

**BEAUFORT–PORT ROYAL
METROPOLITAN PLANNING COMMISSION**

AGENDA

1911 Boundary Street, Beaufort, SC 29902
Phone: 843-525-7011 ~ Fax: 843-986-5606

Monday, March 18, 2013 5:30 P.M.

City Hall Council Chambers, 1911 Boundary Street, Beaufort, SC

STATEMENT OF MEDIA NOTIFICATION: "In accordance with 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."

The commission may alter the order of items on the agenda to address those of most interest to the public in attendance first. Also, in an effort to ensure that all interested persons are given the opportunity to speak on every case, a two (2) minute time limit on public comment will be in effect. Individuals wishing to speak during the hearing will be asked to sign up in advance, and will be recognized by the Chairman during the public comment section of the hearing.

I. Call to Order:

II. Pledge of Allegiance:

III. Review Commission Meeting Minutes:

A. Minutes of the February 18, 2013 Meeting.

IV. Review of Projects for the Town of Port Royal:

No projects.

V. Review of Projects for the City of Beaufort:

A. Annexation and Rezoning. Annexing and rezoning the right-of-way of Inlet Road on Lady's Island. The existing zoning is Lady's Island Village Center; the proposed zoning is General Commercial District. Applicant: City of Beaufort.

B. UDO Amendment. Revising Section 6.8.G of the Unified Development Ordinance, "Regulating Plan," to change the designation of Greenlawn Drive from a Main Street to a Neighborhood Street. Applicant: City of Beaufort.

VI. Review of Projects for the County of Beaufort:

No projects.

VII. Update on Form-Based Code Process

VIII. Adjournment

Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011 for additional information.

A meeting of the Beaufort-Port Royal Metropolitan Planning Commission was held on **February 18, 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, Bill Harris, Jim Hicks and James Crower, and Town of Port Royal Planning Director Linda Bridges and City Planner Libby Anderson.

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 Howard made a motion, second by Commissioner Harris, to accept the minutes of January 24, 2013 as submitted with the correction made prior to the meeting by Julie Bachety in regard to who had called the meeting to order. Commissioner Hicks and Chairman DeVito abstained from the vote because they were not present at the meeting. **The motion passed 4-0.**

REVIEW OF PROJECTS FOR THE TOWN OF PORT ROYAL

Town of Port Royal – Amend Comprehensive Plan’s Future Land Use Map

Amend the Future Land Use Map in the Land Use Element to adjust the Town of Port Royal’s growth boundary

Ms. Bridges said the Town of Port Royal is asking for an adjustment to the future service delivery areas agreement map. She showed a piece of the map concentrating between Robert Smalls Parkway and Parris Island Gateway. In the late 1990s, she said the councils established a line to delineate which areas would be served by the Town of Port Royal and which by the City of Beaufort. The Town of Port Royal has since made this its growth boundary. This would be an amendment to the Town of Port Royal’s comprehensive plan.

Ms. Bridges said that the commission’s recommendation will go to the town’s council for a first reading, public hearing, and second reading. There is interest by property owners on Robert Smalls Parkway to annex into a municipality for an urban growth standard. The properties are contiguous to the town, but one is on the town’s side of the line, and the other isn’t. This request led to a closer look at the line, Ms. Bridges said.

The town brought this to the Metropolitan Planning Commission in January, and the commission told her “what would be important to the quantified analysis.” Staff asked that a special workshop be held for a closer study before making a special application; they are now asking for a recommendation on the movement of the line. They want to adjust the line to

follow a path which Ms. Bridges described and showed on an overhead map. The change will cause an area to shift from outside of the town's boundary to inside the town's boundary and another to shift from the Town of Port Royal to the City of Beaufort. Ms. Bridges said she had sent a chart of this to the Metropolitan Planning Commission members.

74 acres would be gained by the Town of Port Royal, and 120 acres gained by the City of Beaufort. 3918 linear feet of major road frontage on Robert Smalls Parkway would be gained by the Town of Port Royal; the City of Beaufort would gain 2295 linear feet on the west side of Parris Island Gateway. In regard to market value for acreage: the Town of Port Royal's is \$6 million, and the City of Beaufort's would be more than \$12 million.

In addition to adjusting the line, Ms. Bridges said, because this is the Future Land Use map for the Town of Port Royal, if it's adjusted, Town of Port Royal staff would like a document that gives them guidance as to what will happen with future annexations. Currently the comprehensive plan and Future Land Use map are guides for staff for future zoning designations as annexation happens; moving the line will help with annexation, but not on guidance with zoning.

Ms. Bridges showed the same portion of the Future Land Use map and described the various areas. Beyond moving the line, staff would like to place an activity center at the intersection of Castle Rock Road and Robert Smalls Parkway. Activity centers support more robust, intense zoning, Ms. Bridges said. The contributing factors to this decision are the stop light, the realignment of Castle Rock Road, infrastructure that is already there, etc. Plus, the Town of Port Royal will be gaining a small strip center that is already there and, if it's annexed into the Town of Port Royal, the town would want a zoning designation to match the development that's there. The old Beaufort Glass building, similarly, has development of a particular magnitude that will want to rent or buy that place, i.e., boat sales, Ms. Bridges said.

Chairman DeVito asked Ms. Bridges, if they approve this, if she is expecting them to also approve Exhibit B, and Ms. Bridges said that's the town staff's request. Commissioner Crower said there appear to be differences between the map she showed and another map. Ms. Bridges explained the difference and referred the commissioners to their paper maps for clarity.

Commissioner Crower said the change they are asking for is "totally county property at this point," and Ms. Bridges said that's correct. There's no municipal property at this point. Commissioner Howard asked her to clarify what is in the Town of Port Royal on the map, and Ms. Bridges showed the current boundary. She said this particular map is from 2009 and hasn't been amended.

Chairman DeVito said they are considering the motion to change the map to add and subtract each area's service boundaries. **Commissioner Hicks made a motion that they forward to the Town of Port Royal and City of Beaufort a recommendation for approval of amending the Future Land Use map to adjust the Town of Port Royal's growth boundary. Commissioner Harris seconded the motion.**

In regard to Exhibit B, Commissioner Harris asked if the City of Beaufort is in favor of this. Ms. Anderson said it hasn't been presented to council, but both staffs have agreed on the map. **The motion passed unanimously.**

Town of Port Royal – Annexation and Zoning of Forest Lawn Cemetery and Annexation and Zoning of 599 Robert Smalls Parkway

Ms. Bridges said the staff report covers agenda items B – E. She said the Town of Port Royal has received annexation petitions from two applicants. The area is *behind* Robert Smalls Parkway and *at* Robert Smalls Parkway. She described the size and occupancy of the two parcels and showed the parcels and property lines on an overhead map. She then showed the cemetery, which is already in the Town of Port Royal. Building on that to the north, Ms. Bridges said, there will be another piece, which she showed. She indicated the portion that is not yet on the town's zoning map.

The parcels are currently zoned Commercial Suburban. County council is considering a text amendment to Commercial Suburban that would allow businesses that service boats to sell them, too, Ms. Bridges said. Parallel to that, the applicant has asked the Town of Port Royal to annex the property. The parcels are on the edge and just beyond the Town of Port Royal's Future Land Use map. The proposed amendment "will bring parcel 120 D into the growth boundary and beyond as a cushion," Ms. Bridges said.

Ms. Bridges said delivery of services from BJWSA will remain the same; the Burton fire district will serve the area. Funds are allocated annually by contract to be the first deliverer of services, Ms. Bridges said. The Port Royal police department will provide services in the area as they already do. Commercial garbage pick-up may not be immediately addressed but could be in the future. The town is already delivering services in the area, Ms. Bridges summarized.

The applicants are requesting Highway Commercial zoning. The marine service is within 500' of Robert Smalls Parkway and would be covered by the Robert Smalls Parkway Overlay District. Highway Commercial allows a wide range of commercial uses, including the two uses that exist right now: marine repair and sales, and the cemetery. The Robert Smalls Parkway Overlay would come into play if there was a change in the appearance of the property. Everything in that overlay goes to the Town of Port Royal's DRB for approval.

Ms. Bridges said in regard to the future land use, Highway Commercial would be a zoning designation compliant with the activity center discussed previously. Although they talk about zoning, she said she would remind the commission that the Town of Port Royal code has chapters on tree removal, stormwater retention, street layout, etc. "All of these are part and parcel of the town's code," Ms. Bridges said, and "these properties would be part of those stipulations."

There are no environmental issues that stand out to staff now, and letters were sent to property owners within 400' of the affected properties, Ms. Bridges said.

The applicant, **Craig Freeman** of Barrier Island Marine, said they were unaware that they would start all this when they moved their business two blocks down the street. Commissioner Hicks thanked Mr. Freeman for his patience as they do this and said doing so will make it easier for the Metropolitan Planning Commission to do this for future businesses.

Commissioner Hicks made a motion to recommend that the Town of Port Royal annex District 100, Map 31, Parcel 2C, adjacent to 611 Robert Smalls Parkway into the Town of Port Royal. Commissioner Harris seconded the motion. The motion passed unanimously.

Commissioner Hicks made a motion to recommend that the Town of Port Royal zone District 100, Map 31, Parcel 2C, as Highway Commercial within the Robert Smalls Parkway Overlay District. Commissioner Harris seconded the motion. The motion passed unanimously.

Commissioner Hicks made a motion to recommend that the Town of Port Royal annex District 100, Map 28, Parcel 120D at 599 Robert Smalls Parkway into the Town of Port Royal. Commissioner Crower seconded the motion. The motion passed unanimously.

Commissioner Hicks made a motion to recommend that the Town of Port Royal zone District 100, Map 28, Parcel 120D at 599 Robert Smalls Parkway as Highway Commercial within the Robert Smalls Parkway Overlay District. Commissioner Crower seconded the motion. The motion passed unanimously.

TOWN OF PORT ROYAL – UPDATE ON COUNCIL ACTIONS

Ms. Bridges said town council has rezoned District 110, Map 9, Parcels 23A and 23 F from General Residential to MU-2. The applicants are building a small commercial building there.

Commissioner Hicks asked Ms. Anderson if, upon approval, the City of Beaufort Future Land Use map needs to be changed. Ms. Anderson said the City of Beaufort doesn't treat it the same way in terms of the growth boundary, but she thinks they will want to present the change to council as they have for the last decade. Ms. Anderson said the city does have a Future Land

Use map that includes land in the city and county. She said she would look at this matter though, in regard to the change, as Commissioner Hicks suggested.

REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT

UDO Amendment – Revising Section 6.6.F.1 “Outdoor Display of Merchandise,” to clarify what types of merchandise are exempt from display requirements

Ms. Anderson said this was presented in December and tabled for staff to provide more information. She reviewed the definitions of “indoor” and “outdoor” merchandise. Outdoor merchandise is not held to the same strict standards as indoor merchandise is, she said. Indoor merchandise is typically used and stored indoors, but if placed outside, it can only be within 5’ of the building, not on the street, in the parking lot, on the sidewalk, etc. Outdoor merchandise, like cars and boats, has more flexibility; she described the limits to this in terms of where the merchandise will be allowed to be displayed outdoors, which requires a site plan.

A new business at Highway 170 and Salem Road triggered this when they moved into their new space. The business’s owners were told that they were not permitted to display their lawn mowers outdoors as outdoor merchandise. The owners appealed the decision based on the ordinance’s wording, which includes lawn maintenance equipment as outdoor equipment, Ms. Anderson said. The appeal is still ongoing, and staff feels the wording of the ordinance should be modified.

The ordinance’s intention for outdoor merchandise was that they be items that are very difficult to move around daily, Ms. Anderson said. Those items that are moved in and out every day should be held to the same standard as clothes and furniture, so they are proposing to clarify the wording of the ordinance to make it clearer that the distinction is between “temporary” and “permanent” merchandise. They are eliminating the provision for lawn maintenance equipment, Ms. Anderson said. Outdoor display is really *permanent* display, Ms. Anderson said, and is for items that can’t be moved around on a daily basis. Merchandise that is stored inside should not be considered outdoor merchandise. Another part of the ordinance revision designates that outdoor merchandise must be displayed according to a site plan. A site plan will designate where the display is allowed. The mower business is not new development, Ms. Anderson added.

Ms. Anderson said she had received display ordinance copies from the Town of Port Royal. Outdoor display in Beaufort has been studied for more than a year by the council, to the same degree as short-term rentals were in terms of public scrutiny, etc.

Commissioner Semmler said he agrees with Ms. Anderson that the ordinance change is “nitpicky,” and said that “some businesses will nitpick.” He can foresee someone putting a vehicle outside of their business and leaving it outside with an indoor item mounted on it in

order to advertise their business. There are ways people can get around this ordinance by putting things in front of their property, Commissioner Semmler said.

Commissioner Hicks said the Town of Port Royal and the City of Beaufort use the words “and stored” and the county uses “normally used inside.” He said maybe at some point the county will standardized this because they have had their issues with outdoor display as well.

Commissioner Harris asked where a place like Lowes falls in this situation, in that they bring items in and out regularly, and the items are placed further than 5’ from the building. Ms. Anderson said she didn’t realize that Lowes brought items in and out. She said those items aren’t in the parking lot or on Highway 170, so they may be blocking the sidewalk, but they are not in an area that’s not approved for outdoor display. She added that Lowes is a new development and the display “was pre-arranged.”

Chairman DeVito clarified that the way this ordinance change is worded, if a business wanted to designate an area for outdoor storage, they would not be able to bring items out for display and back in at night. Ms. Anderson said yes. Chairman DeVito said he struggles with a business wanting to protect their merchandise from the environment overnight, especially if they bring an agreed-upon site plan. Chairman DeVito said he struggles with the idea of the business not being able to take things in to secure them.

Commissioner Harris said if there’s an approval process for where and how this happens and a site plan is reviewed, he thinks that is enough. It seems to him “a little arbitrary,” and for this case it might make sense, but he can see a business finding its way around the provision. The intent is to try to keep down visual clutter, he said, but he doesn’t know that anything in this revision does that more than is already done. Ms. Anderson agreed that it is difficult, and she would recommend the elimination of outdoor display altogether if possible, because it’s very difficult to regulate. These mowers are bigger, heavier items than baby clothes and used furniture, but there’s “no real difference,” Ms. Anderson said. Council was trying to get away from the many businesses that want to bring their merchandise out, and they determined that the merchandise had to be close to the building.

Chairman DeVito asked if a business built a gazebo and stored everything under it permanently, if that would be permitted, and Ms. Anderson said yes, with a site plan. Commissioner Hicks said the only exception would probably be if the objects on display were “capable of movement under their own power,” but that is even more complex.

Chairman DeVito clarified that the item has to be within the 5’ line of the building, so a larger mower would have to be turned sideways. Ms. Anderson said yes.

Ms. Anderson said the ZBOA had said that if they approve the appeal, there has to be a designated area because if the owners aren't there at some point, whoever *is* there needs to know where the merchandise should be displayed. There was no public comment.

Commissioner Howard made a motion to recommended approval of the changes to the ordinance as submitted. Commissioner Crower seconded the motion. The motion passed 5-1, Commissioner Harris opposed.

CITY OF BEAUFORT – UPDATE ON COUNCIL ACTIONS

Ms. Anderson said the UDO amendment in regard to the boatel is going to first reading by council on February 19.

UPDATE ON THE FORM-BASED CODE PROCESS

Ms. Bridges said the Town of Port Royal review committee is working its way through the use table; new definitions have been put together in a different way by the consultant.

Commissioner Harris said the city is slowly progressing. There is a meeting Wednesday morning. Commissioner Howard said there is confusion about the maps, and they have received emails; neighbors are already meeting about them and not understanding that they're drafts, so there's "some controversy." The county has finished their technical review of the Form-Based Code, Commissioner Hicks said, and "will form a committee that understands what's in it," then will put it out to the public while this group goes over the document, so "there will be a nucleus of folks who understand what it is and what it's doing" when it goes to the county's Planning Commission and council.

Commissioner Hicks said he will not be on the county's Planning Commission for a sixteenth year, and the person who will replace him on that commission would logically replace him on the Metropolitan Planning Commission as well.

Chairman DeVito thanked Chairman DeVito for his work in planning and his service to the county, the City of Beaufort, and the Town of Port Royal. Commissioner Hicks said the work done on the growth boundaries and the plan tonight was a good way to end his service on the Metropolitan Planning Commission.

There being no further business to come before the commission, Chairman DeVito made a motion to adjourn and the meeting was adjourned at 6:36 p.m.

CITY OF BEAUFORT
REZONING ANALYSIS RZ13-01
PUBLIC HEARING DATE: APRIL 9, 2013

Applicant

The applicant is the City of Beaufort. This is a rezoning request as a result of a petition for annexation.

Site

The property to be annexed is the right-of-way of Inlet Road, an approximately 1.25 acre area. The street runs 800' from Ferry Drive north, and dead-ends at the intersection of Sea Island Parkway and Lady's Island Drive (see attached Site Location Map). The State Department of Transportation (DOT) owns the street. The City intends to ask DOT to remove the street from the state system. Once the City receives ownership, the City intends to convey the property to a private party for purposes of development of the Publix site. Six parcels of property abut the road to be annexed and rezoned. The two parcels on the west side of the road are to be used for the Publix development. Cross access and maintenance agreements have been developed between the developer and the adjoining property owners as outlined in the attached letter from David Tedder, attorney for the developer.

Annexation Issues

The property is contiguous to the existing city limits. All municipal services will be available to the property upon annexation. Fire service in this area of the City is provided by a contract with the Lady's Island Fire District.

Present Zoning

The property is zoned "Lady's Island Village Center" under the County's Zoning and Development Standards Ordinance. The Village Center District is a mixed use zone that allows a wide variety of residential, office, and commercial uses.

Proposed Zoning

The proposed zoning for the property is "GC Highway Commercial District" (GC) which is the zoning of the abutting property in the city limits.

All types of office and retail uses are permitted in the GC District. Restaurants with drive-thrus and drive-in restaurants are not permitted. Limited Vehicle Service (ex., a "quick lube") is permitted, but full service vehicle repair is not allowed. Fuel sales are permitted by special exception and with conditions outlined in the ordinance. Multifamily dwellings are permitted, but single-family dwellings and townhouses are not allowed.

Consistency with Comprehensive Plan

The Framework Plan in the City's Comprehensive Land Use Plan designates the area as "Corridor Mixed Use (G-3)." According to the comprehensive plan, "The G-3 sector . . . is intended to apply along high capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G-3 land generally falls within areas for higher-intensity regional-serving development . . ." Appropriate land uses in the G-3 sector include: residential development, neighborhood-serving commercial uses (retail and office), civic uses, and

neighborhood centers, regional centers, and industrial districts. An excerpt from the Comprehensive Plan describing the G-3 district is attached. The proposed rezoning appears to be consistent with the Framework Map in the Comprehensive Plan.

Consistency with Civic Master Plan

General Commercial zoning is consistent with the recommendations in the draft Sector 4/5 Civic Master Plan.

Land Use Compatibility

Sea Island Parkway in this area has a mix of commercial uses including banks, a home improvement store, a drugstore with a drive-thru, and two large grocery stores. A single-family residential neighborhood is located along Ferry Drive to the south.

Suitability of Property for Uses Permitted in Current Zoning District

The property is proposed for annexation, so a City zoning designation is required. A portion of the property is proposed to be incorporated into the proposed Publix development.

Suitability of Property for Uses Permitted in Proposed Zoning District

The property is proposed to be incorporated into the larger General Commercial parcel which is adjacent to the west.

Availability of Infrastructure

Water and sewer is available to the property.

Public Notification

Letters to adjoining property owners were mailed on March 8. To date, staff has received no public comments on the proposed rezoning.

Staff Recommendation

Staff recommends approval.



**INLET ROAD RIGHT OF WAY
SITE LOCATION MAP**

LAW OFFICES OF
David L. Tedder, P.A.

604-A Bladen St. • Beaufort, South Carolina 29902
Mailing Address: P.O. Box 1282 • Beaufort, SC 29901-1282

Telephone
(843) 521-4222

David L. Tedder, Esq.
dave@tedderlawoffice.com

Fax Number
(843) 521-0082

February 6, 2013

The Mayor and City Council of
the City of Beaufort
c/o Scott Dadson, City Manager
1911 Boundary Street
Beaufort, SC 29902

Re: Abandonment of Inlet Road, Lady's Island

Dear Mayor and Council:

As I am sure you are aware, I represent Publix and its project developer, Paradise Ventures, in their efforts to design, permit and construct a new Publix shopping center near the intersection of Lady's Island Drive and Sea Island Parkway on Lady's Island. Plans have been prepared and we have been through multiple meetings with City staff, the Office of Civic Investment and the Development Review Board. The collaborative plans include interconnecting drives from Ferry Road and Lady's Island Drive headed towards Sea Island Parkway, which connect to a rear loaded access drive behind the Sherwin Williams paint store, the Citgo convenience store, and the Steamer Restaurant where it then connects to Sea Island Parkway. A reduced size copy of the current plans is attached for your convenience.

These interconnections will accomplish many of the ideas from the recently completed planning charrettes for the Civic Master Plan, providing traffic relief on the Sea Island Parkway/Lady's Island Drive intersection, and interconnections for the supporting roads. It will also foster economic development and redevelopment of one of the most important intersections and blocks along these roads.

In order to create these interconnected drives and slip roads, it is necessary to have Inlet Road abandoned as a public road. For many years Inlet Road was connected to what is now known as Sea Island Drive. Once Lady's Island Drive was created, it became and remains a dead end between the Sherwin Williams store and Ferry Drive. Only local travel to the adjacent properties

Letter to Mayor and City Council
Re: Abandonment of Inlet Road
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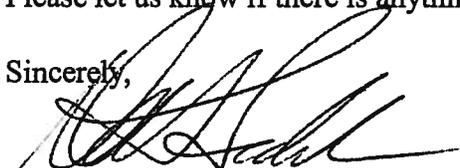
survive.

In our discussions with the S.C. Department of Transportation, this type of road abandonment can be accomplished through a cooperative effort from the City and adjacent landowners. Insofar as the adjacent property owners to Inlet Road are concerned, we have been speaking with them for some time, and are in the final stages of negotiating the cross access and maintenance agreement which will both provide access to their property and allow for the interconnectivity of Inlet Road, Lady's Island Drive and Sea Island Parkway. We have letters from each supporting the Publix project and requesting City Council to request the South Carolina Department of Transportation to transfer the Inlet Road Right of Way to the City of Beaufort, so that the Inlet Road Right of Way can be incorporated into the Publix project, remove the maintenance responsibility from the State, and provide the ability of the City to support this economic development opportunity through an ultimate transfer of the Inlet Road Right of Way into private ownership with a privately maintained access drive. These are attached. The cross access and maintenance agreement will provide enhanced access to all of the adjacent properties, and provide for a higher and better use of not only the Publix property, but all of those adjacent to the proposed private drive.

The project has been approved by the City's Development Review Board, and getting these last few pieces nailed down are important final steps. The project developer and Publix need assurances that the Inlet Road Right of Way can be obtained by them for inclusion in the site improvements prior to closing and finalizing the permitting and zoning. Please accept this letter as a request that the City assist by requesting the abandonment by the Department of Transportation of the Inlet Road Right of Way for incorporation into the project area.

Please let us know if there is anything further required to get this matter moving forward.

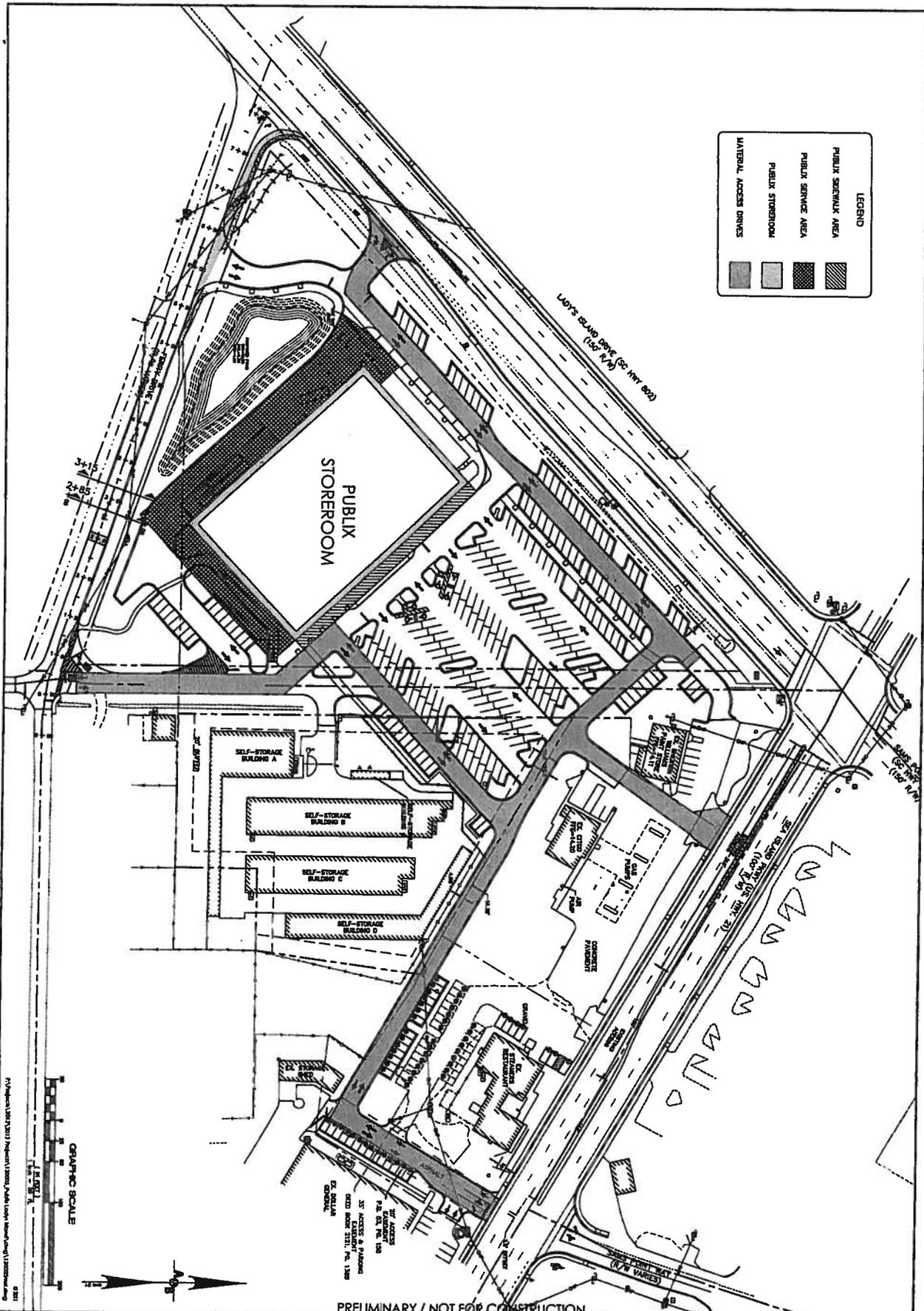
Sincerely,



David L. Tedder, Esq.

cc: Dave Mattson

Attachments: Four Letters



LEGEND

- PUBLIC SEWER MAIN AREA
- PUBLIC SERVICE AREA
- PUBLIC STOREROOM
- MATERIAL ACCESS DRIVES

GRAPHIC SCALE
 1" = 100'
 1/4" = 25'

PRELIMINARY / NOT FOR CONSTRUCTION

JOB: 120005
 SHEET # 1

Exhibit C
 Development Site Plan
 for
 Public (a) Lady's Island
 S.C.
 Lady's Island
 Beaufort County, SC

Drawn by: 04/11/12
 Last Revised: 04/11/12
 Design by: E. C. C. & S.
 Engineer: S. A. S.

Andrews & Burgess Inc.
 Engineering & Surveying

404 Shreveville Road
 Beaufort, SC 29905
 843.464.5329
 Fax 843.464.8744

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PLAN REVISIONS

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January 9, 2013

The Mayor and City Council of
the City of Beaufort
c/o Scott Dadson, City Manager
1911 Boundary Street
Beaufort, SC 29902

Re: Abandonment of Inlet Road Right of Way, Lady's Island

Dear Mayor and Council:

I am the owner of property adjacent to Inlet Road on Lady's Island, being Tax Parcel Number R200-018-00A-0115-0000 (the corner parcel at Inlet Road and Ferry Drive). I am familiar with the plans for a new Publix Super Market on the property on the west side of Inlet Road, and the proposed access plan which will provide a connection from Ferry Road and Lady's Island Drive over to Sea Island Parkway next to the Steamer Restaurant. We have had discussions with the developer for the Publix Super Market about the need to have Inlet Road Right of Way abandoned as a public road so that it can be incorporated into the proposed access drive and parking lot for the project.

I have negotiated a proposed cross access and maintenance agreement with Publix which will both provide access to my/our property and allow for the interconnectivity to Ferry Drive, Lady's Island Drive and Sea Island Parkway. I support the Publix project and would request City Council to request the South Carolina Department of Transportation to transfer the Inlet Road Right of Way to the City of Beaufort, so that the Inlet Road Right of Way can be incorporated into the Publix project, remove the maintenance responsibility from the State, and provide the ability of the City to support this economic development opportunity through an ultimate transfer of the Inlet Road Right of Way into private ownership.

It is my understanding that to accomplish this, the adjacent landowners to the Inlet Road Right of Way have to initially agree upon the abandonment, as well as the ultimate disposition of the land. I am in favor of the replacement of Inlet Road as a public road with a privately maintained access drive. I am satisfied that the cross access and maintenance agreement will

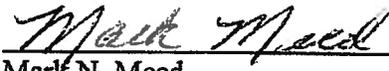
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provide more than adequate access to my property, and provide for a higher and better use of not only the Publix property, but all of those adjacent to the proposed private drive. It is my understanding that to support the Inlet Road Right of Way abandonment all of the adjacent landowners must agree to the access drives as shown on the plans submitted to the City's Office of Civic Investment and the Development Review Board, which have given final approval to the site plan at the December 13 meeting.

I understand that in order to accomplish the abandonment of the Inlet Road Right of Way and the construction of the Publix project, there are many items yet to be finalized, but that without the ability to include the Inlet Road Right of Way into the plans, the project developer and Publix need assurances that the Inlet Road Right of Way can be obtained. Please accept this letter as evidence of my desire to cooperate with Publix and the project developer, and a request that the City assist by requesting the abandonment by the Department of Transportation of the Inlet Road Right of Way for incorporation into the project area.

Please let me know if there is anything further required to get this matter moving forward.

Sincerely,



Mark N. Meed

cc: David L. Tedder, Esq.
Dave Mattson

January 9, 2013

The Mayor and City Council of
the City of Beaufort
c/o Scott Dadson, City Manager
1911 Boundary Street
Beaufort, SC 29902

Re: Abandonment of Inlet Road Right of Way, Lady's Island

Dear Mayor and Council:

I represent as Manager Gray Holdings, Ltd. Partnership, the owners of property adjacent to Inlet Road on Lady's Island, being Tax Parcel Number R200-015-000-194A-0000. I am familiar with the plans for a new Publix Super Market on the property on the west side of Inlet Road, and the proposed access plan which will provide a connection from Ferry Road and Lady's Island Drive over to Sea Island Parkway next to the Steamer Restaurant. We have had discussions with the developer for the Publix Super Market about the need to have Inlet Road Right of Way abandoned as a public road so that it can be incorporated into the proposed access drive and parking lot for the project.

We have negotiated a proposed cross access and maintenance agreement with Publix which will both provide access to my/our property and allow for the interconnectivity to Ferry Drive, Lady's Island Drive and Sea Island Parkway. We support the Publix project and would request City Council to request the South Carolina Department of Transportation to transfer the Inlet Road Right of Way to the City of Beaufort, so that the Inlet Road Right of Way can be incorporated into the Publix project, remove the maintenance responsibility from the State, and provide the ability of the City to support this economic development opportunity through an ultimate transfer of the Inlet Road Right of Way into private ownership.

It is our understanding that to accomplish this, the adjacent landowners to the Inlet Road Right of Way have to initially agree upon the abandonment, as well as the ultimate disposition of the land. We are in favor of the replacement of Inlet Road as a public road with a privately maintained access drive. We are satisfied that the cross access and maintenance agreement will

Letter to Mayor and City Council

Re: Abandonment of Inlet Road

Page 2

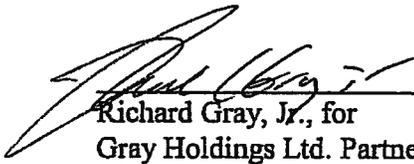
January 9, 2013

provide more than adequate access to our property, and provide for a higher and better use of not only the Publix property, but all of those adjacent to the proposed private drive. It is my/our understanding that to support the Inlet Road Right of Way abandonment all of the adjacent landowners must agree to the access drives as shown on the plans submitted to the City's Office of Civic Investment and the Development Review Board, which have given final approval to the site plan at the December 13 meeting.

We understand that in order to accomplish the abandonment of the Inlet Road Right of Way and the construction of the Publix project, there are many items yet to be finalized, but that without the ability to include the Inlet Road Right of Way into the plans, the project developer and Publix need assurances that the Inlet Road Right of Way can be obtained. Please accept this letter as evidence of our desire to cooperate with Publix and the project developer, and a request that the City assist by requesting the abandonment by the Department of Transportation of the Inlet Road Right of Way for incorporation into the project area.

Please let us know if there is anything further required to get this matter moving forward.

Sincerely,



Richard Gray, Jr., for
Gray Holdings Ltd. Partnership

cc: David L. Tedder, Esq.
Dave Mattson

January 9, 2013

The Mayor and City Council of
the City of Beaufort
c/o Scott Dadson, City Manager
1911 Boundary Street
Beaufort, SC 29902

Re: Abandonment of Inlet Road Right of Way, Lady's Island

Dear Mayor and Council:

I am the owner of property adjacent to Inlet Road on Lady's Island, being Tax Parcel Number R200-015-000-0602-0000 (the paint store parcel). I am familiar with the plans for a new Publix Super Market on the property on the west side of Inlet Road, and the proposed access plan which will provide a connection from Ferry Road and Lady's Island Drive over to Sea Island Parkway next to the Steamer Restaurant. We have had discussions with the developer for the Publix Super Market about the need to have Inlet Road Right of Way abandoned as a public road so that it can be incorporated into the proposed access drive and parking lot for the project.

I have negotiated a proposed cross access and maintenance agreement with Publix which will both provide access to my/our property and allow for the interconnectivity to Ferry Drive, Lady's Island Drive and Sea Island Parkway. I support the Publix project and would request City Council to request the South Carolina Department of Transportation to transfer the Inlet Road Right of Way to the City of Beaufort, so that the Inlet Road Right of Way can be incorporated into the Publix project, remove the maintenance responsibility from the State, and provide the ability of the City to support this economic development opportunity through an ultimate transfer of the Inlet Road Right of Way into private ownership.

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Letter to Mayor and City Council

Re: Abandonment of Inlet Road

Page 2

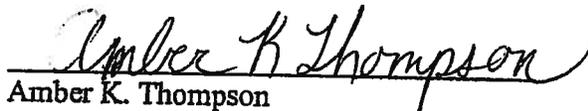
January 9, 2013

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Please let me know if there is anything further required to get this matter moving forward.

Sincerely,


Amber K. Thompson

cc: David L. Tedder, Esq.
Dave Mattson

January 9, 2013

The Mayor and City Council of
the City of Beaufort
c/o Scott Dadson, City Manager
1911 Boundary Street
Beaufort, SC 29902

Re: Abandonment of Inlet Road Right of Way, Lady's Island

Dear Mayor and Council:

I am an officer of Piedmont Petroleum Corp., the owners of property adjacent to Inlet Road on Lady's Island, being Tax Parcel Number R200-015-000-194H-0000 (the convenience store). I am familiar with the plans for a new Publix Super Market on the property on the west side of Inlet Road, and the proposed access plan which will provide a connection from Ferry Road and Lady's Island Drive over to Sea Island Parkway next to the Steamer Restaurant. We have had discussions with the developer for the Publix Super Market about the need to have Inlet Road Right of Way abandoned as a public road so that it can be incorporated into the proposed access drive and parking lot for the project.

We have negotiated a proposed cross access and maintenance agreement with Publix which will both provide access to my/our property and allow for the interconnectivity to Ferry Drive, Lady's Island Drive and Sea Island Parkway. We support the Publix project and would request City Council to request the South Carolina Department of Transportation to transfer the Inlet Road Right of Way to the City of Beaufort, so that the Inlet Road Right of Way can be incorporated into the Publix project, remove the maintenance responsibility from the State, and provide the ability of the City to support this economic development opportunity through an ultimate transfer of the Inlet Road Right of Way into private ownership.

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Letter to Mayor and City Council
Re: Abandonment of Inlet Road
Page 2
January 9, 2013

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Please let us know if there is anything further required to get this matter moving forward.

Sincerely,



Kenneth Cosgrove, for
Piedmont Petroleum Corp.

cc: David L. Tedder, Esq.
Dave Mattson

City of Beaufort Department of Planning and Development Services

MEMORANDUM

TO: Beaufort--Port Royal Metropolitan Planning Commission

FROM: Libby Anderson, Planning Director

DATE: March 11, 2013

SUBJECT: Changing the Designation of Greenlawn Drive in the Boundary Street Redevelopment District Regulating Plan from a Main Street to a Neighborhood Street

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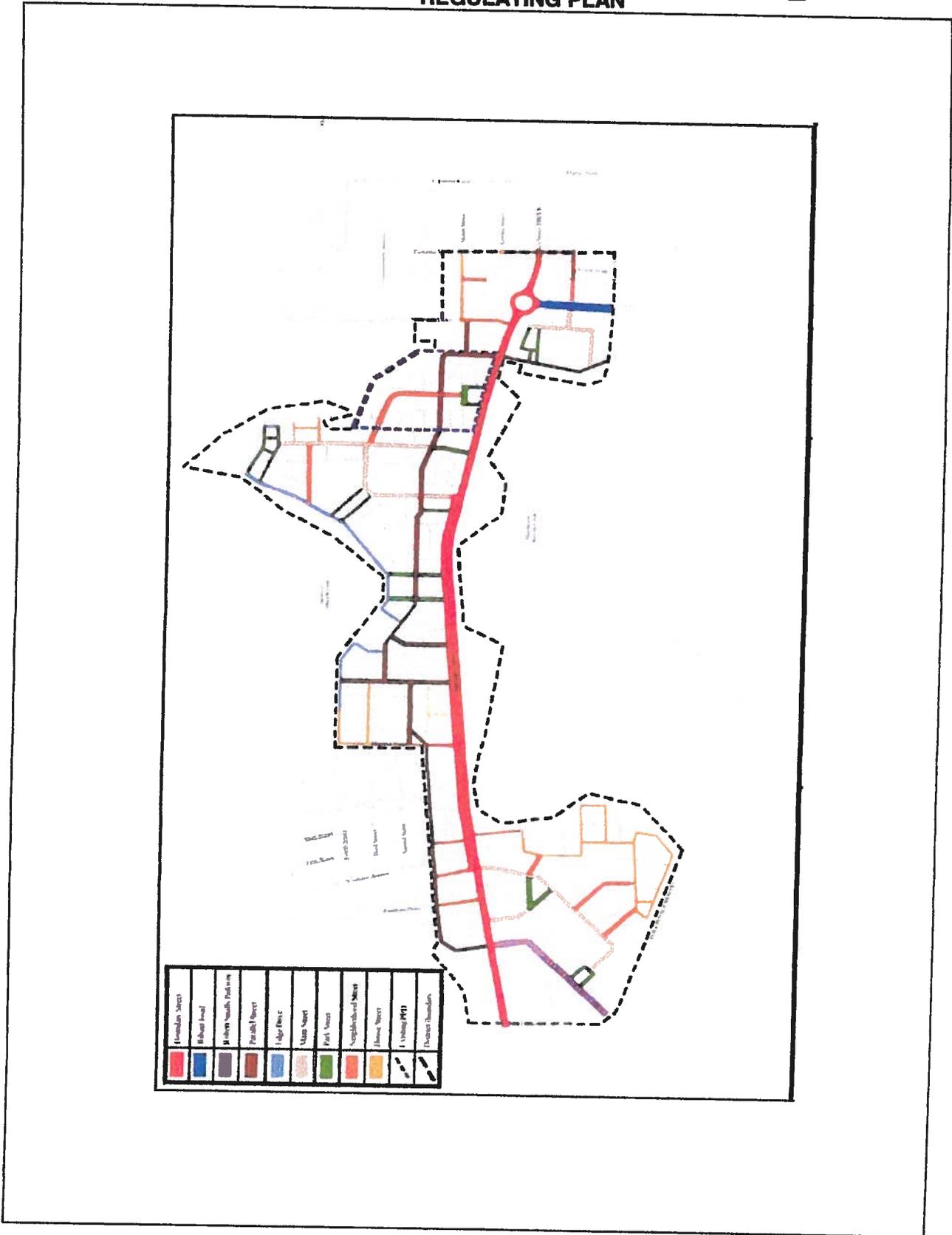
Section 6.8 of the Unified Development Ordinance (UDO) contains the development standards for the Boundary Street Redevelopment District. The development standards are linked to the type of street on which the property is located. The "Regulating Plan" in the Boundary Street code (attached) sets out the various street types. In addition to setting standards for development on private property, the Regulating Plan sets out standards for new streets and for improvements to existing streets. For example, Greenlawn Drive north of Pearl Street is currently designated as a "Main Street." A Main Street should have a 64' right-of-way (ROW) that would have two travel lanes, on-street parking on both sides of the street, 5.5' planting strips, and 9.5' sidewalks (see attachment). Buildings are required to be built up to the edge of the widened ROW (0 front setback).

Greenlawn Drive is one of the few existing streets in the Boundary Street Redevelopment District aside from Boundary Street. Greenlawn Drive has a 50' ROW. To achieve the 64' ROW recommended in the Boundary Street plan, additional ROW would be required--7' from each side of the street. SCE&G power poles are located on east side of Greenlawn Drive, just outside the street ROW on private property. According to SCE&G, no building is permitted to be built within 10' of the power lines. The combination of the widened ROW and the power pole setback has presented challenges to the redevelopment of the Greenlawn area. Even if the additional ROW could be acquired for the 64' street, the power poles, and their required 10' setback, would prevent the buildings from being located at 0 lot line. Staff has been considering these challenges off and on since the Boundary Street Master Plan was adopted in 2006 but had been unable to develop a satisfactory solution.

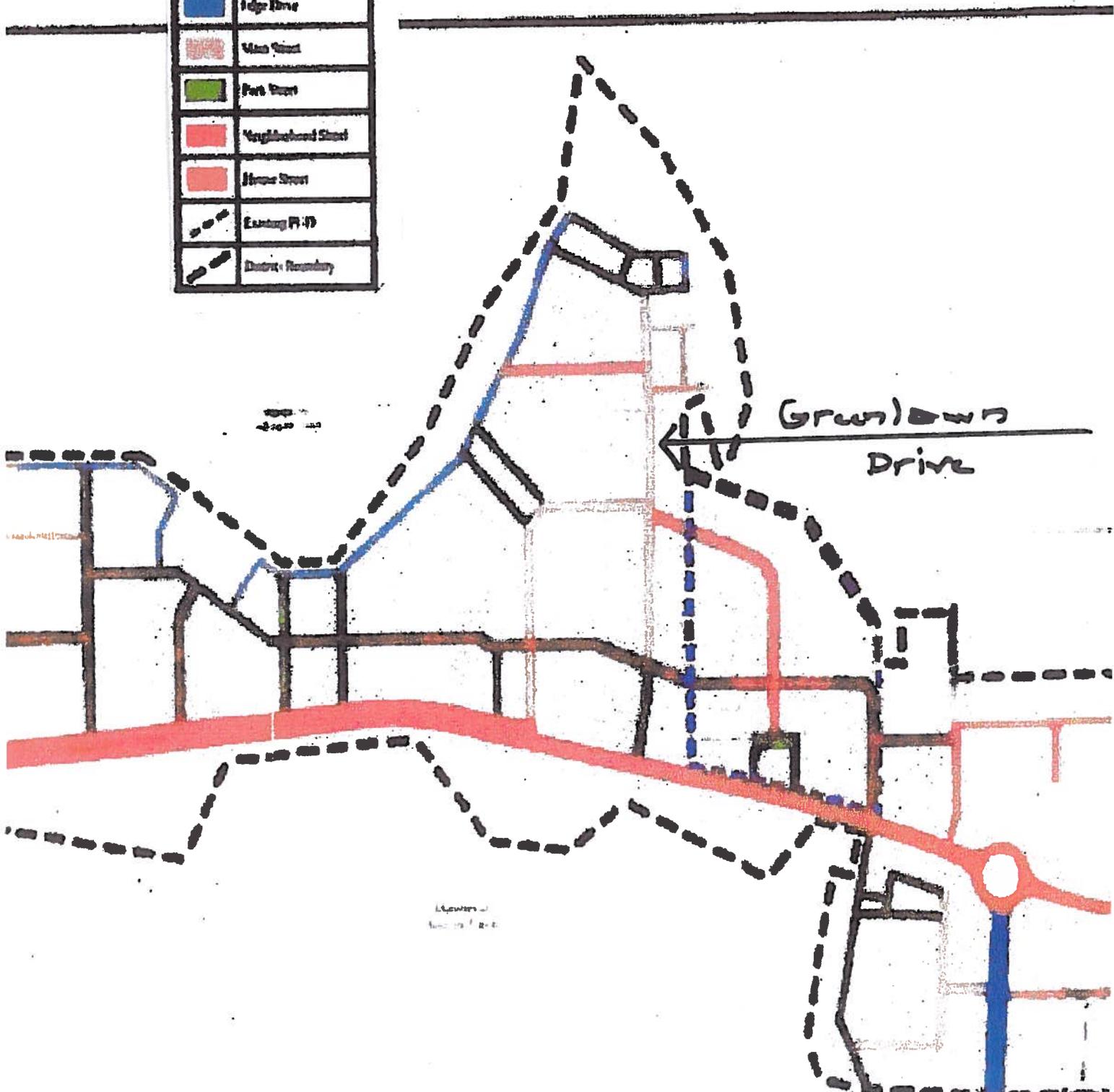
The Redevelopment Commission is now recommending that Greenlawn Drive north of Pearl Street, be changed on the Regulating Plan from a Main Street, to a Neighborhood Street. A Neighborhood Street requires the elements necessary for a proper urban street (on-street parking, sidewalks, and tree planting), but within the confines of a 50' ROW (see attachment). The Neighborhood Street requires buildings to be set close the street, but not precisely at the front property line, avoiding conflict with the power poles. The Redevelopment Commission and staff feel that changing the designation of Greenlawn Drive to a Neighborhood Street will remove one of the major impediments to redevelopment in the Greenlawn area, while still retaining the urban street character desired by the Boundary Street Redevelopment District Code.

Staff recommends approval.

REGULATING PLAN



	Boundary Street
	Wheat Road
	Robert Smith Parkway
	Parallel Street
	Edge Drive
	Main Street
	Park Street
	Neighborhood Street
	Home Street
	Existing PI-D
	District Boundary



6. Main Street

The Main Streets run perpendicular to Boundary Street and are lined with mixed-use shopfront buildings that are positioned at the front of each lot. Parallel parking on both sides of the street combined with wide sidewalks creates a safe and inviting place for both pedestrians and motorists.

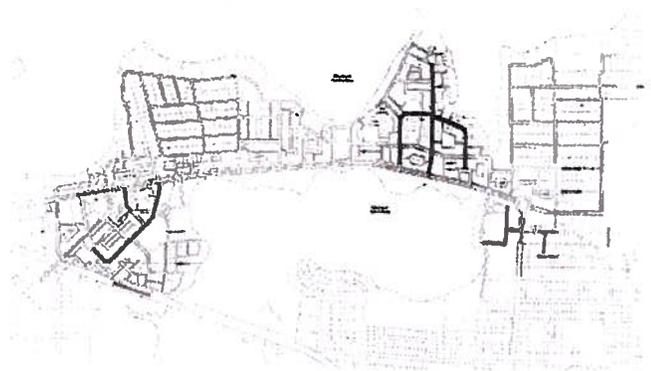
B. Building Placement

Build-to-line Location: 0 ft. from ROW
(typical)

Side Setback: 0 ft.

Rear Setback: 5 ft.

A. Locator Diagram



C. Building Volume

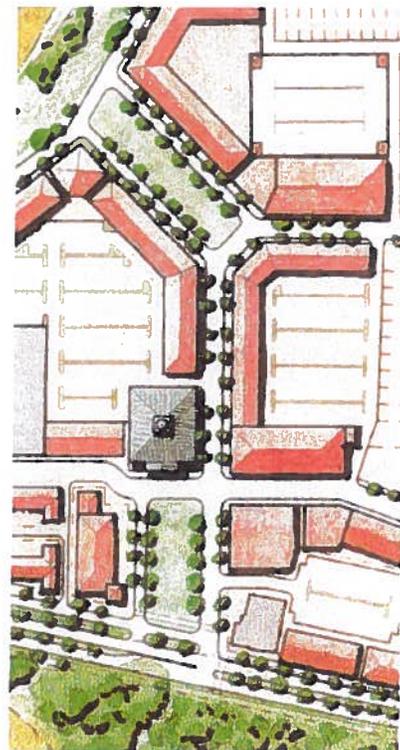
Building Width: 16 ft. minimum
160 ft. maximum

Building Height: 2 story minimum
5 story maximum
60 ft. maximum

Lot Coverage: 80 % maximum

D. Notes

1. Appurtenances may extend beyond the height limit.
2. Building fronts are required to provide shelter to the sidewalk by means of at least one of the following: arcade, colonnade, marquee, awning, or 2nd floor balcony.
3. For permitted uses, see Section 6.8.E.
4. The alignment of floor-to-floor heights of abutting buildings is encouraged to allow for shared use of elevators.



Libby Anderson

From: Lauren Kelly
Sent: Thursday, March 07, 2013 1:53 PM
To: Courtney Worrell
Cc: Craig Lewis Forward; Libby Anderson; 'Jon Verity' (jon@veritys.com) (jon@veritys.com)
Subject: RE: Follow-up

Courtney,

As per our discussion yesterday, March 6, the city understands your request to change the Greenlawn Drive street "zoning" type from Main Street, to Neighborhood Street. This would be for the section of Greenlawn Drive, from Pearl Street northward. This requires a zoning ordinance change and will go to the Metropolitan Planning Commission, and upon MPC approval, to City Council for review.

The city is prepared to take this through the MPC process, and will put it on the March 18 meeting agenda. The Redevelopment Commission will apply on your behalf and request to have all fees waived.

Please let me know if that will suffice for a letter, or if you'd like it on official letterhead! Regardless, we're already moving the process along.

Lauren W. Kelly
City of Beaufort - Planner
843-525-7014
lkelly@cityofbeaufort.org

From: Courtney Worrell [<mailto:ctw@303associates.com>]
Sent: Wednesday, March 06, 2013 2:59 PM
To: Lauren Kelly
Subject: Follow-up

Lauren,

Thank you for your time this morning. As I suspect the letter writing may fall to you, I wanted to confirm that all we are looking for is a letter confirming the recommendation with which you are moving forward, the recommendation being that the Regulating Plan be amended so that Greenlawn Drive, from Pearl Street northward, be changed from a Main Street to a Neighborhood Street. Also, if you are so inclined, we are happy for you to add Greenlawn Court to the Regulating Plan as a House Street.

We understand you cannot control the actions of the MPC or the Council; however, this will provide us a basis with which to move forward with our planning activities, as we do know that both bodies value your insight and expertise. Please let me know if you have any questions.

Thank you,
Courtney

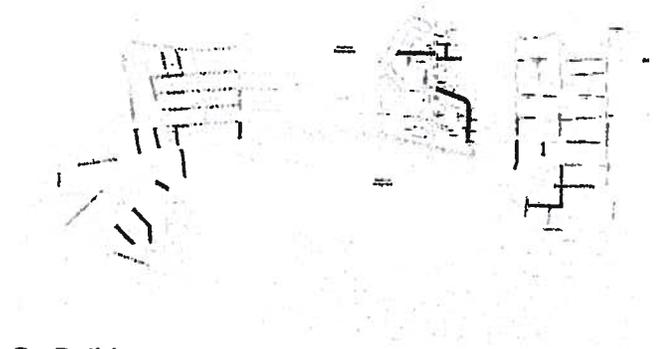
8. Neighborhood Street

The Neighborhood Street presents an interesting mix of urban living and traditional building types. Such building types include apartments, condominiums, live-work units, townhouses, and smaller detached houses. Build-to lines are varied. The Neighborhood Street allows for narrow travel lanes and parking on both sides of the street. A green strip is included as well as a wide sidewalk for pedestrians.

B. Building Placement

Build-to-zone Location: 0 ft. – 15 ft. from ROW (typical)
Side Setback: 0 ft.
Rear Setback: 5 ft.

A. Locator Diagram

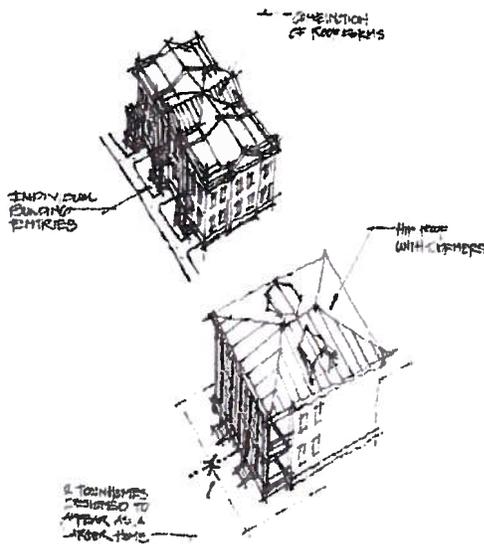


C. Building Volume

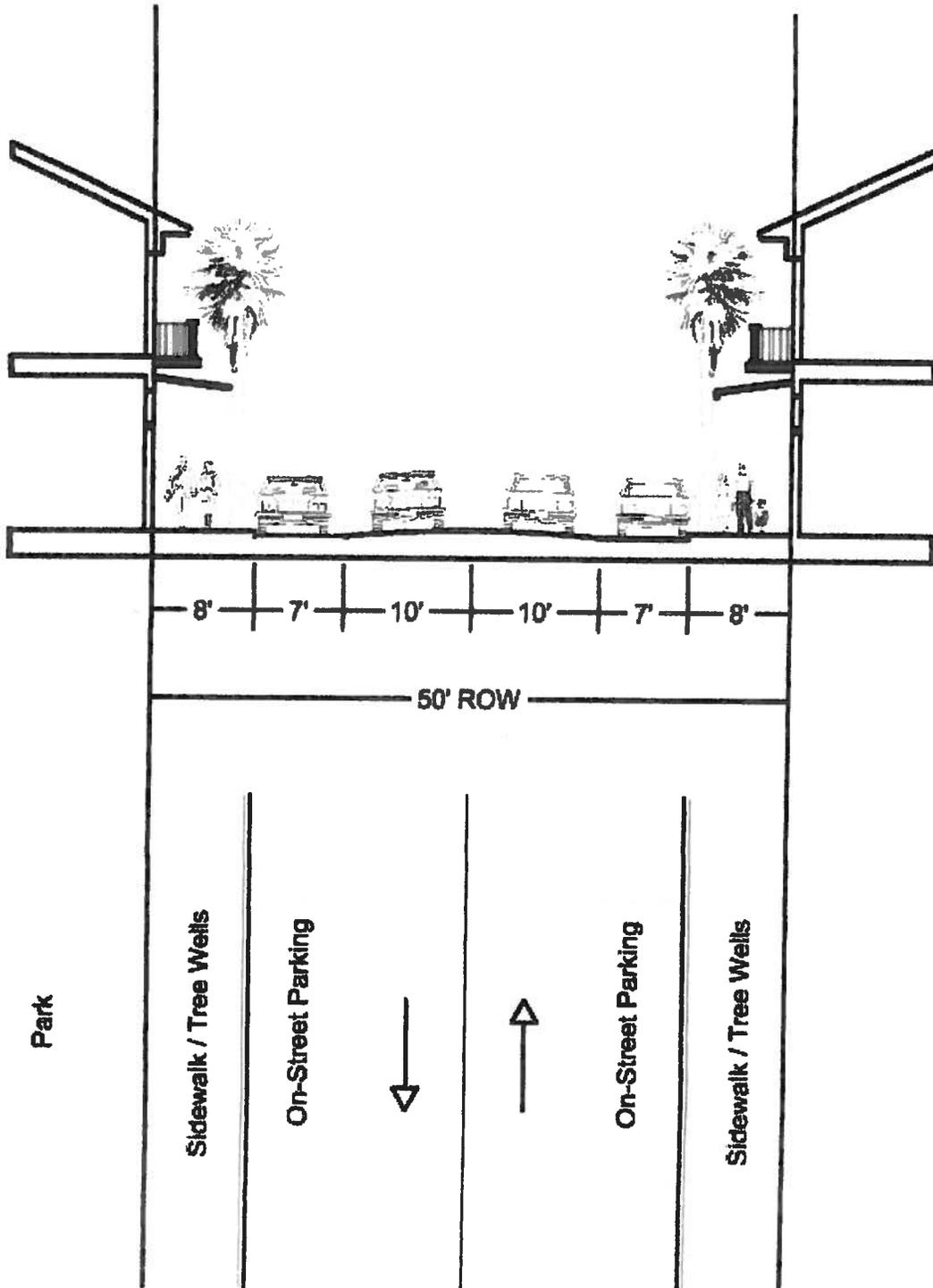
Building Width: 16 ft. minimum
 160 ft. maximum
Building Height: 2 story minimum
 4 story maximum
 60 ft. maximum
Lot Coverage: 75 % maximum

D. Notes

1. Appurtenances may extend beyond the height limit.
2. Building fronts are required to have at least one of the following: porch or stoop.
3. For permitted uses, see Section 6.8.E.
4. The alignment of floor-to-floor heights of abutting buildings is encouraged to allow for shared use of elevators.

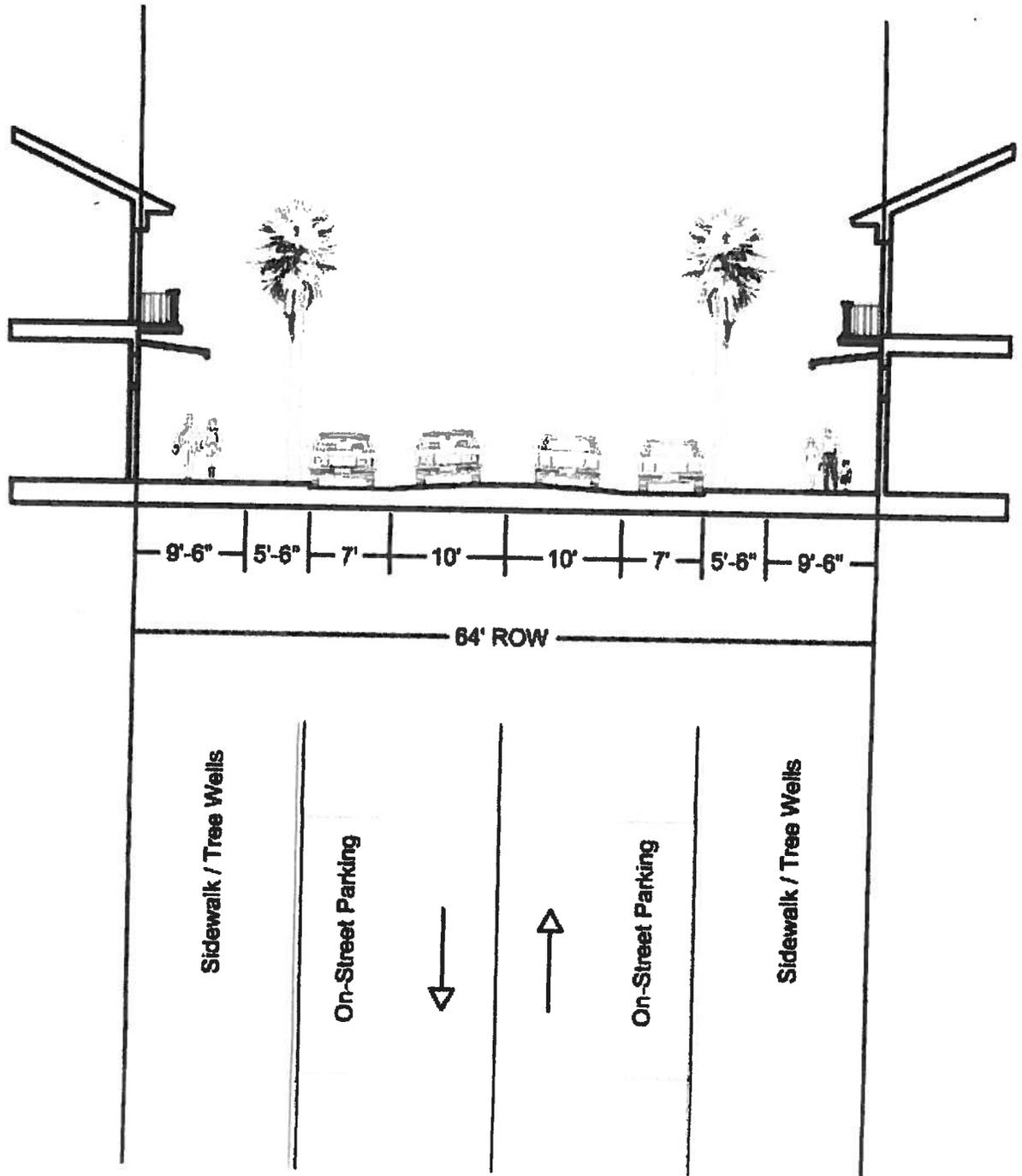


E. Street Section



Section for Neighborhood Street

E. Street Section



Section for Main Street

City of Beaufort Department of Planning and Development Services

M E M O R A N D U M

TO: Beaufort–Port Royal Metropolitan Planning Commission

FROM: Libby Anderson, City of Beaufort Planning Director 525-7012

DATE: March 11, 2013

SUBJECT: Status Report on City Council Actions

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UDO Amendment Revising CP District to Permit Botels. At their meeting on February 19, City Council voted to deny the application on a vote of 4 to 1.

UDO Amendment Revising Outdoor Display of Merchandise Provisions. A public hearing on the proposed amendment will be held at the April 9 City Council meeting.

Please contact me with any questions on this information.

Thank you.