

**Planning Commission
May 7, 2009; 3:00PM
Kiawah Island Municipal Center
Council Chambers**

MINUTES

I. Call to Order:

Mr. Peterson called the meeting to order at 3:00PM.

II. FOIA: Notice of this meeting has been published and posted in accordance with the South Carolina Freedom of Information Act and the requirements of the Town of Kiawah Island.

III. Roll Call:

Present: Fred Peterson
Andy Capelli
Peter Trees
Ron Tedesco
John Strauch
Larry Iwan
Joyce Neuman

Also Present: John Carullo, Charleston County
Cathy Wilson, Town Clerk
Alan Burnaford, Town Council Liaison

IV. Approval of Minutes:

A. Minutes of Planning Commission Meeting, April 8, 2009

Mr. Capelli motioned to approve the minutes of April 8. Mr. Iwan seconded the motion. Mr. Capelli and Mr. Peterson made changes to the minutes. With those changes, the minutes were approved unanimously.

V. Subdivision Request:

1. #SBMA-3193-P **MAJOR SUBDIVISION**
Lands of Cypress Point Kiawah, LLC
Preliminary APPROVAL, Cypress Point
Lots 1 thru 23, Parcel C.

Page 1

Mr. Peterson asked if the Planning Director held a pre-Preliminary approval concept meeting with the developer. Mr. Carullo stated that planning staff met with the developer on at least two instances prior to submission of the Preliminary plat approval. Mr. Carullo stated that the subdivision is in the R-2 Zoning District and it meets the requirements of the Town's Article 12-C, Subdivision Regulations. This subdivision will be known as "Cypress Point." The roads and drainage systems will be constructed to the Town of Kiawah Island Road Code standards. Mr. Carullo stated that planning staff recommend Preliminary approval.

Mr. Trees and Mr. Peterson asked for further detail on the subdivision. Mr. Carullo stated that the homes will be single-family detached dwellings on a minimum lot size of 6,000 square feet.

Mr. Trees asked if the developer could explain his intent to the Planning Commission.

Mr. Mitch Laplante, 151 Treeduck Court, stated that he is an architect that has lived on the island since 1991. He stated that he is a "tree nut." The development is located on 5.6 acres along the River Course and Green Dolphin Way and has been designed to be reflective of the original vision for Kiawah Island. The parcel has a great tree canopy and they have worked with Charlie Arrington, Kiawah Development Partners (KDP), and planned the roadway and lot lines around existing trees and they are attempting to remove as few trees as possible. No Grand Trees will be removed.

The intent is to build small cottages, around 2,000 square feet with footprints of less than 1,000 square feet, nestled into the natural environment. In collaboration with the Nature Conservancy and KDP the goal is to establish better understory habitat after the development is in place, than exists before construction begins. The homes will be landscaped with natural vegetation and there will be two small courtyards on the property. The buildings will be stucco with three color natural tones, reflective of the three colors in the bark of a tree, and have copper roofs. There will be a total of 23 units rather than the 32 that are allowed in the zoning district to reduce the environmental impact.

Mr. Peterson asked if the structures are elevated. Mr. Laplante explained that the lot is in the level 13 flood area and required that the buildings be elevated one story with parking underneath.

Mr. Trees asked if there will be a pool. Mr. Laplante responded that there will be a community garden area with a plunge pool. The community garden will be along the left hand side of the entrance way.

Mr. Peterson asked where the entrance drive lines up with the villas across the street. Mr. Laplante responded that the entrance drive was pushed down to get it further away from the Kiawah Parkway and to give it better sight lines.

Mr. Capelli asked if they had discussed the proximity to the golf course with KDP. Mr. Laplante stated that as part of the sales contract for the purchase of the property, they placed a self-imposed 50' buffer from the golf course. Mr. Capelli stated that he is more concerned with the access to the golf course from the development. Mr. Laplante responded that the homeowners will not be able to access the golf course from the development. Mr. Capelli asked other than the buffer, what will prevent the homeowners from walking onto the course. Mr. Laplante replied that there is a very large lagoon in that area and technically, a homeowner could walk through the understory, but there will be no paths to the golf course from the development. Mr. Capelli suggested a possible gate or fence to prevent access to the golf course. Mr. Laplante stated that the concern has not been brought up by Mr. Buddy Darby, KDP, or any other KDP representative but that he would be glad to address it. Mr. Capelli stated that he would like to hear from KDP regarding the privacy of the golf course from the development before Mr. Laplante comes back to the Commission for final approval. Mr. Laplante stated that they will address the issue and it would be possible to add a fence or to further buffer the properties. A fencing or privacy trespassing barrier would be possible. Mr. Capelli stated that he is not requesting a fence but just information from KDP supporting the proposed buffer and its ability to prevent unauthorized access to the golf course. Mr. Laplante stated that all cottages will have membership available with them so all homeowners will be members of the club.

Mr. Tedesco asked if they would be building homes and developing the property. Mr. Laplante responded that they will be building the homes.

Mr. Iwan asked if the buildings will be identical. Mr. Laplante stated that there are three models available and that the designs are consistent but not identical.

Mr. Tedesco asked if they will be building spec houses. Mr. Laplante stated that there will be no spec homes built.

Mr. Iwan asked how Lot 1 is accessed. Mr. Laplante stated that Lots 1 and 2 share a drive because that is the most sensitive design around the trees.

Mr. Peterson asked if the design was approved by the St. John's Fire Department to ensure adequate emergency access. Mr. Laplante stated that the development is designed to the Town's standards. Mr. Peterson stated that he noticed that the right hand side of the easement intrudes along the plantings of Green Dolphin and asked why that was allowed. Mr. Laplante stated that is the right-of-way but that the plant material will not be affected.

Mr. Iwan asked why the back lot line of Lot 17 is depicted over the curb. Mr. Laplante stated that during the design of the development it was discovered that part of Green Dolphin Way was paved on private property and an easement was granted upon discovery.

Mr. Trees asked if the development will be constructed in phases. Mr. Laplante stated that two units are presold and the intent is to construct three models to sale and allow the market to determine construction of the entirety. Mr. Laplante explained that the remaining lots will be released together so that construction can take place at once and so the impact of the site can be reduced as much as possible. The top coat of paving will not take place until all construction is completed. They hope to offer the remaining 20 units in the spring of 2010. The model lots are 5, 6, and 21 so that people can see the density and relate the buildings to each other.

The community garden, landscaping, and plunge pool will be maintained by the HOA. The road will go to KICA and there is a letter from KICA approving of the design of the roadway. The Cottages at Cypress Point will operate like all other secondary regimes on the island. Mrs. Neuman asked if the individual homeowner would be responsible of any landscaping. Mr. Laplante stated that only around their individual unit.

Mr. Trees asked if they considered a gated entrance. Mr. Laplante stated that gates are not desired or recommended by most ARB's and planning personnel and were therefore not considered.

Mr. Trees asked why Preliminary and Conditional approval were being requested at the same meeting. Mr. Carullo stated that approval of both are allowed at the same time but the Preliminary must be approved first. The Conditional requires a construction bond and roads and drainage designs.

Mr. Iwan motioned to approve the Preliminary approval of SBMA-3193-P Lands of Cypress Point Kiawah, LLC, Cypress Point Lots 1 thru 23, Parcel C. Mr. Capelli seconded the motion.

Mr. Capelli stated that the Preliminary approval requires provisions recommended by planning staff prior to final approval. Mr. Peterson read the following contingencies: street plans, drainage systems, drainage easements, drainage ditches, sub streets, street name signs, approval of plat at this time does not approve width of drainage easements, submission of a Certificate of Title, lots must comply with the Subdivision Regulations, the Preliminary plat does not constitute Final approval of any individual lot, and water and sewer must be supplied per the Kiawah Zoning Ordinance.

Mr. Iwan motioned to amend his original motion to include the contingencies as required by planning staff. Mr. Capelli seconded his motion. The motion carried unanimously.

Mr. Corrullo stated that the Planning and Engineering staff have reviewed the request for Conditional approval of the subdivision known as Cypress Point, LLC and irrevocable Letters of Credit will be posted for this subdivision known as Cypress Point. The roads and drainage system will be constructed to the Town of Kiawah Island Road Code standards. Conditional approval will allow the developer to obtain the required building permits but does not allow for Certificates of Occupancy. The Irrevocable Letters of Credit are to expire two years from the date of approval.

Mr. Laplante provided the Planning Commission with the design concept of the buildings. Mrs. Neuman asked if homeowners would be allowed to install personal swimming pools. Mr. Laplante responded no.

Mr. Capelli asked if the models will be occupied during the construction of the development. Mr. Laplante responded that they will not be occupied until Certificates of Occupancy are granted and the units will be used as models. No units will be lived in before Certificate's of Occupancy are granted.

Mr. Carullo stated that the Conditional approval does not expire for two years. Mr. Laplante hopes to have the Certificates of Occupancy for the models in the spring of 2010.

Mr. Capelli motioned to approve the Conditional approval of SMMA-3193-C, Lands of Cypress Point Kiawah, LLC, Cypress Point Lots 1 thru 23, Parcel C. Mr. Tedesco seconded the motion. The motion carried unanimously.

VI. Old Business:

None

VII. New Business

None

VIII. Correspondence:

None

IX. Public Comment:

Mr. Mitch Laplante, Manager/Owner The Cottages at Cypress Point, Kiawah LLC, thanked the Planning Commission for their approval.

X. Commissioner Comments:

Mr. Iwan had no comment.

Mr. Capelli thanked the Town staff and volunteers for their contribution to the Employee and Volunteer Appreciation Luncheon and stated that it gave volunteers a chance to see the people they work with and to hear how their volunteerism is appreciated. He also requested that he would like more communication from the Planning Staff on upcoming projects as early as they can release the information.

Mr. Strauch stated that he is pleased to become a member.

Mr. Trees had no comment.

Mr. Tedesco had no comment.

Mrs. Neuman had no comment.

Mr. Peterson stated that the Planning Commissioners were all members of the APA and SCAPA.

XI. Adjournment:

Mr. Iwan motioned to adjourn the meeting at 3:30PM. Mr. Capelli seconded the motion. Motion carried unanimously.

Submitted by,

Catherine C. Wilson, Town Clerk

Approved:

Fred M. Peterson, Chair

Date: _____

CC: Planning Commission
Daniel Pennick, Charleston County Planning
Dennis Rhoad, Town Attorney
Town Council
Tumiko Rucker, Town Administrator
Joe Bunting, KICA

Amanda Mole, ARB