

Planning Commission

May 18, 2022

A meeting of the Planning Commission was held this date at 5:01 p.m. in the public meeting room at 2 George Street.

Notice of this meeting was sent to all local news media.

PRESENT

Commission members: Mr. Charles Karesh, Chair, Mr. Harry Lesesne, Vice-chair, Mr. Jimmy Bailer, Jr., Ms. Loquita Bryant-Jenkins, Ms. Erika Harrison (at 5:03, departed at 7:30), Ms. Donna Jacobs, and Ms. McKenna Joyce.

City Staff: Mr. Robert Summerfield, Director of Planning, Preservation & Sustainability, Mr. Christopher Morgan, Planning Manager, Mr. Lee Batchelder, Zoning Administrator, Mr. Philip Overcash, Senior Planner, Ms. Ana Harp, Senior Zoning Planner, Ms. Chloe Stuber, Senior Planner, Mr. Jim Hemphill, Planner, Mr. Philip Clapper, Clerk, Mr. Eric Pohman, West Ashley Coordinator, and Ms. Mollie Jones, Annexation Planner.

Others: Councilmember Shahid, Mr. Andrew Bajoczky, Ms. Lisa Hutto, Mr. Siddhartha Chowdhury, Mr. John Ackerman, Ms. Jackie Morphosis, Mr. Skip Gosnell, Ms. Laura Duke, Mr. Steven Boyle, Mr. Mike Olson, Mr. Lee Sports, Mr. Ian O'Shea, Ms. Robin Blunt, Mr. Jonathon Thompson, Mr. Laurence Brubaker, Mr. Russell Seamon, Ms. Lisa Boselli, Mr. Charles Altman, Mr. Mark Humpleby, Ms. Camile Wasserman, Ms. Tammy Koenig, and Mr. Morris Harper.

Chair Karesh explained the rules and procedures of the meeting, and introduced the Commissioners.

Mr. Morgan introduced Planning staff.

PRESENTATION

Remarks from PP&S Director Robert Summerfield

Mr. Summerfield introduced himself and said he wanted to talk about what the Planning Department had been and would be working on.

He said City Council had stepped up the past year in the budgeting process. There were some new things that were authorized because of the budget.

One of the big ones was staffing. Ms. Jones was the new annexation planner. There would not be huge annexations as there had been in the past, but the position was more to address the donut hole areas in West Ashley and Johns and James Island, and even on Cainhoy, where there were small pockets where they felt there was a real advantage for people to come into the City, not only for their property, but also for delivering community services. Mixed jurisdictional lines created a lot of confusion in the community.

Another of their priorities was to have a higher level of responsibility within the Planning team, and so Ms. Stuber had recently been promoted to Senior Planner.

In addition, there was funding for further positions, and they were working on filling those. The market had created a difficulty in getting Preservation staffed, but they were working on it.

The other big thing they were working on was two big projects. They were now in the process of implementing the Comprehensive Plan. No plan meant anything if it was not implemented. The first project was the Peninsula Plan. The Downtown Plan had not been updated since 1999, and significant activity had occurred since then. There was an RFP that the team had been working on, and they soon be soliciting proposals on that within the next 30 days to do a new Peninsula Plan, because the area had grown.

The second big project they were working on was a complete rewrite of the zoning code. The current zoning code was large. There had been many edits and modifications over time, however they had not looked comprehensively at the zoning code in about 40 years. The update would focus on the objectives endorsed in the Comprehensive Plan, and would include elevation. It would make changes to

development standards so that they would be protecting citizens and investments. They hoped to eventually slow down or pause non-essential text amendments to the Zoning Code when they got close to finishing the new code.

Ms. Jacobs asked what the timelines looked like for the RFPs.

Mr. Summerfield said both plans would have regular check-ins with the Commission so that progress was being identified. There would be opportunities on both projects to have at least one member, if not two, to participate in a formal capacity on advisory groups.

They were hoping that the peninsula plan would be between 12-18 months of work from the time of negotiating and awarding the contract to the end, ideally closer to 12 months.

The Zoning Code was anticipated to be a two year project, because they had thus far only received half of the funding they needed, and they would receive the other half in the following year. There would then be another nine months for the public involvement process. In the interim, there may be measures related to elevation to address it before the new code was fully implemented, so that inappropriate development was not done in the years between.

MINUTES

Request approval of minutes from the December 19, 2018, May 15, 2019, June 19, 2019, July 17, 2019, August 21, 2019, October 16, 2019, March 16, 2022, and April 20, 2022 Planning Commission meetings

The minutes from March 16, 2022 were deferred.

Ms. Jacobs said she had sent corrections and suggestions to Mr. Clapper for the meetings she was present at. She was not present for the December 19, 2018 meeting or the July 17, 2019 meeting.

Ms. Bryant-Jenkins said she was not present for some of the meetings.

Ms. Harrison said she was not present at the meetings on July 17, 2019 and June 19, 2019.

On a motion of Donna Jacobs, seconded by Harry Lesesne, the Commission voted to approve the minutes from May 15, 2019, June 19, 2019, August 21, 2019, October 16, 2019, and April 20, 2022.

On a motion of Harry Lesesne, seconded by Jimmy Bailey, Jr., the Commission voted unanimously to defer the minutes from December 19, 2018, and July 17, 2019.

REZONING

1. **1332 Ashley River Rd and adjacent parcel (Old Towne Acres - West Ashley) TMS # 4180200107 & 155 - approx. 1.4 ac. Request rezoning from Single Family Residential (SR-1) to General Office (GO).**

Owner: Jane Jarrard Hill, Elaine Jarrard Starr, MKJ Properties, LLC

Applicant: Barrier Island Engineering and Consulting, Andrew Bajoczky

Mr. Morgan described the property and surroundings. It was an isolated residential property on Ashley River Road.

The larger parcel was designated Neighborhood Edge in the Comprehensive Plan, and the smaller parcel was designated Suburban Edge.

Images of the property were shown.

There was a structure on the property, along with some significant trees.

Staff recommended approval based on the Comprehensive Plan. However, there was a key emphasis in the Plan for historic preservation and character preservation. The structure on the site could be considered historic.

Mr. Morgan asked Mr. Pohlman if Plan West Ashley had anything to say in regard to the property.

Mr. Pohlman said Plan West Ashley would have similar recommendations as the City's Comprehensive Plan, and so would support the GO zoning category. It also recognized the need to preserve the history of West Ashley, which was relevant to the building on the site.

Mr. Karesh asked the applicant to speak.

Mr. Bajoczky brought an addition of what was in the packet. He explained that the surrounding zonings were all GO. The nearest residential uses that fronted on Ashley River Road were the apartment complex on Ashley Hall, and then there was nothing beyond that until Maryville. All County parcels were also commercial.

The proposed use for the project would be a daycare center. They had gone through preliminary planning and had hosted two community meetings. They were looking to incorporate the comments that they had received.

Chair Karesh asked if they planned to demolish the structure on the property to build the daycare.

Mr. Bajoczky said that was the initial plan. He knew that would be an issue, so they were revisiting the site plan to see if there was any way to make it work without demolition.

Chair Karesh asked if anyone wanted to speak in favor of the application.

Ms. Hutto, owner of the adjoining property, the Piccolo Hair Salon, said she had been in business in 27 years, and had passed the property in question for the better part of 20 years. It was worse than it had ever been. The owners had been cordial about doing what they could, but it was an eyesore. Her clients had asked her about it. She had even thought about purchasing it herself, just to clean it up. The site brought on vagrants. It needed to be cleaned up. The daycare was what the community needed.

She understood that the neighbors had concerns, but they should not have let the property remained abandoned. The roof had caved in, and there was black mold. The entire property was "a wreck."

Mr. Chowdhury said he had been introduced to the couple that would be opening the school six years prior, and they had quickly bonded over their shared passion for education.

The kids in the area needed good early education. He knew what it was like to scramble to find a place to put his kid when he went to work. He was excited that younger kids would be able to be educated in a place that was operated by the couple. They knew what it took to design and plan for schools in a way that was sensitive to the larger community.

Chair Karesh asked if anyone wanted to speak against the application.

Mr. Ackerman said the Item was an upzoning by a for-profit national chain that would significantly change the fabric of the neighborhood.

He said he had noticed in the zoning code that "the city places a high value on the preservation of the character of its residential neighborhoods" and "potential negative impacts to residential neighborhoods should be minimized to the greatest extent possible." He believed the Item could significantly change the character of the neighborhood.

There was also frontage on a residential street. Looking at it as Winston Street instead of Ashley River Road, it was a residence.

He said GO incorporated professional, administrative, medical, insurance, law, and other such office buildings. Those were all low-impact. A 150-student daycare was not low-impact.

The neighborhood's main concern was traffic. More traffic would "forever change" their tight-knit community. The traffic could prevent the walkability and the creation of community through the neighborhood's safe, walkable streets. Parents might "zoom through" the neighborhood in order to get their kids to the daycare on time. It would disturb the safety of their neighborhood. They were further worried about parking, flooding, noise pollution, litter, and the ability to back out of their driveways.

He said the applicant had not gotten with the Neighborhood Association. However, they had gotten together their tight-knit community to oppose the Item. They were financially and emotionally invested in it the neighborhood.

He pointed out an ingress/egress on Winston Street where the neighborhood believed that parents of students would use to cut through the neighborhood.

He said the school was a national chain. He elaborated on the neighbors of some of their other locations, all being higher impact areas than the proposed property. The neighborhood did not have that kind of high-intensity use.

He elaborated on a traffic study that had been done on the neighborhood recently, and explained that the traffic would drastically increase through the neighborhood with the addition of the school.

Ms. Morphosis said her neighborhood was designed and built for residential housing, and could not support or sustain a daycare. If she or her parents had wanted to live in a business district, they would not have purchased homes in the neighborhood. She said that allowing the upzoning would negate that choice. It would impact their quality of life and their home values. They needed their parking and street access.

Mr. Gosnell said there was an increase in young families with children in the neighborhood. He said there would be heavy traffic in the neighborhood. He asked the Commission not to pass the Item.

Ms. Duke said their neighborhood was not anti-education, but it was the density of the particular proposal that concerned them. They felt that it was too many cars and would negatively affect the traffic flow. She said it did not reflect the character and the safety of their neighborhood.

Mr. Boyle said all of the traffic would be coming down his street, and the stop signs would be disregarded with traffic.

Mr. Olson said he had asked a parent what it was like navigating parking at the Cooper School, and she had told him that it was a "nightmare," and that she had to navigate through the surrounding neighborhood. She had said that street parking in the surrounding areas had made it difficult to leave the school, and so the parents of the school petitioned to have the neighborhood street parking removed. If the preschool were built, the neighborhood would become at odds with the parents, and the collective power of the parents could have negative consequences.

Mr. Sports said he was initially excited that the property was bought and going to be developed, but now they were concerned with traffic.

Councilmember Shahid said the application was to rezone a single-family residence to a commercial space. That rezoning would go with the land. They therefore had to take into account the future use of the parcel. The proposed school would be a daycare facility, which they desperately needed. West Ashley was in a daycare facility desert.

He said he was chair of the WARC, and the core element of Plan West Ashley was to preserve the character of the neighborhoods. If the Commission felt that the rezoning would violate that, then they needed to vote against the application. He said that the application for a daycare facility could easily turn into a secondary school or a kindergarten. It could expand to something much more active and damaging.

The plans called for a daycare facility servicing 140 students, which meant, at the minimum, 140 cars going into the neighborhood at one time.

SCDOT would allow an ingress on Ashley River Road, but egress on Winston Street. People had a tendency to avoid Ashley River Road. People would cut through the neighborhood, and two others. That would violate the core concepts of Plan West Ashley.

The residents were adamantly opposed. Better uses existed that would have less of a negative impact.

Chair Karesh thanked Councilmember Shahid.

Mr. Bajoczky said they had asked staff if the neighborhood had an HOA, and it was their understanding that it did not. He apologized that they were not aware of the Neighborhood Association.

There was a pending traffic study that would show how the daycare would affect the neighborhood. He said they had engaged DOT about access on Winston. They were working to engage the concerns that were raised.

Chair Karesh closed the public aspect.

Ms. Jacobs said there was a confluence of conflicting information and concerns. They had three options. They could approve the rezoning because it was consistent with Ashley River Road, they could deny the rezoning based on the concerns of the neighborhood, or they could defer the rezoning because of the historic nature of the property. The house had been deemed eligible for the national Register for Historic Places.

There were three things guiding her. First was the direction from the ordinance, which said that the Commission should consider the positive effects of the rezoning on the character of the zone district, a piece of property, the neighborhood, and the community. One had to look at all of those factors. Secondly, Plan West Ashley said West Ashley wanted to preserve its unique neighborhoods. Finally, the most-recently adopted Comprehensive Plan recommended upholding historic preservation as a form of sustainable development.

She felt it was encumbered on them to look at the neighborhood and community. The historic piece of property sat at the corner of a historic neighborhood, and they needed to keep their concerns in mind. The house on the property was historic, as outlined in the comment package.

Chair Karesh said if the address was on Winston Street instead of Ashley River Road, they wouldn't have been talking about it. He said if it was subdivided, the front could be something and the house could remain as is, but that was not what was put forward.

Mr. Bailey asked Mr. Morgan if the exhibit the applicant handled out was accurate.

Mr. Morgan explained the map and said it was.

Mr. Bailey said the neighborhood said they had not objected to the opposite corner lot's rezoning previously. He asked if it had been zoned GO.

Mr. Morgan said it had been zoned RO.

Mr. Bailey thanked Mr. Morgan.

Mr. Morgan said a daycare could not be in RO.

Mr. Bailey said he did not personally think they should "jump through hoops" to keep the dilapidated structure there. He felt the applicant deserved some sort of commercial zoning. The use was the real problem for people. To him, the property met every test for being a commercial site. He thought there was a way for commercial and residential to coexist. He supported commercial use of the property, but he could not vote for something that would bring that much traffic. However, he thought it was a tougher call than previously outline.

Ms. Harrison said when she looked at RO vs GO, she looked at the density of buildings that could be on a section of properties. In GO, there was no minimum footprint, no side setbacks, and no front setbacks. In RO, there were those requirements. The problem was the use of the land for her. The bigger the project, the more impactful it would be on the neighborhood. That was why she could support denial.

Mr. Lesesne said he shared the concerns of Mr. Bailey and Ms. Harrison. He said Mr. Bailey had expressed much of what he wanted to say. Without a better explanation regarding traffic, it was tough to support.

He said the property was no longer a viable residence. It wasn't affordable.

It seemed like it needed commercial zoning, but GO was not appropriate, for all the reasons already expressed. The other option would be RO. He asked the applicant to consider that in the future.

He thanked the citizens from the neighborhood for coming out. He said their comments had an impact on him.

Ms. Bryant-Jenkins said that, as the Neighborhood Association president for North Central, she understood that they were overlooked. They were not an HOA, but it was vitally important for those coming into their neighborhood to seem them out.

On a motion of Donna Jacobs, seconded by Erika Harrison, the Commission voted unanimously to deny Rezonings Item 1.

PLANNED UNIT DEVELOPMENT (PUD) AMENDMENTS

1. **2310 Henry Tecklenburg Dr (Essex Farms - West Ashley) TMS # 3090000483 - approx. 2.39 ac. Request amendment to a portion of the Essex Farms Village Center Planned Unit Development (PUD) Master Plan and Development guidelines to change the use for TMS # 3090000483 from EFVC-BD (Business District) to EFVC-LI (Light Industrial) and to limit the uses on EFVC-LI as amended herein.**

Owner: Dominion Energy South Carolina, Inc.

Applicant: Forsberg Engineering & Surveying Inc.

Ms. Harp said the request was to rezone to LI. The property would be familiar to the Commission because the applicant had come the previous year to add another parcel.

The rezoning would meet the use restrictions of the PUD. No other changes were proposed. It had been reviewed by TRC. All discrepancies had been corrected.

Mr. Linton with Forsberg Engineering said he was there to answer any questions.

Chair Karesh closed the public aspect.

On a motion of Erika Harrison, seconded by Loquita Bryant-Jenkins, the Commission voted unanimously to approve PUD Amendments Item 1.

2. **0 Castlereagh Rd (Hemmingwood - West Ashley) TMS# 3530200167 - approx. 0.28 ac. Request approval of an ordinance to amend the Zoning Ordinance of the City of Charleston, by amending Ordinance 2006-187, which adopted the Hemmingwood Planned Unit Development (HW-PUD) Master Plan and Development Guidelines for a property located on Castlereagh Road (TMS# 3530200167) as Appendix L of the Zoning Ordinance, to delete references to a park common area, including subsection "VIII. Park Area" in its entirety, and increase the total number of single-family lots within the Hemmingwood PUD to 64 lots from 63 lots, to permit TMS# 3530200167 to be used for a single-family detached home.**

Owner: 782A Rutledge, LLC

Applicant: O'Shea Law Firm

PUD Amendments Item 2 and Subdivision Property Conversion Item 1 were taken together.

SUBDIVISION PROPERTY CONVERSION

1. **0 Castlereagh Rd (Hemmingwood - West Ashley) TMS# 3530200167 – approx. 0.28 ac. Request under Section 54-815 of the Zoning Code to convert the parcel from common area/park parcel (reserve parcel) to a building site for a single-family residence.**

Owner: 782A Rutledge, LLC

Applicant: O'Shea Law Firm

Mr. Batchelder said the neighborhood was first zoned in Charleston County as a PUD in the 1980s. It developed overtime, and eventually all of the properties were annexed into the City. When that happened, the City adopted the County's PUD zoning regulations. The lot in question was originally identified and platted as an open space plot.

The property was wooded.

He presented the PUD document to the Commission.

Mr. Batchelder said the applicant could explain their position. He felt that the property had been sitting in private ownership for years, and was never actually used as an open space property. It had been conveyed to an adjacent property owner many years ago, and it had gone through successive owners

since. It did not have public access, and was essentially a vacant lot. It seemed that the right thing to do was to allow it to be developed.

The document said it was a wetland area, and the applicant could share information on that.

Staff recommended approval on both Items.

Mr. O'Shea said he was happy to answer any questions from the Commission, and would reserve his comments for responses to public comments.

Chair Karesh asked for further detail.

Mr. O'Shea said the property was originally dedicated for a passive park, subject to the conditions of the covenants and restrictions, which authorized the developer to amend the uses of the properties within the PUD, including the use of the property. It conveyed the property, pursuant to the case law in South Carolina, the developer's interest and the developer's title, to the successors of title and interest. Prior to the property's relinquishment, the developers dedicated the property to individual ownership. Therefore, before the neighborhood had been annexed by the City, it was to be used for private ownership. When the City adopted the County's PUD, they did not include that. Therefore, the PUD required revision. The original PUD document said the park would be maintained by an HOA, but there was neither an HOA nor an NA. It was individually maintained, and had unfortunately been a dumping site.

They advocated use of the property for a single-family residence. Concerns regarding flooding, etc. would be addressed through TRC and DRB.

They had received a nationwide permit from the Army Corps of Engineers, as well as the South Carolina Department of Health and Environmental Control. There was an isolated, non-tidal, 0.07-acre portion of wetland that had been authorized for development.

Ms. Blunt said she was one of the original purchasers of a home in the neighborhood. They had originally been told that the property belonged to the neighborhood residents. This was the fourth time the question had come up, and that was what they had been told each time. They were told it could be developed into a park or other play area if and when they formed an HOA, but they had decided not to do that.

She did not agree with anything that would help with flooding being torn down.

There was not a lot of junk there. It may not have been developed, but it was a beautiful green space. She had no problem with a house being built there, but they thought they owned the lot. If there was something they didn't understand, she wanted to be told.

She asked how she went from being a part-owner to not an owner.

She also wanted to know who the buyer would be, because there were companies that bought houses and then rented them out. Those companies did not take care of properties.

Jonathon Thompson said he was not opposed to a single-family dwelling unit, but the big issue was the wetland. He knew it was larger than what was said because he lived across from it. It held water. He was interested in seeing the documents. He also wanted studies to be done on the lot.

There was no HOA at the time, but there could be in the future.

His primary concern how the development would affect the surroundings in terms of water and flooding.

Mr. Brubaker said he had details on the reason the park was the way it was.

He said the wetland was not .07 acre. The actual plat said it was .17 of an acre.

The reason it was the way it was, was because the USACE designated it as an isolated wetland. He felt it was not isolated. He explained how the water gathered in that area. The USACE said that it was because of the unique high ground. The drainage plan for the subdivision showed that, as well. That water had to go somewhere.

He showed a plat from April of 1760 that showed the same thing.

He said it was not isolated, because all of the documentation said it wasn't.

He said the original covenants were still in effect.

Up until 2009, the property was taken care of. When the owner died and the property rights passed on, it ceased being taken care of.

He said Plan West Ashley asked to increase the severity of the regulations for wetlands. The survey that had been submitted to USACE did not contain the wetland or the drainage easement around it. He felt that USACE should look at that again.

There was no other place for the water to go. There was a fully functional wetland there.

Mr. O'Shea passed a document to the Commission that showed the proximity of the parcel to Dogwood Park. The neighborhood members already had a park they had access to.

Ms. Harrison asked how ownership of the property was originally broken from the neighborhood residents.

Mr. O'Shea said it was done through the covenants and restrictions. The rules allowed for the parcel to be conveyed to individual use. It had been 31 years, and no members of the community had used it as a park, and was lawfully conveyed to individual use.

Chair Karesh closed the public aspect.

Mr. Lesesne said they got a lot of hard questions, but this one was not hard. The dedication statement in the PUD dedicated the land as a common area. He did not dispute the fact that the law allowed the developer to convey the property to someone else, but it was their job to consider the zoning. The zoning said that was a park. It was legally a privately owned property, but through zoning, it was a park.

Ms. Harrison said they were talking about amending the PUD ordinance. From her perspective, the covenants did not get them to the amendments.

Chair Karesh asked Mr. Batchelder if the Legal Department agreed with the applicant's assessment of the PUD document.

Mr. Batchelder said he believed they had.

Ms. Harrison wanted to know if they could amend the PUD. There was no developer in charge of the PUD, and the only people who should be able to change the PUD ought to have been the homeowners. The amendment was not coming from the homeowners.

Ms. Jacobs said the City had just bought out a whole bunch of land in the Church Creek Basin. It was flooded constantly because it was maldeveloped. She had driven out to the area in question, and it was always wet and maintaining water for that neighborhood. She was having a hard time going against that philosophy.

Chair Karesh said that if it was approved, it would have to go to TRC.

Mr. Lesesne said he did not dispute legal ownership of the property, however, the intent of the PUD was that the area be a park. They were being asked to amend the PUD, not to weigh in on ownership.

On a motion of Harry Lesesne, seconded by Donna Jacobs, the Commission voted to deny PUD Amendments Item 1 and Subdivision Property Conversion Item 1. The vote was not unanimous. Chair Karesh voted against the motion.

SUBDIVISION

- 1. 16 Cross Creek Dr (Cross Creek - James Island) TMS # 4240000013 – approx. 4.48 ac. Request approval of a subdivision concept plan for 51 townhome units. Zoned General Business (GB).**

Owner: Cross Creek Shopping Center Two, LLC

Applicant: Seamon Whiteside

Ms. Harp said the applicant was requesting subdivision concept plan approval for 4.48 acres. It would serve 61 parcels for single family attached units and opened space. The parcels conformed to requirements. There were no wetlands on the property.

The property was zoned GB, which allowed for the use.

The surrounding parcels contained single-family residential uses, education, commercial, and medical uses.

The concept plan was found in compliance at TRC after three submittals. This was just the concept plan. Staff recommended approval.

Mr. Seamon said they felt it was a great infill project, and he was there to answer any questions the Commission had.

Ms. Boselli said she was not necessarily in favor or opposed. She wanted to have open communication with the developer, particularly because there was a drainage ditch, and all of their units backed up to the proposed development.

Mr. Altman, president of the Wappoo Creek Place Property Owners Association, said they were located across Maybank Highway. There was a drainage easement that flowed across their property, and it was eroding. There were flooding problems. They kept getting more and more water, and more and more of their land was being eroded away. If the item was going to be allowed, there needed to be very strong water restrictions. It should have happened with the shopping center and every other apartment complex.

He said nobody had come to his neighborhood association. No development should be allowed until they were protected.

Mr. Humpleby said their drainage system drained into the lake. All of the water went through the aforementioned eroding ditch. They were concerned about the additional runoff and the reduced greenspace. There was a retention pond in the plan, but previous retention ponds put up had not been maintained.

His second concern was traffic. It was dangerous as it was. There were no sidewalks. Any proposal needed to include sidewalks. Pedestrians had been killed at the intersection the previous year.

There was funding available to install a bridge, and they wanted it to happen. The adjacent shopping center owner was reluctant to allow it, so they wanted the City's help to get it build. Somehow, it needed to come together.

Ms. Wasserman said 51 townhomes would mean at least 100 cars added. The stoplight to come out, when taking a lefthand turn, took almost two minutes. It would be dangerous. She was concerned about the increased noise, as well.

Ms. Koenig said her main concern was the traffic because there was really only one way in and out. It got backed up. People used the neighborhood as a cut-through to avoid the aforementioned traffic light. She wanted the developers to get together with the Cross Creek Homeowners.

Mr. Seamon said it was by-right zoning. They were not asking for a rezoning or a change in use, they were merely abiding by the rules set forth by the City.

They were glad to continue dialogues and to continue meeting with homeowners' associations.

He said it would be in the best interest of the project to vegetate the drainage easement, which would help with erosion. They would be improving the situation because of City regulations. When they started the project, they endeavored to preserve the tree areas, as well.

It would be a nice subdivision, and they intended to have the highest level of maintenance, which would include the drainage easement.

They were proposing a new sidewalk, which encircled their property and met with the bridge, which was great for walkability.

He believed the developer was willing to help with the construction of the bridge, but the funding came via the City based on other approvals.

He felt it was a great infill development. Currently, it was a large asphalt parking lot. They would be beautifying it and making connections.

Chair Karesh closed the public aspect.

Mr. Lesesne said they weren't being asked to determine if it was a good use, as they already had the zoning they needed. They were being asked to approve the concept plan and basically affirm that it met the subdivision ordinance. It had nothing to do with whether they liked it or not.

Mr. Bailey said it was always frustrating to hear that there were City-owned drainage easements that had apparently not been maintained for 40 years. That seemed to come up a lot, and he encouraged the residents to "be a squeaky wheel" on that topic. It was frustrating because he had managed the drainage system on Kiawah Island for nine years. If it wasn't maintained, it didn't work.

Chair Karesh said that while they did have to approve the applications if they met the guidelines, they still had to go through TRC and meet the Stormwater requirements.

Ms. Jacobs said this application was what they were expecting. The new Stormwater guidelines were much more stringent than the old ones. They had to be responsible for their stormwater.

On a motion of Donna Jacobs, seconded by Harry Lesesne, the Commission voted unanimously to approve Subdivision Item 1.

Ms. Harrison left the meeting at 7:30.

ZONINGS

1. **1804 Able St (Trotty Woods - West Ashley) TMS # 3510200035 – approx. 0.25 ac. Request zoning of Single Family Residential (SR-1). Zoned Ashley River Road Corridor Community Commercial Overlay District (OD ARRC CC) and Single-Family Residential (R-4) in Charleston County.**

Owner: Lanita Brown

Mr. Morgan said the property was designated Neighborhood Edge in the Comprehensive Plan, however the property-owners were happy to keep it as a single family residence.

Images of the property were shown.

Staff recommended approval.

On a motion of Harry Lesesne, seconded by Jimmy Bailey, Jr., the Commission voted unanimously to approve Zonings Item 1.

2. **2506 Birkenhead Dr (Shaftesbury - West Ashley) TMS # 3091300051 – approx. 0.34 ac. Request zoning of Single Family Residential (SR-1). Zoned Single Family Residential (R-4) in Charleston County.**

Owner: Christopher R Jefferies

Mr. Morgan said SR-1 was a good fit.

It was designated Suburban Edge in the Comprehensive Plan.

Images of the property were shown.

Staff recommended approval.

On a motion of Jimmy Bailey, Jr., seconded by McKenna Joyce, the Commission voted unanimously to approve Zonings Item 2.

3. **1940 Capri Dr (Capri Isles - West Ashley) TMS # 3501400039 – approx. 0.6 ac. Request zoning of Single Family Residential (SR-1). Zoned Single Family Residential (R-4) in Charleston County.**

Owner: Jeffery and Meredith Fox

Mr. Morgan said the property was designated Low Impact/Conserved in the Comprehensive Plan, but given the nature of the property, it could not be subdivided further. SR-1 was the best fit.

Staff recommended approval.

On a motion of McKenna Joyce, seconded by Loquita Bryant-Jenkins, the Commission voted unanimously to approve Zonings Item 3.

4. 1776 & 1766 Ashley River Rd (Dupont Area - West Ashley) TMS # 3511100003 & 004 – approx. 1.05 ac. Request zoning of General Business (GB). Zoned Ashley River Road Corridor Community Commercial Overlay District (OD ARRC CC) and Community Commercial (CC) in Charleston County.

Owner: Morris N. and Nancy B. Harper Revocable Trust and Irmgard S. Titus

Mr. Morgan said the properties had previously been a Wells Fargo bank branch. It was surrounded by commercial designations, so GB would be most appropriate.

Chair Karesh asked where it was.

Mr. Morgan said it was on the corner of Sam Rittenberg and Ashley River Road.

Chair Karesh said that was the busiest intersection in the City of Charleston.

It was designated Neighborhood Edge in the Comprehensive Plan.

Images of the property were shown.

Staff recommended approval.

Mr. Harper said he could answer any questions if needed.

Chair Karesh closed the public aspect.

On a motion of Loquita Bryant-Jenkins, seconded by Harry Lesesne, the Commission voted unanimously to approve Zonings Item 4.

There being no further business to discuss, the meeting was adjourned at 7:41 p.m.

Philip Clapper
Clerk of Council's Office