

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, February 11, 2009, in the Executive Conference Room, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT

Ms. Hillary Austin, Zoning Administrator
Mr. Arthur Cummings, Building Codes Director
Ms. Delores Frazier, Assistant Planning Director
Mr. Robert Klink, County Engineer

MEMBERS ABSENT

None

STAFF PRESENT

Mr. Tony Criscitiello, Planning Director
Ms. Audra Antonacci, Codes Enforcement Supervisor
Mrs. Amada Flake, Natural Resource Planner
Mrs. Lisa Glover, Zoning Analyst III
Ms. Judy Timmer, CRB Planner

1. CALL TO ORDER: Mr. Criscitiello called the meeting to order at approximately 11:09 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.

2. REVIEW OF MINUTES:

MOTION: Mr. Cummings made a motion to adopt the minutes as submitted. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

3. BUTLER MARINE (ACCESS GATE AMENDMENT)

Ms. Austin explained to the board, that the applicant is requesting to amend his plans, to change the way the trucks will leave the site; he will be impacting an area presently approved as "protected resource". Ms. Austin stated, that the applicant would be going closer to some trees that were to be protected on the site. Ms. Austin stated, that the Development Review Team has to look at the relocation of the natural resources.

Ms. Frazier stated, that the Development Review Team, asked the applicant to show on the plans other places on the site that could be protected resources. Ms. Frazier stated, that the applicant designated an island in the middle of their parking area, and according to the landscape plan there's going to be two existing trees with mulch, which is not protected forest resource; so she doesn't think the Development Review Team can count that as a tradeoff. Ms. Frazier stated, that there is another area that they added for natural resource protection, and that area has one existing tree and mulch, also that area doesn't meet the definition of protected forest area. Ms. Frazier stated, that if the Development Review Team accepts the additional area around the boundary, the applicant would have to do more planting for that to become a forested area over time. Ms. Frazier stated, that the other issue has to do with the protection around the tree, which the applicant want to impact; the applicant was asked to submit a letter from a certified arborist describing how the tree will be protected over a period of time.

Mr. Tony Criscitiello read into the record, a letter from Ronnie Reiselt, Jr. a certified arborist with Southern Tree Services of Beaufort, Inc., dated January 29, 2009.

Ms. Frazier stated, that according to Section 106-1648 of the zoning ordinance, the tree protection zone is required to be a radius of 1 foot of every inch of diameter of the tree; it also states, that the Development Review Team can approve an alternate tree protection zone if a certified arborist gives a report, but in no case can the circle of protection be less than one half of the total diameter required by the formula, which would be 20 feet for one tree, and 18 feet for the other tree.

Ms. Timmer stated, that she thought that the Development Review Team was previously told that they would not be using any large trucks through the property. Ms. Timmer stated, that she was told that a tree and an existing pole are preventing them from using their existing drive. Ms. Timmer stated, that she has inspected the tree on site, and there are some problems with the tree that they want to save. Ms. Timmer continued to explain the condition of the existing trees on site, and the relocation of the power pole.

Mr. Chris Butler, owner of Butler Marine explained to the board, that the reason for the change in the exit access, is because they have trucks that comes in to deliver/store boats. Mr. Butler stated, that he doesn't want the trucks to back out into Mr. Smith's property, or damage the existing trees on site. Mr. Butler stated, that it would be much safer for the drivers of the trucks to exit out of the proposed exit road.

Mr. Klink stated, that the applicant could modify the existing drive by removing an existing tree that is already damaged, in order to widen the drive, and allow the trucks to exit from the property.

Mr. Criscitiello stated, that the applicant is concerned that he will lose eight parking spaces and some trees if he widens the existing driveway.

Mr. Cummings asked Mr. Butler, "Would it be possible to widen the drive a little on both sides, and still accomplish the ability to allow the trucks to safely exit the property?"

Mr. Butler stated, that it would not be a good idea to widen both sides of the drive; he's been in the business for a long time, and he knows what is best for his business.

Mr. Lee Moore, Carolina Engineering stated to the board, that he's well over the 3.8 acres of natural resource for this project.

Mr. Butler stated, that he might have approximately two trucks a month coming to his property.

Mr. Klink stated, that he recommends this project be disapproved, because the applicant has an option to widen Geechie Road to allow the trucks to safely exit the property.

MOTION: Mr. Klink made a motion to disapprove the project, and amend the plans to modify the existing driveway. Mr. Cummings seconded the motion.

Ms. Austin stated, that since an alternative plan was presented to the applicant, the Development Review Team should give the applicant the opportunity to make a decision concerning the modification to the existing driveway.

Ms. Frazier stated, that she prefer not to disapprove the project, but for the Development Review Team to meet with the applicant and his engineer on site to look at the two options.

Mr. Klink stated, that he would like to withdraw his motion.

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

MOTION: Ms. Frazier made a motion to defer the project, until the applicant meets with the Development Review Team members on site, to determine the best course of action for the amendment. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

4. ANIMAL MEDICAL CENTER OF THE LOWCOUNTRY (PRE-APPLICATION)

Ms. Austin explained to the board, that the expansion of the Animal Medical Center is a non-conforming use, and the applicant has to go through the special use permit process in order to expand the business more than 15%, and make the site conforming. Ms. Austin stated, that the Development Review Team has to decide which one of the Community Impact Statement requirement they will do, since most of the site is existing. The Development Review Team has to review the site plan, and decide if the applicant needs more or less setbacks and buffers.

Ms. Frazier asked Ms. Austin, "Do we have any information from Colin Kinton, as to whether or not the applicant has to submit a Traffic Impact Analysis?"

Ms. Austin answered, "No".

Ms. Michelle Mikell stated, that they are still in the preliminary stages of design, so she's here for informational purposes only.

Ms. Frazier explained to the applicant, that since this is a special use request, they have to go through a public hearing through the Zoning Board of Appeals, and notify the surrounding neighbors within a 500-foot radius; the neighbors may or may not oppose to the expansion.

Ms. Mikell stated, that as of today, the existing animal clinic is a metal building with a concrete building in the rear of the property that holds all of the kennels; the doctor is planning on building a brand new clinic and use the existing kennels, and remodel the existing clinic for clinic space.

Ms. Frazier stated, that the applicant shall meet with the traffic engineer to determine if this project needs a Traffic Impact Analysis. Ms. Frazier stated, that the Planning Department usually receives an Archeological review, so the archeological letter shall be submitted instead of an entire assessment; and her recommendation to the board, is that the applicant submit the Natural Resource Capacity Analysis, instead of the Environmental Impact Statement. Ms. Frazier asked Ms. Mikell, "Since the site handles the ability to board kennels, are there any DHEC issues, because of the waste?"

Ms. Mikell stated, that they are increasing the productivity and hopefully the customer number, but the site is very large.

Ms. Austin stated, that the applicant should submit a report from DHEC, saying that they are okay with the waste management program.

Ms. Frazier stated, that the Floor Area Ratio is 20 percent, and the Landscape Surface Ratio is 35 percent per the zoning ordinance.

Ms. Austin asked Ms. Mikell, "Is there sewer on the property?"

Ms. Mikell answered, "No".

Ms. Frazier stated, that the building height is 35 feet.

Ms. Austin asked Ms. Mikell, "How close is the existing building to the road?" Ms. Austin stated, that the location of the existing building would determine the buffer requirement.

Ms. Mikell answered, "According to the survey, 19.52 feet".

Ms. Frazier stated, that this project needs 2.5 parking spaces per 1,000 square feet of building, to include 1 parking space for employees and 1 parking space for a company vehicle. Ms. Frazier asked Ms. Mikell, "Is there any existing vegetation or fence located on the property?"

Ms. Mikell stated, that there is existing vegetation and two existing fences on the property.

Ms. Frazier asked Ms. Austin, "Do you want to see pictures of the existing buffers on the property?"

Ms. Austin answered, "Yes".

Ms. Frazier stated, that since the Development Review Team has to discuss the buffer issue, as it relates to the adjoining property owners, it would be beneficial for the applicant to provide information relating to the buffer issue along residential properties.

The Development Review Team unanimously decided, that since the applicant is requesting to increase a nonconforming site more than 15 percent, the project will require a Special Use Permit, which will make the site conditions and use conforming; once the Development Review Team conceptually approves the project, the applicant is required to submit to the Zoning Board of Appeals for a Public Hearing. The Development Review Team told the applicant, that an extensive Community Impact Analysis would not be required. The applicant shall meet with the County's Traffic Impact Engineer to determine if a Traffic Impact Analysis would be required. The applicant would be required to submit an Archaeological study from Ian Hill (Planning Department). The applicant shall be required to submit the Natural Resource Analysis, instead of an Environmental Study. The applicant shall submit DHEC certification on the handling of waste matters. The applicant shall use the 20% Floor Area Ratio, Landscape Surface Ratio of 35%, and a building height of 35 feet; parking requirement is 2.5 parking spaces per 1,000 square feet of building. The applicant shall submit photographs to show the existing buffers. (FOR: Austin, Cummings, Frazier, Klink).

5. FAITH MEMORIAL BAPTIST CHURCH EXPANSION (PRE-APPLICATION)

Ms. Austin explained to the board, that the applicant has to go through the special use process, because this is an existing church and the applicant wants to expand more than 15 percent, and make the site conforming. Ms. Austin stated, that the property is zoned rural; this is a small church, the existing church is 7,274 square feet, and the applicant is adding 3,000 square feet. Ms. Austin stated, that the Natural Resource Calculations have been determined, and the applicant has less than the amount of building that is allowed on the property. Ms. Austin stated, that one of the issues that the Development Review Team had was the trees, which are located where the parking is.

Ms. Frazier stated, that the way that the surveyor laid out the additional parking for the expansion, appears to be located on the top of the trees. Ms. Frazier stated, that in the narrative, it states that one tree will be removed off site.

Pastor Horace Williams, applicant explained to the board, that the two trees on the top right already exists, and the lower left side trees are also existing; they will be laying out the parking around the existing trees.

Ms. Frazier stated, that according to the site plan, it appears that a lot of trees will be removed. Ms. Frazier stated, that the parking layout will not be acceptable, and the surveyor shall amend the site plan to show the parking going around the trees. If the applicant will park around the trees, then the surveyor needs to indicate; there's a protection area around each tree that has to be met, and the applicant can park up to the protection area, but not up to the trunk of the tree.

Ms. Austin stated, that the traffic engineer shall determine if a Traffic Impact Analysis is required. There shall be no Environmental Impact Statement. The Archeological letter, Natural Resources has already been calculated. Ms. Austin stated, that the applicant indicated that one of the driveways will be closed, and they will move as much concrete as possible, and do a buffer area on the site.

The Development Review Team unanimously decided, that since the applicant is requesting to increase a nonconforming site more than 15 percent, the project would require a Special Use Permit, which would make the site conditions conforming; once the Development Review Team conceptually approves the project, the applicant is required to submit to the Zoning Board of Appeals for a Public Hearing. The Development Review Team told the applicant that an extensive Community Impact Analysis would not be required. The applicant shall meet with the County's Traffic Engineer to determine if a Traffic Study will be required. The applicant is required to

submit an Archaeological Study from Ian Hill (Planning Department). The applicant was told that the parking layout would not be acceptable, because of the proposed tree impact. The applicant was told to have the surveyor redraw the parking layout, and show the required tree protection zones. (FOR: Austin, Cummings, Frazier, Klink).

The meeting adjourned at approximately 12:13 p.m.