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SOUTHERN BEAUFORT COUNTY  
CORRIDOR REVIEW BOARD MINUTES  
June 9, 2010, Hilton Head Library

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**Members Present:**

Laura Barrett  
Jake Lee  
Martha Crapse  
Jim Tiller  
Ed Pinckney

**Members Absent:** Joe Hall

**Guests:** Mayor Lisa Sulka, Bluffton; Mr. Anthony Barrett, Bluffton; Mr. Marc Orlando, Bluffton; Mr. Weston Newton, County Council Chairman; Mr. Paul Sommerville, County Council Vice Chairman; Mr. Don Blair, May River Community Preservation (CP) Committee; Mr. Stephen Bischoff, May River CP Committee; Mr. Jimmy McIntire, May River CP Committee

**Staff Present:** Anthony Criscitiello, Planning Director  
Judy Nash Timmer, Development Review Planner  
Linda Maietta, Planning Assistant

I. **Call to Order:** The meeting was called to order at approximately 3:10 p.m. by Chairman Jim Tiller.

II. **General Public Comment:** There were no public comments.

III. **Review of Minutes:** The Board reviewed the May 26, 2010, meeting minutes. Motion: Mr. Jake Lee made a motion, and Ms. Martha Crapse seconded the motion, to accept the May 26,, 2010, minutes as written, with one correction. The motion was carried unanimously (FOR: Barrett, Lee, Tiller, Pinckney, Crapse).

IV. **Old Business:** None

V. **New Business:** None

VI. **Other Business:**

**A. Presentation for Town of Bluffton**

Chairman Tiller gave opening remarks and asked for introductions around the table.

Ms. Judy Timmer gave an overview of the Beaufort County Corridor Review Board (CRB), using a power point presentation. The presentation also included potential direction for a joint review board with Bluffton. She also provided a

hand-out listing current Board members (and vacancy) and a copy of the Beaufort County Ordinance governing the CRB. A question and answer period followed. Chairman Tiller acknowledged that both the County and the Town are looking toward a form based code, which could mean changes to the Ordinance governing the Board.

Mr. Tony Criscitiello, speaking for the County, was not sure how the form based code will inter-relate with the CRBs. He did state that the Daufuskie Island Community Preservation (CP) Plan and zoning are form based and the expectation is that this Board would serve in an architectural review board capacity for Daufuskie Island because of the nature and capacity of design and form. Perhaps that would be a way in which we understand the template for how this would work in the future.

Chairman Tiller asked Mr. Criscitiello if he sees this Board changing and expanding.

Mr. Criscitiello stated that the number of members is limited by South Carolina State law. Under state law, the maximum number allowed is nine. It is possible that the Board could expand to that size. Mr. Criscitiello continued that here today are representatives from the May River CP and it is their hope that they have representation on the CRB for any project related to the CP district. The May River CP Committee has developed a plan and code that is going to be presented to the Southern Beaufort County Subcommittee of the Planning Commission on Thursday, June 10, 2010.

Mr. Jimmy McIntire stated that the CP members feel very strongly that the CP district does have some control over what the future holds in that area.

Chairman Tiller explained that quite often the CRB has groups that represent communities come before the Board, particularly when there are projects within their area, to voice their concerns and ideas. However, the land use is strictly a zoning issue and not under the purview of the Board. "How it looks" is what this Board addresses.

Mr. Don Blair expanded on Mr. McIntire's statements. The May River CP group, like Alljoy and Daufuskie, are a wonderful example of ground-up planning. All the people in the district presented this whole program and worked on this program themselves so it's a ground-up kind of sense of what they want their community to be. They are very concerned that they have the power and the ability to not only put together the plan but to be sure the plan is implemented properly and to their benefit. They would like to have the assurance that somehow their policy/plan will, with the County's help, be implemented by whoever the reviewing body is that approves or disapproves a project. They don't want to have to come to CRB meetings and plead their case every time something is presented inside the CP district. It's a unique situation in that it involves both County and Town land. But the preservation of the road, in conjunction with the possibility of it becoming a city highway, is just absolutely essential.

Mr. Criscitiello reiterated that everything that is being discussed has been written into the May River CP Plan which is being presented to the Southern Beaufort County Subcommittee on Thursday, June 10, 2010. The South Carolina State law says that if you're going to involve yourself in design you have to have certain qualified people who have design expertise appointed to the Board. We tried to manage the requirement of citizen input within the context of what state law requires. So there is representation on this Board when it relates to that CP district but it has to be understood that it has to be the actual design professionals who are voting on these matters. The CP members have input from the standpoint of private citizens when voting inside the CP district but it still has to be within the context of state law which says that architect, landscape architect and other design professionals are part of the decision making process.

Council Chairman Weston Newton joined the meeting and was welcomed by Chairman Tiller.

Council Chairman Newton raised two issues to be addressed:

1. Is our corridor review going to be a joint review board or not. That issue needs to be solved
2. Separate and apart from that but related is the CP issue. And either we find a way to integrate the CP into a joint corridor review process or the prospect is that we would have to create yet another Board of some kind to oversee what happens in the CP. Staff was trying, through this committee process, to find a way to integrate that. Council Chairman Newton now understands and has seen some commentary that some of the concerns coming out of the CP is that ONLY people who live within the area ought to be the ones that get to have any say so whatsoever with regard to the CP. Mr. Blair did not believe that to be true.

Mr. McIntire stated that he thought an agreement had been reached where the May River CP Committee could get two people, with voting privileges, on the CRB when an issue came up within the CP district.

Council Chairman Newton stated that somebody in the CP has suggested the following:

1. All the meetings would be held in the Bluffton Town Hall or the Library
2. The committee that reviews and controls the area known as the May River CP should be made up of professional appointees by the Town or the County that are landowners and residents of the affected area.

So, if that's the CP group's position, we then have to take that as a County and filter it through because what that's attempting to do is have the CP process wag the tail of the dog of the CRB. And while we want to accommodate the request of the CP committee and try to find a way to integrate the two processes, the fundamental problem that's got to be solved that doesn't exactly include the CP is whether the Town and the County are going to have a joint CRB or not. And if we are, then we need to get to it and fulfill what we all agreed to in the Southern

Regional Plan. If the Town doesn't want to do it, that's fine, we'll go back and have our corridor review and the Town can have theirs, it was a good effort, we tried and it didn't work out.

Council Chairman Newton continued. In terms of the CP there needs to be some reviewing authority. The suggestion was that it be this group because it's already made up of design professionals and others that live in the southern portion of the county. Is there a way to add either a step when it involves the CP so that when it comes to the CRB it comes with a recommendation. The CP committee doesn't necessarily have to appear before this body but the CP itself can have a group.

Mr. Criscitiello stated that the solution comes in two parts. One is the May River CP plan which expresses the vision and one is the May River zoning which becomes part of the County's zoning ordinance that guides the staff that guides the DRT that guides the CRB in terms of what can and can't be done. It all comes back down to the plan which the citizens in the CP said represented your common vision as to what you want. Once it becomes adopted and embodied in law then that's what we have to follow. Your representation on the CRB is required and made part of the ordinance adopting the CP district in the first place. You are ex-officio members to the extent that you are only eligible to vote on those matters specifically for the May River CP. We're taking what you want, we're creating the plan which says here's the vision, here's the zoning, and here is the method your CP group is going to have for direct input in the decision making process of the CRB. This is more than any other CP committee has gotten in Beaufort County right now.

Council Chairman Newton clarified the reviewing process. If the CRB is reviewing a 278 project, they are referring to a County ordinance or if applicable, a Town ordinance. If it's on 46 within the Town, the CRB will review it predicated on whose zoning laws are applicable, whether it be County, Town or CP. Mr. Criscitiello confirmed this. That was the essential concept of Southern Regional Plan; it should be relatively transparent when one side of the street is in the County and the other side of the street is in the Town, and somebody should be looking at it from a holistic standpoint.

Mr. Blair said when the Southern Regional Plan was put together it was very much a part of that idea that somehow there would be a single body that would implement or review projects within southern Beaufort County. The CRB was strongly recommended by the people in southern Beaufort County. There is no point on having a Board on Board situation and as a committee we are willing to subject our interests to this Board in which we have a great deal of faith in as long as we have the opportunity to express to the Board what the community's feelings are regarding a specific project or a specific application.

Mr. Marc Orlando had a question: What role does this Board have versus a Planning Commission role? As a Planning Commission role typically takes a look at site plan yet I heard today landscape and architecture, of course, but I

also heard site design. If we have a site design element of this Board does that not compete with the Planning Commission.

Chairman Tiller explained that the DRT normally takes care of site issues relating to access, egress, stormwater; those issues that deal with the engineering of the plan. From time to time, the CRB may have site issues and may make suggestions to change a location possibly because of vegetative reasons. The plan will typically go back to DRT for final decision on that sort of suggestion. Mayor Sulka questioned whether the CRB looks at the whole site plan or just that portion that is 500' from the center of the lane. Mr. Lee responded that if part of the property goes beyond 500', the Board looks at the entire portion. We don't stop at the 500' line. Chairman Tiller confirmed that if we have a major development that touches 278, the CRB has the right to review any site-related things that might occur in that area. Ms. Timmer stated this is based on the County ordinance. The Town of Bluffton can set up whatever they want to be reviewed and the Board will review it.

Mayor Sulka also asked about the vacancy on the Board. Who determines where the spot comes from? Right now it's a Hilton Head representative but can it be a resident of the respective area served? Ms. Timmer explained because our byways are going into Hilton Head, the Southern Regional Plan and Committee recommended Hilton Head should have one voice on the CRB. That is the way the Ordinance is written now. That person could be a general citizen from Hilton Head or an architect or a landscape architect. However, if a joint Board is formed that can be changed. Mr. Criscitiello also stated that the resident of respective area served could be any place in southern Beaufort County.

Mayor Sulka also advised the group that the proposal for the joint Board has gone through first reading and she believes it needs to come back for Council to look at. Many things have happened – mayors have changed, administrators have changed. Council needs to get it back to understand what the purpose of the joint Board was. This will happen in the next couple of months. Two things Mayor Sulka has heard a lot about in the last couple of months goes back to the one Hilton Head seat - when you look at all these roads and 278 is the only road that affects Hilton Head. The second thing is place/location of meetings. Why does the Board meet at the Hilton Head Library when the Bluffton Library is available? Meetings are held at the Hilton Head Library because of the capability to be televised. Mr. Kubic has determined that all of the County meetings need to be televised so everything that is done is available for the public to see. The County has spent quite a bit of money to update this meeting room to meet County needs. The meeting room in the Bluffton Library is not adequate for our needs. Council Chairman Newton added that when the library was built in Bluffton, there was more of a concern that it be built aesthetically pleasing than acoustically pleasing. As a consequence, we no longer can hold County Council meetings there because you can't transmit the meetings live. Now that doesn't mean the County is not working to see what to do about it but it was between \$200,000 and \$400,000 to fix so chances of that happening are probably pretty slim.

## **B. Discussion of Master Plan Projects & Phases**

Mr. Criscitiello provided background information regarding the change made to the Tanger master plan. There was a development agreement adopted along with the PUD. The language in the development agreement says that when there are minor amendments, staff could handle those minor amendments (this was adopted by County Council in an ordinance).

Mr. Walter Nestor, the attorney representing Tanger, proposed what seemed to be a minor change to the master plan. A potential tenant had come forward changing the center building to a smaller footprint which in turn changed the pedestrian flow throughout the site. Based on what was presented, the pedestrian flow seemed adequate. Mr. Criscitiello, as the Planning Director, approved the change and in his judgment, did not believe the plan required another review by the Planning Commission and/or County Council.

Chairman Tiller expressed the Board's concern. From what the Board could see it appeared that the design that was being considered more or less turned its back on the properties that were on 278 and seemed to provide service corridors where service areas were not seen before. The strong pedestrian spine that was originally presented has been eliminated.

Mr. Criscitiello explained that he didn't think that was crucially important, what was important was the fact that the whole site did have pedestrian movement and the large U-shaped area didn't change.

Chairman Tiller stated that the implementation of that pedestrian movement, from what has been presented to the Board, is not very strong. Ms. Laura Barrett explained that the tie-in with the out-parcels is what concerned the Board. The strong, central, pedestrian right-of-way now has service areas cutting off between the out-parcels and the main area of the site.

Mr. Ed Pinckney stated that although the discussion currently involves Tanger, the Board's concern goes beyond Tanger. It's a general concern that we have opportunities to approve and thoroughly discuss a master plan and then when the master plan gets approved, the developers start picking at the pieces of that master plan. Applicants start coming before the Board and meanwhile the master plan gets changed and the Board may or may not have seen it and cannot relate the pieces being presented to the approved master plan. The Board would like to know when a master plan is changed, what the change(s) are, who approved it and why it was approved so the Board can relate what's presented and tie it back to a master plan.

Mr. Criscitiello agreed with Mr. Pinckney and stated the Board is well within their right to ask/receive this information because that's the way it should be.

Southern Corridor Review Board Meeting Minutes, 6/9/10

Chairman Tiller asked for questions/discussion. Receiving none, he moved to adjourn the meeting. Mr. Lee seconded the motion and the meeting was adjourned at approximately 4:16 p.m.