

**Minutes  
Regular Council Meeting  
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

**January 10, 2007**

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

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

**I. PLEDGE OF ALLEGIANCE:**

Mayor Murray called the meeting to order at 7:00 pm and led the Pledge of Allegiance.

**II. INVOCATION:**

Councilmember Robinson offered the invocation.

Mayor Murray welcomed newly elected County Councilmember Laura Von Harten to the meeting.

**III. APPROVAL OF MINUTES:**

- A. Minutes from the Public Hearing of December 6, 2006**
- B. Minutes from the Special Meeting/Workshop of December 6, 2006**
- C. Minutes from the Regular Council Meeting of December 13, 2006**

Councilmember Robinson moved to adopt the minutes from the Public Hearing of December 6, 2007; the Special Meeting/Workshop of December 6, 2006 and the Regular Council Meeting of December 13, 2006. Councilmember Heyward seconded the motion.

**RE: 070110cm**

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 saying the bids were out for both the Casablanca sidewalk project and the Casablanca drainage project. He said there was a preconstruction meeting scheduled for today on the Midtown signal. Mr. Willis told Council the sidewalk at Wright's Point would be extended to that intersection. He also told Council the 18<sup>th</sup> Street sewer project was underway.

Chief Jim Colwell told those present the new, \$516,000 pumper truck, which was on display outside, had been put into service on January 8<sup>th</sup> and said it was "quiet a truck".

Councilmember Heyward pointed out that the truck had a beautiful grill displaying the South Carolina palmetto tree and moon.

#### **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.**

Chuck Warren representing the Parris Island Gate Homeowners Association spoke concerning short term rentals. He told Council the units at this location did not meet the required fire codes for short-term rentals.

Reed Armstrong, Coastal Conservation League, opposed the proposed Lemon Island annexation and Planned Unit Development (PUD). He asked Council to consider whether this development were appropriate for the property, whether they would like such a development in their neighborhood and what benefit would it be to the Town.

David Kell urged Council to vote yes on the height ordinance.

C. E, Malphrus representing the Red Bluff Property Homeowners Association told Council that sixty feet was too high for the proposed marina at Lemon Island and said the development plans were "too much" for that piece of property.

Henry Diercxsens opposed the marina saying it was too large and would be an eyesore for Lemon Island. He also expressed concerns over possible pollution problems caused by the boats.

**RE: 070110cm**

**VII. 2<sup>ND</sup> READINGS:**

**A. 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 excerpts from the ordinance explaining that buildings between 17<sup>th</sup> Street and the port property would not exceed thirty-seven feet not including appurtenances. Mr. Willis further explained that buildings located within the first fifty feet, east or west of Paris Avenue when located between 17<sup>th</sup> Street and the port property south of 7<sup>th</sup> Street would not exceed forty feet not to include appurtenances.

Councilmember Robinson moved to adopt Ordinance 2006-44 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

**B. Ordinance 2006-73. An ordinance to rezone in the Town of Port Royal, South Carolina approximately 2.78 acres as shown and described as Beaufort County Tax District 112, Map 31, Parcel 235 from Neighborhood Commercial (NC) with the Shell Point Neighborhood Overlay District to Highway Commercial (HC) with the Shell Point Neighborhood Overlay District (located near Parris Island Gateway at Grober Hill Road)**

Town Manager Willis read Ordinance 2006-73 by title and explained the Joint Municipal Planning Commission had rejected the request. He showed the property on the map and said if the property were rezoned it would become the new location of Bootle Air Systems.

Councilmember Heyward moved to adopt Ordinance 2006-73 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**C. Ordinance 2006-74. An ordinance annexing to the Town of Port Royal approximately 1.21 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31A, Parcels 142 and 102 (594 and 596 Parris Island Gateway)**

Town Manager Willis read Ordinance 2006-74 by title and showed the property on the map. He further explained that the owners had requested Highway Commercial zoning while the JMPC had recommended Neighborhood Commercial zoning for the property.

Mr. Willis showed other property in that area that was currently zoned Highway Commercial.

Councilmember Heyward moved to adopt Ordinance 2006-74 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- D. Ordinance 2006-75. An ordinance to zone approximately 1.21 acres located in the Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 100), Map 31A, Parcels 142 and 102 as a Highway Commercial (HC) zoning district with the Shell Point Neighborhood Overlay**

Town Manager Willis read Ordinance 2006-75 by title.

Councilmember Heyward moved to adopt Ordinance 2006-75 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- E. Ordinance 2006-76. An ordinance amending Chapter 15.5, Article II, Section 31 titled "Building types" of the Code of Ordinances of the Town of Port Royal, South Carolina**

Town Manager Willis read Ordinance 2006-76 by title and explained it would allow certain single family houses to be built in R-10, R-12 and R-17 zoning when the Traditional Town Overlay were applied. He said the JMPC had recommended this change.

Councilmember Heyward moved to adopt Ordinance 2006-76 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- F. Ordinance 2006-77. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 9 acres as shown and described as Beaufort County Tax District 110, Map 10, Parcels 129, 130B through 130I, 116, 116, 119, 206 through 214 and 216 from Residential-10 (R-10) and Residential-12 (R-12) to Residential-10 (R-10) and Residential-12 (R-12) with the Traditional Town Overlay District (bounded by West Paris Avenue, Columbia Avenue, Laurel Street and 16<sup>th</sup> Street)**

Planning Administrator Bridges read Ordinance 2006-77 by title and showed the property on the map. She said this ordinance would extend the Traditional Town Overlay to include certain properties as listed above. Ms. Bridges told Council the JMPC had recommended this request.

Councilmember Heyward moved to adopt Ordinance 2006-77 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- G. Ordinance 2006-78. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .673 acres as shown and described as Beaufort County Tax District 110, Map 10, Parcels 77A, 77B and 77C from Residential-12 (R-12) to Mixed Use-2 (MU-2) (located at the south west corner of 13<sup>th</sup> Street and Columbia Avenue)**

Town Manager Willis read Ordinance 2006-78 by title and showed the property on the map. He said the JMPC had recommended the MU-2 zoning with the overlay district. Mr. Willis said the owners had not requested the overlay district.

Councilmember Heyward moved to adopt Ordinance 2006-78 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- H. Ordinance 2006-88. An ordinance amending Chapter 15.5, Overlay Districts of the Code of Ordinances of the Town of port Royal, South Carolina by adding Article VI. Robert Smalls Parkway Overlay District**

Town Manager Willis read Ordinance 2006-88 by title and explained that the Town, Beaufort County and the City of Beaufort were adopting this plan. He explained it set the standards of development for the Robert Smalls Parkway corridor and said the Town was already using the plan.

Councilmember Heyward moved to adopt Ordinance 2006-88 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

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

- A. Ordinance 2006-30. An ordinance annexing to the Town of Port Royal approximately 2.43 acres of real estate located in Beaufort County described as Beaufort County Tax District 600, Map 6, Parcels 1A, 2A and 2C (formerly Lemon Island Marina on Okatie Highway)**

Town Manager Willis read Ordinance 2006-30 by title and showed the property on the map. He explained a Planned Unit Development had been requested for this property as Council had requested. Mr. Willis read a list of recommendations made by the JMPC and explained that five of the seven had been complied with.

Attorney Colden Battey explained they had not been able to meet the setback request due to the size of the property. He also explained the height request had not been met but said the average height of the buildings was thirty-seven feet with the highest section of the building being fifty-two feet.

Councilmember DeLoach expressed concerns about traffic entering and exiting the marina.

Councilmember Robinson moved to adopt first reading of Ordinance 2006-30 and Councilmember DeLoach seconded the motion.

Mayor Murray and Councilmembers DeLoach and Robinson voted yes.

Councilmembers Heyward and Lee voted no.

The motion carried.

- B. Ordinance 2006-31. An ordinance to zone approximately 2.43 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 600), Map 6, Parcels 1A, 2A and 2C as a Planned Unit Development (PUD)**

Town Manager Willis read Ordinance 2006-31.

Councilmember Robinson moved to adopt first reading of Ordinance 2006-31 and Councilmember DeLoach seconded the motion.

Mayor Murray and Councilmembers DeLoach and Robinson voted yes.

Councilmembers Heyward and Lee voted no.

The motion carried.

RE: 070110cm

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

**A. Sidewalk Policy revision**

Town Manager Willis explained the revised sidewalk policy would provide that sidewalks be built to accommodate on street parking.

Councilmember Heyward moved to adopt the Sidewalk Policy as revised and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

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

**A. Port update**

Town Manager Willis told Council there were no significant updates at this time but said Council would need to choose someone to be present at the Ports Authority Board Meeting when the bids were opened.

**B. Short term rentals**

Town Manager Willis explained that no arrest had been made in the Town concerning short term rentals because at this time they were legal within the Town. He said he had done research on the subject but still had no solution. Mr. Willis told Council they could leave the law as it is, totally out-law short rentals or adopt a new system. He said he had been in touch with other municipalities along the coast that were considering this issue.

**XI. IMPORTANT INFORMATION AND DATES:**

- A. Monday, January 15, 2007 – Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of Martin Luther King, Jr. Day**
- B. Thursday, January 18, 2007, 5:30 PM - Design Review Board (DRB) Meeting, 700 Paris Avenue**
- C. Thursday, February 1, 2007, 5:30 PM - Design Review Board (DRB) Meeting, 700 Paris Avenue**
- D. Monday, February 5, 2006, 5:30 PM – Joint Municipal Planning Commission (JMPC) Meeting, 700 Paris Avenue**
- E. Wednesday, February 7, 2007, 6:30 PM – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- F. Wednesday, February 7, 2007, immediately following the scheduled Public Hearing, Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

- G. Wednesday, February 14, 2007, 7:00 PM – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- H. Thursday, February 15, 2007, 5:30 PM – Design Review Board (DRB) meeting, 700 Paris Avenue**

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.**

David Kell told Council he was pleased with the passage of the height ordinance and also told Council the ordinance would apply to the proposed fifty-eight foot building which was which was planned for property across the street from Town Hall. He told Council he objected to any permits being issued to the Kaizen Corp. or to John Settles without first going back to the Design Review Board. Mr. Kell also asked that the sidewalk in front of that property be replaced saying it had been torn up for several months.

County Councilmember Laura Von Harten thanked Council for adopting the Robert Smalls Parkway Overlay District.

**XIII. ADJOURNMENT:**

Councilmember Heyward moved to adjourn the meeting and Councilmember Robinson seconded the motion.

The meeting adjourned at 7:55 pm.

Respectfully submitted,

Tanya L. Payne  
Municipal Clerk

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