

MINUTES OF THE ISLE OF PALMS  
PLANNING COMMISSION MEETING  
May 9, 2018

The Isle of Palms Planning Commission met in the City Hall conference room, 1207 Palm Boulevard on May 9, 2018 at 4:30 p.m. Members attending included Ron Denton, Vince DiGangi, Richard Ferencz, Lewis Gregory, Bill Mills and Phillip Pounds; the Director of Planning Douglas Kerr was present as well. Lisa Safford was absent. Mr. Ferencz acknowledged that the press had been notified of the meeting and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

**PUBLIC COMMENTS**

Mr. Dan Kubek, 100 block of Carolina Boulevard, explained that it has been over 60 days since they filed their request for drainage work with SCDOT and they planned to call again tomorrow.

Mr. Halleck, 104 Palm Boulevard, explained that to her knowledge SCDOT has not visited the site to respond to their request.

Mr. Ferencz asked if they were still seeing water in the ditches without rain. Mr. Kubek answered yes, at every high tide there is water in the ditches.

**APPROVAL OF MINUTES**

Mr. Ferencz explained that the next item on the agenda was the approval of the April 11, 2018 minutes. Mr. Pounds made a motion to approve the minutes as submitted and Mr. Mills seconded the motion. The vote was unanimous in favor of the motion.

**DISCUSSION OF STORMWATER PRIORITIES**

Mr. Kerr explained that since their last regular meeting, the Council has added \$400,000 to the budget for the Planning Commission's suggested project of surveying, designing and permitting improvements to the outfalls between 30<sup>th</sup> Avenue and 41<sup>st</sup> Avenue. He indicated that he thought that the next step in this process would be to develop a Request for Proposal (RFP) to solicit pricing from qualified consultants.

Mr. Ferencz asked if the next step should be to make a presentation to Council to gain support of the Planning Commission's idea of working on the outfalls first. He explained that he is concerned about being out of synch with Council and their latest visions. He stated that in listening to the audio of the Council and Water and Sewer Commission audio, the discussion centered around providing sewer the entire island, which is a scope change from what the Planning Commission worked on. He stated that he was

concerned about the Commission dedicating time and effort on developing something that is out of synch with what the Council is thinking.

Mr. Kerr suggested that the Planning Commission work on gaining consensus among themselves on some of the details by working through the development of the (RFP) and then meeting with Council to review the RFP before it goes out for pricing. He stated that this would give the Council a written document to consider and study prior to the meeting to ensure that everyone is in agreement about the goals and scope of the work. Mr. Ferencz indicated that he thought steps to ensure the groups are aligned in their goals would be useful.

Mr. Kerr stated that when the City began work on the marina planning, it was the Planning Commission that developed the RFP, scored the proposals, interviewed the finalists and recommended that Council hire the consultant they believed was the best qualified. He explained that he believed this process went well and he would propose following the same process in this case.

Mr. Mills asked who would develop the draft of the RFP. Mr. Kerr indicated that he would with the help of whatever technical experts he could enlist. Mr. Ferencz asked if Mr. Stevens would be available to help draft the RFP and Mr. Kerr answered that he would ask for his help.

Mr. Ferencz asked if it was a possibility to make the project a design/build request. Mr. Kerr indicated that there was no funding in the upcoming budget for this level of work.

Mr. Ferencz indicated that he wanted the Council to be made aware of the total construction cost down the road and that once the design is completed, there would still be a need to fund the work.

Mr. Mills asked what percentage of the flooding problem this work would address. Mr. Ferencz answered that he thought it was a major part of the problem. Mr. Kerr answered now that the drainage improvements to the avenues between 42<sup>nd</sup> and 57<sup>th</sup> have been made, he felt that these areas were the next highest priority. He indicated that this is an area of the island that is low, served by septic tanks and historically problematic.

Mr. Denton answered that it is also a way of isolating the worst of the problems without working on an expensive masterplan for the entire island.

Mr. Mills asked if this work would ultimately require a referendum. City Administrator Tucker responded that as long as the project does not require that the City borrow an amount that exceeds its debt limit, there would not be a requirement for a referendum. She indicated that the City has completed two major drainage projects without a referendum and she thought those projects could provide as viable models of how to proceed with assembling funding for future large scale drainage projects.

The group agreed to work on developing an RFP and then going to the appropriate committee(s) of Council to present the RFP to ensure that Council agrees with the direction and to ensure that they are aware of the estimated expense, once the design work is complete.

### **DISCUSS LOT COVERAGE RECOMMENDATIONS**

Mr. Kerr explained that at the last meeting, the Planning Commission agreed to review the impervious surface recommendations. He explained that there was a redline draft in the packet and the major changes are: the creation of a minimum infiltration rate to be considered pervious of 2.0 inches per hour; to require a plan for every new house or improvements that cover 625 square feet; to establish a limit of how much fill could be added to being one foot above the existing grade; and setting a minimum area to be left vegetated at 50%.

The group agreed to change the limit of how much fill could be added from being one foot above the *existing grade*; to being one foot above the *road*.

The group also agreed to eliminating the minimum area to be left vegetated at 50%.

The group discussed the possibility of recommending that any new driveway be of pervious materials, regardless of the percentage of lot coverage. Mr. Denton explained that he felt like the issue is really the amount of impervious coverage and that if all driveways are pervious it may lead to owners making other improvements that contribute to the impervious coverage, because they will have room under the limit, if their driveway is required to be pervious.

Mr. Kerr explained that he would have a hard time telling an owner of a small house with very little of the lot covered that they had to use a pervious material to replace their driveway, when they are next door to a new house, with a large percentage of the lot covered with impervious surfacing. The group agreed to not recommend a blanket requirement that all new driveways be pervious.

The group agreed that they would like to look at the changes a final time before sending forward a recommendation.

## **DISCUSS SEWER ORDINANCE RECOMMENDATIONS**

Mr. Kerr explained that he had sent links to the audio of the Council and Water and Sewer Commission (IOPWSC) meeting as well as the video to the City Council meeting where the sewer ordinances were discussed. He summarized that at City Council and the IOPWSC held a joint meeting and the two agency's staffs were directed to develop a memorandum of understanding (MOU) that would identify the common goals and strategies for extending public sewer. Additionally, at this meeting the IOPWSC indicated that their belief was that a rate consultant could present some creative ideas about how to fund the expansion of the public sewer system and that they believed a critical first step should be to hire a rate consultant. Mr. Kerr indicated that the budget currently being considered for the upcoming year included the City's half for this work to be completed jointly with the IOPWSC.

Additionally, he explained that at the Council meeting, Council tasked the Planning Commission reviewing the MOU, once it is developed, and reviewing the proposed ordinances against the contents of the MOU.

Also, he explained that the City Attorney understood from discussions with the IOPWSC's attorney, that the IOPWSC did not want to review the proposed ordinances until the MOU was developed.

Mr. Mills asked about the status of the MOU. Mr. Kerr answered that as far as he knew, no work had been done. Ms. Tucker confirmed this and stated that she thought this would be a good opportunity for the Planning Commission to weigh in on what they thought should be included in the MOU.

Mr. DiGangi answered that he felt that the assessment that was developed by the Planning Commission included a lot of background data as well as recommendations that he thought could serve as a good platform to build from.

Mr. Kerr stated that he knew that the Planning Commission spent a lot of time discussing ways to divide up the \$52M or \$46M cost of the entire expansion and could not come to a scheme that they believed the community could embrace. He stated that this is what ultimately led the Planning Commission to focusing on smaller incremental expansion as opportunities and interests in areas arose. Having attended the multiple ensuing meetings and hearing resistance to the idea of smaller incremental expansions in favor of major expansions, he felt that the two interests appear to be at an impasse.

Mr. Mills explained that he has always struggled with the fact that the cost estimates went from \$13M to \$52M and there has never been any disclosure about why there is such a large discrepancy in these numbers.

Mr. DiGangi indicated that recent news about the increase in the treatment efficiency is resulting in a reduction in the overall cost, but it is still a big number.

Mr. Gregory asked what the rate consultant would do. Mr. Kerr answered that they would look at creative ways to fund the project. He answered that Mr. Mills had looked at several models of paying the debt off and none of them seemed affordable enough to be likely to survive political scrutiny.

The group agreed to put the issue on hold until further progress is made on the MOU and the work by a rate consultant.

#### **ADJOURNMENT**

With there being no further business, the meeting was adjourned at 5:45 p.m.  
Respectfully submitted, Richard Ferencz, Chairman