

**Minutes  
Regular Council Meeting  
700 Paris Avenue**

**July 12, 2006**

**Members Present:** Mayor Samuel Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Henry Robinson

**Staff Present:** Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Jim Cadien, Assistant Fire Chief Jim Colwell and Municipal Clerk Tanya Payne

**I. PLEDGE OF ALLEGIANCE:**

Mayor Murray opened the meeting at 7:00 PM and led the Pledge of Allegiance.

**II. INVOCATION:**

Councilmember Robinson offered the invocation.

**III. APPROVAL OF MINUTES:**

- A. Minutes from the Budget Workshop of June 7, 2006**
- B. Minutes from the Public Hearing of June 7, 2006**
- C. Minutes from the Special Council Meeting/Workshop of June 7, 2006**
- D. Minutes from the Regular Council Meeting of June 14, 2006**

Councilmember Robinson moved to adopt the minutes from the Budget Workshop of June 7, 2006, the Public Hearing of June 7, 2006, the Special Council Meeting/Workshop of June 7, 2006 and the Regular Council Meeting of June 14, 2006. Councilmember Heyward seconded the motion.

Mayor Murray pointed out an error on page five of the June 14<sup>th</sup> Council Meeting minutes. In the second paragraph under Item H it stated “trash” collection when it should have been “garbage” collection.

The correction was made and the motion carried by unanimous vote.

#### **IV. AMENDMENTS TO THE AGENDA:**

There were no amendments to the agenda.

#### **V. COUNCIL BRIEFING:**

Town Manager Willis briefed Council concerning the proposed signal at Midtown Drive and Parris Island Gateway, signs for mast arm signalization, Casablanca drainage and the 18<sup>th</sup> Street sewer project.

#### **VI. PUBLIC COMMENTS:**

**At this time, the Mayor will recognize members of the audience who have submitted speaker forms to address the Council on agenda items. Each speaker will be limited to two minutes.**

Mike Jones opposed expansion of the Traditional Town Overlay District and cautioned Council to be careful when considering growth in that district.

Gary Hardin opposed the rezoning of property located on 14<sup>th</sup> Street.

Jack Ward presented a statement to Council opposing the proposed rezoning on 14<sup>th</sup> Street. Mr. Ward then read the statement aloud for those attending the meeting. He asked Council to deny Ordinance 2006-39 and retain the single family neighborhood.

Carol Poore spoke in favor of MU-2 zoning saying it was a good thing for the Town. She explained it limited the types of developments that could be built and said it also strengthens property values. Ms. Poore encouraged Council to preserve the Town while also extending its boundaries.

Celeste Pruitt stated that the rezoning of property on 14<sup>th</sup> Street would not be spot zoning. She pointed out surrounding properties that were already MU-2 and spoke concerning “New urbanism”. Ms. Pruitt said the Town should be a blend of the old and the new.

Roy Darby asked Council to rezone his property at 1113 13<sup>th</sup> Street. He said his property was the only in that area not in the overlay district and said it would give him greater flexibility to develop the property. He said the overlay district had stricter guidelines than the current zoning.

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Paul Meighen opposed the proposed MU-2 zoning for the Riverview Mobile Home Park and said the residents of the park were not notified of the proposed change.

Paul Meighen, Sr. who lives in Riverview asked Council what would happen to residents of the park. He said he could not afford to move his mobile home as was the case of many other residents.

Catherine Brooks opposed the rezoning on 14<sup>th</sup> Street.

Marilyn Smith who owns property on 12<sup>th</sup> Street asked Council to allow her property into the overlay district. She said her property was the only one in that area that was not included in the overlay.

Michael McEachern spoke in favor of the 14<sup>th</sup> Street rezoning and said being in the overlay district would increase the value of his home.

Shawn Gilsson who lives on 14<sup>th</sup> Street said he wanted to be in MU-2 zoning and in the overlay district. He said it would increase property value and benefit his family.

Doug Bazemore spoke in favor of the 14<sup>th</sup> Street rezoning.

## **VII. 2<sup>nd</sup> READINGS:**

- A. Ordinance 2006-4. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 35 acres as shown and described as Beaufort County Tax District 112, Map 31B, Parcels 538 consecutively through 621 from Mobile Home District (MH) to Mixed Use-2 (MU-2) (Riverview Mobile Home Park)**

Town Manager Willis read Ordinance 2006-4 by title and explained the property was located off Savannah Highway. He said the Joint Municipal Planning Commission had unanimously recommended this rezoning.

Attorney David Tedder explained that one of his clients was trying to purchase the Riverview MHP and another client was trying to purchase the neighboring MHP. He said the property was identified as a growth area for the Town by both the county and the JMPC. Mr. Tedder further explained that there would be less density than was actually allowed in MU-2 zoning due to the nature of the property. He requested that Council approve the MU-2 zoning and said he would work to get both owners to agree to a development agreement. Mr. Tedder said it takes a long time to put together a land plan and that everyone living in the park would have ample time to move.

John Kachmar representing the group who was attempting to buy the property said they would work with residents who needed assistance with moving their homes.

Councilmember DeLoach opposed the MU-2 zoning for this property sighting traffic as a problem.

Councilmember Heyward moved to adopt Ordinance 2006-4 with the condition that the owners would prepare a development agreement after the passing of first reading of Ordinance 2006-40 which would annex 18.451 acres into the Town. Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2006-20. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 14.56 acres as shown and described as Beaufort County Tax District 110, Map 11, Parcels 203, 205, 201, 204, 2D, 182, 174, 162, 172, 172A, 160, 161, 333, 229, 227, 228, 343, 240, 239, 238, 237, 236, 235, 234, 233, 306, 232, 231, 310, 230, 211, 212, 213, 214, 215, 216, 217, and 218 and Beaufort County Tax District 111, Map11, Parcel 298 from General Residential (GR) to Mixed Use-2 (MU-2). Further to rezone approximately 9.47 acres shown and described as Beaufort County Tax District 110, Map 11, Parcels 278, 173, and 200 from General Residential (GR) to Conservation Preservation (CP). (These parcels are east of Paris Avenue, extending to the east side of Richmond Avenue from 16<sup>TH</sup> Street, North to the Cypress Wetlands.)**

Town Manager Willis read Ordinance 2006-20 by title and explained the ordinance had been rewritten since its first reading to omit properties whose owners did not wish to have their property rezoned.

Planning Administrator Bridges showed the property on the map and pointed out the properties that were included in the first reading of this ordinance and also the revised version.

Councilmember Lee moved to adopt Ordinance 2006-20 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

- C. Ordinance 2006-27. An ordinance to amend Ordinance 97-9 "Traditional Town Overlay District" to include adjacent property within the Town (.343 acres located at 1114 12<sup>th</sup> Street)**

Town Manager Willis read Ordinance 2006-27 by title and explained this ordinance was tabled at the last meeting until more information could be gathered. He showed the property on the map and explained it was surrounded by the overlay district. Mr. Willis said the Joint Municipal Planning Commission had unanimously recommended the change.

Councilmember DeLoach moved to disapprove Ordinance 2006-27 and Councilmember Lee seconded the motion.

Councilmembers DeLoach, Heyward, Lee and Robinson voted yes.

Mayor Murray voted no.

The motion carried.

**D. Ordinance 2006-34. An ordinance adopting a new schedule of building permit fees and other fees as necessary for ease in operation and services of the Town of Port Royal**

Town Manager Willis read Ordinance 2006-34 by title and explained these fees would help offset the cost of development for the Town.

Councilmember Robinson moved to adopt Ordinance 2006-34 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**VIII. 1<sup>ST</sup> READINGS:**

**A. Ordinance 2006-37. An ordinance to authorize the Town Manager to convey excess real property to facilitate construction of sidewalks within the Town described as Beaufort County Tax District 110, Map 11, Parcel 60A (approximately 100 ft. on London Avenue and 100 ft. on 8<sup>th</sup> Street)**

Town Manager Willis read Ordinance 2006-37 by title and explained this was a typical conveyance for sidewalk construction located on London Avenue and 8<sup>th</sup> Street.

Councilmember Robinson moved to adopt first reading of Ordinance 2006-37 and Councilmember Heyward seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

**B. Ordinance 2006-38. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .172 acres as shown and described as Beaufort County Tax District 110, Map 10, Parcel 98A to remain Mixed Use-2 (MU-2) and to be included in the Traditional Town Overlay District (1113 13<sup>th</sup> Street)**

Town Manager Willis read Ordinance 2006-38 by title and explained the property owners had requested MU-2 zoning with inclusion in the overlay district. He showed the property on the map and said the Joint Municipal Planning Commission had unanimously recommended the rezoning. Mr. Willis also said the ordinance would receive a public hearing before second reading.

Councilmember Heyward moved to adopt first reading of Ordinance 2006-38 and Councilmember Robinson seconded the motion.

Mayor Murray and Councilmembers Heyward Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

**C. Ordinance 2006-39. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .946 acres as shown and described as Beaufort County Tax District 110, Map 10, Parcels 106, 107, 108 and 109A from Residential-10 (R-10) to Mixed Use-2 (MU-2) with the Traditional Town Overlay District (1108, 1110, 1111 and 1115 14<sup>th</sup> Street)**

Town Manager Willis read Ordinance 2006-39 by title and said the Joint Municipal Planning Commission had denied the recommendation by a four to one vote.

Councilmember Robinson moved to adopt first reading of Ordinance 2006-39 and Councilmember Heyward seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

- D. Ordinance 2006-40. An ordinance annexing to the Town of Port Royal approximately 18.451 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 30, Parcels 5D, 311, 5A and Beaufort County Tax District 100, Map 31, Parcels 66F and a portion of 62 (on or near Savannah Highway at Broad Oaks Drive and Shea Lane)**

Town Manager Willis read Ordinance 2006-40 by title and showed the property on the map. He explained the property was located at Broad Oaks Drive and Shea Lane adjacent to the Riverview Mobile Home Park.

Councilmember Heyward moved to adopt first reading of Ordinance 2006-40 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- E. Ordinance 2006-41. An ordinance to zone approximately 18.451 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 30, Parcels 5D, 311, 5A and Beaufort County Tax District 100, Map 31, Parcels 66F and a portion of 62 as Mixed Use-2 (MU-2) and Highway Commercial (HC)**

Town Manager Willis read Ordinance 2006-41 by title and explained although the owners were requesting MU-2 and HC zoning, the Joint Municipal Planning Commission had recommended General Commercial zoning rather than Highway Commercial.

Councilmember Heyward moved to adopt first reading of Ordinance 2006-41 and Councilmember Robinson seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

- F. Ordinance 2006-42. An ordinance to amend the subdivision plat for the Willow Point Planned Unit Development (PUD) by subdividing 3.48 acres located at Beaufort County Tax District 112, Map 31, Parcel 90 into twelve lots (property located on Baynard Road, south of Willow Point Road)**

Town Manager Willis read Ordinance 2006-42 by title and explained it was tabled at the last meeting until more information could be gathered. He showed the property on the map and said it was surrounded by the overlay district. Mr. Willis said the Joint Municipal Planning Commission had unanimously recommended the change.

Planning Administrator Bridges explained the original PUD had included a commercial area for this property but said the owners now wanted to amend the PUD to allow twelve lots for single-family houses.

Councilmember Heyward moved to adopt first reading of Ordinance 2006-42 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**G. Ordinance 2006-43. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 1.499 acres as shown and described as Beaufort County Tax District 112, Map 31, Parcels 228 and 520 from Forest Agriculture (FA) to Mixed Use-2 (MU-2) (These parcels are located at 58 Scipio Road)**

Town Manager Willis read Ordinance 2006-43 by title and showed the property on the map. He explained it was located on Scipio Road and said the Joint Municipal Planning Commission had denied the recommendation.

Billy Gavigan, representing the property owner told Council they would be willing to change the request to Residential-10 (R-10) zoning.

Councilmember Heyward moved to adopt first reading of Ordinance 2006-43 with the Residential-10 (R-10) zoning and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**H. Ordinance 2006-44. An ordinance to amend Chapter 15.5., Article II, Section 31, Building types. of the Code of Ordinances of the Town of Port Royal, South Carolina**

Town Manager Willis read Ordinance 2006-44 by title and explained it was concerning the height allowed for buildings within the Town. He said the Joint Municipal Planning Commission had given unanimous recommendation to this ordinance.

Mayor Murray requested a delay in the adoption of this ordinance until Council could hold a retreat and bring in an expert to give guidance on the height issue.

Councilmember Robinson moved to table Ordinance 2006-44 until Council could receive an expert opinion and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**IX. FOR COUNCIL'S ACTION:**

**A. Appointments:**

**1. Design Review Board (1)**

Councilmember Heyward moved to appoint Winifred Fenner to the Design Review Board and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**2. Extended Design Review Board (1)**

Planning Administrator Bridges told Council that both Andrew Corriveau and Chris Mohler had expressed interested in serving on the Extended DRB.

Council decided to wait before making a decision on this appointment.

**B. Storm Debris Agreement between the Town and Beaufort County**

Town Manager Willis explained this agreement would allow Beaufort County to clear debris from the Town's streets and right-of-ways in the event of a major storm or other major event. He said fees would be properly documented through this system making it easier to get reimbursed by FEMA.

**X. FOR COUNCIL'S INFORMATION:**

**A. Port update**

Town Manager Willis told Council he would be attending a Port's Authority Meeting on July 18<sup>th</sup> concerning open space on the port property. He asked any Councilmembers who could to attend and said he hoped Redevelopment Commission members would be able to attend.

**XI. IMPORTANT INFORMATION AND DATES:**

- A. Thursday, July 20, 2006, 5:30 PM – Design Review Board (DRB), 700 Paris Avenue**
- B. Wednesday, August 2, 2006, 6:30 PM – Public Hearing, Council Chambers, 700 Paris Avenue**
- C. Wednesday, August 2, 2006, immediately following the scheduled Public Hearing, Workshop, Council Chambers, 700 Paris Avenue**

- D. Monday, August 7, 2006, 5:30 PM – Joint Municipal Planning Commission (JMPC), 700 Paris Avenue**
- E. Wednesday, August 9, 2006, 7:00 PM – Regular Council Meeting, Council Chambers, 700 Paris Avenue**
- F. Friday, August 11, 2006, 4:00 PM – Minority Affairs Meeting with Congressman Joe Wilson**
- G. Thursday, August 17, 2006, 5:30 PM - Design Review Board (DRB), 700 Paris Avenue**
- H. Saturday, August 19, 2006, 5:00 PM until 7:00 PM – Grand Opening of New Town Hall**

Town Manager Willis reviewed the list of important information and dates.

**XII. PUBLIC COMMENTS: At this time, the Mayor will recognize members of the audience who have submitted Speaker Forms to address the Council on non-agenda items. Each speaker will be limited to two minutes.**

Grace Carr expressed concerns about the row houses being built near her house and asked questions concerning drainage in that area.

Town Manager Willis explained that OCRM would be responsible for seeing that the drainage was done correctly. He explained that no more water could run off the property than what ran off before the new construction. Mr. Willis said the drainage would be better than before due to the drainage work being done in the Town.

Mark Sutton thanked Council and told them he thought the R-10 zoning for the property on Scipio Road was a good compromise for everyone involved.

Mike Jones said he was still getting unwanted newspapers tossed in his driveway. He also mentioned the tall grass on a lot at the corner of Ribaut Road and W. Paris Avenue.

**XIII. ADJOURNMENT:**

Councilmember Robinson moved to adjourn the meeting.

The meeting adjourned at 8:40 PM.

Respectfully submitted,

Tanya L. Payne  
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the Town bulletin board two weeks prior to the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.