

PLANNING COMMISSION
June 13, 2018

AGENDA

The Isle of Palms Planning Commission will hold its regular meeting on Wednesday, June 13, 2018 at 4:30 p.m. in the City Hall Conference Room, second floor, 1207 Palm Boulevard.

A. Call to order and acknowledgment that the press and the public were duly notified in accordance with state law

B. Public comments

C. Approval of minutes: May 9, 2018

D. Old business: discuss stormwater RFP draft
discuss proposed lot coverage recommendations

E. New business

F. Miscellaneous business

G. Adjourn

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 30th Avenue and 41st 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 42nd and 57th 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

City of Isle of Palms, South Carolina
Request for Proposals 2018-02
Phase 3 Drainage Outfall Design and Permitting

In compliance with the City's Procurement Ordinance, the City of Isle of Palms, South Carolina is seeking proposals and probable costs for a comprehensive redesign of the drainage outfalls at 30th Avenue, 3605 Waterway Boulevard and 41st Avenue. The request will be bid and awarded pursuant to the City's procurement ordinance. The City reserves the right to reject any and all proposals and to waive irregularities.

Background

The drainage system within the City of Isle of Palms (City) evolved over time and was primarily installed in the 1960's by the Beach Company or the South Carolina Department of Transportation (SCDOT) as roads and neighborhoods were developed on the island. The system is compromised by a mix of open ditches and closed pipe systems and the system is owned and maintained by a mix of the City, Charleston County (County), and the SCDOT. Each entity has their own protocol for maintenance and the maintenance efforts are not always coordinated.

Additionally, portions of the island's drainage system are tidally influenced and within the permitting jurisdiction of the Ocean and Coastal Resource Management division of the South Carolina Department of Health & Environmental Control (OCRM) and historically maintenance has not been done in OCRM's jurisdiction to avoid compliance issues.

These factors have collectively led to a system that is underperforming and causing drainage and flooding issues within the neighborhoods of the island. During heavy rain events and extreme high tides, certain roads on the island are impassable, non-elevated houses are inundated, septic systems are compromised, and standing water is left in an unsanitary condition. During high tides, much of the drainage system is full and has little to no capacity to handle any rain water.

Objectives

The City is seeking the services of a qualified civil engineer to design and oversee improvements to the three identified outfalls to include surveying, designing, permitting through all applicable agencies, developing bidding package, and overseeing construction. The work at the outfalls should achieve the following goals:

- Identify the appropriate area where the back of the island should be sealed from the intrusion of tidal waters from backing into the system;
- Design and permit drainage system outfall systems that will seal the tidal water out, while allowing stormwater to exit;
- Be designed and sized appropriately to provide for future drainage improvements within the basins associated with each of the three outfalls;
- Be designed to anticipate a reasonable expectation of sea level rise;
- Be designed to anticipate a reasonable expectation of increase in impervious surfacing on the island;
- Be designed to anticipate a high level of soil saturation before storms;
- The design should be to a level that would have kept flood waters associated with Hurricane Irma from damaging houses

Scope of Work

1. The chosen consultant will be expected to collect and analyze whatever information or data is necessary to fully understand the quantity of stormwater each outfall will handle. This will include prior construction work, prior maintenance work, identifying problem areas, and any other information necessary to anticipate future infrastructure improvements within the drainage basins flowing through these outfalls.
2. The chosen consultant will provide a survey of all ditches and drainage structures associated with the three outfalls from the Intracoastal Waterway to Waterway Boulevard to include at least 100 feet inland (southwest) from Waterway Boulevard. The survey must include all property line boundaries, wetlands, critical area delineations, utilities, topography to one-foot intervals, drainage structures, pipe inverts, and any other structures within the system.
3. Once the background data has been gathered and analyzed, the chosen consultant will be expected to provide the City with several conceptual project alternatives, including cost, of different flood recurrence intervals including 10-year, 100-year storm and 500-year storm and different levels of stormwater velocity within the system. The expectation is that the chosen design would be to a level that would have kept flood waters associated with Hurricane Irma from damaging houses within the associated drainage basins.
4. Once the City has reviewed the various concepts and identified the level of service the future work should provide, the chosen consultant will be directed to develop a finalized engineering design to meet those objectives and provide the basis for bidding the construction of the improvements.
5. The chosen consultant will be expected to secure permits through all applicable agencies including OCRM, US Army Corps of Engineers, Charleston County, SCDOT, and the City.
6. The chosen consultant will be expected to provide final budget estimates to assist the City in assembling adequate funding to complete the improvement.
7. The chosen consultant will be expected to advise the City on whether or not the work could be prioritized to identify immediate smaller projects that could provide stormwater relief in the near term, while the City works to assemble the funding for more costly long term improvements.
8. The chosen consultant will be expected to provide a complete bidding package that would allow the City to go through the procurement process and choose a qualified contractor to complete the work.
9. The chosen consultant will be expected to provide a cost estimate for project administration, with the understanding that some construction could be years away and not contracted for until the time of construction.

Qualifications

The consultant and their team will demonstrate a minimum of five years of experience in the

following disciplines:

- Land surveying
- Regulatory Permitting
- Civil engineering and designing
- Construction cost estimating
- Civil engineering and designing
- Construction cost estimating

The consultants must provide at least three examples of projects of similar scale and complexity along with contact information associated with each project.

Depending on the performance of the selected consultant on this project, the City may elect to extend the contract to include future tasks associated with the redevelopment.

Respondents must have or be able to procure an Isle of Palms Business License.

Questions may be submitted via email to dkerr@iop.net until 3:00 p.m. Eastern Standard Time, Thursday, July 18, 2018 after which time all questions will be answered on an addendum posted to the City's website at www.iop.net.

The deadline for submission is 10:00 a.m. Eastern Standard Time, Monday, August 1, 2018. Submissions must be received at 1207 Palm Boulevard, Isle of Palms, South Carolina 29451 in a sealed envelope, where they will be opened and read aloud. Sealed envelopes must be clearly marked RFP 2018-xx "Isle of Palms Drainage Phase 3; Outfall Design and Permitting" and include one (1) hard copy and one (1) electronic copy saved to a compact disc (CD). The City accepts no responsibility for electronic submissions, and it will be the responsibility of the proposers to verify receipt by the City.

PLANNING COMMISSION REVIEW FOR JUNE 13 SHOULD END HERE. BIDDING DETAILS, MAPS, AND AGREEMENT WILL BE ADDED PRIOR TO RELEASE

Proposal Process

Bid packets can be picked up at:

City of Isle of Palms City Hall
1207 Palm Boulevard
Isle of Palms, South Carolina 29451

Or www.iop.net

Mandatory Bid Meeting??

Proposals should be submitted to the following:

Douglas Kerr, Director of Planning
City of Isle of Palms
1207 Palm Boulevard
Post Office Box 508

Isle of Palms, South Carolina 29451

Proposals may be delivered by hand or by mail, but no proposal shall be considered which is not actually received by the City at the place, date and time appointed by the City and the City shall not be responsible for any failure, misdirection, delay or error resulting from the selection by any bidder of any particular means of delivery of bids.

Bidders acknowledge and agree that the City will not be liable for any costs, expenses, losses, damages (included damages for loss of anticipated profit) or liabilities incurred by the respondent or any member of the respondent's organization as a result of, or arising out of, submitting a bid, negotiating changes to such bid, or due to the City's acceptance or nonacceptance of the bid or the rejection of any and all bids. Respondents are responsible for submission of accurate, adequate and clear descriptions of the information requests. Neither issuance of the RFP, preparation and submission of a response, nor the subsequent receipt and evaluation of any response by the City of Isle of Palms will commit the City to award a contract to any respondent even if all the requirements in the RFP have been met.

Firms considering submission under this RFP will be expected to have read and be prepared to enter into the attached contract, which is a part of this RFP. The City of Isle of Palms reserves the right to reject any and all bids and to waive irregularities.

DRAFT

Title 5 – Planning and Development
Chapter 4 – Zoning
Article 1 – General Provisions

Sec. 5-4-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (23) *Impervious material* means any material through which water cannot penetrate. Such material includes, but is not limited to, principal or accessory structures, porches and decks, either covered or of tongue and groove construction, concrete, asphalt, or similar substances, ~~but excludes gravel, shell or crushed stone.~~ Any material through which water can be easily absorbed or passed, at a minimum infiltration rate of 2.0 inches per hour, such as, but not limited to gravel, shell or crushed stone will be considered pervious.

Sec. 5-4-12. - Additional regulations.

The following additional regulations shall apply to all zoning districts:

- (p) Adding fill or importation of materials of any type, or re-contouring of a lot's existing contours, that increases a lot's existing ground elevation more than one (1) foot above existing ~~graderoad~~ and results or may result in elevating an existing or proposed structure is strictly prohibited.

- (q) Any decrease in a lot's existing ground elevation is strictly prohibited.

(ppr) No lot shall be graded or filled to an elevation that results in a change to the existing stormwater runoff for such lot without the Zoning Administrator's prior approval of a stormwater management plan. The stormwater management plan shall include the stamp and signature of a duly licensed and qualified professional, all existing and proposed topographical features of the lot, ~~existing and proposed drainage flow patterns,~~ and a statement by the professional certifying that the filling or grading of the lot will not adversely impact the drainage of any adjacent properties, drainage systems or rights-of-way. The following site changes shall require the submittal of a stormwater management plan:

(1) Any new building construction, new impervious surface, or replacement of impervious surfaces, which cumulatively exceed six hundred and twenty-five (625) square feet in area (all development shall be cumulative over time when considering the square footage threshold for requiring a stormwater management plan);

(2) Adding fill or re-contouring of twenty (20) percent or more of the existing lot area in compliance with paragraph (p) of this section.

Additional submittal materials, design specifications and maintenance schedules may be requested at the discretion of the Zoning Administrator to ensure compliance with the Charleston County Stormwater Management Program.

Sec. 5-4-13. - Maximum lot coverage; floor area ration requirements; additional setback requirements.

1. The following regulations shall apply to the SR-1, SR-2 and SR-3 zoning districts:

(e) Not more than forty percent (40%) of the area of a lot shall be covered by impervious material, provided that this requirement shall not limit lot coverage to less than three thousand two hundred (3,200) square feet nor allow lot coverage to exceed seven thousand (7,000) square feet. For lots with on-site wastewater disposal systems, this lot coverage requirement shall be reduced from forty (40%) percent to not more than thirty (30%) percent, provided that this requirement shall not limit lot coverage to less than two thousand four hundred (2,400) square

feet nor allow lot coverage to exceed five thousand two hundred fifty (5,250) square feet. ~~At least fifty (50%) percent of the lot area shall remain naturally vegetated or landscaped with grass and/or other vegetation.~~

- ~~(b)~~(a) The floor area ratio of a lot shall not be greater than forty percent (40%) of the area of a lot, provided that this requirement shall not limit the enclosed living space of a principal structure to less than three thousand two hundred (3,200) square feet not allow such enclosed space to exceed seven thousand (7,000) square feet.
 - ~~(c)~~(b) For lots larger than eight thousand (8,000) square feet, with a lot width at the front building line of seventy (70) feet or greater, the combined minimum side yard setback requirement for any portion of the enclosed building at or above twenty-five (25) feet in height as measured pursuant to [section 5-4-2](#)(18) shall be thirty (30) feet, with no side yard less than ten (10) feet.
 - ~~(d)~~(c) For lots larger than eight thousand (8,000) square feet, with a lot width at the front building line of at least sixty (60) feet but less than seventy (70) feet, the combined minimum side yard setback requirement for any portion of the enclosed building at or above twenty-five (25) feet in height as measured pursuant to [section 5-4-2](#)(18) shall be twenty-five (25) feet, with no one side yard less than ten (10) feet.
2. This section does not prohibit a structure on any City-owned lot which is used for municipal purposes from exceeding seven thousand (7,000) square feet so long as the other requirements of this section which are not inconsistent with this subsection are met.