



**County Council of
Beaufort County
Planning Commission
Meeting**

Chairman
ED PAPPAS

Vice Chairman
RANDOLPH STEWART

Commission Members

KEVIN HENNELLY
CAROLINE FERMIN
CECILY MCMILLAN
JASON HINCHER
FRANK DUCEY
ARMIN WAHL
GAIL MURRAY

County Administrator

ERIC GREENWAY

Staff Support

ROBERT MERCHANT

Administration Building

Beaufort County Government
Robert Smalls Complex
100 Ribaut Road

Contact

Post Office Drawer 1228
Beaufort, South Carolina 29901-1228
(843) 255-2140
www.beaufortcountysc.gov

Planning Commission Agenda

Monday, January 3, 2022 at 6:00 PM

Council Chambers

County Administration Building, 100 Ribaut Road, Beaufort, SC

ALL OF OUR MEETINGS ARE AVAILABLE FOR VIEWING ONLINE AT WWW.BEAUFORTCOUNTYSC.GOV AND CAN ALSO BE VIEWED ON HARGRAY CHANNELS 9 AND 113, COMCAST CHANNEL 2, AND SPECTRUM CHANNEL 1304.

[MEETING LINK:](#)

Meeting number (access code): 161 494 5311

Passcode: planning

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. FOIA – PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
4. APPROVAL OF MINUTES – December 6, 2021
5. APPROVAL OF AGENDA
6. CITIZEN COMMENTS – NON-AGENDA ITEMS
(Comments are limited to 3 minutes.)

ACTION ITEMS

7. **ZONING MAP AMENDMENT/REZONING REQUEST** FOR 11.66 ACRES AT 100 RAWSTROM DRIVE (R600 009 000 0030 0000) FROM T2 RURAL (T2R) TO T2 RURAL NEIGHBORHOOD (T2RN); APPLICANT: BEN KENNEDY
8. **OSPREY POINT (MALIND BLUFF) PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AMENDMENT** TO 17.2 ACRES (R600 013 000 0495 0000) TO REPLACE 207,700 SQUARE FEET OF COMMERCIAL DEVELOPMENT WITH 206 MULTI-FAMILY UNITS; APPLICANT: ROBERT DEEB
9. **ADOPTION OF THE 2020 BEAUFORT COUNTY GREENPRINT PLAN** AS AN APPENDIX TO THE "ENVISION BEAUFORT COUNTY 2040 COMPREHENSIVE PLAN" [HTTPS://EXPERIENCE.ARCGIS.COM/EXPERIENCE/77FD43D3F5DA488B885CB1FA7B34788E/](https://experience.arcgis.com/experience/77fd43d3f5da488b885cb1fa7b34788e/)
10. **ZONING MAP AMENDMENT/REZONING REQUESTS** FOR 19 RURAL AND CRITICAL LANDS PROPERTIES FROM VARIOUS ZONINGS TO T1 NATURAL PRESERVE (T1NP); APPLICANT: STEFANIE NAGID, BEAUFORT COUNTY PASSIVE PARKS MANAGER

DISCUSSION ITEMS

11. CHAIRMAN'S REPORT
12. ADJOURNMENT



COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Planning and Zoning Department
Beaufort County Government Robert Smalls Complex
Physical: Administration Building, Room 115 100 Ribaut Road
Mailing: Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: 843-255-2140 / FAX: 843-255-9432

The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held in Council Chambers on Monday, December 6, 2021, 6:00 p.m.

MEMBERS PRESENT:

Mr. Ed Pappas, Chairman	Mr. Randolph Stewart, Vice Chairman	Mr. Jason Hincer
Dr. Caroline Fermin	Mr. Kevin Hennelly	Ms. Cecily McMillan
Mr. Frank Ducey	Mr. Armin Wahl	Ms. Gail Murray

MEMBERS ABSENT:

N/A

STAFF PRESENT:

Mr. Robert Merchant, Planning and Zoning Acting Director
Ms. Juliana Smith, Long Range Planner
Ms. Chris DiJulio-Cook, Senior Administrative Specialist

CALL TO ORDER: Chairman Ed Pappas called the meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE: Chairman Pappas led those assembled in the pledge of allegiance.

REVIEW OF MEETING MINUTES: Chairman Pappas asked for a motion to approve the November 1, 2021 minutes. Dr. Caroline Fermin made a motion, seconded by Mr. Armin Wahl, to accept the minutes as written. There was unanimous support for the motion.

AGENDA REVIEW: Mr. Pappas asked if there were any comments or additions to the agenda. There were none.

CITIZEN COMMENTS: Chairman Pappas asked if there were any non-agenda citizen comments. There were none.

ACTION ITEMS:

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION A.2.40 (PERMITTED ACTIVITIES) TO ADD “SHORT-TERM RENTALS” AS A SPECIAL USE TO THE LADY’S ISLAND COMMUNITY PRESERVATION DISTRICT; APPLICANT: RALPH MCCARTER

Ms. Juliana Smith gave a brief overview of the request to allow for short-term rentals within this specific district. She explained that, if approved, applicants would need to follow particular rules, including going before the Zoning Board of Appeals (ZBOA) for approval before they’d be issued a short-term rental permit. She stated that the Planning Department recommended approval of the application and include the Lady’s Island Professional Office District and the Lady’s Island Neighborhood Activity Center.

County Administrator, Mr. Eric Greenway, was available to answer questions regarding taxes and processes involved with short-term rentals in the county.

Mr. Hennelly made a motion to accept the text amendment change, as amended by Planning Staff, to include Lady’s Island Community Preservation District, as well as, Lady’s Island Professional Office

District and Lady's Island Neighborhood Activity Center Dr. Fermin seconded the motion. The motion passed 7:2 (**For: Hennelly, Hincer, Wahl, Stewart, Pappas, Fermin, Ducey/Against: McMillan, Murray**)

ZONING MAP AMENDMENT/ZONING REQUEST FOR 6.55 ACRES (R600 041 000 0172 0000) 28 BUCKINGHAM PLANTATION DRIVE FROM T4 HAMLET CENTER OPEN (T4HC-O) TO T4 NEIGHBORHOOD CENTER (T4NC); APPLICANT: CARMEN MIHAI

Ms. Smith explained that the applicant is looking to change the zoning of this property to be consistent with neighboring property, they also own, to make the blanket zoning easier for them to develop the property.

Brittane Fields, Beaufort County Capital Projects Manager, said that the area was in the works for future traffic information and traffic lights.

Mr. Stewart commented that he wasn't thrilled with the zoning allowing for four stories but he thought it was more cohesive.

Mr. Ducey stated the area needs more affordable apartments and hopefully rents will come down as more are built.

Mr. Hennelly made a motion to not approve the text amendment change. There was no second.

Mr. Stewart made a motion to approve the text amendment change, Mr. Ducey seconded.

The motion passed 7:2 (**For: Wahl, Stewart, Pappas, Fermin, Ducey, McMillan, Murray /Against: Hennelly, Hincer**)

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX C.4.30 (FUTURE SIGNAL LOCATIONS) TO UPDATE THE BUCKWALTER PARKWAY ACCESS MANAGEMENT STANDARDS

Ms. Smith outlined the idea behind updating the signal locations in accordance to the Access Management Standards, specifically the Buckwalter Corridor. She introduced Jennifer Bihl, Bihl Engineering, who was joining remotely to show new traffic signal locations that were being shifted to accommodate current traffic patterns.

There was further discussion regarding the graphics used for the presentation and the proposed locations for the signals.

Mr. Hennelly made a motion to accept the text amendment change to update the Buckwalter Parkway Access Management Standards. Dr. Fermin seconded. The motion passed 8:1 (**For: Hennelly, Hincer, Wahl, Stewart, Pappas, Fermin, McMillan, Murray/Against: Ducey**)

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 4.1.70 (DRIVE-THROUGH FACILITIES) TO ADD SPECIFIC STANDARDS FOR FACILITIES IN TRANSECT ZONES.

Mr. Robert Merchant explained that this is a staff-initiated text amendment to the CDC to address a specific issue within three zoning districts, T2 Rural Center, T4 Hamlet Center, and T4 Neighborhood Center. The text amendment is to clarify the language used surrounding the requirements of drive-throughs within these zoning districts, which call for more of a pedestrian-friendly type of commercial

mixed use. These districts also have very strict standards with the way the buildings address the street, requiring more of a Main Street type of development. Drive-through restaurants are allowed within these zoning districts but only as a special use.

Mr. Chuck Newton, Sea Island Coalition, supports the proposed changes by the Planning Department but is concerned they don't go far enough. He suggested that an improvement to the proposed amendment be that an exit not be allowed onto the same roadway as the entrance, if at all possible.

Mr. Hennelly made a motion to accept the proposed text amendment with the additional amendment that ingress and egress to the drive-through would be on separate roads when possible. Dr. Fermin seconded the motion. The motion passed 7:2 (**For: Hennelly, Hincer, Pappas, Fermin, Ducey, McMillan, Murray /Against: Wahl, Stewart**)

CHAIRMAN'S REPORT:

Mr. Pappas formally welcomed Ms. Gail Murray to the Planning Commission.

ADJOURNMENT: Chairman Pappas, with no further business to discuss, adjourned the meeting at 7:15 p.m.

SUBMITTED BY: Chris DiJulio-Cook
Community Development Senior Administrative Specialist

Ed Pappas
Beaufort County Planning Commission Chairman

Date: _____



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Juliana Smith, Beaufort County Planning and Zoning Department
DATE: January 3, 2022
SUBJECT: Zoning Map Amendment/Rezoning Request for 11.66 acres (R600 009 000 0030 0000) at 100 Rawstrom Drive from T2 Rural to T2 Rural Neighborhood; Applicant: Ben Kennedy

STAFF REPORT:

A. BACKGROUND:

Case No. CPDA-000018-2021
Owner/Applicant: Ben Kennedy
Property Location: Located at 100 Rawstrom Drive south of Okatie Highway
District/Map/Parcel: R600 009 000 0030 0000
Property Size: 11.66 acres
Current Future Land Use Designation: Rural
Current Zoning District: T2 Rural
Proposed Zoning District: T2 Rural Neighborhood

B. SUMMARY OF REQUEST: The applicant seeks to change the zoning of an 11.66-acre lot at 100 Rawstrom Drive from T2 Rural (T2R) to T2 Rural Neighborhood (see attached map). The property is currently the site of a detached single family home. The application packet includes a conceptual plan that proposes sub-dividing the property into six lots.

C. EXISTING ZONING: The lot is currently zoned T2R, which is intended to preserve the rural character of Beaufort County. This zone applies to areas that consist of sparsely settled lands in an open or cultivated state. It may include large lot residential, farms where animals are raised or crops are grown, parks, woodland, grasslands, trails, and open space areas. Residential development is permitted at a density of one (1) dwelling unit per three (3) acres. Under this zoning, three (3) dwelling units would be permitted on the applicant's property. T2R also permits very limited non-residential uses.

D. PROPOSED ZONING: The T2 Rural Neighborhood (T2RN) district protects the residential character of existing communities and neighborhoods located in rural areas. It prevents existing clusters of communities and neighborhoods located in rural areas from becoming non-conforming, thereby giving rural small-lot property owners more flexibility with their land. Areas that are designated as T2RN consist of areas with five contiguous lots of five or fewer acres. This district is expressly not intended to promote tract development or to encourage rezoning.

T2RN permits 1.2 dwelling units per acre. Under the proposed T2RN re-zoning, 13 dwelling units would be permitted on the applicant's property.

E. COMPREHENSIVE PLAN FUTURE LAND USE MAP: This 11.66-acre lot is designated Rural on the Future Land Use Map. The Comprehensive Plan states that these areas should retain their rural character with low-density residential development at one dwelling unit per three acres, while supporting small-scale commercial development and agricultural land uses.

F. ZONING MAP AMENDMENT REVIEW STANDARDS: In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;

The Land Use chapter of the 2040 Comprehensive Plan indicates this area as Rural. Rural areas should retain their rural character with a residential dwelling density of one unit per three acres. The proposed rezoning is not consistent with the future land use designation.

2. Is not in conflict with any provision of this Development Code, or the Code of Ordinances;

While the property is located adjacent to properties currently zoned T2RN, the proposed rezoning is directly in conflict with the intent of the T2RN zoning district. T2RN is not intended to encourage tract development or rezonings. Instead, the T2RN zoning district is intended to provide already existing clustered communities in rural areas with land use flexibility. Areas appropriate for the T2RN zoning district are those that contain five contiguous lots of five or fewer acres. This property does not meet the conditions of the T2RN zoning district.

3. Addresses a demonstrated community need;

N/A.

4. Is required by changed conditions;

N/A.

5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;

Current uses on surrounding properties are primarily rural residential and are zoned T2R and T2RN. The property also abuts the Rural and Critical Land that protects the Altamaha Town Preserve Site, which is zoned T1NP. As a result, the proposed zoning would not conflict with the

character of the surrounding areas. It does, however, conflict directly with the intent of the district as defined in the Development Code.

6. Would not adversely affect nearby lands;

If permitted, the proposed rezoning would create a precedent that is expressly in conflict with the code. As a result, it stands to adversely any property in Beaufort County that is zoned T2R.

7. Would result in a logical and orderly development pattern;

See 5 and 6 above.

8. Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment:

See 6 above. If permitted, the proposed rezoning would set a precedent opening any T2R property to an optional three-fold density increase. While any future development would be required to adhere to the natural resource protections, tree protections, wetland protections, and stormwater standards in the Community Development Code and Stormwater BMP Manual, the very nature of the dramatic density increase would have adverse impacts on the character and environment of rural areas.

9. Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities):

The property is not served by sewer. Water lines are nearby and would serve any future development. EMS and Fire services are located three (3) miles from the property.

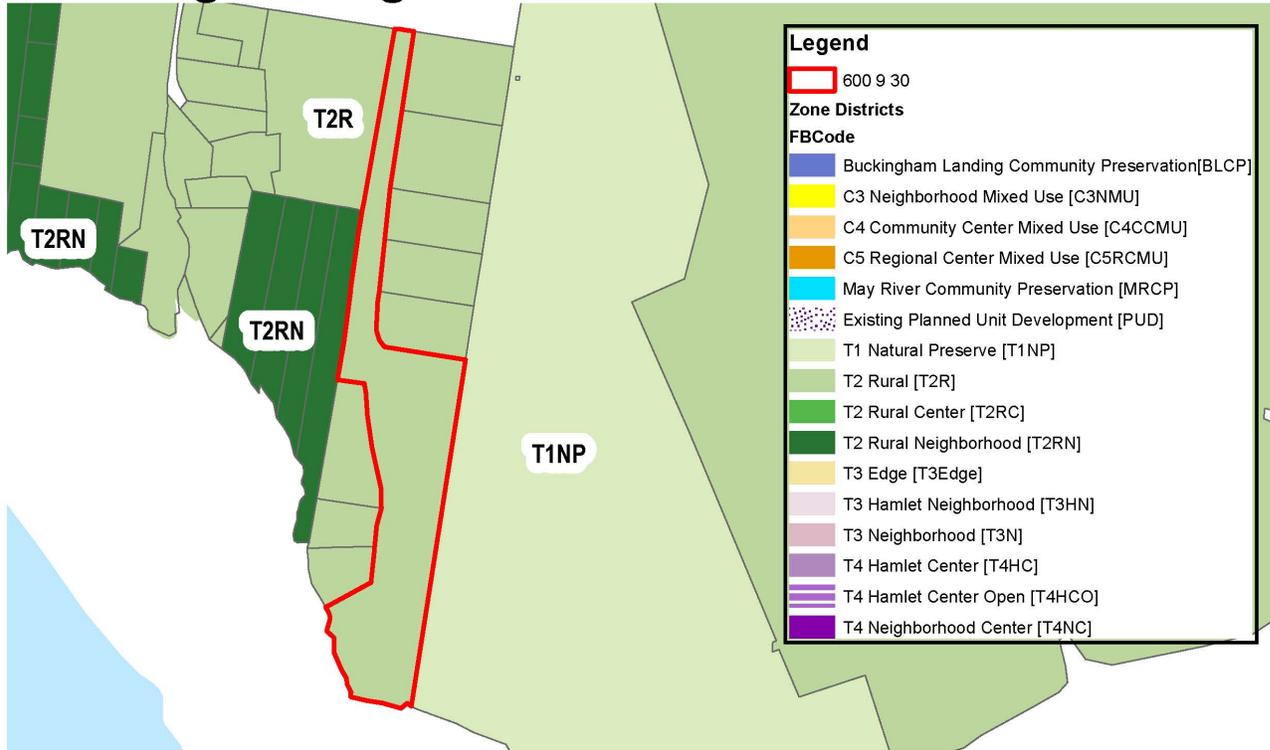
G. STAFF RECOMMENDATION: The proposed zoning change from T2R to T2RN is in conflict with the Future Land Use designation laid out in the 2040 Comprehensive Plan. It is also in direct conflict with the Community Development Code. What’s more, if permitted, the proposed rezoning would create a precedent that is expressly in conflict with the code and would adversely affect any property in Beaufort County that is zoned T2R.

Staff recommends denial of the proposed zoning amendment.

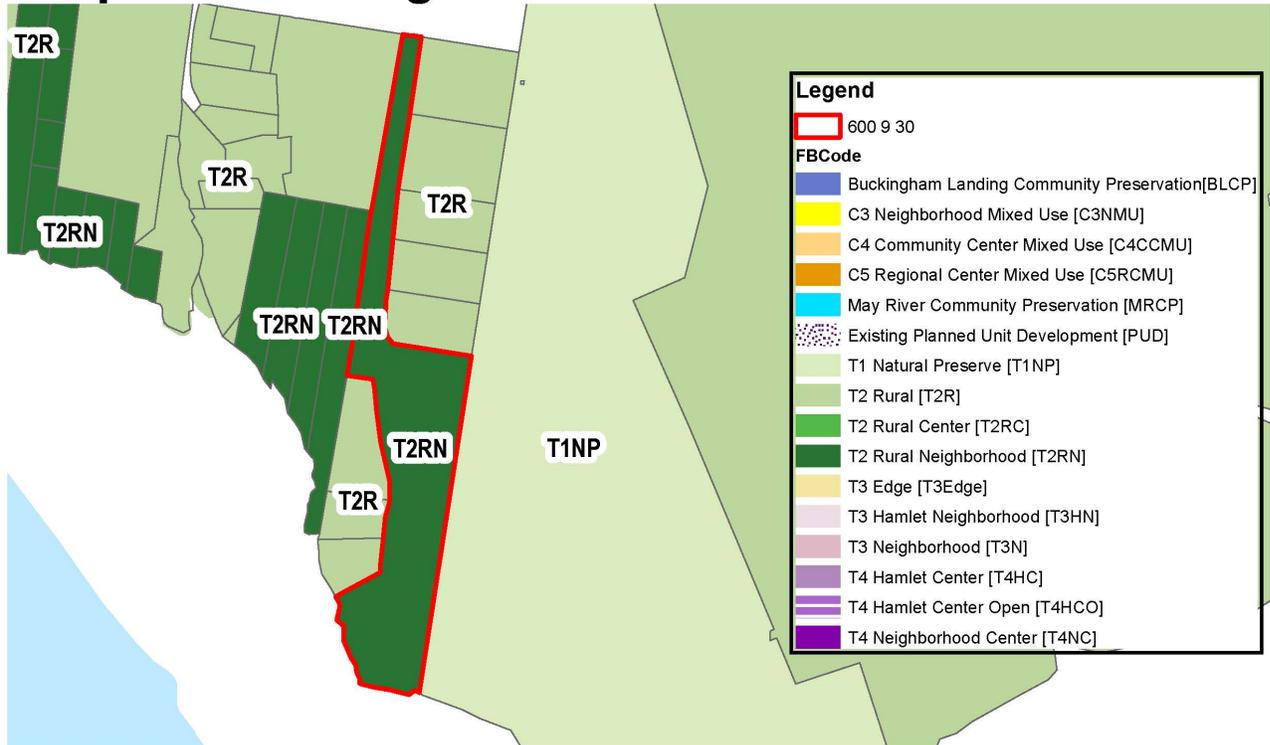
H. ATTACHMENTS

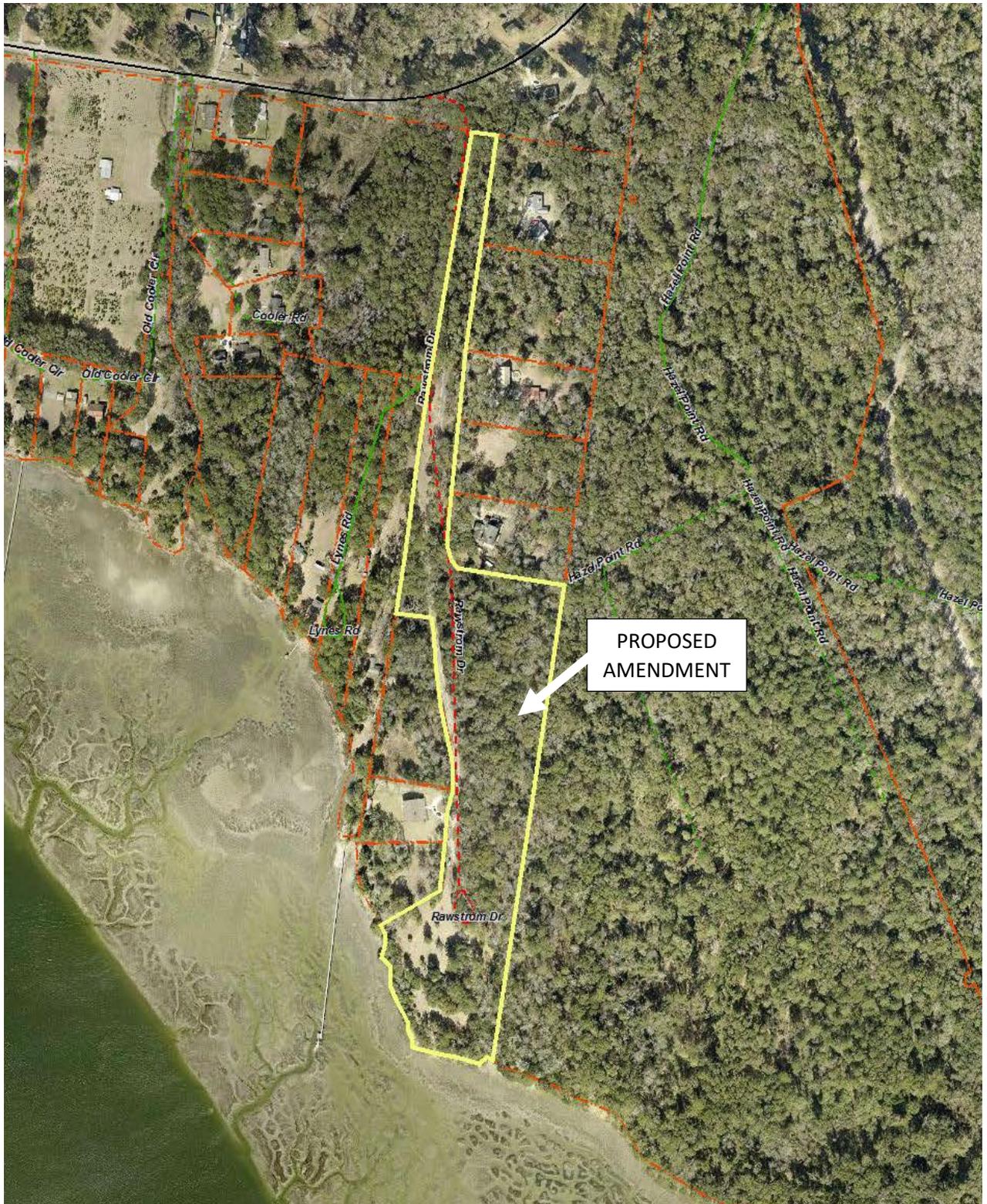
- Zoning Map (existing and proposed)
- Location Map

Existing Zoning



Proposed Zoning







COUNTY COUNCIL OF BEAUFORT COUNTY
Community Development Department
Beaufort County Government Robert Smalls Complex
Administration Building, 100 Ribaut Road
Post Office Drawer 1228, Beaufort, South Carolina 29901-1228

TO: Beaufort County Planning Commission
FROM: Robert Merchant, Beaufort County Planning and Zoning Director
DATE: January 3, 2022
SUBJECT: **Osprey Point (Mailind Bluff) Planned Unit Development (PUD) Master Plan Amendment**

A. BACKGROUND:

Owner: LCP III, LLC (J. Nathan Duggins, III)
Applicant: Joshua Tiller, J.K. Tiller and Associates
Property Location: On the east side of Okatie Highway (SC 170) at the intersection of Pritcher Point Road.
District/Map/Parcel: R600-013-000-0006-0000
Property Size: 17.2 acres

B. SUMMARY OF REQUEST: The applicant is requesting that a portion of the Osprey Point PUD master plan be amended. The current PUD as amended in 2019 consists of 345 single-family residential units and 207,700 square feet of commercial development. The residential portion of the Osprey Point PUD is a Pulte Homes development called Mailind bluff and currently under construction. The applicant is proposing to amend the PUD master plan to replace the 207,000 square feet of commercial development that is proposed for the front 17.2 acres with 204 multi-family units.

C. ACCESS AND TRANSPORTATION:

- **Access:** The site is accessed off of SC 170 by Pritcher Point Road located off of Highway 170 across from Shortcut Road; and by Mailind Bluff Drive located across from Red Oaks Lane. A new road is proposed that runs parallel to SC 170 approximately 400 feet from the highway. That road is proposed to connect to Okatie Elementary located south of the site. The existing master plan shows a right-in/right-out intersection halfway between Pritcher Point and Mailind Bluff Roads. The revised master plan eliminates this access point.
- **Traffic Impacts:** This master plan amendment does not trigger the need for a Traffic Impact Analysis. The revised site plan would result in a reduction of estimated peak hour trips. A 207,700 would generate approximately 791 peak hour trips compare to 90 peak hour trips from 204 multi-family units. However, it is important to note removing the potential for commercial development would greatly reduce any internal trip capture for the 600+ homes in Mailind Bluff and River Oaks.

D. SCHOOL IMPACTS: The School District has been given a copy of this proposed master plan amendment. The School District does not have excess capacity to address the potential increase in the number of students in southern Beaufort County. In this immediate area, the District is already facing the need to absorb the students that will result from the 711 dwelling units in River Oaks and Mailand Bluff. However, because the proposal consists of Low Income Tax Credit housing, the Superintendent and the Vice-Chair of the School Board have indicated support for the project. Staff will provide additional input from the School District at the January 3 meeting.

E. ZONING MAP AMENDMENT REVIEW STANDARDS: In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. **Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code:** This proposed master plan change would potentially result in the provision of 204 affordable housing units, which meets the Comprehensive Plan strategy to “aggressively pursue the development of affordable housing.” Staff recommends that the Osprey Point PUD and accompanying development agreement require all multi-family units to be affordable to individuals or families earning 80% or less of county median income.
2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;** The proposed master plan is not consistent with the Multi-Family Oriented Community standards found in Division 2.4 of the Community Development Code. These standards require multi-family developments to be oriented around a system of streets and blocks with parking located at the side or rear of buildings. While the Osprey Point PUD is currently not required to follow the development standards of Community Development Code, staff believes that any master plan amendment occurring after the adoption of the CDC should adhere to the standards of that ordinance to the greatest extent possible.
3. **Addresses a demonstrated community need:** The applicant proposed to develop affordable housing on the site, which has been documented in the Comprehensive Plan and the Housing Needs Assessment to be a community need.
4. **Is required by changed conditions;** N/A.
5. **Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;** The proposed multi-family housing provides a better transition between Highway 170 and the single family development located at Mailind Bluff than 207,700 square feet of commercial development.
6. **Would not adversely affect nearby lands:** See 5 above.
7. **Would result in a logical and orderly development pattern;** See 5 and 6 above.
8. **Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands,**

and the natural functioning of the environment: Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual. The amount of proposed impervious surface is comparable to what the proposed commercial development would have yielded.

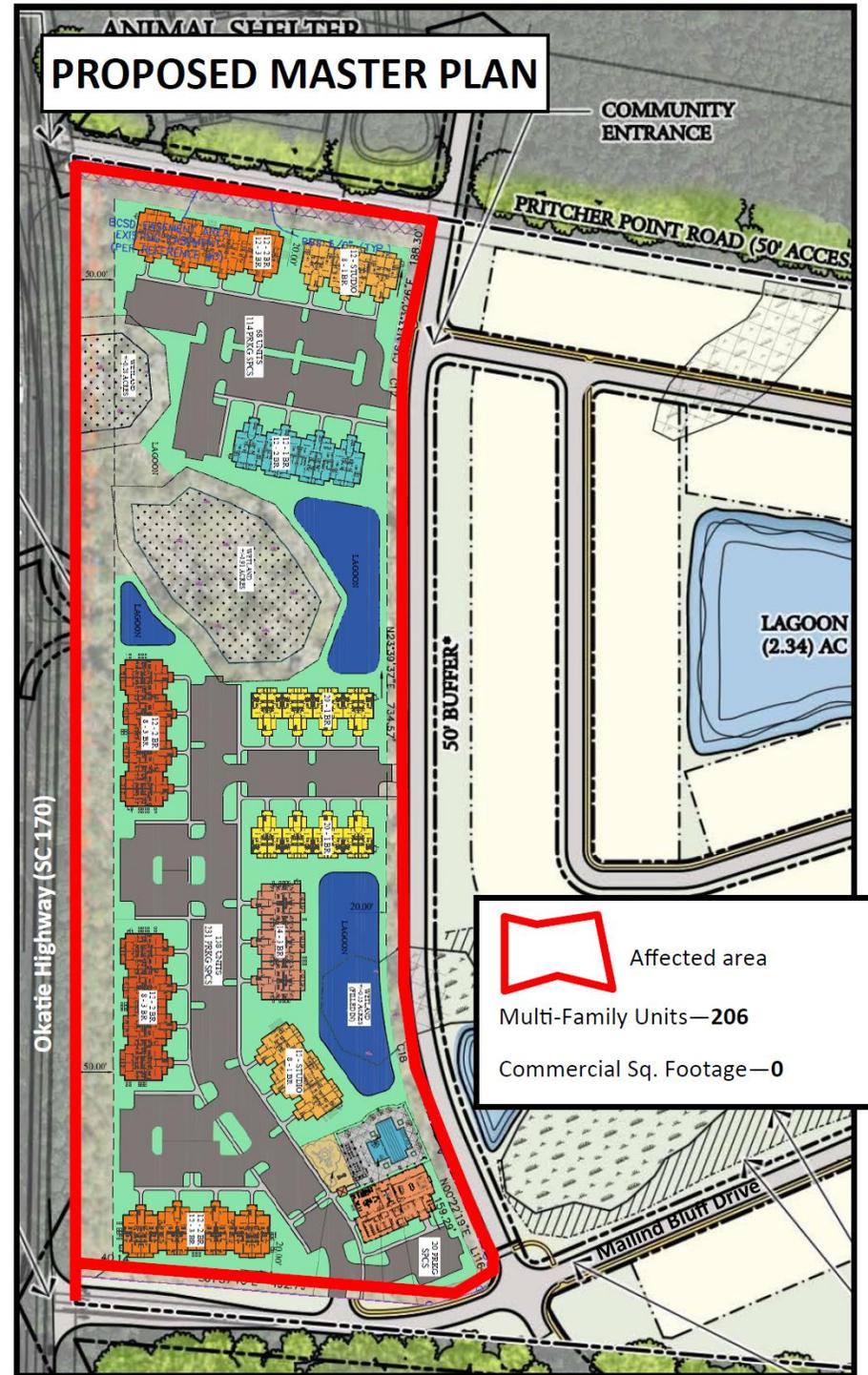
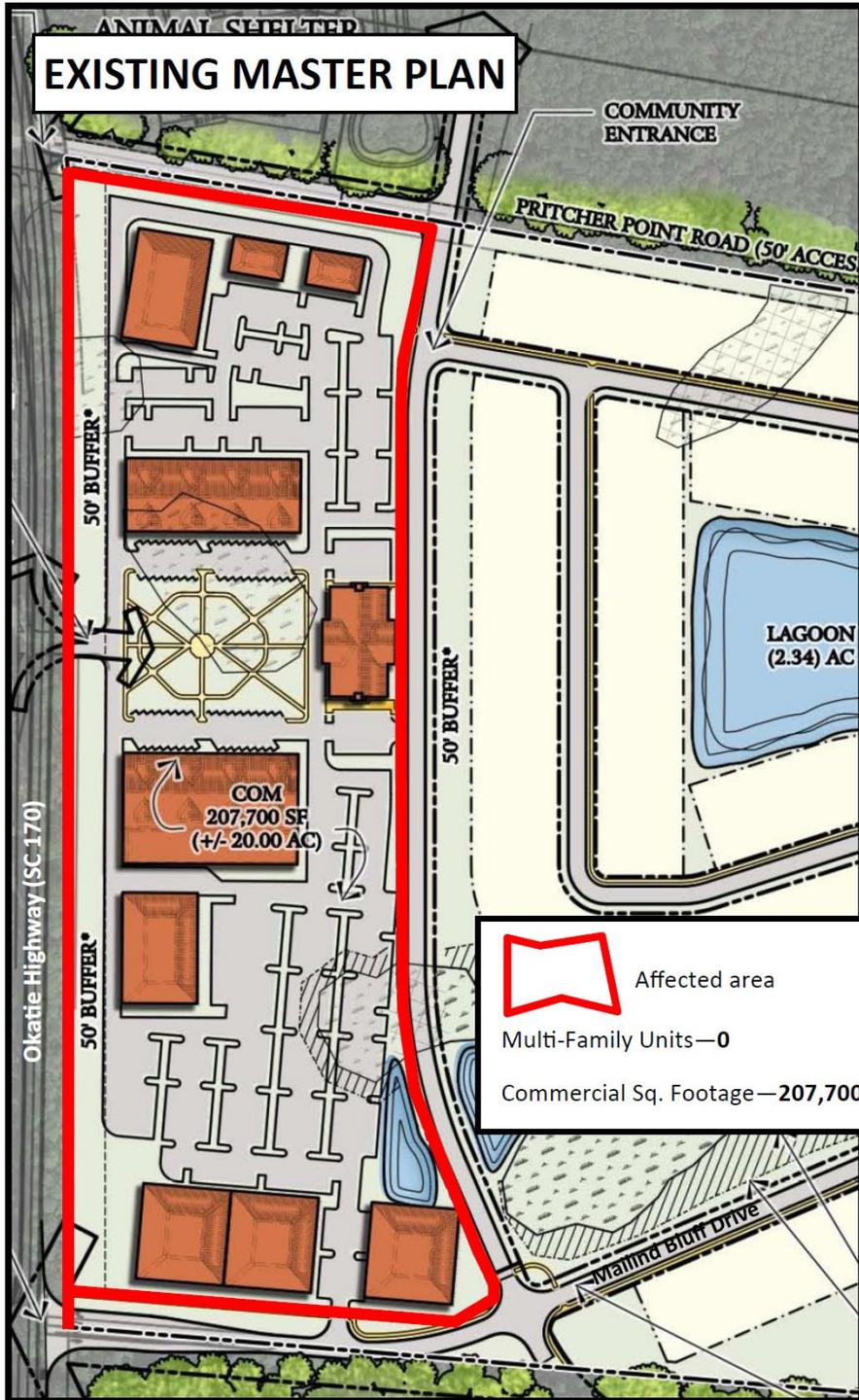
9. **Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities):** The site is in close proximity to public sewer and water, schools, fire and EMS. However, the nearest school, Okatie Elementary, is near capacity.

F. STAFF RECOMMENDATION: Staff recommends approval with the following conditions:

- The master plan should be revised to meet the Multi-Family Oriented Community standards in Article 2, Division 2.4 of the Community Development Code.
- The Osprey Point PUD document should be revised to require that all multi-family dwelling units are affordable to individuals and families earning 80% or less of county median income. The affordable housing units should be required to meet the Affordable Housing requirements found in Article 4, Section 4.1.350.G of the Community Development Code.
- The existing Osprey Point PUD required the developer to dedicate a 0.5 acre parcel for public safety (Sheriff, Fire, EMS). The amended master plan does not show any land dedicated for this use.
- The development agreement that accompanies the Osprey Point PUD needs to address the proposed changes to the master plan. The development agreement also needs to address any agreed upon affordable housing requirements.

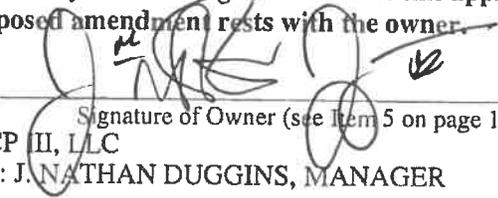
G. ATTACHMENTS:

- Locational Map
- Existing and Proposed Master Plan Map
- Application



9. Explanation (continue on separate sheet if needed): Please see attached Narrative

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proof for the proposed amendment rests with the owner.


Signature of Owner (see Item 5 on page 1 of 2)

11/29/2021
Date

Printed LCP II, LLC

Telephone

Name: BY: J. NATHAN DUGGINS, MANAGER

Number: 336-271-5246

Address: 400 Bellemeade Street, Suite 800, Greensboro, NC 27401

Email: nduggins@tuggleduggins.com

Agent (Name/Address/Phone/email): Robert M. Deeb 52 New Orleans Rd, Suite 400, HHI SC 29928

843-785-5850 rdeeb@ns-lawfirm.com; David Bennett i9 Shelter Cove Lane, Suite 300, 317-253-5084

debennett@icloud.com

UPON RECEIPT OF APPLICATIONS, THE STAFF HAS THREE (3) WORK DAYS TO REVIEW ALL APPLICATIONS FOR COMPLETENESS. THE COMPLETED APPLICATIONS WILL BE REVIEWED FIRST BY THE BEAUFORT COUNTY PLANNING COMMISSION SUBCOMMITTEE RESPONSIBLE FOR THE AREA WHERE YOUR PROPERTY IS LOCATED. MEETING SCHEDULES ARE LISTED ON THE APPLICATION PROCESS (ATTACHED). COMPLETE APPLICATIONS MUST BE SUBMITTED BY NOON THREE WORKING DAYS AND FOUR (4) WEEKS PRIOR FOR PLANNED UNIT DEVELOPMENTS (PUDs) OR THREE (3) WEEKS PRIOR FOR NON-PUD APPLICATIONS TO THE APPLICABLE PLANNING COMMISSION MEETING DATE.

SUBMISSION OF APPLICATION. ALL APPLICATIONS SHALL BE SUBMITTED TO THE APPROPRIATE COUNTY DEPARTMENT. NO APPLICATION WILL BE ACCEPTED UNLESS ACCOMPANIED BY THE REQUIRED FEE. APPLICATIONS RECEIVED BEFORE 12:00 P.M. SHALL BE DATED THE SAME WORKING DAY. APPLICATIONS RECEIVED AFTER 12:00 P.M. SHALL BE DATED THE NEXT WORKING DAY.

PLANNED UNIT DEVELOPMENT (PUD) APPLICANTS ARE REQUIRED TO SUBMIT FIFTEEN (15) COPIES TO THE PLANNING DEPARTMENT. CONSULT THE APPLICABLE STAFF PLANNER FOR DETAILS.

FOR MAP AMENDMENT REQUESTS, THE PLANNING OFFICE WILL POST A NOTICE ON THE AFFECTED PROPERTY AS OUTLINED IN DIV. 7.4.50 OF THE COMMUNITY DEVELOPMENT CODE.

CONTACT THE PLANNING DEPARTMENT AT (843) 255-2140 FOR EXACT APPLICATION FEES.

FOR PLANNING DEPARTMENT USE ONLY:

Date Application Received:
stamp below)

Date Posting Notice Issued:(place received

Application Fee Amount Received:

Receipt No. for Application Fee:

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

**LIMITED POWER OF ATTORNEY
FOR PUD CHANGE APPLICATION**

KNOW ALL PERSONS BY THESE PRESENTS, that , that **J. NATHAN DUGGINS, III**, as Manager of **LCP III, LLC** (the "Principal") approves and appoints **ROBERT M. DEEB, JR.** and/or **DAVID G. BENNETT** of **BBR DEVELOPMENT, LLC** as the Principal's lawful agents and attorneys-in-fact to act agents to complete and submit a PUD Master Plan Change Application ("Application"), and to execute any documents related to the Application, before Beaufort County for the Principal's property being a 17 acre portion of Beaufort County TMP R600 013 000 0006 0000 located in the Osprey Point Planned Unit Development adjacent to Highway 170 and generally depicted on Exhibit "A" attached hereto ("Property"), with authority to handle such Application on behalf of and in the place and stead of the Principal, and for the Principal's benefit. This approval and appointment is limited to changing the zoning and use of the Property to allow 204 multi-family workforce housing apartments.

GIVING AND GRANTING unto the said Agents' authority to do and perform all reasonably necessary regarding the Application, as fully and effectively to all intents and purposes that might or could be done in person if the Principal was personally present, so long as this power and authority does not exceed the limitation that this shall only be used for changing the zoning and use of the Property to allow 204 multi-family workforce housing apartments.

This approval and appointment shall expire without further action on the earlier of: (i) a final, unappealable denial of the Application; or (ii) June 30, 2022.

^{29th} IN WITNESS WHEREOF, the Principal has hereunto set his hand and seal November 29, 2021

LCP III, LLC



J. NATHAN DUGGINS, III
ITS MANAGER



(Signature of Witness, non-notary)



(Signature of Notary as Witness)

STATE OF North Carolina)
)
COUNTY OF Guilford)

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that J. NATHAN DUGGINS, III, as Manager of LCP III, LLC personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

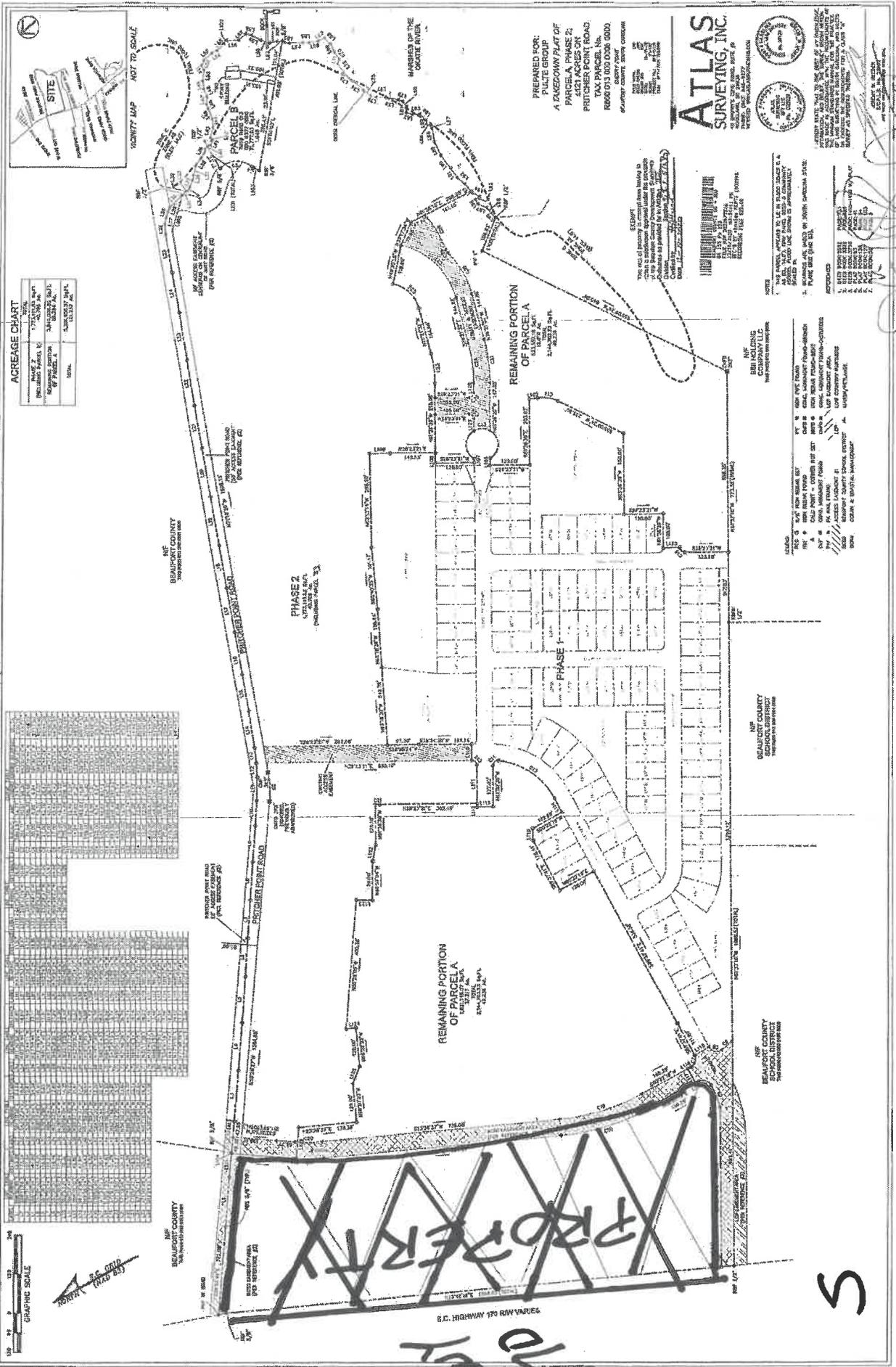
Witness my hand and seal this the 29 day of November, 2021.

MICHELLE CARRIE LAWLER
NOTARY PUBLIC
GUILFORD COUNTY, NC
My Commission Expires 4-1-2025

Michelle Carrie Lawler (SEAL)

Notary Public for Michelle Carrie Lawler
My Commission Expires: 4-1-2025

Exhibit A



N

1700 Alley

S

NARRATIVE EXHIBIT TO COMMUNITY DEVELOPMENT CODE (“CDC”)

OSPREY POINT PUD MASTER PLAN CHANGE APPLICATION

General Outline:

The Property subject to the Application is generally depicted on Exhibit “A” to the Application. The Property is under contract with LCP III, LLC as the seller/owner and BBR Development, LLC as the purchaser/applicant. Under the PUD Master Plan, the Property consists of the Highway 170 frontage currently designated for commercial use. Attached is the PUD First Amendment Master Plan transect map of Osprey Point, depicting the designated zoning areas within the PUD. Under the PUD First Amendment Section III A, the PUD density for commercial development is 190,000 square feet, and the density for residential development is 396 total units with “most or all” to be single family detached units. The applicant proposes to change the commercial portion of the PUD to develop the Property with 204 multifamily apartment dwelling units, including workforce housing, sometimes referred to as affordable housing.

The applicant addresses the CDC Section 7.3.40(C) items as follows.

1. The change does not threaten the public health, safety or welfare and is consistent with the Comprehensive Plan. In fact, affordable housing is needed in Beaufort County, especially south of the Broad River. This proposed change will address that need.
2. The proposed change will eliminate the PUD commercial density after the purchaser/applicant closes on the purchase of the Property, as the Property lies within the portion of the PUD area currently designated as commercial.
3. The proposed change addresses demonstrated community needs. The proposed Master Plan change creates affordable housing within walking distance to Okatie Elementary School. The Beaufort County School District owns other adjacent property, so future public school expansion will be nearby to the Property, obviating the need for school bus transportation. A change to a multifamily use from commercial use will be beneficial from a traffic/roadway impact stand point as apartment communities generate substantially less traffic than commercial uses. There is substantial commercial development across Highway 170 as well as to the north and south of the Property, and the area will benefit from the proposed residential development. Restaurants, churches, animal shelters, and other moderate commercial uses nearby will benefit and complement the proposed development.
4. The conditions in the area have changed dramatically in the past years. Commercial development on the Highway 170 corridor has rapidly increased. The original Master Plan is over 15 years old, when the area was nearly vacant. More commercial development is not needed and likely detrimental to the area. The proposed residential development will balance out the rapid commercial growth in the area.

5. The affordable housing development will complement the existing schools, business, churches, and the balance of the Malind Bluff/Osprey PUD residential development. The Master Plan provides for recreational areas and common areas, which will serve the prospective project on the Property.
6. The development will not adversely impact nearby lands. In fact, the proposed development is less intensive in many respects than the current commercial use designation. As set forth above, nearby lands will benefit from the proposed development. Given the close proximity to the 278/170 intersection and the multitude of businesses and nearby commercial uses, the Property is desirable for a multi-family residential development.
7. The proposed development compliments the single-family phases of the Osprey Point PUD as well as the nearby schools, restaurants, and churches such as Church of the Palms, Rise Up Christian Fellowship, and other nearby places of worship. The proposed development is a logical and orderly extension of the residential phases of the PUD.
8. The natural environment will benefit from the proposed change. Changing from commercial development to residential will reduce traffic congestion, especially given the adjacent Elementary School. Parking lot areas will be reduced as well as impervious surfaces.
9. The Highway 170 area has adequate utilities, schools, businesses, fire and emergency facilities to serve the PUD both before and after the proposed change. Beaufort Jasper Water & Sewer Authority is nearby, and the entire PUD has permitted and committed utility service in place currently.

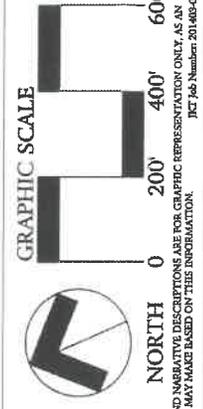
EXHIBIT I

TO NARRATIVE



MALIND BLUFF TRANSECTS

MALIND BLUFF T-4 URBAN CENTER	+/-17.21 AC (190,000 SF COND)	20 UNITS MAXIMUM
MALIND BLUFF T-3 RESIDENTIAL	+/-46.95 AC (4.18 UNITS/AC)	196 MAXIMUM UNITS
MALIND BLUFF T-2 RESIDENTIAL	+/-55.12 AC (3.26 UNITS/AC)	180 MAXIMUM UNITS
TOTAL MAXIMUM UNITS:	3.32 UNITS (396 UNITS +/- 119.28 AC)	396 UNITS
TOTAL DENSITY:		3.32 UNITS



OSPREY POINT (MALIND BLUFF) TRANSECT MAP

BEAUFORT COUNTY, SOUTH CAROLINA
 July 29, 2014

PREPARED FOR:
MALIND BLUFF DEVELOPMENT LLC

PREPARED BY:
J. K. TILLER ASSOCIATES, INC.
 LAND PLANNING
 150 WINDY COTTON ROAD, SUITE 101, WUFFORD, SC 29185
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 JKT 14-07-Number: 201402-01



MEMORANDUM

TO: Natural Resources Committee

FROM: Juliana Smith, Beaufort County Planning and Zoning Department

DATE: January 3, 2021

SUBJECT: Zoning Map Amendment/Rezoning Request for nineteen (19) Rural and Critical Lands Preservation Program properties from various zoning districts to T1 Natural Preserve (T1NP); Staff Initiated

STAFF REPORT:

A. BACKGROUND: Since 2000, Beaufort County has preserved over 25,000 acres of land through the Rural and Critical Lands Preservation program for conservation, parks, buffers, scenic vistas, and for preservation of valuable economic and natural resources. Despite their acquisition through the Rural and Critical Lands Preservation Program, many of these properties still hold zoning districts that are no longer appropriate for the future intended conservation uses of the land.

B. SUMMARY OF REQUEST: In order to provide the greatest possible zoning protection on the nineteen County-owned passive parks properties, staff has initiated a rezoning request in order to convert them from their current zoning districts to the most protective zoning district, T1 Natural Preserve. The nineteen properties' current zoning districts include T2 Rural, T3 Edge, T3 Hamlet Neighborhood, T3 Neighborhood, C5 Regional Center Mixed Use, S1 Industrial, and Planned Unit Development, all of which are no longer appropriate. The requested rezoning will ensure continued and future conservation and passive recreation.

The affected Rural and Critical Preservation Program properties can be reviewed at the link below.
<https://www.beaufortcountysc.gov/planning/rural-and-critical-lands-preservation.html>

C. STAFF RECOMMENDATION: Staff recommends approval.