

**TOWN OF MOUNT PLEASANT, SOUTH CAROLINA  
PLANNING & DEVELOPMENT COMMITTEE  
SEPTEMBER 4, 2018  
MINUTES**

Municipal Complex, Committee Meeting Room

[PowerPoint Presentation](#)

Present: Joe Bustos, Chair, Bob Brimmer, Guang Ming Whitley.

Absent: Tom O'Rourke.

Staff: Eric DeMoura, Christiane Farrell, Jeff Ulma, Michele Canon, Liz Boyles

Mr. Bustos called the meeting to order at 12:30 pm and recognized General Livingston.

**1. Approval of Minutes from the [August 6, 2018](#) meeting**

*Mr. Brimmer moved for approval of the minutes. Ms. Whitley seconded the motion. All in favor.*

**2. Public Comments**

Mr. Joe Daniels, CEO of Medal of Honor Museum (MOHM), stated that they are available to answer any questions regarding the MOHM project. He stated that they have received a lot of feedback from the community and are thankful for the community engagement. He stated that they are in the process of raising funds for the project.

Ms. Laurie Bixler, 144 3<sup>rd</sup> Ave, spoke regarding short-term rentals. She stated that she recently had a high-profile guest and reminded the Committee that short-term rentals are often used for high-profile, highly important guests. She stated that Mount Pleasant does not have an industrial base and is mainly tourism based. She stated that she is in favor of affordable housing and suggested that short-term rental property can serve as affordable housing. She thanked the Committee for the continued discussions on this issue.

Ms. Pat Sullivan, 1002 Plantation Court, spoke regarding the MOHM. She stated that there is currently a MOHM on the Yorktown and questioned if a larger museum was necessary. She expressed concern that no major revisions have been made to

address the concerns of the citizens and that the public meetings that were held were used as public relations campaigns for the MOHM and not to receive valuable input from the public. She expressed concern with transportation issues and access to the MOHM. She suggested that all issues should be resolved so that the citizens and Town Council can support and approve the project. She stated that she does not want the proposed buildings to be the first and last thing that is seen coming into and leaving Mount Pleasant. She stated that the Town values the importance of historic sites, natural areas, and scenic views and asked that this be taken into consideration when reviewing this project.

Ms. Alicia Lockwood, 316 Lapwing Lane, spoke regarding short-term rentals and bed & breakfasts and suggested that these uses have been successfully operated in other cities. She asked that there be a quick resolution. She suggested that very little additional oversight is needed because of the checks and balances that the owners and operators have put in place. She suggested that the current, archaic regulations will soon be obsolete and should not be enforced but changed to address the current market.

Mr. Jim Owens, 1197 Island View Dr, spoke regarding the MOHM. He stated that an alternative plan has been referred to in the public, but he has not seen the details and is looking forward to seeing those alternative plans and having further discussion on this project.

Mr. Kevin Cunnane, 3032 River Vista Way, spoke regarding MOHM. He stated that public input has been allowed and solicited. He stated that he respects the public information process and suggested that the process was completed as advertised. He suggested that inuendo and negative comments should be abated until the proposed project has been fully presented and there is an opportunity for a full review.

There being no further comments, Mr. Bustos continued with the agenda.

### 3. Annexations

- a. **[A-26-18: 4325 Royal New Kent Court](#). Request to annex an approximately 0.98 acre tract of land located at 4325 Royal New Kent Court, identified by TMS No. 632-00-00-095 and depicted on a plat as Lot 21 recorded by Charleston County ROD Office in Plat Book EG, Page 109-113.**

Mr. Ulma reviewed the request with the Committee.

*Mr. Brimmer moved to recommend to Town Council approval of the annexation request. Ms. Whitley seconded the motion. All in favor.*

- b. **[A-27-18: 1826 Omni Blvd.](#)** Request to annex an approximately 0.80 acre tract of land located at 1826 Omni Blvd, identified by TMS No. 561-01-00-018 and depicted on a plat as Lot 23, Block E recorded by Charleston County ROD Office in Plat Book BP, Page 163.

Mr. Ulma reviewed the request with the Committee.

*Mr. Brimmer moved to recommend to Town Council approval of the annexation request. Ms. Whitley seconded the motion. All in favor.*

- c. **[A-28-18: 1334 Venning Road.](#)** Request to annex an approximately 0.68 acre tract of land located at 1334 Venning Road, identified by TMS No. 562-14-00-010 and depicted on a plat as Lot 12 recorded by Charleston County ROD Office in Plat Book H, Page 26.

Mr. Ulma reviewed the request with the Committee.

*Mr. Brimmer moved to recommend to Town Council approval of the annexation request. Ms. Whitley seconded the motion. All in favor.*

- d. **[A-30-18: 3749 Station Point Court.](#)** Request to annex an approximately 0.54 acre tract of land located at 3749 Station Point Court, identified by TMS No. 596-08-00-044 and depicted on a plat as Lot 42, Block A recorded by Charleston County ROD Office in Plat Book EA, Page 086.

Mr. Ulma reviewed the request with the Committee.

*Ms. Whitley moved to recommend to Town Council approval of the request. Mr. Brimmer seconded the motion. All in favor.*

- e. **A-31-18: 1708 Omni Blvd.** Request to annex an approximately 1.49 acre tract of land located at 1708 Omni Blvd, identified by TMS No. 561-01-00-034 and depicted on a plat as Lot 7, Block E recorded by Charleston County ROD Office in Plat Book BN, Page 191.

Mr. Ulma reviewed the request with the Committee.

*Ms. Whitley moved to recommend to Town Council approval of the request. Mr. Brimmer seconded the motion. All in favor.*

4. **Proposal to amend the Town of Mount Pleasant Code of Ordinances**, Chapter 155, Land Development Regulations. Proposed is to delete Section 155.073, Park and Recreational Areas, and to create a new Section 155.054, Greenspace Preservation and Protection Plan. New Section 155.054 will incorporate certain provisions from deleted Section 155.073, as well as establish intent, purpose, and standards for new subdivision review requirements, which will include clustered areas of preservation and internal areas of preservation and greenspace.

Ms. Canon reviewed the request with the Committee.

Mr. Bustos asked if this includes the final revisions. Ms. Canon answered in the affirmative.

Mr. Brimmer asked if not including wetlands, buffers and open space could mean a higher percentage open space. Ms. Canon answered that the calculation would apply to developable land.

*Mr. Brimmer moved to recommend to Town Council approval of the text amendments as presented. Ms. Whitley seconded the motion.*

Mr. Brimmer stated that this has been a complex issue and staff has worked on this for almost a year. He thanked staff for their hard work.

Mr. Bustos concurred and stated that staff did a great job in incorporating the desires of the Committee and Town Council.

*Mr. Bustos called for a vote on the motion. All in favor.*

## **5. Discussion regarding the National Medal of Honor Museum**

Mr. Bustos stated that he asked for this discussion to have a better understanding of how the project is proceeding. He asked about the timeline that was adopted by the MOHM and the Patriots Point Development Authority (PPDA) for completion of the project. Mr. Bill Craver, attorney for PPDA, answered that the lease commenced on July 1, 2013 with construction to commence by July 1, 2020 given that the roadway realignment has been completed. If the roadway has not been completed, then the commencement date could be moved out up to one year or July 1, 2021. Mr. Bustos asked if the road work is already under construction. Mr. Craver answered that this would require a swap of property, but this did not occur in 2017 as anticipated. He stated that the property swap would not mean an automatic cancelation of the lease. He stated that a new deadline of November 30, 2018 has been agreed upon to complete the property swap. Mr. Bustos asked if the road must be completed by 2021. Mr. Craver answered that this would be the commencement date for construction of the building, but this could be moved depending on the progress of the roadway realignment and project.

Ms. Whitley asked the reason the property swap has not already occurred. Mr. DeMoura answered that there is a multi-lateral agreement involving five parties. He stated that all the details of that agreement are currently being reviewed.

Mr. Bustos asked if there are certain milestones in the contract that must be met prior to commencement of the construction. Mr. Craver answered that there are a lot of requirements included within the lease. Mr. Bustos asked how often this is reviewed and progress reports provided. Mr. Craver answered that there is a regular review of the requirements in the lease. He stated that once the agreement for the realignment of the road is completed, the funds would be put in escrow and the roadway construction would start. Mr. Bustos asked who is responsible for the roadway realignment construction costs. Mr. Craver answered that the Town has promised some funding with the MOHM Foundation responsible for the remaining portion of the costs. Mr. DeMoura stated that there is approximately \$1.2 million that the Town has budgeted for the roadway project. Mr. Craver stated that some state funding is included as well. Mr. Bustos asked if moving the roadway is separate from the approval process of the MOHM. Mr. Craver answered that both the roadway realignment and construction of the building are included in the lease agreement. Bustos asked what happens if the MOHM is not constructed. Mr.

Craver answered that the property would remain with PPDA for future use. Mr. Bustos asked if the MOHM has been asked to provide fundraising milestones. Mr. Craver answered in the affirmative and stated that a report was provided to PPDA. Mr. Bustos asked if the report was available for the public. Mr. Craver answered that his recollection is that \$19 million has been raised with approximately 8 million remaining; \$5 million from the State and \$3 million from additional sources. Mr. Bustos asked the reason the funds for the roadway realignment have not been escrowed. Mr. Craver answered that the MOHM Foundation has indicated that they are ready to move forward with escrowing the funds and roadway construction once the agreement is in place. Mr. Bustos asked which parties are involved in the agreement. Mr. Craver answered that it is the College of Charleston, PPDA, MOHM Foundation, Patriots Point Annex, and the Town of Mount Pleasant. Mr. Bustos asked when funding updates are provided. Mr. Craver answered that his understanding is that this occurs but is not sure of what the exact timeline is for that type of reporting.

Mr. Bustos expressed concern that the funds for the roadway would be escrowed and then the project not come to fruition. Mr. Craver stated that the funds would not need to be escrowed until the agreement is executed.

Ms. Whitley asked if Mr. Daniels can provide information on how the State funding can be utilized for this project. Mr. Daniels answered that they have agreed to meet regularly with PPDA on the progress of the project and fundraising efforts. He stated that the state funding is for construction, design, and infrastructure. He stated that approximately \$4 million of the \$5 million from the State can be used for the construction and roadway, with the possibility that the remaining 1 million might be restricted to funding exhibits. He stated that they are ready to proceed and escrow funds once all parties are ready to sign the agreement. He stated that they are continuing to fundraise for the project.

Mr. Bustos asked who owns PPDA. Mr. Craver answered that the ships are owned by the State with PPDA as the agent of those ships. He stated that the State through PPDA owns the property. Mr. Bustos asked who would be responsible for maintenance of the MOHM. Mr. Craver answered that the MOHM foundation would be responsible for maintenance. Mr. Bustos asked if the museum foundation would be a separate entity from PPDA. Mr. Craver answered in the affirmative. Mr. Bustos asked who would be responsible for insurance. Mr. Craver

answered that the MOHM Foundation would be responsible for all aspects of the museum; they lease the property from PPDA.

Mr. Bustos asked how many times the architects have met with Town staff. Mr. Ulma reviewed this information with the Committee and stated that to date the main discussions focused on zoning issues such as critical line buffers, zoning, impact assessment, etc. Mr. Bustos asked if state or federal approval would be needed prior to construction. Mr. Ulma answered that he is not sure, but this would be verified.

Mr. Stuart Whiteside, Seamon Whiteside and Associates (SWA), stated that the meetings were in preparation for the rezoning of the property. He stated that they have met approximately 18 months prior to the 2017 meetings with staff regarding zoning issues and roadway realignment. He stated that there have been many different meetings on this project.

Mr. Bustos asked if the dredging of the harbor would have any effect on the project. Mr. Ulma answered in the negative. Mr. Bustos asked if the Town would be able to handle inspections for the project. Mr. Ulma answered that it would be considered a commercial building and would be inspected as such. Mr. Bustos expressed concern with not being better coordination between the parties involved regarding funding for the project and asked that PPDA outline concrete milestones for this.

Mr. Craver stated that all the funds would have to be escrowed in addition to funding to cover operating expenses prior to the start of construction. He stated that PPDA has upheld all aspects of their portion of the project.

Mr. Bustos asked the amount that must be escrowed. Mr. Craver answered that the lease requires \$120 million, but this could change depending on the design. Mr. Bustos asked if money must be escrowed for removal of a building if not completed. Mr. Craver answered in the affirmative.

Mr. Brimmer asked if one reason for not having an agreement executed to date is due to the Town completing a legal review of the agreement to ensure the Town was protected and reduce the Town's risk. Mr. DeMoura answered in the affirmative and stated that the Town has been working with PPDA on this issue to minimize any risk to the Town.

Mr. Bustos thanked all for information on this project.

## **6. Staff update and review of draft Building Permit Allocation ordinance**

Mr. Ulma reviewed the draft with the Committee.

Mr. Bustos asked if the draft ordinance would be ready for first reading in November. Mr. Ulma answered that staff has a target date of November for potential first reading, but this date could change depending on comments and feedback.

## **7. Staff update on draft short-term rental regulations**

Ms. Canon reviewed the draft regulations with the Commission.

Mr. Brimmer asked the reason for differentiating between a resident owner and a management company. Ms. Canon answered that this was a concern brought up during previous discussions and it was thought that this could be one way to regulate the short-term rentals. She stated that this would need to be reviewed by legal counsel. Mr. Brimmer suggested that the ownership is not an important aspect, but rather the use of the property.

Ms. Canon mentioned the STR Helper software that Charleston County has purchased and will be using to track short-term rentals. This is a program that the Town could participate in. Mr. Bustos asked if this is the same program noted in the Post and Courier. Mr. Ulma answered in the affirmative.

Mr. Brimmer asked if the new program would be consistent with other surrounding municipalities. Ms. Canon answered that they are researching other municipalities to determine how they are handling and regulating short-term rentals such as City of Charleston, Sullivan's Island, and Kiawah Island. She stated that there could be some similarities but because of being different areas and interests, there would be some differences in how short-term rentals are regulated.

Ms. Whitley asked about capping the number of permits allowed. Ms. Canon answered that it would be regulated through the permitting process rather than having a maximum number allowed. Ms. Whitley asked if the penalties would be

civil or a misdemeanor. Ms. Canon answered that the penalties would provide the ability for revocation of the permit.

### **8. Comprehensive Plan update**

Ms. Boyles updated the Committee on the Comprehensive Plan process with the Committee. She stated that the first draft of the Comprehensive Plan has been sent out to Town Council and the Comprehensive Plan Forum to review. She stated that the Comprehensive Plan Forum would review the draft plan over several meetings. Once they have completed their review, the plan would then proceed to the Planning Commission and Town Council for review and approval.

There being no further business, the meeting adjourned at 2:00 pm.

Submitted by,  
L. Lynes  
PlanComm09042018