

Planning Commission  
June 23, 2004  
4:00 PM

Present: Scott Parker, Blaine Ewing, Alice O'Dell, Bobby Thompson and Billy Craver  
Also Present: Kent Prause, Zoning Administrator  
Absent: Nona Hastie and Hal Currey

A motion was made by Alice O'Dell, seconded by Blaine Ewing to approve the minutes from the May 12, 2004, May 20, 2004, and May 27, 2004 meetings. Motion carried unanimously.

Scott Parker gave an overview to the audience and commission members of what had taken place at their previous meeting. Planning Commission at their last meeting had begun discussion on the commercial district. In the previous meeting a couple of motions had carried. One, that outside dining is limited to no later than 10:00 PM and restaurants should close at 12:00 AM. Also, there needed to be more police enforcement and involvement. Several of the restaurant owners in the commercial district in attendance tonight were present at the meeting to discuss how this recommendation would affect their business and income.

Patty Dunleavy Maher, Dunleavy's Pub, spoke on how this change would affect the restaurants and the Island economically. Their hospitality tax, sales tax and business license fees are all based on their income.

Rhonda Sanders, 1411 Middle Street, pointed out that there are about 25 people here tonight to dispute what the 3 people at the previous meeting had said.

Bull Dunleavy, Dunleavy's Pub, he has 4 tables outside and he would lose approximately 23 hours a week of outside dining. This would be a huge impact on his income. After speaking with the police chief Mr. Dunleavy reported that there were 17 complaints under noise disturbance this year and 14 of those had come from one resident. Says the commercial district is an integral part of East Cooper. Most restaurants sponsor local events and charitable organizations.

Rusty Bennett, Poe's Tavern, says that the major complainant will not be happy until Poe's Tavern is shut down. People parking and leaving causes more noise than the restaurant itself. Mr. Bennett says that he has bent over backwards to make residents happy.

Sunny Enloe, 2220 I'on, his home is directly behind Dunleavy's Pub. Said that closing at 12am instead of 2am won't make much of a difference. The only time he is disturbed is when someone is loud on the street. Police presence will stop some of that noise. The dumpsters arriving at 6:00 am is more disturbing than the restaurants.

Martha Jane Walker, 2216 Middle Street, lives directly beside Poe's Tavern and says that there has not been one night when noise has kept her up. Noise from the restaurants is not an issue it's the people leaving.

Emily Abedon, 1758 Atlantic Ave., says that pubs and bars are a part of who we are, dining outdoors is part of Island life. Every establishment has done some sort of charitable event, we should be grateful for their presence.

Jenny Dunn, 1721 Atlantic Ave., the big attraction for her to move family to move to the Island was that this is a living community not a retirement community. She lives next door to the Sand Dunes Club and bought her property knowing what would take place and so did the people who purchased within the commercial district.

Sally Pritchard, Station 26 and Atlantic Ave., stated that the planning commission should think about the economic impact. People should feel fortunate to live on the Island. Planning Commission should listen to reason.

Lisa Crow, 2908 I'on Avenue, outside dining and restaurants are part of the Island's character, responses of Cooper Consulting were to keep the restaurants we have.

Tim Reese, 305 Station 20 Street, frequents all restaurants on the Island. The hours should remain the same.

Blaine Ewing stated that based on the comments mad by the audience he has changed his mind and does not want the hours of operation to change.

Alice O'Dell, the recommendations that the Planning Commission makes should be based upon the character of the Island.

Bobby Thompson, this process was started over 5 years ago. The process is that Planning Commission makes its recommendations to Town Council and then Town Council has the final vote.

Jenny Deerin, 1721 Atlantic Ave., hopes that Planning Commission does not feel that there has to be a compromise.

Rusty Bennett, Poe's Tavern, limiting the outside dining would have a severe impact on the restaurant business.

Will Coleman, 2202 Middle Street, lives on the Island and works at Poe's Tavern. Changing the hours would drastically change his income.

Lauren Ziff, 1412 Thompson Ave., is preparing plans for an office building to be built on Middle Street. Thinks they should re-look at their recommendation to limiting commercial buildings to 3500 square feet total.

Jerry Kaynard, owns multiple properties with in the commercial district. He is not here to talk about the restaurant issue, but is glad to see that people came out and spoke about the good things the restaurants do for the Island. He has an investment in the Island and is concerned about the well being and preserving the Island. Sometimes there is an unintended consequence. Disagrees with only being able to build a commercial building to 3500 square feet. Has never been able to understand Connie Cooper's recommendation.

Rick Graham, there are some uses that are left out that should be allowed (Mr. Graham provided a list to the Planning Commission). Residential use above the commercial building is a great idea.

Billy Craver stated that he felt they needed a better vision of what the residents want.

Scott Parker answered that the felt he public hearings throughout this entire process provided plenty of opportunity for residents to voice their opinion and to get a clear view of what island residents want.

Bobby Thompson, 90% of those at Connie Cooper's public meetings wanted the commercial district to stay the same.

John Roitzsch, 1602 Poe Ave., people want the character of the Island to stay the same. What is good for the whole not the few.

Scott Parker, changes should be made based on the goals of the comprehensive plan.

Discussion on Article IX Section 21-120 B2 A-E 42 of the April 1st version of Connie Cooper's recommendations.

Scott-restaurants must have x number of spaces to accommodate currently

Billy-take town property and create public parking

Alice-there was talk about using the space behind the fire station for parking, people were generally against it.

Scott-must decide if each restaurant provides their own parking, shared parking or street parking. Planning Commission needs to make a parking plan recommendation to council.

To get a consensus on how the Planning Commission members felt on certain topics, Scott Parker went through a list of Connie's Recommendations for comments.

Allowing Residential uses on second floor of commercial buildings:  
Yes-Blaine, Alice, Scott

Billy, ok as long as people living in the residential portion cannot undermine the commercial use.

Attached single family residential:

Blaine-ok with it, but has a problem with a series of rental units

Billy-need to be careful with ownership

Bed and Breakfasts:

Scott-makes perfect sense

Blaine-ok with it, but is on the fence

Alice-does not think we should open that subject again

Billy-ok with it, but Connie's recommendations are too restrictive

Bobby-no, fought Bed and Breakfasts in the residential district all the way to the Supreme Court. Would be ok if we could limit, but it is hard to limit, no mini-motels

Everyone agrees that parking should not drive square footage.

ABC Stores-allow, was an original use

Short-term auto parking-all against

Design Review Board Overseeing Commercial District

Yes-Alice, Bobby, Billy, Blaine and Scott

Everyone agreed that they should repeal their previous recommendations regarding hours of operation. Should stay the same with more police presence.

At this time the meeting was adjourned.

Respectfully submitted,

Sara Smith