

PLANNING COMMISSION  
JANUARY 8, 2015

The Planning Commission met in the Council Chambers of the Town of James Island, 1238-B Camp Road, James Island, SC on Thursday, January 8, 2015 at 6:00 p.m. Members present: Chairman David Bevon, who presided, Bill Lyon and Lyndy Palmer. Commissioners Ed Lohr and Ed Steers (gave notice) were absent. A quorum was present to conduct business.

Also present: Kristen Crane, Senior Planner, Garrett Milliken, Town Council, Ashley Kellahan, Town Administrator, Mark Johnson, Public Works Coordinator, Andrea Pietras, Charleston County Planning, James Hackett, Charleston County Planning Support Supervisor, and Frances Simmons, Secretary to the Planning Commission and Town Clerk.

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

Prayer and Pledge: Chairman Bevon led the prayer and 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 December 11, 2014 Minutes: Chairman Bevon moved for approval of the December 11, 2014 Minutes; Commissioner Lyon seconded and the minutes passed unanimously.

Public Comments: The following persons addressed the Planning Commission:

Garrett Milliken: 762 Fort Sumter Drive: Mr. Milliken spoke regarding the Priority Investment Element, Section 3.9.5: Priority Investment Element Strategies and Time Frames. He asked the Planning Commission to consider adding an additional priority investment that speaks to the need for James Island to actively participate and support public transportation. Specifically the Town needs to have representation on the CARTA Board and the Town needs to work with CARTA to build benches and bus shelters on James Island. It would also be worthwhile for representation on CARTA to expand the bus routes and to have a better presence of public transportation on the island.

Mr. Milliken also spoke regarding the Planned Unit Development (PUD) for a communications tower at 879 Fort Johnson Road. He expressed concern that the area is a significant historical sector of the island; near where Three Trees was, and he does not think one of those points should be a signal tower. He said more specifics about the location would be justified to know. He does not feel that signal towers along a scenic byway, (which Fort Johnson is), would be an attractive addition to the island. He cautioned the Planning Commission's approval of this request.

Brook Lyon, 669 Port Circle: Mrs. Lyon, President of the Lighthouse Point Neighborhood Association, spoke regarding the Planned Unit Development (PUD) for the communications tower at 879 Fort Johnson Road. She said Lighthouse Point backs up to the property where the signal tower is proposed. She expressed concern about the setbacks and safety. She asked the Planning

Commission to look at that. She expressed needing better cell service but she is not sure that this is the best place for it. She asked the Planning Commission to please consider this.

Chairman Bevon entered two (2) documents from residents of the Eaglewood Retreat subdivision regarding the Planned Unit Development (PUD) into the record.

Staff Comments: None

Riverland Drive Corridor Management Plan, Memorandum of Understanding: Chairman Bevon introduced Nick Pergakes, Senior Planner, Berkeley-Charleston-Dorchester Council of Governments (BCD-COG). Mr. Pergakes gave a presentation of the Riverland Drive Corridor Management Plan. The purpose of the Riverland Drive Corridor Management Plan is to protect, conserve, and enhance the route's scenic byway and the assets that defines the corridor. This plan was developed in conjunction with local government entities, planners, and input from the public. Mr. Pergakes shared some of the goals and objectives from the public workshops that were held. The Memorandum of Understanding was presented to the Planning Commission for their consideration. The entities that participated in the plan and will sign off on the Memorandum of Understanding are the Town of James Island, the City of Charleston, Charleston County, Charleston Area Transportation Study (CHATS), and the Berkeley-Charleston-Dorchester Council of Governments (BCD COG). A copy of the complete Management Plan can be found on-line at <http://www.bcdkog.com/riverlanddriveproject.htm>.

Planned Development Amendment: Case #PD-R16B: Request to amend PD-R16A, Oyster Point Planned Development District, located at 879 Fort Johnson Road, to add "Communications Tower" as an allowed use: Senior Planner, Kristen Crane, presented the staff's review. A copy of the staff's review was provided and is attached to these minutes. Commissioner Lyon asked what the distance to the nearest residential structure should be if we went by the ordinance. Mrs. Crane thought it was 253 feet, but was unsure of that calculation. Commissioner Lyon questioned Mr. Yates about the fall zone for cell towers and Mr. Yates indicated that the customary fall zone for cell towers is now one foot per foot of height and that one foot per foot of height is the requirement by the City of Charleston.

The applicant, Jonathan Yates, representing the James Island Youth Soccer Club and the American Tower Corporation, presented his proposal. He stated that the proposed 180 foot monopole-style wireless communications facility will be placed in an unutilized portion of the James Island Youth Soccer Club property that is surrounded by heavy vegetative buffer. The proposed monopole style wireless communications facility has been designed for use by Verizon Wireless and three other competitors for wireless, voice, and advanced broadband coverage in the surrounding areas. The monopole-style wireless communications facility will be accessed from the existing parking area of the James Island Youth Soccer Club, and will be a self-contained and secure facility. He said that the communications providers will visit the site three to four times per year to perform routine maintenance. Mr. Yates said the facility will not produce offsite noise, odor, lights, or fumes. He said the James Island Youth Soccer Club property is an ideal location for the facility because of its location, size, and its perimeter tree coverage, which will help to hide the visibility of the facility to the surrounding areas. He thanked Warren Sloane with the James Island Youth Soccer Club and

Oana Johnson for making their property accessible for this use. The facility will be owned and operated by the American Tower Corporation.

Mr. Yates spoke to the question regarding regulations. He said there are federal laws that protect the Native American tribes that lived in the area and this request will be reviewed and signed off on by the Federal, SHPO (State Historic Preservation Office), and the US Fish and Wildlife, before coming back to the Town. Mr. Yates spoke about the emergency aspects of needing to have wireless capabilities. He said the request is more than infrastructure; it is important to life. He talked about cell signals in the area and the difficulty people have with making calls from their cell phones because of signal coverage. Mr. Yates said meetings will be held with the community and this is a win-win for the Town, James Island Youth Soccer, Verizon, and everyone.

Mr. Yates answered questions from the Planning Commission and presented displays. Commissioner Palmer asked if trees would be removed as a result of this request. Mr. Yates said that seven (7) pine trees (in the parking area) and three (3) live oaks that are under 18”.

Chairman Bevon asked why this location for the communications tower was selected rather than another. Mr. Yates showed a display and commented about the tree coverage on the property in relation to the visibility of the communications tower along Fort Johnson Road. He also talked about the required setbacks and the safety of the monopole type design. He shared information that this type of design was able to withstand the high winds that occurred during Hurricane Andrew and Katrina.

Commissioner Lyon asked the height of the existing light poles; to which a response from the public was 78’. Chairman Bevon asked the heights of other communication towers on the island. Mr. Yates said the height varies based upon what jurisdictions they are located. Typically they range from 160’ to under 200’, but they try to stay under 200’ so that air navigation lights are not needed. At the end of the discussion, Chairman Bevon asked for a motion to approve, approve with conditions, or to deny the request. Commissioner Lyon moved to approve, and Commissioner Palmer seconded. Chairman Bevon said he liked all of the staff’s recommendations, also, he has spoken to some residents that expressed having problems with cell phone coverage in the area. Commissioner Palmer said it is critical that people are able to make calls to EMS and 911 when needed; and Commissioner Lyon commented that some people have to go into their front yards to make phone calls. **The motion passed unanimously to accept the staff’s recommendation and conditions for Case #PD-R16B: Request to amend PD-R16A, Oyster Point Planned Development District, located at 879 Fort Johnson Road, to add a “Communications Tower” as an allowed use.** Town Council will hold a Public Hearing and a First Reading on the Amendment with the Planning Commission’s recommendation, at its February 19<sup>th</sup> meeting. The Second and Final Reading will be done at the March 19<sup>th</sup> Town Council meeting.

Discussion and Presentation of the Comprehensive Plan, Priority Investment Element: Mr. Hackett provided an overview of the Priority Investments Element. Under Section 3.9.5: Priority Investment Strategies and Time Frames, Town Administrator, Ashley Kellahan commented that the Town will begin to allocate funds in its budget, looking towards having a Town Hall in the future. Mr. Hackett asked if the Camp Road Branch was still an option. Mrs. Kellahan said it is;

however, this was never officially discussed. She said representatives from the Library Board will make a presentation to Town Council in February about plans for the new James Island Library.

The Planning Commission added Councilman Milliken's recommendation to Priority Investment, PI: 6. Mr. Hackett will develop the language and send it to the Planning Commission and staff to review. **A motion to approve the Priority Investment Element as presented with the addition was made by Chairman Bevon, seconded by Commissioner Palmer and unanimously approved.**

Mr. Hackett will compile all of the Elements of the Comprehensive Plan that has been reviewed to date for discussion at the Planning Commission's February 12<sup>th</sup> meeting. The following Elements have been reviewed:

- Population Element
- Housing Element
- Community Facilities
- Economic Development
- Transportation
- Cultural Resources
- Natural Resources
- Priority Investment

Election of Planning Commission Officers: Chair and Vice-Chair: The floor was opened for the nomination of Chair and Vice Chair for the Planning Commission. The term of office is January 2015 – December 2015.

Commissioner Lyon moved to nominate David Bevon as Chairman; Commissioner Palmer seconded. There were no other nominations. The motion passed unanimously for **David Bevon to serve as Chairman.**

Commissioner Lyon moved to nominate Lyndy Palmer as Vice Chair; Chairman Bevon seconded. There were no other nominations. The motion passed unanimously for **Lyndy Palmer to serve as Vice Chair.**

Chair's Comments: Chairman Bevon thanked everyone that gave a presentation. He thanked Senior Planner, Kristen Crane for making his job easier. Kristen will be on maternity leave at the end of the month. He also thanked Town Administrator, Ashley Kellahan, who will also be taking maternity leave soon and wished them well.

Senior Planner, Kristen Crane, reminded the Chair that no action was taken on agenda item VIII: Riverland Drive Corridor Management Plan, Memorandum of Understanding: **Chairman Bevon moved to approve the Memorandum of Understanding, Commissioner Lyon seconded and it passed unanimously.**

The Memorandum of Understanding will be forwarded to Town Council for review at its January 15<sup>th</sup> meeting and Town Council may then adopt the Memorandum of Understanding.

Commissioners' Comments: Commissioner Palmer asked if the setup for meetings could be rearranged to allow the public to participate in our meetings.

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

Adjourn: There being no further business to come before the body, the meeting adjourned at 7:23 p.m.

Respectfully submitted:

Frances Simmons  
Secretary to the Planning Commission



January 8, 2015

Mr. David Bevon, Chair  
Town of James  
Island Planning  
Commission 1238-  
B Camp Road  
James Island, SC 29412

RE: Planned Development Amendment: CASE #PD-R16B, Request to amend the existing PD to add "Communications Tower" as an allowed use

Dear Chairman Bevon,

I-am not able to attend the Planning Commission meeting tonight and would like to express my concern that the applicant did not contact our neighborhood HOA, Eaglewood Retreat, to discuss the proposed amendment to add a 180' communications tower at the entrance to our neighborhood. Please defer this request and require the applicant to have a community workshop with our neighborhood as recommended in the Town's *ZLDR Ordinance, Section 4.14.6.C. Planned Development Procedure*:

*Community Workshop. After the pre-application conference, it is recommended that the applicant hold one (1) or more community workshops. The purpose of a community workshop is to ensure early citizen participation in an informal forum, in conjunction with the development applications and to provide an applicant the*

*opportunity to understand and try to mitigate any impacts an application may have on an affected community. A community workshop is n"ot intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors.*

In addition, this request does not meet the following ZLDR Ordinance requirement (Section 6.4.5.F.4.):

*The tower must be located no closer to a residential structure than a distance equal to 1 Yi feet for each 1foot in height of the-proposed tower plus 50feet as measured from the center of the proposed tower. At a minimum, there must be a 150-foot distance between the proposed tower and a residential structure.*

The height of the tower may be lowered to meet this requirement, or the tower may be relocated elsewhere on the site. I would also request the applicant provide a Visual Impact Assessment to determine the locations where the tower may be seen from the surrounding area. This is also a requirement of the Town's Zoning Ordinance, (Section 6.4.5.F.15.).

In closing, the Planning Commission should not hear this case until the applicant discusses these issues with the affected neighborhoods (Eaglewood Retreat, Harbor Woods III and Lighthouse Point). Thank you for your time and consideration in this matter.

Sincerely,

Jenny Werking  
1099 Eaglewood Trail

cc: Francis Simmons, Town Clerk  
Leonard Blank, Town Council Liaison to the Planning Commission

**From:** David Burt  
**Sent:** Thursday, January 08, 2015 12:02 PM  
**To:** 'David Bevon'  
**Cc:** 'rusedaddy@yahoo.com'; 'kennaburt1771@hotmail.com'; 'Juli Bevon'  
**Subject:** Cell Tower at JIYSC

David,

Thank you for bringing to my attention the fact that a variance for a proposed cell tower is going in front of Town of James Island Planning Commission tonight at 6:00.

We had heard that one was being proposed, but didn't know where it was going.

If I am not able to make the meeting tonight I would ask that you read this email as a matter of Public Record:

My name is David Burt and I live at 1083 Eaglewood Trail.

I understand that the proposed location is in the back parking lot of the JIYSC soccer fields (see attached sketch).

We are in need of better cell coverage in our area.

I am therefore in favor of having a cell tower nearby.

I want to bring to your attention a few items though:

- I understand that JIYSC is the beneficiary (financially) of this deal.
- Eaglewood Retreat maintains the entrance to JIYSC (the street).
- We have a vested interest in maintaining the aesthetic of the area.
- We would not want our beautiful tree canopy covered entry drive to be used as the construction entrance for this proposed tower.
- We are certainly concerned about the fall radius of the tower as well (we would not want it falling on or near a house).
- I would like to propose an alternate location closer to Lighthouse Road (see attached sketch).
- This alternate location is still on JIYSC property, keeps it off the soccer fields, and allows the constructors to build it using the back gate of the soccer fields rather than Eaglewood Trail.

Please consider these items as this project is presented to you this evening.

I have a 5:00 meeting that may run a little late.

So I may not be able to make it the Planning Commission by 6:00.

I am hopeful that Matt Ruse (Current President of Eaglewood Retreat) is able to attend, but I have not been able to reach him today.

He is copied on this email.

Thanks again,

David C. Burt AIA, CDT, LEED AP

Principal | Vice President



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