

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Tuesday, October 5, 2004, in County Council Chambers of the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT:

Mr. Jim Hicks, Chair
Mr. Jerome Goode
Mr. Mike Zara

Ms. Diane Chmelik
Mr. Cecil Martin, Jr.

Mr. Ben Johnson, III
Mr. Vernon Pottenger

MEMBERS ABSENT: Ms. Joy Guyer and Mr. Alan Herd

EX-OFFICIO MEMBERS PRESENT: None

STAFF PRESENT:

Ms. Delores Frazier, Assistant Planning Division Head
Mr. Russell Byrd, Current Projects Planner
Ms. Barbara Ann C. Childs, Administrative Assistant to the Planning Director

CALL TO ORDER: Chairman Hicks called the meeting to order at approximately 6:08 p.m.

PLEDGE OF ALLEGIANCE: Chairman Hicks led those assembled in the pledge of allegiance.

REVIEW OF MINUTES: The September 7, 2004 Commission meeting minutes were reviewed. **Motion:** Mr. Zara made a motion, and Mr. Pottenger seconded, **to accept the minutes of the September 1, 2004, meeting, as written.** The motion was carried **unanimously** (FOR: Chmelik, Johnson, Martin, Pottenger and Zara; ABSTAINED: Goode).

CHAIRMAN'S REPORT: Chairman Hicks stated that letters were sent to Commissioners whose appointment will expire February 2005. He asked that the affected Commissioners return the letters as soon as possible.

PUBLIC COMMENT ON NON-AGENDA ITEMS: No comment was received.

SOUTHERN BEAUFORT COUNTY REZONING REQUEST/MAP AMENDMENT TO R600-21-233 (0.3 ACRE FROM RURAL/R TO ISLAND WEST PLANNED UNIT DEVELOPMENT (PUD)/COMMERCIAL, 1.15 ACRES FROM PUD/WETLAND TO PUD/COMMERCIAL-OPEN SPACE, AND 2.19 ACRES FROM PUD/POWERLINE

EASEMENT TO PUD/COMMERCIAL; APPLICANT: TERRY HATCHELL OF ISLAND WEST COMMERCIAL ASSOCIATES, LLC.

Mr. Byrd briefed the Commissioners. The Southern Beaufort County Subcommittee recommended approval of the 0.30-acre out parcel from Rural to PUD/Commercial and the designation of the 1.51 acres wetland tract from PUD/wetland to PUD/Commercial-open space, subject to the applicant meeting the recommendations of the Beaufort County Transportation Engineer; AND denial of the 2.19 acres power line easement for vehicle parking and storage (from PUD/power line easement to PUD/commercial).

Applicant Comments: Mr. Steve Andrews, a representative of the applicant's client, indicated that his client was pleased that the staff and the Southern Beaufort County Subcommittee have recommended the inclusion of the new property and the wetlands as he requested. However, exception is taken to the staff's and the Subcommittee's denial of the power line easement which his client had intended for vehicle storage. Mr. Andrews showed photographs of the power line easement. His client's Toyota Dealership will stage cars in the easement for circulation to the sale lot in the front of the property. He mentioned a berm could be built to block the view of the parked cars from the residential lots behind the property. He also indicated the proposed use of the power line easement as a traffic corridor for the Island West PUD to the planned traffic light on Highway 278. The staff recommendation of the County Traffic Engineer will be accepted.

Public Comment:

1. Ms. Wendy Zara asked the rationale for the County requesting a penny tax referendum and allowing this rezoning. She asked for the zoning of the area. Commercial uses do not fit on the parcel. She disagrees with the proposed use of the utility easement. She feels the wetlands should remain as part of the open space requirement. She asked the Commission to disapprove this request.
2. Mr. Tom Young, a representative of the applicant Terry Hatchell, said his client purchased the property including the easement. Mr. Young noted that a natural buffer was already in place and that part of the easement will be used as roadway into the Island West PUD.

Discussion included the rationale for recommending denial of the 2.19 acres portion for parking, the PUD master plan designation of the power line easement and the wetlands, the open space which buffers the residential area, precedent and safety concerns regarding allowing commercial uses within power line easements, the commercial uses under the power line easement at other locations such as the former Hilton Head Factory Stores and the Lowcountry Village which were allowed by the County Engineer and the County Traffic Engineer, a portion of this easement to be part of the County's East-West connector road, the utility company approval process prior to using the power line easement, concern for buffering the abutting residential uses from the significant lighting of a car dealership, Corridor Review Board (CRB) constraints on the property, the potential subdivision of the property where the CRB will not have authority to review the new development which may affect the abutting residential uses, the ability to restrict allowable uses within a PUD, support to restrict the use of the 2.19 acres as a vehicle storage area, and the Commission recommendation to place a caveat to obtain approvals from the utility company and the County Traffic Engineer.

Motion: Ms. Chmelik made a motion, and Mr. Johnson seconded, **to recommend approval of the rezoning of the 0.30-acre out parcel from Rural to Island West Planned Unit Development-PUD/Commercial and the 1.51 acres wetland tract from PUD/wetland to PUD/Commercial-open space, subject to the applicant meeting the recommendations of the Beaufort County Transportation Engineer; AND to recommend the denial of the 2.19 acres power line easement for vehicle parking and storage from PUD/power line easement to PUD/commercial.** No further discussion occurred. The motion **was carried** (FOR: Chmelik, Goode, Johnson, Martin and Zara; AGAINST: Pottenger).

OTHER BUSINESS: None were discussed.

ADJOURNMENT: Mr. Martin made a **motion**, and Mr. Zara seconded, **to adjourn** the meeting. The motion **was carried unanimously** (FOR: Chmelik, Goode, Johnson, Martin, Pottenger, and Zara). Chairman Hicks adjourned the meeting at approximately 7:00 p.m.

SUBMITTED BY:

Barbara Ann C. Childs, Admin. Assistant to Planning Director

Jim Hicks, Chairman, Beaufort County Planning Commission

APPROVED: **November 4, 2004**