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

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

I. Call to Order

II. Pledge of Allegiance

III. Review Commission Meeting Minutes:
   A. July 29, 2019 Worksession Minutes
   B. July 20, 2019 Regular Meeting Minutes
   C. August 19, 2019 Meeting Minutes

IV. Questions Relating to Military Operations

V. Review of Projects for the City of Beaufort:
   A. City of Beaufort – Rezoning. Rezoning 2409 Oak Haven Street (portion of R120 005 000 0236 0000), 2408 Oak Haven Street (R120 005 000 0257 0000), Flag lot – no address on Oak Haven Street (R120 005 000 0437 0000), 2406 and 2407 Oak Haven Street (portion of R120 005 000 0236 0000). Applicant: Samuel M. Levin

   B. Update of Council Actions

VI. Review of Projects for the Town of Port Royal:
   A. Town of Port Royal – Rezoning Request. Rezone District 112, Map 33B, Parcels 90A, 137, and 138. These are undeveloped parcels at Hamerick Drive and Broad River Drive. The current zoning is T3 Sub-Urban Neighborhood. The requested zoning is T3 Neighborhood.

VII. Review of Projects for Beaufort County: No Projects

VIII. Adjournment

Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011 for additional information.
A meeting of the Beaufort-Port Royal Metropolitan Planning Commission (MPC) was held on **July 29, 2019 at 5:30 p.m.** in the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Vice-Chairman Jim Crower, Commissioners Robert Semmler, Judy Alling, Mike Tomy, Caroline Fermin, and Bill Bardenwerper, and City of Beaufort Director of Community and Economic Development David Prichard.

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.

Vice-Chairman Crower called the meeting to order at 5:53 p.m. and led the Pledge of Allegiance.

**MINUTES**

Commissioner Tomy made a motion, second by Commissioner Fermin, to approve the minutes of the May 20, 2019 MPC meeting. Commissioner Fermin abstained from voting because she was not at the meeting, and Commissioner Bardenwerper abstained from voting because he was not yet on the MPC. **The motion to approve the minutes as submitted was approved 4-0.**

Commissioner Tomy made a motion, second by Commissioner Fermin, to approve the minutes of the June 17, 2019 MPC meeting. Commissioner Bardenwerper abstained from voting because he was not yet on the MPC. **The motion to approve the minutes as submitted was approved 5-0.**

Commissioner Fermin made a motion, second by Commissioner Semmler, to change the published agenda by moving item I to the top. The motion passed unanimously.

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

**CITY OF BEAUFORT - PROPOSED BEAUFORT CODE TEXT AMENDMENT to modify Section 11.6.1 B of the Beaufort Code for sign-face attachment for the purpose of public safety**

Applicant: Bo Hodges, Adams Outdoor Advertising

Mr. Prichard said **Bo Hodges**, representing Adams Outdoor Advertising, had come to city council at a work session about billboard hurricane frames and the city’s ordinance concerning nonconforming signs. Mr. Prichard read from the ordinance and said Adams Outdoor Advertising contends that such a frame doesn’t meet the level of structural or design change, and it would allow quicker, safer hurricane preparation. Given that council recognizes the advantage of a minor alteration to the sign face for public safety, but doesn’t want to provide a loophole that would extend the life of a nonconforming sign, they have asked Planning to draft language to address this, he said.
Mr. Prichard pointed out the change to the language: the addition of “nor does it refer to minor modifications to sign-face attachment” to Beaufort Code Section 11.6.1.B.2. City council suggested also adding that this applies to the attachment of a sign face “for the purpose of public safety.”

Vice-Chairman Crower asked what a perimeter frame is. Mr. Hodges showed models of billboard frames and described how they work. Of the 3 billboards in the city, one has been updated with the safer frame. The others are old wooden frames; if their faces aren’t taken off before a hurricane, it could become a projectile, he said. There’s now a lightweight frame that allows them to wrap the vinyl around it, so the vinyl – not the dangerous frame – will fly off in a storm. Typically, someone would go to the billboards, get the vinyl off, and put it in a truck, but that can’t be done with the old signs, which Mr. Hodges said are “outdated and unsafe.”

Commissioner Semmler said the city code says there are to be no more billboards in the city limits. If a billboard is knocked down, is Adams Outdoor Advertising authorized to replace it? Mr. Prichard said no. The ones that are here can remain as long as the sign isn’t replaced. Commissioner Fermin said she thought the ordinance said also that there could be no enhancements. Mr. Prichard read from the ordinance and said that the word “enhanced” isn’t used, but there is similar language, which was why this was an issue.

Staff recommends approval of the ordinance change, Mr. Prichard said.

Mr. Hodges said this would only apply to 2 of the 3 signs, not including the Grainger sign, which was rebuilt after a lawsuit.

There was no public comment.

Commissioner Bardenwerper made a motion, second by Commissioner Fermin, to recommend accepting staff’s recommendation for the billboard change. The motion passed unanimously.

**CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST** – Annexing two parcels of property (20.71 acres) at 44 and 50 Miller Drive East – further identified as District R200, Map 15, and Parcels 107 and 749 – and rezoning them from T3-HN (Hamlet Neighborhood) to T4-Neighborhood (T4-N).

Annexation applicants: Elizabeth L. Brown and Denise Heyman Martinson
Rezoning applicant: Michael Mark

Mr. Prichard read from the staff report. Ms. Martinson and Ms. Brown have petitioned the City of Beaufort to annex the property, he said. T3-Hamlet Neighborhood is the current zoning.
The annexation request is consistent with the 2009 Comprehensive Plan, Mr. Prichard said, and the property is “contiguous to the primary service area.” The request “also meets the requirement that incremental growth can be medium- to high-density,” he said.

The City of Beaufort will be able to provide all service to the annexed parcels, Mr. Prichard said. The parcels would be subject to the millage rate at the time of annexation, which is 75.77 mils for FY 2020. Commissioner Tomy asked about the surrounding zoning for this property and whether it is in the city or the county.

Rob Merchant discussed the zoning around the property, including Lady’s Island Community Preservation, which allows a maximum residential density of 2 dwelling units per acre. The proposed zoning, T3-HN, allows single-family residential; there is a minimum lot size, which “governs how much you can fit on the site,” he said.

Bruce Richards discussed how his neighborhood has changed. To “accommodate more people,” it has residential neighborhoods like his around it. Most people who object to the annexation and rezoning are afraid that this would be a “stepping stone to commercial development,” he said. The neighborhood is currently “kind of semi-rural,” Mr. Richards said, and they would like to keep that zoning. “The neighborhood we’re discussing is ours, not yours,” he said.

Kristi Warner, Miller Drive East, said, “It talks about office buildings” and things that could be on the property if it’s rezoned, which she asked the commissioners not to allow. “We want our neighborhood to stay our neighborhood,” she said.

Commissioner Bardenwerper asked about the density under the county’s T3-HN zoning. Mr. Prichard said the minimum lot size is 6,500 square feet. Mr. Merchant said, accounting for streets, there would probably be 4 or 5 dwelling units per acre. Mr. Prichard said 25% of a parcel [development] is generally used for streets, and at 43,560 square feet to an acre, about 5 or 6 dwelling units “is probably correct.”

Commissioner Bardenwerper asked what happens if the MPC recommends annexation to council but doesn’t recommend this zoning district. Mr. Prichard said these property owners desire to be within the city limits. If the MPC recommended approval of annexation but not the property owners’ preferred zoning, it would go to city council with a recommendation to annex but not with T4-N zoning.

Commissioner Bardenwerper asked if it’s typical to get annexation requests from property owners who can’t get the zoning they want from the county. Mr. Prichard said, “I wouldn’t want to speculate. You could ask their agent . . . what their motivation is.”

Commissioner Bardenwerper said if the property owners don’t get the zoning they want, they could withdraw their annexation request. Mr. Prichard said if the MPC does
not recommend approval, and city council votes against it on first reading, the property owners could withdraw their request for annexation.

Commissioner Tomy asked what the equivalent county zoning for this property would be. Mr. Merchant said Hamlet Neighborhood is primarily residential. T3-N is mixed-use but leans more heavily toward residential, Mr. Prichard said. T4-N would be allowed here, he said, and it could be a possible equivalence “or a zoning similar to that.”

Mr. Prichard said he’d sent an addendum to the commissioners. This area is designated as community form “Village,” so the request to zone as T-4N is compatible with the Lady’s Island Plan, he said; it’s further broken down as “Village Neighborhood” because “they [the creators of the Lady’s Island Plan] foresee a less intense use,” and the applicant’s request would be allowed under the plan.

Mr. Prichard read about allowable uses in T4-N. Commissioner Semmler read allowable uses in T3-HN and then read from the Lady’s Island Plan, including about the goal of municipality and county coordination, and about the Village Center that Mr. Prichard had cited. With rezoning, Commissioner Semmler said, a developer could build apartments there, per the city code, with 200 units on 20 acres. There is a 4-acre pond, which he doesn’t think would be filled in, but it could be, and “the developer can do anything he wants” once it’s rezoned. He feels “the worst-case scenario,” if it’s rezoned, would be that “there’s no way” anyone in the neighborhood could get across Sams Point Road on “the 2-lane road.” Commissioner Semmler said Miller Road is one of the places being considered for a stoplight. If South Carolina DOT would put it in, and “that little bitty road” couldn’t handle the congestion resulting from the people in the 200 apartment units.

Commissioner Semmler discussed the work on the Lady’s Island Plan. A criterion was that large developments are encouraged to come to the Lady’s Island Community Preservation Committee (CPC). Once this is rezoned, he said, “it’s out of our hands.” The developer could go straight to city council and not to the CPC. They don’t want to stop development and redevelopment, Commissioner Semmler said, and they don’t want to stop annexations that property owners have a right to; his concern is about the rezoning.

Commissioner Semmler asked what the applicants would rezone to if they couldn’t rezone to T3. Mr. Prichard said they would have to choose something in the city’s code. Less intense zoning would be T3-N or T3-S, he said, and he read the descriptions of each zoning from the code.

Commissioner Semmler asked if what is being proposed would be considered an upzoning. Commissioner Semmler asked if what is being proposed would be considered an “upzoning” from the county’s zoning, per Mr. Prichard’s “definition of the term.” Mr. Prichard said he didn’t know. What he had focused on wasn’t the county’s zoning, since
the property would “no longer be in the county, but on “what the Comprehensive Plan” and the Lady’s Island Plan “saw for the future of that area.”

Commissioner Semmler said the key to the Lady’s Island Plan is “to keep the citizens involved in that process, and we’ve completely not done that,” in this instance, which is unfortunate.”

Commissioner Tomy said the MPC has to look at and vote on the annexation and recommend approval or not of the zoning. They can’t substitute the requested zoning, but they could make a suggestion of a substitution.

Looking at the lot pattern, Commissioner Bardenwerper asked “the general size of most of” the neighborhood’s lots. Various members of the public said the lots are “about a half-acre.” Perpendicular to Miller Drive, they’re a little over half an acre, and they’re “about 100 feet deep,” he was told.

Al Hancock, 43 Miller Drive East, said the applicant’s property has been for sale “for awhile,” and he knows there is an offer to buy it, but the sale depends on “changing the annexation and rezoning it.”

Mr. Prichard said the applicant’s “development plan is unknown.” Lady’s Island’s citizens were not intentionally excluded through this, he added. What they said their intentions and desires were – as expressed in the Lady’s Island Plan – were used in the consideration of this annexation and rezoning. “The hope of the Lady’s Island Preservation Committee is that development plans would be brought to them for discussion,” Mr. Prichard said, but “there is no development plan currently” for this property, “just a request for zoning, which could allow a range of uses,” including multi-family dwellings. Commissioner Semmler said, “We’ve seen the results of that.”

Mr. Richards said it has been presented that the owners would like to be part of the City of Beaufort, but the owners aren’t residents. He believes the owners’ “only goal is to prostitute that property for maximum financial gain.”

Ashley [last name inaudible], 13 Sunrise Boulevard, asked what the benefit would be of annexing besides rezoning the property. Also, she said, “the residents of Lady’s Island” were informed of the MPC meeting by “a small sign” on the property that was “put up a week ago,” which she saw while walking her dog. She feels that’s “insufficient notice.” Mr. Prichard said the public is informed in other ways, too, including advertisements in the newspaper and notices on the city’s website and information board. The city followed state law concerning notification, and “there are a lot of people here,” so the notifications worked, he said.

Commissioner Tomy said the MPC could suggest an appropriate zoning and recommend turning down the proposed zoning, then city council would take the matter up. The MPC
could make its recommendation for zoning that would more closely match what is
wanted than the proposed zoning does.

Commissioner Bardenwerper said if the applicants don’t get the zoning they want, they
might withdraw the whole request before it goes to city council. He asked if the
applicants’ zoning request needs to be turned down; when the MPC recommends
annexation, it also needs to recommend zoning, whether it’s what an applicant asks for
or not.

Commissioner Tomy said the MPC can’t do that. There is a request for rezoning, and the
commissioners have to recommend denying it, then recommend an appropriate zoning
for city council to consider; they “can’t substitute a motion.” Citizens can request
annexation into the city, and if the property is contiguous to a growth boundary, it is
allowed, Commissioner Semmler said.

Mr. Prichard said, “Technically, the city is not rezoning”; it’s “establishing zoning for land
that has now moved to the city,” so staff felt it was not “appropriate to charge the
applicants for rezoning” or to have them fill out a rezoning application. Staff asked the
applicants “their preference for zoning with the annexation,” he said.

Chuck Newton, Sea Island Corridor Coalition (SICC), read a statement. [It is attached to
the minutes for the purpose of entering it into the record. – steno.]

SICC doesn’t object to petitions for annexation, Mr. Newton said, and the organization
doesn’t object to the rezoning application of Merritt Patterson and Terra Development
that is also on the agenda, but “we have serious concerns” about the Miller Drive
rezoning. He enumerated current surrounding uses and said, “This parcel is an island in
the middle of a residential neighborhood.”

Developing the uses allowed in T4-N as anything other than residential “would radically
change the character of this predominantly residential neighborhood,” which is
“something the Lady’s Island Plan hopes to retain,” Mr. Newton said, and “commercial
uses” that would be permitted under T4-N “are out of scale and incompatible with [the]
current use.” If the Lady’s Island Plan is to be successful, he said, we must on occasion
be able to say “No.”

Peter Somerville, Lady’s Island, said the presentation tonight has been confusing. The
proposed area to be annexed is only contiguous to the city “where that school is.” No
other property in the area is being proposed for annexation, so the city won’t be
responsible for traffic enforcement there, which he feels will be “a problem when there
is more traffic because of density increases.” Also, Mr. Somerville is concerned because
the city said it had asked the applicants what zoning they preferred, “yet [the city has]
no idea what the applicant wants to do with this property.”
If there’s a question about the Lady’s Island Plan, Mr. Somerville said, the City of Beaufort should ask the CPC about what was intended, not rely on its own interpretation.

Mr. Prichard said this annexation and rezoning are not being proposed by the City of Beaufort; the applicant has requested this, and the city is honoring that request.

**Lolita Watson**, Ribaut Road, is concerned that most of the Lady’s Island residents who are present don’t live in the City of Beaufort and can’t vote for city council. As a taxpayer, she’s always concerned about annexations because of how far the City of Beaufort Police Department has to go on calls, “when its budget is so tight.” Looking at a map of where the city line is, people would be “horrified” at how far those delivering city services to annexed properties would have to go, she said.

**Rikki Parker**, Coastal Conservation League, said this property is in the “Village Neighborhood” area, where the goal is “to ensure that development fits with the existing character of the neighborhood,” in a walkable community that has “a high percentage of residential density,” which is in contrast to T4-N zoning, which has “a broad mix of urban and residential units” and “limited commercial development.” The developer of the Miller Drive parcels could eventually do something that is “consistent with the Lady’s Island Plan under T4-N,” Ms. Parker said, “but they could also do a whole lot more than that.” Coastal Conservation League recommends that the MPC recommend “a slightly lower zoning category” to ensure the development is more consistent with the recommendations of the Lady’s Island Plan, she said.

**Charlene Richards**, 10 Wiggins Road, asked what would stop city council from allowing a developer to put apartments on this property. Vice-Chairman Crower said if the city zones it T4-N, by-right, the property owner could do that. Ms. Richards asked, “What’s to stop them?” if the property is annexed. She recommended that the property not be annexed because “you can’t control what somebody’s going to do on that property.”

Commissioner Alling said she thought that if a resident requested annexation, the property had to be annexed. Mr. Prichard said it’s his understanding that this is not so; city council doesn’t have to annex property just because annexation has been requested.

A member of the public did not give his name but said he lives at 16 Sunrise Boulevard. He said it seems simplest to deny annexation of this property and asked, “If they don’t live here, why are we even entertaining this option?”

Mr. Prichard said city council can deny an annexation request, but a property owner has the right to seek it, “wherever they live.” The law gives property owners this right and protects “their due process to do something that’s legal,” he said. Part of the process is having public meetings where people who “are for or against it” can speak out.
**Michael Marr**, the agent for the applicant, said the property owner had to leave the property “for health reasons.” He has been trying to sell it, but the owners are concerned that they wouldn't be treated fairly because they are in the “Village,” and they were not treated fairly the last time they dealt with the county. Mr. Marr said he is here because the property owners can’t be, and that’s what he knows about what they want.

**Janet Mulcahy**, 36 Thomas Sumter Street, discussed putting in “the circle” and then putting in cookie cutter houses in a piece of property in their area. The neighbors are still very “sore” from what has happened on the land around them, she said. The owners may have had problems with the county in the past, Ms. Mulcahy said, but they want to “get rid of property without going through the proper channels per se,” so they are asking the MPC and the city to “do their dirty work.” She said this “beautiful land” has been “for sale forever,” and now the owners want “to get rid of it however they can,” even if it means “another section of our beautiful Lady’s Island just go[es] away.”

**Steve Holland** said, “We are in the midst of seeing how one circumvents the Lady’s Island Plan.” He said “a developer” had implied that the sale of this property is contingent on this particular rezoning.

**Kevin Cuppia**, Sunset Boulevard, said he respects the property owner’s right to annex, but the surrounding property owners who have lived there for many years have to be respected. He feels the city “won’t take care of that property the way they should.” He asked what the next step is if the MPC turns down the annexation request. Vice-Chairman Crower said the MPC makes a recommendation to city council. Mr. Cuppia believes the city can’t provide services to its current residents, much less serve more.

Vice-Chairman Crower closed the public comment portion of the meeting.

Commissioner Bardenwerper said an important question is whether or not the city has the ability to provide services if this property, which is at the end of a dead end road, is annexed. It’s adjacent to other city property, and if it’s in the city, residents (by way of city council) and the MPC “have some level of control over it.” He thinks the city probably does have the ability to service this property, and if that’s agreed upon, then the commissioners should discuss the rezoning.

Commissioner Tomy said, according to staff’s comments, the city has that ability. Mr. Prichard said he talked to all of the city’s relevant department heads, and they said yes, they could provide services, effective on the date of annexation.

**Commissioner Bardenwerper made a motion, for the purpose of discussion, to recommend annexing the property. Commissioner Semmler seconded the motion.**
Commissioner Alling said they have heard that the public feels keeping the county zoning is best, but that might not be so. It might be better to annex it and zone it T3-S, she said, which only allows single family residents and civic uses. Vice-Chairman Crower said that sounds like an excellent solution.

Commissioner Alling said she doesn’t understand why the public feels that it’s better to have the property in the county than in the city. Commissioner Semmler asked Mr. Merchant to discuss the intergovernmental agreement between the county and the city about annexation. Mr. Merchant said the intergovernmental agreement “recognizes growth boundaries” and that “eventually the City of Beaufort and the Town of Port Royal could annex in those areas.” He’s not sure how this applies to this particular rezoning. Commissioner Semmler asked if there is “wiggle room” to allow an annexation into the city to be denied if someone requests it. Mr. Merchant said if someone were to request that the county upzone a property, “we would direct them to the city.”

The motion passed 4-2, Commissioner Semmler and Commissioner Alling opposed.

Commissioner Fermin made a motion to recommend that city council deny the request to rezone to T3-HN and to recommend T3-S zoning instead. Commissioner Tomy seconded the motion. [Upon review of the minutes, it was discovered that Commissioner Fermin misspoke in making her motion; the rezoning the commissioners voted to deny was T3-N, not T3-HN. – steno.]

Mr. Prichard read the T3-Suburban zoning definition and by-right uses, including single-family dwellings and civic uses, with no multi-family dwellings. The motion passed unanimously.

CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST – Annexing five parcels of property (6.9 acres) at 11 Williams Street, 13 Williams Street, 19 Mayfair Court, 17 Mayfair Court, and 13 Mayfair Court – further identified as District R200, Map 15, Parcels 116, 526, 525, 523, and District R200, Map 16, Parcel 82 – and rezoning them from T4-HC (Hamlet Center) and T3-N (Neighborhood) to T5-UC (Urban Corridor)

Applicant: Merritt Patterson, Terra Development Group

Mr. Prichard read from the staff report and made a correction to it.

The City of Beaufort will be able to provide all services upon annexation, Mr. Prichard said. The applicant is not here, and Mr. Prichard thought “the two partners” would be present, but they are not.

Commissioner Bardenwerper asked how a city police officer could access this site by a public road. Mayfair Court is currently a dead end, Mr. Prichard said. He thinks it is “part of the Lady’s Island corridor plan to make it not a dead end.” Mr. Merchant is no longer present to answer that question, he said. Commissioner Bardenwerper asked if the
public has a right to access this property; if Williams Road is private, there’s no public access to it. Mr. Prichard said a private road could have a public easement.

Commissioner Tomy asked whether there is “a radius” that a fire truck would be able to turn in. Mr. Prichard said part of this issue would be solved in the development of the parcel. Those kinds of access issues don’t need to be solved now, he said. Williams Road is a paved private street, and Mayfair Court is an unpaved county street. A member of the public said there’s a house at 19 Mayfair Court, which is a rental property.

Commissioner Bardenwerper asked what the City of Beaufort would do if it didn’t have public road access, and the owner wanted to build a single-family house on the property. Mr. Prichard said the city doesn’t allow development of property unless there is public access.

Chief Bertholf said this parcel would still be served by the Lady’s Island/St. Helena Fire District in terms of “response,” but all other non-response activities would come from the Beaufort/Town of Port Royal Fire Department if it were annexed.

Commissioner Tomy said the developer hasn’t said he would improve the roads. Chief Bertholf said road improvement would be required for emergency access. Mr. Prichard said the owner would have the same issues if he wanted to develop the property in the county.

Commissioner Bardenwerper said no one could build a new house there without access by a public road. Whatever is built there, they need to figure out how to get public road access first; any kind of subdivision would require public road access, he said. Mr. Prichard said roads in a PUD “are often private.” Commissioner Bardenwerper said the “lowest level of development” is a single-family subdivision, and he doesn’t think they would be allowed to have access through an easement.

**Commissioner Semmler made a motion to recommend annexation into the City of Beaufort. Commissioner Fermin seconded. The motion passed unanimously.**

Mr. Prichard said the property owner desires that the property be rezoned T5-UC. He read from the staff report about this. T5-UC is consistent with the adjacent city property and the first of the City of Beaufort’s strategic goals. He said staff recommends the T5-UC zoning designation.

Commissioner Alling asked what is allowed under the county’s zoning designations (T4-HC, T3-N, and T3-HN) and the proposed T5-UC zoning. Mr. Prichard read about allowed uses in T5-UC. He said there are some apartments nearby to the east on Sams Point Road. He showed a map of the city zoning surrounding the property. He then showed the current county zoning of the properties and described the allowed uses in T3-N, T3-
HN, and T4-HC zoning. Under county zoning, multi-family dwellings are allowed in all but the parcel that doesn’t have an address, which is zoned T3-HN, he said.

It seems like this might logically develop as offices, Commissioner Bardenwerper said. Commissioner Semmler said there’s a good buffer between the office park and the neighborhood, and if it is all zoned the same, “you lose that natural buffer.” Commissioner Bardenwerper asked if there’s a creek on the commercial side of the property. A member of the public said yes.

Mr. Prichard said this is the zoning that was requested, and staff had no issue with it. Commissioner Bardenwerper said it “could be taken down a little” from what the applicant has requested, such as T5-DC. Mr. Prichard said that’s a transect zone in the downtown district, though there’s nothing to say it couldn't be used elsewhere. He knows the applicant is interested in possibly putting storage units on “that large parcel,” so “that’s probably also why they’re asking for T5-UC.”

Commissioner Alling said she recommends zoning “that is as close” as possible “to what is there today.” Mr. Prichard said T4-HC is “less intense” than T5-UC; T4-N is “probably closer,” he said.

Mr. Somerville said he’s “disturbed” to hear the city wants to rezone the property, but staff doesn’t “know what the character of the surrounding property is” and doesn’t “seem to care about that.” The zoning the city has proposed is “high-density” on a street that has two lanes, he said. Mr. Somerville said he assumes the city is “not going to annex the street.” The proposed zoning is “what the developer would like to do,” he said; that zoning “should be on a primary thoroughfare,” which this property is not.

An unidentified member of the public said the proposal is to make these parcels like parcels on Sams Point Road. The back half of this property is “entirely residential,” he said, while the other part is “all woodlands.” He said he’d received an email from Sea Island Coalition, which he read. Pointing out a storage unit by some woods, he said, “We’re going to be moving the commercial corridor north.” 22 years ago, his realtor told him that the area has a “government by, and for, developers,” and he feels that is still the case. He also feels a developer has “something in mind for this property.”

Mr. Prichard said the city hasn’t made a decision about this; it is a citizen’s application for rezoning. “From a professional planning standpoint,” he tries to be neutral, and he doesn’t “even like to make recommendations.” He said he knows what the city wants by reading its Comprehensive Plan, and under that, T5-UC zoning “qualifies” for this property. City council will say whether or not they see it “in the near future,” he said. “Staff is not making a choice for T5-UC,” Mr. Prichard said. He wants the applicant to feel that he’s “getting a fair shake,” and he said he “won’t hold back information” from the MPC or anyone else. In the future, the city sees that this property “could be T5-UC,” he concluded.
Commissioner Alling said the purpose of zoning isn’t to zone something for a developer but “for the betterment of the community, and the developer follows those guidelines.” So, the MPC is meant to think about what would be the best zoning for the community, not about what might or might not happen on the property, she said.

Vice-Chairman Crower said when he looks at the map, it appears that the area around the four corners is “the nucleus of a business area.” Mr. Prichard is suggesting that the zoning continue north, he said, and the zoning would be roughly the same size as what’s already there, then it turns to residential, so he wonders if it would be “better to zone this as something transitional” between the office uses and the neighborhood to the north. Commissioner Bardenwerper said, unfortunately, it doesn’t appear there’s good transitional zoning.

Commissioner Semmler said he wishes “it was less dense.” He said, “This is an opportunity to upzone,” which is what he believes “the applicant is trying to do.” Mayfair Court is an anomaly in that location, he said. A lot of the homes on that court need revitalization, but what he doesn’t like is that the zoning is “abrupt,” not “a smooth transition.” Commissioner Semmler said the applicant could have come to the CPC. He doesn’t want to “disrupt what’s already there.”

Commissioner Tomy said the parcels have “accumulated into a single proposal,” and he feels that they should suggest a different zoning that is “more closely related to the residential character of the area.” There was general agreement that an appropriate zoning would be T3-N. Commissioner Tomy said the MPC needs to protect the interests of the community.

Commissioner Bardenwerper made a motion to recommend that city council deny the zoning request and to recommend T3-N, instead. Commissioner Semmler seconded the motion. The motion passed unanimously.

CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST – Annexing four parcels of property (4.02 acres) at 35 Parris Island Gateway, 43 Parris Island Gateway, 46 Broad River Boulevard, and 41 Broad River Boulevard – further identified as District R100, Map 29, Parcels 13I, 13J, 139 and 13 – and rezoning them from C5-RC/MU (Regional Center/Mixed-Use) to T5-UC/RCMX (Urban Corridor/Regional Mixed-Use)

Applicants: Andrew Burris, Petros 35 LLC and Barry J. McDonald, Dominion Energy South Carolina, Inc.

Mr. Prichard said there is a mistake in the staff report: The annexation request for 41 Broad River Boulevard is from Dominion Energy, while the others are from Petros 35, LLC / Andrew Burris. He read from the staff report about the proposed annexation.

Commissioner Semmler said this is a good opportunity for the area.
Commissioner Semmler made a motion, second by Commissioner Tomy, to recommend the annexation request. The motion passed unanimously.

On the rezoning request, the applicant requests T5-UC/ RMX zoning on the west side of Broad River Boulevard, Mr. Prichard said. He read from the staff report about the T5-UC and RMX classifications. Staff supports the dual zoning, he said.

Commissioner Semmler made a motion, second by Commissioner Fermin, to recommend acceptance of the zoning request for both parcels. The motion passed unanimously.

**CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST** – Annexing 1 parcel of property (35.7 acres) at 302 Parker Drive – further identified as District R100, Map 25, Parcel 170 – and rezoning it from S1 (Industrial) to Light Industrial (LI) Applicant: Chris Fisher, Glass WRX, SC, LLC

Mr. Prichard read from the staff report about the proposed annexation of this property. Commissioner Semmler said this would bring jobs. **Commissioner Semmler made a motion to recommend annexation. Commissioner Fermin seconded. The motion passed unanimously.**

Mr. Prichard said the applicant has requested Light Industrial zoning. He read from the staff report and said staff recommends the zoning and feels it’s compatible with existing development.

**Commissioner Semmler made a motion, second by Commissioner Alling, to recommend the rezoning request. The motion passed unanimously.**

**UPDATE OF COUNCIL ACTIONS**
Mr. Prichard reported on Holy Trinity School’s request for use of part of Southside Park for a soccer field and said city council had postponed a decision on the matter.

The Chamber of Commerce has requested approval to use Waterfront Park for Shrimp Festival this year in October, he said, and the Universal Unitarian Church has requested to use Waterfront Park in October; council approved both requests.

**ELECTION OF OFFICERS**
Commissioner Semmler asked that the record reflect the commissioners’ appreciation of Bill Harris, former MPC chairman.

The vice-chairman becomes the chairman, Commissioner Semmler said, so a vice-chairman needs to be elected. Commissioner Tomy said the chairman needs to be elected, too; the person serving as vice-chairman does not automatically roll over into that position.
Commissioner Semmler nominated Commissioner Tomy to serve as the MPC chairman. Commissioner Fermin seconded the motion. The motion passed unanimously.

Commissioner Tomy nominated Vice-Chairman Crower to continue serving as the MPC vice-chairman. Commissioner Semmler seconded the motion. The motion passed unanimously.

There being no further business to come before the commission, Commissioner Fermin made a motion to adjourn, and the meeting ended at 8:45 p.m.
A special work session of the Beaufort-Port Royal Metropolitan Planning Commission (MPC) was held on July 29, 2019 at 4:30 p.m. in the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Vice-Chairman Jim Crower; Commissioners Robert Semmler, Judy Alling, Mike Tomy, Caroline Fermin, and Bill Bardenwerper; and Fire Chief Reece Bertholf.

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.

Vice-Chairman Crower called the work session to order at 4:30 p.m.

Commissioner Bardenwerper introduced himself.

**FIRE DEVELOPMENT IMPACT FEE STUDY**

Commissioner Semmler said when this first came before the MPC, it bothered him that it was presented in terms of, “You are directed to participate in the impact fee study,” because he doesn’t “like being directed to do anything.” However, as he researched, he learned the county’s impact fees go back to 1999, and he has learned more about the “huge list” of various types of county impact fees, “multi-jurisdictional partnerships that were made,” and more. This information needs to be included in the training for new people on the city’s boards and commissions, he said.

Commissioner Semmler said he thought the way the impact fee study was written was very comparable to the others he had read. He suggested having a contractor “review and confirm the numbers as they’re written” to make sure that fees in lieu, for example, are considered.

Commissioner Tomy said he agreed with that idea. He has looked at how this impact fee equates to those in other jurisdictions, and he feels it’s on the right track. He asked about the county equivalent to this, which he’d like to see in a side-by-side comparison.

Chief Bertholf said the comparison of fire impact fees in Beaufort County is on page 4. He hesitates to compare this impact fee with what has been done by the county; it most reflects what has been done in other municipalities in South Carolina, he said.

Commissioner Fermin said Hilton Head and Burton are not on the list. Chief Bertholf said Hilton Head doesn’t have a fire impact fee, but Burton does.

Commissioner Fermin asked Chief Bertholf if the city has budgeted for impact fee exemptions for affordable housing (under “permits for single-family dwellings” in the study). She said, “Someone has to pay for that delta.” Chief Bertholf replied, “The delta is actually what the city is already paying for.” If the city or town “compensates a capital purchase greater than $100,000, they’re going to fully fund it right now, so any fee that
is collected and attributed to that purchase in the future will actually be an offset, so it doesn't create a delta, and somebody else has to make up the cost. The current taxpayers are already making up that cost.”

Commissioner Fermin asked about “replacement value” on page 11. She asked if there is a capital improvement plan (CIP). Chief Bertholf referred her to Appendix C, beginning on page 34 of the study, and explained the procedure concerning the CIP. Commissioner Fermin asked how its requirements were developed as part of this plan. Chief Bertholf said, “It’s absolutely analysis,” not “a wish list.” There is “an internal fleet replacement plan” for rolling stock, and “internal redevelopment requirements at stations that currently exist” or for a station that is “contemplated to need to exist in the future,” he said. Those two components would drive what the needs are; there is a schedule for replacement of the current fleet that the fire department is “following to the best of our ability,” Chief Bertholf said. “That’s what drives our current capital improvement plan.” The CIP “reflects our current value for replacement of what we already have,” he said, which is why the plan is written “from a consumption-based approach.”

If, in the future, the fire department needed to add a piece of capital apparatus, it would be contemplated under this CIP, Chief Bertholf said. Commissioner Tomy said the anticipated replacement year is not listed here, only the year of purchase. Chief Bertholf said they could add that information.

Commissioner Tomy said he’d like anything that needs to be updated to be sent to the MPC before its next meetings. Chief Bertholf said they would post it for review.

Commissioner Tomy asked if the fire department has a value to attach to each item that is going to be replaced. Chief Bertholf said that is reflected in the replacement values, and the total of those values is $16,065,000.

Commissioner Bardenwerper asked if it’s known how many impact fees are already collected in Beaufort and Port Royal. Chief Bertholf said the City of Beaufort and Town of Port Royal don’t have their own impact fees; they collect an impact fee for the county for transportation. This fire impact fee is the first one that has been contemplated for just the municipalities, he said.

Commissioner Bardenwerper said he’d like to know how much they anticipate generating over what period of time and what they anticipate spending. Chief Bertholf said in the CIP, they were required to list other funding sources that would be available, and to state whether they would be applied if they were available.

On the infrastructure side, Chief Bertholf said, there are questions like, “Do we need to build another fire station?” or to redo one. “It’s a very finite window,” he said, while “on the rolling stock side, it’s almost perpetual.” He continued, “The planning window . . . is the 20-year horizon,” so if the impact fee is adopted, and they do nothing else with it, it
would expire in 20 years. Chief Bertholf explained the steps the fire department could take to extend that planning horizon for another 20 years.

Looking at population and commercial growth trends, Commissioner Bardenwerper asked if there has been a projection made for housing and new business growth to see how much of a fee they could expect to generate. Commissioner Tomy responded that he differs with the projections in the report for 2030 and 2035.

The study says impact fees can’t “be used for operations, maintenance, or replacement,” Commissioner Fermin said, but “your rolling stock would be considered replacement.” It also says that “monies need to be spent within 3 years of scheduled date for construction in the CIP, not 20,” she said. Chief Bertholf said, “The impact fee can go in for a horizon of 20 years – the 3 years of first-in, first-out consumption rate of dollars collected.” The question of what’s realistic to expect about what’s collected versus what’s spent is moot, he said, in that no matter the amount of impact fees they take in, they have to have spent it within three years “on a capital project created [that’s] over $100,000.”

On the matter of using impact fees for operations, maintenance, or replacement, Chief Bertholf said impact fees could be used for “consumption-based replacement of assets over $100,000,” but not to pay firefighters, for example, or for gas for fire vehicles.

Commissioner Tomy referred to page 10 of the study, saying US Census Bureau figures are used for the current population (City of Beaufort: 13,729 and Town of Port Royal: 12,886) and employee (City of Beaufort: 7,935 and Town of Port Royal: 5,463) estimates, but the Census Bureau doesn’t “really consider the amount of land that’s available when you’re in a coastal community like this” in their projections, so for them to project a population of 83,134 “up to 105,000,” would mean “your employment is going to go from 14,000, up 600% to 67,000,” Commissioner Tomy said, which “certainly is not correct,” whether or not those estimates have any impact on the impact fee study. He feels that this “whole area” needs to be looked at “more realistically.”

Commissioner Semmler said the costs per person and per employee were determined using the standard ITE (International Transportation Engineers) formula; he suggested using the 10th edition.

Commissioner Fermin said “bonds or debt relief” have to be offset with the impact fee, or they could incur a lawsuit for “double-dipping” if they were to “receive monies for something and then charge impact fees.” Everything that is contemplated in this study is being done in another South Carolina municipality, Chief Bertholf said. He explained how a lease-purchase agreement with impact fees as a funding source or using fees to offset a bond would work. This is how the Bluffton Fire District grew from three fire stations to nine, he said.
Commissioner Tomy said if they went out for a bond for a fire station, they would “have to show the offset of impact fees as part of that bond.” Chief Bertholf agreed.

Commissioner Tomy said he sees the total asset replacement value at $16,065,000 on page 11, but he would like to see a breakdown of how that number was put together.

Referring to affordable housing exemptions, Commissioner Tomy said, based on these and HUD’s figures, any house that costs $113,183 or less is considered affordable housing and is exempted. The study says the median family income threshold for a family of 4 in Beaufort County is $57,750. Chief Bertholf explained how the affordable housing figure was determined. He said there is nothing in statutes or elsewhere that says exactly what affordable housing is, and a $113,000 mortgage and $1,000 a month rent are arguably not affordable. They could “decrease the ratio of what’s affordable” from 30% to 20% of family income, he said, but “the low end in supportive government documents is 30%; the others are higher. “So it goes up to 50%, but that’s a hardship, basically,” Chief Bertholf said.

Commissioner Semmler said, “The housing needs assessment was just recently finished, and the county’s doing a multi-jurisdictional affordable housing study.” He hopes all entities are on the same page with the figures they’re using.

Commissioner Tomy asked if a determination about affordable housing is “an action item,” or if they are “leaving it the way it’s set up right now.” Commissioner Semmler said he doesn't know. He told Commissioner Alling that he doesn’t know an exact date, but completion of the affordable housing study is “close.” Commissioner Fermin thinks they should reference what comes out of that study in this impact fee study. There are parts of the county in which a $111,000 house “is not affordable,” she said.

Chief Bertholf said he doesn’t know what direction they would take with that because it is data that can be replicated and referenced, so that no one in 20 years would wonder how they came up with their numbers. This probably happened in Bluffton in 1999, too, he said. His department was charged with undertaking this study with “sustainability and capacity” in mind, Chief Bertholf said. “Every bit of this is going to be forecast based on generally accepted practices” in the US or in the state of South Carolina, he said.

Commissioner Tomy said what the commissioners are bringing up are “valid issues,” and he feels that what needs to be modified in the study “ought to have a modifier on it.” So, for example, if they think that the Census Bureau information isn’t “correct, maybe put a modifier in there,” stating that “additional information will be sought,” just as if the affordable housing “studies [that] are being done . . . come up with something that should be considered,” in the impact fee study, “it goes in as an amendment.”

Commissioner Bardenwerper said the concept of impact fees is to charge new development for its proportionate share. He thinks that they could reasonably project
the kind of development that is going to occur in the jurisdictions that are subject to the ordinance. He suggested ways to look at those trends: “take the horizon,” and then anticipate how much would be collected from housing and then from other types of construction. The fee seems reasonable in the way it’s allocated, Commissioner Bardenwerper said, but he doesn’t understand how much they anticipate collecting based on development that will occur, and how this source of revenue will relate to other sources of revenue. It was his understanding that impact fees were to “go toward purchasing new stuff” (e.g., a new fire house or fire trucks “because of new development that might be occurring”), not to “replacing existing fire houses.” The fire department might “be short on revenue,” he said, and he doesn’t know how it would “replace your existing fire engines,” but the way he understands impact fees is that there’s “an impact of new development,” and that impact is not replacing an existing piece of equipment.

Commissioner Tomy said when a community has an old fire station, “it doesn't really function appropriately,” so “something does need to happen to that” in compliance with ISO standards, among other things, “and that's what drives that development.” He thinks impact fees “are a way to finance the improvements that are necessary,” and hopefully “reduce . . . the burden on the taxpayer to [have to] pay for all” of the effects of development. New construction should absorb a portion of that, he said.

Commissioner Bardenwerper said a community with no new development at all could not have an impact fee. “It’s a charge on new development,” he said, for the costs that development brings with it; it’s not a substitute for taxpayers paying “for the things they have.” He said, “It’s basically growth paying for growth.” Commissioner Alling said, “Population growth means greater wear and tear on the structures and the equipment.” Commissioner Bardenwerper said if they could find out how much growth is occurring and how much money the fire department anticipates raising from that with the impact fee, it would help.

Commissioner Tomy said when a group wants to be annexed into a community, you assess the impact “to the existing structure, and if you can’t meet your ISO numbers and everything else that you need through that, then you have an impact that has to be addressed, or you decide not to annex.”

Commissioner Alling asked if there are more accurate figures available than those from the US Census – from the city, the Town of Port Royal, or the county – for growth projections.

Bill Prokop, City of Beaufort city manager, said the county has spent $100,000 on an impact fee study with a consultant. They are taking all of the things that the commissioners are bringing up into account, he said. The study is broken down by the municipalities within the county, Mr. Prokop said. The City of Beaufort has no impact fees; the county gets 99% of the transportation impact fee, and the city gets 1%, yet the
city has to maintain the roads. Also, Beaufort gave all of its parks and recreation facilities to the county, he said, in lieu of having a parks and recreation impact fee.

The county’s affordable housing study was completed 1½ years ago, Mr. Prokop said. The numbers for housing costs that are being used in the fire impact fee study are from that “consolidated group’s” study. He added that the City of Beaufort and Port Royal don’t have library impact fees.

Commissioner Tomy said he’d like to see the county’s final study to see how it relates to this. Commissioner Alling said the information that Mr. Prokop cited should be used when it’s provided.

Commissioner Tomy said on page 26, the calculation of impact fees is discussed. He objects to the word “reasonable” because “that’s an undefined terminology.” On page 27, Section 6-1-1020 (A)(1), “the impact fees have not been expended within 3 years of the date,” so he suggested substituting “3 years” as a timeframe instead of “reasonable.” Chief Bertholf said all of the text from pages 18 to 30 is “the state law, so I can’t change anything in there,” only in the impact fee study, which is before that section.

Chief Bertholf said, “A lot of this is verbatim from the law that goes into the draft ordinance,” but when they move into the draft ordinance phase, the verbiage might not end up being exactly the same.

Referring to page 28, Section 6-1-1030 (B), Commissioner Tomy said rather than “irrevocable letter of credit,” he is used to “escrow funds,” and in Section 61-1040 (A) (3), to “ . . . until the development fee is paid,” he would add “with interest accrued.” Chief Bertholf said they would take down Commissioner Tomy’s comments, and they would ask an attorney if they might be able to change the language “when they get to the point of ordinance development.”

Vice-Chairman Crower said if any of the numbers are changed based on new data from the county or other sources, a reference to that needs to be made “so it doesn’t look like we’re just fudging the numbers.” If the numbers need to be adjusted, he thinks they need to “keep track of our assumptions and what sources we use to change those numbers.”

Commissioner Fermin said on page 14, for a single-family attached or detached residence, the number of persons per household is 2.69, and the cost per person is $305.43; the impact fee per unit is the same: $305.43. She asked if it shouldn't be $821.60. Chief Bertholf said they struggled with this, and they didn't want to “create a variability that couldn't be dealt with.” They couldn't figure out a good way to verify the difference in houses with more or fewer bedrooms, he said, which is how some impact fees do it (i.e., to determine the number of people in a house), so instead they followed
examples that “used your allowable impact fee for what should be charged for a single-family residence.” This applied to a multi-family dwelling or a mobile home, too, he said. They “found examples where they did not use it,” Chief Bertholf said, “and we tended to agree with that one because it gave us a level playing field.” If you “use numbers that basically [say] more people live in a mobile home than [in] a single-family dwelling, you would have a disparate effect on places that we wouldn't want to have that effect,” he said. It doesn’t change the impact on the fire department “that much” when more or fewer people live in a house. The department has been very successful at determining that “what drives our cost basis is rooftops,” Chief Bertholf said, which is how their costs are divided between the City of Beaufort and the Town of Port Royal, for example.

Chief Bertholf told Commissioner Fermin that the tables in the draft study would be in the ordinance because “it gives us the use per” residence, and the employee/space ratio also gives them “the formula we need to make it correct.”

Commissioner Fermin said, “You could have less than 50,000 square feet, up to 400,001 square feet” of general retail (page 16), “and the price is still $592.34.” Chief Bertholf said the “service units” column “delineates the service unit that you use in the factor for the type of use.”

Commissioner Alling asked for an explanation of the “huge difference from one impact fee to another.” John Robinson explained the range among the different land use categories. Within a given category, for example, “a service unit is per 1,000 square feet,” he said, so if the building “was 51,000 square feet, the service unit calculation would be 51 times the employee space ratio times the cost per unit,” and it would be similar for any other land use, to calculate the impact fee.

Chief Bertholf said the county ordinance “normalizes everything back to . . . equivalent dwelling units.” The ITE book is utilized across all impact fees, not just fire, he said. Staff decided this was the way to determine all impact fees. Mr. Robinson said all impact fees – for transportation, water, etc. – refer to the same document.

Chief Bertholf described what the next steps would be.

Chief Bertholf said in a week or two, they would address the commissioners’ concerns. They have developed a draft ordinance that they will draw up for the next MPC discussion, and they will also have “the draft ordinance that has to be put forward for the CIP,” so they will all look at that.

Dick Stewart presented a handout on impact fees, infrastructure, and sprawl. He said impact fees can facilitate local economic growth, but if they’re used like they were south of the Broad, impact fees “lead to rapid, sprawling development.”
Mr. Stewart defined sprawl and said he finds that “many times, our county administration” views the county “as just like the cities and towns” within it, “except they get to make the decisions on [inaudible].” He said, “One of the things we’ll be asking you to consider is whether you could exempt key redevelopment districts within the city and the town.”

Beaufort experienced a population decline because residents moved to areas outside the city limits, Mr. Stewart said, “some of them to Bluffton.”

Mr. Stewart said in Atlanta, sprawl affected the quality of life, which is a high cost. He reviewed the negative consequences of sprawl on residents and environment, including increased traffic, higher taxes, and separation of residents from their jobs.

Mr. Stewart named some vacant buildings (e.g., the closed Dukes BBQ retail center, the empty Beaufort Gazette building) that could be redeveloped, which is more expensive than taking out pine trees, and these costs “cause people to go elsewhere.” The city manager said the reason there is no park impact fee in the City of Beaufort is because the city gave its parks to the county, Mr. Stewart said. Hilton Head Island owns its parks, and gated communities own their own recreational areas, he said, so there’s not a need for the city to have a park impact fee. He then described why the City of Beaufort doesn't have a library impact fee.

Mr. Stewart asked why the fees should be the same as in areas without infrastructure like streets, schools, parks, libraries, and fire stations.

Mr. Stewart said he doesn’t want Beaufort to be like Bluffton, and creating another shopping node on Lady’s Island would create “another place where we’ll have problems.” It’s unknown what is in the Port Royal Sound, he said, for example, because research hasn’t been done, but he described a potential medical benefit to be gained from 200 organisms that live in the waters of the sound, so before run-off from asphalt, oil, and gasoline “destroy it,” he feels they should determine “what potential that has.”

Mr. Stewart said Chief Bertholf had talked about rooftops. As an example, he said, if a Boundary Street property is developed to be 120 apartments where there were businesses like restaurants, the property tax for the current use is $20,526, while the property tax for the proposed use is $563,000, “about a quarter of which would come to the city,” a quarter to the county, and half to the school district. He agrees that “outmoded stuff” needs to be replaced, and he’d like to see it done this way, rather than having vacant lots with huge buildings on them (e.g., Duke’s BBQ, one-story buildings on Boundary Street). “There are great opportunities to take advantage of the infrastructure we already have here,” he said.

On the same proposed use as above, the BJWSA impact fee is $427,443, Mr. Stewart said. When he looked at redeveloping the former BB&T bank building as a coffee shop,
the cost of sewer, water, and traffic impact fees was $44,000, though he feels a coffee shop wouldn't use more water or create more traffic than a bank did. The “reason for that [large fee] is we treat redevelopment just like we treat greenfield development” in the application of these fees, he said.

The total impact fees for the Boundary Street apartments when adding in traffic and fire impact fees would be $529,412, Mr. Stewart said. If he were to do that same project in Jasper County, he said, “our taxes might be a little high, but I guarantee you I can get a fee in lieu reduction, [and] our impact fees wouldn’t exist, unless I’m on the Beaufort-Jasper water system,” and in some other counties, “I don’t have to pay any of that.”

Mr. Stewart said he moved back to Beaufort because it’s a walkable community. What he’s talking about isn’t “just about finding ways to shift property taxes off property taxpayers onto impact fees,” and it’s “not just low impacts on people who do development.” It’s “not what you think about if you’re a city that’s committed to a civic growth plan and an infill plan,” he said. They need to be subsidizing “job creation at infill- and property tax-paying businesses within the boundaries of the city,” Mr. Stewart said.

Mr. Stewart asked Jonathan Sullivan, BAHA (Beaufort Area Hospitality Association) chair, how much “you guys . . . contribute[d] last year to the city budget.” Mr. Sullivan said, “Just under $1,025 per guest room,” which Mr. Stewart said totaled “about $3.8 million.”

Mr. Stewart said many bigger projects would be required to have sprinklers, which is helpful to the fire department. He asked them to consider if infill and redevelopment is important, and to consider that on major corridors like Boundary Street – where $33 million in local and federal funds were spent “to create investment” – while the fire department isn’t “a big piece of that,” impact fees on infill and redevelopment projects could be “the straw that broke the camel’s back . . . causing that sort of development to move elsewhere and to subsidizing sprawl.”

Infill and redevelopment have much greater efficiencies, Mr. Stewart said. “Corridors where redevelopment is supposed to happen,” he said, are Boundary Street, Highway 170, Ribaut Road in Port Royal, “and probably a portion of Lady’s Island.”

Mr. Stewart discussed BJWSA fees on a Beaufort Inn cottage on Craven Street and said based on monthly use, “we have overpaid by 73%.” Like stormwater and other fees, “impact fees just kind of spiral along,” he said, cautioning the fire department against that.

Chief Bertholf said he has to plan based on the Civic Master Plan, future land use maps, and the Northern Regional Plan – the implementation of which “contemplates the areas that I’m responsible for to one day be from the Whale Branch Bridge, basically, to
Cowen Creek.” This is an opportunity “to get services ahead of growth,” he said; for the 20 years he’s worked for the City of Beaufort/Town of Port Royal Fire Department, “the service has been behind the growth.”

There being no further business to come before the commission, the work session adjourned at 5:45 p.m.
A meeting of the Beaufort-Port Royal Metropolitan Planning Commission (MPC) was held on **August 19, 2019 at 5:30 p.m.** in the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Mike Tomy; Commissioners Jim Crower, Robert Semmler, Caroline Fermin, and Bill Bardenwerper; City of Beaufort Director of Community & Economic Development David Prichard; Linda Bridges, Town of Port Royal planning director, and Rob Merchant, county planning director. Commissioner Judy Alling was absent.

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.

Chairman Tomy called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

**MINUTES**

Voting on the July 29, 2019 special work session and regular meeting minutes was tabled until the next meeting because the commissioners did not receive the minutes in advance of the meeting.

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

**REZONING ONE PARCEL OF PROPERTY IN THE VICINITY OF 2811 BOUNDARY STREET,** further identified as District R120, Map 26, and Parcel 146A – The current zoning is T5-UC (Urban Corridor); the requested zoning is T5-UC/RRMX (Regional Mixed-Use).

*Applicant: OP Acquisitions, LLC*

Mr. Prichard read from the staff report. Staff supports this request, he said, and feels this is appropriate zoning. The commission had no questions of staff.

Commissioner Semmler asked if this applies to the Caliber Collision Center, which is next to the marsh. **Heather Spade** said this is “the property in front of that.”

There was no public comment, so Chairman Tomy closed that portion of the meeting.

**Commissioner Fermin made a motion to recommend rezoning the parcel to RMX. Commissioner Bardenwerper seconded the motion.**

**Commissioner Fermin withdrew the motion and Commissioner Bardenwerper his second.**

**Commissioner Fermin made a motion, second by Commissioner Semmler, to recommend rezoning the parcel to T-5 UC/RRMX.**
Chairman Tomy said he hates to see another parking area for used cars, but that is included in this. Mr. Prichard said the applicant wants more flexibility, which this zoning offers. **The motion passed unanimously.**

**REVIEW OF PROJECTS FOR THE TOWN OF PORT ROYAL**

**REZONING UNDEVELOPED PARCELS AT HAMRICK DRIVE AND BROAD RIVER DRIVE,** further identified as District 112, Map 33B, Parcels 90A, 137, and 138 – The current zoning is T3-Suburban Neighborhood (SN); the requested zoning is T3-Neighborhood (N).

Ms. Bridges read from the staff report and pointed out a map in the commissioners’ packets. The 3 parcels total about 15 acres and all have one owner; they are undeveloped and currently zoned T3-Suburban Neighborhood. The property was annexed into the Town of Port Royal in 2001 and was zoned General Residential at that time, she said.

T3-Neighborhood is the proposed zoning, Ms. Bridges said, and she read an excerpt from the code about the uses and intent of that zoning. She pointed out property surrounding the subject property that is in unincorporated Beaufort County.

Both the town and the county have T3-N surrounding the subject property, Ms. Bridges said. There is a public park surrounding the northern part of the parcel. There are public services, a school, and commercial and office uses north of these parcels.

Ms. Bridges told the commissioners that she’d provided standards for T3-N. She reviewed the Future Land Use map from the town’s Comprehensive Plan.

Ms. Bridges asked the commissioners to look at the applicant’s narrative statement. The zoning is only a part of property development, she said; stormwater regulations, trees regulations, and building codes “would come into play” as well. There are no “environmental issues of note,” she said, or issues with delivery of services.

Letters about the rezoning request were sent to property owners in the area surrounding the subject property, Ms. Bridges said.

Ms. Bridges said a woman who was unable to attend the meeting had expressed concern about traffic on Board River Drive, environmental issues, and increased crime in her neighborhood, as well as concerns about additional impervious surface increasing area stormwater problems.

Chairman Tomy confirmed that engineering would take care of any run-off issues. Ms. Bridges said the town has its own stormwater engineering consultant and uses the county’s stormwater standards. City water is used in the area, she said. The commercial properties on Parris Island Gateway have sewer, as does an apartment complex and
Lowcountry Medical, but there are some residences in the area without sewer, she said.

Commissioner Semmler said this “looks like the proverbial donut hole.” Ms. Bridges pointed out the parcels comprising a park adjacent to the parcel, then pointed out all of the subject parcels and said the park is a “neighbor.”

Ms. Bridges said duplexes are allowed in both T3-SN and T3-N, but cottage courts, mansion apartments, and landmark buildings are allowed in T3-N.

Ms. Bridges said she believes “the entire portion” is in the flood plain. Chairman Tomy said he believes the whole neighborhood is, too. Commissioner Semmler said they’ve had property like this before that was filled in. Ms. Bridges said there wouldn’t be run-off from Shell Point Farms. Property to the north of the subject property was probably permitted in 2002 or 2003, when the stormwater regulations were not as stringent, she said. She also believes that some of the stormwater methods that were designed were not maintained as they should have been.

Ms. Bridges told Commissioner Semmler that the Northern Regional Planning Implementation Committee is reviewing the fill ordinance. The Town of Port Royal should be taking up the question, and it might be an adopted protocol in the town, too, she said.

Steve Burris, the property owner, showed the site as it is now. About 40 buildings were proposed, and they would be duplexes, which would “realistically” be a total of 74 or 76 units, he said.

The law doesn’t allow a developer or owner to run more water off the property than is already there, so if they build more impervious surface, they have to engineer it to take care of that, subject to the review of the Town of Port Royal engineer, Dr. Burris said.

The canal problem, Dr. Burris said, occurred because when Shell Point was developed, there were not adequate pipes under the crossings, so now the water runs over the roads in a storm and “backs up on this property.” The problem is coming from “all the development upstream on that canal,” he said.

Dr. Burris said in the original plan, every current property owner would share “a fence with a new lot owner,” with a “duplex right at the back door.” The residents asked if there were a way to avoid building “right up to the fence,” so he looked into it, seeking to meet the development goal of 76 units but reconfiguring it to “leave a nice green space” to separate the current residents from the development. None of the residents of the dwelling units on one side of Broad River would “share a fence with a landowner,” and on the other side, he would eliminate dwelling units in three places, so the property owners wouldn’t have “a unit on each side of their existing property.” He has “tried to eliminate as much of the contiguous property as [he] can,” concentrating
the density elsewhere.

The rezoning would allow the different types of dwelling units that Ms. Bridges had described, Dr. Burris said, so instead of just duplexes and single-family dwellings, “there would be a minimum of three” units and a “maximum of six” units, which gives the developer the same number of units they had with “40 lots next to all the neighbors.” He said he’s requesting this rezoning to provide a buffer and some space for the current residents, which would better meet the existing neighborhood’s needs.

Dr. Burris told Chairman Tomy he’d be bringing in sewer. There is a line that he pointed out that runs along Broad River Drive to the end of Hamrick Road. He will do whatever is most practical to serve the community’s needs. He has some septic tank permits for the first couple of lots on the end, but since he is “doing the whole property,” he has decided to bring in sewer.

Commissioner Crower said he’s confused about the traffic pattern. Dr. Burris said there could be “a flow-through” traffic pattern. He showed what would be permitted if he met the stormwater and other requirements.

Chairman Tomy asked a timeline for development. Dr. Burris said he would start architectural plans, etc. to “accomplish the rezoning” with the town, but if he doesn’t accomplish that, he will go through with the original plan.

**John Kaczowka**, 405 Broad River Drive, said he represents himself and neighbors at 404, 399, and 400 Broad River Drive who were unable to attend the meeting. He read from a statement about his concerns. [The statement is attached to these minutes by way of entering it into the record. – steno.]

The property owner does not reside in the neighborhood, Mr. Kaczowka said.

**Gerald Eller**, 387 Broad River Drive, this a wetland, and a stream behind it is full most of the time. The wetlands absorb most of the water from storms, he said. If they were filled in for apartments or other dwellings, the water would have come into his yard, as it nearly did during Hurricane Irma. Mr. Eller is concerned “the neighbors will be flooded out” if this property is developed.

**Joe Simpson**, 505 Hamrick Drive, said he’d brought 17 photos of the flood zone, which he handed to the commissioners. There is “an extensive wildlife refuge” on the subject property, with deer and other animals that come up to his property. A lot of fill would have to be brought in, he said, if it is developed into multi-family residences. Water is already running onto his property, Mr. Simpson said.

Chairman Tomy said engineering standards would need to be met, and the developer would have to retain any water onsite. He asked Mr. Simpson if he had talked to the
county about resolving the issue of water coming onto his property from the developments that are north of it. Mr. Simpson said that’s “a concern,” and he’s been speaking with the neighbors who live “on the Shell Point side on Baynard” where it “connects to Shell Point Farms.” They have “substantial run-off into their backyards right now from Shell Point Farms,” he said, and he believes that development was engineered to the county’s standards.

“The entrance and exit points are on the little dirt road,” Mr. Simpson said, so he is concerned about “the volume of traffic” and about crime; therefore, he opposes “any development in that area.” He hopes the commissioners will take the current residents of single-family homes into consideration and the privacy they would lose with a large development in their backyards.

Marina Michaels, 306 Shell Park Circle, said there was “a lot of activity back there,” and now, every time it rains, she has water in her backyard; the swale behind her house “is always full now,” which it wasn’t when she moved there 7 years ago. She doesn’t think engineering will help, because even in the park, the sidewalk is under water on “one whole side . . . after a good rain.”

There are a lot of wildlife and birds on the subject property, Ms. Michaels said. “Section 8 housing brings in a crime element already,” she feels, and that would spread if there were further development, so she is opposed to this project.

Leila Kent, 301 Shell Park Circle, said that a couple of years ago, her whole neighborhood was trying to get on sewer because they were all having problems with septic, but “we couldn't afford the $30,000 mortgage we’d have to take out to put in the sewage.” This is a bad problem throughout her neighborhood, and she thinks “any more development is just going to enhance the problem we already have.” Ms. Kent asked the MPC to “please consider what this is going to do to our neighborhood.”

Matt DeVito, 501 Hamrick Drive, said his property is on the ditch line. It is a tidal ditch, and it’s full at every high tide, he said; excess water goes into the empty lot now. If the property is developed, the water would have to be retained on it, but there will be no buffer zone, especially at high tide, he said. Mr. DeVito said his property floods during heavy rains at high tide now, so he is concerned it will be worse with development.

Chairman Tomy said that the developer could develop this property now, but he is putting up an option to put green space between the neighbors and the development, which might help with some concerns. Mr. DeVito said he understands that the development will happen whether the rezoning happens or not, but there are also concerns about excess traffic because the road currently isn’t wide enough. Chairman Tomy said he thinks the owner is not currently at that point with the engineering.

Cindy McAlhaney, 290 Broad River Drive, said she is currently dealing with trash that
comes over to her property from the Bi-Lo parking lot, and it’s difficult to deal with the traffic at the school in the morning. There are no speed bumps. This development would bring in more people, she said, and she’s concerned about that. At Parris Island Gateway, half of the people who go to Bi-Lo turn on Broad River Drive first, and then turn in to the shopping center, Ms. McAlhaney said.

**Susan Hollingsworth**, representing the resident at 507 Hamrick Drive, said her mother knew there would be more neighbors at some point, but not this many.

**Trey Smith**, 615 Broad River Drive, showed property his family has owned and property he has purchased. He’s not opposed to the rezoning but is concerned about “what the rezoning would bring in.” He asked for rezoning to build a fish pond two years ago and said he has been going through hell trying to get it, including the bond and expenses.

Mr. Smith would like to know what the development would look like. He saw “pictures of the 76 duplexes,” then “a re-draw” of the plans. He said if the property is rezoned, he’d like there to be conditions, not “jamming in as many homes” as possible. He asked if Dr. Burris would be doing the development, or if Dr. Burris wanted to have it rezoned in order to sell the property to another developer.

Mr. Smith discussed crime at the apartments in the area; he has called the police many times about what goes on there late at night, so he is concerned about more crime with more apartments.

Chairman Tomy closed the public comment section.

Dr. Burris discussed a storage facility he’d rezoned and redeveloped, and another development that went through annexation and rezoning with the MPC. He said he might be the developer of all or part of this project, but he might not.

Dr. Burris said Hamrick Drive is “a 50-foot roadway.” The county has about 18 feet of pipe on the 50’ right-of-way, he said, and it’s “a very poor design,” where water backs up on the properties. He pointed out the existing canal and “the first dam,” which isn’t big enough to handle all of the water. There is a lot of trash in the culverts, he said. Dr. Burris pointed out other dams and said the flooding problems are not the fault of the property he is talking about developing but of “poor design from the state and the county standpoint.”

Dr. Burris said they are not here to discuss whether or not he can develop the property, but whether it can be rezoned to move the bulk of that development away from the existing neighbors and allow as much green space as possible there.

Commissioner Bardenwerper asked about plans for parking for the units under both the current and proposed zoning. Dr. Burris said the Town of Port Royal requires specific lot
sizes. With T3-SN zoning, there is either a 2-car garage (one space for each unit) or a parking pad behind each duplex, with a driveway beside the duplex.

Commissioner Bardenwerper asked how wide the lots are. The minimum requirement is 75’ x 100’, a member of the public said. Commissioner Bardenwerper said, subtracting the driveway, each unit in the duplex would be 30 feet wide, and Dr. Burris said, “or less.” The Town of Port Royal requires parking to be behind each unit. He then indicated a “sample of rear parking” on a drawing for T3-N zoning. Street parking would be for guests only, he said.

Commissioner Bardenwerper said detention controls the rate of runoff, so there has to be a system the water can drain into, and given the nature of the area, he’s not sure the duplex plan could be “a given.” The development in the area took place before there was stormwater management there, he said. Chairman Tomy said engineering would decide if it was a detention or retention system. Commissioner Bardenwerper said it’s likely to be detention. This is difficult because the commissioners have to guess at what there will be with design and engineering, he said; they have to look at what they could do “theoretically.”

Dr. Burris said what he’s presenting is a “concept,” and it is “totally conditional.” He believes the law says that “if you provide any impervious surface to the property, you have to retain 100%” of the stormwater, “up to a certain amount” for a period of time and then release it somewhere.

An unidentified member of the public said the elevation on the creek side is higher than the other elevation, so she asked if the water would be “pumped uphill.”

Dr. Burris said there are probably bumps on Broad River Drive that are higher than the road, but the marsh is above the property under discussion. Multiple pipes would greatly increase the outflow of the water across that road, he said. He pointed out the lots where the water backs up when there is a storm. This is not because of the subject property, Dr. Burris said, but because the water has nowhere to go.

Chairman Tomy asked Ms. Bridges if there have been discussions with the county about controlling stormwater runoff from commercial properties in this area and about installing speed bumps. Ms. Bridges said the development of the northern commercial properties, including the widening of Parris Island Gateway, added impervious surface, and then there was further commercial development, which did more of the same. She didn’t know that “the path of travel for stormwater” was off of the commercial development on Parris Island Gateway until Dr. Burris pointed it out, so now the town and Beaufort County are aware of that.

All the north of the Broad jurisdictions are in partnership with each other on the stormwater issue, which is a regional issue, Ms. Bridges said, and they’re “playing catch-
up” on redesign and maintenance of their stormwater systems now.

Ms. Bridges said speed bumps are not a recognized solution for SCDOT on a road like this one is. The speed limit is 30 mph on Broad River Drive. The town or Beaufort County do not have the opportunity to put speed bumps there, so SCDOT would have to do that, and they wouldn’t think of that as one of the first things to do on a 30 mph road.

Chairman Tomy said he’d like to see the town have a conversation with the county and engineering since most of the commercial area is in Port Royal. He said he’d like engineering to take a look at it. Ms. Bridges said the application would probably move forward to town council next month, so she would advise the neighbors to attend those meetings. The town would bring appropriate staff to provide answers on stormwater, she said. Chairman Tomy said it would be great to have someone there to discuss what could be done.

Mr. Kaczowka discussed the neighborhood’s past efforts and said they are asking for single-family development, not apartments, which “bring crime.”

Commissioner Semmler said a couple of years ago, he commented that they are running out of buildable lots in the Lowcountry, and the majority of those that remain are below the water line. The developer has the right to develop this property, he said, and they have to figure out how to “mitigate that” and not do more damage to the areas around the property, while maintaining the health and safety of the residents.

Commissioner Semmler said he’s “very concerned about the fill.” He cited the example of Walmart and of the Taco Bell across from it, where it was done by-right, and the properties adjacent to them are flooding now. Addressing this isn’t easy, he said, and whoever develops this shouldn’t be allowed to raise the property above a certain level, which the MPC can’t dictate, but he feels they should point it out to town council, which can. The culverts might have been the right size at one point, but there are a number of reasons they’re inadequate now, Commissioner Semmler said, which adds to the backing up of stormwater. He agrees that the residents need to voice their concerns at town council.

Chairman Tomy said it’s incumbent on the developer, the town, the county, and the city to develop a plan. Commissioner Semmler said it’s the town that the developer needs to work with.

Chairman Tomy said there have been issues with crime and safety, so he would like the police chief’s attention to be brought to that issue.

Commissioner Bardenwerper said the application doesn’t look like there’s a reasonable stormwater plan for a development, and he can’t imagine how they are going to address the issue on this property. It could be done, but he also knows there are properties that
can’t be developed, with or without the proposed zoning change. No one is present to speak, even theoretically, about how stormwater would be handled, Commissioner Bardenwerper said. He can’t support rezoning and isn’t convinced the property could be developed, and he doesn’t feel the MPC has the information it needs to make an intelligent decision about this without first hearing from a stormwater expert.

Commissioner Semmler said town council would hear this application whether the MPC votes to recommend it or not. Commissioner Bardenwerper said he feels the commissioners “can’t make a serious recommendation” because the question – Is there a practical way to develop this with the stormwater issues that are there? – presents “a gaping hole in our knowledge.”

Chairman Tomy said Dr. Burris wouldn’t make an investment in engineering until he knows if the property is going to be rezoned; the MPC’s job is to determine if it should be rezoned. Commissioner Bardenwerper said there are some basic, unanswered questions about a fundamental issue, and the residents have presented the commission with the knowledge that this is “a big problem over there.”

Commissioner Bardenwerper asked Ms. Bridges about the MPC recommending that the applicant come back to the commission with more information. According to state legislation, Ms. Bridges said, “they have 30 days” before it would go to town council; there is a way to work “something out,” but it’s unlikely the town would engineer the project for the applicant, since it’s not the jurisdiction’s responsibility. There have been a fair number of these issues before, she said, and it’s “chicken or egg” for the developer.

Commissioner Semmler said Dr. Burris doesn’t have to wait on the MPC’s recommendation. Dr. Burris said whether the property is rezoned or not, it can’t “get any traction” with the Town of Port Royal unless a stormwater management plan is submitted and accepted. If the engineering “doesn’t fly, we can’t do the project,” he said.

**Commissioner Semmler made a motion to recommend rezoning the property to T3-Neighborhood, with serious concerns about drainage, stormwater, and security enforcement. The motion failed for lack of a second.**

Commissioner Bardenwerper asked if Dr. Burris would agree to wait 30 days for the MPC’s recommendation, during which time he would provide the requested information about engineering and stormwater management to the MPC. Chairman Tomy said the MPC could make a motion to table if Dr. Burris agreed to this “stay.”

**Commissioner Bardenwerper made a motion to table the matter,** so Dr. Burris could provide engineering information to the MPC. **Commissioner Semmler seconded.** Dr. Burris clarified that the commissioners are saying he doesn’t need an engineering plan.
but to bring an engineer to the MPC meeting to say how stormwater could be managed.

Ms. Bridges said the Town of Port Royal probably couldn't bring the town’s engineering consultant to the next meeting. The motion passed 4-1, Commissioner Crower opposed.

REVIEW OF PROJECTS FOR BEAUFORT COUNTY

TEXT AMENDMENT to limit residential density to developments not located on public sewer in the Lady’s Island Community Preservation District (LICP) and the Lady’s Island Expanded Home Business District (LIEHB) (Appendix A, Division A.2 and A.3)

Mr. Merchant said this is a text amendment for the Lady’s Island Community Preservation District (LICP) and the Lady’s Island Expanded Home Business District (LIEHB) to restrict residential density in these districts to 1 dwelling unit per 2 acres if the development is not served by public sewer. The current allowed density is 2 to 2.2 dwelling units per acre, he said.

This proposed amendment is recommended in the Lady’s Island Plan as part of a strategy to manage growth on the island, Mr. Merchant said. It will control the development on Lady’s Island to areas being served by public sewer.

Mr. Merchant said, “If you want to develop a major subdivision . . . you need public sewer,” or the density would be one dwelling unit per 2 acres, which is “a much lower density that’s more rural.” There are many small, 1- or 2-acre subdivisions on Lady’s Island, he said. A provision of this text amendment “would allow minor subdivisions to simply go down to a minimum lot size of a half-acre,” without being required to connect to public sewer, so small property owners who wanted to subdivide wouldn't be “required at that level of development to tie into public sewer,” Mr. Merchant said.

The Lady’s Island Community Preservation Committee (CPC) heard this question this morning, and there was a concern that someone could string together “a bunch of minor subdivisions” to make a major subdivision in order to work around this, but there are provisions in the code that would make that difficult, which Mr. Merchant explained. (E.g., Once a property is subdivided using a minor subdivision, there’s a five-year waiting period [which runs with the property, not the property owner] before it could be subdivided again.)

Mr. Merchant showed a map of the areas on Lady’s Island that are currently served by public sewer. Until the late 1990s, development was done on septic centers, he said. Since then, development has determined where sewer goes, and he provided examples of that. New developments, then, have primarily been served by public sewer, Mr. Merchant said.

New Point is on septic systems, Mr. Merchant told Commissioner Bardenwerper.
Mr. Merchant said sewer isn’t too far away, but it requires the installation of a pump station, which adds an expense to development.

The CPC unanimously supported this change today, Mr. Merchant said. After the MPC, it would go to the Beaufort County Planning Commission, then on to county council.

**Commissioner Fermin made a motion to recommend approval of the text amendment to limit residential density in developments in the LICP and LIEHB districts when public sewer is not available. Commissioner Bardenwerper seconded the motion.**

Commissioner Semmler said this supports the Lady’s Island Plan, and it’s something that should be considered in other parts of the county, including in some more urban areas.

Chairman Tomy said the Port Royal Sound Foundation is extremely concerned about runoff going in there, and “it’s up to us to save” that “pristine” area. Commissioner Semmler said the previous application is a perfect example of this problem. Chairman Tomy said if city sewer is brought in for that development, others would be able to get on sewer.

Fire Chief Reece Bertholf said he’d just developed the fire station on Highway 170, and he “implored” the MPC “to find partners with the utility authority to help these people” because, even with the leverage of a municipality, it “cost another $100,000” for the fire station “to go 700 feet” in order to get off of septic and onto sewer.

**The motion passed unanimously.**

**FIRE DEPARTMENT IMPACT FEE**

Chief Bertholf said he had prepared a memo for the commissioners, which was then distributed to them. He said he’d like to have an MPC work session on the ordinance and to look at the study and the capital improvement plan. There was general discussion about procedure and the content of the memo.

Commissioner Bardenwerper said there were a lot of questions last time, and a public comment from Dick Stewart about not having an impact fee for the whole city, but potentially “exempting the highest intensity areas.” Commissioner Bardenwerper asked if Chief Bertholf had given any thought to the idea of having the impact fee in higher growth areas, rather than in the “urban corridor of our small city.” Chief Bertholf said the city manager has taken those concerns into a meeting with Mr. Stewart. The city is “concerned [with] differentiating redevelopment districts based on” the idea that “governments should not be picking winners and losers,” Chief Bertholf said. If the city provides incentives for one redevelopment corridor by exempting impact fees, he said, “we will get the same argument [about] some other redevelopment corridor.” The basis of the impact fee study “uses the consumption-based approach,” which is citywide and for both development and redevelopment. He added that they “could send this to open
discussion with both councils with a myriad of options,” Chief Bertholf said.

Chief Bertholf discussed the maximum allowable impact fee, saying the MPC could make its recommendation on that, which will then go to city and town councils.

Chairman Tomy said he’d like the city manager to be at further discussions. Chief Bertholf said that would happen.

Chairman Tomy said if incentive zones were identified and done appropriately, no one would know what developer was in an area, and it would close that gap without favoring one developer over another.

Commissioner Bardenwerper asked if it’s possible at the next work session to show the commissioners some of those “priority infill areas” that might “potentially be considered for exemption.”

**MPC WORK SESSION SCHEDULE**

Chairman Tomy said the commissioners need to decide when they will have their next work session, and if they would have them regularly. Mr. Prichard said regularly scheduled work sessions had been brought up.

Commissioner Semmler said he’d rather have work sessions before the regular meetings. There was discussion about the length of the meetings and the start time. Chairman Tomy said the city and town need to bring information to the table, including what the councils have done in the previous month. Commissioner Semmler said they should let the commissioners know “how we can help you.”

5:00 p.m. was decided as the start time. Mr. Prichard asked if that would be enough time to discuss the fire impact fee. Commissioner Semmler said he would like to take advantage of Dropbox and commenting on the materials using Track Changes. He feels they could get a lot done this way before the work sessions.

The 5:00 work session would begin with the next MPC meeting on September 16.

There being no further business to come before the commission, Chairman Tomy adjourned the meeting at 7:43 p.m.
We strongly oppose this proposed rezoning. This property is part of the Hamrick Hill subdivision. It is surrounded by single family homes on lots that are 4 tenths of an acre or larger and are County zoned T3 Hamlet Neighborhood implementing the Comprehensive Plan goals of preserving the rural residential character of portions of Beaufort County, the City of Beaufort and Town of Port Royal. The original restrictions in county records identify this property solely for single family homes. The current owner should abide by them as we all have.

This property is low lying and any building built will have to be on a raised foundation which will make it equal to 3 stories or higher. These are pictures of the flooding that occurred on the property during a heavy rain on 11 June of this year.

Any developer would require sewage, which in turn would require a pump station to be built; the most likely location would be on the marshes of Archers Creek at the end of Hamrick Drive providing the current residence of Broad River Dr the vile odor of this station, and adding to the area’s environmental impact.

This proposed rezoning will only add to the already existing traffic problems and speeding brought on by the Montessori School and a sharp increase in late night traffic and noise. Apartments also require additional parking for guests which will increase the runoff and soil contamination.

The impact on property values for our subdivision is also great Realtor.com states that a high rental concentration lowers property values by 14 percent third only to a strip club and a bad school.

The current owner does not reside in this neighborhood and his only interest in this rezoning is profit. His investment, of what most believe, to be less that 150 thousand will surely be recouped under the existing zoning as he is currently offering the property for 699 thousand. His shrewd manipulation of the Property Class Code to AgVac Forest has reduced the taxes from over 3 thousand to less than 150 dollars yearly for a property that has been bush hogged.

This proposed rezoning does nothing for the community and is simply a greedy attempt by the landowner for more profit. Please do not approve this propose rezoning.
September 16, 2019

SUBJECT: Re-zoning request (map amendment) for 2408 Oak Haven Street (R120 005 000 0257 0000), 2409 Oak Haven Street (portion of R120 005 000 0236 0000), 2408 Oak Haven Street Flag lot – no address on Oak Haven Street (R120 005 000 043 0000), 2406 and 2407 Oak Haven Street (portion of R120 005 000 0236 0000).

Mr. Sam Levin has requested a rezoning of his property in accordance with the Beaufort Development Code § 9.16.2.

In accordance with the Beaufort Development Code §9.16.3.C.2 the MPC “shall study the proposed amendment, taking into account all factors that it may deem relevant, including but not limited to”:

a. Consistency with the Comprehensive Plan and Civic Master Plan;
b. Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood;
c. Suitability of the property that would be affected by the amendment;
d. Compatibility with the natural features of – and any archaeological or cultural resources on – the property;
e. Marketability of the property that would be affected by the amendment; and
f. Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.

In accordance with the Beaufort Development Code §9.16.3.C.3 the MPC shall recommend approval, modified approval, or denial of the amendment.
STAFF ASSESSMENT

Regarding “a” above:

Public Involvement and Formal Procedure. “A week-long charrette was held in November 2008 to obtain public input in the comprehensive planning process.”¹ City Council established a 17-member advisory committee to guide preparation of the City’s 2009 Comprehensive Plan and to serve as a source of public input.² In May 2009, the draft 2009 comprehensive plan was released for public review and comment.³ In September of 2009, city council, the advisory committee, and the joint planning commission held a joint workshop on the draft comprehensive plan.⁴ In October 2009, the joint planning commission held a workshop on the draft plan.⁵ On November 12, 2009, the City of Beaufort – Town of Port Royal Joint Municipal Planning Commission passed a resolution recommending adoption of “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan for the City of Beaufort. A public hearing on the recommended adoption of comprehensive plan was held on November 24, 2009, with the public notice of the hearing published in The Beaufort Gazette on October 25, 2009.⁶ After a first reading on November 24, 2009 and a second reading on December 8, 2009, the City Council of the City of Beaufort, SC, adopted “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan of the City of Beaufort.⁷

“Upon adoption of the Comprehensive Plan, Beaufort’s City Council gave the city’s Redevelopment Commission the . . . [task of translating] the Comprehensive Plan vision into specific parcel-level plans for public and private investment”.⁸ “The planning process spanned a period of two years and included many stakeholder meetings, several design charrettes, numerous public workshops, and extensive discussion and review with non-profit partners.”⁹ The result was the Civic Master Plan and the intent was “to implement the recommendations in the Vision Beaufort 2009 Comprehensive Plan”.¹⁰ On November 18, 2013, the Beaufort - Port Royal Metropolitan Planning Commission unanimously passed a resolution recommending adoption of the Civic Master Plan as an amendment to the 2009 comprehensive plan. On January 14, 2014, a public hearing before city council was held; public notice of the hearing was published in The Beaufort Gazette on December 13, 2013. On February 11, 2014, City Council

¹ City of Beaufort Ordinance (O-24-09) adopting ”Vision Beaufort 2009 Comprehensive Plan” as the official comprehensive plan of the City of Beaufort
² City of Beaufort Resolution (R-12-08)
³ City of Beaufort Ordinance (O-24-09)
⁴ Ibid
⁵ Ibid
⁶ Ibid
⁷ Ibid
⁸ Civic Master Plan, City of Beaufort, South Carolina, adopted 2/11/2014. p.7
⁹ City of Beaufort Ordinance (O-2-14)
¹⁰ Ibid
passed an ordinance, after two readings, amending the comprehensive plan by adopting the Civic Master Plan.11

**Consistency with the Comprehensive Plan and Civic Master Plan.** The Vision Beaufort 2009 Comprehensive Plan, aka Vision Beaufort / 2020 Comprehensive Plan, “recognizes that in order to prepare for a more compact and sustainable future, new development must be higher in density than at present. In essence, the next century for Beaufort will be a period during which it must mature into a moderately dense, urban city to effectively and efficiently provide services and attract needed investment.”12 The comprehensive plan lays out the future land use of the city through the framework plan. “The Framework Plan is a land use policy map intended to provide guidance to Beaufort’s leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community.”13

The parcels in question lie within the framework zone G2 Urban Neighborhoods/TNDs, which foresees the following zoning districts: T2, T3, T4, and T5.14 “G2 lands are typically close to thoroughfares and at key cross-road locations . . . [and is] 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 appropriated 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.”15

The parcels also lie within a designated regional center. “Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area’s highest density housing.”16

“The purpose of the Civic Master Plan is to identify and prioritize the allocation of public investment in the City of Beaufort’s infrastructure.”17 The Civic Master Plan’s redevelopment strategy for South Ribaut Road, “proposes a gradual transformation into a walking-friendly neighborhood corridor anchored by a fire station and new housing opportunities. Buildings would be set close to the street with parking areas to the side and rear of the building. Over

---

11 Ibid
13 Ibid, p.55
14 Ibid
15 Ibid, p.67
16 Ibid, p.69
17 Civic Master Plan, City of Beaufort, South Carolina, adopted 2/11/2014, p.4
time, the underutilized parking areas and single-story structures would transition to more economically viable small and medium-sized multi-story buildings”.  

Regarding “b” above:  
**Compatibility with the Present Zoning, with Conforming Uses of Nearby Property, and with the Character of the Neighborhood.** The parcels are currently zoned T3-S as are the immediately adjacent parcels except for the portion of R120 005 000 0236 0000 which is zoned T5-UC. The T3-S (Suburban District) “is single-family residential in character, with less development than other Transect-based [sic] districts within the city. While almost exclusively residential, civic and park functions are also complementary to the character within the district”.  

The Urban Corridor District (T5-UC) “consists of higher density, mixed-use buildings that accommodate retail, rowhomes, offices, and apartments located along primary thoroughfares.”

The current house and the adjacent houses are roughly 40 years old. Until recently the large parcel to the east was a mobile home park.

Regarding “c” above:  
**Suitability of the property that would be affected by the amendment.** The properties would become part of a larger property, which is already partially zoned T5-UC. The to-be-combined property is well situated for future development as T5-UC in terms of size, location, and vicinity to employment centers.

Regarding “d” above:  
**Compatibility with the natural features of – and any archaeological or cultural resources on – the property.** Staff is unaware of any archaeological or cultural resources on the property.

Regarding “e” above:  
**Marketability of the property that would be affected by the amendment.** The properties under T5-UC would allow for a broader range of uses, and, therefore, should be more marketable. In the past six years, the property at 2408 Oak Haven Street has declined in nominal value by 40.75%; and has declined in value in real terms by 54.75%.  

Regarding “f” above:  
**Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.** Public infrastructure currently exists. Suitability and adequacy of the infrastructure, given the future-plans for the property, will be assessed during development.

---

18 Ibid, p.171  
19 The Beaufort Development Code, July 10, 2018, p.11  
20 Ibid, p.13  
review by the Technical Review Committee in accordance with the Beaufort Development Code Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures).

**STAFF OPINION**

Given that the rezoning request is compatible and in accordance with the vision and goals of the City of Beaufort; and

Given that this vision and these goals were established through a democratic process and with public input and public participation; and

Given that these goals were recorded in the form of a comprehensive plan for all to see and reference; and

Given that the comprehensive plan was created through the leadership of the planning commission, responsible for determining a specific plan for the future of the city; and

Given that the city council of the City of Beaufort adopted the comprehensive plan (and Civic Master Plan) by ordinance; and

Given that, the change of zoning to T5-UC is consistent with the nearby development pattern; and

Given that, it is reasonable to expect that the change of zoning to T5-UC will improve the marketability of the property; and

Given that, any future development of the property will be able to take advantage of existing infrastructure;

The request to rezone to T5-UC is acceptable.
MAPS: 2409 Oak Haven Street (portion of R120 005 000 0236 0000), 2408 Oak Haven Street (R120 005 000 0257 0000), Flag lot – no address on Oak Haven Street (R120 005 000 043 0000), 2406 and 2407 Oak Haven Street (portion of R120 005 000 0236 0000)
MAPS: 2409 Oak Haven Street (portion of R120 005 000 0236 0000), 2408 Oak Haven Street (R120 005 000 0257 0000), Flag lot – no address on Oak Haven Street (R120 005 000 043 0000), 2406 and 2407 Oak Haven Street (portion of R120 005 000 0236 0000)

FUTURE LAND USE (FRAMEWORK MAP)
RESOLUTION

WHEREAS, state law requires local governments to update comprehensive plans every ten years; and

WHEREAS, the City's comprehensive plan is required to be updated in 2009; and

WHEREAS, it is important that there be an advisory/steering committee established to guide preparation of the comprehensive plan; and

WHEREAS, public input is critical to the planning process; and

WHEREAS, an advisory committee will also serve as a source of public input.

NOW, THEREFORE, BE IT RESOLVED, that the Beaufort City Council establishes the Comprehensive Plan Advisory Committee to guide preparation of the City's 2009 Comprehensive Plan, and that the Comprehensive Plan Advisory Committee be comprised of the following members:

- two representatives from City Council;
- the three City representatives from the Joint Municipal Planning Commission;
- the District 11 representative on the Beaufort County Council;
- a representative from the Design Review Board;
- a representative from the Historic District Review Board;
- a representative from the Redevelopment Commission;
- a representative from the Marine Corps Air Station Beaufort;
- a representative from the Beaufort County School District;
- a representative from the Lowcountry Economic Network;
- a representative from the Beaufort County Planning Commission;
- a representative from the Greater Beaufort Chamber of Commerce;
- a representative from the Historic Beaufort Foundation; and
- two at-large representatives.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 24th day of June, 2008.

BILL RAUCH, MAYOR

ATTEST:

BEVERLY W. GAY, CITY CLERK
ORDINANCE

ADOPTING “VISION BEAUFORT 2009 COMPREHENSIVE PLAN” AS THE OFFICIAL COMPREHENSIVE PLAN OF THE CITY OF BEAUFORT

WHEREAS, state law requires that comprehensive plans be updated every ten years; and

WHEREAS, in 2009, the City Council directed that the City’s comprehensive plan be updated in accordance with state law; and

WHEREAS, The Lawrence Group, a town planning consulting firm, was hired to update the City’s comprehensive plan; and

WHEREAS, City Council established a 17-member advisory committee to guide preparation of the comprehensive plan; and

WHEREAS, a week-long charrette was held in November 2008 to obtain public input in the comprehensive planning process; and

WHEREAS, a draft comprehensive was released in May 2009 for public review and comment; and

WHEREAS, the City Council, the Comprehensive Plan Advisory Committee, and the City of Beaufort--Town of Port Royal Joint Municipal Planning Commission held a joint workshop on the draft comprehensive plan in September 2009; and

WHEREAS, the City of Beaufort--Town of Port Royal Joint Municipal Planning Commission held a workshop on the draft comprehensive plan in October 2009; and

WHEREAS, on November 12, 2009, the City of Beaufort--Town of Port Royal Joint Municipal Planning Commission passed a resolution recommending adoption of “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan for the City of Beaufort; and

WHEREAS, a public hearing before the Beaufort City Council was held on November 24, 2009 regarding adoption of “Vision Beaufort 2009 Comprehensive Plan,” with notice of the hearing published in The Beaufort Gazette on October 25, 2009;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-530, Code of Laws of South Carolina, 1976, 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, “Vision Beaufort 2009 Comprehensive Plan” is adopted as the Comprehensive Plan of the City of Beaufort.

This ordinance shall become effective immediately upon adoption.
(SEAL) Attest:

BILLY KESSELING, MAYOR

SHIRLEY D. HUGHES, ACTING CITY CLERK

1st Reading November 24, 2009
2nd Reading & Adoption December 8, 2009

Reviewed by: WILLIAM B. HARVEY, III, CITY ATTORNEY
ORDINANCE

ADOPTING THE CIVIC MASTER PLAN AS AN AMENDMENT TO “VISION BEAUFORT 2009 COMPREHENSIVE PLAN”

WHEREAS, the City of Beaufort has prepared the “Civic Master Plan, City of Beaufort, South Carolina;” and

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

WHEREAS, the planning process spanned a period of two years and included many stakeholder meetings, several design charrettes, numerous public workshops, and extensive discussion and review with non-profit partners; and

WHEREAS, the draft Civic Master Plan was revised numerous times to reflect community input; and

WHEREAS, the “City of Beaufort Civic Master Plan, Volume I, Sector 1: Downtown,” was adopted as an amendment to “Vision Beaufort: 2009 Comprehensive Plan” on November 21, 2011; and

WHEREAS, the current Civic Master Plan incorporates the goals and objectives of the Sector 1 Plan Civic Master Plan and is designed to replace the Sector 1 Master Plan in the Comprehensive Plan; and

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

WHEREAS, the Beaufort Redevelopment Commission recommended adoption of the Civic Master Plan at their regular meeting on October 3, 2013; and

WHEREAS, on November 18, 2013, the Beaufort--Port Royal Metropolitan Planning Commission unanimously passed a resolution recommending adoption of the Civic Master Plan as an amendment to “Vision Beaufort 2009 Comprehensive Plan;” and

WHEREAS, a public hearing before the Beaufort City Council was held on January 14, 2014 regarding adoption of the “Civic Master Plan, City of Beaufort, South Carolina,” as an amendment to “Vision Beaufort 2009 Comprehensive Plan,” with notice of the hearing published in The Beaufort Gazette on December 13, 2013;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-530, Code of Laws of South Carolina, 1976, that “Vision Beaufort 2009 Comprehensive Plan” be amended by adopting the “Civic Master Plan, City of Beaufort, South Carolina” to replace the “Beaufort Civic Master Plan, Volume I, Sector 1: Downtown.”
This ordinance shall become effective immediately upon adoption.

BILLY KEYSERLING, MAYOR

(SEAL)

IVETTE BURGESS, CITY CLERK

Attest:

1st Reading

January 14, 2014

2nd Reading & Adoption

February 11, 2014

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY
HPI CALCULATOR

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Estimated Value: $184,125

When using the House Price Calculator, please note that it does not project the actual value of any particular house. Rather, it projects what a given house purchased at a point in time would be worth today if it appreciated at the average appreciation rate of all homes in the area. The actual value of any house will depend on the local real estate market, house condition and age, home improvements made and needed, and many other factors. Consult a qualified real estate appraiser in your area to obtain a professional estimate of the current value of your home. Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 requires that any appraisal used in connection with a federally related transaction must be performed by a competent individual whose professional conduct is subject to supervision and regulation. Appraisers must be licensed or certified according to state law.

The House Price Calculator uses the FHFA Purchase-Only House Price Index (not seasonally adjusted) for all states, including the District of Columbia, and for the largest 100 Metropolitan Statistical Areas and Divisions. For all other Metropolitan Statistical Areas and Divisions the FHFA All-Transactions Index is used. For a list of the largest 100
Metropolitan Statistical Areas and Divisions, [click here](#). For a discussion of the differences between the Purchase-Only Index and the All-Transactions Index, [click here](#).
THE COMMUNITY FRAMEWORK MAP

O1 | PRESERVED OPEN SPACE
This sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks.

For Beaufort, this sector specifically consists of:
- parks
- open space
- preserved lands
- golf courses
- 50-ft. riparian stream buffer
- national wetlands inventory

Appropriate Land Uses/Development Types:
- conservation areas
- parks & greenways
- agricultural and forestry uses
- limited civic uses such as schools
- very low-density residential development and clustered development (maximum density: 1 dwelling unit per 5 gross acres)

G1 | RESIDENTIAL NEIGHBORHOODS
The sector, indicated by the light yellow on the Framework Map, is intended for relatively low density residential development. This sector includes existing low-density residential neighborhoods that are not appropriate for redevelopment. It also includes lands that are not proximate to thoroughfares and are not projected to be high growth areas due to limited access to transportation networks and utilities. In addition, poor soils were overlaid to show further environmental considerations when developing these parcels.

Appropriate development typically consists of cluster developments such as conservation subdivisions, or low-density residential development on relatively large lots. For Beaufort, this sector is generally located away from planned neighborhoods or regional centers and close to heavily encumbered O1 or O2 land.

Appropriate Land Uses/Development Types:
- low density cluster developments or hamlets (a clustering of buildings around a rural crossroad)
- low-density residential development (up to 1 dwelling unit per 3 gross acres)
- traditional neighborhood developments
- limited convenience retail uses
- civic uses (parks, schools, religious and government uses)

This sector also includes the area north of Burton, which is currently outside the city limits. Because it is largely undeveloped, this area is likely to be under pressure for additional urbanization in the near future. This plan recommends that additional study of this area be undertaken with area property owners, Beaufort County and the City of Beaufort to determine appropriate and feasible future road network and development patterns.

G2 | URBAN NEIGHBORHOODS/TND’S
This sector contains denser, mixed-use development at the scale of neighborhood centers, indicated by the black 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.

G2 lands are typically close to thoroughfares and at key cross-road locations. For Beaufort, the G2 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 G2 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:
- traditional neighborhood developments
- single-family and multifamily residential
- neighborhood mixed-use centers
- neighborhood-scale commercial uses (retail and office)
- civic uses
- light industrial uses

G3A | NEIGHBORHOOD MIXED USE
G3B | CORRIDOR MIXED USE
This sector indicated in lighter and darker red (respectively), is intended to apply along high capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G3 land generally falls within areas for higher-intensity regional-serving development, marked by the dark purple 1/2 mile radius circles.

Care should be taken to limit the length of G3 corridor developments to avoid the creation of lengthy, undifferentiated linear strip development. Attention to local geography and environmental conditions can assist in this definition; with special attention given to areas in O1 and O2 sectors along water courses.

Appropriate Land Uses/Development Types:
- single-family and multifamily residential
- neighborhood-serving commercial uses (retail and office)
- civic uses
- traditional neighborhood developments
- neighborhood centers
- regional centers
- industrial districts

G4 | DOWNTOWN
This sector is comprised of areas with existing development, with a relatively dense street grid, and which are appropriate for redevelopment or additional development. These areas are shown in the purple color on the Framework Map, which includes the historic downtown.

This area is, in large respect, appropriate for redevelopment and new infill development and well served with infrastructure (roads, utilities, etc.), and access to services and amenities. Because this area is already well provided for in terms of urban services, it is one of the most efficient and most attractive areas for redevelopment of underutilized land or development of vacant parcels. It is also one of the best areas for development in terms of minimizing new environmental impacts to natural areas since the area has been built upon since Beaufort’s founding.

Appropriate Land Uses/Development Types:
- Higher density single-family and multi-family residential
- commercial uses (retail and office)
- vertically mixed-use development
- civic uses
- light industrial uses

SD | INDUSTRIAL/EMPLOYMENT CENTER
As regional employment centers, industrial districts also fall into the G3 sector. Industrial development is shown to the west of the Marine Corps Air Station and in areas where industrial and distribution facilities are currently concentrating.

AICUZ
Other special designations include the AICUZ noise zones, which are designed as a tool for local planning agencies. The US Department of Defense measures noise in and around the base to determine what land use activities are compatible in the area. This area, shown in hatching, outlines uses that are conditionally compatible as well as incompatible; therefore, caution should be exercised when developing within a noise zone.

REGIONAL CENTERS
Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area’s highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger purple circles on the map. Regional
centers are envisioned for downtown Beaufort; around the hospital; at the intersection of Boundary Street and Robert Smalls Parkway; and around the intersection of Boundary Street and Ribaut Road. These centers will provide the highest concentrations of residential and employment in the Plan area.
NEIGHBORHOOD CENTERS
Neighborhood Centers, shown on the framework plan in the black circles, 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 should not contain more than 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 in the Focus Areas section.

CIVIC & INSTITUTIONAL USES
In addition to the geographic sectors, the Framework Plan indicates two related special land uses in light purple: schools and other civic sites such as the hospital, USC Beaufort, Technical College of the Lowcountry, and the library.
REZONING APPLICATION (EXCEPT FOR PUDS)
Community & Economic Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
www.cityofbeaufort.org

OFFICE USE ONLY: Date Filed: 7/9 Application #: 029-06 Zoning District: T3 - S

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

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

Applicant, Owner and Property Information

Property Address: 2408 Oak Haven Street

Property Identification Number (Tax Map & Parcel Number): R 120 005 000 0257 0236, 0437, 0236

Applicant Name: Samuel M. Levin

Applicant Address: 156 Spanish Point Drive

Applicant E-mail: Sam.levin234@gmail.com

Applicant Phone Number: 843-345-0824

Property Owner (if other than the Applicant): Bertrand Dore

Property Owner Address:

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

If yes, give action(s) taken: 

Present zone classification: T3 - S

Requested zone classification: T5 - UC

Total area of property: .469 acres Multiple

Existing land use: Residential

Desired land use: Expanding Apartment Dev

Reasons for requesting rezoning: Adding property to existing tract

Applicant’s Signature: Samuel M. Levin Date: July 18, 2019

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

Property Owner’s Signature: July 18, 2019 Date:
GENERAL NOTES:

1) PRESENT OWNER OF PROPERTY SHOWN HEREON: BERTRAND DORE
2) DM # 120-005-257
3) THE BEARING SHOWN HEREON ARE MAGNETIC AND AS SUCH SUBJECT TO LOCAL ATTRACTION.
4) PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "B"
   ELEVATION (FT/LL) FEMA PANEL #450026-0005-D
   DATED: SEPTEMBER 30, 1988

REFERENCE PLATS & DEEDS

1) PLAT BK 7/38

CERTIFICATION:

I, ZIGED A. KHALIL, HERETO STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINERAL AND STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY SHOWN THEREON.

ZIGED A. KHALIL
S.C. REG. NO. 1517A
## Property ID (PIN)  | Alternate ID (AIN) | Parcel Address | Data refreshed as of | Assess Year | Pay Year
--- | --- | --- | --- | --- | ---
R120 005 000 0257 0000 | 00225018 | 2408 OAK HAVEN ST, City of Beaufort | 8/9/2019 | 2018 | 2019

### Current Parcel Information

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<td>Owner Address</td>
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### Legal Description

LOT 2 RIBAUT PARK PB115 PG 89 ~1/07 SPLIT 0.26 AC 5/437

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September 9, 2019

To Whom It May Concern:

Please let this letter serve as confirmation that Beaufort Memorial Hospital is supportive of the Allison Road Apartments Development across the street from the hospital. If you have any questions or concerns, please do not hesitate to reach out to me at the number below.

Best regards,

Russell Baxley, MHA
President and CEO
843-522-5140