

**TOWN OF MOUNT PLEASANT, SOUTH CAROLINA
PLANNING & DEVELOPMENT COMMITTEE
OCTOBER 1, 2018
MINUTES**

Municipal Complex, Committee Meeting Room

[PowerPoint Presentation](#)

Present: Joe Bustos, Chair, Bob Brimmer, Guang Ming Whitley, Tom O'Rourke.
Staff: Eric DeMoura, Christiane Farrell, Jeff Ulma, Brad Morrison, Liz Boyles

Mr. Bustos called the meeting to order at 12:45 pm.

1. Approval of Minutes from the [September 4, 2018](#) meeting

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

2. Public Comments

Ms. Laurie Bixler, 144 3rd Ave, spoke regarding short-term rentals and asked that the Committee keep an open mind regarding this issue. She suggested that not all of the information has been presented to date. She stated that short-term rentals provide a revenue stream through accommodations tax that helps to support events throughout the Town such as the Blessing of the Fleet, holiday parade, 4th of July fireworks, etc. She stated that the City of Charleston recently loosened their regulations to allow short-term rentals and suggested that this is opposite what is proposed for Mount Pleasant; it would be a "tightening" of the regulations. She also asked that the Committee keep in mind property rights and that those that currently have legal short-term rentals should be able to continue to have them. She stated that other states have indicated that short-term rentals are a residential use and not any different from long-term rentals. She suggested that all of this should be kept in mind as the Committee continues to look at regulating short-term rentals.

Mr. Brimmer asked if Ms. Bixler has information from other states that could be provided to the Committee. Ms. Bixler answered that she does not have the information available at this meeting. She stated that Arizona is one state that considers short-term rentals a residential use. Mr. Brimmer asked if this could be provided. Ms. Bixler stated that she could try to provide this information and suggested that staff might be able to more readily provide research from this state and others as well.

3. Annexations

- a. [A-29-18: 1306 Old Rosebud Trail](#). Request to annex an approximately 2.2 acre tract of land located at 1306 Old Rosebud Trail, identified by TMS No. 615-00-00-140 and depicted on a plat as Lot 5 recorded by Charleston County ROD Office in Plat Book EG, Page 978-979.

Mr. Ulma reviewed the request with the Committee.

Ms. Whitley asked about the PD-CD and the difference between the PD and the rural conservation zoning. Mr. Ulma answered that the PD dictates zoning designations within the PD. He stated that this is an existing parcel that would be included within the PD.

Mr. Brimmer moved to recommend to Town Council approval of the annexation. Mr. O'Rourke seconded the motion. All in favor.

- b. [A-32-18: 3721 Station Point Court](#). Request to annex an approximately 0.62 acre tract of land located at 3721 Station Point Court, identified by TMS No. 596-08-00-037 and depicted on a plat as Lot 35, Block A recorded by Charleston County ROD Office in Plat Book EA, Page 86.

Mr. Ulma reviewed the request with the Committee.

Ms. Whitley moved to recommend to Town Council approval of the annexation. Mr. O'Rourke seconded the motion. All in favor.

- c. [A-33-18: 1009 Theodore Road](#). Request to annex an approximately 0.63 acre tract of land located at 1009 Theodore Road, identified by TMS No. 614-00-00-301 and depicted on a plat as Lot G recorded by Charleston County ROD Office in Plat Book EC, Page 71.

Mr. Ulma reviewed the request with the Committee.

Ms. Whitley moved to recommend to Town Council approval of the annexation. Mr. O'Rourke seconded the motion. All in favor.

4. Review of Planning Commission recommendations from the [September 19, 2018 meeting](#)

- a. [R-19-18: 1108 Graddick Road](#). Request to rezone from R-1, Low Density Residential District, to AB, Areawide Business District, TMS #559-00-00-176.

Mr. Ulma reviewed the request with the Committee.

Mr. Bustos asked when the roadway would be verified. Mr. Ulma answered that this would be done during the Design Review Board (DRB) approval process.

Mr. Brimmer moved to recommend to Town Council approval of the request. Mr. O'Rourke seconded the motion. All in favor.

- b. [R-20-18: 1306 Old Rosebud Trail](#). Request to zone Pepper Tract PD-CD, Planned Development-Conservation Design District, TMS #615-00-00-140.

Mr. Ulma reviewed the request with the Committee.

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

- c. [R-21-18: 1450 Chandler Road](#). Request to rezone from R-1, Low Density Residential District, to RC-2, Rural Conservation-2 District, TMS #615-00-00-089.

Mr. Ulma reviewed the request with the Committee.

Mr. Bustos asked if the existing home could remain. Mr. Ulma answered in the affirmative if they meet the conditional use requirements.

Mr. Brimmer asked if the existing home would have to be removed before construction could begin on the new home. Mr. Ulma answered that if approved for a rural compound, then the existing home could remain. Mr. Brimmer asked if a mobile home or manufactured home is considered a structure. Mr. Ulma answered in the affirmative.

Mr. Bustos asked if this has been done in the past. Mr. DeMoura answered in the affirmative.

Mr. Brimmer moved to recommend to Town Council approval of the request. Mr. O'Rourke seconded the motion. All in favor.

- d. **R-22-18: Corner of Nantahala Boulevard/Mathis Ferry Road. Request to Rezone from OP, Office Professional District, to TH, Townhouse District. Also request to amend the Comprehensive Plan Future Land Use Map designation from Commercial to Medium Density Neighborhood, TMS #558-01-00-077.**

Mr. Ulma reviewed the request with the Committee.

Mr. Brimmer stated that it was noted at the Planning Commission meeting that the number of trips for the proposed residential use would be less than the number of commercial trips.

Mr. O'Rourke moved to recommend to Town Council approval of the request. Mr. Brimmer seconded the motion. All in favor.

- e. **Proposal to amend the Principal Use Conditions division of Chapter 156 of the Mount Pleasant Code of Ordinances, specifically pertaining to Zoning Code Section 156.326(C)(3)(f), which establishes conditions associated with a Pump Station. Proposed is to amend the required buffers, setbacks and design approval.**

Mr. Ulma reviewed the request with the Committee.

Mr. Brimmer asked if chain link fencing would be allowed. Mr. Ulma answered in the negative.

Mr. O'Rourke moved to recommend to Town Council approval of the request. Ms. Whitley seconded the motion. All in favor.

5. Status report regarding the Patriots Point Boulevard realignment project

Mr. Bustos stated that he asked for this to be discussed and asked for an update on the cost. Mr. DeMoura answered that the Town's portion of the project was \$1.5 million, with approximately \$300,000 already spent on design. He stated that there is approximately \$1.2 million remaining for the project. He stated that this would be

allocated once construction began. He stated that after some concern by Town Council, legal staff has been negotiating the finite details on when the remaining funds would be paid. Mr. Bustos asked the total cost of the project. Mr. Morrison answered that some estimates have been up to approximately \$5 million, but a final total cost has not yet been determined. Mr. Bustos stated that there would be utility costs included with the project and suggested that if not included in the project costs, it could mean increases in utility costs for residents. Mr. DeMoura answered that the museum would be responsible for the remainder of the cost of the project. Mr. Bustos asked if it would be prudent to escrow the Town's portion of the funding to be provided once the project is complete. Mr. DeMoura answered that this could be negotiated.

Mr. O'Rourke suggested that escrowing the funds might not mean full protection for the Town funds as the roadway is only a portion of the project costs.

Mr. Bustos agreed, but suggested that escrowing the funds would be a better option as opposed to payment throughout the project.

Ms. Whitley suggested that there should be a claw-back provision in order to recoup the funds in the event that the museum project is not completed.

Mr. DeMoura stated that going forward, the plan would be for the funds to be escrowed and only paid once the roadway project is completed.

Mr. O'Rourke asked if Patriots Point Authority has a similar provision in place. Mr. DeMoura answered that they have some protection in place for the land portion.

Mr. Bustos agreed that if the roadway is completed, it would mean that the property would be available for use and suggested that some reimbursement should be considered, or a clear return determined.

Mr. DeMoura stated that these aspects are being negotiated and a final document would be presented to Town Council when finalized. He stated that to date, there is no claw-back provision in place in the event the museum is not completed; only for reimbursement if the roadway is not completed.

Mr. Bustos asked who would have control over the property if the museum did not come to fruition. Mr. DeMoura answered that it would revert to Patriots Point

Authority. He stated that the property is not currently zoned, so the zoning and development of the property would require Town approval.

Mr. O'Rourke thanked the Committee for having this discussion open for public view.

Ms. Whitley asked if the funds of 1.5 million would be contributed for the roadway regardless of if the museum is built. Mr. DeMoura answered in the affirmative.

6. Executive Session, Legal & Contractual

Legal and/or contractual advice related to the multi-party Patriots Point Boulevard realignment contract

7. Post-Executive Session

Committee may take action on any item listed on an executive session agenda or discussed in an executive session during a properly noticed meeting

No executive session was held.

8. Comprehensive Plan Update

Ms. Boyles updated the Committee on the progress of the Comprehensive Plan. She stated that the forum met on Sept 6th to review the first draft of the plan. She stated that the next meeting would be held on October 16th. She reviewed the community issues that still need to be addressed, including identifying hubs throughout the Town. She stated that once the plan is completed and approved, a more specific plan for the different hubs would be determined.

Mr. Bustos asked who drives the size of the home and if the Town has any say in this. Ms. Boyles answered that the zoning regulations would dictate some of this as well as the size of the lot. Mr. Bustos asked if this should be further reviewed. Ms. Boyles answered in the affirmative and stated that this has been considered with the update of the Comprehensive Plan. She stated that it would be further reviewed during discussion on the implementation strategies.

Mr. O'Rourke asked if the issue of settlement communities has been adequately addressed in the Comprehensive Plan. He suggested that this should be addressed and there should be incentives included for these areas to annex into the Town. He asked about overlay districts and if this has been considered as a solution to address

the concerns of the settlement communities. Ms. Boyles answered in the affirmative and stated that the forum is looking at overlay districts.

Mr. Brimmer stated that the Town has been coordinating efforts with Charleston County and suggested that because of this, there is not necessarily an incentive to annex because there is not a clear benefit.

Mr. Bustos agreed and suggested that another factor is water and sewer service and suggested that Mount Pleasant Waterworks (MPW) should be included in this discussion. Ms. Boyles agreed.

Mr. Bustos asked about Rifle Range Road to Porchers Bluff Road and if it has been discussed to designate this as a scenic roadway. Ms. Boyles answered that designating scenic roadways is included in the plan as one of the action items.

Mr. Brimmer asked if Crab Bank is in the Town. Mr. Bustos answered that he is not sure that it is in the Town. Ms. Boyles stated that it is in the Town boundaries.

Mr. Bustos stated that he would like to complete the building permit allocation system and short-term rental discussions by the end of the year. In addition, he would like to review the annexation policy and potentially send a letter to the legislature concerning this issue. He stated that it might be appropriate to include discussion on sending a letter to the legislature regarding annexation policy at the Town Council meeting.

Mr. Ulma stated that in addition to the previously mentioned items, the small cell wireless facility ordinance and annexation and zoning should be near completion as well.

There being no further business, the meeting adjourned at 1:51 pm.

Submitted by,
L. Lynes
PlanComm10012018