

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, May 7, 2008, in the Executive Conference Room, Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

#### **MEMBERS PRESENT**

Ms. Hillary Austin, Zoning Administrator  
Ms. Delores Frazier, Assistant Planning Director

#### **MEMBERS ABSENT**

Mr. Arthur Cummings, Building Codes Director  
Mr. Robert Klink, County Engineer

#### **STAFF PRESENT**

Mr. Tony Criscitiello, Deputy Administrator  
Ms. Audra Antonacci, Codes Enforcement Supervisor  
Ms. Amanda Flake, Natural Resource Planner  
Mrs. Lisa Glover, Zoning Analyst III  
Ms. Judy Timmer, Corridor Review Board Planner

**1. CALL TO ORDER:** Mr. Criscitiello called the meeting to order at approximately 11:03 a.m.

*Mr. Criscitiello explained, that the members of the Development Review Team reviewed each item independently and provided their comments to the Zoning Administrator. Mr. Criscitiello also stated, that since two members of the DRT are not present, some of the projects may not be voted on.*

#### **2. ADOPTION OF MINUTES:**

**MOTION:** Ms. Frazier made a motion to defer the adoption of the minutes, until the next scheduled meeting. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Frazier).

#### **3. MOSS CREEK PROFESSIONAL PLAZA (REVISIT/FINAL)**

Ms. Frazier stated, that at the last meeting, the Planning Department recommended that the applicant provide information to Ms. Judy Timmer, the Corridor Review Board Planner, regarding discrepancies in their submittal, and the Corridor Review Board's comments.

Ms. Timmer stated, that there were some things, which were not addressed; on the lighting plan, the lights on the tree islands were not removed. The height of the five-gallon plants, were only 1-1/2 feet tall, and that's pretty short for a five-gallon plant. Regarding the grading plan, the applicant was told to put the bottom of the wall elevation on the retaining wall.

Ms. Frazier stated, that most of the missing information was minor, and she is willing to give this project final approval with several conditions attached to it. 1) The lighting plan, needs to be redone, and a new lighting plan needs to be submitted and approved prior to the issuance of the Final Certificate of Compliance for this project. 2) The applicant shall take care of the discrepancy, regarding the plant size. 3) Since Mr. Klink has not had an opportunity to review the new revised grading plan, prior to the issuance of the permit, Judy Timmer and Klink shall review the grading plan, along with the applicant's engineer to resolve certain issues about the retaining wall and the wall elevation.

**THE DEVELOPMENT REVIEW TEAM UNANIMOUSLY APPROVED THE PROJECT WITH THE FOLLOWING CONDITIONS: 1) PROVIDE A REVISED LIGHT PLAN, TO BE REVIEWED BY JUDY TIMMER PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF COMPLIANCE. 2) CORRECT THE DISCREPANCY REGARDING THE FIVE-GALLON PLANT SIZE. 3) RESOLVE THE ISSUE WITH THE GRADING PLAN (WALL ELEVATION). JUDY TIMMER (CRB PLANNER), AND MR. KLINK (COUNTY ENGINEER), WILL REVIEW THE REVISED GRADING PLAN, ALONG WITH THE APPLICANT'S ENGINEER TO RESOLVE CERTAIN ISSUES REGARDING THE RETAINING WALL, PRIOR TO THE ISSUANCE OF THE PERMIT. (FOR: AUSTIN, CUMMINGS, FRAZIER).**

#### **4. VILLAS @ BROAD RIVER (REVISIT/CONCEPTUAL)**

Ms. Frazier stated, that she still has a problem with the back-yard situation on the units; she does not think it's realistic to assume that the occupants of the units will open their back door, to a 10-foot mulch path. Ms. Frazier stated, that this opens the door to various violations; people in the units might place in the buffer area, lawn furniture, grills, swing sets, etc; the design of the project or the design of the units must accommodate a true back yard, and still be able to stay out of the buffer area. Ms. Frazier stated, that one of the suggestions was, that the applicant builds a two-story unit, and provide parking underneath of the unit.

Mr. Phil LeRoy explained to the board, that his last conversation, was about the possibility of doing several things with the building. Mr. LeRoy stated, that he can't move the front of the building, because with all of the setbacks and parking, there is no additional space. Mr. LeRoy stated, that he checked with the applicant and the project architect, and they said it's not possible to shorten the building; they even screened in the porch on the back of the building. Mr. LeRoy stated, that there's no potential for reducing the size of the building, and the objective is to put this project in an affordable price range.

Ms. Frazier stated, that she doesn't think that this project is meeting the spirit of the ordinance, and eventually to put the buffer under the protection of the Property Owners Association, and expect the association to monitor the backyard buffer, is unrealistic. Ms. Frazier stated, that she doesn't think that this project meets the spirit of the ordinance for the following reasons: 1) The applicant has already received a reduction in the setback from the wetland to accommodate this site. 2) There might be problems with the radius' for the fire equipment.

Mr. Cummings asked Mr. LeRoy, "Did the fire marshall address the 50' live-oak tree along the turning radius?"

Mr. LeRoy stated, that the fire marshall was not concerned about the tree; he was concerned about the turning radius.

Ms. Frazier stated, that the fire marshal has not reviewed or given any comments regarding this site plan. The fire marshall came to see her and wanted to make it clear to the Development Review Team members that he was not giving any kind of approval to this site plan; he was only giving the requirements for the turning radius and the fire flow issues.

Mr. LeRoy stated, that the fire marshall told him that he could not give approval for the project, until he receives final plans.

Mr. Kinton stated, that he feels that it's unrealistic to require the whole front yard of those buildings to be subject to a truck running through it, in order to provide access.

Ms. Frazier stated, that hearing that the applicant is completely against the idea of providing some parking, to pull out of the buffers, she's going to recommend denial of the conceptual plan.

Mr. Cummings stated, that he second the motion for discussion.

Ms. Austin stated, that maybe all of the members of the Development Review Team should meet with Mr. LeRoy regarding the layout of this project.

Mr. Cummings stated, that he does not have a problem with having a meeting with Mr. LeRoy.

Mr. Criscitiello stated, that it's a motion and a second, which was for denial of the conceptual approval.

Mr. Cummings stated, that he would like to withdraw his second.

Mr. Criscitiello stated, that the motion fails for a lack of a second.

Mr. Cummings stated, that he would like to defer the project until the Development Review Team can meet with the designer and discuss it further.

Ms. Austin seconded the motion.

**THE DEVELOPMENT REVIEW TEAM, BY A MAJORITY VOTE, DEFERRED THE PROJECT UNTIL THE APPLICANT MEETS WITH ALL MEMBERS OF THE DRT TO DISCUSS THE LAYOUT OF THE PROJECT. (FOR: AUSTIN, CUMMINGS; OPPOSED: FRAZIER).**

#### **5. SHEPHERD'S HOUSE (CONCEPTUAL)**

Ms. Frazier stated, that the applicant is not showing the entire site on the site plan. The required 1.1 acres of preserved upland forest, has to be delineated on the site plan and shown as preserved forest.

Mr. Cummings stated, that the applicant shall meet with the fire chief to discuss the fire flow.

Ms. Frazier stated, that she moves to approve conceptual approval.

Mr. Cummings seconded the motion.

**THE DEVELOPMENT REVIEW TEAM UNANIMOUSLY APPROVED THE PROJECT, SUBJECT TO THE APPLICANT SHOWING THE ENTIRE SITE ON THE SITE PLAN. THE APPLICANT SHALL SHOW THE REQUIRED 1.1 ACRES OF PRESERVED UPLAND FOREST, WHICH SHALL ALSO BE DELINEATED ON THE SITE PLAN AS PRESERVED FOREST. THE APPLICANT SHALL MEET WITH THE FIRE CHIEF TO DISCUSS THE FIRE FLOW. (FOR: AUSTIN, CUMMINGS, FRAZIER).**

#### **6. COTTAGE BLUFF S/D (CONCEPTUAL)**

Ms. Austin stated, that the submitted application shows an acreage of 11.53; the plat that was recorded shows the acreage to be 11.39. Where did the additional acreage come from?

Mr. Steve Mitchell stated, that the Natural Resource Planner, Amanda Flake, told him that she had gotten an acreage of 11.53. Mr. Mitchell stated, that he doesn't know what the actual acreage is.

Ms. Austin stated, that the acreage shall be changed to 11.39 acres. Ms. Austin stated, that the distances between the proposed access and the intersection of Sams Point Road and Holly Hall Road shall be done by a registered surveyor, showing the exact distance, because the applicant is stating, that the distance is 530 feet from the driveway to Holly Hall Road; but the plans is showing the distance at 480 feet.

Mr. Mitchell stated, that the reason he moved the driveway, was because it reduces the number of driveways in that section of Sams Point Road, from a possiblility of four to two.

Ms. Frazier asked Mr. Mitchell, "Has the SCDOT reviewed the proposed traffic plan?"

Mr. Mitchell answered, "We have not made a formal application to the SCDOT, we have showed the plans to them, but we wanted to get the Development Review Team's approval first". Mr. Mitchell stated, that with the planned "Round About" that is coming to the intersection; that problem goes away.

Ms. Frazier stated, that she's a little worried, because the "Round About" is going to start closer to the driveway, than where the intersection is; in order to do the "Round About", it's going to be closer to the proposed driveway than the intersection currently is, and she doesn't know how much closer that would be.

Mr. Mitchell stated, that the road in this location provides access to the road north of them. Mr. Mitchell stated, that there's plenty of right-of-way for them to tie into the public road.

Ms. Austin stated, that the applicant shall show on the construction plans/plats, the access defined as a right-of-way.

Ms. Frazier stated, that this plan is different from the original plan.

Mr. Mitchell stated, that before, he was doing duplexes, now this project is going to be single-family detached lots.

Ms. Frazier stated, that on the plans, the applicant is showing "protected forest" along Sam's Point Road, on the lots.

Ms. Austin stated, that the applicant is also showing a 50' buffer, which is labeled "protected forest".

Ms. Frazier stated, that the protected forest cannot be on the lots.

Mr. Mitchell stated, that he can make the road, right in and right-out.

Ms. Frazier stated, that it goes back to the old issue that the applicant is going to have people turning right out, and making a u-turn at Brickyard Point and Holly Hall Road.

Mr. Mitchell stated, that there's always going to be some issues; and what this plan does is reduces a number of driveways, and solve the problem of what's north to the project right now.

Ms. Frazier asked, "What happened to the connection on Reeds Road?"

Mr. Criscitiello asked Mr. Kinton, "Would a right-in and right-out be solved by the existence of the Round About?"

Mr. Kinton answered, "Only if the round about was already existing".

Ms. Frazier asked Mr. Kinton, "Do we have a timing on that Round About at this point?"

Mr. Kinton answered, "No, we're only at 25 percent plans, right now".

Ms. Frazier stated, that since the Development Review Team just got the revised plans, and Colin Kinton and the SCDOT have not reviewed these plans yet, she recommends to the board that this project be deferred, in order to conduct a more thorough review.

Mr. Mitchell asked the board to give him conceptual approval so he can move on, because he has reduced the number of lots for this project, from 25 lots to 22 lots. Mr. Mitchell stated, that they can do a right-in and right-out, subject to SCDOT's approval.

Ms. Austin stated, that the applicant also has a wetland issue. The road is supposed to be 30 feet from the wetland, and the right-of-way is in the buffer. There's not a 50' buffer along Lot 2.

Mr. Mitchell stated, that he's moving a lot, he can certainly move the road over.

Ms. Austin asked Mr. Mitchell, "Are you willing to move lot 2?"

Mr. Mitchell stated, that lot 2 will go away.

Ms. Frazier stated, that she recommends deferral of this project, because she is not comfortable with approving this project, because she's not sure what the entrance is going to be; if it's going to be a full access, and she'll like for SCDOT and Colin Kinton to review the entrance, prior to granting conceptual approval.

Mr. Cummings stated, that he agrees with the deferral.

Ms. Austin stated, that she also agrees with this deferral.

**THE DEVELOPMENT REVIEW TEAM UNANIMOUSLY DEFERRED THE PROJECT, UNTIL THE APPLICANT SHOWS THE DISTANCES BETWEEN THE PROPOSED ACCESS AND THE INTERSECTION OF SAMS POINT ROAD AND HOLLY HALL ROAD. THE APPLICANT SHALL REVISE THE ACREAGE FROM 11.53 TO 11.39 ACRES, AND SUBMIT THE REVISED NATURAL RESOURCE ANALYSIS TO AMANDA FLAKE. THE APPLICANT SHALL REVISE THE PLANS, SHOWING 22 LOTS, INSTEAD OF 23 LOTS. THE APPLICANT SHALL RELOCATE THE ROAD FROM THE REQUIRED 30' WETLAND SETBACK, AND THE REQUIRED 15' WETLAND BUFFER. THE APPLICANT SHALL DEFINE THE RIGHT-OF-WAY, SHOWING THE PROPOSED CONNECTIVITY TO THE ADJACENT PROPERTY. THE APPLICANT SHALL DISCUSS THE PROPOSED ACCESS WITH THE SCDOT & THE BEAUFORT COUNTY TRAFFIC ENGINEER, IN REGARDS TO SAMS POINT ROAD. THE APPLICANT SHALL REMOVE THE 50' BUFFER/NATURAL RESOURCE AREA FROM THE LOTS. THE APPLICANT SHALL ADDRESS ALL OF THE DRT'S COMMENTS, DATED APRIL 15, 2008. (FOR: AUSTIN, CUMMINGS, FRAZIER).**

*The meeting adjourned at approximately 11:34 a.m.*