

The Planning Commission met on Thursday, September 9, 2021 at 6:35 p.m. virtually on Zoom. Commissioners present: Ed Steers, Vice Chair, Zennie Quinn, Deborah Bidwell, and Bill Lyon, Chairman, who presided. Absent: Mark Maher, and Planning Director, Kristen Crane. Also present: Flannery Wood, Planner II, Ashley Kellahan, Town Administrator, Bonum S. Wilson, Town Attorney, and Frances Simmons, Town Clerk and Secretary to the Planning Commission.

Call to Order: Chairman Lyon called the meeting to order at 6:35 p.m., led in prayer which was followed by the Pledge of Allegiance.

Compliance with the Freedom of Information Act: Chairman Lyon announced that this meeting was duly noticed in compliance with the SC Freedom of Information Act. The public was provided a link to participate, and the meeting was live-streamed on the Town's YouTube channel.

Introductions: Chairman Lyon introduced the members of the Planning Commission, Town Attorney, and staff.

Approval of August 12, 2021 Minutes: Minutes of the August 12, 2021 meeting were approved upon motion by Chairman Lyon, seconded by Commissioner Quinn. Passed unanimously.

Public Comments: None

Staff Comments: None

Zoning Map Amendment:

Case #ZOG-7-21-011: Chairman Lyon introduced the case that the Planning Commission would hear a request to rezone property located at 1715 Oak Point Rd. from the Low-Density Suburban Residential District (RSL) to the General Office (OG) for a Fishing & Hunting Guide Service and Office Uses.

Planner II, Flannery Wood, gave a summary of the property located at 1715 Oak Point Road (TMS #343-09-00-009) stating that the applicant, Mr. Joel LeVine, and architect, Ms. Catherine Cusick are seeking to rezone the parcel from the RSL Zoning District to the OG Zoning District for a Fishing and Hunting Guide Service and the lease of office space. The property is close to the intersection of Folly Rd. and is across Oak Point Rd. from the Harris Teeter grocery store. The property currently has no structures on it, but it does contain an access easement to the residential parcel to the south. The parcel is 0.476 acres in the RSL zoning District and is considered a legal conforming lot. Ms. Wood reviewed the adjacent zonings: to the east in the Town of James Island is zoned Community Commercial (SpeeDee Oil Change & Auto Service); to the west in the City of Charleston's jurisdiction is zoned General Office (Oak Point Pediatric Dentistry); to the south and in the Town of James Island is zoned RSL and is under the same ownership as the subject parcel. The remaining surrounding areas includes parcels in the City of Charleston zoned General office, SR-1, and General Business, as well as several parcels in the Town of James Island zoned RSL.

Ms. Wood reviewed and responded to the five (5) approval criteria under Section §153.043 of the Town of James Island's Zoning and Land use Development Regulations Ordinance (ZLDR), for Zoning Map Amendment Re-zonings stating that approval may be granted 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 the Ordinance;
2. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;

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;
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, water, noise storm water management, traffic congestion, wildlife, and natural resources;
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.

#### Questions to Staff:

Commissioner Bidwell's question was to clarify whether the parcel behind is owned by the same person who is requesting the rezoning. Ms. Wood replied that the parcel up for sale and the one behind it is owned by the same person. The applicant requesting the rezoning owns Red Fin Charters and is in the process of buying the lot.

Commissioner Quinn asked if the lot 1715 were split, what number would be given for the other parts. Ms. Wood said according to GIS, an address has already been assigned to them. The two houses on the back are 1715A & 1715B. The front parcel is 1715 and she did think there would be addressing issues.

Commissioner Quinn said he understands that the person in the back would have a right-of-way through the front lot for a driveway to her house. Ms. Wood said the current driveway goes through the center of the lot because she owns it, but the applicant could speak more to this. They are proposing an access easement to the far right side of the property from the street. Commissioner Quinn said that is better because he noticed a lot of traffic from the Harris Teeter.

Commissioner Steers said he visited the site twice and the request appears to be a positive addition to the neighborhood. Commissioner Quinn spoke of the heavy wooded lot next to SpeeDee and it looks as though the applicant is leaving a lot of trees. Commissioner Bidwell added that she is pleased about how the applicant explained how they would handle storm water drainage and water run-off issues in a way that maintains the natural ecosystems. She said that is a good fit for a wooded lot in trying to make sure it absorbs and reuse as much water as possible. Commissioner Quinn said he hopes the applicant sticks with the plan because it looks good.

#### Applicant Presentation

Catherine Cusick, architect, working with Mr. LeVine expressed her excitement about the request. She is very impressed with Mr. LeVine's commitment to the sustainability and viability of the neighborhood and the project.

Applicant, Joel LeVine, said he is excited about the project; that James Island means the world to him. He said the connector was named after a cousin and his first apartment was directly across the street at Ellis Oaks 30 years ago. This area is very centralized for his life, and he hopes it works out. He said sustainability means a lot to him. His background is fishing, and they do a lot of phone bookings, but also sustainability.

Opposition: None

Questions to the Applicant:

Chairman Lyon asked who would be leasing a part of the building. Mr. LeVine said his leasing agent has a list of businesses that are low impact. He does his business by appointment and does not foresee a lot of foot traffic. There will be 3 people working out of the building, but down the road they may work with families headed to Folly Beach. They would be looking for the same type of tenant to lease space; perhaps an architect, shipping/receiving or an internet business that does not have a lot of foot traffic.

Chairman Lyon asked how many parking spaces would be provided. Ms. Cusick said according to the provisions of the Land Use Regulations, they have 9. They have not spoken to Harris Teeter or SpeedDee about off-site parking as yet. There is a provision that they could have 10 or 20 percent off-site parking within 600 feet, so the answer is they do not know yet; but they are confident of at least 9.

Commissioner Quinn said he did not see it on the draft, but understands the driveway may be away from Folly Rd. He was at the location and took pictures of the constant traffic coming in/going out of Harris Teeter. He said if a street is directly there, he could see problems. Ms. Cusick said they are in discussion with the SC DOT because they are requesting a zoning change from residential to commercial and would need to file an encroachment permit for the specific regulations in their ARMS Manual.

Commissioner Quinn went on to say that there is an existing driveway 70% opposite of Harris Teeter's. Ms. Cusick said SCDOT prefers the new ingress and egress to line up center line to center line because it makes coming/going of the two, north and south properties more workable. The existing driveway is 10 or 12 feet and the new one will be 28 feet at the throat to allow for easier egress, but it will be in the same general area. The easement is on the extreme west side of the property. It is a platted easement at this time that is 10 ft. wide and meets the current SCDOT minimums. There will be two distinctly different exists; one for the residential on the far west by the dentist office, and the applicant's would be in the center of the lot. Commissioner Quinn asked if the driveway would be opposite of Harris Teeter and Ms. Cusick said that is what SCDOT prefers, center line to center line. It would not be as wide as Harris Teeter's (because their volume is greater) and a private fence would be installed to separate the properties.

Commissioner Bidwell asked if the charter business would park boats and trailers there or would the space used for office business only. Mr. LeVine said he has 150 ft. of dock space at the Bristol Marina downtown and all their boats are kept there. He said there is space in the building if they need to use it, but the primary purpose is bookings by phone, sustainability, and his office space. Commissioner Quinn asked about space there for maintenance and Mr. LeVine said no work would be done in the yard; that is done at the Marina.

Town Attorney Wilson asked if there were signed agreements for off-site parking in place. Ms. Cusick said no. Mr. Wilson asked if she was aware of the municipal ordinances on shared parking. Ms. Cusick said she had looked at it but could not recall that to mind. She knows that there is a very small percentage that is allowed off site within 600 feet; either 10 or 20 percent. Mr. LeVine said he did not think they would need it.

Commissioner Steers commented again that he visited the site twice and did not notice back up traffic coming out of Harris Teeter. He said at most one car was coming out and another behind it. There were no bottle-necks and the traffic flowed freely.

After questions were addressed, Chairman Lyon moved to approve Case #ZOG-7-21-011: Request to rezone property located at 1715 Oak Point Rd. from the Low-Density Suburban Residential District (RSL) to the General Office (OG) for Fishing/Hunting Guide Service and Office Uses, based on the staff's

recommendation. Commissioner Quinn seconded. All Planning Commissioners spoke favorably that the business would be a good fit for the location. Commissioner Bidwell agreed and stated that her concerns were clarified. Motion passed unanimously.

Chair's Comments: None

Commissioners Comments: None

Next Meeting Date: October 14, 2021

Adjourn: There being no further business to come before the body, the meeting was adjourned at 7:08 p.m.

Respectfully Submitted:



Frances Simmons  
Town Clerk