

**TOWN OF SULLIVAN'S ISLAND
SOUTH CAROLINA
PLANNING COMMISSION
REGULAR MEETING MINUTES
Wednesday, October 9, 2013**

A regular meeting of the Town of Sullivan's Island Planning Commission was held at 7:00 p.m., Wednesday, October 9, 2013 in the Youth Room, 1st Floor, The Church of the Holy Cross Episcopal, 2520 Middle Street, all requirements of the Freedom of Information Act having been satisfied. Present were Commission members Garry Visser (Chair); Hal Currey (Vice-Chair); Rusty Bennett, Carl Hubbard, Manda Poletti and Sydney Cook. Staff members present: Zoning Administrator Henderson, Asst. to Administrator Darrow and Building Official Robinson. Absent: Commissioner Carlsen Huey (excused).

I. Call to Order. Chair Visser called the meeting to order, stated press and public were duly notified pursuant to state law and noted the Commission had a quorum. Chair thanked The Church of the Holy Cross Episcopal for providing this special venue, noting the Town moved the meeting time from 6:30PM to 7:00PM and venue from Town Hall to accommodate residents wishing to attend the Fire Prevention Celebration. No media and approximately 50 residents present, including Council members Jerry Kaynard, Susan Middaugh and Chauncey Clerk (in audience).

II. Approval of Agenda

MOTION: Vice-Chair Currey moved to approve the October 9, 2013 agenda moving public hearing item #3 first; seconded by Mr. Hubbard. MOTION UNANIMOUSLY PASSED.

III. Approval of Minutes

MOTION: Vice-Chair Currey moved to approve the September 11, 2013 minutes as presented; seconded by Mr. Bennett. MOTION UNANIMOUSLY PASSED.

IV. Correspondence & General Public Comments

Asst. to Administrator Darrow noted the Town received eighteen (18) items of written correspondence related to public hearing item #2, adaptive reuse (copies incorporated into minutes).

V. New Business

1. PUBLIC HEARING: Text amendments to Zoning Ordinance, Section 21-203, Definitions; Section 21-27A(2), Principal Building Square Footage; Section 21-27B(4), Principal Building Square Footage; and Section 21-27C(2) Design Review Board; allowing the single-family use of existing residential buildings that are over 5600 square feet (principal building square footage)

Chair Visser noted Ms. Poletti would recuse herself from discussion and voting on this issue due to a declared conflict of interest (owns a property that would be impacted by the proposed changes).

**Staff Report
(Zoning Administrator Henderson)**

- Council initiated text changes to clarify and allow for property owners to fully utilize an existing residential building in excess of 5600 square feet (principal building square footage) for single-family residential living space.
- New construction would remain 5600 square feet maximum (principal building square footage).

Public Hearing:

Chair Visser opened the public hearing at 7:05pm to accept public feedback.

Mark Howard, 1820 Central Street

- Asked if Town has an inventory of properties over 5600 sf.

Zoning Administrator clarified the Town does not have an inventory list, to his knowledge.

Michael Mithoefer, 407 O’Neil Street

- Supports proposed change; it makes sense to allow an existing building to be fully used, for single-family residential purposes only.

Chair Visser asked for additional public comments and questions; seeing and hearing none he closed the public hearing at 7:10pm.

MOTION: Vice-Chair Currey moved to recommend to Council approval of the following text amendments to the Town Zoning Ordinance: Section 21-203, Definitions; Section 21-27A(2), Principal Building Square Footage; Section 21-27B(4), Principal Building Square Footage; and Section 21-27C(2) Design Review Board; allowing the single-family use of existing residential buildings that are over 5600 square feet (principal building square footage). Seconded by Mr. Bennett. Motion unanimously passed (Ms. Poletti recused and abstained).

2. PUBLIC HEARING: Text amendments to Zoning Ordinance, Section 21-203, Definitions; Section 21-20C(5), Special Exceptions in the RS-District; and Section 21-27A(2)(e), Single Family Residential District; allowing the residential adaptive reuse of historic buildings.

Chair Visser noted Ms. Poletti would recuse herself from discussion and voting on this issue due to a declared conflict of interest (owns a property that would be impacted by the proposed changes).

Staff Report

(Zoning Administrator Henderson)

- Text change to allow for adaptive reuse as a special exception as an incentive to preserve and discourage the loss or continued vacancy of historic structures, provided the property and improvements thereupon meet all of the following conditions:
 - Property must be listed as an historic property, as described in Section 21-94 Historic Property Designation Criteria.
 - Board of Zoning Appeals must approve the special exception, considering the following neighborhood compatibility standards:
 - Must be located within the National Register Historic District (NRHD);
 - Maintain two (2) off-street parking spaces per dwelling unit;
 - Structure must contain a minimum of 5000 sf of interior space;
 - Single-family attached units must be a minimum of 2000 sf of interior space;
 - Shall be no more than three (3) single-family attached dwelling units permitted for any historic structure;
 - Structure's original use must not have been for residential purposes.
- **Noted four properties would be affected by this change, if enacted: old Theater (1454 Middle), old Town Hall (1610 Middle), Warehouse (1602 Thompson) and old Post Exchange (1714 Thompson), all located in the Fort Moultrie Quartermaster National Registered Historic District .**
- Reviewed additional Staff conducted studies done at Commission's direction and in response to citizen feedback over the last few months:
 - **Density concerns:** density comparison of the geographic area containing the four eligible buildings in question with the density of other geographic areas of the same size.
 - **Traffic concerns:** traffic impact analysis to assess the number of increased average daily trips (ADT) for each test area.
 - **Parking concerns:** feasibility of on-site parking.
- Noted components of Town's 2008 Comprehensive Plan that would also need text change should Council adopt the ordinance changes.

Chair Visser queried, and Staff clarified, that the implementation strategies outlined on the Staff report are the same for both the 2008 Comprehensive Plan and the draft 2013 Comprehensive Plan (approved by Commission and currently under Council review).

Public Hearing:

Chair Visser opened the public hearing at 7:57pm to accept public feedback.

Rita Langley, 1618 Middle Street

- Twenty (20) year Island resident, residence immediately adjacent to old Town Hall (1610 Middle).
- Questioned why the Town proposes this change that will impact the Island.

- Presented Commission with a copy of a petition she stated was presented to Council in August 2013. Petition text requests Planning Commission deny requests to rezone existing single family residential property to allow for multi-family use and includes 393 signatures.
- Reasons she opposes these proposed text changes: four buildings to be impacted are located within two blocks; adaptive reuse would create a condominium corridor with substantial negative impact on Thompson Avenue.
- She noted the whole Island uses Thompson Avenue (bicyclists, runners, golf carts and walkers).
- Noted the Island has been fighting against condominiums and multi-family for a long time and believes this adaptive reuse would be a “pandora’s box” to additional multi-family/condominium pressure and problems.

Michael Mithoefer, 407 O’Neil Street

- Preservation of historic properties is already in place with existing ordinances and historic designations.
- Mechanism to utilize one of the four large structures would be fixed if Council approves the first public hearing item (allow buildings to exceed 5,600 principal building square feet single-family residential use).
- Submitted the Staff data is flawed and presents a skewed representation of the true effect of proposed change:
 - Parking – boaters would be subjected to viewing “parking lots” on the waterway at 1602 Thompson (Warehouse);
 - Traffic – Staff analysis is meaningless and poses a spurious argument: Town Council has already decided to not return Town Hall to 1610 Middle;
 - Density – 40 acre area Staff used for analysis is misleading because the density impact in the impacted area is not distributed through 40 acres but along a maximum 10 acres.

Julia Khoury, 1728 I’On Avenue

- Represents the Sullivan’s Islanders, a conservation and preservation group. Group opposes this zoning change for the reasons stated tonight by others.

Ned Collins, 2814 I’On

- Indicated he was not opposed to multi-family on a philosophical basis; noted he grew up in multi-family housing and enjoyed it.
- Submitted that, if multi-family is an element the Town wishes to consider adding to the Island, it should be comprehensively studied for the Island, not a small area (current proposal is almost spot zoning with 4 buildings only affected).
- If multi-family is being explored for the sake of increasing the old Town Hall’s value, prior to a sale, then this proposal should be abandoned.

Deborah Lofton, 1510 Thompson Avenue

- Opposed to proposal:
- Increased density: Significant impact on Thompson Avenue that already has small lots (1/4 to 1/5 acre);

- Parking: lots will have cars, golf carts, and service vehicles that come with lawn care, house cleaning, etc.
- Town has historically committed to retaining single family residential on the Island. Comprehensive Plan stipulates this goal throughout.
- Quartermaster dock and warehouse lot (1602 Thompson) was marketed and sold as single-family residential.
 - Mayor Smith and Administrator Benke were repeatedly quoted in the paper as stating this space was single-family residential only;
 - Bidding for the property reflected the prospective buyers' understanding of lot being single-family residential only.
 - Pursuant to a FOIA request, she obtained from the Town an August 9, 20007 letter from Town Attorney Larry Dodds to SC Budget & Control Board (provided copy to Commission) about the property. Attorney Dodds outlined the restrictions to the warehouse property, clarifying it was zoned single family residential only.
- Submitted it is hypocritical for the Town to not allow multi-family for the 1602 Thompson warehouse property, so that the State could increase its return at the state auction, but a year later start the process to do the same when it would benefit the Town with the 1610 Middle sale.
- Suggested that if a few more condominiums “won’t hurt,” then the Town should open up the restrictions to the commercial district and allow a few more restaurants and bars, or, another gas station.
- Please do not open up the door to more overlays.

Steve Poletti, 1771 Atlantic Avenue

- He owns 1602 Thompson dock and warehouse. He was stunned to be the only bidder on the property.
- Stated he is a family doctor and did not buy the property to flip it for a profit.
- He and his wife wanted to restore the dock and dock house to its historical condition and are currently working with SC Historic Preservation Office to accomplish this.
- Stated he has no plans for the warehouse. He will not renovate it to be a big single-family residential property, should adaptive reuse not be an option. His family was interested in restoring the dock area, not the structure for a home.
- Stated he is aware the Town coveted the warehouse and wanted it for public use.
- Submitted multi-family use of warehouse could be better for the neighborhood than public use of the property:
 - The warehouse footprint is the length of three (3) waterfront properties, essentially the distance from Dunleavy’s to Home Team BBQ on Middle.
 - If the property was multi-family, there is more than sufficient space to put any cars inside the building.
 - Noted a 12,578 sf warehouse turned into a home is not the best or most desirable use of this property.
- Noted if adaptive reuse was not an option for the property, he will approach the Town to explore public use of the building, perhaps donating it back to the Town for use as an “Alhambra” type building, available for Town special events,

recreation and/or rentals. Submitted perhaps the building should be available for the public use for all citizens.

Roy Williams, 2513 I'On Avenue

- Stated he has been upset with Sullivan's Island (Town) lately.
- Noted Sullivan's Island's allure is spaciousness, something everyone increasingly longs for.
- Asked if the Town was losing the ambience that drew people to live on the Island, little by little, with the new residents unintentionally building things that destroy the Island's character.
- Noted Thompson Avenue, one of the oldest areas of the Island, is already congested. Town should exercise extra caution about adding more density to an already congested area.

Milton Langley, 1618 Middle

- Read letter from Chuck Galis, 1817 Back Street, who could not at this meeting (see written correspondence, end of minutes, for this letter). Mr. Gallis is opposed to multi-family.

Howard Rudd, 1617 Middle

- It is time to save Sullivan's Island – preserve its culture and values.
- Asked what this proposed change represents vis-à-vis other trends on the Island:
 - Asked if residents feel a sense of “we” on this Island?
 - Town Council, the Planning Commission and Island residents need to foster a sense of “we” in the community.
- Asked for Town to put these draft minutes and comments on the website as soon as possible so community can share its thoughts. This would help avoid residents duplicating or repeating comments.
- Submitted proposed adaptive use change is not a good solution to the issue of these properties:
 - Has major conflicts with the established Comprehensive Plan;
 - Single-family residential culture is the goal for the Island. This change does not help toward that goal.
- Suggested Town continue study of the properties through a community based “blue ribbon” committee, comprised of Council, Commission members, architectural and historical experts, and resident representatives.

Mark Howard, 1820 Central

- Echoed concerns expressed by others tonight.
- Safety concerns for area with this change: Thompson Avenue is filled with a high concentration of the Island's children, riding and playing ball in the street.
- Asked why would the Town want to add density and traffic to this area?
- Submitted that this vocal minority is really the majority voice on the Island (referenced petition). People think this is a bad idea and requests Planning Commission recommend “no” to Council.

Anne O. Kilpatrick, 1718 Middle

- Recently left the Planning Commission (August). She and Vice-Chair Currey had been the only two Commissioners who served during the 2008 and 2013 Comprehensive Plan review. Made following observations regarding Plan:
 - Single-family residential is heavily cited in all the long range plans.
 - Affordable housing (a required component) was acknowledged as being hard to achieve on this expensive Island. Town made as a goal the review of studying multi-family options in the past.
- Planning Commission unanimously voted to recommend Town purchase 1602 Thompson Avenue when it was being auctioned. The property was auctioned off the next day.
- Noted she lives next to the old PX (1714 Middle), which had two owners since 1964. Current owners moved off the Island and, for the past two years, have rented it to five male law students/young lawyers. She sees the traffic of the five young men, their girlfriends and friends coming and going from the house. This is the unintended consequence of allowing unrelated people to live in condominiums.
- Noted that Town cannot control ownership of property on the Island and long-term rental is allowed by right on the Island. Reiterated Town should look carefully at the unintended consequences of this change on parking (guest and maximum renter parking) and traffic (all hours of the night, unlike the traffic with Town Hall).
- Asked why the Town was proposing this change. The Town can provide relief to these property owners through the first ordinance change discussed tonight (allowing use of all the property over 5600 for single family residential).
- Listen to the Island people and consider a community group to work on these issues.

Melissa Kelly, 1456 Thompson Avenue

- Agrees with comments made tonight.
- Proposal is not the right solution to fund a new Town Hall.
- Noted data and reality are different as data cannot capture the value of the quietness and tranquility that is on Thompson Avenue.
- Noted this area (Thompson) is special and this change would irrevocably ruin the character of the area.
- Also, she and her family built on Thompson Avenue because of the Town's long established commitment to single-family residential.

Linda Voorhees, 2708 Atlantic

- She and husband have owned property for three (3) years; she has been a full-time resident for one year as her transitions from his career out of state.
- They looked at Kiawah, Folly Beach, Isle of Palms and Sullivan's Island when considering a new home. They purchased on Sullivan's Island intentionally because of its commitment to single-family, half-acre residential homes. Noted

this was a singular and rare thing to find, particularly in beach communities and integral to why Sullivan’s Island is such a special place.

- Noted they unintentionally purchased next door to one of the few homes eligible for vacation rental. She is a daily witness to cars, noise and the coming/going attendant with renters, particularly very short term renters. She stated she can sympathize with the argument against increased parking and traffic.

Carol Killough, 183 Back Street

- Asked if the dock and warehouse (1602 Thompson) can be separated?

Chair Visser clarified – no, the two cannot be subdivided, one parcel.

- Noted she and many other residents had a lot of ideas for 1602 Thompson Avenue but lacked the funds to bid on the property.
- Asked if the property could really be used like Alhambra Hall?

(Note: Mt. Pleasant’s historic building on the water – Town uses for special events and generates revenue for the Town with wedding and other rentals).

Steve Herlong, 226 Station 19

- Noted he recently sold moved from Thompson Avenue property to current address (19 months ago).
- Current home on Station 19 does have density with different traffic patterns as it closer to the fitness center, commercial area and local church.
- Noted a super large residential house will inherently change the character of the neighborhood; noted the wealth level and lifestyle someone would likely have in order to want to buy a 10,000+ sf home and be able to maintain it.
- Supports concept of studying the area to find options, perhaps through a blue ribbon type group.

Wayne Stelljes, 3104 I’On

- Opposed to multi-family on Island for any purpose. Island is not multi-family.
- Buyers bought properties knowing that single-family residential was the only allowed use.

Chair Visser asked for additional public comments and questions; seeing and hearing none he closed the public hearing at 8:50pm. At Commissioners’ request, Chair Visser called a five-minute break for group. Commission reconvened at 8:55pm.

Commission Discussion:

Chair Visser:

- Commission cautious to meet the legal requirement and “spirit” of public notice.
- Noted Commission has studied, discussed and deliberated on this topic for 9 months (since February) and has all minutes posted on the Town’s website.
- Noted this issue was handed down to the Commission by Town Council. Commission has been careful to thoughtfully deliberate over time on this issue and consider various aspects. Staff collected data at Commission’s request, to include analyzing issues raised by the public.

Vice-Chair Currey:

- Noted he has been on the Commission over 12 years. He has never “waffled” on an issue some many times like he has on this adaptive reuse.
- Stated he is a data driven person and appreciates Staff’s efforts to provide that to the Commission.
- Understands the Comprehensive Plan outlines goals based upon values that clash in this instance (single family and adaptive reuse of historic properties).
- Traffic – he is not overly sympathetic to argument about traffic problems, noting the whole Island shares traffic as a problem.
- Parking – same sentiments as traffic as it is an Island wide problem, particularly in the summer.
- Density – this is the salient point for him. Nobody supports increasing density, to include himself. This change would increase density so he cannot support it.

MOTION: Vice-Chair Currey moved to recommend to Council that it not approve the following amendments to Zoning Ordinance: Section 21-203, Definitions; Section 21-20C(5), Special Exceptions in the RS-District; and Section 21-27A(2)(e), Single Family Residential District; allowing the residential adaptive reuse of historic buildings. Seconded by Mr. Hubbard.

Discussion:

Mr. Bennett:

- Served on three person subcommittee that worked on this with Staff on the analysis. Noted he pushed for the density evaluation of the subject area against other Island areas.
- Three issues of concern: density, parking and traffic
- Noted when Town Hall moved from 1610 Middle, data demonstrates the traffic pattern for the area reduced by 25% (approximately). The traffic with the additional units would increase, but not back to the levels when the Town Hall and Police were at 1610 Middle.
- Commission looked at on-site parking as a resident requested and found the sites could accommodate that.
- Noted he approached this issue on a rational decision making basis. Submitted is not the Planning Commission’s job to make a political decision on this matter as that is Council’s job. Rather, he views the Commission’s role as looking at planning and zoning issues driven by rational concepts and facts the group could consider.
- This is what the adaptive reuse is NOT about, in his opinion:
 - Not a multi-family issue – bringing multi-family to the Island as an allowed use.
 - Not a value maximizing concern – he does not care about the value of the old Town Hall property or any of these properties.
- This is what adaptive reuse IS, in his opinion:
 - Provide options to use historic properties through adaptive reuse, to bring properties back into productive use.

- Attempt to try and give a “leg up” to the properties so they can get used instead of languishing un-renovated and empty or rented out to unrelated groups of people.
- Wants to see adaptive reuse ordinance moved to Council to approve “as is” except three units instead of four can be put in the properties.
- Stated he does not see how this change could destroy the neighborhood.

Ms. Cook:

- Noted data is important but can be interpreted in many ways.
- Sees the vision of the Island more important than any one set of data points.
- Question for the Island: is multi-family something the Island residents really want to consider?
- Noted the Town is considering inviting condominiums/multi-family on the Island when it has spent years fighting to keep it out.
- She appreciates trying to determine what makes sense for the buildings. Mr. Bennett referenced “productive use” for the property but is not sure what that means. Noted that the properties have not been sitting on the market with “for sale” signs on them for months and years because nobody wants the structures.
- What makes sense for the Island? What makes sense for Thompson Avenue?
- The quantity of units in the buildings is not the point – the point is whether the Island wants to open this door to multi-family.

Mr. Hubbard:

- Comprehensive Plan demonstrates the overwhelming theme of preserving and encouraging single-family residential on the Island.
- He has been a resident of the Island for 16 years and has heard no public outcry to find a way to use the four vacant historic buildings.
- Suggested Town stick with the Comprehensive Plan goals for single-family residential.
- The Commission has performed the role Town Council requested; the Commission has reviewed and vetted this concept.

Chair Visser:

- Questioned if Town calculated density in area should the vacant lots be developed?

Zoning Administrator clarified the density study reflects this variable.

- Planning Commission has addressed parking issues and traffic fairly.
- Density issues still have not been solved.

Vice-Chair Currey:

- Mr. Williams captured the conflict he has with this concept. Spaciousness is why people come to Sullivan’s Island and why they choose to live here.
- Are we chipping away at the Island’s history and fabric with changes like this? Noted that this is something that cannot be quantified and measured, but Islanders cannot ignore this subject but important consideration.

- If Council chooses to reject the adaptive reuse concept, he supports the idea of joint community workshop/group.

Call for the question: MOTION PASSED FOUR (4) TO ONE (1). Mr. Bennet voted nay; Ms. Poletti abstained (recusal).

3. PUBLIC HEARING: Text amendments to Zoning Ordinance, Section 21-108C(1); removing the “real property ownership” condition for Design Review Board membership

Staff Report

(Zoning Administrator Henderson)

- Council initiated text change to clarify board eligibility; provides flexibility for Council to appoint one member off-Island, whether for the required professional architectural seat or at-large seat.
- Noted many smaller municipalities have a difficult time finding a resident professional architect to serve on the Board.

Public Hearing:

Chair Visser opened the public hearing at 9:31pm to accept public feedback. Seeing and hearing no comments, he closed the public hearing at 9:31pm.

MOTION: Vice-Chair Currey made a motion to recommend Council approve the text amendments to Zoning Ordinance, Section 21-108C(1); removing the “real property ownership” condition for Design Review Board membership; seconded by Ms. Poletti.

Discussion:

Ms. Cook asked why the ordinance does not explicitly state the 7th seat that can be a non-resident must be the professional seat (architect).

Building Official Robinson noted the language gives maximum flexibility to Council should it need/want two architects or a non-Island attorney on the Board. Also, there was a recent incident where an attorney and long-standing Board member, ready and willing to continue service, was unable to fill out a term because the family moved to Isle of Palms. This language might afford the opportunity for Council to choose to let a person leaving the Island complete a remainder of a term.

Call for the question: MOTION UNANIMOUSLY APPROVED.

Mr. Hubbard announced his departure from meeting (9:26pm), due to an overdue pressing conflict. Chair Visser noted the Commission retained a quorum.

4. SUBDIVISION REQUEST: 2063 Middle & 2062 I'On: Applicant requests approval of a lot subdivision in accordance with Section 21-49 and Section 21-51, provided all the applicable conditions of these ordinance sections have been met.

Staff Report

(Zoning Administrator Henderson)

- First property requesting subdivision of split zone lot pursuant to Community Commercial Overlay District #2 (CCOD-2) guidelines. BZA approved a variance to allow the jog to the lot line.
- As the Plat subdivision conforms with CCOD-2 guidelines with BZA approval of the lot line, water and sewer infrastructure has been installed to the Water/Sewer department's satisfaction and staff has reviewed/recommended the plat, Commission's approval would be an administrative act.

Applicant Comment

Sam Applegate, Esq., lawyer representing property owners.

- Applicants are asking that this plat get approved tonight for recording at the RMC. Filing of quit claim deeds between owners is contingent upon recording this plat.

MOTION: Vice-Chair Currey moved to approve 2063 Middle & 2062 I'On, lot subdivision approval, in accordance with Section 21-49 and Section 21-51. Seconded by Ms. Cook. MOTION UNANIMOUSLY PASSED.

VI. Old Business - None

VII. Other Business

Staff Update on Town Projects

Staff provided brief update on various Town projects at Commission's request.

Next Meeting – (6:30pm) Wednesday, November 13, 2013 at Town Hall

Vice-Chair Currey noted he has a conflict and will miss the next meeting.

There being no further business, the meeting adjourned at approximately 9:50 pm (Mr. Bennett motioned; Ms. Cook seconded; unanimously passed).

Respectfully submitted,

Lisa Darrow

Asst. to Administrator

Approved at the Wednesday, November 13, 2013 Planning Commission Meeting