

**HANAHAN PLANNING COMMISSION
REGULAR MEETING
JANUARY 3RD, 2013
6:30 P.M.**

A regular meeting of the Hanahan Planning Commission was held this date in the Hanahan Municipal Complex Courtroom – 1255 Yeamans Hall Road at 6:30 p.m. Chairman Leroy Calhoun presided with Vice-Chairman Marty Chandler and Commissioners Carolyn Lackey, Pat Eckstine, Bill Raitt, Kendra Wilson and Robert (Butch) Thrower. A quorum was present. Also in attendance was Larry Sturdivant, Building Official, Johnny Cribb, City Administrator, ~~Dan Owen, City Council Member, Michael Sally, City Council Member, Kevin Cox, City Council Member, Mayor Minnie Blackwell,~~ Chief Jerry Barham w/Hanahan Fire Department, Chief Michael Cochran w/Hanahan Police Department, Kathryn Basha, ~~City Planner~~ with B*C*D* Council of Governments and Michele Cannon with B*C*D* Council of Governments. This meeting was advertised and signs were posted on both properties requesting a re-zoning. An agenda was posted on the bulletin board at City Hall. Visitors in attendance included: Dan Owen, City Council Member, Michael Sally, City Council Member, Kevin Cox, City Council Member, Mayor Minnie Blackwell, Debra Odom, Ronnie Duncan, Firefighter Jim Courtney w/Hanahan Fire Department, Barbara Siegfried, Floyd Siegfried, James Pearson, Jr., Brenda Carter, Sandy Hightower, Phillip Murphy, Conrad Zakis, Jim Rozier, Lucas Padgett, Paul Feldman, Renee Frye, Clinton Wylie, Leann Wylie, John Brabham, M. Womble, Dorothy Shromoff, Woody Bessinger, Lee Christy, Phillip Farley, A.L. Moskowitz, Nicky & Betty Hobeila, Lillian Kay Dydek, Betty B. Nelson, Kevin R. Murphy, Eric Frye, John Saulor, Dianne A. Peeples, and Trudy Ritchie.

Call to Order – Chairman Leroy Calhoun, III

Chairman Leroy Calhoun III called the meeting to Order.

Lord's Prayer

Chairman Calhoun opened the January 3, 2013 Planning Commission in prayer. Pledge of Allegiance Chairman Calhoun led the Commissioners and audience in the Lord's Prayer.

OLD BUSINESS:

Approval of Minutes – December 4th, 2012

Commissioner Raitt made a motion to approve the Minutes of December 4, 2012.

Commissioner Chandler seconded the motion. Motion passed unanimously.

NEW BUSINESS:

Approval of revised Preliminary Subdivision Plat for the McKelvey District at Bowen, Phase II Single Family lots

Kathryn Basha, ~~Senior Planner~~ with the B*C*D* Council of Governments, presented the staff report. The revised preliminary plan proposes a reduction in previously approved single family lots with the addition of a multifamily structure. Information on this request is hereto attached. She noted that ~~the current revised~~-plans submitted since the staff report are sufficient for the Planning Commission's conceptual consideration of the proposed revision and recommends conditional approval with the following issues to be confirmed in the construction plans: (1) A cross section of Foster Creek Road extended demonstrating provision of a minimum 20' wide travel way and five foot (5') sidewalk; (2) Accurate labeling of dimensions on the proposed plan; (3) shifted hydrant locations and an additional hydrant location as requested by the Fire Chief; (4) Revised calculations of open space, impervious surfaces and densities post Phase I; and (5) Written confirmation from Charleston Water Systems that the revised preliminary continues to propose an adequate water system. Ms. Basha also noted that with the revised configuration of the Foster Creek Road connection, the Fire Chief has concerns about dimensions of the previously approved alley between the two rows of single family lots. The applicant's representative noted that the developer would like to remove the proposed multifamily structure from consideration at this time and is seeking approval of this phase with a reduced number of single family lots only. After discussion as to the Commission's ability to act on plans that are revised within days of their meeting, Commissioner Raitt made a motion to postpone approval of the Preliminary Subdivision plat for the McKelvey District at Bowen, Phase II single family lots until current plans are submitted to the Board members and a clear description of what is being requested be received by the Staff as soon as possible in order to be on the February Planning Commission agenda. The Commissioner reiterated previous requests that it would like to see a complete concept plan of all phases to be constructed within Bowen so they understand how each phase brought forward fits into the planned development as the concept plan approved with the original rezoning is inconsistent. Commissioner Eckstine seconded the motion. Motion passed unanimously. Larry noted that a recap of this request would have to be submitted by Staff for Council. Kathryn to follow up on same.

Public Hearing – Request to consider an amendment to the 2012 Comprehensive Plan – Ordinance #6-2002 to re-designate TMS #259-00-00-101 ~~and surrounding properties~~ as Low Density Neighborhood

Commissioner Thrower recused himself from discussion on this matter. A copy of his recusal is hereto attached. Commissioner Raitt made a motion to hold a public hearing.

Commissioner Wilson seconded the motion. Motion passed unanimously. Staff presented the Staff Report, explaining that this request was submitted concurrently with another request to rezone the subject parcel from CP – Conservation/Preservation to RSL – Single Family Residential Low Density, Type A Planned Development. These requests have been made to facilitate the subdivision and subsequent development of 5 single family residential lots. Staff stated that the comprehensive plan amendment request was necessary as the rezoning request was not consistent with the Comprehensive Plan's Future Land Use Map. Staff explained that the 2012 Comprehensive Plan states that "Low Density Neighborhoods should occur in locations that can be efficiently served by infrastructure, facilities and services,

and transportation networks". In addition, all development activity in this designation should be designed in such a way that mitigates any adverse impacts on natural resources and other sensitive environmental resources. Staff stated that the policies in the Comprehensive Plan are not intended for application on a parcel-by-parcel basis, but to designations of areas with similar characteristics. Therefore, staff suggested the Commission may want to reconsider the intent of the written policies of the Conservation/Recreation Designation and decide if, in some instances, these areas could accommodate development of highlands provided that all development activity in this designation be designed in such a way that mitigates any adverse impacts on those sensitive environmental resources that were the basis for the original Conservation/Recreation designation. This approach would constitute an amendment to the written policies in the Conservation/Recreation Designation, as opposed to amending the Future Land Use Map on a parcel-by-parcel basis.

Mr. Phillip Murphy, an adjacent landowner to the subject parcel, objected to the zoning change to Low Density for residential uses. Staff reiterated that this agenda items was not to consider is not a zoning change, but a request to amend the Comprehensive Plan. Mr. Murphy explained his involvement with the adjacent property and the lack of access to both properties. He noted that he and his partners would also like an opportunity to develop their adjacent property. Highway Commissioner Jim Rozier who was in attendance noted that previous restrictions of access points to/from North Rhett had been removed by the Navy and that is why the applicant was given approval of an access point. Mr. Rozier supported Mr. Murphy also having this would give the Developer an opportunity to do what he wants to with this his property.

The Commission discussed the processes that would be followed should the Conservation/Recreation policies allow consideration of individual rezoning requests for low-density residential. At this time, a proposal was made that the request for re-zoning, amending TMS #259-00-00-101 or the surrounding area in the City's Comprehensive Plan was be postponed to the next Planning Commission meeting in order for the Commission to gather more information and have additional time to review the physical conditions of the area. withdrawn by Lucas Padgett, representative for the McNair Law Firm, until the Comprehensive Plan amendment is resolved.

Close the Public Hearing – Commissioner Lackey made a motion to close the public hearing. Commissioner Wilson seconded the motion. Motion passed unanimously.

Public Hearing – Request to Rezone TMS #259-00-00-101 from CP (Conservation Preservation) to RSL (Residential Single Family Low Density)

This request was withdrawn by Lucas Padgett, representative for the McNair Law Firm and the applicant, until such time the request to amend the Comprehensive Plan is resolved.

Public Hearing – Request to Rezone – TMS #259-00-00-072 from designation as Clubhouse within the Eagle Landing PD to allow Residential/Office uses

Chairman Calhoun recused himself due to conflict of interest. A copy of his recusal statement is hereto attached. Vice Chairman Chandler presided in his stead. Information on this request is hereto attached. The applicant has petitioned the City to amend the Planned Development's designation of uses for this single parcel, currently known as Tract Q-2 within the Eagle Landing Planned Development. Staff recommends approval subject to the condition that any further development of this parcel be required to provide any landscaping and buffering required by the Zoning Ordinance for uses proposed in effect at the time of application.

Public Hearing

Commissioner Raitt made a motion to hold a public hearing on this request. Commissioner Eckstine seconded the motion. Motion passed unanimously. Vice-Chairman Chandler opened the meeting at this time for public input. The Eagle Landing PUD was originally created in 1985 and amended in 2007. Area "Q" was originally designated as a 5.82 acre tract to be used as a golf course clubhouse. Calhoun Investments, LLC. is requesting the City amend the PUD's designation of uses for this single parcel from PUD/Golf Course Clubhouse to PUD/RO (Residential Office) Use. Kathryn Basha, Planner with the B*C*D* COG presented this request to the Board. A copy of same is hereto attached. In both the original PUD ordinance and the 2007 amendment, the developers of Eagle Landing provided density and development intensity maximums for each individual "area" of the community rather than on a community-wide basis. Staff has reviewed all governing documents and finds the following: (1) The circumstances under which this parcel was designated for use as a "Golf Course Clubhouse" no longer exist; the golf course is nonexistent and the parcel is a small portion of its original size; (2) The proposed designation of uses is consistent with the comprehensive plan designation for this area at the time of the last Planned Development amendment processed by the developer; (3) Uses permitted in the Residential Office District are compatible with residential development as the district is intended; (4) The proposed uses will not constitute a change in the balance of uses within the overall PUD as the property is already designated for a nonresidential use and (5) Staff does note that under the governing PUD ordinance, no landscaping or buffering is required between uses within the community to mitigate any potential impacts on residential properties. Staff recommends approval of this request subject to the condition that any further development of this parcel be required to provide any landscaping and buffering required by the Zoning Ordinance in effect at the time of application.

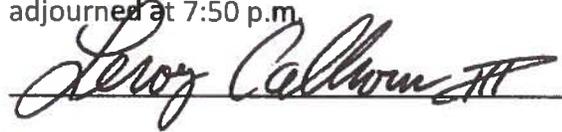
Public Input: Commissioner Wilson made a motion to hold a public hearing, Commissioner Eckstine seconded the motion. Motion passed unanimously. Sandy Hightower – 1102 Eagle Landing Blvd – Treasurer of the HOA submitted a petition with approximately 200 signatures of residents who are against this rezoning. A copy of same is hereto attached. She noted that Eagle Landing currently has a nine (9) hole frisbee golf course and green space. The HOA is disappointed that they were not offered to purchase this property for their use. Lillian K. Darlin – 1322 Stargazer Drive – Noted traffic concerns. Lee Ann Wiley – Noted that her father had a stroke and the ambulance that is located in the Otranto area was at another neighbor's

house assisting someone else. She was concerned that if there was a traffic back-up because of a commercial business, it could cause a bad situation. She is enjoying the "Neighborhood" feel. There being no further input, Commissioner Lackey made a motion to close the public hearing. Commissioner Wilson seconded the motion. Motion passed unanimously. Commissioner Raitt made a motion to approve this rezoning request on the condition that any further development would have to come before the Board. No second was made.

There being no alternative motion or discussion, Commissioner Chandler called for a motion to adjourn the meeting.

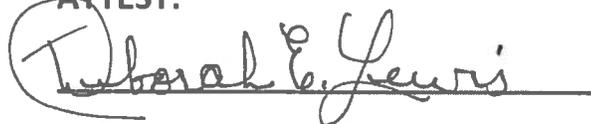
ADJOURNMENT

~~There being no further business,~~ Commissioner Wilson made a motion to adjourn. Commissioner Lackey seconded the motion. Motion passed unanimously. The meeting adjourned at 7:50 p.m.



Leroy Calhoun, III, Chairman

ATTEST:



Deborah E. Lewis, Secretary

(Note: The following information was provided to the Planning Commissioners regarding the fact that no second was made) ~~"City staff and I have researched and discussed how the failure for a second to a motion, without another motion being made plays out."~~

- The Municipal Association of SC advised City staff that the Commission needs to follow the City's Rules of Procedures. He stated that (typically) if no second motion was made, then the motion was what failed to be considered. (i.e. not the application itself). Another motion was not made so basically, no consideration was given to the request. If the Commission did not vote, the item remains on its agenda.
- Section 28-21 of the City Code establishes the City's Planning Commission and references the Commission will follow its adopted Rules of Procedure. (See attached) Article II, Section 4 states that Roberts Rules of Order shall be followed. Article V, Section 1 states that Rezoning shall go forward to City Council within 30 days.
- Section 2.4(F)(2) of the City's Zoning Ordinance (section on the procedures of rezoning) states that if the Planning Commission fails to submit a report within the required 30 day period, it shall be deemed to have recommended approval of the requested amendment.

In a memo from Staff to the Commission, the status of the Eagle Landing was clarified. If the Commission does not vote to pass a resolution recommending or denying an amendment to City

Council within 30 days of the public hearing, it is deemed to have recommended approval of the amendment by default. The February meeting is 32 days after the January public hearing was held. Based on this information, this request will now go before City Council for a vote. ~~(Editor's note: since this meeting, Calhoun Investments, LLC, has withdrawn their request.)~~