

Teddie E. Pryor, Sr — Chairman
Paul R. Thurmond— Vice Chairman
Colleen T. Condon
Henry E. Darby
Curtis B. Inabinett, Sr.
Joseph P. McKeown
Henry D. Schweers
A. Victor Rawl
J. Elliott Summey



Beverly T. Craven, Clerk
1- (843) 958-4030
1-800-524-7832
FAX (843) 958-4035
E-mail: craven@charlestoncounty.org

CHARLESTON COUNTY COUNCIL
LONNIE HAMILTON, III PUBLIC SERVICES BUILDING
4045 BRIDGE VIEW DRIVE
CHARLESTON, SOUTH CAROLINA
29405-7464

January 23, 2013

Michael Kulick
33 Anita Drive
Charleston, SC 29407

Dear Mr. Kulick:

County Council has granted approval of your request for a change in land classification. The Zoning Ordinance was legislatively amended to incorporate this zoning change, effective January 23, 2013.

CASE ZPD-10-12-14664 (PD-149)

Request to change from: The Commercial Transition (CT) District to the Planned Development (PD-149) District for a restaurant/bar and associated Retail shop and special events venue for property located at 3326, 3328, 3332, and 3334 Maybank Highway (Johns Island)
Parcel Identification: 279-00-00-031, -303, -033 and 034
Acres: 4.59 (total combined acreage)

This letter will serve as final notification. Please contact the Charleston County Planning Department and the Charleston County Department of Building Inspections for the necessary permits before executing your plans.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly T. Craven", written over a horizontal line.

Beverly T. Craven
Clerk of Council

BTC:wes

c: Phillip Morrow
Adam Mlynarczyk

PLANNED DEVELOPMENT
GUIDELINES FOR
KULICK PROPERTIES, LLC'S
"THE TATTOOED MOOSE"
RESTAURANT AND EVENT VENUE

3328 MAYBANK HIGHWAY
CHARLESTON COUNTY
SOUTH CAROLINA

JANUARY 22, 2013

PREPARED FOR:

KULICK PROPERTIES, LLC
33 ANITA DRIVE
CHARLESTON, SOUTH CAROLINA 29407
PHONE: (843) 670-2098

PREPARED BY:

MLYNARCZYK LAW FIRM, LLC
1058 EAST MONTAGUE AVENUE
NORTH CHARLESTON, SOUTH CAROLINA 29405
PHONE: (843) 885-0422 FAX: (800) 659-4472

TABLE OF CONTENTS

	<u>Page</u>
1. Planned Development Name	1
2. Statements of Objectives	1
3. Intent and Results of Proposed PD	2
4. Site Information	3
5. Table of Proposed Land Uses	4
6. Impact Assessment/Analysis	6
7. Compliance with the ZLDR	6
8. Historic and Archeological Survey	7
9. Letters of Coordination	7
10. Architectural Guidelines	8
11. Access	8
12. Commercial Areas	9
13. Areas Designated for Future Use	9
14. Signs	9
15. Parking	9
16. Tree Protection	9
17. Landscape Requirements	10
18. Resource Areas	10
19. Storm Water	10
20. Letters of Support	10
21. Design Concept	10
22. Referenced ZLDR	11

Exhibit "A": Proposed Site Plan	
Exhibit "B": Landscape Sketch Plan	
Exhibit "C": Existing Conditions and Tree Survey	
Exhibit "D": Utility Sketch Plan	
Exhibit "E": Construction Entrances Sketch Plan	
Exhibit "F": Traffic Circulation Sketch Plan	
Exhibit "G": Aerial Photo w/ Site Plan Overlay	
Exhibit "H": Aerial Photo of Proposed Parcel	
Exhibit "I": Letters of Coordination	
Exhibit "J": Historical & Archeological Approval Letter	
Exhibit "K": Petition of Support	
Exhibit "L": Sign Example	
Exhibit "M": Architectural Elevation Example Pictures	
Exhibit "N": General Location Map	

1. Planned Development Name

*Kulick Properties, LLC's
"The Tattooed Moose"
Restaurant and Event Venue*

2. Statement of Objectives

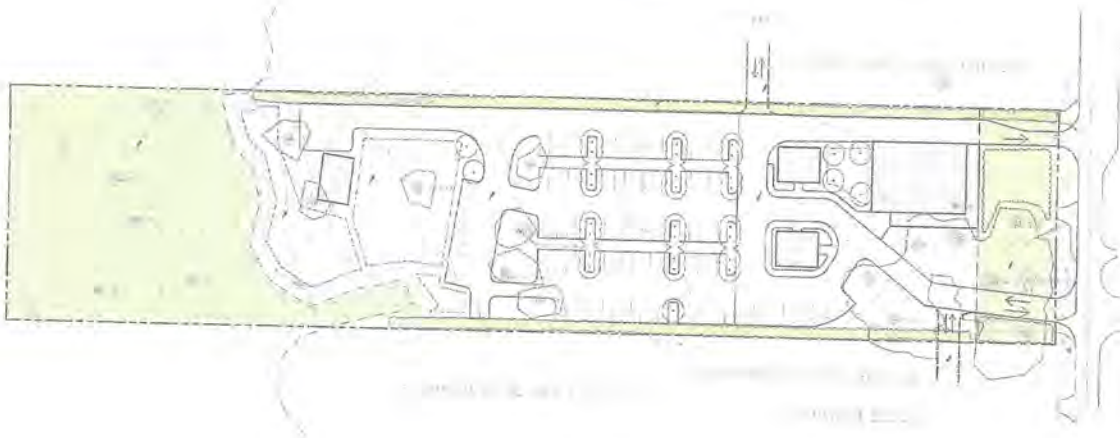
The subject property is located at 3328 Maybank Highway in Charleston County, South Carolina and currently contains four separate parcels of land equaling 4.59 acres. Each separate parcel, currently zoned as Commercial Transitional, will be combined into a single parcel, subject to this Planned Development. The intent of this application is to create a Planned Development for the entire 4.59-acre project.

Current Condition:

1.10 acres (Zoned CT)	TMS: 279-00-00-031 (3328 Maybank Highway)
1.19 acres (Zoned CT)	TMS: 279-00-00-303 (3326 Maybank Highway)
1.95 acres (Zoned CT)	TMS: 279-00-00-033 (3332 Maybank Highway)
0.35 acres (Zoned CT)	TMS: 279-00-00-034 (3334 Maybank Highway)

Proposed Condition:

4.59 acres (Zoned PD)	TMS and Address: To Be Determined
------------------------------	-----------------------------------



3. Intent and Results of Proposed PD

The proposed commercial use is consistent with the area and meets the objectives of the Charleston County Zoning and Land Development Regulations Section 4.23.2 as well as the standards of the Maybank Highway Overlay District. This application will meet the applicable criteria of Section 4.23.2 by preserving as much of the forest and natural areas as possible, and by keeping most of the trees on the property and by maintaining a good deal of open space. The Planned Development is also consistent with the intent of the Comprehensive Plan and other adopted policy documents since the property will preserve the natural resources, such as large trees and wetlands, while providing for the expansion and growth of Charleston County. Charleston County and other agencies will be able to provide necessary public services, facilities, and programs to serve this development at the time it is developed. The property is currently devoid of structures and is overgrown by vegetation.

The intent of “The Tattooed Moose” Restaurant and Event Venue PD is to create a restaurant, small retail shop, and event venue that will provide the citizens of the John’s Island area with both a high-quality restaurant and a new event venue for anything from wedding’s and parties to music concerts and art openings all on one property. It is the intention of Applicant to bring new business to the area while maintaining the rural feel and relaxed attitude of the area on John’s Island.

The Planned Development will give citizens of the John’s Island, James Island, West Ashley and Kiawah areas a new, high-quality dining experience without having to fight the downtown crowds and overpricing. The menu for “The Tattooed Moose”, already located downtown, contains classic comfort foods made with high quality, unique ingredients. Examples include Mike’s Famous Duck Club, a delicious twist on the classic sandwich, and the Thanksgiving Leftovers Sammy, reminiscent of your grandmother’s cooking. The restaurant envisioned by the Planned Development will incorporate these same innovative ideas, while having a more spacious dining floor and outside seating.

The Planned Development will also provide for an event venue, something rather rare for the area. This will provide a new space for all types of events, which may include weddings and receptions, birthday and anniversary parties, concerts for musicians and singers, meetings for groups, and openings for artists.

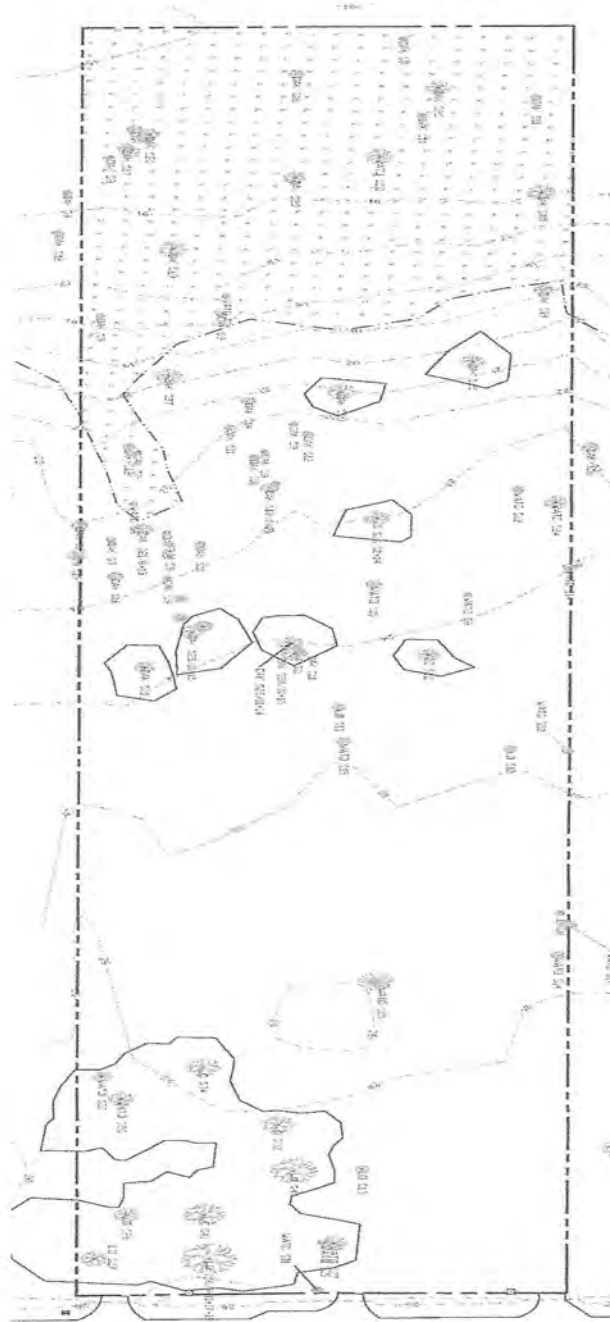
Applicant successfully owns and runs two restaurants, the aforementioned “Tattooed Moose,” located downtown, and “Voodoo Tiki Bar and Lounge,” located in the Avondale region of West Ashley. Applicant now wants to bring their experience and passion to the John’s Island area.

4. Site Information

TOTAL ACREAGE = 4.59 ACRES

Highland Acreage = 3.45 Acres

Freshwater Wetland Acreage = 1.14 Acres



5. Table of Proposed Land Uses

NOTE: The Restaurant and Bar is the principal use of this Planned Development, and will be developed as soon as possible. Any accessory use is secondary to the Restaurant and Bar, and may be developed consecutively or phased into development at a later date.

The following **PRINCIPAL** uses will be allowed by right within this Planned Development:

Restaurant and Bar: Applicant intends to create a full-service, sit-down restaurant, as well as a full service bar providing beer, wine, and liquor. The sale of beer, wine, and liquor will not require any special zoning permits. The Restaurant and Bar will also provide catering services, both inside the Restaurant and Bar and during special events, as further laid out below. Applicant proposes to have an outdoor patio attached to the Restaurant and Bar, providing outdoor seating for dining patrons. The Restaurant and Bar shall be allowed to be open from 8 A.M. until 2 A.M., seven days a week. It is understood that staff may be present before and after this period of time, for preparation and cleanup. Occupancy of the Restaurant and Bar shall be determined by the Charleston County Fire Marshall and shall comply with all limitations placed by the Fire Marshall.

The following **ACCESSORY** uses will be allowed by right within this Planned Development:

Retail Shop: Applicant intends to create a separate retail space that will sell restaurant merchandise, including but not limited to t-shirts, hats, stickers, and prepared, jarred foods, as well as local fruits and vegetables from local retailers. Applicant proposes to have tastings, of both food and beverages, to include beer, wine, and liquor, held within the Retail Shop from time to time. These tastings shall not require additional zoning permits or approvals. The Retail Shop shall be allowed to be open from 8 A.M. until 2 A.M., seven days a week. It is understood that staff may be present before and after this period of time, for preparation and cleanup. Occupancy of the Retail Shop shall be determined by the Charleston County Fire Marshall and shall comply with all limitations placed by the Fire Marshall.

Special Events: Applicant intends to host special events, including but not limited to: weddings; musical events; art openings; food festivals; car shows; seasonal parties; oyster roasts; food truck rodeos; farmers' markets and meetings. Applicant proposes to sell beer, wine, and liquor at these special events. The sale of beer, wine, and liquor shall not require a special zoning permit. There may be a shelter building, either enclosed or open-air, with catering staging areas, as well as an open lawn area. No Special Event shall require a Special Event Permit. Special Events may start as early as 8 A.M., seven days a week. Sunday through Wednesday, all events shall cease by 10 P.M. Thursday through Saturday, amplified music shall cease by 11 P.M. Any acoustic music or other event shall end no later than 12 A.M. Occupancy of any Special Event shall be limited to 200 individuals at any one time, excluding patrons of the Restaurant and Bar, seated either inside or outside on the patio, and patrons of the Retail Shop. Applicant proposes to

provide appropriate traffic and security services, as needed at any Special Event. Applicant proposes to coordinate with the appropriate public safety providers and the Charleston County Building Inspection Services Department prior to any Special Event and all Special Events shall comply with the regulations of the appropriate agencies or departments.

Smoke House: Applicant proposes to have a small Smoke House located on the property, allowing for preparation of smoked foods, including but not limited to: sausages, ribs, and barbeque meat, for the restaurant, catering and special events.

All non-residential development in Kulick Properties, LLC’s “The Tattooed Moose” PD district shall be subject to the following density, intensity, and dimensional standards:

Kulick Properties, LLC’s “The Tattooed Moose” PD Density/Intensity and Dimensional Standards	
Maximum Residential Density	No Residence Allowed
Minimum Lot Area	1 acre
Minimum Lot Width	50 feet
Landscape Buffers*	
Maybank Highway Frontage	35 feet (average)
Wetlands	35 feet (minimum average)
Sides	35 feet (average)
Maximum Building Cover	30% of lot
Maximum Height	35 feet
Max. Principal Building Size**	7,500 sq. ft.
Max. Accessory Building Size**	5,000 sq. ft.

* Applicant proposes to comply with Chapter 9 of the Charleston County ZLDR for plant material required within buffer zones.

** Applicant proposes to have four separate permanent structures located within the property, including a Restaurant and Bar, a Retail Shop, a Smoke House, and a Special Events shelter, which may or may not be enclosed on any or all sides. The Restaurant and Bar shall be the Principal Building, and shall have a maximum size of 7,500 sq. ft. The Retail Shop, Smoke House, and Special Events shelter shall be Accessory Buildings and shall each have a maximum size of 5,000 sq. ft. The maximum lot coverage must remain within the percentage designated above. Applicant proposes to allow temporary accessory structures, such as tents and booths, to be used during outdoor events held at the Special Events. Applicant will comply with all Building Code requirements for any temporary structure.

Fencing: Applicant proposes to place a privacy fence within the sides and rear buffers of the property for security, privacy, and noise suppression. Fencing will keep with the rustic quality of the property and be located within the buffer zone and shall be a minimum height of 6 ft.

6. Impact Assessment/Analysis

The impact of this development on existing public facilities and services will be minimal. There will be tie-ins to public water and sewer, which will cause a minimal additional demand on these utilities.

Water will be provided by St. John's Water Company and sewage will be provided by Charleston Water System. Electricity will be provided by Berkeley Electric Co-Op and shall be serviced by existing power lines along Maybank Highway. All new and relocated utility lines will be underground.

The existing roads should be adequately sized for this development, which is estimated to generate the same amount of traffic as similarly sized restaurants located along Maybank Highway, such as the Fat Hen and Wild Olive. According to the ITE Trip Generation Manual, 8th Edition, the proposed Restaurant/Event Venue is estimated to generate approximately 130 trips per day (based upon multi-purpose structures and services to include high-turnover sit down restaurant, retail food based sales and event venue).

Applicant will coordinate with SCDOT and Charleston County Transportation Development regarding any transportation impacts.

7. Compliance with the ZLDR

- A. Items not specifically addressed with this Planned Development shall comply with the Charleston County Zoning and Land Development Regulations for the CT Zoning District.
- B. Kulick Properties, LLC shall proceed with the development in accordance with the provisions of these zoning regulations, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to any rezoning to the applicable PD district.
- C. The provisions of Article 3.10, Variances, of the ZLDR shall not apply to the Planned Development and all major changes to the Planned Development must be approved by County Council. Tree variances may be granted in accordance with Article 3.10 and all other sections of the ZLDR.
- D. The proposed development complies with the approval criteria contained in Section 4.23.9(E)(9) as explained herein:
 1. This Planned Development complies with the standards contained in Article 4 of the ZLDR.
 2. The development is consistent with the intent of the Comprehensive Plan and other adopted policy documents since the property will preserve the

natural resources, such as large trees and wetlands, while providing for the expansion and growth of Charleston County.

3. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve this development at the time it is developed. Please see Exhibit "I" for Letters of Coordination from the various public service providers in support of this development.

8. Historic and Archeological Information

A Historic and Archeological Assessment was conducted on this site by Rebekah Dobrasko with the South Carolina Archives & History Center. According to her letter, there are no known significant historic or archaeological sites at this location. See Exhibit "J" for the attached letter.

9. Letters of Coordination

SCDOT-	The South Carolina Department of Transportation has reviewed the proposed site plan and its letter of coordination is attached in Exhibit "I".
FIRE DEPT.-	St. John's Fire Department has been contacted about the proposed development and their letter of coordination is attached as Exhibit "I".
BERKELEY ELECTRIC - CO-OP	Berkeley Electric Cooperative has been contacted about the proposed development and its letter of coordination is attached as Exhibit "I".
ST. JOHN'S WATER - (WATER)	St. John's Water has been contacted about the proposed development and its letter of coordination is attached as Exhibit "I".
CHAS. WATER SYSTEM - (SEPTIC)	Charleston Water System has been contacted about the proposed development and its letter of coordination is attached as Exhibit "I".
CHAS. CTY. SHERIFF -	The Charleston County Sheriff's Department has been contacted about the proposed development and its letter of coordination is attached as Exhibit "I".
CHAS. CTY. EMS -	The Charleston County EMS has been contacted about the proposed development and its letter of coordination is attached as Exhibit "I".

- CHAS. CTY. PUBLIC WORKS -** The Charleston County Public Works Department has been contacted about the proposed development and its letter of coordination is attached as Exhibit “I”.
- CHAS. CTY. TRANSP. DEVELOPMENT -** Charleston County Transportation Development has been contacted about the proposed development and its letter of coordination is attached as Exhibit “I”.

10. Architectural Guidelines

The Architectural Design Guidelines of Article 9.6 of the ZLDR shall apply to this proposed Planned Development, provided that:

- 1) The roofs of all structures shall be raked between a 25° and 75° angle.
- 2) All structures, both principal and accessory, shall use a uniform rural village architectural theme applied through appropriate use of scale, proportion, detail, materials, color, and landscape treatment.
- 3) Glass facades shall not exceed 45% of the building face/elevation.
- 4) Buildings will have a wooden or brick exterior appearance.
- 5) Building Color Scheme:
 - a. Color shades shall be used to unify the development;
 - b. Color combinations of paints shall be complementary;
 - c. In no case shall garish colors be permitted; and
 - d. In general, no more than four (4) different colors per building shall be allowed.

11. Access

Located along Maybank Highway, there is good access for this project. There currently exist four Curb Cuts from Maybank Highway. Applicant proposes to decrease this number to two, having one provide two-way traffic and the other provide an exit only. The exit-only Curb Cut shall be a controlled exit, to be open only during Special Events. Applicant has attempted to align the main, two-way entrance and exit across from the pre-existing Curb Cut leading into Berkeley Electric Cooperative’s parking lot. Applicant will allow shared access of the two-way driveway with any future developer of the property located west of the property subject to this PD. Private commercial driveways of gravel/composite materials will be constructed onto each public roadway.

Both the South Carolina Department of Transportation and Charleston County Transportation Development have been notified of this project, and neither object to the Proposed Development. The project will require an approved SCDOT Encroachment Permit for any work in the Maybank Highway right-of-way.

12. Commercial Areas

The Planned Development is in a fairly rural part of Charleston County, with few to no surrounding commercial properties or developments. Paved sidewalks will be provided as required by Articles 4.23 and 5.4 of the ZLDR, and in coordination with Charleston County Transportation Development. Charleston County Transportation Development has been informed about this project, and their Letter of Coordination is attached as Exhibit "I."

13. Areas Designated for Future Use

The areas of the site that are not immediately developed by this Planned Development will be left in a natural state until such time as development permits are approved. Any future development of this site will conform to Article 9.4 of the Charleston County ZLDR regarding tree removal and retention.

14. Signs

The signage for this Planned Development shall meet the size requirements located in Articles 5.4 and 9.11 of the Charleston County ZLDR. Temporary signage is allowed and must comply with Section 9.11 of the ZLDR.

15. Parking

Parking shall be provided in accordance with Article 9.3 of the Charleston County ZLDR. Any and all modifications to the parking layout set forth in the site plan shall be in accordance with Article 9.3 of the ZLDR.

16. Tree Protection

This Planned Development will be in compliance with all of the provisions of Article 9.4 in the Charleston County ZLDR and any future modification to the plan shall also be in compliance with this section. Currently, there are approximately 45 Grand Trees (24" DBH and greater) located on the 3.45-acre tract, not including wetlands, and approximately 125 Significant Trees (6" DBH and larger); and are shown on the Existing Conditions Survey attached as Exhibit "C" and the Proposed Site Plan attached as Exhibit "A". At this time, Applicant does not foresee any Grand Tree removal. If Grand Tree removal is necessary in the future, it shall comply with Article 9.4 of the Charleston County ZLDR regarding tree removal and retention.

17. Landscape Requirements

All landscaping and buffers located within the Planned Development will comply with Article 9.5 of the Charleston County ZLDR. The Maybank Highway Corridor Overlay Standards found in Article 5.4 shall also apply to the landscaping and buffers within the Planned Development. See Exhibit "B".

18. Resource Areas

The Planned Development property contains approximately 1.14 acres of freshwater wetlands as well as several mature Grand Trees. The wetlands have been delineated, and are being reviewed by the Army Corps of Engineers, with their letter attached as Exhibit "I". Both the wetlands and the Grand Trees will be protected from development and remain undisturbed to the greatest extent possible. The wetlands will serve as a natural storm water detention area for the improvements shown on the site plan.

19. Storm Water

The Planned Development will meet all Charleston County and OCRM Storm water ordinance requirements and regulations. Charleston County Public Works Department has been notified of the project, and their Letter of Coordination is attached as Exhibit "I." The proposed site will have a drainage pattern providing for drainage toward the wetland. During construction, temporary silt fencing will be installed around the limits of disturbance to reduce the potential of sediment leaving the site, and will be maintained until the site is stabilized with building and/or permanent ground cover. Applicant will make reasonable efforts to maintain water quality and control water quantity.

20. Letters of Support

Applicant has spent countless hours meeting with his neighbors and several local groups explaining his proposed restaurant and event venue. The community as a whole is overwhelmingly supportive of this Planned Development. Applicant has obtained a petition of support, with numerous signatures from its potential neighbors, attached as Exhibit "K".

21. Design Concept

See Exhibit "M" for photos of design concepts. Main building is similar to a rural roadside farm stand or single story farmhouse. It will have a deep L shaped porch (see Exhibit "A") with steps from grade to finished floor. Accessory buildings will be similar to a roadside farm stand or re-purposed farm storage. Buildings will have large overhanging roof line(s). All landscape in keeping with the surrounding area and the built typology will take cues from the vernacular of southern agrarian buildings.

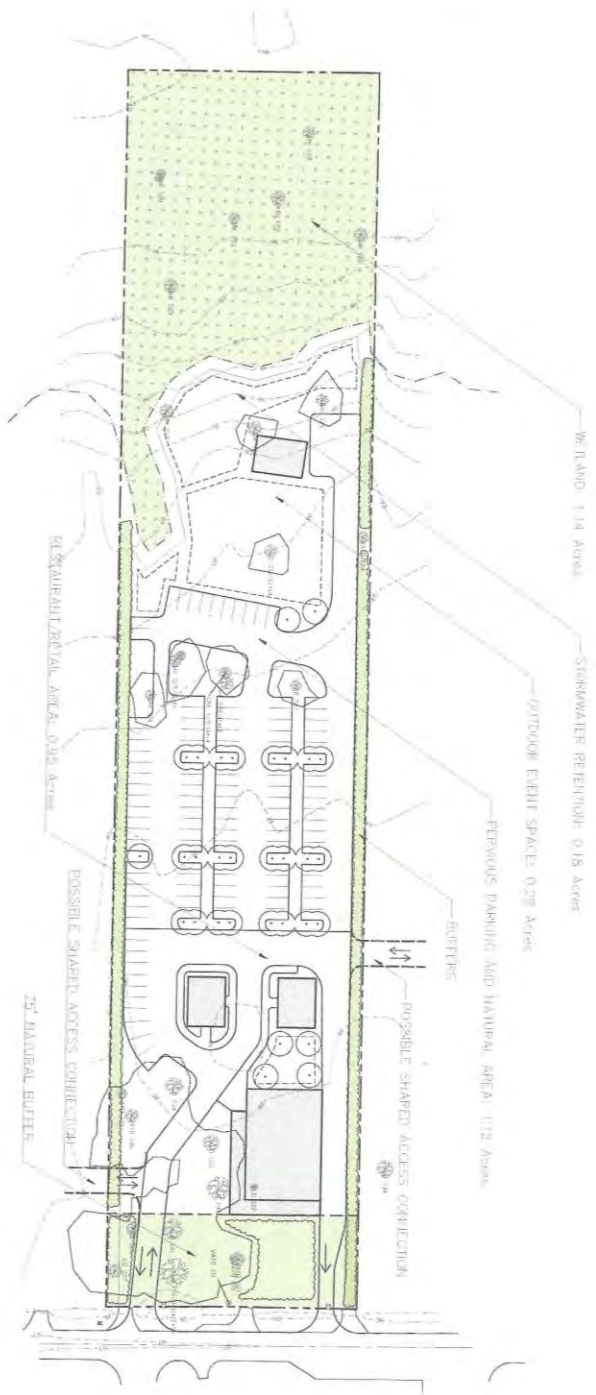
22. Referenced ZLDR

All references to any sections of the Charleston County Zoning and Land Development Regulations located in this Planned Development application shall apply to the ZLDR as it is written as of the filing of this application. Specifically, the following sections are referenced herein: 4.23; 5.4; 9.3; 9.4; 9.5; 9.6; 9.8; and 9.11. A copy of the applicable sections of code shall be provided via CD along with this application.

EXHIBIT “A”



CONCEPTUAL
NOT FOR CONSTRUCTION



Site Plan and Land Use Areas

<p>FABRIC URBAN DESIGN OFFICE</p>	<p>Tatoed Moose Johns Island</p>	<p>Date: 9/14/2012 Sheet Size: 24x36 Scale: 1" = 40'</p>	<p>Fabric Urban Design, LLC 3 Gateway Walk Charleston SC 29401 Phone : 843-410-9014 hello@fabricurbandesign.com</p>
--	----------------------------------	--	---

EXHIBIT “B”



CONCEPTUAL
NOT FOR CONSTRUCTION



Landscape Sketch Plan



Tatoed Moose Johns Island

Date: 9/14/2012
Sheet Size: 24x36
Scale: 1" = 40'

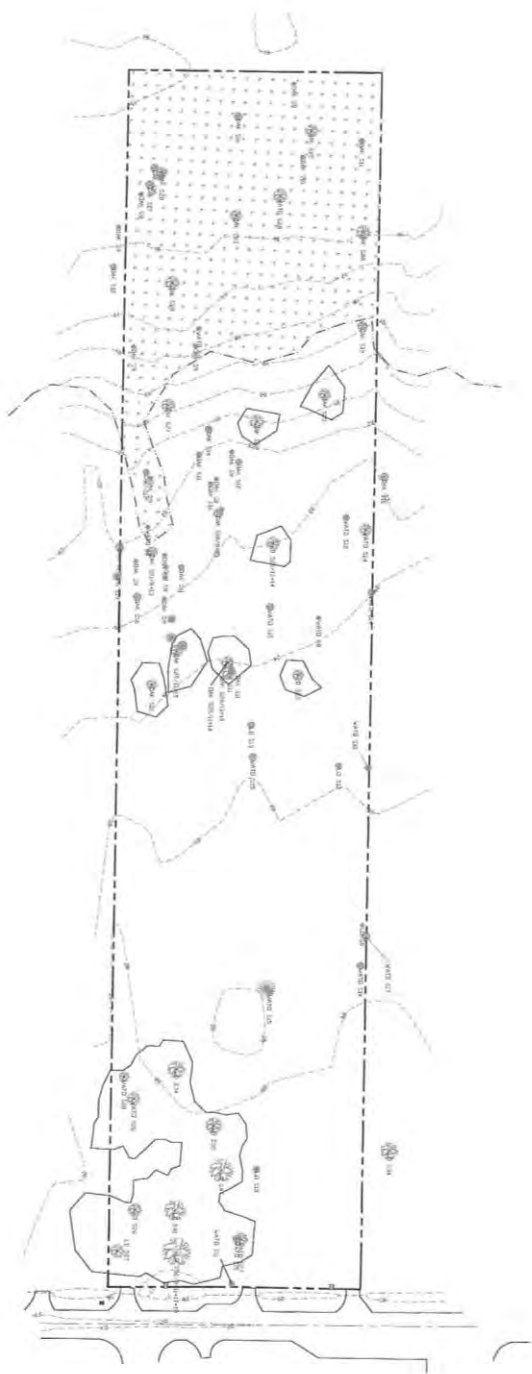
Fabric Urban Design, LLC
3 Gateway Walk
Charleston SC 29401

Phone : 843-410-9014
hello@fabricurbandesign.com

EXHIBIT “C”



CONCEPTUAL
NOT FOR CONSTRUCTION



Tree Survey



Tattooed Moose Johns Island

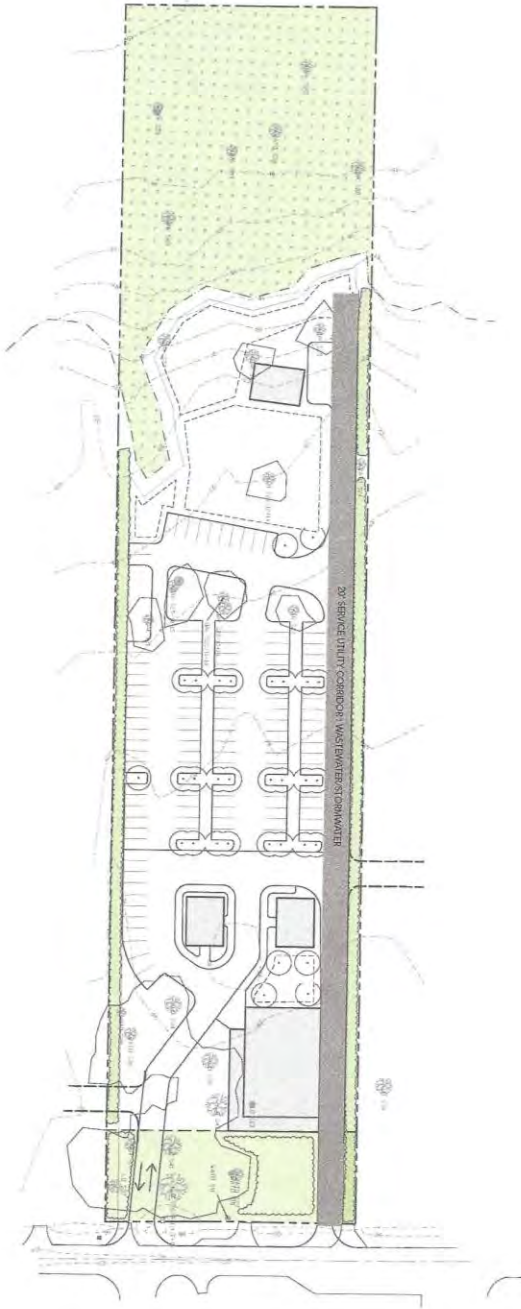
Date: 9/14/2012
Sheet Size: 24x36
Scale: 1" = 40'

Fabric Urban Design, LLC
3 Gateway Walk
Charleston SC 29401
Phone : 843-410-9014
hello@fabricurbandesign.com

EXHIBIT “D”



CONCEPTUAL
NOT FOR CONSTRUCTION



Utility Sketch Plan



Tatoed Moose Johns Island

Date: 9/14/2012
Sheet Size: 24x36
Scale: 1" = 40'

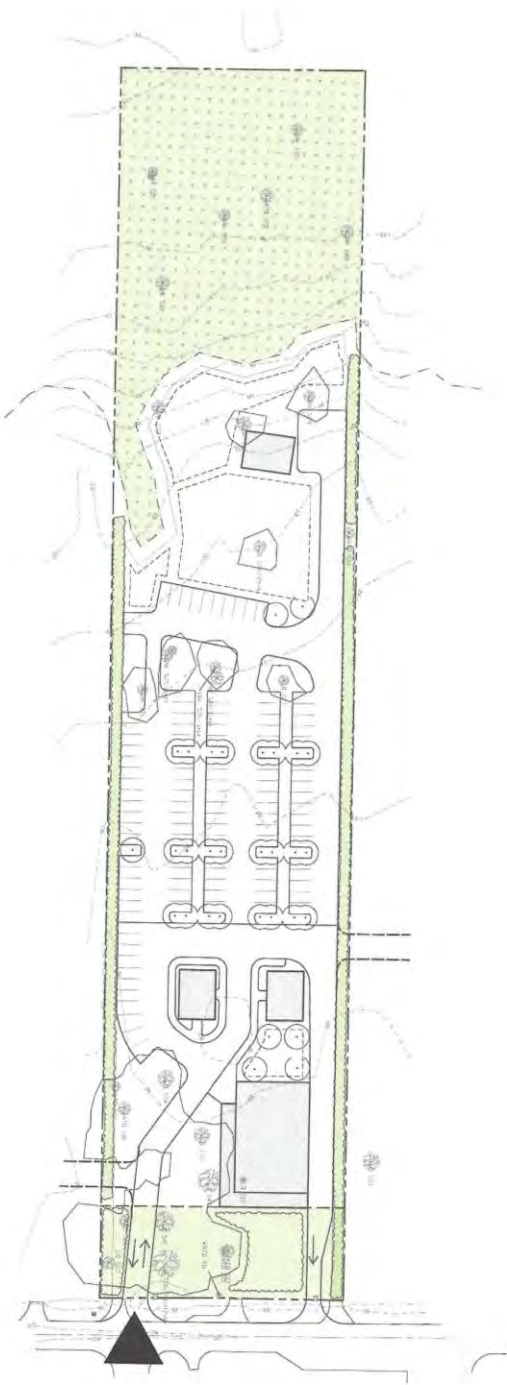
Fabric Urban Design, LLC
3 Gateway Walk
Charleston SC 29401

Phone : 843-410-9014
hello@fabricurbandesign.com

EXHIBIT “E”



CONCEPTUAL
NOT FOR CONSTRUCTION



Construction Entrances



Tatoed Moose Johns Island

Date: 9/14/2012
Sheet Size: 24x36
Scale: 1" = 40'

Fabric Urban Design, LLC
3 Gateway Walk
Charleston SC 29401
Phone : 843-410-0014
hello@fabricurbandesign.com

EXHIBIT “F”



CONCEPTUAL
NOT FOR CONSTRUCTION



- PEDESTRIAN CIRCULATION ———
- 2 WAY MOTOR TRAFFIC - - - - -
- 1 WAY MOTOR TRAFFIC - - - - -

Pedestrian and Motor Traffic Circulation



Tatoed Moose Johns Island

Date: 9/14/2012
Sheet Size: 24x36
Scale: 1" = 40'

Fabric Urban Design, LLC
3 Gateway Walk
Charleston SC 29401
Phone : 843-410-9014
hello@fabricurbandesign.com

EXHIBIT “G”

AERIAL PHOTO WITH SITE PLAN OVERLAY



EXHIBIT “H”

AERIAL PHOTOGRAPH



EXHIBIT “I”



South Carolina
Department of Transportation

September 19, 2012

C. Brandon Belger, Esquire
Mlynarczyk Law Firm, LLC
1058 East Montague Ave
North Charleston, SC 29405

Re: Tatooned Moose Restaurant located at 3328 Maybank Hwy, John's Island, SC; TMS#279-00-00-031/303/033/034

Dear Mr. Belger:

This letter is to inform you that we received the preliminary site plan and pedestrian/ Motor Traffic Circulation submittal for the above referenced project. The SCDOT has determined the proposed plan to be feasible in scope. However please note that the locations of the access points may not be approved as shown as they currently do not meet Access and Roadside Management Standards. These and other issues can be resolved through the encroachment permit review process.

Please be aware that a full review has not been performed nor has an SCDOT Encroachment Permit been applied for or approved. When the final plans are complete, please submit to this office and encroachment permit application along with 1 full size and 1 half size sets of construction plans for a complete review by the Department.

If you have any questions or concerns, please contact Colleen P. Murtaugh at (843) 746.6749 or murtaughcp@scdot.org.

Sincerely,

Marcie Timmons, PE

Assistant Resident Maintenance Engineer
SCDOT – Charleston Maintenance, District 6

MST:cpm
File/Charleston Maintenance

Charleston Maintenance
2401 Maintenance Way
North Charleston, South Carolina 29406



Phone: (843) 740-1655
Fax: (843) 740-1548

AN EQUAL OPPORTUNITY
AFFIRMATIVE ACTION EMPLOYER

ST. JOHN'S WATER COMPANY, INC.

Post Office Box 629
John's Island, South Carolina 29457-0629
Phone (843) 559-0186
Fax (843) 559-0371

Board Members

Julia H. Grant, Chair
Thomas Legare, Jr., Vice Chair
Albert Thompson, Jr., Sec/Treas
Samuel D. Brownlee
Ronald Coleman
Becky J. Dennis
Cindy M. Floyd
Joseph W. Hall
Robert M. Lee

August 2, 2012

Brandon Belger, Esquire
Mlynarczyk Law Firm
1058 East Montague Avenue
N. Charleston, SC 29405

Re: TMS numbers 279-00-00-031, 303, 033, and 034
Water Availability and Willingness to Serve
Letter of Coordination

Dear Mr. Belger:

This letter is to confirm that TMS numbers 279-00-00-031, 303, 033, and 034, on Johns Island are within the water service area of the St. John's Water Company, Inc. (SJWC). SJWC does have water available from an existing 6-inch water line located on Maybank Highway for water service to TMS numbers 279-00-00-031, 303, 033, and 034. Our system is SC DHEC approved and we have the capacity and willingness to provide potable water service to TMS numbers 279-00-00-031, 303, 033, and 034 for a restaurant, retail store, and event location. This letter of coordination verifies that TMS numbers 279-00-00-031, 303, 033, and 034 each front Maybank Highway and our existing water line is in the Maybank Highway road right of way, therefore the property lines are within 50-feet of the existing SJWC water line.

If you have any questions, please feel free to give me a call at 843-514-5570.


Sincerely,



Colleen Schild
Assistant Manager/Engineer



BERKELEY
ELECTRIC COOPERATIVE, INC.

Your Touchstone Energy® Partner 

August 6, 2012

Mlynarczyk Law Firm, LLC
C/o: C. Brandon Belger
1058 East Montague Ave.
North Charleston, SC 29405

RE: Power Availability for 3328 Maybank Hwy.
Johns Island, SC
TMS # 279-00-00-031, 303, 033, 034

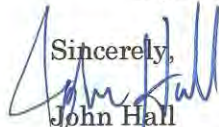
Dear Mr. Mike Kulick:

Berkeley Electric Cooperative is willing and able to supply the electrical energy requirements for the above referenced locations. We are currently provide electric service to this area and look forward to extending our facilities to meet the needs of any planned development.

Once you have plans available, I will need you to provide me with a hard set of prints and an AutoCAD disc, so we can design our distribution facilities for this site.

All services that are rendered will be under our Service Rules and Regulations at the time of service. If you have any questions, please don't hesitate to give me a call.

If you have any questions, please don't hesitate to give me a call.

Sincerely,


John Hall
Superintendent of Field Engineering

JH/ae

Cc: Tim Mobley, VP of Engineering and Operations
File

Post Office Box 1234
Moncks Corner, SC 29461
(843) 761-8200
(843) 825-3383
Fax (843) 572-1280

Post Office Box 128
Johns Island, SC 29457
(843) 559-2458
Fax (843) 559-3876

Post Office Box 1549
Goose Creek, SC 29445
(843) 553-5020
Fax (843) 553-6761

3745 N. Highway 17
Awendaw, SC 29429
(843) 884-7525
Fax (843) 884-3044

ST. JOHN'S FIRE DISTRICT

P.O. BOX 56

3327 Maybank Hwy.

JOHNS ISLAND, S.C. 29455

PHONE: (843) 559-9194

FAX: (843) 559-3687



KARL E. RISTOW, Fire Chief

COMMISSIONERS:

J. BARRY HART, Chair
SUSANNE HOLLOMAN, Vice-Chair
ERIC P. BRITTON
SAMUEL BROWNLEE
THOMAS KULICK
H. ALBERT THOMPSON
DON RIVERS

August 2, 2012

Re: 3328 Maybank Highway
Johns Island, South Carolina 29455
TMS: 279-00-00-031, 033, 034,033

This shall serve as confirmation that the above referenced address and TMS numbers are within the St. Johns Fire District response area. Confirmation was obtained through the use of the Charleston County GIS system. The St. Johns Fire District has an ISO protection class rating of 4/9.

Proper fire protection can only be accomplished through preplanning, prevention, and education. Proper preplanning requires a fire plans review prior to any construction to ensure all applicable codes are met, and special circumstances outside of the code, such as the location of a fire department connection (FDC) for a rated sprinkler/standpipe system can be agreed upon. A properly designed, installed, and maintained fire sprinkler/suppression system increases the chance of reducing fire spread and loss. Prevention consists of conformity to all applicable fire and life safety codes on a daily basis. Prevention is achieved through education of employees and emergency service personnel.

Sincerely,

A handwritten signature in blue ink, appearing to read "James T. Ghi". The signature is fluid and cursive.

James T. Ghi
St. Johns Fire and Rescue Department
Captain, Fire Prevention Division



PO Box B
Charleston, SC 29402
103 St. Philip Street (29403)

(843) 727-6800
www.charlestonwater.com

Board of Commissioners
Thomas B. Pritchard, Chairman
David E. Rivers, Vice Chairman
William E. Koopman, Jr., Commissioner
Mayor Joseph P. Riley, Jr. (Ex-Officio)
Councilmember Dean C. Riegel (Ex-Officio)

Officers
Kin Hill, P.E., Chief Executive Officer
Dorothy Harrison, Chief Administrative Officer
Wesley Ropp, CMA, Chief Financial Officer
Andy Fairey, Chief Operating Officer
Mark Cline, P.E., Capital Projects Officer

8/16/2012

Mr. Michael Kulick
Kulick Properties, LLC
33 Anita Dr.
Charleston, SC 29407

Re: Sewer Availability to TMS #279-00-00-031, 279-00-00-033, 279-00-00-034, 279-00-00-303 to serve one commercial unit

Dear Mr. Kulick,

This letter is to certify our willingness and ability to provide wastewater collection service to the above referenced site in Charleston County, South Carolina. Wastewater collection service to this site may be made available via the existing 12" gravity main in the right of way of Maybank Hwy. Any subdividing of the property subsequent to this correspondence will require a review process of the civil engineering plans to ensure compliance with the Charleston Water System minimum standards. Any extensions and/or modifications to the infrastructure to serve this site will be a developer expense. Please be advised that wastewater impact fees, wastewater tap fees, change-in-use fees, and/or cost to extend fees will be due prior to connection of any Charleston Water System's sewer system. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

The Charleston Water System certifies the availability of service only insofar as its rights allow. Should access to our existing sewer main/mains be denied by appropriate governing authorities, the Charleston Water System will have no other option than to deny service.

Please contact St. John's Water Company with water service issues.

This letter is not to be construed as a letter of acceptance for operation and maintenance from the Department of Health and Environmental Control.

If there are any questions pertaining to this letter, please do not hesitate to call on me at (843) 727-6870.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl L. Boyle".

Cheryl L. Boyle
Engineering Assistant
Charleston Water System

cc: file

This is an "uncontrolled" copy of a controlled document.

J. Al Cannon, Jr., Esq.
Sheriff, Charleston County



3505 Pinehaven Drive
Charleston Heights, SC 29405-7789

2 October, 2012

Mr. Michael Kulick
Kulick Properties, LLC

Dear Mr. Kulick,

This correspondence is to confirm that the Charleston County Sheriff's Office provides, and will continue to provide, law enforcement services for the property located at 3328 Maybank Highway, Johns Island, South Carolina.

The Sheriff's Office has discussed the nature of the proposed development and types of special events proposed, and will work with the venue to ensure that emergency services are provided.

If any further information is needed, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Honan", with a long horizontal flourish extending to the right.

Thomas A. Honan
Major, Operations
Charleston County Sheriff's Office
3505 Pinehaven Drive
Charleston Heights, SC, 29405
843 554-2449
thonan@charlestoncounty.org

Don Lundy
Director



Phone: 843.202.6700
Fax: 843.202.6712
Lonnie Hamilton III Public Services Bldg.
4045 Bridge View Dr., Suite B309
North Charleston, SC 29405

EMERGENCY MEDICAL SERVICES
2010 NATIONAL EMS SERVICE OF THE YEAR

October 2, 2012

Mr. Mike Kulick
Kulick Properties, LLC
c/o Mlynarczyk Law Firm
1058 E. Montague Ave.
North Charleston SC 29405

Re: Coordination Letter for 3328 Maybank Hwy. Property

Dear Mr. Kulick:

We received your request for a "Letter of Coordination" in reference to the development of "The Tattooed Moose located at 3328 Maybank Hwy. We understand that this development will be a restaurant and event venue with future plans on site involving musical events, festivals, car shows, art opening, farmers' markets, season parties, and other similar events.

It is Charleston County EMS's goal is to ensure that citizens and visitors attending festivals or special events are provided the best in emergency medical coverage. This correspondence helps us determine what type of EMS staffing will be required. This staffing determination is based on the expected number of attendees, any special needs or risk factors involved and the nature of the event. As a minimum guideline, the required level of coverage:

EMS coverage must be provided at all events defined as "major events:"

- Expected attendance 3,000 to 5,000 - one EMS crew
- Expected attendance 5,000 to 15,000 - two EMS crews
- Expected attendance more than 15,000 - three EMS crews

It is required that Charleston County EMS reviews your event plan prior to zoning permit approval so be sure to involve Charleston County EMS as early as possible so that you can plan your event budget and logistics around the level of coverage appropriate to ensure safety for your attendees.

Event planners hiring Charleston County EMS to cover their special events will be asked to enter into a contract that defines the event dates and times, and the number of units/resources needed for adequate coverage. It should also set forth the costs for those services. Any changes in the event date, time, location, etc. must be communicated to Charleston County EMS as soon as possible. Charleston County EMS reserves the right to refuse EMS coverage if critical event information that could affect that coverage is not communicated in enough time to re-evaluate safety needs.

October 2, 2012
Ref: 3328 Maybank Hwy.
Letter of Coordination

We look forward to being utilized as a resource in developing the special event plan.

Sincerely,



Major Charles Millican
Assistant Director
Charleston County EMS

CM/kfo

c: Brandon White, Charleston County Zoning/Planning Dept.
C. Brandon Belger, Esq.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403-5107

September 18, 2012

Regulatory Division

J. Andy Ruocco, LEED AP BD+C
Project Manager I Environmental
Terracon
1450 5th Street West, North Charleston, SC 29405

Dear Mr. Ruocco:

This is to acknowledge receipt of your request for a jurisdictional determination on a 4.6 acre tract of land located at 3328 Maybank Highway on Johns Island, Charleston County, SC.

A handwritten signature in cursive script that reads "Debbie King".

Regulatory Division
Charleston District
Corps of Engineers
Phone (843) 329-8044

September 14, 2012



Grower 20, LLC
P.O. Box 5632
Spartanburg, SC 29304

C/o Thomas & Hutton Engineering

Re: Jurisdiction Determination Request Submittal
3328 May Bank Highway
Johns Island, Charleston County, South Carolina
North Edisto River Watershed 03050206-04
Terracon Project EN127067

Grower 20, LLC:

Terracon Consultants, LLC submitted a Request for Jurisdictional Determination to USACE for the above referenced approximately 4.60 acre site on September 14, 2012. The submittal package included documentation supporting the identification of hydrology, soils, and vegetation on the site that were used to make the wetland/upland boundary determination on the site. The wetland/upland boundary was marked using consecutively numbered colored flagging.

The submitted request also contained the Thomas & Hutton wetland survey entitled "**Wetland Survey of Various Lots Located Along Maybank Highway, Owned by Grower 20, LLC**", dated 9/7/12.

If you have any questions, please contact me at 843-884-1234, 843- 200-8949 or jaruocco@terracon.com.

Respectfully submitted,
Terracon Consultants, Inc.

A handwritten signature in black ink, appearing to read 'J. Andy Ruocco', is positioned above the printed name and title.

J. Andy Ruocco
Project Manager

WPC, A Terracon Company 1450 Fifth Street West North Charleston, SC 29405
P [843] 884 1234 F [843] 884 9234 wpceng.com terracon.com

Geotechnical ■ Environmental ■ Construction Materials ■ Facilities



James R. Neal
Director

Public Works Department

September 24, 2012

843.202.7600
Fax 843.202.7601
jneal@charlestoncounty.org
Lonnie Hamilton, III
Public Services Building
4045 Bridge View Drive, Suite A301
North Charleston, SC 29405-7464

Adam Mlynarczyk
Mlynarczyk Law Firm, LLC
1058 E. Montague Avenue
North Charleston, SC 29405

RE: KULICK PROPERTIES, LLC's "THE TATTOOED MOOSE" RESTAURANT
AND EVENT VENUE - TMS Nos. 279-00-00-031
279-00-00-033
279-00-00-034
279-00-00-303

STORMWATER DIVISION COORDINATION

Dear Mr. Mlynarczyk:

We have reviewed the Kulick Properties, LLC's "The Tattooed Moose" Restaurant and Event Venue Development PD concept master plan, dated August 22, 2012, and revised September 14, 2012 for a commercial development at 3328 Maybank Highway. At present, this letter represents sufficient coordination with Public Works in order to continue the planned development guidelines for the property.

The proposed development being located on Maybank Highway will be permissible. Additional review, coordination and approval by the Public Works Department will be required during the County Stormwater Permitting process at the time of construction approval and the County Site Plan Review process. Charleston County Public Works will work with the developer during design development to ensure the stormwater drainage is sufficiently provided without negative impact to the watershed.

Sincerely,



Charles C. Jarman, Jr., P.E.
Stormwater Utility Manager

CCJ: nd

c: Charleston County Planning Department, Joel Evans



Molli J. LeMin
Construction Project Manager

843.202.6154
Fax: 843.202.6152
MLeMin@charlestoncounty.org
Lonnie I Hamilton III Public Services Building
4045 Bridge View Drive, Suite C204
North Charleston, SC 29405

C. Brandon Belger, Esq.
1058 E. Montague Avenue
North Charleston, SC 29405

Subject: Maybank Highway Improvement Project

Dear Mr. Belger:

Charleston County is studying improvements to Maybank Highway (S.C. Route 700) from its intersection with Main Road/Bohicket Road (S-20) to near the Stono River. The intent of the Maybank Highway Improvement Project is to improve traffic flow and safety on Maybank Highway and to provide adequate bicycle and pedestrian accommodations. As of September 2012, Charleston County only has conceptual plans for the improvements for the project area.

I have reviewed the proposed site plan for TMS 279-00-00-031, 3328 Maybank Highway, (referred to as Tract 65 on the attached drawings) and do not foresee any conflict with the proposed development with the current conceptual design for the Maybank Highway Improvement Project. Please note that the proposed conceptual design does approximate the need for right-of-way acquisition in the approximate amount of 400 square feet which would be a take of five feet linearly across the front of the property along Maybank Highway.

It is my recommendation that Charleston County Zoning & Planning Department proceed forward with their review and approval process for this site plan without concern for impacts to the site by the proposed Maybank Highway Improvement Project. However, as stated above the proposed design is only conceptual and could change throughout the development of the project.

Please feel free to contact me if you have any questions or concerns regarding the Charleston County Department of Transportation Development Maybank Highway Improvement Project.

Regards,

Molli J LeMin
Project Manager

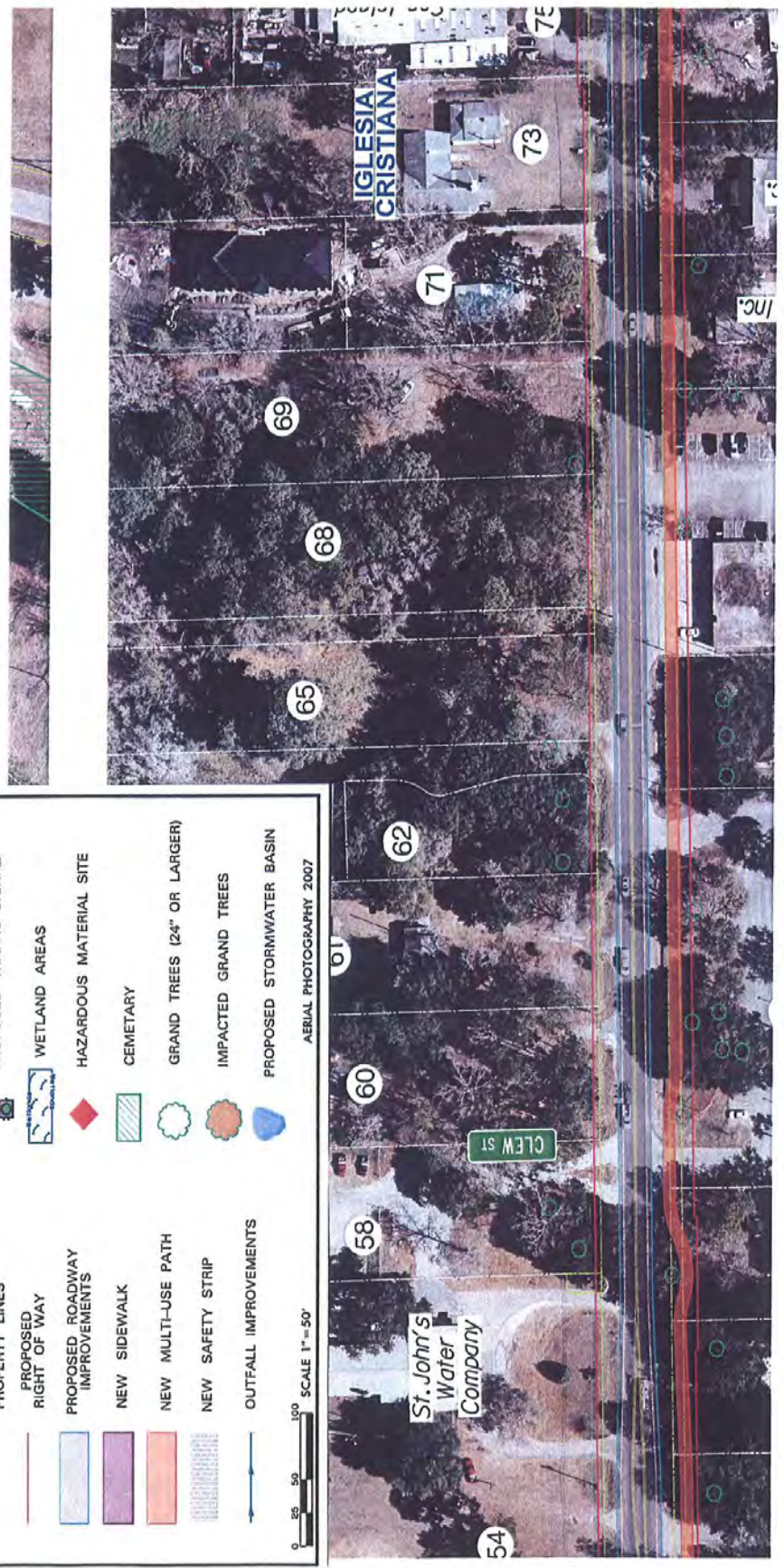
Maybank Highway Improvement Project - Conceptual Design

LEGEND

	EXISTING RIGHT OF WAY/EASEMENT		EXISTING TRAFFIC SIGNAL
	EXISTING PROPERTY LINES		PROPOSED TRAFFIC SIGNAL
	PROPOSED RIGHT OF WAY		WETLAND AREAS
	PROPOSED ROADWAY IMPROVEMENTS		HAZARDOUS MATERIAL SITE
	NEW SIDEWALK		CEMETARY
	NEW MULTI-USE PATH		GRAND TREES (24" OR LARGER)
	NEW SAFETY STRIP		IMPACTED GRAND TREES
	OUTFALL IMPROVEMENTS		PROPOSED STORMWATER BASIN

SCALE 1" = 50'

AERIAL PHOTOGRAPHY 2007



Tract 65 / 3328 Maybank Hwy / TMS 279-00-00-031

EXHIBIT “J”

September 7, 2012



Mr. Eric Saleme
Mlynarczyk Law Firm, LLC
1058 East Montague Ave.
North Charleston, SC 29405

Re: Tatoood Moose
Johns Island, Charleston County, South Carolina
SHPO Project No. 12-RD0270

Dear Mr. Saleme:

Our office has received the documentation dated August 23 you submitted in anticipation of applying for a permit from the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (SCDHEC – OCRM). The recommendation stated below could change once permit application to SCDHEC – OCRM has been made. At that time, the SCDHEC – OCRM will initiate coordination with our Office in compliance with the South Carolina Coastal Zone Management Act of 1976, as amended (South Carolina Code Title 48, Chapter 39), the “Policies and Procedures of the South Carolina Coastal Zone Management Program,” and the 1996 Memorandum of Agreement between our Offices concerning implementation of the South Carolina Coastal Management Program. This letter and recommendation are for preliminary, informational purposes only and do not constitute agency coordination with our office.

There are no known significant historic or archaeological sites in the project tract. If the Tatoood Moose were to require a permit from the SCDHEC – OCRM, we would recommend to that agency that no significant historic or archaeological sites will be impacted by this project.

If you have any questions, please contact me at (803) 896-6183 or at dobrasko@scdah.state.sc.us.

Sincerely,

Rebekah Dobrasko

Rebekah Dobrasko
Supervisor of Compliance, Tax Incentives, and Survey
State Historic Preservation Office

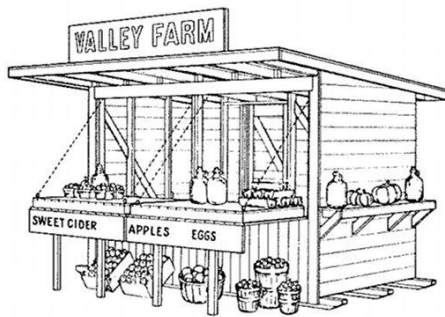
EXHIBIT “L”

SIGN EXAMPLE



EXHIBIT “M”

ARCHITECTURAL ELEVATION EXAMPLE PICTURES



PERSPECTIVE



Elliott Springs, Farmer

Back in the 1920s after his father removed him from his post as treasurer of the Fort Mill plant, Elliott decided to be a combination dirt farmer and author. He teamed up with Thomas B. Spratt of Fort Mill and hired a Clemson-trained extension agent for the purpose of helping Fort Mill district farmers abandon their dependence on cotton as their only money crop. Tobacco was experimented with but conditions were not suitable to turn it into a money crop. While the agent's services were free to other farmers of the area, there was little response and the agent was not kept more than a few years. R. F. Palmer, a former agriculture teacher, was hired to manage the 7,200 acre farm which expanded from peach trees and vegetables to include a top-notch commercial dairy and chicken houses. Springs Farm had fruit and vegetable stands near Fort Mill and on Wilkinson Blvd. and Independence Ave. in Charlotte. Peaches and nectarines were shipped to New York restaurants until 1953, always commanding top prices. Springs especially delighted in giving his peaches (25 different varieties) and nectarines (his favorite) to friends and visitors. In the summer, he would leave his Fort Mill home with peach baskets tucked in all the space of his automobile. It was also said that the Colonel rarely apologized to one of his executives face to face, but "you might go out to get the paper and there was a bushel of peaches or nectarines sitting on your porch."

EXHIBIT “N”

GENERAL LOCATION MAP

