

Planning Commission

March 16, 2022

A meeting of the Committee on Real Estate was held this date at 5:04 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 (at 5:12), Ms. Erika Harrison, Ms. Donna Jacobs, and Ms. McKenna Joyce.

City Staff: Mr. Christopher Morgan, Planning Manager, Ms. Ana Harp, Senior Zoning Planner, Ms. Chloe Stuber, Planner, Mr. Philip Overcash, Senior Planner, and Philip Clapper, Clerk.

Others: Ms. Angela Barnette, Ms. Beatrice Bernier, [Ms. Daisy Barrington??], Mr. Steve Bailey,

Ms. Joyce introduced herself. She said she was excited to be joining the Planning Commission and serving Charleston.

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

Mr. Morgan introduced Planning staff.

MINUTES

Request approval of minutes from February 16, 2022

On a motion of Donna Jacobs, seconded by Harry Lesesne, the Commission voted to approve the February 16, 2022 minutes. The vote was not unanimous. Jimmy Bailey, Jr., and McKenna Joyce abstained. Loquita Bryant-Jenkins and Sunday Lempesis were absent.

REZONINGS

1. **63 Columbus St (Eastside – Peninsula) TMS # 4590902152, 153 and 168 – approx. 2.43 acres. Request for subject property to be included in the School (S) Overlay Zone. Zoned Diverse Residential (DR-2F). (AS AMENDED)**

Owner: Charleston County School District

Applicant: Same as owner

Mr. Morgan describe the location and surroundings of the property. The site on the corner of Columbus and America Street would not be included in the rezoning.

The application was to add the School Overlay District to the three parcels.

Staff was always supportive of the School Overlays because they felt that schools were a very good part of a neighborhood, but the School Overlay process gave them a special exception requirement that made the schools able to be adapted to particular neighborhoods. If the property was added to the Overlay, than it would go to the BZAZ to get a special exception that would look at the details and impacts.

The best time for a discussion on the details was during the special exceptions process.

The property was designated Neighborhood in the Comprehensive Plan.

The description of Neighborhood was shown.

Images of the property were shown.

The School Overlay Zone was defined.

Staff recommended approval.

Ms. Barnette, Director of Planning and Real Estate with CCSD, said they wanted the property to be included in the School Overlay District. They were looking at moving forward with a support structure for the Early College High School.

She said they would continue to work with the community as they moved forward.

The school had been closed for some time, and they had been using it for storage.

Ms. Bernier opposed the Rezoning. She said a part of the property was not included in the request, but she opposed it anyway because she did not see how it would not come back for a request of its own.

She said people who attended the school or neither from the neighborhood, nor even from the peninsula. The property would soon become a huge building, full of parking, and taking open space away, which contradicted the Dutch Dialogues.

They could find a way to use the building and have tighter parking by sharing with other lots to accommodate parking needs.

Ms. [name] said she was not opposing that the school not be in the Overlay District, but, like Ms. Bernier, did oppose any future attempt for the School District to take the park. There was no clear title to it. They did not want to lose their public space. There was a question of whether or not the property would revert back to the owner if it were to be used for a purpose other than a park.

She said the school wanted to convert a field that currently absorbed water into a parking lot.

She said "a whole bunch of drug dealers" hung out on the corner of Aiken and Columbus, and that people had been shot there. She felt it was irresponsible of the school to have kids playing, when they already had an area of green space where they would be protected from any potential stray bullets.

Mr. Steve Bailey said he had put an enormous amount of effort into the park. He was a Hampstead Ranger. They cleaned up the park.

He said the previous commenters were exactly right about the parking, but he wasn't there to talk about that.

He said he was a huge fan of Early College High School. However, the school and CCSD needed to understand that the School District had earned distrust in the neighborhood. He said the School District had been a terrible neighbor over the decades.

He said the geographic and spiritual heart of the East Side needed to be open to the public.

He was not going to oppose the inclusion of the parcels into the revitalized park, but he had come to believe that the way to voice concerns was through the BZA process, as Mr. Morgan had said, or through an MOU with the City. Ideally, it would be both.

The School District had been resistant up until now, and the City had been a bystander, which he found incomprehensible.

He was now encouraged. They wanted to put the City and the School District on notice because the property could be a great park, and the public needed access to it.

Chair Karesh asked the applicant for a response.

Ms. Barnette said one of the reasons they had pulled the parcel already, because they wanted to move forward. They had already initiated the process of drafting an MOU with the City for afterhours use, just as they did with all of their facilities.

There were other issues on that parcel they wanted to clear up, and that is why they pulled it.

They wanted to be good stewards, and were looking forward to drafting something for afterhours use.

In regards to Stormwater, she had dealt with the new Stormwater Ordinances. A lot of the designs they were looking at included sub-surface storage. Such design issues would be addressed by the BZA. Ultimately her purpose there that day was to communicate the zoning need for the property.

Chair Karesh asked if they had had meetings with the neighborhoods.

Ms. Barnette said they had, and they would continue to do so. They wanted to move forward in a productive manner, and they wanted the process to be transparent.

Chair Karesh asked Mr. Morgan what the timeline for the Item would be after the meeting.

Mr. Morgan said it was a rezoning, so it would go to City Council. Then, it would go to BZAZ for a special exception. They would look at everything. With special exceptions, conditions could be applied, such as specific hours of operations.

Ms. Harrison said the question was about ownership. Because zoning went with the land, depending on who owned it, it could be developed into multifamily housing at a future date. What they were really looking at was stewardship. She asked if the ownership was clear.

Mr. Morgan said that the information they had said that the property was owned by the School District. The Item they were looking at did not include the parcel in question.

[Jacobs inaudible]

Mr. Morgan said that was correct. According to their information, all of the parcels were owned by CCSD.

Ms. Jacobs asked if it would also go through TRC.

Mr. Morgan said it would.

Mr. Bailey said he had previously felt uncomfortable with the question of ownership, and was glad that it was removed from the vote. When he had read the comments, that had been the primary concern. He felt confident that there were additional process that would address all other issues that had been raised.

Mr. Lesesne said he agreed with Mr. Steve Bailey. A school was a really positive thing for the neighborhood. He commended the School District, and thought it was a wonderful use.

On the Hampstead Square portion, which they were not even voting on, he thought it was important that the School District work with the neighborhood to make that portion of the park compatible with and supportive of the overall neighborhood. It had been a terrible oversight by the School District to have allowed it to have been fenced and set aside from the neighborhood for so many years.

BZA would handle the questions of use and the impacts on the neighborhood. He asked that the fence be taken down and for CCSD to allow the park to be improved.

The Gaillard was a great example. It was City-owned and was used by many different people. There was no reason Hampstead Square couldn't be the same.

He encouraged a robust agreement to share the Palmer Campus parking.

Chair Karesh agreed.

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

2. 100 Line St (Cannonborough/Elliottborough – Peninsula) TMS # 4600801040 – approx. 0.06 acre. Request rezoning from Diverse-Residential (DR-2F) to Commercial Transitional (CT).

Owner: Victor Wright

Applicant: Francine Floyd Murray

Mr. Morgan described the location and surroundings of the property.

It was designated Neighborhood in the Comprehensive Plan, so CT fit.

Images of the property were shown.

The property was similar to other properties nearby that had their building footprints rezoned to CT in the past few years.

Staff felt that rezoning the building's footprint would not be incompatible with the rest of the neighborhood.

Mr. [inaudible] said ... He described the history of the building, and said it had often been used for commercial purposes. Right around it was a footprint of condominiums primarily used by students, and their use would give the students more respect and character. The students had never disrespected the site. They felt the CT use would be in character with that corner. It was a good fit use in a walkable and bikable area.

Mr. Morgan summarized a letter from the neighborhood association in opposition to the request. They preferred that the applicant be given a use variance to continue their commercial use. If the Commission was inclined to grant an upzone, they requested it only be the existing building's footprint.

Chair Karesh asked if the applicant wanted to respond to the letter.

Mr. [inaudible] said the use was more like a neighborhood use that would bring adults into the community and bring stability to the area. Under DR-2F, a tall building could go in already without issue. He felt the new use was a great one. He understood they needed a balance in the neighborhood, and liked the idea of rezoning the footprint.

Ms. Harrison said she had gone through the same process with her office nearby in 2019. She had walked by the building in question every single day. Bringing Line Street into a quasi-commercial area was a great idea. There would be a flexibility of uses with the rezoning. She understood the neighborhood's concerns, as well. She would not vote on the application, but said she understood staff's recommendation.

Ms. Jacobs said the building could be torn down and something else built in its footprint. It would have the potential for short-term rental. It was a difficult conundrum for balance.

Ms. Harrison said it was already DR-2F, but one could barely fit two units on it and could barely park it.

Chair Karesh said it was only .06 acres.

Ms. Harrison said moving to CT increased the sq. ft. requirements for dwelling units. So, the owner could use the building commercially, or they could build a single residence.

Ms. Jacobs agreed. Especially if only the footprint was rezoned [inaudible]...

Mr. Lesesne said that was the same dilemma he had, but he was convinced by her and Ms. Harrison's comments between each other.

They had received many applications from this neighborhood from property owners who were clearly trying to back their way into getting short term rental eligibility. He did not think that was the case in this case, as it also was not with Ms. Harrison's rezoning in 2019. He had opposed other applications for that reason. He said that "foolish consistency is the hobgoblin of small minds." He did not want to have a foolish consistency, and said he would support staff's recommendations.

On a motion of Harry Lesesne, seconded by Donna Jacobs, the Commission voted to rezone the footprint of the building on the property from DR-2F to CT. The vote was not unanimous. Erika Harrison abstained.

- 3. 24 N Market St (Downtown – Peninsula) TMS # 4580504023, 031 and 029 – approx. 0.67 acre. Request rezoning from 3 Story and WP Old City Height District to 4 Story Old City Height District.**

Owner: Carroll Building, LLC

Applicant: K&L Gates LLP

DEFERRED

- 4. 517 Joseph St (Bel Air – James Island) TMS # 4241000015 – approx. 0.38 acre. Request rezoning from Single-Family Residential (SR-1) to Single- and Two-Family Residential (STR).**

Owner: Deborah K. Moreno

Applicant: Nicolas Roberts

Mr. Morgan explained the location of the property.

He said the issue was that because of the property's location, it was threatened by long term tidal inundation. Based on the Dutch Dialogues and the Comprehensive Plan, the area was not meant to have any greater density. Staff was therefore not comfortable with the rezoning.

Images of the property were shown. He pointed out that all surrounding newer structures were elevated.

Staff recommended disapproval.

Chair Karesh closed the public aspect.

Ms. Jacobs said originally felt that they could approve the application, but after staff's recommendation, she felt that disapproval was more in line with the goals of the City and Comprehensive Plan.

Mr. Bailey said he did not believe they had covered any two subjects more in the comprehensive plan than trying to find ways to combat flooding risk and trying to find ways to create more diverse housing options. However, if he had to pick one, he agreed with Ms. Jacobs.

On the motion of Donna Jacobs, seconded by Jimmy Bailey, Jr., the Commission voted unanimously to disapprove Rezoning Item 4.

SUBDIVISION

- 1. 95 Cannon St (Cannon Row – Peninsula) TMS # 4601502008 – approx. 0.30 acre. Request approval of subdivision concept plan for 5 lots: 1 mixed-use and 4 single-family residential. Zoned Limited Business (LB).**

Owner: Cannon Row LLC

Applicant: Same as owner

Ms. Harp said the applicant was requesting subdivision concept plan approval for .296 acres on Cannon Street on the peninsula. It was an infill project that consisted of the creation of five new lots, four for residential and one for mixed use with commercial and residential. The property was zoned LB, which allowed for single family attached and detached residential units, multifamily residential units, and several commercial uses. LB limited the hours of operation and certain uses. The surrounding parcels contained mixes of residential and commercial uses. The applicant would need approval from the BZA for a parking variance. It had gone through TRC three times and been approved each time. It came to the Planning Commission because there were five lots. After it received approval, it would go to TRC for preliminary plat approval and would go through site plan approval for the mixed use lot.

Chair Karesh thanked Ms. Harp and called on the applicant.

Mr. Lin said he represented the applicant and was available for any questions.

On the motion of Erika Harrison, seconded by Harry Lesesne, the Commission voted unanimously to approve Subdivision Item 1.

ZONING

- 1. 1939 Piper Dr (Dupont Station – West Ashley) TMS # 3500900067 – approx. 0.28 acre. Request zoning of Single-Family Residential (SR-1).**

Owner: Susan J. Vigen

Mr. Morgan said the property had been R4 in the County, and SR-1 was the closest compatible zoning in the City. It was designated Suburban Edge in the Comprehensive Plan, and so SR-1 would be in line with that recommendation.

Staff recommended approval.

Chair Karesh closed the public aspect.

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

Mr. Lesesne asked Mr. Morgan what the status of the Annexation Coordinator position was.

Mr. Morgan said that the next day and that Friday, they would be holding the final interviews for that position. They hoped to hire within the week.

Mr. Lesesne said that was great news.

PRESENTATIONS

1. Affordable Housing Dashboard

Chair Karesh said that the Planning Commission was focused and concerned with helping Charleston City Council solve some of the affordable housing problems they had.

Ms. Stuber said that earlier that month, the City held an open data day, which was a new event that would help work towards transparency. One of the highlights was the new Affordable Housing Dashboard, that she, Housing staff, and the GIS division had been working on. It was about two years in the making.

The data included all existing affordable housing in the City, and it tracked new affordable housing coming into the community. It helped staff see which projects were affordable, so they could get fee waivers, expedited review, and things like that. It was updated every single night.

She said it was not a mobile friendly tool, and recommended using a tablet or desktop.

She said development projects were fluid, so some of the details they had on the active projects were subject to change, and they might not have all details as a project was in development.

The dashboard tracked all housing that was subject to income restrictions, and was therefore non-market rate.

She explained the details and legend of the dashboard and how to read it correctly.

There was a recap of the numbers needed to meet the City plan. 16,351 affordable units were needed to close affordability gaps by 2030. 828 were currently under review, with 5,553 existing, leaving 15,523 needed. They were slowly chipping away. The number had already gone down since that study was done. However, the 16,351 number was generated by not just deed-restricted affordable housing, but also naturally occurring affordable housing. It could easily have changed, and it probably had. However, it was still a good goal.

She further explained how the website worked and what data could be gathered from it.

A map was shown of all affordable units, completed and in progress.

Further data breakdowns were shown.

The dashboard showed where funding for the projects was coming from, as well.

Ms. Harrison asked if there was any way to know if there were affordable units in an area for rent if someone was looking for housing, and if it could show who to call to figure that out.

Ms. Stuber said that was a good question, but that they were not yet there. They were unsure what the City's role could be in such a process, apart from if someone were to call Ms. Florence Peters to help them find affordable housing.

Ms. Jacobs said the dashboard was exactly what the Commission had asked for. They could use it to craft policy and better understand the requests that came to them. She asked where was best to find out information about the meetings Ms. Geona Shaw Johnson and other City groups dedicated to affordable housing could be found. She asked if the Community Development Committee was still meeting on Zoom.

Mr. Morgan said it was. They typically met the fourth Thursday of the month, usually during the late afternoon.

Ms. Jacobs asked if Ms. Shaw Johnson was regularly interacting with that Committee.

Mr. Morgan said that she was, among other staffers.

Ms. Jacobs said she wanted to find out a way to sit in.

Chair Karesh thanked Ms. Stuber for her work.

Mr. Lesesne said the dashboard was incredible. He was impressed, and thought it would be a model for other communities.

He said he wanted to follow up on what they had talked about previously in regard to pursuing policies. He had spoken to Legal, and they had said that rather than establishing a formal committee with specific membership, they could have informal meetings that were first come first serve, with the limit being no more than four members at a meeting, because otherwise, there would be a quorum. It would give various Commissioners a chance to attend.

He said he had been putting together various resources in the community. They were moving on that, and would hear more in the future.

He said Mr. Jeffery Roberts had asked him to pass along his request that they reach out to members of Council that they were comfortable with reaching out to in order to support the micro-unit ordinance that the Commission had unanimously passed. He had been talking to Council, and was getting some pushback on certain issues. They did not normally do that as members of the Planning Commission, but the Comprehensive Plan said they needed to work hard on affordable housing, and so he felt comfortable recommending that.

Ms. Harrison said what was interesting about that ordinance was that while it did not talk about restrictions, it focused on attainable housing. She said there was nothing greater than being able to walk everywhere one needed to go and being a part of the community like that.

She had had conversations about whether the ordinance would recruit more minorities into the community. She said one thing she had asked the Commission to include in the Comprehensive Plan was that they were not a monolith, and there was an expansive amount of professionals. She was not able to live downtown when she had first moved there, but she might have been if there were micro-units. This was how they increased populations, by getting people invested in an area so they did not want to leave.

Mr. Lesesne said one of the things they had said was that there was not a single answer for affordable housing. It was not an earth-shaking ordinance, but it was doing something. It would help. That was the point of their working group.

Chair Karesh agreed, and supported the request to contact Councilmembers in support of the ordinance.

Ms. Jacobs said she saw it as an advantage. It was mainly focused on the peninsula. She had worked at MUSC for almost 40 years, and the hardest thing to do was to have someone come in on sabbatical or who was a grad student, most of whom came from places where they didn't need to use, cars, and by putting the housing close to that employer, they allowed those people to live how they were used to, instead of making them buy a car, which they did not want to do. She felt some were looking at the issue through the wrong lens.

Mr. Lesesne said that there had been times where things had been passed unanimously and then been voted down at Council, which always disappointed him. They worked hard on the Comprehensive Plan, and the City Council approved it. He said they were doing what they were supposed to do by working to implement the plan. That would be his message to Council.

Ms. Jacobs said that at one time, they had been trying to find time for a regularly scheduled program working with Council on workshop, and there had been some pushback on that. She said that was not unprecedented in the United States. There were some cities which required quarterly meetings between the Planning Commission and the City to work on the big picture. There was such a paradigm shift in the City of Charleston. She felt they needed to have a regularly scheduled meeting with Council, and that might help things move more smoothly.

Chair Karesh said that, to Mr. Lesesne's point, sometimes the Commission spent hours on a topic, and Council spent 15 minutes. It was not that they were not looking at it, but he felt they were getting informed so that that they could pass things on to Council that he hoped they would listen to.

He thanked Mr. Lesesne and Ms. Stuber.

2. Avondale: An Area Character Appraisal by guest speaker Kenneth Moralda

Mr. Moralda said he was the president of the Avondale Civic Club, a part of the Avondale Neighborhood Association. He said he had prepared a neighborhood character appraisal for Avondale over the last year. It was a document that looked to record the unique characteristics of a neighborhood.

He said the City had done such things in the past. There was one for Cannonborough Elliottborough, Byrnes Downs, and Windermere. He noticed one had not been done for his neighborhood, and he decided to undertake it.

Chair Karesh said there were many “donut holes” of County property in Avondale.

Mr. Moralda said that was correct.

In creating the document, he wanted to clarify that there were two terms for Avondale. There was the Avondale Neighborhood, and the Avondale Point Business District. The Neighborhood was about 137 acres, and was mostly residential homes, with two commercial areas, one commercial corridor and two parcels along Savannah Highway, whereas Avondale Point was comprised of 5 different neighborhoods.

He showed the chronology of the neighborhood and a memory map of the neighborhood. He said he included it so that when planning decisions were made in the future, considerations could be made using this formal documentation. Formal research into some important points were missing, and the appraisal could fill that gap.

A diagram of Avondale and the surrounding neighborhood boundaries were shown. The areas were once different farms, and explained how things were planned the way they were.

He said one of the things that prompted him to start the project were things like discussions around bike lanes and crossing the boulevard. He felt it was important to look at it from a planning perspective.

Chair Karesh said it was not a boulevard anymore.

Mr. Moralda said it was not. It had become a major highway. He said he hoped it could return to a boulevard in the future.

He explained further sections of the presentation, regarding, roads, speed limits, intersections, and more.

He said they had looked at every single structure in Avondale, including their age, architectural qualities, and other aspects.

He said his last topic was on missing middle housing, which was a puzzle piece of affordable housing. It was not a silver bullet, but it did help with it.

He said he worked with affordable housing every day with his job.

Chair Karesh asked what he did.

Mr. Moralda said he was in property management for multifamily homes.

He said missing middle referred to housing types that fit very well into a neighborhood in terms of scale, massing, and height, and yet had more than one unit on the property. He listed duplexes, triplexes, converted garages, and mother-in-law suites as examples. He said Avondale had many such properties. It comprised almost 13% of the houses in Avondale, and there had been more previously. It had always been a part of Avondale’s history.

He said there was a great array of architectural styles, which reflected the history of the neighborhood.

Lot coverage was looked at.

He covered donut holes in the neighborhood. He said 49% of the neighborhood was still in the County.

Chair Karesh said that was amazing.

Mr. Moralda explained the zoning categories in Avondale, as well.

Chair Karesh thanked Mr. Moralda for his work.

Ms. Jacobs said Mr. Moralda also served on the West Ashley Revitalization Commission, and one thing Mayor Tecklenburg had told the Commissioners was that they should pick up something and run with a project. She said that defining the neighborhoods and preserving communities was one of the prime conversations during the Plan West Ashley process. She said Mr. Moralda also had degrees in historic preservation and community work, in addition to his professional work in real estate. He also presented his work to the West Ashley Revitalization Commission for information a few months prior. She said she had seen that presentation, and she wanted it to be a model for how things could be done. It was an extensive amount of work. She wanted it to be used as a staff resource they could use along with other neighborhood appraisals.

Ms. Harrison asked how long it took to prepare the report.

Mr. Moralda said he had started with the annexation map soon after he had been elected president because there was an outdated, inaccurate one he had been given. He had started in February or March of 2021, and chipped away at it during weekends. They had a student intern that helped, as well.

He hoped the appraisal would help.

Chair Karesh thanked Mr. Moralda.

Mr. Lesesne thanked him, as well. He said it was a great gift to his neighborhood and to the City.

On the motion of Donna Jacobs, seconded by Harry Lesesne, the Commission voted to recommend the Avondale Neighborhood Character Appraisal to City Council as a staff resource.

There being no further business to discuss, the meeting was adjourned at 6:52 p.m.

Philip Clapper
Clerk of Council's Office