

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, February 1, 2010, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Jim Hicks, Chair
Ms. Mary LeGree
Mr. John Thomas

Mr. Robert Semmler, Vice Chair
Mr. Edward Riley III

Ms. Diane Chmelik
Mr. E. Parker Sutler

Members Absent: Mr. Frank Mullen and Mr. Ronald Petit

Staff Present:

Ms. Delores Frazier, Assistant Planning Director
Ms. Barbara Childs, Admin. Asst. to Planning Director

CALL TO ORDER: Chairman Hicks called the meeting to order at approximately 6:03 p.m.

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

REVIEW OF MINUTES: The Commission reviewed their January 7, 2010, meeting minutes.

Motion: Mr. Semmler made a motion, and Mr. Thomas seconded the motion, **to accept the January 7, 2010, minutes as written.** The motion **was carried unanimously** (FOR: Chmelik, Hicks, LeGree, Riley, Semmler, Sutler and Thomas).

CHAIRMAN'S REPORT:

1. **Census 2010:** Chairman Hicks noted that next month everyone will be receiving the Census form. The Census is important to all of us. The money that the County receives from the Federal Government is based on the Census count. He urged everyone to take a few minutes to fill out and send back their Census form.
2. **Agenda Changes:** Chairman Hicks noted that Item 5—an amendment to the Village at Lady's Island Planned Unit Development (PUD)--of the agenda had been withdrawn since some property owners were not notified. Since the legal notification was not accomplished, the item was withdrawn. Legally, the Commission cannot make a decision tonight; but, public comment will be heard. Public comment will also be taken on Item 8—Daufuskie Island amendments; but, decisions will not be made until next month. The Planning Department withdrew the Daufuskie Island items to do further work.

PUBLIC COMMENT for items other than agenda items: No public comment was received.

AMENDMENT TO THE VILLAGE AT LADY'S ISLAND PLANNED UNIT DEVELOPMENT (PUD) TO EXTEND THE SUNSET DATE BEYOND THE YEAR 2010

Chairman Hicks noted that the Commission would accept public comment, but not make a decision until next month.

Public Comment:

1. Mr. David Tedder, a representative of the owner, noted that the project had not been before the Lady's Island Community Preservation (CP) Committee. Many other Lady's Island projects such as Mayfair Court and Greenheath have gone to the CP Committee in the past. This project involves 35 acres. Mr. Tedder believed the project should go to the CP Committee because of the divergence of opinion between the Planning staff and the Lady's Island/St. Helena Island Subcommittee. He asked that the CP Committee be convened to review this project because of the density comment at the subcommittee meeting.
2. Mr. Jan Malinowski, a resident at 123 Sunset Boulevard, was well aware of the project when it was adopted. He is relatively in favor of the continuation of the PUD. The developers worked hard to accommodate the Sunset Boulevard residents ten years ago. A lot of time and energy went into the creation of the PUD by the developer, his representatives, and the residents then. For a project of this magnitude and importance, he believes the CP Committee should be convened to discuss this project in an open forum, inviting the public and interested members. He was an original member of the Lady's Island CP Committee, as well as Mr. Hicks. Mr. Malinowski was deeply involved with the CP Committee in pulling together the many issues of the developers and the residents to create an environment that was welcoming to good development as well as taking into consideration the residents' concern for overdevelopment. This project is large and sizeable enough that the CP Committee should be involved to voice their opinion.
3. Mr. Tom Mobley, a resident at 139 Sunset Boulevard, said he was not a resident when the PUD was adopted. He does not agree with the extension. He would like the developer to take a look at this project again.
4. Mr. Don King, a resident at 145 Sunset Boulevard, said what may have been right 10 years ago may not be right now. Please consider all aspects of the project. He doesn't want to be unfair to the developer nor the residents. Sunset Boulevard is sometimes a raceway for those trying to cross the Woods Memorial Bridge.

Chairman Hicks opened a discussion with the Commission regarding sending the Village at Lady's Island PUD extension request to the CP Committee. Discussion included the Commission's authority to return the item to the CP Committee, the decision being a zoning issue rather than a popularity issue, the formulation date of the CP Committee being after the adoption of the Village at Lady's Island PUD, and the increased density of Lady's Island since the adoption of that PUD.

Motion: Mr. Semmler made a motion, and Mr. Sutler seconded the motion, **to have the Lady's Island Community Preservation Committee review the Village at Lady's Island PUD**

request for extension to the 2010 sunset requirement. The motion was carried unanimously (FOR: Chmelik, Hicks, LeGree, Petit, Riley, Semmler, Sutler and Thomas).

Chairman Hicks told Mr. Tedder that the CP Committee would meet on February 22, 2010, at 10:00 a.m. in the Lady's Island Airport Conference Room.

DAUFUSKIE ISLAND AMENDMENTS

Chairman Hicks spoke to Councilman Jeri Stewart who was in the audience that the Commission decided that the Daufuskie Island Plan was to be re-written as a Community Preservation Plan rather than an Action Plan. The staff has noted that the rework would take another month.

Public Comment: None were received.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), Article XV, Section 106-3176(2) Signage requirements for corridor overlay district (adds school and church signs as allowable changeable signs)

Ms. Frazier briefed the Commission. She noted that County Council made an amendment allowing restaurants to have changeable signs. Staff is recommending allowing schools and churches to have changeable signs.

Public Comment: None were received.

Motion: Mr. Riley made a motion, and Mr. Chmelik seconded the motion, to forward a recommendation of approval to County Council on the text amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article XV, Section 106-3176(2) Signage requirements for corridor overlay district to add school and church signs as allowable changeable signs. The motion was carried unanimously (FOR: Chmelik, Hicks, LeGree, Riley, Semmler, Sutler and Thomas).

TEXT AMENDMENT TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), APPENDIX I, DIVISION 5, SECTION 5.8.E (SIGNAGE – SPECIAL CONDITIONS) (ALLOWS ADDITIONAL SIGNS FOR SINGLE OCCUPANCY BUILDINGS DESIGNED WITH A MULTIPLE STOREFRONT FAÇADE IN LADY'S ISLAND VILLAGE CENTER)

Ms. Frazier briefed the Commission. The text amendment was initiated by the Lady's Island Community Preservation (CP) Committee. She gave the constraints of the amendment—size, location, etc.

Discussion by the Commission included the multitude of reasons for desiring additional signs, a clarification on the sign placement, and the disallowance of internally lit signage.

Motion: Mr. Thomas made a motion, and Mr. Semmler seconded the motion, **to forward an approval recommendation to County Council on the Text Amendment to the Zoning and Development Standards Ordinance (ZDSO), Appendix I, Division 5, Section 5.8.E Signage – Special conditions that allow additional signs for single occupancy buildings designed with a multiple storefront façade in Lady’s Island Village Center.** The motion was carried (FOR: Hicks, LeGree, Riley, Semmler, Sutler and Thomas; AGAINST: Chmelik).

OTHER BUSINESS: None

ADJOURNMENT: Motion: Mr. Thomas made a motion, and Ms. Chmelik seconded the motion, **to adjourn** the meeting. The motion **was carried unanimously** (FOR: Chmelik, Hicks, LeGree, Petit, Riley, Semmler, Sutler and Thomas). The meeting adjourned at approximately 6:30 p.m.

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

Jim Hicks, Beaufort County Planning Commission Chairman

APPROVED: March 1, 2010, as written