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MEETING OF THE SULLIVAN'S ISLAND DESIGN REVIEW BOARD

10 DATE: November 19, 2008
11 TIME: 6:00 p.m.
12 LOCATION: SULLIVAN'S ISLAND TOWN HALL
1610 Middle Street
13 Sullivan's Island, SC 29482
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23 REPORTED BY: NANCY ENNIS TIERNEY, CSR (IL)
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A P P E A R A N C E S

DESIGN REVIEW BOARD MEMBERS:

PAT ILBERTON - Chair
DUKE WRIGHT - Secretary
FRED REINHARD - Member
BETTY HARMON - Member
JON LANCTO - Member
BILLY CRAVER - Member

11 ALSO PRESENT: Kat Kenyon - Administrative
Kent Prause - Zoning Administrator
12 Randy Robinson - Building Official
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1 MR. ILDERTON: It is a little after 6:00.
2 It's about four minutes after 6:00, and the members in
3 attendance are, presently, Duke Wright, Pat Ilderton,
4 Betty Harmon, Fred Reinhard, Jon Lancto and Billy
5 Craver. And the Freedom of Information requirements
6 have been met for this meeting.
7 The items on tonight's agenda are
8 Randy's birthday.
9 (Applause.)
10 MR. ILDERTON: No, it really wasn't on the
11 agenda. Okay, the approval of the October 2008 minutes.
12 Do I have --
13 MR. WRIGHT: I move they be approved as
14 written.
15 MR. CRAVER: Second.
16 MR. ILDERTON: Discussion? Everybody in
17 favor?
18 MR. WRIGHT: Aye.
19 MR. ILDERTON: Aye.
20 MS. HARMON: Aye.
21 MR. REINHARD: Aye.
22 MR. LANCTO: Aye.
23 MR. CRAVER: Aye.
24 MR. ILDERTON: All right. 1607 Poe Avenue,
25 new construction.

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1 MR. PRAUSE: That is our first application
2 tonight, the Walsh residence, new construction on a
3 vacant lot at 1607 Poe Avenue. They are requesting
4 final approval in one shot. This is the first time you
5 have seen it.
6 The submittal is outside the historic
7 district. It is not classified as historic, and they
8 request DRB relief, and that relief is detailed on the
9 zoning standards compliance worksheet, Form C.
10 They are asking for relief of Item A,
11 the additional front set -- excuse me, B, additional
12 front yard setback for encroachment of a dormer. Also,
13 the side setback on the second floor, an additional two
14 feet. You are allowed to grant 100 percent relief in
15 that regard.
16 And I assume you are asking for the
17 entire 100 percent?
18 MR. FAVA: Yes.
19 MR. PRAUSE: And then there is also, under
20 Item G, 21-26 of the zoning code regarding impervious
21 coverage. They are asking an additional 859 -- excuse
22 me. DRB can grant 859 square feet. They are asking for
23 419 square feet, which is a 12 percent increase.
24 And is that just those grass pavers that
25 they state in the 21-26?

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1 MR. FAVA: Yes. That's correct.
2 MR. PRAUSE: I couldn't really tell from the

3 site plan, so maybe you can show us something better in
4 that when you submit to a permit.

5 MR. FAVA: Yes.

6 MR. PRAUSE: And the principal building
7 square footage, an additional 171 square feet, which
8 represents a 5.7 percent increase, and you-all can give
9 up to 20 percent.

10 He has included a site plan and
11 elevation drawings for the new construction, and also
12 photographs of the vacant lot on which it would be
13 located. That is all I have.

14 MR. ILDEBERTON: Thank you. Eddie?

15 MR. FAVA: Good evening to the board. My
16 name is Eddie Fava with E.E. Fava Architects,
17 representing my clients, Jim and Lauren Walsh. And they
18 are, as Kent told you, requesting permission to build
19 this house on a less than a half-acre lot.

20 The refreshing thing, I think, was when
21 they came to us they weren't trying to be enormously
22 outside the envelope. Everything they wanted to
23 minimize, even the square footage. And things that we
24 worked on since this submittal, they are trying to see
25 if there is any way that can just compact it a little

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1 bit more. They just don't need an awful lot of space,
2 and want to be very modest and try to work within the
3 character of the island.

4 But, as Kent said, the things that we
5 are asking for I think are very minimal as far as relief
6 and within your purview to grant. And I will hit the
7 high points and be happy to answer any questions.

8 But on the S-102 sheet, the bottom
9 drawing, the east elevation with the zoning envelope,
10 towards the very front you see there is just a nib of a
11 dormer that protrudes into what is the requisite zoning
12 envelope.

13 We are asking for permission to keep
14 that because we think it adds some relief to the front
15 elevation to have it. It's not necessary, but I think
16 it's more attractive with it. The intrusion is very
17 minimal.

18 The second floor setback we have
19 accommodated on the elevation, I think, which is the
20 most impacted with the neighbor on the closest side.
21 And let me see where -- I think it's 202 where things
22 step out, in and out along the edge of that building on
23 the opposite side, the A-201, and just wanted to get
24 your opinion on it.

25 But, again, this is an L-shaped

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1 building, so this element is recessed beyond. And I
2 think, as I interpret the statute, that that is supposed
3 to add those two feet relief on the second level as
4 well, but we feel like it's not necessary by virtue of
5 the plan of the building and the shape of it.

6 That is in this area here, which is
7 already quite removed from the adjacent lot, and we feel

8 like that that is not necessary and would actually
9 detract from the building. So, again, we are
10 respectfully asking for permission to do that.

11 The impervious lot coverage, again, is
12 just you are able to grant 850 plus square feet. We are
13 asking for 419. The principal building square footage
14 similarly, we are just 5.7 percent above what is allowed
15 per the calculations for this lot.

16 And I think that's all. I will be happy
17 to answer any questions.

18 MR. ILDERTON: Great. Thank you. Billy?

19 MR. CRAVER: Do you want to go to the
20 public?

21 MR. ILDERTON: I'm sorry. Is there any
22 public comment on this application?

23 MS. HOLMES: Just two requests, possibly the
24 postponement of final approval for a little bit more
25 time to review it.

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1 MR. KENYON: Please state your name.

2 MS. HOLMES: Cynthia Holmes at 1611 Poe.

3 MR. ILDERTON: Thank you, ma'am.

4 Is there any other public comment on
5 this? Public comment section is closed. Kent or Randy,
6 anything?

7 MR. PRAUSE: I don't have anything else.

8 MR. ROBINSON: I don't have anything.

9 MR. ILDERTON: Now, Billy.

10 MR. CRAVER: Kent and Randy, looking at the
11 guidelines, which are the bases to allow us to go beyond
12 what the standards are, and I don't have the ordinance
13 in front of me, but there are various guidelines that
14 say, you know, this is a guideline, and if you meet this
15 guideline then that is when we are supposed to be
16 willing to consider giving this kind of relief.

17 Do you have any sense of the extent to
18 which they have met those guidelines? I mean, my sense
19 is that if it's a box, they have it. And as you start
20 getting away from a box and you start breaking it up and
21 making it -- you know, breaking up the mass and
22 everything, that you are meeting those guidelines and
23 putting yourself in a position where we, under the
24 ordinance, we can grant that extra relief.

25 And it seems to me like with the L shape

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1 and -- I mean, they have got enough, that my untrained
2 eye can see here, that appears that it's not boxy, that
3 I don't have a problem granting the relief they are
4 talking about as long as it's the kind of relief that we
5 are allowed to grant.

6 I don't have a problem with the second
7 floor setback because of the shape of the structure.
8 And I don't have a problem with these two minor amounts
9 of square footage because of the shape of the structure.
10 So I guess I'm okay with it.

11 But that is sort of my thinking is it
12 ain't a box, and it doesn't have that massing that makes

13 me not want to give them any more space, so I'm probably
14 okay with it.

15 MR. ILDERTON: Great. Thank you. Jon?

16 MR. LANCTO: Well, you know, I looked
17 through this quickly earlier today. The impervious
18 coverage I assume -- well, I couldn't assume it was
19 going to be any kind of grass pavers because I couldn't
20 find that on the plans. Is that spelled out here
21 someplace in these plans?

22 MR. FAVA: No, sir. What we are asking for
23 is if -- I mean we -- and if I misspoke, we are
24 certainly willing to do the grass pavers in that area.
25 But the way it's been calculated, with the worst case

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1 scenario, is that whole area was a hard surface. So
2 that is the relief we are requesting.

3 MR. LANCTO: Well, I couldn't agree to give
4 an impervious allowance or relief on an impervious
5 surface if that is not specified in the plans,
6 especially if it's a final approval here. That just
7 doesn't work for me.

8 MR. FAVA: I mean, we are showing
9 everything -- what we are showing on the plan as
10 impervious is what we are asking for, and that is what
11 the calculation --

12 MR. LANCTO: The driveway is pervious or
13 impervious?

14 MR. FAVA: Impervious.

15 MR. CRAVER: So it's not the grass pavers?

16 MR. FAVA: No.

17 MR. LANCTO: So that doesn't follow where we
18 could give relief on that. It has to be some -- if you
19 are going to exceed the impervious coverage, according
20 to what I have read here, it has to be specified as
21 being grass pavers or some other pervious surface.

22 MR. FAVA: Well, what I -- and maybe that
23 was my misinterpretation of it. But I calculated all of
24 this as pervious, so that is why I was over that amount.

25 So if the stipulation is that to be over

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1 that amount it has to be impervious grass pavers, I
2 assume that is how you-all would rule, which we are fine
3 with. I don't have a problem with that.

4 MR. REINHARD: Well, it doesn't have to be
5 grass pavers. It could be --

6 MR. FAVA: I mean, anything that is
7 pervious.

8 MR. REINHARD: -- plantation mix or gravel.

9 MR. FAVA: Agreed. No, sir. But I was just
10 showing literally where the driveway was going to be,
11 and what would be stipulated in this plan as hard
12 surface, and that's the area that is over.

13 Because if I show it as impervious, does
14 that mean it's not over? Or am I just misinterpreting?

15 MR. REINHARD: If it's shown as impervious,
16 it's not over.

17 MR. FAVA: Correct. So I'm showing it as

18 over on the application.
19 MR. REINHARD: Or a combination of pervious
20 and impervious materials that meet the guidelines.
21 MR. FAVA: Correct.
22 MR. REINHARD: In other words, you can still
23 have some hard, let's call them tracks, in there that a
24 car could negotiate.
25 MR. FAVA: Right.

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1 MR. LANCTO: So, anyway, based on that --
2 MR. REINHARD: That is a good point.
3 MR. LANCTO: -- I would say, no, I could not
4 grant the impervious coverage relief on that basis.
5 Also, you are asking for principal
6 building square footage relief that we could grant on
7 neighborhood compatibility basis.
8 And I think that based upon this woman's
9 comment here, that she would like more time to look at
10 the application. I think that it would be tough for me
11 to say that the neighbors are comfortable with the
12 square footage, although it's not a whole lot, I still
13 feel like it might be a good idea to give this one at
14 least a second go-around before we give final in order
15 to determine whether or not the neighbors feel like that
16 size structure fits within their neighborhood. So that
17 is what I have to say.
18 MR. ILBERTON: Fred?
19 MR. REINHARD: I think that this could be
20 approved with the condition that they meet the
21 pervious/impervious guidelines.
22 In other words, we could move for
23 approval under the condition that it meets those
24 guidelines in its final submission to staff.
25 It's not a big design detail. It is a

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1 calculation that could easily be scrutinized by staff
2 during the building permit stage.
3 MR. ILBERTON: Right, right. And, Eddie,
4 you are saying it's not that big of a deal to meet those
5 guidelines?
6 MR. FAVA: Oh, absolutely. And, again, I
7 will take full responsibility if I misinterpreted the
8 intent of how that form was supposed to be filled out.
9 I labeled the driveway as if the amount were over, that
10 12. Certainly we would go --
11 MR. REINHARD: The two questions that I have
12 about the drawings is it says lap siding. Is that --
13 what material is the lap siding?
14 MR. FAVA: Wood.
15 MR. REINHARD: It is wood?
16 MR. FAVA: Yes.
17 MR. REINHARD: Pressure treated wood?
18 MR. FAVA: Yes.
19 MR. REINHARD: That is a good answer. And
20 the other thing is the crisscross railings, does that
21 meet -- Randy, does that crisscross railing meet code?
22 MR. ROBINSON: No. He would have to do some

23 kind of wire back behind it or something.
24 MR. FAVA: Like a 2x2 or 4x4 hung wire,
25 anything that would allow a four-inch diameter to put
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1 behind it.
2 MR. REINHARD: Is that part of the design?
3 MR. FAVA: Yes.
4 MR. REINHARD: That there is wire behind the
5 crisscross?
6 MR. FAVA: Yes. I can't do that per code.
7 MR. REINHARD: But that is a code issue. We
8 are looking at design issues. You look at code issues.
9 That is my consideration.
10 MR. ILBERTON: Thanks. Betty?
11 MS. HARMON: Are you bringing in fill dirt?
12 MR. FAVA: We are, a very insignificant
13 amount. And this was discussed just because there is a
14 bit of a gully in that area where the house sits. So
15 just enough to allow that to -- and that was noted in
16 there as well. So that is being determined by the site
17 engineers.
18 MS. HARMON: So how much would you be
19 bringing in, a foot?
20 MR. FAVA: At the highest point, yes, ma'am,
21 but just in the center of that lot area.
22 MS. HARMON: So it won't go across the whole
23 lot?
24 MR. FAVA: No, ma'am, just in the buildable
25 area, basically.
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1 MS. HARMON: Could you move that so I can
2 ask that lady to stand up and ask her --
3 MR. FAVA: Oh, sure.
4 MS. HARMON: -- why you would like to have
5 this --
6 MS. HOLMES: I just saw the sign up, I
7 think, yesterday or the day before. I don't know what
8 the notice requirements are, but I would like a chance
9 to take a look at it.
10 And I'm not sure that -- have there been
11 others that have been approved at the first reading?
12 MS. HARMON: Sometimes we have.
13 MR. ILBERTON: Yes, there have been others.
14 MS. HOLMES: I just haven't had a chance to
15 take a look.
16 MS. HARMON: Well, I went by there Sunday to
17 preview this and there was no sign up. So my tendency
18 is to think that there hasn't been a sign up. If it
19 has, somebody took it down.
20 So I would be willing to give you time
21 to -- that is why those signs are supposed to be up ten
22 days ahead of time, so the neighbors can get it. And
23 since there is a question, I definitely think that we
24 ought to give her time on it.
25 MS. HOLMES: Thank you.
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1 MS. HARMON: Give preliminary tonight and

2 then final, at least do no more than preliminary
3 tonight.

4 MR. ILDERTON: Great. Thank you. I don't
5 have a problem with the plans. If there is a -- if
6 there has been a problem with the sign, whether it just
7 blew down or someone took it down or something, I guess
8 that is an issue, that the neighbors may not be aware of
9 it.

10 Although, we do do -- we do follow the
11 state guidelines for notification, I think, and that is
12 why we do that, to give the neighbors a chance to look
13 at this and come down and comment.

14 And with all due respect to you, you are
15 one neighbor. I mean, I am just saying this has
16 happened before. We have had people come in and one
17 neighbor has got up and maybe said something derogatory
18 about another plan, and we sort of interpret that as the
19 whole neighborhood, but that is not the case. So I just
20 want to sort of make that the general case. Although, I
21 know you may not even have an objection to the house. I
22 know you just want time to look at it.

23 MS. HOLMES: Correct.

24 MR. ILDERTON: But I did want to make that
25 point and clear the air, that this is not a neighborhood
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1 problem necessarily. This is an individual that didn't
2 have a chance to -- and you are next door?

3 MS. HOLMES: Correct.

4 MR. ILDERTON: And didn't have a chance to
5 look at the plan. But I don't have a problem with it as
6 it is.

7 I would certainly consider more
8 discussion on the preliminary approval and then -- as
9 opposed to the whole approval, but I don't have a
10 problem the way it's been submitted.

11 MR. WRIGHT: Well, this is submitted as a
12 final?

13 MR. ILDERTON: Right.

14 MR. WRIGHT: And I am struggling with the
15 same thing like you are and Betty is, that we are not
16 here to ram something down anybody's throat.

17 Is there a way somehow that we can
18 approve this as a preliminary submission contingent upon
19 the neighborhood review or someone showing her the
20 plans? And maybe Eddie can do that to satisfy her.

21 I don't see it as incompatible with the
22 neighborhood. I spent some time walking around there
23 myself, and I think the design is fine in terms of the
24 building. And it's just unfortunate that she hasn't had
25 a chance to take a look at it until today.

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1 MR. ILDERTON: Right.

2 MR. WRIGHT: But I would certainly approve
3 the design as submitted if somehow we can figure out how
4 to solve this without delaying it 30 days.

5 MR. ILDERTON: Well, I think that, in fact,
6 would delay final approval 30 days. I don't know what

7 that does for you, Eddie.
8 MR. FAVA: Well, Mr. Walsh, I know he would
9 like very much to move forward, but he also wants to be
10 a good neighbor. So if that is something that would be
11 helpful, I am sure we can accommodate.

12 And if we could have preliminary and
13 then come back. But it means we have to come back to a
14 meeting. It's not something that --

15 MR. ILDERTON: Because this board is
16 saying -- at least right now we are saying that we like
17 the plan and that we would approve it.

18 And we may approve it with objections
19 even. I don't know that we would. But right now the
20 whole board is -- most of us are generally in favor of
21 it because it's a good-looking house. But if we can
22 maybe work towards that.

23 Do I hear a motion?

24 MS. HARMON: I make a motion that we do it
25 as preliminary since Mr. Fava has been willing to

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1 graciously say that his applicant would like to be a
2 good neighbor.

3 MR. ILDERTON: And in that motion, do we
4 need to add the impervious?

5 MR. CRAVER: Yes. If you add that
6 qualification to it, I will second it, which is that
7 they follow the guidelines, that we are not granting the
8 impervious surface.

9 MS. HARMON: Extra footage.

10 MR. CRAVER: Extra footage, that they just
11 need to follow the guidelines on that.

12 MS. HARMON: And we are not approving the
13 extra footage of impervious request, which was 419
14 square feet, and he would have to follow the guidelines.

15 MR. REINHARD: Second.

16 MR. WRIGHT: Can you restate that motion so
17 it's clear, please?

18 MS. HARMON: Okay. We are granting this as
19 a preliminary application, and we are not approving the
20 impervious request that we are able to submit as the
21 DRB. Is that clear?

22 MR. WRIGHT: Clearer.

23 MR. CRAVER: So your motion is to approve
24 the request on a preliminary basis for the dormer, for
25 the principal building surface, additional coverage for

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1 the side setback, but not for the impervious coverage?

2 MS. HARMON: Right.

3 MR. WRIGHT: Second.

4 MR. ILDERTON: Discussion? Everybody in
5 favor?

6 MR. WRIGHT: Aye.

7 MR. ILDERTON: Aye.

8 MS. HARMON: Aye.

9 MR. REINHARD: Aye.

10 MR. LANCTO: Aye.

11 MR. CRAVER: Aye.

12 MR. FAVA: Thank you.
13 MR. ILDERTON: 2209 Middle Street, Bert's
14 changes to a commercial structure. That is what is
15 written right here. Kent?
16 MR. PRAUSE: The application is for 2209
17 Middle Street. As everybody here knows, that was
18 formerly known as Bert's. Now it appears as Home Team
19 BBQ.
20 The reason -- they are asking for a
21 final approval; one, a request for renovation to the
22 front elevation and renovating the interior to open Home
23 Team BBQ and install smoker room.
24 And they have submitted an application
25 and drawings consisting of the site plan, and the
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1 demolition plan, remodel layout plan, and elevations to
2 the existing and proposed on front, side, rear.
3 And the reason why it's here is they are
4 not asking for any modifications to any design
5 standards. However, under Section 21-48(b)(2) of our
6 zoning ordinance relating to the community commercial
7 district, all plans for new construction within the CC
8 district or for renovations which will change the
9 exterior appearance within the district must be reviewed
10 by the Design Review Board for neighborhood
11 compatibility using the characteristics listed in 21-111
12 that Billy referred to later. They are found on Page 50
13 of your ordinance under 21-111(a) through (i), and also
14 under 21-66, which is located on Page 32.
15 MR. WRIGHT: Page 32.
16 MR. PRAUSE: And that is all I have.
17 MR. ILDERTON: Great. Is the applicant
18 here? Yes, sir?
19 MR. SIEGEL: Hi. My name is Aaron Siegel.
20 I'm one of the owners of Home Team BBQ in West Ashley,
21 and obviously we are planning on opening a Home Team BBQ
22 out here on Sullivan's Island.
23 I have been working with David Bouchelle
24 from Bouchelle, Incorporated. I believe he has done
25 some stuff on the island before. We have come up with a
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1 plan that we think is best suited for the commercial
2 district, and taking into account the community around
3 the commercial district, and we are open to any
4 suggestions that you-all have this evening.
5 MR. ILDERTON: Great.
6 MR. SIEGEL: And I will be certainly willing
7 to answer any questions along with David.
8 MR. ILDERTON: Thank you. Public comment?
9 Yes, sir?
10 MR. ENLOE: I'm Sonny Enloe, and you folks
11 are going to be one of my new neighbors. I live
12 directly behind Bill Dunleavy's pub. And, as you
13 probably know, there has been a great deal of interest
14 by all of the residents that abut the business district
15 recently about noise abatement, particularly from 10:30
16 at night until 2:00 a.m.

17 I don't know what you-all's opening
18 hours will be, but all of us are concerned about what
19 kind of noise plan you might have. And I would be
20 curious to know, have you done anything about trying to
21 abate the noise that will come out of the restaurant if
22 you have music?

23 MR. SIEGEL: Well, the first thing we are
24 going to do is we are going to put up some planters up
25 front to definitely, you know, combat any noise that we
0023 have.

1 have.
2 As it was, we will have two open windows
3 out there that will be closed at 10:30 at night, or
4 earlier, so that, you know, no music or -- it will
5 basically be the same setup that Bert's was. You have
6 the one door that you go in and out of.

7 And then we have also taken down part of
8 the ceiling in there to -- it will also swallow some of
9 the sound, and we plan to put some sound barriers, and
10 we have done some of that stuff over in West Ashley.

11 We actually back up to a residential
12 neighborhood in West Ashley, as well, so we are real
13 schooled on how to deal with residents and how to be --
14 to mold in well with the residential community.

15 MR. ENLOE: That's good. What about the
16 back part of your building that will abut our neighbors?

17 MR. BOUCHELLE: I would like to take that
18 one. Right now we are just in the demolition, just in
19 the phase we have been in, and I know you have noticed
20 we have been back there working.

21 When we first came on site it was --
22 pretty much it was terrible. So we have actually went
23 in on our cost and cleaned that site up, took a Dumpster
24 and a half of debris out behind that building, beside
25 that building, trying to clean up all the rat nests and
0024 get it more presentable.

1 get it more presentable.
2 We feel for the neighbors back there,
3 when we came on the job site and saw what was back
4 there. We have taken a proactive stance on that. We
5 want to clean it up, be good neighbors.

6 We want to get that area back where --
7 you know, it was just totally trashed. So we have taken
8 care of that. We invite you to come over and look at it
9 any time you want. We have no problems at all with
10 that.

11 The outside of the building, when we are
12 finished, we will have a -- right now you are looking at
13 a bunch of blah colors and stuff like that.

14 When we are finished we will have it to
15 where it's all a nice monotone color, probably a light
16 tan, to blend in because the structure at the back door,
17 the old back door, the old porch cover that has the HVAC
18 sitting on it, we plan to take that off, build a nice
19 new structure in there with a depression in it to set
20 that back in which will have a Galvalume top on it,
21 metal.

22 And then underneath that we will have a
23 treated timber structure that holds the smoker in there
24 which will be screened, and that will have a natural
25 finish to it to where it will blend in with the tan so

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1 you are not looking at an eyesore anymore by living back
2 there.

3 We do feel for you. We have talked
4 about that. We realize that that has been an eyesore
5 back there, and so we have done everything to clean it
6 up, along with the owners who came out there and took
7 some trees down. We have cleaned up the debris that has
8 been left there. Like I say, we took a Dumpster and a
9 half out of there.

10 The noise coming from the back shouldn't
11 be an issue because those doors will mainly stay closed
12 at the back, and that will be for the kitchen side,
13 which will buffer any sound from the restaurant.

14 That's not going to permeate out those
15 back doors like it used to permeate, because I have been
16 to Bert's a lot. So when the back door is open,
17 basically really what it is, what they are going to do,
18 you will be walking out of the kitchen area, out to the
19 smoker area to pull the meat out and then go back in the
20 kitchen to serve it. It's not like this is going to be
21 open, wide open to the seating or music area, or
22 whatever you would say.

23 And the bathrooms are actually being
24 moved on the other side towards McCabe's cabinet shop
25 and up towards the front. So that right there will take

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1 care of that.

2 And then, also, there is openings that
3 have been boarded up and a big fan that lets the sound
4 just permeate out of the building. All of that is in
5 our plan, and it's shown clearly on the plan. We plan
6 to take those out, block that up, make that building
7 look presentable by closing those holes up. That will
8 stop the sound from coming back towards you-all in the
9 back.

10 MR. ENLOE: And then what will be the hours
11 of music?

12 MR. SIEGEL: The hours of music? Most
13 likely they will be from 10:00 on, and probably have
14 some earlier music. I mean, we are probably just going
15 to do bluegrass and acoustic stuff for the most part.

16 MR. ENLOE: So it will go on until 2:00 in
17 the morning?

18 MR. SIEGEL: It will go on -- no, not that
19 late. Probably 1:30 or something like that, but not
20 until 2:00, you know, to get people out of there and
21 whatnot and make sure it will be closed up.

22 MR. ENLOE: This may be a unique opportunity
23 to talk about what you can do when you are building a
24 structure specifically for this.

25 We have inherited some, but have been

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1 somewhat altered, but not too successfully. The
2 management of the music is also important, not just the
3 decibel level.

4 Because sometimes you can stand in the
5 street and the decibel level might be 80; and, in fact,
6 in my home the bass noise that comes through the
7 structure itself, and the lower frequency with the bass,
8 winds up making your whole house do this, and so it
9 becomes very objectionable as a result of that.

10 Harry Seel has made a real effort, and
11 he's continuing to make one, to insulate the back area
12 of his building where it keeps that sound from coming
13 through to the neighbors on the back side.

14 I would like to hope that you-all would
15 do something like that to try to stop that. And I would
16 certainly work with you about -- I mean, I'm not trying
17 to be an obstructionist. We do have a noise problem,
18 and it's bad now, and it's getting ready to get worse by
19 25 percent when you folks come, even if you don't do
20 anything bad. I mean, even if you just have noise, it
21 will definitely go up by 25 percent.

22 MR. BOUCHELLE: I spoke with Harry about
23 those issues, and talked to Eric. We are aware of the
24 issues.

25 MR. ENLOE: So there will be -- just to

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1 reinforce. On the front -- I looked at your plans. And
2 at first we were -- the neighbors were concerned because
3 we heard there were going to be roll-up doors that would
4 let the inside and outside circulate together. It is
5 going to stay like it is today with the double doors and
6 the windows will be not open?

7 MR. BOUCHELLE: The windows will open during
8 service time during the day and in the evenings. At
9 night they will be closed, so at night it doesn't
10 disturb the neighbors. That is the plan.

11 That is why -- the way they -- they are
12 open to the inside, and then that will be an area to be
13 open and breezy like the beach where everybody likes to
14 walk up. Kids will be able to come in there and hang
15 out and get barbecue.

16 So, basically -- but at night they can
17 be shut down, and that closes the doors off. There will
18 be insulated glass windows where the noise reduction
19 will be knocked down.

20 We understand what you are saying.
21 Those roll-up doors are a problem, more like an open
22 barn.

23 MR. ENLOE: But you say insulated glass
24 windows?

25 MR. BOUCHELLE: That will open and close.

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1 MR. ENLOE: But we are talking about sound
2 insulation? I know you can buy some kind of glass
3 windows that are sound insulated. They have done that
4 at Seel's, to some extent.

5 MR. BOUCHELLE: We will look at the

6 possibility and the cost involved with that. But, I
7 mean, if they stay shut tight, and they are double-pane
8 insulated low-E windows, they will cut down.

9 I mean, windows made these days, now,
10 the modern windows have a noise reduction built into
11 them. I mean, on a regular house window, if you get a
12 quality window, I mean, you could have the window open
13 and you shut it and you can't hear cars going in front
14 of your house. And that is what we plan on using, not a
15 cheap model. We need something that will last here.

16 MR. ENLOE: And will the music be amplified,
17 or is it really bluegrass where you have acoustic
18 guitars and banjos?

19 MR. SIEGEL: It will be amplified to an
20 extent, yes. But I have to say that -- you know, I
21 agree with you, it's management of music, and that is
22 the thing.

23 Our plan is to come in there and to
24 be -- to merge with this community as well as we can.
25 If there are issues with what is going on over there,

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1 our goal is to listen to all of them and, first of all,
2 make sure that we don't cross that bridge in the first
3 place. And, if we do, we plan to listen to every word
4 that comes across.

5 I mean, we want to be here for a long
6 time. We want to be part of this community. We want to
7 come out here and be a good part of this community, a
8 contributing part of this community, do something that
9 we feel like will be a good part of this community, that
10 will mold well with what is here.

11 And so that is our -- I mean, I can --
12 you know, we can talk about details even more so, but I
13 think the key thing is that our door is going to be open
14 all the time to what any neighbor has to say, anyone
15 around the commercial district.

16 I have been out here all summer working
17 with the newly-formed -- the business association that
18 Rusty formed, and I am privy to -- I was here for all of
19 the consulting meetings as well. So I'm aware of all
20 the issues.

21 MR. ENLOE: So then you have seen how hot
22 this issue is.

23 MR. SIEGEL: Absolutely, absolutely, you
24 know. And I have to be honest, it's scaring me to a
25 degree at some points, but I feel like --

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1 MR. ENLOE: Well, it scared me that there is
2 another restaurant coming in that is going to have
3 music, so we are on equal ground.

4 MR. SIEGEL: Exactly. And I think that is
5 probably one of the main issues, is that I understand
6 the neighborhood being, you know, scared of another
7 restaurant coming in with music.

8 I'm here to say that we are here to be
9 part of this community and a good part of this
10 community, and listen to what people have to say, and to

11 try to be, you know, the best community members that we
12 can be.

13 MR. ENLOE: I have one other question for
14 you, Pat.

15 MR. ILBERTON: Yes, sir?

16 MR. ENLOE: Have we ever examined a list of
17 alternative things that we need to put in our design
18 standards for commercial buildings here that are going
19 to have music and whatnot?

20 MR. ILBERTON: Well, from what I know, the
21 commercial design standards were altered fairly
22 drastically about two years ago, but not in detail. Is
23 that correct, Kent?

24 MR. PRAUSE: Excuse me, Pat. Randy and I
25 were talking.

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1 MR. ILBERTON: The commercial district was
2 altered -- the zoning for the commercial district was
3 altered fairly drastically about two years ago, but not
4 with any detail to design?

5 MR. PRAUSE: Right. The Connie Cooper
6 revisions changed a lot of things.

7 MR. ILBERTON: Right, changed a lot of
8 things, but it was not so specific as that. And as much
9 as architecture, which is what we are about here, can do
10 to mitigate noise or any visual difficulties with
11 commercial districts, that is what this board is about.

12 This board may not be able to solve the
13 parking issues necessarily that plague the whole
14 commercial district, and some of the other finer things.

15 But structurally and architecturally,
16 that is what this board is about.

17 MR. ENLOE: Let me just make one comment
18 about that and then I'm through, and that is when you
19 talk about the things that we are doing structurally to
20 help the sound or to hurt the amount of sound that
21 escapes.

22 When you have what is essentially a
23 bandstand effect with a solid roof overhead, two sides
24 that are open and the front that is open, and every time
25 the door gets opened from a business that has music,

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1 that acts as a megaphone across the street to the
2 neighbors that are on the other side of the street, and
3 they can hear that more than they would if it were open
4 completely to the air.

5 There are things that we do, we allow
6 these folks to do, and I understand why we do it, that
7 cause that megaphone effect to be worse than it would be
8 if you didn't have a roof.

9 You take Poe's, for instance. They
10 don't have a roof on the outside at the ground level,
11 and that noise that is emanating from that ground level
12 is a lot less than the ground level noise that comes out
13 of Off the Hook because of the way that building is
14 designed, and we are getting ready to do the same thing
15 here.

16 But we want to be good neighbors, too.
17 So thank you for your comments.

18 MR. BOUCHELLE: Can I field that?

19 MR. ILDERTON: Sure.

20 MR. BOUCHELLE: One of the things we did is
21 we submitted some alternates on the front and the side,
22 on the front elevation, and one of the things we
23 included in our original, from looking at this, that
24 Street Face A was our original design, which was just
25 low bush to break up the parking from the building, and
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1 to give the lineage there for cars to know where to stop
2 because people are going to be there. And we are going
3 to have ADA access to this restaurant now that never was
4 there before.

5 Then we give other options. Option B
6 comes back in with running in with some different style
7 bushes.

8 Option C, face C, these are trellis
9 with -- we plan on implementing Carolina Jasmine, which
10 will buffer the sound coming out of the building.

11 MR. ENLOE: That is a great idea right
12 there.

13 MR. BOUCHELLE: Now, we did that because we
14 were concerned about the noise level coming out of the
15 building if it was left like this. And we all agreed
16 that we do like this Option C.

17 MR. ENLOE: So Item C is what you are
18 planning to do?

19 MR. BOUCHELLE: That is what we think looks
20 really nice.

21 MR. ENLOE: Well, it sounds good.

22 MR. BOUCHELLE: But that is up to the Design
23 Review Board, what they want.

24 MR. ILDERTON: Great. Thank you. Is there
25 any other public comment? Yes, ma'am?

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1 MS. VOTAVA: Pat Votava, 2214 Jasper. I'm
2 your neighbor on the other side that gets, as Sonny
3 pointed out, the megaphone effect.

4 And I would agree, you know, if we could
5 have a design that didn't have a roof over the top of
6 it, that would be much more compatible for the
7 neighborhood.

8 Because we are getting, with that roof
9 over the top of it -- I don't know that any of us would
10 have known that before we had a situation with a
11 business that has that, and I don't know if the business
12 would have known it before, but that is, in fact, what
13 is happening, is that noise is projecting right over
14 there because the roof is there and it just shoots it
15 right out.

16 So what are your plans for outside
17 dining?

18 MR. SIEGEL: We have an area out front that
19 will be achieved by recessing the building six feet or
20 so that is going to be across the front of the building.

21 So, we would like to get a couple of tables out there
22 for outside dining.

23 MR. BOUCHELLE: Right here, if you will
24 notice right here, this will be plants, Carolina
25 Jasmine, and plant that, and then you have the bushes in
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1 between that break the sound waves, okay?

2 We did this on our own because we were
3 concerned about these low bushes and nothing breaking
4 the sound coming out. This was an issue we talked
5 about. We weren't asked to do this by anyone. We came
6 in and did this.

7 And we actually brought this, and I had
8 this done today and I submitted this today, and the
9 Design Review Board has a copy. This will break the
10 sound waves up.

11 MS. VOTAVA: How does that -- the roof comes
12 out all the way?

13 MR. BOUCHELLE: The roof stays like it is.
14 We are not changing the footprint of the building.

15 MS. VOTAVA: But is there a cover over the
16 outside tables?

17 MR. SIEGEL: There is the existing roof that
18 is there right now.

19 MS. VOTAVA: So are you going to push that
20 front wall back so you will be under that.

21 MR. SIEGEL: Yes.

22 MS. VOTAVA: So that is still the sound
23 issue.

24 MR. BOUCHELLE: But we are going to be open
25 on each end.

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1 MR. SIEGEL: Were there issues with the
2 sound from Bert's?

3 MS. VOTAVA: There was no outside dining.

4 MR. SIEGEL: No, I mean from the door
5 opening and closing?

6 MS. VOTAVA: No, because the door opening
7 and closing, you didn't have anything overhead, so there
8 wasn't that issue. You know, I'm on the opposite side
9 of the street from Sonny.

10 But how long are you planning on serving
11 outside?

12 MR. SIEGEL: How long are we planning on
13 serving outside? Well, it would probably -- we would
14 probably quit serving once dinner service was over, you
15 know, 10:30, 11:00, and then mostly the outdoor area is
16 for that seating. Obviously, people want to sit outside
17 in the sunshine.

18 But, also, when Bert's was affected by
19 the smoking ban, you notice that there were, every time
20 you go by there, there would be 20 to 30 people outside
21 just milling around the front parking lot there because
22 they were forced outside to smoke.

23 And this is almost an area that is at
24 least designated, and somewhat, you know, barriered from
25 the street and the parking lot and whatnot in order to

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1 kind of corral that.

2 MS. VOTAVA: So you are planning on stopping
3 outside service at 10:30?

4 MR. SIEGEL: Outside table service, I think,
5 yes. I mean, table service would probably end at some
6 point at 11:00. Are people allowed to sit out there?
7 Beverage service, people will be allowed to go outside
8 and sit with their drinks.

9 MS. VOTAVA: Would you be serving outside
10 after 10:30, beverage?

11 MR. SIEGEL: Like a cocktail server or
12 something?

13 MS. VOTAVA: Yes. Would you be serving
14 drinks outside after 10:30?

15 MR. SIEGEL: Well, I am not sure if we would
16 be physically serving drinks outside because people come
17 inside and get a drink and some sit --

18 MR. ILDERTON: Well, we are a little out of
19 the bounds of what architecturally, you know, what we
20 are supposed to be hearing tonight.

21 Although -- I mean, those questions
22 really should be addressed, but I guess they should be
23 addressed maybe through the business organization and
24 through Town Council.

25 MR. PRAUSE: Town Council.

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1 MR. ILDERTON: Just because we are here to
2 address the architecture, whether it's appropriate, and
3 whether it's going to work for certain difficulties with
4 sound and all, and certainly the architecture. I think
5 that is perfectly in our purview.

6 MS. VOTAVA: And I'm just speaking for
7 myself at 2214 Jasper, and Vicki Fox, who is next door
8 to me on Jasper. And the objection would be the
9 overhang and the megaphone effect in the neighborhood.

10 MR. ILDERTON: Thank you, ma'am. Is there
11 anyone else here that would -- yes, sir?

12 MR. WATERS: My name is Philip Waters. I
13 live two blocks down the street, 2320 Middle. I have
14 seen the plans on this, and I think it's a definite
15 improvement over the way Bert's looked for most people.

16 I kind of miss Bert's, I have to say,
17 and I looked forward to being able to just walk in that
18 building and have a beer from time to time. So I would
19 really like it if the Design Review Board could approve
20 this plan.

21 And speaking on another side, I have met
22 Mr. Siegel here a few years back. He was a chef in one
23 of the better restaurants in Aspen and moved here,
24 worked at one of the better restaurants downtown, and
25 has his restaurant out in West Ashley, which I have

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1 visited a number of times, and this is a first-class
2 operation.

3 And it's a restaurant and people go
4 there to eat. And they have music there, but compared

5 to what Bert's was, it's pretty tame. And so I think a
6 lot of the issues that may have been experienced with
7 Bert's wouldn't be a factor here. And it definitely
8 looks a lot nicer. So that is my two cents.

9 MR. ILBERTON: Any other public comment?
10 Public comment section is closed. All right. Kent,
11 Randy, anything?

12 MR. PRAUSE: Just a concern, and perhaps we
13 can deal with this in a different fashion, but we need
14 to at least bring it out and put it on the record.

15 The landscape treatment that they are
16 proposing extends out from the existing sidewalk,
17 according to the drawing, another two feet and then with
18 some other bushes.

19 That is going to push the parking that
20 is there -- the only parking that is there is
21 perpendicular parking. That is going to push it, the
22 way it looks, probably another three feet back out
23 toward the travel lane, and that could be a big problem.

24 We don't know, but we don't want the
25 cars to be pushed back out into the travel lane. If

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1 they can stay a sufficient distance away from that -- as
2 everybody knows, that perpendicular parking is a big
3 problem, and what has been proposed by the consultants
4 that did the study is to eliminate it on that side of
5 the street and have split parallel parking and reverse
6 angle parking.

7 So if that comes to fruition, that can
8 solve the problem. But until that, and if that is
9 accomplished, then we have to be concerned about
10 maintaining the number of parking spaces and the safety
11 of the existing parking spaces.

12 So that is definitely going to be a
13 concern, and I don't know that we have enough level of
14 detail here to weigh in sufficiently on that.

15 MR. REINHARD: Where is the property line on
16 that drawing?

17 MR. PRAUSE: The property line is --

18 MR. ILBERTON: The dotted line there.

19 MR. PRAUSE: -- yeah, the dotted line. And,
20 actually, you know, the cars are hanging out past the
21 property line. So those cars, when they pull in there
22 perpendicular --

23 MR. REINHARD: You mean the existing
24 sidewalk edge is the dotted line, is the property line?

25 MR. PRAUSE: No. If you look on what is

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1 shown as Sheet A1, and the property line is the N-13,
2 3315 east.

3 MR. REINHARD: 16.9 feet from the base of
4 the building?

5 MR. PRAUSE: Correct. But then that current
6 concrete sidewalk comes out another foot and a half or
7 or so. So the car is actually sticking out in the
8 right-of-way when they pull in their perpendicular
9 parking. It's that way all the way down.

10 MR. ILDERTON: But all cars do all the way
11 down to the corner, from there all the way down this
12 side. All the cars are about half on the private
13 property and half on public property, but that is just
14 the way it's been forever.

15 MR. SIEGEL: May I say something?

16 MR. PRAUSE: But it is a dangerous
17 condition, and one that hopefully we can remedy at some
18 point in the future.

19 MR. SIEGEL: If I can say something? You
20 have got, where the dentist office is, the cars in front
21 of the dentist office are -- it's further back towards
22 the street a good -- even further back than we are
23 proposing.

24 MR. PRAUSE: And that one is highly
25 dangerous. That one shouldn't even be a parking space.

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1 We definitely would not want a replica of that
2 situation.

3 MR. SIEGEL: And we are not asking to do
4 that, I don't think. Further on down, on the end of the
5 block, too, the parking juts out about six feet or so,
6 and all of those cars seem to fit fine.

7 I agree with Kent. I think that parking
8 situation on that side of the street, I have been privy
9 to all the consulting meetings, and I don't think it's
10 very safe the way people are forced to back out into the
11 middle of the street. But I don't think what we are
12 proposing is going to cause any worse conditions than
13 already exist. I mean, certainly we don't want to do
14 that.

15 MR. BOUCHELLE: With a truck, a 250 truck
16 and pulling it out three feet, backing it up three feet
17 back further than what it is now, it won't be into the
18 travel lane of the road or close to that.

19 It will push it back -- we propose to
20 push it back about 2-1/2 to 3 feet by the time you are
21 done. We tried to measure that out, Kent, to see if
22 that would be feasible.

23 MR. PRAUSE: Well, like I said, we can
24 look at it. I mean, there is not sufficient detail on
25 these drawings to assess it. But I want to get it out

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1 and on the record because it's going to be a concern,
2 and we need to deal with it. And maybe it can be taken
3 care of with no problem at all, I don't know, but I
4 don't want you-all to just approve it and then these
5 guys say, well, it's been approved, it's over, we are
6 going to do it.

7 MR. BOUCHELLE: We want to work with you-all
8 on any issues we can.

9 MR. ILDERTON: Thank you. Randy, is there
10 anything you need to add?

11 MR. ROBINSON: No.

12 MR. ILDERTON: Okay. Now the board will
13 take this.

14 MR. REINHARD: I have one other question.

15 MR. ILDERTON: Yes. ADA accessible ramp by
16 others, who are others?

17 MR. BOUCHELLE: I asked the -- the guy that
18 did the drawings on the CAD, he did that. I am the
19 other. I am the contractor.

20 So what we want to do is -- that is not
21 an ADA accessible building, the sidewalk per se, unless
22 you come all the way down, down at the other end toward
23 Mr. Ilderton's building. You can come up on the
24 sidewalk there, but on the other side you can't.

25 We want to put an ADA ramp there because
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1 we have plenty of room there, and make it handicap
2 accessible, as well as the bathrooms on the inside which
3 have never been ADA accessible. We want to make those
4 ADA accessible.

5 You know, to me, a building in these
6 days, in this day and time that is not ADA is
7 ridiculous. And right now we have the opportunity to
8 make it ADA so everybody in wheelchairs, or whatever
9 kind of handicap they have, have the opportunity to come
10 in just like any other human being and enjoy some
11 barbecue.

12 MR. REINHARD: Does that take up a parking
13 space?

14 MR. BOUCHELLE: No, sir. That area there is
15 not designated as a parking spot. It's about a
16 five-foot span that actually is an alley that kind of
17 bleeds out into the space between the two buildings,
18 kind of bleeds out into the parking area, so there is
19 like a five-foot area there.

20 So that is why -- when I measured it
21 out, I decided that I could get a handicap ramp in there
22 with a turning radius that would meet ADA standards.

23 MR. REINHARD: On the application -- can I
24 ask another question?

25 MR. ILDERTON: Yes. Why don't you just go
0046

1 ahead and take your turn.

2 MR. REINHARD: On the application it says
3 install smoker room. And then on this drawing right
4 here it says new timber smokehouse on new concrete slab.
5 Are they the same?

6 MR. BOUCHELLE: Yes, that is it. It's just
7 a smokehouse. What it is, it's really just a timber
8 structure with a roof over it that the smoker unit --

9 MR. REINHARD: So it's not a room for
10 smokers?

11 MR. BOUCHELLE: No, no, no.

12 MR. REINHARD: Smoker room, that is what it
13 says on the application.

14 MR. BOUCHELLE: You are right, you are
15 right.

16 MS. HARMON: I was wondering how we were
17 going to get past that.

18 MR. REINHARD: You have a sidewalk that goes
19 all the way back to that new timber smokehouse, but

20 there is no door at the end of that sidewalk. What is
21 the purpose of the sidewalk?
22 MR. SIEGEL: The sidewalk is going to house
23 our mop sink, which will be a cement mop sink out there,
24 and be an area also --
25 MR. REINHARD: I am talking about the one
0047
1 that is along the side here.
2 MR. SIEGEL: That goes straight back to the
3 smoke room?
4 MR. REINHARD: Handicap ramp leads to a
5 sidewalk that goes back to the smokehouse.
6 MR. SIEGEL: Oh, I think that handicap ramp
7 actually leads to the side entrance to the front of the
8 building.
9 MR. BOUCHELLE: Yeah. There is a gate that
10 is going to remain between that front corner and --
11 MR. REINHARD: That gate right there. So
12 there is not a sidewalk to something back there?
13 MR. BOUCHELLE: No. There is going to be a
14 mop sink back there. And it's a bloody mess back there
15 now, actually.
16 MR. REINHARD: Did you pay a lot for these
17 drawings.
18 MR. BOUCHELLE: No.
19 MR. REINHARD: Oh, okay. That is all I
20 have.
21 MR. ILDERTON: Thank you. Duke?
22 MR. WRIGHT: I am going to be a little bit,
23 I hope, broader here. This is a first for this board in
24 the commercial district, and I have been here since day
25 one on this board, starting the fourth year now.
0048
1 We have had a couple of things in the
2 commercial district, but nothing of this nature or this
3 scope where we have -- maybe are going to be asked or
4 required or see it necessary to go beyond architecture
5 and compatibility to acoustics and the design.
6 Once the door is open -- if we okay this
7 as it is, and it doesn't work, then where do we go? I
8 suppose I may be suggesting that we might need an
9 acoustical evaluation or consultant to take a look at
10 what we are about to do here.
11 MS. HARMON: Yes.
12 MR. WRIGHT: That is a thought.
13 MR. ILDERTON: The question is whether --
14 MR. WRIGHT: This is brand-new to us.
15 MR. ILDERTON: And I am willing to take
16 that. But the question is is that what we have been
17 enjoined to do as a board. I am not saying we haven't
18 been, but --
19 MR. WRIGHT: Well, that is a good question.
20 MR. ILDERTON: I mean, do we have the right
21 to question or not, or is that another board, I mean, or
22 another group of people on Sullivan's Island to question
23 the idea.
24 I am not saying we don't. I am just

25 saying whether the Design Review Board has been enjoined
0049

1 to address those difficult issues like that.

2 MR. WRIGHT: I know it, and --

3 MR. ILBERTON: And we may be reaching
4 beyond, you know, what we have been asked to do.

5 MR. WRIGHT: We need to determine whether or
6 not we should be out there in that world or whether we
7 should be just worried about the architectural design of
8 the building.

9 MR. CRAVER: We had a lot of discussion
10 about this at the planning commission when we were
11 dealing with this, and the discussions centered around
12 the fact that noise is a different issue than the
13 design, and that if they violate the noise, if they are
14 a nuisance, that that is a police function, not a
15 Planning Commission or Design Review function.

16 Kent, I mean, we went around and around
17 and around on that. And, I mean, that is where we ended
18 up was --

19 MR. WRIGHT: I can understand that. But in
20 terms of architectural design -- and, generally, we have
21 been only concerned with the exteriors of buildings and
22 houses and structures as opposed to structural or
23 acoustical or interior.

24 But, in a broader sense, acoustics is a
25 part of architectural design. But, in this case, it may
0050

1 not be. I am only suggesting that that is something
2 that enters my mind as we look at this.

3 MR. BOUCHELLE: May I say one thing?

4 MR. ILBERTON: That one design does address
5 somewhat the screen, the reflective.

6 MR. BOUCHELLE: That is exactly my point.
7 Our original design did not address that. We went back
8 and paid and got this -- got the Number C redesigned to
9 address those issues. And to do that it's going to
10 increase the cost to my client to do this, to put these
11 beds in, put these planters in, to maintain them over
12 the longevity.

13 I mean, Carolina Jasmine -- I mean, once
14 it grows up -- everybody is familiar with that plant.
15 Once it grows up, it makes a nice, pretty wall.

16 MR. WRIGHT: I agree with you. I like Plan
17 C.

18 MR. BOUCHELLE: And we are trying to appease
19 that and get that issue settled the best we can right
20 now tonight. That is why I rushed out today to get
21 those over here.

22 MR. ILBERTON: Great. Thank you.

23 MR. WRIGHT: Other than that, I have no
24 problem with the design. I certainly would go with Plan
25 C as the front facade of the building.

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1 MR. ILBERTON: I would also -- I like that
2 plan. I will note that Bert's has been, over the years,
3 an eclectic architectural establishment, besides its

4 clientele. And I think it would be nice to keep it that
5 way, and have something a little different, because the
6 last owner took it over and made it something a little
7 bit different.

8 And I think -- and from what I can
9 recall, although I wasn't a regular, complete regular at
10 Bert's, I remember the noise was not a problem.

11 Like you say, you open the doors, and
12 usually it was just a single door opening, someone going
13 in and out, you might hear a band or whatever else.
14 But, generally, the noise stayed inside from any kind of
15 band or kind of loud activity like that.

16 So I would tend to want to at least
17 preliminarily approve -- is this preliminary or final
18 approval?

19 MR. PRAUSE: Final is what they have asked
20 for.

21 MR. ILDEBERTON: I would like to see it
22 approved. Betty?

23 MS. HARMON: I hate to see the front of
24 Bert's change. I have been here since '77 and that is
25 the way it's been, so I am having a little bit of a

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1 problem adjusting to the new change. I'm serious.

2 But I suppose if I had to vote for one
3 it would be C, but the rest of it is fine.

4 MR. ILDEBERTON: Jon?

5 MR. LANCTO: Well, a couple of things. When
6 I scaled this off, you are only showing six feet, from
7 what I can tell, from the face, the new face of the
8 building to where you have this galvanized metal siding
9 wall slash fence running across the front. Does that
10 run between the columns?

11 MR. SIEGEL: No. That's actually a setback
12 behind the columns. That would actually be the front of
13 the building. The columns would be out front, and the
14 front of the building would be recessed. So that would
15 be the front of the building. It's not actually a
16 fence.

17 MR. LANCTO: So you expect to get tables and
18 seating within a less than six-foot space?

19 MR. SIEGEL: Yes. You could have bar stools
20 there, yes.

21 MR. LANCTO: Oh, bar stools. It sounds kind
22 of tight for anybody to be able to walk through there.

23 As far as what we are charted here to do
24 as far as design guidelines, I do like your Street Face
25 C, but I don't like the galvanized metal siding showing

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1 on the face of the building. I think that that is kind
2 of out of character with everything else that is down
3 there, and would prefer to see a softer wood type
4 material on the face. I think it might be more in
5 character.

6 The lattice screening, I think that
7 helped that. But I noticed on your C you are not
8 showing any kind of the same galvanized look that you

9 are showing on your original proposed front elevation.
10 MR. BOUCHELLE: That is a printer -- that is
11 a printer mistake. It will look just like A and B on
12 the recessed face except when the screening -- when the
13 face C is in place, you won't notice as much down at the
14 bottom at all when the lattice -- when the lattice
15 stands are in and the bushes, you won't notice that.

16 And that is going to help knock down as
17 much of that metal character as you are seeing in like
18 A. But this is -- this design is in standing with their
19 original restaurant on 61, and this is their corporate
20 design they are trying to put to this building without
21 making it -- you know, and still keeping within
22 character as much as we can.

23 MR. LANCTO: Understand, though, we wouldn't
24 want to put a regular McDonald's down there either to
25 look like the character of McDonald's.

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1 MR. BOUCHELLE: And that is right -- around
2 windows, if you will notice, we did some horizontal
3 cedar siding that is going to be natural finish to
4 offset that somewhat around the windows.

5 If you look at A, you can see the
6 horizontal around the -- lined up near the windows.
7 That is going to be the same thing on C. It just didn't
8 print out on the printer today by the architect.

9 MR. LANCTO: What kind of lighting are you
10 planning on putting in this?

11 MR. BOUCHELLE: On the lighting, that has
12 been -- we would like to do some surface-mounted ceiling
13 fans to circulate some air out there with just a little
14 light kit on the bottom of them, and use the 54-inch and
15 space them out so they are equal out there, you know, so
16 you have one over each -- center of each window, both
17 windows. So you would have a 54-inch on each side,
18 nothing over the door.

19 MR. LANCTO: I'm not sure if this really
20 falls within our charter or scope of work here, but how
21 much smoke are you going to be putting into the
22 neighborhood?

23 MR. SIEGEL: It's not going to be any worse
24 than -- I mean, it will probably be -- I was standing
25 out there today and the whole commercial district smells

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1 like a big onion ring.

2 And it will be a hickory wood smoke that
3 just -- it kind of comes -- it would be like if you had
4 a fire going at your house. You know, it would be
5 just -- it just goes out real slowly, pumps out and sort
6 of -- you know, in probably 15-minute time periods. It
7 would be like you were burning a fire in your living
8 room out your chimney.

9 MR. LANCTO: Have you had complaints at your
10 other restaurant?

11 MR. SIEGEL: No, sir, nothing but people
12 playing tennis and saying they can smell our barbecue
13 from where they are playing tennis and it makes them

14 want to come eat barbecue.

15 No, we have not. No, seriously, we have
16 not had any complaints about odor or anything. We also
17 were present at a planning and zoning meeting early on
18 in the summer in which that was addressed as well.

19 MR. LANCTO: And my last question would go
20 to Kent. Kent, does this need to meet the minimum
21 requirement for street trees?

22 MR. PRAUSE: I wouldn't think so,
23 although --

24 MR. LANCTO: 21-65?

25 MR. PRAUSE: Let me find it. There is a

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1 thing about compatibility. It doesn't really say when
2 that would become applicable, whether new construction
3 or even a renovation.

4 I mean, it could. However, there is
5 some stuff under 21-66 under (d), vegetation on at least
6 one side of walls or fences is encouraged. And that is
7 one of the design guidelines that you are supposed to
8 take into consideration in reviewing this in the
9 commercial district.

10 MR. LANCTO: I don't think you can really
11 see the right elevation of that building, right, because
12 it's so close to the existing structures. You can't
13 really see -- is that right, Pat?

14 MR. ILDEBERTON: Yeah. You can't really see.
15 It's too tight.

16 MS. HARMON: It also says your building
17 materials should be compatible with the island, and that
18 tin or metal or whatever is certainly not compatible
19 with the commercial district, right?

20 MR. LANCTO: As I said, I have a hard time
21 thinking that that galvanized metal siding is going to
22 look in character with everything else.

23 MR. ILDEBERTON: I know -- just as a comment.
24 I know it would make it easier to keep it clean. I
25 mean, it's going to be a place where people are going to

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1 be at times, and you can just hose that stuff and it
2 will be very clean all the time.

3 If you put wood siding up there,
4 especially low down, with people bumping into it, and
5 just the dirt that is on the first three feet between
6 the level and -- it tends to be -- it just is.

7 MR. REINHARD: Isn't that below bar height,
8 that galvanized?

9 MR. ILDEBERTON: Right, exactly. It's just
10 low.

11 MR. REINHARD: Under each of those windows,
12 those pairs of windows, there is a bar that is probably
13 10 to 12 feet, two of those. So you are going to have
14 at least six people on stools on one side and maybe six
15 people on stools on the other side, and they are going
16 to be kicking that, so galvanized is probably a good
17 material for it.

18 MR. ILDEBERTON: It would make it easier to

19 keep it clean. And with that screen they are going to
20 put on there, you really are not going to see it from
21 the street, I mean in the planting, too. I just don't
22 think it would be an issue.

23 Billy, do you have anything?

24 MR. CRAVER: I'm all for it. I like C. I
25 think one of the things in dealing with the Planning

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1 Commission and the ad hoc committee and all of this
2 stuff, Pat, that we have been through, looking at
3 Sullivan's Island architecture, one of the things we
4 have talked about is the eclectic nature of Sullivan's
5 Island.

6 And while I'm not aware of any other
7 galvanized material around, I would hate to sit here and
8 say we would reject the galvanized material because we
9 don't see any of it elsewhere on Sullivan's Island. It
10 is sort of -- that is part of the flavor of Sullivan's
11 Island that I kind of like, is maybe you do something a
12 little off kilter.

13 I mean, Jon, I hear what you are saying
14 completely. It sort of has an appeal to me because we
15 don't have any other up there. It looks fine. I mean,
16 I have seen their other place, and it isn't like it's
17 going to look bad. It's just we don't have any other
18 here. But I'm okay with it.

19 MR. ILDETON: Great. Thank you. Do I hear
20 a motion?

21 MR. WRIGHT: Before a motion, how are we --
22 do we need to fold in your concern, Kent, into the
23 motion, or contingent upon your --

24 MR. PRAUSE: I would suggest so. I mean,
25 like I said, I would hate --

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1 MR. ILDETON: The parking being resolved?

2 MR. PRAUSE: I would hate for it to
3 create -- I mean, it can't create a more dangerous
4 parking situation, it just can't.

5 The alternative there would be for them
6 to somehow -- the current standards -- there are no
7 standards for parking. It's basically you hire a
8 parking consultant or a person that is knowledgeable
9 about parking requirements and come submit a plan to
10 you, like they did with Off the Hook.

11 And then you-all, if you think it's
12 appropriate, then you approve it. Otherwise, they are
13 stuck with what parking they have now. Which, I mean,
14 parking is limited, it's a problem, it's not safe, and I
15 just don't think we should be approving things that will
16 either eliminate existing parking and/or make it less
17 safe than it is already.

18 So I would encourage you to include that
19 as part of the motion. We look at it, and if it's okay,
20 fine. If it doesn't work, then they will have to figure
21 out another solution.

22 MR. ILDETON: Make it work. Okay, great.

23 MR. BOUCHELLE: We will be glad to work with

24 Kent on that issue. No problem.
25 MR. WRIGHT: Hopefully this problem will all
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1 be solved when this mega plan is completed and something
2 is implemented in terms of traffic --
3 MR. PRAUSE: Hopefully.
4 MR. WRIGHT: -- patterns on Middle Street.
5 But that is beyond our jurisdiction, too.
6 MR. CRAVER: So, Kent, is this something
7 that if we said one of the conditions of approval is
8 that --
9 MR. PRAUSE: Yeah, we look at it in the
10 field, and if it works --
11 MR. CRAVER: -- you-all make sure the
12 parking works, that they would have to adjust the front
13 to --
14 MR. PRAUSE: Well, as to what they have
15 shown, Billy, I mean, I don't know whether that will
16 work or not because there is not sufficient detail on
17 the drawings to determine that, and so we will need to
18 go down there and have a look.
19 MR. CRAVER: Right. I am just trying to
20 understand what kind of language we need to --
21 MR. PRAUSE: If it does not compromise the
22 existing parking, either eliminating the number of
23 spaces or compromise the safety of the existing parking
24 configuration and you deem it's okay to approve it,
25 approve it and we will look at it. If it's okay, then
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1 we will go with it. If there is a problem --
2 MR. CRAVER: So your judgment is good enough
3 to say it's okay or not?
4 MR. PRAUSE: Correct. But if there is a
5 problem, then they will have to do something else.
6 MR. CRAVER: Okay. I just wanted to make
7 sure who we needed to say was going to say okay or not
8 okay.
9 MR. ILDERTON: All right.
10 MR. CRAVER: I would make a motion that we
11 approve the plan as submitted, with the condition that
12 it would -- I guess it's Street Face C?
13 MR. ILDERTON: C, yes.
14 MR. CRAVER: -- with Street Face C with the
15 condition that the parking be reviewed and approved by
16 the building officials as to whether or not it continues
17 to be safe and it continues to have the current number
18 of spaces.
19 MR. ILDERTON: Great. Do I hear a second?
20 MS. HARMON: Second.
21 MR. ILDERTON: Discussion? Everybody in
22 favor?
23 MR. WRIGHT: Aye.
24 MR. ILDERTON: Aye.
25 MS. HARMON: Aye.
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1 MR. REINHARD: Aye.
2 MR. LANCTO: Aye.

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MR. CRAVER: Aye.
MR. ILBERTON: Thank you, sir. We are
adjourned. (The hearing was adjourned at 7:15 p.m.)
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1 STATE OF SOUTH CAROLINA)
2)
3 COUNTY OF CHARLESTON)

4 I, Nancy Ennis Tierney, Certified Shorthand Reporter
5 and Notary Public for the State of South Carolina at
6 Large, do hereby certify that said hearing was taken at
7 the time and location therein stated; that the hearing
8 was recorded stenographically by me and were thereafter
9 transcribed by computer-aided transcription; and that
10 the foregoing is a full, complete and true record of the
11 hearing.

12 I certify that I am neither related to nor counsel
13 for any party to the cause pending or interested in the
14 events thereof.

15 Witness my hand, I have hereunto affixed my official
16 seal this 26th day of November, 2008, at Charleston,
17 Charleston County, South Carolina.

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24

Nancy Ennis Tierney
CSR (IL)
My Commission expires
April 6, 2014

