

PLANNING COMMISSION MEETING
Kiawah Island Municipal Center
Council Chambers
December 2, 2015; 3:00PM

Minutes

- I. **Call to Order:** *Mr. Prickett called the meeting to order at 3:00pm.*

- 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: Dan Prickett, Vice Chairman
Bill Dowdy
Andy Capelli
Larry Iwan
Jack Koach

 - Absent: Fred Peterson, Chairman
Gale Messerman

 - Also Present: Jennifer Werking, Charleston County Planning & Zoning
Joel Evans, Charleston County Planning & Zoning

- IV. **Approval of Minutes:**
 - A. Planning Commission Meeting Minutes of October 7, 2015

Mr. Capelli motioned to approve the minutes of the October 7, 2015 Planning Commission meeting with suggested change. The motion was seconded by Mr. Dowdy and the minutes were unanimously passed as amended.

- V. **Old Business:**

None

- VI. **New Business:**
 - A. **#SBMa-22211-P** Lands of Kiawah Resort Associates, LP
Preliminary APPROVAL, Ocean Park, Phase 5
Boundary Plat and Front Nine Lane Right-of Way

Applicant: SW & A Surveying, LLC.
Lots: 1
Acres: 11.455

Mr. Evans stated Charleston County 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.

The developer has added land to this phase along the north and south portions of the Utility Lot. The intent of this Survey is to permit the developer the right to do a Conditional Plat for the construction of the Right-of-Way. No lots would be developed only the Right-of-Way.

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 the Charleston County Planning Department.*
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 to the public.*
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. Iwan made a motion for the preliminary approval, Ocean Park, Phase 5 Boundary Plat and Front Nine Lane Right-of Way. The motion was seconded by Mr. Capelli and was unanimously passed.

B. #SBMa-22376-P Lands of Kiawah Resort Associates, LP
Preliminary APPROVAL,
Ocean Park, Phase 8A & 8B
Boundary Plat, along with Helena Court, High Dunes
Lane and Little Bear Way Right-of Way

Applicant: SW & A Surveying, LLC.

Phase 8A - Acres: 34.385

Phase 8B - Acres: 23.821

Mr. Evans stated Charleston County 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.

The intent of this Survey is to permit the developer the right to do a Conditional Plat for the construction of the Rights-of-Way, for phases 8 A & B Ocean Park

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 the Charleston County Planning Department.*
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 to the public.*
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.*

Commission members discussed the submissions and plats made previous to this application. Mr. Pantlik, representing Kiawah Partners, responded to questions asked by the members.

Mr. Capelli made a motion for the preliminary approval, Ocean Park, Phase BA & BB Boundary Plat, along with Helena Court, High Dunes Lane and Little Bear Way Right-of Way. The motion was seconded by Mr. Dowdy and unanimously passed.

C. Proposed Text Amendment Sec 12.73 Planned Development District

Mr. Evans gave a brief background for the proposed text amendment. He indicated a legal challenge was made to the language of Charleston County Planned Development Regulations. Following several court rulings, a determination was made that some of the language was unlawful. Mr. Evans presented the proposed changes to be made to the Town's Municipal Code and stated the County had already made the same amendment to their Planned Development Regulations. He suggested the Town also make the changes to eliminate the possibility of the same challenge.

Mr. Capelli made a motion to recommend to Town Council the proposed text amendment to Section 12.73 – PD, Planned Development District - Phase 5. The motion was seconded by Mr. Koach.

VII. Correspondence/Staff Comments:
None

VIII. Council Liaison Comments:

At Mr. Capelli's request Mr. Wilson gave a brief explanation of the recent Salthouse Dock settlement. Mr. Wilson stated that on the advice of the Town's attorney following the discovery of errors made, in addition to the amount of money that would have to be spent to continue the cases, Town Council felt it better to settle the lawsuits. He indicated the settlement of the suits would not have any effect on any future applications or the Key-Locations ordinance enforcement.

IX. Public Comments:

None

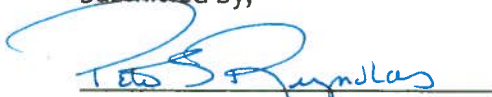
X. Commissioner Comments:

None

XI. Adjournment:

Mr. Prickett made a motion to adjourn the meeting at 3:20 pm. The motion was seconded by Mr. Dowdy and unanimously approved.

Submitted by,



Petra S. Reynolds, Town Clerk

4-5-2016

Date