

**TOWN OF SULLIVAN'S ISLAND
SOUTH CAROLINA
PLANNING COMMISSION
REGULAR MEETING MINUTES
Wednesday, September 14, 2010**

A regular meeting of the Town of Sullivan's Island Planning Commission was held at 6:30 p.m., Wednesday, September 14, 2010 in Town Council Chambers, 1610 Middle Street all requirements of the Freedom of Information Act having been satisfied. Present were Commission members Chairman Hal Currey, Vice-Chairman John Winchester, Aussie Geer, Nicky Bluestein, Anne Osborne Kilpatrick, Bobby Thompson and Elaine Fowler; Asst to Administrator Darrow and Building Official Robinson. Councilman Pat O'Neil, Chairman of Real Estate Committee, was present at the meeting for a short time.

I. Call to Order. Chairman Currey called the meeting to order and stated the press and public were duly notified pursuant to state law.

II. Approval of Agenda.

MOTION: Ms. Geer made a motion to approve the agenda; seconded by Mr. Winchester; MOTION UNANIMOUSLY PASSED.

III. Approval of Minutes.

MOTION: Ms. Geer made a motion to approve the August 11, 2010 minutes as presented; seconded by Mr. Winchester; MOTION UNANIMOUSLY PASSED.

IV. Correspondence & General Public Comments

Rick Graham, 2012 I'On Avenue

- Noted the Commission has the Community Commercial District topic on its agenda tonight.
- Spoke in support for subdividing split zone lots, noting he owns land in the Community Commercial District.
- Opined it is impossible, or at least improbable, for single family owners of split zone lots to utilize both the commercial and residential parts of the lots, or sell the property with current deed restrictions.
- Submitted separating the split zone lots could be useful for the Island, in addition to the property owners.

V. New Business - None

VI. Unfinished Business

A. Continued Discussion of Community Commercial District Plan

Chairman Currey reported that he presented the CC Overlay District #1 concept to Council, per Commission's discussion last month, at Council's Committees Meeting last night (September 13, 2010). Council was advised the Commission planned to consider a second overlay district at tonight's meeting. Council seemed agreeable to the Commission holding a public hearing to gather public feedback on the overlay district concept, but recommended the Planning Commission hold one public meeting where both overlay districts could be presented at the same time. Councilman Pat O'Neil confirmed Chairman Currey's report.

Pursuant to Commission's discussion at its August 11, 2010 meeting, Chairman Currey and Vice-Chairman Winchester presented a draft conceptual for Overlay District #2 for discussion. This second overlay district would address the lots between I'On Avenue and Middle Street, from Station 22 to 2019 Middle Street (currently Sullivan's Island Restaurant and other businesses) and 2120 Middle Street (currently Prime Time Fitness). **(Overlay District #2 Concept Report attached as Exhibit A).**

Thereafter the Planning Commission reviewed the document, with a significant amount of discussion time revolving around elevations, building heights and flood zones for the Middle Street commercial side of split zone lots (FEMA flood maps designate these lots as being in the A flood zone) and residential portions of the split zone lots along I'On Avenue (FEMA flood maps designate these lots as being in the V flood zone). The Commission's intention in the draft document is to try to encourage parity in height between a future commercial building and residential home potentially constructed on what is currently one split zoned lot.

Mr. Winchester suggested the Commission should consider Section 21-50(A-E) of Town Codes and how this section would impact potential future requests for development of multiple duplexes.

Mr. Bluestein expressed concern about an overlay district that would allow the separation of split zone lots, citing:

- Additional construction would increase density and impact on the CC area;
- An overlay district may not be sufficient to prevent the spread of zoning change requests for areas outside the overlay district. There is the possibility the Town might open itself to future litigation.

Mr. Thompson said he shared Mr. Bluestein's concern about the legal strength of an overlay district and suggested the Town should obtain legal advice before adopting an overlay district.

Other topics were off-street and on-site parking, inclusion of language requiring a water/sewer easement so that commercial properties on Middle Street would have access to water and sewer in the future (Ms. Fowler will develop draft language in concert with feedback from Water & Sewer Manager Gress), and the restriction of residential dwelling construction to the second floor, only, of future Middle Street commercial development.

MOTION: Ms. Fowler made a motion to recommend Overlay District #2 be forwarded to Council for its consideration and feedback, with anticipation Council will approve the Planning Commission holding a public hearing for feedback on both Overlay District #1 and #2 concepts; seconded by Mr. Thompson.

Discussion:

Mr. Bluestein reiterated his objections to an overlay district allowing for separation of split zone lots, citing potential increased people, noise and traffic in the Commercial District.

Chairman Currey expressed support for the overlay district concept, noting it would strengthen the opportunities for thoughtful, well-designed future commercial development that would be in-line with the size, scope and character of the CCD area.

Call for the Question: Motion passed with six yeas and one nay (Mr. Bluestein).

Chairman Currey noted he would bring the concepts for Overlay District #1 and #2 forward to Council at its September 21, 2010 regular meeting for feedback. Based upon Council's final comments, the Planning Commission will plan a public hearing on this concept at its October 13, 2010 regular Commission meeting.

B. Continued Discussion of Comprehensive Plan Needs & Goals (Land Use)

Due to time constraints the Commission agreed to defer this matter for discussion at the October Planning Commission meeting.

C. Staff Report: Certified Local Government

Building Official Robinson reported the CLG application has been submitted to State Archives & History and the Town should expect a response within the next six (6) weeks.

**D. Ongoing Town Projects – Status Report:
Accreted Land Management Plan Consultant Services**

Chairman Currey referred to a memorandum from Staff as to the status of the Accreted Land Management and Community Commercial District Plans (**Exhibit B**).

VII. Next Meeting – 6:30PM, Wednesday, October 13, 2010

There being no further business, the meeting was adjourned at approximately 8:25 p.m. (Ms. Kilpatrick motioned; Ms. Fowler seconded; unanimously passed).

Respectfully submitted,
Lisa Darrow, Asst. to Administrator

Approved at the Wednesday, October 13, 2010 Planning Commission Meeting

EXHIBIT A

Note: This is a working document prepared by the Planning Commission for the intent of encouraging public feedback on issues related to the Community Commercial District. This information exemplifies the concepts that may be incorporated in an Overlay District within the Community Commercial District.

Concept for the Terms of an Overlay District (Overlay District #2) For Those lots between I'On Avenue and Middle Street from Station 22 to 2019 Middle Street (current Sullivan's Restaurant and other shops) and 2120 Middle Street (currently Prime Time Fitness) (Overlay District 2)



This overlay district would allow the lots contained therein to be subdivided and would allow the owner to sell either or both individually as he/she desires subject to the following conditions:

Special Conditions/Restrictions

COMMERCIAL CONSTRUCTION – Middle Street Lots

1. Buildings which might be constructed on the commercial half of a lot will be required to adhere to current zoning ordinance regulations as to size, setback heights, etc. [Section 21-52(C), 21-54(E) and 21-59(D) of Sullivan's Island Town Code of Ordinances] Table 1.1 Attached
2. Buildings constructed in the commercial half of the area in Overlay District #2 would continue to be regulated by the existing zoning ordinance with respect to permitted uses [Section 21-50 (A-E) of Sullivan's Island Town Code of Ordinances, excepting Section 21-50(C)(3) (a-g), which shall be deleted.]
3. Buildings which might be constructed on the commercial half of a lot in Overlay District #2 may have residential uses on the upper level in accordance with Section 21-50 (C)(2)(a-f) with designation as condominiums in accordance with South Carolina State Law allowed. No more than fifty (50%) percent of the total square footage of the structure may be dedicated for residential use.

Planning Commission
Town of Sullivan's Island, South Carolina
Conceptual Draft - Overlay District #2
Aid for Public Hearing
(September 14, 2010) Version 3.0 (9/16/2010)

4. Buildings which might be constructed in the commercial half of the area in Overlay District #2 must be approved by the Design Review Board and must be consistent with typical Sullivan’s Island architecture. Off-street parking in accordance with Section 21-143(D) of the Town Code of Ordinances must be provided.
5. There will be no square footage or other bonuses for neighborhood compatibility for the houses or commercial buildings constructed in Overlay District #2.
6. Sidewalks must be constructed whenever commercial buildings are constructed, approved by the Design Review Board with respect to streetscape and neighborhood consistency.
7. Single-family dwellings or buildings for solely residential use are prohibited on the commercial lots.
8. Water & Sewer easements must be incorporated in the final plat for split zone lots, to conform with the requirements outlined by the Town (place marker until Elaine offers her verbiage).....

Overlay District 2 Split Zone Lots Commercial Construction - Comparisons

Table 1.1

| Lot Size Acreage | Lot Size Square Footage | Maximum Size - Sec. 21-52(A) | Maximum Size – Sec. 21-52(C) (6/19/2007) |
|------------------|-------------------------|------------------------------|--|
| ¼ - Acre (+/-5%) | 10,346 | 5,897 sf | 4,718 sf |

Building Height (all lot sizes)

Per Current Ordinance Section 21-52 (A) – 38 ft (max)
Per Current Ordinance Section 21-52 (C) – 30.4 ft (max)

Building Elevation (all lot sizes)

Per current ordinances
See Section 21-59 (A-D) guidelines that minimize building elevation in accordance with FEMA and other regulations.
Design Review Board shall not be allowed to increase elevation allowances.

RESIDENTIAL CONSTRUCTION – I’On Avenue Lots

1. Houses constructed in the residential side of these formerly split zone lots in Overlay District #2 must conform to construction requirements of a ¼ acre lot anywhere else on the Island, excepting those in Overlay District #1. Table 1.2 attached.
2. There will be no square footage or other bonuses for neighborhood compatibility for the houses or commercial buildings constructed in Overlay District #2.
3. Water & Sewer easements must be incorporated in the final plat for split zone lots, to conform with the requirements outlined by the Town (place marker until Elaine offers her verbiage).....

Overlay District 2 Split Zone Lots Residential Construction - Comparisons

Table 1.2

| Lot Size Acreage | Maximum Impervious Coverage | Maximum Principal Building Coverage | Maximum Principal Building (square footage) |
|------------------|-----------------------------|-------------------------------------|---|
| ¼ - Acre (+/-5%) | 3,474 sf | 1,839sf | 2,989 sf |

No bonuses for neighborhood compatibility

Building Height (all lot sizes)

Maximum – 38 ft. or same as finally approved height for commercial lots

Building Elevation (all lot sizes)

7 feet above grade or 2 feet above FEMA Base Flood Elevation, or same as finally approve for commercial lots

Why Approach Overlay District Two (OD2) In This Manner

1. The current conditions represent scattered development. There are a total of ten (10) lots; six (6) with varied commercial uses, condominiums, post office, restaurants and professional offices. Four (4) of the lots are essentially undeveloped for commercial use.
2. Planning Commission Outlook:
 - There are advantages to the Town and residents in having low-impact commercial development along this corridor (convenience of potential services, appearance, and revenues).
 - In general, residential structures in accordance with current building criteria (currently not permitted in this district) are not compatible with existing commercial activities/building criteria.
 - Certain commercial development could result in increased off-street parking.

- Commercial development is consistent with the Town's Comprehensive Plan.
- Any future commercial development must be architecturally compatible with Sullivan's Island and of low impact to the community.

3. Planning Commission Recommendations For Overlay District 2:

- Designed to create the conditions to promote appropriate commercial development consistent with our Comprehensive Plan and consistent with Island values as to use, size and appearance.

EXHIBIT B

MEMORANDUM

Date: September 14, 2010

To: Sullivan's Island Planning Commission Members

From: Town Staff

Subject: Ongoing Town Projects - Status

1. Accreted Land Management Plan – Consultant Status

Vendor Coastal Science & Engineering has tendered the final draft of the Accreted Land Management Plan. Edits include amendments to Section One to incorporate "Principles and Guidelines" and Task 7 (management units). Council will discuss the document at the Monday, October 4, 2010 Committee Meeting.

2. Community Commercial District Master Plan – Status

Vendor Urban Edge Studio has prepared an estimate of parking scenarios and quantities, before proceeding with a contract for construction drawings for Phase I enhancement to the Commercial District. The Town is obtaining additional quotations from engineering firms for construction drawings and estimates for Phase I as amended by Council.