

## **Minutes**

**Public Hearing  
Yvonne C. Butler Council Chambers  
700 Paris Avenue**

**November 1, 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. CALL TO ORDER:**

Mayor Murray called the Public Hearing to order at 6:30 pm and welcomed those present.

### **II. PURPOSE:**

- A. Ordinance 2006-40. An Ordinance annexing to the Town of Port Royal approximately 18.51 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 to annex 18.51 acres by title and explained that Ordinance 2006-61 would provide the PUD zoning for this property. He showed the property on the map and explained it was located at Highways 802 and 170.

Attorney David Tedder showed the portion of property that would be zoned General Commercial and also adjoining property that was already in the Town and was included in the PUD. He told Council that fifty feet of property along Highway 802 would be used for widening of that road. Mr. Tedder explained that the PUD capped the number of units for the development at twelve per acre. He said commercial uses on the property could include offices, restaurants and small retail stores. Mr. Tedder said there would be two accesses to the property. He told Council that wetlands covered nine-tenths of an acre and stated that the development would be similar to the Preserve (N. Paris Avenue) but would have less height and density.

- B. Ordinance 2006-61. An ordinance to zone approximately 23.86 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 112, Map 30, Parcels 8, 3A and 5 and Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 31, parcels 66F and a portion of 62 as a Planned Unit Development (PUD)**
  
- C. Ordinance 2006-70. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 9.5 acres as shown and described as Beaufort County Tax District 112, Map 32, Parcel 156 (portion of) from Mixed Use-2 (MU-2) to Mixed Use-1 (MU-1) with the Shell Point Neighborhood Overlay (106 Wright's Point Drive)**

Town Manager Willis read Ordinance 2006-70 by title and showed the property on the map. He explained that a portion of the property was currently zoned Highway Commercial with a smaller portion being MU-2. Mr. Willis said the owner had requested MU-1 zoning for the property.

- D. Ordinance 2006-71. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 317 acres as shown and described as Beaufort County Tax District 110, Map 10, Parcels 183, 75, 77, 79, 299 and 184 and Beaufort County Tax District 110, Map 11, Parcels 249 and 84 from Residential-12 (R-12), Mixed Use-1 (MU-1) and Limited Industry (LI) with Waterborne Industrial (WI) to Planned Unit Development (PUD) located at the end of Paris Avenue and bordered by Battery Creek to the South, the "Sands" to the east, Ribaut Road (HWY. 802) to the north and west, and the South Carolina Rail Road easement to the north and east with tracts of property beyond the easement)**

Town Manager Willis read Ordinance 2006-71 by title. He reviewed the Master Development Summary on page 10 of 31 of the most recent copy of the PUD. Mr. Willis said the property included approximately three hundred seventeen acres with approximately fifty acres being uplands. He said the PUD would allow a total of four hundred eighty dwelling units with a total density of nine and one half units per acre. He showed the property on the map pointing out the Bluff Neighborhood, the Marina Village, the Port Village and parks.

Ned Rahn expressed concerns about parking problems throughout the Town once the development begins to grow.

Sherry Johnson, 1011 9<sup>th</sup> Street, asked how many dwelling units there would be and what impact it would have on the Town's roads, sewer system, traffic and safety.

Mark Baker, representing Wood and Partners, explained that a traffic study would be done and said the proposed density was less than that of the Town's development plan. He said the Town's grid street network would help with the traffic.

Carl Delaney, 811 16<sup>th</sup> Street, expressed concerns about traffic problems.

Town Manager Willis explained there would be several entry ways into the property including a new road which would be created. He said a traffic signal was already in the works for the intersection at Edinburgh Avenue and Ribaut Road.

John Ellerbe, 1010 13<sup>th</sup> Street, asked whether the marina would be a full service marina and whether there would be a boat shop, would they extract boats from the water for work, how many spaces would be allowed for permanent boats and how many spaces are planned for guest boats, will there be space for citizens with boats to park and will guests be able to rent a car.

Mark Baker explained there would be a boat repair component and full service marina.

Cooter Ramsey, 174 Spanish Point Drive, expressed concerns about the location of the new road and how the specific land uses would be distributed. Mr. Ramsey also asked whether terms were in the document that would force the commercial location.

Mark Baker stated that the new road could be moved a little as needed and said the commercial space would be in the Marina and Port Villages.

Frances Cantwell explained that the plan does address specific land uses and also allows for some conversion. She said residential units were capped at thirty percent of the development.

David Kell expressed concerns about building heights.

Ned Rahn asked whether there would be a dry stack marina at the site.

Councilmember DeLoach told Council they did not need to rush in this decision on the development agreement. He expressed concerns about the types of buildings allowed, storm water, density, the need for a transportation study, parking, and traffic patterns and said the Beaufort County Best Management Practices needed to be used. Mr. DeLoach also expressed concerns about sub-modifications, keeping the shrimp docks, the number of boat slips, the 1,200 linear feet dock for large boats, a clear view of the water and making the walkway user friendly. He proposed that Council sit down and review the latest version of the document paragraph by paragraph so they may address their concerns.

Ida Gentile expressed concerns over the environment.

Councilmember Robinson asked whether the restaurant and the shrimp docks would stay. He also asked whether there would be a traffic study.

Town Manager Willis read a portion of the document relating to the marina village stating that if the owner wished to change the use of that property they had to allow the Town the opportunity to negotiate for the continuance of the processing center. He said the Town owns property near the docks and restaurant and said if Council chose to do so, they could do a land swap to insure the safety of that industry. Mr. Willis also explained a preliminary traffic study had been done and said the developers would be required to pay traffic impact fees. He said the traffic plan created was based on the plan created by the Town citizens.

Town Manager Willis compared the Port's development plan with the Town's development plan and said they were very similar.

**E. Ordinance 2006-72. An ordinance establishing a development agreement for approximately 317 acres of property located at Beaufort County Tax District 110, Map 10, Parcels 183, 75, 299 and 184 and Beaufort County Tax District 110, Map 11, Parcels 249 and 84**

Town Manager Willis reviewed the development agreement explaining it was the legal part of the document. He said they were still working on this document and that it included the regulating plan which is an exhibit, the development schedule which makes sure the parks are constructed before the end of the five year time frame and some terms (definitions) for review.

Mr. Willis further stated that the procedure for the establishment of a Municipal Improvement District was included in this document.

Neil Robinson, attorney for the State Port's Authority, reviewed the development agreement and told those present it was a planning tool that wraps itself around the zoning and sets the procedure for implementing the project. He explained this agreement would work for both the developer and the municipality saying it would lock in the zoning of the property. Mr. Robinson said the development agreement was the first stage of the project and that there was still much to be done before any construction could begin.

Scott Hammet, 1611 Madrid Avenue, asked if the Town would still have a legal voice in the development once the agreement was passed.

Town Manager Willis explained that this agreement outlined the parameters of the development and that every part of the development would have to go through the site planning review process and the architectural review process.

Tom Wilson, 1011 Madrid Avenue, expressed concerns about possible changes in staff or council over the years and suggested that a vision or a list of principles be placed in the Comprehensive Plan. Mr. Wilson provided Council with a written copy of his suggestions. He suggested using the county BMP standards concerning stormwater and the environment, Mr. Wilson also suggested that a cap on development be placed in the document.

Town Manager Willis said he did not think the county BMP's were applicable to this agreement because the county did not have a town and said they would not allow for a promenade.

Neil Robinson said the idea of having a vision was a good one and read a paragraph that was being worked on for this purpose. He said this paragraph would be inserted into both the PUD and the development agreement.

Town Manager Willis announced that a second public hearing concerning the development agreement would be held on Wednesday, November 8, 2006 at 6:30 pm in these Council Chambers (700 Paris Avenue).

### **III. ADJOURNMENT:**

There being no further comment, the hearing adjourned at 8:10 pm.

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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 Public Hearing was posted in the local news paper and on the Town bulletin board fifteen days prior to the hearing. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the hearing.