

The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Tuesday, October 4, 2005, at 6:00 p.m. in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Jim Hicks, Chair
Ms. Joy Guyer
Mr. Ronald Petit

Mr. Alan Herd, Vice Chair
Mr. Cecil Martin, Jr.

Ms. Diane Chmelik
Mr. Frank Mullen

Members Absent: Mr. Ben Johnson, III, and Mr. Vernon Pottenger

Staff Present:

Mr. Anthony Criscitiello, Planning Division Head
Mr. Robert Merchant, Long-range Planner
Ms. Barbara Childs, Administrative Assistant to the Planning Division Head

CALL TO ORDER: Chairman Hicks called the meeting to order at approximately 6:08 p.m.

REVIEW OF THE MINUTES: The September 6, 2005, Commission meeting minutes were reviewed. **Motion:** Ms. Guyer made a motion, and Mr. Petit seconded, **to accept the minutes of the September 6, 2005, meeting, as written.** The motion **was carried** (FOR: Herd, Hicks, Guyer, Martin and Petit; ABSTAINED: Chmelik).

CHAIRMAN’S REPORT:

1. Chairman Hicks spoke of Ms. Alice Busby, a Lobeo business woman, who gave impassioned pleas regarding a certain aspect of the proposed Rural Business District at the Commission meeting in September. She personified a citizen being involved, just as is the Commission, in trying to make better communities. She passed away shortly after that meeting. It would be remiss if he did not say that her presence and her voice will be missed tonight, but her spirit is here because she passionately believed in some of the things discussed tonight. Whether she would have agreed or not with the Commission’s decision, the Commission will keep in mind that her spirit will be with us.
2. Chairman Hicks noted that the Shady Glen Mobile Home Park project was withdrawn by the applicant; therefore, no action will be taken on it tonight.

PUBLIC COMMENT on Non-Agenda Items: None were received.

RURAL BUSINESS (RB) DISTRICTS:

Mr. Criscitiello gave a brief overview of the text and map amendments. These districts, endorsed by the Comprehensive Plan, are to promote small scale commercial uses primarily retail and service uses that are of residential scale and rural character. These districts are not intended to promote sprawl by competing with commercial districts in Priority Investment Areas, but rather are embedded within Rural Investment Areas. The Garden's Corner area will be mapped at a later date after the plans for widening Highway 17 are finalized. Two map options for the Lobeco and the Eustis areas are offered for consideration after comments were received at the Northern Beaufort County and the Lady's Island/St. Helena Island Subcommittees meetings in September 2005.

Public Comment:

1. Ms. Sally Murphy, a Sheldon resident, is concerned that this zoning designation is proceeding ahead of other zoning efforts, like the Northern Beaufort County Regional Plan. At the subcommittee meeting, several people used the term "we" implying, but not having the authority, to represent organized groups in the community to the Subcommittee members. She maintains that these people could only speak for themselves as individuals, since they did not represent an organized group in the community. She would like to see the Commission defer this sort of planning until the Northern Beaufort County Regional Plan includes this effort. Some of the proposed uses and sizes of buildings seem to be out of scale with the existing community. Some of the ideas such as frontage roads were good ideas, but a highway study is needed. She thinks anything worth doing is worth doing well. She hoped the Commission would take this into consideration.
2. Mr. Steve Wimberly, an 18-year Lobeco resident, moved from Beaufort to Lobeco for its rural setting and to get away from development and to have peace and quiet. His motivation for being at the meeting is out of concern for the part of the County he lives in and loves. There will be a lot of people who have spoken or will speak and their motivation is money. He did not know about the Subcommittee meeting and wondered how it was advertised. He is against the Rural Business District. He is in the convenience store/gasoline business in Beaufort. As a developer, the Northern Beaufort County area would be attractive because of the cheaper land prices and the convenient major thoroughfares. This type of development is not desired around residences. The types of development allowed in this district would not bring economic windfall for the community, rather only for the property sellers. As an employer, where his employees live is not as important as their quality of work.
3. Ms. Sharon Cooper, a Lobeco resident, is against the RB districts. She received 69 signatures from residents who could not attend tonight's meeting. In speaking for those residents, they love Lobeco and it's a quiet area. She does not want to build next to a gas station. She has not seen a WalMart or a Lowe's where there were residences next to them. The elderly, on fixed income, will face higher property taxes and costly connection to sewer lines when businesses are brought into the area. The big picture is not being considered. The effect of bringing businesses into the area would cause residents to move away from the area to avoid the higher property taxes.
4. Mr. Howard Mufuka, a Garden's Corner business owner, noted his property was commercial zoned until the Comprehensive Plan changed it to rural. He provides

- diverse services such as gasoline, fish market, accounting and tax preparation, public information, etc. He feels like a missionary because he assists the elderly by explaining letters they receive on various matters. He is in favor of the RB districts.
5. Mr. Rudolph Glover, a 20-year Dale business owner, noted his business employed his family members and assisted the youth of the community by teaching them a trade through his business. He is able to supplement his mother's income because of his business. He is able to take off work whenever he needs to because he is self-employed. He is for commercial development in the area. He would like to provide a way for his children to be self-sufficient. Entrepreneurship is the way to go and they need a fair chance.
 6. Mr. Joseph Kline is very much in favor of the RB districts. He believes people do not understand the County tax structure. Taxes are adjusted according to the land use. This plan will not add one penny to anyone's taxes, unless they build a building and establish a business. He asked the Commission to dispel the ruse commonly used to frighten people that development will raise taxes. The area north of the Whale Branch River has been classified as one of the most economically deprived areas in Southeastern American—it was similarly classed 15 years ago. Other similarly classified areas, through the efforts of their community working with the Federal government, received grant funds and no longer are classified as such. Lobeco still has its classification. Through the help of Councilman Gerald Dawson and other County council members, a grant was obtained to study economic development for the area. A lot of work was involved in the study and one of the results was the community wanted change. Lobeco has far less economic and business opportunities now than when he was a child. Lobeco had two booming stores that sold gas and a trucking company when he was a child. Today, to get gas, the Lobeco residents have to go to Garden's Corner or Beaufort. The RB district provides an opportunity for development. During the planning process of the Comprehensive Plan, the community asked for economic development opportunities. Retail opportunities are too far away, considering the cost of gasoline. Help us to help ourselves.
 7. Ms. Wendy Zara, echoing Ms. Murphy, requested that the RB district be deferred until the Northern Regional Plan occurs because it is piecemeal planning. Limited commercial is allowed throughout the Rural Districts and the Community Preservation Districts. There are three commercial nodes near Lobeco—Gray's Hill, Seabrook and Garden's Corner. Most of the businesses in the Lobeco RB district are conforming uses. She was on the economic development grant committee and the study said the citizens want small-scaled limited commercial. If the Commission moved forward with the RB Districts, Map 1 is much more in keeping with the area and Map 2 (the zoning requested by the community at the subcommittee meeting) has many undeveloped parcels of land. Some of the proposed uses are incompatible, in particular with Lobeco. She was happy to see area residents in the audience voicing their opinion through the petition they presented to the Commission. Gas convenience stores are larger, have more traffic, stay open later and are more lit than the old gas stations. Even Mr. Waverly, who is in that business, said he didn't want one in his neighborhood. Intense uses (20,000-foot grocery store; fuel dealers; textiles, apparel and furniture stores) should be removed because they are not compatible with the neighborhood. A highway plan is needed if intense uses are allowed on major roads. A traffic impact analysis is a

band-aid approach for traffic along corridors; it is not comprehensive enough and is expensive, if not impossible, to retrofit the corridors. Small-scale business is allowed in the current zoning. Taxes are based on what the assessor determines someone is willing to pay for the property. She cited Hilton Head and its development in correlation to higher taxes.

8. Ms. Ernestine Atkins applauds the Commission for considering the comments made by the Eustis community at the subcommittee meeting. The Eustis community is unique and everyone knows each other. The community is not against development, but it desires no new businesses and the retention of the RR zoning. She does not want to see sprawl development. Through her participation in the Comprehensive Plan committee years ago, she does not want to see sprawl occurring in the area. If others desire to develop in the area, they should address their desires to the Commission.
9. Mr. Woody Collins shares Mr. Kline's feelings about property ownership. He understands the difference between the grocery store and filling stations of old and now. He is not in favor of the enlarged RB district (Map 2). He endorses the area as it is and would like to see it stay like that.

NOTE: *Mr. Mullen entered the meeting at approximately 6:38 p.m. during the public comment period.*

Discussion by Commissioners included clarification of existing businesses in the Lobeco RB district, clarification that RB districts are for free-standing businesses, the need for parallel roads to avoid numerous curb cuts, the purpose this district should serve, the Commission's charge to plan for orderly growth, the legitimizing of existing businesses and providing commercial nodes without expansion, an opportunity to provide a business area in the community, the deserved economic development for Lobeco, a reiteration of the expanded Lobeco RB district resulting from the community input at the subcommittee meetings, the preference for the expanded Lobeco RB district rather than going back later to expand it, the refusal by Mr. Mullen because his property is in the Lobeco RB district, the fairness element involved in the RB districts where property owners request consideration for inclusion, the Commission's role of implementing the Comprehensive Plan rather than ensuring economic development, a deferral of this action until the completion of the Northern Regional Plan, and the process for adopting future RB districts or expanding adopted districts.

Motion: Mr. Petit made a motion, and Mr. Herd seconded, **to recommend forwarding to County Council that Rural Business Districts be established.** No further discussion occurred. The motion **was carried** (FOR: Chmelik, Herd, Martin and Petit; AGAINST: Guyer; RECUSED: Mullen).

Ms. Guyer stated she would have moved to approve the concept of Rural Business Districts as an amendment to the Comprehensive Plan, but would have deferred any action until the results of the Northern Regional Plan were available.

Mr. Herd seconded the motion because of the lengthy timeframe until the implementation of the Northern Regional Plan.

Discussion regarding the Eustis area RB District included a good turnout of citizens at the subcommittee meeting, a clarification of existing businesses, and a summarization of the Lady's Island/St. Helena Island Subcommittee meeting where the community would not like commercial businesses expanding in the area.

Motion: Mr. Martin made a motion, and Ms. Chmelik seconded, **to recommend approval of Map 4 as the Zoning Map Amendment that designates the Rural Business District in the Eustis area.** The motion **was carried unanimously** (FOR: Chmelik, Guyer, Herd, Martin, and Petit; ABSTAINED: Mullen)

Discussion regarding the Lobeco RB District included the reflection of the community and the fairness aspect of Map 2, requiring parallel roads for connectivity, and considering a third option to include Mr. Jim Mullins' two properties and the third Rural zoned parcel in Map 1 that abuts Mr. Mullin's property.

Motion: Ms. Guyer made a motion, and Ms. Chmelik seconded, **to recommend approval of Option 3 which is Map 1 plus the inclusion of the three properties at the end of Fertile Road that are zoned Rural for the Zoning Map Amendments that designate the Rural Business Districts in the Lobeco area.** Further discussion included a concern of spot zoning, the depth of community input at the subcommittee meetings, implementing parallel roads in the area, requiring a traffic impact analysis until a corridor-wide plan for the area occurs, and a clarification on the number of businesses that are not included in Option 3. The motion **was carried** (FOR: Chmelik, Guyer, Herd, Martin, AGAINST: Petit; ABSTAINED: Mullen)

No discussion occurred regarding the Garden's Corner RB District.

Motion: Mr. Herd made a motion, and Ms. Guyer seconded, **to recommend that no further discussion occur for the Garden's Corner Rural Business District until the South Carolina Department of Transportation plans for widening Highway 17 are made known to the County.** The motion **was passed** (FOR: Chmelik, Guyer, Herd, Martin, and Petit; ABSTAIN: Mullen).

No discussion occurred regarding the text amendments regarding Rural Business Districts.

Motion: Ms. Guyer made a motion, and Mr. Petit seconded, **to recommend approval of the following Text Amendments to the Zoning and Development Standards Ordinance/ZDSO that add development standards for the Rural Business Districts:**

- A. Article IV, Table 106-922, Table of Zoning Districts
- B. Article IV, Section 106-1025, Rural Business District Purpose Statement
- C. Article V, Table 106-1098, General Use Table
- D. Article V, Sections 106-1284, 1286, 1288, 1290, and 1359; Limited and Special Use Standards
- E. Article VI, Table 106-1526, Open Space and Density Standards
- F. Article VI, Table 106-1556, Lot and Building Standards
- G. Article VI, Table 106-1617, Bufferyard and Tree Standards
- H. Article VI, Table 106-1711, Exterior Storage and Illumination Standards

I. Article VII, Table 106-1782, Resource Protection Levels

J. Article VII, Table 106-1814, Base Site Area and Total Protected Resource Land

No further discussion occurred. The motion **was carried** (FOR: Chmelik, Guyer, Herd, Martin, and Petit; ABSTAIN: Mullen).

Motion: Mr. Petit made a motion, and Ms. Guyer seconded, **to recommend forwarding the text amendments and the map amendments regarding the Rural Business Districts, as recommended earlier tonight, to the Land Management Committee.** The motion was passed (FOR: Chmelik, Guyer, Herd, Martin, and Petit; ABSTAIN: Mullen).

Mr. Criscitiello expressed his appreciation for the attention the Commission has given to this issue. From a professional planning standpoint, he believes it is a right decision to be cautious on how to handle the rural area, particularly prior to a more definitive working document such as the Northern Regional Plan.

OTHER BUSINESS: No further business was discussed.

ADJOURNMENT: Mr. Mullen made a **motion**, and Mr. Herd seconded, **to adjourn** the meeting. The motion **was passed unanimously** (FOR: Chmelik, Guyer, Herd, Martin, Mullen and Petit). The meeting was adjourned at approximately 7:52 p.m.

SUBMITTED BY: _____

Barbara Childs, Admin. Assistant to the Planning Division Head

Jim Hicks, Beaufort County Planning Commission Chairman

APPROVED: **November 1, 2005**