

A special meeting of the Beaufort City Council was held on March 21, 2006 at 6:00 p.m. in the Beaufort Elementary School Cafeteria, 1800 Prince Street. In attendance were Mayor Bill Rauch, Mayor Pro Tem Frank Glover, Council members Donnie Ann Beer, Gary B. Fordham, George H. O'Kelley, Jr., City Manager Scott F. Dadson. 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.

### **CALL TO ORDER**

The Mayor called the special meeting to order at 6:07 p.m. for the purpose of considering second reading of the annexation and zoning of 121 acres known as the Bostick property on Salem Road and a report from the Beaufort/Port Royal Joint Municipal Planning Commission on the annexation of the McLeod and Clarendon Farms properties.

### **ORDINANCE ANNEXING 4 PARCELS**

The ordinance annexing 4 parcels totaling 121 acres identified as District 100, Tax Map 29, Parcels 105, 105A, 105B, and 105C on Salem Road was presented to Council for second reading and adoption.

Libby Anderson, City Planner, noted that the property is known as the Bostick property and parcels 105 and 105C are located on the east side of Salem Road. Under the County's zoning, the parcels are zoned Suburban District which permits single family developments of 3 units per acre. These approximately 96 acres are proposed to be zoned R-4, high density, single family residential, under the City's UDO. The west side of the property, about 22 acres, consisting of portions of 105A and 105B are proposed to be zoned General Residential. This zoning allows all types of residential development.

Councilmen Fordham and Glover arrived at 6:15 p.m.

Ms. Anderson noted that the proposed zoning is of a lower intensity than is stated in the Comprehensive Plan. The Planning Commission denied the original request. The applicants revised that request to the current proposal and staff recommends approval.

The Mayor restated for Councilman Fordham that if the traffic impact analysis is required by DOT it will be prepared but it doesn't affect the City's decision on annexation or zoning. Therefore, the ordinances were brought back to Council for consideration.

**Jean Von Harten**, expressed her concerns about the western side because of its density and would like a traffic study to be done. She asked the Mayor when the sidewalks would be constructed that were mentioned at the last meeting. Another concern she mentioned was that uncontrolled development displaces wildlife. She said she objects to the high density growth of the area.

**Jim Glasson**, 118 Bartrum Drive, stated the developers should pay for the sidewalks not the tax payers. Also, the developers should pay to develop parks and green space. The Mayor stated the

developer has agreed to pay for the sidewalk in front of his development. The rest of the sidewalk in Salem Point will be paid for by the City. Ms. Anderson added during the preliminary approval of the plat, one of the conditions set out by the Planning Commission was that the developer construct sidewalks in front of their property. Also, developers of new single family development are required to pay a park impact fee when they apply for their building permit. That fee is transferred to the County and assists in implementing the County Capital Improvement Plan for parks and recreation.

**Steve Illes**, Mossy Oaks, provided his observations regarding the annexation issue and asked Council to consider that the highways and schools will be overcrowded, the service delivery will over extended, and taxes will increase to support those increases. He mentioned the chance of Dept. of Defense closing MCAS to convert it to an Outlying Field (OLF)

**Steve Andrews**, Andrews Engineering representing the developers, commented that they submitted their plan to the DOT as requested and a traffic study will be required as part of the development review process to determine if there will be a need for roadway improvements.

**Vicky Reilly**, Battery Creek resident, said the residents want to protect the environment and keep as much green space as possible. She said because of the density, the road will have to be widened and the trees will be cut down. She asked Council to think about the density and protect the environment.

**Jim Fewless**, Salem Drive West resident, said R-4 states the lots can be as small as 4,000 sq. ft. The developer has proposed to the Planning Commission that the smallest lot be 7,000 sq. ft. which is R-3. He asked what guarantee do the residents have that the lots will remain at 7,000 sq. ft. and if they are zoned R-4, there is the possibility that the development will be more dense than the 211 units. He suggested the zoning be R-3 to avoid that from happening.

The Mayor stated the parks would be available to everyone because the development is not a gated community. Regarding the road widening, he said he has not heard that the road will have to be widened as a result of the development. Additionally, addressing the OLF mentioned by one of the speakers, he said the MEC and Cherry Point are working on these. But for Beaufort those facilities will be between 75-90 miles away and would require an enormous investment by the government.

Councilman Fordham said he is not prepared to vote for this annexation or the Clarendon/McLeod annexation until the County conducts the Northern Regional Traffic Plan. He mentioned Council has not discussed paying to build sidewalks in that area either.

The Mayor replied that there should be a resolution in support of building the sidewalk and Council's intentions as voiced at the last meeting. The resolution would state the sidewalks would be constructed within the next two years along Salem Road in the r-o-w except in front of the Bostick Farm property which will be provided by the developer. They could be funded with transportation funds or another source could be through the State. Mr. Fordham added that impact fees should be revisited so developers and new residents pay to build schools etc. before any more annexations are approved. This should be addressed at the next meeting, he said.

Councilwoman Beer moved to adopt a resolution by title only to provide sidewalks in the Salem

Road area within the next two years.

Councilman Glover agreed that the long time residents should not have to pay for amenities for the newcomers. Referring to the R-4 vs. the R-3 zoning, he pointed out the lots platted on the S/D plat reflect 7,200 sq. ft. as the minimum lot size. Ms. Anderson replied that the lot size would fit the minimum for the R-3 zoning district which is 6,000 sq. ft. but not the lot width. The minimum lot width for R-4 is 40 ft. and 60 ft. in R-3. The plat would have to be revised to accommodate R-3 zoning. Cluster development can be constructed in R1, 2, 3, or 4 because it allows a variance in the lot width and area; however, the developers have not chosen to do that and it is not recommended by the staff. She added that a R-3 zoning does not stipulate a minimum or maximum number of lots. Mr. Glover said he shares the fears and concerns of the residents that the developer could redesign the plan or sell the property and smaller lots could be developed.

The motion to adopt a resolution in support of sidewalks failed for lack of a second.

Councilwoman Beer moved to adopt the ordinance annexing 4 parcels in the Salem Road area. Councilman Glover gave second.

Councilman Glover said he is uncertain of the R-4 zoning and not sure about supporting the sidewalks.

Council members Glover, Beer, and Rauch voted to adopt the ordinance on second reading. Councilmen O'Kelley and Fordham voted nay. The motion passed 3 to 2. (Copy of ordinance at end of the February 14 minutes)

#### **ORDINANCE ZONING 4 PARCELS/121 ACRES**

The ordinance zoning 2 parcels of property totaling 22 acres of land on Port Royal Island Identified as District 100, Tax Map 29, Parcels 105 and 105 C (a/k/a Bostick property) to R4, zoning 2 parcels of property totaling approximately 99 acres of land identified as District 100, Tax Map 29, Parcels 105A and 105B to GR and R4 was presented to Council for second reading and adoption.

Councilwoman Beer moved to adopt the ordinance on second reading. The motion died for a second.

Ms. Libby Anderson, City Planner, pointed out the Unified Development Ordinance states a zoning designation must be applied to a property when it is annexed. The City Attorney agreed that property cannot be annexed without a zoning designation.

Steve Andrews, applicant, commented that zoning is important and they don't want to be annexed without a zoning designation.

Councilman Fordham moved to rescind the motion for annexation. Councilwoman Beer seconded the motion.

Councilman Glover asked Mr. Andrews if there is another zoning classification that would be acceptable that would assure the residents that the plan would not be changed. Mr. Andrews

reminded Council that originally the request was for higher density. The request was changed prior to first reading in accordance with the Joint Planning Commission to GR for the west, R-4 on the east. The plan was developed that met the lot sizes with flexibility to work around trees and wetlands. That plan was presented to the Planning Commission and was approved. He asked Council to support the requested zoning designation. Councilman Glover said a PUD would give the assurance the density wouldn't change. Mr. Andrews answered that City staff encouraged them to use standard zoning instead of a PUD. He added that the developer has been working almost a year developing this plan. They have worked diligently with staff, the Planning Commission, and Council to accommodate those requests.

Councilmen O'Kelley, Fordham, and Glover voted in favor of rescinding the motion to annex. Council members Beer and Rauch voted nay. The motion to rescind passed 3 to 2.

### **City Attorney comments**

William B. Harvey, III, City Attorney, opined that it would be proper to table second reading of the annexation and zoning to allow the developers to continue their work so that they don't have to begin again.

Councilman Glover moved to reconsider the motion to rescind the Salem Road annexation. Councilman Fordham gave second. The vote was unanimous.

On motion by Councilman Glover, second by Councilwoman Beer, Council tabled the annexation and rezoning of the 4 parcels totaling 121 acres identified as District 100, Tax Map 29, Parcels 105, 105A, 105B, and 105C on Salem Road until a later date.

### **CLARENDON/McLEOD FARMS REPORT**

The Mayor recapped the actions to date and introduced the Chairman of the Joint Planning Commission, Dave Radford.

Mr. Radford noted that the PUD's for both proposals were identical as are the Commission's recommendations with the exceptions of numbers and islands as they pertain to Clarendon. Therefore, he will address them together. They recommended both PUD agreements be shortened to 20 years; the commercial square footage be decreased by 90%; they recommended the seven islands included in the Clarendon Farms PUD be eliminated from the annexation request since they are across the Whale Branch and the City has stated it would not cross the river; a traffic study be submitted; the definition of open space should be narrowed to include only green space, passive open space, and areas for trails; open space should be required for each phase of the development; the PUD should specify there will be no private docks but allow community docks and only one large commercial marina; there should be a 100 ft. buffer around the development and specify developers must comply with the County's River Quality Overlay District ordinance and the County's wetlands ordinance. Regarding density, he said the homes should be concentrated into villages and the rest of the site should remain rural with a density of 1 unit per 3 acres. Information was not available to determine the appropriate density of the site; however, when that information is available the PUD should be resubmitted to the Planning Commission. The Commission would review that information and make a recommendation to Council as to what the maximum density should be. To avoid US21 becoming a Highway 278, they recommend the City consider requiring

large developers provide a development schedule so the City has the opportunity to lessen the impact these developments will have. Provisions to provide affordable housing should be added for workforce housing, also, the conceptual master plan should be revised to reflect the existing AICUZ and consider possible expansions of that zone.

Councilman Glover stated he was surprised at the recommendation to decrease the commercial area because that would cut down on vehicle trips on the highway. He also inquired about the use of storm water retention as open space so it would be attractive. Mr. Radford replied it depends on how it is designed and unless the developers have a plan for maintenance or for use of the water, it should not be part of the open space.

Lewis Bruce, committee member, speaking to the commercial space said the amount allocated was more than was needed. That much square footage gave the developer the potential to build a massive commercial development. It would attract people and generate more trips.

Councilwoman Beer addressed the statement about the AICUZ pointing out the City won't do anything to endanger the base. The City has an ordinance and developers are subject to it.

**Daryl Ferguson** said the issue seems to be a plan. There should not be a discussion without a vision and a plan. Involve the community to protect their life style and if it takes more time, the project will turn out better.

**Steve Greenberger** said don't be in a hurry to give the quality of life away and development should not be allowed for which the land owner and the developer will profit at the expense of all the tax payers. He suggested encouraging industry and farms because they bring a net gain.

**Alton Aimar**, Port Royal, said he is opposed to the tax payers subsidizing developments. These two annexations will expand the City's population by 75% adding 100,000 more trips per day on US 21, according to his calculations. He quoted studies that indicated residential development does not pay for itself and will contribute to fiscal and infrastructure shortfalls.

**Dennis Glaze**, St. Helena resident, said he is concerned about Highway 21 since it is the main road in and out of the County. An interconnecting traffic plan needs to be developed so all the traffic does not use Highway 21. He doesn't see the need to rush a plan for a community that is not to be developed for 10 to 20 years. With 16,000 homes and 5 million sq. ft. of commercial space proposed, he asked how many sq. ft. of commercial space are in the City now. Also, he asked that this project not be rushed but work with the County, the bases, and the residents to develop a plan that will work.

**Herman Green**, Stuart Point, told Council they will only be remembered for the mistakes they make.

**Milbrey Gnann** mentioned the impact these annexations will have on the community. She asked Council to keep in mind the recommendations of the Planning Commission,

**Bill Ladson** said he looked over the McLeod plans and saw a lot of "mays" which should be

reviewed. He asked Council to consider the recommendations presented by the Commission

**Stacey Hydrick**, 21 Burckmyer Drive, said the residents want the Council to protect the City from developers. She asked Council to stand up for the people who will be impacted by large land owners.

**Marvin Dukes**, 791 Ribaut Road, corrected an earlier statement regarding the increase in population with these annexations stating the increase would be 400%. Annexation should be about controlling an area but the larger number of residents will be in control. Those people may have different concerns and he asked Council to reconsider the annexation. He believes the developers will not develop over a long period of time as stated but will develop as soon as possible to recoup their investment. He asked Council to deny the annexation request.

Councilman Glover asked staff to determine the square footage of commercial space in the City limits in order to compare the current needs with what might be needed for the new developments. He also would like information on the comparison of impact fees for the City of Hardeville's annexations.

**Elizabeth Glean**, Grays Hill, she thought there would be a workshop with the Planning Commission and Council to review the details. She said only a summary was presented and doesn't answer all questions.

The Mayor reiterated that the School Board, the County, nor the Air Station have submitted their comments so all information will be accepted.

**Lee Schaefer** suggested gathering information from the Sheriff's office because the jail is overpopulated.

**PIGEON POINT PARK**

Councilwoman Beer announced bricks are being sold as a fund raiser inscribed with up to 20 letters to assist with the purchase of items for the Park.

**ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 8:35 p.m.

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BILL RAUCH, MAYOR

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COUNCILWOMAN DONNIE ANN BEER

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COUNCILMAN FRANK GLOVER

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COUNCILMAN GARY B. FORDHAM

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COUNCILMAN GEORGE H. O'KELLEY, JR.

ATTEST:

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BEVERLY W. GAY, CITY CLERK