

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, March 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
Ms. Delores Frazier, Assistant Planning Director
Mr. Robert Klink, County Engineer

MEMBERS ABSENT

Mr. Arthur Cummings, Building Codes Director

STAFF PRESENT

Ms. Audra Antonacci, Codes Enforcement Supervisor
Mrs. Lisa Glover, Zoning Analyst III
Mr. Tim Ogden, Beaufort County Fire Marshall

1. CALL TO ORDER: Ms. Austin called the meeting to order at approximately 11:05 a.m.

Ms. Austin 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. Klink made a motion to adopt the February 11th, 2009 minutes as submitted. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

MOTION: Ms. Frazier made a motion to adopt the February 18th, 2009 minutes as submitted. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Frazier; ABSTAINED: Klink).

MOTION: Mr. Klink made a motion to adopt the February 25th, 2009 minutes as submitted. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

3. CALLAWASSIE ISLAND GOLF COURSE TREE REMOVAL (AMENDMENT)

Mr. Klink stated, that he recommends approval of this tree removal request.

MOTION: Mr. Klink made a motion to approve the amendment, as submitted. Ms. Frazier seconded the motion. Ms. Austin stated, that Mr. Cummings was okay with this project. The motion passed unanimously (FOR: Austin, Frazier, Klink).

4. OKATIE CENTER – WACHOVIA (FINAL)

Ms. Frazier stated, that according to the plans, the applicant has a row of 10 parking spaces, without an island. Ms. Frazier stated, that the Corridor Review Board approved the plans as submitted, but she believes their PUD requires one (1) parking island per eight (8) parking spaces. Ms. Frazier stated, that she doesn't believe that the Development Review Team can give the applicant a waiver on the parking space requirement. Ms. Frazier also stated, that she believes that the applicant is over on the required

amount of required parking, so the applicant has to put an island on the plans, and remove one parking space.

Mr. Von Sickle, applicant stated to the board, that the issue with the parking came up at the initial Development Review Team meeting, and working with staff, there was a compromise that was made in terms of working around the existing trees, to off set the parking requirement.

Ms. Frazier stated, that the compromise was made with the Corridor Review Board and the CRB Administrator, but the Development Review Team needs to double check the Okatie Center PUD document, to see if the board has the ability to waive the parking requirement.

Mr. Klink stated, that he would like to approve the project, subject to the board checking the Okatie Center PUD document.

Ms. Frazier stated, that she's okay with Mr. Klink's comment.

Ms. Austin stated, that someone from the Zoning Office is bringing the Okatie Center PUD document to the meeting; but she's okay with the motion until the PUD document is reviewed.

MOTION: Mr. Klink made a motion to approve the project, subject to the Development Review Team reviewing the PUD document, to ensure the proposed parking does not go against the Okatie Center standards. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

5. BROAD RIVER BOAT LANDING RESTROOM FACILITY (FINAL)

Mr. Klink stated, that he recommends approval of this project.

MOTION: Mr. Klink made a motion to approve the project, as submitted. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

6. ROBERT SMALLS MIDDLE SCHOOL TRACK (FINAL)

Ms. Frazier stated, that the Beaufort County Traffic Engineer requested an access easement, between the school property and the adjacent parcels to the east and west, which is parallel to SC Hwy 170.

Ms. Phyllis White, Beaufort School District explained to the board, that she believes that the comments from the Traffic Engineer are unrelated to the track facility. Ms. White stated, that the comments from the traffic engineer, is referring to a request that was made to the school board last February, to get an easement from the Wal-Mart parking lot to Alston road, which is unrelated to the track. Ms. White stated, that when the Traffic Engineer and the City of Beaufort representative approached the school board, they were supposed to bring back more information, but the board was never approached after that meeting, so it's a little unfair to hold up the process, just because of the easement issue.

Mr. Klink suggested that the board approve the project, with the condition, that the applicant meets with the Traffic Engineer to resolve the easement issue.

Ms. White stated, that she believes that the easement was for the City of Beaufort, who wanted to put a traffic signal on Alston Road; the board could not make a decision on the proposal, because it wasn't sufficient information. Ms. White stated, that unless the county Traffic Engineer goes back to their board for the easement proposal, she would not be able to resolve the issue, but in the meantime their project is being held up.

Ms. Frazier stated, that because the Traffic Engineer is not present at the meeting, she agrees with the suggestion that the Development Review Team approves the project, subject to the applicant meeting with Mr. Kinton, to find out his position on the easement issue. Ms. Frazier stated, that strictly speaking, anytime revisions are made to any part of the property, it opens everything up for the county to look at certain things as it relates to the property.

Ms. White stated, that the easement connection, is to benefit the traffic signal for the City of Beaufort, it doesn't have anything to do with the traffic on campus. Ms. White stated, that their board is receptive to receive information regarding the traffic easement, but she doesn't think it's fair to hold up their project because of the traffic issue.

Ms. Frazier stated, that she would like to recommend approval of this project, subject to the applicant and/or the Development Review Team meeting with the applicant to discuss the traffic issue.

MOTION: Ms. Frazier made a motion to approve the project, with the condition that the applicant and/or Development Review Team meet with the Traffic Engineer Colin Kinton as soon as possible, to discuss the traffic issue.

Ms. White asked the Development Review Team, "Does approval with a condition, mean that we can get our Development Permit?"

Ms. Frazier answered, "No. You will not get your development permit until we have the meeting".

Mr. Klink explained to the applicant, that if the issue is resolved at the meeting, they will get their permit immediately.

Ms. White stated, that they are not asking for any changes to the current structure, and she doesn't know why they can't get approved for a development permit.

Ms. Austin suggested, that the Development Review Team approves the project, with the condition that the easement issue be resolved prior to the final Certificate of Compliance. Ms. Austin stated, that if the issue is not resolved prior to the COC inspection, the school would not be able to use the track.

Ms. Frazier stated, that she would like to withdraw her motion.

MOTION: Ms. Austin made a motion to approve the project, subject to the applicant resolving the easement issue, prior to the Certificate of Compliance being issued. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

Ms. Austin stated, that she received the Okatie Center PUD document, and would like the board to revisit that case.

OKATIE CENTER – WACHOVIA (FINAL) – CONTINUED

Ms. Austin stated, that after reviewing the Okatie Center PUD document, the one (1) island per eight (8) parking spaces was adopted into the Okatie Center ordinance. Ms. Austin stated, that there's nothing in the Okatie Center document, which allows the Development Review Team to modulate that requirement.

MOTION: Mr. Klink made a motion to approve the project, subject to the applicant adding one (1) parking island to the plans. The applicant was asked to submit three (3) copies of the revised plans to the Zoning Administrator. **Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).**

7. SHIPMAN'S WHARF (REVISIT/FINAL)

Ms. Frazier stated to the board, that it has been determined by the Archeological Planner, that there are some archaeological sites on the site, that has not been shown on the construction plans. Ms. Frazier stated, that the applicant shall identify the archaeological sites on the plans by site number.

Mr. Ian Hill, Archeological Planner stated, that the applicant has an executed Memorandum of Agreement with OCRM for a dock permit, but not from the Army Corp of Engineers; a representative from Dhec informed him, that they would also need some sort of resolution with archives over the mitigation of the five sites. Mr. Hill stated, that he spoke with a representative from Dhec, and was told they could not issue a ground disturbance permit until they heard from archives. Mr. Hill stated, that the applicant has

submitted the plans to the county and to archives, so that the site plan can be reviewed, and the mitigation approved.

Ms. Frazier stated, that the applicant shall submit signed copies of the executed Memorandum of Agreement, and show the archeological sites on the plans.

Ms. Austin stated, that the applicant shall submit an updated SCDOT encroachment permit; the original permit has already expired. Ms. Austin stated, that there were issues with the septic systems; the permit states, that Dhec granted authorization for the construction of off-site waste disposal, as designed by Robert G. Gross, and specified with an attached design packet. Ms. Austin stated, that the submitted design packet is not from Robert G. Gross, and it doesn't have a date on it; the Development Review Team doesn't know what Dhec actually approved. Ms. Austin stated, that the applicant shall place the layout of the drain field on the construction plans, to determine which trees need to be removed; the applicant is also required to have the drain fields installed on the property.

Ms. Frazier stated, that since this project came before the board a number of times, she urges the applicant to have all of the proper documents in place, prior to resubmitting for final approval; this is the last deferral the Development Review Team can give to this project, per the zoning ordinance. The zoning ordinance allows up to three deferrals, and this project is on the third deferral; if the project is not approved when the applicant resubmits, then the board has no other choice but to disapprove, and have the applicant start over with conceptual.

Mr. Steve Andrews, representative for the applicant stated to the board, that he would like the Development Review Team to give him a list of what is needed for the approval of this project.

MOTION: Ms. Frazier made a motion to defer the project for the last time, until the applicant submits an executed signed copy of the Memorandum of Agreement (MOA) from the Army Corps of Engineers. The applicant shall identify the archaeological sites on the site plan by site number; submit the site plan to Fran Knight (SHPO Archaeologist) for review, to determine that all conditions of the MOA are met. The applicant shall submit an updated SCDOT Encroachment Permit. The information for the off-site septic systems shall match the Dhec approved septic tank permit; the applicant shall also submit the design packet from Robert G. Gross, as approved by Dhec. The applicant shall show the layout of all of the septic systems, to determine the required tree removal. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

8. COLLETON RIVER – LOT 89 (RIVER-BUFFER WAIVER)

Mr. Klink stated, that he recommends approval of this waiver as submitted.

MOTION: Mr. Klink made a motion to approve the waiver to place the proposed house 35-feet from the OCRM critical line. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

9. FRIPP ISLAND – SEA GLASS CONDOMINIUMS (CONCEPTUAL PERMIT EXTENSION)

Ms. Frazier stated, that she recommends approval of the extension for conceptual approval.

MOTION: Ms. Frazier made a motion to approve the one-time permit extension for conceptual approval; conceptual approval expires on April 16, 2010. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

10. FAITH MEMORIAL BAPTIST CHURCH EXPANSION (SPECIAL USE/CONCEPTUAL)

Ms. Austin stated, that the applicant shall revise the site plan, showing the correct tree protection zones; if any of the parking falls within the protection zones, the applicant may lose some of the parking spaces. Ms. Austin stated, that the applicant shall be required to place a fence approximately 12-feet around the base of the 24" oak tree, located within the drive lane.

MOTION: Ms. Austin made a motion to conceptually approve the project, subject to the applicant revising the site plan, showing the correct tree protection zones. The applicant shall place a fence approximately 12-feet around the base of the 24" oak tree, located within the drive lane. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

11. LOVE LOT RECONFIGURATION (CONCEPTUAL)

Mr. Klink stated, that since this project is considered a major subdivision, the road shall be paved.

Mr. Mark Fisher, attorney for the applicant explained to the board, that the lot was subdivided in 2003, which is shown by a plat recorded in plat book 96, page 104. Mr. Fisher stated, that this is a request to reconfigure the lot lines.

Ms. Austin stated, that this subdivision was originally subdivided under the family exemption; since the property was sold outside of the family, the reconfiguration really doesn't matter anymore. Ms. Austin stated, that this subdivision has to be brought up to standard.

Mr. David Karyl, Carolina Engineering asked the board, "Can the paved road be made of gravel material?"

Mr. Klink answered, "It cannot be gravel, it has to be a permanent surface, which is pervious paving, pervious concrete, asphalt, old style with oyster shells, etc?"

Mr. Karyl asked Mr. Klink, "What should the width of the road be; should it be 20 or 22 feet?"

Mr. Klink answered, "22 feet is okay".

Ms. Frazier stated, that the applicant shall provide a tree removal plan, in order to build the proposed road.

Ms. Austin stated, that the road has to be a Right-Of-Way, instead of an easement. Ms. Austin asked Mr. Karyl, "Lots 1 & 2 will not take access from Crystal Street, correct?"

Mr. Karyl answered, "That's correct".

Ms. Austin stated, that the applicant shall submit everything that's required for a major subdivision.

MOTION: Mr. Klink made a motion to approve the project subject to, the applicant complying with all of the requirements of a major subdivision. The applicant shall show the proposed roadbed, and label the trees to be removed. The applicant shall change the 50 foot access easement to 50 foot R-O-W; label the open space, and the natural resource areas on the site plan; and show the appropriate turn-around at lot 8, as approved by the Fire Marshall. The applicant shall place a statement on the plat, which states, that there will be no access from Crystal Lane for lots 1 & 2. The road shall be paved. Ms. Austin seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

12. TLC MINISTRIES (CONCEPTUAL)

Ms. Frazier stated, that she recommends deferral of this project, because there are a number of items that has to be discussed with the applicant and the property owner, prior to the consideration of a complete submittal for a special use permit.

MOTION: Ms. Frazier made a motion to defer the project, until the applicant and the property owner meets with the Development Review Team to discuss the requirements for a special use permit. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

The meeting adjourned at approximately 11:42 a.m.