



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DIVISION
Beaufort County Government Robert Smalls Complex
Administration Building, 100 Ribaut Road, Room 115
Mailing: Post Office Drawer 1228, Beaufort SC 29901-1228
Phone: (843) 255-2140 • FAX: (843) 255-9432

PLANNING COMMISSION

Thursday, January 5, 2017

6:00 p.m.

Council Chambers, Administration Building
100 Ribaut Road, Beaufort, South Carolina

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

1. COMMISSIONER'S WORKSHOP – 5:30 P.M.
Planning Office, Room 115, County Administration Building
2. REGULAR MEETING – 6:00 P.M.
Council Chambers
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. REVIEW OF MEETING MINUTES FOR DECEMBER 5, 2016 ([backup](#))
6. CHAIRMAN'S REPORT
7. PUBLIC COMMENT ON NON-AGENDA ITEMS
8. PORT ROYAL ISLAND ZONING MAP AMENDMENT/ REZONING REQUEST FOR R100 029 000 0046 0000 (10.69 ACRES AT 126 BROAD RIVER BOULEVARD); FROM C3-NEIGHBORHOOD MIXED USE DISTRICT TO C5-REGIONAL CENTER MIXED-USE DISTRICT; OWNER: 10 FRONTAGE ROAD LLC, APPLICANT: ANDY BURRIS ([backup](#))
9. OTHER BUSINESS – Next Meeting: Monday, February 6, 2017, at 6:00 p.m.
10. ADJOURNMENT





COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DIVISION
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
ADMINISTRATION BUILDING, 100 RIBAUT ROAD
POST OFFICE DRAWER 1228, BEAUFORT, SOUTH CAROLINA 29901-1228
Phone: 843-255-2410 / FAX: 843-255-9432

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Thursday, December 1, 2016, in the Large Meeting Room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina.

Members Present:

Mr. Robert Semmler, Chairman
Mr. Harold Mitchell
Mr. Randolph Stewart

Ms. Diane Chmelik
Mr. Ed Pappas
Ms. Caroline Fermin

Mr. Jason Hinchler
Mr. Eric Walsnovich

Members Absent: Mr. Marque Fireall

Staff Present:

Mr. Gary Kubic, County Administrator
Mr. Eric Larson, Director, Environmental Engineering & Land Management,
& Director, Disaster Recovery
Mr. Tony Criscitiello, Planning Director
Mr. Robert Merchant, Long-range Planner
Ms. Heather Spade, Planning Assistant

CALL TO ORDER: County Planning Commission Chairman Robert Semmler called the meeting to order at approximately 6:00 p.m.

Mr. Semmler stated that the Planning Commission meeting was at the Bluffton Branch Library where area residents would be able to participate in projects that affect their area.

PLEDGE OF ALLEGIANCE: Mr. Semmler led those assembled in the Large Meeting Room of the Bluffton Branch Library with the pledge of allegiance to the flag of the United States of America.

REVIEW OF MINUTES: The Commissioners reviewed the November 3, 2016, meeting minutes. **Motion:** Ms. Caroline Fermin made motion, and Mr. Jason Hinchler seconded the motion, **to accept the November 3, 2016, minutes as written.** The motion **carried (FOR: Chmelik, Hinchler, Mitchell, Pappas, Fermin, and Walsnovich; ABSTAIN: Semmler and Stewart; ABSENT: Fireall).**

CHAIRMAN'S REPORT: Mr. Semmler noted that he was glad to see the crowd that had showed up to participate since that is why the meeting is being held at the Bluffton Library. Mr. Semmler also remarked that Clemson would be playing Virginia Tech the following weekend.

PUBLIC COMMENT on non-agenda items: None were received.

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE, APPENDIX A, COMMUNITY PRESERVATION DISTRICTS; DIVISION A.7.70.F.3.B, FREE STANDING SIGNS STANDARDS FOR DALE MIXED USE DISTRICT (DMU); APPLICANT: JAMES E. MOORE (TO INCREASE THE MAXIMUM SIGNAGE AREA TO 40 SQUARE FEET)

Mr. Anthony Criscitiello, Planning Director, noted that Dale is a Community Preservation (CP) District; it has its own rules and standards to follow within the District. The Dale Mixed Use District is listed in the Appendices of the Community Development Code. Currently the Dale Mixed Use District allows one (1) free standing sign in addition to one (1) wall projecting sign. The free standing sign must be set back five (5) feet from the right-of-way with a height of seven (7) feet and the total sign size of twelve (12) feet. The

problem presented by the church in the Dale CP District is that the current sign is too small to provide good information for the community. Mr. Criscitiello pointed out that in other rural districts in Beaufort County the typical sign size is limited to 40 square feet as oppose to 12. Dale CP is typically more rural than other places in the County. The applicant is asking for a compatible 40 square foot sign. The recommendation is shown in the CDC Section A7.70F that such signs should have a maximum height of 7 feet and a maximum area of 24 square feet, if the property is located beyond a quarter-mile radius of Keans Neck and Kinloch Roads intersection and the building is set back at least 50 feet from the road right of way. This is the recommendation from staff and also the sign structure allows stucco and tabby brick and illuminated by LED, with no more than half of the sign using LED lighting as opposed to self-lit lighting.

Applicant: Pastor John Moore, the applicant, spoke as to why it is important to his church to have a larger sign in order to relay information to the public. Pastor Moore also thanked the Planning Staff for being so reasonable and professional throughout the text amendment process.

Public Comment: No public comment was received.

Motion: Ms. Caroline Fermin made a motion, and Mr. Mitchell seconded the motion, to amend the maximum allowable sign area from twelve (12) square feet to forty (40) square feet in the Dale Community Preservation. Discussion included a clarification of the motion. The motion carried (FOR: Chmelik, Fermin, Hincer, Mitchell, Pappas, Semmler, Stewart, and Walsnovich; ABSENT: Fireall).

SOUTHERN BEAUFORT COUNTY MAP AMENDMENT/REZONING REQUEST FOR R600-040-000-001C-0000 (299.202 ACRES LOCATED ON THE NORTH AND SOUTH SIDES OF BLUFFTON PARKWAY AND EAST OF MALPHRUS ROAD; KNOWN AS HILTON HEAD NATIONAL GOLF COURSE); FROM T2-RURAL DISTRICT TO T3-NEIGHBORHOOD, T4-NEIGHBORHOOD CENTER, AND T4-HAMLET CENTER OPEN DISTRICTS; OWNER: SCRATCH GOLF COMPANY; APPLICANT: WILLIAM C. PALMER, JR.; AGENT: MICHAEL KRONIMUS

Mr. Semmler stated the process that this agenda item would be heard: Mr. Criscitiello will share his comments, the applicant will provide his comments, then Public Comment will be received by the Commission.

Mr. Criscitiello stated that this is a change in zoning for a 300-acre parcel, from T2-Rural and C5- Regional to a Combination of zoning districts to form a village place type: T3-Hamlet Neighborhood (74 acres), T3-Neighborhood (49 acres), T4-Neighborhood Center (97 acres), and T4-Hamlet Center Open (80 acres). This project originally came before the Planning Commission on September 5, 2013. The Planning Commission denied the request largely because a Traffic Impact Analysis (TIA) was not submitted, and traffic was a big concern. Also, the Planning Commission wanted to see a market feasibility study because there was concern expressed whether or not a large amount of commercial development could be supported.

Mr. Criscitiello explained that a new application was submitted in September 2016, and changes were made to the plan to better meet the Community Development Code, to address timing and cost, to address access to Heritage Lakes, and to eliminate a flyover on Highway 278. The application now has better achieved compatibility with the Community Development Code, as shown on page 2 of the Staff report. The timing and cost of the offsite traffic improvements are outlined in the Stantac Report which is attached to the staff report, as shown on page 2 of that report. The total estimated cost is \$12,650,000.00. That cost may rise as future estimates from future TIA's per individual land development projects come forward. The County Transportation Engineer in his memo of November 23rd stated that the transportation improvements outlined in the Stantec Report will adequately serve to mitigate the development assumed in the rezoning application. A majority of the transportation improvements will need to be completed in Phase I, as defined in the TIA.

Applicant's Comments:

1. **Martin Kent**, the applicant's representative, believes that his team has addressed any of the questions that were presenting to them in September. He said he was proud that he was on the team and noted that the staff, after Hurricane Matthew, put forth efforts to restore the golf course to a working status. He believes this reinforces their desire to continue to be a viable part to the local community.
2. **Greg Dale**, a community planner of McBride Dale Planning and the applicant's representative, focused on a discussion on the changes that were made as a result of the staff recommendation from September. Mr. Dale showed a map of the property and explained why he thought this plan fits into the County's Comprehensive Plan. The designation of Village Place Overlay is consistent with the Comprehensive Plan.
3. **Michael Kronimus**, the applicant's agent and land planner/architect. Mr. Kronimus described the changes that were made from the previous proposal. He described what the applicant planned for each of the areas to make a true mixed-use community. The team had to change some of the zoning. One of major changes is that there are now 3 accesses onto Malphrus Road. Over five miles of trail systems were added to the project. The transient zones have been changed so that the project becomes less dense as you move down through the project. Mr. Kronimus addressed changes that were made within the project to maintain better connectivity. He spoke on each of the transect zones in the project and what they have to offer to the development and the surrounding communities.
4. **Jennifer Bihl** of Bihl Engineering, stated that the new traffic study has been reviewed by a third party engineer along with the County Traffic Engineer (Mr. Colin Kinton). Ms. Bihl spoke of the modifications/recommended improvement that were made to the traffic study from the initial submittal.
5. **Wes Jones**, the applicant's attorney, described the process of a development agreement and concluded that a development agreement should take place when a site plan is submitted. He explained multiple sections that would be included in a development agreement and that this was not the proper stage for this to take place. Mr. Jones stated that the applicant was willing to go forward with a development agreement at the appropriate time and ensured that the developer cannot break ground until after a development plan is put into play.

Public Comment:

1. **Collin Dowdy**, a Bluffton Resident, expressed his concerns with the traffic getting on and off of Hilton Head Island during the busy times of the day, explaining that it takes anywhere from an hour to an hour and a half to get on and off of the island in the morning and the afternoons. Mr. Dowdy was also concerned with the idea of a water park and believes that it is not worth putting something so short lived and seasonal in. He said that if the water park eventually is not successful, the developer would then try to put housing units to replace where the waterpark once sat. Mr. Dowdy then commented on the idea of a school that will only make the traffic problem worse. He also questioned the activities of the school and would like to know if the school was going to have a football field or any other outside activities that were not addressed in the initial proposal. Another concern of Mr. Dowdy's is the boat landing—he lives on the May River and his house is located on Alljoy Road near that boat landing which already does not have enough parking so people park in his yard and up and down the road. Mr. Dowdy expressed his general concerns about stormwater runoff into the May River and Mackay Creek. Mr. Dowdy further said that he has lived in the Bluffton area long enough to have seen other developments that were loosely constructed having a negative impact on the way of life. He referenced Sea Pines having designated "open spaces" that are now occupied by more homes.
2. **Rick Sweet**, a Heritage Lake resident, asked that the Planning Commissioner vote NO and that there has already been an approval for another parcel across from Tanger Outlet 2—namely Executive Golf. Mr. Sweet read a letter to the Planning Director from Charles Cousins dated August 18, 2016, that stated, "the county and town have partnered together in land acquisitions in the area to reduce overall development at the gateway to Hilton head Island and that allowing significant increase in this area would counter act those efforts." The Bluffton Parkway was designed, funded and constructed as a controlled access bypass to provide relief from traffic demands placed on U.S. Highway 278 and provide additional capacity for emergency evacuation. Allowing for this intense trip generation is again contrary

to these purposes. Mr. Sweet states that the Town Hilton Head Island objects to the proposal. Mr. Sweet explained that he attended this meeting to represent Heritage Lakes and their main concerns are their entrances and exits. Mr. Sweet stated that he is not an engineer but he has drawn a plan that he thinks would solve the entrance and exit problem to Heritage Lakes. (Mr. Sweet asked that his plan be included in the minutes, and gave the plan to Mr. Semmler.) Lastly Mr. Sweet stated that this project is actually an undercover Casino; he stated there is no economic explanation for what was proposed.

3. **Karen Dowdy** stated that she was surprised that the (Town of Bluffton) Mayor has not attended any of the meetings. Ms. Dowdy explained how she commutes to Hilton Head every day and she has seen many things impact the traffic in a negative manner. She stated that the flyover construction disrupted the traffic pattern for over a year. Mrs. Dowdy explained that the community doesn't need something like what the Hilton Head National representatives are proposing. She also stated that she does not see the benefit to our quiet little community.
4. **Fran Gelman**, a property owner in Bluffton for 10 year, is beginning to become appalled at the amount of commercial development on the Bluffton Parkway. She believes it is drastically impacting the town in negatively. Mrs. Gelman spoke about studies that have taken place in the last year on the water quality declining if the proposed projects were to be put in place. She believes that as residents they should have a right to maintain a quality of life. She then explained the negative impact development has had on Mt. Pleasant. Mrs. Gelman then asked where the Bluffton Town Council fits into the decision making process. (*Mr. Semmler acknowledged her question and said that he would explain the process when she was finished.*) She went on to say that she is worried about the cost to all tax payers; she believes that the cost of everything will soon go up. She also stated that this property should be bought by the Open Land Trust Fund.
5. **John Roberts**, a resident of Foreman Hill Road, addressed the statement of the possible connectivity to downtown Bluffton, which would lead down Foreman Hill Road. He believes that if this development were to happen it would only make sense for that traffic to get onto Foreman Hill Road. He believes that a traffic study should have taken place on a Saturday in July. He stated that when Foreman Hill Road was opened up to through traffic it was initially designed for the use of emergency vehicles, but is now overcrowded with people using the road as a shortcut and not abiding the speed limitations. He explained that he bought property on a dead end dirt road for a reason and it is no longer peaceful.
6. **Ray McDonald**: He explained that he came from a small town in New Jersey where they had to take the kids to a school in a different township. Once someone came in and developed the small town, they did not account for the amount of children that were going to come, and all of the cost that came into play with schools. Mr. McDonald also believes that when you create a town center the only people that benefit from that are the people that live in that development. He believes that the main issue at hand is does the County want to maintain the rural status because once you give it up there is no turning back.
7. **Bill Sanderson** stated he initially moved to Bluffton to enjoy the lifestyle that is currently here. He said he understands that everyone wants to make money, but he believes that this is at a huge cost to the surrounding property owners. He believes that the Commission's job is to come to a reasonable agreement so that the property owner can develop to an extent—but to be very limited extent. He also commented on something that was said earlier in public comment about the belief that some sort of National Conservation Program should step in and try to buy the land to keep it preserved.
8. **Tamara Davis**, a Foreman Hill Road resident of 23 years, is concerned with the traffic on Foreman Hill Road. She is also an environmental scientist and she believes that preserving the water quality is most important. She believes that the May River oysters are a large part of their community and that everything that goes into the ground can affect the livelihood of the pristine oysters. She stated that she doesn't mind development, but believes it should be limited. She was concerned with rezoning before a development agreement was put into place because once the rezoning has occurred the doors are wide open for further development.
9. **Arnold Gelman**, a resident, thanked the Commission for the open mike to the public. He noted his concerns regarding Hilton Head workers having transportation issues, and The Brown Group that is buying up golf courses for real estate sales. He is asking the Commission to think about the long term

factor of keeping developments from taking over. The project should make a better plan of what these new developments should consist—a mix of low and high income developments.

10. **Fran Bear** stated that everywhere you turn is development. He fears for what is going to happen with the Graves property on the water. He is concerned about over development and turning Bluffton into “anywhere USA.”
11. **Doug Swane**, a resident of Heritage Lakes, comments that anytime he hears anything new that is any way positive, it is followed by a negative. As a resident, the entrance and exit are major concerns.

Mr. Semmler addressed Mrs. Gelman’s comment from earlier concerning the Town of Bluffton’s letter of Aug 18, 2016, to Anthony Criscitiello, where the Town received a notice to submit comments on the Hilton Head National Golf Course rezoning. The Town of Bluffton has reviewed the materials and has no other comments at the time. The staff of the Towns of Hilton Head Island and Bluffton have reviewed the plans and submitted their comments concerning the flyover. The flyover has since been removed from the project.

Commission discussion included:

- clarifying the Planning Staff report and querying a counter proposal of the staff report (*Mr. Criscitiello stated that either with or without the development agreement the development could still take place. The development agreement is a law in itself in addition to the zoning ordinance. Mr. Criscitiello’s recommendation is that the Comprehensive Plan is the guidance to the rezoning process and he thinks that they could work the project without a development agreement. The development agreement would ensure the timing coordination of the development process.*);
- acknowledging the mixed feelings from the meeting attendees on the purpose of the Comprehensive Plan;
- noting that all of the Commissioners were volunteers and are trying to insure the integrity of the county and have no hidden agenda;
- trusting the CDC and the planning Staff to do right for the community;
- clarifying the new traffic study and its process, including the trigger to eliminate the flyover (*Ms. Jennifer Bihl, the applicant’s TIA consultant, explained that the new study used other data to factor in the traffic volumes reflecting a summer condition when the traffic is at a higher density. Ms. Bihl also noted that the different land uses proposed and the placement of those land uses were elements used to structure the overall new traffic study.*);
- clarifying the order of magnitude based on a 1% background growth and if any alternative studies were made if the growth rate was more than or less than 1% (*Ms. Bihl noted that they looked at historic and projected growth for the TI, but they did not do alternative studies since it was not part of their analysis.*);
- clarifying the development process (*Mr. Criscitiello mentioned the Southern Regional Plan, explaining how the different municipalities communicate and acknowledge each other’s projects. Working together with the different municipalities is how the future land use study was created. Mr. Criscitiello also explained that the county has bought 20,000 acres of land have been preserved by the Rural & Critical Land Preservation Program. We are conscious of open green space within the county.*);
- clarifying the 9% overage that related to the school property (*Mr. Michael Kronimus noted that the school district would need space for another school. Changes were made to the plan and the zone was pushed to 59%. The commissioners were concerned with the percentage that the school was succeeding. Michael K explained that the overage is reflecting using the school “almost like a donation”.*); and
- clarifying that the Commission was voting on the regulating plan and the rezoning with its allowable densities and uses.

Motion: Mr. Randolph Stewart made a motion, and Mr. Jason Hincer seconded the motion, to recommend approval to County Council for Southern Beaufort County Map Amendment/ Rezoning Request for R600-040-000-001C-0000 (299.202 acres located on the north and south sides of Bluffton Parkway and east of Malphrus Road; known as Hilton Head National Golf Course) from T2-Rural Zoning District to T3-Neighborhood, T4-Neighborhood Center, and T4-Hamlet Center Open Zoning Districts. Discussion included trusting the system and planning staff to make decisions for the benefit of the community, development is occurring everywhere and limits should be placed on such development, concern that the Executive Golf rezoning and this rezoning reducing the rural areas, noting no public support of this rezoning, concern for rezonings where applicants sell off their properties to other developers, kudos to the TIA, and concerns with the density of the project and water quality issues. The motion carried (**FOR: Fermin, Hincer, Mitchell, Semmler, and Stewart; OPPOSED: Chmelik, Pappas, and Walsnovich; ABSENT: Fireall**).

OTHER BUSINESS—Next Meeting: Mr. Semmler noted that the next Planning Commission meeting is scheduled for Thursday, January 5, 2017, at 6:00 p.m. at the Beaufort County Council Chambers.

ADJOURNMENT: Mr. Semmler adjourned the meeting, with no objections from the rest of the Commissioners, at approximately 8:30 p.m.

SUBMITTED BY:

Heather Spade, Planning Assistant

Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED: January 5, 2017, as written

*Note: The video link of the December 1, 2016, Planning Commission meeting is:
http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=2967*



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Anthony Criscitiello, Beaufort County Planning Director
DATE: December 21, 2016
SUBJECT: Zoning Map Amendment/Rezoning Request for R100 029 000 0046 0000, 10.69 acres at 126 Broad River Boulevard, from C3-Neighborhood Mixed Use District to C5-Regional Center Mixed-Use District; Owner: 10 Frontage Road LLC, Applicant: Andy Burris

STAFF REPORT:

A. BACKGROUND:

Case No. ZMA-2016-11
Owner/Applicant: 10 Frontage Road, LLC; Agent: Andy Burris
Property Location: Located in the Burton area on the north side of Broad River Boulevard approximately 1,200 feet west of the intersection with US 21 (Parris Island Gateway)
District/Map/Parcel: R100 0290 000 0046 0000
Property Size: 10.69 acres
Current Future Land Use Designation: Urban Mixed Used
Current Zoning District: C3-Neighborhood Mixed-Use (C3-NMU)
Proposed Zoning District: C5-Regional Center Mixed-Use (C5-RCMU)

B. SUMMARY OF REQUEST:

The owners of a 10.69-acre parcel located on the north side of Broad River Boulevard approximately 1,200 feet west of the intersection with US 21 (Parris Island Gateway) is requesting to change the zoning of the property from C3-NMU to C5-RCMU. The owner is interested in development multi-family housing on the property. While C3-NMU allows multi-family housing, developments are limited to a maximum of 80 dwelling units and each individual building must meet the Mansion Apartment building type and have no more than 6 dwelling units.

While the parcel is just over 10 acres, the rear half of the property is a wetland. The parcel contains a dwelling unit that is in the Beaufort County Above Ground Historic Sites Survey. The structure has been determined to be not eligible for the National Register of Historic Places.

C. ZONING MAP AMENDMENT ANALYSIS: Section 7.3.40 of the Community Development Code (CDC) states that a zoning map amendment may be approved if 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 proposed amendment is not consistent with the future land use map of the Beaufort County Comprehensive Plan and would require an amendment to the plan itself. The future land use designation for this parcel is Urban Mixed-Use, which calls for residential densities between two and four dwelling units per acre with some denser pockets of development and commercial uses providing neighborhood scale retail and services. The Community Development Code provides direction for appropriate zoning districts that match the designation of Urban Mixed Use. Article 1, Table 1.4.10.A of the CDC states that parcels that have the future land use designation of Urban Mixed-Use should be zoned T3-Hamlet Neighborhood, T3-Neighborhood, T4-Hamlet Center, or T4-Neighborhood Center. Typically, the mapping of transect zones are based on a design charrette and area plan. This was not done for the Burton area prior to the adoption of the CDC, so parcels designated as Urban Mixed-Use were zoned C3-NMU.

The C5-RCMU district is meant to accommodate the development of retail, services, and offices that are regional in scale.

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

As stated above, the proposed zoning district of C5-RCMU is not consistent with Table 1.4.10.A of the CDC for parcels that are designated as Urban Mixed-Use in the Comprehensive Plan.

3. *Addresses a demonstrated community need:*

The proposal does not address a demonstrated community need.

4. *Is required by changing conditions:*

The character of the surrounding area has not changed significantly in the last 10 years.

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.*

There is a mix of uses along Broad River Boulevard in the vicinity of this parcel. These uses include small warehouses, private social clubs, churches, a small mobile home park, and single-family residential.

6. *Would not adversely impact nearby lands.*

Properties located to the east and across from Broad River Boulevard from this parcel are zoned C5-RCMU and would not be adversely impacted by amending the zoning of this parcel.

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

See item 6 above.

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

Approximately one half of the parcel is wetland that would be required to be preserved. There should be no adverse impacts assuming that applicable local, state, and federal

environmental protection requirements are met with any future development of the parcel.

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

The proposed rezoning is located in close proximity to utilities and public facilities. Sewer is available on Parris Island Gateway; water lines are available along Broad River Boulevard.

D. STAFF RECOMMENDATION:

The proposed rezoning of R100 029 000 0046 0000 from C3-NMU to C5-RCMU is not consistent with the future land use map of the Beaufort County Comprehensive Plan. In order to amend the future land use map, the applicant would have to demonstrate that capital investments, population trends, land committed to development, density, use, or other conditions have changed in this area that justify making the amendment. It is staff's opinion that development trends in this Regional Commercial district have not outpaced the availability of land to justify expanding the district. Therefore, the staff recommends denial of the rezoning request.

E. METROPOLITAN PLANNING COMMISSION RECOMMENDATION:

The Metropolitan Planning Commission (MPC) met on December 19, 2016. The following Commissioners attended the meeting: Joe DeVito (Chairman), James Crower, Carolyn Fermin, Bill Harris, Robert Semmler, and Tim Rentz. The Commission reviewed the rezoning request.

Motion: Mr. Rentz made a **motion**, and it was seconded, **to approve the rezoning**. The **motion failed** (FOR: Harris and Rentz; AGAINST: Crower, DeVito, Fermin, and Semmler). Chairman DeVito told the applicant that the rezoning request now goes to the Beaufort County Planning Commission.

Motion: A **motion was made** and seconded **to reconsider the rezoning, giving the applicant the option to bring the item back to the MPC in January if the applicant could provide additional information**. The motion **carried** (FOR: Crower, DeVito, Fermin, Harris, Rentz and Semmler).

F. ATTACHMENTS:

- Zoning Map (existing and proposed)
- Application

BEAUFORT COUNTY, SOUTH CAROLINA
PROPOSED COMMUNITY DEVELOPMENT CODE (CDC)
ZONING MAP OR TEXT AMENDMENT / PUD MASTER PLAN CHANGE APPLICATION

TO: Beaufort County Council

The undersigned hereby respectfully requests that the Beaufort County Zoning/Development Standards Ordinance (ZDSO) be amended as described below:

1. This is a request for a change in the (check as appropriate): PUD Master Plan Change
 Zoning Map Designation/Rezoning Community Development Code Text

2. Give exact information to locate the property for which you propose a change:
Tax District Number: R100, Tax Map Number: 029, Parcel Number(s): 000 00 46 0000
Size of subject property: 10.69 Acres Square Feet / Acres (circle one)
Location: 126 Broadriver Blvd Beaufort, SC 29906

3. How is this property presently zoned? (Check as appropriate)
 T4NC Neighborhood Center T2RC Rural Center C3 Neighborhood Mixed Use
 T4HC Hamlet Center T2RN Rural Neighborhood C4 Community Center Mixed Use
 T4HCO Hamlet Center T2RNO Rural Neighborhood Open C5 Regional Center Mixed Use
 T4VC Village Center T2R Rural S1 Industrial
 T3N Neighborhood T1 Natural Preserve Planned Unit Development/PUD
 T3HN Hamlet Neighborhood Community Preservation (name) _____
 T3E Edge (specify) _____

4. What new zoning do you propose for this property? C5 Regional Center
(Under Item 9 explain the reason(s) for your rezoning request.)

5. Do you own all of the property proposed for this zoning change? Yes No
Only property owners or their authorized representative/agent can sign this application. If there are multiple owners, each property owner must sign an individual application and all applications must be submitted simultaneously. If a business entity is the owner, the authorized representative/agent of the business must attach: 1- a copy of the power of attorney that gives him the authority to sign for the business, and 2- a copy of the articles of incorporation that lists the names of all the owners of the business.

6. If this request involves a proposed change in the Community Development Code text, the section(s) affected are: NA
(Under Item 9 explain the proposed text change and reasons for the change.)

7. Is this property subject to an Overlay District? Check those which may apply:
 MCAS-AO Airport Overlay District/MCAS MD Military Overlay District
 BC-AO Airport Overlay District/Beaufort County RQ River Quality Overlay District
 CPO Cultural Protection TDR Transfer of Development Rights
 CFV Commercial Fishing Village

8. The following sections of the Community Development Code (CDC) (see attached sheets) should be addressed by the applicant and attached to this application form:
a. Division 7.3.20 and 7.3.30, Comprehensive Plan Amendments and Text Amendments.
 b. Division 7.3.40, Zoning map amendments (rezoning).
c. Division 1.6.60, Planned Unit Developments (PUDs) Approved Prior to Dec. 8, 2014
d. Division 6.3, Traffic Impact Analysis (for PUDs)

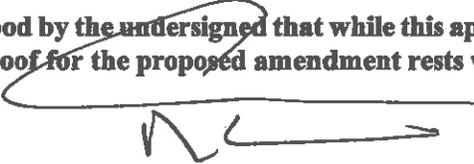
RECEIVED
NOV 05 2016
PLANNING
DIVISION
Incomplete #3

ZMA 2016-11

9. Explanation (continue on separate sheet if needed): _____

See Attached

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) _____ Date _____
Printed Name: 10 Frontage Road LLC Telephone Number: 843.524.4425
Address: 960 Ribaut RD #2 Beaufort SC 29902
Email: mgtech428@yahoo.com
Agent (Name/Address/Phone/email): Andy Burris + Skeet Burris

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.

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:
(place received stamp below)

Date Posting Notice Issued:

Application Fee Amount Received:

Receipt No. for Application Fee:

Sustainability Mgmt LLC
960 Ribaut Rd Ste 2
Beaufort, SC 29902
(843) 524-4425

Re: 126 Broad River Blvd



1. It is believed by applicant that the request for rezoning is consistent with the goals and policies of the comprehensive plan since the adjacent parcel is currently zoned C5-RCMU.
2. Applicant is not aware of any conflict with the Development Code or Code of Ordinances. The property would be developed in accordance with the CDC requirements for the C5-RCMU zoning if rezoned.
3. The rezoning request will allow the opportunity to provide additional Affordable housing units to help serve the needs of Beaufort County.
4. (Not Applicable)
5. Applicant believes that the request is compatible with existing and proposed uses surrounding the land subject to the application and is the appropriate zone and use for the land. The property is located in a mixed use area, bound to the North by a significant open space (wetland area) zoned C3-NMU, to the South by Broad River Boulevard, to the West by C3-NMU and to the East by C5-RCMU zoning.
6. Construction of Affordable housing will not adversely impact nearby lands.
7. Since the proposed property is located adjacent to C-5 zoned property rezoning subject property to C-5 will result in a logical and orderly development pattern.
8. There are no adverse impacts to the environment anticipated by this rezoning. The subject property is 10.69 Acres. The proposed development will result in preservation of 4.78 Acres.
9. Storm water management plan will meet all county requirements. Water & Sewer is available from Beaufort Jasper Water Authority. See Attached Map. Solid waste will be collected and disposed of by contractor. All other services are available as they are available for adjacent property which is zoned C5-RCMU. Additionally, any development of this property will be submitted and allow for proper County staff review to ensure facilities are adequate to serve the use.

Property Owners Notified of Port Royal Island Map Amendment/Rezoning Request for R100 029 000 0046 0000 *

PIN	Owner1	MailingAdd	City	State	ZIP
R100 29 46	10 FRONTAGE ROAD LLC	960 RIBAUT ROAD #2	BEAUFORT	SC	29902
R100 29 49	ADVISORY BOARD SOUTH CAROLINA DISTRI	150 MCSWAIN DRIVE W	COLUMBIA	SC	29169
R100 29 46B, 46D & 46E	BARNARD CLAYTON C MANAGING MEMBER CC	2653 BOUNDARY STREET	BEAUFORT	SC	29902
R100 29 32	BROWN TONNEY T	2604 S OAK RIDGE CIR	NORTH CHARLESTON	SC	29420
R100 29 51A	BURNS RONALD F	11 POSSUM HILL ROAD	BEAUFORT	SC	29906
R100 29 18A	CHIAVIELLO CHRISTINE T / BREWER PAUL C	2823 BROOME LN	BEAUFORT	SC	29902
R100 29 33	COHEN NAOMI DUNBAR JESTINE LINDA JTR	5 LOGWOOD PATH	BURTON	SC	29906
R100 29 32B	DAISE HATTIE M	POST OFFICE BOX 4217	BURTON	SC	29903
R100 28A 349	DASH LORAINE	32 GLAZE DRIVE	Beaufort	SC	29906-8956
R100 29 46A	DERST INVESTMENTS L P N/K/A ATHENE I	POST OFFICE BOX 23174	SAVANNAH	GA	31403-3174
R100 29 34	DONNELL CHRISTIE LOUISE	6 KALEIGH COURT	HAMPTON	VA	23666-5008
R100 29 32A	DORE BERTRAND O	POST OFFICE BOX 2478	BEAUFORT	SC	29901
R100 29 47	FREE BORN DELIVERANCE TEMPLE	2606 SMILAX AVENUE	PORT ROYAL	SC	29935
R100 29 52	FURMAN IRENE	3043 MINK POINT BLVD	BEAUFORT	SC	29902-5828
R100 29 40	GLAZE HERBERT N	7036 ROSEIDA ROAD	BEAUFORT	SC	29903
R100 29 40A	GLAZE JAMES WILLIE MAE	158 BROAD RIVER BLVD	BEAUFORT	SC	29902
R100 29 277	GLAZE LEON	154 BROAD RIVER BLVD	BURTON	SC	29902
R100 29 50	J & L COMPANY INC	POST OFFICE BOX 40	JOHNSONVILLE	SC	29955
R100 28A 313	JACOBS CLAUDELL / WILLIE J	24 GLAZE DRIVE	BEAUFORT	SC	29906
R100 29 45 & 482	JENKINS NETTIE CARTER	POST OFFICE BOX 114	SHELDON	SC	29941
R100 29 47B	LEGREE JOE E LUETTA H JTROS	121 BROAD RIVER BLVD	BEAUFORT	SC	29906
R100 29 47A	LEGREE JOE LUETTA JTROS	POST OFFICE BOX 8042	BEAUFORT	SC	29903
R100 29 115	PATTERSON MERRITT	317 LAURENS STREET	BEAUFORT	SC	29902
R100 29 41	PAULING MILDRED G	16 QUAIL RIDGE CIR	BEAUFORT	SC	29906
R100 28 273	RAMSEY FARM LP	355 LEXINGTON AVENUE 8TH FLOOR	NEW YORK	NY	10017
R100 29 37	SMALLS HARRY	220 JOE FRAZIER ROAD	BURTON	SC	29902
R100 29 48	SMITH SHIRLEY DONALDSON	78 PINE GROVE ROAD	BEAUFORT	SC	29906
R100 29 51	THOMAS HRS MARCELLA % NATHANIEL GR	POST OFFICE BOX 4116	BEAUFORT	SC	29903-4116
R100 25 27	TRASK CAROLINE CLARK	POST OFFICE BOX 1063	BEAUFORT	SC	29901
R100 29 46C	WASHINGTON IRENE	POST OFFICE BOX 4532	BURTON	SC	29903
R100 29 32C	WILLIAMS JOHN S / BETTY S	334 MILDEN HALL DRIVE	RIDGELAND	SC	29936

* (10.69 acres on Broad River Boulevard) from C3-Neighborhood Mixed Use Zoning to C5-Regional Center Zoning



**COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DIVISION**

Beaufort County Government Robert Smalls Complex
Physical: County Administration Building, 100 Ribaut Road, Room 115
Mailing: Post Office Drawer 1228, Beaufort SC 29901-1228
Phone: (843) 255-2140 • FAX: (843) 255-9432

December 9, 2016

RE: Notice of Public Meetings to Consider a Port Royal Island Map Amendment for R100 029 000 0046 0000 (10.69 acres located on Broad River Boulevard, west of Parris Island Gateway), from C3-Neighborhood Mixed Use Zoning District to C5-Regional Center Zoning District; Applicant: Mr. Andy Burris

Dear Property Owner:

In accordance with the Beaufort County Zoning & Development Standards Ordinance, Section 106-402, a public hearing is required by the Beaufort County Planning Commission and the Beaufort County Council before a map amendment/rezoning proposal can be adopted. You are invited to attend the following meetings and public hearings to provide comments on the subject proposed map amendments in your neighborhood. A map of the properties is on the back of this letter.

1. **The Metropolitan Planning Commission: Monday, December 19th, 2016 at 5:30 p.m.** at the City of Beaufort Council Chambers, 1911 Boundary Street, Beaufort, SC 29902.
2. **The Beaufort County Planning Commission (public hearing): Thursday, January 5, 2017, at 6:00 p.m.** in the County Council Chambers, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC.
3. **The Natural Resources Committee of Beaufort County Council: Tuesday, January 17, 2017, at 2:00 p.m.** in the Executive Conference Room, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC. *Please contact the County Planning Department for specific date and time.*
4. **Beaufort County Council** usually meets second and fourth Mondays at 5:00 p.m. in the County Council Chambers of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC. County Council must meet three times prior to making a final decision on this case. *Please contact the County Planning Department for specific dates, times, and locations.*

Documents related to the proposed amendment are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, in the Beaufort County Planning Department office located in Room 115 of the Beaufort County Administration Building. If you have any questions regarding this case, please contact the Planning Department at (843) 255-2140.

Sincerely,

Anthony J. Criscitiello
Planning Director

Attachment: Map on back of letter



PORT ROYAL ISLAND MAP AMENDMENT/REZONING REQUEST FOR R100-29-46 (10.69 ACRES ON BROAD RIVER BOULEVARD)—POSTING SIGN NOTIFYING PUBLIC OF MAP AMENDMENT/REZONING REQUEST:

1. FACING PROPERTY
2. EAST OF PROPERTY (TOWARD PARRIS ISLAND GATEWAY)
3. WEST OF PROPERTY (TOWARD RAMSEY ROAD)
4. HOUSE WEST OF PROPERTY ACROSS BROAD RIVER BLVD.
5. CHURCH ACROSS BROAD RIVER BLVD.
6. CHURCH TO WEST OF CHURCH IN #5 PHOTO