

**TOWN OF MOUNT PLEASANT, SOUTH CAROLINA
PLANNING & DEVELOPMENT COMMITTEE
JULY 2, 2018
MINUTES**

Municipal Complex, Committee Meeting Room

PowerPoint Presentation

Present: Joe Bustos, Chair, Bob Brimmer, Guang Ming Whitley,
Tom O'Rourke (entered at 2:34 pm)
Staff: Eric DeMoura, Jeff Ulma, David Pagliarini, Michele Canon, Eddie
Bernard, Liz Boyles, Joe Malek

Mr. Bustos called the meeting to order at 2:04 pm.

1. Approval of Minutes from the June 4, 2018 meeting

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

2. Public Comments

Ms. Laurie Bixler, 144 3rd Ave, thanked the Committee for the opportunity to speak and for their hard work on this issue. She expressed concern that there is not a public committee to review short term rentals and work with the Town on implementing regulations for short-term rentals and suggested that this should be considered. She suggested that those with existing short-term rentals should be “grandfathered” and allowed to remain in use.

Ms. Marie Jakosi, 615 Baytree Court, stated that she has a short-term rental and would like to be able to keep the short-term rental. She stated that she previously rented her home as a long-term rental, but was not able to maintain the property as well as she can as a short-term rental because of the strict regulations for the rental. She stated that she provides information on local restaurants, special events, venues, and maps. She stated that she believes in having controls over short-term rentals.

Ms. Michelle Whitbeck, 712 Hibbens Grant, stated that she has a short-term rental. She stated that they have a business license and pay all applicable fees and taxes. She stated that she has regulations in place to protect their neighbors and

neighborhood. She stated that the renters are mostly away from the property during the day, only coming in at night. She stated that parties and unruliness are prohibited. She suggested that there should not be a restriction on the number of times or days the property can be rented and suggested that this would be unjustified punishment. She suggested that there should be regulations to maintain order including the possibility of fines or forfeiture of permits and licenses.

Ms. Jackie Line, 908 North Shem, stated that she has a short-term rental to supplement their income. She stated that the short-term rental does not adversely affect the neighborhood or the adjacent neighbors. She stated that the short-term rental supplements their income. She stated that another short-term rental is used to supplement income for her aging parents. She agreed that there should be regulations, but free enterprise should be allowed as well. She stated that short-term rentals provide affordable accommodations for those visiting the area.

Ms. Sally Jacob, 1152 Village Creek Lane, questioned whether short-term rentals should be allowed due to the effect on affordable housing. She suggested that there is a need for affordable housing. She suggested that short-term rentals reduce the number of options available for those who need affordable housing and want to live in the Town.

Mr. Tony Geisman, 1343 Fairmont Ave, suggested that the accessory dwelling unit (ADU) square footage maximum should not be imposed as long as the maximum lot coverage is not exceeded. He is in favor of short-term rentals. He suggested that the short-term rental customers add to the revenue base of the Town and help to keep property values down. He stated that there is a need for short-term rentals in the Town. He suggested that the regulations should be carefully considered that would be fair and equitable to all.

Ms. Laurie, Bauer, 506 Live Oak Dr, asked that there should be short-term rentals allowed in the marine district on a year-round basis. She stated that it provides revenue for the Town and local businesses. She suggested that the short-term rental has no adverse effects on the neighborhood and is the highest and best use of her property. She suggested short-term rentals are a business investment. She suggested that existing short-term rentals should be "grand-fathered".

Ms. Renee Stoffard, 529 Live Oak Dr, stated that she has short-term rental that is used to supplement her income. She asked that existing short-term rentals be grand-fathered in. She stated that short-term rentals bring more business into the Town for other businesses as well as provide tax revenue for the Town.

Ms. Barbara Geisman, 1343 Fairmont, stated that she has had their property in the family for many years. She stated that the neighborhoods have changed over the years and the people are not as hospitable. She stated that prices for services have dramatically increased over the years and is a reason for some families being “priced out of the neighborhood”. She suggested that the Town’s character should be maintained and preserved. She suggested that the ADU square footage should not be limited if it does not exceed the maximum lot coverage.

Mr. George Bixler, 144 3rd Ave, stated that short-term rentals provide a local feel for visitors. He suggested that only local residents should be allowed to have short-term rentals to ensure the character of the Town is maintained. He stated that he does not live on the short-term rental property, but noted that he has only had a couple of bad experiences with renting their short-term rental property.

Ms. Alicia Lockwood, 316 Lapwing Lane, stated that she rents a guest room out of her home. She suggested that short-term rentals are self-regulated with each owner determining regulations in order to rent. She suggested that the short-term rentals have a small impact on neighborhoods because of these self-imposed regulations.

3. Employee years of service recognition

Mr. Ulma recognized Mr. Joe Malek for five years of service. He stated that Mr. Malek started with the Town as a Building Inspector and was promoted to a Plans Examiner. He stated that Mr. Malek previously worked in the construction industry and has received several certifications for both residential and commercial inspections through the International Code Council (ICC). He stated that he has worked on several Town projects including the new Town Hall gym.

4. Review of Planning Commission recommendations from the June 20, 2018 meeting

- a. Case R-12-18, Request to amend the Pepper Tract PD, Planned Development District Ordinance (Ordinance No. 11048, as amended), by**

removing the square footage limitations on buildings associated with specific uses as identified in “Attachment E: Permitted uses for RC and I Zoning Classifications”, Located along Darrell Creek Trail/US Highway 17 N. and Chandler Road / known as the Pepper Tract Development. TMS #615-00-00-044 and 615-00-00-173

Mr. Ulma reviewed the request with the Committee. He stated that the Planning Commission recommended approval on a 5 to 2 vote.

Mr. Bustos asked the building size desired. Mr. Ulma answered that a desired building size was not specified. He stated that the Planning Commission expressed concern with potentially having a “big box” development and being able to accommodate all requirements such as parking, buffers, etc. He stated that the applicant indicated that they have had inquiries for buildings larger than the 4,000 square limit in the PD. He stated that any development would require DRB approval. Mr. Ulma stated that there is a maximum of 195,000 square feet of commercial and retail uses within the PD.

Mr. O’Rourke entered at this time (2:34 pm).

Mr. Bustos asked if the request could be handled on a case by case basis. Mr. Ulma answered that a variance would be required from the Board of Zoning Appeals (BOZA) if done on an individual basis.

Mr. Brimmer asked the reason for not having a maximum square footage for these uses. Mr. James Warrington answered that a maximum was not considered. He stated that many of the uses interested in the site would like to have a larger building that would exceed the current maximum. He stated that at the time the PD was approved, the maximum was appropriate. He stated that the market trend is larger buildings. He stated that it has been difficult to develop this property because of the square footage limitation. He stated that the developer would rather locate on property that would not require going through the uncertainty of the variance process. Mr. Brimmer stated that when originally approved, it was thought to be a transitional property as it is close to the Urban Growth Boundary (UGB). He stated that he would be more comfortable with having a maximum square footage that would be appropriate for this transitional property. He expressed concern with having the potential for a larger commercial use that would be out of character for the neighborhood

and area. Mr. Warrington stated that there have been inquiries for a market or grocer, even though those are now approximately 40,000-60,000 square feet. Mr. Bustos suggested that commercial use of that size should be reviewed by BOZA, but allowing square footage around 10,000 square feet would be more appropriate. He suggested that the applicant consider determining a maximum square footage for these uses and bring them back for approval.

Mr. Brimmer asked if a maximum square footage could be presented to Town Council. Mr. Ulma answered that this would constitute a change to the application and would have to be resubmitted as a new request. He stated that this would mean requesting a waiver from Town Council.

Mr. Warrington stated that they are prepared to establish the maximums at this meeting. Mr. Bustos stated that a new application would need to be submitted as it would be a change to the current request. He stated that a waiver from the one year waiting period would be needed from Town Council in order to resubmit.

The Committee agreed to table the request.

b. Case R-13-18, Request to amend the Dunes West PD, Planned Development District Ordinance (Ordinance adopted 9-4-90, as amended), by rezoning 33 parcels from R-1, Low Density Residential District, to Dunes West PD, located off Bessemer Road/Known as Covington at Park West. TMS #583-00-00-003, 583-03-00-254 thru -281, and 583-03-00-286

Mr. Ulma reviewed the request with the Committee. He stated that a motion from the Planning Commission for approval failed on a 2 to 5 vote, so the request comes to the Committee with no recommendation.

Ms. Whitley stated that it appears the request would allow for different product types to be included in the lot, with no change in density, lot coverage, etc.

Mr. Brimmer asked if the request would allow the homes to be built closer to the homes in the Arlington subdivision. Mr. Chris Donato answered that bringing the property into the Dunes West PD would prohibit ADUs and allow for a rear setback of 15 feet. He stated that the main structure would be closer to the property line, but if it remained outside of the Dunes West PD, then an

ADU could be constructed, which could be six feet from the property line. Mr. Brimmer expressed concern that a large home would be built close to an existing home in the Arlington subdivision. Mr. Donato reviewed the request with the Committee. Mr. Brimmer asked if the lots would it be brought into the Dunes West PD if they remained zoned R-1,. Mr. Donato answered in the negative and stated that only those lots on Brightwood would remain currently in the Park West PD.

Mr. Brimmer moved to recommend to Town Council denial of the request. Mr. Bustos seconded the motion.

Ms. Whitley suggested that having product variety would be beneficial. She stated that this would not be a significant change and would not change the density.

Mr. Brimmer stated that this property was initially approved with R-1 zoning and suggested that this should not be changed. He suggested that this would adversely affect the properties in the Arlington subdivision.

Mr. Donato suggested that if approved, ADUs would be prohibited for a maximum of 35 properties, which would reduce the density. He stated that if approved, the number of R-3 lots allowed in the Dunes West PD would be reduced as well.

Mr. O'Rourke suggested that ADUs is an issue and having the property within the PD would provide better consistency for the neighborhood.

Mr. Bustos asked for clarification of the request. Mr. DeMoura answered that if the request is not approved, the property would remain as currently zoned in Covington. Mr. Bustos suggested that this should be considered by Town Council as a whole and suggested that the motion could be withdrawn. Mr. Brimmer stated that he would like his motion to stand.

Mr Bustos called for a vote on the motion. Motion failed on a 2 to2 vote with Mr. Brimmer and Mr. Bustos in favor; Ms. Whitley and Mr. O'Rourke opposed.

c. Case R-14-18, Request to amend the Johnson Development PD-MU-SU (Ord. No. 14084, as amended) also known as Indigo Square, with regards

to the allowable land uses as identified in Section III. PD Land Uses, Program and Maximums (A.) Land Uses, specifically adding Workout Studios, including Dance, Yoga, Barre, Pilates, and the like, located at Highway 17 N./Indigo Market Drive/Known as Indigo Square. TMS #558-00-00-933

Mr. Ulma reviewed the request to add these additional uses with the Committee. He stated that the Planning Commission recommended approval.

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

d. Proposal to amend Chapter 156, Zoning Code, pertaining to Signs by adding political signs to Section 156.151, Definition of Sign and adding a new paragraph (Q) to section 156.162 prohibiting signs located within the public right-of-way and providing for their removal by authorized officials

Mr. Ulma reviewed the request with the Committee. He stated that the Planning Commission recommended approval.

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

Mr. Bustos asked if this would ban political signs from the right-of-way. Mr. Ulma answered in the affirmative. Mr. Bustos suggested that political signs are vital to increasing voter participation and suggested that they should be allowed in the right-of-way.

Mr. O'Rourke suggested that there should be consistency and that politicians should not be allowed to have signs in right-of-way if others cannot have signs in the right-of-way.

Mr. Kevin Cunnane, 3032 River Vista Way, agreed with Mr. Bustos that political signs should not be prohibited in the right-of-way. He suggested that determining a time period that signs are allowed could be considered. He suggested that the way that political signs are handled in adjacent municipalities should be reviewed. He suggested that allowing political signs in the right-of-

way would provide a different avenue for a candidate to advertise that would be a less expensive means such as radio and television ads.

Mr. Bustos called for a vote on the motion. Motion passed on a 3 to 1 vote, with Mr. Brimmer, Ms. Whitley, and Mr. O'Rourke in favor; Mr. Bustos opposed.

- 5. Annexation: 2188 Gulf Drive. Request to annex an approximately 0.29 acre tract of land located at 2188 Gulf Drive, identified by TMS No. 577-05-00-003 and depicted on a plat at Lot 3 recorded by Charleston County ROD Office in Plat Book L, Page 73.**

Mr. Ulma reviewed the request with the Committee.

Mr. Bustos asked if this comes in zoned as community conservation because of the Comprehensive Plan recommendation. Mr. Ulma answered in the affirmative.

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

Mr. Brimmer asked if the zoning designation is consistent with the Comprehensive Plan. Mr. Ulma answered in the affirmative.

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

- 6. Annexation: 960 Bulls Bay Blvd. Request to annex an approximately 0.10 acre tract of land located at 960 Bulls Bay Blvd, identified by TMS No. 632-00-00-128 and depicted on a plat recorded by Charleston County ROD Office in Plat Book EG, Page 522-523.**

Mr. Ulma reviewed the request with the Committee.

Mr. Brimmer asked if the zoning is consistent with the Comprehensive Plan. Mr. Ulma answered in the affirmative.

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

- 7. Annexation: 1159 Dingle Road. Request to annex an approximately 0.28 acre tract of land located at 1159 Dingle Road, identified by TMS No. 578-00-00-475 and depicted on a plat recorded by Charleston County ROD Office in Plat Book EL, Page 639-640.**

Mr. Ulma reviewed the request with the Committee.

Mr. Brimmer asked if the zoning is consistent with the Comprehensive Plan. Mr. Ulma answered in the affirmative.

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

- 8. Annexation: 1647 Rifle Range Road. Request to annex an approximately 0.02 acre tract of land located at 1647 Rifle Range Road, identified by TMS No. 560-00-00-053 and depicted on a plat recorded by Charleston County ROD Office in Plat Book EC, Page 736.**

Mr. Ulma reviewed the request with the Committee.

Mr. Bustos asked if the zoning is consistent with the Comprehensive Plan. Mr. Ulma answered in the affirmative.

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

- 9. Annexation: 4162 Tobacco Road. Request to annex an approximately 0.06 acre tract of land located at 4162 Tobacco Road, identified by TMS No. 632-00-00-124 and depicted on a plat recorded by Charleston County ROD Office in Plat Book EG, Page 109-113.**

Mr. Ulma reviewed the request with the Committee and stated that the zoning is consistent with the Comprehensive Plan.

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

10. Discussion regarding exclusion of certain uses from the 40% impervious surface lot coverage requirement in the Old Village Historic District and the Impervious Surface Lot Coverage Overlay District

Mr. Ulma reviewed the request with the Committee.

Mr. Bustos suggested that the lot coverage was established for a reason and suggested that it should not be changed. He stated that a request can be made to BOZA if a change is desired. He suggested that the drainage issues need to be resolved before allowing increased lot coverage.

Ms. Whitley suggested that having a grandfather provision should be considered. She stated that this would allow for non-conforming properties to rebuild after a storm event without having to apply for a variance from BOZA.

Mr. Bustos suggested that the lot coverage could be remedied by substituting pervious surfaces installed for driveways, patios, etc. He stated that there is a drainage issue in these areas and suggested that allowing additional lot coverage should not be encouraged.

Ms. Whitley asked if lots could be grandfathered by adding an effective date in the ordinance. Mr. Ulma answered that it would be difficult to administer this provision due to all of the various situations. Ms. Whitley suggested that having an exception for public uses could be considered. She suggested that the tennis courts provide a valuable service for the residents.

Mr. Bustos expressed concern with the significant drainage issues in these areas. He suggested that the overall public good of providing valuable drainage improvements exceeds the need for public services such as the tennis courts. He suggested that the Town can request a variance from BOZA and suggested that this would be the best course of action.

Mr. O'Rourke agreed that there are serious drainage issues in these areas. He stated that he would like to see the tennis courts remain, but not at the expense of correcting the drainage issues.

Mr. Bustos suggested that a hardship could be justified with BOZA in order to receive the variance.

Mr. Brimmer agreed that properties should not be allowed additional lot coverage. He asked if the hardship clause could be changed. Mr. Ulma answered that the requirements for a BOZA variance are outlined in state law and a legal opinion would be needed to determine if this could be altered.

Ms. Whitley stated that she was not aware that the footprint could possibly be maintained if some areas were changed to be pervious. She stated that knowing this alleviates her previous concern.

Mr. Bustos stated that he would report on this to Town Council.

11. Report on Comprehensive Plan Update

Ms. Boyles updated the Committee on the Comprehensive Plan process. She stated that there have been almost 500 surveys completed to date. She stated that this information would be included with the forum and open house information. The consultants would work on a draft plan that would be reviewed by the Forum in August, with the updated plan going to the Planning Commission in October. She stated that another open house would be held on October 30th.

Mr. Brimmer commended staff and the consultants on the recent survey as it is very detailed and asks for detailed responses.

12. Continued discussion regarding Accessory Dwelling Units (ADUs) and Short-Term Rental properties

Ms. Canon reviewed this issue with the Committee.

Mr. Bustos asked if an accessory structure is different from an ADU. Ms. Canon answered in the affirmative and noted uses like pool houses are accessory structures but not necessarily approved as an accessory dwelling. She stated that staff needs guidance on what should be prohibited and allowed.

Ms. Whitley suggested that ADU short-term rentals had a positive reaction because the owner is onsite. She stated that she would be in favor of allowing ADUs as short-term rentals.

Mr. Bustos suggested that short-term rentals of an ADU should be allowed, but not the rental of an accessory structure. *The Committee agreed.*

Ms. Whitley suggested that the lack of a kitchen would not be a significant difference in what would be allowed as a short-term rental. Mr. O'Rourke disagreed and stated that an accessory structure has different building requirements and intent of use than an ADU.

Mr. Brimmer asked the difference between requirements for an ADU or an accessory structure. Mr. Cave answered that an ADU has different construction and building code requirements than an accessory structure in addition to different requirements in regard to parking, safety, etc.

Ms. Whitley asked about a bed and breakfast (B&B). Ms. Canon answered that if a room is rented on a short-term basis, it is now considered a bed and breakfast and requires a special exception through BOZA.

Ms. Whitley asked if the number of permits could be limited with a bid process where the applicant would submit a bid for a permit and then the highest bidders would be awarded the permit for the short-term rental. She stated that this could be a potential revenue source for the Town. She stated that there are other municipalities that have done this and it has worked well.

Mr. O'Rourke stated that he is not as concerned about the number of short-term rentals, but rather the behavior of those renting the short-term rentals. He suggested that there should be strict regulation of the short-term rentals with significant penalties and strict enforcement.

Mr. Bustos expressed concern over safety issues such as sprinkling homes, installation of exit signs, etc. Ms. Canon answered that this has been considered and stated that it could be included in the regulations. Mr. Bustos asked about fire regulations for hotels. Mr. Cunnane noted that he has a similar concern regarding fire safety. He suggested that fire safety measures such as sprinklers should be a consideration. He suggested that another consideration is where the short-term rental is located on the property and having sufficient access for emergency vehicles.

Mr. Brimmer asked about issues such as ADA compliance and accessibility and how this would be handled. Mr. Brimmer expressed concern with having a business in a residential area. Mr. Bustos stated that home-based businesses are allowed in residential areas. Ms. Whitley noted that long-term rentals are considered a business as well.

Mr. Bustos stated that the Affordable Housing Committee looked at utilizing ADUs for affordable housing, but most ADUs are rented at market value. He suggested that a committee for short-term rentals was not needed. Mr. O'Rourke agreed.

Ms. Whitley stated that a B&B should have its own license designation. She suggested that a clear distinction between the different types of short-term rentals should be considered.

Mr. Bustos suggested that there should be a business license, inspections, and regulations in place for all short-term rentals. He suggested that the fees assessed should be commensurate to the staff time needed to administer and regulate the program so it is not a burden on all taxpayers. He suggested that the number of short-term rentals should be regulated in some manner, either by neighborhood or town-wide, particularly because of those in existing neighborhoods. He stated that the expectations of those in existing neighborhoods should be considered as well as the impact to existing neighborhoods.

Ms. Whitley suggested that limiting the number of permits/licenses available would be preferred as opposed to trying to limit the number of permits for each neighborhood.

Mr. Brimmer suggested that there should be a distinction between someone renting their home or room as opposed to someone with multiple properties. The Committee agreed.

Mr. O'Rourke stated that the integrity of the neighborhood should be preserved, while not infringing on property rights.

Mr. Bustos agreed that there should be a distinction between an owner that lives on the property as opposed to an owner that does not live on the property.

Mr. O'Rourke suggested that there should be a difference between a Town resident who owns several properties and manages those properties as opposed to having a management company managing those properties.

Ms. Canon reviewed a draft timeline on implementation of short-term rental regulations with the Committee. She stated that there are some issues that can be quickly resolved while working on stricter regulations and reviewed these with the Committee. She stated that the proposed timeline would allow for changes to the zoning ordinance, but also other sections of the Town code such as business license regulations. She suggested that some of the definitions could be easily revised while working on stricter regulations, such as the number of rentals that would require a business license.

Ms. Whitley asked if currently an LLC would be allowed to have four rental properties without requiring a business license. Ms. Canon answered in the affirmative and stated that often the same owners are creating several LLCs. Ms. Whitley asked if there can be more enforcement to better determine those that are operating a B&B and do not have business licenses. Mr. Ulma answered that this would be one of the areas that would be reviewed while determining the new regulations.

Mr. Bustos reiterated that the program should be self-sustaining with the fees covering the cost of implementing and enforcing the regulations. He asked the number of whole house rentals that currently exist. Ms. Canon answered that it is difficult to determine whether it is a whole house rental or room, short-term rental or long-term rental, etc., but based on recent staff review of some data, it was determined that there were approximately 150 rentals.

Ms. Whitley suggested that there were more operating within the Town and suggested that this should be further investigated. She stated that AirDNA is a good resource for trying to determine the number of rentals in the Town.

Mr. Bustos suggested that the timeline should be shortened and implement the requirement for a business license. He suggested that this would better determine the number of rentals in the Town.

Ms. Whitley stated that she checked AirDNA and there are currently approximately 350 rentals in the Town that are being advertised.

Mr. Bustos suggested that staff continue to work on this issue and bring back recommendations to the Committee. *The Committee agreed.*

- 13. Continued discussion on a proposal to amend the Vegetation and Tree Protection divisions of Chapter 156 and amend the Land Development Regulations of Chapter 155 of the Mount Pleasant Code of Ordinances, pertaining to various sections regarding bufferyard requirements, special bufferyards including the Critical Line Buffer, tree protection, removal and replacement requirements, and open space requirements.**
- 14. Change to Ch. 152, Flood Damage Prevention, allowing for flexibility for elevated buildings related to seismic design**
- 15. Update regarding growth management plan and possible building permit allocation system**
- 16. Review of annexation and initial zoning district designation**

Mr. Bustos suggested that due to time, a special Committee meeting should be scheduled to discuss items 13-16.

Ms. Whitley moved to defer items 13-16 to a special Committee meeting. Mr. O'Rourke seconded the motion. All in favor.

17. Staff update regarding text amendment pertaining to hospice uses

Mr. Ulma reviewed the request with the Committee. He stated that due to time constraints, this change would need to be implemented so that the DHEC permit for an existing hospice could be secured by a new ownership group. He stated that if agreed, staff would hold a public hearing on the text amendment at the July 18th Planning Commission meeting.

Mr. Brimmer asked if the hospice facility is operating without a license. Mr. Ulma answered that the zoning appears to have changed since the use was originally established, making the property non-conforming. He stated that he is not sure of the DHEC requirements regarding their current licensing, but stated that this amendment is needed in order for a hospice use to be a conforming use for purposes of a new license.

The Committee agreed to move forward with the public hearing.

18. SE Spine Institute - Tree Removal adjacent to Mathis Ferry Road (State scenic highway) [Per State Law, SECTION 57-23-520, Article 11: Removal of certain trees prohibited. No trees in excess of a six-inch caliper located within the highway right-of-way of this scenic highway may be removed without the permission of the Department of Transportation upon the recommendation of the governing council of the Town of Mount Pleasant.]

Mr. Bernard reviewed the request with the Committee. He read an email from Stuhr's Memorial Garden and Southeastern Spine Institute, private property owners adjacent to the road improvements, regarding this request.

Ms. Whitley asked about contribution of funds from the Town for this project. Mr. Bernard answered that there was discussion at the last meeting regarding the possibility of a joint project for vine removal.

Mr. DeMoura stated that there is some opposition to removal of the vines. He stated that Stuhr's prefers the vines remain in place as it provides a noise barrier; however, this is a scenic highway and the trees are being overrun by the vines. He suggested that the vines should be removed in order to preserve the trees along the scenic highway.

Ms. Whitley asked if Tree Bank Funds can be used for the vine removal. Mr. DeMoura answered in the affirmative, but stated that the property owner is opposed to the vine removal. He suggested that there is a danger of losing the scenic highway designation if the vines are not removed. Ms. Whitley asked if the symmetrical intersection plan was approved by SCDOT. Mr. Bernard answered in the affirmative. Ms. Whitley asked if the trees removed would be mitigated. Mr. Bernard answered in the affirmative and stated that the request would be to replant trees on the Stuhr's property as opposed to replanting in the right-of-way. He stated that if trees could not be replanted, then the Town could allow payment into the Tree Bank.

Mr. Bustos asked if the Town would have to fund any of this project. Mr. DeMoura answered that the mitigation could be paid to the Tree Bank and then those funds used for the vine removal and replanting of trees to restore the scenic highway.

Mr. Brimmer asked about the total cost of the project and if the Town is agreeable to contribute to this project. Mr. DeMoura answered that he suggested that the Town include some funding along with the developer's contribution to leverage funds for the scenic highway revitalization and restoration.

Mr. Bustos suggested that the developer should bear the cost for the project and then use additional Tree Bank funds for additional plantings and vine removal.

Ms. Whitley moved to recommend to Town Council approval of the request for SCDOT to approve the tree removal for the symmetric plan option and to recommend that the Town move forward with a scenic highway restoration project. Mr. O'Rourke seconded the motion. All in favor.

Mr. Bustos asked the Committee to forward available dates for scheduling a special Committee meeting.

There being no further business, the meeting adjourned at 4:27 pm.

Submitted by,
L. Lynes
PlanComm07022018