

A meeting of the Design Review Board (DRB) was held on **August 8, 2019 at 2:00 p.m.** in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Vice Chairman Michael Brock, board members Rett Bullard, Benjie Morillo, and Kimberly McFann, and David Prichard and Ken Meola, city staff. Board member Bob Albright was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

Vice Chairman Brock called the meeting to order at 2:13 p.m.

ELECTION OF OFFICERS

The board decided to wait until the full board was present to elect officers.

MINUTES

Ms. McFann made a motion, second by Mr. Morillo, to approve the minutes of the July 11, 2019 DRB meeting. The motion to approve the minutes as submitted passed unanimously.

AFFORDABLE HOUSING LETTER

Ms. McFann said the letter was addressed to the chair of the Affordable Housing Task Force, but she thought it would be going to city council, too. Mr. Prichard said City Councilman **Phil Cromer** is heading up the task force, so he thought it would go to council that way, but he will address it to each of the city council members.

Mr. Prichard said he'd added the last point about the requirement about apartment building lengths.

Mr. Prichard asked the board to consider another point: In T-3 zones, the finished floor in single-family dwellings must be elevated a minimum of 18" above grade because of sheet flow. In T-4 and T-5, though, it must be 2' above the average adjacent sidewalk grade, "no matter what," including adjacent property lines, he said, which adds costs. Ms. McFann said that on some lots on Ribaut Road, the road is high, and then the land slopes down. She asked if a new house on Ribaut Road would have to be 2' above the sidewalk on Ribaut Road. Mr. Prichard said, "This is an aesthetic thing." A lot that is below adjacent grades has to be made above 18", but if it is "on a little rise," it could be closer to grade, he suggested.

Mr. Bullard suggested keeping it as-is, but adding a note: "unless it's designed by a professional engineer," in which case it could be built lower. They do grading plans in subdivisions, he said, but not for individual lots. Vice Chairman Brock said he has done individual lots around Beaufort. Mr. Bullard said if an engineer or a design professional

says it can be “in a bowl,” then they could allow it.

Mr. Prichard said generally it’s simple when it’s a single house on a lot. If it’s graded away from the house, you don’t need a grading plan. Mr. Bullard said you should have one. Mr. Meola said the city looks at the average grade around the house; if it’s at or above grade, it doesn’t require anything further.

Mr. Meola said the city requires the data on the grades *around* a house to determine the grading for the proposed house.

Mr. Prichard said if you're not above the grade of the adjacent property, you could build on a slab, but in T-4 and T-5, you have to build 2’ above the sidewalk. He asked if the city should mandate that, because this is an affordable housing issue. He said some of these changes could be made specifically for affordable housing. Mr. Bullard told Ms. McFann that pouring a slab costs about a quarter of the price.

Mr. Prichard said if you need to be above grade because of flooding, of course you should be, but if not, it is a cost, and affordable housing could forgo that. Mr. Bullard said most builders know they could hire an engineer to argue this point.

Ms. McFann said she likes the idea of making an exception if an engineer certifies it. Mr. Bullard offered language, adding, “unless recommended by a licensed professional and approved by the city.”

Flood elevation is a federal mandate, and the city makes it a foot above that for the finished floor, Mr. Bullard said. Mr. Prichard asked why you need an engineer to tell you that you don’t need to build up 2’. Ms. McFann said the engineer could certify that there wouldn't be any sheet flooding. Mr. Prichard said this provision is “strictly aesthetics,” and it’s only required in T-4 and T-5.

Mr. Morillo said the mandate to build above 18” “has to do with water.” Mr. Bullard said that’s aesthetic, too. Mr. Prichard said in T-3, 18” is required only if the building grade is above the adjacent grades for sheet flow. In T-4, it has to be 2’ – and in T-5 3’ – above the sidewalk grade. He wants to know why this is mandated when “it’s an aesthetic.” Mr. Bullard said if they get rid of the requirement, they would need to require an engineer, because the builder will “build it in a hole.” Mr. Prichard said they could say, “If you’re below adjacent grade, you have to build it up.” Mr. Bullard said you also can’t flood your neighbor out; grading plans are a lot trickier than “if you’re in a hole or not.”

Mr. Prichard asked if the board wanted to leave the “2’ and 3’ above.” He asked if it’s something important to the city, or if it’s something that makes it more difficult to create affordable housing. Mr. Morillo said it might make it harder for people with disabilities to have a ramp going to the first floor. Ms. McFann said some of those people would be “prime beneficiaries” of affordable housing. Mr. Prichard asked if he

should add the point into the letter. Ms. McFann felt they should include it in the letter, if the only reason it's in the code is aesthetics. Mr. Prichard said that's his opinion. Vice Chairman Brock said he also feels it is for aesthetics.

Mr. Prichard said 2' doesn't guarantee protection. Mr. Bullard said it's a good number. Mr. Prichard asked, "If you're 2' above the adjacent sidewalk, you're pretty protected?" Mr. Bullard said the road would turn into a river in a hurricane or severe storm, so that's why it's there. He said they could strike it and say a grading plan from an engineer is required.

Mr. Prichard said if this is a flooding issue, it should apply to all houses, regardless of the zone they're in; when you're not in a flood zone, could it be lower. Mr. Bullard said there's still storm water to deal with, and if you're at street height, "you're getting flooded." He said the minimum amount above grade is site-specific, which is why you need to hire an engineer. The FEMA numbers are where they draw the line, he said.

Mr. Prichard asked what they should say the finished floor ground height needs to be. Mr. Bullard said it should be recommended by an engineer or be a minimum. They could add that it might require DRB approval, too, he said.

Mr. Prichard said they might need to "look at the aesthetic height," but they also are looking at ensuring that people's houses are avoiding flooding from stormwater and other sources. Mr. Bullard added, "And not affecting their neighbors."

Mr. Prichard said he'd craft the language, the board could vote on it, and he could send it to the board members for their approval.

Ms. McFann made a motion that Mr. Prichard would make changes to the letter, and then circulate those changes by email, with further comments from board members as needed, so the letter could be sent to city council before the board's next meeting. Mr. Morillo seconded. The motion passed unanimously.

COLONEL CLEAN CARWASH, 242 Robert Smalls Parkway (19-04 DRB.1)

Applicant: Lex Brown

The applicant is requesting approval for construction of a new carwash.

Mr. Bullard is the engineer of record on the project and is representing the applicant, so he is recused from his board role.

Mr. Bullard and Mr. Meola showed material samples to the board.

This application is for a new car wash on .9 acre of land, Mr. Meola said. Staff supports the submitted design.

Mr. Bullard described the applicant's background. Mr. Meola said a picture they were looking at is one that the applicant found, and he wants to build a similar structure. There was discussion about whether the applicant had been before the DRB before with this project. Mr. Meola reviewed other details from the staff report.

Ms. McFann asked where to enter the carwash. Mr. Meola pointed that out and said there's one entry and an exit, and neither are on Robert Smalls Parkway.

Mr. Meola said the code and Civic Master Plan predict a footprint with buildings close to the street like this one is. Other code requirements are met, which he enumerated.

Mr. Meola said he has exterior lighting treatments from the applicant that came to him after the board received its packets. Mr. Bullard said SCE&G is doing the lighting plan. Mr. Meola showed the lights to the board members.

Mr. Prichard said, "The technical review plan is to review projects" and give the board all of the plans. He asked if that's what the board wants. Vice Chairman Brock said he's accustomed to seeing details of fenestration, landscaping, and a lighting plan. Mr. Bullard said they have a lighting plan and a landscape plan. Details about the building are standard in the packet, Vice Chairman Brock said. Mr. Prichard said he had asked staff what the DRB normally gets, and he was told that they look at "how it looks, the landscape plan, and all of that." If the board hasn't gotten all of the details it needs, he said, he would make sure it gets them.

Vice Chairman Brock said he saw a landscape plan in the packet, but he thought it was "a concept," not a full landscape plan. Mr. Bullard said the applicant would get the board more that they need, but they will then ask for a special DRB meeting if they only get conceptual approval today.

Mr. Bullard asked Vice Chairman Brock to tell him what was missing in the landscape plan, which the applicant wanted to do himself. Vice Chairman Brock said, "This is more of a diagram than a plan." Three-gallon trees are not an allowable size, he said, and it also lists 20-gallon trees, but that is not accurate. This is not a professional landscape plan, Vice Chairman Brock said, and he doesn't think this is what the applicant is really going to do.

Mr. Bullard said they are building the subdivision and building the carwash in conjunction with that. They have submitted to BJWSA, which is "working on it."

Mr. Meola said city staff got a response today about the 20' BJWSA easement. There are buffer requirements, he said, and they wanted to know what Beaufort-Jasper would allow in the easement in terms of plants. Mr. Meola said the reply was that Beaufort-Jasper wants nothing there.

Mr. Bullard said the applicant will ask him what is wrong with the landscape plan, which the applicant wants to do; he won't hire someone to do it, and it's not required for a landscape architect to do it.

Ms. McFann asked if BJWSA could tell the city what goes in the easement. Mr. Prichard said the city has a buffer requirement, and if Beaufort-Jasper is okay with doing the buffer in the easement, they're fine, but if not, "we have to look at that." The code requires a certain amount of buffering from the street, he said, "and if we can't plant where the easement is, how do we address that?" Mr. Bullard said they could move the building back, but that would "wreck that property."

Mr. Bullard said BJWSA would not allow planting anything there, and the power company has a similar easement issue, so they have to keep the trees' height trimmed. When there is an issue like a hurricane, he said, they want no plants there because they need to be able to drive on the easement to make repairs.

Mr. Meola said the building is right up to the easement.

Vice Chairman Brock said the landscaping plan doesn't have quantities on it, and the sizes of the plants aren't correct. He has plants labeled, but not the numbers that will be there. There's a key, and the plan is color-coded, but it's not a typical plan that would come before the DRB for review; the site can't be inspected for landscaping as it is, he said.

Mr. Meola asked if there are trees and things on the property now. Mr. Bullard said they are called out on the plan. The applicant plans to plant 3 live oaks. Mr. Meola said the applicant is installing landscaping to meet the code. It was agreed that the site is currently flat. Mr. Bullard described for the board what the applicant is planning to put where.

Mr. Bullard said there are several thousands of dollars worth of landscaping planned. Mr. Prichard said he feels staff should have done a better job of telling the applicant what to put on the landscape plan.

Mr. Bullard showed Ms. McFann the existing power lines on the plan, including the easement. There was a general discussion about irrigation, power lines, and water and sewer lines.

Mr. Prichard said there are certain requirements in the code that were met. The code doesn't specify what the board needs to see, so he asked that the board let him know what they need, so staff can ask applicants to give it to them. Mr. Meola said he looked at the landscape plan and had no comments about it. Based on the drawing, he was able to follow it, he said. He looked to see that things like the overstory tree requirements were met, for example, and they were.

Mr. Prichard asked if it meets the buffer requirements of the code. Mr. Meola said it does, except for the number of broadleaf overstory trees, because BJWSA wouldn't allow those in the buffer. The landscape plan generally met the code, he said, but now they have the answer on what BJWSA would allow.

The applicant wants to put in turf, but he'd be open to grass, Mr. Bullard said. Vice Chairman Brock said he understands having turf in one section, but not in the front of the site. Mr. Bullard said the applicant doesn't want to have to hire someone to mow grass. There was a discussion about different things that could be used as a ground cover. Ms. McFann suggested putting down rocks, but she said anything the applicant uses would require maintenance.

Mr. Meola said there's no requirement to plant anything in the side buffer area.

Ms. McFann said BJWSA would object to "all this stuff in the corner." Mr. Meola said they might. Mr. Bullard showed that they could plant the corner because of the underground materials "turning." Mr. Meola said Beaufort-Jasper is mostly balking at planting big trees because of roots infiltrating the equipment.

Mr. Meola the trees were the main question, and the applicant is willing to put trees elsewhere on the lot to "make up the difference."

Vice Chairman Brock said there is nothing but a rock channel in the front of the building as proposed; there's nothing but "grass and rock and building." Ms. McFann asked about big planters, even on wheels if need be, which would allow a buffer without putting anything permanent on the easement area. Mr. Meola said grass and low plants without deep roots work if they "avoid those other types of plants." The challenge is mandating the buffer when the controller of the easement says no. Vice Chairman Brock said that's unfortunate, but to develop that property, the only other option is to push the building back. He said he couldn't approve "just grass and a building." Ms. McFann suggested a live fence. Vice Chairman Brock said trellises, wiring, or a number of other things could be done for planting on the building, but that would affect the applicant's sign plan, etc.

Mr. Meola said there is a 20' total buffer requirement. Vice Chairman Brock said the depth of the buffer has to be 20'. Mr. Meola said that's correct, and the applicant has that. The 6 overstory trees are what are missing, and the final response from BJWSA is that nothing can go in the easement. Vice Chairman Brock said the applicant should come back with an alternative plan for planting 6 trees as a buffer. He said plants couldn't just be at the corner; "it has to be along the entire frontage."

The code states that there is an exception to the buffer requirement if there are utility lines in the way, Mr. Bullard said. Mr. Meola said staff would reach out to the applicant about this. Ms. McFann asked about having bigger bushes close to the building. Vice

Chairman Brock said that would be foundation plantings, but the building is right on the easement line, so they can't put anything in front of the building, per the BJWSA easement.

Mr. Morillo said he likes the building placement and would like to see them stick to that.

Mr. Meola said on signs, the applicant wants to have signs with the military branches across the front of the building, and that is considered signage. The signs will be illuminated, and staff will talk to him to ensure he is meeting all of the city's sign requirements. Mr. Meola said he hasn't seen a design for the military mural on the back of the building (the parking lot side).

The applicant presented a lighting plan, Mr. Meola said.

Mr. Meola said the applicant needs approvals from City of Beaufort engineering relative to drainage and other aspects, plus required permits from other entities that are needed before the City of Beaufort issues a building permit.

Heather Spade read relevant material from the code.

Mr. Meola said the buffer meets the code, but hearing the board's comments and what he knows from the applicant, they could come up with a front buffer plan that might satisfy everyone.

There was a discussion about other information the board would like to see at a future meeting, including what the car wash's sign would look like.

Ms. Spade read from page 120–121 of the Beaufort Code about perimeter landscaping and suggested the board and the applicant do so, too.

Ms. McFann made a motion, second by Mr. Morillo, to table the project until the next meeting. The motion passed 3-0.

The board members looked at the language Mr. Prichard had crafted for the affordable housing letter.

Ms. McFann made a motion that the language about two additional matters – mandatory 160' apartment building length and the minimum 2' to 3' additional elevation – be added to the affordable housing letter and that it be sent to the Affordable Housing Task Force chair and city council members. Mr. Morillo seconded the motion. The motion passed unanimously.

There being no further business to come before the board, **Mr. Bullard made a motion, second by Ms. McFann, to adjourn the meeting. The motion passed unanimously,** and the meeting was adjourned at 3:40 p.m.