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A meeting of the Beaufort-Port Royal Metropolitan Planning Commission was held on **March 16, 2015 at 5:30 p.m.** in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and commissioners James Crower, Bill Harris, Robert Semmler, Tim Rentz, and George Johnson, City of Beaufort planner Libby Anderson, and Town of Port Royal planner Linda Bridges.

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

Commissioner Crower made a motion, second by Commissioner Harris, to table approval of the minutes of February 16, 2015 because they were not ready in time for the meeting. The motion to table passed unanimously.

ELECTION OF OFFICERS

Commissioner Crower nominated Chairman DeVito for the position of chairman; Commissioner Johnson seconded the motion. The motion passed unanimously.

Commissioner Rentz nominated Commissioner Crower for the position of vice-chairman; Commissioner Johnson seconded the motion. The motion passed unanimously.

DISCUSSION: COUNCIL UPDATE

Ms. Anderson said the Roseida Road project received first reading from city council March 10, and second reading will be March 24.

The rezoning from residential to Office Commercial on Allison Road, which the commission had approved, received first reading by council March 10, and second reading will be March 24.

DISCUSSION: COMPREHENSIVE PLAN UPDATE

Ms. Anderson said the plan has to have a review every five years. The Civic Master Plan was an amendment to the Comprehensive Plan and was adopted as an appendix to it. Those who followed the process know it had a lot of public input and review, which led to a few changes. It develops different scenarios in regard to investment in the city, she said. Staff suggests that instead of going through another planning process after the Civic Master Plan, to say that the Civic Master Plan is the review of the Comprehensive Plan and jointly to spend time and energy on its *implementation*, not on more planning.

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Ms. Anderson said the Civic Master Plan and the Comprehensive Plan both recommended form-based code (known locally as the Beaufort Code) and that has not yet been completed/reviewed. The Metropolitan Planning Commission is in charge of the Comprehensive Plan, so staff will do as much as or as little on the Comprehensive Plan as the commission feels is appropriate and desirable.

Chairman DeVito said, if they aren't going to do the Comprehensive Plan, they need to know that the Beaufort Code is going to happen. Commissioner Semmler arrived, and Chairman DeVito caught him up with this issue of the Comprehensive Plan and the Beaufort Code. Chairman DeVito said the new commission members should get a month to review the new code. Commissioner Semmler said he thinks that "is a totally reasonable thing to do," and he agreed that the new members should look that the code.

Ms. Anderson said the Northern Regional Plan Implementation Committee is undertaking the Joint Land Use Study (JLUS), and she feels that tightening the growth boundary is the thing she would most like to see come out of that study. The AICUZ should be the edge of the growth boundary; now it goes all the way to Whale Branch. If the AICUZ is wider, that is another reason she would like the Metropolitan Planning Commission look at it. Chairman DeVito said Commissioner Semmler is "the resident expert" on that and could help the Planning Commission do that. Chairman DeVito asked if they could overlay the 3 maps and take a closer look at them. He thinks that would be very beneficial. Commissioner Semmler said the mayor asked specifically that the growth boundaries be included in the JLUS. He said the growth boundaries are critical when considering the TDR process. Commissioner Semmler said he likes Ms. Anderson's suggestion.

Chairman DeVito said all of the councils might need to adopt the JLUS before they do this. Ms. Bridges said once they get the JLUS adopted, this is one of the first things the Town of Port Royal would like to see, too. The Comprehensive Plan and Civic Master Plan's focuses are the same, Ms. Anderson said. Commissioner Johnson asked if the level of refinement of the Comprehensive Plans was the same in various municipalities of the county. Ms. Anderson said she thinks that the city is fairly unique in the level of detail into which it went, but other areas had other aspects that they emphasized.

<u>REVIEW OF PROJECTS FOR THE TOWN OF PORT ROYAL</u>

TOWN OF PORT ROYAL – REZONING REQUEST

Rezone a portion of District 110, Map 11, Parcel 2, an undeveloped parcel at Ribaut Road and Richmond Avenue: an approximately 28-acre parcel currently split-zoned T4 Neighborhood Center–Open and T4 Neighborhood Center. The request is to unify the parcel's zoning to one designation, T4 Neighborhood Center–Open

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Ms. Bridges said she had a request for rezoning. The subject parcel is 28 acres altogether on Richmond Ave. The applicant is the owner: Port Royal Properties, LLP. The 28-acre parcel is split-zoned currently. The zoning designations are T4 Neighborhood Center Open (NCO) and T4 Neighborhood Center (NC); the latter "is the part we will be looking at today," Ms. Bridges said. The applicant has requested unified zoning on the entire parcel to T4 NCO.

Ms. Bridges said the Future Land Use map provides some guidance, in that it sees a unified development standard over all of this parcel and beyond. Zoning designations are not the only rules and regulations with regard to development. There are traffic impact analyses to go through, tree evaluations on a case-by-case basis for removal, mitigation, etc., stormwater management standards, street design standards, and more. The zoning code is a comprehensive document. In regard to source protection, not a lot is yet known about the interior of the parcel, so there may be wetlands in there. Also, a tree survey has not been done. There are regulations in the town's code to deal with those issues, though, when and if they come to them.

A letter was sent to notify property owners within 400', Ms. Bridges said. T4 NCO has a few more uses that T4 NC. Commissioner Crower said if its changed to T4 NCO, one of the allowed uses is gas stations. There are other restrictions on gas station locations, and he wondered whether one would be allowed there. Ms. Bridges said, even without this zoning change, it's allowed on Ribaut Road. If T4 NCO is spread to this property, gas stations are not allowed on this section of road – only on Savannah Highway, Ribaut Road, etc. None would be allowed under this rezoning on this part of the property.

Ms. Bridges said multi-family residential is already allowed; community residences, which are things like assisted living facilities, shelters, etc., would be extended to *all* the property, not just the northern half The retail uses are similar in both, personal storage facilities would be allowed in the front, and a hospital would be allowed in the front. A tavern would be allowed anywhere on the whole property. Open-air retail would now be allowed, as would vehicle sales (as a condition). A larger church would eventually be allowed if the change were made. The T4 NCO was a slight bump up from T4 NC, Ms. Bridges added.

Commissioner Crower said there are additional building types that are allowed, which he named. In terms of the types, as opposed to the uses, they would be allowing "substantially larger buildings on the property if the designation changes to 'Open.'"

John Trask, representing the property, explained where it is located. Commissioner Semmler asked what he is going to do with the property. Mr. Trask said, "We are in talks with someone about an assisted living-type of facility."

Chairman DeVito said split-zoning has been done reluctantly in the past. Ms. Bridges

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said the map ended up looking like this because of the Port Royal code. A big parcel might have many uses, anyway, but a split zoning creates a problem if the owner wants to do a unified development. She is also concerned that as-is, they might have design issues, such as having all the parking in one place and not another. Design should drive design she said, not zoning driving design.

Ms. Bridges said that buffers would be required between uses for residential and commercial, for example. There would be an archeological study, and topographic and tree surveys required as part of the first step to start the evaluation of the property. There are freshwater wetland standards in the Town of Port Royal code. The Corps of Engineers regulates jurisdictional wetlands, but not freshwater wetlands. **Commissioner Rentz made a motion to recommend approval of the rezoning, and Commissioner Johnson seconded the motion.** Commissioner Johnson asked if the county had approved it, and Ms. Bridges said yes. She indicated a third piece of the parcel that is across Richmond Avenue. **The motion passed unanimously.**

TOWN OF PORT ROYAL – TEXT AMENDMENT

Amend The Port Royal Code, Article 5, Section 5.4.40, Architectural Expression and Formality, Table 5.4.40 B; Lowcountry Vernacular, C. Openings, Table 5.4.40 C; Village Revival. Openings, Table 5.4.40 D; Main Street Classical, C. Openings

Ms. Bridges said there is a shutter standard, which she read to the commission. She said staff feels the language is more restrictive than necessary. The building code protects safety issues and durability and applies to every project in town. It has standards for the protection of windows, not just shutters, she said. The language also seems to limit the shutter style. It allows only one type – a bi-fold style – though there are other appropriate styles, Ms. Bridges said. They may be decorative, but the code takes away that aspect. She "would like the decorativeness put back." There was an older code that said "the shutters, when used, *should appear to be operable*," which she is bringing forward for the change. Chairman DeVito said the code's review committee has asked to stay involved with any changes to it, so he wanted to ensure that they have seen it.

Ms. Bridges described to the commissioners where in the code this point is. She showed a photo of what the allowed shutters would look like. A top swing shutter would not be allowed, and she showed a photo of that type. Commissioner Harris said he would agree that it is too limiting in allowing only one type of shutter; however, in Main Street zones – though maybe not in *every* zone – "where the shutters can be seen, touched, and gotten close to," screw-on shutters seem to him to be fake/false. Chairman DeVito suggested that maybe at certain build-to lines, operable shutters could be required, but from the first floor up, or at a certain setback, they could only *appear* to be operable. Commissioner Harris said that if shutters aren't going to work, there's no one being forced to install them. He feels, "If they are going to be done, they should really be done."

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Ms. Bridges said they could begin with the Main Street Classical and not amend the language in that vernacular. Chairman DeVito said that doesn't give the advantage they want, then. Ms. Bridges said she could find language that makes them operable in one place but only appear to be operable in another. The caveat can be that a shutter cannot be decorative if it's in Main Street Classical – so then "you are doing it for real," she said, which will get rid of the "must be the same height" requirement. Chairman DeVito asked Ms. Bridges if she needed more time to think about it.

Commissioner Harris said this matter "is really fine-grained" when you start looking at buildings. She said she would go back and look at it some more. Commissioner Harris said it makes more sense for those floors that aren't being seen or touched, but then they might look obviously different than the operable ones, if they did that. He said the lower floor in Main Street Classical is not going to have residential, which would be on the upper floors. Commissioner Semmler asked if there was any applicability to hurricane shutters. Ms. Bridges said this standard doesn't apply to them. Window film is another, along with hurricane shutters, and a kind of cloth that can be applied for hurricane protection. Plywood can still be applied, Ms. Bridges said, in the event of a hurricane. **Commissioner Crower made a motion to defer action to allow Ms. Bridges to further refine what she would like; Commissioner Harris seconded the motion. The motion passed unanimously.**

<u>Town Council update</u>

Council allowed the radio and TV transmission tower that the Planning Commission had voted unanimously in favor of, Ms. Bridges said.

In regard to the 11.92 acres at Savannah and Shell Point Road, Ms. Bridges said, the zoning went forward as T4 Neighborhood Center and T3 Suburban Neighborhood, and those were assigned per the county's current zoning. The Planning Commission recommended T3 Suburban for the entire property, but that's not what town council has done: the public hearing and second reading on the matter are still to come.

Commissioner Crower said he'd been thinking about his motion to recommend zoning that parcel uniformly T3 and the fact that council didn't follow that recommendation. He said afterwards, he thought about it, and both T4 and T3 closely matched the zoning that was already in the county, so he wondered if his recommendation to zone it all at a less-dense zoning would, in fact, be harmful to the owners – that it might be a downzoning of those in T4 – he thought it might be unjust for the town to follow his recommendation and downzone that when the property owners had been expecting to get the zoning that the county had been doing.

Ms. Bridges showed the county and town zoning maps overlaid on an overhead graphic. She said there are parcel lines that are "single-family lots in the manner that Shell Point

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is.” Council put T3 Suburban Neighborhood around the southern edge but reserved the top northern part of the property for the T4 zoning. Commissioner Crower said his justification was that there is really no access there to Savannah Highway or Parris Island Gateway.

There being no further business to come before the commission, **Commissioner Crower made a motion to adjourn. The motion passed unanimously**, and the meeting was adjourned at 6:27 p.m.

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