr. Anderson to recommend approval** of the Innovista Master Plan; *seconded by Mr. Way.*  
**Motion approved 9-0.**

### **Annexation with Rezoning**

**10. 1080 Shop Road**, TMS# 11211-07-06; annex and rezone from M-1 (Light Industrial) to PUD-R (Residential Planned Unit Development).

### **Site Plan Review**

**15. 1080 Shop Road**, TMS# 11211-07-06; rezone from M-1 (Light Industrial) to PUD-R (Residential Planned Unit Development). *This property is currently being considered for annexation.*

Mr. Land presented on the project which is to develop 196-unit student housing development; within the 196 units will be 620 bedrooms. Staff has recommended approval with conditions. The five-acre property area was presented; the property is commonly known as Shuman-Owens facility. Conversations have been held with property owners, both residential and industrial. There will be a four- to five-level parking garage on the property. The units will be two- to three-stories with a courtyard and amenities. Access (controlled access points) will be off of Shop Road and Blaylock Road. Staff has approved both the site plan and rezoning.

Robert Fuller, attorney for the applicant and developer of the property, spoke. Mr. Fuller said numerous meetings have been held with Staff and property owners; and application packages containing elevations, plans, and descriptive material outlining the project have been presented. The applicant/developer have continued to follow recommendations of City Staff and everyone involved in the project to develop a Planned Unit Development (PUD) plan that will do everything it is designed to do on the five-acre site – appropriately house University students; with appropriate facilities for their living, their parking, their coming and going, amenities to support the students that will be in residence there, and a system of management of superintendents and supervision that is essentially and specifically designed *to control that communities' life in that community*. Specific rules and regulations will govern the conduct on the property by contract through leases which will be co-signed or guaranteed by a responsible adult person in addition to the University who is the occupant of the bed/bedroom under that lease. There will be a lease for **each** bedroom and each bed for the project. The 196-units are apartment style with one-, two-, three-, and four-bedroom apartments. The control of each unit will be by the management company through the system of leases – 620 bedrooms will have 620 leases. There will be a parking spot of each bedroom with a bath and bedroom for each resident; with accommodations for guest parking on the facility. There is a provision for shuttle service to and from the property with turn-around facilities access to come and go. Regarding the traffic impact on the location, it is exclusively a University community which means the peak morning and peak afternoon hours of traffic consideration in the traditional sense do not have any direct relevance to the coming and going from the property. The student day is a blend of early, middle and late classes; returns to the residential facility during the day and returns to the campus from time to time. The location is ideal to service the University community with appropriate access. Shop Road, George Rogers Boulevard and Blaylock Street allow exiting of the property across the railroad tracks to Andrews and access George Rogers Boulevard at a location other than Shop Road, if appropriate and necessary. The idea has been investigated with the City and operated in the same format by the Dinerstein Companies and Sterling University Housing in many locations across the southeast, including some in Richland and Lexington Counties serving the University in this community. This prototype is useful and works, and has been given endorsement from the schools, the parents and the students alike.

Mr. Mylott spoke on behalf of Mr. Chambers' Staff comment of 'occupancy must follow the rules of zoning'. Clarification was given on two points listed which are 'holdovers from earlier versions of Staff reports prepared'. City Council directed Staff to look at a City-wide amendment to the text for this 'new breed' of apartments and dormitories would be looked at on a more comprehensive basis. As this evolved, this condition on Mr. Chamber's perspective was dropped out. Mr. Chambers requested that item #1 be eliminated and that the applicant responds to the question on #3. Ms. Mandell and Ms. Heyward stated their continued concern with item #1 and questioned the reason for elimination. Mr. Mylott responded this is not the first type of project of this nature and will not be the last. That is why City Council has requested that Staff look at this at a comprehensive basis; recognizing it is something necessary to make certain economics work. It was then looked at as a new opportunity to add a use classification to the Zoning Ordinance; and upon review, decided there may be extra-ordinary conditions that should go with it – specific parking requirements, extra-ordinary provisions for pedestrian orientation, or change in height. If this would be a continued request, rather than have the Planning Commission and City Council deal with this on a case-by-case basis, Council asked Staff to 'get ahead of the curve' and look at a text amendment for guidance to areas deemed appropriate. The amendment will come to Planning Commission for recommendation in October.

The draft version Staff is currently working on fully complies with the change to the Ordinance. [*Some conversion ensued regarding what is considered the 'upper level' of occupancy.*] Mr. Mylott stated for this specific use at the locations that City Council deems necessary, the ultimate configuration is not really the question. What is being proposed is a change in density that doesn't look at it from a dwelling unit perspective, but more from an equivalency of total number of people. This will not have any effect on neighborhoods; it is only for this specific use category which will be created titled "*private dormitories*". Current review is for a number of dwelling units. Staff determined if limitations were put on this specific use, review should be on the number of people not the number of units. Mr. Fuller added the proposal for a Planned Unit Development would allow control of things deemed desirable for control because these were taken into consideration from the beginning of the planning process.

Additional information on the shuttle process to the University was given. Mr. Fuller said the project will essentially operate and maintain shuttle buses that will work from this project to the downtown campus of the University of South Carolina. A schedule will be maintained that is manageable for this project's population and will give the opportunity to take additional automobiles off the road by allowing a number of students to ride the shuttle back and forth to the University. This is included as part of the PUD. Craig Dickerson, Dinerstein Company, added the shuttle service has been provided in the community on three other properties and is a system that works very well. The percentage of ridership usage is approximately 80-85% with 100% occupancy.

Sidewalks will be included in the PUD as required on Shop Road and Blaylock. Ms. Heyward stated numerous concerns with additional cars and shuttle buses on the narrow roads and questioned widening of the roads. Eric Anderson from Sinclair said the SCDOT does not have any current plans for widening the road but there are plans for improvements at the intersection on George Rogers Boulevard; and added there is a small amount of room for widening the road. Mr. Anderson recalled [from the last meeting] the traffic consultant stating the anticipated and current problem was the intersection at George Rogers which is a non-signalized intersection that causes backup. It is their intent to remedy the problem and add a signal there. Mr. Fuller verified this and added there is some widening capacity in the area; but the highway department and traffic engineering consultants review of the matters is the attention to George Rogers Boulevard/Shop Road intersection will alleviate some of the problems. The existing right of way is 75'; with ten foot lanes, there will be enough room for five tight lanes; definitely four lanes. Mr. Land added SCDOT would currently require 100' right of way or wider for five lanes; four lanes could be accommodated within the 75' with the ability to add sidewalks but very little possibility for landscaping. Widening the road would entail major issues and difficulties. Widening of Shop Road is not on the COATS Plan for the next twenty years, primarily because of the 'choke point' on the residential. [*Some discussion ensued of traffic in this area, number of cars daily, number of roads possibility.*] Mr. Anderson stated "*regardless of the future of Shop Road, the applicant is providing access to Blaylock and providing mass transit; both of which should significantly reduce the number of trips from what would normally be generated by any other development. In comparison to other developments, they are above and beyond what..... has been required of most people in the last several years*".

**Motion by Mr. Anderson to recommend approval** of the Annexation with Rezoning and Site Plan Approval of **1080 Shop Road**, TMS# 11211-07-06; annex and rezone from M-1 (Light Industrial) to PUD-R (Residential Planned Unit Development) subject to Staff comment excluding #1 under Mr. Chambers comments with the addition of shuttle service schedule/provision; under site plan review addition of sidewalks being on Shop Road and Blaylock; and #3 of Mr. Chambers comments clarifying setbacks for buildings, fences and walls be in accordance with their architectural site plan A0.0 and the front yard fence shown on Shop Road as a wrought iron fence be six-feet tall; *seconded by Mr. Vipperman*. **Motion approved 9-0.**

## Rezoning Request

**11. 1527 Manning Avenue**, TMS# 11412-06-06; rezone from RS-3 (Single Family Residential) to C-3 (General Commercial).

Mr. Land presented area in question and presented a letter from Leland C. Ruff, President of the Forest Hills Neighborhood Association, stating their Board has voted to **not** support the rezoning request. He also presented a petition signed by fourteen property owners along the 2500 block of Stratford Road and the 1500 block of Manning Avenue (gentlemen to present the petition had to leave for family emergency prior to start of meeting) in **opposition** to the rezoning. These two documents were presented to be put into the record.

Ms. Reid asked Mr. Land to address, in regard to his comments, of advising of going to advise the applicant of placing buffer on property without rezoning. Mr. Land responded that RS-3 zoning does not preclude someone from putting up a fence on their property. A portion of the property can be used for parking by special exception as long as entrance/exit is from the commercially zoned property – Zoning Staff has had conversations with the applicant regarding this. Staff has recommended **denial** of the request.

Alan Kinder, property owner, spoke. Mr. Kinder said he is the sole occupant/operator of an antique restoration/woodworking business on a daily basis. The building is zoned C-3 and is contiguous with other C-3 properties and he has conformed all the City Ordinances and business license requirements. The property in question is a vacant lot and Mr. Kinder feels the current use and safety are being jeopardized. He would like to secure his business is operated safely and securely. Ms. Heyward stated that rezoning to C-3 would remain with the property indefinitely which is the concern; it is encroachment of commercial into a well-established residential area. She questioned discussion through special exception for the parking and erecting of a fence. Mr. Kinder responded he was aware of the options but feels 'it is not wise to own one parcel of property with two separate zonings'. Ms. Heyward stated concerns with future development of the property when it is sold.

Cliff Kinder, brother of the property owner and real estate counselor, spoke. Mr. Kinder said the existing owner approached Mr. A. Kinder wanting to sell the property stating one alternative would be to sell the property to the Columbia Housing Authority of the Columbia Housing Development Corporation. Discussions may have been held with both organizations. This lot is one of three that has been vacant for a many years; the other two lots are owned by a quasi-public agency who has not yet built on the two lots. He feels the encroachment of commercial into established neighborhood residential is not always a 'good thing but feels it is in this case'. Good things could happen on Forest Drive with the possible razing of Gonzales Gardens in the future and commercial development; but it would also need to include the rezoning of this property to C-3 to allow the additional footprint. Mr. C. Kinder said this would long term give 'way to a higher and better use that may occur if and only if Gonzales Gardens is [removed] and replaced with something that is more in keeping with current demographic and social status'. It would not be prudent to buy this lot and keep it zoned RG-3.

Ms. Reid clarified that the current request Mr. A. Kinder has is to put a fence on the current piece of property. Mr. A. Kinder responded that is the only current need or plan; he has no plans to expand and would relocate if so. He feels this building will be to his benefit in future years and the addition of the adjacent parcel would also be to his benefit. He can run a fence on the smaller portion of the property but feels the two different zonings are inappropriate. Ms. Mandell added the only reason to have a parcel with the same zoning would be to building something on it that was in the same zoning category which is the concern. Mr. Hildebrand asked Mr. A. Kinder if conversations have been held with the Lyon Street Neighborhood Association. Mr. A. Kinder said he spoke with Deborah Livingston at the Columbia Housing Development Corporation and emailed Lyon Street Neighborhood Association – Reverend Kenneth Burton – twelve days prior, but received no reply. Mr. Land added Staff received an email, included in Commission

packets, from Gaston Ferry and Ford Bailey expressing support. Deborah Livingston, Executive Director of the Columbia Housing Development Corporation (CHDC), said the Development Corporation owns the adjacent lots to the property and was unaware of this request until the receipt of the zoning information was received on Friday. She requested Mr. Kinder's phone number from Zoning Staff and phoned him on Friday. Ms. Livingston said this is the first time the Development Corporation was made aware of the request. Houses have been built down the street and upon completion of the Edgewood Project will begin construction on single-family residences in the 1500 block on the four lots CHDC owns. The area has been revitalized and there is concern of this request. The CHDC Board has not had a chance to meet to discuss this issue; they would not mind a fence being built but the rezoning of the property would be permanent and commercial into residential is a major concern. Mr. C. Kinder responded a solution would be (with CHDC being a 501(c)(4) corporation) to put a deed restriction on the property that would limit numerous uses that could be worked out with the CHDC. This would "run with the property" and could end only with the merger of this property into an 'assemblage' that would facilitate higher retail/commercial use envisioned on Forest Drive. As long as the parcel remains 50' by 100' zoned C-3, the CHDC would own an easement that would severely restrict the use of the property. Mr. Mylott stated that straight zoning cannot be conditioned and cannot be an option the Planning Commission can consider. The only way to consider extraordinary conditions would be on an application for a PUD. Mr. C. Kinder responded this was considered but the property is too small for PUD application and asked if the Planning Commission could make recommendation subject to negotiations that may occur between now and City Council Public Hearing in December. Mr. Mylott stated an application for rezoning may be "voted up or voted down". Mr. Viperman said this cannot be supported whether it was the Shandon Neighborhood or the Heathwood Neighborhood or any other of those neighborhoods because this street happens to not be where it *could* be potentially in ten or fifteen years, does not mean protection of the integrity of the neighborhood will not be done here. He is familiar with the lot and feels the fence can be erected without C-3 designation.

**Motion by Ms. Screen to deny the request of 1527 Manning Avenue, TMS# 11412-06-06; rezone from RS-3 (Single Family Residential) to C-3 (General Commercial); seconded by Mr. Hildebrand. Motion approved for denial 9-0.**

*[A five-minute break was taken from 7:05 p.m. with meeting resumed at 7:10 p.m.]*

### **Rezoning Request**

**12. 110 and 112 Bonham Road, TMS# 13806-13-13; rezone from RS-2 (Single Family Residential) to PUD-R (Planned Unit Development - Residential).**

### **Site Plan Review**

**16. 110 and 112 Bonham Road, TMS# 13806-13-13; rezone from RS-2 (Single Family Residential) from to PUD-R (Planned Unit Development - Residential).**

Chip Land, Staff, reviewed the property and location. Staff recommends denial of the rezoning request and site plan approval.

Chris Dorsey, applicant, spoke. Mr. Dorsey publicly apologized to the Shandon Neighborhood Association for his behavior at the last meeting; stating he also sent an email of apology to Neighborhood members and had spoken with some members personally to apologize.

Mr. Dorsey said he attended a neighborhood association meeting and asked for a PUD on this piece of property. He was unaware of the issue of infill property development currently going on in the City of Columbia which occurred at the last meeting. He would like to tear the duplex down and replace it with

two-single family homes on the existing wide lot which is 160' wide and 160' deep. Mr. Dorsey said he has spoken with Robert Lewis at the Historic Foundation and was told the duplex is not historic. He also received support from Mr. Lewis on his proposed project. At the time, he did not have support of the neighborhood association and decided not to pursue the project. After the neighborhood meeting, Mr. Dorsey put a for sale sign up and immediately had a large number of people question his decision. He said he had strong support from people within the direct vicinity of the property supporting the project and read a letter from Susan Baldwin, a neighbor across the street, in support of the property.

Glen King, resident, said he would like to see some improvement on the duplex and the approved of the other home Mr. Dorsey built in the neighborhood. Mr. King said he would support the project as long as it is done according to the Shandon Community [Neighborhood] laws and the City of Columbia laws; he does not want to be involved in the subdivision of the property.

Susan Lake, past-president of the Shandon Neighborhood Council, was in attendance to represent the Shandon Neighborhood Council (President unable to attend to due to personal matter.) Ms. Lake recognized several members of the Shandon Neighborhood in attendance. She said they accept Mr. Dorsey's apology for his behavior but it does not change the issues for them. At their neighborhood meeting, they voted unanimously to oppose Mr. Dorsey's request for a variance from the Zoning laws to build two houses on the property which is zoned for a single-family residence. It is felt this is one of several recent examples of inappropriate development for neighborhoods and has caused them to seek protection from the City. The neighborhood stated disappointment in Mr. Dorsey's request to change the zoning classification of the property to what the zoning laws do not allow and the neighborhood strongly opposes. PUDs are not intended for this purpose. The character of the neighborhood must be protected. They agree with Mr. King that **good** development is a positive and will support good development, but do not want to see the subdivision of a lot that should be for one residence and have density problems and inappropriate infill. This has been the neighborhood's primary opposition through all of these meetings.

Murray Lyde, Shandon Neighborhood Council member, said he spoke to John Watkins who lives directly next door to the property and read from a note Mr. Watkins wrote who is strongly opposed to the rezoning and subdivision of the lot to accommodate two homes.

Dave Lightner, resident, recommends approval of the project and supports the removal of the duplex; into two narrow lots and construction of two homes.

Dan Rogers, resident, supports the project to subdivide the lots and build two homes; he feels this will increase the 'neighbor value'.

Tracy Swardout, former Shandon resident, said she is opposed to the subdivision of the lot along with any other subdivision requests in any historic neighborhoods. The current owner could replace the dilapidated duplex with a single-family home that will improve the value of the lot, the character of the neighborhood, and add to all the positive qualities people are asking for without requiring a change in the existing zoning.

Eunice Beard, Shandon resident who lives four houses from the duplex, said she strongly recommends and supports the demolition of the duplex. She said that neighbors on Monroe, Bonham and Heyward Streets signed a petition in support of the demolition. The duplex is a multi-family dwelling and that is why she feels two houses are appropriate for the lots which will be 'nice' sized lots.

Ms. Lake stated the neighborhood is opposed to the lot being rezoned to PUD, there is no opposition to the demolition of the duplex. It is felt under the new interim measures the City has proposed, this should be taken through that review process, and it may be decided the duplex should be demolished. They feel strongly that the lot should not be rezoned and two houses should not be built on the lot; the *character* of the

neighborhood must be maintained. Ms. Lake stated all of the neighborhood meetings are open to the public; the website is [www.simplyshandon.org](http://www.simplyshandon.org) where all of the schedules are posted. There is a very old, very large tree in the front yard of the lot that should be saved. Mr. Anderson added this would not change the density of the area – how many dwelling units are on a lot.

Murray Lyde, resident, said the houses will be too close to the property line. Some discussion regarding similar lots close to property lines ensued and having two nice homes built on the lots instead of one dilapidated home seeming positive.

Staff has recommended denial of the case and because it is less than two acres, will require six affirmative votes to move forward. Ms. Reid questioned the refusal to build a single-family home on the lot. Mr. Dorsey responded that it would not be monetarily feasible to build one house. He added he would not remove the Oak tree and does not plan to remove any grand trees on the lot. The only opposition he has received at this time is members of the Shandon Neighborhood Council. He has received much support for neighbors in the immediate area of the proposed project. If necessary Mr. Dorsey said he would have five-foot setbacks as well instead of three-feet. Ms. Lake added the residents of Shandon do not have a problem with Mr. Dorsey building one beautiful home that may not be as profitable as two, or suggested he could also build another duplex there. They are not opposed to ‘something nice’ being built there but are opposed to the subdivision. Mr. Land stated a duplex could not be built on the parcel if the existing was demolished because the parcel is zoned single-family residential which would allow one house on the current lot. The existing duplex could possibly be renovated but no expansion could be done. Ms. Lake was unaware of this information and thanked Staff for the clarification.

**Motion by Ms. Mandell to deny the rezoning request and site plan review for 110 and 112 Bonham Road, TMS# 13806-13-13; rezone from RS-2 (Single Family Residential) to PUD-R (Planned Unit Development - Residential); seconded by Ms. Screen. Motion for denial approved 6-3. Commission members in support of denial are Ms. Rutherford, Ms. Screen, Mr. Hildebrand, Ms. Heyward, Ms. Reid, and Ms. Mandell; Planning Commission members opposed to denial of request are Mr. Way, Mr. Anderson and Mr. Vipperman. Mr. Land stated because of the six affirmative votes for denial, the case will not move forward to City Council.**

### **Rezoning Request**

**13. 2314 Pinehurst Road, TMS# 11514-12-22; rezone from RG-2 (General Residential) to RS-2, Cluster Housing (Single Family Residential Cluster).**

### **Site Plan Review**

**17. 2314 Pinehurst Road, TMS# 11514-12-22; rezone from RG-2 (General Residential) to RS-2, Cluster Housing (Single Family Residential Cluster).**

Staff recommends approval with conditions and approvals noted in Staff comments. The applicant was not available for presentation; Staff added they are not aware of any opposition to the case. Deferral of the case was suggested at this time. The case was not on the Consent Agenda because of specific concerns in regard to the Landscape Ordinance and a revised landscape plan has not yet been received; though positive meetings have been held with the applicant and City land development planner.

**Motion by Ms. Mandell to defer the rezoning request and site plan review for 2314 Pinehurst Road, TMS# 11514-12-22; rezone from RG-2 (General Residential) to RS-2, Cluster Housing (Single Family Residential Cluster); seconded by Ms. Rutherford. Motion approved for deferral 8-1. Approval of the**

motion by Ms. Rutherford, Mr. Way, Ms. Screen, Mr. Hildebrand, Ms. Heyward, Ms. Mandell, Ms. Reid, and Mr. Vipperman. In opposition for deferral was Mr. Anderson.

### **Rezoning Request**

- 14. 700 Saluda Avenue, 701 and 709 Santee Avenue (formerly Kenny's Auto), TMS# 11308-08-02, -03, -08 and -09; rezone from C-3 (General Commercial) to PUD-C (Planned Unit Development - Commercial).**

### **Site Plan Review**

- 18. 700 Saluda Avenue, 701 and 709 Santee Avenue (formerly Kenny's Auto), TMS# 11308-08-02, -03, -08 and -09; rezone from C-3 (General Commercial) to PUD-C (Planned Unit Development - Commercial).**

Mr. Land reminded Planning Commission that six affirmative votes would be needed for this project to move forward to City Council. Several meetings have been held with City Staff, residents and representatives of neighborhood associations. Staff has recommended approval of the revised proposal. It is felt this revised proposal addresses many of the points put forth in the application. Ms. Mandell asked for clarification regarding the request - if approval of both concept A and concept B was being requested and the decision of the final concept left to the applicant. Mr. Land responded that is the understanding. The applicant would like to move forward with either concept because of the issue of whether or not they can build on the storm drainage line is more germane to City Council review rather than Staff or Planning Commission. No updates have been heard from the structural engineer; it is unclear if a final report has been submitted. Staff will try to get clarification on this issue while the public gives their input.

Ron Swinson and Stan Harp, HR developers and developers of the project, spoke and introduced others on the project. Mr. Swinson reviewed the mixed use development of Five Points South. The current zoning for the area is C-3. The plan includes 21,000 sq/ft of retail space on the first level, approximately 200 parking spaces on the second and third levels to be owned by the City of Columbia for public use, and 27 high-end condominiums on the top level. Since the last review, many substantial changes have been made which include the wall facing Yesterdays [restaurant] parking lot, the overall façade, signage, landscaping and the plaza. All of these details were included in the PUD presented to Commission members at this meeting. The changes were made in response to recommendations by Planning Commission, City Staff, and neighborhood and merchant groups in the area. Numerous meetings were held with all of these groups and with Doug Quackenbush, architect and chief author of the Future Five, the Master Plan for Five Points. The Master Plan was adopted by the City of Columbia in 2006 [City Council]. Mr. Swinson passed out copies of the Executive Summary of the Future Five - Five Points Master Plan.

He reviewed the goals of the Master Plan: 1) *preserve the unique identify*; 2) *to enhance the market vitality*; 3) *promote mixed use*; 4) *elevate building character*; 5) *increase density*; and, 6) *foster diversity and commented how certain items were written specifically for this project. Mr. Swinson then referenced particular goals [he felt] related specifically to the project: 2) enhance market vitality – recommendation 2: the City should pursue strategies including public/private partnerships to develop structured parking in the heart of Five Points to encourage future development and to increase density; 3) recommended change in zoning requirements within Five Points to encourage mixed used developments that feature a combination of retail and residential where shared parking strategies are feasible. Goal 3 is to promote mixed use; this is the definition for a mixed use project. Recommendation #1 to incorporate incentives and requirements into the zoning overlay for mixed use developments with commercial uses on the ground floor and residential uses above. Incentives such as shared parking between residential and commercial, relief from height restrictions or setback requirements should be provided when innovative developments are proposed. He*

referenced highlights from the Fifth Goal: *increased density* – 27 dwelling units will increase the density. Recommendation #1: .....*also recommend that new structures be limited to three stories in height unless additional stories are permitted as an incentive for other concessions for goals of the Master Plan and if approved by City's Planning Staff.* [The Master Plan has been approved by City Planning Staff and recommended for approval.] .....*recommend the zoning overlay and encourage parking solutions that are largely internal to the block and not built between the building and the public street.* C-3 zoning requires setback that allows parking on the street and between the streets and it is felt [rezoning to] PUD will resolve that issue.

Mr. Swinson respectfully submitted the PUD for consideration and recommendation for approval to proceed to City Council.

Mr. Anderson asked Staff when the Master Plan was adopted. Mr. Land responded that the Future Five Points Master Plan was not developed by the City itself, it was developed by the merchants association with the assistance of City Staff, Ms. Statler and Mr. Land, who advised on it. The Master Plan was not presented to the Planning Commission for recommendation for approval; it was presented directly to City Council for recommendation for approval. It is not an amendment to the City Comprehensive Plan; it is a Master Plan for the Five Points area. Some discussion ensued among Planning Commission members regarding the Five Points Master Plan – lack of formal/information presentation, document review, neighborhood, and Commission representation. Mr. Land stated there was large neighborhood representation available at many of the Future Five meetings and at recent meetings held by the City concerning the development and implementation. The Innovista Master Plan was presented to the Planning Commission for review and approval. Copies of the Future Five Points Master Plan will be provided to Commission members for review for future evaluations. The Master Plan has been adopted by City Council; the *implementation* of the Master Plan is in process. Ms. Rutherford has a few pages of the Master Plan available to share with Planning Commission members that illustrated the property in question was for potential structured parking to serve adjacent areas; and street level retail with parking structure to face Santee Street. It also includes the recommendations and implementation portions.

Ms. Rutherford referenced the highlighting part of the recommendation for Goal Five and asked for incentives for other concessions to the goals of the Master Plan. Mr. Swinson responded the additional stories are permitted as an incentive for their concessions to the goals of the Master Plan and that all six of the goals are concessions to this project. Ms. Rutherford requested clarification on how this project fits goal by goal into the Five Points Master Plan because numerous Commission members and members of the public have not had a chance to read/review the Master Plan.

Mr. Swinson suggested Doug Quackenbush respond to this request as a neutral party. Mr. Quackenbush of Quackenbush Architects and Planners, whose firm was the author of the Five Points Master Plan, said he would attempt to clarify some of the issues related to the Master Plan and some issues related to process. He said the presentation for the Master Plan should have been made to Planning Commission before it was presented to City Council. Mr. Quackenbush said it was a very intensive public input process, with all the adjacent neighborhoods to Five Points invited to participate in the process. A large amount of meaningful input was received and derived the plan resulting in several significant goals which were 'distilled' into the six goals which were reprinted by this team.

He said he can give his personal analysis of how this project impacts this goal and feels a reasonable summary of this was given in the presentation tonight. As an architect, he feels it will be easier to talk through pictures. Mr. Quackenbush referenced his summary page of prepared comments and addressed "point by point, big picture wide" why this is a significant contributor to Five Points. First is the contributing character – in comparing the two proposals, he agreed the architecture was too generic and not really appropriate to respond to the very unique context in Five Points. He feels significant strides have been

made by the design/development team in developing a character that is both new [architecture] and is referential to the “spirit of Five Points”. Very significantly is that it is a very urban building and it is felt Five Points is an ‘urban village’. It is felt Five Points is weakest when the architecture is not built at the public right of way and when there is surface parking – this project achieves a truly urban density by building out at the edge of the block on three of its principle sides. The fourth side is the controversial tunnel side. Mr. Quackenbush said he felt “this design team has done a yeoman’s job in improving that piece of pavement from just being a surface lot to actually being now a public plaza and that is a *significant* enhancement from the original proposal”. Public parking is a very significant problem and there has been much conversation about the City’s contribution to provide that public parking which is *essential* to have to launch new development in Five Points. It is a very urban building, it is built at the street, it has the right kind of character .....very importantly, it is mixed use which is fully supported by Five Points. Height is an issue. Mr. Quackenbush said in working for the Five Points Association and this coalition of neighborhoods, he was given the full construction documents (DD set of drawings) by the development team to review the height issue. He reviewed the building sections and reviewed each floor based on his experience as an architect and verified ‘there’s no silver bullet in reducing the height’. The only thing that would affect the height in this proposal is taking out program; taking out residential, retail or parking. They are advocates of the mixed use project and feel the public parking is a rare opportunity *in this site at this location* because of how central it is. They counseled the design team to look at new solutions for how the massing ends at the top level; changes were made to the roof line to make it recede more which reduces the impact visual of the height. Changes were made in some of the materials at the top to make it appear to recede. Therefore the visual impact is minimized with this new design, though the building is still the same height. Mr. Quackenbush stated he felt this project is meeting many of the goals and objectives of the Master Plan because of all these reasons. He added it was always the intention to do goal setting with the initial Master Planning effort in Five Points and define the future vision for how things could develop knowing it would be necessary to change the zoning in Five Points to implement this; that process is underway and being led by the City’s Planning Staff and will result in numerous things the Planning Commission will have to review and endorse before it moves forward.

Mr. Land added that several emails and letters concerning this particular request had been received and would be read into the record once the public completed their comments.

*Wayne Rush*, resident, said he would like to see new developments and improvements in the Five Points area but is opposed to the height of the proposed development and the parking should be located elsewhere.

*Manning Frankstone*, resident, said he strongly supports the project and feels this is the ‘economic generator that Five Points needs...’

*Catherine Frankston*, resident, said she whole-heartedly supports the project.

*Tracy Swardout*, resident, thanked everyone for their participation in this project and said she felt the Planning Commission should review the Five Point Master Plan. She did have input and participated in the Master Plan. She feels the parking should be offsite and is opposed to the project.

*Dennis Hiltner*, business owner/resident/past president of the Five Points Association, said he has been the chairman of the committee since 1992. He spoke of parking issues and locations for parking structures researched by the City and the Association; and that Kenny’s Auto location is the best location for a parking structure. He is strongly in favor of the plan as presented.

*Coles Lawton*, President of Wales Garden Neighborhood, said the neighborhood is opposed to the project. It is felt the project’s height is unacceptable for the area. They feel there are alternatives to parking and would approve a four-story structure.

*Caroline Watson*, resident, said she had attended numerous meetings and objects to the height and parking.

*Jeff Caswell*, University Hill Neighborhood Association, said he has been involved in the project. He feels this is an attractive proposal and keeps with the area. It is an ideal location for the project and mixed use is greatly needed. He supports the project and requests approval.

*Richard Burtz*, resident/merchant/past board member, said he feels the height of the project is driven by the parking which is needed. Everyone knew changes would come with the Master Plan and supports and approves of the project.

*Virginia Gross*, resident, said she feels the height is a problem because Five Points is a village and she is opposed to the project.

*Susanna Smith*, Five Points shopper, said she is opposed to the project and has a petition with 65 signatures opposed to the project.

*Merritt Brewer*, Executive Director of the Five Points Association, said the Board of Directors unanimously approved the Master Plan on August 15<sup>th</sup> and are in strong support of the project.

*Keith McCook*, resident, said he does not feel that parking is a problem and does not support the project.

*Rob Turner*, attorney for client who is a restaurant owner in the area, said parking is a problem in Five Points. If height of the project is such a problem, his client suggests his parking area can be used to build a two-story deck if needed and is in favor of the project.

*Judith Roberts*, resident, said she is opposed to the project because of the height. She read a list of retailers opposed to the project and said the Five Points Merchants Association Board approved the project; the association members did not.

*Lee Marchette* (sp?), lifelong Columbian and Five Points shopper, said he feels there are alternatives to the parking; banks and drug stores usually have drive thru services which will add additional traffic and problems. He feels there will be safety issues with a garage.

*Jim Thomas*, President of Wheeler Hill Neighborhood Association and Townhomes of Wheeler Hills, said the neighborhood association opposes the plan with six stories.

*Jimmy Knight*, resident/property owner/past Five Points Association member, said he is in favor of the project. He feels the Five Points Master Plan beautification project will make Five Points a more attractive place to shop and live in; and will improve the quality of businesses in the area.

*William Durham* feels there are other alternatives and that a stand-alone garage can be built on the Claussen Inn property.

*Silvie Dessau* is opposed to the project. She feels there are other alternatives to the parking situation and the height of the building is a problem; a four-story building is preferred.

*Durham Carter*, President of the Martin Luther King-Lower Waverly Historical Neighborhood Association, said the ten members in attendance at the neighborhood meeting at the very beginning of the Five Points redevelopment project were in favor of the project. Later, additional members attended meetings and were opposed to the height of the proposed structure. Other community members (invalid and shut-ins) became involved/interested in the project's development and Mr. Carter felt there should be involvement throughout the Five Points area for everyone. Mr. Carter made personal contact with 75 people in the area (he had the names of these individuals on a list with him) and 44 members were in support of the project and 31 were in opposition.

*Beth Bilderbach*, President of the Hollywood/Rosehill Neighborhood Association, said the neighborhood is in favor of mixed use but has concerns with the height of the building. One of their initial concerns is the corner of Blossom and Devine where retail (Wal-Greens parking lot) is scheduled. They prefer Plan B because the building is stepped back and this has created an open corner that gives more of a plaza feeling as well as the parking spaces that are required; and recommend that Plan B be put forward as part of the PUD. The concern they had with the blank wall that faced Yesterdays has been alleviated with the finistration and the brick and plaster which provides relief. They neighborhood would like to request that the signage not be LED as it does not fit the Five Points area. Those are their concerns and they recommend approval of the project.

*John Myrick*, representing the Shandon Neighborhood Council, said they are in favor of recommending approval of the project.

*Thomas Swardout*, resident, said he is opposed to the project; it does not fit the area of Five Points and he does not feel there is a parking problem in Five Points.

Doug Quackenbush said that C-3 zoning does allow for 75' and the argument that this development is setting a precedent for future developments in Five Points (in his mind) does not hold much weight. The issue is that a PUD is requested because a setback is not requested to achieve that height and they are advocates for building at the street. The reason, as recommended in the study, that new development in Five Points, on average, be two- to three-stories in height was to connect development along the street because pedestrian connectivity is very important. Mr. Vipperman questioned how the number of parking spaces is driven. Mr. Quackenbush responded there are two levels of parking above the retail and the residential/dedicated parking; if one level of parking was dropped and only one structured level remained the cost per car would go up exorbitantly. In negotiations between the development team and the City, there was some cost benefit analysis that determined the amount for the parking spaces. Two hundred is a reasonable number of parking spaces for parking that supports the parking equipment needed, the person who will run the toll booth and other things needed to be financially feasible. He said involvement in three other parking decks in the City currently in bids or under construction, the numbers tend to be much higher (600 to 800 range); so 200 is at a minimum threshold. He added he does not have direct knowledge of this information but this would be his guess. Mr. Anderson questioned how many parking spaces were needed in Five Points as suggested by the parking study done by HNTB. Mr. Quackenbush said he did not recall....but public parking is a difficult problem to solve and has been solved with parking variances in the past. As part of the Master Planning effort, meetings were held with John Spade, Parking Services Director for the City of Columbia, and parking solutions were discussed. In a study done with City and Zoning Staff, it was determined that this site *independent* of this development was the ideal site for structured public parking. Several alternatives were researched but this site was recommended because the other sites tended to be too remote which was too much of a disincentive for them to be functional in the urban core of Five Points.

Clarification was given on the LED signage for the WalGreens. Mr. Swinson said it will be diminished (as the WalGreen's sign at Forest Drive and Beltline Boulevard) in size and placed in the knee wall. It is restricted, as referenced in detail in the PUD document, in regard to message changing and it cannot be a flashing sign.

Ms. Mandell expressed her concern with the wall facing Yesterdays and questioned other aesthetic solutions that could be done with greenery added to soften the wall. Mr. Swinson said they are in the urban design building to the lot line so room for greenery is limited. There will be additions of brick and finistration and the addition of a fig vine can be added. The developers will work with Ms. Trihey, City Land Development Planner, to decide on the best type of greenery to be used.

Ms. Rutherford asked the developers, because of the issue of height concern, what the effect on the development would be if one floor of parking were lost. Mr. Swinson responded it would be feasible if the City of Columbia would still pay the same amount for the parking; but as Mr. Quackenbush said earlier, if 100 spaces are built on one floor – the price goes up significantly. It was determined from the beginning of the project, by the City, to get as much parking in the area as possible and the City endorsed two floors of parking in the Council vote. There is the disagreement of whether parking is an issue or not by some neighbors and merchants; everybody supports additional development but where would the additional development park. It is hoped this planning will be a solution for this. He stated he did not believe this project could be accomplished in this format with one level of parking; it would not be economically feasible to build. The goal has been to try to accommodate all City Staff, Planning Commission, the administration, and the neighbors and merchants – which is an impossible job even though numerous meetings have been held to gather input from everyone and the best that could be done has been done. Ms. Rutherford asked if the parking structure could be privatized and the City not have any ownership. Mr. Swinson responded he did not know the answer to that because they are not in the business to manage parking. The process to develop parking in Five Points has been long and ongoing for a number of years. In response to Ms. Heyward's question of whether the project could continue without parking if the City pulled out; Mr. Swinson responded all attempts have been made to accommodate everyone and does not feel a redesign

could be afforded. He does not think it would be feasible without the parking; it also impacts the level of the condominiums because a second-level condominium is not as desirable as a fourth-level condominium. Economically, it would impact not just the revenue from the parking but also what could be built in the way of condominium use and their marketability. Ms. Screen asked, based on the study that indicated this was the best location for parking, what other locations were looked at for parking. Mr. Swinson said they were not charged with looking at other locations, this is a development project they are doing in the private sector. This was done separately and they approached the City because they understood the City had been looking for parking in Five Points for a long time. It has been very fortunate that the Five Points Master Plan that was worked on for a few years actually proposes a structured parking deck on this piece of property. Initially the Plan called for just a parking garage but it is felt that a mixed use project with a parking structure is a better option all around. The structure is not visible as a parking structure and is very urban in appearance.

All Staff comments have been reviewed and included in the PUD. Ms. Heyward added for the record that comments made by Mr. Land had the incorrect year noted as “August 28, 2008” and should be “August 28, 2007”. Ms. Reid asked Staff, in relation to this being a dual proposal, what is the timetable to decide whether Option A or Option B is successful. Mr. Land responded the developer would like to go forward with the A and B proposal to give additional time for the structural engineer to report to City Council on their recommendation. Staff supports either approach and feels the issue of encroachment needs to be better dealt with by City Council. In terms of the timeframe, Staff hopes this will be resolved between now and the public hearing in November, the 3<sup>rd</sup> Wednesday, [the 21<sup>st</sup>]. Mr. Swinson added there is also a building permit issue and an encroachment permit issue in which City Council has the ultimate say. Mr. Land added that City Council has already voted to go into contract with the developers to acquire the air rights and to build two levels of parking. He has been involved with parking issues in Five Points since 1983, and every minute detail and parcels has been reviewed. There may be some alternatives that have not been explored but of all the ones he has been involved with the City, they have been reviewed at least once for surface and/or structure. At the time this project was presented to Council, it was and is felt the best proposal at this point for parking issues.

**Motion by Mr. Way to recommend approval** of the rezoning and site plan review for **700 Saluda Avenue, 701 and 709 Santee Avenue (formerly Kenny’s Auto)**, TMS# 11308-08-02, -03, -08 and -09; rezone from C-3 (General Commercial) to PUD-C (Planned Unit Development -Commercial) subject to Staff comments and planting or growth on the wall facing Yesterdays to be approved by the City Land Development Planner; *seconded by Mr. Anderson.* **Motion approved 8-1. Approval by Mr. Way, Mr. Anderson, Ms. Rutherford, Ms. Screen, Mr. Hildebrand, Ms. Reid, Ms. Mandell, and Mr. Vipperman. Opposition by Ms. Heyward.**

### **Other Business**

#### **19. Adjourn.**

There being no other business, the meeting was called for adjournment. **Motion to adjourn by Ms. Mandell; seconded by Mr. Anderson. Motion approved and carried 9-0.** Meeting was adjourned at 9:25 p.m.

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