



**Mayor**

Craig E. Weaver

**Council Members**

Jack Koach

Diana L. Mezzanotte

Chris Widuch

John R. Wilson

**Town Administrator**

Stephanie Monroe Tillerson

4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455 | (843) 768-9166 | Fax (843) 768-4764 | [www.kiawahisland.org](http://www.kiawahisland.org)

## MEMORANDUM

**TO:** Town of Kiawah Island Planning Commission Members

**FROM:** John Taylor, Jr., Planning Director

**DATE:** July 26, 2018

**SUBJECT:** Wednesday, August 8, 2018 3:00 p.m. Planning Commission Meeting Packet

Attached you will find the following items:

- Agenda for the August 8, 2018 meeting of the Planning Commission.
- Meeting minutes of the June 20, 2018 Planning Commission meeting.
- Packet of case materials (1) SBDV-06-18-00869 for your consideration. Please find enclosed the staff review and supporting documentation for this case.

Please feel free to call or email me at (768-9166) [jtaylor@kiawahisland.org](mailto:jtaylor@kiawahisland.org) if you have any questions or concerns prior to the meeting. Please call or email Petra Reynolds, Town Clerk at (768-9166) [preynolds@kiawahisland.org](mailto:preynolds@kiawahisland.org) if you are unable to attend this meeting.



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**PLANNING COMMISSION MEETING**

Kiawah Island Municipal Center

Council Chambers

August 8, 2018; 3:00PM

**AGENDA**

- I. **Call to Order:**
- II. **Roll Call:**
- III. **Approval of Minutes:**
  - A. Planning Commission Meeting Minutes of June 20, 2018 [Tab 1]
- IV. **Old Business:**

None
- V. **New Business:**
  - A. **SUBDIVISION APPLICATIONS**
    - 1) #SBDV-06-18-00869 Kiawah Resort Associates, LP [Tab 2]  
A Preliminary Subdivision Plat  
Beachwalker East (Cape Point Extension)  
TMS# 207-05-00-0011; -122
- VI. **Presentation**
  - A. Proposed Senior Living Facility at Freshfields Village | Big Rock Partners
- VII. **Correspondence/Staff Comments:**
- VIII. **Council Liaison Comments:**
- IX. **Public Comments:**
- X. **Commissioner Comments:**
- XI. **Adjournment:**

# 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  
Brit Stenson

By Phone:

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

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**

\_\_\_\_\_  
Date

# Town of Kiawah Island Planning Commission

Town of Kiawah Island Municipal Center  
4475 Betsy Kerrison Parkway  
Kiawah Island, SC 29455

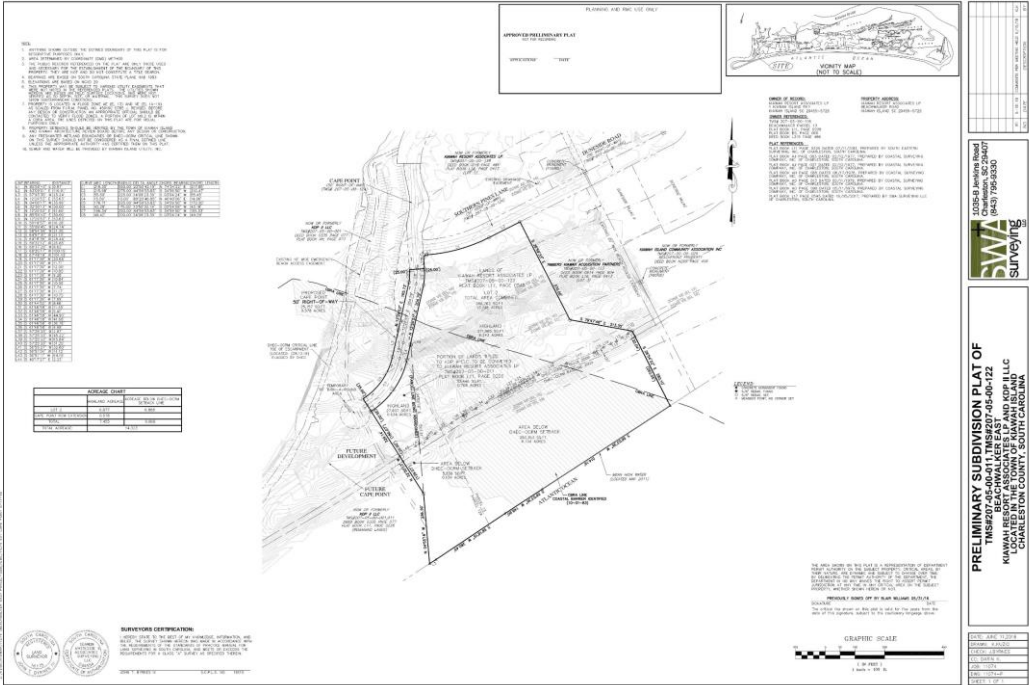


August 8, 2018

## #SBDV-06-18-00869

A Preliminary Subdivision Plat Approval of Beachwalker East- Cape Point ROW Extension

<b>Applicant/Owner:</b>	<b>Kiawah Resort Associates, LP</b>
<b>Surveyor:</b>	<b>SW &amp; A Surveying, LLC.</b>
<b>Parcel(s):</b>	<b>207-05-00-011; -122</b>
<b>Zoning District:</b>	<b>R-3/C</b>
<b>Acres:</b>	<b>14.323 (7.455 highlands)</b>
<b>Lot(s):</b>	<b>1 Lot (13.745 acres, 6.877 highlands) 1 ROW (0.578 acres)</b>





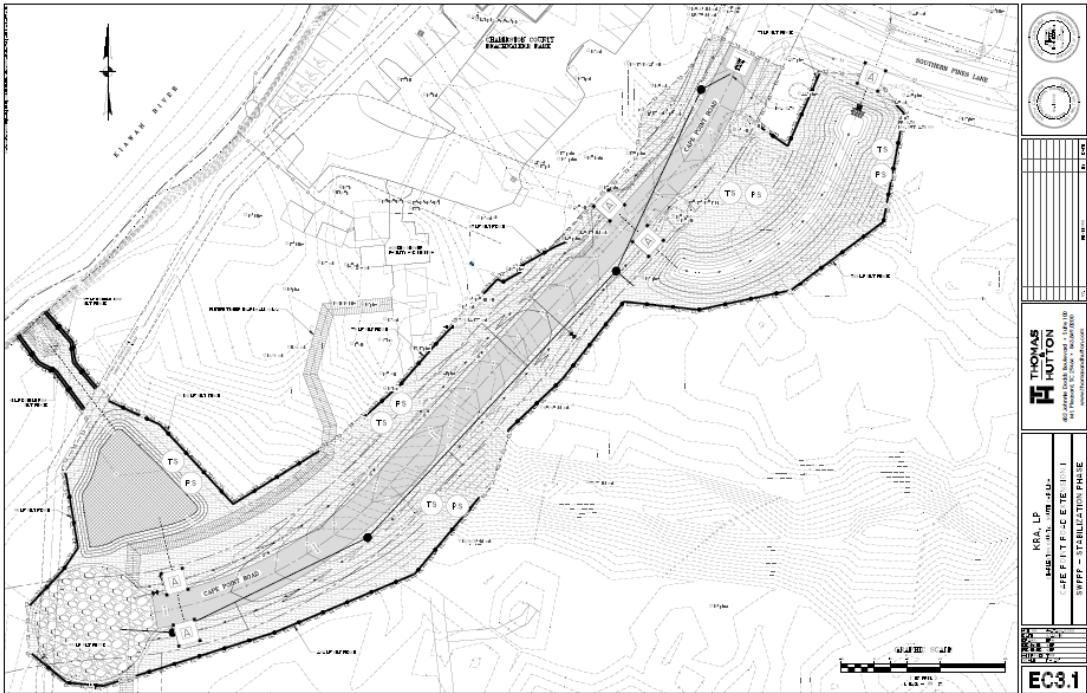
#SBDV-06-18-00869

The Planning Department has reviewed this document for PRELIMINARY APPROVAL of this subdivision to be known as Parcel 13 Beachwalker East and find that it is consistent with *Article 12c, Subdivision Regulations*.

The subdivision request is sited at the western end of the island. The total area is approximately 7.455 highland acres in size containing 1 Lot (approximately 6.877 acres) and 1 Right-of-Way (approximately 0.578 acres)

The proposed Cape Point ROW extension crosses the existing boardwalk dedicated for public beach access located at the west end of the island. The applicant is preparing accommodations of pedestrian and vehicular flow of traffic at this proposed intersection including the relocation or modification of the existing boardwalk (See attached proposed plans).

Acreage Chart	Highland Acreage	Acreage DHEC-OCRM Critical Area
Lot 2	6.877	6.868
Cape Point ROW Extension	0.578	
Total Area	7.455 Acres	6.868 Acres



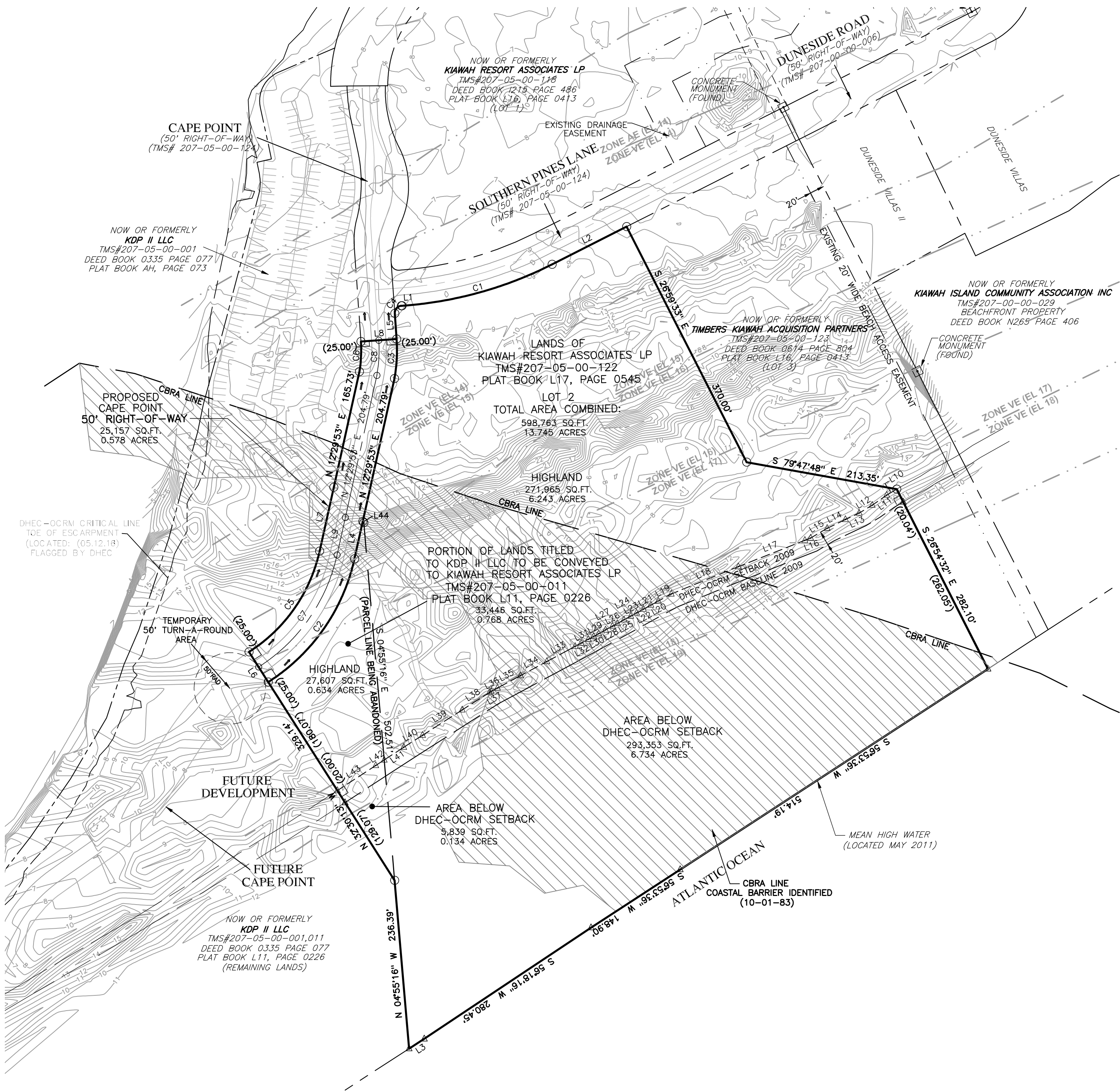


Z:\KEVIN\KIAWAH\11074 (BEACHWALKER EAST PARCEL-SUB)\DWG\11074 EXT CAPE POINT 6-11-18

- NOTE:
1. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
  2. AREA DETERMINED BY COORDINATE (DMD) METHOD.
  3. THE PUBLIC RECORDS REFERENCED ON THE PLAT ARE ONLY THOSE USED AND NECESSARY FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
  4. BEARINGS ARE BASED ON SOUTH CAROLINA STATE PLANE NAD 1983
  5. ELEVATIONS ARE BASED ON NGVD 29
  6. THIS PROPERTY MAY BE SUBJECT TO VARIOUS UTILITY EASEMENTS THAT WERE NOT NOTED IN THE REFERENCED PLATS. THE UTILITIES SHOWN HEREON ARE BASED ON FIELD SURFACE LOCATIONS, AND WERE NOT VERIFIED AS TO DEPTH, SIZE, OR MATERIAL. THIS SURVEY DOES NOT SHOW SUBTERRANEAN CONDITIONS.
  7. PROPERTY IS LOCATED IN FLOOD ZONE AE (EL 13) AND VE (EL 14-19) AS SCALED FROM F.I.R.M. PANEL NO. 45019C 0785 J, REVISED, BEFORE ANY DESIGN OR CONSTRUCTION AN APPROPRIATE OFFICIAL SHOULD BE CONTACTED TO VERIFY FLOOD ZONES. A PORTION OF LOT NO.2 IS WITHIN A CBRA AREA. THE LINES DEPICTED ON THIS PLAT ARE FOR VISUAL PURPOSES ONLY.
  8. PROPERTY SETBACKS SHOULD BE VERIFIED BY THE TOWN OF KIAWAH ISLAND AND KIAWAH ARCHITECTURE REVIEW BOARD BEFORE ANY DESIGN OR CONSTRUCTION.
  9. ANY FRESHWATER WETLAND BOUNDARIES OR DHEC-OCRM CRITICAL LINE SHOWN ON THIS SURVEY SHOULD NOT BE CONSIDERED AS A FINAL DEFINED LINE UNLESS THE APPROPRIATE AUTHORITY HAS CERTIFIED THEM ON THIS PLAT.
  10. SEWER AND WATER WILL BE PROVIDED BY KIAWAH ISLAND UTILITY, INC.

LINE	BEARING	DISTANCE	CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
L1	N 85°59'43"	E 0.97'	C1	219.30'	550.00'	22°50'42.10"	N 74°34'22"	E 217.85'
L2	N 63°09'01"	E 116.91'	C2	215.98'	275.00'	44°59'53.83"	S 34°59'50"	W 210.47'
L3	S 57°03'35"	W 25.24'	C3	55.59'	225.00'	14°09'23.39"	S 03°04'24"	W 55.45'
L4	N 12°29'53"	E 53.63'	C4	15.59'	10.00'	89°20'46.85"	N 49°40'06"	E 14.06'
L5	N 04°00'17"	S 35.96'	C5	176.71"	225.00'	44°59'53.83"	S 34°59'50"	W 172.20'
L6	N 32°30'13"	W 50.00'	C6	42.28'	175.00'	13°50'32.19"	S 02°54'59"	W 42.18'
L7	N 12°29'53"	E 91.60'	C7	196.34'	250.00'	44°59'53.83"	S 34°59'50"	W 191.33'
L8	N 85°59'43"	E 50.00'	C8	49.42"	200.00'	14°09'23.39"	S 03°04'24"	W 49.29'
L9	N 12°29'53"	E 53.63'						
L10	S 59°19'57"	W 16.28'						
L11	S 59°09'45"	W 24.74'						
L12	S 58°44'59"	W 21.35'						
L13	S 24°57'31"	W 21.13'						
L14	S 64°18'35"	W 28.44'						
L15	S 59°22'12"	W 26.85'						
L16	S 58°57'20"	W 8.62'						
L17	S 68°25'17"	W 100.15'						
L18	S 67°49'19"	W 101.43'						
L19	S 61°17'39"	W 20.68'						
L20	S 61°17'39"	W 11.71'						
L21	S 61°17'39"	W 12.00'						
L22	S 61°17'39"	W 10.85'						
L23	S 61°17'39"	W 9.28'						
L24	S 61°17'39"	W 10.84'						
L25	S 61°17'39"	W 10.59'						
L26	S 61°17'39"	W 7.74'						
L27	S 61°17'39"	W 11.17'						
L28	S 61°17'39"	W 10.75'						
L29	S 61°17'39"	W 7.99'						
L30	S 61°44'52"	W 8.66'						
L31	S 61°46'58"	W 11.45'						
L32	S 61°46'58"	W 9.41'						
L33	S 61°46'58"	W 44.90'						
L34	S 61°46'58"	W 41.68'						
L35	S 61°46'58"	W 36.76'						
L36	S 61°46'58"	W 9.98'						
L37	S 57°25'33"	W 2.57'						
L38	S 57°25'33"	W 45.22'						
L39	S 57°25'33"	W 65.84'						
L40	S 57°25'33"	W 31.25'						
L41	S 56°55'27"	W 32.60'						
L42	S 56°51'04"	W 14.12'						
L43	S 56°51'11"	W 64.15'						
L44	S 40°17'27"	E 22.23'						

ACREAGE CHART		
	HIGHLAND ACREAGE	ACREAGE BELOW DHEC-OCRM SETBACK LINE
LOT 2	6.877	6.868
CAPE POINT ROW EXTENSION	0.578	
TOTAL	7.455	6.868
TOTAL ACREAGE:		14.323



**OWNER OF RECORD:**  
KIAWAH RESORT ASSOCIATES LP  
1 KIAWAH ISLAND PKY  
KIAWAH ISLAND SC 29455-5725

**PROPERTY ADDRESS:**  
KIAWAH RESORT ASSOCIATES LP  
BEACHWALKER ROAD  
KIAWAH ISLAND SC 29455-5725

**OWNER REFERENCES:**  
TMS# 207-05-00-118  
BEACHWALKER PARCEL 13  
PLAT BOOK L11, PAGE 0226  
PLAT BOOK BS, PAGE 060  
DEED BOOK L215 PAGE 486

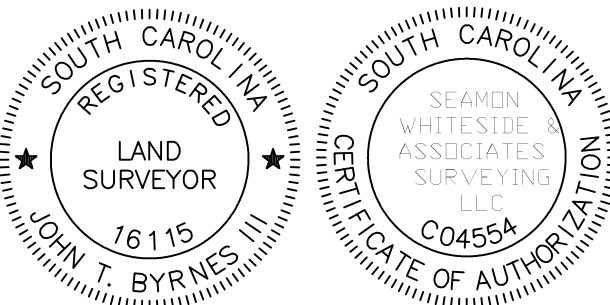
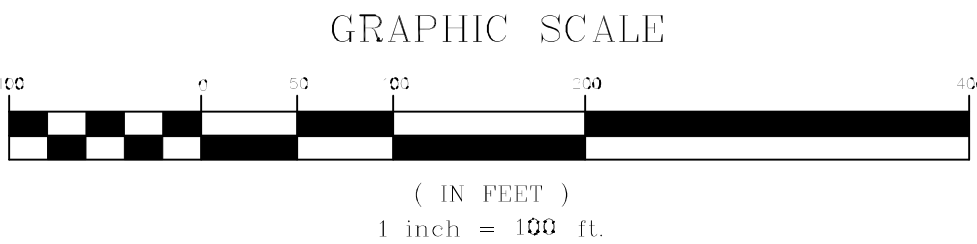
**PLAT REFERENCES:**  
PLAT BOOK L11 PAGE 0226 DATED 07/11/2011, PREPARED BY SOUTH EASTERN SURVEYING, INC. OF CHARLESTON, SOUTH CAROLINA.  
PLAT BOOK AJ PAGE 083 DATED 02/12/1977, PREPARED BY COASTAL SURVEYING COMPANY, INC. OF CHARLESTON, SOUTH CAROLINA.  
PLAT BOOK AJ PAGE 037 DATED 02/12/1977, PREPARED BY COASTAL SURVEYING COMPANY, INC. OF CHARLESTON, SOUTH CAROLINA.  
PLAT BOOK AH PAGE 065 DATED 06/17/1976, PREPARED BY COASTAL SURVEYING COMPANY, INC. OF CHARLESTON, SOUTH CAROLINA.  
PLAT BOOK AD PAGE 013 DATED 05/11/1979, PREPARED BY COASTAL SURVEYING COMPANY, INC. OF CHARLESTON, SOUTH CAROLINA.  
PLAT BOOK AD PAGE 090 DATED 05/11/1979, PREPARED BY COASTAL SURVEYING COMPANY, INC. OF CHARLESTON, SOUTH CAROLINA.  
PLAT BOOK L17 PAGE 0545 DATED 10/05/2017, PREPARED BY SWA SURVEYING LLC OF CHARLESTON, SOUTH CAROLINA.

**LEGEND:**  
■ CONCRETE MONUMENT FOUND  
● 5/8" REBAR, FOUND  
○ 5/8" REBAR, SET  
▲ MEANDER POINT, NO CORNER SET

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES THE RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREIN OR NOT.

PREVIOUSLY SIGNED OFF BY BLAIR WILLIAMS 05/31/16  
SIGNATURE DATE

The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.

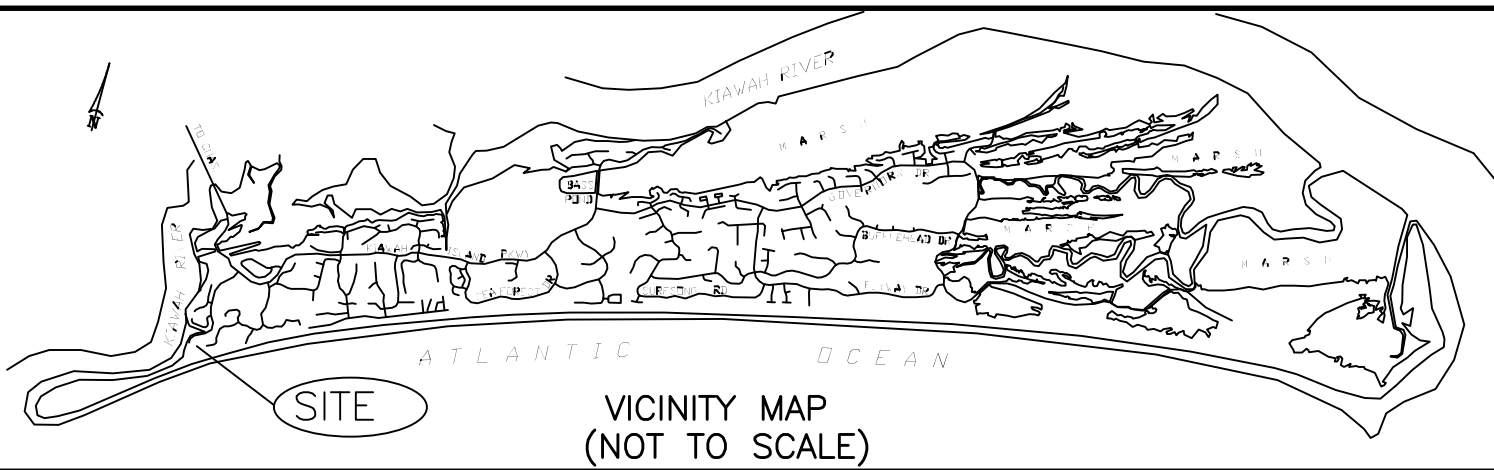


**SURVEYORS CERTIFICATION:**

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

JOHN T. BYRNES III S.C.P.L.S. NO. 16115

PLANNING AND RMC USE ONLY



1035-B Jenkins Road  
Charleston, SC 29407  
(843) 795-9330



**PRELIMINARY SUBDIVISION PLAT OF**  
**TMS#207-05-00-011, TMS#207-05-00-122**  
**BEACHWALKER EAST**  
**KIAWAH RESORT ASSOCIATES LP AND KDP II LLC**  
**LOCATED IN THE TOWN OF KIAWAH ISLAND**  
**CHARLESTON COUNTY, SOUTH CAROLINA**

DATE: JUNE 11, 2018

DRAWN: K.KUZIO

CHECK: J.BYRNES

CC: DARIN K.

JOB: 11074

DWG: 11074-P

SHEET: 1 OF 1















**Email exchange between Mark Permar and Kevin Bowie, Associate  
Executive Director of the CCPRC**

On Jun 7, 2018, at 3:29 PM, Kevin Bowie <[KBowie@CCPRC.com](mailto:KBowie@CCPRC.com)> wrote:

Mark,

We are in general agreement with the proposal and can move forward with the project. Please continue to work with Julie and Patti. Let me know if you have any other questions.

Best Regards,

**Kevin Bowie**

Associate Executive Director

Charleston County Park and Recreation Commission

Phone: (843) 762-8036

[kbowie@ccprc.com](mailto:kbowie@ccprc.com)

On Jun 7, 2018, at 2:47 PM, Mark Permar <[mpermar@permarinc.com](mailto:mpermar@permarinc.com)> wrote:

julie....thank you for the update....if there is anything you need from us to assist please let me know....do you have any sense of timing for your discussion with the county?...

thanks....mark

mark permar

permar inc.

130 gardeners circle, #111

kiawah island, sc 29455

843.723.0002 o.

843.696.5188 m.

[mpermar@permarinc.com](mailto:mpermar@permarinc.com)