

Planning Commission

February 15, 2023

A meeting of the Planning Commission was held this date at 5:03 p.m. in the public meeting room at 2 George Street.

Notice of this meeting was sent to all local news media.

PRESENT

Commission Members: Charles Karesh, Chair, Harry Lesesne, Vice-Chair, Jimmy Bailey, Jr., Loquita Bryant-Jenkins, Donna Jacobs, McKenna Joyce, and Sunday Lempesis.

City staff: Robert Summerfield, Christopher Morgan, Jim Hemphill, Philip Overcash, Mollie Conner, Philip Clapper, and Rick Jerue.

Others: Mayor Tecklenburg, Cashion Drolet, James Wilson, Brad Cook, Steve Ramos, Richard Widman, Joe McGowan, John Goudy, James Ward, and Sam Spence.

Link to meeting recording: <https://www.youtube.com/watch?v=l6ayC7NfBvg>

Chair Karesh explained the rules and procedures of the meeting, and introduced the Commissioners.

Mr. Morgan introduced Planning staff.

Mayor Tecklenburg said he had come to the meeting to dispel a rumor, that rumor being that serving on the Planning Commission of the City of Charleston was a thankless job. He said, "thank you." He said what they did was "so important to the built environment of the City." He said in his view, Charleston's was the most beautiful built environment of any city in America, maybe in the world. The Commission's responsibility was important, and he couldn't thank them enough.

Chair Karesh thanked Mayor Tecklenburg.

DEPARTMENT UPDATES

1. Updates from PP&S Director Robert Summerfield.

Mr. Summerfield thanked the Commission for having him.

He pointed out the Department's End of Year Report. It was a comprehensive document for the entire Department.

Quite a bit of work had been done on updates to the ADU ordinance to make ADUs more accessible and available so that people could use them and implement "quiet density." Affordability was an issue, but quiet density was accommodatable by most neighborhoods without undue burden.

The Comprehensive Plan had been adopted in 2021, and in 2022, it had been used extensively in a lot of work they had been doing, specifically the Water Plan.

Hiring Ms. Conner as an Annexation Coordinator was a big win for the City and the Department, especially for James and Johns Island and other areas with donut holes.

Also included was the 2023 Work Plan. That included the aims of the coming year. They would be moving forward with the Zoning Code rewrite. That would be a multiyear project.

Another project in that Work Plan was the Peninsula Plan, or New Downtown Plan. They just about had a contract that would come before Council. That would be an important effort.

They continued to work to identify, document, and collaborate with the Settlement Communities on what being a Settlement Community meant. They had acquired grant funding to look at that further.

One of the big projects that was not a part of the Work Plan but would be and had been a part of their work was the Union Pier project. They were working to do additional workshops about the project, too. March 1 or 2 would be the first TRC meeting for the project. They had also talked about a joint Community Development and Planning Commission meeting to talk about affordable and workforce housing at Union Pier.

Ms. Jacobs expressed her approval of the plans for the upcoming meetings regarding the project.

Mr. Lesesne thanked Mr. Somerville for the presentation. He thanked Mayor Tecklenburg for the approval of the Annexation Coordinator position.

He said an update on the Army Corps 3x3 perimeter protection wall project would be good, as it went hand in hand with the Union Pier project.

He said affordability and sustainability were important, but they didn't want to lose focus from the common concerns of height and density. He wanted to have a discussion on that with the public and the Union Pier team.

Mr. Somerville said he was remiss, they would be looking at that, but they did not know if it would be a part of the resiliency conversation or as its own separate conversation.

He said they would get with Mr. Dale Morris to give an update on the perimeter protection process and the Water Plan.

Ms. Lempeis said she concurred with everything that had been said. She asked for a timeline of the process, because everything the community was saying was that it was being pushed through faster than what they would have liked.

Mr. Somerville said the Port had put forth a timeline of their best case scenario. They had hoped to get through the necessary hearings to get to City Council by June, but the City was not prepared to commit to any kind of timeline until they had completed the initial TRC process that was required for the PUD. It needed to go through at least two rounds of TRC. Once they had that, then they could nail down a time for Planning Commission and full Council approval. It was a significant and complex PUD, so they also made it clear that Planning Commission may not have any action beyond deferral after the first meeting. In conclusion, the Port had a timeline, but it was not necessarily the City's timeline.

Ms. Jacobs said there had been some discussion that the PUD would be very expensive, and there was some discussion that funding could be gotten through a TIF. She asked how that would influence the timeline of the PUD.

Mr. Somerville said he was unsure if the TIF would impact or impede the PUD. A TIF was definitely necessary to pay for the significant public infrastructure costs. The TIF was being worked on, but he did not believe it needed to be in place in order to work on the PUD.

Mr. Lesesne said he urged everyone to focus on allowing the process to dictate the timeline, rather than focusing on an arbitrary deadline. He told Mayor Tecklenburg that he thought his letter in the Post & Courier helped to reset expectations in the community. For the project to be successful, the process had to be credible and drive the timeline.

Mr. Bailey said he would not bury a workshop on design philosophy within resiliency. He thought that was the issue in the community.

Chair Karesh thanked Mr. Somerville for coming and giving the Commission an update.

MINUTES

1. Request Approval of Minutes from October 19, 2022, November 16, 2022, December 15, 2022, and January 18, 2023 Planning Commission Meetings.

The minutes were taken at the end.

On a motion of Donna Jacobs, seconded by McKenna Joyce, the Commission voted unanimously to approve the minutes for October 19, 2022.

REZONINGS

1. 155 Meeting St. Downtown - Peninsula | TMS # 4570802011, 012, 111, 112 | Approx. 1.91 ac. Request rezoning from Accommodations Overlay (A-1) and 4, 6 Story Old City Height Districts to Accommodations Overlay (A-5) and 3, 5, and 7 Story Old City Height Districts.

Owner: Pinnacle Mountain Holdings LLC, King Street Holdco LLC, Pastime Amusement Company, The Beach Company

Applicant: Womble Bond Dickinson (US) LLP, James M. Wilson

Mr. Morgan said the parcel was fairly large and in the center of the City, and commonly referred to as the "Days Inn site." He explained the request and the surroundings.

Images of the property were shown.

It was designated City Center in the Comprehensive Plan, which fit the request.

A map of the Accommodations Zone was shown.

Horlbeck was a fairly narrow R/W. The sidewalks were small when they existed. Staff was concerned with that.

Height District rezoning criteria were listed.

A sidewalk at least 10ft in depth had to be provided if there were heights 5 stories or more.

Images of the applicant's plan were shown. They would raise to 7 stories in one area, and reduce to 3 from 4 in another.

The image showed the potential for canyonization. The provision about the sidewalks was put in so that canyonization could be minimized. There would need to be an extra 10ft. An illustration of that was shown. At 4 stories or lower, 10ft sidewalk depths would not be required.

Staff recommended approval on the condition of a minimum 10ft setback immediately adjacent to Horlbeck, which was not in the applicant's plan.

Staff was comfortable with the Accommodations Overlay change.

Mr. Cook said Meeting and Broad were two of the most important streets in the City, and they were committed to making something worthy of that context. They had assembled a team that included national consultants. They had built a reputation for design excellence. They knew there would be pushback, but they were encouraged by the support from the public.

Mr. Wilson said the current building was one of the least attractive in the City. The area was a lifeless, inactive piece of the City. They wanted to bring some mixed use and vibrancy to that area. Quality was paramount. They wanted to add a residential component. That was a part of the City's goal, as well.

They also wanted to add to the public realm, and create pedestrian connectivity and experience. There was not good connectivity there now. They had spoken with stakeholders, and they were incorporating feedback from them.

Changing to A-5 would allow for 150 rooms, where they currently had 124. They felt that was a reasonable increase. There were three pieces behind the Days Inn that were a part of the project. Those areas would be combined. He wanted to stress that after combining, they wanted to have 150 rooms.

They would handle parking on site and would have additional public parking.

Mr. Ramos said he was an architect in Charleston. He said it was a privilege to work on a project of this magnitude.

In some instances, they were asking to lower the height, and in other instances, they were asking to increase it. They felt it was most responsive to the context, rather than responsive to the Zone Map.

He gave a presentation on the area of the site, its character, and the height and appropriateness of height and setbacks in the area. They were asking for 3 stories on the street corner adjacent to the historic Meeting Street Inn, and then for 5 stories when they were 75ft from their property line. They felt that was in keeping with the context that already existed.

Images were shown throughout the presentation.

He said Charleston Place handled mass at the street level well. It was 4ft at the street level, and then went up to eight stories 50ft back. They would move their step up back 100ft, double that of Charleston Place.

Horlbeck Alley had a small sidewalk. They would put in a larger one, bury the power lines, and put active uses along it.

The things they were requesting already existed in the context of the area.

He showed their conceptual site plan.

Along the western property line, they would be creating what they thought would be Charleston's "next great alley." They would put in hardscape and active uses. They thought of it like Unity Alley and Hudson Alley. That pedestrian experience was very important to the project.

They would be promoting cutting through the lobby to traverse the block, like with Charleston Place.

The massing of the building would be set back, largely obstructed, and not visible.

A large amount of the parking for the site would be underground, which would free up space at grade for commercial spaces.

Further images were shown.

They felt the new mass would complete Meeting Street. The current Days Inn was a void.

He thanked the Planning Commission. They appreciated any feedback and were happy to answer questions.

Chair Karesh thanked them for the presentation.

Public Comment

In favor

- **Richard Widman**
 - Chairman of Charming Inns.
 - Two of his inns were a part of King Street's revitalization.
 - He owned the rights to 63 spaces in the parking lot.
 - He felt they had not been respected on King Street.
 - There would be a garage that would dominate the area.
 - Horlbeck Alley would be a canyon.
 - He thought further consideration needed to be sent to all property owners along King Street. He felt the 7 story building would dominate them. He wanted to work with the project, and was in favor of it, but he did not feel they had been given fair consideration.

Opposition

- **Joe McGowan**
 - They would be in a canyon.
 - The 10ft sidewalk was unclear.
 - Did not know how the cars would work into the garage.
 - There was ample parking existing in a separate garage already.
- **James Ward**
 - Circular Church was already in a canyon.
 - Increased traffic.
 - Good urban design, a setback was in order, however, there was no mix of parking and did not respect that about Charleston.
 - Pleased that Horlbeck Alley was being activated, but felt a 10ft setback would be inadequate.
 - In the Dutch Dialogues, they talked about holding water and stormwater retention in that area.
- **Sam Spence**
 - It would be a significant redevelopment project.

- Approval would facilitate a massive increase in density in an already challenged area.
 - The site was less than two acres and along one of the most historic streets of the City.
 - Existing disruptions of the historic character did not bind the Commission to continue the disruption with other buildings.
 - It would be possible to pursue an eighth story at BAR.
 - Urged the Commission to hold the line against increase accommodations density.
- **Cashion Drolet**
- Energized by potential redevelopment of the languishing site.
 - Thanked the applicant for reaching out.
 - Thought that rezoning 4 and 6 story to 5 story was good.
 - Supportive of change from A-1 to A-5.
 - Opposed to height rezoning for the central portion from 6 to 7 stories.
 - It was a historically sensitive area.

Chair Karesh said they received three letters of support.

Mr. Wilson said the context was paramount, which was why they were trying to design something respectful to the context. The ordinance was designed to avoid displacement of uses, but they were bringing further uses to the site, so they felt the change to A-5 was justified.

There was concern about canyonization, traffic, and sidewalk experience. The present situation was bad. They were trying to improve that and create a good, functional sidewalk. The zoning on Horlbeck was 4 stories for the first 50ft and 6 stories after that. They were not going from 2 stories to 7. They were trying to improve the existing stories. They would set back even further than what it was currently.

The ordinance described the required sidewalks. They felt their proposal was clean and would clear BAR. They were 100% committed to expanding the sidewalk and open area.

They were highly aware of and sensitive to Horlbeck, and they would find out the best way to manage that.

If the City decided they did not want them to add more public parking, that would be fine. They just wanted to accommodate sufficient parking.

The Downtown Plan indicated that structures along the spines of the City should have been taller. That fit what they were trying to do, and they would be doubling the setback to 100ft.

They wanted to make the area pedestrian friendly, and therefore would move some of the height to the top of the building.

The rezoning would be compatible with the surrounding context. Meeting Street was one of their widest streets. They felt what they were asking for was reasonable.

The setback on the King Street side was actually 125ft, and was already permitted for 6 stories in one area. Their changes would not impact the pedestrian experience on King and Meeting. They believed what they were doing was appropriate and compatible.

Mr. Bailey said the proposal fit the requirements. There was universal agreement that the existing site was terrible. He was not bothered by going from 124 to 150, particularly on a hotel

site where there were multiple sites currently. The accommodations context fit. He had no real concern with the height. His only real concern was on what it would look like. If they approved a height change, they were doing something that depended on the architecture team. He wanted to make sure that what got built there would be a beautiful new building.

He did not think that when people said they hated “all the new big buildings,” that they actually didn’t, but they hated the new big “ugly, plain-looking” buildings.

Chair Karesh said BAR would scrutinize the projects. He felt certain they would do a good job.

Ms. Jacobs asked if it was correct that they would build parking underground.

Mr. Ramos said that was correct. A significant amount of the parking would be underground. It would be for the hotel. There would be 3 stories along Horlbeck that would park above ground.

Ms. Jacobs asked for elaboration on the residential units.

Mr. Wilson said they were committed to around 40 residential units. Those would be on the top floors of the building. They would have a separate elevator.

Ms. Lempesis asked if that would be included in the 150.

Mr. Wilson said only 150 could be leased on an STR basis, no more. The residential units would be true residential units.

Ms. Lempesis asked if they would be leased or sold.

Mr. Wilson said that was to be determined, but the expectation was that they would probably be sold.

Ms. Jacobs asked staff if the applicant would be required to manage the stormwater on site per the new Stormwater Manual.

Mr. Morgan said that was correct. More stormwater would have to be managed on site than was managed currently.

Ms. Jacobs asked if the Commission was allowed to approve some of the request, but not all.

Mr. Morgan said that was within their purview.

Ms. Jacobs said the zoning did not encumber the applicant to provide mixed uses, they were simply saying they had a strong intention to do so. There was nothing that mandated mixed use.

Mr. Morgan said that was correct.

Ms. Jacobs asked if all of the height districts on the site could be increased at BAR.

Mr. Wilson said they were 100% publicly committed to 3 stories, 5 stories, and 7 stories. If they got to BAR and turned around, he was confident that folks would come and say that they told Planning Commission otherwise.

They did intend to ask BAR to increase a small part of the 7th story to an 8th story. It would be no more than 25% of the building footprint, and would be even further setback.

Chair Karesh asked what would be up there.

Mr. Wilson said he thought it would be access to the rooftop area for mechanical access.

Ms. Jacobs said she knew they couldn't commit to mixed use, but she hoped they followed through.

Ms. Lempesis said they were considering leasing parking spaces. She asked how long the lease would be for.

Mr. Wilson said the parking lots would be folded into the project eventually, and would be owned by the property. Ownership would ultimately belong to the owner of the building.

Ms. Lempesis said they were leased now, but would not be later.

Mr. Wilson said that was correct. The lessor would eventually own the parking spaces.

Mr. Lesesne said the commitment to 3 and 5 stories was good. The only thing that really concerned him was canyonization. However, a 6 story building with the current height district would also produce a canyon. The only thing that would help would be a generous sidewalk.

Ms. Joyce said she was concerned about the corner of Meeting and Horlbeck. But, Mr. Lesesne was right, it was already zoned for 6 stories.

She asked Mr. Morgan to elaborate on staff's suggestion.

Mr. Morgan said staff was suggesting that the entire length of the project along Horlbeck have a 10ft setback where the height changed, to respect the fact that they would have a 10ft sidewalk.

Ms. Bryant-Jenkins asked if there was a rendering of the building from the King Street side.

Mr. Morgan showed the rendering.

Ms. Bryant-Jenkins asked how far back that would go.

Mr. Ramos said that would be set back 125ft from King Street. He described the area using the presented images. Because the setback was so significant, the extra height would not be able to be seen.

Ms. Bryant-Jenkins said she was worried it would overshadow surrounding buildings.

Ms. Lempesis asked where the entrance to the parking garage would be.

Mr. Wilson showed on the map where it would be.

Ms. Jacobs said the backdoor was important, so she was worried about that on King Street. She was comfortable with everything except for granting 7 stories. They had to anticipate the worst case scenario.

Mr. Lesesne said he wanted to approve it with staff's recommendation.

Ms. Lempesis asked if they could limit the lower stories from going higher.

Mr. Morgan said that would be conditioning in a way that they couldn't do.

Mr. Lesesne said the promise would be in the minutes.

Chair Karesh said there were concerns, but most of the application, especially because of the proposed setbacks, made things a lot better.

Ms. Lempesis said they had a good give and take. They didn't want to see a box. Their proposal was taking into account so many of the considerations they wanted to see.

Ms. Jacobs asked that applicants follow through with promises made on the record.

On a motion of Harry Lesesne, seconded by Chair Karesh, the Commission voted unanimously to approve Rezoning Item 1 with staff recommendations.

ZONINGS

1. **1. 39 Riverdale Dr. Avondale - West Ashley | TMS # 4181400061 | Approx. 0.30 ac. Request zoning of Single Family Residential (SR-1). Zoned Single Family Residential (R-4) in Charleston County.**

Owner: Andrew Steen

2. **480 Magnolia Rd. Carolina Terrace - West Ashley | TMS # 4181300151 | Approx. 0.17 ac. Request zoning of Single Family Residential (SR-1). Zoned Single Family Residential (R-4) in Charleston County.**

Owner: Tricia and Ryan Sandusky

3. **635 Magnolia Rd. Carolina Terrace - West Ashley | TMS # 3531300031 | Approx. 0.34 ac. Request zoning of Single Family Residential (SR-1). Zoned Single Family Residential (R-4) in Charleston County.**

Owner: Laurie Griese and Michael Dysart

Zonings Items 1-3 were taken together.

On a motion of Donna Jacobs, seconded by Sunday Lempesis, the Commission voted unanimously to approve Zonings Items 1-3.

4. **742 Arcadian Way Avondale - West Ashley | TMS # 4181500059 | Approx. 0.36 ac. Request zoning of Single Family Residential (SR-1). Zoned Single Family Residential (R-4) in Charleston County.**

Owner: Amy and Ryan Byrne

DEFERRED

Ms. Jacobs asked Ms. Conner why Zonings Item 4 was deferred.

Ms. Conner said it was deferred by the resident's choice. They wanted to keep their STR options open. They did not want to be at the residence in order to run an STR.

Mr. Morgan said the City was tighter on STRs.

Ms. Jacobs said she just wanted that on the record.

OTHER BUSINESS

1. **Discussion of public input guidelines for Planning Commission meetings.**

Chair Karesh said he felt comfortable with the way the meetings were run currently. He did not think they needed a sign-up for public comment. For big things like Union Pier, they would have to have time limits, though he did not like them. He said he and Mr. Lesesne would talk about that.

Ms. Jacobs said she had thought about it for a long time. They had a notice encouraging the public to speak in person, but that was not a possibility a lot of the time. They needed to figure out how to weight the written comments equally with the in person comments. They needed to respect the time of the people who came. They had a policy, and it bothered her that they didn't

follow it. They needed to write something formally on the agenda that gave the policy. It would be helpful for the public to understand how best to be heard equally. She was not advocating a time limit, she was advocating for the equality of the comments of all, and respecting the time of the public.

Mr. Lesesne said he respected and understood what she was saying. There was probably a way they could acknowledge written comments, but the fact was, it was called a public hearing. They could urge brevity and to not repeat, but, at the end of the day, they were there to hear from the public. At the end of the day, they could not prevent the spoken word from having more weight in a public hearing than written comments. It was their job as Commissioners to read and internalize them before the meeting. They should recognize them somehow, that would be a good goal and a good policy. They were able to do that effectively on the Zoom meetings. They would have to have more management at the upcoming bigger meetings, also.

Ms. Bryant-Jenkins suggested saying the name and address of the submitter instead of summarizing the whole comment.

Ms. Lempesis suggested that they could say how many were in opposition and how many in favor. It was a public hearing, and it was the only place they had to speak. She did not want to give that up, but they did not want the public to disrespect others' time.

Mr. Lesesne said they could work it out meeting by meeting and reserve the right to limit comments to three minutes, for example.

Ms. Jacobs said that in that case, they should amend their policy so that no one would be able to call them out on it.

Chair Karesh asked for the Commissioners to read the policies and come back with suggestions.

Mr. Bailey suggested the Commissioners send suggestions to Chair Karesh, who could work with staff to see which suggestions were workable.

Mr. Lesesne said listing out the names was a good idea.

Mr. Morgan said that social media could sometimes cause a deluge of identical written comments, or comments that went on for pages. From a staff standpoint, it could become difficult to summarize every comment. Even reading the names and addresses may not achieve anything.

Mr. Bailey said they should consider staff's perspective when coming up with suggestions.

Mr. Morgan said the biggest issue was the condensed time constraint staff had.

There being no further business to discuss, the meeting was adjourned at 7:26 p.m.

Philip Clapper
Clerk of Council's Office