

The Planning Commission met in the Council Chambers of the Town of James Island, 1238-B Camp Road, James Island, SC on Thursday, October 8, 2015 at 6:00 p.m. Commissioners present: Lyndy Palmer, Vice Chair, Bill Lyon, Warren Sloane, Ed Steers, and Chairman David Bevon, who presided.

Also present: Kristen Crane, Planning Director, Leonard Blank, Town Council, Ashley Kellahan, Town Administrator, and Frances Simmons, Town Clerk and Secretary to the Planning Commission.

Call to Order: Chairman Bevon called the meeting to order at 6:00 p.m.

Prayer and Pledge: Chairman Bevon led the prayer, which was followed with the Pledge of Allegiance.

Compliance with the Freedom of Information Act: Chairman Bevon announced that this meeting was noticed in compliance with the South Carolina Freedom of Information Act.

Approval of September 20, 2015 Meeting: Chairman Bevon moved to approve the September 10, 2015 meeting minutes; Commissioner Steers seconded and the minutes were unanimously approved.

Public Comments: No one from the public spoke.

Staff Comments: None

Chairman Bevon introduced Case #ZOR-8-15-003, a Zoning Map Amendment request to Rezone Property located at 527 Harbor View Circle from the Low-Density Suburban Residential District (RSL) to the Residential Office District (OR) for Professional Offices/Residential Uses.

Mrs. Crane said she would give a review of each of case separately. Mrs. Crane reported that 527 Harbor View Circle is located adjacent to Harbor View Road and is adjacent to the Charleston Commissioners of Public Works (CPW) Plum Island Water Pollution Control Plant (PIWPCP), on the east side of Harbor View Circle. The property currently has one house on it, and is .8615 acres and is located in the RSL Zoning District.

The applicant, Mr. Mark Cline, of Charleston Commissioners of Public Works, is requesting to rezone the property from the Residential Suburban Low-Density Zoning District (RSL) to the Residential Office (OR) to be able to use the property as administrative, engineering and construction support office space, with the property maintaining its residential character and use. The Plum Island Phase 3 Improvements Projects is scheduled to begin in the spring of 2016 and will include a needed expansion of Charleston's wastewater treatment facilities which will require temporary additional office space and staff parking for the duration of the project. The project is anticipated to last 36 months. CPW is the current owner of the subject parcel. Mrs. Crane showed an aerial view of the subject property and said that notifications were sent to property owners within 300 feet of the property. 38 letters were mailed to property owners and to the James Island interested parties list on September 30, 2015. An email notification was also sent to the James Island interested parties and was noticed in the September 30, 2015 edition of the Post and Courier. A notice was posted at the property on September 28, 2015. Mrs. Crane reviewed the approval criteria and stated that according to Section §3.4.6 of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for Zoning Map Amendments (rezoning) approval may be approved only if Town Council determines that the following criteria are met:

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

Staff's response: The proposed zoning map amendment is consistent with the intent of the Comprehensive Plan, Priority Investment Element Strategies, which states, "*Continue to*

*coordinate with adjacent jurisdictions and agencies to balance adequate public facilities/services and protection of the Town's suburban residential character as well as its natural, cultural, and historic resources".*

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

Staff's response: Similar zoning map amendment requests for 521 and 541 Harbor View Circle are being filed concurrently which will allow for the compatibility of existing uses and zoning of nearby property. Additionally, the subject property will retain its residential character and the residential use capability will also be retained.

**C. 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 currently being serviced by public facilities and the Town and other service providers will be able to continue these public facilities.

**D. 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: The applicant's letter of intent states, "Parking areas are well shielded from the road and neighboring properties by natural vegetation and there will be no impervious site improvements that impact storm water management. Public road access to the subject property is provided from Harbor View Circle and its located within the normal daily traffic pattern to and from the PIWCP, thus neighboring properties will not be adversely affected".

**E. 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 may be suitable for the proposed zoning classification due to the fact that no structural improvements are required for the use. Additionally, the applicant's letter of intent states, "An OR zoning classification for the subject property retains its residential compatibility with neighboring properties while also enabling its use as a professional office".

Commissioner Palmer asked if there will be trucks going in and out of the property. Mrs. Crane said this question will be answered by the applicant. Commissioner Sloane asked when the project is finished at Plum Island will the properties be consumed by that project, or will they remain as houses at that point. Mrs. Crane also said this question will be answered by the applicant.

Mr. Mark Cline, applicant, and the Capital Project Officer for Charleston Commissioners of Public Works (CPW) introduced Mr. Lucas Padget, Esquire, Attorney. Mr. Cline showed by Power Point, the properties that are owned by the CPW and their proximity to the Plum Island Plant. He pointed out the route of a normal traffic pattern both in and out of the Treatment Facility on Harbor View Road. He said the rezoning request is for properties located at 527, 521 and 541 Harbor View Circle for an Office Residential Zoning to enable the CPW to use the properties for administrative and professional use. Mr. Cline said they intend to use 541 Harbor View Circle for temporary office space for the Administrative Plant staff. He showed the area where parking would be utilized stating no need for additional parking spaces. He said the house at 527 Harbor View Circle is proposed office space for the Project Administrative staff; and an area to the side, adjacent to the Plant, will be used for additional parking. The properties are intended to be utilized for the duration of the Plant Construction project, currently three years, and they anticipate up to 10 people each at the 527 and 541 Harbor View Circle properties. They do not intend to use 521 Harbor View Circle

as a part of the office space needs at this time because that property is under a lease that runs through the middle of next summer. The intention is, if needed, to be used for that purpose. Regarding 541 and 527 Harbor View Circle properties, he said the lease will be up on one property in October, and the other is on a month-to-month basis and it will not be renewed after the first of the year. There will be no changes to the appearance of the buildings, and there will be no structural changes. The screening and vegetation along the road will remain and any parking areas that are placed will be pervious so rainwater will not run off of the site and they will be restored to pre-project condition following construction. Mr. Cline said they intend for the buildings to return to residential use following the project. He said they would like to have the buildings rezoned permanently so that any subsequent project in the future, should a need arise, they could utilize one of the homes for office space again. He showed photographs of the heavy vegetative buffers from the road and at the end of the driveways on the 521, 527, and 541 Harbor View Circle properties. He also showed photographs of the entrance to the Plant from the roadway where there is large open areas on both sides to be used for parking for the Plant Construction staff during construction. Mr. Cline noted that an Office Residential classification is not uncommon; it is done throughout the County.

Questions from the Planning Commission:

Commissioner Palmer asked if there will be trucks going in and out during the day or night. Mr. Cline said the types of vehicles going to the homes would be Pickup Trucks, Sedans or SUVs and for the construction project, there will be typical construction traffic that may involve larger types of vehicles coming in and going out. He could not determine the frequency of the vehicular traffic, because that would depend on the type of construction activity at the Plant once the mobilization occurs. He said there could be some dump trucks if excavation is going on; or an 18 wheeler could bring in deliveries. He again noted that this is not uncommon during a construction and they will not utilize any other route that is not being utilized for this type of activity.

Commissioner Sloane asked if there is a reason that CPW is purchasing all of this land; is this land scheduled to be something more than what it is currently, or is CPW getting into the residential rental business. Mr. Cline said they are in the residential rental business until there is a time when there would be a need to expand a part of the Plant operation to that area. He said the intent is to only utilize the area for administrative type uses (office, laboratory, or some maintenance); but not for treatment process. He said the intent is to keep all of the treatment process on the island where it is currently. He noted that they may need to expand in the future based upon growth of the area, or from a regulatory standpoint for compliance, and some of the administrative or maintenance functions currently on the island may need to be moved off of the island to provide additional space. He said the character for the area is to always have it as an office type environment rather than an industrial environment.

Commissioner Sloane gave an example of Office Residential uses (real estate, hair salons, dental office, and chiropractor). He said an Office Residential zoning has a higher use and has more value than a rental; is that planned for the three properties? Mr. Cline said the properties would return to residential once they are finished with them. Commissioner Sloane asked why a full zoning change was requested vs. a variance. Mr. Cline said an Office Residential zoning would give them the flexibility for the future if there is a need for it. If there is a process for improvement at the Plant and people have to be moved permanently, that would be the intent - they do not foresee having to do that for at least 20 years or at least not until it gives them an opportunity to purchase the remainder of the properties so there are no residents there when a change in use would occur. He said they would like to have the Office Residential zoning on the three properties permanently because it allows for complete residential use or the flexibility to use for office space if they need it from time-to-time.

Commissioner Steers commented on Commissioner Palmer's question. He said there is already truck traffic going to the Plant daily. He did not think the people in the offices would impact the flow of traffic; that it would not be that much different. He shared that he lived at 515 Harbor View Circle, and he ran there today

to see if anything had changed. He noted that it was around quitting time and some people were leaving work. He reiterated that he did not think the offices there will affect traffic too much. Mr. Cline answered that staff will have a typical work schedule, there will be no night work.

Chairman Bevon asked for a motion for discussion. He moved to rezone the property located at 527 Harbor View Circle from the Low-Density Suburban Residential (RSL) District to the Residential Office (OR) District; Commissioner Palmer seconded.

Commissioner Steers said he recommends approval. He shared from attending an intergovernmental meeting where there was discussion about CPW entering into a partnership with us to buy the parcel at the base of the connector (Harbor View). He said that will be a nice entrance to the Town as opposed to some other types of things that could be there; and in the interest of cooperation; we should try to cooperate with them. Commissioner Lyon commented that said we have not gotten any negative input from the residents.

Chairman Bevon asked for those in favor of and in opposition to the motion. Motion passed; Commissioner Sloane abstained. Chairman Bevon announced that Town Council will hear this request at its October 15<sup>th</sup> Public Hearing at 7:00 p.m. at the Town Hall. The case must then undergo two readings for approval at Council's discretion.

Zoning Map Amendment: Case# ZOR-8-15-004: Request to rezone property located at 521 Harbor View Circle from the Low-Density Suburban Residential District (RSL) to the Residential Office District (OR) for Professional Offices/Residential Uses: Chairman Bevon introduced Case #ZOR-8-15-004. Mrs. Crane gave the staff's review. She reported that the property at 521 Harbor View Circle is located adjacent to Harbor View Road and it is adjacent to the Charleston Commissioners of Public Works (CPW) Plum Island Water Pollution Control Plant (PIWPCP), on the east side of Harbor View Circle. The property currently has one house. The parcel included in the current Zoning Map Amendment request is .80 acres in size and is located in the RSL Zoning District.

The applicant, Mr. Mark Cline of Charleston Commissioners of Public Works, is seeking to rezone from the RSL Zoning District to the Residential Office (OR) Zoning District to enable the use of the property as administrative, engineering and construction support office space, while maintaining the residential character and use. The Plum Island Phase 3 Improvements Project is scheduled to begin in the spring of 2016 and will include a needed expansion of Charleston's wastewater treatment facilities and will require temporary additional office space and staff parking for the duration of the project which is anticipated to last around 36 months. CPW is the current owner of the subject parcel.

Mrs. Crane informed the Commission that 36 notification letters were mailed 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 September 30, 2015. An email notification was also sent to the James Island Interested Parties list on September 30, 2015; the request was noticed in the September 30, 2015 edition of the Post and Courier and the property was posted on September 28, 2015.

The approval criteria in Section §3.4.6 of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for Zoning Map Amendments (Re-zonings) approval may be approved only if Town Council determines that Criteria A-E are met. There were no additional comments from the applicant.

Chairman Bevon moved to rezone the property located at 521 Harbor View Circle from the Low-Density Suburban Residential (RSL) District to the Residential Office (OR) District; Commissioner Palmer seconded. No discussion. Chairman Bevon asked for those in favor of the motion and those in opposition. Motion passed. Commissioner Sloane abstained. Chairman Bevon announced that Town Council will hear

this request at its October 15<sup>th</sup> Public Hearing at 7:00 p.m. at the Town Hall. The case must then undergo two readings for approval at Council's discretion.

Zoning Map Amendment: Case #ZOR-8-15-005: Request to rezone property located at 541 Harbor View Circle from the Low-Density Suburban Residential District (RSL) to the Residential Office District (OR) for Professional Offices/Residential Uses: Chairman Bevon introduced Case #ZOR-8-15-005. Mrs. Crane reported that 541 Harbor View Circle is located adjacent to Harbor View Road and adjacent to the Charleston Commissioners of Public Works (CPW) Plum Island Water Pollution Control Plant (PIWPCP), on the northeast side of Harbor View Circle. The property currently has one house. The parcel included in the current Zoning Map Amendment request is 1.01 acres in size and is located in the RSL Zoning District.

The applicant, Mr. Mark Cline of Charleston Commissioners of Public Works, is seeking to rezone from the RSL Zoning District to the Residential Office (OR) Zoning District to enable the use of the property as administrative, engineering and construction support office space, while maintaining the residential character and use. The Plum Island Phase 3 Improvements Project is scheduled to begin in the spring of 2016 and will include a needed expansion of Charleston's wastewater treatment facilities and will require temporary additional office space and staff parking for the duration of the project which is anticipated to last around 36 months. CPW is the current owner of the subject parcel.

Mrs. Crane stated that 41 notification letters were mailed 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 September 30, 2015. An email notification was also sent to the James Island Interested Parties list on September 30, 2015; the request was noticed in the September 30, 2015 edition of the Post and Courier; the property was posted on September 28, 2015.

The approval criteria in Section §3.4.6 of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for Zoning Map Amendments (Re-zonings) approval may be approved only if Town Council determines that Criteria A-E are met. There were no additional comments from the applicant.

Chairman Bevon moved to rezone the property located at 541 Harbor View Circle from the Low-Density Suburban Residential (RSL) District to the Residential Office (OR) District; Commissioner Lyon seconded.

Commissioner Sloane asked why the word adjacent (to Harbor View Road) was used; and Mrs. Crane answered. Chairman Bevon asked for those in favor of the motion and those in opposition. Motion passed; Commissioner Sloane abstained. Chairman Bevon announced that Town Council will hear this request at its October 15<sup>th</sup> Public Hearing at 7:00 p.m. at the Town Hall. The case must then undergo two readings for approval at Council's discretion.

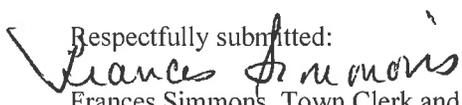
Chair's Comments: None

Commissioners Comments: None

Next Meeting Date: The next meeting of the Planning Commission will be held on Thursday, November 12, 2015 at 6:00 p.m.

Adjourn: There being no further business to come before the Planning Commission, the meeting adjourned at 6:32 p.m.

Respectfully submitted:



Frances Simmons, Town Clerk and Secretary to the Planning Commission