

**BEAUFORT-PORT ROYAL  
METROPOLITAN PLANNING COMMISSION**

**AGENDA**

1911 Boundary Street, Beaufort, SC 29902

Phone: 843-525-7011 ~ Fax: 843-986-5606

**Monday, February 20, 2012 5:30 P.M.**

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

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**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. Election of officers:**

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

No projects.

**V. Review of Projects for the City of Beaufort:**

**A. City of Beaufort – Rezoning.** Rezoning six parcels of property on Harborview Drive, identified as District 123, Tax Map 14, Parcels 21, 22, 24, 26, 28, and 30. The existing zoning is "R-4 High Density Single-Family Residential District." The proposed zoning is "Neighborhood Commercial District." Applicant: Aslan Whitehall, LLC.

**B. City of Beaufort – UDO Amendment.** Revising Section 6.6.F.1 of Unified Development Ordinance, "Design Districts, Additional Requirements, Outdoor Display of Merchandise," to delete the provisions pertaining to display of merchandise in buffer areas. Applicant: City of Beaufort.

**C. City of Beaufort – Update on Council Actions.**

**Metropolitan Planning Commission  
February 20, 2012  
Page 2**

**VI. Review of Projects for the County of Beaufort:**

No projects.

**VII. Discussion:**

**VIII. Review Commission Meeting Minutes:**

A. Minutes of the December 19, 2011 Meeting.

B. Minutes of the January 9, 2012 Meeting.

**IX. Adjournment**

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

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**CITY OF BEAUFORT**  
**REZONING ANALYSIS RZ12-01**  
**PUBLIC HEARING DATE: FEBRUARY 28, 2012**

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**Applicant**

The applicant is Aslan Whitehall, LLC, the property owner. The rezoning application is attached.

**Site**

The property is located on Harborview Drive on Lady's Island (see Site Location Map attached). A total of six parcels are proposed to be rezoned, and are identified as District 122, Tax Map 14, Parcels 21, 22, 24, 26, 28, and 30. These lots are currently part of property known as "Whitehall." At one time, the lots were part of the Harborview subdivision and were developed for single-family dwellings. The dwellings on those lots have been demolished and the lots are currently undeveloped.

**Present Zoning**

The lots are currently zoned "R-4 High Density Single-Family Residential District" (R-4). The R-4 District is a single-family residential zone that permits single-family dwellings on lots of 4,000 square feet. Churches and schools are conditional uses. Community Service uses such as museums and senior centers are permitted by special exception by the Zoning Board of Appeals. The table of permitted uses in the various zoning districts and the development standards for the districts are attached.

The attached map shows the current zoning pattern in the area. The other lots associated with the Whitehall property, located adjacent to the subject property to the north, are zoned Neighborhood Commercial District. The lots to the south are located in the Harborview subdivision in the unincorporated county, and are zoned Lady's Island Community Preservation District.

**Proposed Zoning**

The property is proposed to be rezoned Neighborhood Commercial District (NC) consistent with the other Whitehall property. The NC zone is a mixed-use district permitting all types of residential development as well as office and commercial uses. The footprint of new free-standing office and retail uses is limited to 2,500 square feet in an effort to prevent "big box" type commercial development, although larger facilities are allowed as part of a mixed-use development. Drive-through facilities, except for banks, are not permitted. The standards for single-family development in the NC District are the same as for single-family development in the R-4 District (4,000 square foot lots).

**Consistency with Comprehensive Plan**

The Framework Plan in the City's Comprehensive Land Use Plan designates the area as "Urban Neighborhoods/TND (G-2)" (see attached map). The G-2 Sector contains denser, mixed-use development at the scale of neighborhood centers, and suburban, residential development at the scale of walkable "traditional neighborhoods." Appropriate land uses in the G-2 sector include: single-family and multifamily residential, neighborhood mixed-use centers, neighborhood-scale commercial uses (retail and office), civic uses, and light industrial uses. An excerpt from the Comprehensive Plan describing the G-2 district is attached.

**Consistency with Civic Master Plan**

The Sector 1 Civic Master Plan, which includes the Whitehall property, was adopted in November 2011. Excerpts from the Sector 1 Master Plan that pertain to Whitehall are attached. The Regulating Plan in the Sector 1 plan designates Whitehall as T4-Neighborhood Center (T4-NC). According to the Civic Master Plan, the T4-NC Zone represents a medium intensity, mixed-use area. A wide range of building types are proposed for the T4-NC zone including, but not limited to mansion apartments, apartment buildings, mixed-use buildings, and rowhouses.

**Land Use Compatibility**

The lots are part of the Whitehall property, which is currently undeveloped, but for which a mixed use development is anticipated by the City's planning reports. The parcels are located adjacent to the Harborview subdivision, a single-family development located in the unincorporated county.

**Suitability of Property for Uses Permitted in Current Zoning District**

The current R-4 zoning permits only single-family uses and limited related civic and institutional uses. The property was originally platted for single-family development.

**Suitability of Property for Uses Permitted in Proposed Zoning District**

The properties were acquired to be part of the redevelopment of the Whitehall property. The lots adjoin the original Whitehall property which is currently zoned Neighborhood Commercial. If the property were rezoned, the lots should be combined with the remainder of the Whitehall property.

**Compatibility of Uses Permitted in Proposed Zoning District with Natural Features**

Although the lots had previously been developed, a number of large trees remain on the property. Three of the lots have frontage on the Beaufort River.

**Marketability of Property for Uses Permitted by Current Zoning District**

The property will be more marketable under the proposed NC zoning, as it allows considerably more flexibility in development of the lots. In addition, with the land all in one zoning designation, the property could be more efficiently and effectively planned and developed.

**Availability of Infrastructure**

The lots are served with public water, but are not currently served with sewer. The adjacent Whitehall property is located on Sea Island Parkway, an arterial road, and on Meridian Road, which would be considered a collector street.

**Public Notification**

Letters to adjoining property owners were mailed on February 3. The public hearing notice ran on February 13. The property was posted on February 13. Staff has received one public comment on the application (attached) as of the date of this report

**Staff Recommendation**

This property will play a key role in the continued development and redevelopment of downtown Beaufort and the Lady's Island Village Center. Only a form-based code or a planned unit development (not recommended at this point in time), will give the level of predictability that is critical for development of this property. As a result, staff from the Office of Civic Investment recommend denial of the application pending adoption of the form-based code. The new code is expected to be adopted within the next six months, with rezoning of Sector 1 properties, including the Whitehall parcels, to immediately follow. Alternatively, the applicants could craft their own form-based code that could be applied to the property, similar to what has been done for Boundary Street and for Bladen Street.

MP# 6340

City of Beaufort  
Department of Planning & Development Services  
Post Office Drawer 1167  
Beaufort, South Carolina 29901  
Phone (843) 525-7011, Fax (843) 986-5606  
E-Mail: [planning@cityofbeaufort.org](mailto:planning@cityofbeaufort.org)  
\*Revised July 6, 2009\*

Application Fee  
\$250 + \$10 for each additional lot.

**REZONING APPLICATION**  
(Except for PUDs)

OFFICE USE ONLY: Application #: 2212-01 Date Received: 1-18-12

Property Address: 4, 6, & 8 Harbor View Circle and 1, 3, 4, & 9 Harbor View Drive

District, Tax Map, Parcel #: R123-014-000- (0021, 0022, 0024, 0026, 0028, & 0030)

Applicant: Aslan Whitehall, LLC

Applicant Phone #: 270-842-2421 Fax #: 270-842-7362 E-Mail Address: travis@blueridgegroup.com

Applicant Address: 632 Adam Street, Bowling Green, KY 42101

Property Owner: Same as applicant Phone #: Same as applicant

Property Owner Address: Same as applicant

Have any previous applications been made for a map amendment affecting these same premises?  YES  NO

If yes, give action(s) taken: \_\_\_\_\_

Present zone classification: Residential - 4 (R-4)

Requested zone classification: Neighborhood Commercial (NC)

Total area of property: 5.85 Acres

Existing land use: Vacant / Undeveloped

Desired land use: Mixed Use Development (Residential / Commercial)

Reasons for requesting rezoning: To allow the 5.85 acres to be master planned under the same zoning designation (NC) as the adjacent property that is owned by the applicants and is already zoned NC.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? Yes  No

You must attach a boundary map prepared by a registered land surveyor of the tract, plot, or properties, in question, and all other adjoining lots or properties under the same ownership. 12 copies of all application materials are required.

Applicant signature: [Signature] Date: 1-19-2012  
*V.P. Blue Ridge Group, Inc., Member: Aslan Whitehall, LLC*

NOTE: If the applicant is not the property owner, the property owner must sign below.

Property owner signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Site Location Map R123 014

Created February 2, 2012



## Article 4. Zoning Districts

### 4.1 Establishment of Districts

For the purpose of this UDO, portions of the City as specified on the Official Zoning Map of the City are hereby divided into the following zoning districts:

Residential Zoning Districts	
TR	Transitional Residential
RE	Residential Estate
R-1	Low Density Single-Family Residential
R-2	Medium Density Single-Family Residential
R-3	Medium-High Density Single-Family Residential
R-4	High Density Single-Family Residential
GR	General Residential
TBR	Traditional Beaufort Residential
MHP	Manufactured Home Park
Commercial Zoning Districts	
NC	Neighborhood Commercial
OC	Office Commercial
CC	Core Commercial
GC	General Commercial
HC	Highway Commercial
Industrial Zoning Districts	
LI	Limited Industrial
Special Purpose Zoning Districts	
CP	Conservation Preservation
MED	Medical
PUD	Planned Unit Development
MR	Military Reservation
AICUZ	Air Installation Compatibility Use Zone
-D	Development Design
-H	Historic

### 4.2 Official Zoning Map

- A. The boundaries of the above zoning districts are a map or series of maps entitled "Official Zoning Map, City of Beaufort" which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this UDO. Special purpose zoning districts intended to serve as floating districts are not established on the zoning map until a specific district is proposed and approved by the City.
- B. Each map bearing the designation "Official Zoning Map, City of Beaufort" shall be identified by the signature of the Administrator, and bearing the seal of the City under the words: "Official Zoning Map, City of Beaufort, South Carolina," together with the date of the adoption of the map.
- C. If, in accordance with the provisions of this UDO and Section 6-29-710 of the Code of Laws of South Carolina, 1976, as amended, changes are made in district boundaries or

## Article 5. Use Regulations

### 5.1 Use Tables

#### A. Types of Use

All of the Use Categories listed in the Use Table are defined and described in the sections immediately following the Table.

##### 1. Uses Permitted By Right

A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this UDO.

##### 2. Conditional Use

A "C" indicates a use that is allowed conditionally, provided that it meets the additional listed standards contained in Section 5.3, Specific Use Standards. Conditional uses are subject to all other applicable regulations of this UDO.

##### 3. Special Exception

An "S" indicates that a use is allowed only if reviewed and approved as a Special Exception, provided that it meets the listed standards contained in Section 5.3, Specific Use Standards. Special exceptions are subject to all other applicable regulations of this UDO.

##### 4. Existing Building

An "E" indicates a use category that is allowed only in existing buildings, provided that it meets the additional listed standards contained in Section 5.3.

#### B. Uses Not Allowed

A blank cell in the Use Table indicates that a Use Category is not allowed in the respective district.

#### C. Uses Not Listed

The Administrator shall determine whether or not an unlisted use is part of an existing Use Category or is substantially similar to an already defined use, using the criteria in Section 5.2, Use Categories.







## Article 6. District Development Standards

### 6.1 Residential District Standards

#### A. Residential Development Standards

The following table illustrates the dimensional standards that apply in the City's base Residential districts:

Standard	Zoning District								
	TR	RE	R-1	R-2	R-3	R-4	GR and TBR-Old Commons	TBR-The Point	MHP
<b>Lot Dimensions</b> Lot Area, Min. Lot Width, Min. Lot Frontage, Min.	3 AC 100 feet 20 feet	21,780 SF 100 feet 20 feet	12,500 SF 100 feet 20 feet	9,000 SF 80 feet 20 feet	6,000 SF 60 feet 20 feet	4,000 SF 40 feet 20 feet	See note 5	See note 1	5 acres 150 feet 150 feet
<b>Minimum Yards</b> Front Yard Rear yard* Side Yard*	35 feet 15 feet 15 feet	35 feet 50 feet 15 feet	30 feet 15 feet 15 feet	20 feet 15 feet 12 feet	15 feet 15 feet 10 feet	12 feet 15 feet 6 feet	See note 2 See note 6 See note 6	See note 2 15 feet 10 feet	25 feet 15 feet 15 feet
<b>Impervious Coverage</b>	N/A	N/A	40%	45%	50%	55%	50%	55%	N/A
<b>Maximum Height</b>	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	See note 3	See note 4	35 feet

1. Minimum 6,000 SF lot area and 60 feet in width for single-family; 8,000 SF lot area and 80 feet in width for two-family and 10,000 SF in lot area and 100 feet in width for three-family.
2. In the Historic District, use average prevailing setback for front yard; accessory structure side and rear yard setbacks may be reduced to 5'.
3. Maximum height 35 feet for single-family structures, 50 feet for multifamily.
4. Maximum height 35 feet above base flood elevation.
5. For single-family development see R-4 standards; for two-family, three-family and multifamily development (GR only), minimum 6,000 SF lot area, 60 feet lot width, and 60 feet lot frontage, maximum density 25 units per gross acre.
6. For multifamily development, minimum front yard 25 feet, minimum rear yard 15 feet, and minimum side yard 10 feet; single-family development, see R-4 standards;

\*See Section 5.4.G. for setbacks for accessory structures.

#### B. Average Prevailing Setback (Front Yard)

The average prevailing front yard setback shall be measured by averaging the front yard setbacks on the three lots adjoining either side of the proposed lot. When the three lots extend more than 100 feet from the side lot line of the proposed lot, only those lots lying at least partially within 100 feet of the proposed lot line shall be used in calculating the average prevailing setback. The Administrator may exercise reasonable discretion and flexibility in determining the average prevailing front yard depth so that it is harmonious with the existing streetscape; however, the minimum front yard shall be no less than five feet.

#### C. MHP Manufactured Home Park District

##### 1. MH Park plan

In order to qualify for a MH Manufactured Home zoning classification, a proposed park must first meet the following specific requirements:

## 6.3 Nonresidential District Standards

### A. Nonresidential Development Standards

#### 1. Commercial and Industrial Districts

The following table illustrates the dimensional standards that apply in the City's base Commercial and Industrial districts:

	NC	OC	CC	GC	HC	LI
<b>Lot Dimensions</b>						
Lot Area, Min.	2,500 SF	4,000 SF	2,500 SF	4,000 SF	6,000 SF	10,000 SF
Lot Width, Min.	25 feet	40 feet	25 feet	40 feet	60 feet	100 feet
<b>Minimum Yards***</b>						
Front Yard	(Build-to) 3-10 feet	10 feet	none	(Build-to) 7-12 feet	25 feet	25 feet
Rear Yard	10 feet	10 feet	none	10 feet	15 feet	35/ 50 feet**
Side Yard	none	10 feet	none	10 feet	10 feet	10/ 25 feet**
<b>Impervious Surface Coverage, Max.</b>	75%	60%	N/A	65%*	60%	65%
<b>Maximum Height</b>	42 feet	50 feet	See Section 6.5.K.11	50 feet	50 feet	50 feet

\*Maximum impervious coverage may be increased to 75 percent for redevelopment sites.

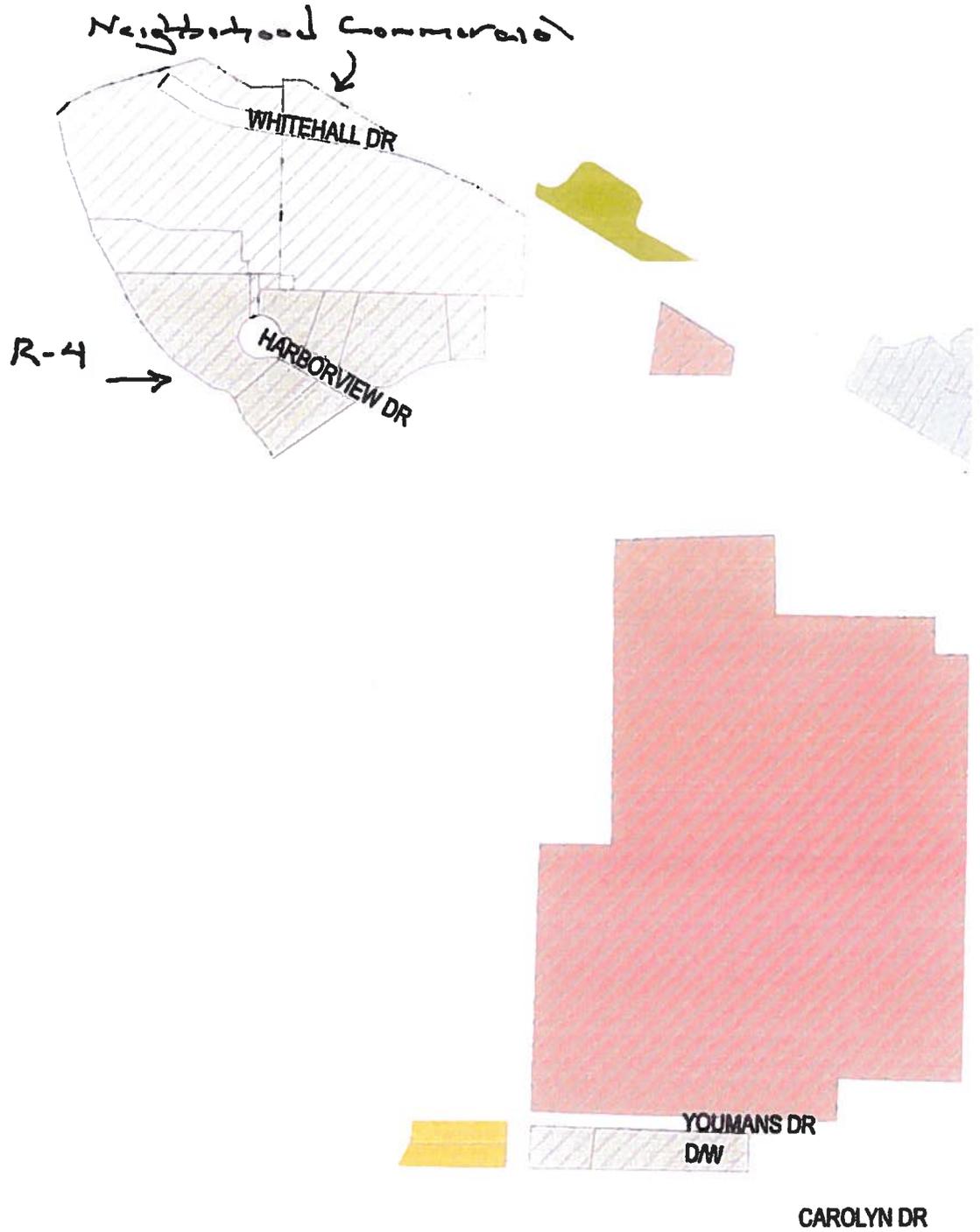
\*\*35' except when property abuts another zoning district 50' is required and 10' except when property abuts another zoning district, 25' is required.

- \*\*\*
- a. Single-family standards should be the same as R-4.
  - e. Multifamily standards should be the same as GR; maximum density 30 dwelling units per gross acre.
  - c. Maximum density for Residential, Upper Story, 35 dwelling units per gross acre.

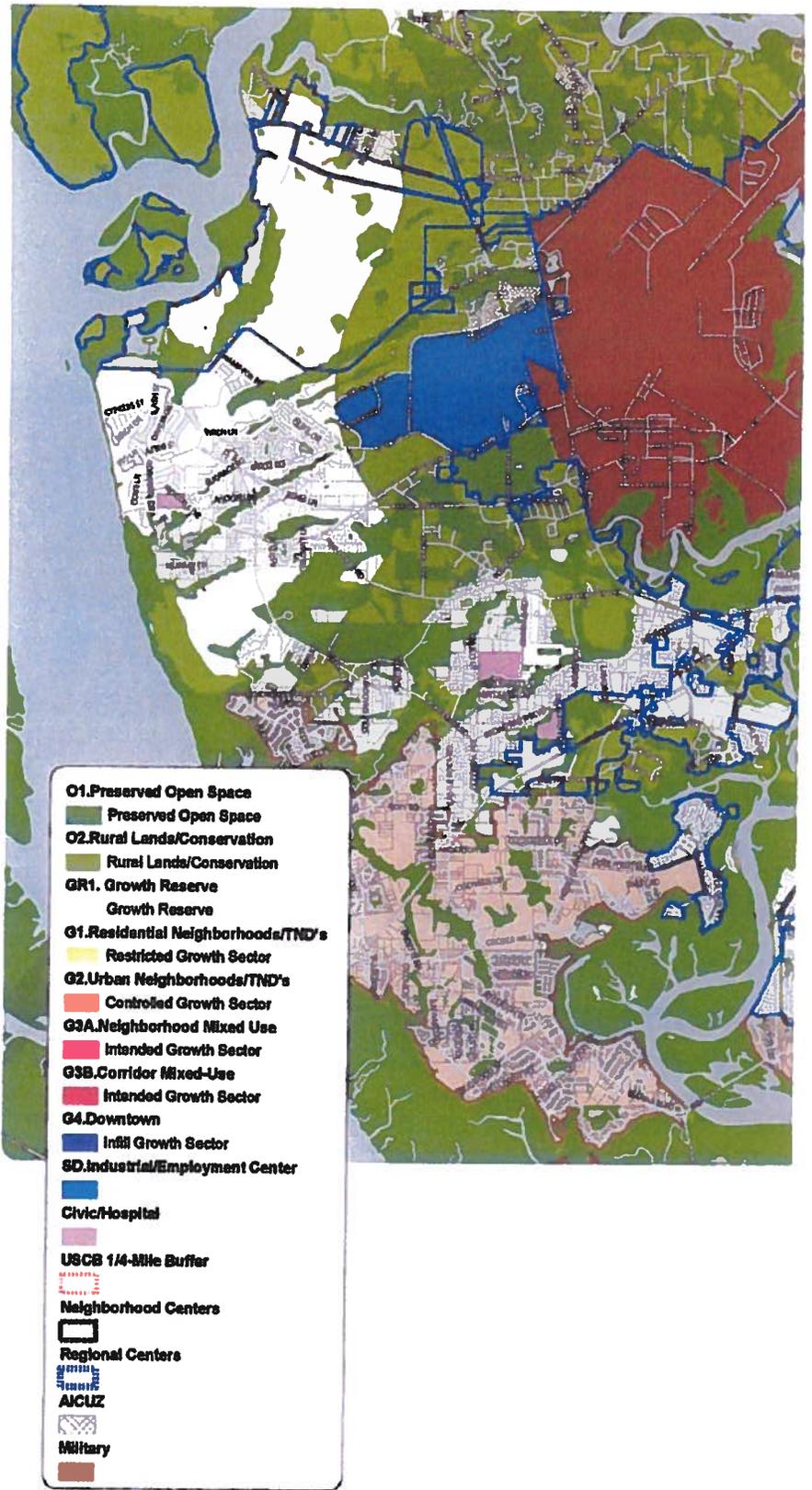
The following table illustrates the dimensional standards that apply in the City's Special Purpose districts:

	MED
<b>Lot Dimensions</b>	
Lot Area, Min.	5,000 SF
Lot Width, Min.	50 feet
Floor Area, Min.	—
<b>Minimum Yards</b>	
Front Yard	35 feet
Rear Yard	25 feet
Side Yard	25 feet
<b>Impervious Surface Coverage, Max.</b>	65%
<b>Maximum Height</b>	50 feet

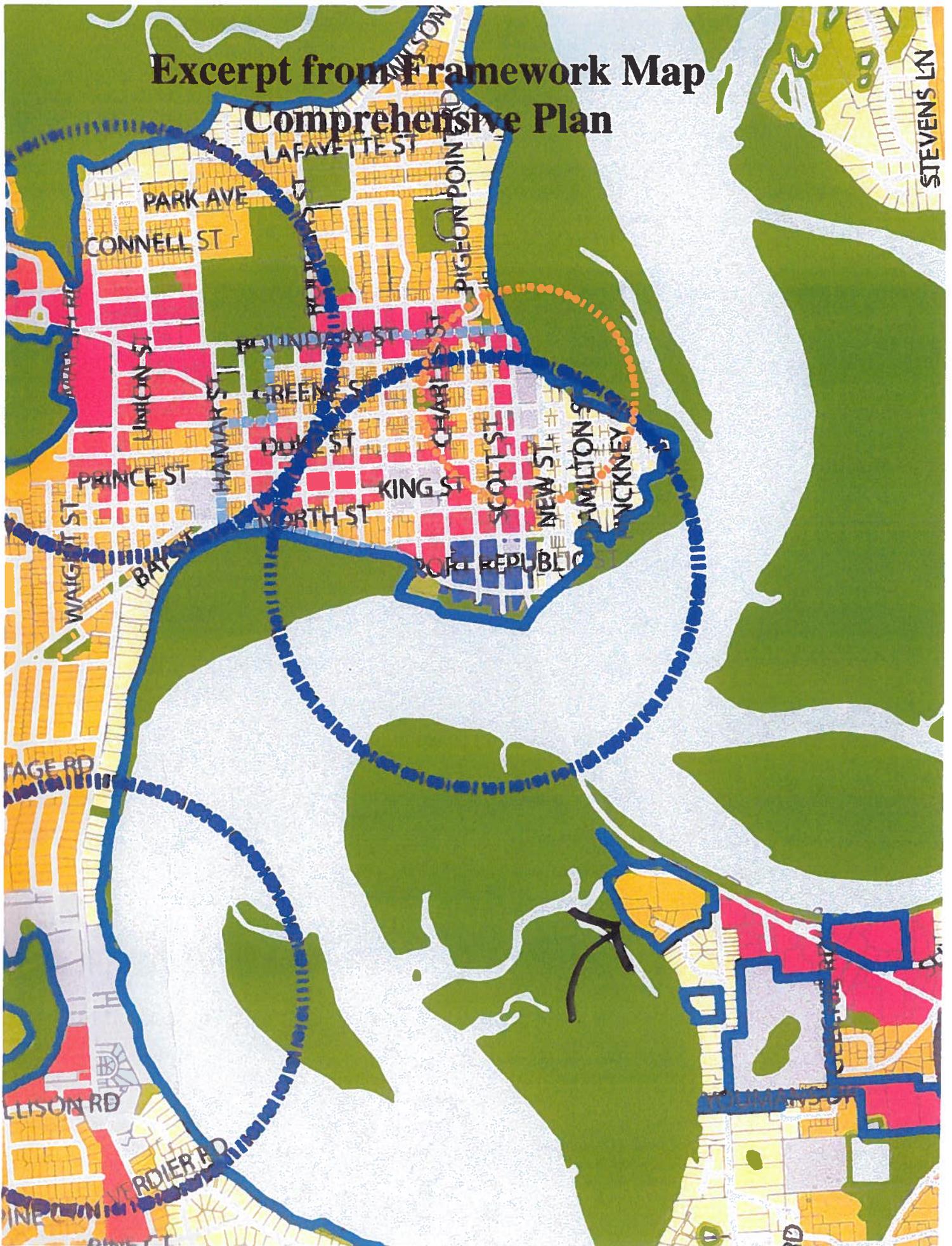
# Current Zoning



2 →



# Excerpt from Framework Map Comprehensive Plan





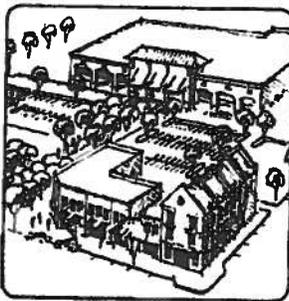
*Mix of housing types in a new neighborhood*



*Neighborhood-scaled mixed-use building*



*Housing and civic uses in a neighborhood*



*A grocery-anchored mixed-use development is a typical neighborhood center, which may include retail, office, civic/institutional and residential uses.*

### FG 1.5 GROWTH SECTOR 2 (G-2): URBAN NEIGHBORHOODS/TNDs

The G-2 sector contains denser, mixed-use development at the scale of neighborhood centers, indicated by the small (1/4 mile) circles, and suburban, residential development at the scale of walkable "traditional neighborhoods" shown in orange. This type of residential development creates an identifiable center organized around a small public square or green, often with some civic facilities or a building such as a church or a small store. Local, slow-speed streets form a connected network, with larger collector streets. Paths form pedestrian connections linking sidewalks to internal parks and preserved open space along the boundaries of the neighborhood. This pattern of development can be more environmentally sensitive to its context and can provide improved public health benefits for citizens through its capacity for safe walking and cycling.

G-2 lands are typically close to thoroughfares and at key cross-road locations. For Beaufort, the G-2 sector specifically includes areas that are already developed with neighborhood-serving retail and service uses or at key cross-roads where future development of this type is likely to occur.

The G-2 designation is also used in areas where a mixture of higher density residential types (e.g., small lot single family houses, townhomes, apartment or condominium buildings, or mixed-use buildings) are already occurring or would be appropriate to transition between higher intensity commercial uses and existing lower density neighborhoods, and take advantage of proximity to existing centers of commerce, education, or employment such as the university, downtown, and the hospital.

#### APPROPRIATE LAND USES/DEVELOPMENT TYPES:

The following community types and uses are appropriate in the G-2 sector:

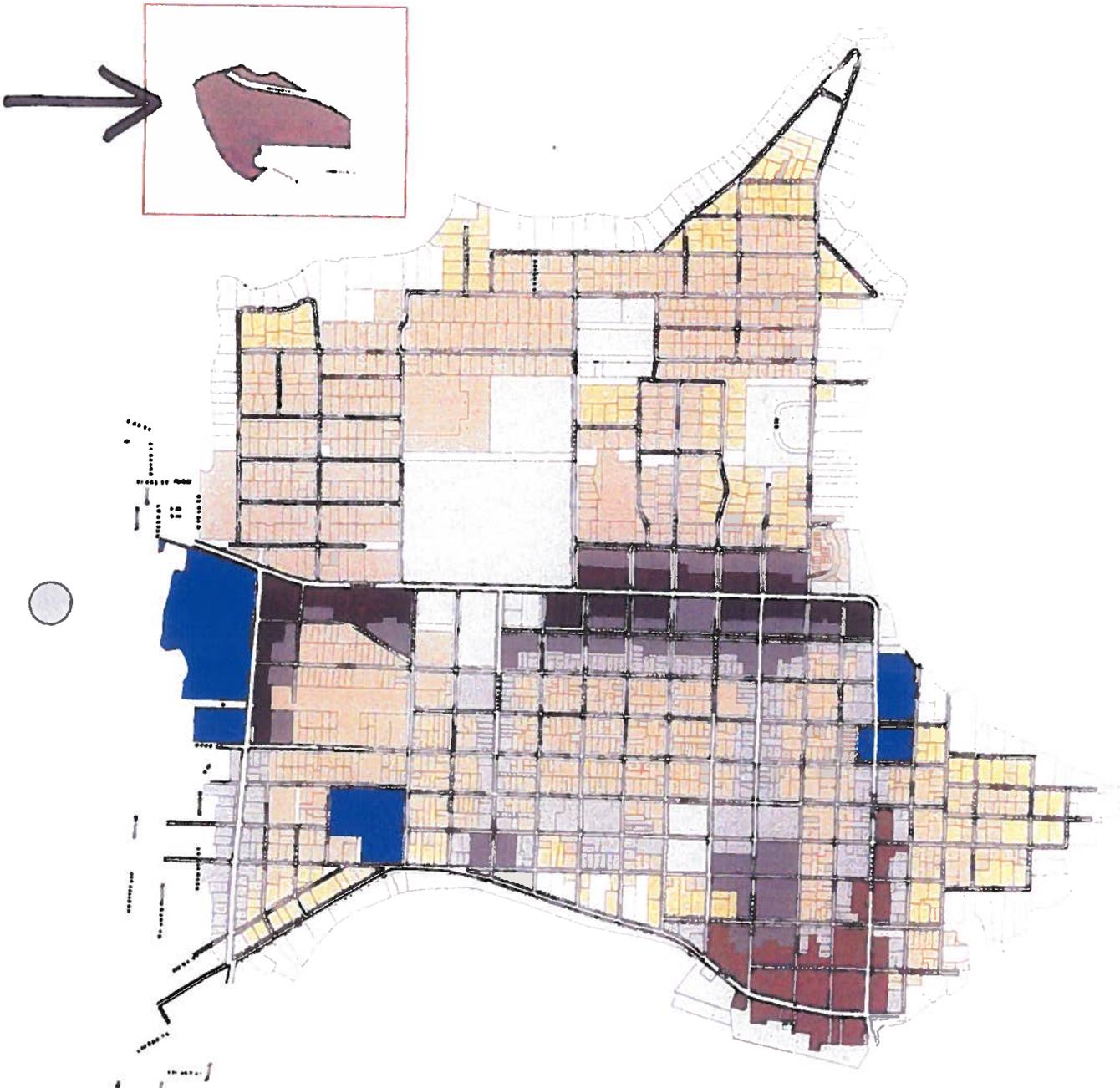
- traditional neighborhood developments
- single-family and multifamily residential
- neighborhood mixed-use centers
- neighborhood-scale commercial uses (retail and office)
- civic uses
- light industrial uses

### FG 1.6 NEIGHBORHOOD CENTERS

Neighborhood Centers, shown as the small black circles on the Framework Map, are based on a 1/4 mile radius (a typical 5-minute walk) from a key intersection. They are intended to be mixed-use activity centers serving surrounding neighborhoods with retail, services, civic uses, and higher density housing. A neighborhood center might typically contain 80,000 to 120,000 square feet of commercial uses. A grocery-anchored mixed-use development is a typical use for a neighborhood center. A conceptual mixed-use neighborhood center for Sea Island Parkway and Lady's Island Drive was designed at the charrette and is detailed later in this section.

## **Excerpts from Sector 1 Civic Master Plan**

# REGULATING PLAN

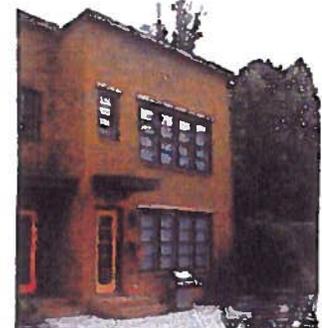


 T3-E	 T4-NC
 T3-S	 T5-HC
 T3-N	 T5-UC
 T4-UN	 SD-INS



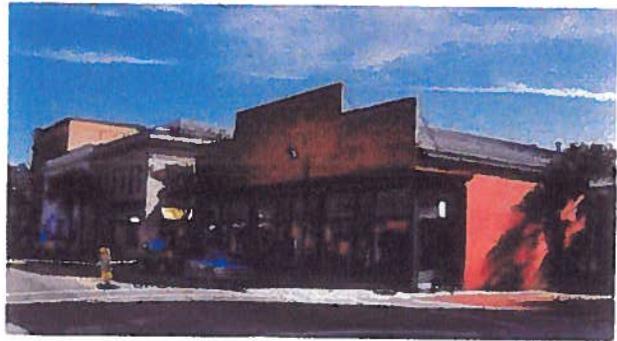
**T4—Neighborhood Center (T4-NC)**

T4 Neighborhood Center Zone represents a medium-intensity, mixed-use zone primarily in the form of attached, mixed-use fabric. A wide range of building types exists in the T4 Neighborhood Center Zone including, but not limited to, mansion apartments, apartment buildings, mixed-use buildings, and rowhouses;



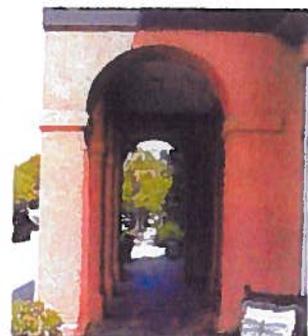
**T5—Historic Core (T5-HC)**

T5 Historic Core Zone consists of higher density, mixed-use buildings that accommodate retail, rowhouses, offices, and apartments. A tight network of streets defines this transect zone as a highly walkable area. Buildings are set very close to the front property line in order to define the public realm;



**T5—Urban Corridor (T5-UC)**

T5 Urban Corridor Zone consists of higher density, mixed-use buildings that accommodate main street retail, rowhouses, offices, and apartments located along primary thoroughfares. A tight network of streets defines this transect zone as a highly walkable area. Buildings are set very close to the front property line in order to define the public realm.



**Special District – Institutional (SD-INS)**

Special District—Institutional consists of areas within Sector One that, by their intrinsic size, function, or configuration, cannot conform to the requirements of any Transect Zone or combination of zones. The Special District—Institutional Transect Zone accommodates such functions and uses as colleges, trade schools, and hospitals that are assimilated in a campus arrangement.



by the campus of USC-Beaufort which serves as an important institution embedded directly into the fabric of the historic neighborhoods. The University provides an influx of students and the vitality that age group brings to the businesses and the shops that they frequent. The integration of higher education into a community is a key element for all vibrant places.

The master plan envisions the redevelopment of the current campus as a more traditional southern quadrangle with some current non-historic, under-utilizes structures giving way to more formally designed campus buildings more appropriate to the setting. Also, the provision of full-time student housing both on campus as well as around the corner on Boundary Street provides an important symbiotic relationship that can fill in certain gaps in the urban fabric with students, giving both life and character to the corridor simultaneously.

We would be remiss to discuss encouraging pedestrian activity and business vitality along Boundary Street if we did not also address the current geometrics of the four-lane thoroughfare. Very simply, the current configuration encourages speeding, is hostile to pedestrians and cyclists alike, and does not provide any convenient, shared on-street parking forcing each site to create their own parking lot. It's time to put this section of Boundary Street on a road diet – shrinking it from four lanes to three with on-street parking – and this can be done by restriping, not rebuilding, with cans of paint and thermoplastic stencils to be specific.

### ⇒ WHITEHALL AS A COMPLIMENT TO BAY STREET

There are those that would scream that the Whitehall property be left undeveloped – and we would join them, tied to a tree – if a shopping center or a big box store, or a series of gas stations and fast food outparcels were being proposed. That would not be a fair trade, would it? You can't remove nature and replace it with development that not only degrades the natural environment, but also negatively impacts the human environment. But if you propose a neighborhood, we

would argue that those against it were short-sighted and selfish because a neighborhood, a proper human habitat, is a fair trade. Of the few places capable of handling development at high density within the sensitive ecosystem in which Beaufort sits, this is one. The volume of water that flows along the Beaufort River at this point provides for the greatest amount of natural flushing. It's at the foot of the bridge that connects to downtown Beaufort a quarter mile away and it has been developed on in the past. Instead of sprawling on Lady's Island in the form of shopping centers and car-dependent commercial uses, a town center located at Whitehall would serve the community more efficiently and provide more opportunities for residents seeking lifestyle opportunities not dependent on car use and long commutes.

Our plan saves a tremendous amount of trees and still provides a marketable and successful building program that leaves about 25 percent of the property open. The main street of Whitehall and the buildings that front Sea Island Parkway will have riverfront and park views. Through proper design, the new village center would allow the waterfront walk to continue forming an important anchor for pedestrians and cyclists enjoying the now extensive and unique waterfront experience we have begun to envision, stretching from maybe the Hospital all the way to Whitehall. Imagine landing in a boat at the marina and being able to walk three miles, a little over a mile and a half in either direction, through plazas with cafes and shops, into parks, along boardwalks that lead to points where you can access the water by Marina or boat launch, by kayak and boat, and cross the river by foot on the bridge.

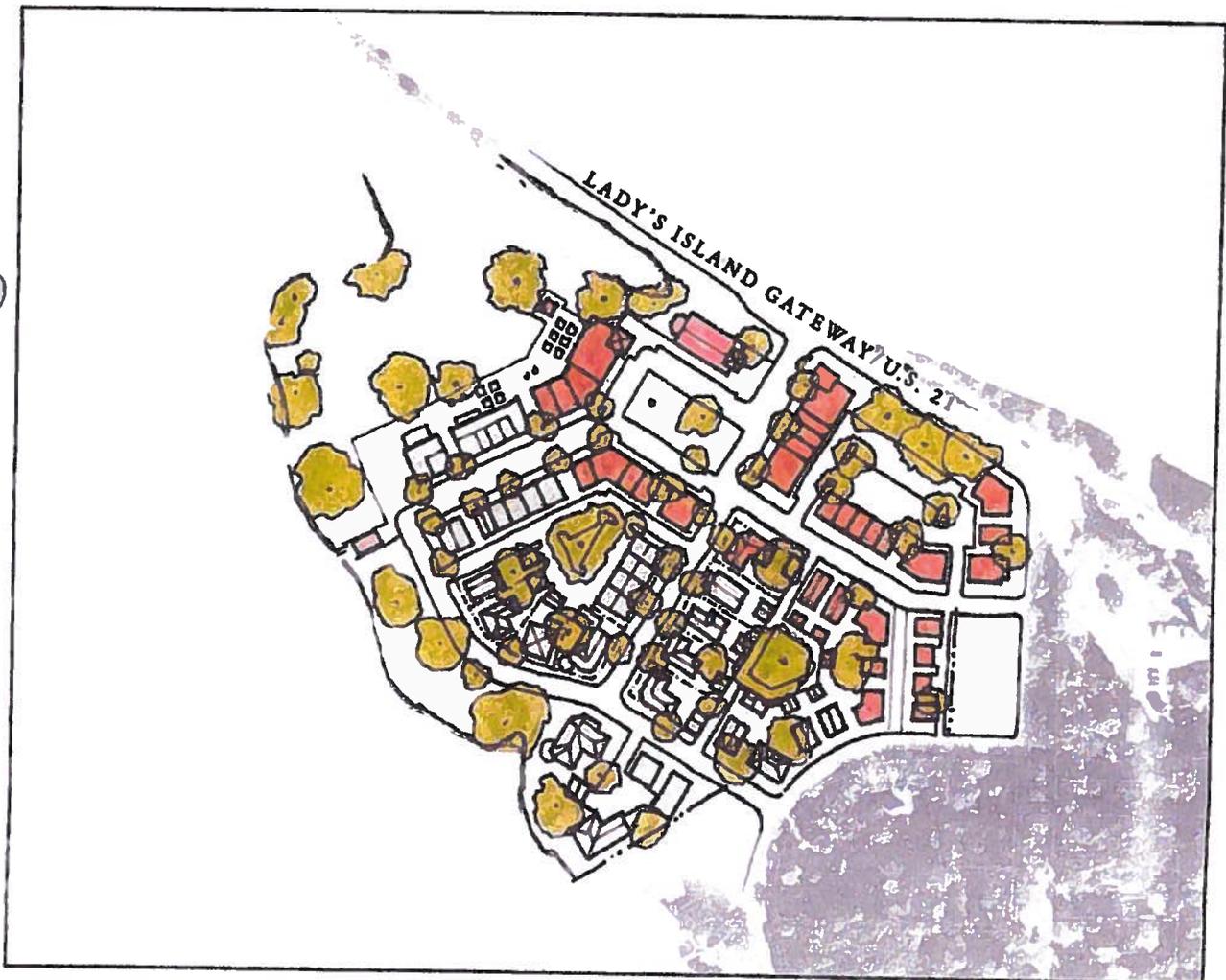
### AND FINALLY, A STRONG DOWNTOWN IS SURROUNDED BY STRONG NEIGHBORHOODS

For too long, the neighborhoods surrounding the downtown have either been in a state of stasis or deterioration. With the exception of The Point and perhaps parts of the Old Commons, investment and population have been in decline. This slow decline

## WHITEHALL

The old Whitehall Plantation property sits directly across the river from downtown Beaufort on the bridge from Carteret Street to Lady's Island (US Business Route 21). The property offers impressive views of the Beaufort River, with downtown Beaufort just beyond. The currently vacant land is envisioned as a traditional neighborhood development with the northwestern tip of the property preserved as public open space for the regional parks and greenway system. There is one major entrance to the property marked by a civic or religious

structure and a public green defined by townhouses and mixed-use buildings. The town center green includes a diversity of uses, while land closer to the river is more residential, with apartment buildings, townhouses, and single family houses. A public dock provides another connection to downtown Beaufort or other destinations from the river. With this approach, the Whitehall property becomes a logical extension of downtown that compliments, but does not compete with the historic core.

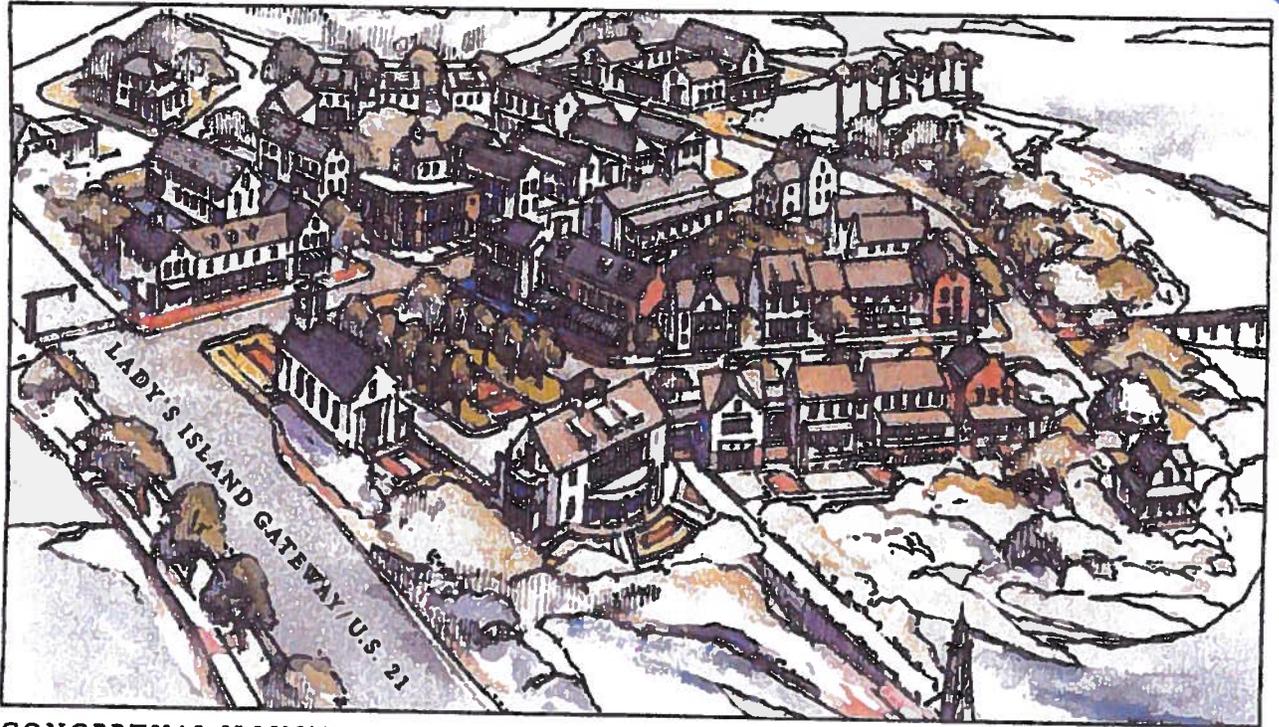


CONCEPTUAL PLAN for WHITEHALL MIXED USE DEVELOPMENT  
NOT TO SCALE



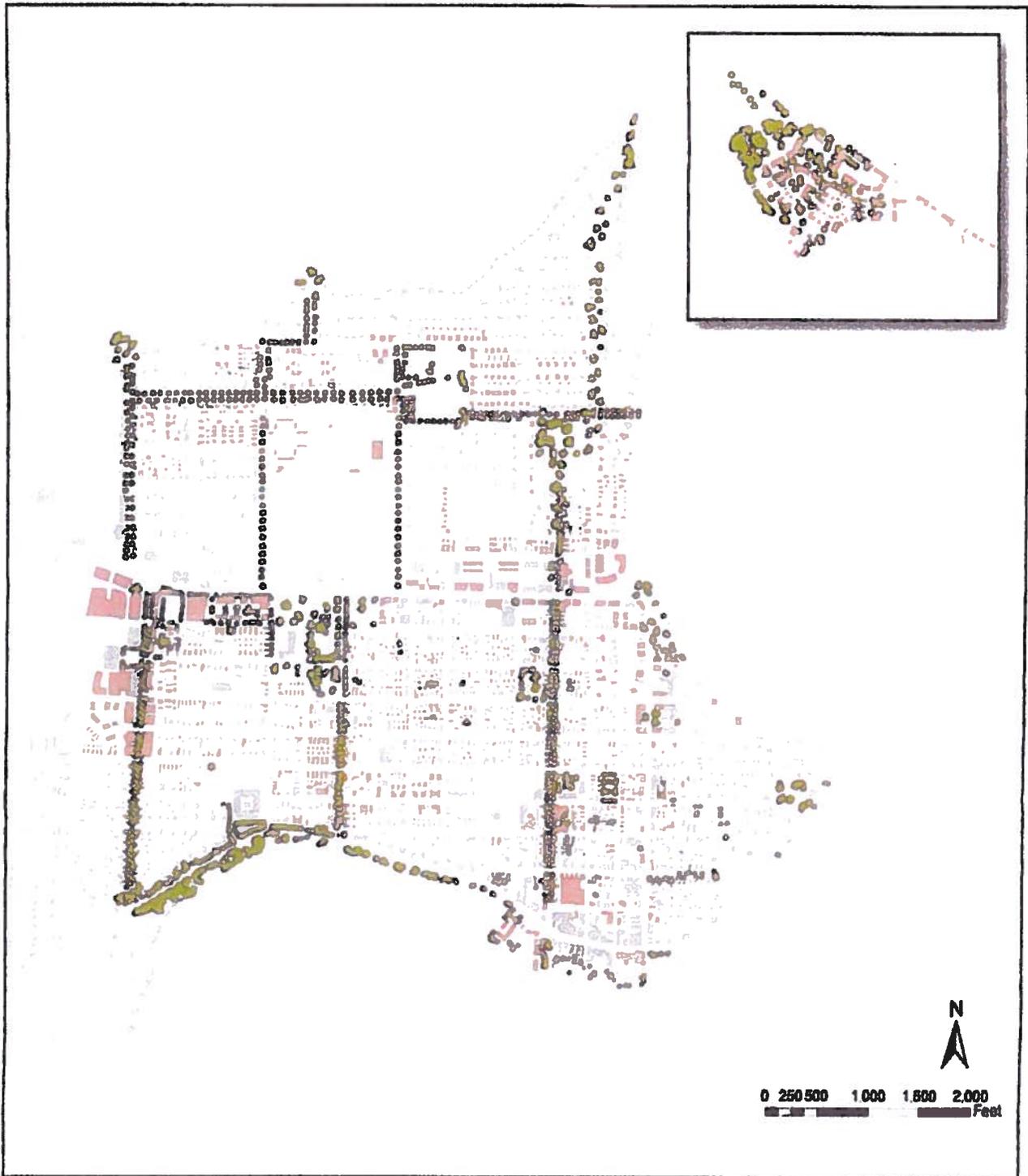
WHITEHALL MIXED USE DEVELOPMENT PLAN





CONCEPTUAL ILLUSTRATION OF WHITEHALL





**SECTOR 1 PROPOSED DEVELOPMENT PLAN**  
(See Appendix A for larger map)



## Libby Anderson

---

**From:** Jane Frederick <jane@f-farchitects.com>  
**Sent:** Wednesday, February 15, 2012 1:42 PM  
**To:** Libby Anderson  
**Subject:** White Hall

Libby,

I stopped by and spoke with the Fetters about the rezoning request for White Hall. They do not have a problem with the rezoning. They just ask that they get to see the preliminary design if and/or when it actually gets developed.

Jane

Jane Frederick, FAIA, LEED AP  
Frederick + Frederick Architects  
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**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, Planning Director**

**DATE: February 13, 2012**

**SUBJECT: UDO Amendment Regarding Outdoor Display of Merchandise Requirements**

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Section 6.6.F of the Unified Development Ordinance (UDO) (attached) contains the provisions for outdoor display of merchandise in areas outside the Historic District. As noted in paragraph b, "indoor" merchandise is required to be displayed within 5' of the building. Paragraph c pertains to all merchandise and stipulates that merchandise display must be set back the distance of the front buffer, whether or not that buffer exists. On lots that were developed before the City's current landscaping standards were adopted and have no front buffer, this provision creates site planning challenges when the property is reused or redeveloped. For example, a lot undergoing new development on SC 170 is required to have a 20' buffer. If an existing developed lot was proposed to be reused as an auto dealership, the ordinance would prohibit vehicles from being displayed within 20' of the front property line. This requirement appears needlessly restrictive and results in a poor use of land, and staff is proposing to delete this provision of the ordinance. Given the restrictions in paragraph b of the ordinance, this change will not result in indoor merchandise (ex. mattresses and furniture) being displayed along the street.

attachment

**6. Light Trespass**

In addition to the general provisions of this section, off-street lighting shall be shielded and/or directed in such a manner that it illuminates only the user's premises and does not spill over into neighboring residential areas so as to interfere with the peaceful enjoyment of residential or public properties. Floodlighting of buildings is prohibited except for church steeples and bridges.

**7. Nonconforming Fixtures**

Except where otherwise noted, all outdoor lighting fixtures existing and legally installed and operative before the effective date of this UDO are exempt from the requirements of this section. Whenever a nonconforming fixture is replaced or moved, the replacement fixture shall meet the requirements of this UDO.

**F. Additional Requirements**

**1. Outdoor Display of Merchandise**

- a. Except as provided in paragraph b below, only merchandise typically used and stored outdoors may be displayed outdoors. Such merchandise shall include automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, agricultural products, lawn maintenance equipment, and outdoor furniture.
- b. "Indoor" merchandise (merchandise other than that typically used and stored outdoors) may be displayed outdoors only within 5' of the building and only in front of the building or the tenant space, and shall only be displayed during business hours. Merchandise shall be arranged and spaced so as not to clutter the front of the property, as determined by the Administrator. For purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is for sale on the premises, regardless of whether or not that particular item is available for purchase;
- c. All merchandise displayed outdoors shall be set back from the property lines the distance of the buffers required in Section 7.3, whether or not such buffers exist.
- d. Areas designated for vehicular parking may not be used as outdoor display areas.
- e. Merchandise shall not be placed on the public sidewalk or within the right-of-way without approval of the City Manager. If merchandise is displayed on any privately-owned sidewalk, a minimum of 42 inches of the sidewalk as measured from the curb must remain open and unobstructed to facilitate safe pedestrian circulation.
- f. Plans for new developments shall clearly designate any areas for outdoor display of outdoor merchandise. Outdoor display of merchandise shall only occur in areas designated for such display on the approved plan.
- g. Vending machines, except newspaper boxes, shall be screened from view from the 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**

**DATE: February 16, 2012**

**SUBJECT: Status Report on City Council Actions**

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**Rezoning 1403 Lafayette Street.** Second reading of the ordinance rezoning the property to General Residential District was held at the January 24 City Council meeting.

**UDO Amendment Pertaining to Location of Vehicle Display.** A public hearing on this amendment was held at the February 14 City Council meeting. First reading of the ordinance was held at that same meeting.

Please contact me with any questions on this information.

Thank you.

A meeting of the **Beaufort-Port Royal Metropolitan Planning Commission** was held on December 19, 2011 at 5:30 p.m. in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and Commissioners Robert Semmler, James Crower, Jim Hicks, and Alan Dechovitz, City of Beaufort Planning Director 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**

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

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

**County of Beaufort** – Beaufort County Zoning Map Amendment/Rezoning Request for Port Royal Island R100-024-0020 and R100-024-0416 (8.29 acres at the intersection of Rug Rack, Laurel Bay and Joe Frazier Roads in Burton); from Rural Zoning with Transitional Overlay, to Commercial Suburban Zoning

Owner: Timmark General Partnership / Applicant: Timothy Schwartz

**Deloris Frazier** said the occupant, who has a self-storage business, has made application for the zoning change. The area is in the rural region; it is not available for annexation. New development is encouraged to be pedestrian-friendly, etc. Ms. Frazier showed the zoning map. The transitional overlay, she said, is meant to be upzoned, according to the comprehensive plan. That is linked to the property owner to show that there is adequate infrastructure and services to accommodate. The applicant doesn't anticipate additional development, but there is water to the site and sewer about a mile away.

In regard to traffic, the traffic engineer noted the unusual roadway alignment and confusing intersections that create access issues, Ms. Frazier said. He recommended conditions be attached if this zoning is approved. This property is in the receiving area for TDRs. A TDR overlay district would automatically have to attach to that. The change is consistent with the comprehensive plan and the purpose of the ZDSO, Ms. Frazier said, and is adjacent to a cluster of existing and vacant commercial establishments. If the site develops in the future, there could be conflicts with surrounding residential properties. They would have to put a 100' buffer between the commercial and residential districts.

Ms. Frazier said the staff recommends approval of the rezoning request from Rural with Transitional Overlay District to Commercial Suburban District with a TDR Overlay District subject to the following conditions: access to the site should be internal from Timmark Drive only, not by Laurel Bay Road; access permitted to Joe Frazier Road, but SCDOT and Beaufort County

driveway and access separation standards must be met; A Traffic Impact Analysis is required for any development that generates 50 or more peak-hour trips.

Commissioner Crower asked what the uses are of the current zoning vs. the applied-for zoning. Ms. Frazier said it's mostly for very limited commercial uses now and mostly in support of agriculture operations; this is oriented to be more Neighborhood Commercial. This would be close to suburban development, she said.

Chairman DeVito said there's "a landlocked property in the middle," and it's not part of the rezoning. It's separately owned for a cell tower, Ms. Frazier said. She said the current use is allowed in Commercial Suburban. The zoning was changed with the 1997 comprehensive plan and the whole scale re-zoning of the property in 1999. At that time, it was made non-conforming when it was made "rural with a transitional overlay."

Commissioner Semmler asked if the property is in the AICUZ, and Ms. Frazier said it is not. Commissioner Hicks asked why the applicant "would go TDR if it's a commercial property"; Ms. Frazier said the applicant can't sell any development rights now, because he's in the Receiving Area, not the AICUZ / Sending Area. Commissioner Hicks said the applicant should have a full understanding of what TDRs are and how they work. Ms. Frazier said the applicant is saying he doesn't want to get rid of his business; if there's additional development of the business, it might be different.

Commissioner Semmler asked Ms. Frazier to explain the 100' buffer. He asked if it's (measured) from the boundary. Ms. Frazier said if he decides to tear them down and can't meet the 100' buffer, staff may be able to modulate that in several ways. Commissioner Hicks asked if this kind of case interrupts the long-range plans of the municipality – the regional planning group needs to have clear overlays – if it's going to be commercial. Ms. Frazier said there's light industrial development mixed in with this. In the swath of neighborhood / mixed-use, they'll "continue to see commercial coming up."

Neither the applicant nor a representative for the applicant was present.

**Donald Middleton** said he represented the community surrounding this area. He asked what a TDR and AICUZ are, and the commissioners explained the terms to him. He asked how this change in zoning would affect taxes, and Chairman DeVito said the MPC couldn't speak to that. Mr. Middleton said he'd like to see the area kept rural. Mr. Middleton said that the applicant had told members of the community that he was going to upgrade the facility, but now he is talking about adding additional buildings, which concerns the community. Mr. Middleton added that he was the only property owner in the community who received a letter of notification. Chairman DeVito said 23 people had received notification. Ms. Frazier said that letters are only

sent to those who live within 500' of the applicant's property. Mr. Middleton said many in the community who had concerns don't live that close to the applicant's property.

**Reed Armstrong**, Coastal Conservation League, said when this issue of upzoning came up, it was voted down by county council until form-based code was developed and could be applied to this region. In the Northern Regional Plan, there are provisions that in the designated growth areas, in the City of Beaufort and Town of Port Royal, upzoning must conform to the future growth map. He wondered how this would fit in with the City of Beaufort's future growth.

Mr. Middleton asked what spot-zoning was. Ms. Frazier said it's essentially zoning a property for a unique purpose to be something totally different than everything that is around it. Chairman DeVito said this couldn't be considered to be spot-zoning in any way.

Chairman DeVito asked Ms. Frazier about the infrastructure improvements that have been made to allow this zoning now, as opposed to earlier. Ms. Frazier said there's water, and the sewer is within a quarter-mile. When those areas of the county were made Traditional Overlay, in 1997, she doesn't know what all the criteria for that decision were. Commissioner Crower said in regard to Mr. Armstrong's point about the form-based code, this application was denied *because* of the development of form-based code. He said there was supposed to be a Burton / Laurel Bay region; he wondered if that has happened. Chairman DeVito said it hadn't. Commissioner Crower asked where this fits in the City of Beaufort's plans. Ms. Anderson said she can't say at this time, but the Future Land Use map would indicate that. Commissioner Crower said they should look at that in the future.

Commissioner Hicks said if he had told a property owner that they don't want to make a decision until something else is done, and then 12 months later, it's still not been done, he could understand why the applicant would feel it should be judged on its own merits. Commissioner Crower agreed that it's reasonable to ask again after a year.

Commissioner Dechovitz said since there's a stronger commercial area there, it's likely to be the place for that to develop, so he's concerned that if the change is allowed, they will create a commercial corridor along Laurel Bay, which is inconsistent with what they are trying to do. Commissioner Dechovitz said that it feels wrong, in the absence of a specific plan for Laurel Bay Road from Beaufort, to allow activity away from the stronger commercial center already on Laurel Bay. Commissioner Hicks said they have Rural Commercial District zoning, which is less intense and is designed for businesses like a store in an area that was rezoned and that wants to be "legitimized." Normally, that would be a logical thing here, Commissioner Hicks said, until he looks across the road, where it's commercial.

A discussion of the commercial businesses in the area ensued. Commissioner Semmler said that area is "on the cusp" and is going to go one way or the other as far as becoming a commercial

district. He compared it to a similar situation on St. Helena near Penn Center. The charette hasn't been done yet, but may help "that little corner grow." Commissioner Dechovitz said there's nothing that says that they want a commercial node there. Beaufort is attempting to accomplish development for commercial in small nodes. They don't want to create sprawl. He's not comfortable with taking steps that will spread commercial up and down Laurel Bay Road, Commissioner Dechovitz said.

Ms. Anderson showed the Future Land Use map on the overhead. The area under discussion is moderate-density residential neighborhood. She described what the uses are for that area. Chairman DeVito said that's exactly what happened at the Food Lion, which is one intersection away. That shopping center and an apartment complex were built "a little way up the road." What is described is happening on its own, Chairman DeVito said. There's a four-way intersection with turn lanes, etc., which he said is what Ms. Anderson was describing from the plan.

**Commissioner Semmler made a motion to forward a recommendation of approval of the rezoning request from Rural Zoning with Transitional Overlay to Commercial Suburban Zoning with the county's stated conditions. Commissioner Crower seconded the motion.**

Commissioner Hicks asked that Ms. Anderson look at it before it goes to the next level to ensure "that there is comfort with this re-zoning." Commissioner Crower said it makes sense to have a future development of commercial outside Laurel Bay.

Commissioner Dechovitz described why he would be voting against it. Commissioner Crower asked about the staff's recommendations and if the Planning Commission had questions about it. Chairman DeVito said he assumed it would be recommended as submitted. **The motion passed 3-2, with Commissioner Dechovitz and Chairman DeVito opposed.** The recommendation will be passed on to council.

There was discussion among the Planning Commission members about the need for a charette and/or a corridor overlay in regard to commercial in rural areas.

Commissioner Semmler said he had a number of changes to his statements from the previous MPC meeting to be inserted into the record. He distributed those statements to the commission and to the recorder, and then read the statements for the record. Commissioner Hicks and Chairman DeVito said that the audio recording should be reviewed for accuracy. It was agreed that the recorder would go back to the audio of those portions Commissioner Semmler noted and transcribe them verbatim in time for the next council meeting, January 10. The transcription is attached to these minutes.

**REVIEW MINUTES OF THE NOVEMBER 21, 2011 MEETING**

**The review of the minutes was tabled until the next Planning Commission meeting.**

There being no further business to come before the commission, the meeting was adjourned at 6:32 p.m.

A meeting of the **Beaufort-Port Royal Metropolitan Planning Commission** was held on January 9, 2012 at 5:30 p.m. in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and Commissioners Robert Semmler, James Crower, Jim Hicks, and Alan Dechovitz, and City of Beaufort Planning Director 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**

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

#### **ELECTION OF OFFICERS**

**Commissioner Hicks made a motion, second by Commissioner Semmler, to elect Chairman DeVito to serve as chairman of the Metro Planning Commission for another term. The motion passed unanimously.**

**Commissioner Semmler made a motion, second by Chairman DeVito, to elect Commissioner Dechovitz to serve as vice-chairman of the Metro Planning Commission. The motion passed unanimously.**

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

**City of Beaufort – UDO Amendment.** Revising Section 5.3.D.15, "Specific Use Standards, Other Vehicle Sales and Service," to delete the requirement pertaining to location of vehicle display areas.

Ms. Anderson said this text amendment pertains to vehicle sales. In Light Industrial areas, they are permitted by right. In Highway Commercial districts, it is a conditional use. The relevant condition is the vehicles' display location. No existing or proposed facilities abide by this provision, Ms. Anderson said, nor do they want to. Vehicle display is "the most important issue to car dealerships," Ms. Anderson said. This proposed amendment would delete this provision to make the sales facilities consistent with the current program. The DRB will have a part in this, particularly for future facilities.

Commissioner Dechovitz asked about the requirements for the landscape buffer, and Ms. Anderson described those. Commissioner Crower asked if it required plantings and Ms. Anderson said yes. The DRB has been flexible with the type of species; staff experience is that there is great concern about the front of the auto sales facilities.

Commissioner Semmler said he thought this was the case already because everyone seems to ignore this provision except for a boat dealership. Even the pawn shop on Highway 21 has items displayed outside, so he was surprised that an ordinance existed that said they couldn't do this. Ms. Anderson said the ordinance exists but isn't being adhered to.

Commissioner Crower asked if there was a penalty for violating the ordinance, and Ms. Anderson said most are grandfathered, but the issue arose because of Stokes. Even if there's not a front buffer, the dealership "still can't display right up to the road," but the city isn't going to make them put the vehicles behind a building that's already set 100' back.

Commissioner Dechovitz said he's heard comments from the public about sales of autos by businesses that are not auto dealerships. Chairman DeVito said those are called "lemon lots." Commissioner Dechovitz said a lemon lot has used cars from a dealer that didn't sell and so were sold to someone else. He said he was referring to businesses like the Jiffy Lube that sell 3-4 vehicles at a time out in front of its building without buffering.

Ms. Anderson said for vehicle sales, a business has to have a state license as well as the city's. She said to inform her if they see a place like this because it's a licensing issue. If this ordinance change is approved, she said, there will still be regulation about where the vehicles are displayed. Commissioner Semmler asked if boats were vehicles, and Ms. Anderson said they are "called out separately." Ms. Anderson read from the ordinance in regard to boat sales.

**Commissioner Crower made a motion, second by Commissioner Dechovitz, to approve the amendment. The motion passed unanimously.**

**City of Beaufort – PUD Amendment.** Revising the Battery Point Planned Unit Development Ordinance to change the 35' wetland buffer to 30', consistent with the subdivision plats for the neighborhood.

Ms. Anderson said this revision will correct a situation in the Battery Point PUD. They have a provision for fresh water wetlands, and though it is meant to be a 35' buffer, the plans show 30'. The Battery Point president is in favor of revising this ordinance. City staff feels they need to revise it in order to be consistent.

Ms. Anderson said Battery Point Ordinance and the plats consider these "wetlands," though they began as stormwater ponds. The city doesn't have its own wetland buffer standard. Commissioner Crower asked if it's unambiguous that these are, in fact, freshwater wetlands. Ms. Anderson said in the critical line setback portion, it says 40'. These bodies of water aren't connected to the tidal creek.

Chairman DeVito suggested adding the word "freshwater" to address future concerns. He added that Chairman DeVito said there is no reference to this in any other subdivision in the city that he's aware of. **Commissioner Crower made a motion, seconded by Commissioner Dechovitz, to amend the Battery Point PUD to add the word "freshwater" to the ordinance and approve the amendment. The motion passed unanimously.**

#### **UPDATE ON COUNCIL ACTIONS**

Ms. Anderson said that in regard to 1403 Lafayette Street, the public hearing has been held, and it's now on the council's regular agenda for first reading.

#### **REVIEW OF THE MINUTES**

**Commissioner Semmler made a motion, seconded by Commissioner Crower, to accept the minutes of the November 21, 2011 meeting as submitted, with the verbatim transcript section added as an appendix. The motion passed unanimously.**

#### **DISCUSSION**

Commissioner Dechovitz said he'd heard that the county had approved the rezoning request for the area at the intersection of Rug Rack, Laurel Bay and Joe Frazier Roads in Burton, which began a discussion about procedure. Commissioner Hicks said the Metro Planning Commission is a sort of sub-committee to the county; before the Metro Planning Commission was formed, a Lady's Island subcommittee might review something, for example, but those sub-committees have been done away with. Commissioner Hicks explained that county council does three readings, not two (like city council does), and has an extra step in the process (sub-committees) that the city doesn't have.

A discussion ensued comparing the two councils' procedures and delineating the county's procedures. Commissioner Hicks said when he was first on the county's Planning Commission, it heard all matters pertaining to Beaufort and Port Royal. When they started to do the comp plans, one Planning Commission couldn't handle the volume of work. The county Planning Commission had city representatives but couldn't respond effectively. The current procedure, he feels, is superior.

Commissioner Dechovitz asked what happens if the county Planning Commission decides something that is opposed to what the Metro Planning Commission decided, and Commissioner Hicks said that sometimes happens in county sub-committees. Commissioner Dechovitz said they might never hear about it. Chairman DeVito suggested getting county subcommittee reports, and said they should ask Ms. Frazier to supply them with those. Commissioner Hicks said, if she did, the Metro Planning Commission will get more than they want; there are Planning Commission, sub-committee, and county council reports.

Commissioner Semmler said this case Commissioner Dechovitz had raised was an exception. Commissioner Dechovitz said he'd brought it up because he'd been "collared" after the last MPC meeting by community representatives who were thankful because they felt the Metro Planning Commission had turned the applicant down, but then the matter went to the county, which made a different decision. Commissioner Hicks said the Metro Planning Commission voted in favor of the applicant, 3-2. Commissioner Dechovitz said he must have misunderstood, but in any case, he felt like the people who had interest in the matter should have known that they had another place to go to continue to follow its progress. Commissioner Semmler said the interested parties were thus informed and had come to the next county meetings.

Chairman DeVito suggested that it might be a good idea for MPC members to go to the county's Planning Commission meetings and watch where a project goes once it's gone through the Metro Planning Commission.

There being no further business to come before the commission, the meeting was adjourned at 6:04 p.m.