

Town of Port Royal, South Carolina

Council

Samuel E. Murray
Mayor

Henry Robinson
Mayor Pro Tempore

Vernon H. DeLoach
Mary Beth Heyward
Joe Lee



Van Willis
Town Manager

James L. Cadien
Chief of Police

Jeffrey S. Coppinger
Daniel G. Lemieux
Operations

Linda Bridges
Planning

Minutes Public Hearing Yvonne C. Butler Council Chambers, 700 Paris Avenue

October 5, 2011

Members Present: Mayor Sam 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 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 2011- 13. An ordinance annexing to the Town of Port Royal approximately 4.57 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 33A, parcel 249, 249A, 251, 252, 253, 255, 256, 257, 258, 258A, and 266 located at 14 Savannah Highway and 724 Parris Island Gateway (Shell Point Plaza)**

Town Manager Willis read Ordinance 2011-13 by title for annexation and reviewed Ordinance 2011-14 for zoning of the property. He explained the Metro Planning Commission had recommended both the annexation and the requested General Commercial Zoning for the property. Mr. Willis showed the property on the map saying it was in compliance with the Future Land Use Area, the Comprehensive Plan and the Northern Regional Plan. He said this area was designated an activity area because it is bordered by four lane roads on both sides.

- B. Ordinance 2011-14 An ordinance to zone approximately 4.57 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 33A, Parcels 249, 249A, 251, 252, 253, 255, 256, 257, 258, 258A, and 266 as General Commercial (GC) with the Shell Point Neighborhood Overlay**

III. COMMENTS:

Mayor Murray read an email from Carolyn Davis requesting the property be zoned Neighborhood Commercial.

There were no further comments.

IV. ADJOURNMENT:

The Public Hearing adjourned at 6:34 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 Public Hearing was posted in the local newspaper and on the town bulletin board fifteen days before the hearing. A copy of the agenda was given to the local news media and posted at the hearing location twenty-four hours prior to the hearing.

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Minutes Council Workshop Yvonne C. Butler Council Chamber, 700 Paris Avenue

October 5, 2011

Members Present: Mayor Sam 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 and Municipal Clerk Tanya Payne

I. CALL TO ORDER:

Mayor Murray called the Workshop to order at 6:35.

II. REVIEW AGENDA FOR THE OCTOBER 12, 2011 COUNCIL MEETING:

Town Manager Willis told Council some drainage areas near the post office and pizza restaurant were being tied into the stormwater system. He said sewer would be installed in that area soon. Mr. Willis said he was still working on options for public access to the Ft. Frederick boat landing and explained final engineering was being done on the Ribaut Road sewer project which would be paid for with TIF funds. He told Council they would be driving piles at the Cypress Wetlands soon and work was still being done on the Police Station expansion. Both projects would be paid for through the TIF which would expire in 2013. Mr. Willis said things were going well at the shrimp docks, finances were being audited, and website issues were being worked out. He said the contract with 303 Associates to manage "The Shed" was still being negotiated, landscaping RFP proposals were due on October 6th, and Form Based Code charettes had been scheduled.

Town Manager Willis explained Ordinance 2011-13 and 14 had been discussed thoroughly in the preceding public hearing.

Town Manager Willis read Ordinance 2011-15 by title and explained it was the formalization with the Lowcountry Housing Trust allowing the Town, the City of Beaufort and the Housing Trust to work together in leveraging dollars for housing improvements.

Town Manager Willis read Ordinance 2011-17 by title and explained it pertained to redevelopment of the port property.

Jeff Pinckney reviewed the timeline of the port property and said the proposed PUD was similar to the citizen's plan developed several years ago. He said the drystack would be reused, there would be four hundred twenty-five residential units, parks and the promenade would be given to the town, the promenade would be moved in at 13th Street, building height would be changed, and the existing concrete building would be reused. Mr. Pinckney showed the regulating plan and renderings of the changes to the concrete building and the drystack building. Mr. Pinckney answered numerous questions presented by Council.

Council discussed the proposed parks, public fishing areas, concerns about the drystack, density, building heights, land uses and other issues with the plan.

Jim Crower, 33 Shipwright Circle, expressed concerns about changes in the building heights.

John Ellerbe, 1010 13th Street, had concerns about the keeping and using the existing drystack storage building.

Nancy Vista, business owner, supported the project and said she looks forward to its moving ahead.

Sing Pappas, Paris Avenue, expressed concerns about parks and encouraged Council to keep them in tact as planned. She asked the developers to stake out the park so citizens can see the usable land.

Bob Bender, 16th Street, was concerned that the Redevelopment Commission had not been asked to review the plan.

John Keller, 1504 Edinburgh Avenue, said keeping the drystack building was ludicrous.

Town Manager Willis read Ordinance 2011-19 by title and explained it would amend the existing development agreement and would only be necessary should the new agreement not be adopted.

Town Manager Willis told Council one appointment was needed for the Redevelopment Commission. He explained that Bob Bender's term on the commission was expiring and that Mr. Bender had served eight years on the commission and could not be reappointed at this time.

III. IMPORTANT DATES AND INFORMATION:

- A. Thursday, October 4, 2011, 5:30 pm – Design Review Board, Town Hall, 700 Paris Avenue**
- B. Wednesday, October 12, 2011, 6:30 pm - Council Meeting, Yvonne Butler Council Chambers, 700 Paris Avenue**
- C. Monday, October 24, 2011, 5:30 pm – Form Based Code Charrette for Shell Point, location to be determined**
- D. Tuesday, Wednesday and Thursday, October 25, 26 and 27, 2011 – Form Based Code Charrette for Port Royal and Shell Point at “The Shed”, 809 Paris Avenue, check website www.portroyal.org for details**

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

Julia Peters, 9th Street, suggested the developers set up a question and answer session for residents to know more about the plan.

IV. ADJOURNMENT:

There being no further comments the Workshop adjourned at 7:50 pm.

Respectfully submitted,



Tanya L. Payne
Municipal Clerk

In accordance with South Carolina Code of Laws, notification of the workshop was posted on the town bulletin board two weeks before 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.

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

October 12, 2011

Members Present: Mayor Sam 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 and Municipal Clerk Tanya Payne

I. PLEDGE OF ALLEGIANCE:

Mayor Murray opened the meeting at 6:30 pm and led the Pledge of Allegiance.

II. INVOCATION:

Councilmember DeLoach offered the invocation.

III. APPROVAL OF MINUTES:

- A. Minutes from the Public Hearing of September 7, 2011
- B. Minutes from the Council Workshop of September 7, 2011
- C. Minutes from the Regular Council Meeting of September 14, 2011

Councilmember Lee moved to adopt the minutes of the Public Hearing of September 7, 2011, the Council Workshop of September 7, 2011 and the Regular Council Meeting of September 14, 2011. Councilmember Heyward seconded the motion.

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: piles are being driven at the Cypress Wetlands, stormwater drainage issues at the Duck Blinds Pond and work at the intersection of Ribaut Road and Lady's Island Drive is mostly finished. Mr. Willis said he had spoken to Dupriest Construction about the time schedule for the Ft. Frederick 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.

Sing Pappas discussed the importance of saving the proposed ten acre park at the port property. She also opposed allowing the dry stack building to remain.

Jim Crower, 33 Shipwright Circle, said he felt the regulating plan does not agree with the surveyor's plat for proposed port development and asked for clarification. He also said the plan needs to be more detailed with streets and other features visibly laid out.

TP 11-10-11
David Kell 1003
~~John Keller~~, 1007 9th Street, expressed concerns about the changes to the plan and said there needed to be more explanation of these changes.

VII. SECOND READINGS:

- A. Ordinance 2011- 13. An ordinance annexing to the Town of Port Royal approximately 4.57 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 33A, parcel 249, 249A, 251, 252, 253, 255, 256, 257, 258, 258A, and 266 located at 14 Savannah Highway and 724 Parris Island Gateway (Shell Point Plaza)**

Town Manager Willis read Ordinance 2011-13 by title and explained the Metro Planning Commission had unanimously recommended this annexation. He said the owners were requesting General Commercial zoning with the Shell Point Neighborhood Overlay which complies with the Town's Future Land Use Map, the Comprehensive Plan and the Northern Beaufort County Regional Plan. Mr. Willis showed the property on the map pointing out other property in the Town with similar zoning.

Councilmember Heyward moved to adopt Ordinance 2011-13 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2011-14 An ordinance to zone approximately 4.57 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 33A, Parcels 249, 249A, 251, 252, 253, 255, 256, 257, 258, 258A, and 266 as General Commercial (GC) with the Shell Point Neighborhood Overlay**

Councilmember Heyward moved to adopt Ordinance 2011-14 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

- C. Ordinance 2011-15. Amending the Code of Ordinances of the Town of Port Royal, South Carolina, Chapter 11, Housing, to add Article III entitled "Lowcountry Housing Trust"**

Town Manager Willis read Ordinance 2011-15 by title and explained it would formalize a contract with the Lowcountry Housing Trust to address housing needs in the Town. He said the City of Beaufort was also coming into the Lowcountry Housing Commission and the three entities working together would allow more leverage of funds for housing in the area. He explained the Town has approximately one hundred forty thousand dollars in its housing fund and that all those dollars would be used in Port Royal.

Councilmember Heyward moved to adopt Ordinance 2011-15 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

(*Councilmember Robinson was not available to vote on the above items.)

VIII. FIRST READINGS:

- A. Ordinance 2011-17. An ordinance to rezone approximately 317 acres in the Town of Port Royal, South Carolina, generally lying along Battery Creek and as set forth in that plat entitled: "Plat of 51.60 acres of highland at South Carolina State Ports Authority, Port Royal Terminal" prepared by Thomas & Hutton Engineering Co. dated December 20, 2006 and recorded in Plat Book 0122 at pages 0032-**

0035 on October 17, 2007, Beaufort County RMC Office, consisting of approximately 51.44 acres of highland and 265.91 acres of marsh to Planned Unit Development (PUD).

Town Manager Willis read Ordinance 2011-17 by title and explained the Metro Planning Commission had reviewed and recommended the plan. He said some changes to the plan had been requested by the potential buyers of the port property. Mr. Willis said Ordinance 2011-18 covered the development agreement for this property.

Jeff Pinckney representing the buyers reviewed the changes to include increasing non-residential usage, reuse of the dry stack marina, parks and promenade deeded to the town, change in allowable building heights, density changes, move some open space, and changes to the use table. He showed the regulating plan for the property and pointed out certain areas affected by the changes

Council asked questions and discussed the potential changes to the plan. Attorney Frances Cantwell was present and explained the legal issues.

Town Manager Willis told those present the development agreement would receive two public hearings and the PUD would receive a public hearing. He said the documents would also be discussed at the next workshop and council meeting.

Councilmember Heyward moved to adopt first reading of Ordinance 2011-17 and Councilmember Lee seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes. Councilmember DeLoach voted no.

The motion carried.

- B. Ordinance 2011-18. An ordinance authorizing the Mayor to execute a Development Agreement on behalf of the Town with the Port Royal Development Group, LLC pertaining to Approximately 317 acres of property located in the Town of Port Royal along Battery Creek known as the Port of Port Royal tract as shown on a plat entitled "Plat of 51.6 acres of highland at South Carolina State Ports Authority, Port Royal Terminal" prepared by Thomas & Hutton Engineering Co. dated December 20, 2006 and recorded in Plat Book 0122 at Pages 0032-0035 on October 17, 2007, Beaufort County RMC Office, consisting of approximately 51.44 acres of highland and 265.91 acres of marsh.**

Councilmember Lee moved to adopt first reading of Ordinance 2011-18 and Councilmember Heyward seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.
Councilmember DeLoach voted no.

The motion carried.

- C. Ordinance 2011-19. An ordinance authorizing the mayor to execute on behalf of the Town a third amendment to the development agreement approved by Ordinance 2006-72 pertaining to approximately 317 acres of property located in the Town of Port Royal located along Battery Creek and owned by the South Carolina State Ports Authority.**

Town Manager Willis read Ordinance 2011-19 by title and explained it would move the term on the existing development agreement from December 31, 2011 to March 31, 2012 in the event the newly proposed agreement should fail.

Councilmember Heyward moved to adopt first reading of Ordinance 2011-19 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

IX. FOR COUNCIL'S ACTION:

A. Appointments:

- 1. Redevelopment Commission – appoint one**

There were no appointments at this time.

X. IMPORTANT INFORMATION AND DATES:

- A. Monday, October 17, 2011, 5:30 pm – Metro Planning Commission, Beaufort City Hall, 1911 Boundary Street, Beaufort**
- B. Monday, October 24, 2011, 5:30 pm – Form Based Code Opening Workshop, Shell Point Elementary School**
- C. Tuesday, October 25, 2011, 7:30 pm – Form Based Code Charrette focus on Shell Point, 914 Paris Avenue (former Coffee House)**
- D. Wednesday, October 26, 2011, 7:30pm – Form Based Code Charrette focus on Port Royal, 914 Paris Avenue (former Coffee House)**
- E. Thursday, October 27, 2011 – Form Based Code Closing Presentation at Port Royal Elementary**
- F. Wednesday, November 2, 2011, 6:30 pm – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

- G. **Wednesday, November 2, 2011, immediately following the scheduled Public Hearing – Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- H. **Thursday, November 3, 2011, 5:30 pm – Design Review Board Meeting, Town Hall, 700 Paris Avenue**
- I. **Wednesday, November 9, 2011, 6:30 pm – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- J. **Friday, November 11, 2011 – Town Hall, Public Works and administrative offices of the Police Department will be closed in observance of Veteran’s Day**
- K. **Monday, November 21, 2011, 5:30 pm – Metro Planning Commission, Beaufort City Hall, 1911 Boundary Street**
- L. **Thursday and Friday, November 24 & 25, 2011 – Town hall, Public Works and the administrative offices of the Police Department will be closed in observance of Thanksgiving**

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

Nancy Vista reviewed highlights of the upcoming Festival of the Sea.

XI. 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.

John Ellerbe, 1010 13th Street, invited everyone to attend a lecture sponsored by the Historic Port Royal Foundation. He said author Michael Coker would be discussing his new book *The Battle of Port Royal, 1861*. Mr. Ellerbe said the lecture would be held at 7:00 pm on November 11th at the Union Church on 11th Street.

Greg Hathaway, Duck Blinds resident, spoke in favor of the Port project. He said he had counted twenty empty commercial spaces on Paris Avenue and asked if Council was doing anything to correct this problem.

Bob Bender said Beaufort had been captured rather than burned during the civil war and its houses were used for hospitals and offices. Hence, the town still has its large pre-civil war homes.

In response to Mr. Hathaway’s comments, Town Manager Willis explained the Town of Port Royal was in the process of completing a three hundred fifty thousand dollar project at the Cypress Wetlands which has a stormwater function. He said the project included signs to identify birds and plants, a walking path, and amphitheater. Mr. Willis said Council had also purchased “The Shed” for about five hundred twenty-five thousand dollars and the Town was in the process of negotiating a contract with 303 Associates to manage that facility. He said the facility would house a visitor’s center,

meeting space and had potential for other organizations to move there. Mr. Willis said the Town had participated in every advertising endeavor that had become available.

XII. ADJOURNMENT:

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

The meeting adjourned at 7:40 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 before the meeting date. A copy of the agenda was given to the local news media and at the meeting location twenty-four hours prior to the meeting.