



CITY OF COLUMBIA  
CITY COUNCIL MEETING &  
ZONING PUBLIC HEARING MINUTES  
WEDNESDAY, JANUARY 20, 2010  
9:00 A.M.  
COUNCIL CHAMBERS – 3<sup>RD</sup> FLOOR  
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting and a Zoning Public Hearing on Wednesday, January 20, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:08 a.m. The following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine and The Honorable Belinda F. Gergel. The Honorable E.W. Cromartie arrived at 9:14 a.m. The Honorable Kirkman Finlay III arrived at 9:56 a.m. The Honorable Daniel J. Rickenmann was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

### **INVOCATION**

Mr. S. Allison Baker, Senior Assistant City Manager offered the Invocation.

### **APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS**

No one appeared at this time.

### **APPROVAL OF MINUTES**

1. Minutes of July 8, July 15, and July 22, 2009 – *Approved as presented.*

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the Minutes of July 8, July 15 and July 22, 2009 as presented.

### **PRESENTATIONS**

2. Introduction of the 2009 Employee of the Year – Ms. Sara Hollar, Superintendent of Forestry and Beautification

Ms. Melissa Gentry, P.E., Director of Public Works and Ms. Sara Hollar, Superintendent of Forestry and Beautification introduced Mr. Timothy Rushman, Assistant Superintendent of Forestry and Beautification as the City of Columbia 2009 Employee of the Year.

- **Mr. Cromartie arrived at 9:14 a.m.**

Mayor Coble presented Mr. Timothy Rushman, Assistant Superintendent for Forestry and Beautification with a plaque for being selected as the City of Columbia 2009 Employee of the Year.

Mr. Steven A. Gantt, City Manager presented Mr. Timothy Rushman, Assistant Superintendent for Forestry and Beautification with tokens of appreciation.

3. 1<sup>st</sup> Quarter 2010 Business Spotlight Program Honoree – Mr. Angelo McBride, Senior Business Administrator

Mr. Angelo McBride, Senior Business Administrator presented Post No Bills as the first quarter 2010 Business Spotlight Program Honoree.

Mayor Coble and the members of Council presented Ms. Doreen Sullivan with a proclamation and a certificate to the FastTrac® Business Program for being selected as the Business Spotlight Program Honoree for the first quarter of 2010.

4. \*\*Richland County Child Abuse Investigation Multi-Disciplinary Team Award – Dr. Allison Foster, Director of the Assessment Resource Center (ARC)

Dr. Allison Foster, Director of the Assessment Resource Center (ARC) presented the Richland County Child Abuse Investigation Multi-Disciplinary Team Award to Sgt. George Drafts of the Columbia Police Department.

5. \*\*Columbia Housing Authority Resident Impact Award – Mr. Gilbert Walker, Executive Director of The Columbia Housing Authority

Mr. Gilbert Walker, Executive Director of The Columbia Housing Authority presented the Resident Impact Award to Sgt. Vandell McCary of the Columbia Police Department.

### **PUBLIC HEARING**

6. Department of Housing and Urban Development (HUD) Section 108 Guarantee Loan Application – Mr. Tony Lawton, Director of Community Development

- **Council opened the Public Hearing at 9:37 a.m.**

No one appeared at this time.

- **Council closed the Public Hearing at 9:37 a.m.**

No action was taken.

### **CITY COUNCIL DISCUSSION / ACTION**

7. Council is asked to approve an Agreement for Online Calendar of Events. Award to Leisure Fun in the amount of \$13,500.00. This firm is located in Columbia, SC. -

Upon a motion made by Ms. Devine and seconded by Mr. Cromartie, Council voted unanimously to approve the renewal of an Agreement for an Online Calendar of Events. Award to Leisure Fun in the amount of \$13,500.00 from the Hospitality Tax Surplus Fund.

8. Establishment of Maxcy Gregg Park Centennial Celebration Committee – The Honorable Belinda F. Gergel

Upon a motion made by Dr. Gergel and seconded by Mr. Cromartie, Council voted unanimously to establish the Maxcy Gregg Park Centennial Celebration Committee. Each member of Council is asked to appoint an individual for a total of seven (7) members.

## CONSENT AGENDA

Upon a single motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 9.** through **20.** as presented.

### CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

9. Council is asked to approve an Agreement for the Senior Matters Project, as requested by Utilities and Engineering. Award to Cox and Dinkins in the amount of \$18,050.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvement Fund 5529999-SS710302-636600 - Approved*
10. Council is asked to approve the Scope of Work for Medco Implementation Support. Award to Towers Perrin in the amount of \$20,000.00 – **Note:** *The proposed cost will be covered through an implementation credit that Medco has agreed to through the proposal process. The City will pay the cost up front and then Medco will reduce their fees by the same amount. - Approved*
11. Council is asked to approve Change Order # 2 - Project #SD8059A1; Northwood Hills/Delverton Drainage Channel Improvements, Phase I, as requested by Utilities and Engineering. Award to L-J, Inc., in the amount of \$23,839.87. This vendor is located in Columbia, SC. *Funding Source: SD8059A1 656200 – Note: The additional costs associated with this change order are to compensate the contractor for additional excavation and rip rap necessary to secure the core mating material along the channel slopes. - Approved*
12. Council is asked to approve a Contract for Landscape Design at Maxcy Gregg Park, as requested by Parks and Recreation. Award to Grimboll-Cotterill & Associates in the amount of \$25,000.00. *Funding Source: 4039999-636600 PK0072-6366 - Approved*
13. Council is asked to approve the Purchase of Desk Online Reporting Systems, as requested by the Police Department. Award to CopLogic, Inc., as a Sole Source in the amount of \$28,248.00. This vendor is located in San Ramon, CA. *Funding Source: JAG Recovery Act E. Byrne Grant 2609999-638200 RA24110100-638200 - Approved*
14. Council is asked to approve Project #SS7097; Conflict Box at 1609 Roslyn Drive, as requested by Utilities and Engineering. Award to Trussell Bros. Construction, the lowest bidder in the amount of \$29,255.00. This vendor is located in Columbia, SC. *Funding Source: SS709701- This is a Mentor Protégé Program Project - Approved*
15. Council is asked to approve an Agreement for Implementation of Approved Closure Plan for the City's C&D and LCD Landfill, as requested by Utilities and Engineering. Award to Alliance Consulting Engineers in the amount of \$43,000. This vendor is located in Columbia, SC. *Funding Source: 10111124 6366 – Note: Fifty percent (50%) of the work or \$21,500 will be subcontracted to Survey One, a non-DBE firm located in Lexington, SC. - Approved*
16. Council is asked to approve the Purchase of Annual ccCAD Software Maintenance Renewal, as requested by the Emergency communications Department. Award to Cross Current Corporation in the amount of \$99,500.00. This vendor is located in New Hope, PA. *Funding Source: (City Emergency Center 1012701-638200 \$49,750.00) and (County Emergency Center 2082702-638200 \$49,750.00) - Approved*

17. Council is asked to approve Project #SS710501; Abandonment of Old Gills Creek Outfall, as requested by Utilities and Engineering. Award to Trussell Bros. Construction, the lowest bidder in the amount of \$355,001.00. This vendor is located in Columbia, SC. *Funding Source: SS710501 – This is a Mentor Protégé Program Project - Approved*
18. Council is asked to approve Project #WM4143; Change Order #6, Water Main Rehabilitation Cleaning and Lining, as requested by Utilities and Engineering. Award to Carolina Tap & Bore, Inc., in the amount of \$312,544.00. This vendor is located in West Columbia, SC. *Funding Source: Water Improvement Fund - Approved*
19. Council is asked to approve the Purchase of Combination Water Vacuum Jet Trucks, as requested by Utilities and Engineering. Award to Public Works Equipment and Supply, Inc., the lowest bidder in the amount of \$668,716.00. This vendor is located in Monroe, NC. *Funding Source: 5529999-658500 SS711001-658500 - Approved*
20. Council is asked to approve the Memorandum of Understanding between the City of Columbia and The Mast General Store, Inc., for the purpose to develop and operate a retail facility within the corporate boundaries of the City. - *Approved*

### **ORDINANCES - FIRST READING**

Upon a motion made by Mr. Cromartie and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2009-126 – Authorizing the transfer of an unopened portion of Catawba Street approximately 0.09 acre (3,981.07 square feet) adjacent to Richland County TMS #08913-18-01 and 08913-02-02 to Chase Company **and** Ordinance No.: 2009-129 – Authorizing the transfer of a 0.48 acre (20,948.14 square feet) portion of the Senate Street Right of Way adjacent to 1043 Huger Street, Richland County TMS #08911-01-05 to VistaBank.

21. Ordinance No.: 2009-126 – Authorizing the transfer of an unopened portion of Catawba Street approximately 0.09 acre (3,981.07 square feet) adjacent to Richland County TMS #08913-18-01 and 08913-02-02 to Chase Company – *Approved on first reading.*
22. Ordinance No.: 2009-129 – Authorizing the transfer of a 0.48 acre (20,948.14 square feet) portion of the Senate Street Right of Way adjacent to 1043 Huger Street, Richland County TMS #08911-01-05 to VistaBank – *Approved on first reading.*
23. Ordinance No.: 2010-024 – Authorizing land swap with Columbia Development Corporation of 1900 Wiley Street, Richland County TMS #11212-16-01 in exchange for 1917 Wiley Street, Richland County TMS #11212-17-07 – *Approved on first reading.*

Upon a motion made by Mr. Cromartie and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2010-024 – Authorizing land swap with Columbia Development Corporation of 1900 Wiley Street, Richland County TMS #11212-16-01 in exchange for 1917 Wiley Street, Richland County TMS #11212-17-07.

24. Ordinance No.: 2010-026 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article IV, Departments, Sec. 12-151, Department created; department heads; administration regulations and procedures, (a) to repeal (20) Homeland security – *Consideration of this item was deferred.*
25. Ordinance No.: 2010-027 - An Ordinance to Set a Referendum on the Question of Changing the Form of Municipal Government - *Consideration of this item was deferred.*

- **Mr. Finlay arrived at 9:56 a.m.**

## **RESOLUTIONS**

26. Resolution No.: R-2010-003 – Authorizing the City Manager to execute a Non-Disturbance and Attornment Agreement between the City of Columbia, Marketplace-Columbia, LLC and Chick-Fil-A, Inc. for 0.220 acres (9,569.88 square feet) at the corner of Harden Street and College Street

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2010-003 – Authorizing the City Manager to execute a Non-Disturbance and Attornment Agreement between the City of Columbia, Marketplace-Columbia, LLC and Chick-Fil-A, Inc. for 0.220 acres (9,569.88 square feet) at the corner of Harden Street and College Street.

27. Resolution No.: R-2010-004 – Authorizing the Mayor to execute an Employment Contract between the City of Columbia and Steven A. Gantt – *Consideration of this item was deferred.*

- **Council recessed at 9:59 a.m.**
- **Council reconvened at 10:05 a.m.**

## **SIDEWALK VENDING PUBLIC HEARING**

- **Council opened the Sidewalk Vending Public Hearing at 10:05 a.m.**

### **ORDINANCES – FIRST READING**

No one appeared in support of or in opposition to **Items 28.** through **32.**

Upon a motion made by Mr. Cromartie and seconded by Mr. Davis, Council voted unanimously to give first reading approval to **Items 28.** through **32.** with a single motion. Ms. Devine was not present for the vote.

28. **SW Corner of Assembly and Laurel Streets**

Ordinance No.: 2010-019 – Granting a Franchise to Mary Smalls d/b/a Harris Charette for operation of a stationary sidewalk vending cart on the southwest corner of Assembly Street and Laurel Street adjacent to Finlay Park – *Approved on first reading.*

29. **NE Corner of Main and Lady Streets**

Ordinance No.: 2010-020 – Granting a Franchise to Krista Anderson d/b/a Krista's Hot Dogs for operation of a stationary sidewalk vending cart on the northeast corner of Main Street and Lady Street – *Approved on first reading.*

30. **Mid-Block Pad near 1333 Main Street**

Ordinance No.: 2010-021 – Granting a Franchise to Regina Doster and Kylin Doster d/b/a Carolina Dawgs for operation of a stationary sidewalk vending cart within the mid-block pad near 1333 Main Street – *Approved on first reading.*

31. **Mid-Block Pad near 1701 Main Street**

Ordinance No.: 2010-022 – Granting a Franchise to Robert Spencer of operation of a stationary vending cart on the west side of the 1700 block of Main Street – *Approved on first reading.*

32. **NW Corner Main and Washington Streets**

Ordinance No.: 2010-023 – Granting a Franchise to Chris Hinely d/b/a The Peanut Man for operation of a stationary sidewalk vending cart on the northwest corner of Main Street and Washington Street – *Approved on first reading.*

- **Council closed the Sidewalk Vending Public Hearing at 10:06 a.m.**

**ZONING PUBLIC HEARING**

- **Council opened the Zoning Public Hearing at 10:06 a.m.**

**TEXT AMENDMENTS – FIRST READING**

33. **Amend Sec. 17-258. Table of permitted uses** - SIC 182 (Food grown within an enclosure) and 19 (General farms, primarily crop) to modify permissions.

Ordinance No.: 2009-117 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 7, General Regulations, Sec 17-258 Table of permitted uses, Division A, Agricultural, Forestry and Fishing, 1 Agricultural production – Crops, 18 Horticultural Specialties, SIC 182 Food crops grown within an enclosure – *Approved on first reading.*

Mr. Marc Mylott, Director of Planning and Development Services explained that this text amendment is a continuation of staff's efforts along with several involved citizens to ensure that our zoning ordinance allows the opportunity for citizens to be green and self sustaining. For example, this will allow a group of neighbors to request from the Board of Zoning Appeals through a special exception to take a vacant lot in a residential area and create a community garden. There will be some instances where a small community garden is appropriate and other requests that could have negative secondary impacts. It will be looked at on a case by case basis.

Councilor Finlay said that the process seems odd. We need to deal with this along with how we handle the transitional borders of our city.

Mr. Marc Mylott, Director of Planning and Development Services said that going forward they are willing to look at thresholds under which it would be out right permitted.

No one appeared in support of or in opposition to **Item 33.**

Upon a motion made by Mr. Cromartie and seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2009-117 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 7, General Regulations, Sec 17-258 Table of permitted uses, Division A, Agricultural, Forestry and Fishing, 1 Agricultural production – Crops, 18 Horticultural Specialties, SIC 182 Food crops grown within an enclosure.

34. **Amend Sec. 17-277. Projections into required yards and Sec. 17-406. Permitted signs** to clarify provisions regarding awnings, canopies, and marquees projecting into public rights-of-way.

Ordinance No.: 2009-118 – Amending the 1998 Code of Ordinances of the City of Columbia, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions, Use and Dimensional Regulations, Sec. 17-277 Projections into required yards to add (11); and Division 12, Signs, Sec. 17-406 Permitted signs (4) Location, (d) Projecting signs (2) and (e) Signs on marquees or canopies – *Approved on first reading.*

Mr. Marc Mylott, Director of Planning and Development Services explained that this text amendment will help facilitate our urban fabric. Currently, if you want to have a projecting sign, it has to be 12' above the public right-of-way and then it has limits as to how far it can come out. That has evolved into its application of awnings and canopies, which is unfortunate. We have run into instances where it has interrupted the design elements of the second floor of a building. This establishes a uniform set of rules for projecting signs, signs on awnings, awnings, canopies and marquees. It also lowers the allowable height to 8' to ensure that there is clearance and that puts in place a similar insurance requirement as it would an encroachment.

Councilor Cromartie asked if the building community had a chance to look at the text amendment.

Mr. Marc Mylott, Director of Planning and Development Services explained that they haven't vetted this amendment with anyone, but this allows them to do more than they can do now.

No one appeared in support of or in opposition to **Item 34.**

Upon a motion made by Mr. Cromartie and seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2009-118 – Amending the 1998 Code of Ordinances of the City of Columbia, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions, Use and Dimensional Regulations, Sec. 17-277 Projections into required yards to add (11); and Division 12, Signs, Sec. 17-406 Permitted signs (4) Location, (d) Projecting signs (2) and (e) Signs on marquees or canopies.

35. **Amend §17-258** to modify use classification permissions for Employment Agency (SIC 7361).

Ordinance No.: 2009-132 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-258 Table of permitted uses, Division I, Services, SIC 7361 Employment Agencies – *Approved on first reading.*

Mr. Marc Mylott, Director of Planning and Development Services explained that this text amendment is a modification to the use table that would make an employment agency a permitted use in the C-1 and C-2 districts. We found that a simple office like that was not allowed in our office and institutional zoning districts; therefore, we propose that this be fixed. To be clear, this is not temporary employment agencies; these are full-time staffing agencies for accountants or other like professions.

No one appeared in support of or in opposition to **Item 35.**

Upon a motion made by Mr. Cromartie and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2009-132 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-258 Table of permitted uses, Division I, Services, SIC 7361 Employment Agencies.

#### MAP AMENDMENT – FIRST READING

36. **3231 Murray Street**, TMS# 13902-10-29; rezone from PUD-R (Residential Planned Unit Development) –DP (Design Preservation) to RS-2 (Single-Family Residential) –DP (Design Preservation). – *Approved on first reading.*

Mr. Marc Mylott, Director of Planning and Development Services explained that this is a welcomed rarity where we are actually taking a property zoned PUD and reverting it to one of our more common RS-2 zoning districts. This is a nonconforming triplex; the applicant is working towards converting it into a single-family home; and this would put the appropriate zoning in place to do that.

Mr. John Blackmon, Representative for current property owner said that they have a timetable issue and requested that City Council defer the vote while his client works with the Design Development Review Commission and through other contractual issues.

Mr. Marc Mylott, Director of Planning and Development Services thought that the issues were resolved as of yesterday afternoon. If the applicant hasn't had an opportunity to speak with staff then I would encourage that to happen prior to second reading.

Mr. Will Britt, Applicant explained that he and his wife are attempting to buy the property. Mr. Blackmon's client owns the home and it is a PUD being used as a triplex. Until we close, his client doesn't need the zoning changed. We are working with the DDRC; once we close, we want it changed to RS-2, because it will be our permanent residence. If we are unable to work out our differences with the DDRC, Mr. Blackmon's client doesn't want it changed.

Councilor Finlay suggested that the matter be given first reading and that second reading be deferred until further notice from the applicant.

Upon a motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to give first reading approval to the *Map Amendment* for 3231 Murray Street, TMS# 13902-10-29; rezone from PUD-R (Residential Planned Unit Development) –DP (Design Preservation) to RS-2 (Single-Family Residential) –DP (Design Preservation), subject to second reading approval being deferred until further notice.

37. **1207 Greenlawn Drive**, TMS# 16414-01-06; rezone from RS-1 (Single-Family Residential) to UTD (Urban Transitional District). – *Consideration of this item was deferred.*

Mr. Marc Mylott, Director of Planning and Development Services explained that this is a request to rezone property along the west side of Greenlawn Drive from RS-1 to UTD for the purposes of establishing an insurance office. There is a legal nonconforming dentist office to the north of this property, which was grandfathered in. There is no commercial zoning south of Leesburg Road or along Greenlawn Drive on the west side until you get to the intersection of Garners Ferry Road to the south. In our opinion, this represents the intrusion of commercial zoning into an established residential area and given the availability of commercial zoning in the immediate area and further to the south, it was both staff and the Planning Commission's recommendation to deny.

Councilor Devine asked that the matter be delayed until she and Mr. Finlay can look into the matter after receiving several phone calls.

Councilor Finlay said that zoning wise; we need to focus on the pressure from landowners on Greenlawn Drive to convert property. Council has to decide whether or not to approve future requests for commercial encroachments so that homeowners realize that it is not going to have a commercial corridor feel to it.

Mr. Marc Mylott, Director of Planning and Development Services said that this is the first request we've had on this side of Greenlawn Drive. The area is single family residential.

Councilor Gergel asked Mr. Mylott to explain the permitted uses for the Urban Transitional District.

Mr. Marc Mylott, Director of Planning and Development Services said that it is C-1 light. Its purpose was to create a transition zone from areas zoned residential to areas zoned commercial and to offer some type of logical transition. The purpose statement speaks to the preservation of residential structures, but in UTD zoning someone can demolish a residential structure.

Ms. Robin Newton, Applicant explained that they made an offer on this home in September with the contingency of it being rezoned to UTD. We own a small commercial property and casualty insurance agency; we don't have a lot of traffic; and the proximity of this structure to I-77 is great for us. We were brought up in Pinewood Park; we own a home on Haven Drive; a lot of our clientele is over there; and the square footage, layout and location appealed to us. There is a shopping center and dental offices across the street. The dental office next door was built in their back yard in the 1980's and the dentist lived in the house that faces Leesburg Road. We would not do anything detrimental to the neighborhood. We have been in business for 26 years.

Mr. Marion H. McDonald, current property owner along with Ms. Sara McDonald Derrick, said that they inherited 1207 Greenlawn Drive in 2008 from their parents who brought the property in 1963 and lived there for 45 years. The surrounding property has changed dramatically and it is primarily zoned commercial east of Greenlawn Drive. This request is in keeping with the neighborhood. We have a 15 unit shopping center across the street and a dentist office next door. He said that Pinewood Park was established in the 1960s and since that time, Greenlawn Drive has experienced a considerable amount of commercial activity. To my knowledge, only one resident opposes this and I met with him already. We would like for you to consider this legitimate request for a legitimate business. I am a real estate appraiser and when we listed this home we had every intention of selling it as a single family residence. We would appreciate a favorable ruling.

Councilor Finlay said that after speaking with the current owner I drove by and looked at it. We will need to reflect on this, because this area will be coming under additional commercial pressure. There is a very strong commercial element across the street. We will make a policy decision that will affect a lot of homes on that street; it may become a full blown commercial corridor. I would like to listen today; ask that we hold this; and come back. Will that impede the contract?

Mr. Marion H. McDonald, co-owner of property said I do not believe so. He added that one block away at Caroline and Greenlawn is a hair salon that was in fact a single family dwelling, which is zoned UTD. This is a very similar request.

Dr. John Leader appeared before the members of Council in opposition to this item. Mostly, the area is zoned RS-1. He added that Leesburg Road has issues, because people think they are on a drag strip and Garners Ferry Road has issues, because people still think that they are on the highway. Our area is quiet, residential and stable and it needs to remain that way. Making it an Urban Transitional District will destabilize the area. The dentist was living there, he was in control of his property and he was not an absentee landlord. Whether they came from the neighborhood or not, the applicant doesn't live there anymore, but I do. This business could move and then who would move in. They will have to put in parking lots; it will be up against my property; and it will result in burglaries. I would request that when you consider the policy that you take this under consideration at a corporate level and do the right thing.

Upon a motion made by Mr. Finlay and seconded by Ms. Devine, Council voted unanimously to defer the Public Hearing on **Item 37**. until the next Zoning Public Hearing on March 17, 2010.

#### CASES WITH MAP AND TEXT AMENDMENTS – FIRST READING

38. **2205 Park Street** TMS# 9012-12-11 rezone from RG-2 (General Residential) to PUD-R (Residential Planned Unit Development) –DP (Design Preservation) and **1001 Bryan Street**, TMS# 9012-10-16 rezone from RS-3 (Single-Family Residential) to PUD-R (Residential Planned Unit Development) – DP (Design Preservation). – *Approved on first reading.*

**Amend §17-681(b) (2)** to add 2008 TMS# 9012-12-11 and 9012-10-16 to the Elmwood Park Architectural Conservation District. – *Approved on first reading.*

Ordinance No.: 2009-130 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 3, Landmarks and Design Protection Districts, Sec. 17-681 identified (b) Architectural conservation district (2) to add 1001 Bryan Street, Richland County TMS #09012-10-16 and 2205 Park Street, Richland County TMS #09012-12-11 – *Approved on first reading.*

Mr. Marc Mylott, Director of Planning and Development Services explained that this amendment is to convert properties that are currently being used as parking lots to single-family residential uses. We worked closely with the applicant to craft a PUD for this property, because currently the RS-3 zoning district, which would be an appropriate use classification, would have a set back that is too great for the character of Elmwood Park. As part of the Planning Commission's recommendation, there are four (4) conditions that were not listed in the staff report.

Councilor Devine asked what would happen with on street parking for the church.

Mr. Marc Mylott, Director of Planning and Development Services said that they are looking at purchasing additional property next to Wardlaw and they would consolidate the parking on one side of the street. He explained that the church is the applicant.

Councilor Devine asked if the neighborhood association has taken an official action on this.

Mr. Marty White, Jr., Owner, Builder and Designer / MartyWhite.net said that they are waiting for a letter of approval from the Neighborhood Association; they have verbally approved the project. We are taking the land that is currently serving as a parking lot and converting it back into what it was; single family housing. Originally, there were five (5) parcels facing Bryan Street and we are going back to four (4). This is a custom design build residential project that we are developing for Park Street Baptist Church, which is the owner. The church is partnering with us and they will retain the property until we've sold it to individuals who will buy the land for building

the houses. It is adjacent to a historic preservation district and we want to bring it into the historic preservation district as a PUD under the purview of the DDRC. The church is working with the Columbia Development Corporation to purchase the land next to it and the Wardlaw Senior Center for future parking. The idea behind the parking lot is that the church will establish a 40' setback off of Park Street to help dress the front of the property up and to create a park-like setting without benches. The ten (10) lots are sizable and will have rear entry access. The on street parking is more than adequate for guests. It will be a PUD and the homes will be required to assume a level of sustainability by using green principles. Our full intent is to blend these homes in with Elmwood Park, but the homes will be more upper end than the existing homes costing \$325,000 to \$650,000 with 2,400 to 4,000 square feet. We have a good relationship with the Elmwood Park Neighborhood Association.

Councilor Davis asked if the church is aware of the conditions.

Mr. Marty White, Jr., Owner, Builder and Designer / MartyWhite.net said yes.

Upon a single motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to give first reading approval to the *Map Amendment* for 2205 Park Street TMS# 9012-12-11 rezone from RG-2 (General Residential) to PUD-R (Residential Planned Unit Development) –DP (Design Preservation) and 1001 Bryan Street, TMS# 9012-10-16 rezone from RS-3 (Single-Family Residential) to PUD-R (Residential Planned Unit Development) – DP (Design Preservation) **and** Ordinance No.: 2009-130 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 3, Landmarks and Design Protection Districts, Sec. 17-681 identified (b) Architectural conservation district (2) to add 1001 Bryan Street, Richland County TMS #09012-10-16 and 2205 Park Street, Richland County TMS #09012-12-11, subject to the following Planning Commission recommendations. Mr. Finlay was not present for the vote.

- No additional curb cuts permitted other than those shown on plans to access alleys
- Existing curb cuts not shown on plans will be removed by developer
- Lighting will be shielded from adjacent residential property
- Developer will make every effort to preserve two large trees on the Park and Bryan Street lot.

39. **NC Overlay District:** Create new and/or amend pertinent sections of Zoning Ordinance relating to the creation of the NC (North Main Corridor) zoning overlay district.

Ordinance No.: 2009-131 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, Sec. 17-231 Districts enumerated to add -NC North Columbia overlay district; Sec. 17-275 Lot size, setback and height requirements, Table 2; Sec. 17-283 Wireless Communication facilities (c) Districts where permitted, height and setbacks (6) Table 3 to add "NC" (North Main Corridor); and to add Sec. 17-295-NC North Main Corridor; Division 9, Supplementary District Regulations to add Sec. 17-324 -NC North Main Corridor overlay district; Article V, Historic Preservation and Architectural Review, Division 1, Generally, Sec. 17-653 Design and development review commission (9) to add -NC; and Sec. 17-655 Administration to amend (d) Administration of –ID and to add (e) Administration of -NC design guideline – *Approved on first reading.*

40. **North Main Corridor** - generally encompassing North Main Street from Elmwood Avenue to Craven Street and further identified on TMS# 09012-06-08, 09, 10, 11; 09016-01-02; 09016-02-01, 02, 06 thru 09, 11; 09016-03-01, 10, 11, 12, 14; 09016-09-01, 19 thru 24; 09016-12-01, 02, 04, 05, 06, 12 thru 20; 09016-13-06, 08, 13; 09016-14-03 thru 07; 09016-15- 12, 13; 09109-05-15, 16, 18, 20; 09109-06-01, 05, 06, 07; 09109-08-01, 06, 07, 08; 09109-09-01, 02, 04, 05, 06, 08; 09109-10-20, 45, 46; 09109-12-07 thru 10, 16, 17; 09109-13-06, 07 (partial)\*, 08, 10; 09110-05-01, 02, 03, 04, 12; 09110-10-06 (partial)\*, 10; 09110-11-01, 12, 13; 09110-12-01, 02; 09110-13-01, 02, 03; 09110-14-03 thru 07; 09110-16-04 thru 08; 09110-22-01; 09110-24-01; 09111-04-01 thru 07, 12; 09111-05-01; 09111-06-01 thru 04; 09111-07-01, 02, 04; 09112-04-02 thru 07, 16, 17, 18; 09112-05-01, 06; 09112-06-01 thru 11; 09112-07-01, 06, 07, 09; 09112-08-02 thru 08, 18; 09112-09-01, 03; 09113-01-03, 04, 05; 09113-12-20; 09113-13-01, 02, 15 thru 23, 25, 26, 27; 09209-18-01, 02, 05 thru 08; 09209-19-03, 04; 09209-20-01 thru 04; 09209-21-01 thru 03; 09209-22-01 thru 06, 08; 09209-23-04 thru 07; 09210-04-10, 11, 12, 21; 09210-05-08 thru 11, 15, 16, 17, 20; 09210-06-02 thru 06; 09213-01-01, 19 thru 24; 09213-06-01 (partial)\*; 09213-07-01 thru 04, 12, 13, 14 ; 09214-02-06; 09214-03-01; 09214-12-01, 08, 09; 09214-13-01, 02; 09214-14-01, 05, 07, 08, 17; 09214-15-01 thru 07; 09215-07-09 thru 13; 09215-08-01 thru 04; 09215-09-04, 07; 09215-10-01, 21, 22, 23; 09215-13-01 (partial)\* and 02 thru 07, 21; 09215-17-05; 09216-07-10, 11, 12; 09216-08-31, 32, 34, 62; 11604-03-01 thru 05, 07 thru 10, 12; 11604-04-01; 11604-05-01; 11604-06-03 thru 09, 17, 18; 11604-15-01, 02, 04 thru 09, 18, 19; 1604-17-02, 07, 09; 11604-18-15, 17 thru 20; 11701-08-10, 11; 11701-09-01; 11701-10-01, 02, 03, 05, 06, 09, 12; 11701-11-01, 02. **Rezone parcels to MX-1 (Mixed-Use Neighborhood).** \* Refer to zoning maps for delineation of parcels which are partially included. – *Approved on first reading.*
41. **North Main Corridor** - generally encompassing North Main Street from Elmwood Avenue to Craven Street, and further identified on TMS# 09012-06-08, 09, 10, 11; 09016-01-02; 09016-02-01, 02, 06 thru 09, 11; 09016-03-01, 10, 11, 12, 14; 09016-09-01, 19 thru 24; 09016-12-01, 02, 04, 05, 06, 12 thru 20; 09016-13-06, 08, 13; 09016-14-03 thru 07; 09016-15- 12, 13; 09109-05-15, 16, 18, 20; 09109-06-01, 05, 06, 07; 09109-08-01, 06, 07, 08; 09109-09-01, 05, 06, 08; 09109-10-20, 45, 46; 09109-12-07 thru 10, 16, 17; 09109-13-06, 07 (partial)\*, 08, 10; 09110-10-06 (partial)\*, 10; 09110-11-01, 12, 13; 09110-12-01, 02; 09110-13-01, 02, 03; 09110-14-01, 02; 09110-14-03 thru 07; 09110-22-01; 09110-24-01; 09111-04-01 thru 07, 12; 09111-05-01; 09111-06-01 thru 04; 09111-07-01, 02, 04; 09112-04-02 thru 07, 16, 17, 18; 09112-05-01, 06; 09112-06-01 thru 11; 09112-07-01, 06, 07, 09; 09112-08-02 thru 08, 18; 09112-09-01, 03; 09113-01-03, 04, 05; 09113-12-20; 09113-13-01, 02, 15 thru 23, 25, 26, 27; 09209-18-01, 02, 05 thru 08; 09209-19-03, 04; 09209-20-01 thru 04; 09209-21-01 thru 03; 09209-22-01 thru 06, 08; 09209-23-04 thru 07; 09210-04-10, 11, 12, 21; 09210-05-08 thru 11, 15, 16, 17, 20; 09210-06-02 thru 06; 09213-01-01, 19 thru 24; 09213-06-01 (partial)\*; 09213-07-01 thru 04, 12, 13, 14; 09214-02-06; 09214-03-01; 09214-12-01, 08, 09; 09214-13-01, 02; 09214-14-01, 05, 07, 08, 17; 09214-15-01 thru 07; 09215-07-09 thru 13; 09215-08-01 thru 04; 09215-09-01, 03, 04, 07; 09215-10-01, 21, 22, 23; 09215-13-01 (partial)\* and 02 thru 07, 21; 09215-17-05; 09216-07-10, 11, 12; 09216-08-31, 32, 34, 62; 11604-03-01 thru 05, 07 thru 10, 12; 11604-04-01; 11604-05-01; 11604-06-03 thru 09, 17, 18; 11604-15-01, 02, 04 thru 09, 18, 19; 11604-17-01, 02, 07, 08, 09; 11604-18-15, 17 thru 20; 11701-08-10, 11; 11701-09-01; 11701-10-01, 02, 03, 05, 06, 09, 12; 11701-11-01, 02. **Rezone parcels to add NC (North Main Corridor) overlay district.** \* Refer to zoning maps for delineation of parcels which are partially included. – *Approved on first reading.*

Krista Hampton, Development Center Coordinator said that they are presenting the implementation of a portion of the Villages of North Columbia Master Plan. This is the land use implementation for North Main Street. It is one of the tools we will be using in an ongoing process to realize this vision. The master plan was commissioned in the spring of 2005; it encompassed 4,200 acres; 25 organized neighborhood associations; and it created three village concepts: an artist village; college village; and gateway village. We held extensive meetings with stakeholders to include property owners along this area in February, April, July and September. It was recommended for approval by the Planning Commission in 2009. It is intended to explore the tools to implement elements of this plan. The plan called for mixed-use; adding residences on Main Street; and creating a pedestrian oriented environment.

▪ **Ms. Devine left at 10:49 a.m.**

Mr. Jeffrey Crick, Planner explained that the area they looked at started at Elmwood Avenue and followed North Main Street to Craven Street where the Urban Transitional District for North Main Street kicks in making it a very seamless transition to the residences to the north. There were a few aspects that changed the land uses. He said that mixed uses, height and density aren't applicable under the current zoning for the area. There will be modifications within the overlay itself. The MX-1 zoning calls for a 0 – 10' setback along the corridor, but the overlay was modified to include a 15' setback to allow for street trees, plantings and space between the pedestrians and North Main Street. The parking reduction also matches the outlined goals by reducing the required parking for the occupants by 20%, which allows more businesses to go into locations with less parking. This gives more chances for economic development and for businesses to start up along the corridor. With the overlay, there are design review rules and any new construction, expansions greater than 25% and projects going before the Board of Zoning Appeals or for a PUD will automatically go before the DDRC. Amendments will come forth at a later date to make an artisan use a special exception.

Councilor Davis said that the overall concept represents the outcome of the charette process. I would ask that we have a special exception on Mr. David Jones' property and at the same time preserve what's going on there.

Mr. David Jones explained that he has two (2) parcels in the North Main Corridor: the Professional Tire and Radiator Shop and I am supportive of a design overlay on that parcel of land. The other is the old Midlands Tire Plant where I have 70,000 feet of buildings, which I wish we could exempt and allow me to continue to do good things. This is far off of the Main Street corridor.

Mr. Marc Mylott, Director of Planning and Development Services asked if Mr. Jones wanted the second parcel removed from the MX-1 zoning or create the use classifications within the MX zoning to allow him to continue to do what he's doing.

Councilor Davis said that if he can continue what he's doing then we should create the classification; this is important in terms of the progress we all want to make. This is a multi-million dollar business with contracts with Wal-Mart and other distributors across the country. It matches what we want to do with the artists; it is one of the largest tax producers; it's already there; and we don't want to run them out of business.

Councilor Finlay asked if we could leave this parcel out.

Mr. Marc Mylott, Director of Planning and Development Services explained that by State law you are bound by the recommendation of the Planning Commission; we can take this back to the Planning Commission in February.

Mr. Dave Roberts, 2501 Main Street said that he is concerned that this change will suddenly change the potential uses of other commercial properties. My 2,000 sq. ft. building is not impacted, but we need more employment on Main Street. I like the overlay, but I would hate for this overlay to preempt us from getting employment back into the area.

Mr. Robert White, 4809 North Main Street said that this small change may preclude their future plans. We are currently zoned RS-3 and we want to remain a part of the North Columbia community. We want to be included in the mixed use zoning. I have a consulting business and we also operate small businesses within the home.

Mr. Marc Mylott, Director of Planning and Development Services said that this is not intended to affect any residential properties. We will look at this area, as well.

Upon a single motion made by Mr. Davis and seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to **Items 39., 40. and 41.** and to ask the Planning Commission to consider exempting Mr. Jones' property and other larger parcels that may provide employment opportunities.

#### ANNEXATION WITH MAP AMENDMENT – FIRST READING

*Please note that Section 5 of the Voting Rights Act requires pre-clearance for the City's April 6, 2010 election. The timeframes for pre-clearance and compliance with the election laws do not permit the City to annex any additional residential properties after September 30, 2009 through April 30, 2010.*

42. **135 John Harmon Road**, TMS# 05000-04-13; annex and rezone property from RU (Rural) in Richland County to PUD-LS (Large Scale Planned Unit Development).

Ordinance No.: 2010-010 – Annexing 135 John Harmon Road, Richland County TMS #05000-04-13 – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 42.**

Upon a motion made by Mr. Davis and seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2010-010 – Annexing 135 John Harmon Road, Richland County TMS #05000-04-13.

Mr. Marc Mylott, Director of Planning and Development Services explained that **Items 43. through 59.** are donut holes on Farrow Road. In the fall of last year we sent out the first and second letters requesting these owners to submit petitions for annexation. These parcels are surrounded by city property, but are in the unincorporated area of Richland County. We don't have all of them, but a third letter has gone out to those folks who have not yet submitted their petition with a request to submit it by February 11, 2010. There are some properties along Farrow Road to which we don't provide urban services or they are vacant. As such, we have no leverage to suggest that they become a part of the city limits. It is a huge step forward in bringing in parcels that were largely ignored.

Councilor Cromartie further explained that there are a number of properties surrounded by the City of Columbia and it is confusing from the city's and county's perspective when providing emergency services, picking up trash and other services. We are doing what the neighborhood asked us to do; we are in the process of making it seamless. We want to make sure that all residents get the services they need without confusion. We want to close those donut holes and move the city forward.

Ms. Alice Holt, 2220 Adams Street said that all of her properties are in the City. Are there plans that promote or drive commercial development in this area?

Councilor Cromartie explained that where Ms. Holt lives is a residential neighborhood and there is nothing on the books for commercial development. We are trying to have commercial development within the corridors that is compatible to the neighborhoods.

Councilor Davis explained that this makes the area more attractive to developers and there are certain land regulations that aren't being adhered to and that makes the land less attractive. We did a commercial retail study, which included the Farrow Road corridor. We want the property owners to consider and cooperate with the annexation in order to help us bring in commercial development. We have to start somewhere and there are some properties that we have to clean up.

Rev. Leonard Taylor, Owner of 26 Bethune Court said that he has a duplex and he houses individuals that are in need. How would this affect me?

Mr. Marc Mylott, Director of Planning and Development Services explained that Mr. Taylor has not submitted a petition for annexation, but they can consider that a legal non-conforming use and grandfather it in. As long as that use continues to operate with no periods of vacancy for more than 12 consecutive months you would be free and clear to do what you were doing prior to the annexation.

Samuel Ross, Commander of American Legion Post 215 / 2432 Chappelle Street appeared before the members of Council to inquire about what will happen in their vicinity as far as redevelopment? We look forward to redevelopment in that area. A lot of good things have happened in the area already.

Upon a motion made by Mr. Davis and seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to **Items 43.** through **59.** with a single motion.

43. **2400 High Street**, TMS# 11605-13-01; annex and rezone property RG-2 (General Residential). The property is split zoned RS-3 in the City of Columbia and RM-MD (General Residential) in Richland County.

Ordinance No.: 2010-011 – Annexing 2400 High Street, Richland County TMS #11605-13-01 – *Approved on first reading.*

44. **3942 Farrow Road** TMS# 11606-05-24; annex and rezone property from RS-HD (Single-Family Residential) in Richland County to C-3 (General Commercial).

Ordinance No.: 2010-012 – Annexing 3942 Farrow Road, Richland County TMS #11606-05-24 – *Approved on first reading.*

45. **2432 Chappelle Street**, TMS# 11605-15-05; annex and zone property RG-1 (General Residential). The property is zoned RM-MD (General Residential) in Richland County.  
Council District: 2

Ordinance No.: 2010-013 – Annexing 2432 Chappelle Street, Richland County TMS #11605-15-05 – *Approved on first reading.*

46. **2403 High Street**, TMS# 11605-14-06; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.

Ordinance No.: 2010-014 – Annexing 2403 High Street, Richland County TMS #11605-14-06 – *Approved on first reading.*

47. **1848 Columbia College Drive**, TMS# 11606-07-23; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

Ordinance No.: 2010-015 – Annexing 1848 Columbia College Drive, Richland County TMS #11606-07-23 – *Approved on first reading.*

48. **42 Bethune Court**, TMS# 11606-05-10; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.

Ordinance No.: 2010-016 – Annexing 42 Bethune Court, Richland County TMS #11606-05-10 – *Approved on first reading.*

49. **3033 & 3035 Farrow Road**, TMS# 11503-05-03, 04 & 05; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

Ordinance No.: 2010-017 – Annexing 3033 Farrow Road and 3035 Farrow Road, Richland County TMS #11503-05-03, 11503-05-04 and 11503-05-05 – *Approved on first reading.*

50. **27 Bethune Court**, TMS# 11606-05-13; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.

Ordinance No.: 2010-018 – Annexing 27 Bethune Court, Richland County TMS #11606-05-13 – *Approved on first reading.*

51. **5763 Farrow Road**, TMS# 11713-08-01; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

Ordinance No.: 2010-001 – Annexing 5763 Farrow Road, Richland County TMS #11713-08-01 – *Approved on first reading.*

52. **2428 McKinley Street**, TMS# 11504-30-26; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

Ordinance No.: 2010-002 – Annexing 2428 McKinley Street, Richland County TMS #11504-30-26 – *Approved on first reading.*

53. **2409 High Street**, TMS# 11605-14-05; annex and zone property RG-1 (General Residential). The property is zoned RM-MD (General Residential) in Richland County.

Ordinance No.: 2010-003 – Annexing 2409 High Street, Richland County TMS #11605-14-05 – *Approved on first reading.*

54. **3527 Farrow Road**, TMS# 11605-14-02; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

Ordinance No.: 2010-004 – Annexing 3527 Farrow Road, Richland County TMS #11605-14-02 – *Approved on first reading.*

55. **1800 Gary Street**, TMS# 11612-02-03; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.

Ordinance No.: 2010-005 – Annexing 1800 Gary Street, Richland County TMS #11612-02-03 – *Approved on first reading.*

56. **0.89 acres, E/S of Farrow Road**, TMS# 11612-07-17; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

Ordinance No.: 2010-006 – Annexing 0.89 acres E/S Farrow Road, Richland County TMS #11612-07-17 – *Approved on first reading.*

57. **5350 Farrow Road**, TMS# 11612-07-01; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

Ordinance No.: 2010-007 – Annexing 5350 Farrow Road, Richland County TMS #11612-07-01 – *Approved on first reading.*

58. **SW/S of Gary Street, 5551 Farrow Road, and R2607 Varn Street**, TMS# 11612-02-02, -05 and 11612-05-02; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.

Ordinance No.: 2010-008 – Annexing SW/S Gary Street, 5551 Farrow Road and R2607 Varn Street, Richland County TMS #11612-02-02, 11612-02-05 and 11612-05-02 – *Approved on first reading.*

59. **Bethune Court**; TMS# 11606-05-17, -18; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.

Ordinance No.: 2010-009 – Annexing two parcels on Bethune Court, Richland County TMS #11606-05-17 and 11606-05-18 – *Approved on first reading.*

- **Council adjourned the Zoning Public Hearing at 11:30 a.m.**

#### **TEXT AMENDMENTS – SECOND READING**

60. **§17-258, §17-305 (a), and create §17-294 (new)** to amend regulations concerning non-depository personal credit institutions (payday loan and/or title loan establishments). - *The Public Hearing was conducted and this item was deferred on November 18, 2009; First reading approval was given on December 2, 2009 – **Note:** The Code Enforcement Task Force finds that the proliferation of pay day and other like lenders suggests a commercial corridor is in economic and social decline, negatively impacting economic development efforts, and that these changes would discourage the illegal practice of rolling over loans and minimize the often garish appearance of such establishments.*

Ordinance No.: 2009-109 – Amending the 1998 Code of Ordinance of the City of Columbia, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, to add Sec. 17-294 Non-depository personal credit institutions (payday loan and/or title loan establishments); and Division 9, Supplementary District Regulations, Sec. 17-305 Planned unit development (a) Generally - *Consideration of this item was deferred until January 27, 2010 at 9:00 a.m.*

### **CITY COUNCIL DISCUSSION / ACTION**

61. Economic Development Special Projects Account – Mr. Jim Gambrell, Director of Economic Development – *Consideration of this item was deferred.*

### **APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL**

No one appeared at this time.

### **EXECUTIVE SESSION**

Upon a motion made by Mr. Cromartie and seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 11:30 a.m. for the discussion of **Items 62.** through **65.** as outlined.

62. Discussion of negotiations incident to proposed contractual arrangements
- Sheraton Hotel
  - Lower Richland Sewer
- Items were discussed in Executive Session. No action was taken.*

63. Discussion of negotiations incident to the proposed sale of property  
*Items were discussed in Executive Session. No action was taken.*

64. Discussion of negotiation incident to settlement of legal claim  
*Items were discussed in Executive Session. No action was taken.*

65. Legal advice which relates to matter covered by attorney-client privilege
- Bishop vs. City of Columbia
- Items were discussed in Executive Session. No action was taken.*

- **Council adjourned the meeting at 12:33 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk