



COUNTY COUNCIL OF BEAUFORT COUNTY

Community Development Department

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

Members:

Robert Semmler, Chairman
Randolph Stewart, Vice Chairman
Diane Chmelik
Caroline Fermin
Kevin Hennelly
Jason Hincer
Cecily McMillan
Harold Mitchell
Ed Pappas

PLANNING COMMISSION
MONDAY, APRIL 1, 2019, 6:00 P.M.
COUNCIL CHAMBERS
COUNTY 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.
Community Development Office, Administration Building, Room 115
2. REGULAR MEETING – 6:00 P.M.
Council Chambers, Administration Building
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. CITIZEN COMMENTS
6. REVIEW OF MEETING MINUTES FROM MARCH 4, 2019 (backup)
7. CHAIRMAN'S REPORT
8. **NORTHERN BEAUFORT COUNTY MAP AMENDMENT / REZONING REQUEST FOR R100 029 000 0046 0000 (10.69 ACRES AT 126 BROAD RIVER BLVD, BEAUFORT, SC) FROM C3 NEIGHBORHOOD MIXED USE TO C5 REGIONAL CENTER MIXED USE; APPLICANT: 10 FRONTAGE RD, LLC (backup)**
9. NEW/OTHER BUSINESS:
 - A. NEW BUSINESS:
 - B. OTHER BUSINESS: NEXT SCHEDULED REGULAR PLANNING COMMISSION MEETING: MONDAY, MAY 6, 2019, 6:00 P.M., COUNCIL CHAMBERS, COUNTY ADMINISTRATION BUILDING, 100 RIBAUT ROAD, BEAUFORT, SOUTH CAROLINA
10. ADJOURNMENT





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The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, March 4, 2019, in Council Chambers, County Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Robert Semmler, Chairman	Dr. Caroline Fermin	
Mr. Randolph Stewart, Vice Chairman	Ms. Diane Chmelik	Mr. Kevin Hennelly
Mr. Harold Mitchel	Mr. Ed Pappas	

Members Absent: Mr. Jason Hinchler and Ms. Cecily McMillan

Staff Present:

Mr. Eric Greenway, Community Development Director
Mr. Robert Merchant, Assistant Community Development Director
Ms. Melissa Peagler, Long-range Planner
Ms. Diane McMaster, Senior Administrative Specialist

CALL TO ORDER: Chairman Semmler called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Chairman Semmler led those assembled at the library with the pledge of allegiance to the flag of the United States of America.

CITIZEN COMMENTS: There were none.

REVIEW OF MEETING MINUTES: The Commissioners reviewed the January 7, 2019, meeting minutes. Dr. Caroline Fermin made a motion to accept the minutes as written, and Ms. Diane Chmelik seconded the motion. The motion carried (**FOR: Semmler, Stewart, Fermin, Chmelik, Hennelly, and Pappas; ABSTAINED: Mitchell; ABSENT: Hinchler and McMillan**).

CHAIRMAN'S REPORT: Chairman Semmler noted that Mr. Robert Merchant would speak regarding updates to the Comprehensive Plan.

Southern Beaufort County Map Amendment / Rezoning Request for R600 022 000 011A 0000 (4.25 acres at 175 Fording Island Road, Bluffton, SC) from T2R Rural to C5 Regional Center Mixed Use; Applicant: Laura Lewis

Ms. Tammy Sauter is representing the property owner, Ms. Laura Lewis. The property is adjacent to the Hilton Head Honda dealership, a C5 Regional Commercial property. Community Development Staff are in favor of the rezoning request and will consider changing the Future Land Use designation during the Comprehensive Plan update process. The current Future Land Use designation is Community Commercial, and the proposed Future Land Use designation is Regional Commercial. It was noted that the back side of the 4.25 acre tract is wetland. The property is currently for sale; the owner requesting the zoning change in hopes of increasing the property's value.

Ms. Rikki Parker, Coastal Conservation League, asked the Commission to consider something more appropriate than the C5 Regional Center Mixed Use designation. She stated that rural zoning was no longer appropriate but pointed out there was still residential development in the nearby area. Ms. Parker suggested a C3 Neighborhood Mixed Use designation. (A letter from Ms. Parker dated 03/04/19 regarding the rezoning request has been made a part of these minutes.)

Chairman Semmler asked for a motion regarding the rezoning request. Mr. Randolph Stewart made a motion to approve the rezoning request from T2R Rural to C5 Regional Center Mixed Use, and Chairman Semmler seconded the motion. It was determined there was no recommendation pending. Therefore, Mr. Ed Pappas made a motion to deny the rezoning request, and Mr. Kevin Hennelly seconded the motion. The motion to deny the request carried by a 4:3 vote (**FOR: Pappas, Hennelly, Chmelik, Fermin; AGAINST: Semmler, Stewart, Mitchell; ABSENT: Hinchler and McMillan**).

Mr. Robert Merchant discussed procedures for the Comprehensive Plan and explained that State Legislation mandates updates to the Plan every ten (10) years and reviews every five (5) years. Our current Comprehensive Plan was adopted January 2011, and the update process is just beginning for adoption of the new Plan in January 2021. We have been approached by the Town of Bluffton to join in their rewrite efforts and have also contacted the City of Beaufort, Town of Hilton Head, and Town of Port Royal. At this time, the coordination amongst jurisdictions is still in the planning phase but would be very beneficial to all involved. The jurisdictions will meet with their respective Council members in March 2019 requesting support for the coordination of efforts proposal.

Mr. Greenway suggested adopting an implementation element for the Plan rewrite to categorize zero to two-year, two-year, five-year, etc. goals. The Commission would be updated by Staff annually regarding goal status.

NEW/OTHER BUSINESS:

Other Business: The next regularly scheduled Planning Commission meeting will be Monday, April 1, 2019, 6:00 p.m., Council Chambers, County Administration Building, 100 Ribaut Road, Beaufort, SC.

ADJOURNMENT: Chairman Semmler requested a Motion to adjourn the meeting at 6:50 p.m. Mr. Kevin Hennelly made the motion, and Mr. Ed Pappas seconded the motion. The motion **carried (FOR: Semmler, Fermin, Stewart, Mitchell, Chmelik, Hennelly, and Pappas; ABSENT: Hinchler and McMillan)**.

SUBMITTED BY:

Diane McMaster, Community Development Senior Admin Specialist

Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED: April 1, 2019



March 4, 2019

Beaufort County Planning Commission
County Administration Building
100 Ribaut Road
Beaufort, SC 29902

Re: Southern Beaufort County Map Amendment/Rezoning Request for R600 022
000 011A 0000

Dear Beaufort County Planning Commissioners:

Thank you for the opportunity to comment on the proposed Southern Beaufort County map amendment and rezoning request. The applicant has applied to rezone the 4.25-acre property at 175 Fording Island Road from T2R Rural to C5 Regional Center Mixed Use. The property is located south of the Graves Property. The waterfront portion of that parcel was purchased with funding from the county's Rural and Critical Lands program in 2013. The remainder, known as Pepper Hall, is scheduled for residential and commercial development. In addition, this property is located north of the town of Bluffton's Buckwalter Planned Unit Development and west of Berkley Hall's golf course. Two car dealerships are also located near the applicant's property.

The Comprehensive Plan's future land use map identifies the properties along this portion of US-278/Fording Island Road as either Neighborhood/Mixed-Use or Community Commercial. The staff report seems to acknowledge that the proposed rezoning is not "consistent with" and does not "further[] the goals of the Comprehensive Plan," pointing out that "[t]he zoning is more in line with the Regional Commercial land use designation." This rezoning is in conflict with the Comprehensive Plan's future land use map and should be carefully scrutinized by this committee.

The staff report states: "Due to the amount of traffic on...Highway 278 (Fording Island Road) and the adjacent Regional Commercial zone and uses, it is unlikely that residential rural uses will continue to be the best use of the property." While a more modest up zoning may be appropriate along this portion of Fording Island Road, it is not a foregone conclusion that the area can or should convert to Regional Commercial uses. The property's northern boundary is Berkley Hall's golf course. That land use is unlikely to change in the near future. To the south is the Town of Bluffton's Buckwalter Planned United Development. According to the Buckwalter Concept Master Plan, the area adjacent to the proposed rezoning is slated for a small amount of commercial development, but is largely wetlands. To the west, Buckwalter is slated for residential development. Farther east, is Rose Hill. Bluffton's zoning beyond Rose Hill is General Mixed Use. To the north, Pepper Hall is slated for residential and mixed-use development. In other words, it is far from a forgone conclusion that the area will eventually



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transition to Regional Commercial; rezoning the property to C5 Regional Commercial at this juncture would be premature. A rezoning to allow for greater flexibility in land use may be appropriate, but jumping from T2 Rural to Regional Commercial is a step too far.

The Conservation League also has concerns about the impacts of reassessing large portions of the US-278/Fording Island Road corridor. Staff's recommendation does not clearly define how much of the corridor's future land use map should be reevaluated; however, any redrawing of future land use map in this portion of the county should be carefully scrutinized. This area is at the headwaters of the Okatie River and is approaching full build out. The river is already impaired due to high levels of fecal coliform. Beaufort County knows full well the impacts of development and impervious surface on water quality. This commission should approach changing the future land use map in this area with caution.

In conclusion, a rezoning on this small property may be warranted. No doubt the land uses along US-278/Fording Island Road, particularly in this area, are no longer rural. However, up zoning the property to C5 Regional Commercial, may be a step too far, particularly given the proposed residential, mixed use, and golf course uses located nearby.

Sincerely,

Rikki Parker
Project Manager
Coastal Conservation League



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Robert Merchant, AICP, Beaufort County Community Development Department
DATE: March 19, 2019
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-2019-02
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 a maximum height of 2 ½ stories.

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.

This same rezoning went before the Metro Planning Commission at their December 19, 2016 meeting. At that time, the MPC did not recommend rezoning the property because it was felt that the applicant had options to develop multi-family housing under its existing zoning designation – C3-Neighborhood Mixed-Use. Since that time, Beaufort County Council approved a zoning amendment that removed a requirement that multi-family housing in C3 needed to be located in mansion apartments with no more than 6 units per building. However, the applicant wishes to construct more than 80 units in 3 story buildings, and utilize the affordable housing density bonuses available in the C5-Regional Center Mixed-Use district.

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 Comprehensive Plan advocates the development of affordable housing. This zoning amendment has the potential to foster the development of affordable housing in a centrally located area with relatively close proximity to employment and retail.

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 has the potential to foster the development of affordable housing.

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. NORTHERN BEAUFORT COUNTY REGIONAL PLAN

The proposed parcel is located within the growth boundary as put forth in the Northern Beaufort County Regional Plan. The regional plan and the intergovernmental agreement that implements the plan require that all increases in zoning in unincorporated Beaufort County located within the growth boundary explore options to annex into the appropriate municipality – in this case the City of Beaufort. The intergovernmental agreement states the following:

The county shall encourage any landowner who seeks an increase in densities/intensities under current zoning on lands that are not contiguous to a municipality but within the growth boundary, to explore ways to annex the land. If annexation is not feasible, following the procedures outlined in Section G (below) the County will consult with the Planning Staffs of the City of Beaufort and the Town of Port Royal to determine the following: a. Whether the proposed zoning amendment or planned unit development is consistent with the Comprehensive Plan of the municipality in whose future growth area the proposed development is located; and b. Whether the proposed zoning amendment or planned unit development is consistent with the Northern Beaufort County Regional Plan.

This report has been sent to the City of Beaufort staff. Beaufort County staff will consult with City staff to determine whether annexation is feasible and whether this rezoning is consistent with the Northern Regional Plan.

E. STAFF RECOMMENDATION:

Staff supports the rezoning of this property from C3-NMU to C5-RCMU with the following condition:

- County staff will consult with City of Beaufort staff to determine whether annexation is feasible for this parcel and whether the proposed zoning designation is consistent with the Northern Beaufort County Regional Plan.

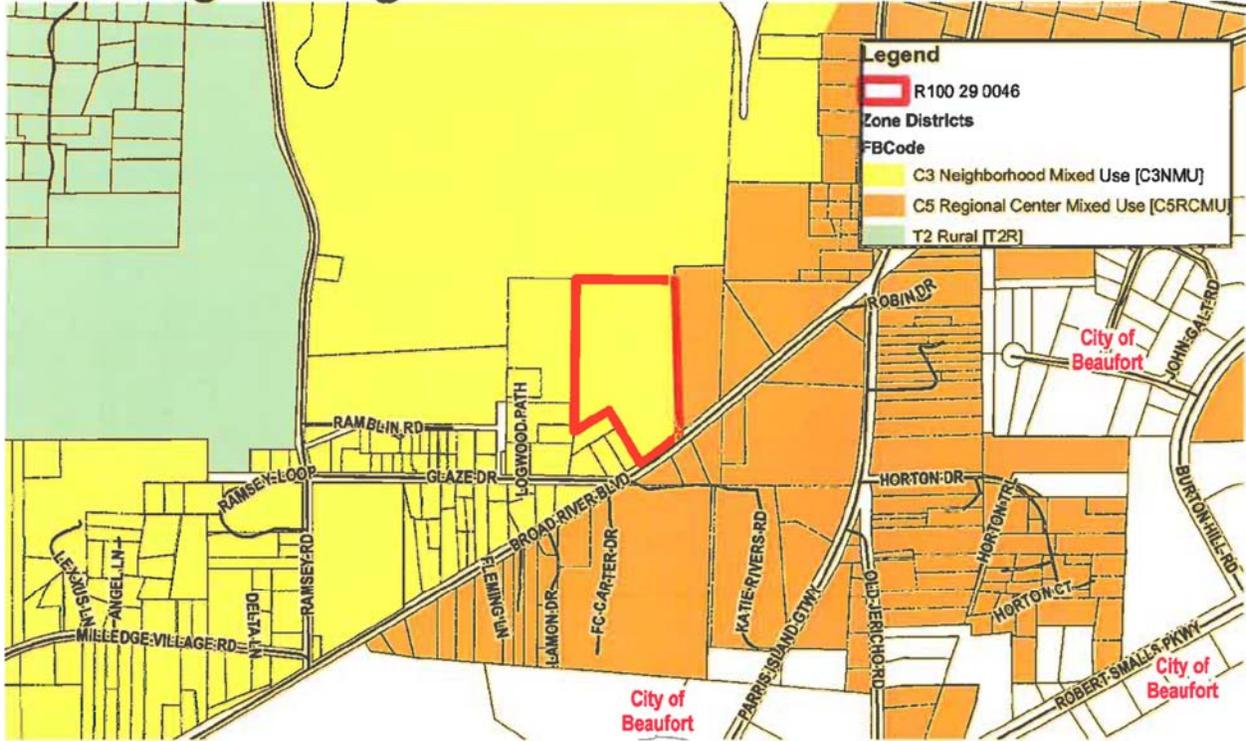
F. METRO PLANNING COMMISSION (MPC):

This proposed rezoning is located within the growth boundaries of Northern Beaufort County. Therefore, it is required to be reviewed by the MPC. The MPC reviewed this rezoning at their March 18, 2019 meeting where they unanimously voted to support the staff recommendation.

G. ATTACHMENTS:

- Zoning Map (existing and proposed)

Existing Zoning



Proposed Zoning

