



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DEPARTMENT
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The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, May 2, 2011, in the Executive Conference Room, in the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Jim Hicks, Chair
Ms. Mary LeGree
Mr. E. Parker Sutler

Mr. Robert Semmler, Vice Chair
Mr. Ronald Petit
Mr. John Thomas

Ms. Diane Chmelik
Mr. Edward Riley III

Members Absent: Mr. Charles Brown

Staff Present:

Mr. Anthony Criscitiello, Beaufort County Planning Director
Ms. Delores Frazier, Beaufort County Assistant Planning Director
Ms. Barbara Childs, Admin. Asst. to Beaufort County Planning Director

CALL TO ORDER: Chairman Jim Hicks called the meeting to order at approximately 6:02 p.m.

PLEDGE OF ALLEGIANCE: Chairman Hicks led those assembled in the Executive Conference Room with the pledge of allegiance to the United States of America.

REVIEW OF MINUTES: The Commission reviewed their April 4, 2011, meeting minutes.
Motion: Mr. Petit made a motion, and Ms. Chmelik seconded the motion, **to accept the April 4, 2011, meeting minutes, as written.** The motion was **carried unanimously** (FOR: Chmelik, Hicks, LeGree, Petit, Riley, Semmler, Sutler and Thomas).

CHAIRMAN'S REPORT:

1. **Note of Interest:** Chairman Hicks noted that Planning Commissioner Mary LeGree's grandson was selected during the fifth round of the National Football League (NFL) by the Seattle Seahawks.
2. **Revised Agenda:** Chairman Hicks noted that the **St. Helena Station Planned Unit Development (PUD)** project was deferred for 30 days by the Planning staff. He noted that the Commission would not make a decision on the project tonight, but would accept public comment tonight.

PUBLIC COMMENT on non-agenda items: None were received.

BEAUFORT COUNTY ZONING MAP AMENDMENT (MASTER PLAN AMENDMENT) FOR R300 009 000 0050 (KNOWN AS OAK ISLAND, PART OF THE DATAW ISLAND PLANNED UNIT DEVELOPMENT/PUD, 31.7 ACRES ADJACENT TO DATAW ISLAND; TO ALLOW 21 DUPLEX UNITS (42 TOTAL DWELLING

UNITS) RATHER THAN THE 35 SINGLE FAMILY DWELLING UNITS ORIGINALLY APPROVED; OWNER: GEJ OAK ISLAND LLC; APPLICANT: DAVID R. KARLYK OF CAROLINA ENGINEERING, BEAUFORT, SC

Mr. Anthony Criscitiello, the County Planning Director, briefed the Commission. The Dataw Island Planned Unit Development (PUD) was approved in 1983 for 1546 units with 35 units on Oak Island. Oak Island was to have 21 lots averaging one-acre. The applicant wants to place duplexes on each lot for a total of 42 units. The additional units will be subtracted from the existing unused density, leaving a balance of 310 unused density remaining for the Dataw Island PUD. Staff believes it is appropriate for duplexes on Oak Island; however, there is concern that the proposed height of 43 feet above the ground height may be incompatible with the surrounding area. Since the Planning staff has not seen the elevations of the structures, the scale and the massing may be an issue. The Planning Commission has the authority to task the Planning staff to work with the Dataw Architectural Review Board (ARB) regarding the height issue. The staff is recommending allowing the duplexes but to work with the Dataw ARB, the developers and their architect regarding the height issue.

Applicant Comment: Mr. David Karlyk of Carolina Engineering, the applicant, stated he heard of the height issue just before the meeting this evening. He reminded the Commission that his request was strictly a density increase, not to review the building architecture nor the mass and scale. No elevations have not been drawn up as yet; it's just an idea in an architect's mind at this point. It's going to take the architect longer than 30 days to come up with elevations and plans. The owners have an agreement with the Dataw Island ARB to satisfy the requirements of the ARB. If the mass and scale can be agreed upon by the Dataw Island ARB, then the height can be worked out also. Please concentrate on the density issue as was requested originally. He would be glad to answer any questions on the project.

Public Hearing:

1. Ms. Pat Bell, the current president of the Dataw Island Owners Association, stated that the Association approved of the change to duplexes on Oak Island on February 22, 2011. Homes on Dataw go from small patio to larger homes. The proposed duplexes would be 1,900- to 2,000-square foot units—more in line with current housing and more saleable. The developer must submit to both the Dataw Island ARB and the County standards. The Dataw Island ARB has been responsible for maintaining the guidelines which has resulted in a beautiful island with a variety of home styles and beautiful landscaping. She imagines that Oak Island to be built in a similar way and be an attractive addition to our community. She hopes the Planning Commission looks favorably on this change.
2. Mr. George Johnston lives on Jenkins Creek around the corner from Oak Island. Oak Island is a major feature of Jenkins Creek. Consider that Beaufort County is concerned with vistas, open space, the ambiance of the lowcountry—landscapes and seascapes. This is not exclusively a Dataw Island issue. Oak Island will comprise a mile of waterfront vista visible from other islands and by anyone in and about our waterways. He believes these duplexes are not allowed on St. Helena or Dataw Island. The Open Land Trust just celebrated its 40th year of preserving vistas and ambiance. The County's Rural and Critical Land Preservation Program has spent millions to persevere such vistas. Are you closing the front door but opening the back door by accepting these duplexes? Dataw people will see less of their

island from the sea if these duplexes are allowed. By allowing these cheaper units, how much longer before we see other such requests? Having parking under the building, with deep water access--how will the Commission react to these future requests? He understands duplexes are not allowed on St. Helena, certainly the Dataw PUD doesn't allow it. The height issue is about the first floor as parking so the building is not measured from the ground level. The ARB noted that Oak Island has unique topography. Most waterfronts are at mean high water level. Why is it an issue for Oak Island? Most waterfront homes are set back from the water. Now an exemption is being asked for Oak Island. Why would Dataw be in favor of this? Our Dataw Club is in need of memberships. The motivation is economics.

3. Mr. Raleigh Scott of Dataw affirms Mr. Johnston's issues regarding height. For Oak Island to receive a variance of the 35-foot height restriction is not acceptable (10 feet of garage with a 35-foot building above). Regarding amending the PUD that Mr. Criscitiello described, none of us has seen any plans of the proposed buildings. The developer is known for big-box buildings. In my opinion, we're not off to a good start. The statement that solid waste disposal will be handled by the homeowners—what is that? Oak Island is 31 acres of a delicate coastal island—an impact statement should be provided by the developer. No one knows the impact of 82 cars on such a delicate island. Please consider it.
4. Mr. Rob Hendricks lives on Dataw Island but not adjacent to Oak Island. His concern is the look of the islands around in Beaufort. A 43-foot building would look like those tall townhouses off the Beaufort Bridge onto Lady's Island—those are 4 stories about 47 feet high. He is worried that the County would allow a creep of such tall buildings. If allowed on Oak Island, why not Warsaw? The people of Dataw said they agreed to the duplexes. Duplexes already are on Dataw. Such duplexes are usually 40-feet tall. I believe the County ordinances limit is 35 feet (for building height). Despite what Dataw might want because of the pressures on Dataw, it might not be able to see what the bigger vision is as reflected by the County requirements.

Discussion by the Commissioners included:

- a reminder that the Commission should make a recommendation on the height issue;
- a choice of delaying a decision for 30 days as requested by the Planning director or forwarding an approval to County Council with a condition regarding the height issue;
- having an agreement between the Dataw ARB and the Planning staff regarding the height issue;
- clarifying that the density issue of the Oak Island duplexes and the Dataw PUD involves unplatted land; and
- clarifying that the Dataw Homeowners Association vote by ballot and the results was tallied by an independent agency.

Motion: Mr. Petit made a motion, and Ms. LeGree seconded the motion, **to delay for 30 days the application as requested by the Planning Director, and request that the Dataw Island ARB review the height issue with the Planning Department.** Further discussion included a clarification on what the County allows for height limitations. The motion was **carried unanimously** (FOR: Chmelik, Hicks, LeGree, Petit, Riley, Semmler, Sutler and Thomas).

Note: Chairman Hicks recessed the meeting at approximately 6:37 p.m. and reconvened the meeting at approximately 6:39 p.m.

FOR THE RECORD: There were no members of the public present, so no comments were received regarding the St. Helena Station map amendment/rezoning.

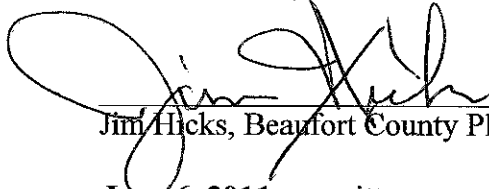
OTHER BUSINESS: None were discussed.

ADJOURNMENT: Mr. Semmler made a motion, and Mr. Thomas seconded the **motion, to adjourn** the meeting. The motion was **carried unanimously** (FOR: Chmelik, Hicks, LeGree, Petit, Riley, Semmler, Sutler and Thomas). Chairman Hicks adjourned the meeting at approximately 6:41 p.m.

SUBMITTED BY:



Barbara Childs, Administrative Assistant to the Planning Director



Jim Hicks, Beaufort County Planning Commission Chairman

APPROVED:

June 6, 2011, as written