

COUNTY COUNCIL OF BEAUFORT COUNTY
ADMINISTRATION BUILDING
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
100 RIBAUT ROAD
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BEAUFORT, SOUTH CAROLINA 29901-1228

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CLERK TO COUNCIL

AGENDA
DEVELOPMENT AGREEMENT SUBCOMMITTEE
OF
NATURAL RESOURCES COMMITTEE

Friday, June 24, 2016

2:30 p.m.

Executive Conference Room, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

Committee Members:
Brian Flewelling, Chairman
Steve Fobes
Jerry Stewart

Staff Support: Tony Criscitiello

1. CALL TO ORDER – 2:30 P.M.

2. EXECUTIVE SESSION

A. Receipt of legal advice regarding terms of possible development agreement on Pepper Hall Plantation and potential legal claims regarding the same. ([backup](#))

3. ADJOURNMENT



Re: Graves Rezoning

Subject: Position on CDC

The Negotiating Committee asked the Graves Families to consult with County Staff regarding the Graves' pending applications under the ZDSO to rezone these Graves' lands at Pepper Hall Plantation. In consulting with County Staff, it became very apparent to us that County Staff prefers that these Graves lands be rezoned under the CDC with the front property (Graves and the Negotiating Committee have agreed on 45 acres) zoned as C5 and the rear property (Graves and the Negotiating Committee have agreed on 68 acres) zoned as C3.

In considering the possibility of rezoning under the CDC, in place of the ZDSO, the Graves Families have been, and are, unwilling to "start over", or "go backwards, in terms of procedural steps. The Graves Families are unwilling to go back to Planning Commission or to file and process a new rezoning application under the CDC. We are in agreement with Tom Keaveney, Beaufort County Attorney, that under applicable law, the County Council can override the recommendations of the Planning Commission, and/or of this subcommittee, and/or of the Natural Resources Committee, and utilize through a Development Agreement the New Code instead of the Old Code.

Subject to that legal agreement and understanding, and after much study, these Graves Families have concluded that the C3 zoning, as C3 is now written, on the 68 acres is not workable, from perspectives of economics and product types, but that C4 zoning on the 68 acres would be workable. Thus, these Graves Families have agreed to accept residential density limitations available under the C4 zoning, to that 68 acres, under the C4 zoning to 480 dwelling units.

Taking all of the foregoing into consideration, the Graves Families at this time are willing to settle this matter as follows, giving the County the option to modify C3 or to go with C4 on the rear lands:

Front (southerly, along US Highway 278), 45 acres – C5

1. Rear (northerly, along Okatie River), 68 acres, Development Agreement to provide for:
 - A. C4 with residential density limitations available under the C4 zoning, to that 68 acres, to 480 dwelling units; **unless**
 - B. Within 6 months after the County's approval of the Development Agreement, the County, by a County-wide amendment of the CDC, amends C3 under the CDC as follows:
 1. To include "Apartment Buildings" as allowable C3 Building Types: and
 2. To modify the multi-family cap from 80 dwelling units to 480 dwelling units;

In which case, the C3 zoning on the rear lands would automatically change to C3 as amended.



Map County Base Map 2016 Aerial





Map County Base Map 2016 Aerial



Draw and Measure

Line Color Style **Solid**

Width **5** Alpha **1**

Show Measurements

Distance Units **Feet**

Font **Arial** **B** **I** Size **1**

100 m
500 ft