



MEMORANDUM

TO: Beaufort County Planning Commission

FROM: Anthony Criscitiello, Planning Director

DATE: June 18, 2010

SUBJECT: Rezoning Request from Lady's Island Community Preservation (LICP) and Professional Office District (POD) to Village Center (VC)

A. BACKGROUND:

Case No. ZMA-2010-06

Applicant/Owner: Jane Hinchler / Oakwood Properties of Beaufort, LLC

Property Location: West side of SC 802 (Sam's Point Road) at Mayfair Court

District/Map/Parcel: R201-105-118, -508, -509 and -510

Property Size: 2.14 acres (total of 4 parcels)

Current Zoning District: Lady's Island Community Preservation (LICP) and Professional Office District (POD)

Proposed Zoning District: Village Center (VC)

B. SUMMARY OF REQUEST:

These properties are currently developed as the Oakwood I and Oakwood II centers on Lady's Island. Under the current zoning, these buildings are limited primarily to office and service uses. The applicant would like to broaden the list of allowable uses to include retail tenants. The properties are adjacent to the boundaries of the Village Center, which does permit commercial retail.

C. ANALYSIS: Section 106-492 of the ZDSO states that a zoning map amendment may be approved if the weight of the findings describe and prove:

1. *The change is consistent with the County's Comprehensive Plan and the purposes of this Ordinance.*

The current Future Land Use Map of the County's Comprehensive Plan shows this general area as "urban/mixed use" and "community commercial". These future land use designations are intended to accommodate a mix of residential and commercial uses. The property is already

developed with two commercial buildings. Both the existing zoning of the property and the proposed district are consistent with these future land use designations. The site is also within a municipal growth boundary, but is not currently contiguous to a municipality.

2. The change is consistent with the character of the neighborhood.

The property is adjacent to the Village Center (VC) district and would be consistent with the general pattern of uses in the surrounding area.

3. The extent to which the property is consistent with the zoning and use of nearby properties.

The property is between a Village Center (VC) district on one side and a Professional Office District (POD) on the other. The POD parcel is currently used as a convenience store, which is a retail use not permitted by-right in the POD. The applicant wishes to allow retail uses at the Oakwood developments, which would not be inconsistent with nearby uses.

4. The suitability of the property for the uses to which it has been restricted.

The property has been used for offices and service businesses, which are permitted in both the POD and VC districts. There are grandfathered retail tenants in the buildings as well. The rezoning would simply make the retail uses conforming.

5. Allowable uses in the proposed district would not adversely affect nearby property.

The property is already developed, and it is unlikely it will be redeveloped in the near future. The property also fronts onto Sam's Point Road and contains a buffer along the rear next to single-family development. The property already contains grandfathered retail uses. Allowing these types of uses by right will not adversely affect nearby property.

6. The length of time a property has remained vacant as zoned, where the zoning is different from nearby developed properties.

The property is already developed with two commercial buildings.

D. TRANSPORTATION ASSESSMENT:

The proposed rezoning did not trigger the need for a traffic impact assessment (TIA) since the properties are already developed.

E. STAFF RECOMMENDATION:

After review of the guidelines set forth in Section 106-492 of the ZDSO, staff recommends approval of the requested rezoning from Lady's Island Community Preservation (LICP) and Professional Office District (POD) to Village Center (VC).

F. COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION:

On June 7, 2010, the Lady's Island Community Preservation Committee met to discuss the proposed rezoning. The Committee voted unanimously to recommend approval of the request because the property is adjacent to the boundaries of the Village Center, is already developed, and the VC district will provide more flexibility to the property owner.

G. LADY'S ISLAND/ST. HELENA ISLAND SUBCOMMITTEE RECOMMENDATION:

The Subcommittee met on June 16, 2010 to consider the proposed rezoning. No members of the public were present. Ms. LeGree made a motion, and it was seconded by Mr. Petit, to recommend approval of the rezoning request to the Planning Commission. The motion was carried unanimously (FOR: Hicks, LeGree and Petit).

H. ATTACHMENTS:

1. Zoning Map
2. Rezoning Application