



## 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, JUNE 3, 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 APRIL 1, 2019 ([backup](#))
7. CHAIRMAN'S REPORT
8. **NORTHERN BEAUFORT COUNTY MAP AMENDMENT / REZONING REQUEST FOR R100 024 000 078C 0000 (12.21 ACRES AT 19 COVENANT DRIVE, BEAUFORT, SC) FROM S1 INDUSTRIAL TO T2R RURAL; APPLICANT: DEAN WILLIAMS** ([backup](#))
9. NEW/OTHER BUSINESS:
  - A. NEW BUSINESS:
  - B. OTHER BUSINESS: NEXT SCHEDULED REGULAR PLANNING COMMISSION MEETING: MONDAY, JULY 1, 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, April 1, 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. Jason Hinchler	Ms. Cecily McMillan

**Members Absent:** Mr. Ed Pappas, Mr. Kevin Hennelly, and Mr. Harold Mitchel

**Staff Present:**

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

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

**PLEDGE OF ALLEGIANCE:** Chairman Semmler led those assembled with the pledge of allegiance.

**CITIZEN COMMENTS:** There were none.

**AGENDA REVIEW:** Chairman Semmler asked to add one item to the existing meeting agenda. Dr. Caroline Fermin made a motion to add Impact Fee presentation by Mr. Eric Greenway, Community Development Director, to the agenda, seconded by Mr. Jason Hinchler. All Commission members were in favor of adding the additional agenda item.

**REVIEW OF MEETING MINUTES:** The Commissioners reviewed the March 4, 2019, meeting minutes. Dr. Caroline Fermin made a motion to accept the minutes as written, and Ms. Cecily McMillan seconded the motion. The motion carried (**FOR: Semmler, Stewart, Fermin, Chmelik, Hinchler, and McMillan; ABSENT: Pappas, Hennelly, and Mitchel**).

**CHAIRMAN'S REPORT:** Chairman Semmler stated that the Braves had better start winning.

**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 Agent: Mr. Andy Burris

Mr. Robert Merchant, Community Development Assistant Director, stated that the 126 Broad River Blvd property is located in the Burton area. The owner has expressed interest in developing multi-family housing on the site and possibly affordable housing. It was noted that approximately one half of the 10.69 acres is wetlands. The proposed parcel is located within the growth boundary as set forth in the Northern Beaufort County Regional Plan. The Regional Plan and the Intergovernmental Agreement which 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.

Said report has been sent to City of Beaufort staff. Beaufort County staff recommendation, pending feedback from City of Beaufort staff, is to recommend the requested zoning change. The Metro Planning Commission voted unanimously to support the Beaufort County staff recommendation at their March 18, 2019, meeting.

Mr. Edward Durst, managing partner of Athenian Investments LP, which owns a nearby parcel, supports the requested zoning change.

Dr. Skeet Burris addressed the December 19, 2016, Metro Planning Commission meeting and explained that the parties involved could not reach an agreement regarding the matching-style configuration. He is now requesting the rezoning in order to move forward with development.

Mr. Randolph Stewart suggested approving the rezoning request with a condition regarding affordable housing. Mr. Eric Greenway explained to the Commission that the State of South Carolina does not allow for conditional rezoning. He went on to say that the County may want to adopt a text amendment regarding the C3 zoning to exceed the 80-unit cap if the design criteria meets the affordable housing formula.

Chairman Semmler asked for a motion regarding the rezoning request. Mr. Jason Hinchler made a motion to approve the rezoning request from C3 Neighborhood Mixed Use to C5 Regional Center Mixed Use with a strong recommendation to forward the affordable housing issue to the Natural Resources Committee for their input. Dr. Caroline Fermin seconded the motion. The motion to approve the request was unanimous.

County staff will report back to the Commission regarding either text amendment or adoption of the rezoning request presented today.

### **IMPACT FEES**

Mr. Eric Greenway explained that the SC Impact Fee Act requires that the process for adopting an impact fee ordinance begins with a resolution of the Council directing the local Planning Commission to conduct the necessary studies and recommend an impact fee ordinance developed in accordance with the Act. An impact fee study for Beaufort County Schools is on County Council's meeting agenda for Monday, April 8, 2019.

#### **Refunds of Impact Fees**

- If the impact fees have not been expended within three years of the date they were scheduled to be expended on a first-in, first-out basis; and

#### **Annexation**

- A county development impact fee ordinance imposed in an area which is annexed by a municipality is not affected by this article until the development impact fee terminates, unless the municipality assumes any liability which is to be paid with the impact fee revenue. (City of Hardeeville will be required to collect impact fees for transportation, libraries, and parks.)

Tischler Bise, Impact Fee Consultants, is currently updating the County's fee study for transportation, libraries, and parks. They are currently conducting a new study regarding Beaufort County Schools. County Council is also considering expanding the consultant's scope to include fire, emergency medical services, public safety, and capital equipment.

In relation to the work scope for the County Schools Impact Fees project, the Beaufort County Planning Commission will be asked to assist with the following:

- Preparation of School Impact Fee Report

- Stakeholder outreach
- Preparation of School Impact Fee Ordinance
- Preparation of inter-local Agreements

Mr. Greenway clarified that under State law, the County would be responsible for payment of any affordable housing impact fee waivers which occur. He also asked the Commission members to begin considering economic development issues when discussing the need for affordable housing in Beaufort County.

**NEW/OTHER BUSINESS:**

**Other Business:** The next regularly scheduled Planning Commission meeting will be Monday, May 6, 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 approximately 6:50 p.m. Dr. Caroline Fermin made a motion, and Mr. Jason Hincer seconded, to adjourn the meeting. All Commission members in attendance were in favor of adjournment.

**SUBMITTED BY:**

\_\_\_\_\_  
Diane McMaster, Community Development Senior Admin Specialist

\_\_\_\_\_  
Robert Semmler, Beaufort County Planning Commission Chairman

**APPROVED:**

**May 6, 2019**



# MEMORANDUM

**TO:** Beaufort County Planning Commission  
**FROM:** Robert Merchant, AICP, Beaufort County Community Development Department  
**DATE:** May 21, 2019  
**SUBJECT:** Zoning Map Amendment/Rezoning Request for R100 024 000 078C 0000, 6 acres at 19 Covenant Drive, from S1 Industrial to T2 Rural; Owner: Edward Dean Williams

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## **STAFF REPORT:**

### **A. BACKGROUND:**

**Case No.** ZMA-2019-04  
**Owner/Applicant:** Edward Dean Williams  
**Property Location:** 19 Covenant Drive – located in Burton on the south side of Bay Pines Road near the intersection of Schein Loop  
**District/Map/Parcel:** R100 024 000 078C 0000  
**Property Size:** 6 acres  
**Current Future Land Use Designation:** Light Industrial  
**Current Zoning District:** S1 - Industrial  
**Proposed Zoning District:** T2 Rural

### **B. SUMMARY OF REQUEST:**

The subject property consists of a 6-acre newly subdivided parcel where the applicant is interested in building a private residence. The current zoning designation – S1 Industrial does not permit single family houses.

This property has a history of zoning amendments that have reflected the different uses past property owners have desired for the site.

- Historically, a portion of the property had a light industrial use on it located in an 8,000 square foot metal frame building. The property was originally zoned Light Industrial under the Zoning and Development Standards Ordinance (ZDSO).
- In 2006, the property was purchased by a church and the owner rezoned the parcel to Rural with Transitional Overlay since churches were not a permitted use in Light Industrial.
- In 2017, the new owner changed the zoning to S1-Industrial to locate a cabinet shop in the same building.
- Now the current owner has subdivided the property and is interested in building a single-family residence on the western half of the property.

**C. REZONING ANALYSIS:**

1. **Impact on Proposed Land Use on Adjoining Properties:** The property is bordered on the west and north by parcels zoned S1- Industrial. South and east of the property are large undeveloped tracts that are zoned T2-Rural. The property is located approximately 500 feet south of the Beaufort Commerce Park. Along Bay Pines Road and Covenant Drive, there are six other light industrial and warehousing operations in addition to the Burton Fire District Pinewood Station. The proposed residential use for this property will have no adverse impact on the surrounding uses.
2. **Impact on MCAS Airport Overlay District:** The property is located in the MCAS Airport Overlay District Zone 2a which has a day-night average noise level of 65 to 70 decibels. While the MCAS-AO district discourages high density residential development, this proposed zoning amendment would only result in the maximum potential development of two houses on 6 acres.

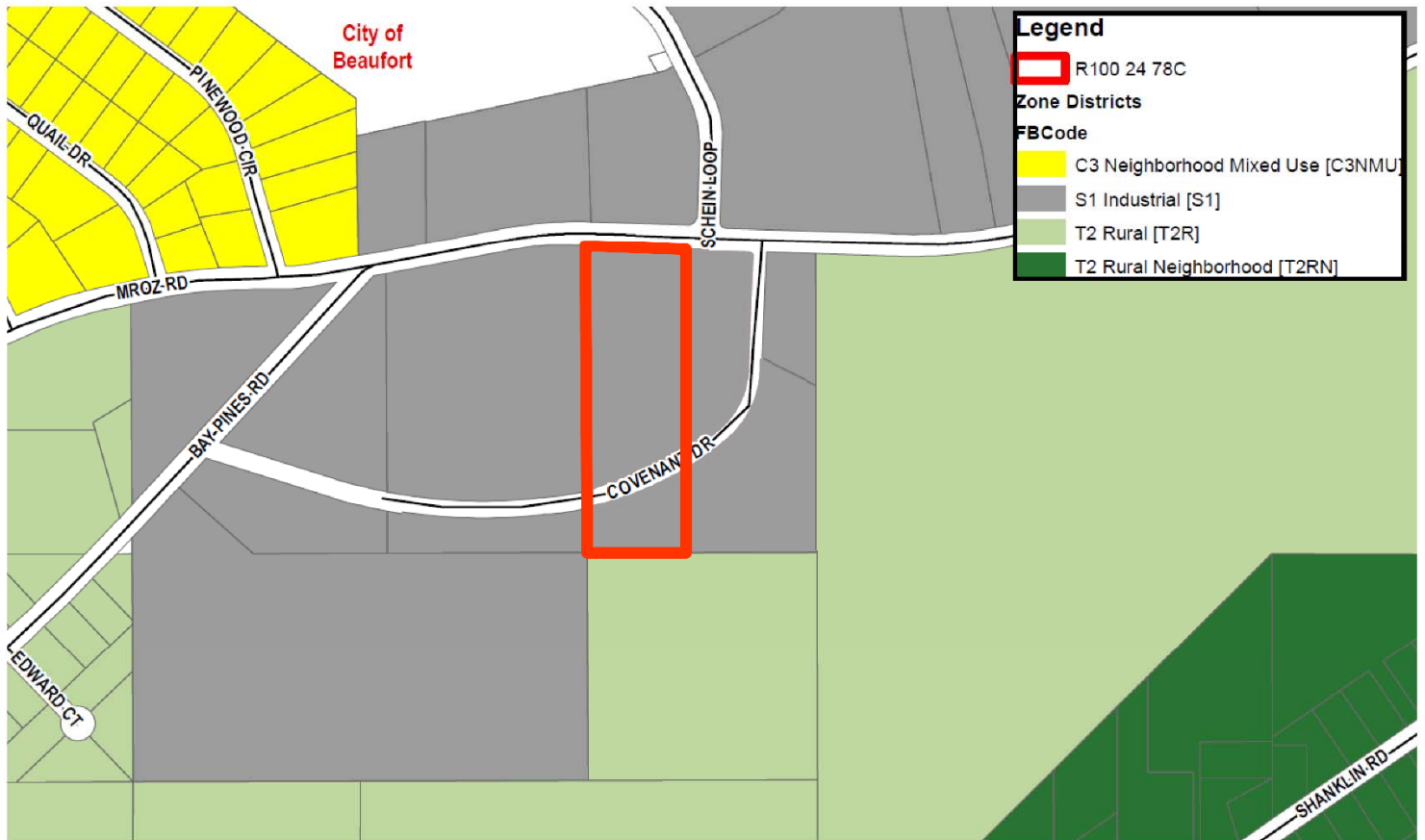
**D. STAFF RECOMMENDATION:** Staff recommends approval of the rezoning request for 6 acres at 19 Covenant Drive from S1 Industrial to T2 Rural.

**E. METROPOLITAN PLANNING COMMISSION RECOMMENDATION:** The rezoning went before the Metro Planning Commission at their May 20, 2019, meeting. At that time, the Commission unanimously supported the zoning amendment.

**F. ATTACHMENTS:**

- Zoning Map (existing and proposed)

# Existing Zoning



# Proposed Zoning

