

# PLANNING COMMISSION MEETING

Kiawah Island Municipal Center  
Council Chambers  
June 20, 2018; 3:00PM

## Minutes

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

II. **Roll Call:**

Present: Fred Peterson, *Chairman*  
Dan Prickett, *Vice Chairman*  
Andy Capelli  
Bill Dowdy  
Larry Iwan  
By Phone: Brit Stenson  
Absent: Gale Messerman  
Also Present: Stephanie Tillerson, *Town Administrator*  
John Taylor, *Charleston County Planning & Zoning*

III. **Approval of Minutes:**

A. Planning Commission Meeting Minutes of May 2, 2018

*Mr. Capelli made a motion to approve the minutes of the May 2, 2018, Planning Commission Meeting as amended. The motion was seconded by Mr. Dowdy and unanimously passed as amended.*

IV. **Old Business:**

None

V. **New Business:**

A. **SUBDIVISION APPLICATIONS**

- 1) #SBMa-21175-P Vested Rights Extension Request  
Lands of KDP II, LLC & KRA, LP  
Cape Charles Preliminary Plat  
TMS# 207-05-00-001; -0011; -118;

Mr. Taylor stated that the preliminary subdivision plat, Planning Case #SBMa-21175-P, Subdivision 410, parcels 12A, 12B and 13, identified as Cape Charles was approved by the Planning Commission in July of 2015. The owners KDP II, LLC and Kiawah Report Associates, L.P. are requesting a one-year approval extension of the preliminary plat as per Section 12-194(3) - Vested Rights, of the Town's Land Use Planning and Zoning Regulations. He referenced the request letter submitted by the applicant, and the memorandum from the Town Attorney, outlining the timetable which framed the request and the effects of the Town's Vested Rights Ordinance (Section 12-194) and the state of South Carolina Code of Laws Vested Rights Ordinance (Section 6-29-1540).

*Mr. Dowdy made a motion to approve the Cape Charles preliminary plat one-year vested rights extension request. The motion was seconded by Mr. Prickett.*

Commission members discussed if there was a need to amend or clean up the language of the Town's ordinance to reflect state's Vested Rights Act and eliminate confusion on the extension length.

*Following further discussion, the motion was unanimously approved.*

- 2) #SBDV-04-18-00786                      Kiawah Resort Associates, LP  
A Preliminary Subdivision Plat  
A Portion of Ocean Park Phases, 3, 6A and 6B  
TMS# 265-16-00-051; -053; -055; -057; -059;  
-061; -063; -119; -121 &-148

Mr. Taylor stated the applicant, Kiawah Resort Associates, LP, has submitted an application for the approval of a preliminary subdivision plat for a portion of Ocean Park phases, 3, 6A and 6B. The proposed subdivision is at the eastern end of the island has a total area of approximately 20.148 acres in size and is zoned R-2. The application is proposing ten lots and a nonresidential amenity area containing two easements. He stated that the Planning staff had reviewed the application and found it consistent with Article 12c, Subdivision Regulations.

*Mr. Prickett made a motion to approve the preliminary subdivision plat for ten residential lots of Ocean Park phases, 3, 6A and 6B. The motion was seconded by Mr. Dowdy.*

To answer Mr. Capelli's question, Mr. Taylor pointed out a proposed highland easement providing access to the lots with wetlands on both sides.

*Following further discussion, the motion was unanimously approved.*

- 3) #SBDV-04-18-00800                      Kiawah Resort Associates, LP  
A Final Subdivision Plat  
A Portion of Ocean Park Phases, 3, 6A and 6B  
TMS# 265-16-00-051; -053; -055; -057; -059;  
-061; -063; -119; -121 &-148

Mr. Taylor stated the applicant, Kiawah Resort Associates, LP, has submitted an application for the approval of the final subdivision plat for a portion of Ocean Park phases, 3, 6A and 6B. The total area is approximately 20.157 area and is requesting the approval of 5 lots, nonresidential amenity and residual lands which contains a new landscape maintenance easement. He noted that a conditional plat had been submitted by the applicant.

*Mr. Dowdy made a motion to approve the final subdivision plat for five residential lots, nonresidential amenity area and residual lands owned by Kiawah Resort Associates, LP of Ocean Park phases, 3, 6A and 6B. The motion was seconded by Mr. Capelli and was unanimously approved.*

- 4) #SBDV-05-18-00822                      Kiawah Resort Associates, LP  
A Final Subdivision Plat  
Open Space Parcel  
TMS#207-05-00-024 and 207-00-00-002

Mr. Taylor stated on May 2, 2018; the Planning Commission approved the preliminary plat of five non-buildable lots sited adjacent to the existing Oyster Rake subdivision. The total area is approximately 1.405 acres in size containing 5 Lots (0.988 acres) and residual lands (0.417 acres). The subdivision contains a 50' wide access limitation easement adjacent to the Kiawah Island Parkway and a 20' wide utility easement at the northern edge of the residual land.

The approval of the final subdivision plat will include the following conditions added to the plat.

- i. *No construction of any structure or building contemplated under article 9-Buildings and building codes of the Town of Kiawah Island Municipal Code is permitted for the lots shown on this plat.*
- ii. *The combination or recombination of lots in any form within the proposed subdivision shall retain the same note that no construction of any structure or building considered is permitted for the lots shown on this plat.*
- iii. *The approval of this plat by the Planning Commission does not obligate the Town of Kiawah Island to issue a building permit for any proposed structure or building.*
- iv. *Prior to the initial purchase and all subsequent purchases of any of the depicted non-buildable lots, the deed of record in accordance with this plat and any other sale documents must outline specific provisions including this and the provisions listed above so that the potential buyer is aware that the lots are designated non-buildable.*

**Mr. Capelli made a motion to approve the final subdivision plat of the Open Space Parcel. The motion was seconded by Mr. Dowdy and was unanimously approved.**

#### **B. INFORMATION ITEM**

5) #SBDV-05-18-00837

Atlantic Partners II, LLC  
A Final Subdivision Plat  
A Portion of Tract 1-D  
Freshfields Village  
TMS# 205-00-00-014

Mr. Taylor stated that the final subdivision plat for a portion of tract 1-D in Freshfields Village was approved by staff since a new road or road access was not created. He indicated that the area along the lake is in the Freshfields Village PDD zoning district. The total area of Lot 1 is 9.202 acres and the owner, Atlantic Partners II, LLC, has expressed a proposal for the future development of senior housing.

#### **VI. Correspondence/Staff Comments:**

Mr. Taylor reported there is an agenda item for the August meeting, but the July meeting will be canceled. Ms. Tillerson gave a reminder to the members of the SCAPA (South Carolina American Planning Association) 2018 Summer Conference in Fort Mill on Friday, July 27th.

#### **VII. Council Liaison Comments:**

None

#### **VIII. Public Comments:**

Wendy Kulick – 38 Marsh Edge Lane

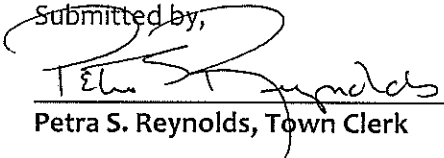
Mrs. Kulick urged the Planning Commission to follow up on the concerns raised at the last meeting regarding making sure each of the deeds of the five lots along Oyster Rake reflects the required non-buildable language.

IX. **Commissioner Comments:**  
None


X. **Adjournment:**

*Mr. Capelli made a motion to adjourn the meeting at 3:35 pm. The motion was seconded by Mr. Dowdy and was unanimously passed.*

Submitted by,

  
Petra S. Reynolds, Town Clerk

Approved by,

  
Fred M. Peterson, Chairman

August 8, 2013  
Date