

A meeting of the **Beaufort-Port Royal Metropolitan Planning Commission** was held on June 17, 2013 at 5:30 p.m. in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and Commissioners Alice Howard, Robert Semmler, Jennifer Bihl, and James Crower, and City Planner Libby Anderson. Commissioner Bill Harris was absent. Commissioner Alice Howard was late.

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

### **CALL TO ORDER**

Chairman DeVito called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

### **MINUTES**

**Chairman DeVito informed everyone that Commissioner Harris will be absent tonight. Chairman DeVito spoke with Mr. Harris and he had no comments on the May 20, 2013 minutes. Commissioner Crower made a motion, seconded by Commissioner Bihl, to accept the minutes from the May 20, 2013 meeting, as submitted. The motion passed unanimously.**

### **REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT**

#### **REZONING PROPERTY LOCATED AT 1001 HAMAR STREET, KNOWN AS THE CHARLES "LIND" BROWN ACTIVITY CENTER FROM CONSERVATION PRESERVATION DISTRICT TO NEIGHBORHOOD COMMERCIAL DISTRICT.**

*Applicant: City of Beaufort Planning Department*

Ms. Anderson said the property is located at 1001 Hamar Street, in the Dixon Village neighborhood. The property is identified as District 120, Tax Map 3, Parcel 40. The Charles "Lind" Brown Neighborhood Activity Center is located on the property. The City is proposing to rezone the property to Neighborhood Commercial District (NC) for a charter school that is considering locating in this building on a temporary business (one to two years) and is working with the County on a lease agreement. Schools are not a permitted use in the Conversation Preservation (CP) District. Government offices are not allowed. General businesses are not allowed. While the current use of the building as a neighborhood activity center is a conforming use, staff believes a less restrictive zoning of the property is appropriate in the long run- - whether or not the charter school locates in the building, Ms. Anderson said.

Commissioner Howard arrived at this time.

Ms. Anderson showed the Zoning Map which shows the zoning pattern in the area. The Framework Plan in the City's Comprehensive Land Use Plan designates the lot as "Preserved Open Space" (O-1). The property is served with water and sewer. On-site parking is available on the property and directly across Greene Street from the building. Ms. Anderson referred to

the excerpt from the Comprehensive Plan describing the O-1 District. She said, given the current use of the property, the designation of the site as O-1 might be reexamined. Regarding Land Use Compatibility, light industrial uses are located across Hamar Street from the site. Cemeteries are located to the north and east. A funeral home and single-family uses are located on Greene Street, west of Hamar. There will be no new construction as a result of this rezoning request.

Regarding public notification, letters were sent to owners of all property owners within 400' of the property being rezoned on May 22. The property was posted on May 23. The Dixon Village and Northwest Quadrant neighborhood representatives were notified of the application. The public hearing notice referencing this application appeared in the May 20 edition of *The Beaufort Gazette*. To date, staff has received one public comment which was distributed to all of the Commissioners. Ms. Anderson said staff supports the rezoning. She also informed the Commissioners that the review process of this application has diverted from the normal process a little by Council having a public hearing and first reading last week. The second reading will be June 25.

Chairman DeVito asked about the pool. Ms. Anderson suggested the gentleman from the school speak about this and other questions the Commissioner may have.

Marty Miley was present on behalf of the school. He said they are trying to have K-6<sup>th</sup> grade classes. We've searched all over for a place. We will have minor renovations such as interior doors and adding three walls. He said the County owns the land and the building. Chairman DeVito said this facility was turned over to the County from the City right? Ms. Anderson said yes. Chairman DeVito asked what if the County vacates the building. Ms. Anderson said this was mentioned at the council meeting and it may go back to the city but she would have to check with the City Attorney. Commissioner Semmler asked how the drop off will work? Mr. Miley said DOT will tell us how to do it. Commissioner Semmler asked who will pay for it. Mr. Miley said the owner will pay for it. Commissioner Semmler spoke with the owner and Commissioner Semmler doesn't understand why we are changing the use and not just have a "special" exception. Commissioner Semmler commented that Mr. Miley did not even sign the lease yet. He said we should help the school find what he's looking for so he doesn't have to go through their rezoning process. Ms. Anderson said she also questions why it's zoned CP. She's not sure if we want to open up the idea of "CP" having a school in the district, it's not the spirit and intend of that zone. But right now the County controls the use. The NC use does not seem incompatible considering what the building is surrounded by, Ms. Andersons said. Chairman DeVito said we need to stick with the question at hand, the rezoning. Commissioner Semmler asked again why we can't use the special exception use. Ms. Anderson said the City of Beaufort doesn't feel this is the appropriate approach. Commissioner Semmler is all in favor of the school but it should be in the right place; it doesn't require a permanent rezoning. Commissioner Howard said it was zoned incorrectly from the beginning. Chairman DeVito

reminded the Commissioners that the real question is NC inappropriate. Chairman DeVito said NC is appropriate. He asked if everyone read Commissioner Harris's email; all said yes. Chairman DeVito read a little bit of Bill's email. Commissioner Semmler asked again if special exception could be used. Ms. Anderson said it's another method but the ordinance would have to be changed and then ZBOA would have to give approval. Commissioner Semmler asked why it was zoned the way it was back then. Ms. Anderson said someone took all the city parks and zoned them CP because all of the other parks are zoned this way as well as some cemeteries and historic churches. Commissioner Semmler asked about Beaufort High School's pool. Ms. Anderson said it's GC. He also asked about Crystal Lake. Ms. Anderson said it's in the county.

Chairman DeVito asked for public comment. Maxine Lutz spoke and said she doesn't object to NC rezoning. She asked what the current Comprehensive Plan and proposed Master Plan has in store for the area near the red arrow on the Excerpt from the Zoning Map. Ms. Anderson said Comprehensive Plan designated these areas as O-1 which is designated as Open Space.

**Commissioner Alice Howard made a motion, seconded by James Crower, to approve the rezoning application to NC District for the property located at 1001 Hamar Street.**

Commissioner Semmler asked once the zoning is changed, its still owned by the County right? Ms. Anderson said correct. He asked what if the lease is not signed, does the city take over the property and can an office be made out of it and not a community facility any longer? Ms. Anderson said zoning is subject to change and yes once its zoned commercial it can be converted.

**The motion carried with a vote of four to one with Mr. Semmler being opposed.**

#### **CITY OF BEAUFORT – UPDATE ON COUNCIL ACTIONS**

Ms. Anderson said at the June 11 City Council meeting the UDO Amendment Exempting Certain Uses from Parking Requirements and the UDO Amendment Clarifying the Requirements for Construction were heard by Council.

#### **UPDATE ON THE FORM-BASED CODE PROCESS**

Commissioner Howard spoke on behalf of the City and said they are currently working in the Pigeon Point area. Commissioner Crower said he missed the last meeting for Port Royal but their next meeting is tomorrow night. Commissioner Semmler said he's not on the County's committee but does still attend the meetings and Mr. Flewelling has things moving along.

**There being no further business to come before the Commissioner Semmler made a motion to adjourn, seconded by Chairman DeVito, and the meeting was adjourned at 6:10 p.m.**