



# Planning Commission

## Meeting Minutes – March 17, 2025

### CALL TO ORDER

3:30

A meeting of the Planning Commission was called to order by Chairman, Mike Tomy, and was held in-person on March 17, 2025, at 5:00 PM.

### ATTENDEES

Members in attendance: Mike Tomy, Chairman, Bill Bardenwerper, Vice-Chairman, Benjie Morillo, Clinton Hallman, Kim McFann, Bill Suter, and Paul Trask.

Staff in attendance: Curt Freese, Community Development Director, Christopher Klement, Community Development Planner III.

### MINUTES

3:52

#### February 10, 2025 Regular Meeting Minutes

**Motion:** Mr. Hallman made a motion to approve the minutes of the February 10, 2025 regular meeting. Mr. Morillo seconded the motion. The motion passed unanimously.

#### March 3, 2025 Work session Minutes

**Motion:** Mr. Hallman made a motion to approve the minutes of the March 3, 2025 work session. Mr. Morillo seconded the motion. The motion passed unanimously.

Ms. McFann noted there are some more outstanding work session minutes that have been prepared, and they will be on the agenda for approval at the next regular meeting.

*All Planning Commission meeting minutes are recorded and can be found on the City's website at <http://www.cityofbeaufort.org/AgendaCenter>.*

### QUESTIONS RELATING TO MILITARY OPERATIONS

5:29

None.

- A. **Annexation and Rezoning.** The Applicant, Graham B. Trask, is requesting an annexation and rezoning of approximately 2.8 acres located at 3492 Trask Parkway, Beaufort, South Carolina, from Industrial S-1 (Beaufort County) to T-1 Natural Preserve District (City Zoning). The property is further identified as R100 025 000 012A 0000.

Christopher Klement presented the staff report and presentation.

Commissioner, Paul Trask stated for the record that the applicant is a second cousin of his and that he has no interest in the property, financial or otherwise, so does not feel the need to recuse himself. No objections to Commissioner Trask considering the application were raised.

Public Comment:

None.

Public Comment Closed.

**Motion:** Ms. McFann made a motion that the Petition of Annexation be granted. Mr. Hallman seconded the motion. The motion passed unanimously.

**Motion:** Mr. Suter made a motion to approve the rezoning from Industrial S-1 to T-1 Natural Preserve District. Mr. Hallman seconded the motion. The motion passed unanimously.

- B. **1026 Ribaut Road.** The Applicant, Larry Paragano, Nova Management LLC, is requesting **28:32** preliminary approval for a new 72 unit townhome and multi-family development located at 1026 Ribaut Road, identified as R120 005 000 0236 0000, R120 005 000 0266 000 and R120 005 000 0278 0000. This procedure was undertaken as a result of conditions contained in a previous approval of a previous development plan by the former MPC. The applicant is proposing a different development plan than the plan previously approved, and the applicant’s new plan changes type and locations of proposed development and changes in access to the site.

Commissioner, Paul Trask noted he had a conflict on this item that his son owns a home on Oak Haven Street. Mr. Trask also noted he is a party to the Note and Mortgage on the house. He sought counsel and said he will have to recuse himself. Mr. Trask submitted a letter he prepared for the record and left the meeting.

Curt Freese presented the staff report and presentation.

Public Comment:

**Diane Farrelly, who resides at 2415 Oak Haven Street** commented on her own behalf and on behalf of the Haven Collective which is the neighborhoods on Oak Haven Street, Pine Haven Street, and other interested neighbors in the area who have followed proposed developments on the property since 2018. She read prepared remarks regarding the history of proposed development since 2018 when it was first introduced by the former owner, Sam Levin. Mr. Levin requested a rezoning of T4-N and T-3

properties to T5-UC. She referred to the Sketch Plan that was submitted to the Metropolitan Planning Commission (MPC) which was approved by the MPC with a number of conditions: One was the recommendation to not cut Oak Haven Street through to Ribaut Road and the other was that the developer was to work with the neighborhood in the design process. She cited Article 3 Administration Section 5-4020 and Section 5-4023. She is concerned with more traffic and the impact this would have on the Live Oak trees. She referred to the Traffic Impact Studies of 2022 and 2024. She is also concerned with environmental and wildlife.

**Patience Russell, who resides at 2417 Oak Haven Street,** complimented Ms. Farrelly on her presentation. She explained what it is like to live on Oak Haven Street. It is a very narrow street, and residents have to work around going in and out. She described it as a really sweet conclave. She feels the whole area would be better served if Oak Haven Street was not extended but was made a cut through for pedestrian traffic only and the Spanish Moss Trail could be accessible to the development's residents in that way. She recommended the Commissioners drive down the street to see what she was talking about.

**Marilyn Harcharik, who resides at 2416 Oak Haven Street,** said she is the second house on the right when you turn onto own Oak Haven Street. The first three houses on the right are new construction. The houses that went up in 1952 have very large lots and the houses are setback from the road very well. The lots that the three new houses are on used to be one lot and placed very far up to the road and very narrow. She has a detached garage but can't get there with her car. Most of her front yard is in the right-of-way. She is concerned with the number of units and is afraid that the numbers of cars coming down Oak Haven Street would be too much. She stated the density needs to be lowered significantly and suggested that the housing should not be too tall or too large and especially near the buffers. She invited the Commissioners to drive down here street and see how close existing housing is located.

**Barbara Bausch, who resides at 2403 Pine Haven Street,** said coming to this meeting tonight at 4:45 pm, she was the ninth car at the corner of Allison and Ribaut and at least one other car was behind her. This traffic makes it difficult for access to the parking lot on the SW corner of that intersection because cars are backed up almost to Myrtle Avenue. She referred to the Tree Listing and is concerned that 63 trees are being removed, and only 10 trees are being saved; she stated that she does not consider this tree preservation. New small trees will take forever to grow and will not provide the privacy that exists now.

**Samantha Patel, who resides at 2407 Pine Haven Street,** said she lives to the south side of the proposed plan. Her main concern is that this will be in her backyard. She requests that it not be higher than 2-stories because everyone will be looking down at our home there will be no privacy. She referred to the 3-story apartments that were built by the Dollar General and there is absolutely zero privacy.

**Kerry Walsh, who resides at 2411 Allison Road,** said she is on the other side of the road where the development is proposed. She said the area gets a lot of emergency traffic and is direct route for all emergency vehicles and this needs to be considered. She asked where the water drainage will be discussed because her house is 15 feet up from the marsh.

**Jessie White, who is with the Coastal Conservation League and resides at 308 Battery Creek Road,** clarified that in her previously submitted written remarks she had not checked the Code's definitions

and that some of her calculations re tree may be off. She also stated she had been under the impression the units would be freestanding rather than attached, which may change some of those calculations. She urged the applicant to consider individual stand-alone row homes instead of big block style row homes for the lots. She encouraged the applicant to utilize more of the green infrastructure alternatives. She stated a right in and right onto Ribaut Road access point would be beneficial. She recommended a speed bump or other physical traffic calmer or barrier on Oak Haven Street.. She recommended limiting the height on the lots that are closest to the neighboring individual homes and setting a cap on the overall height for the whole site.

**Joe Ciccone, who resides at 2411 Oak Haven Street,** said he is the last house on the block. He stated he feels we are not going to please everyone, and something needs to happen on this property. It currently looks terrible. Residents purchased their houses and were looking at an already existing trailer park. He loved it when the daycare was open because it brought life to that area even though there was traffic all day. He loves the proposed plan, even if it will need to be tweaked, etc., but stated we need to get something done.

**Erich Hartmann, who resides at 328 Cottage Farm Drive,** said he's lived here for three years and moved from New York because he likes it here. He stated density is the main issue as well as traffic. People are getting stuck on Ribaut Road going left and right all the time. If a right turn lane is done on Allison, it will have to go all the way back to Myrtle. He referred to the apartments that were just put up on Robert Smalls Parkway as providing ample workforce housing in his opinion. He stated the plans for this development needs to be slimmed down. Single-family homes would be best.

Public comment was closed.

**Motion:** Mr. Bardenwerper made a motion to continue this public hearing to a date and prior to should the applicant submitting to staff a revised sketch plan with the following details to be presented and discussed at the continuation hearing:

1. Updated TIA, looking at nearby intersections with the generation and distribution numbers and with the levels of service including the seconds of delay;
2. Building mass and concept design of the townhomes;
3. Building setbacks and any limitation that the applicant would propose on building heights;
4. Plans if any for screening of property perimeters;
5. Topographical Overlay;
6. Stormwater arrows; and
7. Fire Marshall letter;

Mr. Hallman seconded the motion.

Ms. McFann asked Mr. Bardenwerper to amend his motion to ask the applicant to consider adjustments to the overall density (i.e. # of lots) and to reconsider the issue of access on Ribaut Road.

Mr. Bardenwerper accepted the amendments and amended his motion to include:

1. Application *consider* adjustments to the overall density; and
2. Applicant to *reconsider* the issue of access on Ribaut Road.

Mr. Hallman seconded the amended motion. The motion passed unanimously.

Larry Paragano with Nova Management LLC spoke and made some clarifications:

- He had not previously been aware of know about the Haven Collective.
- Sam Levine does not own the property he does.
- Proposed development on the property originally contemplated a 5-story apartment building, so the density he is proposing is already slimmed down
- Previously proposed and approved also were a parking garage, office/retail and a new daycare on the building up on Allison Road.
- His proposed development has now been scaled back tremendously. It was originally proposed with 76 townhouses, a fourplex and three duplexes.

Mr. Paragano doesn't believe a new TIA is going to yield anything different now than it did before. This is dramatically reduced from a 50,000 foot office building, a 10,000 daycare, and 42 townhouses or multi-family dwellings. Mr. Paragano said there are two problems he's seeing today: First, the City's zoning provides for a 5-story development, but he's not putting up a 5 of 4 story building. He stated he has not yet hired an architect, nor will there be one at the next meeting due to expense; he will answer all the Commissioners' questions. Two, there is a significant elevational challenge. He said Mr. Levin told him that the City and the neighborhood are not on the same page with access to Ribaut Road. Mr. Paragano said the City came to him a few weeks ago and told him to close off Ribaut Road. It was very difficult, but he agreed to it. Mr. Paragano said at this point we need to move forward and get the engineering done and architecture drawings done.

## OLD BUSINESS

2:49:50

**Beaufort Development Code Changes:** Amendments to the Landscaping, Parking, and Light Requirements of Section 5 of the Beaufort Development Code.

This will be continued to the worksession scheduled for Monday, March 24, at 1:00 pm. Ms. McFann stated the PC appreciates getting any citizen comments in writing well in advance of the session. Citizens are also welcome to come in-person and make a live public comment.

## DISCUSSION

2:51:11

### A. Joint Meeting between HDRB and the Planning Commission

Mr. Freese said it was brought up at the Strategic Plan Session that the Planning Commission (PC) and the Historic District Review Board (HDRB) should meet to go over the Chapter 9 proposed changes to the Code that the PC finished work on last year that City Council has not yet acted upon. Mr. Freese said the HDRB members are able to attend the PC's next regular meeting on April 21. The Commissioners unanimously requested something in writing from the HDRB to facilitate discussion at the meeting. Mr. Freese said there was concern from City Council that the HDRB was not part of the process. Commission members stated that HDRB interests were represented, and comments were considered at previous work sessions on Chapter 9, and that the proposed changes were previously submitted to the HDRB without response. Mr. Freese said he will contact the HDRB Chairman to set

up something with him and his Vice-Chairman and the PC's Chairman and Vice-Chairman in the hope of them being able to make a plan for the orderly conduct of the Joint Meeting .

## **ADJOURNMENT**

**2:53:30**

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**Motion:** Ms. McFann made a motion for adjournment at 6:36 pm seconded by Mr. Hallman. The motion passed unanimously. The meeting adjourned at 7:57 pm.



# RECUSAL STATEMENT

**Member Name:** Paul Trask

**Meeting Date:** 03/17/25

**Agenda Item:** Section V Number: B

**Topic:** 1026 Ribaut Road

*The Ethics Act, SC Code §8-13-700, provides that no public official/board member may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official/board member may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member/board member. (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.*

**Justification to Recuse:**

         **Professionally employed by or under contract with principal**

X **Owns or has vested interest in principal or property**

         **Other:** \_\_\_\_\_

**Date:** 03/17/25

  
**Member Signature**

L. Paul Trask, Jr.  
608 Bladen Street  
Beaufort, SC 29902  
843-694-7122

Monday, March 17, 2025

Mr. Mike Tomy, Chairman – hand delivery

Re: Planning Commission meeting 03/17/2025 agenda item V.B. 1026 Ribaut Road

Dear Mike,

With respect to the 1026 Ribaut Road application and out of an abundance of caution, I must recuse myself from participating in tonight's meeting.

The reason is because my son, Stuart L. Trask owns a house at 2414 Oak Haven Street which is very close to the project and because I am personally a party to the existing note and mortgage on that property.

Pursuant to the statute, I am delivering this written notice for the record and I will leave the chamber when you open the matter.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Paul Trask, Jr.", with a long horizontal line extending to the right.

L. Paul Trask, Jr.