

The Town of Summerville Planning Commission Meeting
Minutes
August 19, 2019

This meeting of the Town of Summerville Planning Commission was attended by Commission Members, Jim Reaves, Chairman; Sarah Bares; Betty Profit; Jonathan Lee; Tom Hart; and Kevin Carroll. Staff in attendance included Jessi Shuler, Director of Planning; Tim Macholl, Zoning Administrator; Becca Zimmerman, Planner II; Michael Lisle, Economic Development Coordinator; and Bonnie Miley, Assistant Town Engineer.

Jim Reaves, Chairman, called the meeting to order at 4:00 PM.

Approval of Minutes:

The Chairman asked if there were any edits or additions to the minutes from the meeting on July 15, 2019. Hearing none, the Chairman declared the minutes accepted as presented.

Public Hearings:

The first public hearing opened at 4:02 PM and was for the proposed amendments to the Town Code, Chapter 20, Planning and Development; Article V - Traffic Impact Analysis; Section 20-152 – Traffic Impact Analysis Required, Subsection (a) - Applicability. Mr. Reaves introduced the request, and asked Ms. Shuler if this ordinance had already received first reading from Town Council. Ms. Shuler confirmed that both ordinance amendments on the agenda had already received first reading by Town Council. Dr. Bares asked for a Point of Information, which Mr. Reaves allowed. Dr. Bares asked for clarification on the strikethroughs and changes to both ordinance amendments as different colors were used, and Ms. Shuler clarified that the strikethroughs were all deletions, and the words in a different color were all changes or additions. Hearing no further comment, the public hearing was closed at 4:04 PM.

The second public hearing opened at 4:05 PM and was for the proposed amendments to the Town Code, Chapter 32, Zoning; Article III – Zoning District Regulations, Section 32-123 – R-2 Single Family Residential, by adding a new section to provide for a moratorium on the subdivision of a tract of land into five or more parcels. Mr. Reaves introduced the request. Clarification was provided that the strikethroughs on this ordinance were based on changes that Council made to the draft at first reading of the ordinance, and 32-122 should also be struck out at the beginning of the ordinance. The floor was opened to the public, and the following people provided their comments:

Fred Hoose of 116 Tallow Street stated that he supported the moratorium for multiple reasons. First, the ordinance is targeted, and second, it signals that standards are important, and the Town is going to take the time to get them right. Third, it folds in the first reading of the UDO, which puts developers on notice.

Kenny Plexico asked for an explanation of the moratorium. Mr. Reaves explained that anything zoned R-2 would not be allowed to subdivide into five lots or more after second reading of the moratorium. Mr. Plexico followed by asking what would happen after the 90 days were up, and Mr. Hart stated that the moratorium would expire, and subdivision into five or more lots in R-2 would be allowed again. Mr. Plexico stated that he did not personally care about the moratorium, but he did want to point out that R-2 could look like Shepard Place.

Jordy Tupper asked if new lot size requirements or a new zoning district were included in the moratorium, and Mr. Reaves clarified that all that is being considered by the Planning Commission at this time is the moratorium for 90 days.

Taylor Charpia expressed his concerns about the moratorium and the proposed other ordinance changes being discussed by Council. He noted that there is a fine line between limiting growth and hurting private property owners. He stated that he supports smart growth and aesthetic requirements, but stressed that development is not going to stop, and certain changes would just hurt the current property owners.

Ms. Shuler and the Commission members again clarified that the only thing being considered at this meeting is the proposed moratorium on subdivision of five or more lots in the R-2 zoning district for a period of 90 days. None of the other proposed changes to the ordinance, regarding lot size, etc., are currently being considered by the Planning Commission. The Commission members encouraged the public in attendance to speak directly to Council, if they have concerns about other changes to the ordinance.

Yarboro Winkle of 100 Tallow Street stated that a family member told her that they were told that they wouldn't be able to build on a single lot.

Mr. Lee asked for a point of information, which Mr. Reaves allowed. Mr. Lee asked for confirmation that if an applicant for subdivision already has a permit, they would not be affected by the moratorium. Ms. Shuler confirmed that if they already had a permit, then they should have vested rights for the subdivision. Mr. Hart also asked for a point of information, which Mr. Reaves allowed. Mr. Hart asked Ms. Shuler if it was true that there are no R-1 lots that could be subdivided into five or more lots. Ms. Shuler responded that she had not analyzed the R-1 properties at that level, so she could not verify whether that was true or not.

Sharee Mason of 144 Limehouse Drive asked "why R-2?" and "why now?" She explained that she heard that this is intended to target a particular development, which makes her uncomfortable, as it would be a violation of property rights. She stressed that it is also wrong because it affects others, and it appears that they are just trying to buy time to figure out a way to take something, which is legal, from someone because they're uncomfortable.

Others in the audience agreed with Ms. Mason's sentiments. Hearing no further public comment, the public hearing was closed at 4:30 PM.

Old Business

There were no items under Old Business.

New Business:

The first item under New Business was New Street Names (as applicable). Ms. Shuler explained that they did not have any street names for approval.

The second item under New Business was the proposed amendments to the Town Code, Chapter 20, Planning and Development; Article V - Traffic Impact Analysis; Section 20-152 – Traffic Impact Analysis Required, Subsection (a) - Applicability. Mr. Reaves introduced the request. Mr. Carroll made a motion to recommend approval of the ordinance amendments to Council, and Mr. Hart made the second. The motion passed unanimously.

The third item under New Business was the proposed amendments to the Town Code, Chapter 32, Zoning; Article III – Zoning District Regulations, Section 32-123 – R-2 Single Family Residential, by adding a new section to provide for a moratorium on the subdivision of a tract of land into five or more parcels. Mr. Reaves introduced the request. Ms. Profit made a motion to recommend approval of the ordinance amendments to Council, and Mr. Carroll made the second. Ms. Shuler explained to the Commission that the Town Attorney is concerned about the legality of the current draft of the moratorium

because it only targets one zoning district. Mr. Reaves and Dr. Bares agreed that the targeting of R-2 zoned properties only also concerned them. Mr. Lee stated that unless there is a specific hardship, he did not see any reason for the moratorium. Mr. Hart stated that the initial discussion on the moratorium began as a total moratorium, and it was changed to target R-2 only as a compromise, but he agreed that it was too targeted. Dr. Bares noted that the Town could look to see what has held up in Mt. Pleasant, as they have instituted some moratoriums in the past. Mr. Reaves called for the vote, and the motion failed with zero in favor and six in opposition.

Miscellaneous:

Ms. Shuler stated that the Comprehensive Plan Advisory Committee (CPAC) meeting and public visioning workshop, both held on July 23, 2019, had gone well and included some good discussion and feedback regarding the Issues and Opportunities Memo (IOM) and vision for the Town. She reminded the members that she had emailed them the draft IOM, and they could still provide comments if they had any. The consultant hopes to have a Vision Statement prepared for review in September and then will begin preparing the draft elements of the Comprehensive Plan.

Adjourn

With no further business for the Commission, Mr. Carroll made a motion to adjourn with Mr. Hart making the second, and Mr. Reaves adjourned the meeting at 4:37 PM.

Respectfully Submitted,



Jessi Shuler
Director of Planning

Date: September 16, 2019

Approved: 
Jim Reaves, Chairman or Elaine Segelken, Vice Chairman