

Newspaper Coverage

January 23 – December 10, 1997

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Post and Courier, January 23, 1997

Jordan Tract developers scale down plan

Newspaper January 23, 1997 | Post and Courier, The (Charleston, SC)
Author: LINDA L. MEGGETT Of The Post and Courier | Page: 3 | Section: B

Developers of the Jordan Tract project, which triggered emotional debate in Mount Pleasant last year, again are seeking approval to build a traditional mixed-use neighborhood on Mathis Ferry Road.

Vince Graham of The Graham Co., presenting a scaled-down version of his original development project, got over one hurdle Wednesday night.

After 2 ½ hours of discussion, the Mount Pleasant Board of Planning and Zoning voted 7-1 to rezone 243 acres known as the Jordan Tract from R-1, single-family residential, to PD, planned development.

Graham's new plan has 759 housing units, and apartments that were in the previous plan have been eliminated. The initial proposal included 1,240 residential units with a maximum of 439 apartments.

Board member Tom McLaughlin voted against the proposal Wednesday, saying that the project is still too large.

McLaughlin suggested that the proposed 25-foot buffer be increased, and that no houses be built on Mathis Ferry Road. He also was concerned about street size and traffic flow.

The project is wrong for the location as it's presented, just as the previous proposal was, he said.

"I do think there is room for further improvements," he said. "This is a highly sensitive area of Mount Pleasant. Mathis Ferry Road is a protected area. Why not a bigger buffer?"

About six residents opposed the project. Hobcaw Creek Plantation resident Steve Brock, general manager of WCIV-TV Channel 4, reminded the board that 2,000 Mathis Ferry Road residents signed petitions a year ago asking that the project be rejected.

He said aesthetics are particularly important on Mathis Ferry Road. The concept is wonderful, he said, but asked why it has to be built at that site. "I think the location is wrong," said Brock, a member of the Mathis Ferry Preservation Society. "Go slow on this."

At the same time, six residents spoke in favor of the project. Freeman Milligan said the project is not just an alternative-type neighborhood, but also important as a tool against urban sprawl.

The rezoning request is expected to be on the agenda for the Feb. 11 Town Council meeting. A larger version of the development project was rejected 5-4 by the council in December 1995, although the planning board had voted 6-2 in favor of it.

Graham explained some of the changes in the plan.

"We reduced the number of street types from 11 to four, eliminating or changing those that had raised concerns about road maintenance and public service vehicle access," Graham said. "Our previous commitments like building a connector road from Mathis Ferry Road to U.S. Highway 17 and prohibiting vehicle access from the Jordan Tract to Muirhead Road remain unchanged."

Other features of the neighborhood would include 16,000 square feet of commercial space, 14,000 square feet of office space, eight sites for civic uses, seven public docks, no private docks, three lakes and 2.1 miles of marsh incorporated into a park system.

Graham and his father, who developed the traditional Newpoint community in Beaufort, want to emulate the town's Old Village and downtown Charleston.

The plan is a departure from the town's more conventional development over the past two decades, largely residential subdivisions and strip shopping and office centers.

Post and Courier, January 23, 1997

Town Council confronting major issues **FOUR BRIDGES: In the next month, Mount Pleasant Town Council may take up the Brickyard Falls shopping center, a new Lowe's, the Jordan Tract and proposed apartments.**

Newspaper January 23, 1997 | Post and Courier, The (Charleston, SC)
Author: DAVID QUICK | Page: 1 | Section: EC

Don't be surprised if Mount Pleasant becomes more like Mount un-Pleasant in the coming weeks.

Mount Pleasant Town Council likely will face four major development issues in the weeks headed up to its Feb. 11 meeting. All four have faced organized opposition the past year and a half.

Lined up like a firing squad, issues coming to council concern the Brickyard Falls shopping center, a new mega-Lowe's, the Jordan Tract, and 324 apartments near Belle Hall subdivision.

The latter two were slated to be discussed at Wednesday's planning board meeting for possible recommendations for council action in February. Results from that meeting were not available before deadlines for this story.

"We've never had this many projects of this kind of significance" at one time, said Mount Pleasant planning department director Joel P. Ford, who was hired in 1979 when the town population was 10,300.

Ford laughed when asked if he expected to experience battle fatigue when it was all over, and added that the lineup of issues is a mere coincidence.

A cruel coincidence at that.

"It's aging us," said Kent Prause, a planner in the Mount Pleasant planning department who has been through his fair share of 3-hour-plus planning board meetings since mid-1995.

Each issue has had a degree of controversy and some residents have launched what have been called misinformation campaigns and personal attacks on council members in an attempt to stir up their neighbors and

defeat projects.

The personal attacks have been wicked. One councilman reportedly was called a "baby killer" after voting to approve the Brickyard Falls impact assessment.

Last week, a council member, who did not want to be identified, said the experience has felt "like we're being shot at by the Viet Cong" in reference to the anonymous attacks.

The projects include the following:

Brickyard Falls shopping center: In perhaps one of the longest-running development controversies in recent years, Brickyard subdivision residents are opposed to giving an access on their parkway to the 76,705-square-foot center.

After working out various mitigation plans with developer Tragar Companies Inc., Mount Pleasant Town Council voted 6-3 to approve the impact assessment in November 1996. A month and a half later, residents submitted two petitions with 5,200 signatures on each that sought the repeal of the impact assessment - possibly via a referendum.

In the meantime, opposition leaders have been bird-dogging the center's architect, Malcolm Brennan, at Mount Pleasant Commercial Design Review Board meetings. They also officially have objected to council member Jewel Browder's vote on the impact.

They claimed her letters to the editors to local newspapers showed she was misinformed about the potential takings issue.

A legal opinion regarding the petitions, which have been certified, is expected before the Feb. 11 meeting.

The new Lowe's - the first anchor in the 500,000-square-foot Market Center: While council approved plans for Market Center in 1995, the shopping center on 74 acres on U.S. Highway 17 east of the Isle of Palms connector is just now coming to fruition.

The center, nick-named "Bloomtown" after AJS Group developer David Bloom, is coming back up because of revisions to the plan.

The town is working out details regarding traffic counts, the building of a new road ultimately linking the connector with I-526, and which parts of the mitigation plans must be addressed before the 170,000-square-foot Lowe's is built.

At the Jan. 14 council meeting, Hidden Lakes homeowners association president Larry Carr expressed concerns about drainage, the rate of stormwater runoff into the subdivision's lake, and preserving a wooded buffer between the subdivision and shopping center.

The Jordan Tract: The proposed neotraditional, mixed use Jordan Tract development on about 230 acres on Mathis Ferry was perhaps the most noteworthy news story in Mount Pleasant in 1994, when residents from Hobcaw Point and Molasses Creek were able to persuade council to vote 5-4 against the development.

Thirteen months after that vote, The Graham Co. presented revised plans to town officials.

The revision basically cuts the total number of proposed housing units from 850 to 759, eliminates apartments from the plan, and reduces the number of street types from 11 to 4.

Held over from the previous plan are promises not to access Muirhead Road and to build a connector road from Mathis Ferry to U.S. Highway 17.

Hobcaw resident Carlton Poulnot from the self-appointed "Mathis Ferry Road Committee" sent a short note to planning board chairman Ken Willingham last week saying he was still opposed to The Graham Co.'s development.

The Graham Co. wants to name the Jordan Tract development "I'On" after War of 1812 veteran Jacob Bond I'On, who is buried in a historic cemetery on the tract.

Belle Hall rezoning: After drawing concerns and opposition from residents of Belle Hall subdivision, Atlanta developer Harmut "Dusty" Wiederhold took a month to revise plans that, in part, had called for as many as 600 apartments to be built on a 120-acre tract next to the subdivision.

About 60 residents attended an official information session and the planning board meeting in December. At the latter, a 15-member residents' committee was formed to work with Wiederhold.

Prause said revised plans call for 156 single family houses to be built on 90 acres closest to the subdivision and 324 multi-family units constructed on the other 30 acres. All would access Belle Hall Parkway.

In addition to that, Wiederhold would seek a mixture of single family homes, patio homes, multi-family housing and nursing homes on 80 acres, with access via Wando Park, not Belle Hall Parkway.

Prause said he did not know if those revisions satisfied Belle Hall residents.

As if that were not enough ... Town administrator Mac Burdette said another major development issue officials may have to grapple with, possibly as early as February, is the potential annexation of The Beach Co.'s Seaside Farms.

The Beach Co. started the development of Seaside Farms, which now includes the Franke Home (a retirement home) and a Piggly Wiggly, under plans approved by Charleston County.

Burdette said the town and Beach Co. officials have been meeting for a year to discuss the possibility of annexation.

When The Beach Co. announced that Seaside Farms was going to be developed several years ago, it drew protests and concerns from residents living nearby in subdivisions off Rifle Range Road.

Post and Courier, February 13, 1997

The Jordan Tract CONTROVERSY: Another hearing is coming up on the development that has created an unprecedented love-it or hate-it feeling.

Newspaper February 13, 1997 | Post and Courier, The (Charleston, SC)

Author: DAVID QUICK | Page: 1 | Section: EC

The proposed Jordan Tract development plan will rank among the most controversial in Mount Pleasant this decade.

It rivals other local battles such as the defeated Mount Pleasant Mall in 1991 and the fight by Brickyard Plantation residents to oppose a shopping center with an access to the subdivision's parkway that started last

summer and continues today.

The next round of the Jordan Tract fight takes place at 7 p.m. Tuesday when Mount Pleasant Town Council is scheduled to give initial approval - or a rejection - to a revised plan.

Over the past 22 months, The Graham Co.'s neotraditional, mixed-use development - which seeks to emulate traditional Southern coastal towns like Charleston, Mount Pleasant's Old Village and Beaufort - has struck a chord with some and a nerve with others.

Opposition has come primarily from those living near it in Hobcaw Point, Molasses Creek and Heron Pointe subdivisions.

Unlike most developments, though, the Jordan Tract proposals also have drawn unprecedented public support.

Some, worried about urban sprawl, want a return to pedestrian-scale neighborhoods. Others simply want an alternative to very expensive old homes in the more traditional Old Village and houses in conventional, modern subdivisions.

Fourteen months have passed since council first voted 5-4 against a plan calling for 850 residences, including 120 apartments, and a total of 60,000 square feet of store and office space.

Developers Tom and Vince Graham, father and son partners in The Graham Co., have made numerous changes in attempt to get approval this time around.



Staff Photos by David Quick

In April 1995 — before the Jordan tract became a part of the Mount Pleasant lexicon — Vince and Tom Graham invited the public to a planning workshop, called a charrette, for the tract. They hired nationally recognized architects Andres Duany and Victor Dover to lead the design team.

Gone are the apartments. Gone is half the commercial space. Gone are seven of the 11 different road types.

Kept are requirements to build a roundabout and connector road to a lighted intersection of U.S. Highway 17, promises of parks and preserving waterfront areas for public use, and no vehicular access to Muirhead Road.

The Grahams seek to build up to 759 houses - about 3.1 per acre - well within the master plan's definition of low-density housing.

On Jan. 22, the Mount Pleasant planning board voted 7-1 to recommend council approve the project, with only board member Tom McLaughlin against it.

The Grahams face opposition primarily from a group headed by Channel 4 station manager Steve Brock and former Mount Pleasant town councilman Carlton Poulnot, who used to call themselves the Mathis Ferry Road Committee but have since incorporated as the Mathis Ferry Preservation Association.

Last week, the association reacted to accusations in The Moultrie News that the association was one person, whom they did not name.



Steve Brock, a founding member of the Mathis Ferry Preservation Association, has taken a front-and-center role in opposing the Graham Co.'s development plan for the Jordan tract.

On Feb. 7, the association sent a press release to The Post and Courier stating that a Feb. 6 meeting to discuss development and rezoning included residents from Hobcaw Point, Heron Pointe, Wakendaw, Sweetgrass, Brickyard Plantation and Snowden. The Post and Courier had not been invited to attend the meeting.

The issues with the Jordan Tract boil down to the same four items: traffic, density, schools and internal road standards.

Traffic

I'On will add about 4,200 daily trips to Mathis Ferry Road - including 2,400 to the east (toward Wando High School) and 1,800 to the west (toward Charleston).

However, the town's and developer's separate traffic consultants agree that the I'On development will have no impact on the road's "level of service," an engineering term reflecting the ratio of the volume of traffic on a certain roadway to that roadway's capacity to handle the traffic.

Levels are graded A to F, with A being the best. Mathis Ferry operates currently on a level of C during peak traffic times.

Level of service is a term that makes those not in the engineering field suspicious. Opponent Steve Brock has claimed "level of service" is "just an engineer's term."

Planning commission member Tom McLaughlin, the sole opponent in 7-1 commission vote on Jan. 22 against the Jordan Tract, said he disagreed with the professional engineer's reports on the level of service.

Why won't I'On further degrade Mathis Ferry - which suffers major jams during weekday rush hours?

The town's consultant, Kimley Horn and Associates of Cary, N.C., backs up claims by The Graham Co.'s consultant, Glatting Jackson of Orlando, Fla. They cite three reasons: the construction of a round-about on Mathis Ferry, a connecting road from Mathis Ferry to a currently signalized intersection on U.S. Highway 17, and "internal capture" of traffic within I'On.

Consultants add that the round-about and connector road will improve overall flow on Mathis Ferry.

Kimley Horn and Glatting Jackson also agree that if a conventional subdivision were built on the Jordan Tract, without a round-about and connecting road, then traffic would be much worse on Mathis Ferry Road.

Density

The Jordan Tract is zoned for "R-1" residential, calling for houses on a minimum of 10,000 square feet of land. (An acre equals 43,560 square feet.) The current plan calls for a maximum of 759 units.

Opponents point to another developer's plan for a conventional subdivision on the Jordan Tract showing a maximum of 450 houses on the tract, but the planning department says some of those houses would be on 20,000-square-foot lots while others fall under the higher density R-2 zoning (minimum lot size is 8,000 square feet).

Planning department director Joel Ford has drawn a rough sketch of an R-1 scenario on the tract and has come up with about 650 houses.

The master plan, however, shows the Jordan tract having low density housing, defined in the master plan as being 3.5 units per acre.

The Grahams propose 3.1 units per acre for the tract.

Schools

Any development in Mount Pleasant today will affect an overcrowded public school system, at least until new middle and elementary schools are built in 1998 and 1999, respectively.

Mount Pleasant planner Kent Prause said that James B. Edwards Elementary School actually has decreased enrollment by more than 20 percent this year from the 1988-89 school year.

The same does not hold true for Moultrie Middle School, which had a 25 percent increase, and Wando, a 10 percent increase, in the same time period.

In the original Jordan Tract proposals, the Grahams offered to provide the Charleston County School District five acres of free land in the tract. The district was not interested.

Because of changes in the plan, that five acres is no longer available for a school.

Road standards

I'On will have four kinds of streets: a 30-foot two-way street, a 22-foot two-way street, an 18-foot two-way

street and a 17-foot one-way street.

Opponent Carlton Poulnot complained at the planning commission that he lives on a 22-foot street in Hobcaw Point and that it is insufficient for fire and garbage trucks.

Fire chief Fred Tetor, however, said that he has reviewed the I'On Street plan and that it "passes just fine." He said that on the 17-foot one-way streets, no parking will be permitted.

Before the Grahams pave any road in I'On, Tetor said the fire department will test drive it and make sure trucks can turn around.

After the planning commission expressed concern about T-shaped dead-end streets, the Grahams revised the streets in a modified, squared-off cul-de-sac.

TRACT TIMELINE

■ April 1995 — Tom and Vince Graham, father and son partners in The Graham Co., announce intentions to create a neotraditional, mixed use development on the 243-acre Jordan Tract in Mount Pleasant.

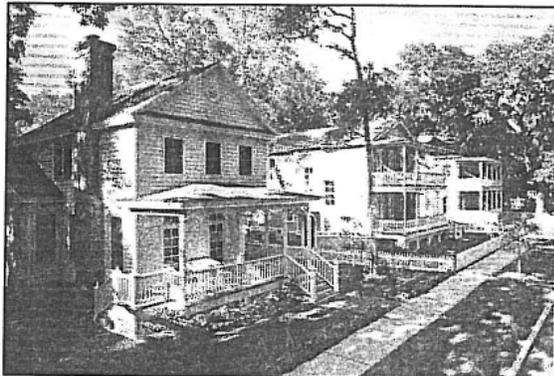
The land is bounded roughly by Mathis Ferry Road, Muirhead Road, Hobcaw Creek and Heron Pointe subdivision.

The tract does not contain a triangular 17-acre tract owned by Dorothy Ayers on the corner of Mathis Ferry and Muirhead nor a 70-acre strip of land running parallel to Heron Pointe Boulevard. The latter land is owned by Sonny Mevers.

The Grahams, who helped develop the Newpoint neighborhood on 54 acres on Lady's Island near Beaufort, were attracted to Mount Pleasant by its 1991 master plan encouraging mixed-use, traditional developments and a town-appointed citizens committee urging the same to counter urban sprawl.

The Grahams hire nationally-recognized neotraditional architects Andres Duany and Victor Dover, both of Miami, to head the design team.

■ April 26-May 3, 1995 — The Grahams, Duany and Dover hold a week-long workshop, called a charrette, and invite the public, Mount Pleasant leaders, traffic consultants, school officials and citizen's groups to participate in the planning for the development.



Staff Photo by Wade Spees

The Graham Co. has received accolades for its 54-acre Newpoint development on Lady's Island near Beaufort. Opponents tell town officials that Newpoint is irrelevant because the Grahams aren't planning the same kind of development on the 230-acre Jordan tract. The Grahams said they had to create larger lots at Newpoint because they needed space to put in septic systems. They say they are committed to creating high-quality architectural and neighborhood designs in the Jordan tract like those in Newpoint.

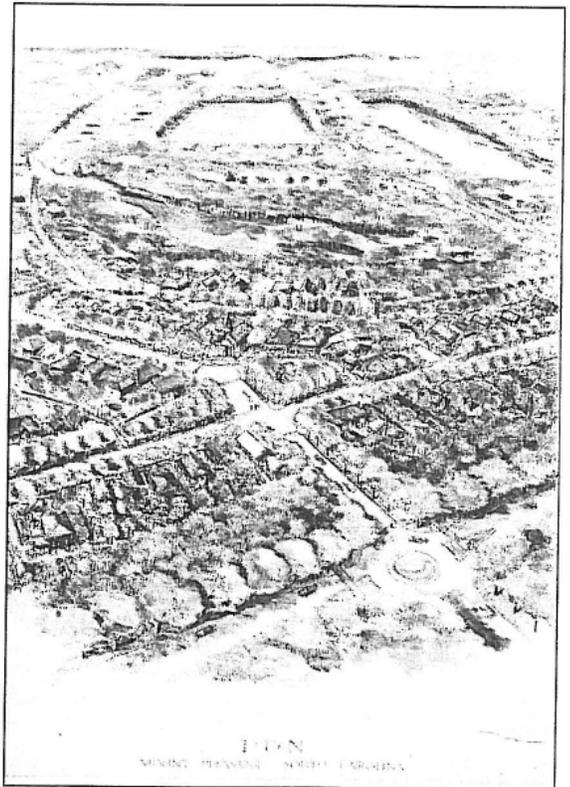
About 200 people attend a final meeting on May 3 to see the results — a plan that mixed houses, apartments, parks, civic sites (churches and schools), stores and offices on a more traditional, grid pattern of streets.

The development would emulate the architectural and layout char-

acteristics of Southern coastal cities, towns and villages built before World War II, such as Charleston, Savannah, the Old Village of Mount Pleasant, McClellanville, Beaufort and Rockville.

Houses would have porches and

See TIMELINE, Page 16



This artist's rendering is a bird's eye view of what The Graham Co. plans to create with their I'On neighborhood plan on the 230-acre Jordan Tract.

TIMELINE

from Page 1

be built closer to the streets. Sidewalks and street trees would make the neighborhood more conducive to walking.

Marshfronts and would be set aside for the public, not the most expensive homes in the development. Rather than private docks, the Grahams planned to build no more than seven community docks, including one for a community center on Hobcaw Creek.

Three lakes also would be public amenities, with one more natural lake set aside for wildlife and the largest, most formal lake taking on the park-like quality of Colonial Lake in Charleston.

■ Aug. 16, 1995 — The Grahams present their plan to the Mount Pleasant planning commission for consideration of changing the zoning from "R-1" (calling for houses on 10,000-square-foot lots) to planned unit development.

The plan calls for a maximum of 1,240 units, including up to 439 apartments, a maximum of 63,250 square feet of store space and 31,104 square feet of office space. Those commercial facilities would be located at three different "community centers."

The overall density is 5.1 units per acre.

Parks are interspersed throughout the development and about 75 percent of waterfront — on the marshes and three existing man-made lakes — will remain public. No private docks will be allowed.

The plan includes the Grahams building a round-about and a connecting road between Mathis Ferry Road and U.S. Highway 17. The connecting road would be constructed on land owned by David Jordan.

About 120 people — both supporters and opponents — attend the three-hour meeting. The planning commission, seeking revisions, defers making a recommendation to Mount Pleasant Town Council for one month.

■ Sept. 21, 1995 — The Grahams cut the number of possible apartments from 439 to 310. The commission puts conditions on the plan, such as no apartments on the perimeter of the development.

By a 6-2 vote, the commission recommends council approve the plan.

■ Oct. 11, 1995 — The plan heads to Mount Pleasant Town Council for consideration. Supporters and opponents cram council chambers to voice sentiments about the Jordan Tract plan.

The Grahams, realizing they do not have enough votes to get the plan approved, request a delay to try to gain the support of more residents living near the development.

Despite the urging of opponents to go ahead and vote the plan down, Town Council votes 5-3 to defer the decision for up to 120 days.

■ Dec. 11, 1995 — Town Council — knowing that the public comments portion of the meeting would last for hours — holds a special public hearing the night before the regular council meeting.

The Grahams have reduced the maximum number of units from 1,240 to 850, bringing the total housing density down from 5.1 units per acre to 3.5 units per acre — the maximum allowed under the master plan's designation of "low density housing."

The Grahams also decreased the maximum number of apartments from 310 to 120 and would build the apartments only in the middle of the development. Store space also was reduced from 63,250 to 30,000 square feet.

Next to Hobcaw Point — the subdivision where residents are most critical — the Grahams would create lots fitting R-1 zoning requirements. The Grahams remain committed to building the round-about and connecting road from Mathis Ferry to U.S. Highway 17.

At the public hearing, 71 people speak — the majority in favor of the Jordan Tract plan.

■ Dec. 12, 1995 — Again, to a packed house, Mount Pleasant Town Council debates the Jordan Tract and votes 5-4 against the rezoning. The overriding reasons for its defeat: density, apartments and to a lesser degree, commercial zones.

Council opponents include Bob Barton, Jewel Browder, Margaret "Mugsy" Kerr, Terry McManus and Kruger Smith. Supporters included Paul Gawrych, Dolph Rodenberg, Tom Tanis and Mayor Cheryll Woods-Flowers.

■ Sept. 17, 1996 — The regular election for the mayor's post and four seats on Mount Pleasant Town Council is held.

Prior to the election, the Mathis Ferry Road Committee — a self-appointed group formed to oppose the Jordan Tract — puts leaflets on the mail boxes of residents living in subdivisions on Mathis Ferry.

The leaflet urges residents to "please support those who will support us," including incumbents Smith and McManus and newcomer Gary Santos, who "has committed to support us."

A similar leaflet is passed around Brickyard Plantation subdivision, now embroiled in a development fight against a proposed shopping center, urging the support of Santos.

In an odd situation, the byline "News Channel 4" appears above a pre-election story appearing in a free weekly newspaper, The Moultrie News.

Of 19,000 registered voters, a mere 3,580 people cast ballots, an 18.8 percent turnout.

Woods-Flowers runs unopposed. In the council race, Santos finishes first and Robert Dodds second, while McManus and Smith finish third and fourth, respectively, out of 10 total candidates. Rodenberg — who spent little time campaigning — loses his seat by finishing fifth.

■ Jan. 2, 1997 — The Graham Co. submits new sketch plans to the Mount Pleasant planning department, in advance of the Jan. 22 Mount Pleasant planning commission meeting.

The new plan for I'On calls for 759 homes, no apartments, no more than 30,000 square feet of commercial property (16,000 for stores and 14,000 for offices) and reduction in the types of roads from 11 to four.

The total density is 3.12 units per acre, well within the master plan's definition of low density housing calling for no more than 3.5 units per acre.

Previous conditions hold, such as building a roundabout and connector road from Mathis Ferry to U.S. Highway 17, keeping lots adjacent to Hobcaw Point and now Molasses Creek in keeping with its R-1 zonings and no vehicular access to Muirhead Road.

The Gramhams name the proposed development "I'On" after Jacob Bond I'On, a distinguished War of 1812 officer, former mayor of Sullivan's Island and former president of the S.C. Senate.

■ Jan. 10, 1997 — The Mathis Ferry Road Committee files for nonprofit incorporation with the S.C. Secretary of State as the "Mathis Ferry Road Preservation Association."

The only name on the filing statement is Stephen Brock, station manager for Channel 4 News.

■ Jan. 22, 1997 — A relatively smaller crowd — including supporters and opponents — fills council chambers for the Mount Pleasant planning commission meeting.

Brock is the first of the opposition speakers to make comments against the plan, basically saying the tract is the wrong place for the development. Carlton Poulnot, a former Mount Pleasant councilman, is the only other original Mathis Ferry Road Committee member to speak publicly against the plan.

The planning commission votes 7-1 to recommend Tow Council approve the new plans. Council will meet on Feb. 11.

■ Jan. 29, 1997 — The Mathis Ferry Road Preservation Association puts fliers in more than 1,000 copies of The Moultrie News delivered to Hobcaw Point, Molasses Creek and Heron Point. The flier warns that if council approves the plan, the committee already has two petitions drawn up to overturn the decision.

■ Jan. 31, 1997 — With another controversial subject facing council on the Feb. 11 meeting — a petition opposing the proposed Brickyard Falls shopping center — Mount Pleasant Mayor Cheryl Woods-Flowers re-schedules the Jordan Tract meeting for Feb. 18.

JORDAN TRACT PLAN REVISIONS

	Oct. 1995 (Planning Board approves)	Dec. 1995 (Town Council rejects)	Feb. 1997 (no action yet)
Max number of units	1,240 (310 apartments)	850 (120)	759 (0)
Unit density/acre	5.1	3.5	3.1
Max square footage of stores/offices	90,000	60,000	30,000
Types of roads	11	11	4
Names	Shelmore	Easton (considered)	I'On

Post and Courier, February 19, 1997

Jordan Tract gets council's first OK

Newspaper February 19, 1997 | Post and Courier, The (Charleston, SC)
Author: LINDA L. MEGGETT Of The Post and Courier | Page: 1 | Section: A

Developers of the Jordan Tract won initial approval Tuesday to build a traditional mixed-use neighborhood on Mathis Ferry Road.

After two hours of public comments, the Mount Pleasant Town Council voted 7-2 to approve first reading of an ordinance to rezone 243 acres from R-1, single-family residential, to PD, planned development.

"We're elated certainly," said developer Vince Graham of The Graham Co. "We've got an incredible opportunity with a wonderful piece of land with a great model.

"We have to work hard and vindicate the confidence Town Council has given us to build this neighborhood. Also to work hard to show our critics it will be a nice addition to Mathis Ferry Road."

It was standing room only in council chambers. About 34 people spoke in favor of the development project and about 24 were opposed.

Council members asked very few questions.

The controversial project has been the subject of debate for nearly two years. Graham first proposed building 1,240 residential units with a maximum of 439 apartments.

But even after reducing the number of units to 850, Town Council rejected the plan in 1995.

Graham's modified plan approved Tuesday calls for 759 housing units and eliminates the apartments.

Opponents of the project were reluctant to give up fighting Tuesday.

"We're disappointed that they did not support the residents with over 2,300 signatures on the petition," Carlton Poulnot said.

"We still have some options. We'll be meeting next week with legal counsel to decide what to do." He would not say what options the residents are considering.

The objection isn't with the concept of the project, but mainly its location, said Steve Brock, a Hobcaw Point resident and Mathis Ferry Road Preservation Association member.

Although the property is 243 acres, he said, only 193 acres should be used for building. He said 423 units are acceptable and that the proposed project was not in compliance with the town's master plan.

Brock's group contends that the development, referred to as the I'On neighborhood, is a high-density project in a low-density area. He contends that the density is 2.8 units per acre instead of 3.5.

Increased traffic on Mathis Ferry Road was also a major concern for residents opposed to the project.

Residents living in Hobcaw Point, Molasses Creek and Heron Pointe subdivisions, all near the development, are among those who oppose Graham's project.

The property is between Mathis Ferry Road and Hobcaw Creek - one of the few large open spaces left in Mount Pleasant that's close to the Cooper River bridges.

In resubmitting his proposal, Graham's team reduced the number of street types from 11 to four, eliminating or changing those that had raised concerns about road maintenance and public service vehicle access.

The previous commitment to building a connector road from Mathis Ferry Road to U.S. Highway 17 and prohibiting vehicle access from the Jordan Tract to Muirhead Road remain unchanged.

Other features of the neighborhood would include 16,000 square feet of commercial space, 14,000 square feet of office space, eight sites for civic uses, seven public docks, no private docks, three lakes and 2.1 miles of marsh incorporated into a park system.

The Mount Pleasant Board of Planning and Zoning voted 7-1 last month in favor of rezoning

HOW THEY VOTED

Voting in favor of the zoning change were:

Jewel Browder

Robert Dodds

Margaret "Mugsy" Kerr

Terry McManus

Paul Gawrych

Tom Tanis

Cheryll Woods-Flowers

Opposing votes were:

Gary Santos

Kruger Smith

Post and Courier, February 20, 1997

Developers want small town feel

Newspaper February 20, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT Of The Post and Courier | Page: 1 | Section: B

Developers of the Jordan Tract are quickly moving forward to create their neotraditional I'On community in Mount Pleasant, and Clyde and Lisa Quick are ready to buy in.

The Mount Pleasant couple have waited quietly to see if the proposed project would be approved by Town Council. On Tuesday, they got what they were waiting for.

The council voted 7-2 to approve an ordinance to rezone 243 acres from single-family residential to a planned development classification that would allow The Graham Co. to move forward.

Neotraditional is the big trend, but there's nothing like that here, Mrs. Quick said Wednesday.

Developer Vince Graham and his father, who developed the traditional Newpoint community in Beaufort, have said they want to emulate the town's Old Village and downtown Charleston.

The Quicks said they went to Newpoint and liked what they saw.

"We felt we had gone back in time. It gave us a sense of belonging and warmth just on our first visit to the Newpoint community," Mrs. Quick said. "There was a sense of neighbors being friends. People used their porches and talked to each other."

The Quicks, who sold their West Ashley home, quit looking for a house. "We just decided to wait and see how this played out."

With the council's approval of the project, the Quicks may be able to buy a house in the mixed-use neighborhood before the year ends.

Graham and company are preparing the site development plan to present to the planning department.

"We still have to get approval on second reading from the Town Council March 11," said Windee Little, development coordinator for The Graham Co.

An environmental permit has been applied for, archaeological studies for the property are under way and the preliminary work has been done, she said.

Phase I of the project - which includes a new connector road to U.S. Highway 17 - could begin as early as June if the town's Planning and Zoning Board approves the architectural plans, Little said.

"Right now the eyes of Mount Pleasant are on us. We've got to prove to them that we can do everything we said we can," she said.

The estimated average cost for homes is \$225,000, and the lots range from 2,600 square feet to 26,000 square feet. The first phase could have the most affordable homes built closest to Mathis Ferry Road, with recreational facilities nearby. Large lake properties could be more expensive, she said.

More than 300 people are listed as supporters of the project.

"I would estimate that one-third are able to buy as soon as we can begin," Little said.

The first phase of the project - which could be completed in two years - includes about 138 homes on 59.1 acres. The total project, with 759 housing units planned for 243 acres, could be completed in eight to 10 years, she said.

After listening to concerns expressed when the project was rejected in 1995, Graham presented a modified version of the project to win council approval.

He made more concessions Tuesday, agreeing to build an 8-foot fence with trees as a buffer along Mathis Ferry Road.

It worked. Council members Jewel Browder, Terry McManus and Margaret "Mugsy" Kerr, who voted against the project in December 1995, were among the supporters Tuesday.

Browder said her decision was based on the facts after studying and evaluating the project.

"I also received 70 letters. Sixty-three citizens asked me to support it and 16 didn't want me to support it," she said. "Unfortunately I couldn't vote to please everyone. I lost a lot of sleep over this."

The Grahams made a lot of concessions, including eliminating planned apartments and reducing the number of units, she said. They also eliminated several dead-end streets.

"That's how I based my vote," she said.

McManus, who was concerned about the density of the project the first time, said Tuesday that his concerns were addressed with the revised plan.

Kerr could not be reached for comment.

Residents living in Hobcaw Point, Molasses Creek and Heron Pointe subdivisions - all near the development - still oppose Graham's project.

Post and Courier, March 12, 1997

Jordan Tract rezoning OK'd

Newspaper March 12, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT Of The Post and Courier | Page: 1 | Section: A

Opponents of the Jordan Tract development persuaded Mount Pleasant Councilman Terry McManus to change his vote Tuesday, but it wasn't enough.

Town Council voted 6-3 to approve final reading of an ordinance to rezone 243 acres from R-1, single-family residential, to PD, planned development.

Kruger Smith and Gary Santos also opposed the rezoning.

Jewel Browder, Margaret "Mugsy" Kerr, Paul Gawrych, Robert Dodds, Tom Tanis and Mayor Cheryl Woods-

Flowers voted to rezone the property.

McManus said he was concerned about the density issue and suggested that an arbitrator come in to help reach a compromise.

He also expressed concern about the possibility of a referendum vote.

Neighbors contend that the planned 759-unit development, referred to as the I'On neighborhood, is a high-density project in a low-density area.

"We're very excited about the vote, but we're disappointed in McManus' vote," said developer Vince Graham.

Carlton Poulnot, a representative of the Mathis Ferry Road Committee suggested McManus was voting with the majority of the people.

"We got copies of a large number of letters that went to council opposing the project," he said. "I think the majority of people who live around there don't want it rezoned."

Project opponents began signing a petition before they left Town Hall Tuesday night to force a referendum vote, Poulnot said.

The group will need signatures from 15 percent of the registered voters to get the council to consider putting a referendum on the ballot.

Brickyard Falls residents recently completed a petition drive in an attempt to force the council to rescind its approval of Brick- yard Falls Shopping Village Inc.

The council voted 7-2 last month to approve first reading of the Jordan Tract ordinance, favoring Graham's neotraditional mixed- use project.

The controversial project has been the subject of debate for nearly two years.

Graham first proposed building 1,240 residential units with a maximum of 439 apartments.

But even after reducing the number of residential units to 850, Town Council rejected the plan in 1995.

Graham presented a modified version of the project to win approval.

McManus, Browder and Kerr, who voted against the project in 1995, were among the supporters at the Feb. 18 meeting.

Graham's modified plan calls for 759 housing units and eliminates apartments.

He also agreed to build an 8-foot fence with trees as a buffer along Mathis Ferry Road.

At the same time, Graham is moving forward preparing the preliminary plat, which outlines the infrastructure, and site development plan to present to the planning department, according to Windee Little, development coordinator for The Graham Co.

"We're moving forward until we're told to stop," she said.

Phase I of the project, which includes a new connector road to U.S. Highway 17, could begin as early as June if

the town's Planning and Zoning Board approves the plans, Little said.

The first phase of the project, which could be completed in two years, includes about 138 homes on 59 acres.

The total project, planned for 243 acres, could be completed in eight to 10 years, she said.

Graham and his father, who developed the neotraditional Newpoint community in Beaufort, have said they want to emulate the Mount Pleasant's Old Village and downtown Charleston.

Post and Courier, May 11, 1997

Graham's promised land Developer sees 'new urbanism' as a better place

Newspaper May 11, 1997 | Post and Courier, The (Charleston, SC)

Author: A.B. DUKE | Page: 1 | Section: H

MOUNT PLEASANT - Vincent Graham insists he isn't any more religious than the next guy. But not everyone carries a passage from Matthew in their pocket.

Enter by the narrow gate since the road that leads to perdition is wide and spacious, and many take it; but it is a narrow gate and a hard road that leads to life, and only a few find it.

"To me it says: 'Don't follow the status quo,' " Graham comments.

It would be simplest to paint the controversial developer as a messianic zealot. Because from a distance that's what he is: A man who has seen a brighter future for the American suburbs and is on a mission to lead us into it.

His proposals for the massive Jordan Tract in Mount Pleasant have been greeted both by biting opposition and avid supporters and converts to his theories.

Depending on whom you ask, he's either overstuffing the land, which will choke the last bucolic byway in the town with more cars, or he's taking us back to the Norman Rockwell America we forsook for the modern suburbs.

The books on the shelf in his office advance his message: "Power of Place," "Tidewater Towns," "A Better Place," "The City Shared," "The City Assembled." Magazines tout traditional building, revitalizing strip shopping centers.

But if you're looking for the Elmer Gantry of the so-called new urbanism movement, you'll be disappointed by Vince Graham, 33. There isn't a hint of urgency in his voice or his manner. He can seem dispassionate, deliberate, verging on stoic. He shies away from talking about his personal life, preferring to stick to his work.

Friends say that is Graham, which is why some insist he should have been the lead spokesman for his Mount Pleasant development from the start, rather than an outside new urbanism guru.

Mount Pleasant planner Joel Ford said that many people in existing neighborhoods felt they were being talked down to, being told " 'You ought to be living in another manner.' When Vince took over he said, 'Look, I respect the way y'all live, but we're trying to offer some other products that I think will be successful.' "

It took three separate agreements by Graham to reduce the density on the 243-acre tract from more than 1,250 units to 789 (commercial and residential) and two votes by the Town Council to get the town's nod for a needed

zoning change. The project still needs planning board approval. Last week, Graham Co. crews and bulldozers had begun some site work at the land, located between Mathis Ferry Road and Hobcaw Creek.

The density of the buildings on the land remains the central issue for opponents.

But supporters say critics are missing the essence of Graham's ideas by boiling them down to numbers alone.

Part of a movement to reshape America's suburbs to "enable a sense of neighborhood and community," in Graham's words, he is designing reproductions of historic southern towns - Beaufort, Savannah, downtown Charleston, Richmond, Alexandria.

A student of traditional Southern architecture, Graham is able to describe the connection between the spirit of yesterday's neighborhoods and their simple dimensions. He is a salesman who believes in his product.

There isn't a hint of irony, for example, when he says he is modeling the future on the past, and adds: "We owe it to our history and our children."

Essentially, at the former Jordan Tract, Graham proposes to pack homes of varying costs (\$150,000 on upwards, according to estimates) tightly together, and has designed tree-lined streets and public parks around three lakes. Porches will go out front to encourage evening chats, and garages will be located behind houses, where they always used to be, he says. Two pages of architectural rules decree traditional building styles and materials.

It's not his first attempt at the new urban neighborhood development, and Graham isn't in this solely because he believes it will improve people's lives. It's good business.

His other major project, much-publicized Newpoint in Beaufort, has performed 30 percent to 40 percent better than he expected. The values of some lots have grown as much as fivefold since 1992, now selling at anywhere from \$85,000 to more than \$375,000.

Is he becoming a rich man? Graham won't say. It's anyone's guess. He owns a house in Beaufort and a shingle house in Mount Pleasant's Old Village and drives a Ford pickup.

The seeds for Graham-as-developer were planted growing up in suburban Atlanta, a city that has defined subdivision sprawl. His father, Tom Graham, had a hand developing it.

Later, as an economics major at the University of Virginia, the young Graham was taken by the notion that a man - Thomas Jefferson, in that case - could build a living, working community.

After school he worked for a time at a bank in Atlanta and realized the city "where you have to drive everywhere and are a slave to your car" didn't suit him.

So he moved to Beaufort and went to work on the high-end, low-density development of Spring Island. Charles Fraser, who developed neighboring Sea Pines Plantation at Hilton Head and others and was a trendsetter in golf-community development, would become something of a mentor to Graham.

Graham bought an old house in downtown Beaufort in 1989 and began to restore and renovate it.

However sentimental-sounding, becoming part of a neighborhood was the turning point in his life.

"I bought that house, got to know everybody in the neighborhood. It was the real South, it was the South I wanted to live in," he said.

That's when he got the idea for Newpoint, 54 acres across the river from downtown Beaufort with a seller willing to take half a million dollars down and with a note for the remaining \$800,000. Graham raised capital by pre-selling homes to a few pals, including fraternity brothers and his parents.

When he went to the local bank, the bankers were all smiles, but Graham thinks they bet on the land, not his ideas.

"They said, 'Well, Vince is a nice guy. His idea won't work, but we'll get plenty for that waterfront when he goes belly up,' " Graham said.

Newpoint has been a remarkable success story, written up in The Wall Street Journal, Southern Living and numerous other publications, and cited by the South Carolina Department of Natural Resources and the American Institute of Architects.

Graham was shown the Jordan Tract in 1993. Long eyed hungrily by developers, the owners, the Jordan family of Columbia, who mined the land for dirt, were reluctant sellers.

When David Jordan saw Newpoint for the first time, he found his buyer.

"You go look at that project at Beaufort and then ask me why I'm selling to Vince Graham," said Jordan, whose family has owned the land for about 30 years and has had cash offers in the several millions.

After an 18-month negotiation between Jordan and Vince and Tom Graham, Jordan has agreed to sell in phases over a period of years, as the development progresses. Graham expects to make a profit in a year.

Critics of his plans in Mount Pleasant agree that Newpoint is beautiful, said Carlton Poulnot, who has been a leading opponent.

But Newpoint and the I'On Development, as Graham has renamed the project, will not be identical (Graham took the name I'On from Jacob Bond I'On, a mayor on Sullivan's Island and a War of 1812 veteran, who was buried on the property in 1854). The density in Mount Pleasant will be almost four lots per acre, while Newpoint is 2 ½.

Newpoint also includes commercial development, but less of it, and it is located along the perimeter of the project. On the Jordan Tract, the commercial development is inside the subdivision, which points up a potential problem, critics say. Retail operations need a certain critical mass to make money, and who knows if the 700-plus residents will be sufficient?

Graham's project has been the lightning rod for a broader issue, critics and some supporters say. If it had not been him, someone else's new urbanist proposal would have pointed up the need in Mount Pleasant for a review of the town's zoning regulations.

Although the town Master Plan - conceptually - and the town planning staff encourages mixed-use, higher-density developments, the town code has set lower-density standards for developments. The Jordan Tract, for example, would have allowed 2-2 ½ units per acre under original zoning, instead of the approximately four per acre that has been approved.

It is that lower density that existing Mount Pleasant residents bought into. Why shouldn't they resist more houses - and the people and cars that come with them - than the code allows?

Graham insists that that resistance to newcomers points up a basic flaw in how American suburbia was conceived. People migrated to the house on the half-acre lot to escape the congestion of the city. "I realized that

in these low-density developments, every new house eroded what was valued - the low density - which bred this resentment of newcomers. If what you're building is community and neighborhood, then everything you add is building something positive."

Instead of designing lots whose values can be measured by the distance from the neighbor's house, new urbanism theorists contend that by shrinking lots and creating more public places, you place value on community. Graham says with community as the common currency, residents will welcome newcomers and their new houses.

To foster that sense of community, Graham requires that lot buyers build on the land. "You can't just buy the lot to sell it. We want people to be committed to this idea."

It all sounds so warm and cozy, but some people chafe at the self-righteous overtones.

Many Americans have bought into the suburban dream. We've embraced the notions behind "McMansion-style" development, as new urbanist architect Andres Duany once called it. Six-inch concrete curbs; curving, wide streets; cul-de-sacs; yawning on-street garages; and backyard porches have defined an American dream for 50 years.

And although sprouting up all over the nation, new urbanism is still an evolving idea.

Graham is quick to soft-pedal: "What has existed so far is not wrong, I just think this is another way, maybe a better way."

Graham believes his big battles are behind him in Mount Pleasant. Town Council approval means his concept has a green light; what remains to be reviewed by the Planning Board are largely technical matters.

But a group of citizens are circulating a petition to force a town-wide referendum on the zone change. The group would need some 3,500 signatures, 15 percent of the registered voters, and Poulnot would not say how many have been gathered.

Graham says he is willing to go to the finish - "whatever it takes." He claims to have hundreds of names of supporters, some of whom have repeatedly spoken out in favor of his project and will go to the polls, if it comes to that.

"Developers just don't get this kind of support," Graham comments.

In Mount Pleasant's Old Village, Graham stops to admire a street. He points out how the trees and houses tightly frame an intimate "public realm," which is part of what gives the traditional neighborhood its charm.

He walks down to the water, two blocks from his little two-bedroom, one-bathroom house that he bought last year at Pitt and Venning streets. The pavement ends next to former Gov. Jim Edwards' place, where the lawn drops to the marsh. The scene made him think - again - of what he was doing with his life.

Chuckling, he says, "This is what I'm trying to do! That's Governor Edwards' house, and he's got me as a neighbor. Imagine. This is a mixed neighborhood."

Post and Courier, June 22, 1997

Critics fight rezoning of Jordan Tract

Newspaper June 22, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 3 | Section: B

MOUNT PLEASANT - Developers are moving forward with the I'On neighborhood on Mathis Ferry Road, but its critics fight on.

Opponents submitted a 4,500- signature petition this month asking Mount Pleasant Town Council to pass an ordinance repealing the controversial Jordan Tract's rezoning to PD (planned development). They want the property to revert back to its previous R-1 (residential) zoning.

The petition was submitted June 10, reviewed by the town's Election Commission and sent to the Charleston County Voter Registration Office for verification, said Mayor Cheryl Woods-Flowers.

Organizers will need about 3,730 verified signatures (15 percent of Mount Pleasant's registered voters) to put the ordinance on the town agenda.

Carlton Poulnot, a leading opponent of Jordan Tract development, said the main issue remains the density of the development, recently renamed I'On. Increased traffic is another.

Although the property is 243 acres, opponents say only 193 acres should be used for building. They say only about 423 units are acceptable, and that the proposed project is not in compliance with the town's master plan.

The closing date on the sale of the property is Aug. 1, developer Vince Graham said last week.

Several families who plan to move into the mixed-use neighborhood are working with architects on house plans, he said. Construction on roads and infrastructure would begin this summer, with construction on the first homes beginning in late September, Graham said.

The project will start with about 40 homes.

Town Council approved the planned development zoning for I'On in March on a 6-3 vote.

The controversial project has been the subject of debate for nearly two years. Graham first proposed building 1,240 residential units, including up to 439 apartments. Under fire from area residents, developers reduced the proposed number of units to 850 but still couldn't satisfy the town council. It rejected their plans in 1995.

Graham's modified plan calls for 759 housing units - and no apartments.

In resubmitting his proposal, Graham's team reduced the number of street types from 11 to four, eliminating or changing those that had raised concerns about road maintenance and public service vehicle access.

He will build a connector road from Mathis Ferry Road to U.S. Highway 17 and prohibit vehicle access from the Jordan Tract to Muirhead Road.

A deal was made with the Audubon Society to give about 6 acres to protect a rookery for nesting birds.

A Baptist congregation has also expressed interest in building a church in the neighborhood, Graham said.

Other features of the neighborhood would include 16,000 square feet of commercial space, 14,000 square feet of office space, eight sites for civic uses, seven public docks, no private docks, three lakes and 2.1 miles of marsh incorporated into a park system.

Post and Courier, July 8, 1997

Tract petition on tap MOUNT PLEASANT: Petitions by opponents of the Jordan Tract project off Mathis Ferry Road have been certified

Newspaper July 8, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 1 | Section: B

MOUNT PLEASANT - Town Council is expected to decide today what to do about a petition asking for repeal of the controversial Jordan Tract rezoning.

Opponents of the project off Mathis Ferry Road want the property to revert from planned development zoning back to its previous R-1 residential zoning. Their petitions have been certified by the Charleston County Voter Registration Office.

Although more than 4,500 signatures were gathered, the registration office reported 3,750 signatures were valid and stopped checking. Only 3,560 - 15 percent of the registered voters in the last general election - were needed, officials said Monday.

Mount Pleasant Election Commission Chairman Adam Shur recommended to the council's Police, Judicial and Legal Committee that an election - if there is one - be held Nov. 4, at the same time as a special election prompted by Senate redistricting.

"We estimate it would save \$3,500 to \$5,000. We think it's the most effective way to do it," Shur said.

Town attorney Allen Young said "there are some legal issues to look at" before the council takes action on the petition.

The council's options are:

Go along with the first request in the petition and overturn the previous vote that changed the Jordan Tract zoning from residential to planned development.

Set a referendum vote and let the voters decide whether the zoning should be repealed and the property converted back to R-1.

Take no action on the petition, and the council would have one year to make a decision.

Seek legal interpretation from the courts before there is a referendum.

Developers Vince Graham and his father, Tom Graham, say their property is zoned properly and they would be protected legally. They have operated in good faith since the Town Council voted Feb. 18 and March 11 to change the zoning to planned development, Tom Graham said.

"We have done all the things necessary to appropriate this land for its appropriate use," he said. "This attempt to derail things by a faction of disgruntled citizens is a waste of time."

His son said: "We've had people who have made life decisions and sold their houses to move in here."

The council voted to approve it on the merits of the plan as it relates to the master plan and the town plan, he said.

Opponent Vincent Adams, however, suggests the issue isn't resolved.

"I think we will have a referendum," he said.

The property is 243 acres, but opponents say only 193 acres should be used for building. They say only about 423 units are acceptable, and that the proposed project is not in compliance with the town's master plan.

The project has been the subject of debate for nearly two years. The developers first proposed building 1,240 residential units, including up to 439 apartments.

Under fire from area residents, developers reduced the proposed number of units to 850 but still couldn't satisfy the Town Council. It rejected their plans in 1995. The modified plan with 759 housing units - and no apartments - won council approval. The number of street types was reduced from 11 to four, and they will build a connector road from Mathis Ferry Road to U.S. Highway 17 and prohibit vehicle access from the Jordan Tract to Muirhead Road.

Post and Courier, July 9, 1997

Judge halts Jordan Tract action

Newspaper July 9, 1997 | Post and Courier, The (Charleston, SC)
Author: LINDA L. MEGGETT | Page: 1 | Section: A

A circuit judge issued a temporary restraining order Tuesday that stopped Mount Pleasant Town Council from taking action on the Jordan Tract zoning petition.

Developers of the Jordan Tract project - known as the I'On neighborhood - petitioned the Charleston County Court of Common Pleas early Tuesday and won a restraining order.

A hearing was scheduled, and Mount Pleasant town attorney Allen Young was unsuccessful in getting the court to side with the town.

"I did oppose the issuance of the order," Young said at Tuesday's council meeting. "I took the position that it was unjustified and inappropriate."

Council members spent about 30 minutes in executive session discussing the legal issues before Young, in open session, said his advice was to take no action pursuant to the order by Judge Alexander S. Macaulay.

The restraining order is good for 10 days, and the town is expected to return to court to debate whether the restraining order continues or injunctive relief is issued, Young said.

Attorneys for developer Vince Graham and company filed a summons asking the court to decide the validity of

the petition before the council takes action to allow it.

The merits of the summons will be debated at another hearing.

Although the council can't take action on the petition, the Grahams' development project continues to move forward.

The council was expected to decide Tuesday what to do about a petition asking for repeal of the controversial Jordan Tract's planned development zoning.

Residents who oppose the project on Mathis Ferry Road want the property to revert from planned development zoning back to its previous R-1 residential zoning.

The petition asked the council to pass an ordinance to repeal the zoning or pass an ordinance to allow a binding referendum, giving citizens the chance to decide the zoning for the 243-acre property.

Graham said they were forced to file the court summons because they were concerned about the petition.

The petition was certified by the Charleston County Voter Registration office.

"We moved to protect our property rights so that we could be treated equitably and fairly," Graham said. "Compromises have been made and the town has passed the ordinance. We're going to honor the ordinance and the town's master plan."

The project has been the subject of debate for nearly two years. The property is 243 acres, but opponents say only 193 acres should be used for building.

They say only about 423 units are acceptable, and that the proposed project is not in compliance with the town's master plan.

Graham's modified plan with 759 housing units - and no apartments - won the council's final approval last March.

He first proposed building 1,240 residential units, including up to 439 apartments.

Project manager Andrew Beck said the Graham Company could suffer irreparable harm if the town allowed the referendum. "It's a question of whether it (the referendum) is proper and legal."

Meanwhile, opponents remained confident that they eventually would get their binding referendum vote.

"Our attorney has reviewed the document and we don't think it has any validity to it," said Carlton Poulnot, a leading opponent.

"As far as the Grahams' comments on the progress (and possible hardship), Tom Graham was informed of the petition drive from the beginning," Poulnot said.

Another opponent, Henry Thomas, said "they bought more time with this legal maneuver. Shouldn't the town of Mount Pleasant protect itself from further liability by getting an injunction of its own to stop this work?"

Post and Courier, July 31, 1997

Judge expects to settle Jordan Tract dispute

Newspaper July 31, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 3 | Section: B

MOUNT PLEASANT - Some Mathis Ferry Road residents just won't stop fighting The Graham Co. and its plan to build 759 homes on the Jordan Tract property.

The next skirmish in the long battle takes place today in a Charleston courtroom, where a judge is expected to decide whether neighbors who oppose the controversial I'On development should be allowed to argue their case in a lawsuit between the developers and the town of Mount Pleasant.

Mount Pleasant - in the center of it all - has taken a neutral stance on the suit.

The town hopes the suit will resolve a legal dilemma. Which takes precedence: a property owner's right to develop his property, or a law that allows citizens to put issues before the Town Council if they gather enough signatures?

If the Mathis Ferry Road Preservation Association wins the decision, it would participate in all aspects of the case - including pretrial hearings, motions, depositions and appeals.

Circuit Judge R. Markley Dennis Jr. of Moncks Corner is scheduled to listen to arguments at 5:30 p.m. today to decide whether to add the association.

Adding the I'On opponents should not affect how the case proceeds through the court.

Attorneys for the Grahams and the town agree that the group should join the case and advocate their position.

"I don't think we'll take an adversarial role. It's more of a neutral-like role so that we won't be promoting the developer or the petitioners," said Allen Young, the town's attorney.

"Right now it seems appropriate to me that Jonathan (Yates, attorney for the Mathis Ferry residents) can join in and advocate for the residents," he said.

Yates said his group has one goal. "That's for Town Council to have its statutory right to vote. Under state law, the town has a right to vote on the ordinances, and I'm here to make sure it's enforced."

The Grahams asked the Charleston County Court of Common Pleas for a judgment in their favor and an injunction to block the Town Council from voting on rezoning.

The developers contend they have played by the current rules, and that changing them now would be unfair.

The residents' petition asked the council to pass an ordinance to repeal the zoning or pass an ordinance to allow a binding referendum, giving citizens the chance to decide the zoning for the 243-acre property.

Residents who oppose the project want the property to revert from planned development zoning back to its R-1 residential zoning.

Panel gets OK to act on petition

Newspaper August 1, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA MEGGETT | Page: 01 | Section: B

MOUNT PLEASANT - A judge gave Mount Pleasant Town Council the OK Thursday to take immediate action on the Jordan Tract rezoning petition.

Circuit Judge R. Markley Dennis denied The Graham Co.'s request to stop the town from deciding what to do about a petition that seeks to change the zoning of the 243 acres from planned development back to R-1 residential.

"What you're asking me to do is stop the (town) of Mount Pleasant from doing that which they exist to do," Dennis told the Grahams' attorney. "In my view you're asking me to step in and legislate. I'm not going to do that."

At the same time, Dennis ruled that two Mount Pleasant residents - not the Mathis Ferry Road Preservation Association - will be allowed to argue their case in the lawsuit between the developers and the town. Only two people, Jim Renneker and Henry Thomas, were named as members of the group.

The merits of the case will be argued and decided later.

With Dennis' ruling, the council is expected to vote at its Aug. 12 meeting on whether to give some Mathis Ferry Road residents - who oppose a proposed 759-home development on the site - what they want.

Their petition asks the council to pass an ordinance repealing the zoning or to pass an ordinance allowing a referendum that would give citizens the chance to decide the zoning for the property on Mathis Ferry Road.

Dennis said he wants to know what the town's position is before he orders it to stop. The only way to do that is to allow the Town Council to make a decision.

He postponed hearing arguments on the Grahams' requested injunction, and he lifted the restraining order issued by another judge. However, the Grahams can come back to court after the council takes action.

Mount Pleasant attorney Allen Young said the council was prepared to act on the petition at its July 8 meeting but the Grahams got an order to stop it.

A hearing should be scheduled immediately after the council makes a decision. Then the Grahams and the town will debate whether changing the zoning is harmful to the developer.

The Grahams contend that they have played by the rules, and that changing them now would be unfair and harmful.

The Grahams asked the Charleston County Court of Common Pleas for a judgment in their favor and an injunction to block the town from voting on the rezoning.

Their attorney, Dana Sinkler, argued Thursday that the ordinances aren't legal.

Post and Courier, August 7, 1997

Jordan Tract zoning considered MOUNT PLEASANT: The council likely will vote to allow residents to decide in the Nov. 4th election about an ordinance that would reverse the zoning for the 243-acre property.

Newspaper August 7, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 12 | Section: B

Mount Pleasant Town Council will tackle the controversial Jordan Tract petition again Tuesday.

The council will likely vote to allow residents to decide on an ordinance that would reverse the zoning for the 243-acre property in the Nov. 4 election, Mayor Cheryl Woods-Flowers said Wednesday.

The council's Police, Legal and Judicial Committee recommended a month ago that the referendum vote be scheduled on Election Day, she said.

"I think (council members) will vote to move forward with the referendum. I'm just one person and I can't speak for everyone, but that's what I'm prepared to vote to do," Woods-Flowers said.

Residents who oppose the I'On neighborhood, as the Jordan Tract is now known, want the council to pass an ordinance repealing the zoning or allowing a referendum that would give citizens the chance to decide the zoning for the Mathis Ferry Road property.

The council voted 6-3 in March to zone the property planned development instead of R-1 residential to accommodate the developers.

Town attorney Allen Young has said he didn't think the council would vote to reverse its decision, but he anticipated the council would vote to allow a binding referendum vote.

Young said council members were prepared to act on the petition at their July 8 meeting, but the Graham Co. got an order to stop it.

Circuit Judge R. Markley Dennis gave council members the OK July 31 to take immediate action on the Jordan Tract rezoning petition.

Dennis denied the Graham Co.'s request to stop the town from deciding what to do about a petition that seeks to change the zoning from planned development back to R-1 residential.

He said he wants to know what the town's position is before he orders it to stop. The only way to do that is to allow Town Council to make a decision.

A hearing should be scheduled immediately after the council makes a decision Tuesday. Then the Grahams and the town will debate whether changing the zoning is harmful to the developer.

The Grahams contend that they have played by the rules, and that changing them now would be unfair and harmful.

Post and Courier, August 12, 1997

AREA REPORT

Newspaper August 12, 1997 | Post and Courier, The (Charleston, SC)

Author: Staff and wire reports | Page: 3 | Section: B

Company closes on parcel purchase

MOUNT PLEASANT - The Graham Co. closed Monday on the purchase the first 68-acre parcel of Jordan Tract property for its planned I'On neighborhood project.

Tom and Vince Graham paid \$1.9 million for the property to complete the first phase of the project. Wachovia Bank provided financing.

"It's a pretty key parcel because it includes the large lake and the area for the retail shopping space," Vince Graham said. "It also includes the smallest lake, (which) is being deeded to the Audubon Society," he said. A deal was made with the Audubon Society to give about 6 acres to protect a rookery for nesting birds.

Mount Pleasant Town Council, which meets tonight, is expected to decide on scheduling a referendum on changing the zoning for the 243-acre property. Opponents of the Mathis Ferry Road project want the property to revert from planned development zoning back to its previous R-1 residential zoning.

The Grahams' attorney, Dana Sinkler, said the closing only enhances their legal position.

Post and Courier, August 13, 1997

Residents win muscle in zoning dispute

Newspaper August 13, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 1 | Section: B

MOUNT PLEASANT - Mathis Ferry Road residents opposed to the I'On neighborhood development project got the referendum vote they wanted to reverse the zoning of the 243-acre Jordan Tract property.

Mount Pleasant Town Council voted unanimously Tuesday to set a binding referendum vote Nov. 4 to allow citizens to decide whether to change the zoning from planned development back to R-1 residential.

A motion to pass an ordinance repealing the council's March 11 zoning decision was rejected with a 6-3 vote.

Council members also had a special meeting earlier Tuesday, and in executive session discussed the legal issues involved with a referendum vote and The Graham Co. litigation.

Four people spoke before the vote urging the council to approve the referendum, while developer Vince Graham gave it a progress report on the project.

After the vote, Graham said nothing changes. "Our arguments are still the same," he said.

"What we're doing is a good thing and the referendum is a bad thing," his father, Tom Graham, said. "It's illegal to have a referendum."

At the same time, attorney Jonathan Yates said he was disappointed that the council didn't take the opportunity

to fix the mistake by repealing its ordinance.

"The people of Mount Pleasant will rectify the situation now," he said.

The ordinance on the referendum will be framed by the Election Commission with the town attorney's assistance. It will include clarification on the date the council approved the zoning change and add I'On as the correct name of the project.

At a court hearing earlier this month, the Grahams' lawyer argued that the petition was partly illegal because of an incorrect date, and because the development was referred to as the Jordan Tract project.

Whether the referendum vote will occur is uncertain because the issue will shift back to the courtroom.

The Graham Co. has filed a suit against the town in the Charleston County Court of Common Pleas asking for a judgment in its favor and an injunction to block the town from voting on the rezoning.

Earlier this month, Circuit Judge R. Markley Dennis refused to take action on the Grahams' request before the Town Council made a decision on the petition asking for two ordinances to be passed to halt the project.

Dennis said he wanted to know the town's position before he ordered it to stop.

A hearing should be scheduled immediately - as early as next month.

Then the Grahams and the town will debate whether changing the zoning is harmful to the developer.

The town has taken a neutral position since the council voted to change the ordinance to accommodate the developers. Two Mount Pleasant residents, Jim Renneker and Henry Thomas, were allowed to join as defendants with the town to be advocates for the opponents.

The Grahams contend that they have played by the rules, and that changing them now would be unfair and harmful.

They completed the real estate closing Monday on the first 68-acre parcel of Jordan Tract property for the I'On neighborhood project.

Tom and Vince Graham paid \$1.9 million for the property to complete the first phase of the project, which is designed to emulate the town's Old Village and downtown Charleston.

The plan, which calls for a total of 759 homes plus additional retail space, is a departure from the town's more conventional development over the past two decades, largely residential subdivisions and strip shopping and office centers.

Post and Courier, August 30, 1997

I'On developer plans court fight to stop zoning vote

Newspaper August 30, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 3 | Section: B

MOUNT PLEASANT - The developer of the I'On neighborhood will go to court next month to stop a referendum vote Nov. 4 that could change the zoning of the Jordan Tract property on Mathis Ferry Road.

If residents vote to reverse the zoning for the 243-acre tract from planned development to R-1 residential, Mount Pleasant Town Council would pass an ordinance changing the zoning.

Should the referendum pass, The Graham Co. would have to decrease the density of the development to include no more than 423 housing units plus commercial and retail space.

Circuit Judge R. Markley Dennis Jr. has scheduled a hearing Sept. 19 to hear arguments in a lawsuit filed by the Grahams.

Dennis refused in July to rule on the legality of the petition until Town Council took action. He wanted to know the town's position.

Attorneys for developer Vince Graham and his company filed a summons asking the court to rule that the petition signed by residents asking for the binding referendum is illegal.

The petition has errors and is a violation of due process, they contend.

"We've made the case pretty clear," Graham said. "We've done all the things to make this project work. It would be unfair to change (the zoning) now."

Graham and his father paid \$1.9 million this month to purchase the first 68-acre parcel for the project.

Attorney Jonathan Yates, who represents Mount Pleasant residents Jim Renneker and Henry Thomas, was not available for comment.

Town attorney Allen Young said Mount Pleasant just wants to know what's legal and what's not.

"The Grahams will argue that it's (the petition's) illegal, and Jonathan Yates is going to argue that it's all legal," Young said. "The town ... is caught in the middle."

Young said the town will abide by the ruling, whatever it is.

The project has been the subject of debate for nearly two years. The property is 243 acres, but opponents say only 193 acres should be used for building.

They say only about 423 units are acceptable and that the proposed project is not in compliance with the town's master plan.

Graham's modified plan with 759 housing units - and no apartments - won the council's final approval last March.

Post and Courier, September 19, 1997

Firm fights referendum on zoning

Newspaper September 19, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 14 | Section: B

267 Words | Readability: Lexile: 1250, grade level(s): 11-12

Lawyers for the I'On Company will argue in court today that the Town of Mount Pleasant should not let residents decide by referendum a zoning issue that could affect a development project on Mathis Ferry Road.

If residents reverse the zoning for the 243-acre tract from planned development to R-1 residential, Mount Pleasant Town Council would pass an ordinance changing the zoning.

I'On wants to build 759 houses and some commercial and retail businesses on the tract. If the zoning is changed to residential, fewer houses might be permitted.

The election is set for Nov. 4.

Circuit Judge Markley Dennis Jr. refused in July to rule on the petition's legality until Town Council took action.

The Grahams asked the court to throw out the petition by residents that requests the referendum. The petition has errors and violates due process, they contend.

The Grahams' lawyer, Dana Sinkler, said the petition was illegal because of an incorrect date and because the development was referred to as the Jordan Tract project instead of I'On.

Mount Pleasant just wants to know what's legal, said Town attorney Allen Young.

Jonathan Yates represents two Mount Pleasant residents - Jim Renneker and Henry Thomas - who joined the town as defendants. These two were among those who signed the petition that the Grahams oppose. They are the only people from the petition who are officially part of the case.

The project has been debated for nearly two years. The property includes 243 acres, but opponents say only 193 acres should be developed.

The Grahams paid \$1.9 million to buy the first 68-acre parcel for the project.

Post and Courier, September 20, 1997

I'On Company states case

September 20, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 6 | Section: B

If the I'On Company can't build its traditional neighborhood in Mount Pleasant under the current planned development zoning, the owners might sell to recoup its losses.

"We wouldn't develop it as R-1 (residential)," Vince Graham testified at a hearing Friday.

Rezoning would force the company to forfeit its plan because the contract with the original owner is to build a neighborhood to emulate Mount Pleasant's Old Village and downtown Charleston, he said.

"It would put our whole investment at risk, and our plans are geared toward developing this traditional community," he said. "It's a very complex plan. If you change one component of it, you change the whole thing."

His company has paid \$1.9 million for the first 68-acre tract and about \$700,000 since the property was zoned for planned development last March.

The court debate is whether Mount Pleasant residents should be allowed to vote Nov. 4 on a referendum that could change the zoning for the 243-acre tract on Mathis Ferry Road.

Project opponents successfully initiated a petition drive to get town council to schedule a binding referendum vote.

Voters will decide if the I'On property should remain as planned development or revert back to its previous residential zoning.

Circuit Judge R. Markley Dennis Jr. heard arguments from both sides Friday, but it was unclear when he would rule.

Graham's attorney, Dana Sinkler, has asked the court to rule the petition illegal. The company contends it played by the rules, and that changing now would be unfair.

The project has been debated for two years.

Neighbors contend that 759 houses plus retail businesses is a high-density project in a low-density area.

Post and Courier, October 22, 1997

I'On vote taken off fall ballot

Newspaper October 22, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 1 | Section: A

MOUNT PLEASANT - A judge has halted a November referendum that could have reversed the zoning of a controversial planned development on Mathis Ferry Road.

Circuit Judge Markley Dennis Jr. decided Tuesday to stop the Nov. 4 vote that would have determined whether the 243-acre I'On property - formerly known as the Jordan Tract - should be rezoned.

A written order has not been issued, but Dennis told lawyers about his ruling during a telephone conference call.

"Basically it means we no longer have to be distracted, and we can proceed to develop a great neighborhood," said Vince Graham of the I'On Co. "I think it means the court respects the rule of law and property rights."

Graham had sued, asking the court to throw out the petition that asked for a referendum. The petition had errors and violated due process, he said.

Project opponents initiated a petition drive after Town Council voted 6-3 in March to rezone the property to planned development. Opponents wanted the council to rescind its vote or allow the binding referendum. The council agreed to the referendum.

"I'm shocked and surprised at this particular outcome concerning the town charter not allowing referendums on zoning issues," said Mount Pleasant resident Jim Renneker, who joined the town as a defendant in the case.

Graham and his father, who developed the neotraditional Newport community in Beaufort, have said they want

to emulate the Mount Pleasant's Old Village and downtown Charleston.

They want to include 759 houses and some commercial and retail businesses in the development, which has been debated for two years and scaled down along the way.

Opponents, who want the property to revert back to R-1 residential zoning, say only 193 acres should be developed.

Mount Pleasant Town Attorney Allen Young said the town will abide by the ruling.

His interpretation of it is that zoning should follow a specific process as outlined in the state statute, and that process should not be interrupted or subject to a referendum, Young said.

"I'm not shocked by the ruling," he said. "It's an open question in South Carolina, and Judge Dennis appeared to address it."

If this is the final court order, it would mean that zoning ordinances would not be subject to the initiative and referendum process, Young said.

"I believe it will have an impact on the town of Mount Pleasant and other like jurisdictions," he said.

The ruling surprised Mayor Cheryll Woods-Flowers. "But it's clear to me the judge based his decision on the law and not any action the council made.

"It's a precedent-setting ruling, and this is something for the entire state of South Carolina," she said.

The council did what the people asked them to do, she said, and scheduled a referendum after receiving the petition.

"We acted in good faith," she said.

The Charleston County Election Commission, notified of the ruling Tuesday afternoon, must decide if there is time to reprogram voting machines to exclude the I'On question, Young said.

If the commission cannot make the change, it will have to cover the question with paper.

Post and Courier, November 9, 1997

I'On Moving Ahead

Newspaper November 9, 1997 | Post and Courier, The (Charleston, SC)

Author: DAVE MUNDAY | Page: 1 | Section: E

Buyers are waiting in line to get into a new Mount Pleasant community whose future could still be challenged.

All 43 lots in the first phase of I'On are reserved, and at least 50 people are waiting for more to become available, said Chris Fraser, broker-in-charge of I'On Realty.

But some Mount Pleasant residents aren't happy with the development's density, and they plan to continue efforts to put the question to a popular vote, said attorney Jonathan Yates.

Mount Pleasant Town Council voted in March to rezone the property, formerly known as the Jordan Tract, to

planned development. Council later yielded to pressure to allow a referendum to decide the project's density. A circuit court judge killed the referendum, which was scheduled for last week's election.

Opponents plan to appeal to a higher court.

"We lost the first skirmish, but the battle will continue," Yates said.

Developer Vince Graham considers the battle over and is moving ahead, Fraser said. Another 20 or 30 lots could be released before the end of the year, he said.

"We could sell a lot more than that right now, but we want to go slowly and make sure this is done right," he said.

Lots in the first phase were less than a quarter of an acre and ranged in price from the high 30s to the mid-80s.

Sales contracts for those who have reserved lots are expected to be ready by early next month, and the first houses could be started in January, he said.

Roads and utilities are being put into place for the first phase, which covers 68 acres off Mathis Ferry Road. The first neighborhood, which is called Eastlake, should be visible by spring, he said.

The entire development covers 243 acres and includes 759 houses and a town center with stores and businesses. The plan also includes two lakes connected by a canal with a concrete walkway, a swimming pool and amenities center, parks and a bird sanctuary.

The referendum called for no more than 193 acres of development, 423 houses or apartments, and a commercial district. Early plans for I'On included apartments, but they were dropped.

House plans must meet architectural guidelines that reflect details of houses in downtown Charleston and the Old Village of Mount Pleasant, according to the planners. For instance, all shutters must open and close, and porches must be at least 8 feet deep.

In the trailer that serves as a sales center, the walls of an office are covered with pictures of houses. They show the architectural features that will guide I'On, said Realtor Mackie Hill, who is developing house plans for the 10 preferred builders.

"We want to bring back some details that have been lost," said Hill, whose family has been working to restore Middleburg Plantation near Cainhoy.

He pointed to a group of pictures showing roofs with flat edges around the slopes. They're called bell-curve roofs, and they're often seen on old houses, he said. The design helps carry off water without gutters, and it also makes the roofs look less massive, he said.

The guidelines will ensure proper proportions, materials and quality, but they will allow diversity, he said.

For instance, there will be no minimum requirements on the size of the houses. One of the first houses will be only 900 square feet, and it will be built beside a much larger house, he said.

It's planned by a woman from California whose children have moved out, and it's all the space she needs, Fraser said.

"You see it all the time in downtown Charleston (a small house beside a big house)," he said. "Why dictate

square feet?"

But the little house could cost more per square foot than its bigger neighbors, so there will be no loss of quality, he said.

A few model homes could be included in the first phase, Fraser said. Some of the first lots were sold to the preferred builders.

Each builder is developing about 10 approved house plans, so potential buyers will be able to look through maybe 100 plans and start from there, said Michael Daly of Daly & Sawyer Construction of Mount Pleasant.

Daly figured most buyers will want custom houses, so he doesn't plan any model homes.

The preferred builders - also called The I'On Guild - are Daly & Sawyer, Hager Construction of Charleston, Ilderton Contractors of Sullivan's Island, Jenks Witte of Mount Pleasant, Kalman Construction of Charleston, Marlowe/Chandler of Mount Pleasant, Mike Hill Construction of Mount Pleasant, Phillip W. Smith of the Isle of Palms, The Burton Co. of Mount Pleasant and The Home Store (formerly Woodmark) of Mount Pleasant.

Graham also developed Newpoint near Beaufort, which has emerged as a national model for a neotraditional community.

Neotraditional development puts houses and apartments near commercial areas to minimize driving outside the neighborhood. Wide porches are set close to sidewalks, with garages in the rear or to the side of the houses.

Houses are built close together to free up space for common areas and to encourage social interaction. Skeptics view neotraditionalism as a way for developers to sell more lots per acre.

Graham started planning I'On in 1995. He named the development after Jacob Bond I'On, who owned the property in the early 1800s. I'On was a state representative and Sullivan's Island mayor.

Post and Courier, December 10, 1997

Judge won't budge on Mathis Ferry ruling

Newspaper December 10, 1997 | Post and Courier, The (Charleston, SC)

Author: LINDA L. MEGGETT | Page: 6 | Section: B

MONCKS CORNER - A judge refused to change his mind Tuesday about a ruling that denies Mount Pleasant a referendum on zoning for a Mathis Ferry Road development.

Circuit Judge Markley Dennis Jr. said he heard nothing to convince him that his decision last October - that zoning ordinances would not be subject to the initiative and referendum process - was wrong.

Dennis' October decision halted a vote that would have determined whether the 243-acre I'On property - formerly known as the Jordan Tract - should be rezoned to R-1 residential.

His decision Tuesday was another setback for residents opposed to the development of I'On.

"We will quickly file a notice of appeal, and that could be done by the end of the week," said attorney Jonathan Yates, who represents residents Jim Renneker and Henry Thomas.

The town of Mount Pleasant - at the center of it all - has taken a neutral stance in the dispute.

Town attorney Allen Young said Dennis' decision appears entirely consistent with his original ruling. "I was not surprised," he said.

Dennis' decision was what the developers of I'On expected. The I'On Co. is moving forward with the neighborhood and construction of houses should begin next month, Vince Graham said.

Graham had sued, asking the court to throw out the petition that asked for a referendum because it had errors and violated due process.

Project opponents initiated a petition drive after Town Council voted 6-3 in March to rezone the property to planned development. Opponents wanted the council to rescind its vote or allow the binding referendum. The council agreed to the referendum.

Graham and his father, who developed the neotraditional Newpoint community in Beaufort, have said they want to emulate Mount Pleasant's Old Village and downtown Charleston.

They want to include 759 houses and some commercial and retail businesses in the development, which has been debated for two years and scaled down along the way.

Opponents, who want the property to revert back to R-1 residential zoning, say only 193 acres should be developed.