

JAMES ISLAND PLANNING COMMISSION MEETING AGENDA 1122 Dills Bluff Road, James Island, SC 29412

January 12, 2023

6:35 PM

NOTICE OF THIS MEETING WAS POSTED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT

This meeting will be live streamed on the Town's YouTube channel: <u>https://www.youtube.com/channel/UCm9sFR-ivmaAT3wyHdAYZqw/featured</u>

Public Comments need to be received via email by noon on Thursday 1/12/2023 to kcrane@jamesislandsc.us

- I. CALL TO ORDER
- II. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT
- III. INTRODUCTIONS
- IV. APPROVAL OF AUGUST 11, 2022 MINUTES
- V. PUBLIC COMMENTS
- VI. STAFF COMMENTS

VII. ZONING MAP AMENDMENT:

a. Case #ZOR-10-22-013

Request to rezone property located at 1439 Jeffords Street from the Low-Density Suburban Residential (RSL) Zoning District to the Residential Office (OR) Zoning District for a pervious parking lot and stormwater facilities to support an adjacent lot/use (TMS #427-01-00-062) *Planning Commission will vote on a recommendation to Town Council.*

- VIII. CHAIR'S COMMENTS
- IX. COMMISSIONERS COMMENTS
- X. NEXT SCHEDULED MEETING DATE: FEBRUARY 9, 2023
- XI. ADJOURN

The Planning Commission of the Town of James Island met on Thursday, August 11, 2022, at 6:35 p.m. in person at the James Island Town Hall, 1122 Dills Bluff Road, James Island, SC 29412.

<u>Commissioners present</u>: Deborah Bidwell, Zennie Quinn, Mark Maher, and Bill Lyon, Chairman, who presided. <u>Absent</u>: Ed Steers, Vice Chair, (gave notice). A quorum was present to conduct business. <u>Also present</u>: Kristen Crane, Planning Director, Flannery Wood, Planner II, (substituted for Frances Simmons, Town Clerk and Secretary to the Planning Commission), and Niki Grimball, Town Administrator.

<u>Call to Order</u>: Chairman Lyon called the meeting to order at 6:35 p.m. and lead the Planning Commission in prayer.

<u>Compliance with the Freedom of Information Act</u>: Chairman Lyon announced that the meeting was duly noticed in compliance with the SC Freedom of Information Act. The meeting was also live streamed on the Town's YouTube Channel and the public was provided information to participate.

Introductions: Chairman Lyon introduced the members of the Planning Commissioners and Town staff.

<u>Approval of February 10, 2020 Meeting Minutes</u>: The minutes of the February 10, 2022 meeting were approved upon a motion by Commissioner Bidwell, seconded by Commissioner Quinn and passed unanimously.

<u>Public Comments:</u> Chairman Lyon encouraged anyone who wished to speak during Public Comments to state their name and address for the record and limit comments to two (2) minutes. No one signed in to speak.

Staff Comments: None

<u>Proposed Amendments to the Town of James Island Zoning and Land Development Regulations Ordinance</u> (<u>ZLDR</u>): Chairman Lyon announced that staff would give a review and answer questions regarding proposed amendments to the Zoning and Land Development Regulations

a. <u>Off-Street Parking Schedule A (153.332)</u>: <u>Amending Civic/Institutional and Pre-school or</u> <u>Educational Nursey Requirements</u>: Ms. Crane reported that the parking amendments is a response from several applications received with the realization that the parking requirements needed to be adjusted.

The following amendments were reviewed by Planning Director, Kristen Crane.

- a. <u>Civic/Institutional</u>:
- Historical Sites, libraries: 1 per 300 feet
- Archives or museums: recommend 1 per 500 square feet of display area
- Pre-school or educational nursery: recommend 1 per employee in single shift plus 1 per 1,000 sq of classroom area. Ms. Crane shared that there are two daycare centers in the Town that are non-conforming and this change would make them conform.
- b. <u>Off-Site Parking (153.332 D2): Amending Off-Site Parking requirements for Civic/Institutional</u> <u>Uses</u>:
- A maximum of 50% of the required parking spaces may be off-site. Language added to read: except for civic/institutional uses that may have a maximum of 75% of the required parking spaces off-

site. Ms. Crane said this would help places that has an abundance of parking on site that is not being utilized that could be shared. Ms. Crane gave an example of the James Island PSD Fire Station on Harbor View Road, which is an older fire station that has space for 1??. The PSD wants to remodel the station and they would have to adhere to the Town's current parking requirements with a full site plan review and they would be required to have at least 10 parking spaces for five (5) firemen Ms. Crane also shared an example of the Town's JI Arts and Cultural Center and Town Hall utilizing shared parking.

c. <u>Use Table (Table 153.110): Changing Use Allowance for nonalcoholic Beverage Bars from a Special Exception Use to a Conditional Use in the OG, CN, CC, and I Zoning Districts</u>: Ms. Crane explained this category was previously for restaurants, and fast foods, including snack bars, and non-alcoholic beverage bars which included smoothie and coffee bars. In order to separate them into its own category, fast foods were added as its own category across the board. Ms. Crane said she thinks it may have been an error that non-alcoholic beverage was separate because the Special Exception requirement was left in and it seems that a smoothie bar and a coffee shop would be more suited with the requirements for a general restaurant, cafeteria, or a deli in those zoning categories. The recommended amendment for non-alcoholic beverage bars including coffee shops and smoothie bars would be a Conditional Use on the Use Table and if they serve alcohol, they would need a Special Exception.

Commissioner Quinn asked if the recommended change would cause businesses to have more restrictions and Ms. Crane said that it would put them into another zoning category and take away the need for the BZA (Board of Zoning Appeals) to grant a Special Exception. The process would be simplified for processes that do not serve alcohol.

Chairman Lyon called for a motion to discuss the amendments presented by staff. Motion to approve was made by Commissioner Bidwell, seconded by Commissioner Quinn, and passed unanimously for discussion.

Chairman Lyon spoke in favor of the changes for Daycare Center. Commissioner Bidwell spoke about easing the burden and making sure people don't have to go through unnecessary hurdles to get their business established and making reasonable requests. She said the amendment for the Fire Station makes sense. They are good neighbors with the dentist next door which should work fine. Ms. Crane added that the dentist office has property on Mikell Drive which would make that easier.

Chairman Lyon said he was not as convinced about the coffee shops and cited the problems with Starbucks and doesn't know that we should open ourselves up to the same kinds of problems with having a new coffee shop. He shared information that as he travels around the country and visits some areas that has a little "coffee shack" where people drive thru for coffee. He can see how this could become a problem, especially on Folly Road. Commissioner Bidwell commented that it could be an issue, but service tends to be faster. It's the food and the fancy espresso coffees that slows the line but understands Chairman Lyon's point because there is not enough space for the line and we end up with the Chick-fil-a or Starbucks phenomena. Discussion followed about museums and historic sites.

Chairman Lyon called for a motion to approve the staff's recommendations on the amended changes to the Zoning and Land Development Regulations.

<u>VOTE</u>

Commissioner Bidwell	Aye
Commissioner Maher	Aye
Commissioner Quinn	Aye
Chairman Lyon	Aye
Passed unanimously	

Discussion on Addition of Resilience Element to Comprehensive Plan:

Ms. Crane stated that she provided a copy of Charleston County's Resiliency Plan because she feels that it would be similar to whatever the Town decides to adopt. The resilience element is now a requirement in the Comprehensive Plan. She does not think the Commission needs to spend a lot of time to hash it out tonight but review it and come back in a couple months with recommendations. Ms. Crane said a good thing is that our Town Administrator, Niki Grimball, previously worked with Charleston County. She worked hard on the Resilience element and basically wrote it while she was there. Ms. Crane said she would defer to Ms. Grimball for questions or comments the Commission has but this is important and is definitely something the Planning Commission needs to begin work on. Also included in the Commission's packets were copies of Folly Beach and the City of Charleston plans.

Commissioner Quinn recalled information from the training workshop held on yesterday that information about Kiawah but their information does not seem to be applicable James Island and Folly Beach seems to have small problems that only applied to them. Commissioner Bidwell added that the outer barrier, i.e., Kiawah Island and Folly are definitely gong to experience some challenges that our island doesn't usually experience. Commissioner Quinn noted when he read over the information that it raises questions but doesn't always give the solutions. Ms. Grimball explained that the City of California in their Comprehensive Plan is that they do inventory and you will see different sections of what is documented, what the conditions are that brought about the need to for the element is added before something that is countywide takes on different factors and we know what may not be applicable to all of James Island. The element would give us a good foundation of where to start and we can chisel it down and put in specific issues that we see on the island and at the end with the recommendations could include steps on moving forward. Ms. Grimball gave the formation of the Committee of 26 members, having a representative from every jurisdiction, builder associations, realtors association, Coastal Conservation League, and preservationists for feedback into the plan. Commissioner Quinn said this element could take a lot of manhours and Ms. Grimball said the County worked on the element for nine months and another couple to get through the Planning Commission and Council process. She said the element was voted on at the last meeting before COVID struck

Questions surfaced by Commission Quinn about sea level rise and Commissioner Bidwell shared her knowledge of this subject.

Commissioner Maher said a lot of people were involved in the element and obviously lawyers has seen it as well, which Ms. Grimball confirmed. He further asked if lawyers do not see an issue with if you go to a contractor or a builder and you prohibit a piece of land that is not in a flood zone what are the determining factors of not filling in that piece of land. Would this be open to lawsuits? Ms. Grimball responded that the flood plain management program can designate regulatory standards.

Chair's Comments: None

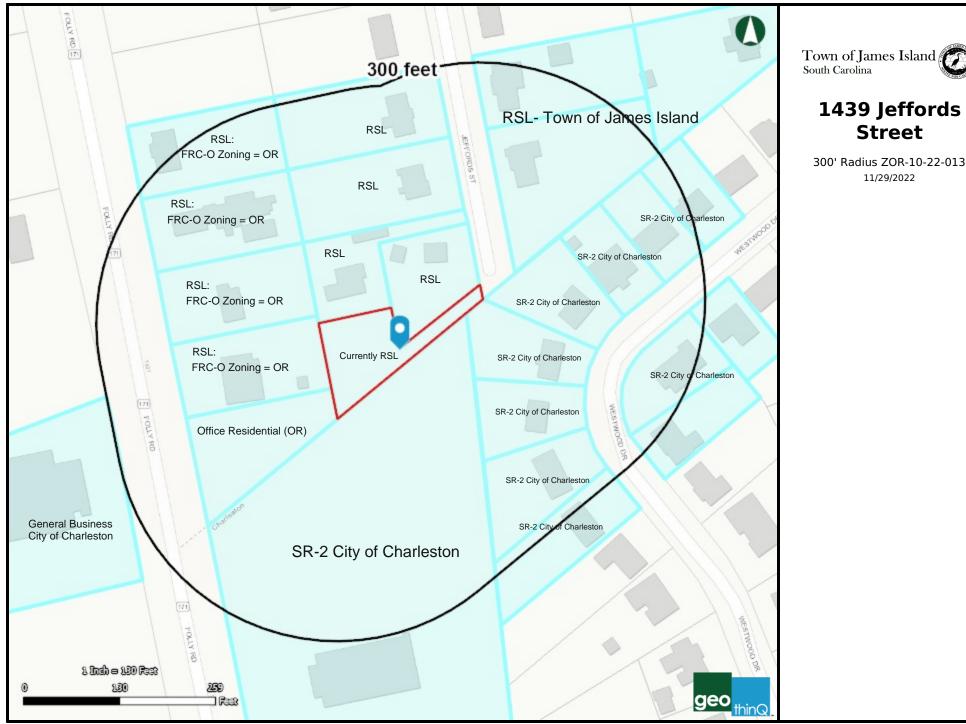
<u>Commissioners' Comments</u>: Commissioner Bidwell expressed her excitement to work on the Resilience Element because her specialty is biomimicry, resilience, and regenerative design.

Next Scheduled Meeting Date: September 8, 2022

Adjourn: There being no further business to come before the Planning Commission, the meeting adjourned.

Respectfully submitted:

Frances Simmons, Secretary to the Planning Commission and Town Clerk



Street

11/29/2022

This map was created using geothinQ | www.geothinQ.com | Mapping Smart Land Decisions

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ZONING/PLANNING DEPARTMENT

TOWN OF JAMES ISLAND PLANNING COMMISSION January 12, 2023 Case Summary: ZOR-10-22-013 Request to rezone lot from the Low-Density Suburban Residential (RSL) Zoning District to the Residential Office (OR) Zoning District

History and Overview:

1439 Jeffords Street (TSM# 427-01-00-062) is located at the southeastern end of Jeffords Street, and is adjacent to parcels located on the eastern side of Folly Road. The property currently has no structures located on it. The parcel included in the current Zoning Map Amendment Request is 0.3 acres in size and is in the RSL Zoning District. 1439 Jeffords Street is currently considered a legal conforming lot.

The applicant and owner, Mr. David Vernon, (represented by the potential buyer, Ms. Amy Emde) is seeking to rezone the lot from the RSL Zoning District to the OR Zoning District to enable the use of the parcel as a pervious parking lot for a future community recreation use (indoor swimming pool) that will be located on the adjacent lot of 1444 Folly Road. If approved, the applicant intends on abandoning the lot line between the two parcels resulting in one legal conforming OR-zoned lot. The proposed parking lot and stormwater facilities will only be accessed from the existing adjacent parcel of 1444 Folly Road.

Adjacent Zoning:

Surrounding properties to the north and east of the subject property contain parcels in the RSL Zoning District in the Town of James Island, as well as SR-2 zoned parcels in the City of Charleston. To the south is property zoned SR-2 in the City of Charleston and is utilized by Emmanuel Baptist Church. To the west are multiple properties in the OR Zoning District.

Approval Criteria:

According to Section §153.043 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for Zoning Map Amendment (Re-zoning) approval may be approved only if Town Council determines that the following criteria are met:

1. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance.

Staff's response: In the Comprehensive Plan, the Land Use Element Goal states, "The Town of James Island will encourage the orderly and environmentally sound development of the land with special consideration to maintaining the suburban character and natural ecosystems of the area." by "implementing sustainable and flexible development guidelines and integrate development with growth to maintain the suburban character of the Town". Additionally, The Community Facilities Element states that a Town's strategy should be to "explore opportunities to create and maintain more active recreational facilities and programs for the residents and youth of James Island".

2. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;

Staff's response: Nearby properties range from OR zoning and uses to residential, with the immediate adjacent properties being mixed between these two zoning classifications as well. If approved, the subject property will retain its residential use capability and will be combined with the adjacent property that is currently zoned OR. Therefore, the proposed amendment may be compatible with existing uses and zoning of nearby properties.

- 3. The Town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development; Staff's response: The subject property is vacant, and the applicant is seeking rezoning for pervious parking and stormwater facilities that will combine and support a future community recreation (with existing facilities) and parking area, with no water and sewer supply proposed to the subject property. Additionally, The Town and other service providers will be able to provide facilities and services while maintaining adequate levels of service to existing development.
- 4. The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, storm water management, traffic congestion, wildlife and natural resources; and

Staff's response: A 6' opaque fence and land use landscape buffering will be required to be installed along the perimeter of the property, and adjacent to any residential use or zoning. In addition, the applicant's letter of intent states, "It is of utmost importance to us to ensure that the lot will facilitate a place for mature trees, wildlife, and water retention. We plan to create two ponds on the lot and retain over 6 mature trees." The property will be accessed from the existing entrance of 1444 Folly Road, and therefore will not have an adverse impact of traffic congestion on Jeffords Street.

5. The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access and the presence of resources and amenities.

Staff's response: The subject property is a legal conforming lot in its current zoning designation of RSL. The subject property also meets the minimum standards for the Residential Office zoning designation including parcel size and parcel configuration. The parcel currently has access from Jeffords Road; however, if approved, access will be from Folly Road.

A total of 53 notification letters and emails were sent to owners of property within 300 feet of the boundaries of the proposed zoning map amendment and to the James Island Interested Parties List on December 29th, 2022. Additionally, this request was noticed in the Post & Courier on January 4th, 2023, and the property was posted on January 4th, 2023. The meeting notice was also sent to the Town News email recipients and was posted on the Town's Facebook page.

Dear Planning Commissioners,

My name is Amy Emde. I am the owner of Charleston Swim School and the tentative buyer of 1429 Jeffords Avenue. I am writing to you to provide a better understanding of the rezoning request. Below I have provided a visual plan of the proposed use, a letter of intent explaining the request, and an outline that addresses the criteria in the ordinance it must meet.

Current Zoning/Location and Neighboring Lots:

The property is currently zoned residential and directly connects in the rear to the future parking lot of Charleston Swim School, (1444 Folly Rd) that we are building. On the right of the property is a residential lot that is owned by the current seller of this (1429 Jeffords) property. He is in full support of our intended use of parking here. On the left of the property is a large ditch & woods with a small corner neighboring the back corner of Emmanuel Baptist's very large lot. In front of the property across the street from the lot lives a long standing resident named Jacob who is in support of our rezoning. The corner of the lot neighbors another long standing resident named James who is also in favor of this rezoning. We have received written and/or verbal support/favor from every neighbor within 300+ feet that we have been able to speak to.

Proposed Use/Intent:

This rezoning would simply extend gravel parking farther to allow employee parking for the future site of Charleston Swim School located on Folly road. Our plans for the lot would be to resolve the lot line to create one forever home for residents to learn to swim on James Island. There will be <u>no exit or THRU traffic</u> to Jeffords street. All regular traffic will occur to and from the Folly road entrance/exit.

Wildlife and Flood Considerations

It is of utmost importance to us to ensure that the lot will facilitate a place for mature trees, wildlife, and water retention. We plan to create two ponds on the lot & retain over 6 mature trees. As far as wildlife, the five most commonly sighted birds in the 2 mile radius of this lot are: 1) Laughing Gull, 2) Cedar Waxwing, 3) White Ibis, 4) Common Grackle, and 5) Brown Pelican.¹ Of these five species, the only one listed as "near threatened" due to its declining population is the Common Grackle. Because the Grackle does eat at feeders and prefers open wooded areas, we will be adding feeders to our open wooded gravel lot. All of the other birds inhabit wetlands, so we expect that our ponds will help with that. We also plan to plant multiple Longleaf Pine trees to promote a better habitat for the

¹Ebird.org Data collected from around Dill Sanctuary (2 miles from 1429 Jeffords Avenue) https://ebird.org/hotspot/L6799402?yr=all&m=&rank=hc&hs_sortBy=count&hs_o=desc

endangered red-cockaded woodpecker and the endangered Carolina Gopher frog, including the installation of stumpholes. With the Longleaf Pine trees, protected ponds, and stump holes, this will be an ideal habitat for the endangered Carolina Gopher frog. We will also be partnering with local wildlife teams to provide this area as a breeding habitat for the frogs since we will be meeting all 3 of the conservation action plan steps in the 2020 Gopher Frog Conservation Plan.² If we are not able to rezone this property, we cannot purchase it due to the restrictions in our small business administration loan, which limits our land addition to only O/R zoned lots. Then we will have to resort to building a lot of underwater retention, rather than these ponds and habitats.



² NORTH CAROLINA WILDLIFE RESOURCES COMMISSION https://www.ncwildlife.org/Portals/0/Learning/documents/Profiles/Amphibians/Gopher-Frog-Conservation-Plan-2020-FINAL.pdf

Approval criteria:

The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of that chapter in accordance with the ZLDR.

1. Economic Development

According to the economic development plan, the comprehensive plan states that the county would like to "encourage small business enterprises, minority owned businesses, and attract new targeted industry sectors." We are a small minority owned business developing a new targeted industry (Swim school). The nearest brick and mortar Swim school to James Island is all the way in Mt. Pleasant. This will allow a great need to be filled within the James Island community. This will also open up many jobs for locals and increase recreational opportunities.



2. Existing Use and Nearby Property Compatibility

The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property. Three out of four parcels touching the borders of this lot are on folly road, which of course, hosts many office/residential areas. This lot will not add traffic or noise to the residential street, since it will only be for employee parking. This will not intrude upon any privacy for residents neighboring this lot due to fencing.

3. Town and Service Provider Access

The town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal, and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development.

4. Significant Adverse Impacts

The visual site plan (and future drawings, coming soon), as well as proposed use paragraph provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, traffic congestion, wildlife, and natural resources.

5. Suitability for Zoning Classification

The subject property is suitable for proposed zoning classification considering that the parcel size (.3 acres) is large enough to allow the parking we need, the parcel configuration aligns right with our current parking lot, the road access from folly road & our parking lot eliminates any increase of traffic on Jeffords. The presence of natural resources and amenities such as the county trench drainage ditch, mature trees, and plenty of above ground water retention promotes an excellent use for a quiet parking lot that doesn't disturb any neighbors, wildlife, or county services.

Community Impact

This rezoning would allow many more children of James Island to learn how to swim. This will reduce the current South Carolina drowning rate. Drowning is the 3rd leading cause of unintentional injury deaths worldwide (7% of all injury related deaths). In 2019, South Carolina was tied as the state with the 9th highest rate for fatal unintentional drownings in the US. Drowning is the leading cause of unintentional injury-related death among South Carolina children ages 1 to 4. Among children 5 and under, 84% of drownings occur at home. Among children 5-14, 45% of fatalities happen at a public pool. We can help lower these statistics by providing this swim school in James Island, but will be greatly limited in our capacity without the parking required for our amazing swim teachers and staff.

In addition to the joy of making a difference in the lives of our students and equipping them with the ability to swim, we also contribute 15% of all sales from the school to charity. As an example, in 2020 we used our charitable savings to fund the construction and opening of South Carolina's first and only Human trafficking survivor drop in center.³ This center is to "support the in-person crisis response where individuals provide trauma-informed support and emergency shelter coordination for CSE and domestic trafficking survivors. This program is the access point to all other survivor services."⁴



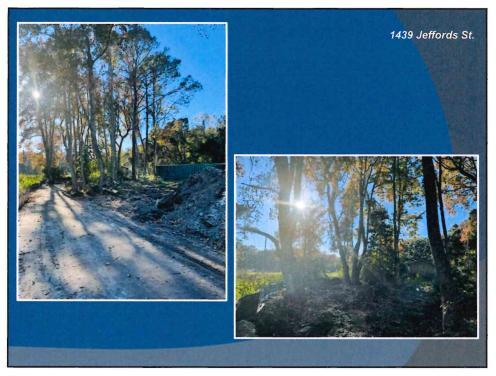


⁴ The Formation Project

https://www.theformationproject.org/our-services

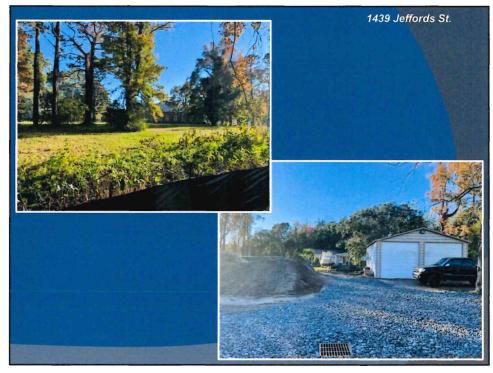
³ Post and Courier | SC's first center for human trafficking survivors is fully funded with community donations https://www.postandcourier.com/news/scs-first-center-for-human-trafficking-survivors-is-fully-funded-with-community-donations/article_4ac8b884-5851-11eb-874a-d7cf36a3ce57.html

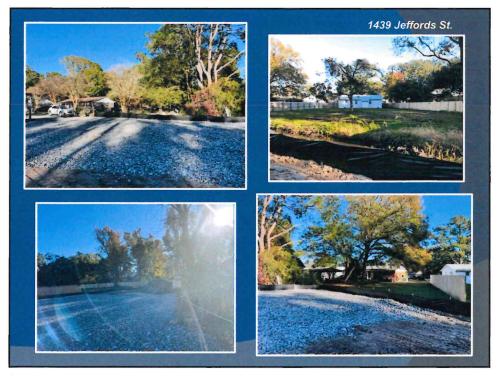
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12/2/2022





December 12, 2022

Dear Town of James Island Planning Commission & Council,

My name is Katie Frederick. I have been a James Island resident since 2009 and have owned and live at 490 Woodland Shores Road since 2019. I am writing to you to express my strong support and favor of the rezoning of 1439 Jeffords Avenue from residential to Office Residential.

I am very excited to see the Charleston Swim School run a successful business on James Island and know that this rezoning would be beneficial for their mission as well as the well-being of the Town overall.

As a commercial and residential realtor, I understand the need for preserving residential areas. I don't believe this rezoning will interfere with the residential integrity of the neighborhood of Jeffords Avenue. The intended use of a retention pond with a gravel parking lot for staff seems like it will have minimal impact on neighboring properties. Because this property is at the end of a dead-end street, running parallel with a large ditch and neighboring two commercial lots already, it is completely feasible for this use.

Thank you for your consideration!

Sincerely, DocuSigned by: Kathenine Frederick Katie Frederick Katiefred843@gmail.com 843-628-8243 Broker Associate, Simply Commercial Team of Marshall Walker Real Estate

My name is Christina Williams and I live at 1426 Jeffords Avenue. I am very excited about the opening of Charleston Swim School and am in full support and favor of the rezoning of 1439 Jeffords Avenue from residential to office/residential. I believe the proposed use of this spot will not affect Jeffords avenue traffic congestion, noise, or wild-life habitat. I am looking forward to this rezoning so that my children can enroll in swim lessons soon. Thank you for your consideration.

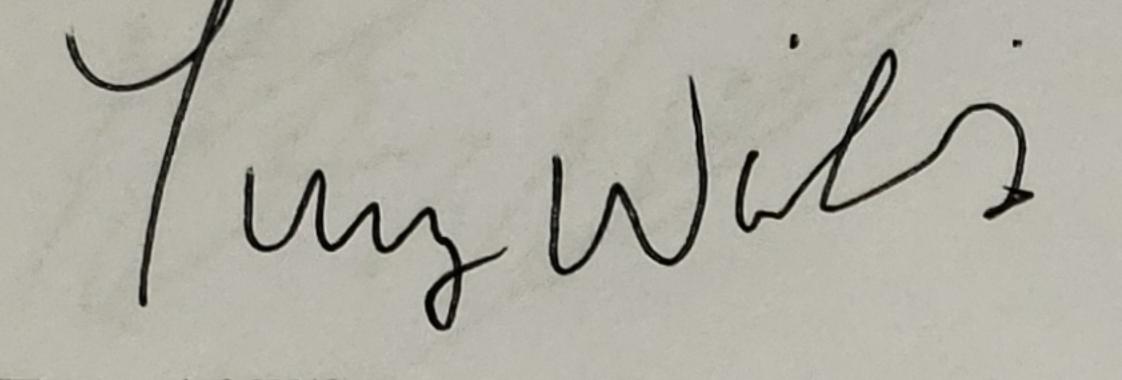
MANAA

Christina Williams

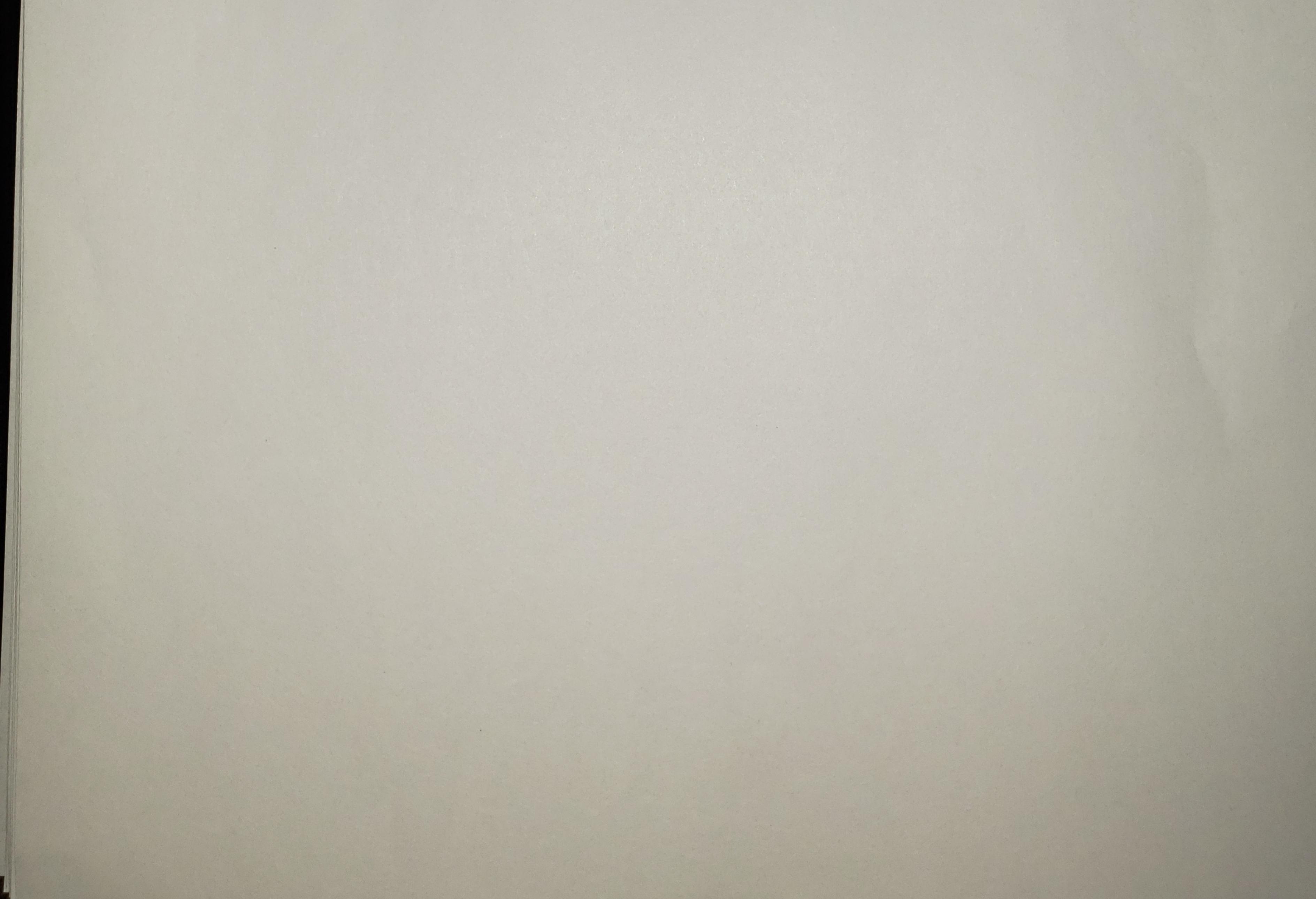
703-470-3871



My name is Trey Williams and I live at 1426 Jeffords Avenue. I fully support the rezoning of 1439 Jeffords Avenue from residential to office/residential. This rezoning will reduce potential future residential traffic and allow a place to be built for my children to learn how to swim. Thank you for your consideration.



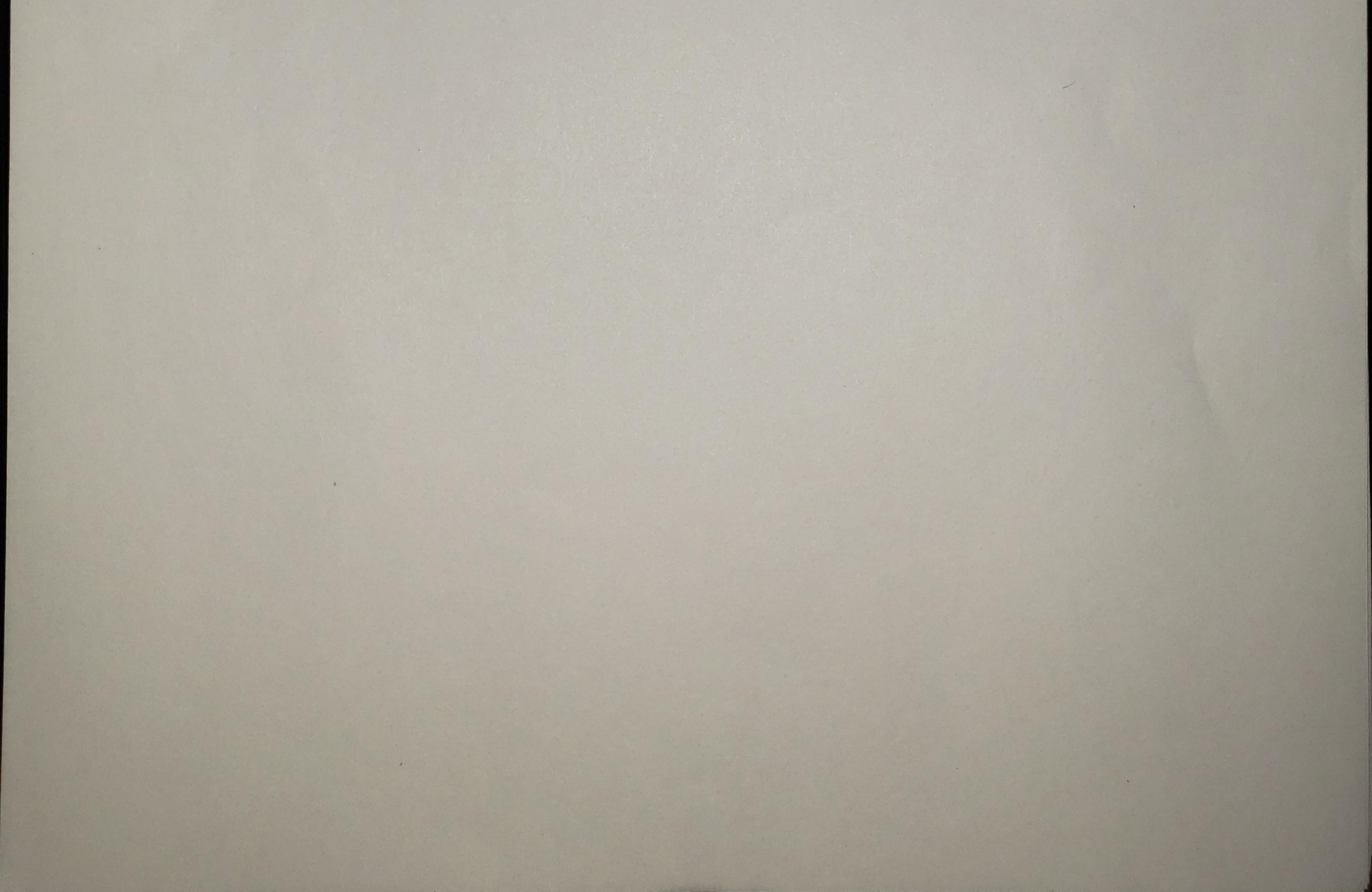
Trey Williams twilliams@bucklumber.com



My name is Mick Collins and I live at 1434 Jeffords Avenue. I am in full support and favor of the rezoning of 1439 Jeffords Avenue from residential to office/residential. This town could really use a swim school and a place for us to swim in the cold months and by rezoning this lot, you are helping that need be fulfilled. I am looking forward to the completion of Charleston

Swim School and believe this lot for additional parking will be great.

Mick Collins 843-860-3062 mickcoll70@gmail.com



My name is Evan Hynes and I live at 1414 Jeffords Avenue. I am in support and favor of the rezoning of 1439 Jeffords Avenue from residential to office/residential. I believe the proposed use of this spot will be non-invasive to our neighborhood/street and will allow more James Island locals to have the opportunity to learn how to swim and be healthy. Thank you for your consideration.

