

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, August 3, 2009, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Robert Semmler, Acting Chair
Mr. Frank Mullen
Mr. E. Parker Sutler

Ms. Diane Chmelik
Mr. Ronald Petit

Ms. Mary LeGree
Mr. Edward Riley III

Members Absent: Mr. Jim Hicks, Chair

Staff Present:

Mr. Anthony J. Criscitiello, Planning Director
Mr. Jay Hogan, Current Planner
Ms. Barbara Childs, Admin. Asst. to Planning Director

CALL TO ORDER: Acting Chairman Robert Semmler called the meeting to order at approximately 6:02 p.m.

PLEDGE OF ALLEGIANCE: Acting Chairman Semmler those assembled in the Chambers with the pledge of allegiance to the U.S.A. flag.

REVIEW OF MINUTES: The Commission reviewed their July 6, 2009, meeting minutes. By mutual consent from the Commissioners, the minutes were accepted as written.

CHAIRMAN'S REPORT: Acting Chairman Semmler noted that Chairman Jim Hicks was on vacation.

PUBLIC COMMENT for items other than agenda items: None were received.

BEAUFORT COUNTY ZONING MAP AMENDMENT/REZONING REQUEST FOR SHELDON R700-11-1, -3, -9 AND -10, 29 ACRES NEAR MACPHERSONVILLE ROAD ON U.S. HIGHWAY 17, FROM RURAL (R) DISTRICT TO RURAL BUSINESS (RB) DISTRICT; OWNER/APPLICANT: LOWCOUNTRY PROPERTY LLC / MR. BRANDON HARTER

Mr. Criscitiello briefed the Commission. He noted that the properties were undeveloped and likely included a site of historic archaeological significance. He read a letter from Mr. Steven Smith, an archaeologist/historian, who noted that efforts should be provided to gather and preserve the potential historic artifacts from the site prior to its development. Mr. Criscitiello

noted a misunderstanding between the staff and the applicant regarding the total amount of acreage the applicant wanted to be rezoned; after the third discussion, the applicant's final request was 29 acres for R700-11-1, -3, -9 and -10. Mr. Criscitiello noted that the Staff recommended denial of the rezoning.

Discussion by the Commission included a clarification of which properties were being requested for rezoning, a clarification that there existed marshland on some of the property, the advisory nature of the archaeological letter, a clarification of the neighboring property which is a church, the highway requirements that are subject to review by the Development Review Team, a clarification on the rationale for the amount of acreage being rezoned, an inquiry on the past rezoning requests that included wetlands, a concern that the property was recently purchased by the applicant and support for the staff's denial recommendation.

Public Comment: None were received.

Motion: Mr. Chmelik made a motion, and Mr. Riley seconded the motion, **to recommend denial to Beaufort County Council for the Zoning Map Amendment / Rezoning Request for R700-11-1, -3, -9 and -10 (29 acres total).** The motion was carried unanimously (FOR: Chmelik, LeGree, Petit, Riley, Semmler, and Sutler; AGAINST: Mullen).

BEAUFORT COUNTY ZONING MAP AMENDMENT FOR EIGHT (8) GARDEN'S CORNER PROPERTIES ALONG S.C. HIGHWAYS 17 AND 21, FROM RURAL (R) DISTRICT TO RURAL BUSINESS (RB) DISTRICT

Mr. Criscitiello briefed the Commission. The Garden's Corner Rural Business District as originally proposed by staff consisted of eight parcels totaling 58 acres--making it the largest rural business district in Beaufort County. Staff recommended approval of the District. Mr. Criscitiello noted that two (2) other property owners asked at the Northern Beaufort County Subcommittee to be included in the District. After a meeting with Mr. Harold Albergottie, staff recommended including two additional parcels. A third parcel, at the corner of Old Sheldon Church Road and Highway 17, is not recommended by staff to be included because of the Scenic Highway designation of Old Sheldon Church Road. Stantec, the County traffic consultant, noted traffic safety concerns regarding where the access to the parcel would be on Highway 17, i.e. too near the proposed on-ramp of the newly configured Highway 17 in the area.

Public Comment:

1. Mr. Mike Copeland, a land planner representing the owners of R700-11-6—Mr. Stratos and Mrs. Johnson, noted that there is an existing access road that had been approved by the SC Department of Transportation that was adequate for 3 homes, if needed. Mr. Copeland noted that there was 350 feet from the proposed turn off. He proposed an alternate egress/ingress to the property to protect Old Sheldon Church Road. He said the property was adjacent to the other properties because the wetlands made it adjacent. This property does not have any wetlands. (Commission discussion included the viability of the property with the limited uses of Rural Business, a clarification that the property is undeveloped, a clarification of the existing road and other egress/ingress options, a split zone to protect Old Sheldon Church

Road, conflicting traffic reports, a query on the proposed speed limit for the area once all improvements have occurred).

2. Mr. George Lovett, a Bull Point subdivision property owner, noted that Bull Point subdivision has 250 lots. He is concerned with the safety issue and future access for Bull Point residents to Old Sheldon Church Road. He is further concerned with the development of Mr. Stratos' property and its potential traffic safety issues. (Mr. Copeland disagrees with the traffic safety concerns expressed by Mr. Lovett.)
3. Ms. Rosalie Green noted that she received a letter regarding the rezoning and wondered why her property (R700-20-14) was not recommended for inclusion in the rezoning. (Mr. Jay Hogan, Beaufort County Planner, affirmed that Ms. Green was the property owner of the "missing tooth" property and that her property was recommended for inclusion.)

Discussion included a clarification on the property to be excluded which is not contiguous to the remaining properties, the accessibility to that property, support of the staff recommendation not to include Mr. Stratos' property, the 10 trips per home used for traffic design purposes, concern for the traffic safety of the Bull Point Subdivision/Old Sheldon Church Road intersection, and the rezoning process available to Mr. Stratos for his property.

Motion: Mr. Petit made a motion, and Ms. Chmelik seconded the motion, **to forward a recommendation of approval to County Council to rezone the following ten (10) properties from Rural (R) District to Gardens Corner Rural Business District: R700-20-8, R700-20-10, R700-20-10B, R700-20-12, R700-20-14, R700-20-15, R700-20-58, R700-20-98, R700-20-103 and R700-20-122.** Further discussion included a clarification that all the parcels within the Gardens Corner Rural Business District must be developed before any other parcels can be included, and a clarification that the parcel between Mr. Stratos' and Mr. Albergottie's properties was marshland. The motion **was carried** (FOR: Chmelik, LeGree, Mullen, Petit and Semmler, AGAINST: Mullen and Sutler).

TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ADDING APPENDIX Q--GARDEN'S CORNER TRAFFIC MANAGEMENT PLAN

Mr. Criscitiello noted that the text amendment provided the standards for the newly adopted Gardens Corner Rural Business District.

Discussion included a clarification that the properties just adopted were covered by these text amendments, a clarification of the frontage road along the north of Highway 17, a confirmation that the map included was approved by the SC Department of Transportation, and a confirmation that future changes to Appendix Q would follow the process of all other text amendments through the Planning Commission.

Public Comment: None were received.

Motion: Mr. Riley made a motion, and Mr. Sutler seconded the motion, **to forward a recommendation of approval for Text Amendment to the Beaufort County Zoning and Development Standards Ordinance (ZDSO) that adds Appendix Q. Garden's Corner**

Traffic Management Plan. The motion **was carried unanimously** (FOR: Chmelik, LeGree, Mullen, Petit, Riley, Semmler, and Sutler).

OTHER BUSINESS: None were discussed.

ADJOURNMENT: Motion: Mr. Petit made a motion, and Mr. Riley seconded the motion, **to adjourn** the meeting. The motion **was carried unanimously** (FOR: Chmelik, LeGree, Mullen, Riley, Semmler and Sutler). The meeting adjourned at approximately 7:40 p.m.

SUBMITTED BY: _____
Barbara Childs, Admin. Assistant to the Planning Director

Robert Semmler, Beaufort County Planning Commission Vice-Chairman

APPROVED: September 3, 2009, as written