

BLUFFTON TOWN COUNCIL MEETING MINUTES

December 13, 2022

Mayor Sulka called the meeting to order at 4 P.M. Council members present were Larry Toomer, Bridgette Frazier, Fred Hamilton, and Dan Wood. Town Manager Stephen Steese, Interim Chief of Police Scott Chandler, Assistant Town Manager Chris Forster, Assistant Town Manager Heather Colin, Town Clerk Kimberly Gammon, and Town Attorney Terry Finger were also present.

The pledge and invocation were given by Councilwoman Bridgette Frazier.

Adoption of the Agenda:

Hamilton made a motion to adopt the agenda as presented with the addition of an item under Presentations, Celebrations and Recognitions, Item VIII.6 An Update from Terry Finger regarding the Skip Hoagland Case. Wood seconded. The motion was unanimously approved.

Wood made a motion at 4:03 P.M. to go into Executive Session to discuss the aforementioned items. Frazier seconded. The motion carried unanimously.

Executive Session

1. Personnel Matters Regarding Town Council Appointments of Boards, Committees, and Commissions (Pursuant to Freedom of Information Act 30-4-70 [a][1])
2. Personnel Matters Relating to Town Manager Review (Pursuant to SC Freedom of Information Act 30-4-70[a][2])

Council exited Executive Session at 4:53 P.M. No motions were made, and no votes were cast. Mayor Sulka called for a 5-minute recess.

The meeting re-adjourned at 5 P.M.

Wood made a motion to appoint Will Guenther to the Historic Preservation Commission with a term expiring on 6/30/2025. Frazier seconded. The motion carried unanimously.

Adoption of the Minutes

Frazier made a motion to approve the Regular Meeting Minutes of November 8, 2022. Wood seconded. The motion carried unanimously.

Wood made a motion to approve the Special Meeting Minutes of November 29, 2022. Toomer seconded. The motion carried unanimously.

Presentations, Celebrations and Recognitions

Mayor Sulka presented Awards to the following Christmas Parade Winners:

Best Performance: Battery Creek Marching Band (accepted by Rod Williams, Tameca Pizarro, Edith Moody, and several students).

Best Float: American Legion Post 205 (accepted by Commander Paul Rhinehard)

Bluffton State of Mind: Hidden Treasures Golf Cart Tours (accepted by Nate Pringle, Ray Pringle and Kate Creech)

The Beaufort County School District Character Student of the Month will be presented next month due to a conflict in schedule.

Mayor Sulka presented the Proclamation in Support of National Impaired Driving Prevention Month to the Lowcountry Alliance for Healthy Youth.

Presentation from Historic Bluffton Foundation - Kate Creech, Interim Executive Director

Kate provided Council with an update on past and future events and quarterly number of visitors.

Annual Update from Bluffton Police Department's Mental Health Advocate - Hannah Anderson

Hannah provided Council with an update on the first year's accomplishments and successes of the new Mental Health Advocate position at the Bluffton Police Department.

Update from Town Attorney, Terry Finger regarding the Skip Hoagland Case

Finger gave an update regarding the trial. Finger stated that the case was tried before a jury in Beaufort County with a jury made up of 8 women and 4 men with the Honorable Bobby Barnes from Walterboro as the presiding judge.

Hoagland sued the Town of Bluffton for assault and false imprisonment. He did not sue the Town for any type of infringement or violation of his First Amendment Rights. Finger stated that *assault* involves action that caused a reasonable person to fear harm or false imprisonment and involves an action which wrongfully restrain a person. The Town of Bluffton answered the complaint with a general denial with and number of other defenses that involves in the South Carolina Tort Claims Act, which protects municipalities in certain ways. This case involves a Town Council meeting that was over seven years ago – December 15, 2015.

At the meeting, Mayor Sulka reviewed the Rules of Protocol as it pertains to public comment. The Town ordinances involving public comment date back to 2006 and allow Town Council to adopt reasonable rules and regulations for public comment. Reasonable rules were in fact adopted by this Council. Those rules are displayed in council chambers when a public meeting is taking place since April of 2012. The rules are reviewed by the mayor at the beginning of each public comment session. We are in possession of the audio that was played while at the trial and in that audio, our rules were up on the board and read aloud at the meeting.

These rules specifically state that a person must be respectful during a public comment. At that meeting, Mayor Sulka ruled that Mr. Hoagland was being disrespectful when he attacked the Town Manager. She ends the public comment and Mr. Hoagland was escorted out of the chambers with no physical altercation.

At the trial, Mr. Hoagland called himself, retired officer Jim Carmany, and Mayor Sulka as witnesses. The Town called previous Town Manager Marc Orlando, former Police Chief Joe Manning, and me as witnesses. The primary issue in this case was if Mr. Hoagland was disrespectful. The testimony concluded last Thursday with a verdict in favor of the Town of Bluffton.

The verdict form reads as follows:

1. Has the Plaintiff Mr. Hoagland met the burden of proof by greater or preponderance evidence that the Defendant Town of Bluffton assaulted him on December 8, 2015. The Jury said no.

2. Has the Plaintiff met the burden of proof by the greater weight or the preponderance of evidence that the Town of Bluffton falsely imprisoned him on December 8, 2015. The jury said no.

At the conclusion of the trial, the Town requested that the judge order Mr. Hoagland to pay reasonable attorney fees and cost incurred by the Town. That request is currently under consideration by the judge. He has given us a reasonable time to file necessary documents so that he may consider the last issue.

Public Comment

Jeremiah Orr, 21 Trail Ridge Retreat, Bluffton – Spoke on behalf of the Midpoint HOA; stated that if Town Council decides to approve Pulte’s amendment to the Midpoint Master Plan, the Midpoint HOA would like to request it be approved under the following conditions: 1. Pulte construct the second access point before any clearing starts on the Pulte property and all Pulte construction traffic, including all equipment for clearing the Pulte property, all Pulte employees, subcontractors and delivery of materials and equipment used for the benefit of Pulte for the construction on the Pulte property use the second road access. 2. Pulte does not build any homes or a sales center on the land that exists within the original footprint of Midpoint Phase 1. All of Pulte’s homes and the sales center must be behind the agreed upon tree buffer as shown on Pulte’s plan document. 3. The existing tree buffer on Midpoint Blvd. Lagoon and on Springbrook Trail remain as established and underbrush not be removed or clearcut as revised on the Pulte Amended Master Plan. 4. No gates on Midpoint Blvd. or into the new Pulte subdivision on Midpoint Blvd.

Jim Lawton, 52 Oyster Street, Bluffton – Spoke regarding Palmetto Bluff; stated that Bluffton is unique in that we live on a magnificent river, but as the population rises, so does the runoff into the river. Lawton asked what South Street Partners need for their marina and what the Town needs for the marina. He stated that if we weren’t so intricately bound, perhaps there would be fewer arguments, but we share a common ground well beyond the 54 square miles. He stated that we all have the responsibility to do more than just maintain the beauty for ourselves and profits, but for future generations of human, fish, bird and microbial wildlife. As stewards, we must know what is enough.

Sharon Brown, 163 Buck Island Road, Bluffton – Stated that she feels that the Town of Bluffton has two sets of laws – and that people of color are governed differently and given a different standard to comply with. Asked if that is anything in the strategic Plan to purchase or preserve descents black owned land in the town limits

Communications from Mayor and Council

All of Council wished everyone a Merry Christmas and the public was informed that there will be a calendar of events coming out soon for MLK holiday weekend.

Public Hearing & Final Reading

Public Hearing Opened at 5:51 PM

There were no comments.

Public Hearing Closed at 5:52 PM

Consideration of an Ordinance to Amend the Town of Bluffton Code of Ordinances Chapter 23 - Unified Development Ordinance, Article 5 - Design Standard, Sec. 5.8.3, Lot and Building Standards, Table

5.8.3.A (Lot Types by District) and Table 5.8.3.B (Lot Standards) - Public Hearing and Second Reading - Kevin Icard, Director of Growth Management

Icard stated that the proposed amendments are intended to: 1) improve UDO formatting; 2) require that driveways accessed from a street be at least 22 feet in length from the property line, and that any covered parking area accessed from the driveway be at least 22 feet from the property line; 3) eliminate unnecessary lot types; and, 4) adjust lot widths, setbacks, and lot coverages for certain lot types. Additional information on each of these amendments follows:

1. **Formatting:** Currently, Table 5.8.3.B. includes four footnotes that are identified with the asterisk (*) symbol. With each footnote, an additional asterisk is used; for example, footnote four is shown with four asterisks (****). Multiple asterisks can be confusing to reference. Therefore, it is recommended that the footnote references be converted to numbers 1-4. An additional footnote, [5], is proposed to provide readers with a cross-reference to UDO Sec. 9.3.E. for specific provisions regarding stories/height, including minimum and maximum story height. Footnote [6] has been added as a result of an amendment recommended by the Planning Commission to require that some lot types have vehicular access only for the rear of the lot.
2. **Driveway Length and Covered Parking:** With the exception of an Estate House Lot type, the minimum residential front yard building setback ranges from zero (0) to 12 feet. The UDO does not specify where off-street residential parking is to be located, which may encourage parking in the front yard setback, particularly when covered parking, such as a garage or carport, is not used or not available. Parking on shallow driveways could cause vehicles to encroach into the right-of-way, possibly blocking sidewalks and detracting from the streetscape. Therefore, it is recommended that when a residential use has vehicular access from a street, the driveway be at least 22 feet in length as measured from the property line, and that any covered parking be setback at least 22 feet from the property line, whether or not attached to a dwelling.
3. **Elimination of Several Lot Types:** Three lot types—Farmhouse, Country House, and Workplace—are proposed to be eliminated. The Farmhouse and Country House lots are substantial in size, requiring a minimum width of 150 feet and 110 feet, respectively. Given the urbanization of the Town, these lot types are unlikely and can be incorporated into the Estate House lot type with the elimination of its maximum lot width requirement, which is presently 110 feet. The purpose of the Workplace Lot type is unclear as “workplace” is not defined by the UDO. The districts where the Workplace Lot is permitted, GM (General Mixed Use) and LI (Light Industrial), are permitted in all or some of the Mixed-Use lot types and within the Commercial lot types and can be absorbed by both lot types. To see where the GM and LI zoning districts presently exist, the zoning map for the Town can be viewed in Attachment 4.
4. **Other:** Adjustments are recommended for lot widths, setbacks, and lot coverages for certain lot types:

- *Estate House Lot Type Lot Coverage:* For the Estate House lot type the maximum lot width is proposed to be eliminated to absorb the Farm and Country House lot types. The lot coverage was proposed by Town Staff to be reduced from 50% to 40%; however, the Planning Commission recommended that 50% lot coverage be retained given the large lot size.
- *Small House Lot Width Minimum:* The Small House minimum lot width is proposed to be increased from 30 feet to 40 feet since the required side yard setbacks of five (5) feet would allow for a home just 20 feet in width, which could encourage front elevations that are entirely or mostly garages. This proposal led to a discussion about location of vehicular access to small lots and that such access should be from the rear of the lot to prevent streetscapes from being dominated by driveways and garages.

The Planning Commission voted to recommend a rear yard vehicular access requirement for Small House lots and included application of this limitation to all lots that have a minimum width of 40 or fewer feet, which includes the following lot types: Duplex, Small Townhouse, Large Townhouse, Small Mixed Use, Small Commercial. *Town Staff suggests that vehicular location be applied only to the Small House lot at this time as implications of this requirement for the other lot types was not analyzed and may potentially have undesirable consequences.* After analyzing this proposal, Town Staff would present its findings to the Planning Commission for further direction.

- *Side Yard Setbacks:* The side yard setbacks for the Small, Medium, and Large Multi-family house types are proposed to be adjusted. For the Small Multi-family lot type, a minimum side yard setback would be required (6 feet) in place of no requirement. Medium and Large Multi-family lot types are recommended to increase five (5) feet each from 5 and 10 feet, respectively, to 10 and 15 feet. Mixed-Use lots are also proposed to be treated similarly.
- *Correcting Minimum and Maximum Lot Widths for Certain Lot Types:* In Table 5.3.8.B. (Lot Standards), there are certain lot types that share the same square footage for maximum and minimum lot width. For example, the Medium House Lot has a maximum lot width of 70 feet and the Large House Lot has a minimum lot width of 70 feet. To correct this error, maximum lot widths for certain lots would have a square footage ending in “9” and minimum lot widths would have a square footage ending in “0” (e.g., Medium House Lot would have a maximum lot width of 69 feet; Large House Lot would have a minimum lot width of 70 feet). See Attachment 2 for other instances.

REVIEW CRITERIA & ANALYSIS: When assessing an application for UDO Text Amendments, Town Council is required to consider the criteria set forth in UDO Section 3.5.3, Application Review Criteria. These criteria are provided below, followed by a Finding.

1. Section 3.5.3.A. Consistency with the Comprehensive Plan or, if conditions have changed since the Comprehensive Plan was adopted, consistency with the overall intent of the Plan, recent development trends and the general character of the area.

Finding. The proposed amendments have no relationship to this criterion.

2. Section 3.5.3.B. Consistency with demographic changes, prevailing economic trends, and/or newly recognized best planning practices.

Finding. The proposed amendments have no relationship to this criterion.

3. Section 3.5.3.C. Enhancement of the health, safety, and welfare of the Town of Bluffton.

Finding. The proposed amendments have no relationship to this criterion.

4. Section 3.5.3.D. Impact of the proposed amendment on the provision of public services.

Finding. The proposed amendments have no relationship to this criterion.

5. Section 3.5.3.E. The application must comply with applicable requirements in the Applications Manual.

Finding. The application complies with all applicable requirements of the Applications Manual.

Toomer moved to approve on Second and Final Reading, the Planning Commission recommendations with changes for amendments to the Town of Bluffton Code of Ordinances Chapter 23 – Unified Development Ordinance, Article 5 – Design Standards, Sec. 5.8.3, Lot and Building Standards, Table 5.8.3.A (Lot Types by District) and Table 5.8.3.B (Lot Standards) as follows:

1. **Maintain the maximum lot coverage of the Estate House Lot at 50% instead of 40% as recommended by Town Staff; and,**
2. **Require that vehicular access for the Small House Lot type be only in the rear yard. For all other lot types with a minimum lot width of 40 or fewer feet, including Duplex, Small Townhouse, Large Townhouse, Small Mixed Use and Small Lot Commercial, Town Staff shall analyze each lot type and determine whether vehicular access only from the rear of a lot should be provided, with findings presented to the Planning Commission at a workshop.**

Frazier seconded. The motion carried unanimously.

Consideration of a Request by Palmetto Bluff Development, LLC for a Fifth Amendment to the Palmetto Bluff Development Agreement to Provide for a Second Dry Stack Boat Storage at the Big House Tract's Anson Marina (DDA-03-21-015139) - Public Hearing & Second and Final Reading - Kevin Icard, Director of Growth Management

Consideration of a Request by Palmetto Bluff Development, LLC for a Second Amendment to the Palmetto Bluff Concept Plan to Provide for a Second Dry Stack Boat Storage at the Big House Tract's Anson Marina (CPA-03-21-015140) - Public Hearing & Second and Final Reading - Kevin Icard, Director of Growth Management

Icard stated that on November 1, 2021, the Planning Commission recommended to deny the Development Agreement amendment and to deny the Concept Plan Amendment due to the request being inconsistent with the original Development Agreement, and the goals and objectives of the Comprehensive Plan.

On October 4, 2022, the Negotiating Committee approved the following motion:

1. The request for fuel over water be denied.
2. That a second dry stack at Anson Marina in the Big House Tract be authorized under the following conditions:
 - a. The number of wet slips cannot exceed 170 which is the number currently permitted.
 - b. From the 400 slips authorized under the Second Amendment, this leaves 230 for dry stack slips.
 - c. Wet slips may be converted to dry stack slips. One wet slip may be converted to two dry stack slips.
 - d. Dry stack slips cannot be converted to wet slips.
3. That this recommendation be forwarded to Town Council for its review and action.

The 21,749.5 acre property known as Palmetto Bluff was annexed into the Town of Bluffton's municipal boundary on November 23, 1998 via Town Council Ordinance 1998-09. In conjunction with the annexation, Town Council approved a Zoning Map Amendment via Ordinance 1998-11 and a Development Agreement via Ordinance 1998-02 resulting in the [Original Palmetto Bluff Development Agreement Planned Unit Development Concept Plan](#) ("Original Agreement").

As part of the Applicant's planning process for the next phases of development for Palmetto Bluff, including the expansion of the existing Big House water access point located at the southernmost point of Palmetto Bluff which will be commonly known as the Anson Marina as shown on the current Concept Land Use Plan provided as Attachment 2, they have submitted applications requesting amendments to the Palmetto Bluff Development Agreement and Concept Plan to allow for an additional dry stack boat storage facility and dockside fueling, as amended, copies of which are provided as Attachment 3. Anson Marina is currently permitted by Army Corps for 170 wet slips.

On March 23, 2021, Palmetto Bluff Development, LLC submitted applications proposing amendments to the Palmetto Bluff Development Agreement and Concept Plan as well as the Restated Declaration of Covenants, Conditions and Restrictions for Palmetto Bluff (Docks) of which the Town is an acknowledging party. This initial request was considered by Planning Commission at their Public Hearing on August 25, 2021, where numerous questions were raised, and the Commission voted to table the request.

On September 27, 2021, the Applicant submitted a revised request to amend the Development Agreement and Concept Plan to allow for dry stack storage and dockside fueling for the Anson Marina.

Proposed Development Agreement Text Revision

Palmetto Bluff Development, LLC proposes and requests the following amendments to the Palmetto Bluff Development Agreement **Section X.7.C**

(See Attachment 5 for Complete Development Agreement)

Up to three (3) water access points, in the aggregate, may be constructed on the easterly and southerly boundaries of the Palmetto Bluff Tract. Two (2) of these accesses must be sited at the existing accesses known as the Lodge and Big House. Dry stack facilities shall be permitted at only ~~one (1)~~ two (2) of the accesses. Fueling facilities shall be allowed at the accesses, but, with the exception of the Big House access point, there shall be no dispensing of fuel either at docks or within buffers or setback areas as established by the River Protection Overlay District or seaward of high ground. Expansion and improvement of existing accesses may be had, if in accordance with state and federal regulations. One additional kayak and canoe access point will be located on the New River. No fueling facilities will be located at this point.

Proposed Concept PUD Plan Text Revisions

Palmetto Bluff Development, LLC proposes and requests the following amendments to the **Palmetto Bluff Concept Plan, Section 1.G. Paragraph 9.**

(See Attachment 6 for Complete Concept Plan)

Water access points are intended to give residents the opportunity to experience the Low Country waters and not harm the environment. The facilities may consist of a boat ramp and/or stacked storage facility and dockage. With the exception of the Big House water access point, fuel facilities will be allowed only landward of the OCRM critical line. A pier and dock on the New River for canoes and kayaks is part of the plan. All water access points require a permit from OCRM.

Palmetto Bluff Development, LLC proposes and requests the following amendments to the **Palmetto Bluff Concept Plan, Section 2. B.4(b)(4)**
(See Attachment 6 for Complete Concept Plan)

Commercial inland dry boat storage facility designed for the purpose of storing boats indoor or outdoor and horizontally or vertically. Ancillary uses associated with the facility may include restaurants and boating related facilities such as boat maintenance and repairs; upland fuel sales and dockside fueling at the Existing Water Access Point known as Big House, boat sales, services and retail supplies. Such development shall be counted against the overall allowed commercial acreage for the Palmetto Bluff PUD.

PLANNING COMMISSION CONSIDERATION AND RECOMMENDATION: At the August 25, 2021, Planning Commission meeting, the Commissioners heard the request for various amendments to the Development Agreement, Concept Plan and other governing documents related to clarifying the location and number of Water Access points within Palmetto Bluff.

On September 27, 2021, the Applicant submitted a revised Narrative and updated the Applications to reflect their modified request. The Applicant is now requesting that there only be changes to the Development Agreement, Concept Plan, and Declaration of Covenants, Conditions, and Restrictions that will allow for Dockside Fueling and a second Dry Stack Storage for the Big House Tract at Anson Marina. Planning Commission held a Public Hearing for the revised applications at their November 1, 2021 meeting. Public Comments provided at the meeting included concerns for the development of a marina and its impact on water quality, the local ecosystem, rare and endangered species, and boating traffic.

The Commission discussed several topics identified by Public Comment and raised several questions including:

1. How much square footage would the dry dock storage equate to and what is its anticipated capacity?
 - a. While the exact specifications are unknown at this time, the Applicant estimated approximately 35,000 square feet of building and additional space for forklift maneuverability with an estimated 180-250 dry stack spaces, with a building height not to exceed fifty-feet (50'), allowing for boats to be stacked 4 spaces high.
2. How would the dry dock storage equate to in commercial square footage and development rights?
 - a. Palmetto Bluff commercial development rights are based on acreage rather than square footage.

- b. The mixed-use village areas and islands in and around the Anson Marina anticipate the following development as shown on the current Palmetto Bluff Phase 2 Master Plan's Land Use Plan map:

Planned Area	Total Acres	Anticipated Utilization of Development Rights	
		RDUs	Commercial
Village #3 Big House Island/ Anson Marina	37 acres	296 RDUs	20 acres
Village #4 Mainland	56 acres	125 RDUs	30 acres
Village #5 Mainland Inland	109 acres	436 RDUs	30 acres
Residential Area C1 Island Compound	8 acres	3 RDUs	0 acres
Residential Area E Dough Boy Island	14 acres	7 RDUs	0 acres
Residential Area F Long Island	93 acres	32 RDUs	0 acres
TOTAL	317 acres	899 RDUs	80 acres

- c. Waterfront areas, including the Anson Marina, are subject to the River Protection Overlay District, as modified, that prevents development (except access to the marina docks) along the water line by increasing the minimum development setback and buffers from the OCRM Critical Line of the May, Cooper, and New Rivers from fifty (50') feet to an average of one hundred (100') feet within each Initial Master Plan, with a minimum of eighty (80') feet on any lot. In Commercial areas, the setback and buffers from the OCRM Critical Line shall be one hundred fifty (150) feet.
3. What is the parking requirement?
- a. In addition to the necessary parking for the upland uses surrounding the marina, the necessary parking ratio for individual slips and their ancillary uses will be considered at time of Development Plan as part of the required parking study.
4. What is allowed under the current Development Agreement and Concept Plan?
- a. Palmetto Bluff has an approved permit (Attachment 4) from the Army Corps of Engineers ("ACOE") and South Carolina Department of Health and Environmental Control

- (“SCDHEC”) to construct the docks for Anson Marina with the first phase consisting of 50 wet slips up to approximately 170 wet slips.
- b. Palmetto Bluff can construct (with appropriate development permits) the uplands portion of the marina including, parking, commercial buildings, stormwater structures, uplands fueling (including fuel storage tanks) and necessary infrastructure.
 - c. With ACOE and DHEC approval, Palmetto Bluff could construct up to 400 wet slips, equal to 10% of the allowed 4,000 residential dwelling units within Palmetto Bluff, which must be developed in phases and follow the needs of the community as provided for in the [Second Development Agreement Amendment](#).
5. Do the spaces within the proposed dry stack boat storage count against the maximum of 400 slips currently allowed at the Anson Marina pursuant to the provisions of the Second Development Agreement Amendment?
- a. The Applicant stated that the dry stack boat storage spaces do not count against the maximum number of slips per the Second Development Agreement Amendment.
6. What is not allowed under the current provisions of the Development Agreement and Concept Plan, as amended?
- a. Dry stack storage and dockside fueling are not permitted.

Planning Commission voted to forward Town Council a recommendation to deny the proposed Development Agreement Amendment and to deny the proposed Concept Plan Amendment as the requests are inconsistent with the intent of the Original Development Agreement as well as the goals and objectives of the Town of Bluffton Comprehensive Plan.

The packet for the November 1, 2021 Planning Commission Public Hearing is available for download through the following link: [Planning Commission Packet](#).

The video recording for the agenda item is available through the following link with Public Comment beginning at 23:40 and the presentation and discussion starting at 3:33: [Planning Commission Meeting Video](#).

TOWN COUNCIL: Town Council considered the requests at their November 9, 2021, for Ordinance First Reading. Public Comments provided at the meeting included concerns for the development of a marina and its impact on water quality, the local ecosystem, rare and endangered species, and boating traffic.

Town Council raised several questions during discussion of the requests including:

1. Number and size of slips and the boats they could accommodate.

2. Anticipated additional watercraft traffic from the marina and their anticipated destination(s).
3. Size, capacity, and design of the proposed dry stack boat storage.
4. Current conditions, monitoring efforts, and anticipated future effects on the surrounding ecology (i.e. water quality, wildlife, marshes, shellfish, etc.).
5. Conducting a community meeting to present the proposal and receive feedback for owners, residents, citizens and interested parties.
6. Preserving additional property from development such as Long Island and Doughboy Island and/or development of larger compound sized lots such as those in the Headwaters.

After discussion concluded, Town Council voted to postpone Town Council action on First Reading of the Ordinances and refer the request to the Negotiation Committee to negotiate the terms of the Development Agreement and Concept Plan which relate to Dockside Fueling, Dry Stack Storage, or any additional terms related to the Applications.

The packet for the November 9, 2021 Town Council meeting is available for download through the following link: [Town Council Packet](#).

The video recording for the agenda item is available through the following link with Public Comment beginning at 18:55 and the presentation and discussion starting at 2:21:54: [Town Council Meeting Video](#).

NEGOTIATING COMMITTEE: The Committee held three public meeting meetings at which they heard comments from the public like those from the Planning Commission meetings which included concerns for the development of a marina and its impact on water quality, the local ecosystem, rare and endangered species, and boating traffic.

The Committee raised several questions and comments over the course of the meetings including:

1. Hold a community meeting open to Palmetto Bluff residents/owners and interested citizens/owners/surrounding community regarding the future Anson Marina and the proposed amendments and provide a summary of attendee comments, concerns, and questions.
2. Provide a copy of the survey sent to Palmetto Bluff owners/residents and the results.
3. Invite Jay Whaley with the Palmetto Bluff Conservancy to make a presentation at the next Negotiating Committee meeting.
4. Provide a copy of the Community Charter read during public comment and provide an overview of how it's principals are upheld in the planning and development of Palmetto Bluff.

5. Obtain a determination from the Town Attorney regarding the intent of the language of the Second Palmetto Bluff Development Agreement Amendment, Section 3 limiting the number of slips at Anson Marina (see below) is calculated based upon the total RDUs allowed at the time of the Amendment which was 2,920 RDUs, or is it dependent on the total RDUs at time of expansion/development which is currently 4,000 RDUs.

The following provision shall be added to the Palmetto Bluff Development Agreement as Section X, 7E:

Restriction on New River Access. Expansion of the existing Water access point at Big House as provided for in Article X. of the Palmetto Bluff Development Agreement shall be restricted so that the total number of slips do not exceed 10% of the total cumulative number of approved development units within Palmetto Bluff. This restriction shall not apply to docking areas to be utilized by transient kayaks or other vessels. The first phase of any expansion shall not exceed fifty (50) slips in addition to the areas to be utilized by transient kayaks or other vessels. Any expansion subsequent to the first phase shall be done in phases in order that community docking facilities do not exceed Palmetto Bluff community needs subject to the limitations set forth herein. Any expansion of Water access points shall be subject to State and Federal permitting.

6. Provide a summary of the site and structure dimensions and capacity of the Wilson dry stack boat storage facility including:
 - a. Building height;
 - b. Size of building footprint;
 - c. Building square footage;
 - d. Maximum boat size which can be stored;
 - e. Size of spaces;
 - f. Total number of spaces available;
 - g. Fueling options and procedure; and
 - h. Fuel storage tank locations, if they are buried or above ground, and the capacity of each.
7. Provide an estimated summary of the site and structure dimensions and capacity of the proposed Anson Marina dry stack boat storage facility including:
 - a. Building height;

- b. Size of building footprint;
 - c. Building square footage;
 - d. Maximum boat size which can be stored;
 - e. Size of spaces;
 - f. Total number of spaces available;
 - g. Fueling options and procedure; and
 - h. Fuel storage tank locations, if they are buried or above ground, and the capacity of each.
8. Provide a breakdown of the Anson Marina in-water slips including the sizes, number of each size, number available for rent, and number of transient slips.
9. How wide is the river in the proposed marina area at low tide and at high tide?
10. What is the approval and permitting process for the construction of the proposed dry stack boat storage facility?
11. Identify the governmental entity responsible for issuing dredging permits and provide a summary of the permitting process including opportunities for public comment.
12. Provide an update on the health of the May River, New River, Cooper River, and other waterways within the vicinity of Anson Marina such as status (open/closed) of public and private shellfish harvesting beds.
13. Provide an overview of State Street Partners' backer and financier, Henderson Park.

The Applicant's responses and supplemental materials are provided in the video of the Community Meeting, which is available through the following link: [February 21, 2022, Palmetto Bluff Community Meeting Video Link](#).

Upon completion of negotiations and prior to voting at their October 4, 2022, meeting, the Committee noted that their goal was to reduce the number of wet slips. The Committee then unanimously voted to approve the following motion:

- 1. The request for fuel over water be denied.
- 2. That a second dry stack at Anson Marina in the Big House Tract be authorized under the following conditions:

- a. The number of wet slips cannot exceed 170 which is the number currently permitted.
- b. From the 400 slips authorized under the Second Amendment, this leaves 230 for dry stack slips.
- c. Wet slips may be converted to dry stack slips. One wet slip may be converted to two dry stack slips.
- d. Dry stack slips cannot be converted to wet slips.

3. That this recommendation be forwarded to Town Council for its review and action.

Details from each meeting are available as follows:

January 6, 2022 Meeting

The packet for the January 6, 2022 Negotiating Committee meeting is available for download through the following link: [Negotiating Committee January 6, 2022 Meeting Packet](#).

The video recording is available through the following link: [Negotiating Committee January 6, 2022 Meeting Video](#).

May 17, 2022 Meeting

The packet for the May 17, 2022 Negotiating Committee meeting is available for download through the following link: [Negotiating Committee May 7, 2022 Meeting Packet](#).

The video recording for the meeting is available through the following link: [Negotiating Committee May 17, 2022 Meeting Video](#).

October 4, 2022 Meeting

The packet for the November 1, 2021 Planning Commission Public Hearing is available for download through the following link: [Negotiating Committee October 4, 2022 Meeting Packet](#).

The video recording for the meeting is available through the following link: [Negotiating Committee October 4, 2022 Meeting Video](#).

Based on the Negotiating Committee's intent to reduce the number of wet slips and that that one wet slip can be converted to two dry stack slips/slots we propose the following definitions and procedures for inclusion in the Amendment language considered for Second and Final Reading:

1. The number of wet slips cannot exceed 170 which is the number currently permitted.
2. From the 400 slips authorized under the Second Amendment, this leaves 230 for dry stack slips.

3. Wet Slip: That portion of a pier, main pier, finger pier, or float where a boat is moored for the purpose of berthing, embarking, or disembarking as identified in that certain marina permit issued by ACOE and SCDHEC which allows for a total of 170 wet slips of various sizes to be constructed in phases as follows:

SLIP SCHEDULE					
SLIP SIZE (ft)	QUANTITIES				
	PHASE I	PHASE II	PHASE III	PHASE IV	TOTAL
25	8				8
35	10	2			12
40	28		28		56
50		16		2	18
55				2	2
TOTAL DEDICATED SLIPS	46	22	28	4	100
SIDE TIE (LF)	805 FT	825 FT	340FT	1,080 FT	3,050 FT
SIDE TIE SLIPS	16	22	8	24	70
TOTAL SLIP COUNT	62	44	36	28	170

4. Dry Stack Slip/Slot: A landward facility, either covered or uncovered, constructed of horizontal and vertical structural landward members designed to allow placement of small boats in defined slots arranged both horizontally and vertically.
5. Conversion: The conversion of a single wet slip to two Dry Stack Slips/Slots will result in the elimination of said wet slip from construction. Conversions will be tracked and finalized through the recording with the Beaufort County Register of Deeds of an Acknowledgement of Conversion executed by the Town and Applicant.

ANALYSIS

A. PALMETTO BLUFF DEVELOPMENT AGREEMENT AMENDMENT

Town Staff, Planning Commission and Town Council are required to consider the criteria set forth in Title 6, Chapter 31 South Carolina Local Government Development Agreement Act, Section 70 of the Code of Laws of South Carolina Code (1976), as amended, in assessing an application for Development Agreement Amendment. These criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date:

1. Section 6-31-70. A development agreement and authorized development must be consistent with the local government's comprehensive plan and land development regulations.

Finding: The proposed Palmetto Bluff Development Agreement Amendment meets this requirement and is consistent with the elements of the Town of Bluffton Comprehensive Plan, adopted September 4, 2007, as amended, and the regulations of the Palmetto Bluff Development Agreement, adopted November 23, 1998, as amended.

B. PALMETTO BLUFF CONCEPT PLAN AMENDMENT

Town Staff, Planning Commission and Town Council are required to consider the criteria set forth in in Section 3.8.3 of the Unified Development Ordinance (UDO) in assessing an application for a Concept Plan Amendment. These criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date:

1. Section 3.8.3.A. Promotion of and consistency with the land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan.

Finding: The proposed Development Agreement Amendment meets this requirement and is consistent with the elements of the Town of Bluffton Comprehensive Plan, adopted September 4, 2007, as amended, and the regulations of the Palmetto Bluff Development Agreement, adopted November 23, 1998, as amended.

2. Section 3.8.3.B. Consistency with the intent of the Planned Unit Development Zoning District as prescribed in Article 4, Zoning Districts.

Finding: Staff finds that the proposed Concept Plan amendment is consistent with the intent of the original PUD Zoning District whereby the PUD provides for a high quality environmentally sensitive community through improved design, character and quality of walkable mixed-use developments and the preservation of natural and scenic features and open spaces.

3. Section 3.8.3.C. Demonstration of innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare than which could be otherwise achieved through strict application of this Ordinance.

Finding: Staff finds that the proposed Concept Plan amendment demonstrates innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare than which could be otherwise achieved through strict application of this Ordinance.

The proposed amendment retains the restriction prohibiting private individual single-family docks and access points and instead provides for the clustering of available water accesses for boat mooring, landings, and launches. The applicant intends to construct the future Anson Marina at Big House to meet and maintain the requirements for certification as a South Carolina Clean Marina, the requirements of which are available through the following link:

<https://sccm.scseagrant.org/certification/>.

4. Section 3.8.3.D. Compatibility of proposed land uses, densities, traffic circulation and design with adjacent land uses and environmental features, as well as the character of the surrounding area.

Finding: Staff finds that the proposed Concept Plan land uses, densities, traffic circulation and design are compatible with adjacent land uses, environmental features, and character of the surrounding area.

5. Section 3.8.3.E. Ability to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services. For developments that have the potential for significant impact on infrastructure and services the applicant shall be required to provide an analysis and mitigation of the impact on transportation, utilities, and community services.

Finding: Staff finds that the proposed Concept Plan amendment is able to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services.

Adequate facilities and allowances for all public services were provided for the greater Palmetto Bluff PUD and its surrounding areas. All necessary utilities and roads are readily available to the property and consistent with prior planning for roads and infrastructure. Utility service providers such as Beaufort Jasper Water and Sewer Authority, Hargray, Palmetto Electric, and SCE&G provided the commitment to serve letters with the adoption of the initial Palmetto Bluff Concept Plan and have confirmed their ability to serve the Property as shown in the letters provided as part of the application package.

6. Section 3.8.3.F. Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.

Finding: Staff finds that the proposed Concept Plan amendment is in conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton. Specifically, Town Staff has reviewed the Town of Bluffton Strategic Plan. Initially

adopted on September 14, 2010, the Town of Bluffton Strategic Plan defines the Town's vision and needs to establish a long-term direction guided by identified goals, objectives, and actions.

The Goals and associated Objectives identified in the Town's Strategic Plan provide for an increase of the commercial tax base and striving for a sustainable Town balancing personal livability, environmental stewardship, economic opportunities, and community building.

In this regard, the proposed Development Agreement & Concept Plan amendment meets these objectives by providing economic growth, job creation, support of the recreational use of local waterways, provide additional venues to attract new tourism, and increasing business and tax revenue.

7. Section 3.8.3.G. The application must comply with applicable requirements in the Applications Manual.

Finding: Staff finds that the proposed Concept Plan amendment is in conformance with the applicable requirements in the Applications Manual.

Below is a timeline of public meetings completed (and one additional meeting in December). These meetings were/are all open to the public.

Meeting	Date	Task Description/Application(s) for Review	Complete Date
Development Review Committee	August 18, 2021	Concept Plan Amendment	✓ (Forwarded to PC)
Planning Commission Workshop	August 25, 2021	Development Agreement Amendment Concept Plan Amendment	✓ (Presented to PC)
Planning Commission Public Hearing & Recommendation to Town Council	November 1, 2021	Development Agreement Amendment Concept Plan Amendment	✓ (Recommended Denial)
Town Council Ordinance 1 st Readings	November 9, 2021	Development Agreement Amendment Concept Plan Amendment	✓ (Remanded to NC)
Negotiating Committee 1 st Meeting	January 6, 2022	Consideration and Recommendation to Planning Commission and Town Council	✓ (Tabled)
Negotiating Committee 2 nd Meeting	May 17, 2022	Consideration and Recommendation to Planning Commission and Town Council	✓ (Tabled)

Negotiating Committee 3rd Meeting	October 4, 2022	Consideration and Recommendation to Planning Commission and Town Council	✓ <i>(Recommendation to Town Council)</i>
Town Council Ordinance 1st Readings	November 8, 2022	Development Agreement Amendment Concept Plan Amendment	
Town Council Public Hearing & Ordinance 2nd and Final Readings	December 13, 2022	Development Agreement Amendment Concept Plan Amendment	

Hamilton made a motion to approve on Second and Final Reading, the Ordinance for the Fifth Amendment to the Palmetto Bluff Development Agreement to Provide for Dockside Fueling and a Second Dry Stack Boat Storage at the Big House Tract's Anson Marina (DAA-03-21-015139) with the following conditions:

1. The request for fuel over water be denied.
2. That a second dry stack at Anson Marina in the Big House Tract be authorized under the following conditions:
 - a. The number of wet slips cannot exceed 170 which is the number currently permitted.
 - b. From the 400 slips authorized under the Second Amendment, this leaves 230 for dry stack slips.
 - c. Wet slips may be converted to dry stack slips. One wet slip may be converted to two dry stack slips.
 - d. Dry stack slips cannot be converted to wet slips.

Wood seconded. The motion carried unanimously.

Toomer made a motion to approve on Second and Final Reading, the Ordinance for the Second Amendment to the Palmetto Bluff Concept Plan to Provide for Dockside Fueling and a Second Dry Stack Boat Storage at the Big House Tract's Anson Marina (CPA-03-21-015140) with the following conditions:

1. The request for fuel over water be denied.
2. That a second dry stack at Anson Marina in the Big House Tract be authorized under the following conditions:
 - a. The number of wet slips cannot exceed 170 which is the number currently permitted.
 - b. From the 400 slips authorized under the Second Amendment, this leaves 230 for dry stack slips.
 - c. Wet slips may be converted to dry stack slips. One wet slip may be converted to two dry stack slips.
 - d. Dry stack slips cannot be converted to wet slips.

Wood seconded. The motion carried unanimously.

Formal Agenda ItemsConsideration of Approval of an Amendment to the Master Plan for Midpoint at New Riverside Consisting of +/- 253 Acres of Land Located on New Riverside Road and Zoned New Riverside Planned Unit Development, Kevin Icard – Director of Growth Management

Icard presented and stated that the Applicant, Patterson Farmer of Pulte Home Company, LLC, with authorization of the property owner Walcam Land Group, LLC, is requesting approval for an amendment to the Master Plan for Midpoint at New Riverside in the New Riverside Planned Unit Development (Attachments 2 and 3). More specifically, the amendment includes:

1. A revised layout for the remaining undeveloped area of the Midpoint at New Riverside Master Plan. The project will consist of 498 total residential dwelling units, with 98 of the units constructed as Phase 1A, and 400 being proposed single family detached residential units (see below and Attachments 4 and 5).
2. The applicant also proposes several amenities including lagoons, recreational areas and parks, nature trails and an extensive sidewalk network.

BACKGROUND: The Town of Bluffton adopted the New Riverside Concept Plan in June 2004, and most recently amended the plan in December 2016 (Attachment 6). Midpoint at New Riverside totals 253.45 acres identified as Parcel 6A within the New Riverside Concept Plan area, located along the south side of New Riverside Road approximately 11,000 feet from the gate to Palmetto Bluff. The existing master plan was approved in 2007, including 567 residential units, 55.1 acres of passive park/tree save areas, and 6.6 acres of active recreation area. An initial phase was built under a previous developer that includes a single entrance from New Riverside Road, a total of 98 single family attached and detached residential units, and areas designated for recreation and park space. Walcam Land Group then acquired the remaining property along with the remaining development rights. Pulte Home Company seeks to purchase the remaining property to complete the development.

Comments on the current master plan amendment were reviewed at the June 29, 2022, meeting of the Development Review Committee (DRC). A response to DRC comments was provided by the Applicant as part of a July 1, 2022, resubmittal.

On July 27, 2022, the Town of Bluffton Planning Commission approved a motion to table the request to allow the applicant the opportunity to provide additional submittal items related to the following issues discussed at the Planning Commission meeting. The Applicant provided the additional required submittal items on August 8, 2022.

PC Issue 1:

Provide proof of a request and/or receipt of utility/service letters, OCRM, and Army Corps of Engineers updated letters.

Applicant response:

The Applicant has provided the following updated letters:

- BJWSA (June 20, 2022),
- Dominion Energy (natural gas - May 20, 2022)
- Dominion Energy (electricity June 1, 2022)
- Hargray (May 20, 2022)
- Beaufort County School District (July 27, 2022)
- USACE Wetlands Permit – Provided Permit #2004-1G-025 (expires 6/30/2025)

The Applicant has provided proof of request letters from the following agencies:

- SCDHEC-OCRM
- Bluffton Township Fire District
- Beaufort County EMS

PC Issue 2:

Provide proof of a secondary road access agreement.

Applicant response:

The Applicant has provided written confirmation of an agreement by the adjacent landowner to provide additional land to Pulte to accommodate the secondary access.

PC Issue 3:

Provide updated exhibits that incorporate the secondary access road.

Applicant response:

The Applicant has provided updated exhibits.

PC Issue 4:

Summarize the coordination efforts with the current Midpoint Property Owners Association.

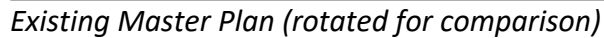
Applicant response:

The Applicant's resubmittal includes a summary of the coordination efforts supported by email correspondence.

PC Issue 5:

Provide an updated Traffic Impact Analysis based on current conditions. Recommended mitigation measures shall be included on development plans prior to final development plan approval.

Applicant response: Section VII of the updated submittal package provides the status of the required traffic study update.



Proposed Master Plan

PLANNING COMMISSION RECOMMENDATION: The Town of Bluffton's Planning Commission voted at their August 24, 2022, meeting to recommend to Town Council to approve the Midpoint at New Riverside Master Plan Amendment subject to the following condition:

1. Provide an updated Traffic Impact Analysis based on current conditions. Any recommended mitigation measures shall be included on development plans prior to final development plan approval.

TRAFFIC IMPACT

Traffic Impact Analysis: On October 5, 2022, the applicant provided a Traffic Impact Study prepared by Kimley-Horn and Associates, Inc (Attachment 13). The study analyzes the Midpoint Residential Development in two phases, with each phase consisting of 200 proposed homes. Phase 1 is planned to be constructed by 2025 and Phase 2 is planned to be constructed by 2028. The following improvements are recommended to mitigate the impact of the proposed development's traffic on the study area intersections:

New Riverside Road at Midpoint Boulevard/May River High School**Phase 1**

- An exclusive eastbound right-turn lane should be constructed.

Phase 2

- Conduct a full signal warrant analysis once the site is fully occupied and consider installing a traffic signal.
- If a traffic signal is warranted, Pulte Homes, LLC should coordinate with the Beaufort County School District and May River High School on the traffic signal implementation.

New Riverside Road at Midpoint Site Access #2**Phase 1 and Phase 2**

- Construct the site access with one ingress lane and one egress lane.
- Confirm intersection sight distance and stopping sight distance requirements are met for the proposed intersection location.

Traffic Impact Analysis Review: On November 23, 2022, the Town contracted with Traffic, Planning and Design (TPD), Inc. to conduct a third-party independent review of the Traffic Impact Analysis prepared by Kimley-Horn and Associates, Inc. The TIA was reviewed for conformance to SCDOT Access and Roadside Management Standards (ARMS) and the Town of Bluffton Unified Development Ordinance (Attachment 14). The following is a summary of the review's analysis and recommendation for each access point:

Access #1 Analysis (Midpoint Boulevard @ New Riverside Road)

Analysis of the intersection indicates the Existing AM Peak Hour for the Midpoint Boulevard approach is failing with a level-of-service (LOS) F and a 178 ft queue. While the proposed eastbound right-turn lane mitigation will provide an improvement during Build Year 2025, the

expected vehicle delays will continue to exceed 300 seconds for the Midpoint Boulevard approach. With a proposed signal installation, the Midpoint Boulevard (eastbound approach) will experience LOS E, failing conditions, in Build Year 2028 with an anticipated delay of 102 seconds for left turns. The provided analysis does not indicate that a traffic signal will be warranted.

Access #1 Recommendation

No alternative intersections have been analyzed or considered for mitigation of the New Riverside Road at Midpoint Boulevard / May River High School intersection. Considering the availability of right-of-way on New Riverside Road and Midpoint Boulevard, a single-lane roundabout may provide better operations and improved safety for the intersection. Improvements to Access #1 should conform to SCDOT Access and Roadside Management Standards (ARMS) and the Town of Bluffton Unified Development Ordinance.

Access #2 Analysis (approximately 800 feet south of Access #1)

No turn lanes are recommended or appear to be warranted. There are concerns whether this access will be able to support substantial volume of traffic as it appears to have a couple sharp curves in the geometric alignment.

Access #2 Recommendation

This access point should be planned with a geometric layout to support 25 percent of site traffic. As the proposed intersection location is in a curve on New Riverside Road, site distance calculations should be provided. Improvements to Access #2 should conform to *SCDOT Access and Roadside Management Standards (ARMS)* and the *Town of Bluffton Unified Development Ordinance*.

PREVIOUS TOWN COUNCIL MEETING AND FOLLOW-UP: On October 11, 2022, Town Council approved a motion to table the request until such time as the Developer has a meeting/workshop with the POA and Phase 1 owners to discuss outstanding issues. The Applicant also received comments following October's Town Council meeting.

On October 27, 2022, the Applicant held a Community Workshop with the Midpoint POA. Town staff was in attendance. The Midpoint POA provided a summary of this meeting (Attachment 15)

On November 14, the Applicant provided a response to comments received following the October Town Council meeting (Attachment 16). The Town Council comments, Applicant responses, and Staff's findings are as follows:

TC Comment 1:

Pulte to hold a meeting with Midpoint POA. All issues between POA and Pulte to be addressed and resolved prior to being placed on any agenda with Town Council.

Applicant response:

Pulte has made all efforts to work with Midpoint POA:

- July 13, 2022 5:30 -6:30 Community Workshop held in Lawton Station Club House – Only 10% of the residents, attended the first time.
- October 27, 2022 6:30 – 8:30 Community Workshop with Staff present – Only 10% of the residents attended the second time.
- November 3, 2022 - Pulte submitted a revised Midpoint Easement, Construction, and Maintenance Agreement based on feedback from the Community Workshop.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment and all parties are acting in good faith.

TC Comment 2:

Town Council will potentially condition any approval that if a gate is constructed, it must be at the main entrance (New Riverside Road) and the secondary entrance, so that all residents are behind it.

Applicant response:

Pulte has proposed to install the gate at the main entrance as requested to keep both neighborhoods behind one gate. Pulte has agreed to assume the responsibility of the gate. Pulte has also detailed the proposal through the Midpoint Easement, Construction, and Maintenance Agreement delivered to the Midpoint POA. Please see the attached supporting documents in the response email.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment. However, in the Applicant's most recent resubmittal, previous references to proposed gates have been removed. The Applicant should provide clarification on the status of proposed gates.

TC Comment 3:

Town Council will potentially condition any approval with the requirement that the secondary road is constructed first (prior to Phase 1) and used as the construction entrance during construction of all phases.

Applicant response:

As discussed with staff during the planning process, Pulte will utilize the existing timber road (secondary road) for both site and vertical construction equipment and contractors. Upon receiving the (Certificate of Occupancy) for the first Pulte resident, Pulte will have the secondary road useable for all residents, including the current phase 1. Pulte has also agreed to mitigate the construction traffic to the secondary access through signage along Midpoint Blvd and New

Riverside Rd, which has also been added to the Midpoint Easement, Construction, and Maintenance Agreement.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment. However, it should be noted that all access road construction should conform to SCDOT Access and Roadside Management Standards (ARMS) and the Town of Bluffton Unified Development Ordinance. In addition, a conclusion included in a third-party independent review of the Traffic Impact Analysis states that the secondary access road “should be planned with a geometric layout to support 25 percent of site traffic. As the proposed intersection location is in a curve on New Riverside Road, site distance calculations should be provided.”

TC Comment 4:

There were multiple concerns including traffic and timing of construction work.

Applicant response:

This has been addressed above.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment. However, it should be noted that all access road construction should conform to SCDOT Access and Roadside Management Standards (ARMS) and the Town of Bluffton Unified Development Ordinance.

TC Comment 5:

Town Council will require additional information regarding the traffic light installation from South Street Partners, Beaufort County and Staff.

Applicant response:

- Pulte coordinated a meeting with New Riverside, LLC (Will Howard-Board Member, Lauren Niemiec – Legal Counsel). New Riverside, LLC does not object to Pulte's installation and operation of a traffic signal at the Midpoint entrance so long as it is constructed, maintained, and operated to meet SCDOT standards. New Riverside, LLC will not own or manage the signal.
- Pulte coordinated a meeting with Beaufort County School District on November 2, 2022 (Robert Oetting & Carol Crutchfield). It is understood that the BCSD could potentially build two additional schools (Elementary and Middle with 1800 students combined) on the May River campus once their funding is established. These schools could be operating within the next four years, funding dependent.
- Pulte coordinated a follow-up meeting with Town Staff and BCSD on November 8, 2022 (Kevin Icard, Dan Frazier, & Robert Oetting). Pulte takeaways from this meeting are as follows. Pulte

does not object to building a signal if it is warranted at full build-out. At this time, the proposed build-out for Midpoint does not warrant the signal but recommends a signal analysis at that time. (per the submitted Traffic Impact Analysis). The Town has acknowledged they will submit the Traffic Analysis to a third-party engineer for review. Pulte is willing to agree to a cost share with BCSD for the proposed traffic signal. Once the final numbers are complete and agreed Pulte would complete a cost-sharing agreement taking on 50% of the cost for the design and construction. Pulte will place their 50% cost share with the Town upon receiving the permit at the two hundredth home. To our knowledge, all signals in the County and Town of Bluffton are on either a Beaufort County or SCDOT road, and those entities own and operate the signals. Neither New Riverside, LLC, Pulte, nor the Beaufort County School District will own or operate the signal. Further discussion and/or agreements will be required to determine ownership once the signal is warranted.

Staff finding:

The conclusions and recommendations of the third-party review of the traffic impact analysis do not align with the conclusions of the original analysis. The review concluded that a traffic signal is not warranted, but a single-lane roundabout may provide better operations and improved safety for the intersection. The review further states that consideration should be given to the installation of a roundabout, or other appropriate intersection improvement, during the Year 2025 Build condition.

TC Comment 4:

There were multiple concerns including traffic and timing of construction work.

Applicant response:

This has been addressed above.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment. However, it should be noted that all access road construction should conform to SCDOT Access and Roadside Management Standards (ARMS) and the Town of Bluffton Unified Development Ordinance.

TC Comment 5:

Town Council will require additional information regarding the traffic light installation from South Street Partners, Beaufort County and Staff.

Applicant response:

- Pulte coordinated a meeting with New Riverside, LLC (Will Howard-Board Member, Lauren Niemiec – Legal Counsel). New Riverside, LLC does not object to Pulte's installation and

operation of a traffic signal at the Midpoint entrance so long as it is constructed, maintained, and operated to meet SCDOT standards. New Riverside, LLC will not own or manage the signal.

- Pulte coordinated a meeting with Beaufort County School District on November 2, 2022 (Robert Oetting & Carol Crutchfield). It is understood that the BCSD could potentially build two additional schools (Elementary and Middle with 1800 students combined) on the May River campus once their funding is established. These schools could be operating within the next four years, funding dependent.
- Pulte coordinated a follow-up meeting with Town Staff and BCSD on November 8, 2022 (Kevin Icard, Dan Frazier, & Robert Oetting). Pulte takeaways from this meeting are as follows. Pulte does not object to building a signal if it is warranted at full build-out. At this time, the proposed build-out for Midpoint does not warrant the signal but recommends a signal analysis at that time. (per the submitted Traffic Impact Analysis). The Town has acknowledged they will submit the Traffic Analysis to a third-party engineer for review. Pulte is willing to agree to a cost share with BCSD for the proposed traffic signal. Once the final numbers are complete and agreed Pulte would complete a cost-sharing agreement taking on 50% of the cost for the design and construction. Pulte will place their 50% cost share with the Town upon receiving the permit at the two hundredth home. To our knowledge, all signals in the County and Town of Bluffton are on either a Beaufort County or SCDOT road, and those entities own and operate the signals. Neither New Riverside, LLC, Pulte, nor the Beaufort County School District will own or operate the signal. Further discussion and/or agreements will be required to determine ownership once the signal is warranted.

Staff finding:

The conclusions and recommendations of the third-party review of the traffic impact analysis do not align with the conclusions of the original analysis. The review concluded that a traffic signal is not warranted, but a single-lane roundabout may provide better operations and improved safety for the intersection. The review further states that consideration should be given to the installation of a roundabout, or other appropriate intersection improvement, during the Year 2025 Build condition.

TC Comment 6:

Town Council will potentially condition any approval that a Traffic light is installed at the beginning of construction.

Applicant response:

Pulte does not object to building a signal if it is warranted at full build-out. At this time, the proposed build-out for Midpoint does not warrant the signal but recommends a signal analysis at that time. Please see the attached Traffic Impact Analysis for support.

Staff finding:

On November 23, 2022, the Town contracted with Traffic, Planning and Design (TPD), Inc. to conduct a third-party independent review of the Traffic Impact Analysis prepared by Kimley-Horn and

Associates, Inc. As opposed to a traffic light, the review recommended that a single-lane roundabout may provide better operations and improved safety for the intersection.

TC Comment 7:

Town Council has requested that the master plan is updated to include additional functional open spaces within the development beyond the amenity center.

Applicant response:

The original IMP contemplated six parks and recreational areas totaling 6.6 acres of proposed active open space. Two of the parks and a recreation area are within the existing development. The proposed IMP provides a central amenity site and an additional park in the rear of the property to provide a total of 6.9 acres of active open space. Additional open space areas will be provided at the off-street parking areas that can also be used for play/picnic areas.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment.

TC Comment 8:

Town Council has requested that an updated tree and topo map with all trees is provided, showing where trees will be saved in relation to the lot layout.

Applicant response:

See Exhibit: Tree Save Master Plan in the submitted package. This exhibit shows the live oaks and significant trees that will be removed or saved. It also shows other existing trees to be saved.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment.

TC Comment 9:

Town Council will potentially condition any approval with a requirement that any RDUs that are not used are transferred back to the Town.

Applicant response:

Pulte will not own these additional RDUs. The balance of entitled units will remain the Pioneer Land and Timber LLC. Please contact the seller to discuss this further.

Staff finding:

Staff finds that the Applicant has adequately responded to this comment.

SITE DESIGN AND DEVELOPMENT STANDARDS: The Town of Bluffton approved both the Concept Plan and a Development Agreement for the entire New Riverside tract in June 2004. The Concept Plan defines the allowed land uses in the various areas of the New Riverside Planning Area. The subject property is identified as Parcel 6A allowing “residential community” and “reserved wetland” land uses. The documents also define the development standards, which will govern all development activity within the Concept Plan, including Midpoint at New Riverside. The Concept Plan and Development Agreement set the binding framework for this Master Plan application.

REVIEW CRITERIA & ANALYSIS

The Planning Commission is required to consider the criteria set forth in Section 3.9.3 of the Unified Development Ordinance in assessing an application for a Master Plan. These criteria are provided below followed by a Staff Finding(s).

1. Section 3.9.3.B. Promotion of and consistency with the land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan.

Finding. The application is consistent with the Comprehensive Plan.

The Land Use Element within the Comprehensive Plan provides a vision that suggests a balance of land uses to ensure a high quality of life, business opportunity, environmentally protected areas and proper placement of commercial uses. The overall New Riverside Land Use Master Plan proposes a mix of residential and commercial uses that will stimulate economic growth and contribute to the Town’s goal of being a sustainable community with a diversified tax base to support Town facilities and services. The proposed amendment to the Midpoint at New Riverside Master Plan retains the residential component previously approved and provides a high quality of life for residents through walking trails, amenities and preservation of environmentally sensitive areas.

2. Section 3.9.3.C. Consistency with the intent of the Planned Unit Development Zoning District as prescribed in this Ordinance.

Finding. This request is consistent with the Town of Bluffton Zoning and Development Standards Ordinance that applies to the New Riverside Concept Plan.

The proposed master plan amendment is consistent with the New Riverside Concept Plan, which identifies the allowed land uses for the subject property as residential and wetland preservation.

3. Section 3.9.3.D. As applicable, consistency with the provisions of the associated Development Agreement and/or PUD Concept Plan.

Finding. The proposed master plan is consistent with the provisions of the New Riverside Concept Plan, as amended.

The proposed master plan amendment is consistent with the New Riverside Concept Plan, which identifies the allowed land uses for the subject property as residential and wetland preservation.

4. Section 3.9.3.E. Compatibility of proposed land uses, densities, traffic circulation and design with adjacent land uses and environmental features, as well as the character of the surrounding area.

Finding. The application is compatible with the surrounding area with respect to proposed land uses, densities, traffic circulation and design.

The applicant is not requesting a change in land use and proposes a decrease in the allowed residential density. The applicant provides two points of access onto New Riverside Road. In addition, the applicant has provided updated traffic study with the understanding that there may be additional off-site improvements required.

5. Section 3.9.3.F. Ability to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services. For developments that have the potential for significant impact on infrastructure and services the applicant shall be required to provide an analysis and mitigation of the impact on transportation, utilities, and community services.

Finding. The property can be served by adequate public services.

Regarding the impact on road infrastructure, the applicant provides two points of access onto New Riverside Road. In addition, the applicant is providing an updated traffic study with the understanding that there may be additional off-site improvements required.

6. Section 3.9.3.G. Demonstration of innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare.

Finding. The Master Plan includes innovative site planning techniques that enhance the Town's health, safety, and welfare.

At time of development plan submittal, the Town's stormwater permit approval process will ensure that the development utilizes the best practices in stormwater management and design guidelines. Potential future pedestrian connections to the Beaufort County Trail System are included on the master plan amendment.

7. Section 3.9.3.H. Ability of the site to sufficiently accommodate the densities and land use intensities of the proposed development.

Finding. The property can sufficiently accommodate the densities and land use intensities of the proposed development.

In addition to the existing access to New Riverside Road from Midpoint Boulevard, the applicant is providing a second paved, full-access point of access onto New Riverside Road.

8. Section 3.9.3.I. Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.

Finding. The application can be in conformance with adopted or accepted plans, policies, and practices of the Town.

The Comprehensive Plan recognizes the systematic growth of the Town and by establishing a maximum allowed commercial acreage and residential units, the New Riverside Concept Plan is controlling growth in an orderly design.

Toomer moved to approve the Request to Amend the Master Plan for Midpoint at New Riverside Consisting of 201 Acres Located along Midpoint Boulevard and Zoned New Riverside Planned Unit Development with the following conditions:

- 1. Pulte Homes, LLC (or future developer) shall construct an exclusive eastbound right turn lane, as outlined on exhibit labeled "Entrance Improvements" in attachment 10 of the packet, on Midpoint Blvd. as part of the first phase of development.**
- 2. Pulte Homes, LLC (or future developer) shall construct the second access point as shown on the proposed master plan amendment as part of the first phase of development and prior to any site clearing. This access point must be used by all construction-related traffic and may be used by Midpoint residents and visitors.**
- 3. Prior to final approval of the Master Plan Amendment, Pulte Homes, LLC will remove any indication of gating the community.**
- 4. Prior to the issuance of a building permits for 50% +1 proposed homes included in the Midpoint Master Plan Amendment, a New Riverside Road at Midpoint Boulevard traffic study shall be provided to the Town of Bluffton. The scope of the study shall include: 1.) an evaluation of a single lane roundabout as an alternative intersection improvement, and 2.) a traffic signal warrant analysis. If a single lane roundabout or traffic signal is warranted, Pulte Homes, LLC (or future developer) shall coordinate with New Riverside Association Inc., and the Beaufort County School District and Pulte Homes, LLC (or future developer) will be responsible for 50% of the installation of the recommended traffic control/safety improvements to the intersection.**
- 5. Prior to the issuance of the building permits for 75% + 1, the improvements specified in condition #4 above must be completed and functioning as designed.**
- 6. In the event that the traffic study mentioned in condition #4 above does not require any intersection improvements, then prior to the issuance of a final development plan approval for the final phase of development, Pulte Homes, LLC (or future developer) will pay into escrow (1) the appropriate amount to conduct a second full signal warrant analysis and (2) 50% of the cost of the recommended improvements once the site is fully occupied.**

Frazier seconded. The motion carried 4-1 with Sulka opposed.

Consideration of Accommodations Tax Advisory Committee Funding Recommendations for Quarter Ending September 30, 2022 - Natalie Majorkiewicz, Assistant Director of Finance

In accordance with the grant process, the Accommodations Tax Advisory Committee (ATAC) held a meeting on November 15, 2022, to review the quarterly grant applications. The committee has made the following grant award recommendations for Town Council's consideration:

Requesting Organization	Amount Requested	Amount Recommended
Farmers Market of Bluffton, Inc.: Farmers Market of Bluffton	\$ 50,500	\$ 50,500
May River Theatre, Inc.: Advertising and Royalty Funding for 2023 Season	38,715	38,715
Lowcountry Online Journalism Initiative Inc.: 2023 Bluffton Newcomers Guide	29,500	Tabled
Town of Bluffton: Squire Pope Carriage House Restoration	457,026	457,026
Total for the Quarter	\$ 575,741	\$ 546,241

Funds Currently Available for Distribution:

Total estimated State and Local Accommodations Tax funds currently available for distribution are \$2,947,523 as outlined in the following chart:

State ATAX		Local ATAX	
Remaining from Previous Qtr.	\$ 507,155	Remaining from Previous Qtr.	\$ 2,140,220
1 st Quarter Revenue	255,533	1 st Quarter Revenue	434,524
First \$25k to General Fund*	(25,000)	51% to Town of Bluffton CIP	(201,663)
5% to General Fund	(11,527)	Disaster Recovery Designation	(4,345)
30% to DMO	(69,160)	8% to DMO	(34,762)
		10% to Town of Bluffton Gen. Fund	(43,452)
Total State ATAX Funds Remaining for Distribution	\$ 657,001	Total Local ATAX Funds Remaining for Distribution	\$ 2,290,522

* First \$25k taken in 1st Quarter of Fiscal Year and Not Applicable (N/A) to the remaining quarters.

When comparing the State and Local Accommodations Tax collections for the quarter ending September 30, 2022, to the same quarter last year, the estimated revenues are down \$296,183,32 or approximately 30%.

Funds Requested for Distribution:

- ☐ **Farmers Market of Bluffton Inc. requested \$50,500 to support advertising and promotion of tourism and facility support for the weekly Farmers Market.**

- The total budget for the organization is \$126,450 with approximately 40% or \$50,900 requested.

- Weekly market held every Thursday beginning January 5, 2023 and ending December 21, 2023 at Martin Family Park with additional rental space for seating and music at the Heyward House Common Grounds.
- Eligible “tourism-related expenditures” include:
 - “Advertising and promotion of tourism” budgeted at \$28,000 for rack cards and posters and advertising in visitor publications, magazines, newspapers, radio, WHHI, website, etc.
 - “Facilities for Civic & Cultural Events” budgeted at \$12,500 for rental and market support such as trash cans, signs, fans, speakers, etc. for visitors to safely enjoy the market and have a welcome and clean venue.

The committee voted to recommend a total award of \$50,500 as presented in the chart below:

Farmers Market of Bluffton	Total Budget	Recommended ATAX Grant (approx. 38% of budget)
Advertising and Promotion of Tourism:	\$ 38,000	\$ 38,000
Facilities for Civic & Cultural Events:	12,500	12,500
Project Expenses:	75,950	N/A
Total	\$ 126,450	\$ 50,500

N/A – Not Applicable

- May River Theatre, Inc. requested \$38,715 to support advertising and promotion of tourism and facility support for the 2023 season.
- The total budget for the organization is \$107,043 with approximately 36% or \$38,715 requested.
 - Six productions are scheduled for 2023 and marketing budgets vary for each production.
 - The Glass Menagerie (Feb/Mar), The Story of a Little Voice (Apr/May), Rent (Jul/Jun), Series of One Acts (Aug), The Addams Family (Oct), and Holiday Show (Dec).
 - Eligible “tourism-related expenditures” include:
 - “Advertising and promotion of tourism” budgeted at \$27,265 for newspapers, magazines, social media, billboards, and posters for all shows.
 - “Facilities for Civic & Cultural Events” budgeted at \$11,450 for royalties for all productions.
 - ATAC has requested the organization come back next quarter with an enhanced advertising budget for possible additional support to gain further reach and larger tourist attendance.

The committee voted to recommend a total award of \$38,715 as presented in the chart below:

2023 Production and Advertising Costs	Total Budget	Recommended ATAX Grant (approx. 36% of budget)
Advertising and Promotion of Tourism:	\$ 27,265	\$ 27,265
Facilities for Civic & Cultural Events:	11,450	11,450
Project Expenses:	68,328	N/A
Total	\$ 107,042	\$ 38,715

N/A – Not Applicable

- Lowcountry Online Journalism Initiative Inc. applied for \$29,500 in advertising and promotion of tourism support for the 2023 Bluffton Newcomers Guide project. The applicant requested ATAC not vote on the current application.
- Funds will go towards producing a new 128-page guide to all things Bluffton, to include schools, places of worship, volunteer opportunities, sports, entertainment, the arts dining, Bluffton history, shopping, neighborhoods, etc.
 - ATAC expressed the following recommendations for a future reapplication:
 - The guide appears directed to residents rather than tourists
 - Bring an example of a prior guide produced or a draft
 - Have site www.welcometobluffton.com up and running

The committee voted 4-0 to table the application to allow time to reapply. Tim Wood recused himself.

2023 Bluffton Newcomers Guide	Total Budget	Recommended ATAX Grant (Tabled)
Advertising and Promotion of Tourism:	\$ 62,000	Tabled
Total	\$ 62,000	Tabled

- Town of Bluffton requested 457,026 to support the restoration and rehabilitation of the ca. 1850 Squire Pope Carriage House.
- The total budget for this phase of the project in FY2023 is \$1,448,138 with approximately 32% or \$457,026 requested based upon the cost proposal received from Huss, Inc.
 - This phase will allow for the completion of the structure's restoration.
 - Upon completion of the restoration, the house and grounds will be available for walking and guided tours provided through the Heyward House Museum.
 - It is anticipated that interior and exterior signage, exhibits, and displays will be installed to interpret the history and cultural significance of the property and architecture.
 - Eligible "tourism-related expenditures" include:
 - "Facilities for civic and cultural events" budgeted at \$1,448,138 for restoration of the structure.

The committee voted 4-1, with Tim Wood opposed to recommend \$457,026 as presented in the chart below:

Squire Pope Carriage House Restoration	Total Budget	Recommended ATAX Grant (approx. 32% of budget)
Facilities for Civic & Cultural Events:	\$ 1,448,138	\$ 457,026
Total	\$ 1,448,138	\$457,026

Toomer made a motion to grant Farmers Market of Bluffton, Inc. \$50,500 in support of the Farmers Market of Bluffton as presented in the Staff Report breakdown for advertising and promotion of tourism and facilities for civic and cultural expenses. Wood seconded. The motion carried unanimously.

Wood made a motion to grant May River Theatre Inc. \$38,715 in support of the 2023 Season as presented in the Staff Report breakdown for advertising and promotion of tourism expenses. Toomer seconded. The motion carried unanimously.

Toomer made a motion to grant Town of Bluffton \$457,026 in support of the Squire Pope Carriage House Restoration project as presented in the Staff Report breakdown for facilities for civic and cultural events expenses. Hamilton seconded. The motion carried unanimously.

Consideration of Approval of a Contract for Body Cameras for the Bluffton Police Department - Interim Chief of Police Scott Chandler

Chandler stated that South Carolina Code of Laws Title 23 Section 23-1-240 requires the use of body-worn cameras by all state and local law enforcement agencies.

The Bluffton Police Department's Standard Operating Procedure (SOP) #66 establishes the rules and regulations for body-worn cameras by officers in the Bluffton Police Department. Currently, Bluffton Police Department struggles to remain in compliance with South Carolina Law or SOP #66 due to the lack of functioning cameras possessed by the department, and the inability to repair or procure replacement parts for currently owned equipment.

The Department currently operates with three different body-worn camera systems. All three camera were manufactured by Safe-Fleet who no longer offers repairs for any of the models in use. Safe-Fleet does offer a replacement option which requires a different back-end data management system. Additionally, the in-car systems are failing at a high rate due to age and are costing several thousand dollars to repair each time, leading the Department to search for a new video management system which integrates body-worn cameras, in-car cameras, and management capability.

Complying with the Town of Bluffton Pw-chasing Ordinance, Section 2-276 on cooperative purchasing, Bluffton Police Department reached out to each known supplier of law enforcement video solutions who supply body cameras and in-car camera systems to police departments nation-wide on State contracts. The companies contacted were Axon, Getac, WatchGuard/Motorola, Digital Ally, and Safe Fleet. BPD requested detailed demonstrations and requested equipment for use and test by officers to down-select to the top-ranked two.

BPD officers ranked Digital Ally and Getac as the two preferred solutions after testing for ease of use, battery life, mounting system, complexity of interface, field durability, among other factors.

Price quotes reflect a five-year integration plan including support, warranty, repair/replace, and the ability to scale up or down depending on the department's needs. The five-year total price quotes were:

- Digital Ally: \$783,304
- Getac \$666,385.49
- Watchguard/Motorola: \$750,300

BPD concluded that Getac's proposal provides the most complete solution and the best fiscal option for the Police Department. Getac's system is also currently being used by the Beaufort County Sheriff's Office and would allow for better integration with their systems.

Toomer made a motion to approve a resolution to enter into a contract with PCN Strategies, LLC for the lease of an integrated body-worn camera and in-car video system. Hamilton seconded. The motion carried unanimously.

Consideration of a Resolution to Encourage the South Carolina General Assembly to Adopt H.3620, "Clementa C. Pinckney Hate Crime Act" - Stephen Steese, Town Manager

Steese presented and stated that a hate crime is commonly defined as a crime involving violence, that is motivated by prejudice based on race, religion, sexual orientation, or other grounds. South Carolina is one of two states in the country with no specific state law to address hate crimes.

H.3620 was introduced in the SC House of Representatives on January 12, 2021, and currently resides in the House Judiciary Committee with 43 co-sponsors.

The two major tenets of H.3620 include the following:

- Defines a hate crime as an offense with the intent to assault, intimidate, or threaten a person because of race, religion, color, sex, gender, national origin, sexual orientation, physical or mental disability, age, political opinion, or the exercise of a person's political rights or privileges.
- Enhances the penalties applicable, punishable upon conviction with a fine not to exceed \$10,000, and an additional imprisonment of up to five years.

Steese stated that pending adoption of the Resolution, Staff will provide a copy of the Resolution to the SC General Assembly Speaker of the House and to the Beaufort County Legislative Delegation.

Toomer moved to approve the Resolution of the Town Council of the Town of Bluffton, South Carolina, encouraging the South Carolina General Assembly to adopt H.3620, "Clementa C. Pinckney Hate Crime Act. Frazier seconded. The motion carried unanimously.

Consent Agenda Items

1. Monthly Department Reports: Police, Finance and Administration, Human Resources, Municipal Court, Projects and Watershed Resilience, Public Services, Don Ryan Center for Innovation, and Growth Management
2. Town Manager Monthly Report
3. Consideration of Adoption of 2023 Town Council Regular and Workshop Meeting Schedules – Kimberly Gammon, Town Clerk

Wood made a motion to approve the Consent Agenda as presented. Hamilton seconded. The motion carried unanimously.

Wood made a motion to adjourn at 7:25 PM. Hamilton seconded.

Lisa Sulka, Mayor

Kimberly Gammon, Town Clerk