

PLANNING COMMISSION MEETING
Kiawah Island Municipal Center
Council Chambers
January 8, 2014; 3:00PM

MINUTES

- I. Call to Order: Mr. Peterson called the meeting to order at 3:00 pm.**
- II. FOIA:** Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island
- III. Roll Call:**
- Present:** Fred Peterson, Chairman
Andy Capelli
Bill Dowdy
Dan Prickett
Jack Koach
Gale Messerman
- Absent:** Larry Iwan, Vice Chairman
- Also Present:** John Carullo, Charleston County Planning and Zoning
Heidi Hoepfner, Land Development Project Manager, Bennett
Hofford Construction Company
- IV. Approval of Minutes:**
- A. Planning Commission Meeting Minutes of November 6, 2013
- Mr. Prickett motioned to approve the minutes of the November 6, 2013 Planning Commission meeting. The motion was seconded by Mr. Capelli and the minutes were approved unanimously as amended.*
- V. Old Business:**
- None
- VI. New Business:**
- A. 2014 Rules of Procedure
- Mr. Peterson stated that the 2014 Rules of Procedure are identical to the previous year with the exception of the change in Section 3. Officers – Elected in January. There was no January 2013 had no January meeting, so officers were elected in February.
- Mr. Capelli made a motion to accept the 2014 Rules of Procedure. The motion was seconded by Mr. Dowdy and unanimously approved.*

B. Election of 2014 Officers

Mr. Peterson made a motion to appoint Mr. Iwan Vice Chairman of the Planning Commission. Mrs. Messerman seconded the motion. The motion passed unanimously.

Mr. Capelli made a motion to appoint Mr. Peterson Chairman of the Planning Commission. Mrs. Messerman seconded the motion. The motion passed unanimously.

Mr. Peterson stated that upon reviewing the Rules of Procedure he noticed that the Planning Commission is required to have a parliamentarian.

Mr. Peterson appointed Mr. Koach Parliamentarian of the Planning Commission.

C. Review of 2014 Meeting Schedule

Mr. Peterson briefly reviewed the 2014 Planning Commission meeting schedule. He noted that the February meeting was moved to February 12th due to the Town Council meeting being rescheduled to the 11th.

D. Subdivision Request:

1. #SBMA-17159-P Lands of Kiawah Riverview Investors, LLC.
Preliminary APPROVAL, Riverview
(Kiawah River Commons)

Mr. Carullo with Charleston County Planning and Zoning gave a PowerPoint presentation for the preliminary plat approval. The application is submitted by SW & A Surveying, LLC, and the owner of the property is Kiawah Riverview Investors, LLC. Mr. Carullo stated that the parcel is currently zoned R2/Commercial. The parcel is approximately 9.166 acres of highland and approximately 2 acres of marsh totaling 11 acres with a proposed 23 single family lots, one condominium regime lot, and a community area with a dock.

Commission members viewed maps and aerial photographs of the proposed subdivision property.

Planning and engineering have reviewed the proposed Preliminary Plat application, and find that it is consistent with *Article 12C, Subdivision Regulations*. The roads and drainage systems will be constructed to the Town of Kiawah Island Road Code standards.

Mr. Carullo stated that Kiawah River Commons is identified within the Development Agreement, Exhibit 13.2: Parcel-Specific Development Standards 08-31-05 (Revised 11-04-2013) Parcel #6, total units 55.

Exhibit 13.3 Table of General Lot Standards 08-24-05, (Revised 11-15-2013) applies to lot design.

Prior to Final approval, the following contingencies must be met:

- 1. Street plans, profiles, and typical sections and a detailed drainage plan with drainage computations are to be submitted to the Director of Public Works for approval.*
- 2. Tie drainage system into a maintained canal or tidal stream of adequate size as required by the Town of Kiawah Island Road Code.*
- 3. Provide and dedicate drainage easements as required by the Town of Kiawah Island Road Code.*
- 4. Construct paved streets and install drainage systems in accordance with the requirements of the Town of Kiawah Island Road Code, Subdivision Regulations, and approved street plans and profiles.*
- 5. Install the necessary drainage ditches and fill where necessary so as to properly drain all lots.*
- 6. Construct stub streets along with other streets in the subdivision.*
- 7. Erect street name signs and required traffic control signs of the approved type. All street name signs must be approved and reserved by the E-911 Section of Charleston County.*
- 8. Approval of this plat does not necessarily give approval to the width of any drainage easements shown.*
- 9. Submission of a Certificate of Title or sworn Affidavit of Ownership of each person or persons dedicating streets and/or easements.*
- 10. Lots must comply with the provisions of the Subdivision Regulations pertaining to final plats and final approval.*
- 11. This Preliminary approval in no way constitutes Final approval of any individual lot in this subdivision.*
- 12. Provide water supply system and sewer collection system per Kiawah Island Zoning Ordinance, Article 112A-401.*

Mr. Peterson questioned Ms. Heidi Hoepfner, Land Development Project Manager, with Bennett Hofford Construction Company why the preliminary plat shows one condominium lot when the conceptual plan showed 24 condominiums. Ms. Hoepfner discussed that the conceptual was to give an idea of how they wanted to configure the buildings. She stated that it is shown as one lot to demonstration that it will not be subdivided. Ms. Hoepfner also stated that the Amended and Restated Development Agreement with Kiawah Partners changes the amount of units per building from four to six allowing for the possibility of having fewer buildings and more open space.

Ms. Hoepfner stated that the developer had taken the advice of Mr. Capelli and decided that instead of having two separate regimes, the condominiums would be under the main regime.

Mr. Patch questioned if the gate entrance/exit would be wide enough for fire apparatus to navigate left around the gate. Ms. Hoepfner along with Mr. Carullo responded by stating that it complied with the Town's road code.

Mr. Capelli questioned Mr. Carullo in reference to the zoning of the parcel as R2/C and the correspondence to the changes that were made in the Development Agreement. Committee Members along with Ms. Hoepfner and Me. Carullo had an in-depth discussion of the proper designation.

Mr. Peterson stated his concern about homes being close to the property line and if there would be any flexibility, taking in consideration the residents of Inlet Cove. Committee members also discussed the possibility of changing some of the lot sizes.

Ms. Hoepfner along with Mr. Tarkany, Landscape Architect, discussed with the Committee Members the spacing that will be available and the landscaping that is planned to be used as a substantial buffer and green space.

Mr. Carullo stated that it was staff's recommendation to approval of the proposed preliminary plat application.

Mr. Prickett made a motion for preliminary plat approval, Lands of Kiawah Riverview Investors, LLC, Riverview (Kiawah River Commons). The motion was seconded by Mr. Dowdy.

Mr. Capelli asked if a decision had been made in reference to the docks. Ms. Hoepfner stated that an application had been submitted for a neighborhood dock to be located in the community area.

Committee members asked if there had been any comments made by any of the residents of Inlet Cove and if they were aware of the pending preliminary plat approval. Ms. Hoepfner responded that she was not aware of any comments from any homeowners and Mr. Patch stated that the meeting and agenda had been posted on the Town's website.

Mrs. Messerman commented on the density of the proposed subdivision. Ms. Hoepfner noted that the density is less than what is allowed in the 2005 Development Agreement and there had been no requests for zoning or setback changes.

Mr. Peterson called the question, and the motion was unanimously approved.

VII. Correspondence/Staff Comments:

Mr. Peterson stated that he had received notice from the County that three property owners on the Island were combining lots and that the Salthouse Lane owner was doing away with the shared dock easement;

- Salthouse Lane - Lots 103 and 105
- Green Meadow Lane – Lots 17 and 18
- Sand Fiddler – Lots 207 and 208

VIII. Council Liaison Comments:

None

IX. Public Comments:

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick noted that she had been impressed with the technical questions that were raised by the Planning Commission Members in looking at the conceptual and the actual plat and the other things that may impact it. She stated that she did not know what efforts had been made to contact the Inlet Cove property owners, but noted that in order to head off any negative reaction, as in the past, she urged the developer to contact the owners and make them aware of what would be happening.

Mrs. Kulick stated that her second comment had to do with the Fire District. She stated that she asked Chief Ghi if he had seen the plat because she questioned the circle entrance on the plat. Mrs. Kulick stated that even though it technically was the required width it looks like it would be difficult for fire apparatus to navigate. Chief Ghi stated that he had only recently seen the plat because the County and the Town do not inform the Fire District when new residential area are being developed to get any potential input they might have. She urged both the County and the Town Planning Commission, as a rule, when a new subdivision plat is received, to contact the Fire District to get their professional opinion.

Mrs. Kulick stated that she realizes that the requirement is not a Town, County, or state regulation but encouraged the developer to consider the installation of sprinkler systems in all the units. Ms. Hoepfner clarified that sprinkler systems are required by code in the condominiums. She also stated that there had been contact with representatives of the fire department and that the engineer's computer program had the capability to put a model of fire apparatus in the model to assure that it could navigate through the turns of the proposed subdivision.

Chief James Ghi – St. John's Fire District

Chief Ghi stated he had been questioned about the turning radius but had not seen the plat until today. He noted that he had encountered many time when a drawing was not correct. Chief Ghi stated that it was always better to have a second opinion.

Mr. Carullo stated that the Town's Road Code required that the St John's Fire District sign off on any cul-de-sacs and the County does send them copies of the plats when they come in.

Mayor Charles R. Lipuma – 201 Horned Grebe Court

Mayor Lipuma stated that his comment was directed to fire coverage, which may be out of the purview of the Planning Commission to direct the developer what to be mindful of, but one being access to specific homes. He stated that we speak of driveway widths and tree limbs and branches, but pointed out a concern is that in this type of compact development there should be sufficient room for getting in-between and in front of these homes. This is a very important issue. Mayor Lipuma noted that access to a home was an issue in a recent fire on the Island.

Chief James Ghi – St. John's Fire District

Chief Ghi stated that as part of the fire prevention division he has had discussions with Mr. Spicher in reference to a product called *Truck Decks*. He stated that it is a high grade plastic pervious product that grass can grow through that can be installed in the ground next to a driveway to extend the width and support the weight of fire apparatus.

X. Commissioner Comments:

Mr. Capelli stated that he received an email in response to a discussion at the last Planning Commission meeting. He stated the discussion was with respect to the dollar limit that was set in the new brochure *The Guide to Property Improvements on Kiawah* for which he requested legal counsel to advise if the Town could set its own limit. Mr. Capelli stated that Mr. Murphy forwarded to him a response from Mr. Spicher with the Town's Building Services. Mr. Capelli stated in his response to Mr. Murphy that when the code was adopted by the Town years ago, Mr. Pennick with Charleston County specifically commented that the Town could set the amount that it desired and would not have to comply with State Code.

Mr. Capelli stated that also in his comments to Mr. Murphy he indicated that he was satisfied with the brochure because with the new Building Ordinance that was adopted and referenced in the brochure clearer definition was given to homeowners about maintenance verses construction and what can and can't be done under those different categories.

Mr. Capelli stated that in Mr. Spicher's response, where he states that there is no clear delineation between maintenance and building in the new ordinance, is correct. That is not a reason to define maintenance as a separate item because the dollar amount of \$200 or more will require a permit and inspection to insure that all work done is completely correct. Mr. Capelli stated that once the Committee gets the opinion from Counsel on the dollar amount


there is a need to review the ordinance to find out what is actually in it and decide if the brochure needs to be further amended to conform to the ordinance.

Mr. Peterson stated that there are two items that the committee can work on in the coming year; 1) Mr. Permar suggested the review of uses that are permitted under the Town code, similar to the review of the Freshfields PDD that was done for annexation, 2) More work on the key dock locations. Mr. Peterson stated that his concern was that the language in the ordinance for instance states that dock can be built along an 1800 ft. stretch, but does not clarify how many docks can be built and feels that the committee should take a closer look at the ordinance.

XI. Adjournment:

Mrs. Messenger made a motion to adjourn the meeting 3:51 pm. The motion was seconded by Mr. Capelli and passed unanimously.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Fred M. Peterson, Chairman

MS2014 17, 2014
Date