

**BEAUFORT–PORT ROYAL
METROPOLITAN PLANNING COMMISSION**

AGENDA

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

Monday, November 21, 2011 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 of Projects for the Town of Port Royal:

No projects.

IV. Review of Projects for the City of Beaufort:

A. Resolution Adopting City of Beaufort Civic Master Plan, Volume I, Sector 1: Downtown; September 2011.

B. City of Beaufort – Rezoning. Rezoning property located at 1403 Lafayette Street, identified as R120 002 000 0093 0000, from R-2 Medium Density Single-Family Residential District, to General Residential District. Applicant: City of Beaufort.

C. City of Beaufort – UDO Amendment. Revising Section 6.10 “Bladen Street Redevelopment District” to eliminate minimum building height for residential structures. Applicant: City of Beaufort Planning Department.

D. City of Beaufort – Update on Council Actions.

V. Review of Projects for the County of Beaufort:

No projects.

VI. Discussion:

VII. Review Commission Meeting Minutes:

A. Minutes of the October 17, 2011 Meeting.

VIII. Adjournment

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

City of Beaufort Department of Planning and Development Services

MEMORANDUM

TO: Beaufort--Port Royal Metropolitan Planning Commission

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

DATE: November 4, 2011

SUBJECT: Resolution Recommending Adoption of Sector 1 Civic Master Plan

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At your October 17 meeting, after reviewing and discussing the City of Beaufort Sector 1 Civic Master Plan, you recommended adoption of the Section 1 Master Plan as an amendment to the City's comprehensive plan. After reviewing the state planning enabling law, I believe that rather than simply have the Planning Commission's decision reflected in the meeting minutes, it would be correct for the Planning Commission to adopt a resolution recommending that the Beaufort City Council adopt the civic master plan. To that end, I have attached a resolution for consideration at your November 21 meeting.

Please contact me with any questions on this information.

Thank you.

attachment

**A RESOLUTION RECOMMENDING ADOPTION OF THE SECTOR 1 CIVIC
MASTER PLAN AS AN AMENDMENT TO THE CITY OF BEAUFORT
COMPREHENSIVE PLAN**

WHEREAS, the City of Beaufort Office of Civic Investment has prepared the “City of Beaufort Civic Master Plan, Volume I, Sector 1: Downtown;” and

WHEREAS, the Sector 1 Civic Master Plan was prepared through a carefully designed, transparent planning process; and

WHEREAS, the master planning process included a week-long design charrette held in March 2011; and

WHEREAS, the Sector 1 Civic Master Plan is intended to implement the recommendations in the Vision Beaufort 2009 Comprehensive Plan; and

WHEREAS, the Beaufort Redevelopment Commission has recommended adoption of the Sector 1 Civic Master Plan; and

WHEREAS, the Beaufort--Port Royal Metropolitan Planning Commission recommended adoption of the “Vision Beaufort 2009 Comprehensive Plan;” and

WHEREAS, adoption of the Sector 1 Civic Master Plan as an amendment to the Comprehensive Plan will demonstrate the importance of the plan, and increase the opportunities for implementation of the master plan;

NOW, THEREFORE, BE IT RESOLVED, that the Beaufort--Port Royal Metropolitan Planning Commission that in accordance with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code Section 6-29-510 through 6-29-540, the Commission unanimously recommends that the “City of Beaufort Civic Master Plan, Volume I, Sector 1: Downtown,” be adopted as an amendment to “Vision Beaufort; 2009 Comprehensive Plan,” the Comprehensive Plan of the City of Beaufort.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 21st day of November, 2011.

JOE DEVITO, CHAIRMAN

Attest:

LIBBY ANDERSON, PLANNING DIRECTOR

CITY OF BEAUFORT
REZONING ANALYSIS RZ11-07
PUBLIC HEARING DATE: DECEMBER 13, 2011

Applicant

The applicant is the City of Beaufort Redevelopment Commission.

Site

The property is located at 1403 Lafayette Street, at the corner of Lafayette and Rodgers Streets in the Higginsonville neighborhood (see attached Site Location Map). The property has frontage on Lafayette, Rodgers, and Von Harten Streets. The property is identified as District 120, Tax Map 2, Parcel 93. The lot is approximately 0.90 acres in area. The property is currently undeveloped.

Background

The Beaufort Redevelopment Commission is proposing to development the property through a Request for Proposals (RFP). The proposed development is part of a comprehensive set of initiatives set out in the Sector 1 Civic Master Plan. Adoption of the Sector 1 Plan is scheduled for the November 22 City Council meeting The Master Plan is available at www.beaufortcivicinvestment.org; go to the Projects link and then to Documents.

The Civic Master Plan shows this site as a prime opportunity for residential development, based on the character of the surrounding neighborhood and proximity to Basil Green Park and other neighborhood amenities. In this area, the Civic Master Plan calls for a variety of site planning strategies that will enhance the pedestrian accessibility of the area, including: rear lane access, parking on-site, on-street parking, sidewalks, preservation of existing significant trees, and the addition of street trees where appropriate. The Master Plan allows for a range of building and unit types including single-family detached units, duplex, and small multi-family buildings with up to four units per building. The attached excerpt from the Sector 1 Master Plan titled “Vacant Block Near Basil Green Park” shows one option for how the property might be developed. Also attached is an excerpt from the Plan that recommends improvements for the adjoining Basil Green Park.

The Lafayette Street project will provide an opportunity to demonstrate a site that incorporates an inviting streetscape and pedestrian environment that complements the surrounding neighborhood and connects to the adjacent park. It will expand homeownership and/or rental residential opportunities in the area, and may introduce new housing types that can blend seamlessly into the surrounding neighborhood fabric.

The Redevelopment Commission is in the process of preparing an RFP for the project. Since the City is the property owner, the Redevelopment Commission can, and intends to add covenants to the development that would control the type, density, and design of any development on the site to a degree that zoning standards do not.

Present Zoning

The property is currently zoned “R-2 Medium Density Single-Family Residential District” (R-2). The R-2 District is a single-family residential zone that permits single-family dwellings on lots of 9,000 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 property is located diagonally across from Basil Green Park which is zoned Community Preservation (CP) shown in green. General Residential zoning (GR), shown in brown, is located further south on Lafayette Street.

Proposed Zoning

To permit flexibility in development of the site in accordance with the Sector 1 plan, the property is proposed to be zoned "GR General Residential District" (GR). The GR District is a residential zone that permits single-family, townhouse, and multifamily dwellings. 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.

It is the intent of the Redevelopment Commission to place covenants restricting the type, density, and design of development on the property. In addition, any development aside from single-family uses would be subject to design review by the Design Review Board.

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 Regulating Plan in the Sector 1 plan designates this area of the Higginsonville neighborhood at T3-N. According to the Civic Master Plan, the T3-N Zone includes a mixture of residential and civic uses. "Residential uses are an assortment of different sizes including cottages, duplexes, and village houses. Carriage houses located behind single-family homes and on the interior of lots may contain studios or other small businesses" (see attachments).

Land Use Compatibility

The lot is located diagonally across from Basil Green Park, a community-scale park developed for ball fields. A single-family dwelling is located across Lafayette Street from the subject lot. The property immediately across Lafayette Street is wooded and undeveloped. This property appears to be somewhat low. Single-family dwellings adjoin the property to the rear and across Von Harten Street from the lot. Lafayette Square, a multifamily development, is located south on Lafayette Street (shown as GR on the zoning map). A map showing existing land uses in the immediate area is attached. Photos of the lot and surrounding area are also attached.

Suitability of Property for Uses Permitted in Current Zoning District

The property can be developed under the current zoning for single-family uses. Four to six

dwellings could be built on the lot without a design exception; eight or nine dwellings might be built with a design exception.

Suitability of Property for Uses Permitted in Proposed Zoning District

The site, at almost an acre in area, presents a unique opportunity for flexible residential development. The lot has frontage on three streets, offering the option for development of an alley to enhance the streetscape by eliminating driveways on Lafayette Street. The lot is across from Basil Green Park which is proposed to be redeveloped to include more neighborhood amenities such as a playground and pavilion. The site is within walking distance to jobs and services on Boundary Street, and within biking distance of the downtown area.

Compatibility of Uses Permitted in Proposed Zoning District with Natural Features

There are several large trees on the site. Most of the trees are at the perimeter of the property and could be retained as part of development of the site.

Marketability of Property for Uses Permitted by Current Zoning District

The property will be more marketable under the proposed GR zoning, as it allows more flexibility in development of the lot.

Availability of Infrastructure

The lot is served with water and sewer. Von Harten Street is currently not developed. The developer will be required to install on-street parking, trees, and a sidewalk on the Lafayette Street frontage of the property in accordance with the G-5 Street Section in the Civic Master Plan (see attachment). It is envisioned that an alley will be constructed by the developer across the rear of the property between Von Harten and Rodgers Streets to avoid multiple driveways on Lafayette Street.

Public Notification

Property owners in the immediate vicinity of the property were invited by letter on October 26 to a meeting with staff on November 7. Letters informing residents of the Planning Commission meeting and the City Council public hearing were sent to owners of all property within 400' of the property being rezoned (or a minimum of 20 different owners) on November 8. Staff informed the leadership of the Higginsonville neighborhood of the rezoning proposal via e-mail. Staff met with the Pigeon Point Neighborhood Association at their meeting on November 14 to discuss the rezoning proposal.

Public Comments

The written public comments staff has received to date are attached.

Several concerns were raised at the Pigeon Point Neighborhood Association meeting.

- Parking. The lot is sometimes used for parking for Basil Green Park. Residents were concerned that the loss of parking would add to the parking problems in the area that occur when the ball fields are in use. The Basil Green Park Conceptual Plan set out in the Sector 1 Master Plan shows how 300+ parking spaces could be generated in the area through redesign of the Basil Green site. Without minimizing the concern over parking in the area,

it should be acknowledged that parking, or the loss of parking, is not a zoning issue. The property could be developed and removed from the parking supply under the current zoning designation.

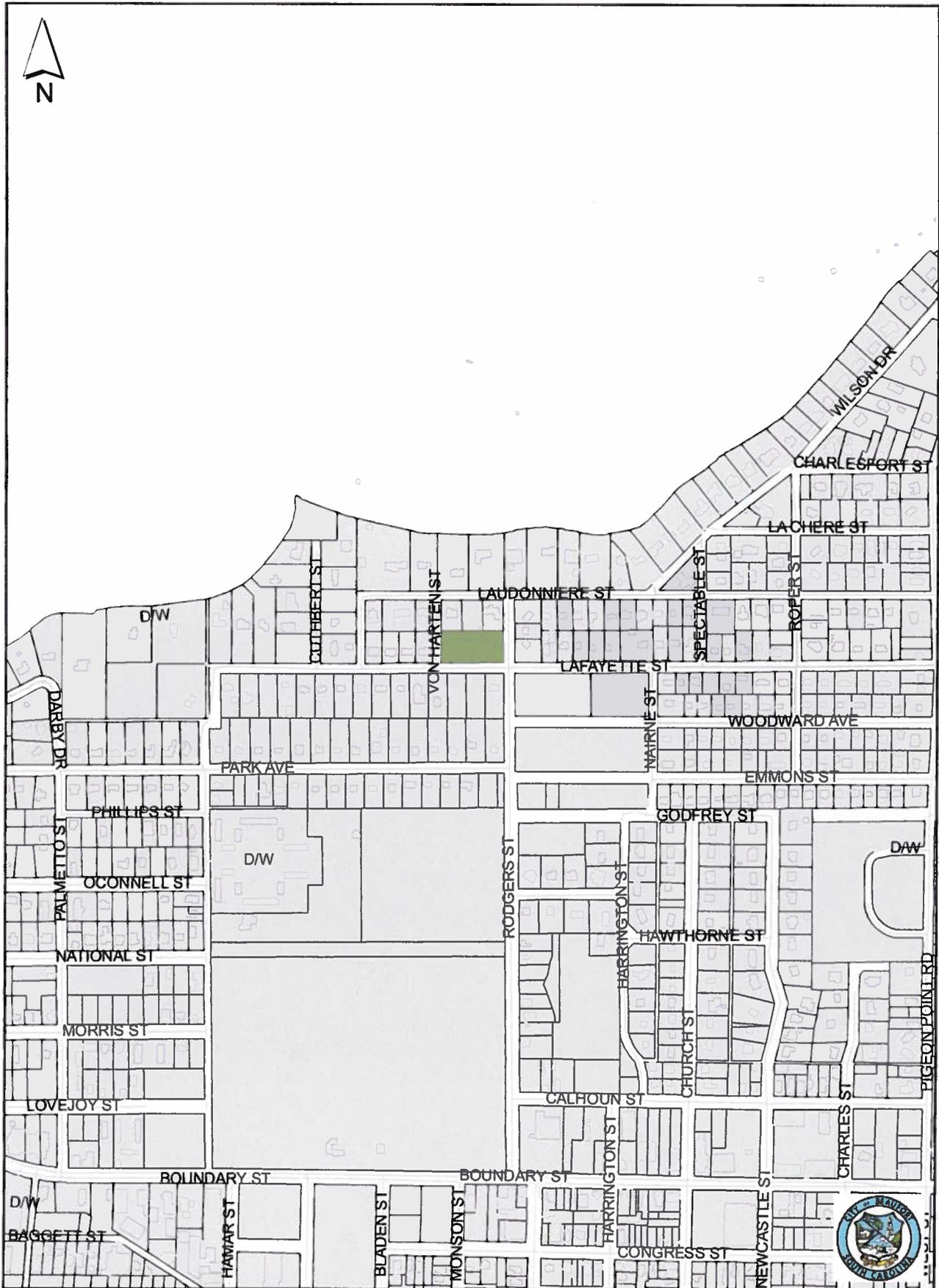
- **Ownership.** There were a number of comments that any development on the site should be for owner-occupied units. Occupancy is not a zoning issue. The City’s zoning ordinance regulates use (residential, office, retail), not tenancy. Since the City owns the property, ownership may be regulated through covenants, as least for a certain period of time. Determining the occupancy of the proposed development will be a policy issue the Redevelopment Commission and City Council will determine. Staff would recommend that these policy makers keep an open mind with regard to a rental option. Given recent economic conditions, many households are no longer interested in home ownership. Many workers want the flexibility that comes with rental housing to access changing job opportunities. In addition, mortgages are not as readily available as in past years, making home ownership difficult, particularly for young workers.
- **Affordability.** Similar to tenancy, affordability is a policy, rather than a zoning issue, to be determined by the Redevelopment Commission and City Council.
- **Spot zoning.** Attached is an excerpt from the “Comprehensive Planning Guide for Local Governments” published by the Municipal Association of South Carolina. As noted, the Supreme Court has stated that invalid “spot zoning” is the process of singling out a small parcel of land for a use classification **totally different** from surrounding area. The uses permitted in both districts (R-2 and GR) are the same—residential. The proposed zoning change would not be considered spot zoning.

Staff Recommendation

Staff recommends approval.

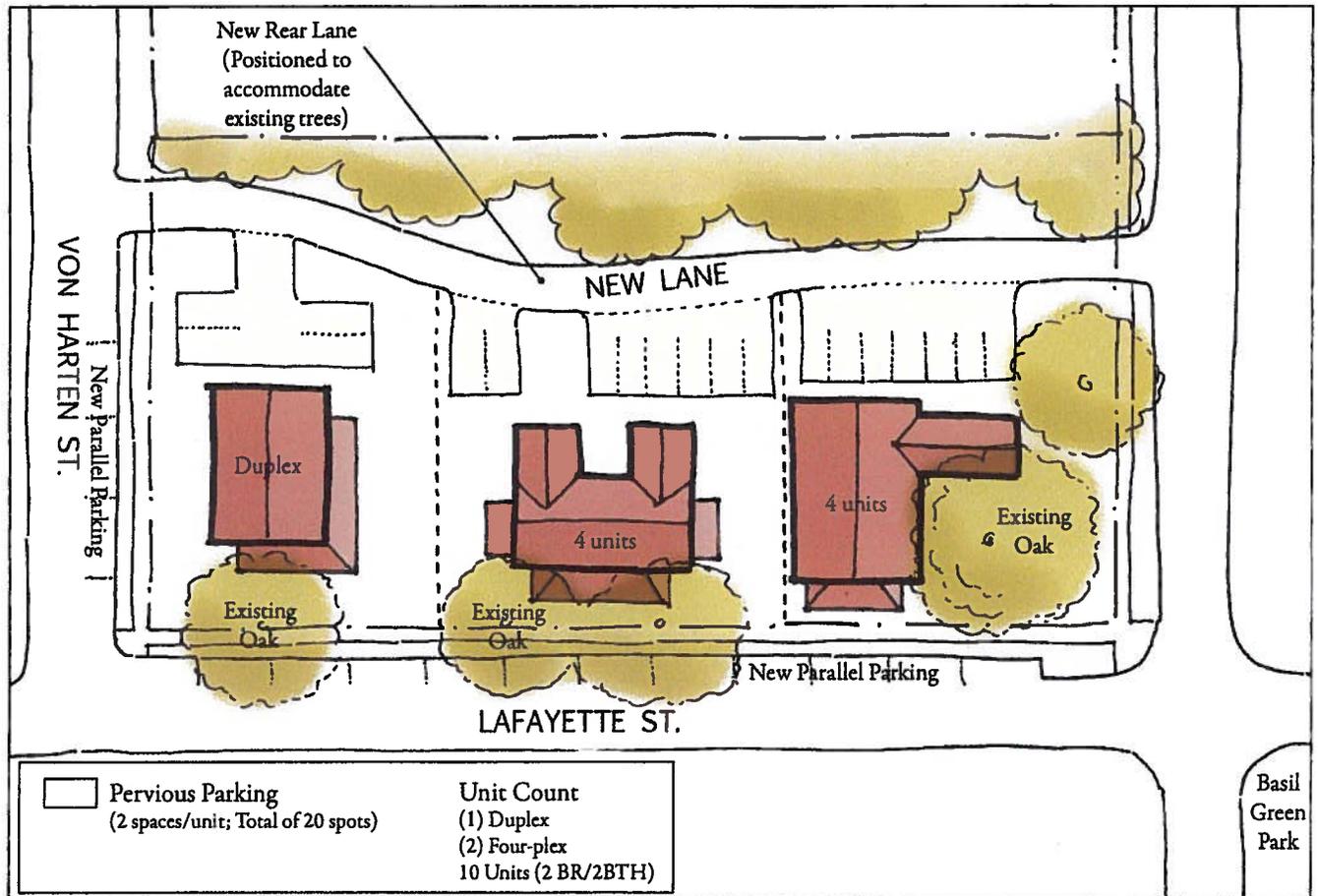
Site Location Map R120 002 000 0093 1403 Lafayette St.

Created October 25, 2011



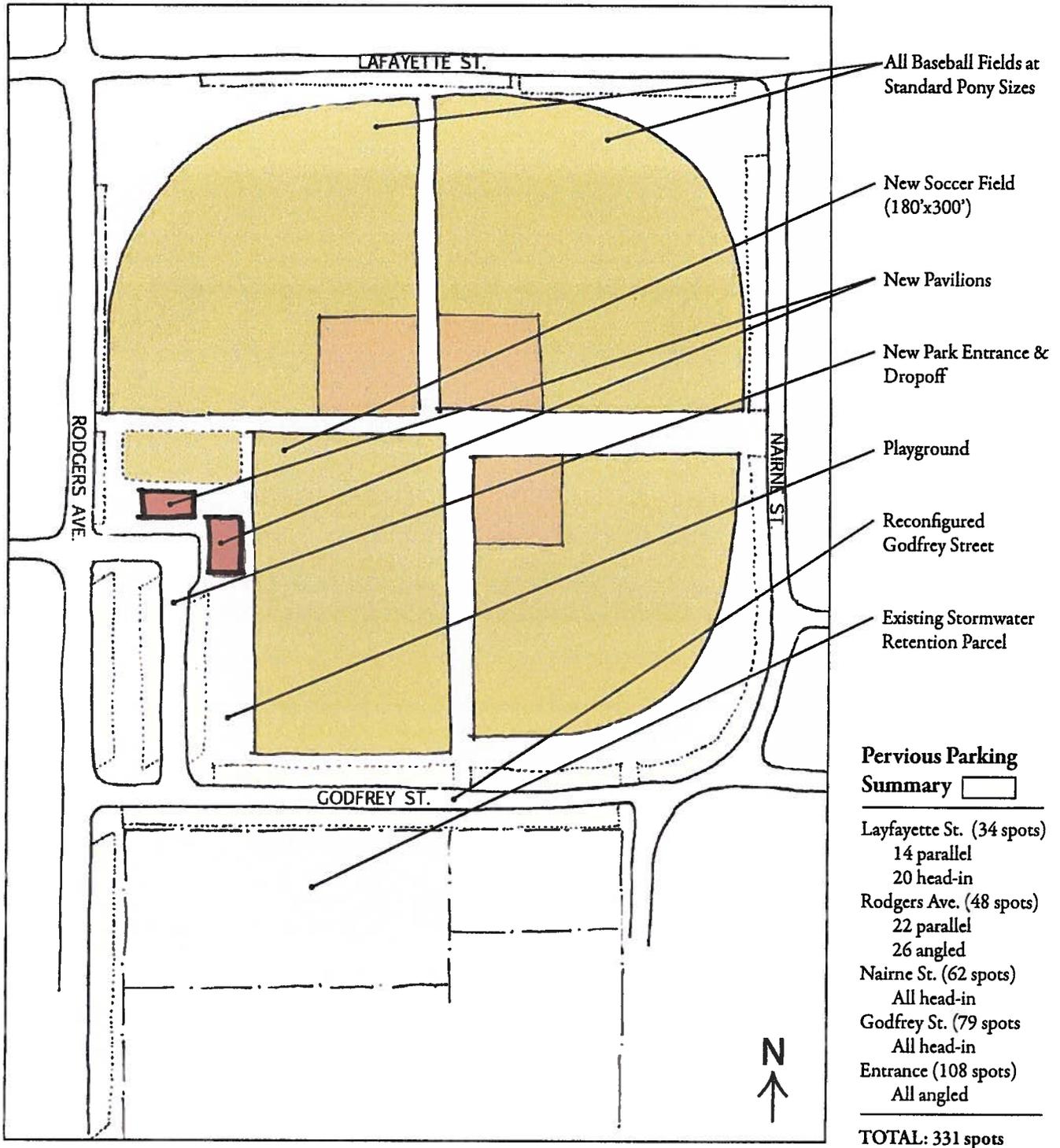
VACANT BLOCKS NEAR BASIL GREEN PARK

Just to the northwest of Basil Green Park is a large vacant lot currently owned by the City. The plan below shows how this lot can be subdivided into multi-family residential units to capitalize on the excellent location for young families near the park.



1403 LAFAYETTE STREET CONCEPTUAL PLAN for MULTIFAMILY HOUSING
SCALE: 1" = 50'





BASIL GREEN PARK CONCEPTUAL PLAN
NOT TO SCALE

BASIL GREEN PARK

Basil Green Park, located in the Pigeon Point neighborhood, is one of the most popular and frequently used parks in Beaufort. Many sports teams play in the park on the weekends and several nights a week during spring, summer, and fall. In recent years, parking has become a problem. The proposed plan (see previous page) shows how the parking can be reorganized to handle large crowds. It is also recommended that the fields be reoriented to create new pavilions and an entry drop-off point.

COMMUNITY GARDENS

At the scale of the block, the natural infrastructure plan includes incremental agriculture opportunities. These community gardens provide open space for the neighborhood, as well as opportunities for residents to grow their own food. The gardens can also be integrated into the stormwater management system to fill cisterns for watering the growing plants.



POTENTIAL LOCATIONS for COMMUNITY GARDENS



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.

Use Category	Specific Use	Residential										Nonresidential										Special Purpose						
		TR	RE	R1	R2	R3	R4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MD	CP	NOTES:									
RESIDENTIAL (See Section 5.2D)		P = Permitted By Right E = In Existing Building Only C = Conditional Use S = Special Exception Use																										
Household Living	Single-Family, Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	E	E	E	E		
	Zero Lot Line				C	C	C	C														C	C					
	Village House				C	C	C	C														C	C					
	Cluster Development	C	C	C	C	C	C															C	C					
	Two-Family Dwelling												P	P								C	C					
	Three-Family Dwelling												P	P								C	C	P	P	P	P	
	Townhouse Dwelling												P									P	C					
	Residential, Upper Story																					P	P	P	P	P		
	Manufactured Housing Park or Subdivision																					P						
	Multifamily Dwelling													P								P	P	P	P	P		
	Live-Aboard Boat																											C
	Accessory Dwelling	C	C	C	C	C	C	C	C	C	C	C										C	C					
	Home Occupation 1	P	P	P	P	P	P	P	P	P	P	P										P	P	P				
	Home Occupation 2	P	S	S	S	S	S	S	S	S	S	S										P	P	P				
	Group Dwelling												S									P	P	P	P			
PUBLIC, CIVIC, INSTITUTIONAL (See Section 5.2E)																												
Community Service		S		S	S	S	S	S	S	S	S										P	P	P	P	S	P		
	Daycare																					P	P	P	P	P		
Educational Facilities	College/University																											
	School, Public/Private																					P	C	P	P	P		
	School, Trade/Vocational																					C		P	P	P		
Government Facilities																												
Health Care Facilities																						P	P	P	P	P		
																											P	
Institutions																							S	P	P			

Article 5: Use Regulations
Section 5.1: Use Tables

Use Category	Specific Use	Residential										Nonresidential							Special Purpose		
		TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	NOTES:			
Parks and Open Space	Cemetery													C				C			
	Park, Community/Neighborhood	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Passenger Terminals																					
Religious Institution		C	C	C	C	C	C	C										E			
	Major Utility													S	P						
	Minor Utility		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Utilities																					
	Public Utility Substation	C	C	C	C	C	C	C										C			
COMMERCIAL (see Section 5.2F)																					
Eating Establishments	Restaurant, w/ Drive-thru																				
	Restaurant, w/o Drive-thru									C	C	P	P	C	C			P			
	Restaurant, w/o Seating									C		P	P	P							
	Restaurant, Drive-in													S							
Entertainment	Indoor Entertainment									C	P	P	P	S							
	Outdoor Entertainment													S							
Office	Sexually-Oriented Business																	C			
	Medical Office/Clinic										C	P	P	P	P			P			
	Other Offices										C	P	P	P	P	P		P			
	Bed and Breakfast									S	S	P	P	P	E						
Overnight Guest Accommodation	Inn (up to 24 units)										P	P	P	P							
	Motel/Hotel/Extended Stay										P	P	P	P							
	Housing, Short Term Rental										P	P	P	P				P			
Parking, Commercial	Recreational Vehicle Park																	S			
											C	P	P	C	P	P		P			
Retail Sales and Service	Animal Hospital/Kennel																	C			
	Bakery																	C			
	Banquet Facility										P	C	P	P				C			

Article 5: Use Regulations
Section 5.1: Use Tables

Use Category	Specific Use	Residential											Nonresidential							Special Purpose		
		TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	L	MED	CP	NOTES:				
Self-Service Storage	Body Piercing Facility														C							
	Drug Store/Pharmacy																					
	Tattoo Facility																					
	Other Retail Sales and Services																					
Vehicle Sales and Service	Single-Story																					
	Multi-Story																					
	Vehicle Service and Repair																					
	Car Wash																					
INDUSTRIAL (See Section 5.2G)	Fuel Sales																					
	Vehicle Service, Limited																					
	Boat Sales and Service																					
	Other Vehicle Sales and Service																					
Light Industrial Services	Aviation Services																					
	Manufacturing and Production																					
	Truck Terminal																					
	Warehousing																					
Water Oriented Facilities	Waste-Related Service																					
	Wholesale Sales																					
	OTHER (See Section 5.2H)																					
	Agriculture/Horticulture																					
Telecommunication Towers	Silviculture, Tree Farm																					

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
Lot Dimensions 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
Minimum Yards 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
Impervious Coverage	N/A	N/A	40%	45%	50%	55%	50%	55%	N/A
Maximum Height	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

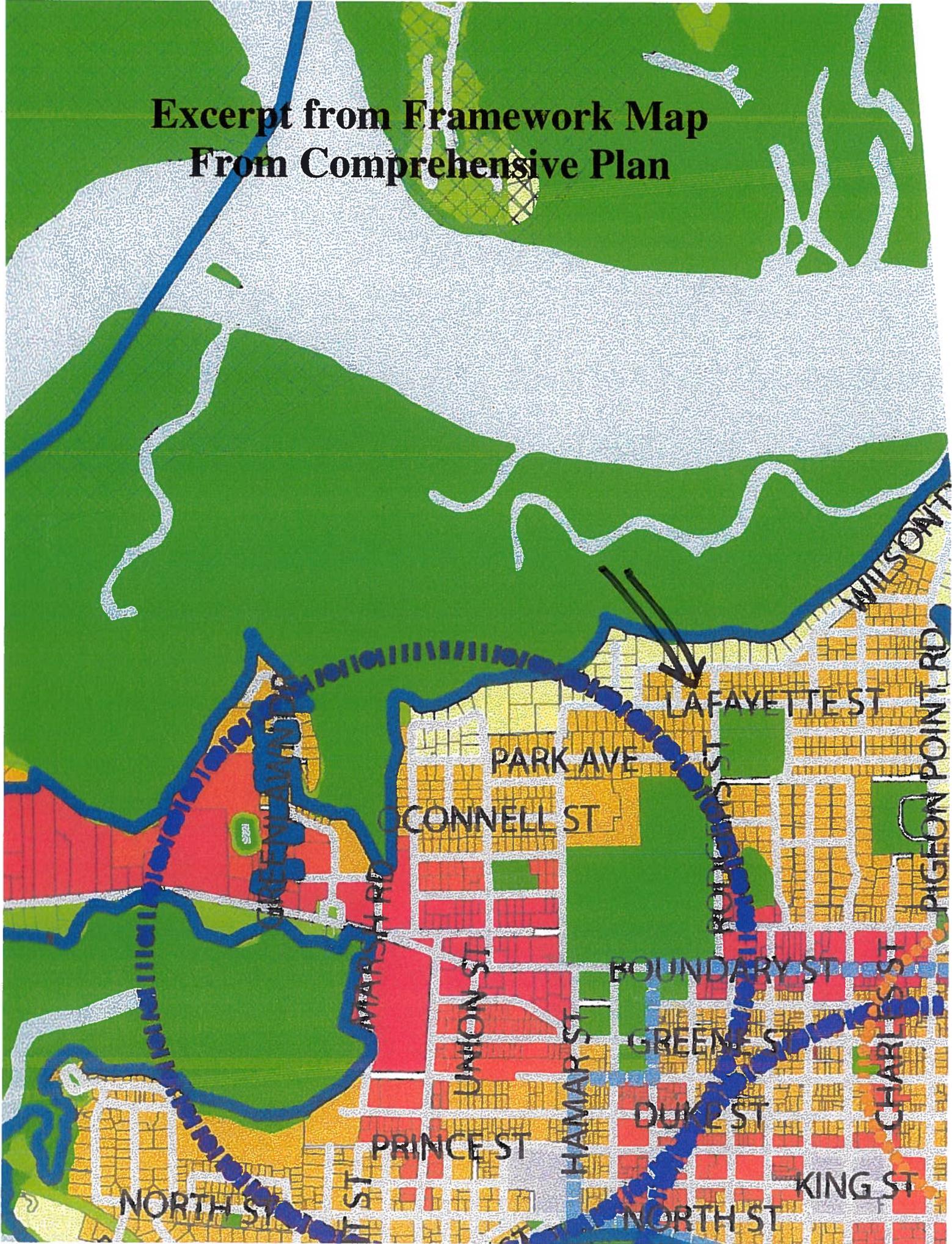
1. MH Park plan

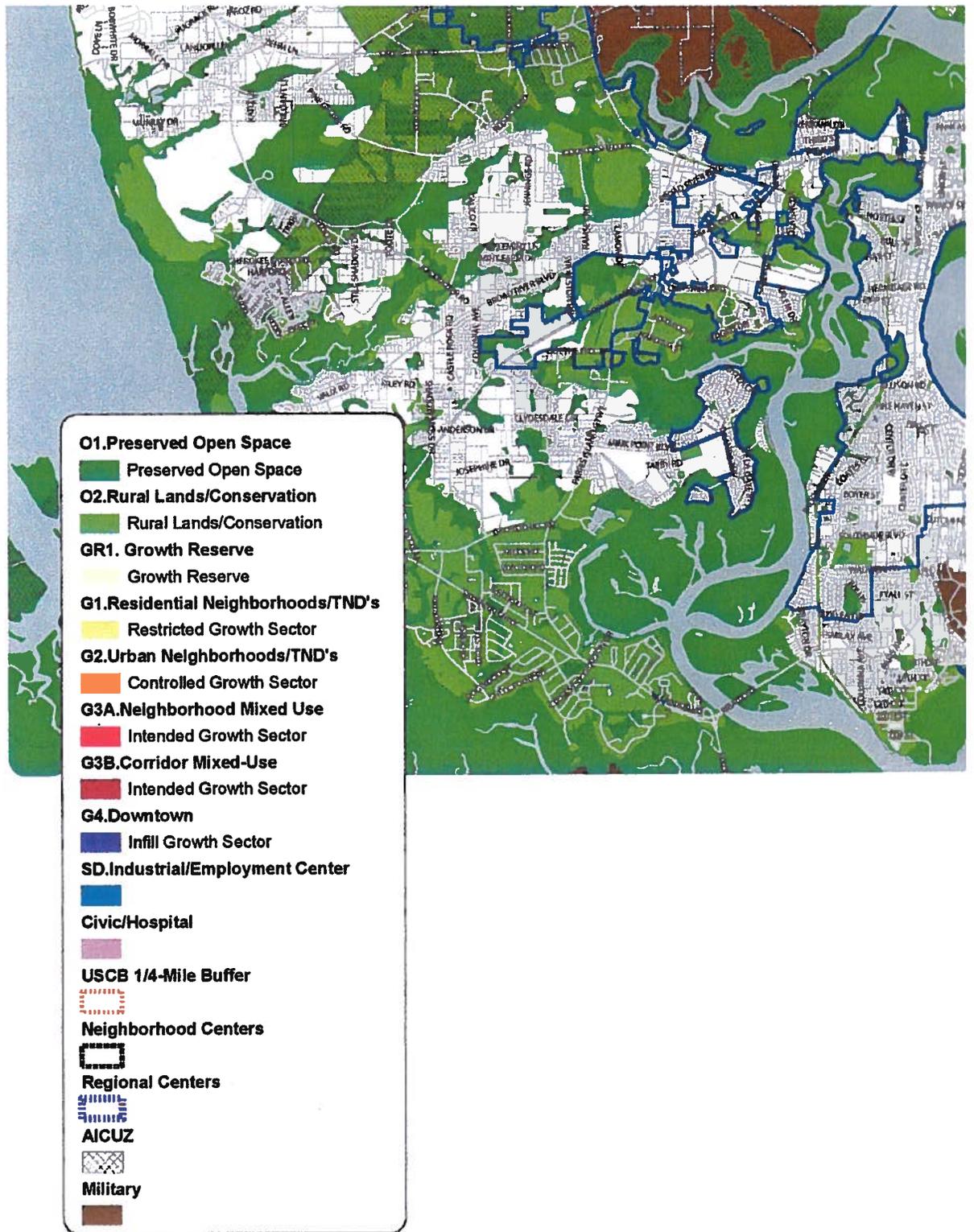
In order to qualify for a MH Manufactured Home zoning classification, a proposed park must first meet the following specific requirements:

Current Zoning



Excerpt from Framework Map From Comprehensive Plan







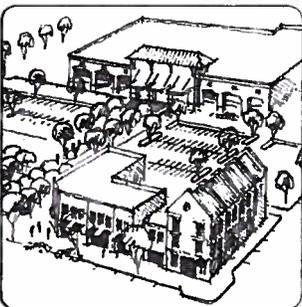
Mix of housing types in a new neighborhood



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:

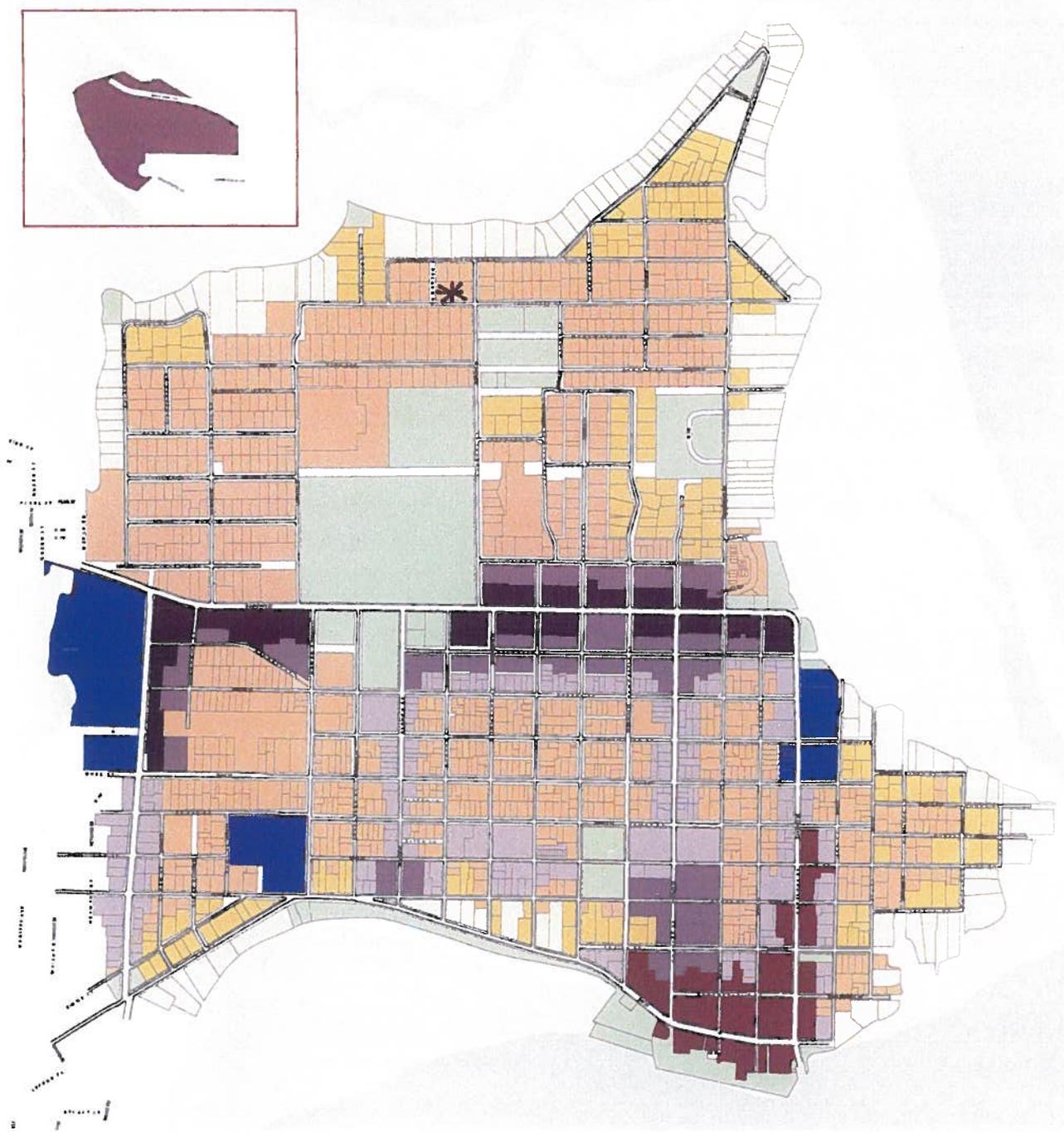
The following community types and uses are appropriate in the G-2 sector:

- 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.

REGULATING PLAN

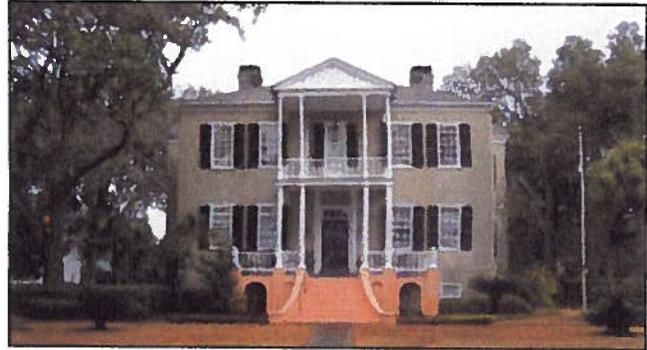


 T3-E	 T4-NC
 T3-S	 T5-HC
 T3-N	 T5-UC
 T4-UN	 SD-INS



T3—Edge (T3-E)

T3 Edge Zone is a special area that forms at the fringe of the City Limits where lands meet adjacent waterways. While almost exclusively residential, civic and park functions are also complimentary to the character within the T3 Edge Zone;



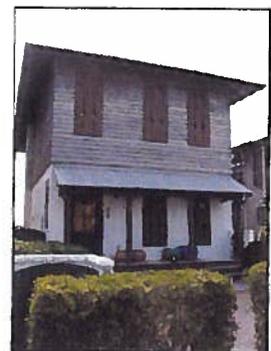
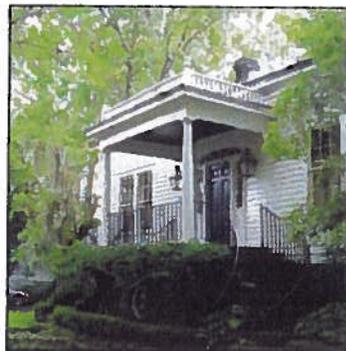
T3—Sub-Urban (T3-S)

T3 Sub-Urban Zone has the least activity and is single-family residential in character with less development than other transect zones within the City. While almost exclusively residential, civic and park functions are also complementary to the character within the T3 Sub-Urban Zone. Sub-Urban Zone serves to promote and protect the sub-urban neighborhood character within the City;



T3—Neighborhood (T3-N)

T-3 Neighborhood Zone is residential in character. It includes a mixture of residential and civic uses. Residential units are an assortment of different sizes including cottages, small houses, duplexes, and village houses. Carriage houses located behind single-family homes and on the interior of lots may contain studios or other small businesses;



T4—Urban Neighborhood (T3-UN)

T4 Urban Neighborhood Zone represents a low-intensity, mixed-use zone primarily in the form of secessional residential fabric. A wide range of building types exist in the T4 Urban Neighborhood Zone including, but not limited to, rowhouses, corner stores, and attached and detached single-family housing;



Existing Land Use

LAUDONNIERE ST

LAFAYETTE ST

VON HARTEN ST

RODGERS ST

Basil Green
Park

SF = single-family dwelling
 Y = vacant lot
 O = owner-occupied
 R = renter-occupied



BEAUFORT COUNTY GIS WEB SITE/DATA USE POLICY

The information contained on this web site is made available to the public as a service of the Beaufort County GIS Department. This data is intended for general reference purposes only. Although the Beaufort County GIS Department strives to maintain/obtain the most accurate data possible, some errors and inconsistencies may still exist within the maps and data contained on this site.

Therefore, Beaufort County makes this service, as well as all the data and information pertaining to this service, available to the public AS IS WITHOUT WARRANTY OF ANY KIND. It is the responsibility of the users of this data to contact the necessary public entity for verification of the information obtained from this site.

Legend

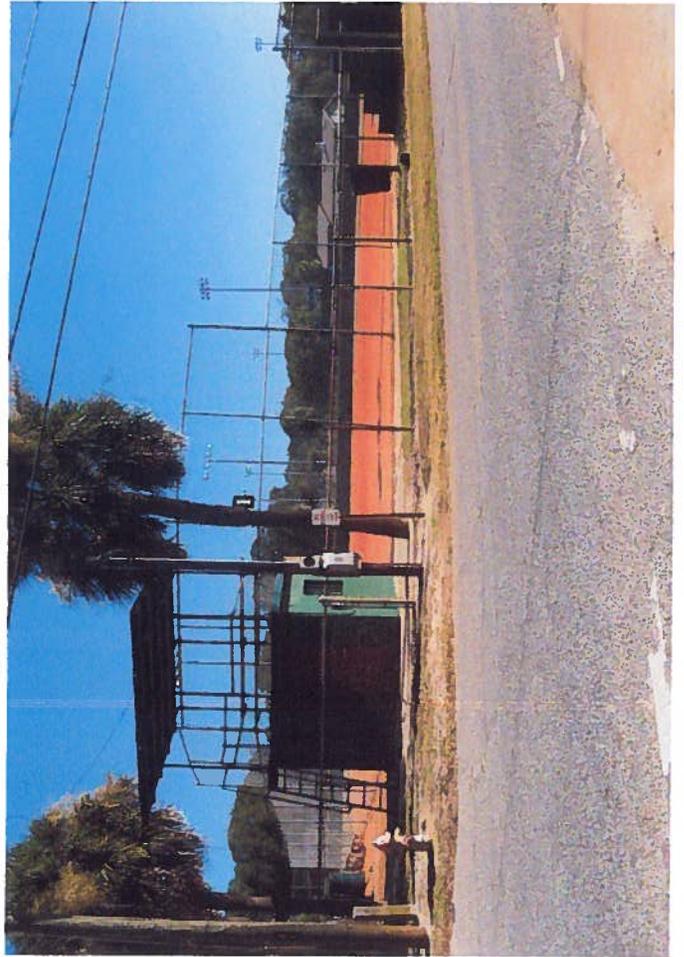
- County Outline
- Address Points
- Streets
- Centers
- Pavement
- Traffic Cameras
- Geoc Layer
- State Hwy
- US Hwy
- Interstate
- Water



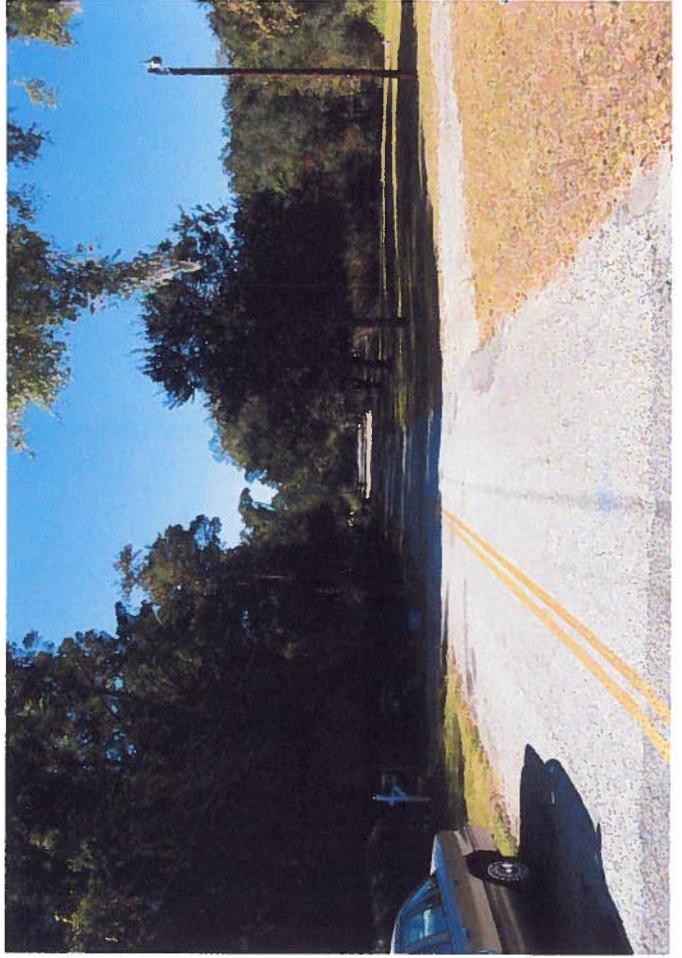
Pulling across Lafayette St



Subject Lot

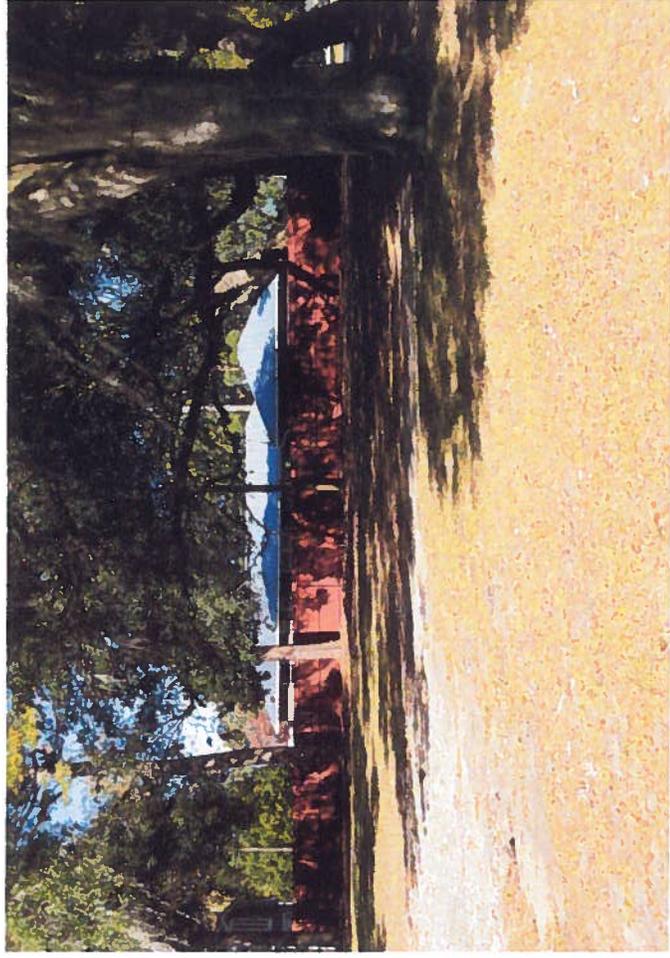


Basil Green Park

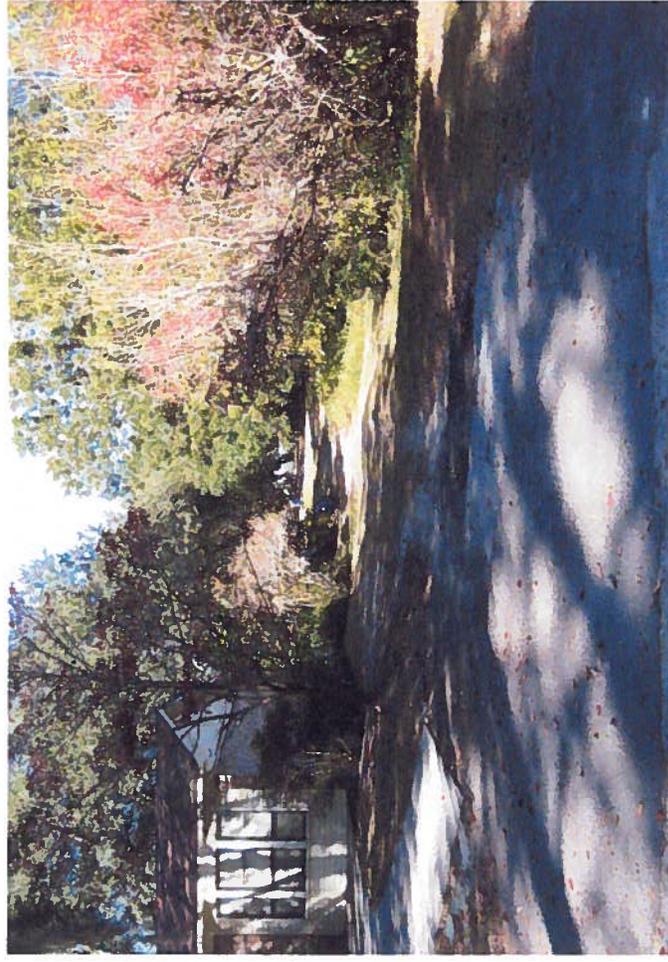


View Looking West on Lafayette

View to rear of subject lot



View Looking South on Rodgers Rd



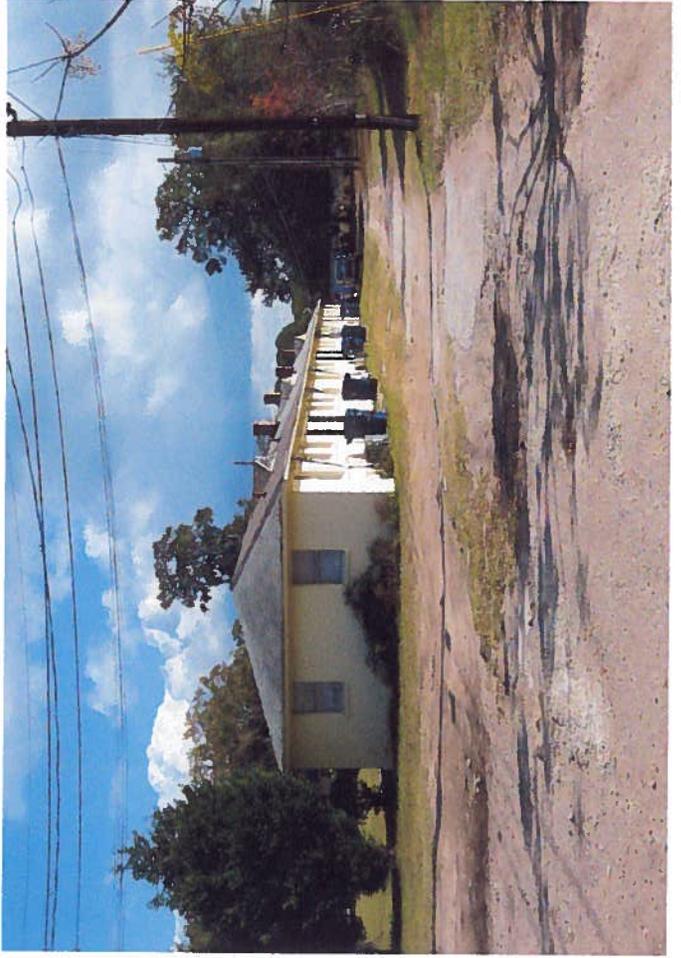
Von Horton St



↳ Lafayette Square
Apartments

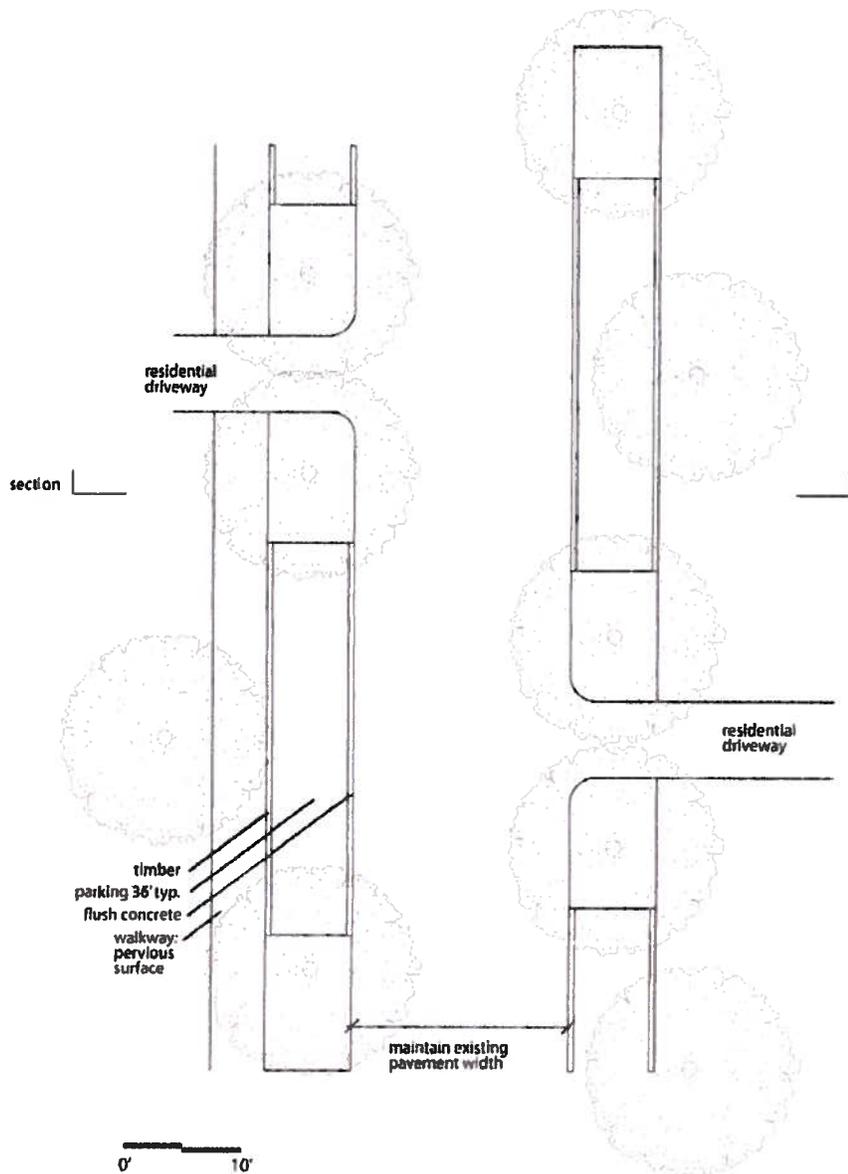
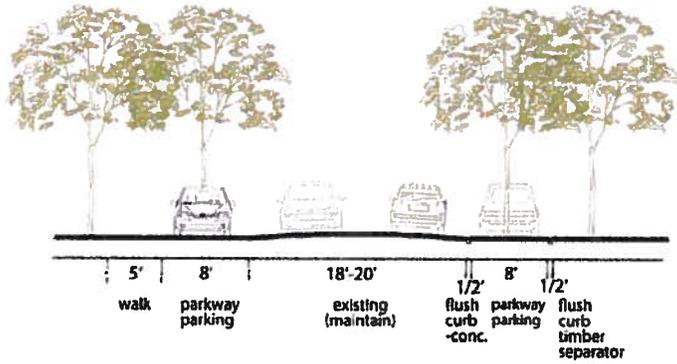


Large Trees on subject lot east side



STREET SECTIONS

G5 - RESIDENTIAL (PIGEON POINT AREA)



the right to use the property. *City of Myrtle Beach v. Juel P. Corporation*, 344 S.C. 43, 543 S.E.2d 538 (2001), citing *Conway v. City of Greenville*, 254 S.C. 96, 173 S.E.2d 648 (1970).

Pending Ordinance Doctrine/Moratorium

The “pending ordinance doctrine,” which is recognized by state case law, gives local governments the authority to refuse a permit for a land use when the use is not allowed under a then-pending and later-enacted zoning ordinance. A zoning administrator has the authority to refuse a permit for a use which is repugnant to the terms of a proposed zoning ordinance or amendment pending at the time of application for the permit. An ordinance is legally pending when the governing body has resolved to consider a particular scheme of rezoning and has advertised to the public its intention to hold public hearings on the rezoning. *Sherman v. Reavis*, 273 S.C. 542, 257 S.E.2d 735 (1979); *Continental Southeastern Group v. City of Folly Beach*, 290 S. C. 206, 348 S. E. 2d 837 (1986); *Stratos v. Town of Ravenel*, 297 S.C. 309, 376 S.E.2d 783 (Ct. App. 1989); *Covenant Media of South Carolina, LLC v. City of North Charleston*, 493 F.3d 421 (4th Cir. 2007) (also distinguishing the “time of application” rule in the absence of evidence of reliance by the applicant). In *Scott v. Greenville County*, 716 F. 2d 1409, 1419 n. 10 (4th Cir. 1983), the court panel suggested that, under South Carolina law, an ordinance would not be considered as “pending” under the pending ordinance doctrine at the time when a governing body merely first announced an intention to consider rezoning and simply referred the matter to the planning commission.

In *Simpkins v. City of Gaffney*, 315 S. C. 26, 431 S.E.2d 592 (Ct. App. 1993), the court held that a resolution of city council setting a moratorium on construction of multi-family dwellings was not a pending “ordinance” and did not suspend an existing valid zoning ordinance. A zoning ordinance must be amended by an ordinance, not by a resolution.

A request for a permit should be denied when a pending ordinance would allow a use then prohibited by the existing ordinance. The pending ordinance doctrine protects the public interest by preventing a change in use. Allowing a use under a pending ordinance that may not be adopted is contrary to the public interest.

A related legal concept is the “moratorium.” A local government can enact an ordinance suspending further permitting under a zoning or land development ordinance while it considers whether to amend or repeal the suspended ordinance. A local government cannot adopt an ordinance imposing a moratorium “on a construction project” for which a permit has been granted unless it gives two weeks’ notice by newspaper publication in the county in which the project is located. S.C. Code § 6-1-110. No moratorium may be imposed without at least two readings, which are a week apart. Section 6-1-110 provides express statutory authorization for a moratorium on construction projects by ordinance.

However, the moratorium should be uniformly applied, and the moratorium period must be of a reasonable duration. A temporary moratorium is not a *per se* taking of property requiring compensation under the Takings Clause of the Fifth Amendment of the U. S. Constitution. *Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency*, 535 U. S. 302, 122 S. Ct. 1465, 152 L. Ed. 2d 517 (2002).



Spot Zoning

Zoning a small parcel as an island surrounded by a district with different zoning may be spot zoning. The Supreme Court stated that invalid "spot zoning" is the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area to benefit the owners of such property and to the detriment of other owners. *Bob Jones University, Inc. v. City of Greenville*, 243 S.C. 351, 133 S.E.2d 843 (1963). The mere fact that business property adjoins residential property does not mean that the commercial zoning is invalid spot zoning. See *Talbot v. Myrtle Beach Board of Adjustment*, 222 S.C. 165, 72 S.E.2d 66 (1952); *Knowles v. City of Aiken*, 305 S.C. 291, 407 S.E.2d 639 (1991).

Small areas may be rezoned as long as the action is not arbitrary or unreasonable. To help avoid the problem of spot zoning, many zoning ordinances include a provision prohibiting some types of free standing zoning districts of less than two acres.

Takings/ Eminent Domain/ Inverse Condemnation/ Regulatory Takings

Property owners often challenge governmental zoning actions, zoning ordinances and other land use regulations with the claim of "taking," "inverse condemnation" or "regulatory taking" of their property without just compensation.

The Takings Clause of the Fifth Amendment to the U.S. Constitution and Article I § 13 of the South Carolina Constitution both provide that private property shall not be taken for public use without just compensation. These constitutional provisions do not prohibit the government from the taking of private property. Instead, it places a condition of just compensation on the exercise of that power. *First English Evangelical Lutheran Church of Glendale v. County of Los Angeles*, 482 U.S. 304, 107 S.Ct. 2378, 96 L.Ed 2d 250 (1987).

Under the analysis applied by the courts, takings may be direct or indirect, total or partial, physical or regulatory, and permanent or temporary. The takings analysis under South Carolina law is the same as the analysis under federal law. *Westside Quik Shop, Inc. v. Stewart*, 341 S.C. 297, 534 S.E.2d 270 (2000).

Eminent Domain. The federal and state constitutional takings provisions clearly require governments to pay landowners just compensation when the government undertakes a "classic" (direct, physical and permanent) taking such as the direct physical appropriation, physical occupation or physical invasion of private property. "Condemnation" of private property for a public use (e.g., streets, utilities, recreation, public buildings) under the eminent domain power delegated to local governments by the General Assembly is a taking for which the landowner must be paid just compensation under the South Carolina Eminent Domain Procedure Act. S.C. Code § 28-2-10, et seq. Such a taking may be total or partial.

Inverse condemnation. An inverse condemnation (or indirect taking) is affirmative conduct of the government (without following the eminent domain/condemnation procedure) that has the effect of a direct taking of property. See *First English Evangelical Lutheran Church of Glendale v. County of Los Angeles*, 482 U.S. 304, 107 S.Ct. 2378, 96 L.Ed.2d 250 (1987); *Byrd v. City of Hartsville*, 365 S.C. 650, 620 S.E. 2d 76 (2005). An inverse condemnation may result from the government's physical appropriation of private property or from

**PUBLIC COMMENTS
RECEIVED BY PLANNING DEPARTMENT**

Libby Anderson

From: Rob and Margaret Suber <rsuber@hargray.com>
Sent: Thursday, November 10, 2011 4:59 PM
To: Libby Anderson
Subject: Property located at 1403 Lafayette St.

Dear Ms. Anderson,

I received notification for proposed rezoning of this property from medium density, single family, residential district, to general residential district. It is my understanding that this would allow a multifamily dwelling (apartments). We own property behind this, 1404 Laudonnaire, and we are very concerned about this proposal and we would like to express our disapproval of this proposed change. Is this property owned by the city?

Thank you,

Robert Suber
843 441-0309

Libby Anderson

From: Stephen Murray <stephen@kazoos.com>
Sent: Thursday, November 10, 2011 10:32 PM
To: 'Rob and Margaret Suber'; 'Rodman Mattingly'
Cc: rjdiller@hotmail.com; scarfelles@hargray.com; kmlougee@hotmail.com; ronwill48@yahoo.com; ladyrhino@aol.com; vgtexmex@hargray.com; teri.maude@gmail.com; bcaimar@hargray.com; bluebirdhill3930@gmail.com; lauraachurch@charter.net; cpsand2003@yahoo.com; sallym@islc.net; troundr@yahoo.com; patsyc@islc.net; awbailey@hargray.com; psommerville@hargray.com; bruce.lipsitz@ctnd.net; scbond@charter.net; benhill@hargray.com; davidslott@yahoo.com; dgmrfent@yahoo.com; mshank1072@aol.com; juliez@islc.net; dfazio3@cox.net; jweidner@islc.net; jodyhenson@yahoo.com; louann.jones@gmail.com; d.e.swanson@embarqmail.com; cpoore@lowcountryrealestate.com; bmattin6@naz.edu; mztweeks@gmail.com; adelaideharold@yahoo.com; rogerblocker@embarqmail.com; mikemcfee@hargary.com; Eliza Hill; ccrouse@hargray.com; Libby Anderson; msrich94@hargray.com; tgf350@yahoo.com; miketboyne@yahoo.com; ecaldwell@beaufortacademy.org; andykinghorn@charter.net; jmdedeian@yahoo.com; vanestor@hargray.com; dbeer41@gmail.com; bopchief@hargray.com; olive1@embarqmail.com; jglod@twcny.rr.com; alvinords@hargray.com; mikemcfee@hargray.com; mcfee@hargray.com; ink_mylar@hotmail.com; erica@ericadickerson.com; paulcash@hargray.com; webbc01@hargray.com
Subject: RE: Rezoning of 1403 Lafayette Street

Robert,

Thank you for making us aware of the rezoning request. I wonder why you feel that a multifamily dwelling would not be beneficial for our neighborhood? We have several existing multifamily properties that seem to work well with the eclectic mix of residential properties within Pigeon Point. The new comprehensive plan for the City recommends additional multifamily and mixed use zoning.

I obviously don't know enough about the project to make a judgment call on whether or not it should be built. But I think it would be in our interest as residents and property owners to objectively look at the developer(s) plans and then make an informed decision as to the value to our great neighborhood.

The fact that someone wants to invest in our community should be cautiously welcomed. Our City faces serious revenue challenges in the future, and only through smart development can we generate this revenue.

Keep in mind that multifamily and mixed use projects generate more property taxes per acre than single family properties.

Again, thank you for making us aware. I look forward to learning more about the project.

Best Regards,

Stephen Murray

-----Original Message-----

From: Rob and Margaret Suber [<mailto:rsuber@hargray.com>]

Sent: Thursday, November 10, 2011 5:11 PM

To: Rodman Mattingly

Cc: ridiller@hotmail.com; scarfelles@hargray.com; stephen@kazoos.com; kmlougee@hotmail.com; ronwill48@yahoo.com; ladyrhino@aol.com; vgtexmex@hargray.com; teri.maude@gmail.com; bcaimar@hargray.com; bluebirdhill3930@gmail.com; lauraachurch@charter.net; cpsand2003@yahoo.com; sallym@islc.net; troundr@yahoo.com; patsyc@islc.net; awbailey@hargray.com; psommerville@hargray.com; bruce.lipsitz@ctnd.net; scbond@charter.net; benhill@hargray.com; davidslott@yahoo.com; dgmrfent@yahoo.com; mshank1072@aol.com; juliez@islc.net; dfazio3@cox.net; jweidner@islc.net; jodyhenson@yahoo.com; louann.jones@gmail.com; d.e.swanson@embarqmail.com; cpoore@lowcountryrealestate.com; bmattin6@naz.edu; mztweeks@gmail.com; adelaidharold@yahoo.com; rogerblocker@embarqmail.com; mikemcfee@hargray.com; lhill@cityofbeaufort.org; ccrouse@hargray.com; landerson@cityofbeaufort.org; msrich94@hargray.com; tgf350@yahoo.com; miketboyne@yahoo.com; ecaldwell@beaufortacademy.org; andykinghorn@charter.net; imdedeian@yahoo.com; vanestor@hargray.com; dbeer41@gmail.com; bopchief@hargray.com; olive1@embarqmail.com; jglod@twcnv.rr.com; alvinords@hargray.com; mikemcfee@hargray.com; mcfee@hargray.com; ink_mylar@hotmail.com; erica@ericadickerson.com; paulcash@hargray.com; webbco1@hargray.com

Subject: Re: Rezoning of 1403 Lafayette Street

I am not sure who received a letter regarding rezoning of 1403 Lafayette Street, but I would like to make you all aware that this change would allow for multifamily dwellings. I do not feel this would be beneficial for our neighborhood. I hope you will join me at the meeting on November 21st at 5:30, in the Council Chambers at Beaufort City Hall (1911 Boundary St.), to express concern about this proposal.

You can also email Libby Anderson to express your concern about this proposed rezoning. She can be reached at landerson@cityofbeaufort.org

Thank you,

Robert Suber
2410 Wilson Dr.

(843)441-0309

Libby Anderson

From: bruce.lipsitz@ctnd.net
Sent: Friday, November 11, 2011 4:07 PM
To: Vera Gwin; Stephen Murray; Margaret Suber; Rodman Mattingly
Cc: Russell Diller; Cathy Goodell; Kevin & Amy; Ron Williams; William and Gloria Eldridge; Teri Maude; Barbara Aimar; Dave and Debbie Radford; Laura Achurch; Carolyn & Sandy Sanders; Sally Mitchell; Teresa Roundy; Patsy Collin; Bill and Frances Bailey; Paul Sommerville; Stanley and Sandra Bond; Ben and Ellen Hill; David Lott; Doug Fent; mshank1072@aol.com; Julie Zachkowski; Dan Fazio; Jay Weidner; Jody and Anita Henson; Louann Jones; Dennis and Carrie Swanson; Carol Poore; bmatin6 mattingly; Steve and Martha Weeks; Adelaide and Harold Fletcher; Roger Blocker; Mike McFee 1; Eliza Hill; Cindi Crouse; Libby Anderson; Jacob and Lela Richardson; Gary Geboy and Theresa Bruce; Mike Boyne; Evelyn Caldwell; Andy and Betsy Kinghorn; Mike and Bonnie Dedeian; Vicki Nestor; dbeer41@gmail.com; bopchief@hargray.com; Olive McMahon; Jim and Lisa Glod; Tom and Marie Lewis; Mike McFee 3; Lisa McFee; Ava Franzolini; Erica Dickerson; ul and Carol Cash; Claudia and Owen Webb
Subject: Re: Rezoning of 1403 Lafayette Street

As a Higginsonville homeowner, I concur with the below.

On 11 Nov 2011 at 13:16, Rodman Mattingly wrote:

Technically it is Higginsonville as Pigeon Point's boundary is the East side of Rodgers - but that whole corner is really 'our' neighborhood as well, don't you think?

Rod Mattingly

rodmanmattingly@msn.com

843.522.8203 / c: 585.662.8540

From: vgtexmex@hargray.com
To: rodmanmattingly@msn.com; stephen@kazoos.com; rsuber@hargray.com
CC: rjdiller@hotmail.com; scarfelles@hargray.com; kmlougee@hotmail.com; ronwill48@yahoo.com; ladyrhino@aol.com; teri.maude@gmail.com; bcaimar@hargray.com; bluebirdhill3930@gmail.com; lauraachurch@charter.net; cpsand2003@yahoo.com; sallym@islc.net; troundr@yahoo.com; patsyc@islc.net; awbailey@hargray.com; psommerville@hargray.com; bruce.lipsitz@ctnd.net; scbond@charter.net; benhill@hargray.com; davidslott@yahoo.com; dgmrfent@yahoo.com; mshank1072@aol.com; juliez@islc.net; dfazio3@cox.net; jweidner@islc.net; jodyhenson@yahoo.com; louann.jones@gmail.com; d.e.swanson@embarqmail.com; cpoore@lowcountryrealestate.com; bmatin6@naz.edu; mztweeks@gmail.com; adelaideharold@yahoo.com; rogerblocker@embarqmail.com; mikemcfee@hargary.com; lhill@cityofbeaufort.org; ccrouse@hargray.com; landerson@cityofbeaufort.org; msrich94@hargray.com; tgf350@yahoo.com; miketboyne@yahoo.com; ecaldwell@beaufortacademy.org; andykinghorn@charter.net; jmdedeian@yahoo.com; vanestor@hargray.com; dbeer41@gmail.com; bopchief@hargray.com; olive1@embarqmail.com; jglod@twcny.rr.com; alvinords@hargray.com; mikemcfee@hargray.com; mcfee@hargray.com; ink_mylar@hotmail.com; erica@ericadickerson.com; paulcash@hargray.com; webbc01@hargray.com
Subject: Re: Rezoning of 1403 Lafayette Street
Date: Fri, 11 Nov 2011 13:04:25 -0500

Is that property in Higginsville area and not on Pigeon Point? We as neighbors need to learn more about the project and weigh all the pros and cons. See you at the meeting Monday. Everything will work out for the better.

Vera Gwin

From: [Rodman Mattingly](#) **Sent:** Friday, November 11, 2011 11:48 AM **To:** [Stephen Murray](#) ; [Margaret Suber](#) **Cc:** [Russell Diller](#) ; [Cathy Goodell](#) ; [Kevin & Amy](#) ; [Ron Williams](#) ; [William and Gloria Eldridge](#) ; [Vera Gwin](#) ; [Teri Maude](#) ; [Barbara Aimar](#) ; [Dave and Debbie Radford](#) ; [Laura Achurch](#) ; [Carolyn & Sandy Sanders](#) ; [Sally Mitchell](#) ; [Teresa Roundy](#) ; [Patsy Collin](#) ; [Bill and Frances Bailey](#) ; [Paul Sommerville](#) ; [Bruce Lipsitz](#) ; [Stanley and Sandra Bond](#) ; [Ben and Ellen Hill](#) ; [David Lott](#) ; [Doug Fent](#) ; [mshank1072@aol.com](#) ; [Julie Zachkowski](#) ; [Dan Fazio](#) ; [Jay Weidner](#) ; [Jody and Anita Henson](#) ; [Louann Jones](#) ; [Dennis and Carrie Swanson](#) ; [Carol Poore](#) ; [bmattin6 mattingly](#) ; [Steve and Martha Weeks](#) ; [Adelaide and Harold Fletcher](#) ; [Roger Blocker](#) ; [Mike McFee 1](#) ; [Eliza Hill](#) ; [Cindi Crouse](#) ; [Libby Anderson](#) ; [Jacob and Lela Richardson](#) ; [Gary Geboy and Theresa Bruce](#) ; [Mike Boyne](#) ; [Evelyn Caldwell](#) ; [Andy and Betsy Kinghorn](#) ; [Mike and Bonnie Dedeian](#) ; [Vicki Nestor](#) ; [dbeer41@gmail.com](#) ; [bopchief@hargray.com](#) ; [Olive McMahon](#) ; [Jim and Lisa Glod](#) ; [Tom and Marie Lewis](#) ; [Mike McFee 3](#) ; [Lisa McFee](#) ; [Ava Franzolini](#) ; [Erica Dickerson](#) ; [ul and Carol Cash](#) ; [Claudia and Owen Webb](#) **Subject:** RE: Rezoning of 1403 Lafayette Street To all,

It's great to get this conversation going. Libby Anderson, City Planning Director, is planning to come to our Neighborhood meeting this coming Monday. She plans to give an overview of the potential project. Hope to see you all there.

Rod Mattingly

rodmanmattingly@msn.com

843.522.8203 / c: 585.662.8540

> From: stephen@kazoos.com
> To: rsuber@hargray.com; rodmanmattingly@msn.com
> CC: rjdiller@hotmail.com; scarfelles@hargray.com; kmlougee@hotmail.com; ronwill48@yahoo.com; ladyrhino@aol.com; vgtexmex@hargray.com; teri.maude@gmail.com; bcaimar@hargray.com; bluebirdhill3930@gmail.com; lauraachurch@charter.net; cpsand2003@yahoo.com; sallym@islc.net; troundr@yahoo.com; patsyc@islc.net; awbailey@hargray.com; psommerville@hargray.com; bruce.lipsitz@ctnd.net; scbond@charter.net; benhill@hargray.com; davidslott@yahoo.com; dgmrfent@yahoo.com; mshank1072@aol.com; juliez@islc.net; dfazio3@cox.net; jweidner@islc.net; jodyhenson@yahoo.com; louann.jones@gmail.com; d.e.swanson@embarqmail.com; cpoore@lowcountryrealestate.com; bmattin6@naz.edu; mztweeks@gmail.com; adelaideharold@yahoo.com; rogerblocker@embarqmail.com; mikemcfee@hargray.com; lhil@cityofbeaufort.org; ccrouse@hargray.com; landerson@cityofbeaufort.org; msrich94@hargray.com; tgf350@yahoo.com; miketboyne@yahoo.com; ecaldwell@beaufortacademy.org; andykinghorn@charter.net; jmdedeian@yahoo.com; vanestor@hargray.com; dbeer41@gmail.com; bopchief@hargray.com; olive1@embarqmail.com; jglod@twcny.rr.com; alvinords@hargray.com; mikemcfee@hargray.com; mcfee@hargray.com; ink_myлар@hotmail.com; erica@ericadickerson.com; paulcash@hargray.com; webbco1@hargray.com
> Subject: RE: Rezoning of 1403 Lafayette Street
> Date: Fri, 11 Nov 2011 09:43:32 -0500

>
> Robert,
> I'm glad you are willing to keep an open mind regarding this project. Maybe
> someone from the City could chime in and tell us what the new Master Plan
> says about this piece of property?

>
> Best Regards,
>
> Stephen Murray

>
> -----Original Message-----

> From: Rsuber [mailto:rsuber@hargray.com]
> Sent: Friday, November 11, 2011 8:55 AM
> To: <stephen@kazoos.com>
> Subject: Re: Rezoning of 1403 Lafayette Street

>
> I am also curious to what would be placed there, and if it was something
> small and tasteful I would not object. I however in no way would want an
> apt. Building in my back yard. There is no parking at the ball field already
> and everyone parks on that vacant lot it will make the situation worse.

>
> Robert Suber
>
> Sent from my iPad

>
> On Nov 10, 2011, at 10:32 PM, "Stephen Murray" <stephen@kazoos.com> wrote:

>
>> Robert,
>> Thank you for making us aware of the rezoning request. I wonder why
>> you feel that a multifamily dwelling would not be beneficial for our
>> neighborhood? We have several existing multifamily properties that
>> seem to work well with the eclectic mix of residential properties
>> within Pigeon Point. The new comprehensive plan for the City

>> recommends additional multifamily and mixed use zoning.
>>
>> I obviously don't know enough about the project to make a judgment
>> call on whether or not it should be built. But I think it would be in
>> our interest as residents and property owners to objectively look at
>> the developer(s) plans and then make an informed decision as to the
>> value to our great neighborhood.
>>
>> The fact that someone wants to invest in our community should be
>> cautiously welcomed. Our City faces serious revenue challenges in the
>> future, and only through smart development can we generate this revenue.
>>
>> Keep in mind that multifamily and mixed use projects generate more
>> property taxes per acre than single family properties.
>>
>> Again, thank you for making us aware. I look forward to learning more
>> about the project.
>>
>> Best Regards,
>>
>> Stephen Murray
>>
>> -----Original Message-----
>> From: Rob and Margaret Suber [mailto:rsuber@hargray.com]
>> Sent: Thursday, November 10, 2011 5:11 PM
>> To: Rodman Mattingly
>> Cc: rjdiller@hotmail.com; scarfelles@hargray.com; stephen@kazoos.com;
>> kmlougee@hotmail.com; ronwill48@yahoo.com; ladyrhino@aol.com;
>> vgtexmex@hargray.com; teri.maude@gmail.com; bcaimar@hargray.com;
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>> cpsand2003@yahoo.com; sallym@islc.net; troundr@yahoo.com;
>> patsyc@islc.net; awbailey@hargray.com; psommerville@hargray.com;
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>> juliez@islc.net; dfazio3@cox.net; jweidner@islc.net;
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>> bmattin6@naz.edu; mztweeks@gmail.com; adelaideharold@yahoo.com;
>> rogerblocker@embarqmail.com; mikemcftee@hargray.com;
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>> andykinghorn@charter.net; jmdedeian@yahoo.com; vanestor@hargray.com;
>> dbeer41@gmail.com; bopchief@hargray.com; olive1@embarqmail.com;
>> jglod@twcny.rr.com; alvinords@hargray.com; mikemcftee@hargray.com;
>> mcftee@hargray.com; ink_mylar@hotmail.com; erica@ericadickerson.com;
>> paulcash@hargray.com; webbco1@hargray.com
>> Subject: Re: Rezoning of 1403 Lafayette Street
>>
>> I am not sure who received a letter regarding rezoning of 1403
>> Lafayette Street, but I would like to make you all aware that this
>> change would allow for multifamily dwellings. I do not feel this
>> would be beneficial for our neighborhood. I hope you will join me at
>> the meeting on November 21st at 5:30, in the Council Chambers at
>> Beaufort City Hall (1911 Boundary St.), to express concern about this
> proposal.
>>
>> You can also email Libby Anderson to express your concern about this
>> proposed rezoning. She can be reached at landerson@cityofbeaufort.org
>>
>> Thank you,
>>
>> Robert Suber
>> 2410 Wilson Dr.
>>
>> (843)441-0309
>>
>>
>>
>>
>>

Bruce Lipsitz, Atlanta, GA
bruce.lipsitz@ctnd.net

Libby Anderson

From: Advanced Reading Course <walterrussel@juno.com>
Sent: Saturday, November 12, 2011 10:50 AM
To: Libby Anderson
Subject: rezoning 1503 Lafayette st

As the owner of 1504 Lafayette st, I wish to express my profound objection to the proposed rezoning proposal.
Thank you. Walter Herrick
263-6669

57 Year Old Mom Looks 28

Mom Reveals \$4 Wrinkle Therapy Angering Doctors! We reveal how.....
TheHigherLifestyle.com

City of Beaufort Department of Planning and Development Services

MEMORANDUM

TO: Metropolitan Planning Commission

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

DATE: November 16, 2011

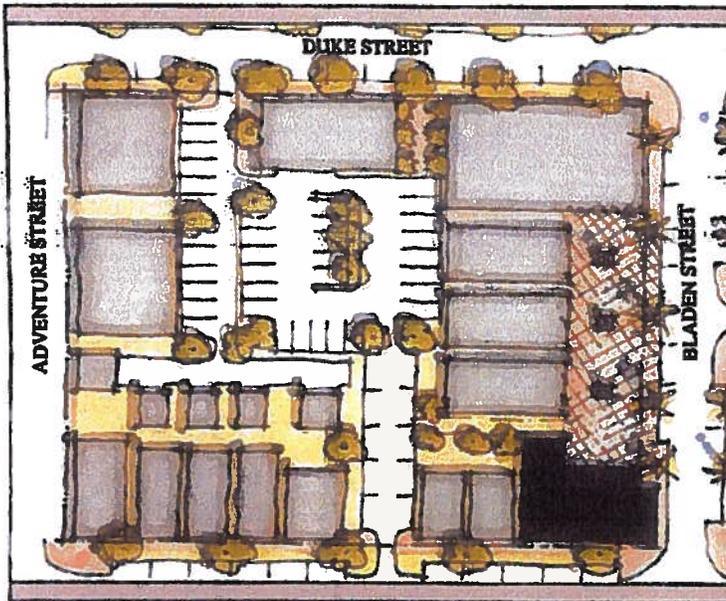
SUBJECT: Amending Bladen Street Redevelopment District Ordinance

=====

The City Architect is proposing an additional change to the Bladen Street Redevelopment District ordinance. The City Architect is recommending that the minimum building height for structures on Prince, Duke, and Adventure Streets be eliminated. Currently, structures on these streets are required to be 1 ½ stories. This change would be effected by revising the “Noted Exceptions for Lot” shown on the specific site plans developed for each lot. Structures on Bladen Street would continue to be 2 stories in height.

Staff would also like to revise the specific site plans to include the revision you approved last month expanding the build-to area for residential lots on the “side streets” (Duke, Prince, and Adventure), from 0-12’ to 0-15’.

I have attached a copy of a specific site plan showing how each site plan sheet would be revised.



Enlarged diagrammatic site plan

GENERAL SITE CHARACTERISTICS

- This property is bordered by 4 city streets. All streets should be properly addressed and fronted by any project that is proposed with Bladen Street remaining the major focus.
- A public plaza or gathering space is strongly encouraged on Bladen Street to create a mid-town destination. A visual anchor (tower or other focal point) is encouraged on this plaza as a visual cue for the gathering space.
- Parking should be mid-block where possible in order to address the perimeter streets with proper architecture.
- A historic commercial structure is on the corner of prince and bladen street that should be restored and re-purposed.



Streetscape for illustrative purposes only

BUILDING PLACEMENT

Bladen - Build to Line	0'-0" to 12'-0"
Duke - Build to Line	0'-0" to 12'-0" *
Adventure - Build to Line	0'-0" to 12'-0" *
Prince - Build to Line	0'-0" to 12'-0" *
* 0-15' for residential structures	

BUILDING MASS

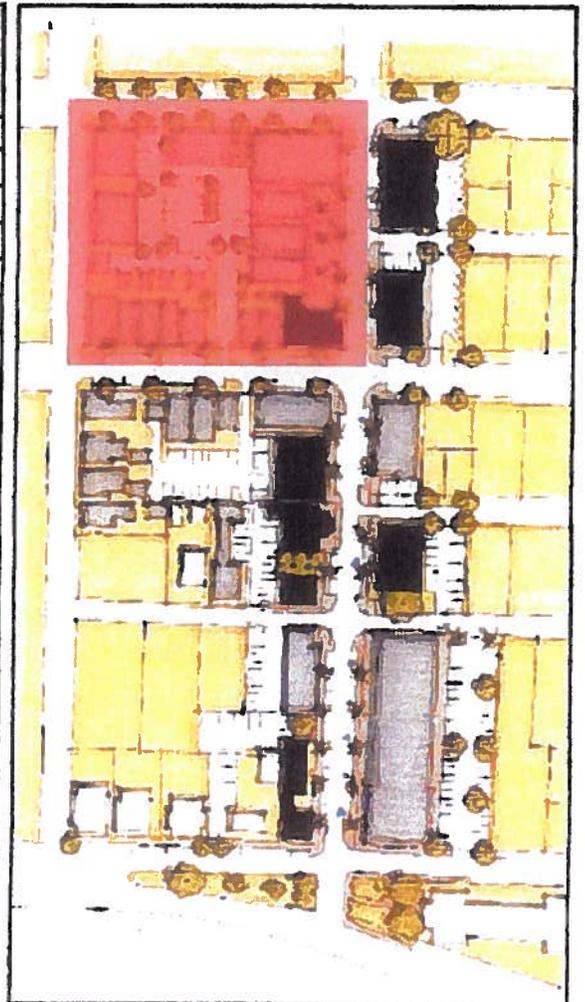
Principle Building	2 stories min. - 3.5 stories max.
Accessory Buildings	2 stories max.
Building Depth	60' maximum (primary mass)
Building Width	60% of frontage - minimum.
Building Height	55' for pitched - 38' for flat

SITE STANDARDS

Minimum parking on site	1 per 1000 s.f. gross (1 space min. for each residential unit)
Maximum parking on site	1 per 300 s.f. gross
Parking and Drive material	pervious
Maximum Lot Coverage	none
On site water retention	BMP's as practical

NOTED EXCEPTIONS FOR LOT

The minimum story requirement for buildings may be reduced to 1 story for buildings fronting on Adventure Street and 1.5 stories for structures on Duke Street and Prince Street.
 The maximum building depth may be increased to 80' for buildings fronting on Bladen street due to the large lot depth.



Site Location Plan

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: November 9, 2011
SUBJECT: Status Report on City Council Actions

Rezoning 103 Robert Smalls Parkway. A public on the rezoning application was held at the October 25 City Council meeting. First reading of the ordinances annexing and rezoning the property was held at that same meeting. The ordinances annexing and rezoning the property were given 2nd reading at the November 8 City Council meeting.

UDO Amendment Revising Bladen Street Redevelopment District Ordinance. A public on the amendment was held at the October 25 City Council meeting. First reading of the ordinance revising the UDO was held at that same meeting. Second reading of the ordinance was scheduled for the November 8 City Council meeting, but was tabled at the request of staff.

Adoption of Sector 1 Civic Master Plan. A public hearing on adoption of the Sector 1 Civic Master Plan was held at the November 8 City Council meeting. First reading of the ordinance revising the UDO was held at that same meeting. A workshop session with City Council is scheduled for November 15.

Please contact me with any questions on this information.

Thank you.

A meeting of the Beaufort-Port Royal Metropolitan Planning Commission was held on **October 17, 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 Alan Dechovitz, Robert Semmler, James Crower, and Jim Hicks, and City of Beaufort Planning Director Libby Anderson and Town of Port Royal Planner Linda Bridges.

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

CALL TO ORDER

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

REVIEW OF PROJECTS FOR THE TOWN OF PORT ROYAL

Town of Port Royal – Rezone Front Acreage at Wright’s Point. District 112, Map 34, a portion of Parcels 3 and 5. This is approximately 4.82 acres located on Parris Island Gateway at Wright’s Point Drive. The proposed zoning is Highway Commercial (Highway Commercial) with the Shell Point Neighborhood Overlay District. The existing zoning is Mixed Use-1 (Mixed Use-1) with the Shell Point Neighborhood Overlay District.

Ms. Bridges said this property is undeveloped. She indicated the area under discussion and described what the existing Mixed Use-1 zoning allows. The proposed zoning of Highway Commercial would not allow residential development. The designation “is the broadest and most intense,” she said. Automobile-oriented commercial development is particularly encouraged in this zoning. Ms. Bridges said the comprehensive plan and Future Land Use map within it show that there is an intended growth center / activity center. The comprehensive plan said development in these areas can support substantial mixed use. There should be an interconnected street network. The goal is to find and create this in these areas when possible. There are no environmental or public service issues to consider. Public notice was made. Mr. McNeil wrote letters to residents in Wright’s Point, and there have been responses which Ms. Bridges gave to the commissioners. She said the messages received were asking city council and the Planning Commission not to entertain the rezoning request.

Ms. Bridges said at Commissioner Dechovitz’s request, she had done some research, and city council has had a history of issues in this area twice. In 1997, a portion was zoned Highway Commercial and the remainder Mixed Use-2. In approximately 2006, the property owner came to the Town of Port Royal and applied for the remainder of the property “in front of the gates” to be zoned Mixed Use-1, which it is. Commissioner Hicks asked if Wright’s Point was a PUD. Ms. Bridges said residents believe it was a PUD, but it never has been a PUD as defined by the Port Royal zoning code. They may have confused a PUD zoning designation with the idea of a “planned community.” It has had by-right zoning since it was annexed in 1997. Ms. Bridges said she didn’t know if it was a PUD when it was in the county.

Commissioner Dechovitz asked about the access road from Wright's Point and if there was an easement to Highway 802. Ms. Bridges said that road has been paved all the way through since 2000 at least. It's not a town road, she said. It's a private road that the town doesn't own or maintain.

Commissioner Crower asked about access to Bellevue Bluff. Ms. Bridges said it comes into the property then breaks off in a dirt road. Commissioner Semmler said if he lived on the bluff and was driving down the same easement for all those years, by-right of using it, it became a road. Ms. Bridges said it takes about 25 years. Commissioner Dechovitz said that is an expectation, but people may assume that they control land or have a right established by legal agreement. Ms. Bridges said the applicant provided documentation, and there could be some prior to and since filed at the deeds office, but the town was just looking for an image to present to show what was under discussion.

Ms. Bridges described the zoning in the area around that which was under discussion. She indicated which roads were the Town of Port Royal's and which belong to the state.

David Tedder said he was approached by Mr. McNeil, whom he had expected to be present at the meeting. Mr. Tedder said he is familiar with the area and could answer questions. He said some of the comments seem to indicate a misconception about the plan for the area, which was intended for shopping "all along" since 1997. At the entranceway to Belleview Circle, Marine Federal Credit Union put a bank drive-through to no ill effect. He said the project is currently in the minority in the area by not being Highway Commercial. In regard to road access, Mr. Tedder described which are privately held, and which are dedicated easements. He added that he's not that familiar with the roads of late, however.

Lauren Segal owns a lot in Wright's Point Circle and at 111 High Tide Drive off Midtown Drive. When they bought their house and lot in 2007, they were not told it would ever be Highway Commercial. She is opposed to the rezoning.

William HutzHucks, 52 Wright's Point Circle, said he objects to the Highway Commercial designation because of traffic and noise that would be created in the neighborhood. He said they were never given information that this would ever be zoned Highway Commercial.

P.M. Barry, 20 Wright's Point Circle, said the property was sold to them as Mixed Use as in Newpoint, and was represented to him and his wife as a PUD. He doesn't believe this is the right thing for their community. Commissioner Dechovitz asked when it was presented as a PUD and a Mixed Use, if they got anything in writing to that effect. Mr. Barry said they got a lot of paperwork 11 years before, and he would have to look. He said they were not made aware that it was Highway Commercial and were shown a different plat than the one that is being shown. He said that he didn't go to the courthouse and do research to learn differently.

Andy Corville-Corriveau, 14 Wright's Point, said he had three objections to the rezoning. The Town of Port Royal has adopted the concept of New Urbanism, he said, which is pedestrian-oriented, while this is in contrast to that as it is auto-oriented. He bought his property six years before and in extensive conversations with the developer, there were no plans shown for Highway Commercial-type development. He's on the DRB for Port Royal and explained that not allowing a drive-around in the front has meant some businesses were not approved. Second, he said as an owner, he relied on what he was told by the developer and his sales people. After they bought property, 3 years later, they were presented with new plans, but "none included any development of the Highway Commercial variety." In regard to restricted covenants of the Wright's Point Property Owners Association, Mr. McNeil is in litigation, and the issue is unresolved and pending as to this. Mr. Corville-Corriveau said he recommended not approving it

Shirley Nobel, 34 Wright's Point, said she and her neighbors "don't want commercial." She requested a turn-signal for the extra traffic to get in and out of the property if the Planning Commission decides to approve the applicant's request for redesignation.

Tom Patterson, 56 Wright's Point Circle, said in regard to the PUD, he and his wife were "enthralled" by the PUD and the work-live situation like Habersham's. This redesignation is not what they were expecting when they purchased, and is unlike the drawings that they saw.

Commissioner Semmler asked about the legal issue; Chairman DeVito said he didn't feel it affects this particular piece of property. Ms. Bridges said that's her understanding. Commissioner Dechovitz said if the owner or developer stated in court that the area was under the auspices of the property owners' association, it would apply. Chairman DeVito said that wouldn't apply to the rezoning. Commissioner Semmler said it would be the job of the Planning Department to let the Planning Commission know if that's the case. Chairman DeVito reiterated that this would not change the underlying zoning.

Mr. Tedder said last Thursday, Mr. McNeil had asked him to be present for this meeting. He described the details of the restrictive covenant if a permit were being requested, not a rezoning. "Until a permit is pulled," he said, "you can't tell whether something is restricted or not." Mr. Tedder showed some illustrations of the access road to explain who owns it. Commissioner Dechovitz said he wondered if the property owners' association owned the access to their easement. He said he'd understood Ms. Bridges to say that the property owners' association doesn't have access to its front gate.

Mr. Tedder said a PUD is an ordinance, and there's no ordinance on the area. He's personally seen marketing materials which showed the area described as a shopping center, and he doesn't know what kinds of drawings the property owners were shown. To his knowledge, the McNeil partnership or Mr. McNeil owns the access road. Commissioner Dechovitz said if he

owns an easement, he doesn't have to maintain it. Mr. Tedder said in some cases, the owner *would* have to maintain it. He said in any case, this is not the issue under consideration. The owners will still have access however it's zoned. Chairman DeVito agreed. They bought property that showed access coming through there and will be supported by 60 years of law. Chairman DeVito said access *has* to be granted, even if it's redesigned.

Chairman DeVito said they need to consider if Highway Commercial is appropriate for the 300 [people on the feet of](#) property. The owner has clearly changed his mind about the zoning, Chairman DeVito said. The Planning Commission has to determine if it's the right zoning for the property and consistent with the comprehensive plan.

Commissioner Hicks asked Ms. Bridges about the Mixed Use-1 zoning. Chairman DeVito said it was originally Highway Commercial. Commissioner Hicks said the zoning was changed to Mixed Use-1 at the request of the Town of Port Royal. Commissioner Hicks said it was marketed as Mixed Use-1 during that time. Ms. Bridges said that when it came into the Town of Port Royal, there was a request that it be Mixed Use-1. Ms. Bridges showed the exhibit from the annexation petition and ordinance when it was annexed. Commissioner Hicks asked how it came to be Mixed Use-1 and Ms. Bridges said the owner came to the town in 2006 and requested the rezoning to Mixed Use-1 from Highway Commercial. Commissioner Hicks said if the owners bought believing it was Mixed Use-1, it's strictly a matter of fairness, as well as one of rezoning, and "there's reasonable doubt that upzoning would be inappropriate," so he would vote against it.

Commissioner Crower asked Ms. Bridges about the commercial uses allowed in Mixed Use-1: retail, service, office uses, Ms. Bridges said. Highway Commercial is more intense; a restaurant is allowed in Mixed Use-1, but not a drive-through. Pharmacies and banks are allowed in Mixed Use-1 but there's no prohibition against drive-throughs. A broader array is allowed in Highway Commercial. Mixed Use-1 is a commercial zoning designation, she said, that allows residential.

Commissioner Semmler said when he looks at Highway 802, it's Highway Commercial all the way up, and he feels if they approved changing Mixed Use to Highway Commercial every time it's requested because of the economy, it would be a disservice to what is being endeavored in the comprehensive plan and the work of Ms. Bridges and the town.

Commissioner Dechovitz said he agrees with Commissioner Hicks that the people in the community are probably being treated unfairly. He feels someone misrepresented something, but the Planning Commission can't explore that, only the courts can. The access road is to a state or town route, and it's a path into a substantial development belonging to a developer who seems to have misrepresented what he was selling. Commissioner Dechovitz said he has a problem putting this sort of zoning in front of a development that would be unprotected. In regard to rezoning a property on a major thoroughfare like the trailer court, after exploring zoning options, Highway Commercial was found to be appropriate in that case. He is also

concerned that there would be a lot of commercial uses for the frontage but that wouldn't necessarily require Highway Commercial zoning. He can see the zoning changing and make it General Commercial, but recommended that city council then would require a development plan that would upgrade the street and dedicate it to the town. Since the Planning Commission is being asked for Highway Commercial, and the developer isn't present, he's not inclined to act.

Commissioner Semmler made a motion, second by Commissioner Dechovitz, to deny the change in zoning at Wright's Point Drive from Mixed Use-1 to Highway Commercial. The motion passed unanimously.

TOWN OF PORT ROYAL – UPDATE ON COUNCIL ACTIONS

Ms. Bridges said the council annexed the Shell Point Plaza and also gave first reading to the amended Port of Port Royal PUD.

REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT

City of Beaufort – Annexing a parcel of property located at 103 Robert Smalls Parkway, identified as District 100, Tax Map 29, Parcel 148. The existing zoning is "Commercial Regional District." The proposed zoning is "Highway Commercial District."

Applicant: Vaden Automotive Group

Ms. Anderson said this is the site of the former OC Welch Ford dealership. The property is contiguous to the city limits and is in a "donut hole." In regard to annexation, all municipal services would be available. Fire service is provided by Burton. The property is Commercial Regional district (CR) and is the most intense commercial zoning district in the county code. Proposed zoning is Highway Commercial and permits all types of office and commercial uses. According to the city's comprehensive plan, it is located within a regional center for high-intensity commercial and office activity.

Redevelopment and reinvestment would not negatively affect the area's natural features. The existing land uses are intensely developed, and Ms. Anderson went on to describe the surrounding businesses in the area. Public notice was made. There has been no public comment to date. Staff recommends approval. Chairman DeVito said the other lot in the area is already annexed into the city.

Bill Daniels, one of the principals, represented the applicant. **Commissioner Dechovitz made a motion, second by Commissioner Semmler, to recommend approving the annexation. The motion passed unanimously.**

City of Beaufort – **Rezoning.** Rezoning a parcel of property located at 103 Robert Smalls Parkway, identified as District 100, Tax Map 29, Parcel 148. The existing zoning is "Commercial Regional District." The proposed zoning is "Highway Commercial District."

Applicant: Vaden Automotive Group

Commissioner Crower made a motion to recommend the rezoning, second by Commissioner Dechovitz. The motion passed unanimously.

City of Beaufort – UDO Amendment. Revising *The Unified Development Ordinance of the City of Beaufort, South Carolina*, Section 6.10, “Bladen Street Redevelopment District” to change finished floor height, porch and stoop height, and build-to line requirements, and to delete the standard for first floor height for residential uses.

Applicant: City of Beaufort Planning Department

Ms. Anderson said six projects have gone through the Bladen Street ordinance and recommended changes to the code are addressed here. Height would be adjusted from 3’ to 2’; a section of the code would be eliminated that is a duplication; porch height is currently described as 30” and would be reduced; stoop height would also adjust from 3’ to 2’; building placement at the build-to line would be 0-15’ for residential and 0-12’ for commercial and mixed use.

Ms. Anderson said the current projects met the standards, and this is “what’s out there today,” for future use. Commissioner Dechovitz said there’s been no discussion of handicap access, but the properties are being raised. Ms. Anderson said there would be a ramp in the back if that were called for. The elevation is in the front / street façade. In the rear of the properties, it’s less. There might be 1-2 steps for access from the back, though, that would be replaced with a ramp. Commissioner Dechovitz asked if handicap access were ever discussed in the ordinance. Ms. Anderson said on Bladen, it would be a flush elevation for a commercial use; they’re not required to be elevated.

Commissioner Dechovitz made a motion, second by Commissioner Crower, to accept the changes as recommended. The motion passed unanimously.

City of Beaufort – Amendment. Amending *Vision Beaufort; 2009 Comprehensive Plan*, with the “City of Beaufort, Civic Master Plan, Volume I, Sector 1: Downtown.”

Applicant: City of Beaufort Planning Department

Josh Martin, Office of Civic Investment, made a presentation about the Sector One City Master Plan which he said would eventually encompass five sectors in total. He described what was in the appendices. They want city council to adopt it and so brought it to the Planning Commission. Commissioner Hicks said he’d like Mr. Martin “to explain strategically what this does to the City of Beaufort.” This document is most compatible with the Boundary Street Master Plan, Mr. Martin said. He went on to explain that this is the Master Plan for the downtown area of the City of Beaufort. It’s not yet codified, but is synonymous with the Boundary Street Master Plan for this section of the city. Commissioner Dechovitz asked “what they are doing today that they would have to do differently tomorrow to make it a reality” vs.

what the city has now. Mr. Martin said this is a different kind of plan that Beaufort has. It was done block-by-block and is a "drill-down of the comprehensive plan." He said nothing specifically changes tomorrow, but if this were adopted, this acknowledges that the city has adopted it as a vision / planning document for the city and is moving into the form-based code process.

Commissioner Dechovitz said a Master Plan for a business or manufacturing facility, etc. would have "4-5 guiding principles that would be adopted to guide actions to achieve the following measurable goals." The only decision he sees after reading 300 pages, he said, is that the city is accepting that form-based code will be applied over the area. Mr. Martin said there are guiding principles, and it's coupled with the Redevelopment Commission's projects list, which is different than what has been done in the past. Commissioner Dechovitz said "that's not strategy."

Mr. Martin said there are "guiding and specific" principles. Commissioner Dechovitz asked if any of them "represent a change today that city council has to make." Mr. Martin said these are from the comprehensive plan. He then showed the plans and recommendations based on the principles applicable to this specific sector. He gave as an example promoting USCB to grow along Boundary Street vs. "growing in certain neighborhoods."

Chairman DeVito said if the objectives aren't in place for how the area will look, they can't put form-based code in place. He said this is a business plan for how they want the areas to look. It's "a concept of what is wanted by those who came to the charettes." The Planning Commission and city council need to say "we agree" or not. It tells what the people were looking for and the next document will say what they are going to build to meet those objectives. Commissioner Dechovitz said this may capture hundreds of people's vision, but council as executives have to go out and make it happen. He said he'd want to have specifics if he were the boss / city council. The document "doesn't tell council that they have to do anything different to have this plan come to fruition" or "what they will get if they do that."

Commissioner Dechovitz said if they adopt form-based code, he would like to know the financial implications of that, or of the development around USCB. It's "not an action document," he feels. It's different, Chairman DeVito said, in terms of how closely the neighborhoods are looked at. Commissioner Dechovitz said a large percentage of Beaufort is looking for change, action, and implementation of docs, not more docs. Mr. Martin said the city council made sure that the Redevelopment Commission was formed to carry many of those projects out. This organizes the efforts "in terms of implementation," Mr. Martin said.

Commissioner Dechovitz said most of the recommendations for the Redevelopment Commission were "study this, study this, study this." Mr. Martin said he disagreed. Commissioner Hicks said the plan for Daufuskie Island was similar to this, but in the principles, a senior planner could grant a variance so long as it was shown to comply or enforce with the

principles stated. He asked if that would happen in the City of Beaufort's document. Mr. Martin said he can't speak for the city. The steering committee will go through line-by-line to avoid confusion as in past form-based code efforts. That will be corrected and "also have one of the most progressive codes they can have."

Commissioner Hicks asked why they stopped at Whitehall, since the City of Beaufort owns "quite a bit of property on Lady's Island." Mr. Martin said they were "trying to coordinate their timing with the county." This would most closely align with their planning processes on Lady's Island. Commissioner Hicks asked if someday it would be realistic to see Lady's Island strip as standardized zoning whether it's city or county. Mr. Martin said he thinks that's very realistic. Commissioner Hicks said the City of Beaufort has agreed to growth boundary lines, and since the county doesn't agree, he asked if there would be a standardized agreement so when property is annexed, it will be in keeping with the City of Beaufort's comprehensive plan. Mr. Martin said it will all depend on the timing and implementation of the codes. If the city does an administrative rezoning from current state to form-based code, that would take so long to rezone thousands of parcels, so "there might be a reeducation process." The standards of the district and the way the communities are designed, one community wouldn't get more than another. Commissioner Hicks said the county has agreed not to upzone. The process itself would remedy Commissioner Hicks's concern, Mr. Martin said.

Commissioner Dechovitz asked, if the ordinance and the plans for the county and city are essentially the same, what the purpose is of the jurisdictional difference. Mr. Martin replied "the range of intensities." In the city and county context, the code would be different. Commissioner Dechovitz said the transects might be unique to the county, and Mr. Martin said "the goal is to standardize the process as much as possible."

Charlotte Pazant-Brown asked the Planning Commission to reconsider enforcing tax loans in the area of USCB and the properties around it. Her family owns property in the Old Commons and she wondered how far that plan will go before "eminent domain," is claimed, for example. She agreed with Commissioner Hicks that they "don't want a lot of 'gotchas' down the road." Changes are unknown and affect people living in the areas where they're being made.

Steve Parker, Barnwell Bluff, said he's been looking at the plan, and the condos in Barnwell Bluff are highlighted to be redeveloped. A section of the bluff is show to be a hotel and convention center, and he wondered where the condos would go. They are surrounded by Open Land Trust property; some diagrams show a waterfront walkway through Open Land Trust property, and he wondered how the city was able to maneuver through Open Land Trust.

Jay Weidner, Calhoun Street, said he's present to support the vision of those who put the plan together. He agreed with Chairman DeVito that this is step one and material changes can't be made without an idea of where they're moving to. There have been many plans and many actions taken without a lot of thought behind them. He feels the planners have identified a lot

of places where the existing fabric of the city can be improved. Mr. Weidner said it “gives a framework for intelligent decisions about where to lead our city.”

Bill Turburin, Barnwell Bluff, said the two most beautiful things in Beaufort are the marshes and the live oaks. The plan will take some of that over, and he objects to a plan that allows the city to take over Open Land Trust property or to cut down live oaks on that property.

Mr. Martin said the recommendations in the project book would require plan review, public notice, and approval, and “are just ideas at this point.” He went on to address the plans for USCB, saying they’re “a blueprint.” In regard to Barnwell Bluff, the plans are for 100 years. They are not taking over Open Land Trust land, he said, and the plan for the live oaks is not to cut them down.

Mr. Martin said there was no mention of the HDRB in the document and they didn’t mention any boards or commissions. He explained why that is the case: the form-based code would put all documents in one place “so the Northwest Quadrant and Milner would be together.” They are not rezoning any parcels, he said; “This is just a vision forward.” He addressed other concerns expressed, e.g., abandoned alleys in the Northwest Quadrant and possible plans for those. The plan “prefers renovation and repair,” he said, but they might have to demolish some. They are evaluating specific properties as they come up for possible demolition.

Chairman DeVito said the Planning Commission was to decide if they “would pass the plan on to city council as a vision.” Commissioner Dechovitz said he has a problem with the process, which “is not making decisions but is creating yet another vision,” and as a result, in the past, not much has happened. Ultimately, to have a vision, strategic decisions must be made. Beaufort hasn’t shown itself to be great at implementing the visions they create.

Commissioner Hicks said if the comprehensive plan is added to by sectors, “it will require a wagon” as it will be a huge document. Planners don’t re-write these every five years, he said, so after ten years, “some consultant will be hired to consolidate it down, to say what it really meant to say,” and create a workable comprehensive plan. He asked if there were an alternative to that. Ms. Anderson said the comprehensive plan will be much different in ten years than it is today. The form, shape and guidance will be different. They will go beyond a Master Plan to a parcel by parcel plan. They will want to update it, but it will be a different document than it is today.

Commissioner Dechovitz made a motion, seconded by Commissioner Crower, to pass the plan to city council. Commissioner Semmler asked Ms. Anderson, if they want to do something to Waterfront Park in the plan, for example, if Ms. Anderson would make the proposal to the city council and then it would come to the Planning Commission or to another commission. Ms. Anderson said it depends on who owns the property. If the city does, and funding is in place, if it’s consistent with the civic Master Plan, they wouldn’t have to do that. It depends on the

project and how it conforms to policies and plans. Ms. Anderson said the mooring field development is a change, and it will not have to come to the Planning Commission, but a change to development standards and zoning would have to come before the Planning Commission.

Commissioner Dechovitz asked what happens if a property owner doesn't like the planners plan for his property. He asked "if it would impact his property rights." Ms. Anderson said the development standards will control it. Mr. Martin said the redevelopment initiative is to show people what they can do with their property as "people don't understand what the codes mean for their property."

Commissioner Dechovitz asked, if the principles guide what's to be done to the properties, why they didn't just adopt the principles "rather than create the nightmare document we're headed towards." That way, he reasoned, when people want to change their property, they can apply the principles, as opposed to going property by property for five districts. Mr. Martin said it's important to show people what can be done with their property. They need the legal framework of the zoning, also, Mr. Martin said. Great plans aren't small documents and require detail. **The motion passed unanimously.**

CITY OF BEAUFORT – UPDATE ON COUNCIL ACTIONS

Ms. Anderson said there were three amendments to the UDO passed since the last Planning Commission meeting. The Middleton Street rezoning was withdrawn by the applicant.

REVIEW MINUTES OF THE SEPTEMBER 19, 2011 MEETING

Commissioner Hicks made a motion, second by Commissioner Dechovitz, to accept the minutes as submitted. The motion passed unanimously. Commissioner Semmler and Commissioner Crower abstained because they were absent from the meeting.

There being no further business to come before the commission, **Commissioner Crower made a motion to adjourn, second by Commissioner Semmler. The motion passed unanimously,** and the meeting was adjourned at 7:51 p.m.