



## **REAL PROPERTY COMMITTEE**

**1:30pm, Tuesday, May 4, 2021**

**1207 Palm Boulevard, Isle of Palms, SC 29451**

**and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

### **MINUTES**

1. **Call to order**

Present: Council members Moye, Popson, and Streetman

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Director Kerr

2. **Approval of previous meeting's minutes – April 5, 2021**

**MOTION: Council Member Moye made a motion to approve the minutes of the April 5, 2021 meeting and Council Member Popson seconded the motion. The motion passed unanimously.**

3. **Citizens' Comments -- none**

4. **Marina Tenant Comments**

Administrator Fragoso read an update on the status of the marina restaurant: "They are reporting that the interior demolition has been completed which has allowed the architects and the structural engineers to visually inspect framing and design of the roof securing and strapping system. The demo and removal of all electrical that was out of code has been completed as well as the kitchen hood that was also out of code. They have removed the ductwork that was old and unsafe. They have also completed the structural roof strapping that makes the rooftop bar area comply with code, and this has been inspected by City officials and passed. They have fixed and improved the slanted floor on the intercoastal side of the restaurant. The architectural plans have been submitted to the City Building Department for approval, and they have not yet been approved. The building inspector is going through those documents, and we expect they will be completed this week and we will be able to issue a construction permit."

She continued, "I did ask Director Kerr to review those plans in light of the presentation, and the conceptual design plans that they presented to City Council in February just to make sure that those architectural plans are consistent to the design concept that they presented."

The outside deck area had to be scaled back due to some encroachment in the critical area. The restaurant owners will be discussing the idea of offering food trucks during the summer with City staff later in the day. City code currently does not allow for that option, so it will need further review by City Council.

5. **Old business**

A. **Update on marina dock rehabilitation project**

Administrator Fragoso said Salmon's will begin demolition of Dock Area C the week of May 10. They will then remobilize the week of May 24 to begin the installation of the new dock in that area. Gangways and pilings are anticipated to arrive the week of May 24, with installation completed by June 7 followed by utility work. All the necessary paperwork for the new transformer has been filed with Dominion Energy. The design for the new fuel hut is expected by mid-May.

Administrator Fragoso said she has asked Kirby Marshall to work with Salmon's on three change orders, including the removal of the damaged piling from the floor of the waterway, work on the watersports dock, and the maintenance work needed on the dock adjacent to the restaurant.

She informed the Committee that the Builder's Risk Policy expires June 1. She has asked Salmon's for a quote to extend it one month. ATM thinks it could cost approximately \$15,000. A call is scheduled later in the week to discuss options and risks. The outcome will be brought before the Ways & Means Committee.

A revised work schedule has been requested.

B. **Update on proposed ADA-compliant dual-purpose beach boardwalk at 42<sup>nd</sup> Avenue**

Administrator Fragoso reported the bids for this project are expected on May 6 and will be brought before the Ways & Means Committee. Director Kerr stated that the RFP required that Mr. Boardwalk be used as the epoxy source as it was reported that the price of epoxy had not increased as lumber has. However, there has been a small increase in the price of epoxy. As builders are only giving lumber quotes that are good for three weeks, action on this project will need to be taken swiftly.

Director Kerr also said that they have reached out to OCRM for permission for the second turnaround spot along the path and they expect that will be granted. Materials for the second turnaround have not yet been purchased. He also said the boardwalk is not expected to float during a flooding event. The boardwalk materials will support vehicular traffic.

C. **Update the proposed public dock and greenspace at the IOP Marina**

Administrator Fragoso said there are no updates to this project as they are still awaiting the outcome of the eviction proceedings of the former tenant.

D. **Discussion and consideration of noise agreement with Marker116, LLC**

Administrator Fragoso expressed concern about some inconsistencies between Items C and D in the agreement. She would like to tighten the language such that if a noise incident is reported it will be dealt with immediately. Suggested changes to the language will be presented to the restaurant owners and to City Council for consideration.

6. **New Business**

A. **Discussion and consideration of proposals for marina parking lot improvement**

Administrator Fragoso said she has received 7 bid proposals for the improvements needed for the Marina parking lot. City Council agreed to make improvements up to \$50,000. However, the bids came in between \$84,000 and \$170,000. Director Kerr will be meeting with the lowest bidder to see if any changes can be made to the proposed amount without sacrificing the effectiveness of the improvements.

Administrator Fragoso said that ultimately it will be up to the tenant to decide how much over the \$50,000 they will be willing to pay. The matter will go before City Council. Improvements to the parking area need to be completed before the restaurant is opened.

B. **Discussion of changes to the zoning ordinance to permanently allow outdoor dining at restaurants**

Administrator Fragoso said that the outdoor sale of food and beverages is currently prohibited without a Special Exception granted by BOZA. Director Kerr said that BOZA has addressed these requests in the past on a case-by-case basis and the process seems to work well.

Council Member Moye said he shares Council Member Buckhannon's desire to loosen the restrictions around outdoor dining. Director Kerr said City Council would need to change the code to allow for outdoor dining to occur outside of the permanent footprint of the building while still requiring BOZA approval. He indicated the parking space requirements would also need to be reviewed.

Committee members agreed that the public desires outdoor dining. Administrator Fragoso will discuss with Attorney Hinchey the definition of "event" and what changes could be brought before City Council for consideration with regards to outdoor dining.

7. **Miscellaneous Business**

The next meeting of the Real Property Committee will be held on Monday, June 7, 2021 at 1:30pm.

8. **Adjournment**

Council Member Moye made a motion to adjourn and Council Member Popson seconded the motion. The meeting was adjourned at 2:21pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk