

CHARLESTON COUNTY PLANNING COMMISSION MEETING MINUTES
OCTOBER 9, 2017

Chair Eric Meyer called the Charleston County Planning Commission meeting to order at 2:00 p.m. in Room B-225 at the Lonnie Hamilton, III, Public Services Building, 4045 Bridge View Drive, North Charleston, SC, 29405.

Planning Commission members in attendance included: Chair Eric Meyer, Vice Chair Cindy Floyd; Kip Bowman; Pete Paulatos; Patrick Bell; David Kent; Sussan Chavis; and Warwick Jones.

Planning Commission members not in attendance included: Amy Fabri.

County staff in attendance included: Joel Evans, Director of Zoning/Planning; Bernard Ferrara, Jr., Deputy County Attorney; Andrea Pietras, Deputy Director of Zoning/Planning; Andrea Harris-Long, Planner II; Techina Jacques, Administrative Support Coordinator I; Dan Frazier, Planner II; John Carullo, Planner III; John Taylor, Planner II; Sally Brooks, Planner III; and Janine Saab, Planner I.

Public in attendance included: Norman Mosley; Justin Albright; Cassandra Wilson; William Jowers; Francis Stuart; Angela Palmer; Stacey Mosley; Fred Palm; Bill Jackson; Lynn Jones; Mariel Hanahan; Rob Wilson; Roger Hanahan; Karen Hanahan; Heyward Carter; Meta Carter; Eileen McGuffie; Jeff Barr; Ralph Massenburg; Chris Cody; Brad Bloser; Louise Turrentine; Carolyn Ferrell; Watson Knight; Elaine Berka; Paul Berka; Travis Glen; Cameron Baker; Steve Mueller; Abraham Chisolm; Joseph Boykin; Greg Emery; Charles Baker; Randall Fogel; Glenn Zuber; Louise Maybank; Bruce Miller; Jason Crowley; Carter Hodgins; Tommy Schimpe; E.M. Skidmore; Bill Hutchinson; Georgiann Hutchinson; John Zlogar; Watson Knight; Linda Mouzon; Ernest Grimal; Kathleen Grimal; Johnny Deden; Jeanette Deden; Rich Jenkins; Virginia Deden; Kathleen Wiley; Jill Zlogar; Pat Kelley; Steve DeRosa; Jeanine Rhodes; Dale Mann; Randall Fogel; Tom Mann; Amanda Collers; Christine Barr; and Marcia Scott.

Chair Meyer briefly explained the function of the Planning Commission and introduced the Commissioners. He then asked Mr. Evans to introduce the County staff. After reviewing the meeting's compliance with the Freedom of Information Act, Chair Meyer requested a motion to approve the August 14, 2017 meeting and workshop minutes. Commissioner Kent moved to approve the minutes; Commissioner Bell seconded the motion resulting in a vote of 7 to 0. Commissioner Chavis arrived after the vote.

Chair Meyer announced that the applicant for case #ZREZ-08-17-00070, 533 Mutual Drive, wrote a letter requesting that the case be postponed. He noted that the request for postponement was granted and that all interested parties would be notified if/when the case is placed on a future Planning Commission meeting agenda.

ZONING MAP AMENDMENT REQUESTS

Chair Meyer announced that there were seven zoning map amendment requests on the agenda, and reiterated that 533 Mutual Drive had been postponed at the applicant's request.

ZREZ-07-17-00063: Request to rezone property located at 2432 Savannah Highway, West Ashley, (TMS 310-06-00-150) from the Mixed Style Residential 12 (M-12) Zoning District to the Community Commercial (CC) Zoning District (Property size: 0.48 acre)

Andrea Harris-Long presented the request and concluded with a staff recommendation of approval due to consistency with the Charleston County *Comprehensive Plan* and existing land uses. Chair Meyer asked if there were any questions of staff. Vice Chair Floyd inquired if there was an entrance on Etiwan Avenue for access. Ms. Harris-Long stated that they have an easement and will be accessing the property from Savannah Highway. There being no further questions of staff, Chair Meyer asked if anyone would like to speak in support of the application.

1. Greg Emery, 301 McCullough Drive, the applicant, spoke in support of the request and briefly discussed his plans for the property. He noted that the property would have a commercial building that would work with the Lexus dealership next door.

No one else asked to be heard. Chair Meyer asked if anyone would like to speak in opposition. No one asked to be heard. Chair Meyer opened the floor to the Planning Commission for a motion. Mr. Bowman made a motion to approve the request. Ms. Floyd seconded the motion, which resulted in an 8-0 vote.

ZREZ-07-17-00065: Request to rezone property located at 5392 Chisolm Road, Johns Island, (TMS 220-00-00-121) from the Agricultural Preservation (AG-8) Zoning District to the Agricultural/ Residential (AGR) Zoning District (Property size: 19.95 acres)

Ms. Harris-Long presented the request and concluded with a staff recommendation of disapproval due to inconsistency with the Charleston County *Comprehensive Plan* and existing land uses. Chair Meyer asked if there were any questions of staff. There being no questions of staff, Chair Meyer asked if anyone would like to speak in support of the application.

1. Justin Albright, 1908 Sandcroft Drive, applicant, spoke in support of the request. He explained that he was aware of the zoning when he purchased the property, but unaware of the how the density was calculated based on the parent parcel as it existed in 1999. He explained to the Commission that he wanted to create one lot to develop.

Mr. Bowman inquired about the intention behind the subdivision. Mr. Albright explained that the purpose would be to sell one of the lots to raise funds to improve the remaining lot, on which he plans to live.

Chair Meyer asked if there were any more questions for the applicant. There being none, he asked if anyone else would like to speak in support of the request. No one else asked to be heard. Chair Meyer asked if anyone would like to speak in opposition. He explained that there would be a 2-minute limit per speaker and asked the speakers to keep their comments brief.

1. John Zlogar, 5528 Frisco Lane, spoke in opposition to the request. He stated that approving this request would be a backdoor way to get around the Zoning Ordinance. He noted that all of the development rights have been exhausted. He asked for a show of hands for those who were against the request. Approximately 20 people raised their hands.
2. Joseph Boykin, 4674 Chisolm Road, spoke in opposition to the request. He expressed concern about the potential backdoor zoning that was occurring. He noted that the applicant failed to do their due diligence. He expressed concern about setting a bad precedent.
3. Watson Knight, 518 West Wimbledon Drive, spoke in opposition to the rezoning request. He stated that he owns part of the land that is adjacent. He stated that he was against having one unit per acre.
4. Rich Jenkins, 611 Two Mile Run, spoke in opposition to the request on behalf of the Johns Island Council, who unanimously opposed this request. He explained that the island has too many approved projects and the current infrastructure cannot handle it.
5. Louise Turrentine, 1365 Whippoorwill Farm Road, spoke in opposition to the request. She stated that she wants to maintain the rural beauty of the area. She expressed concern about the number of accidents at the corner of Chisolm Road and Frisco Lane.
6. Louise Maybank, 2229 Brigger Hill Road, spoke in opposition to rezoning from the AG-8, AG-10, and AG-15 Zoning Districts to higher density districts. She expressed concerns about the long-term implications. She discussed cluster development and said that this is an example of that.

Mr. Jones stated that the evidence is overwhelming and there are a number of people against it. He asked if the Planning Commission could take a vote now. Chair Meyer explained that a motion could be made, but he would still ask if there was anyone else in opposition as a courtesy to the public that was in attendance. Ms. Chavis made a motion to disapprove the request. Mr. Jones seconded the motion. The Planning Commission discussed whether or not to let additional people speak. Chair Meyer asked if there was anyone else that wanted to speak in opposition and one person asked to be heard.

7. Jill Zlogar, 5528 Frisco Lane, spoke in opposition to the request. She stated that the applicant should have done their due diligence on the property. She explained that the applicant does not have a hardship. She asked that the Commission deny the request.

There being no further input from the public, Chair Meyer opened the floor to the Planning Commission for discussion. Vice Chair Floyd stated that she was on County Council when the *Comprehensive Plan* was first adopted. She spoke about the original intent of the *Comprehensive Plan*. She stated her belief that the original intent would not allow for what the applicant was requesting to do. Ms. Chavis restated her motion for disapproval, which had been seconded by Mr. Jones, and which resulted in an 8-0 vote.

ZREZ-07-17-00066: Request to rezone property located at 1820 Dillway Street, West Ashley, (TMS 351-07-00-016) from the Single Family Residential (R-4) Zoning District to the Low Density Manufactured Housing Subdivision (MHS) Zoning District (Property size: 0.645 acre)

Ms. Harris-Long presented the request and concluded with a staff recommendation of approval due to consistency with the Charleston County *Comprehensive Plan* and existing land uses. Chair Meyer asked if there were any questions of staff. There being no questions of staff, Chair Meyer asked if anyone would like to speak in support of the application.

1. Abraham Chisolm, 1820 Dillway Street, applicant, stated that he is the current owner of the property and could answer any questions.

Chair Meyer asked if anyone else would like to speak in favor of the request. No one asked to be heard. Chair Meyer asked if anyone would like to speak in opposition. No one asked to be heard. Chair Meyer opened the floor to the Planning Commission for a motion. Ms. Chavis made a motion to approve the request. Mr. Paulatos seconded the motion, which resulted in an 8-0 vote.

ZREZ-07-17-00064: Request to rezone property located at 8151 Oyster Factory Road, Edisto Island, (TMS 076-00-00-79) from the Agricultural/Residential (AGR) Zoning District to the Community Commercial (CC) Zoning District (Property size: 3.1 acres)

Ms. Harris-Long presented the request and concluded with a staff recommendation of disapproval due to inconsistency with the Charleston County *Comprehensive Plan* and recommended future density and use of the site. Chair Meyer asked if there were any questions of staff. Mr. Jones inquired when the adjacent property was zoned Community Commercial. Ms. Harris-Long replied that it was in 1973. Ms. Chavis confirmed with staff that the applicant is trying to expand their business. There being no further questions of staff, Chair Meyer asked if anyone would like to speak in support of the application.

1. Jeanine Rhodes, 3618 Yacht Club Road, applicant, spoke in favor of the request. She stated that there is a large demand for boat/RV storage in Edisto Island and her current business, on the adjacent property, is completely full. She explained her plan to only use the highland of the property so it would not be seen from the scenic byway (Highway 174).

Mr. Bowman inquired if other zoning districts would allow boat storage. Ms. Pietras stated that the only other zoning district in which the use would be allowed is the Industrial zoning district. Mr. Bowman stated that this was a good example of the zoning being too restrictive. Ms. Chavis asked about ways to get this use approved. Chair Meyer stated that a planned development is an option. Ms. Chavis asked if the applicant had considered a planned development. Ms. Harris-Long stated that that had been discussed with the applicant. Mr. Kent explained that although the boat yard may be appropriate, the zoning goes with the land and the requested zoning district allows many uses that are not appropriate for the area..

Chair Meyer asked if anyone else would like to speak in favor of the request.

2. Tommy Mann, 2005 Myrtle Street, spoke in support of the request. He stated that there is a need for more boat/RV storage.

Chair Meyer asked if anyone would like to speak in opposition to the request.

1. E.M. Skidmore, 7789 Steamboat Landing Road, spoke in opposition to the request. He expressed concern about the impact it would have on the scenic byway. He stated that he was opposed to the plethora of uses allowed in Community Commercial. He expressed concern about ruining the rural nature of the island.
2. Francis Stewart, 8178 Oyster Factory Road, spoke in opposition to the request. He noted that because the applicant owned the adjoining parcel, she could join the lots and put a number of houses there.

Mr. Bowman explained that the two properties had different zonings, so they could not be combined. Chair Meyer asked if anyone else would like to speak in opposition to the application. There being no further public comment,

Chair Meyer opened the floor to the Planning Commission for discussion. Mr. Jones stated that he is in opposition to this. He noted that the property owned by the applicant was rezoned in 1973 and seems out of place. He said that approving this parcel would exacerbate the problem. He asked if there were other properties on Edisto Island that would be a better fit. Mr. Bell asked if staff had discussed possibly subdividing a portion of the property to rezone a portion. Ms. Harris-Long stated that that was not discussed during the pre-application conference. She noted that subdivision of the parcel may not be feasible due to the small amount of highland and large amount of marsh which could result in a lot that does not meet minimum lot standards. Ms. Chavis asked if the applicant could put a restriction on the property for conservation. Mr. Paulatos inquired about the one-year waiting period for application resubmittal, if an application is denied or withdrawn after public hearing notices have been sent. Mr. Evans explained the policy. Planning Commission discussed the planned development option and encouraged the applicant to consider this option. As a result, the applicant asked to withdraw her request from further consideration and no vote was taken on this application.

ZREZ-08-17-00067 and ZREZ-08-17-00068: Request to rezone a 0.42-acre portion of property located at 10027 Highway 78, North Area, (TMS 388-10-00-037) from the Single Family Residential 4 (R-4) Zoning District to the Community Commercial (CC) Zoning District and a 0.02-acre portion of property located at 10037 Highway 78, North Area, (TMS 388-10-00-175) from the Community Commercial (CC) Zoning District to the Single Family Residential 4 (R-4) Zoning District.

Chair Meyer stated that these two requests would be considered together.

Ms. Harris-Long presented the requests and concluded with a staff recommendation of approval due to consistency with the Charleston County *Comprehensive Plan* and existing land uses and recommended densities. Chair Meyer asked if there were any questions of staff. Chair Meyer inquired about the proposed lot and zoning configuration. Ms. Harris-Long explained the applicant's intent to subdivide, if the rezoning requests are approved. There being no further questions of staff, Chair Meyer asked if anyone would like to speak in support of the application.

1. Randall Fogel, 10019 Highway 78, applicant, spoke in support of the request. He discussed why the previous request for rezoning was denied by County Council and stated that he amended his current request to be consistent with County Council's decision on his previous application. He discussed the public's input regarding having commercial encroach into their neighborhood. He explained his plans to keep the commercial along Highway 78 and have the residential development near the other residential in the area.

There being no questions of the applicant, Chair Meyer asked if anyone else would like to speak in favor of the request. There being none, Chair Meyer asked if anyone would like to speak in opposition to the request.

1. Amanda Collier, 9974 Levenshall Drive, spoke in opposition to the request. She stated that Highway 78 could not handle any other businesses or any additional traffic. She expressed concerns about safety and cars using the neighborhood as a cut-through. She stated that a petition has been started.
2. Jeff Barr, 9878 Levenshall Drive, spoke in opposition to the request. He stated that the applicant has plans to do a cut-through through the neighborhood.
3. Christina Barr, 9878 Levenshall Drive, stated that she did not think building homes near the drainage on the property was a good idea for their community.
4. Lynn Jones, 9970 Levenshall Drive, spoke in opposition to the request. She stated that if the applicant had the requests approved, he could bring his trucks through the community.

Chair Meyer asked if anyone else would like to speak in opposition to the application. There being no further public comment, Chair Meyer opened the floor to the Planning Commission for discussion. Mr. Bowman stated that the applicant owned the property, so nothing would preclude them from having a driveway if SCDDOT allowed it. The Planning Commission discussed the possible access points from the parcels. Mr. Jones expressed concern about the overall traffic, but noted that he was inclined to approve the request.

Mr. Jones made a motion to approve the request. Ms. Floyd seconded the motion, which resulted in an 8-0 vote. Mr. Evans stated that he has been requested by County Council that when there are multiple applications that the Planning Commission vote on them separately. Chair Meyer reread the request for ZREZ-08-17-00067, 10027 Highway 78. Mr. Bowman made a motion to approve the request. Ms. Chavis seconded the motion, which resulted in an 8-0 vote. Chair Meyer restated the request for ZREZ-08-17-00068, 10037 Highway 78. Mr. Bowman made

a motion to approve the request. Ms. Chavis seconded the motion, which resulted in an 8-0 vote.

ZREZ-08-17-00070: Request to rezone property located at 533 Mutual Drive, West Ashley, (TMS 310-06-00-116) from the Single Family Residential 4 (R-4) Zoning District to the Commercial Transition (CT) Zoning District (Property size: 0.83 acre)

Chair Meyer restated that this request was postponed from the agenda at the request of the applicant.

ZREZ-08-17-00072: Request to rezone property located at 986 Main Road, Johns Island, (TMS 250-00-00-052) from the Agricultural/Residential (AGR) Zoning District to the Planned Development (PD-160, Johns Island Self- Storage) Zoning District to allow mini-warehouses/self-storage and boat/RV storage. (Property size: 11.6 acres)

Andrea Harris-Long presented the request and concluded with a staff recommendation of disapproval due to inconsistency with the Charleston County *Comprehensive Plan* the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) She noted that if the Planning Commission recommended approval, staff suggests some conditions be included in the Planning Commission's recommendation. Chair Meyer asked if there were any questions of staff. Mr. Jones stated that the request seemed severe compared to the current zoning. He inquired about the reasoning for staff's recommendation. Ms. Harris-Long explained that the requested use is not consistent with the Charleston County *Comprehensive Plan*. She added that the *Comprehensive Plan* recommends an overlay zoning district for the Main Road Corridor, which should be completed before any additional rezonings are approved in the area. Ms. Chavis asked why the applicants did not consider having access on Humbert Road. Ms. Harris-Long stated that they were trying to concentrate the traffic onto Main Road to mitigate the impacts to residents along Humbert Road, which is primarily a residential area. There being no further questions of staff, Chair Meyer asked if anyone would like to speak in support of the application.

1. Ralph Massenburg, 3527 Kitford Road, applicant, spoke in favor of the request. He stated that he met with the community and they preferred the low impact his request would have over him subdividing it and putting 11 homes. He added that he completed traffic studies as well.

Chair Meyer asked if anyone else would like to speak in favor of the request. No one asked to be heard. Chair Meyer asked if anyone would like to speak in opposition. No one asked to be heard. Chair Meyer opened the floor to the Planning Commission for further discussion. Mr. Jones asked if 11 homes could be put on the property. Mr. Evans stated yes because the property is 11 acres in size and the zoning allows one unit per acre. Ms. Chavis inquired about the conditions for approval. Ms. Pietras explained the conditions of approval were included in staff's report as staff feels they should be included in Planning Commission recommendation should the Commission recommend approval.. Ms. Floyd asked for clarification about the 5.8 acres was going to remain undeveloped.

Mr. Bowman made a motion to approve the request with the following conditions:

- Section 1, Page 3, "Open Spaces": Change to 5.8 acres, which is 50 percent of the site.
- Section 1, Page 4, "Max. Total Square Footage": Add that a maximum of 450 mini-warehouse/self-storage units are allowed.
- Section 1, Page 4, "Max. Boat/RV Storage Area": Clarify that this excludes canopy coverage since the canopies are included in the maximum total square footage, and note that this is just for uncovered boat/RV storage.
- Section 1, Page 4, "Max. Boat/RV Storage Spaces": Clarify that 75 spaces are allowed total, for boat/RV storage (including parking spots and spaces under the canopy).
- Section 3, Page 10, Point No. 6, "Signs": State that signs shall comply with these PD guidelines, in addition to Chapter 9.
- Section 4, Page 11, Point b, "Site and Architectural Standards": Amend language to state that the building facades along Main Rd and Humbert Rd must be brick.
- Section 4, Page 13, "Impact Assessment/Analysis": Add a requirement that prior to Site Plan Review application submittal, the applicant must complete a traffic study in compliance with ZLDR Article 9.9, to demonstrate the impacts to Main Road as a result of the Boat/RV storage (which has a maximum of 75 parking spots on the site). The Site Plan Review application shall only be approved if the traffic study demonstrates that there are limited impacts as a result of the Boat/RV Storage, as approved/defined by the Planning Director.

- Section 4, Page 18, "Referenced ZLDR": Add the following statement to this section, "For items not addressed by the PD guidelines, the current ZLDR requirements for the Agricultural/Residential (AGR) Zoning District in effect at the time shall apply."

Ms. Chavis seconded the motion, which resulted in a 6-2 vote. Mr. Jones and Ms. Floyd dissented.

Chair Meyer announced that up next was a discussion of the *Comprehensive Plan Ten-Year Update*.

DISCUSSION OF THE COMPREHENSIVE PLAN TEN-YEAR UPDATE

Mr. Frazier began his presentation by stating the subcommittees have met to discuss all of the elements of the *Comprehensive Plan*. He provided a brief overview of the changes to the Economic Development, Natural Resources, Energy and Community Facilities. He stated that they have been working to make the elements more concise. Regarding the Natural Resources Element, Mr. Kent congratulated Charleston County for having the highest percentage of permanently protected lands in all of South Carolina. Regarding the Community Facilities Element, Chair Meyer spoke about the potential to have the convenience centers open during a natural disaster. He expressed concern about people having to store debris and refuse on their personal properties. Mr. Jones stated that County Council discussed having a location on Highway 17 to incinerate the debris. Mr. Frazier discussed the schedule for the remaining elements to be discussed. Ms. Chavis stated that staff did a great job on this.

Chair Meyer announced that up next on the agenda are the Committee reports.

COMMITTEE REPORTS

Historic Preservation Committee: Mr. Kent stated that there was no report.

Affordable Housing Committee: Ms. Chavis stated that there was no report.

Short-Term Rental Committee: Mr. Bell stated that Ms. Pietras would give the report.

Ms. Pietras stated that staff has been working with the consultants and is finalizing the draft Short-Term Rental and Historic Preservation ordinances for the October 23rd Committee meetings. She noted that they would have the packets ready by October 18th or sooner. Planning Commission briefly discussed the City of Charleston's efforts to adopt a new short-term rental ordinance also.

Chair Meyer asked Mr. Evans to discuss the Director's Report.

DIRECTOR'S REPORT

Mr. Evans reminded everyone of the Committee meetings on October 23rd. He announced that a workshop with the Sol Legare Community is scheduled for October 30th, at which staff would be presenting the draft Sol Legare Zoning Overlay District. He reviewed the director's report and provided updates on the planning projects. Mr. Jones inquired about the Maybank Highway pitchfork transportation project on Johns Island. Mr. Kent inquired about the wait time for building permits. Mr. Evans addressed both questions.

CHAIR'S REMARKS

Chair Meyer had no remarks.

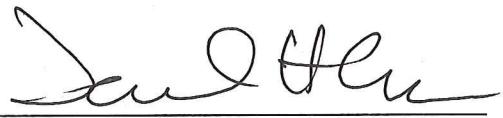
There being no further business before the Commission, Chair Meyer adjourned the meeting at 4:05 p.m.

Techina Jacques
Recording for the Planning Department

Ratified by the Charleston County Planning
Commission this 13th day of November, 2017


Eric Meyer
Chair

Attest:



Joel Evans, PLA, AICP, Director
Zoning & Planning Department

